

CITY OF ESCONDIDO

Planning Commission and Staff Seating



- A. CALL TO ORDER: 6:00 p.m.
- B. FLAG SALUTE
- C. ROLL CALL:
- D. MINUTES: 10/10/17

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) 839-4643 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. SPECIFIC PLAN, GENERAL PLAN AMENDMENT, REZONE, TENTATIVE SUBDIVISION MAP, SPECIFIC ALIGNMENT PLAN, DEVELOPMENT AGREEMENT, AND FINAL ENVIRONMENTAL IMPACT REPORT – SUB 16-0009; PHG 16-0018; ENV 16-0010:

REQUEST: The proposed project involves a series of actions to implement The Villages – Escondido Country Club Specific Plan project, which includes a total of 380 residential homes at 3.5 dwelling units per acre; approximately 48.9 acres of permanent open space with active greenbelts; 3.5 acres of parks; and recreational, social, and community amenities in a Village Center. A General Plan Amendment is proposed to change the existing Urban I (up to 5.5 units per acre) General Plan designation on the 109.3-acre site to Specific Planning Area #14 to facilitate the specific plan process for the implementation of new development standards for the site. A companion rezone is proposed to change the existing zoning from R-1-7 (Single-Family Residential, 7,000 SF minimum lot size) to SP (Specific Plan). A proposed tentative subdivision map provides 191 single-family lots and 31 condominium lots with 189 detached and attached condominium units for a total of 380 dwelling units in the proposed development. The Project also proposes a Specific Alignment Plan (SAP) to improve Country Club Lane from Golden Circle Drive to Nutmeg Street with traffic calming features to reduce speeds along the corridor and enhance active transportation. The SAP features two proposed roundabouts, at the Golden Circle Drive and La Brea Street intersections. The applicant is also requesting the approval of a Development Agreement to extend the life of the project entitlements and receive specific fee credits. The proposal also includes the adoption of the environmental determination prepared for the Project.

PROPERTY SIZE AND LOCATION: The approximately 109.3-acre project site is located in the northwest portion of the City, along both sides of West Country Club Lane, addressed as 1800 West Country Club Lane.

ENVIRONMENTAL STATUS: A Final Environmental Impact Report (SCH#2017011060) has been prepared pursuant to CEQA (Public Resources Code 21000-21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000-15387).

APPLICANT: New Urban West, Inc.

STAFF RECOMMENDATION: Approval

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**

October 10, 2017

The meeting of the Escondido Planning Commission Meeting 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; Don Romo, Vice-chairman; Joe Garcia, Commissioner; James McNair, Commissioner; James Spann, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: Michael Cohen, Commissioner.

Staff present: Bill Martin, Director of Community Development; Jay Paul, Senior Planner; Owen Tunnell, Principal Engineer; Adam Phillips, Deputy City Attorney; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Spann seconded by Commissioner McNair, to approve the minutes of the September 12, 2017, meeting. Motion carried unanimously. (6-0)

WRITTEN COMMUNICATIONS – Received.

FUTURE NEIGHBORHOOD MEETINGS – Received.

ORAL COMMUNICATIONS: None.

PUBLIC HEARINGS:

1. TENTATIVE SUBDIVISION MAP – SUB 17-0013:

REQUEST: A Tentative Subdivision Map for eight single-family residential lots on approximately 2.87 acres of land. Proposed lot sizes range from 10,006 SF to 14,205 SF. The existing single-family residence is proposed to be retained on proposed Lot 1 and the detached garage and shed removed. Access would be provided from Citrus Avenue by a new private cul-de-sac street. Citrus Avenue would be widened to its ultimate width across the project frontage to include appropriate transition to existing roadway improvements north and south of the

subject site within the existing right-of-way. Grading includes a combination of cut and fill, with anticipated import of approximately 6,500 cubic feet of material. Fill slopes ranging from approximately 2 feet to 5.5 feet in height are proposed along the northern and western property boundaries. Sewer would be provided from the extension of the existing sewer main in Meadowlark Lane on the east. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The approximately 2.87-acre project site is located on the eastern side of Citrus Avenue, south of Bear Valley Parkway, addressed as 220 S. Citrus Avenue (APN 231-470-03).

Jay Paul, Senior Planner, referenced the staff report and noted that staff issues were the appropriateness of the project design and grading, and whether the proposed subdivision would be compatible with surrounding development. Staff recommended approval based on the following: 1) Staff believed the proposed development of eight lots on the subject site would be appropriate because the project density and lot sizes would be consistent with the Suburban land-use designation and R-1-10 zoning designation. Lots sizes ranging from approximately 10,006 SF to 14,205 SF would be compatible with the range of lot sizes throughout the surrounding neighborhood. The project layout and grading design would provide adequate pad area to support the development of reasonably sized homes and usable yard area without the need for extensive manufactured slope/grades. The design and orientation of the lots would not create any adverse visual or compatibility impacts with adjacent lots. Adequate access and public utilities/services could be provided to the site. The proposed street design is appropriate for this development because the applicant has demonstrated the project design could accommodate a minimum of six cars on each lot (three in a garage and three in the driveway) along with a minimum of 1.5 on-street spaces per lot in accordance with the Suburban Street Design Standard. Mr. Paul then referenced revisions to Conditions 6 and 7 as outlined in the staff report.

Commissioner Weiler asked if the reason for not having floor plans and elevations was due to the item being a Tentative Subdivision Map. Mr. Paul replied in the affirmative.

Commissioner McNair and Mr. Paul discussed the provisions for the maintenance of the lots that would be under a homeowner association.

Chairman Weber and staff discussed the proposed sewer stub out and easement for the lot to the south.

Tim Stevens, Escondido, stated that he was not anti-development. He indicated that he owned a property south of the proposed development, noting his concern for groundwater saturation issues and the safety for his family. He expressed his concern with being told that the drainage issues for his community would be addressed with the development of the subdivision to the east, noting they still had drainage issues. He asked for the opportunity to hire his own civil engineer to assess the project's studies and to preserve the right to litigate in the future.

Chairman Weber asked to see the plot map in relation to Mr. Steven's property. Mr. Steven's stated that he was concerned with drainage issues impacting the safety of his family.

Dennis Jurgensen, Escondido, stated that he owned a property to the south of the project. He expressed his concern with potential drainage issues. He did not feel the proposed project's drainage ditch would handle the water on the site.

Jesse Driver, speaking on behalf of William Haragos, Escondido, noted that Mr. Haragos lived just north of the project. He referenced the email he had sent to the City and the responses from the City. He noted that Mr. Haragos had not had a flooding problem since 1983 and questioned whether capping the subject property's well would impact Mr. Haragos' well. He expressed concern with overlooking issues if the project's fence was located at the lower elevation of the properties. He requested information regarding the proposed drainage flow on the subject property. He also asked that no dirt from the project be placed against his existing fence. He then referenced Lot 1, noting the water from the lots would continue to flow in its natural course onto his property. He also questioned who would maintain the project's drainage ditch.

Matt Simmons, San Marcos, Applicant, noted that he had a full size set of plans they could provide to the previous speaker and anyone else at a future time. He referenced the proposed drainage plans as outlined in the staff report, noting that a majority of the water flowing from the south to the northern parcels would end up in the new drainage ditch and basins, and directed to the existing concrete drainage channel. Onsite water would be treated in the on-site retention basins. He stated that Lots 2, 3, 7, and 8 would be elevated between 3 to 5 feet, noting that the fence was proposed to be located at the bottom of the slope along with landscape screening in order to avoid creating a no man's land situation.

Commissioner Weiler asked who would maintain the vegetation used for screening. Mr. Simmons noted that the individual homeowner would maintain the vegetation.

Commissioner Spann felt capping the well on the project's site would benefit other well users in the area. Mr. Simmons concurred and noted that it would be capped in accordance with current codes.

Chairman Weber asked if any conceptual housing plans had been considered. Mr. Simmons replied in the negative.

Chairman Weber asked if they would be willing to restrict lots 2,3,7, and 8 to single-story homes. Mr. Simmons noted that he would be hesitant to restrict said lots without more study.

Vice-chairman Romo asked Mr. Simmons to comment on the drainage to the south on the subject property. Mr. Simmons referenced the drainage plans and noted that the drainage design would pick up the majority drainage for the surrounding properties and direct it to the existing concrete channel, rather than letting it pool on the subject properties.

Commissioner Weiler asked who would maintain the drainage ditches along the subject property. Mr. Tunnel noted that this would be looked at during final engineering, noting that a ditch to the north might not be required.

Vice-chairman Romo asked who would maintain the ditch, if installed. Mr. Simmons noted that the homeowners' association would maintain it.

Vice-chairman Romo asked Mr. Simmons if the homeowners' association could maintain the landscape screening on the slopes. Mr. Simmons felt it would be difficult for a small Homeowner's Association to take on additional maintenance responsibilities and that the homeowners would maintain their landscaping.

Commissioner Romo asked if it was too much for this project to finish the sidewalks to Citrus. Mr. Simmons replied in the affirmative.

Commissioner Romo and Mr. Simmons discussed creating a development agreement with the surrounding neighbors.

Commissioner Garcia asked if there were plans to talk with the neighbors. Mr. Simmons noted that they would be happy to meet with the neighbors.

Commissioner Weiler felt the project would help the drainage in the area. He felt that any drainage ditch behind Lots 2, 3, 7, and 8 should be maintained by the homeowners' association. He also stated that he was opposed to restricting any lots to single story.

Commissioner Spann felt the project would help the drainage in the area. He also felt any drainage ditch behind Lots 2, 3, 7, and 8 should be maintained by the homeowners' association.

ACTION:

Moved by Commissioner Weiler, seconded by Commissioner Spann, to approve staff's recommendation. The motion included that the homeowners' association conditions with regard to maintaining drainage ditches be subject to approval by City Staff or the Planning Director. Motion carried unanimously. (6-0)

ORAL COMMUNATIONS: None.

PLANNING COMMISSIONERS: No comments.

ADJOURNMENT:

Chairman Weber adjourned the meeting at 8:00 p.m. The next meeting was scheduled for October 24, 2017, at 6:00 p.m. in the City Council Chambers, 201 North Broadway, Escondido, California.

Mike Strong, Secretary to the Planning
Commission

Ty Paulson, Minutes Clerk



PLANNING COMMISSION

Agenda Item No.: G.1
Date: October 24, 2017

CASE NUMBER: SUB 16-0009 / PHG16-0018 / ENV 16-0010

APPLICANT: New Urban West, Inc.

LOCATION: The Project is located in the northwest part of the City, along both sides of West Country Club Lane, west of Nutmeg Street. The Project is approximately 0.5 miles to the west of I-15, and about 2 miles north of State Route 78 (SR-78).

TYPE OF PROJECT: General Plan Amendment, Rezone, Specific Plan, Tentative Subdivision Map, Specific Alignment Plan, and Development Agreement

PROJECT DESCRIPTION: The project involves a series of actions to implement the Villages – Escondido Country Club Project proposal, which includes a total of 380 residential homes at 3.5 dwelling units per acre; approximately 48.9 acres of permanent open space with active greenbelts; 3.5 acre of parks; and recreational, social, and community amenities in a Village Center ("Project"). A General Plan Amendment is proposed to change the existing Urban I (up to 5.5 units per acre) General Plan designation on the 109.3-acre site to Specific Planning Area #14 to facilitate the Specific Plan process for the implementation of new development standards for the site. A companion rezone is proposed to change the existing Zoning from R-1-7 (Single-family Residential, 7,000 SF minimum lot size) to SP (Specific Plan). A proposed Tentative Subdivision Map was filed concurrently with the Specific Plan application. The proposed Tentative Subdivision Map provides 192 single-family lots (with a minimum lot size of 3,630 square feet) and 30 condominium lots (with 188 detached and attached condo units) for a total of 380 dwelling units in the proposed development. The map depicts the grading and drainage, individual residential lots, common ownership lots, public streets, private driveways, and infrastructure improvements. The Project also proposes a Specific Alignment Plan (SAP) to improve Country Club Lane from Golden Circle Drive to Nutmeg Street with traffic calming features to enhance active transportation and reduce vehicular speeds along the corridor. The SAP features two proposed roundabouts, at the Golden Circle Drive and La Brea Street intersections. The applicant also filed a Development Agreement application pursuant to Government Code Sections 65864 through 65869.5 (the "Development Agreement Statutes"), in order to extend the amount of time allowed to record a final map for an additional two (2) years, to partially or fully waive parkland impact fees, and to process grading permits prior to map recordation. The proposal also includes the adoption of the environmental determination prepared for the Project.

- STAFF RECOMMENDATION:**
1. Recommend the City Council certify the Final Environmental Impact Report, which includes adopting findings of fact, a statement of overriding considerations, and a Mitigation Monitoring and Reporting Program.
 2. Recommend the City Council approve the proposed General Plan Amendment, Rezone, Specific Plan, Tentative Subdivision Map, Specific Alignment Plan (SAP), and Development Agreement.

GENERAL PLAN DESIGNATION: Existing: Residential Urban 1 (up to 5.5 dwelling units per acre).
Proposed: The General Plan Amendment would change the designation to Specific Planning Area No. 14.

ZONING: Existing: R-1-7 (Single-Family Residential with 7,000 square foot lots).
Proposed: The rezone (Zoning map amendment) would change the designation to Specific Plan (SP).

October 24, 2017

BACKGROUND/SUMMARY OF ISSUES: The Escondido Country Club community was developed over the course of several decades beginning with the first approval in 1963 for a nine (9) hole golf course, recreation center and 1,030-unit subdivision known as the “Golden Circle Valley” subdivision. The applicant (Morgan Stivers) noted the community was designed to be a “senior citizens’ development” and that construction of the golf course and recreational buildings were necessary for the successful completion of the overall project. The following year the property was sold to Royart who completed the nine (9) hole golf course, and then set to expand the course to 18-holes and reconfigure and expand the residential development surrounding the golf course.

By 1973, Royart and its successor Prudential Savings and Loan had developed the first five (5) housing tracts totaling over 458 units in what was now known as the Escondido Country Club. This represented almost half the lots envisioned by the original developer. Through the use of special use permits and variances, the developers were granted various exceptions to setback standards and minimum lot size based on the presence of recreational facilities in the community and statements that the golf course compensated for smaller lots.

The balance of the (undeveloped) property within the Escondido Country Club area was thereafter conveyed to various ownerships, with individual subdivisions being processed and developed throughout the 1970s and 1980s. The entirety of the acreage included within Royart’s retirement community had been fully subdivided by 1989. This included a total of 977 housing units (53 units fewer than the 1,030-unit “Golden Circle Valley” tentative map originally approved by the City but later abandoned by Royart in favor of Royart’s proposed enlarged development). As the 1990’s commenced, development activity in the area slowed and was limited to properties further away from the Escondido Country Club golf course.

The Escondido Country Club golf course was foreclosed upon in December of 2012. A new owner, Stuck in the Rough, LLC, continued golf course operations for another four (4) months before closing the course in April of 2013. On August 9, 2013, Stuck in the Rough, LLC filed the first residential development proposal on the former 109.4-acre golf course property. The proposed Preliminary Development Plan (PHG 13-0030) included 283 single-family residential lots with lot sizes ranging from approximately 7,000 SF to 19,000 SF in size. Proposed amenities included neighborhood parks, a clubhouse and pool, and approximately 22 acres of drainages and ponds.

On August 14, 2013, the City Council approved Ordinance 2013-10 adopting a qualified initiative measure designating the Escondido Country Club and golf course as Open Space-Park (OS-P) in the Escondido General Plan. In light of Council’s action, the Planning Division notified the applicant on August 23, 2013, that processing of the Preliminary Development Plan would cease because the application was no longer in conformance with the General Plan. Stuck in the Rough responded by filing a lawsuit against the City. The lawsuit challenged the adopted initiative on several points, including an assertion that the change to the General Plan constituted an uncompensated taking of private property.

While the litigation regarding the City’s change to the General Plan designation on the golf course from residential to open space was pending, Stuck in the Rough successfully circulated a ballot initiative proposing a residential development on the former golf course described as “The Lakes Specific Plan.” The Lakes Specific Plan proposed changing the General Plan designation from Open Space-Park to Specific Planning Area #14 to accommodate a development proposal that included 430 dwelling units, a community center and pool and approximately 27 acres of open space. The Lakes Specific Plan initiative (Proposition H) was rejected by Escondido voters in November of 2014. In March of 2015, the Superior Court overturned the City Council’s prior approval of the citizen’s initiative that designated the former golf course as open space. The court action restored the previous Urban I Residential Land Use designation on the former golf course and clubhouse property. A settlement agreement between the City and property owner ended litigation on the General Plan issue and kept the Urban I residential designation for the Project site in place. The property owner then selected New Urban West, Inc. to move forward with a proposed development proposal for the property.

On October 31, 2016, The developer, New Urban West Inc. (“Applicant”), filed a proposed development plan application, which consisted of a proposed General Plan Amendment, Rezone, Specific Plan, and Tentative Subdivision Map for 392 residences, known as The Villages at Escondido Country Club. In response, the City initiated a City-level review of the land development application to verify that the proposed buildings and structures would be constructed in compliance with all local, state, or federal laws and ordinances. The City also identified the need for preparation of an Environmental Impact Report (EIR). Many people in the community expressed interest in how, and when, the property may be reused. Because this issue was of significant interest to the public, the City began the process with a far-reaching public outreach effort, which

October 24, 2017

continued throughout the duration of the Project's planning and environmental review process. Through direct mail, informational meetings and open houses, legal advertisements, and e-newsletters, a broad range of residents, businesses, and other community members were given the opportunity to learn more about the development plan application, stay up to date on the City's review of the development plan application, and/or participate in the planning process.

On January 25, 2017, staff issued a Notice of Preparation (NOP) for the EIR. The NOP was the first step in the environmental review process. A total of 126 letters were received from agencies, organizations, and individuals interested in the proposed development and the scope of the environmental analysis. A Draft EIR was issued for a 45-day public review period on June 28, 2017. The City later extended the public review and comment period by an additional seven (7) days, resulting in a total circulation period of 52 days, which ended on August 18, 2017. A total of 485 response letters and emails were received by the City during the Draft EIR circulation period. In response to public comments submitted on the Draft EIR, the Applicant prepared a modified development proposal to reduce the maximum number of homes from 392 homes to 380 homes; and to limit at least 15 percent of all homes within the subdivision to single-story construction. The reduction in lots resulted in a 0.3-acre increase in open space. The proposed Specific Plan and Tentative Subdivision Map has been designed to reflect the Applicant's selection of the *Modified Preferred Project Map*. The map and land use categorization of 380 homes is also included in the Errata of the Final Environmental Impact Report (Final EIR). The *Modified Preferred Project Map* proposal of 380 homes is a minor modification of an alternative originally analyzed in the Draft EIR and does not require recirculation of the Draft EIR under CEQA Guidelines Section 15088.5.

Overview of Discretionary Actions Required

Discretionary actions to be considered by the Planning Commission in making its recommendation to the City Council include the proposed Specific Plan, along with all necessary actions to make its adoption internally consistent with the City's General Plan and Zoning Code:

Specific Plan	Provide for the adoption and implementation of the Villages – Escondido Country Club Project proposal as an integrated residential development, with supporting commercial, public facilities, recreation, and open space.	
General Plan Map and Text	Amend the Land Use portion of the General Plan	Amend the land use map with new potential land use designation to enable and accommodate Specific Plan proposal.
		Amend the Land Use Element text for consistency and to enable and accommodate Specific Plan proposal.
Zoning Code and Map	Amend the Zoning Map	Amend the citywide Zoning Map with a change from R-1-7 Zone to the new potential Specific Plan category in accordance with Article 18 of the Escondido Zoning Code.
Tentative Subdivision Map	Provide for the division of the Escondido Country Club property into smaller areas to implement the Specific Plan proposal. Provide for lot line adjustments to reconcile existing, private encroachments. Provide for grading of the public street, associated utilities, BMP areas, and to create the building pads for the homes that are anticipated to be constructed on each of the three (3) Villages in the future.	
Specific Alignment Plan	Provide for traffic calming measures on Country Club Lane from Golden Circle Drive to Nutmeg Street	
Development Agreement	Provide for the terms of an agreement, which results in the provision of overall benefits to the City and adequate development controls in exchange for vested rights in Project approvals.	
Environmental Impact Report (EIR)	In addition to the requested land use entitlements and associated agreements, the Project requires certification of an EIR.	

All relevant reports and related items for this Project are available on the City maintained project page at the following website address:

<https://www.escondido.org/ecc.aspx>

The Planning Commission, as part of its review of the requested entitlements, will be asked to review and consider the proposed General Plan Amendment, Rezone, Specific Plan, Tentative Subdivision Map, SAP, and draft Development Agreement to ensure the Project entitlement package complies with all applicable local and State laws and conforms with the City's General Plan, as well as the Escondido Municipal and Zoning Codes, which regulates land use development and activity within the city. The Planning Commission is not being asked to make a final determination, but would provide a recommendation to the City Council. The City Council would then receive the Planning Commission's recommendation, review and consider the entitlement package based on the findings and conditions contained therein, and make a final determination on the Project.

Staff feels that the issues are as follows:

1. Adequacy of the Final EIR;
2. Whether the development capacity of the Project site has been reduced by prior density transfers to surrounding developments;
3. Appropriateness of the proposed residential clustering design; and
4. Compatibility of the proposed site design within the Escondido Country Club (ECC) community context.

REASONS FOR STAFF RECOMMENDATION

1. A Draft EIR, State Clearinghouse House (SCH) No. No. 2017011060 (City Log No. ENV 16-0010), was issued in accordance with applicable local and State laws to address potential environmental effects associated with the proposed Project. The City evaluated comments on the environmental issues received from persons who reviewed the Draft EIR. In accordance with the California Environmental Quality Act (CEQA), the City duly investigated each comment and prepared written responses describing the disposition of significant environmental issues raised. Responses to comments received on the Draft EIR have been incorporated into the Final EIR. As reflected in the Final EIR, Mitigation Measures required under CEQA were developed to reduce the potential for adverse effects with respect to air quality, biological resources, cultural resources, greenhouse gas (GHG) emissions, hazards/hazardous materials, noise, and transportation/traffic. In determining whether the proposed Project has a significant effect on the environment, the City has based its decision on substantial evidence and has complied with CEQA Sections 21081.5 and 21082.2 and CEQA Guidelines Section 15901(b). A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed Project, which the City has adopted or made a condition of approval of the proposed Project. The Final EIR concludes all potentially significant impacts would be mitigated to less than significant levels with the exception of one traffic-related impact, which would remain significant and unavoidable. The Project would result in a significant unavoidable long-term cumulative traffic impact at the I-15 southbound on-ramp at El Norte Parkway. Although mitigation is proposed to reduce this impact, it is considered a significant unavoidable impact even with the identified mitigation improvements because the improvements are located within the jurisdiction and responsibility of the California Department of Transportation (Caltrans), and neither the applicant nor the City of Escondido can ensure that Caltrans will permit the improvement to be made. Nonetheless, the proposed mitigation improvements are considered feasible to implement, and both the applicant and City will continue to coordinate with Caltrans to complete the mitigation improvements should the Project be approved. If Caltrans subsequently concurs and authorizes such improvements, this would eliminate the identified significant impact at the referenced on-ramp. For the reasons stated herein and elsewhere in this staff report, City staff recommends that the Planning Commission forward a recommendation to the Council to certify the EIR and adopt the Findings of Fact, Statement of Overriding Considerations, and the Mitigation Monitoring Reporting Program (MMRP).

2. Several months after the Project was submitted for City review, the Escondido Country Club Homeowners (ECCHO) prepared a "White Paper," dated January 26, 2017 (attached to this report), setting forth their position regarding the history of development in the area and the planning principals that have been applied in the past. The paper establishes a position that previous development in the Country Club area benefited from a density transfer from the open space provided by the golf course leaving a much lower residual density for any future development on the project site. The White Paper references, and includes as an exhibit, a City of Escondido report prepared in 2014 in response to an initiative measure for a residential development proposed by the property owner. The White Paper notes the City report provides a thorough recap of the development history in the Country Club area, "but does not explain the principal of density transfers or bonuses resulting from the 'pledge' of open space provided by the golf course." The paper provides an example of five subdivisions where it is suggested that density bonuses were granted to these projects in recognition that the residential lots could be smaller because they had the benefit of adjoining the open space provided by the golf course. An exhibit depicting this point appears to indicate the allowable density for those subdivisions was an average R-1-7 density of 3.6 dwelling units per acre. Any higher density in one of these identified subdivisions would be considered an increase or bonus density granted or transferred from the open space provided by the golf course. The document concludes that pledged or transferred density received by past development projects results in a remaining maximum yield of 158 dwelling units on the project site.

While two of the listed subdivisions in the White Paper were developed under the R-1 zoning that existed prior to the implementation of R-1-7 zoning in 1966, the point can still be examined. Development density is a function of the General Plan, not zoning designations. For example, the current General Plan designation on the project site is Urban I, which allows a density of up to 5.5 dwelling units per acre. The existing R-1-7 zoning allows a minimum lot size of 7,000 square feet, but has no density allowance or other relation to allowable density beyond the number of 7,000 square foot lots that could fit within one acre. That may have been how allowable density and yield were calculated in the pre-General Plan era. The White Paper asserts that the R-1-7 zoning allows an average (and maximum) density of 3.6 dwelling units per acre. How this average density number was calculated, and why that number would also be the maximum density allowance, is not explained and is not supported by either the Escondido General Plan or the Escondido Zoning Code. The exhibit cannot be relied upon as proof that additional density was provided or transferred from the golf course to surrounding developments.

ECCHO's position that density was "pledged" over years from the golf course to surrounding development in return for smaller lot sizes and other exceptions like reduced setbacks is an interesting concept. Staff reports and resolutions from the time provide limited justification for the exceptions that were granted except for proximity to recreational facilities and the golf course. Similarly, there were no density calculations provided at the time that would have indicated the volume of density that presumably was transferred from the golf course. While proximity to the open area afforded by the golf course may have led to the granting of reduced lot sizes and other exceptions, there is no legal documentation that proves out the concept that a transfer of density occurred.

What can be determined is that a Special Use Permit granted by the Escondido Planning Commission in 1963 authorized the construction of a golf course on the site. The approval document (PC Resolution No. 389) included a condition specifying that a recorded document was to permanently reserve the golf course area as open space. A Declaration of Restrictions was recorded approximately four months later that carried out the provision of the open space condition as it related to the golf course. A subsequent approval for redesign of the residential development (Golden Circle Unit II) led to a subsequent Declaration of Restrictions recorded on July 31, 1964. This declaration included a provision noting the declarant was the owner of all property covered by the previous declaration and that "said prior declaration is hereby cancelled and rescinded in toto and this declaration is intended to replace the prior Declaration in full as though the latter does not exist." This substitute Declaration did not contain any language reserving the golf course as open space. This occurred despite the City's acknowledgement that Golden Circle Unit II was "predominated by below minimally sized lots" due specifically to the fact that "the central recreation area and golf course compensated for these small lots." Subsequent development approvals in the area likewise had no open space dedication requirements for the golf course. It appears there were no further efforts and there are no known legal documents that preserve any part of the former Country Club and golf course as permanent open space. This combined with the absence of formal documentation related to the concept of density

October 24, 2017

transfers from the former golf course has led staff to determine the subject property retains its full density allowance provided by the Escondido General Plan.

The Project location and proposed density is consistent with the General Plan because the General Plan Land Use designation allows residential uses on the Project site. The proposed Specific Plan density of 3.47 units per acre allows the same (or less) density of development as the General Plan Land Use designation, which is Residential Urban 1 – up to 5.5 dwelling units per acre.

3. The clustering design for the proposed development would not increase the overall density of the site, but would allow for reduced lot sizes, larger open space lots, and preservation of the in-site natural drainage courses and biological resources. The same number of homes is clustered on a smaller portion of the total available land. Approximately 44.7 percent of the Project site is preserved as open space or recreational area. The remaining land, which would have been allocated to individual home sites, is now converted into protected passive and active open space areas and shared by the residents of the subdivision and the entire community. This also helps transition new development into existing neighborhoods, and create a sense of buffering, which many were accustomed with the former golf course as a greenspace and recreational amenity.
4. The Project site is privately owned land consisting primarily of an abandoned 18-hole golf course. The surrounding residential development consists of single-family detached residences on a variety of lot sizes, attached single-family residences (duplexes) of several different densities, and several common-interest developments. These existing homes and associated properties would be located in close proximity to the proposed development and/or infrastructure improvements on the Project site. As proposed by the Project applicant, the Specific Plan would consist of new zoning standards and design guidelines. As a result of the proposed clustered development pattern, the Project would provide a landscaped privacy buffer of approximately 50 feet to 200 feet between existing homes and new residences. The landscape buffer includes trees and landscaping densely arranged to separate and buffer the surrounding neighborhoods. Furthermore, within each residential Village, there would be a balanced combination of residential housing types on a range of lot sizes. In addition, 15 percent of all of the homes would be single-story. Altogether, these standards promote a variety of roof lines and sight-line articulation, and the three (3) distinct architectural styles within each individual Village would add to diverse character form. This helps ensure that new development is of high quality, compatible, and can fit in to the existing community character context.

Respectfully Submitted,



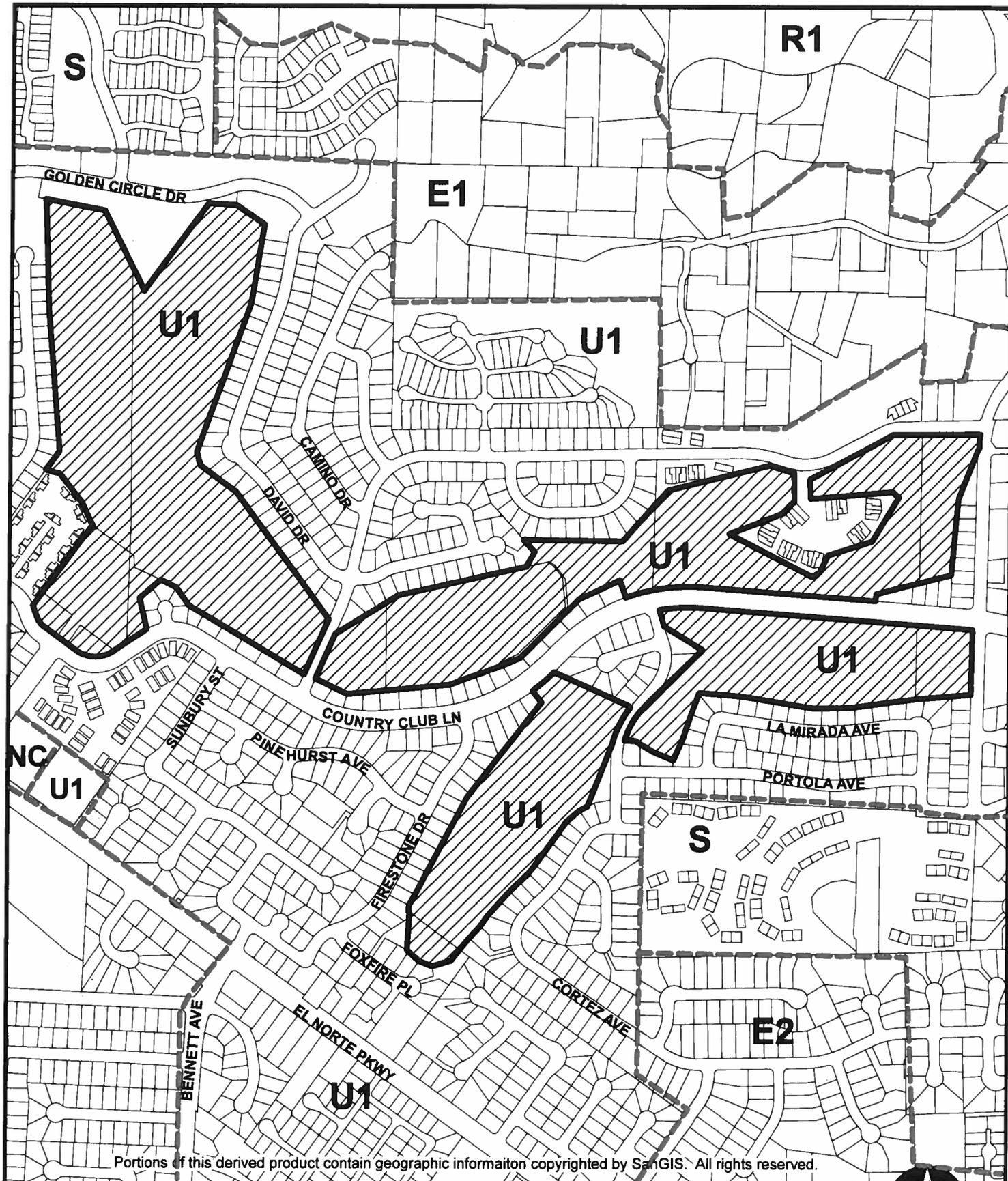
Mike Strong
Assistant Planning Director

EXHIBITS:

- A Findings of Fact
- B Conditions of Approval

ATTACHMENTS:

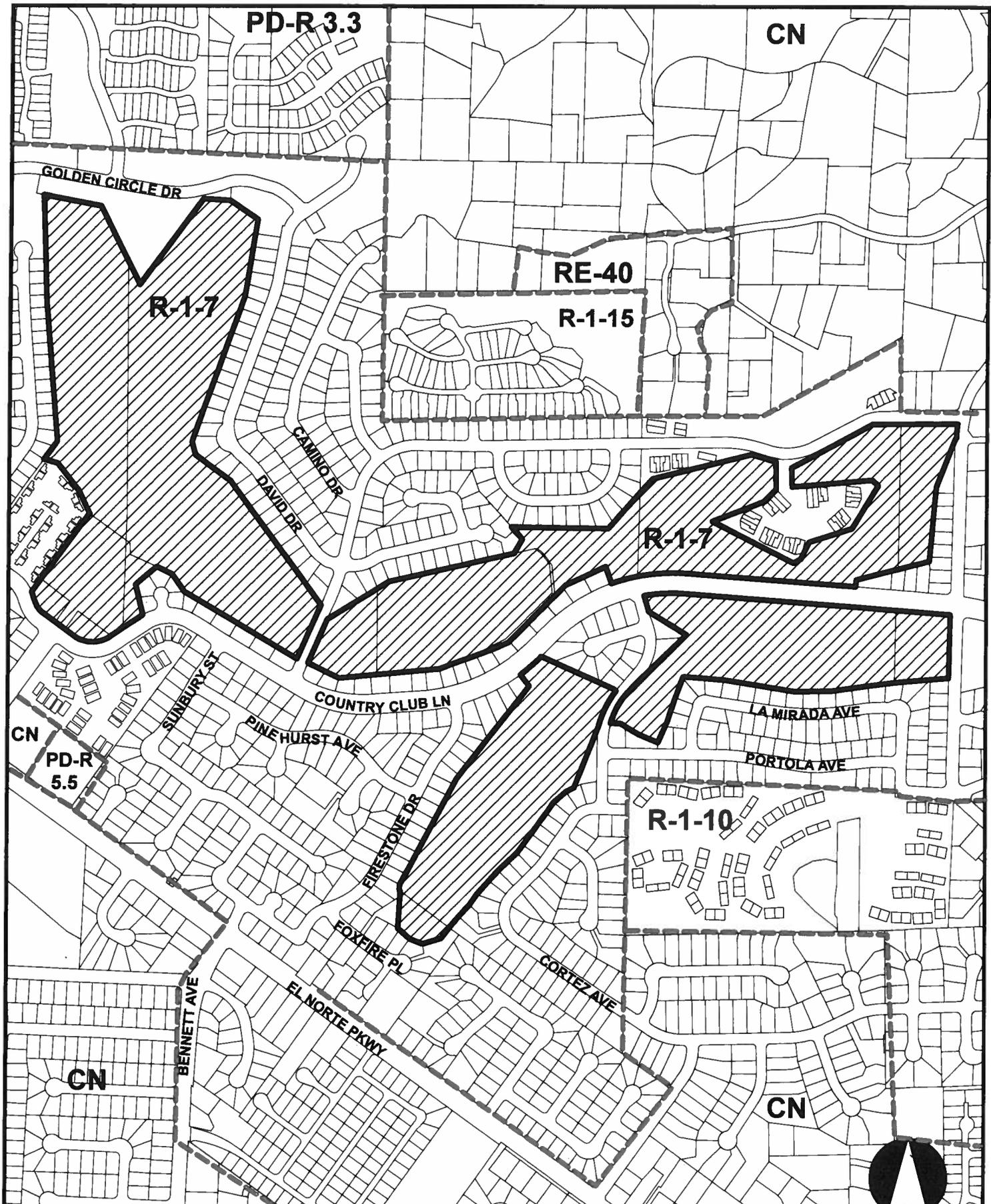
- PC-1 Draft General Plan Amendment and Rezone
- PC-2 Draft Specific Plan, dated October 16, 2017
- PC-3 Draft Development Agreement Terms
- PC-4 CEQA Finding of Fact and Statement of Overriding Considerations
- PC-5 ECCHO White Paper
- PC-6 NUWI response to ECHHO White Paper
- PC-7 All public correspondences not included in the Final EIR



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**PROPOSED PROJECT
EXISTING GENERAL PLAN
LAND USE DESIGNATION
SUB 16-0009**



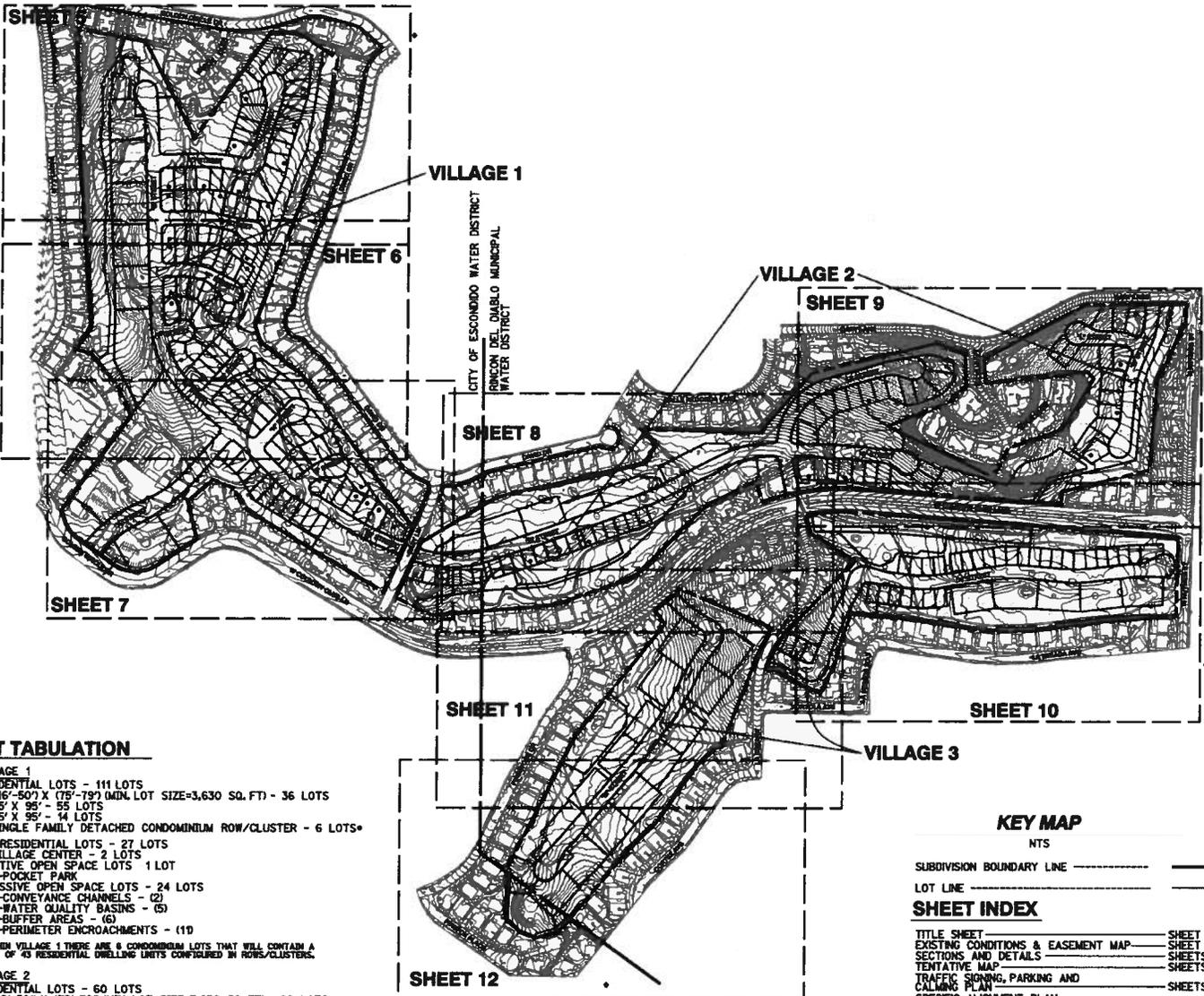


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PROPOSED PROJECT EXISTING ZONING
SUB 16-0009



LOCATION/ZONING



LOT TABULATION

VILLAGE 1
 RESIDENTIAL LOTS - 111 LOTS
 -(46'-50") X (75'-79") (MIN. LOT SIZE=3,630 SQ. FT.) - 36 LOTS
 -45' X 95' - 55 LOTS
 -55' X 95' - 14 LOTS
 -SINGLE FAMILY DETACHED CONDOMINIUM ROW/CLUSTER - 6 LOTS*

NON-RESIDENTIAL LOTS - 27 LOTS
 -VILLAGE CENTER - 2 LOTS
 ACTIVE OPEN SPACE LOTS 1 LOT
 -POCKET PARK
 PASSIVE OPEN SPACE LOTS - 24 LOTS
 CONVEYANCE CHANNELS - (2)
 -WATER QUALITY BASINS - (5)
 -BUFFER AREAS - (6)
 -PERIMETER ENCROACHMENTS - (10)

* WITHIN VILLAGE 1 THERE ARE 6 CONDOMINIUM LOTS THAT WILL CONTAIN A TOTAL OF 43 RESIDENTIAL DWELLING UNITS CONFIGURED IN ROWS/CLUSTERS.

VILLAGE 2
 RESIDENTIAL LOTS - 60 LOTS
 -(46'-50") X (75'-79") (MIN. LOT SIZE=3,630 SQ. FT.) - 20 LOTS
 -45' X 95' - 24 LOTS
 -55' X 95' - 10 LOTS
 -SINGLE FAMILY DETACHED CONDOMINIUM ROW/CLUSTER - 6 LOTS**

NON-RESIDENTIAL LOTS - 19 LOTS
 ACTIVE OPEN SPACE LOTS - 1 LOT
 -POCKET PARK
 PASSIVE OPEN SPACE LOTS - 18 LOTS
 CONVEYANCE CHANNELS - (2)
 -WATER QUALITY BASINS - (2)
 -BUFFER AREAS - (6)
 -PERIMETER ENCROACHMENTS - (8)

** WITHIN VILLAGE 2 THERE ARE 6 CONDOMINIUM LOTS THAT WILL CONTAIN A TOTAL OF 32 RESIDENTIAL DWELLING UNITS CONFIGURED IN ROWS/CLUSTERS.

VILLAGE 3
 RESIDENTIAL LOTS - 51 LOTS
 -(46'-50") X (75'-79") (MIN. LOT SIZE=3,630 SQ. FT.) - 32 LOTS
 -4 UNIT CLUSTERS/6-UNIT CLUSTERS - 14 LOTS***
 -SINGLE FAMILY DETACHED CONDOMINIUM ROW/CLUSTER - 5 LOTS***

NON-RESIDENTIAL LOTS - 35 LOTS
 ACTIVE OPEN SPACE LOTS - 2 LOTS
 -POCKET PARKS
 PASSIVE OPEN SPACE LOTS - 33 LOTS
 CONVEYANCE CHANNELS - (1)
 -WATER QUALITY BASINS - (3)
 -BUFFER AREAS - (5)
 -PERIMETER ENCROACHMENTS - (24)

*** WITHIN VILLAGE 3 THERE ARE 14 CONDOMINIUM LOTS THAT WILL CONTAIN A TOTAL OF 78 ATTACHED/DETACHED RESIDENTIAL DWELLING UNITS CONFIGURED IN 4 UNIT AND 6 UNIT CLUSTERS, AND 3 CONDOMINIUM LOTS THAT WILL CONTAIN A TOTAL OF 36 DETACHED RESIDENTIAL DWELLING UNITS CONFIGURED IN ROWS/CLUSTERS.

ABBREVIATIONS

AC	ASPHALT CONCRETE/ACRES	MIN	MINIMUM
AV	AIR RELEASE VALVE	NO	NUMBER
BC	BEGIN CURVE	OD	OUTSIDE DIAMETER
B.O.	BLOW OFF	OS	OPEN SPACE LOTS
BVC	BEGIN VERTICAL CURVE	PCR	POINT OF CURB RETURN
BW	BACK OF WALK/BOTTOM OF WALL	PCC	PORTLAND CEMENT CONCRETE
BS	BOTTOM OF STEP	PAD	PAD ELEVATION
C.B.	CATCH BASIN	PI	POINT OF INTERSECTION
CL	CENTERLINE	PL	PROPERTY LINE
C.O.	CLEANOUT	PVC	POLYVINYL CHLORIDE
CY	CUBIC YARDS	PVT	PRIVATE
D	DIAMETER	R	RADIUS
DWG	DRAWING	RD	ROOF DRAIN
D/W	DRIVEWAY	REQ'D	REQUIRED
EC	END CURVE	RCP	REINFORCED CONCRETE PIPE
EVC	END VERTICAL CURVE	RT	RIGHT
EX/EXIST	EXISTING	S	SEWER
FF	FINISH FLOOR	SD	STORM DRAIN
FG	FINISH GRADE	S/W	SIDEWALK
FH	FIRE HYDRANT	TC	TOP OF CURB
FL	FLOW LINE	TG	TOP OF GRATE
FS	FINISH SURFACE	TF	TOP OF FOOTING
FS	FIRE SERVICE	TP	TOP OF PIPE
HP	HIGH POINT	TS	TOP OF STEP
HT	HEIGHT	TW	TOP OF RETAINING WALL
IE	INVERT ELEVATION	TYP.	TYPICAL
LT	LEFT	VC	VERTICAL CURVE
LP	LOW POINT	W/	WITH
MAX	MAXIMUM	D	DELTA
MH	MANHOLE		

KEY MAP

NTS
 SUBDIVISION BOUNDARY LINE -----
 LOT LINE -----

SHEET INDEX

TITLE SHEET	SHEET 1
EXISTING CONDITIONS & EASEMENT MAP	SHEET 2
SECTIONS AND DETAILS	SHEETS 3 & 4
TENTATIVE MAP	SHEETS 5 THRU 12
TRAFFIC SIGNING, PARKING AND CALMING PLAN	SHEETS 13 THRU 15
SPECIFIC ALIGNMENT PLAN FOR COUNTRY CLUB LANE	SHEETS 16 THRU 18
OFFSITE TRAFFIC MITIGATION MEASURES	SHEETS 19 THRU 24

GRADING EXEMPTIONS

A GRADING EXEMPTION IS REQUESTED FOR SLOPE HEIGHTS PER ARTICLE 55 EXCAVATION AND GRADING SECTION 33-1066(G) 1-4

1. TO ALLOW FILL SLOPES WITHIN 50 FEET OF THE PROPERTY LINE GREATER THAN 10 FEET IN HEIGHT.
2. ALLOW CUT SLOPES IN EXCESS OF 20 FEET IN HEIGHT.
3. TO ALLOW FILL SLOPES WITHIN 50 FEET OF THE PROPERTY LINE GREATER THAN 20 FEET IN HEIGHT.

EARTHWORK

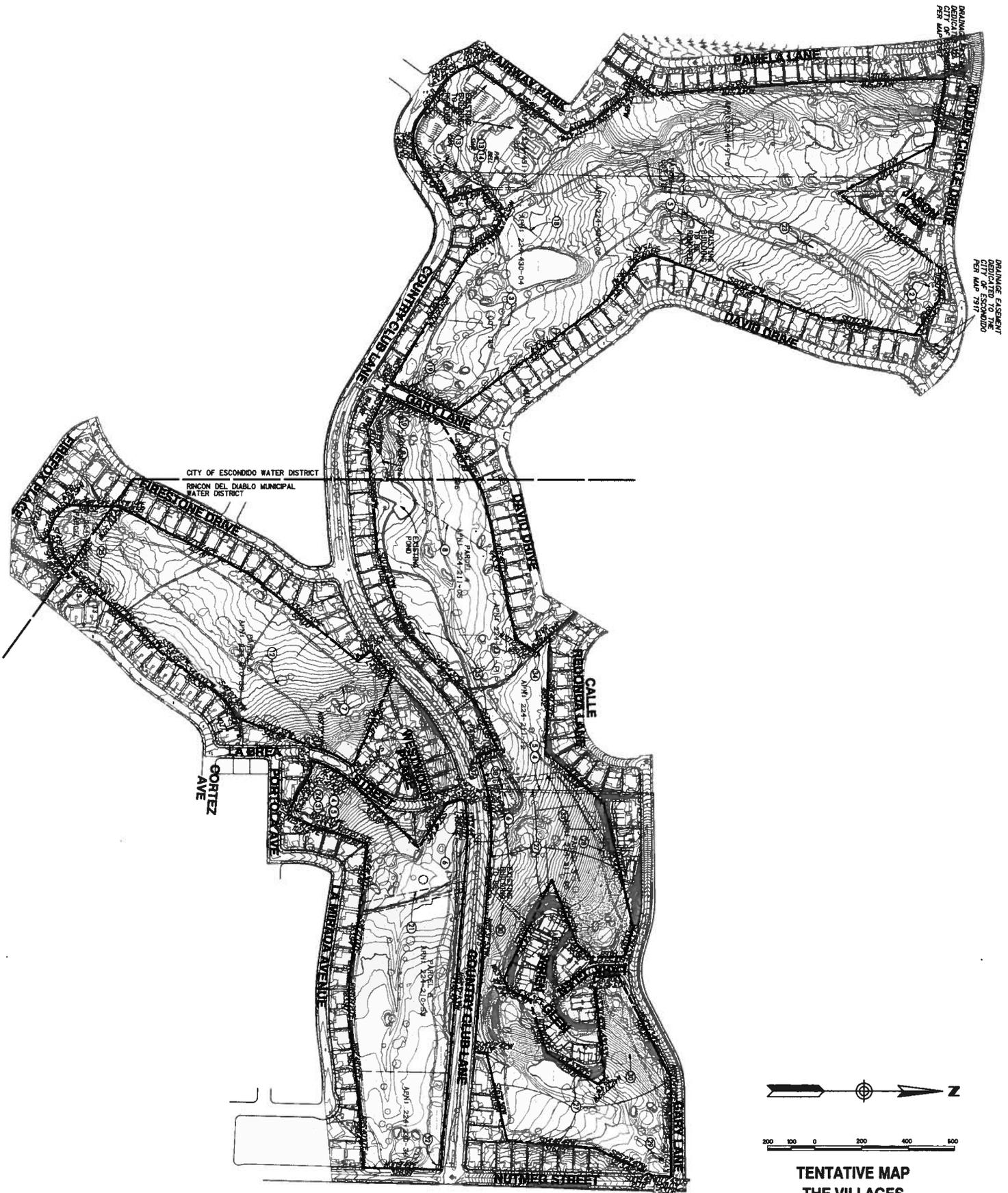
CUT:	230,000 CY
FILL:	370,000 CY
IMPORT:	140,000 CY

TOTAL LOTS:	
RESIDENTIAL:	222 LOTS
VILLAGE CENTER:	2 LOTS
BASINS:	10 LOTS
CHANNELS:	9 LOTS
LANDSCAPE/BUFFER:	17 LOTS
POCKET PARKS:	4 LOTS
ENCROACHMENTS:	43 LOTS
TOTAL:	303 LOTS

**PROPOSED PROJECT
 SUB 16-0009**

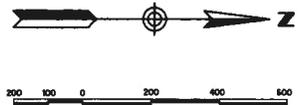


TITLE SHEET



ORIGINAL EASEMENT
 DESIGNATED TO THE
 PER MAP 7917

CITY OF ESCONDIDO WATER DISTRICT
 RINCON DEL DIABLO MUNICIPAL
 WATER DISTRICT

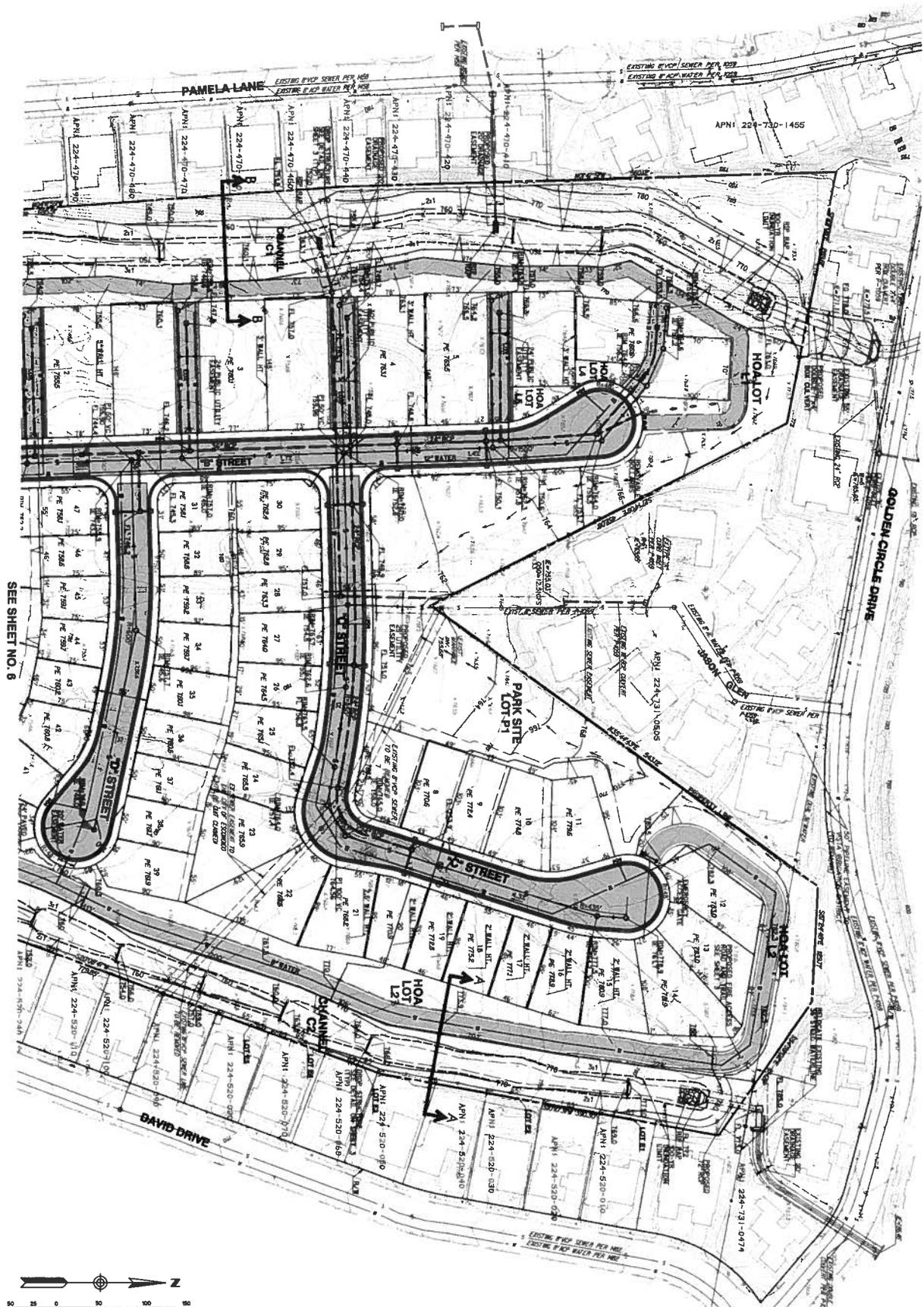


TENTATIVE MAP
THE VILLAGES
EXISTING TOPOGRAPHY & EASEMENT MAP

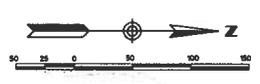
PROPOSED PROJECT
SUB 16-0009



TENTATIVE MAP



SEE SHEET NO. 6

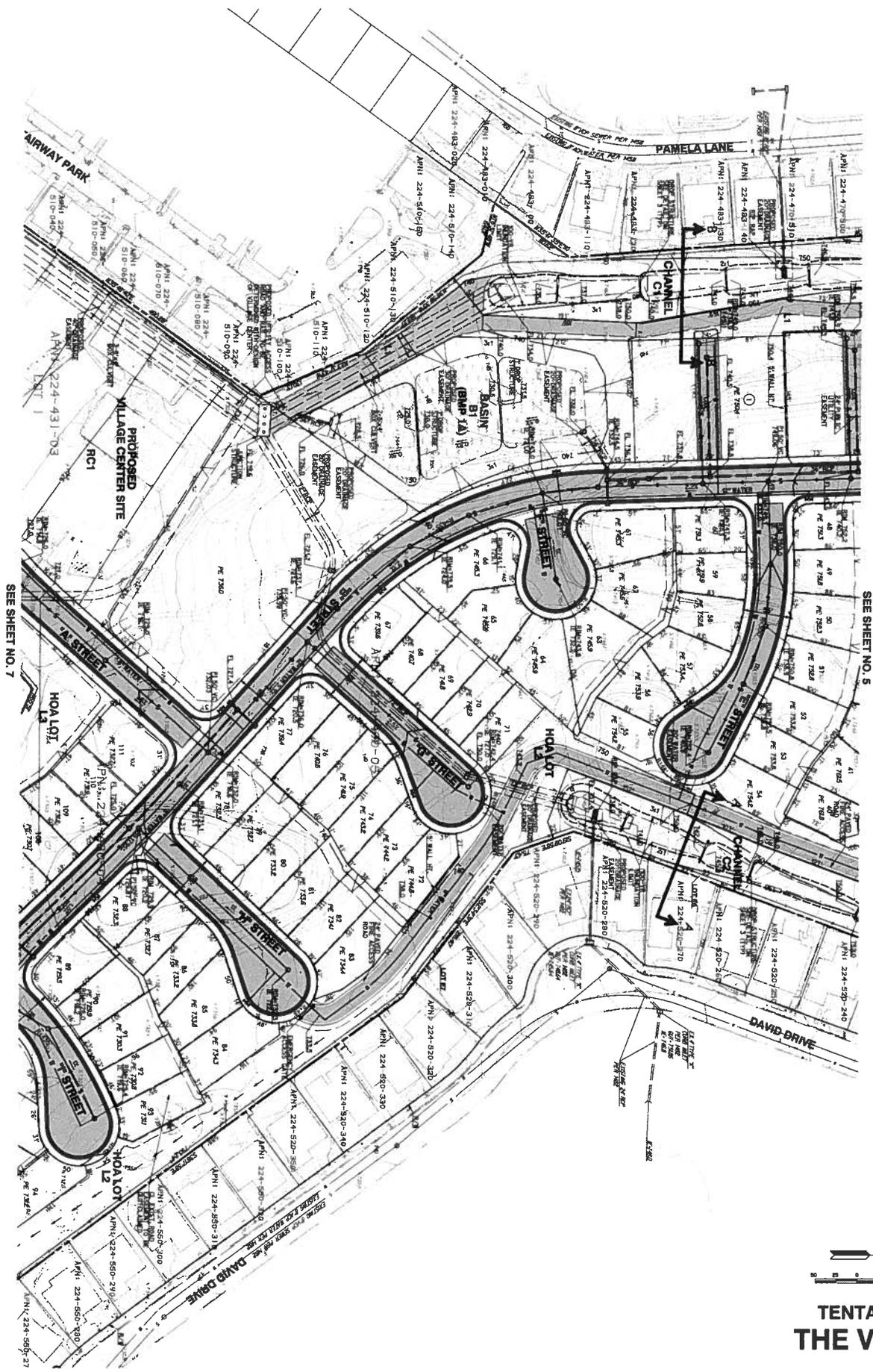


TENTATIVE MAP
THE VILLAGES

PROPOSED PROJECT
SUB 16-0009

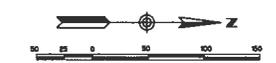


TENTATIVE MAP



SEE SHEET NO. 7

SEE SHEET NO. 5

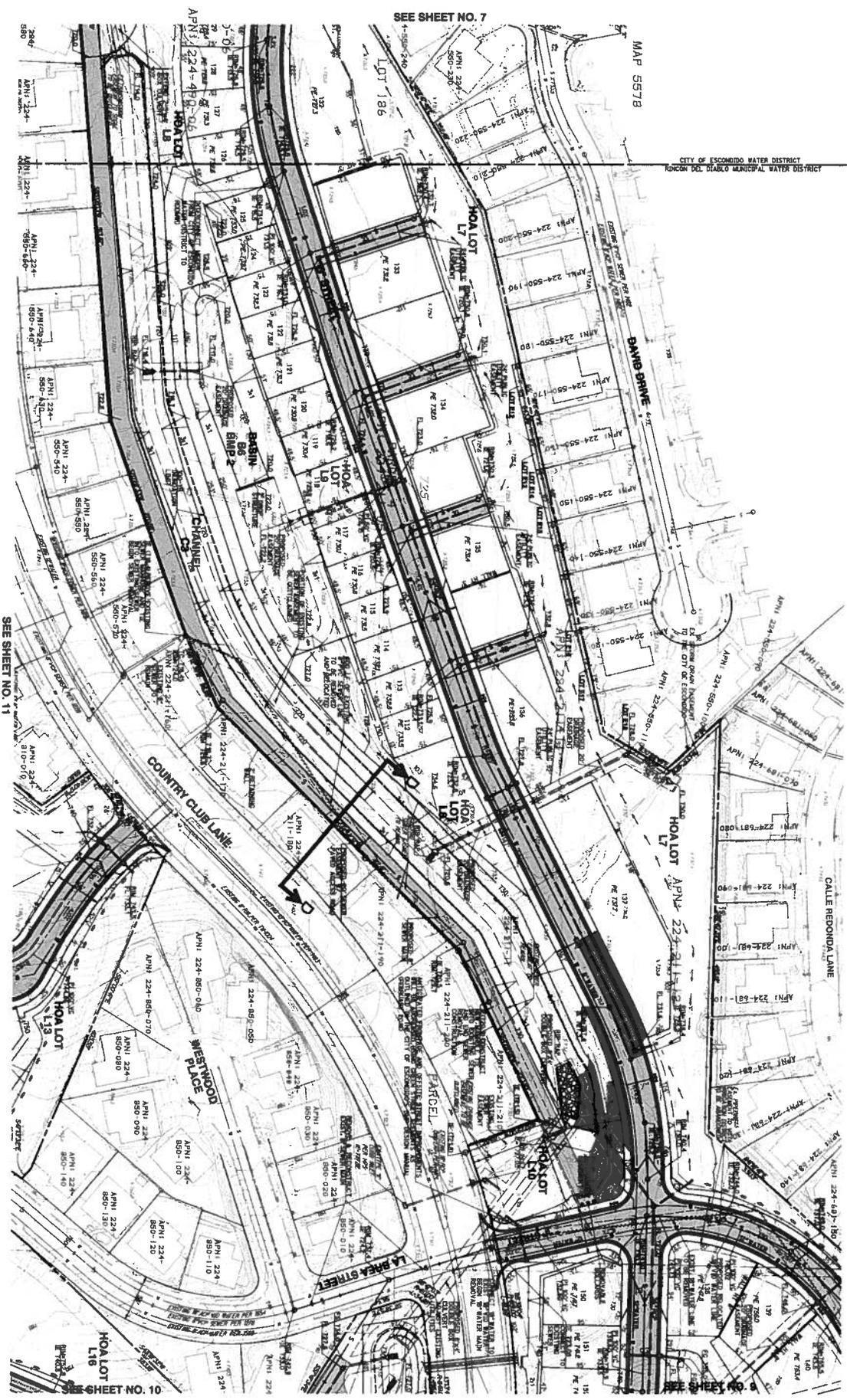


**TENTATIVE MAP
THE VILLAGES**

**PROPOSED PROJECT
SUB 16-0009**



TENTATIVE MAP



SEE SHEET NO. 7

SEE SHEET NO. 11

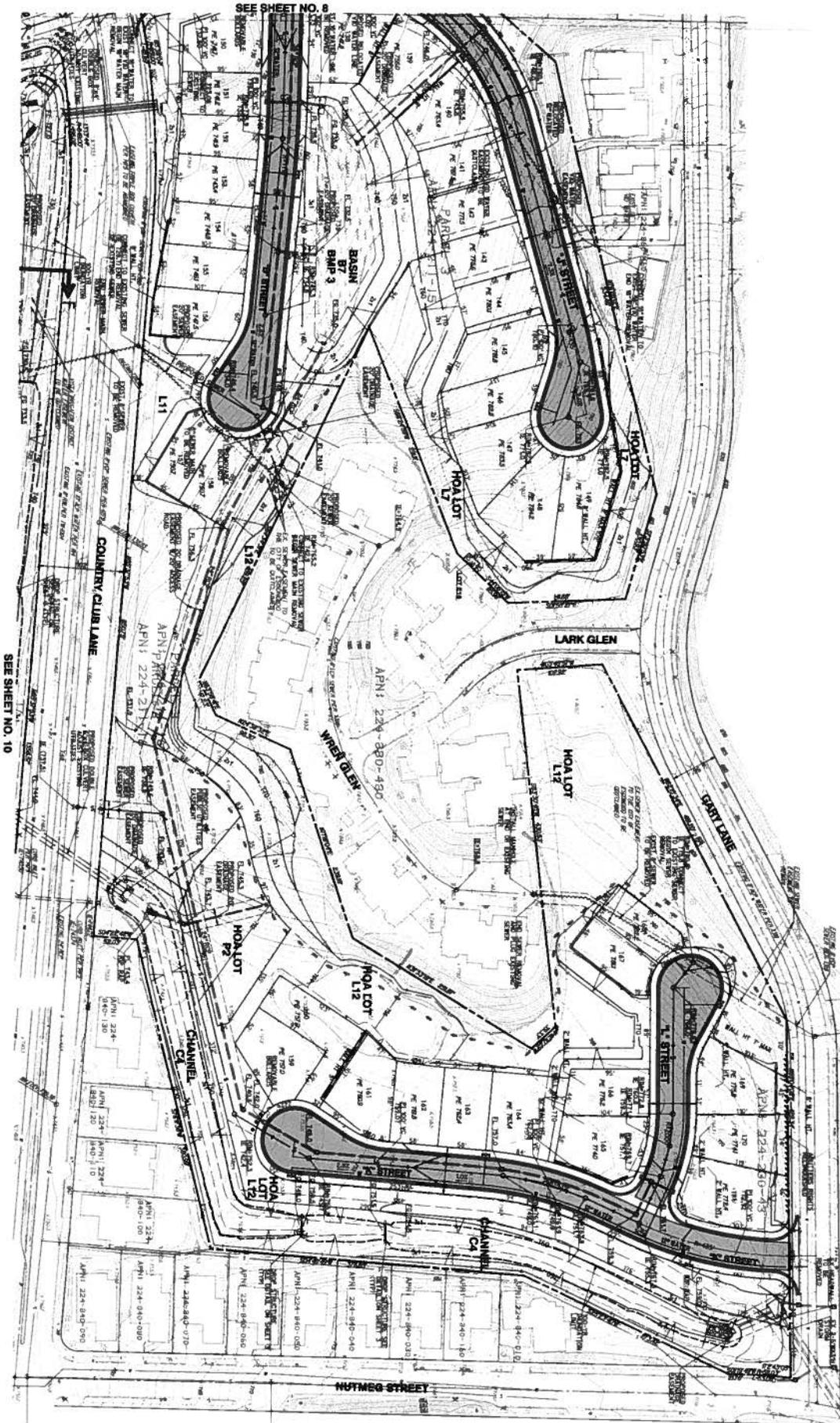
MAP 557B

CITY OF ESCONIDO WATER DISTRICT
KUNCON DEL DIABLO MUNICIPAL WATER DISTRICT

**TENTATIVE MAP
THE VILLAGES**

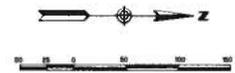
**PROPOSED PROJECT
SUB 16-0009**





SEE SHEET NO. 8

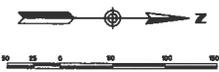
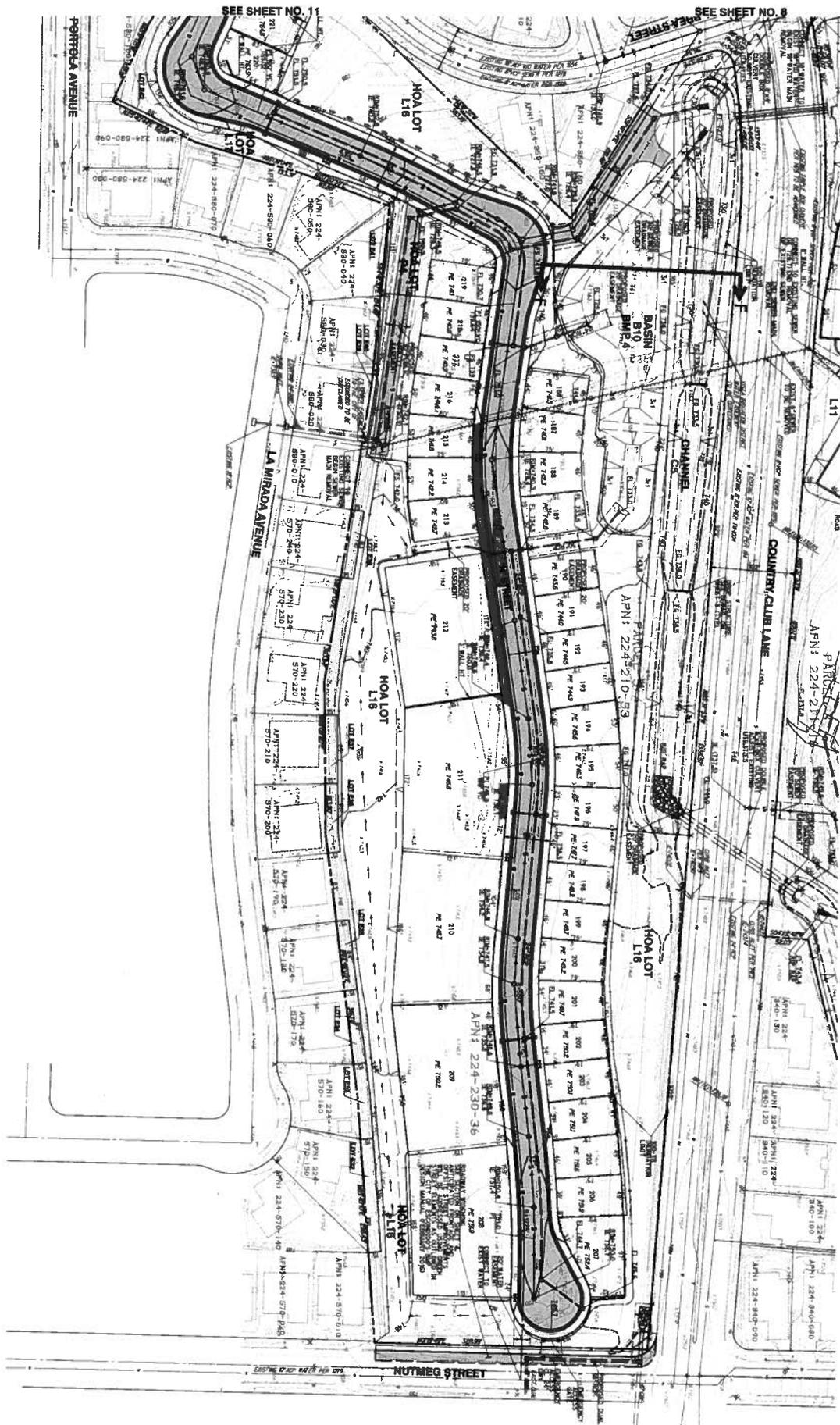
SEE SHEET NO. 10



**TENTATIVE MAP
THE VILLAGES**

**PROPOSED PROJECT
SUB 16-0009**



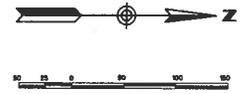
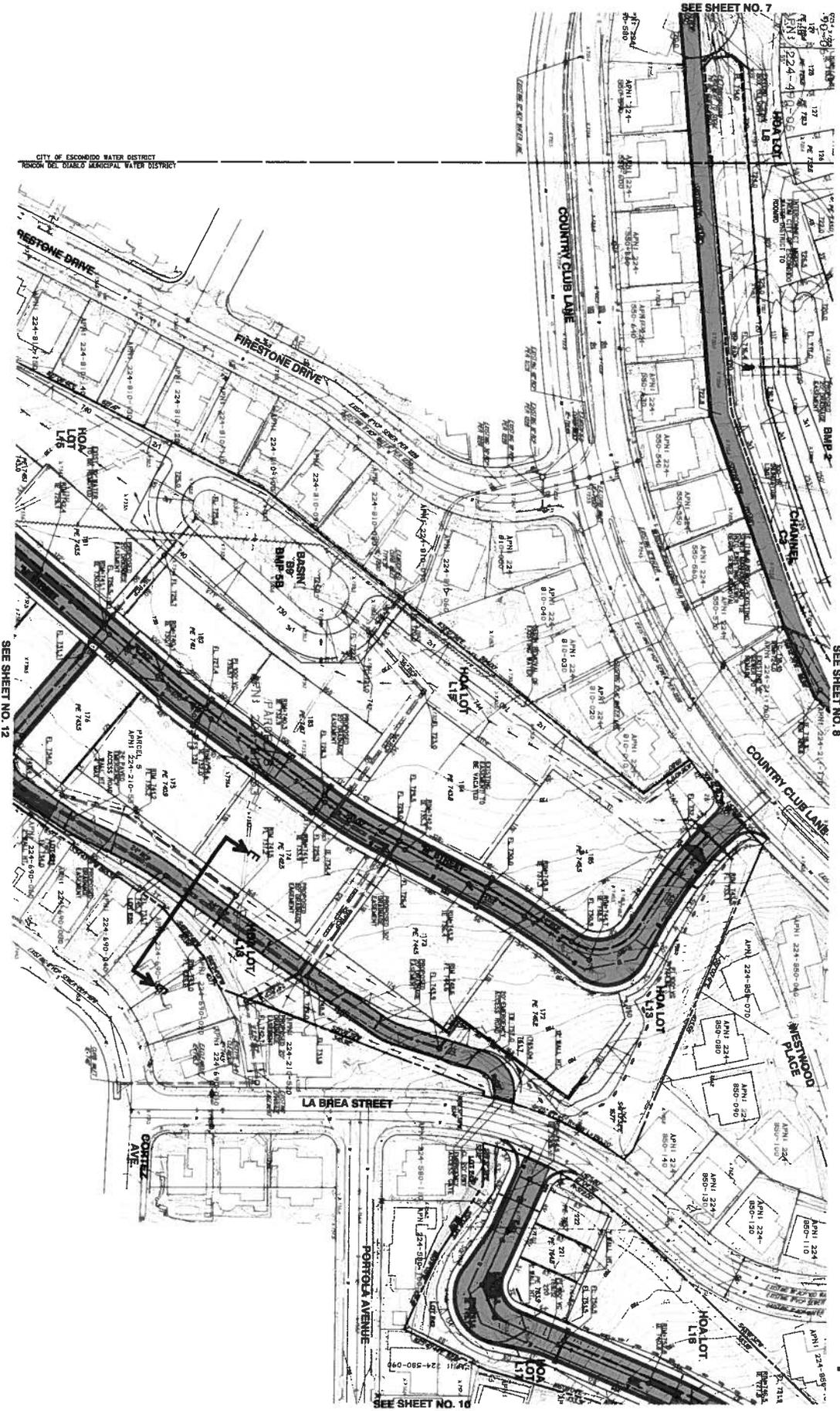


**TENTATIVE MAP
THE VILLAGES**

**PROPOSED PROJECT
SUB 16-0009**



CITY OF ESCOMIDO WATER DISTRICT
REGION DEL DIABLO MUNICIPAL WATER DISTRICT

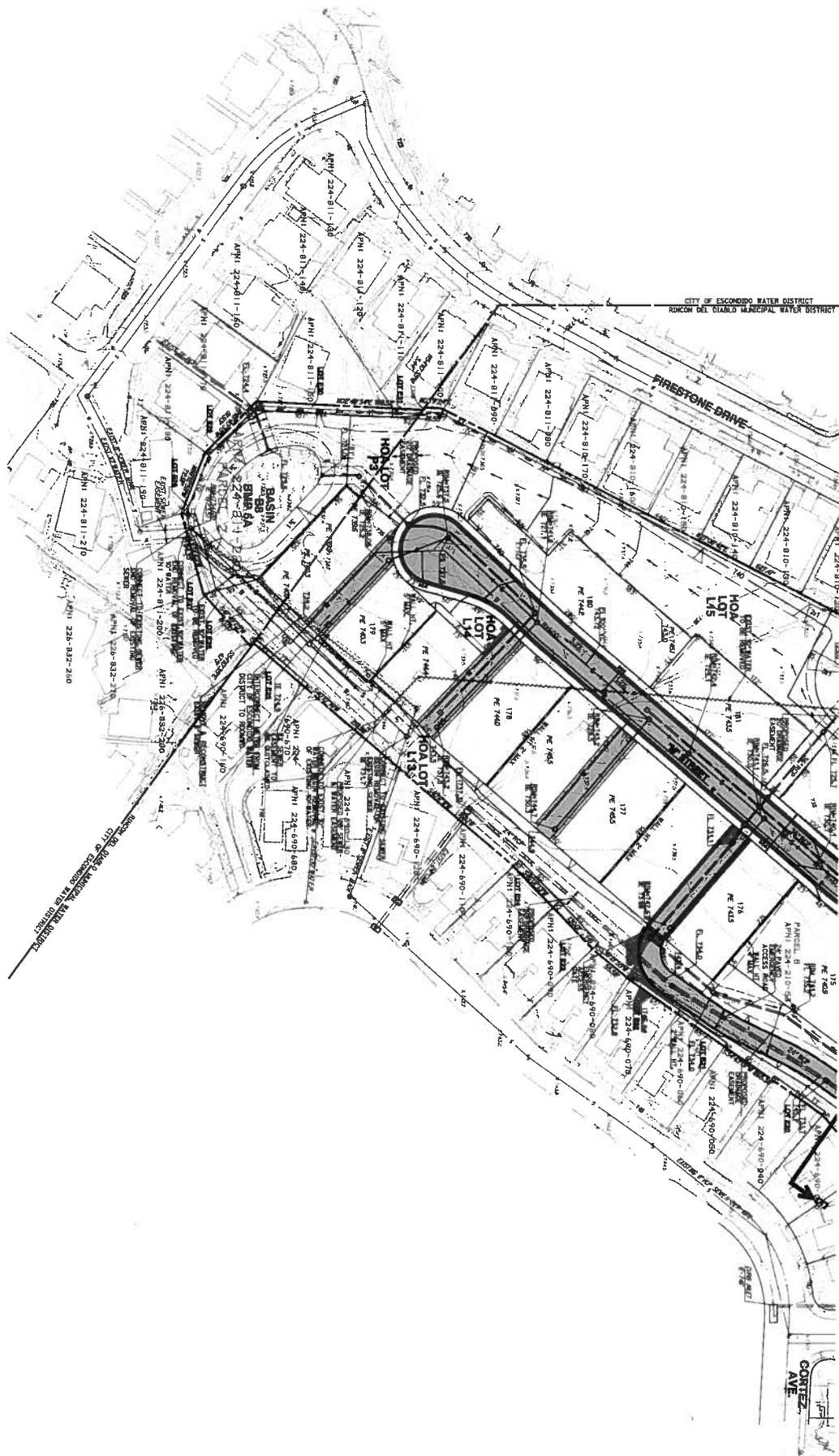


**TENTATIVE MAP
THE VILLAGES**

**PROPOSED PROJECT
SUB 16-0009**

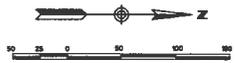


TENTATIVE MAP



CITY OF ESCONDIDO WATER DISTRICT
 RINCÓN DEL DIABLO MUNICIPAL WATER DISTRICT

SEE SHEET NO. 11

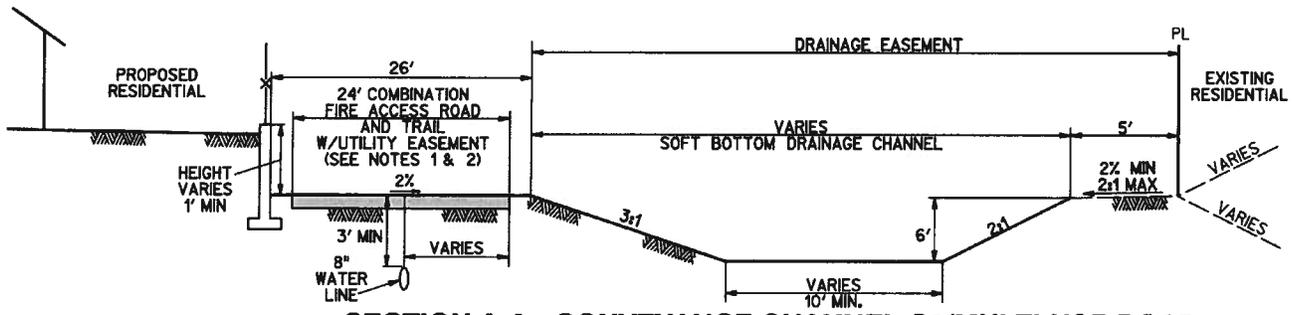


**TENTATIVE MAP
 THE VILLAGES**

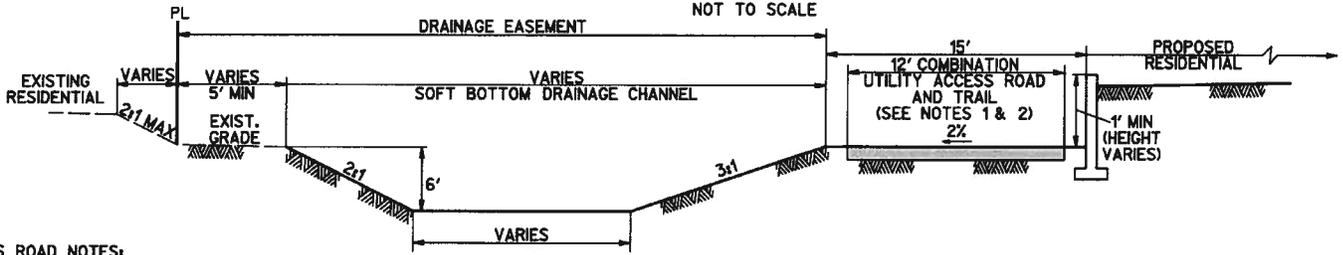
**PROPOSED PROJECT
 SUB 16-0009**



TENTATIVE MAP



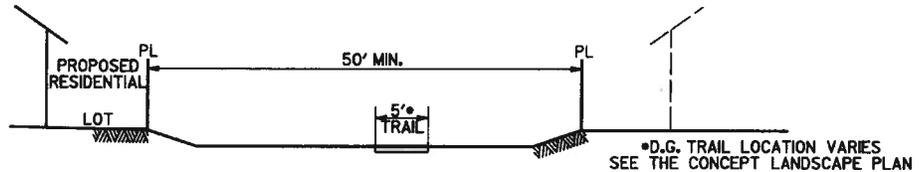
SECTION A-A - CONVEYANCE CHANNEL C2/MULTI-USE ROAD



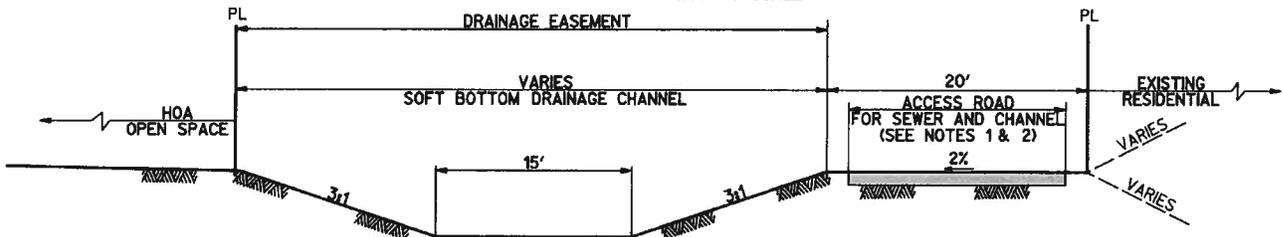
SECTION B-B - CONVEYANCE CHANNEL C1/MULTI-USE ROAD

FIRE ACCESS ROAD NOTES:

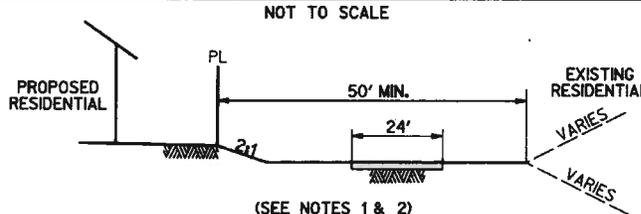
1. ACCESS FOR EMERGENCY VEHICLES, UTILITIES AND CHANNEL MAINTENANCE. PAVING SURFACE CAN BE AESTHETICALLY PLEASING. ALTERNATE TO AC OR PCC.
2. ALL FIRE ACCESS ROADS SHALL BE DESIGNED TO ACCOMMODATE H₂O (75,000 POUND) LOADING
3. INSIDE ACCESS ROAD RADIUS SHALL BE 28' MIN.
4. AUTOMATIC EMERGENCY ACCESS GATES SHALL HAVE KNOX SWITCHES AND OPTICON RECEIVERS. MANUAL EMERGENCY ACCESS GATES SHALL HAVE EITHER A KNOX PADLOCK OR KNOX BOX
5. AN APPROVED PAVE ALL WEATHER ACCESS ROADWAY AND AN ADEQUATE WATER SUPPLY SHALL BE PROVIDED ON SITE PRIOR TO AND DURING CONSTRUCTION CFC 501.4



SECTION C-C - PERIMETER BUFFER



SECTION D-D - CONVEYANCE CHANNEL C3/UTILITY ACCESS ROAD



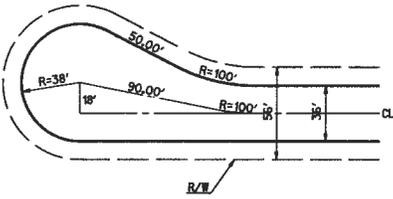
SECTION E-E - FIRE ACCESS/TRAIL

TENTATIVE MAP
THE VILLAGES
 SECTIONS AND DETAILS

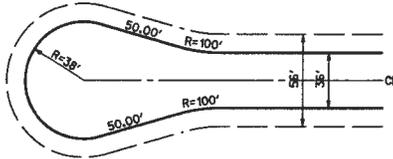
PROPOSED PROJECT
SUB 16-0009

S

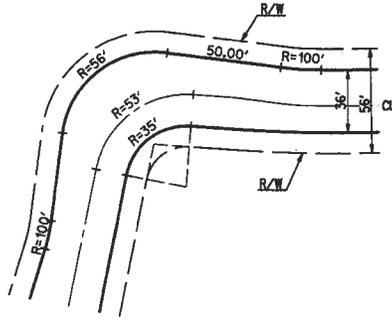
SECTIONS



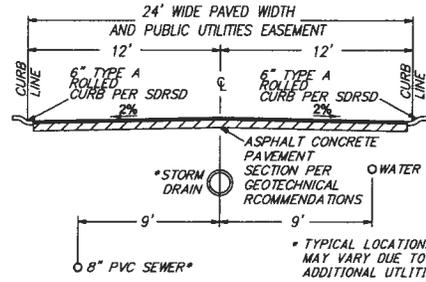
OFFSET CUL-DE-SAC
NOT TO SCALE



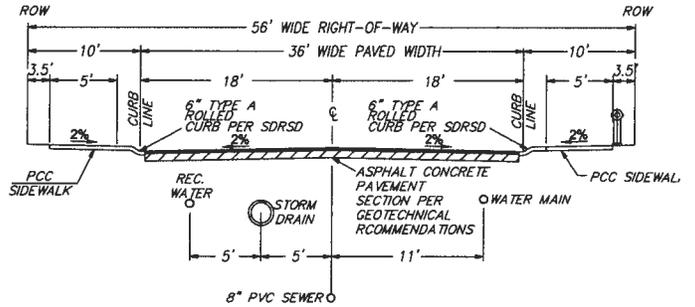
STANDARD CUL-DE-SAC
NOT TO SCALE



STANDARD KNUCKLE
NOT TO SCALE

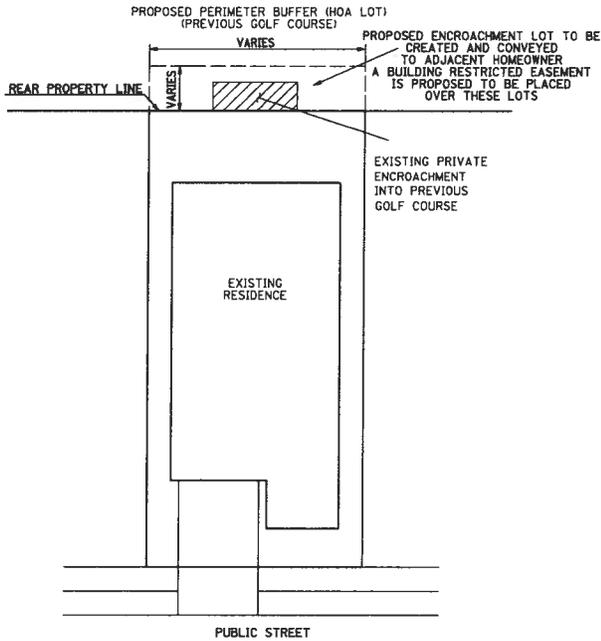


PROPOSED PRIVATE DRIVE
SERVING CLUSTER LOTS
NOT TO SCALE

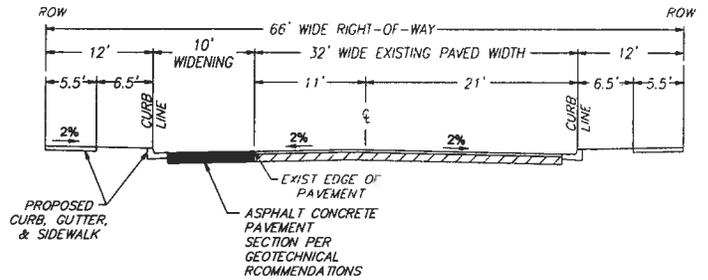


PROPOSED PUBLIC LOCAL STREET
STREETS 'A' THROUGH 'N'
NOT TO SCALE

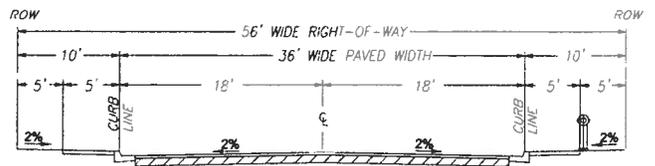
DESIGN SPEED= 30 MPH
MIN. RADIUS= 435 FT
NOTE: STREETS E, J, L ARE CUL-DE-SACS WITH MIN. RADII OF 200'



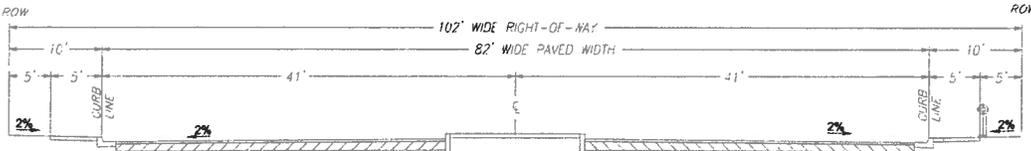
TYPICAL DETAIL
PRIVATE PROPERTY
ENCROACHMENTS INTO EXISTING GOLF COURSE
(LOTS E-1 THROUGH E-43)
NOT TO SCALE



EXISTING NUTMEG STREET
NOT TO SCALE



EXISTING GARY LANE, LA BREA STREET - NOT A PART*
NOT TO SCALE



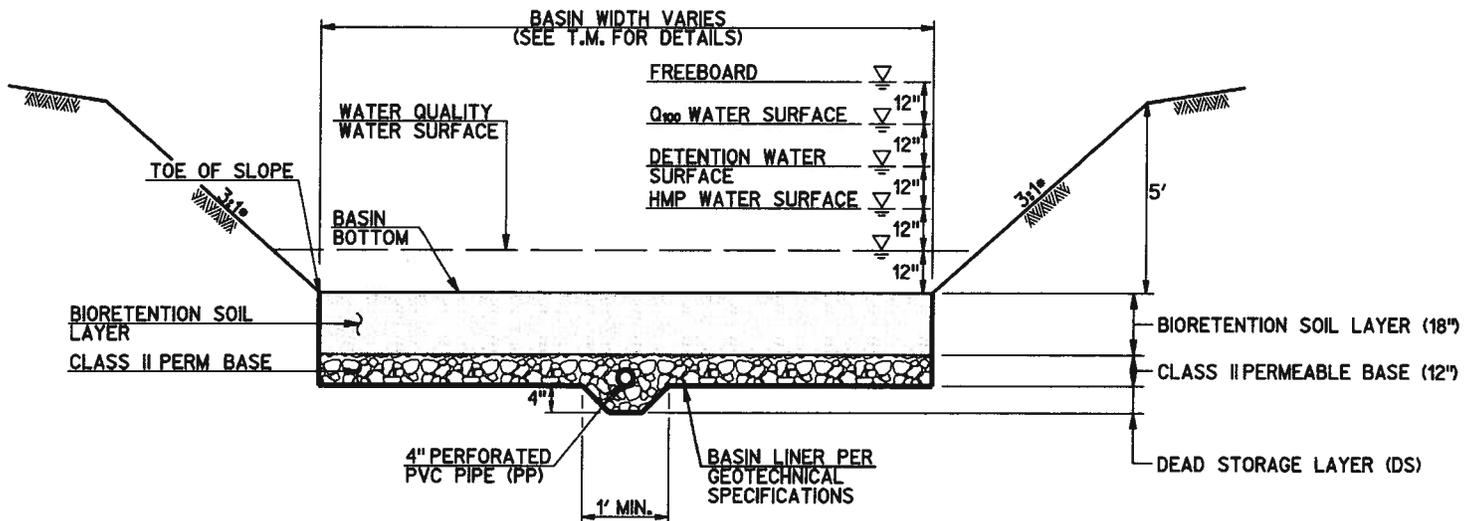
EXISTING COUNTRY CLUB LANE - NOT A PART*
NOT TO SCALE

*THE EXISTING STREET SECTIONS SHOWN ARE FOR REFERENCE ONLY.
THESE STREETS ARE PROVIDING ACCESS TO THE SITE

TENTATIVE MAP
THE VILLAGES
SECTIONS AND DETAILS

PROPOSED PROJECT
SUB 16-0009

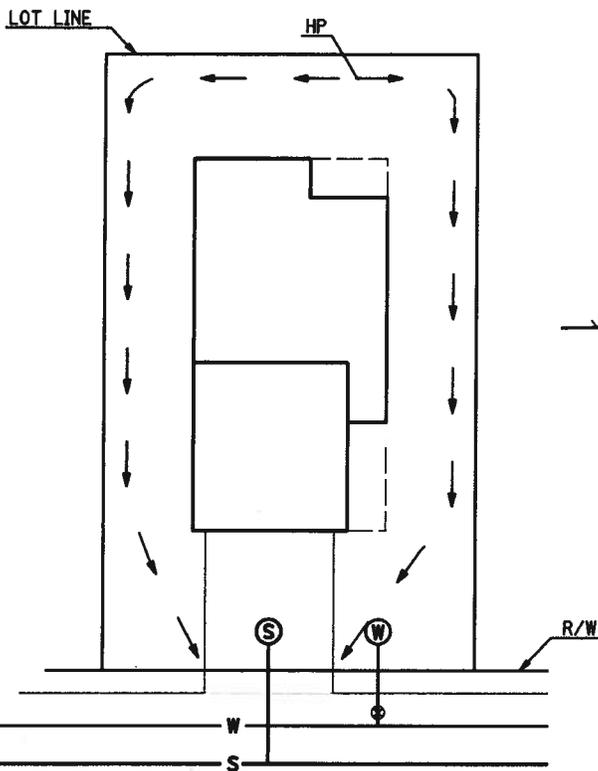
S



- NOTES:**
- PLANT PALETTE AND IRRIGATION SHALL BE APPROPRIATE FOR THE UNIQUE CONDITIONS WITHIN THE BIORETENTION BASIN.
 - UNLESS OTHERWISE SHOWN

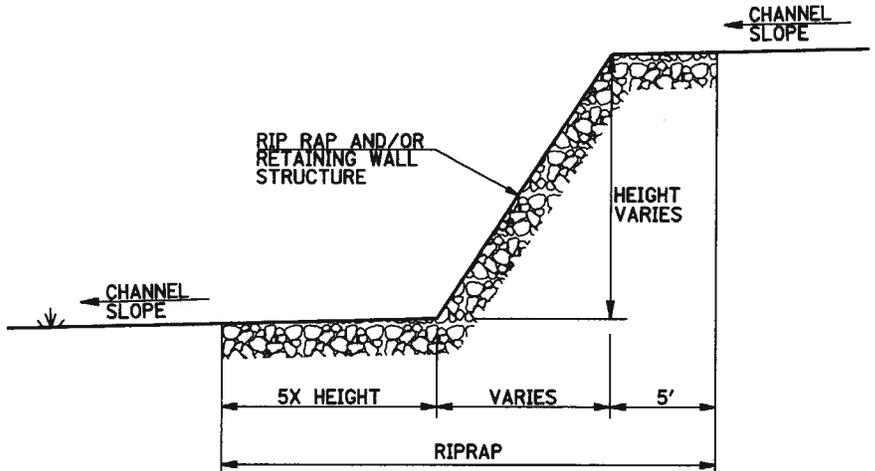
TYPICAL BIORETENTION BASIN CROSS-SECTION

NOT TO SCALE



TYPICAL PAD GRADING AND UTILITY LATERAL EXHIBIT

NOT TO SCALE



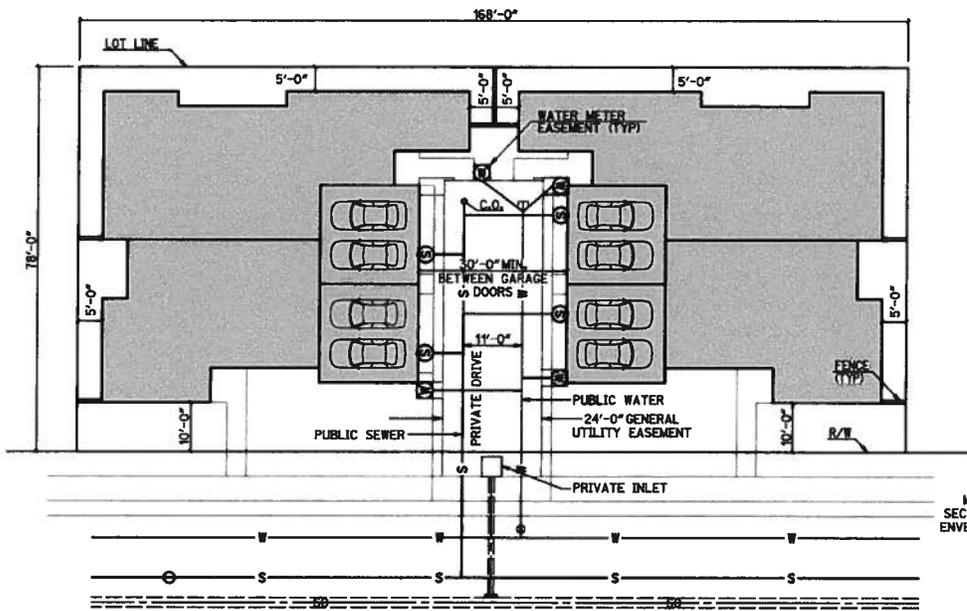
TYPICAL DROP STRUCTURE

NOT TO SCALE

TENTATIVE MAP
THE VILLAGES
SECTIONS AND DETAILS

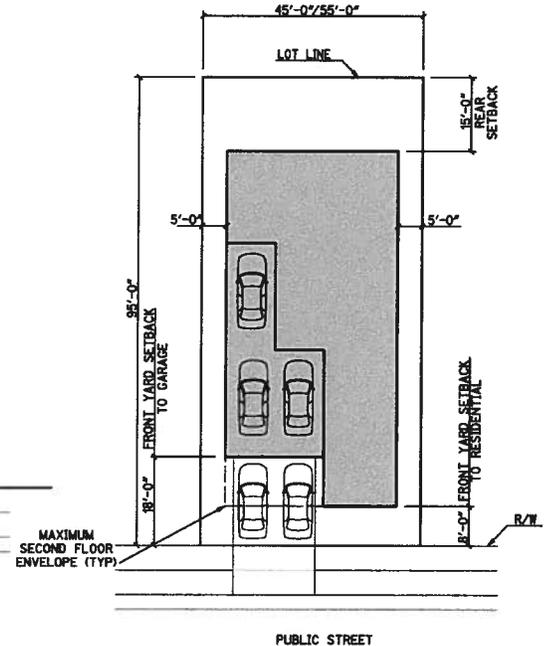
**PROPOSED PROJECT
SUB 16-0009**

S



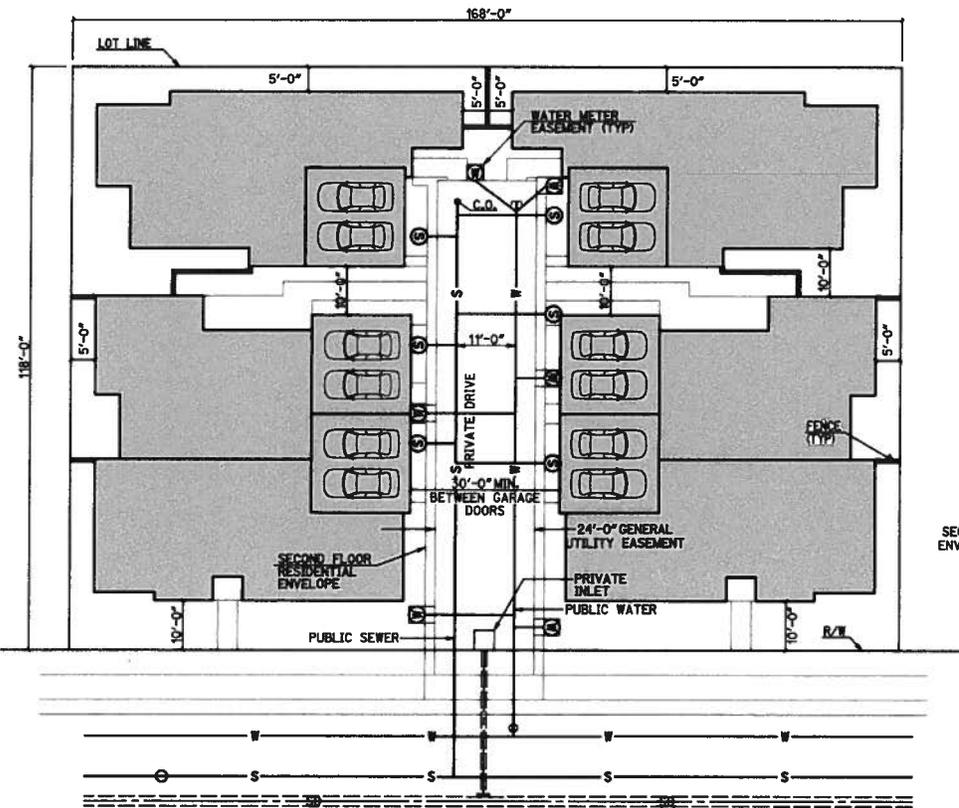
**4 UNIT CLUSTER - CONDOMINIUM SINGLE FAMILY ATTACHED
(LOTS 181-183)**

NOT TO SCALE



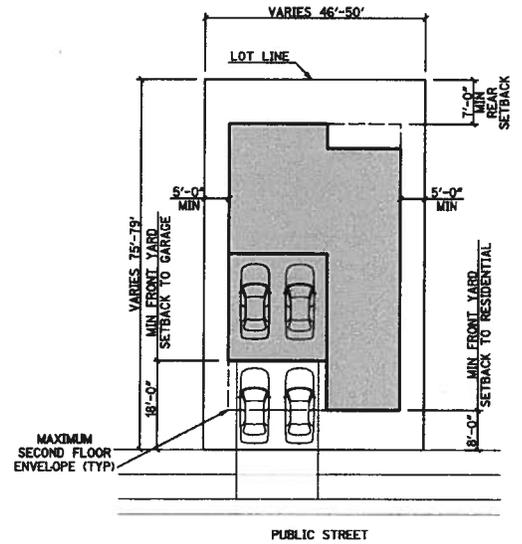
**45'x55'x95'
SINGLE FAMILY DETACHED**

NOT TO SCALE



**6 UNIT CLUSTER - CONDOMINIUM SINGLE FAMILY DETACHED/ATTACHED
(LOTS 172-175,184-185,209-212)**

NOT TO SCALE



**(46'-50') X (75'-79')
SINGLE FAMILY DETACHED**

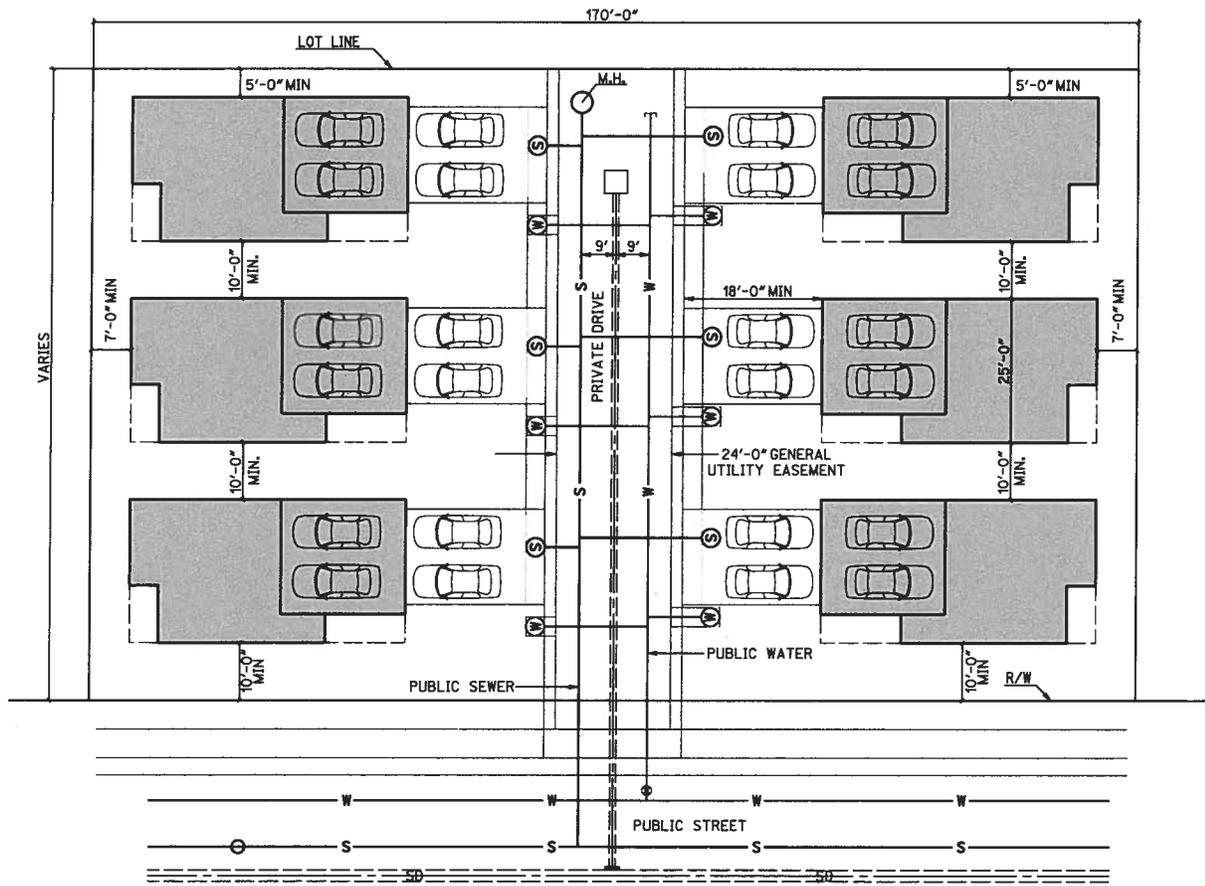
NOT TO SCALE

NOTE:
MINIMUM LOT AREA SHALL
BE 3,650 SQ. FT

**PROPOSED PROJECT
SUB 16-0009**

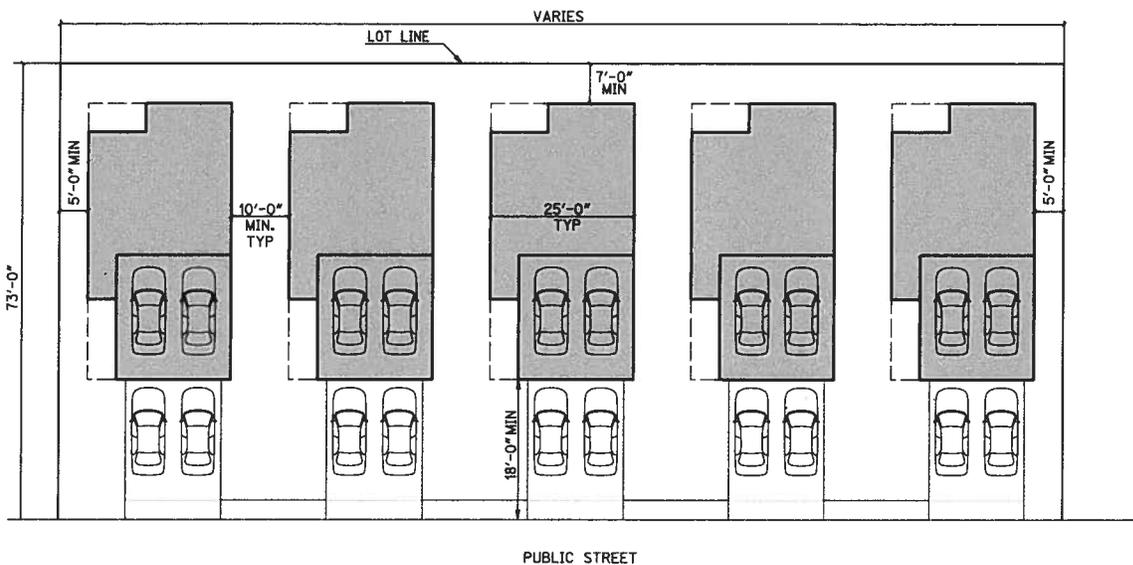
D

DETAILS



TYPICAL: CLUSTER - SINGLE FAMILY DETACHED CONDOMINIUM (LOTS 1-6, 133-136, 176-179)

NOTE: NUMBER OF UNITS IN EACH CLUSTER MAY VARY
NOT TO SCALE



TYPICAL: ROW - SINGLE FAMILY DETACHED CONDOMINIUM (LOTS 132, 137, 180)

NOTE: NUMBER OF UNITS AND ORIENTATION OF UNITS MAY VARY
NOT TO SCALE

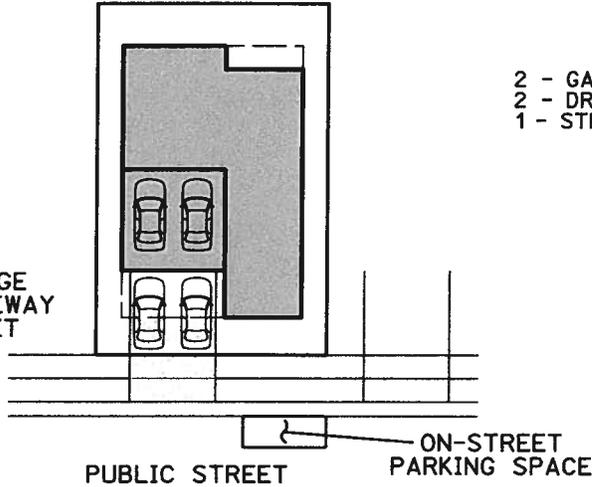
TENTATIVE MAP
THE VILLAGES
SECTIONS AND DETAILS

PROPOSED PROJECT
SUB 16-0009

D

DETAILS

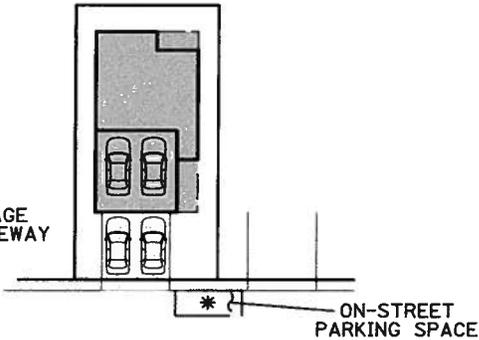
2 - GARAGE
2 - DRIVEWAY
1 - STREET



**45'X75'
SINGLE FAMILY DETACHED**

NOT TO SCALE

2 - GARAGE
2 - DRIVEWAY



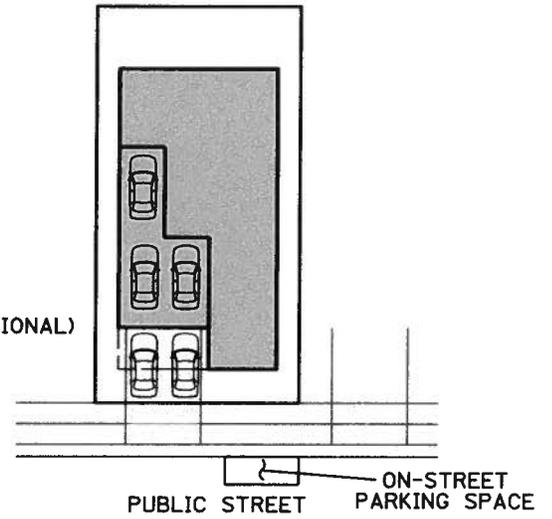
* THERE ARE LOCATIONS WHERE THIS RESIDENTIAL PRODUCT FRONTS ON A PUBLIC STREET WHEREBY A SPACE CAN BE PROVIDED

PRIVATE DRIVE
(PARKING RESTRICTED)

**35'X73'
SINGLE FAMILY DETACHED**

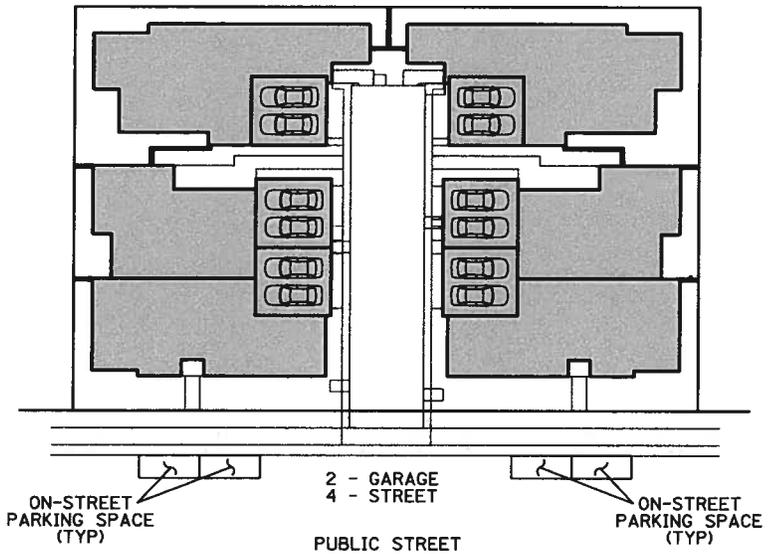
NOT TO SCALE

2 - GARAGE (+1 OPTIONAL)
2 - DRIVEWAY
1 - STREET



**45'X95'
SINGLE FAMILY DETACHED**

NOT TO SCALE



**6 UNIT OR 4 UNIT CLUSTER
SINGLE FAMILY DETACHED AND ATTACHED**

NOT TO SCALE

TYPICAL PARKING DETAILS

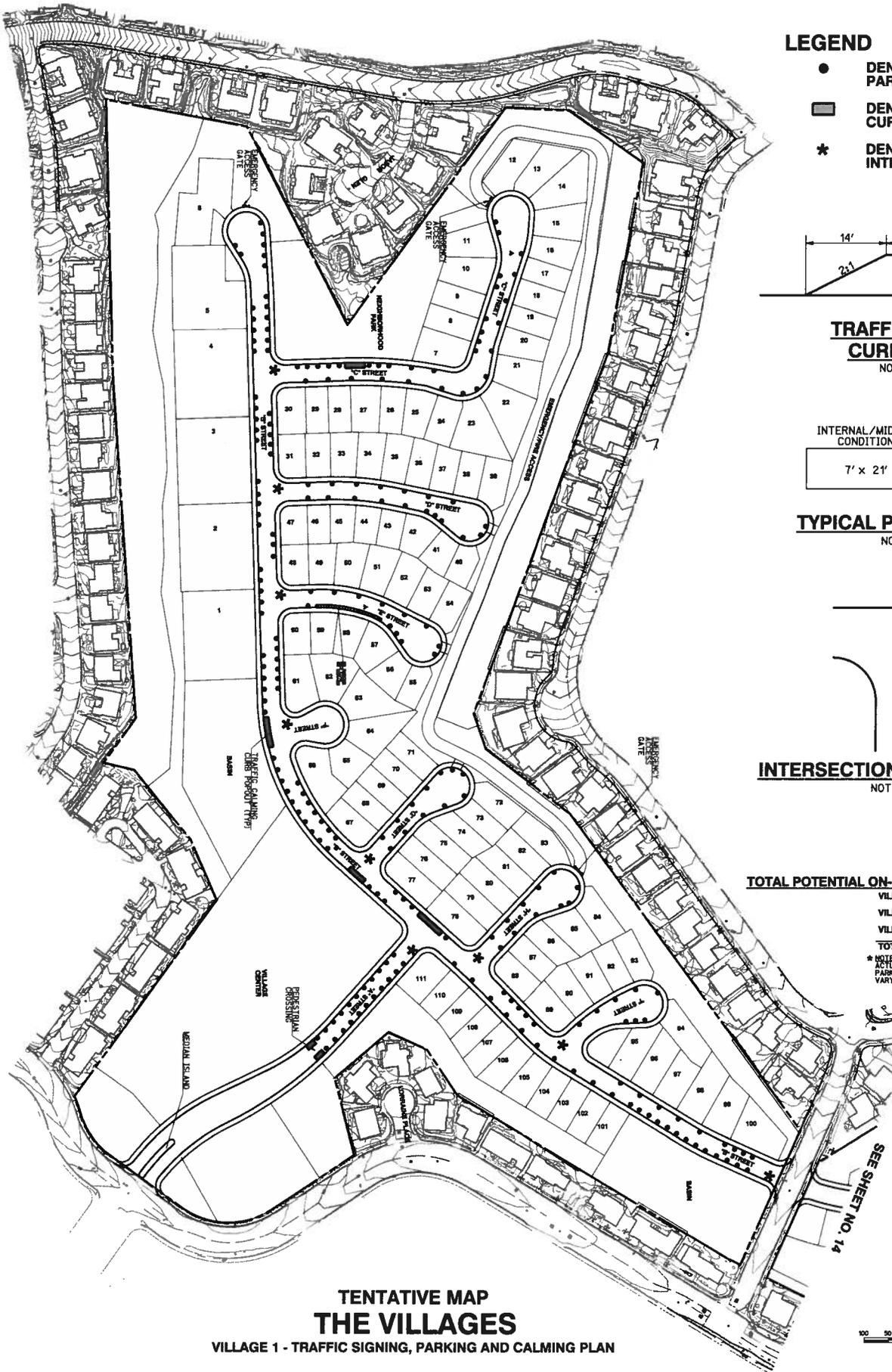
**TENTATIVE MAP
THE VILLAGES**

VILLAGE 1 - TRAFFIC SIGNING, PARKING AND CALMING PLAN

**PROPOSED PROJECT
SUB 16-0009**

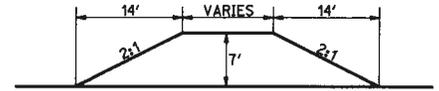


PARKING PLAN



LEGEND

- DENOTES ON-STREET PARKING SPACE LOCATION
- ▭ DENOTES TRAFFIC CALMING CURB POPOUT LOCATION
- * DENOTES STOP CONTROLLED INTERSECTION LOCATION



TRAFFIC CALMING CURB POPOUT

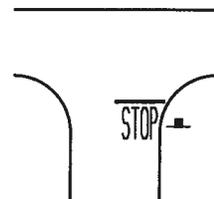
NOT TO SCALE

INTERNAL/MIDDLE CONDITION END CONDITION

7' x 21'	7' x 18'
----------	----------

TYPICAL PARKING SPACE

NOT TO SCALE



INTERSECTION STOP CONTROL *

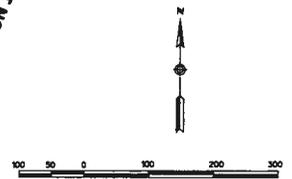
NOT TO SCALE

TOTAL POTENTIAL ON-STREET PARKING PROVIDED*

VILLAGE 1 - 230
 VILLAGE 2 - 190
 VILLAGE 3 - 173
TOTAL - 593

* NOTE: ACTUAL NUMBER OF PARKING SPOTS MAY VARY IN FINAL DESIGN

DESIGN EXEMPTIONS FOR STREET CURVE RADIUS SHOWN WITH *			
STREET	REQ'D RADIUS	RADIUS USED	MITIGATION
E	435'	300'	RESTRICT PARKING ON INSIDE OF CURVE



**TENTATIVE MAP
 THE VILLAGES**
 VILLAGE 1 - TRAFFIC SIGNING, PARKING AND CALMING PLAN

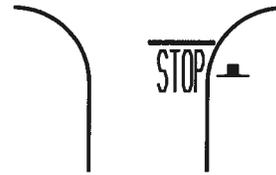
**PROPOSED PROJECT
 SUB 16-0009**



SEE SHEET NO. 13



DESIGN EXEMPTIONS FOR STREET & RADIUS SHOWN WITH A			
STREET	REQ'D RADIUS	MITIGATION	
J	435'	260'	RESTRICT PARKING ON INSIDE OF CURVE
L	435'	200'	INTERSECTION STOP CONTROL AT END OF CURVE, SHORT CLR-DE-SAC

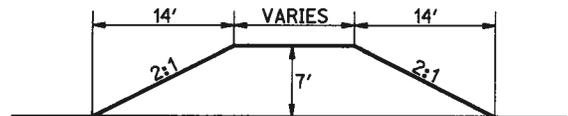


INTERSECTION STOP CONTROL *
NOT TO SCALE

INTERNAL/MIDDLE CONDITION END CONDITION

7' x 21'	7' x 18'
----------	----------

TYPICAL PARKING SPACE
NOT TO SCALE



TRAFFIC CALMING CURB POPOUT
NOT TO SCALE

LEGEND

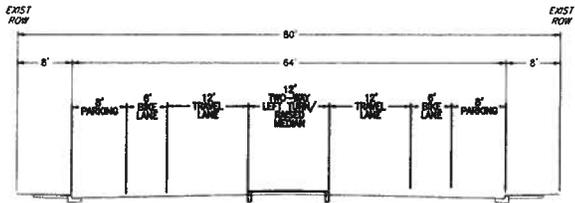
- DENOTES ON-STREET PARKING SPACE LOCATION
- DENOTES TRAFFIC CALMING CURB POPOUT LOCATION
- * DENOTES STOP CONTROLLED INTERSECTION LOCATION

TENTATIVE MAP
THE VILLAGES

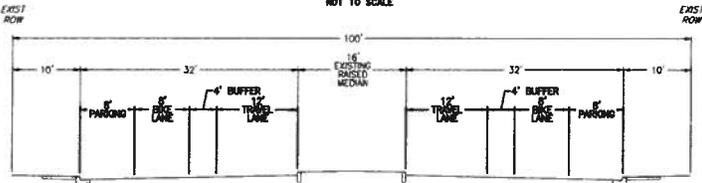
VILLAGE 2 - TRAFFIC SIGNING, PARKING AND CALMING PLAN

**PROPOSED PROJECT
SUB 16-0009**

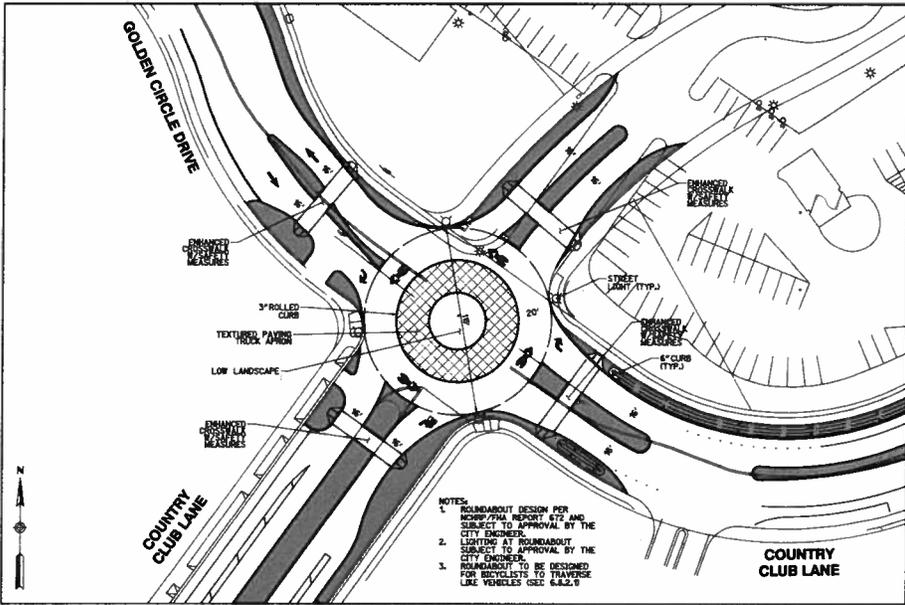
TP



**SECTION A-A
TYPICAL SECTION
COUNTRY CLUB LANE - BETWEEN GOLDEN CIRCLE DRIVE AND GARY LANE
NOT TO SCALE**



**SECTION B-B
TYPICAL SECTION
COUNTRY CLUB LANE - BETWEEN EL NORTE PARKWAY AND GOLDEN CIRCLE DRIVE
NOT TO SCALE**



**TYPICAL ROUNDABOUT LAYOUT
COUNTRY CLUB LANE/GOLDEN CIRCLE DRIVE
NOT TO SCALE**

**COUNTRY CLUB LANE -
FROM GOLDEN CIRCLE DRIVE TO GARY LANE**

DESIGN SPEED - 25 MPH
POSTED SPEED - 25 MPH
DESIGN SPEED THROUGH ROUNDABOUT - 15 MPH
NOTE: INSTALL TRAFFIC SIGNS, STRIPING AND PAVEMENT LEGENDS FOR ROADWAY DESIGN SPEED AND ROUNDABOUT DESIGN SPEED.

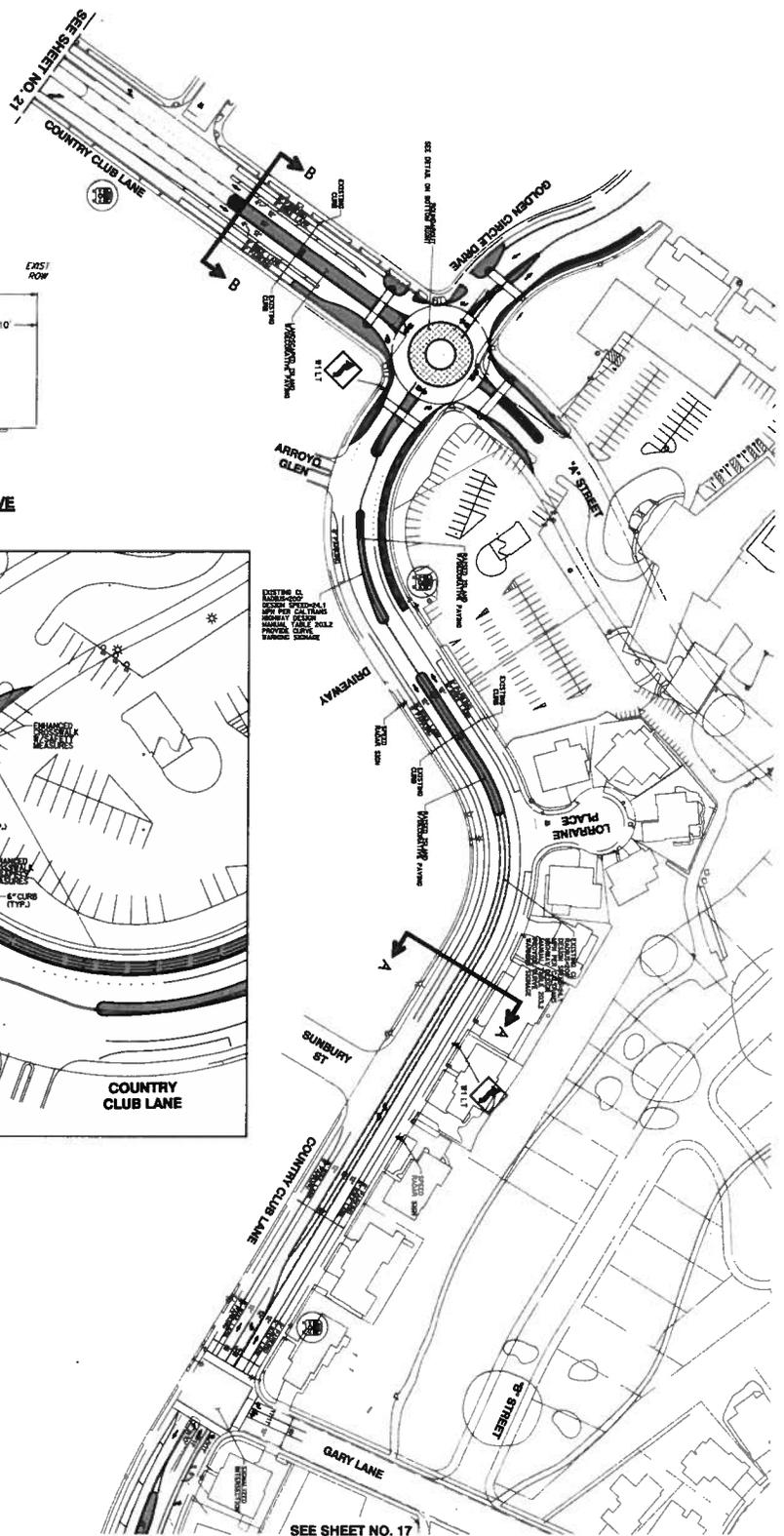
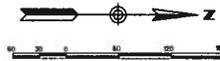
**COUNTRY CLUB LANE -
FROM EL NORTE PARKWAY TO GOLDEN CIRCLE DRIVE**

DESIGN SPEED - 25 MPH
POSTED SPEED - 25 MPH
DESIGN SPEED THROUGH ROUNDABOUT - 15 MPH
NOTE: INSTALL TRAFFIC SIGNS, STRIPING AND PAVEMENT LEGENDS FOR ROADWAY DESIGN SPEED AND ROUNDABOUT DESIGN SPEED.

LEGEND

- NEW RAISED CURB W/DECORATIVE PAVING
- TWO-WAY LEFT TURN
- BIKE LANE BUFFER
- BUS STOP W/RED CURB

- NOTES:**
1. LIGHTING ON COUNTRY CLUB LANE TO MEET CITY STANDARDS FOR A LOCAL COLLECTOR, SUBJECT TO APPROVAL BY THE CITY ENGINEER.



SEE SHEET NO. 17

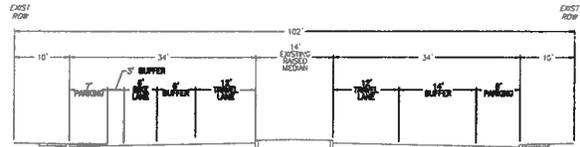
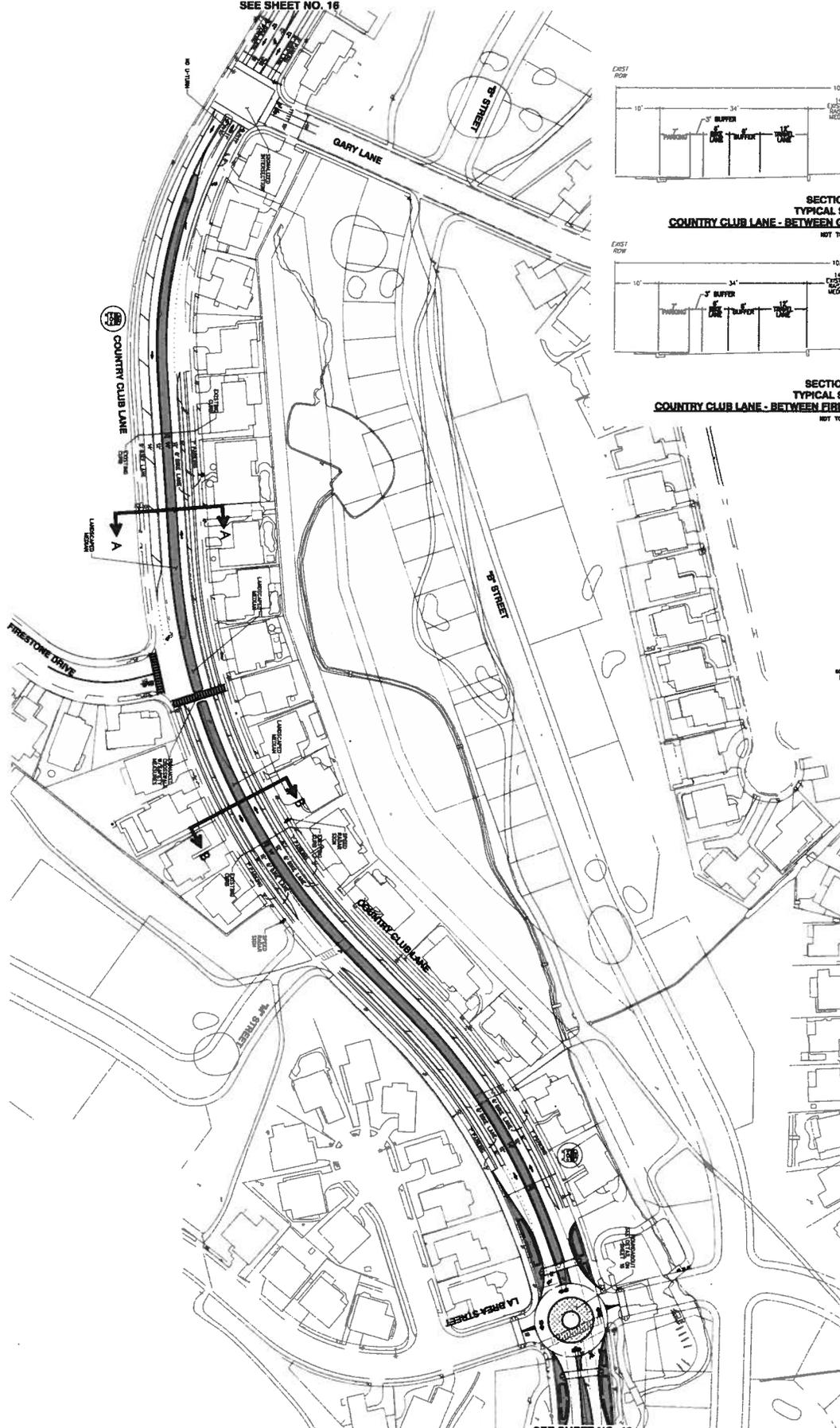
**TENTATIVE MAP
THE VILLAGES**
SPECIFIC ALIGNMENT PLAN FOR COUNTRY CLUB LANE

**PROPOSED PROJECT
SUB 16-0009**

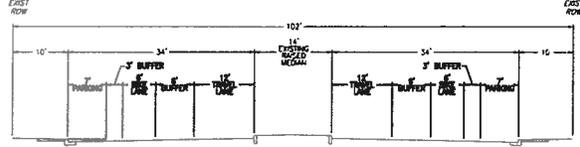
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SPECIFIC ALIGNMENT PLAN

SEE SHEET NO. 16



SECTION A-A
TYPICAL SECTION
COUNTRY CLUB LANE - BETWEEN GARY LANE AND FIRESTONE DRIVE
NOT TO SCALE



SECTION B-B
TYPICAL SECTION
COUNTRY CLUB LANE - BETWEEN FIRESTONE DRIVE AND LA BREA STREET
NOT TO SCALE

LEGEND

- NEW RAISED CURB
- TWO-WAY LEFT TURN
- BIKE LANE BUFFER
- BUS STOP W/RED CURB
- CROSSWALK



**COUNTRY CLUB LANE -
FROM GARY LANE TO
LA BREA STREET**

DESIGN SPEED - 35 MPH
POSTED SPEED - 25 MPH
DESIGN SPEED THROUGH
ROUNDBOUT - 15 MPH

NOTE: INSTALL TRAFFIC SIGNS,
STRIPING AND PAVEMENT
LEGENDS FOR ROADWAY
DESIGN SPEED AND
ROUNDBOUT DESIGN SPEED.

NOTES:

1. LIGHTING ON COUNTRY CLUB LANE TO MEET CITY STANDARDS FOR A LOCAL COLLECTOR, SUBJECT TO APPROVAL BY THE CITY ENGINEER.

**TENTATIVE MAP
THE VILLAGES**

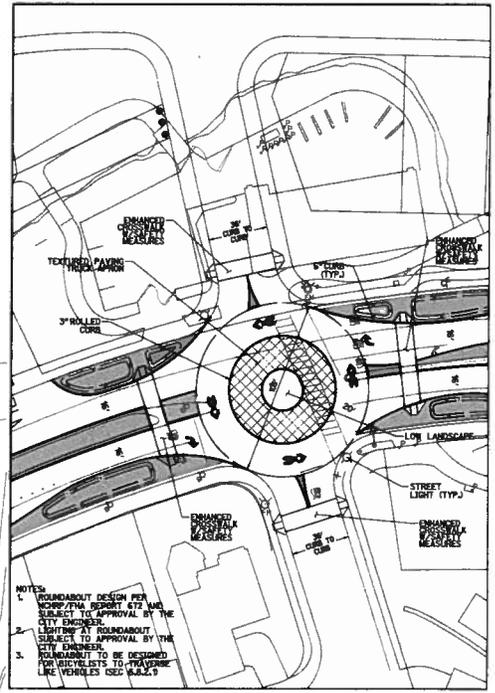
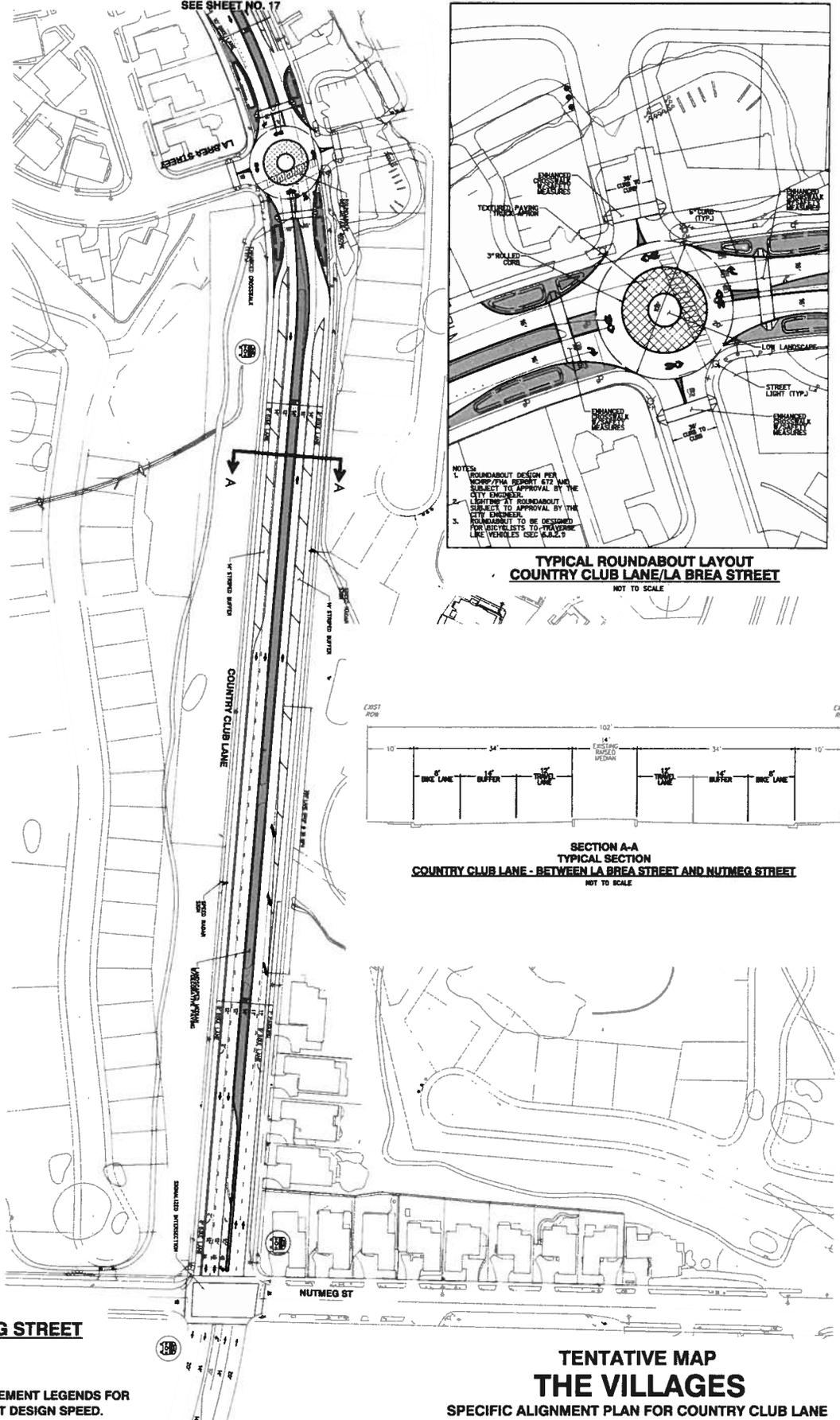
SPECIFIC ALIGNMENT PLAN FOR
COUNTRY CLUB LANE

SEE SHEET NO. 18

**PROPOSED PROJECT
SUB 16-0009**



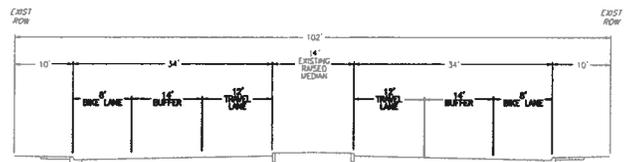
SEE SHEET NO. 17



- NOTES:
1. ROUNDABOUT DESIGN PER WOPRP/PA REPORT 672 AND SUBJECT TO APPROVAL BY THE CITY ENGINEER.
 2. LIGHTING AT ROUNDABOUT SUBJECT TO APPROVAL BY THE CITY ENGINEER.
 3. ROUNDABOUT TO BE DESIGNED FOR BICYCLES TO FOLLOW THE LINE VEHICLES (SIC 6.2.2.3)

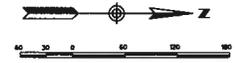
**TYPICAL ROUNDABOUT LAYOUT
COUNTRY CLUB LANE/LA BREA STREET**

NOT TO SCALE



**SECTION A-A
TYPICAL SECTION
COUNTRY CLUB LANE - BETWEEN LA BREA STREET AND NUTMEG STREET**

NOT TO SCALE



LEGEND

- NEW RAISED CURB
- TWO-WAY LEFT TURN
- BIKE LANE BUFFER
- BUS STOP W/RED CURB

- NOTES:
1. LIGHTING ON COUNTRY CLUB LANE TO MEET CITY STANDARDS FOR A LOCAL COLLECTOR, SUBJECT TO APPROVAL BY THE CITY ENGINEER.

**COUNTRY CLUB LANE -
FROM LA BREA STREET TO NUTMEG STREET**

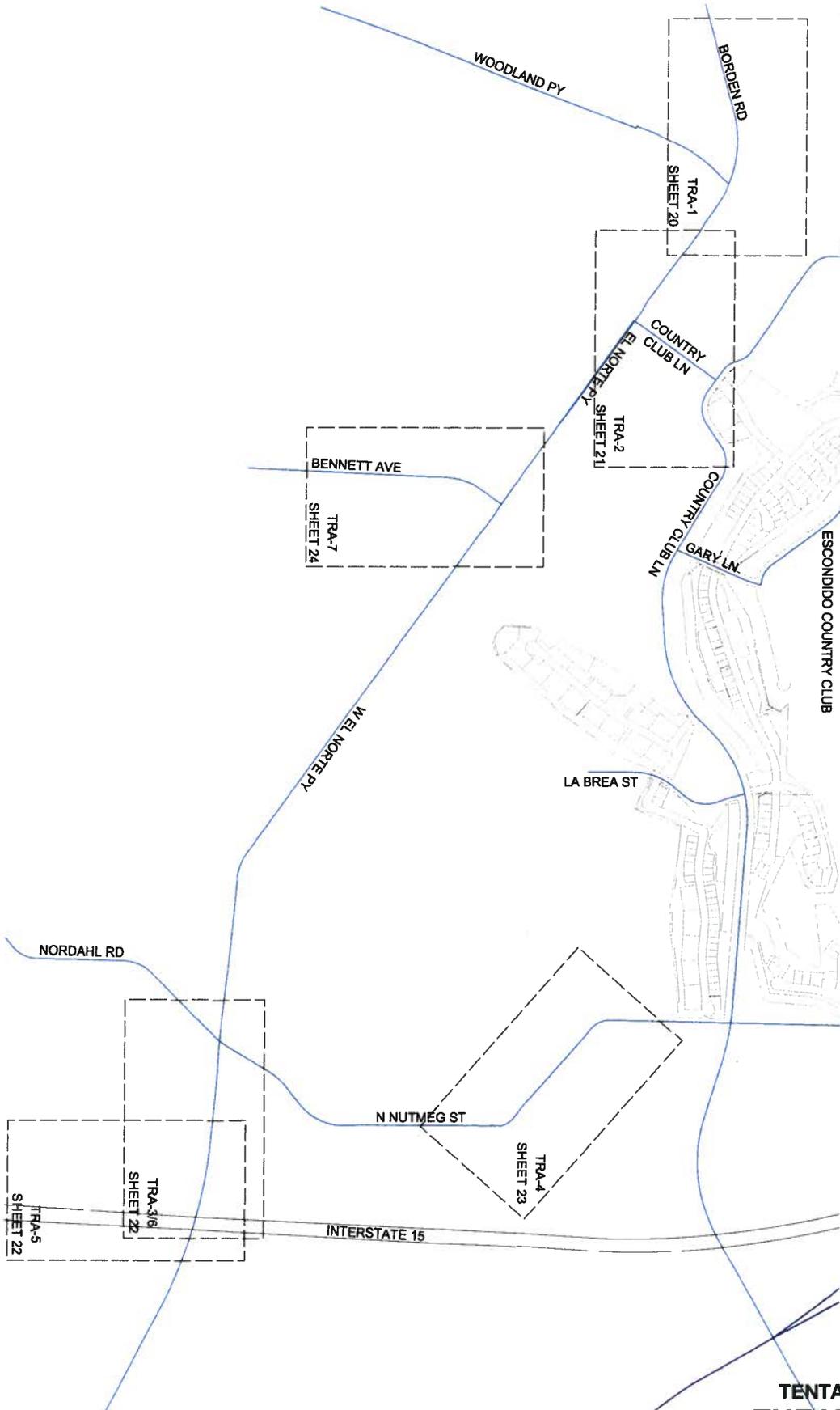
DESIGN SPEED - 35 MPH
 POSTED SPEED - 30 MPH
 DESIGN SPEED THROUGH ROUNDABOUT - 15 MPH
 NOTE: INSTALL TRAFFIC SIGNS, STRIPING AND PAVEMENT LEGENDS FOR ROADWAY DESIGN SPEED AND ROUNDABOUT DESIGN SPEED.

**TENTATIVE MAP
THE VILLAGES
SPECIFIC ALIGNMENT PLAN FOR COUNTRY CLUB LANE**

**PROPOSED PROJECT
SUB 16-0009**

SA

SPECIFIC ALIGNMENT PLAN



TENTATIVE MAP
THE VILLAGES
 OFFSITE TRAFFIC MITIGATION MEASURES KEYMAP

**PROPOSED PROJECT
 SUB 16-0009**

T

TRAFFIC MEASURES

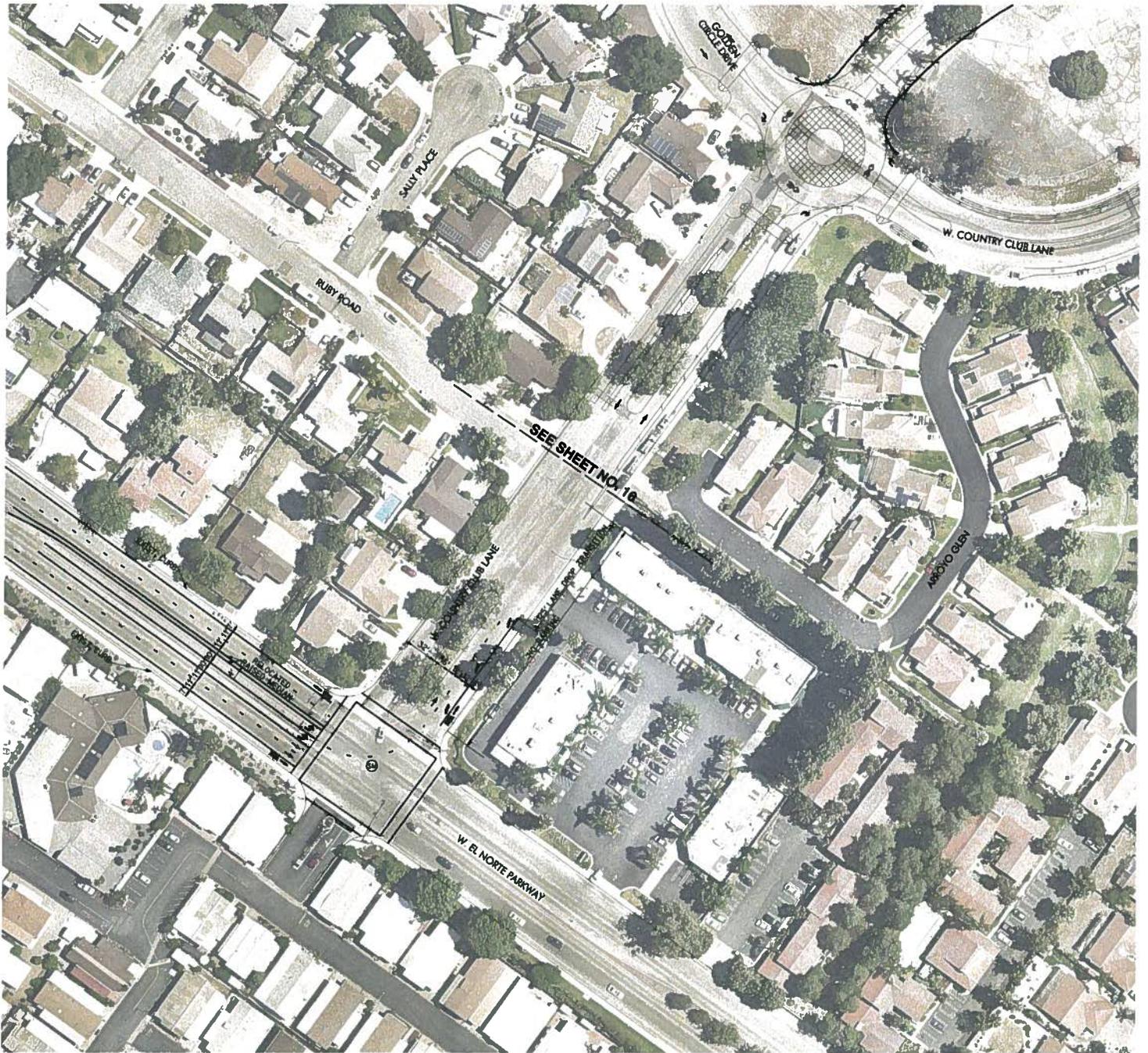


TRA-1

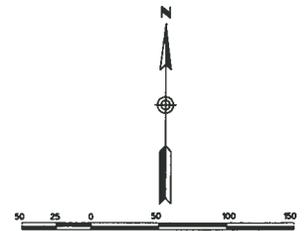

TENTATIVE MAP
THE VILLAGES
 OFFSITE TRAFFIC MITIGATION MEASURES

PROPOSED PROJECT
SUB 16-0009


TRAFFIC MEASURES



TRA-2

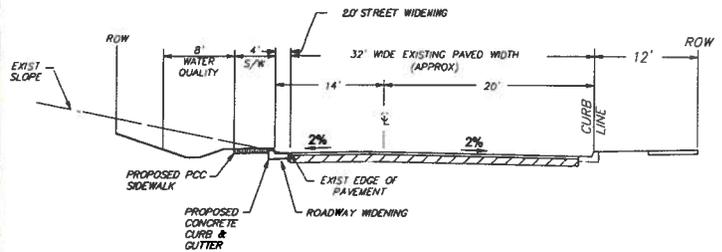
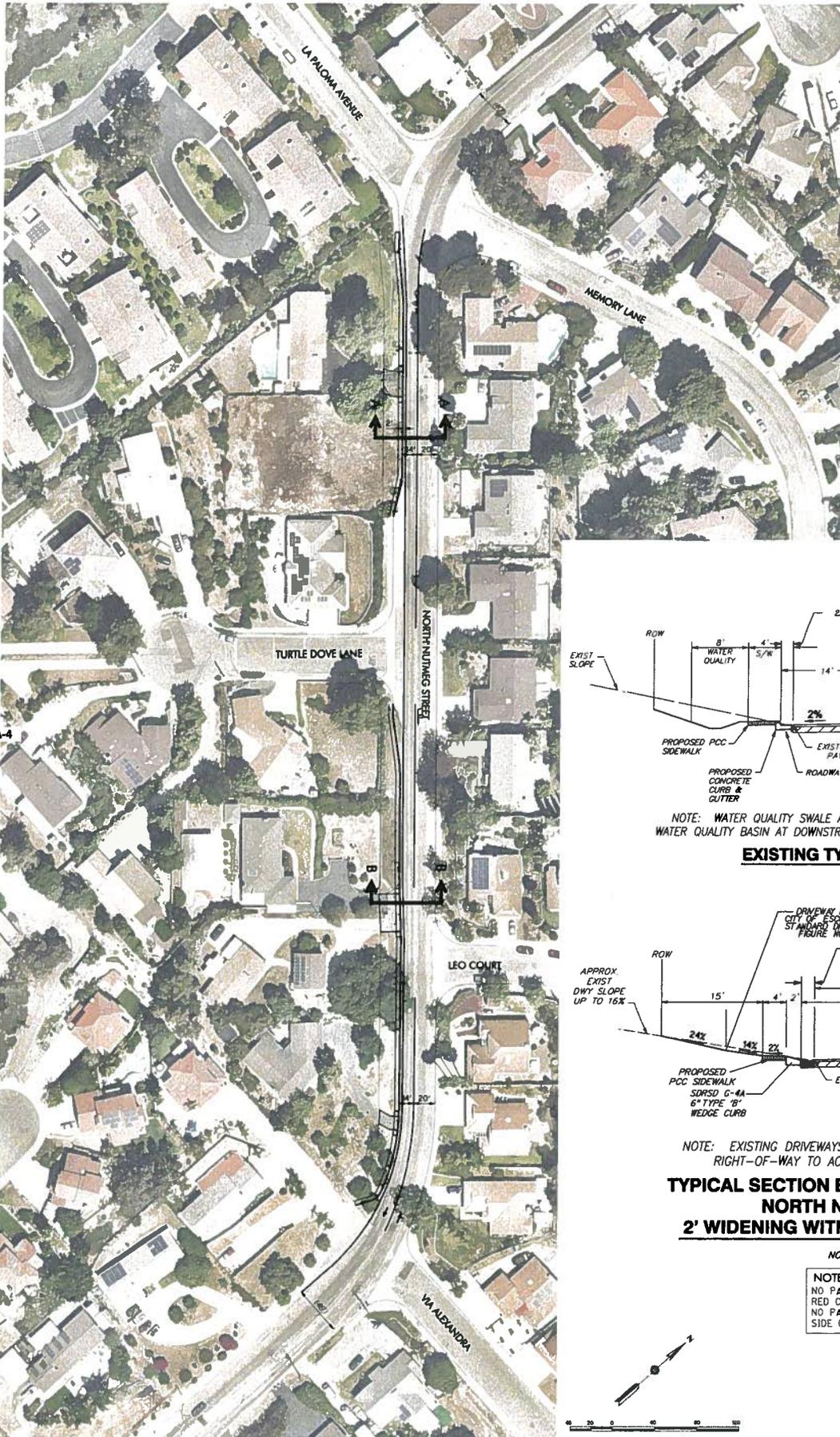


**TENTATIVE MAP
THE VILLAGES**
OFFSITE TRAFFIC MITIGATION MEASURES

**PROPOSED PROJECT
SUB 16-0009**

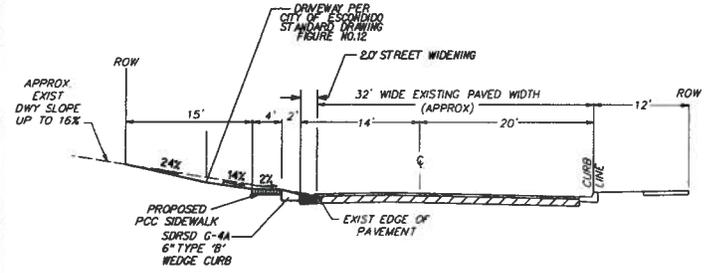


TRAFFIC MEASURES



NOTE: WATER QUALITY SWALE ALONG WIDENING OR WATER QUALITY BASIN AT DOWNSTREAM END OF WIDENING

EXISTING TYPICAL SECTION A-A
NOT TO SCALE



NOTE: EXISTING DRIVEWAYS TO BE REBUILT WITHIN THE EXISTING RIGHT-OF-WAY TO ACCOMMODATE THE STREET WIDENING

TYPICAL SECTION B-B: EXISTING DRIVEWAYS
NORTH NUTMEG STREET
2' WIDENING WITH 4' SIDEWALK ADDITION

NOTE:
NO PARKING SIGNS OR RED CURB SHALL INDICATE NO PARKING ON THE WEST SIDE ON NUTMEG.



TENTATIVE MAP
THE VILLAGES
OFFSITE TRAFFIC MITIGATION MEASURES

PROPOSED PROJECT
SUB 16-0009



TRAFFIC MEASURES

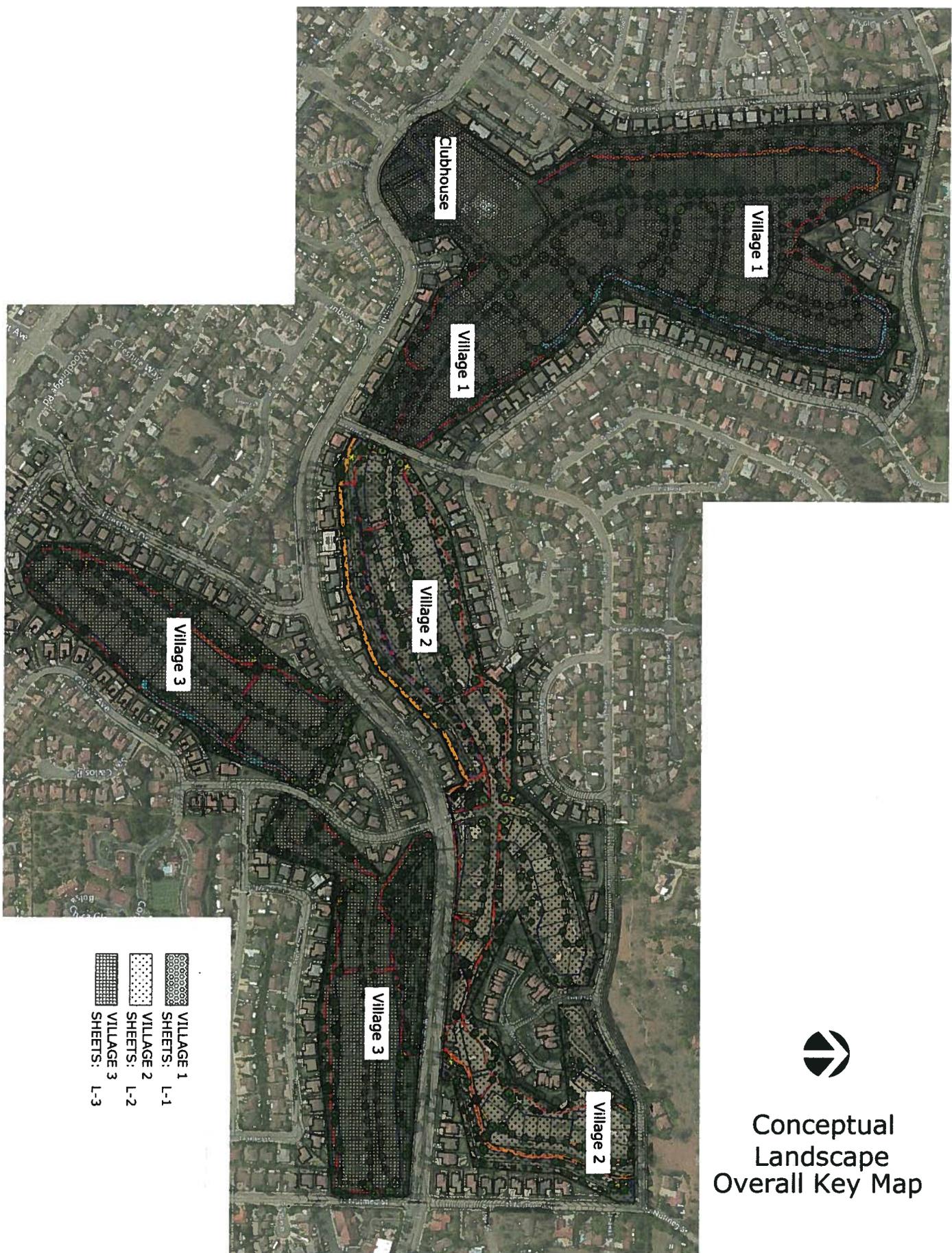


TENTATIVE MAP
THE VILLAGES
OFFSITE TRAFFIC MITIGATION MEASURES

PROPOSED PROJECT
SUB 16-0009



TRAFFIC MEASURES



-  VILLAGE 1
SHEETS: L-1
-  VILLAGE 2
SHEETS: L-2
-  VILLAGE 3
SHEETS: L-3



Conceptual
Landscape
Overall Key Map

**PROPOSED PROJECT
SUB 16-0009**



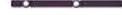
LANDSCAPE KEY MAP



TRAIL LEGEND

-  PROPOSED 8'-0" WIDE OPEN SPACE TRAIL
-  8'-0" WIDE MEANDERING TRAIL IN 15'-0" WIDE DRIVABLE SURFACE
-  8'-0" WIDE MEANDERING TRAIL IN 24'-0" WIDE DRIVABLE SURFACE

FENCE AND WALL LEGEND

-  FENCE
-  FULL HEIGHT VILLAGE THEME WALL
-  FULL HEIGHT SOLID MASONRY WALL
-  VILLAGE THEME FENCING
-  ENTRES
-  WOOD GUARDRAIL FENCING
-  ADJACENT BASINS & CHANNEL
-  VILLAGE THEME PILASTER

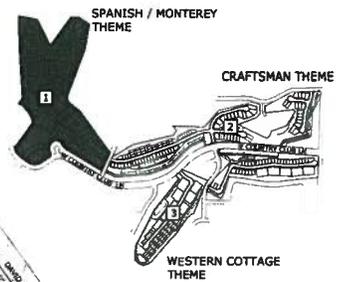
LANDSCAPE LEGEND

-  H.O.A. MAINTAINED - COMMON AREA. SEE VILLAGE THEME PALETTES
-  H.O.A. MAINTAINED - POCKET PARKS (TURF AREAS)
-  H.O.A. MAINTAINED - POCKET PARKS
-  WATER QUALITY BASIN MAINTAINED BY OUTSIDE SERVICE
-  WATER QUALITY BASIN (HYDROSEED) - MAINTAINED BY OUTSIDE SERVICE
-  H.O.A. MAINTAINED - MANUFACTURED SLOPES. SEE VILLAGE THEME PALETTES
-  H.O.A. MAINTAINED - UNDISTURBED GRADING AREA. SEE VILLAGE THEME PALETTES
-  H.O.A. MAINTAINED - UNDISTURBED GRADING AREA (HYDROSEED)
-  BUILDER INSTALLED SLOPES - HOMEOWNER MAINTAINED
-  H.O.A. MAINTAINED PARKWAYS

CONCEPTUAL TREE LEGEND

-  VILLAGE TRAILS & OPEN SPACE TREES
15 Cal. - 38" Box Tree
-  CORNER LOT ENHANCEMENT TREE & CUL-DE-SAC ACCENT TREE
- 38" Box Tree
-  STREET TREE - VILLAGE 1
24" - 36" Box Tree
-  STREET TREE - VILLAGE 2
24" - 36" Box Tree
-  STREET TREE - VILLAGE 3
24" - 36" Box Tree
-  UNDERSTORY & SCREENING SHRUBS
15 Cal. - 24" Box
-  EXISTING TREE TO REMAIN

KEY MAP




Landscape Plans

L-1

**PROPOSED PROJECT
SUB 16-0009**



LANDSCAPE PLAN

CONCEPTUAL TREE LEGEND

-  VILLAGE TRAILS & OPEN SPACE TREES:
15 Gal. - 36" Box Tree
-  CORNER LOT ENHANCEMENT TREE &
CUL-DE-SAC ACCENT TREE:
36" Box Tree
-  STREET TREE - VILLAGE 1
24" - 36" Box Tree
-  STREET TREE - VILLAGE 2
24" - 36" Box Tree
-  STREET TREE - VILLAGE 3
24" - 36" Box Tree
-  UNDERSTORY & SCREENING SHRUBS:
15 Gal. - 24" Box
- EXISTING TREE TO REMAIN

FENCE AND WALL LEGEND

-  FENCE
-  FULL HEIGHT VILLAGE
THEME WALL
-  FULL HEIGHT SOLID
MASONRY WALL
-  VILLAGE THEME FENCING
@ ENTRIES
-  WOOD GUARDRAIL FENCING
ADJACENT BASINS & CHANNELS
-  VILLAGE THEME PILASTER

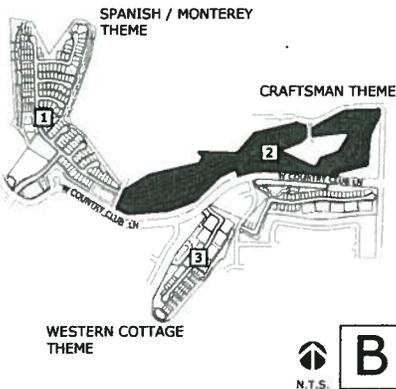
LANDSCAPE LEGEND

-  H.O.A. MAINTAINED - COMMON AREA
SEE VILLAGE THEME PALETTES
-  H.O.A. MAINTAINED - POCKET PARKS
-  H.O.A. MAINTAINED - POCKET PARKS
(TURF AREAS)
-  WATER QUALITY BASIN
MAINTAINED BY OUTSIDE SERVICE
-  WATER QUALITY BASIN (HYDROSEED)
MAINTAINED BY OUTSIDE SERVICE
-  H.O.A. MAINTAINED - MANUFACTURED
SLOPES. SEE VILLAGE THEME PALETTES
-  H.O.A. MAINTAINED - UNDISTURBED
GRADING AREA. SEE VILLAGE THEME
PALETTES
-  H.O.A. MAINTAINED - UNDISTURBED
GRADING AREA (HYDROSEED)
-  BUILDER INSTALLED SLOPES
HOMEOWNER MAINTAINED
-  H.O.A. MAINTAINED PARKWAYS

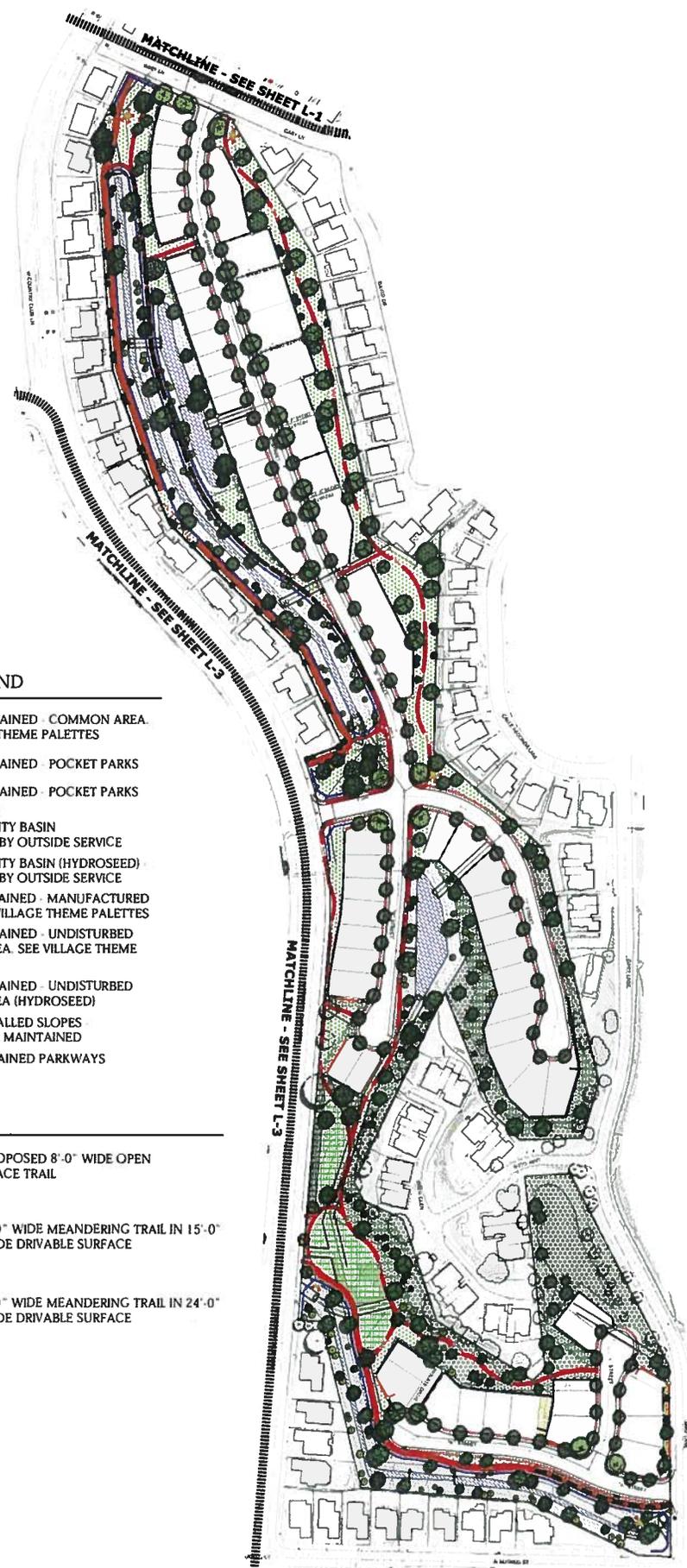
TRAIL LEGEND

-  8' TRAIL PROPOSED 8'-0" WIDE OPEN
SPACE TRAIL
-  8'-0" WIDE MEANDERING TRAIL IN 15'-0"
WIDE DRIVABLE SURFACE
-  8' TRAIL 8'-0" WIDE MEANDERING TRAIL IN 24'-0"
WIDE DRIVABLE SURFACE

KEY MAP



L-2 Landscape Plans



**PROPOSED PROJECT
SUB 16-0009**

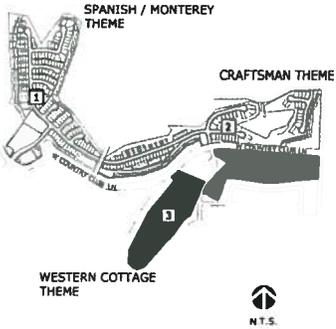
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C

Landscape Plans
L-3

KEY MAP



LANDSCAPE LEGEND

- H.O.A. MAINTAINED - COMMON AREA. SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED - POCKET PARKS
- H.O.A. MAINTAINED - POCKET PARKS (TURF AREAS)
- WATER QUALITY BASIN MAINTAINED BY OUTSIDE SERVICE
- WATER QUALITY BASIN (HYDROSEED) - MAINTAINED BY OUTSIDE SERVICE
- H.O.A. MAINTAINED - MANUFACTURED SLOPES. SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED - UNDISTURBED GRADING AREA. SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED - UNDISTURBED GRADING AREA (HYDROSEED)
- BUILDER INSTALLED SLOPES - HOMEOWNER MAINTAINED
- H.O.A. MAINTAINED PARKWAYS

TRAIL LEGEND

- PROPOSED 8'-0" WIDE OPEN SPACE TRAIL
- 8'-0" WIDE MEANDERING TRAIL IN 15'-0" WIDE DRIVABLE SURFACE
- 8'-0" WIDE MEANDERING TRAIL IN 24'-0" WIDE DRIVABLE SURFACE

CONCEPTUAL TREE LEGEND

- VILLAGE TRAILS & OPEN SPACE TREES: 15 Gal. - 36" Box Tree
- CORNER LOT ENHANCEMENT TREE & CUL-DE-SAC ACCENT TREE: - 36" Box Tree
- STREET TREE - VILLAGE 1 24" - 36" Box Tree
- STREET TREE - VILLAGE 2 24" - 36" Box Tree
- STREET TREE - VILLAGE 3 24" - 36" Box Tree
- UNDERSTORY & SCREENING SHRUBS: 15 Gal. - 24" Box
- EXISTING TREE TO REMAIN

FENCE AND WALL LEGEND

- FENCE
- FULL HEIGHT VILLAGE THEME WALL
- FULL HEIGHT SOLID MASONRY WALL
- VILLAGE THEME FENCING @ ENTRIES
- WOOD GUARDRAIL FENCING ADJACENT BASINS & CHANNELS
- VILLAGE THEME PILASTER

PROPOSED PROJECT
SUB 16-0009

LP

LANDSCAPE PLAN



TRAIL LEGEND

- 8'-0" TRAIL PROPOSED 8'-0" WIDE OPEN SPACE TRAIL
- 8'-0" WIDE MEANDERING TRAIL IN 15'-0" WIDE DRIVABLE SURFACE
- 8'-0" WIDE MEANDERING TRAIL IN 24'-0" WIDE DRIVABLE SURFACE

FENCE AND WALL LEGEND

- FENCE
- FULL HEIGHT VILLAGE THEME WALL
- FULL HEIGHT SOLID MASONRY WALL
- VILLAGE THEME FENCING @ ENTRIES
- WOOD GUARDRAIL FENCING
- ADJACENT BASINS & CHANNELS
- VILLAGE THEME PILASTER

LANDSCAPE LEGEND

- H.O.A. MAINTAINED COMMON AREA SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED - POCKET PARKS
- H.O.A. MAINTAINED POCKET PARKS (TURF AREAS)
- WATER QUALITY BASIN MAINTAINED BY OUTSIDE SERVICE
- WATER QUALITY BASIN (HYDROSEED) MAINTAINED BY OUTSIDE SERVICE
- H.O.A. MAINTAINED MANUFACTURED SLOPES SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED UNDISTURBED GRADING AREA SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED UNDISTURBED GRADING AREA (HYDROSEED)
- BUILDER INSTALLED SLOPES HOMEOWNER MAINTAINED
- H.O.A. MAINTAINED PARKWAYS

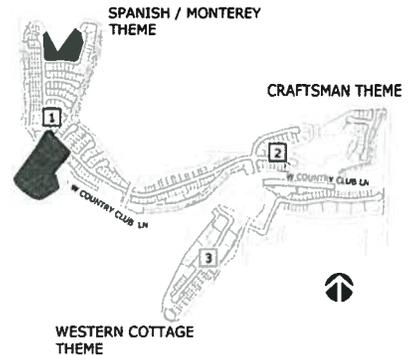
CONCEPTUAL TREE LEGEND

- VILLAGE TRAILS & OPEN SPACE TREES: 15 Gal 36" Box Tree
- CORNER LOT ENHANCEMENT TREE & CUL-DE SAC ACCENT TREE: 36" Box Tree
- STREET TREE VILLAGE 1: 24" 36" Box Tree
- STREET TREE VILLAGE 2: 24" 36" Box Tree
- STREET TREE VILLAGE 3: 24" 36" Box Tree
- UNDERSTORY & SCREENING SHRUBS: 15 Gal 24" Box
- EXISTING TREE TO REMAIN

Landscape Plans
L-1



KEY MAP



PROPOSED PROJECT
SUB 16-0009

LP

LANDSCAPE PLAN



CONCEPTUAL TREE LEGEND

- VILLAGE TRAILS & OPEN SPACE TREES:
15 Gal. - 36" Box Tree
- CORNER LOT ENHANCEMENT TREE & CUL-DE-SAC ACCENT TREE:
36" Box Tree
- STREET TREE - VILLAGE 1
24" - 36" Box Tree
- STREET TREE - VILLAGE 2
24" - 36" Box Tree
- STREET TREE - VILLAGE 3
24" - 36" Box Tree
- UNDERSTORY & SCREENING SHRUBS:
15 Gal. - 24" Box
- EXISTING TREE TO REMAIN

FENCE AND WALL LEGEND

- FENCE
- FULL HEIGHT VILLAGE THEME WALL
- FULL HEIGHT SOLID MASONRY WALL
- VILLAGE THEME FENCING @ ENTRIES
- WOOD GUARDRAIL FENCING ADJACENT BASINS & CHANNELS
- VILLAGE THEME PILASTER

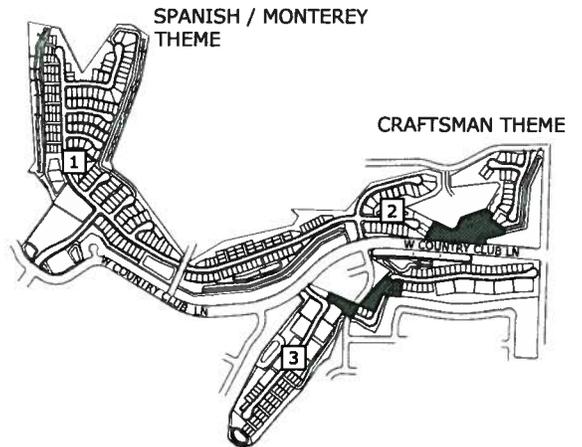
LANDSCAPE LEGEND

- H.O.A. MAINTAINED - COMMON AREA. SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED - POCKET PARKS
- H.O.A. MAINTAINED - POCKET PARKS (TURF AREAS)
- WATER QUALITY BASIN MAINTAINED BY OUTSIDE SERVICE
- WATER QUALITY BASIN (HYDROSEED) - MAINTAINED BY OUTSIDE SERVICE
- H.O.A. MAINTAINED - MANUFACTURED SLOPES. SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED - UNDISTURBED GRADING AREA. SEE VILLAGE THEME PALETTES
- H.O.A. MAINTAINED - UNDISTURBED GRADING AREA (HYDROSEED)
- BUILDER INSTALLED SLOPES - HOMEOWNER MAINTAINED
- H.O.A. MAINTAINED PARKWAYS

TRAIL LEGEND

- 8" TRAIL PROPOSED 8'-0" WIDE OPEN SPACE TRAIL
- 8" TRAIL 8'-0" WIDE MEANDERING TRAIL IN 15'-0" WIDE DRIVABLE SURFACE
- 8" TRAIL 8'-0" WIDE MEANDERING TRAIL IN 24'-0" WIDE DRIVABLE SURFACE

KEY MAP



WESTERN COTTAGE THEME

L-5
N.T.S.

Landscape Plans

**PROPOSED PROJECT
SUB 16-0009**



ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

The Project site is located in the northwest portion of the City, along both sides of West Country Club Lane, west of Nutmeg Street. The Project site currently has an address of 1800 West Country Club Lane and consists of approximately 109.3 acres. The Project site is privately owned land consisting of an abandoned 18-hole golf course. Development on the site consists of concrete paved golf cart paths, several shallow lakes, six wells, a bathroom facility, and a clubhouse with associated pool, tennis court, asphalt-paved parking lot, and other hardscape improvements. The surrounding residential development consists of single-family detached residences on a variety of lot sizes, attached single-family residences (duplexes) of several different densities, and several common-interest developments. A large mobile-home park is located to the south on El Norte Parkway within the City of San Marcos. The City of San Marcos boundary is approximately 0.2 miles to the southwest.

The location, density, and intensity of suburban-style development within the surrounding communities have mainly developed through planned residential development, and are generally characterized by low-density single-family neighborhoods with pockets of medium-density single-family development (duplex units and small detached homes).

Surrounding Zone Designations and Existing Land Use Activity

- NORTH** - R-1-7 Zoning (Single-Family Residential with 7,000 square foot lots), with PD-R (Planned Development) and R-1-15 (15,000 square foot lots) beyond. Planned development projects to the northwest of the Project site resulted in residential development of detached single-family homes on lots approximately 4,000 square feet to 6,000 square feet (ranging in density from 4.3 to 5.8 dwelling units per acre). Further north are detached single-family homes on approximately 5,000+ square-foot lots that typically average from 40 to 45 feet in width (3.7 dwelling units per acre). A smaller residential development that abuts the Project site to the north consists of duplex residential units on 2,000+ square-foot lots (4.3 dwelling units per acre). Located central to and north of the Project site are detached single-family homes on approximately 7,000 square-foot lots, flanking Villages 1 and 2 (4.0 dwelling units per acre). As the topography rises to the north of the Project site, another residential development project adjacent to the former golf course is comprised of duplex dwelling units on lots that are approximately 4,000 square feet (2.7 dwelling units per acre). Another smaller residential development that protrudes into the Project site has duplex dwelling units on 2,000+ square-foot lots (5.9 dwelling units per acre).
- SOUTH** - R-1-7 Zoning (7,000 square foot lots). To the south of the Project site, there are several residential developments of 2,000+ square-foot lots with both duplex units and detached single-family homes. Other areas to the south have lots ranging from 2,000+ square feet to 7,000 square feet, which average about 40 feet in width. The residential density in this area ranges from 3.2 to 4.9 dwelling units per acre.
- EAST** - R-1-7 Zoning (7,000 square foot lots), with RE-20 (Residential Estate with 20,000 square foot lots) and R-1-10 (10,000 square foot lots). Northeast of the Project there are planned development homes on lots that range in size and density (7,000 to 20,000+ square-foot lots). Directly to the east of the Project site are single-family homes (approximately 7,000 square feet) and church facilities. To the southeast there are lots that are predominately 7,000 square feet (3.9 dwelling units per acre). A duplex development with 2,000+ square-foot lots is further to the east (4.2 dwelling units per acre).
- WEST** - R-1-7 Zoning (7,000 square foot lots), with R-1-6 (6,000 square foot lots). Planned development projects to the northwest of the Project site resulted in residential development of detached single-family homes on lots approximately 4,000 square feet to

6,000 square feet (ranging in density from 4.3 to 5.8 dwelling units per acre). Duplex condominiums are directly to the west, on 2,000+ square-foot lots. To the southwest are planned development homes on lots approximately 2,000+ square feet (5.4 dwelling units per acre) and single-family homes on 7,000+ square feet (4.0 dwelling units per acre).

B. AVAILABILITY OF PUBLIC SERVICES

1. **Effect on Police Service** – The City of Escondido Police Department is located at 1163 Centre City Parkway, and is approximately 1.95 miles southeast of the Project site. The Police Department has expressed no concern regarding their ability to provide service to the site.
2. **Effect on Fire Service** – The Escondido Fire Department's response time standard is to respond to all priority Level One or Emergency type calls within 7 minutes and 30 seconds, a total of 90 percent of the time. In the last reporting period, the Fire Department was able to respond under this time standard 92 percent of the time. Fire Station No. 3 of the Escondido Fire Department, located at 1808 Nutmeg Street, is the closest station to the Project site, approximately 0.8 miles southeast. The capital facilities required to provide fire services are funded through the City's development impact fee program. The fees levied against the Project address the Project's proportional impact on capital facilities, such as structures and equipment, associated with fire protection. Public funds such as property taxes, sales taxes, and fees generated by the Project would be used to cover the incremental costs associated with providing fire and emergency medical services. The Fire Department has expressed no concern regarding their ability to provide service to the site.
3. **Traffic** – The Project circulation system is designed to interconnect with the existing adjacent public street system. Vehicular access to the entrances of each Village is from existing public streets. A majority of the interior streets within each Village would be public streets, with the exception of private driveways sharing access to one of the housing types and within the common ownership lots. The traffic circulation system is predominantly composed of public streets within 56-foot-wide rights-of-way that provide access and on-street parking for the single-family residential units. The public street system provides access to the Village Center and the farm, as well as all three Villages. The public road that leads north from the North Golden Drive/West Country Club Lane intersection would transition from Major Road improvements standards to the typical 56-foot-wide right-of-way residential street standards beyond the access point for the Village Center and farm. Several modifications are proposed, including the use of rolled curbs and slightly reduced curve radii on short cul-de-sac street segments. Several short 24-foot-wide, double-loaded private driveways extending from the new public streets would provide access to small clusters of single-family detached dwelling units on individual detached single-family lots. In some parts of Village 3, 24-foot-wide driveways would provide access to a private motor court on a commonly owned lot that accommodates access to garages for clustered dwelling units. Internal emergency fire access roads have been incorporated into the Open Space System in Villages 2 and 3. Alternative emergency-only access is provided for one of the neighborhoods in Village 3 to Nutmeg Street.

The Project would create three new connections with West Country Club Lane, with two connections converting T-intersections into four-way intersections at North Golden Circle Drive. Traffic calming measures on West Country Club Lane would increase public safety and encourage pedestrian and bicycle use within the Escondido Country Club community. The new connection converting the existing T-intersection of North Golden Drive with West Country Club Lane into a four-way intersection would be signalized or developed into a roundabout. The second roundabout in the corridor is proposed at La Brea Street. A new four-way intersection would be created on Gary Lane that provides secondary access to both Villages 1 and 2. A public street for access to Village 3 would create one new T-intersection to La Brea Street south of West Country Club Lane, and a new T-intersection providing access to the small eastern portion of Village 2 would be created on Gary Lane near Nutmeg Street.

The Project includes off-site improvements and travel lane modifications that generally would enhance circulation in the area. The lane striping along El Norte Parkway between Nutmeg Street/Nordahl Road and the southbound I-15 onramp would be enhanced to better serve the adjacent commercial uses, and installation of adaptive signalization along El Norte Parkway would be implemented to improve traffic flow. An additional single occupancy-lane from El Norte Parkway to southbound I-15 would be added to the existing onramp. However, as annotated in

October 24, 2017

the Final EIR, because the improvement would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can assure that Caltrans will permit the improvement to be made, for the purposes of CEQA, the long-term significant cumulative impact at this location is considered significant and unavoidable. A series of statements of overriding benefits have been prepared to demonstrate why the Project should be approved, despite the impact being categorized as a significant and unavoidable impact.

4. **Utilities** – The Project site is surrounded by existing development with existing infrastructure. All required new infrastructure needed would be connected to existing infrastructure. No extensions or expansion of existing infrastructure systems would be required. Some existing infrastructure may need to be relocated or replaced.

Portions of the Project area are located in the City of Escondido Water Service Area, and the Rincon Del Diablo Municipal Water District (Rincon). The connections to the water system would be to the 10-inch/12-inch water main in West Country Club Lane, the 10-inch water main in Gary Lane, the 8-inch water main in La Brea Street, and the 10-inch water main in Nutmeg Street. In addition, an existing Vista Irrigation District 18-inch waterline that traverses the Project from Country Club Lane would need to be relocated into the new circulation street system.

The Project would connect to the City of Escondido wastewater system. The City has existing sewer facilities in Country Club Lane, Gary Lane, La Brea Street, and Fire Fox Place. This 8-inch gravity sewer system conveys wastewater, which ultimately flows to the Hale Avenue Resource Recovery Facility for processing. Several existing underground sewer mains from adjacent developments traverse the Project site in public sewer easements. These facilities would be relocated and connected to the sewer system that would be constructed for the Project. These systems include the following:

- The existing 8-inch sewer from Jason Glen Street.
- The existing 8-inch sewer located in an easement from Gary Lane to Wren Ellen would be relocated into the new development.
- The existing 8-inch sewer main located in an easement from Mirada Avenue to Country Club Lane would be relocated into the development. To accommodate the new sewer alignment, the existing sewer in La Brea Street from Country Club Lane to Westwood Place would need to be reconstructed to adjust the vertical alignment.
- A portion of the existing 8-inch sewer in Gary Lane between David Drive and Country Club Lane would need to be reconstructed to adjust the vertical alignment.
- The existing 8-inch sewer located in an easement from Wren Glenn to Country Club Lane would be realigned to accommodate the Project design.
- The existing 8-inch sewer located in an easement from Corter Avenue to Fire Fox Place would need to be realigned to accommodate the Project.

There is existing recycled water in Country Club Lane serviced by the City of Escondido. This would provide the Project with recycled water for landscape and park irrigation. New residences would be connected to the adjacent existing water distribution system and sewage collection systems owned and maintained by the City or Rincon.

5. **Drainage** – A major benefit of the Project is the removal of existing concrete drainage channels that currently convey drainage through the Project site and the construction of open vegetated drainage channels that provide a safe drainage course for the stormwater runoff from the Project site, the existing surrounding development, and the existing tributary drainage flowing through the Project site into San Marcos Creek. The Project would also construct a number of biofiltration stormwater management basins distributed throughout the site to promote water quality treatment and hydromodification management of stormwater runoff from the project area. Hydromodification reduces the rate and duration of runoff from the Project site to predevelopment conditions in accordance with the requirements of the 2013 Regional Water Quality Permit R9-2013-001 and the 2016 City of Escondido Storm Water Design Manual. The biofiltration basins would have a typical section of 5 feet of depth, with 3:1 side slopes, and special surface materials to filter stormwater. Project design to control stormwater runoff would be implemented throughout the Project to control and reduce the pollutant loading in stormwater runoff.

C. ENVIRONMENTAL STATUS

A Draft Environmental Impact Report (EIR), State Clearinghouse House (SCH) No. 2017011060 was prepared pursuant to CEQA (Public Resources Code 21000–21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387) to address potential environmental effects associated with the Project. On June 28, 2017, a Notice of Availability of the Draft EIR was circulated for a 45-day review, which was later extended as a courtesy for an additional seven (7) days, with a circulation period ending on August 18, 2017. The Notice of Completion and Notice of Availability were also sent to all property owners within 500 feet. Copies of the Draft EIR were made available at the Escondido Library, at the Community Development public counter at City Hall, and on the City website. During the 52-day public review period, staff received 442 comment letters and emails from 379 residents, businesses, agencies, or other community members. Responses to the comments were incorporated into the Final EIR. The Final EIR provides adequate, good faith and reasoned responses to the comments; and the responses, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR.

The Final EIR addresses the environmental impacts associated with all discretionary actions for the Project, including estimated build-out of the project site and the specific alignment plan for Country Club Lane. Mitigation Measures required under CEQA were developed to reduce the potential for adverse effects with respect to air quality, biological resources, cultural resources, greenhouse gas (GHG) emissions, hazards/hazardous materials, noise, and transportation/traffic. In determining whether the proposed Project has a significant effect on the environment, the City has based its decision on substantial evidence and has complied with CEQA Sections 21081.5 and 21082.2 and CEQA Guidelines Section 15901(b).

The Final EIR includes a comprehensive traffic analysis that identified existing conditions, including conditions anticipated to occur with the implementation of specifically identified roadway improvements already planned and approved for the area. As analyzed in the Final EIR, the Project would result in significant near-term direct and cumulative impacts and long-term cumulative impacts. Five (5) near-term impacts were identified in the traffic analysis, which include two (2) intersections (El Norte Parkway/Woodland Parkway and El Norte Parkway/Country Club Lane), two (2) street segments (El Norte Parkway from Nutmeg/Nordhal Road to I-15 ramps), and the El Norte Parkway to I-15 southbound on-ramp. In addition to the five (5) near-term impacts, the Project would result in significant cumulative-only impacts at the El Norte Parkway/Nordhal Road-Nutmeg Street intersection and on Bennett Avenue from El Norte Parkway to Toyon Glen. Five (5) of these near-term and cumulative impacts are categorized as long-term cumulative.

The Final EIR identifies a set of traffic-related mitigation measures, which would mitigate the significant near-term direct and cumulative impacts to transportation and traffic:

- **M-TR-1 Intersection at El Norte Parkway/Woodland Parkway.** Restriping the westbound approach of El Norte Parkway at Woodland Parkway to provide one left-turn lane, two through lanes, one right-turn lane, and a bike lane.
- **M-TR-2 Intersection at El Norte Parkway/Country Club Lane.** Restriping the eastbound approach of El Norte Parkway to provide a second eastbound left-turn lane, and also restriping northbound Country Club Lane (north of El Norte Parkway) to accept the two left-turn lanes and to taper to one lane south of the Country Club Lane/Golden Circle Driveway.
- **M-TR-3 Segment at El Norte Parkway from Nutmeg Street/Nordahl Road to I-15 SB Ramps.** Revise and enhance the right-turn/right edgeline striping serving the commercial uses between Bourbon Road and the I-15 southbound ramps, commensurate with the striping improvements recently installed by the City of Escondido between Nutmeg Street/Nordahl Road and Bourbon Road. Restrict the northbound left-turns from Bourbon Road to westbound El Norte Parkway with striping and signage, consistent with left-turn restrictions for the commercial driveway located directly across the intersection.

October 24, 2017

- M-TR-4 Segment at Nutmeg Street from Country Club Lane to Via Alexandra. Construct interim improvements in the existing right-of-way on southbound Nutmeg Street between La Paloma Avenue and Via Alexandra to provide a wider travel lane, and curb, gutter, and sidewalk improvements to the satisfaction of the City engineer.
- M-TR-5 El Norte Parkway to I-15 Southbound On-Ramp. Provide an additional Single Occupancy Vehicle (SOV) lane to the southbound on ramp. However, because the improvement would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can assure that Caltrans will permit the improvement to be made, for the purposes of the Final EIR analysis, the long-term significant cumulative impact at this location is considered significant and unavoidable.
- M-TR-6 Intersection at El Norte Parkway/Nutmeg Street/Nordahl Road. Restripe the south leg of Nutmeg Street to provide two southbound left-turn lanes, one shared through-right-turn lane, and a bike lane. The median on the north leg will need to be restriped.
- M-TR-7 Segment at Bennett Avenue from El Norte Parkway to Toyon Glen. Restripe a two-way left-turn lane between El Norte Parkway and Toyon Glen.

Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code, Section 21002.1), a discussion of alternatives should be prepared and analyzed to the extent the alternatives are capable of avoiding or substantially lessening any significant effects of the Project. Pursuant to CEQA Guidelines, Section 15126.6, the range of potential alternatives to the proposed Project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects, even if the alternative would impede to some degree the attainment of the objectives, or would be more costly (CEQA Guidelines, Section 15126.6(b)). In accordance with CEQA and CEQA Guidelines, the Final EIR analyzes a reasonable range of project alternatives that would feasibly attain some of the basic objectives of the Project and be expected to reduce the Project's significant impacts (see Chapter 4 of the Final EIR). The Final EIR includes sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Project. This section of analysis looks at the feasibility of "*No Project/No Development Alternative*," "*Reduced-Density Alternatives (158 units and 138 units)*," and a "*Reduced-Density Alternative (279 units)*."

- The *No Project/No Development Alternative* is addressed to compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. "No project" can be interpreted as no development or maintaining the existing condition. As discussed throughout this Final EIR, this alternative most closely represents the existing condition at the time of the release of the NOP. While adoption of the *No Project Alternative* would avoid the proposed Project's significant impacts, it would not meet the basic Project objectives.
- Development would still occur under the "*Reduced-Density Alternatives (158 units and 138 units)*" and the "*Reduced-Density Alternative (279 units)*," hereinafter called "reduced-density alternatives". The footprint of disturbance to construct the reduced number of residences would still result in impacts to biological resources, cultural resources and paleontological resources, and potentially hazardous conditions, and would be the same compared to the Project. In general, the reduced density alternatives would still be required to implement all Mitigation Measures to reduce potential impacts. It is important to note that there would be less construction emissions similar to the Project. Since fewer homes would be constructed under these alternatives and fewer emissions would occur over a shorter duration. Although slightly less grading and earthwork would be required because these alternatives do not include the SAP, the same type of equipment would be used and the amount of area disturbed would be only slightly less under these alternatives because the lot sizes would be larger. Construction noise levels would be slightly less; however, mitigation would still be required to reduce impacts to less than significant.

Under the reduced-density alternatives, there would be approximately 67 percent less traffic under the 138-unit alternative and 63 percent less traffic under the 158-unit alternative compared to the Project. These alternatives would result in two fewer street segment significant impacts, and two fewer intersection impacts (refer to

October 24, 2017

Appendix 4-1 in the Final EIR). All other significant impacts would remain the same as the *Modified Preferred Project* (380 units). Therefore, under the reduced-density alternatives, traffic impacts would be reduced, because fewer homes would result in fewer trips and fewer vehicles on surrounding streets. In addition, the alternatives would not require the identified improvements on the I-15 southbound on-ramp at El Norte Parkway, which would eliminate an identified significant unavoidable impact associated with the Project. However, the Project mitigates this impact with the identified improvements and conservatively recommends adoption of a significant “unavoidable” impact, only because the proposed improvements are not within the City’s jurisdiction and control because the on-ramp is a Caltrans facility.

Under the reduced-density alternative (279 Units), there would be approximately 35 percent less traffic compared to the Project. This alternative would result in one less street segment significant impact, one less intersection impact, and one intersection impact would be delayed from “direct” to “near-term and long-term cumulative” only. All other significant impacts would remain the same as the Project (Appendix 4-2 of the Final EIR). Therefore, although impacts would be reduced compared to the Project, they would not be avoided.

Having weighed and balanced the pros and cons of each of the alternatives analyzed in the Final EIR, the Plan Objectives, CEQA findings, and other appropriate considerations, the Project alternatives would not allow the context sensitivity addressed in the *Modified Preferred Project*, which directs new development to well suited areas of the site. Nor would they address existing land use incompatibilities to the extent addressed by the *Modified Preferred Project*. The *Modified Preferred Project* alternative would increase housing stock and a variety of housing types in a manner that helps preserve community character, while allowing development to proceed in accordance with the General Plan land use designation, which authorizes the type, amount, and intensity of permitted development. The reduced density alternatives also increase housing supply (by 138, 158, or 279 units depending on which alternative); however, all new residential lots would be of larger size and feature similar housing prototypes, therefore, a range of housing types and densities would not be provided. The reduced density alternatives would not provide a wide range clustered lots or a diverse range of housing opportunities. These alternatives do not include a Specific Alignment Plan (SAP), a trail system, recreation center, event lawn, community farm, restaurant, or banquet space. Sustainable design measures would be included as part of these alternatives but not to the level provided by the Project. These alternatives would not cluster residential in villages or neighborhoods although they would maintain site topography and protect natural resources. For these reasons, City staff has determined the Project alternatives would not satisfy the Project objectives as effectively as the *Modified Preferred Project*. Because the *Modified Preferred Project* would reduce all significant impacts to a less-than-significant level through mitigation, excepting anticipated impacts at the I-15 southbound on-ramp at El Norte Parkway, the *Modified Preferred Project* would ultimately achieve all of the Project objectives and substantially lessen its environmental impacts. The only identified unavoidable impact is at the I-15 southbound on-ramp at El Norte Parkway. A proposed Mitigation Measure would reduce this impact by providing an additional SOV lane to the southbound on-ramp to reduce congestion. However, because the improvement would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can assure that Caltrans will permit the improvement to be made, the long-term significant cumulative impact at this location is considered significant and unavoidable.

Subsequent to the circulation period of the Draft EIR (June 28, 2017 to August 18, 2017), the City received a comment letter regarding the analysis of alternatives on October 4, 2017, during Final EIR print production. The letter claims that the 158-unit alternative can be modified to accomplish most, if not all, of the Project objectives. The letter includes an attachment (provided in Attachment PC-6 with other public correspondences), which shows a 158-unit map that features usable open space, several water features, community farming, and a community center. The October 4, 2017 letter asks the City to consider the new map as a CEQA alternative. As discussed earlier in this staff report, the Draft EIR / Final EIR discusses the City’s rationale for selecting alternatives and shows that a reasonable range of alternatives were selected that would avoid or substantially lessen significant environmental impacts; implement basic Project objectives; and be feasible and reasonable. Pursuant to the State CEQA Guidelines Section 15126.6(b), the alternatives analysis focused on alternatives that, if implemented, could reduce or eliminate any of the Project’s significant effects. With that in mind, the Draft EIR / Final EIR considers three (3) reduced density alternative scenarios, including two (2) “*Reduced Density Alternatives (158 and 138 units)*,” which were considered together as they would result in similar impacts compared to the Project; and a “*Reduced Density Alternative (279 Units)*.” The Draft EIR / Final EIR also considers a “*No Project/No Development Alternative*” as required by CEQA. It is important to note that CEQA does not require that

October 24, 2017

an agency consider specific alternatives that are proposed by members of the public or other outside agencies. However, the October 4, 2017 comment suggests that the new alternative is only a variation on the 158-unit Reduced Density Alternative, which received detailed consideration already in the EIR. That being said, the City is not obligated to consider an alternative which offers no substantial environmental advantages over the Project or other alternatives considered in the EIR. Furthermore, an agency need not consider an alternative if its implementation is remote or speculative, because unrealistic alternatives do not contribute to a useful analysis. The October 4, 2017 letter provides no evidence of the map's economic feasibility. However, it is very likely that a reduction in the total number of units on the subject site would reduce available revenue to develop community amenities, and reduce the amount of available homeowner's association fees for the upkeep of common areas and maintain associated amenities.

As discussed above, the City considered a range of reasonable alternatives in the Draft EIR. Based on the City's review of the October 4, 2017 comment letter and attachment, the proposed alternative is substantially similar to the 158-Unit Reduced Density Alternative evaluated in the EIR as it considers the same number of units, the same lot sizes (7,000 square feet), same existing R-1-7 zoning, and the same general development footprint. In other words, the draft conceptual master plan for 158 units is merely a variation on the "*Reduced Density Alternative (158 units)*," and consideration of another 158-unit alternative is not justified based on a conceptual drawing where the EIR already considered two similar alternatives based on ECCHO's comments during the EIR scoping period. The City has thus complied with CEQA by considering a reasonable range of feasible alternatives, and providing an adequate discussion of alternatives that would reduce the Project's significant effects and foster informed decision-making and informed public participation.

Pursuant to the California Environmentally Quality Act (CEQA), before a project can be approved, which is determined to have significant and unmitigated effects, the public agency must consider and adopt a "Statement of Overriding Considerations" per CEQA Guidelines 15043 and 15093. The primary purpose of CEQA is to fully inform the public of the environmental effects of a proposed project and to include feasible mitigation measures and alternatives to reduce any such adverse effects below a level of significance. CEQA recognizes and authorizes the approval projects where not all adverse impacts can be fully lessened or avoided. The Lead Agency must explain and justify its conclusions to approve such a project through a statement of overriding considerations setting forth the general public benefits that support the informed conclusion to approve the project. The substantial evidence supporting the various benefits of the Villages – Escondido Country Club Project proposal can be found as an attachment to Exhibit "A" and briefly summarized below.

1. Housing Benefits

- The Project would provide a variety of quality housing opportunities, which would accommodate anticipated population growth and future housing needs within the City, to an underutilized, infill site.
- The Project proposes a range of housing types and designs, which would increase homeownership opportunities and expand the stock of housing for a range of incomes and lifestyles.
- The Project allows the City to become a model of context-sensitive development and provide for the long-term conservation and management of the natural resources that help to define the City's identity, contribute to its economy, and improve its quality of life.
- The Project would eliminate the blighted condition of the Project site, making the area more livable.

2. Recreational and Open Space Benefits

- The Project promotes sustainability through the provision of residential, commercial, and recreational uses on the same site and in close proximity to existing ECC community. Within these areas, there would be a wide range of services and amenities dedicated for public use.
- The Project would generally maintain the current land use pattern and housing density that is similar to the surrounding areas.
- The Project would develop an infill site which would limit the encroachment of development into environmentally sensitive areas and natural habitats.

3. Social Benefits

- The Project provides innovative land use measures and fulfills a neighborhood need to have a civic and cultural “core” by creating a special destination where work, play, dining/entertainment, living and just gathering naturally bring the ECC community together.
- The Project provides a new set of activity options for guests, residents, and the surrounding community, including, but not limited to, the Village Center which would feature a convenience grocery store, restaurant, community farm, and a Village green.
- The Project would eliminate the blighted condition of the current Project site and abate hazards to public health and safety, which brings larger community benefits.

4. Mobility and Access Benefits

- The Project improves mobility through the development of a balanced, multimodal transportation network, focusing new development near to existing services and infrastructure.
- The convenient availability of walking trails and parks that are accessible for use by both nearby existing residents and new residents would reduce demand on the local street system and satisfy the demand on the local parks and recreational facilities.
- Traffic calming measures along West Country Club Lane would improve overall operations.

5. Economic and Tax Benefits

- The Project would activate an underutilized property and result in a new source of economic vibrancy in the ECC community, which would provide a stable and significant source of tax revenue for the City.
- The Project provides opportunities for future jobs and business development.

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed Project, which the City has adopted or made a condition of approval of the proposed Project. CEQA Guidelines, Section 15126.4(a) requires lead agencies to consider feasible mitigation measures to avoid or substantially reduce a project's significant environmental impacts. The Final EIR concludes all potentially significant impacts would be mitigated to less than significant levels with the exception of one traffic-related impact, which would remain significant and unavoidable. However, as noted previously in this staff report, the Project would result in a significant unavoidable long-term cumulative traffic impact at the I-15 southbound on-ramp at El Norte Parkway.

Due to the length of the document, a hard copy of the Final EIR has not been attached to this report. It is available upon request and is posted on the City's web site. A copy of the document is also available for review in the Office of the City Clerk and at the Escondido Library.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

General Plan

The Project site is currently designated in the City of Escondido General Plan as Residential Urban 1, which allows for up to 5.5 dwelling units per acre. The existing land use designation would be amended to the Specific Planning Area No. 14 (SPA #14) Land Use designation to provide the flexibility to create a mix of open space uses, residential uses of varying densities, and social and recreational uses. However, the Project does not propose a General Plan Amendment to increase residential density. The proposed Project includes a total of 380 dwelling units on approximately 109.3 acres, which results in a density of 3.47 dwelling units per acre, which is below the 5.5 dwelling units per acre allowed under the current General Plan Land Use designation. Therefore, the Project's proposed density would be consistent with the surrounding area and the General Plan.

October 24, 2017

The Urban 1 Land Use designation generally allows for low-density residential development at a minimum lot size of 6,000 square feet per acre. The General Plan also states, in Policy 1.1, that new development projects shall be at an appropriate density or clustered intensity based upon their compatibility with the majority of the existing surrounding land uses. Within the subject property, there are special circumstances or conditions affecting the subject property, which formerly operated as a golf course, which would benefit from tailored development regulations. Flexible site design options, such as clustered development, allows the same number of homes to be clustered on a smaller portion of the total available land, maximizing opportunities for retention of open space and vegetation. Dwelling units clustered in planned unit developments are consistent with the objectives of the Urban 1 Land Use designation, provided that a minimum lot size is achieved. Policy 5.1 of the Land Use Element calls for a minimum lot size of 3,630 square feet in the Urban 1 Land Use category when a project is submitted utilizing clustering as part of a Specific Plan application. The Project proposes lot sizes that meet this standard. The Project's proposed minimum lots sizes would be consistent with the policies of the General Plan that accommodate clustered development patterns.

The Project is also consistent with other important Land Use Element-related goals and policies. The Project incorporates improvements and amenities into Country Club Lane to define a sense of entry and strengthen community identity (Policy 1.7). The Project locates new development to enhance community livability (Policy 1.8). The Project clusters new residential development to preserve passive and active open space areas, avoid environmental resources, and help ensure that new development would fit into the existing community (Goal 5 et. seq. and Policy 11.7). The Project considered the surrounding land use context and developed a responsive development plan to ensure land use compatibility, while at the same time is not proposing to significantly change the character of the surrounding area (Policies 2.4 and 5.10). The Project also promotes alternative transportation options and connects the existing neighborhood with better access to a mix of land uses and commercial goods and services, of which would be featured in the Village Center (Policies 3.9, 4.3, 8.4, 8.5, and 8.8).

In terms of advancing housing development, the Project is consistent with Policies 1.1, 1.3, 1.4, 1.5, 1.6, and 2.2 of the Housing Element portion of the General Plan. The Project expands the supply of needed, new housing (Policy 1.1). The Project directs growth into areas where there are services and infrastructure to accommodate it (Policies 1.3, 1.4 and 1.5). The Project incorporates smart growth principles by promoting infill development and using the land efficiently, and not to worsen environmental conditions or promote sprawl (Policy 1.6). The Project promotes new Village-themed residential categories that are purposefully broad to encourage a variety of products types that would appeal to different household types. The residential categories accommodate a variety of housing types, from detached single-family suburban style homes to attached, single-family homes in clustered units. The Project also proposes some variation in story-height so that different prototypes can be offered, while neighborhood compatibility can be addressed. Furthermore, the development standards ensure a variety of product design and allow a diversity of product arrangements. Each of the proposed residential land use designations in the three (3) Villages would have their own distinct character and each is addressed in the residential designation development plan. The intent of these broad residential categories is to encourage a variety of product types that appeal to all segments of the market, which supports increased housing opportunities (Policy 2.2).

The Project incorporates smart growth and sustainable principals in its development plan and commits public and private resources to make them work. While the project eliminates the land-intensive golf course use to make the land available for residential uses and new residents, many of the previous recreational and social functions would be replaced or expanded. This achieves a number of other mobility, resource conservation, community protection, and community health-related policies. The Project has been designed to guide growth to the most appropriate locations on the Project site, avoiding hazards, and cultural and biologically sensitive areas. The Village Center accommodates a mixture of commercial, office, cultural, civic, and educational uses, which would provide opportunities for residents to conduct routine errands close to their home, enjoy the activities being provided within the Village Center, gather, socialize, and promote social interaction. Phasing and financing plans contained in the Specific Plan guide an orderly development that is tied with the provision of services and utilities.

Consistency with other applicable General Plan goals and policies is detailed in the General Plan Consistency Table (see Final EIR or Chapter 6 of the proposed Specific Plan). Based on the additional consistency analysis, City staff has determined the Project would not result in a conflict with any applicable General Plan goal, policy, or program.

October 24, 2017

Specific Plan

The City of Escondido plans and regulates the use of land to protect the public health, safety and general welfare of the community. There are many ways to regulate and implement land use, such as through the General Plan, Zoning map and Zoning Code, Subdivision code, and design review guidelines. Existing area- or site-specific regulations may also be created for a property through the use of a Specific Plan. A Specific Plan is a comprehensive planning and zoning document for a defined geographic area of the City. The purpose of a Specific Plan is to describe the proposed land uses and essential facilities to support land uses, and establish development standards and criteria necessary to implement the proposed land uses. California Government Code Sections 65450 et seq. authorize the creation of Specific Plans and sets minimum standards for what must be included in such plans.

The Zoning of the entire 109.3-acre parcel of the Project site would be changed to the Specific Plan (SP) Zone to encourage a comprehensive approach to the use of land through the appropriate mix of several land uses, along with the infrastructure needed to support them on parcels sufficiently large to permit comprehensive site planning and regulatory administration. The zone reclassification to SP does not change the density of the Project allowed through an adopted Specific Plan. The Specific Plan would authorize clustered development, which would emphasize a smaller development footprint, on a smaller portion of the total available land.

As proposed by the Project applicant, the Specific Plan would consist of new zoning standards and design guidelines. Zoning standards define the allowable uses and bulk or scale of development, while design guidelines address the appearance and quality of development. New zone standards are necessary to allow for development and land use standards that accommodate the application request. New Specific Plan zone categories include dimensional standards for each Village, e.g., the height of buildings, minimum distances (setbacks) from buildings to property lines, and the density of development. These are referred to as “area” standards, as opposed to “use” standards. The proposed development standards and design guidelines ensure a variety of residential-product design, densities, and allow a diversity of product arrangements. However, new “use” standards are also proposed for the mixture of commercial, office, cultural, civic, and educational uses that are proposed as part of the Village Center. Collectively, these new zoning standards would more effectively guide quality development and design to ensure that the new development is compatible with existing community character.

Clustered Development

The R-1-7 Zone requires a minimum lot size of 7,000 square feet. General Plan policies 5.8 and 11.7 of the Land Use Element allow provisions for clustered development, or development with reduced lot size requirements, in conjunction with Planned Development or Specific Plan applications. As such, the Project proposes to amend the General Plan to establish a Specific Plan Land Use designation and create a Specific Plan for the planning area. To accomplish this, the Project also proposes to amend the Zoning Map to establish and rezone the site from the R-1-7 Zone to the Specific Plan (SP) Zone. These proposed changes would allow for the development of the 380-unit Project, while allowing for flexibility in site design, including the clustering of uses to minimize adverse effects to the natural resources on the site and to address land use compatibility concerns.

Clustered subdivisions are distinguished from conventional subdivisions by open space requirements, reduced lot sizes, and modified development standards that include reduced yard requirements. The total number of homes, or density, on a given acreage does not necessarily increase over that allowed in the traditional subdivision designs. The same number of homes is clustered on a smaller portion of the total available land. The remaining land, which would have been allocated to individual home sites, is now converted into protected passive and active open space areas and shared by the residents of the subdivision and the entire community. This also helps transition new development into existing neighborhoods, address some land use compatibility issues, and create a sense of buffering, to which many were accustomed to with the former golf course as a greenspace and recreational amenity. As a result of the proposed clustered development pattern, the Project would provide a landscaped privacy buffer of approximately 50 feet to 200 feet between existing homes and new residences. Relative to the scalability of reduced lot sizes and open space features, General Plan policy 5.9 of the Land Use Element requires a minimum of one (1) square-foot of open space for each one (1) square-foot of reduced lot size in clustered developments. The number of residential lots in the Project that are less than 7,000 square feet total 170, which include 96 lots in

Village 1, 42 lots in Village 2, and 32 lots in Village 3. The minimum residential lot area is 3,634 square feet. The average residential lot size is 7,266 square feet. As a result of the clustered development pattern, the Project is able to accommodate 48.9 acres of open space and recreational areas, which comprises approximately 44 percent of the 109.3-acre Project site. Therefore, the requested reduction of lot sizes from 7,000 square feet to 3,634+ square feet is consistent with General Plan policy.

Clustered development has great potential to help maintain a site's existing physical character, while at the same time providing new development at a specific density or intensity. It also allows the City of Escondido to achieve planning goals that call for the protection of open space, scenic/private views, and other open landscapes, and to limit the encroachment of development into adjacent surrounding neighborhoods or environmentally sensitive areas. In these respects, an approach to site design that utilizes clustered development can be a powerful tool in implementing the principles of smart growth and sustainability.

Compatibility with Surrounding Development

Potential land use conflicts or incompatibilities are typically the result of other environmental effects, such as the generation of noise or air emissions resulting from grading activities or increased traffic on area roadways. Potential land use conflicts during both project construction and operation are addressed in this section. The Final EIR should be referred to for a detailed analysis of these and other environmental impacts, including those associated with aesthetics, agricultural resources, air quality, cultural resources, hazardous materials, hydrology and water quality, noise, public services and utilities, transportation and circulation.

The Project as modified involves construction of 380 units on 222 residential lots, a Village Center on two (2) lots, and 48 acres of open space (which consists of 36 lots designated for basins, channels, landscape buffer areas, and parks) on approximately 109 acres of land. The residential component would be comprised of three (3) interrelated residential Villages, described as follows:

- **Village 1** would be located north of West Country Club Lane, and is generally bounded by Golden Circle Drive, Pamela Lane, David Drive, Gary Lane, and West Country Club Lane. The Village would provide approximately 148 homes. These homes are provided on 111 residential lots with minimum lots sizes that range as follows:
 - 36 lots measuring (46 to 50 feet) by (75 to 79 feet)
 - 55 lots measuring 45 feet by 95 feet
 - 14 lots measuring 55 feet by 95 feet
 - Six (6) lots of single-family detached common-lot rows/clusters (43 units)

This Village would also accommodate a number of social and community amenities, such as a convenience grocery store, a restaurant, a community farm, and a Village green. Recreational amenities would include a swimming pool and a gym facility. Primary access would be from West Country Club Lane at the location of the current clubhouse and from Gary Lane.

- **Village 2** would be located north of West Country Club Lane, is generally bounded by Gary Lane, David Drive, Calle Redonda Lane, Wren Glen, Nutmeg Street, and West Country Club Lane and would provide approximately 86 homes in two neighborhoods. One of the two neighborhoods would have primary access from Gary Lane and from an extension of La Brea Street north of West Country Club Lane. The second neighborhood would have access from another point along West Country Club Lane. The 86 homes proposed in this Village are provided on 60 residential lots, which range in size as follows:
 - 20 lots measuring (46 to 50 feet) by (75 to 79 feet)
 - 24 lots measuring 45 feet by 95 feet
 - 10 lots measuring 55 feet by 95 feet
 - Six (6) lots of single-family detached common-lot rows/clusters (32 units)

October 24, 2017

- **Village 3** would be located south of West Country Club Lane and is generally bounded by Firestone Drive, Cortez Avenue, La Brea Street, La Mirada Avenue, and Nutmeg Avenue, and would provide approximately 146 homes in two neighborhoods. The two neighborhoods would have access from West Country Club Lane, Nutmeg Street, and La Brea Street. The 146 homes proposed in this Village are provided on 60 residential lots, which range in size as follows:
 - 32 lots measuring (46 to 50 feet) by (75 to 79 feet)
 - 14 lots of four (4) unit clusters or six (6) unit clusters (78 units)
 - Five (5) lots of single-family detached common-lot rows/clusters (36 units)

Note: The lots size range for each Village is a minimum. Many lots are larger within each Village.

The Project's compliance with the design guidelines and other provisions of the proposed Specific Plan ensure that the Project would be compatible with adjacent off-site land uses and those land uses proposed within the Project site. Surrounding land use designations include Residential Urban 1, Suburban, Estate I, Estate II, and Rural I. These adjacent land use designations allow residential development that is less dense than the Urban I Land Use designation. The use of Special Use Permits, Planned Unit approvals, and Planned Developments in the past have clustered many of these residential developments into the portions of properties that are not constrained due to steep topographic constraints or other environmental resources. This has resulted in smaller lot sizes surrounding the Project, although there are many areas that still feature a minimum lot size of 7,000 square feet. In addition, several residential condominium developments allowing duplex dwelling units were approved and constructed under previous/different land use regulations. This has occurred in many areas surrounding the Project site, and resulted in residential development adjacent to and in the immediate vicinity of the Project site that has both single-family detached and duplex dwelling units on lot sizes ranging from 2,000 to 7,000 square feet. Many of these homes are single-story. In order to maintain compatibility with the surrounding built environment, the Project was modified to include more single-story homes. Approximately 16 percent of homes in each Village would be single-story, which results in 60 total units.

Although the remaining two-story homes would be larger and taller than adjacent one- and two-story residential structures, compatibility with the adjacent neighborhood and overall mass and scale of the project has been addressed through the use of multiple smaller building groups rather than fewer but larger buildings; architectural style and building materials similar to adjacent single- and multi-family development; and privacy buffers between 50 and 200 feet are proposed, which provide varied building setbacks around the perimeter of the site and larger setbacks adjacent to residential uses. In addition, the Project proposes to preserve or enhance much of the natural features on the site in order to maintain the open character of the area. The character of the site would also be enhanced with the addition of landscaping throughout the developed portion of the Project site. The landscaping would be designed to incorporate areas of native vegetation and would utilize native and adaptive plant materials. These project features are intended to foster compatibility and minimize conflicts with adjacent land uses.

Design Guidelines

The Project proposes architectural design standards to provide guidance for new residential development. A diversity of architectural styles is encouraged within three (3) unique Villages, rather than one specific style in an effort to promote visual interest and variety of built form. Each residential Village would have its own identity created by the architectural forms and styles associated with early California design.

- The Spanish Monterey architectural style of homes in Village 1 would reflect the style of homes that were built from the 1930s to the 1950s. These homes would have a rectangular plan, where a second story balcony could project beyond the first story below. Wall materials are typically light color stucco with high contrast trim or other architectural details. Roof lines are typically low pitched.
- The Craftsman architectural style of homes in Village 2 reflects the Arts and Crafts movement of the early 1900s. These homes would have strong horizontal lines, wood or shingle siding, spacious and often L-shaped porches. Use of natural timber wood for accent is typically used. Roofs are often lower pitched with deep eaves.

- The Western Cottage style of homes in Village 3 reflects the 19th and 20th century design of homes. The style emphasizes simple massing and forms, such as “cottage” as a design characteristic. Roofs are simple and higher pitched.

The architectural character of the Project would reflect the history and key elements of the site and its surroundings, influenced by early California style architecture that is predominant in the region. Each Village would have a balanced combination of residential housing types on a range of lot sizes. In addition, at least 15 percent of all of the homes would be single-story. Altogether, these standards promote a variety of roof lines and sight-line articulation, and the three (3) distinct architectural styles within each individual Village would add to diverse character form.

Open Space Elements

Proposed development within the Project incorporates a design that reflects the rural and open space elements. The Project’s design includes a 48-acre open space system, a trail and park system that links the neighborhood amenities and encourages outdoor activity, a series of four neighborhood parks totaling 3.5 acres, walls and fences that would consist of natural materials consistently throughout the community. The landscape buffer includes trees and landscaping densely arranged to separate and buffer the surrounding neighborhoods. Additionally, the Project would be designed to maintain a relatively low profile and would be similarly scaled to residential development in the area. The design of the Project would emphasize reestablishing the lost recreational, social, and visual amenities on site through new land uses that are financially supported by desirable, quality single-family residential development.

The location, density, and intensity of suburban-style development within the ECC community area have mainly developed through planned residential development and are generally characterized by low-density single-family neighborhoods, with pockets of medium-density single-family development (duplex units and small detached homes). The design of the Project site as proposed with the 48-acre Open Space System and greenbelt is context sensitive, and would visually and physically be compatible with surrounding land uses. Once complete, the Project’s various Village neighborhoods and housing prototypes would retain the character of the surrounding land, accommodate high quality designs in new development, and would promote land use compatibility with the surrounding communities.

Tentative Map

The Project proposes to subdivide an existing 109 acres into 303 lots, which would accommodate residential sites, private driveways, a Village Center, public parks, passive and active open space areas, channels, and basins. This includes 222 total residential lots, two (2) lots for the Village Center, 15 designated lots to accommodate basins and channels, and 21 lots for landscaped areas and parks. Also, the Project proposes to reconcile a number of private encroachments into the subject property. There are 43 private encroachments from private properties. This Tentative Subdivision Map would create separate lots (encroachment lots) with a building restricted easement to encompass each specific improvement to be deeded to adjacent homeowners.

The resulting residential lots are consistent with the minimum net lot size requirement of 3,630 square feet in the Urban 1 Land Use designation, when established by Planned Development or by Specific Plan, as described in Policy 5.1 of the Land Use Element. In addition, it has been determined by City staff through City-level review that all utilities and services, including water, fire, and schools are available to serve the site. Utility and service letters have been provided by all utilities serving the site, as well as by the San Marcos and Escondido School Districts, indicating service availability and school-related accommodation for the Project.

The lot configuration of the three (3) Villages are context-sensitive, whereby residential neighborhoods provide a degree of separation from existing land uses (i.e. a landscaped buffer measuring between 50 and 200 feet is proposed). Subdivision regulations ensure that when development does occur, streets, residential and commercial lots, open space, and infrastructure are adequately designed and the City’s overall land use objectives are met or exceeded in some way. The proposed grading for the project is consistent with the Grading and Erosion Control Ordinance (Article 55 of the Escondido

October 24, 2017

Zoning Code) and other design guideline-related recommendations; and the Project as proposed would follow the natural landform of the site. Additionally, the visual impacts of the manufactured slopes would be softened through the installation of landscaping, which includes a combination of trees, shrubs and groundcover. The Project has been conditioned to require the additional installation of landscaping to soften any retaining walls and fence located on the property, to the extent practicable, and to the satisfaction of the Director of the Community Development Department.

As described above, City staff has determined the proposed subdivision is consistent with the General Plan, can be adequately serviced by public utilities, and is compatible with the surrounding development. Based on the findings for a Tentative Subdivision Map as per Section 66474 of the Government Code staff has made the findings to support the recommendation of approval.

Specific Alignment Plan

As part of the Project, a Specific Alignment Plan (SAP) is proposed for the segment of Country Club Lane fronting the Project site, from Golden Circle Drive in the west to Nutmeg Street in the east. The SAP would provide a series of intersection improvements designed to calm traffic speeds and enhance pedestrian and bicycle circulation.

Within the study area, Country Club Lane from El Norte Parkway to Nutmeg Street is classified on the City of Escondido's Circulation Element as a Collector Roadway (4-lanes) with a capacity of 20,000 ADT to 34,200 ADT, depending on the presence of parking. Currently, it is constructed with two lanes and a raised median from El Norte Parkway to Golden Circle Drive, and with two lanes and parking from Golden Circle Drive to Gary Lane. East of Gary Lane, Country Club Lane provides four lanes with parking and a raised median. Current volumes on Country Club lane range from 4,500 ADT to 6,500 ADT. Build-out volumes range from 9,600 ADT to 11,300. Although roadway volume/capacity ratio is relatively low (given the overall roadway capacity), many residents have expressed concern during the course of City-review regarding the usage of this particular roadway, with high travel speeds and cut through traffic from I-15 and SR-78. As part of the Project via the proposed SAP, traffic calming measures and other speed-related deflections would be implemented both at the primary intersections along Country Club Lane, as well as on the tangent street segment between intersections, to more safely accommodate pedestrian and vehicular circulation. Roundabouts would also be installed in two locations, which would be designed to reduce speeds, while at the same time enhance circulation and improve intersection operations. The SAP is anchored by a proposed roundabout at the Country Club Lane/Golden Circle Drive intersection, the north leg of which would be the Village 1 driveway. A roundabout at this location would serve to improve circulation through the intersection as well as provide a unique and attractive entry statement for the Project. A second roundabout is proposed at Country Club Lane/La Brea Street.

The 64-foot-wide, two-lane segment from Golden Circle Drive east to Gary Lane would be improved with restriping to narrow the travel lanes to 11 feet, provide 6-foot-wide Class II bike lanes, and provide a 12-foot-wide, two-way left-turn lane as well as 8-foot wide parking along the curb in both directions. A traffic signal is proposed at Gary Lane and West Country Club Lane which also serves to mitigate the Project's level of service impact. East of Gary Lane, Country Club Lane transitions to a four-lane road. Reducing lane widths to 11 or 12 feet is also proposed. A 14-foot-wide buffered bike lane is proposed in the eastbound direction transitioning to two travel lanes at Firestone Drive. A standard Class II bike lane is proposed in the westbound direction, as is parking. An all-way stop with curb bulb-outs and crosswalks is proposed at both Firestone Drive and La Brea Street. Buffered bike lanes are proposed from Firestone Drive east to Nutmeg Street. The all-way stop at Nutmeg Street is proposed to be replaced with a traffic signal (also providing level of service mitigation), along with curb bulb-outs and full pedestrian crosswalks.

The SAP streetscape design improvements would enable pedestrians, bicyclists, transit riders, and motorists to share and use the street, accommodating the needs of all users. Improvements to the Country Club streetscape includes enhanced street landscaping, improvements to crosswalks and safety features, bicycling infrastructure and protection areas, and traffic calming measures. The Project introduces these streetscape design improvements, not as compulsory mitigation, but as a programmed Project design feature. Improvements to the streetscape, such as those covered in the SAP, can still effectively move the same volume of cars through the corridor, while enhancing roadway safety and provide effective countermeasures to vehicle speeding and accidents. Currently, cars move at high speeds, interspersed with areas of slow congestion. As designed, the SAP would allow car traffic to continue to move, but more smoothly and steadily, at a managed pace. Not

October 24, 2017

only does the streetscape design help facilitate manage car-flow and congestion, but it could provide greater mobility and access to other transportation choices, which could lead to healthier and active lifestyles, particularly as part of this Project's multi-component land use approach. Connected sidewalks, street crossing safety features, and bicycle lanes can reduce injury risk for pedestrians and cyclists, which would encourage active transportation benefit the entire ECC community. Replacing automotive trips with biking and walking can also reduce vehicle miles traveled (VMT) and greenhouse gas emissions that contribute to air quality climate change-related issues.

Development Agreement

Development Agreements are contracts negotiated between project developers and public agencies that typically vest the developer's rights to develop in accordance with project approvals and existing laws. California Government Code Section 65864 et seq. and Article 58 of the Escondido Zoning Code authorizes the creation of Development Agreements, set minimum standards for what must be included in such agreements, and provide general procedural requirements for consideration and approval of Development Agreements. Neither the project developer nor the public agency is required to enter into a Development Agreement. When they do, terms and conditions of approval are negotiated between the parties, subject to the public agencies' ultimate approval.

A Development Agreement has been proposed as part of this Project that would provide all of the listed amenities in exchange for certain financial or streamlined incentives provided to the applicant. The Project incorporates a number of "extra" amenities into its site design, including an extensive open space system that includes approximately four (4) miles of walking trails, a series of pocket parks, and environmental drainage/landscape features that act as buffers. The Project also includes a SAP on Country Club Lane, which focuses strongly on improving the pedestrian and bicycle users' experience by providing enhanced intersections, crosswalks, and large, buffered bike lanes to encourage circulation for all modes. Altogether, these improvements would assist in achieving one of the strategic goals of the General Plan, which is to provide a pedestrian-friendly environment with connections, convenient access to, and opportunities for alternative modes of transportation.

In exchange for providing these improvements, the applicant has requested certain financial incentives for the project related to parkland development impact fees. Specifically, the Development Agreement would credit all parkland development impact fees at the amount in effect at the time of recordation of the agreement as an incentive to providing commensurate parkland space onsite. In consideration of the total number of new homes proposed (380) and the level of service standard established by General Plan policy, the Project is generating a need of 2.24 acres of parkland. (The level service standard based on the General Plan is 5.9 acres per 1,000 homes.) The Project is proposing 3.5 acres of active recreational space, in addition to the four (4) miles of walking trails and other linear park type of amenities. Therefore, the applicant is providing more parkland than required. An additional requested incentive, which has minimal financial bearing on the agreement, would grant the Project expedited plan check reviews and other incentives to quickly move the project into construction. Finally, the applicant is requesting a five (5) year map expiration period, rather than the three (3) allowed by the Municipal Code. As a benefit to the City, the Applicant has been asked through the proposed terms of the Development Agreement, provided as Attachment PC-3 to the October 24, 2017 Planning Commission staff report, to demolish and remove the clubhouse within six (6) months of Project approval. Since the closure of the golf course, the condition of the clubhouse has deteriorated and has been continuously vandalized. Another requested term is to ask the Applicant to upsize BMP controls and connections to help treat runoff from the surrounding ECC community. Staff believes that the removal of the clubhouse and the proposed open space improvements identified in the agreement justify the requested incentives.

D. PUBLIC PARTICIPATION AND NOTICE

Extensive public outreach was conducted in the City's review and consideration of the Project proposal. Information regarding public notifications of this Project, such as e-mailings, direct mailings, public hearing notices posted in the newspaper and on the City website are available in the Office of the City Clerk.

The Project was circulated to various City, County, and regional agencies for review. Modifications were made to the Project to address those concerns. No new issues of concern have been identified. Comments from agencies have either been

addressed through the processing of the Project or have been included as Conditions of Approval. These conditions have been compiled as Exhibit "B" and are attached to this report.

The City of Escondido Zoning Code requires notice of this public hearing be published in a local paper and mailed to owners and occupants of property within 500 feet of the subject property at least ten (10) days in advance of the meeting. Notice of a public hearing for this project was published in the Daily Transcript on October 12, which is 13 days in advance of the meeting. Direct mailing also occurred in advance of the meeting. In addition, the City utilized different approaches to notify interested parties about the October 24, 2017 Planning Commission Public Hearing. Additionally, as a courtesy, the meeting notice was posted at City Hall and on the Planning Division's Internet site under "Public Notices."

To date, there has been a large amount of public correspondences received. The Final EIR includes a record of all comments received during the circulation period. Comments received after the public review and comment period are attached to this report.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The Project site is located in the northwest portion of the City, along both sides of West Country Club Lane west of Nutmeg Street. The Project site currently has an address of 1800 West Country Club Lane and consists of approximately 109 acres. The Project site consists of generally flat terrain with some gently to moderately sloped areas in the eastern portion of the Project site. The topography is characteristic of morphed erosion in some areas, with gentle slopes in the lower elevations of the site, while exposure to hard rock resulted in the moderately sloped, cone-shaped projections observed within and surrounding the Project site. The subject property is a former golf course, which is no longer in operation nor properly maintained.

The surrounding residential development consists of single-family detached residences on a variety of lot sizes, attached single-family residences (duplexes) of several different densities, and several common-interest developments. A large mobile-home park is located to the south on El Norte Parkway within the City of San Marcos.

B. SUPPLEMENTAL DETAILS OF REQUEST

1.	Property Size:	109.3 acres		
2.	Number of Lots:	423		
3.	Number of Units:	380 units on 222 lots		
4.	Project Density:	3.47 dwelling units per acre		
6.	Site Coverage:	Building and lot improvements:	42.0 acres	38.5%
		Streets:	18.4 acres	16.8%
		Landscape/open space:	<u>48.9 acres</u>	<u>44.7%</u>
		Total	109.3	100%

7.	Unit Type/Size:	<u>Lot Size/Prototype</u>	<u># Lots</u>	<u>Common Lot</u>	<u># Units</u>
		(46 to 50 feet) by (75 to 79 feet)	88	No	88
		45 feet by 95 feet	79	No	79
		55 feet by 95 feet	24	No	24
		Detached row	17	Yes	111
		Four (4) or six (6) unit clusters	<u>14</u>	Yes	<u>78</u>
		Total	222 lots		380 units

- 8. Village Center includes social amenities, club house recreational facilities, farm uses, and parking.
- 9. Parking ratio: 2 spaces per residential lot. 150 total parking space for Village Center.
- 10. Building Height: 35 feet for structures in residential Villages and in commercial Village Center

C. CODE COMPLIANCE ANALYSIS

The proposed Tentative Subdivision Map has been designed to meet the requirements of the City and other service agencies standards. Because the Project involves a Specific Plan proposal, the Project includes deviations from the zoning standards, which is permitted under local and State laws. The Project application does not meet the minimum lot width, the minimum front yard setback, and the minimum rear yard setback standards. The Project complies with the minimum lot area, minimum side yard setback, accessory structure side/rear yard setback, density, building heights, and parking standards set forth in the R-1-7 Zone or as expressively authorized by the General Plan.

	R-1-7 Zone standards for comparison purposes	Proposed Specific Plan residential lot standards	Notes/Analysis
Lot Dimensions			
Minimum lot width	65 feet	Range: with 45 feet as minimum	The proposed minimum lot width dimensions are less than the R-1-7 standard.
Minimum lot depth	None specified.	Range: with 75 feet as minimum	The proposed development standards introduces a minimum lot depth requirement.
Minimum lot area	7,000 square feet*	3,634 square feet minimum* <i>*7,266 square feet average</i>	General Plan policy 5.1 authorizes the minimum lot size request. The General Plan does not explicitly prohibit the clustered approach to subdivision design and it may actually provide a transition more so than the more traditional types of development, allowed by the R-1-7 Zone.
Minimum front yard setback	15 feet	8 to 10 feet	The proposed minimum front and rear yard setback development standards are less the R-1-7 Zone standards.
Minimum rear yard setback	20 feet	5 to 15 feet	Each respective housing prototype featured in the Project provides a unique front yard development standard. Please refer to Chapter 4, Section D for more information.
Minimum side yard setback	5 feet	5 feet	N/A. The proposed minimum side yard setback is the same as the R-1-7 Zone standards.
Accessory structure side yard setback	Zero (0) feet in the rear of the lot (70 feet back from front property line) if the	5 feet	The proposed development standards have more

	structure does not require a building permit, otherwise five (5) feet required.		control for accessory structures.
Accessory structure rear yard setback	Zero (0) feet if the structure does not require a building permit, otherwise 20 feet required.	5 feet	
Density			
Minimum density	5.5 units per acre	3.47 units per acre	The proposed density would be consistent with and not exceed the R-1-7 development standards as established by the Urban 1 Land Use designation.
Building Height			
Height	35 feet	35 feet	N/A. The proposed height limit is the same as the R-1-7 Zone standards.
Parking Standards			
On-site parking required	2-covered spaces	2-covered spaces	N/A. The proposed on-site parking requirement is the same as the R-1-7 Zone standards and requirements of Article 39 of the Escondido Zoning Code.

EXHIBIT "A"

FACTORS TO BE CONSIDERED/FINDINGS OF FACT

Environmental Documentation Determinations:

1. Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), 14 California Code of Regulations Section 15000 et. seq., the City is the lead agency for the Project, as the public agency with the principal responsibility for approving the proposed Project
2. In accordance with CEQA Guidelines Section 15082, the City distributed a Notice of Preparation ("NOP") of the Draft EIR to the State Clearinghouse, local and regional responsible agencies, and other interested parties on January 25, 2017 for a 30-day public comment period. Various agencies and other interested parties responded to the NOP. In addition, a public scoping meeting was held on February 13, 2017.
3. The Draft EIR for the proposed Project was then prepared and after completing the Draft EIR (SCH No. 2017011060), the City released the document for public review for a 45-day public comment period, beginning June 28, 2017 and ending on August 11, 2017, by filing a Notice of Availability with the County Clerk of San Diego. The City, later, extended the public review period an additional seven (7) days, for a total of 52 days, ending on August 28, 2017. During the 52-day public comment period of the Draft EIR, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines Sections 15086 and 15087.
4. The City received comments concerning the Draft EIR from public agencies, organizations, and individuals, and pursuant to CEQA Guidelines Section 15088, the City prepared responses to all written comments received on the Draft EIR which raised environmental issues. The City has determined that the comments received on the Draft EIR did not contain any significant new information within the meaning of CEQA Guidelines Section 15088.5 and therefore, recirculation of the Draft EIR is not required.
5. The City prepared a Final EIR, which contains the information required by CEQA Guidelines Section 15132, including the Draft EIR, the technical appendices and referenced documents, revisions and additions to those documents, public and agency comments on the Draft EIR and the City's responses to comments. Responses to public agency comments were released for a 10-day public notice period on October 13, 2017 and ending on October 23, 2017 pursuant to Public Resources Code Section 21092.5.
6. Based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that granting a General Plan Amendment, Rezone, Specific Plan, Tentative Subdivision Map, Specific Alignment Plan, and Development Agreement for this Project would have a significant effect on the environment beyond what was previously analyzed and disclosed.
7. The Planning Commission has carefully reviewed and considered all environmental documentation comprising the Final EIR, including the Draft EIR and the revisions and additions thereto, the technical appendices and referenced documents, and the public comments and the responses thereto (on file in the Office of the City Clerk and incorporated by this reference), and has found that the Final EIR considers all potentially significant environmental impacts of the Project and is complete and adequate, and fully complies with all requirements of CEQA and the State CEQA Guidelines. The Planning Commission has considered all significant impacts, mitigation measures, and Project alternatives identified in the Final EIR and found that all potentially significant impacts of the Project have been lessened or avoided to the extent feasible. The Planning Commission also finds that the Project alternatives would not satisfy the Project objectives as effectively as the Project. Pursuant to Public Resource Code Section 21082.1(c)(3) and CEQA Guidelines Section 15090(a)(3), the Planning Commission also finds that the EIR reflects the City's independent judgment as the lead agency for the proposed Project.

8. CEQA and the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an EIR has been completed that identifies one or more significant effects of the project unless the public agency makes certain written findings for each of the significant effects, accompanied by a statement of facts supporting each finding. CEQA and the CEQA Guidelines require that where an agency approves a project that would allow the occurrence of significant environmental effects which are identified in an EIR, but are not mitigated to a level of insignificance; the agency state in writing the specific reasons supporting its action based on the Final EIR and/ or other information in the record. Pursuant to CEQA Guidelines Sections 15091, 15093, and 15097, the City of Escondido has prepared Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP), which have been filed with the City of Escondido. The Findings of Fact and Statement of Overriding Considerations are provided as "Attachment PC-4" to the October 24, 2017 Planning Commission staff report, and are included herein by this reference as though fully set forth. The Planning Commission has balanced the benefits of the Project against its unavoidable environmental risks in making its recommendation on this Project as necessary to serve the existing and future needs of the City of Escondido, has analyzed the information submitted by staff and considered any written and oral comments received at the public hearing, including all factors relating to the Project, and has determined that any remaining unavoidable significant impacts are outweighed by specific economic, legal, social, or other benefits of the Project.
9. As required by CEQA, the City, in recommending City Council adoption of these Findings of Fact and Statement of Overriding Considerations, also recommending adoption of the Mitigation Monitoring and Reporting Program (MMRP) for the Recommended Plan included in the Final EIR. The Planning Commission finds that the MMRP meets the requirements of California Public Resources Code (PRC) Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate the potentially significant effects of the recommended Plan.

General Plan Amendment Determinations:

1. The proposed General Plan Amendment would change the Project site from Residential Urban 1 (up to 5.5 dwelling units per acre) to Specific Planning Area No. 14 (SP #14). The General Plan Amendment to SP #14, as implemented through a new Specific Plan, which would allow the same density of development as the Residential Urban 1 Land Use designation. Both of these designations permit residential units at a density of up to 5.5 dwelling unit per acre. General Plan policies 5.8 and 11.7 of the Land Use Element allow provisions for clustered development, or development with reduced lot size requirements, in conjunction with Planned Development or Specific Plan applications. Therefore, location, design, and density of the proposed Project, which includes a Specific Plan application, is consistent with the land use and density-related General Plan policies of the City.
2. The public health, safety and welfare would not be adversely affected by the proposed General Plan Amendment that changes the subject property from Residential Urban 1 (up to 5.5 dwelling units per acre) to Specific Planning Area No. 14. The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development (Environmental Impact Report, State Clearinghouse #2017011060), and as appropriate, the Final EIR recommends measures to mitigate potential impacts. The site is suitable for the residential type of development proposed since the Project is located on property that is surrounded by residential uses at a relatively similar size. The Project implements the General Plan's policies and goals for orderly development that is supported by public infrastructure and services.
3. The proposed General Plan Amendment for the subject property would be compatible with existing development patterns in the surrounding areas. Surrounding land use designations include Residential Urban 1, Suburban, Estate I, Estate II, and Rural I. The use of Special Use Permits, Planned Unit approvals, and Planned Developments in the past have clustered many of these residential developments into the portions of properties that are not constrained due to steep topographic constraints or other environmental resources. This has resulted in smaller lot sizes surrounding the Project, although there are many areas that still feature a lot size of 7,000+ square feet. Therefore, the subject property is suitable for the residential type of development proposed because it is surrounded by residential uses at a relatively similar size and scale.

4. The proposed General Plan Amendment from Residential Urban 1 to Specific Planning Area No. 14 would be consistent with the goals and policies of the General Plan as a whole.
 - The General Plan allows for the establishment and administration of Specific Plan (SP) Zones in and establishes a designation for Specific Plan (SP) on the General Plan and Zoning maps. The proposed Specific Plan is consistent with the maximum density of 5.5 dwelling units per acre permissible in the Residential Urban 1 District since the proposed development includes 3.47 dwelling units per acre. The decrease in residential density would allow the Project to have a residential development that is more consistent with the surrounding residential developments and land use. The surrounding residential developments and land use have a General Plan land use designation of Low Density Residential. All necessary public facilities and services would be provided to the Project site in accordance with all local, county, and State development requirements.
 - The Project promotes a balance of land uses and amenities needed to enrich the quality of life including parks, open spaces, cultural facilities, and community gathering areas within an efficient use of space. The Specific Plan currently shows that a mix of housing types, commercial center (i.e. Village Center) and other related community-gathering land uses, parks and other open space, trails and other greenbelts would be provided.
 - The Project would provide a mechanism by which the City can accommodate quality, market rate and age-targeted housing in accordance with the housing policy framework of the General Plan.
 - The Project is well integrated with the City's street network, creates unique neighborhood environments and establishes a pedestrian friendly environment. The proposed Project would not create conflicts with vehicular, bicycle, or pedestrian modes of transportation. The layout of the Project provides adequate off-site access and on-site circulation for vehicle, bicycle, and pedestrian modes. A transportation and circulation analysis for the Specific Plan is included in the Final EIR and determined that implementation of proposed traffic mitigations would reduce traffic impacts below a threshold of significance.
 - The Project would result in fiscally neutral or positive effect on the City's general fund, provide for needed schools, infrastructure and parklands. If approved, the development would be built and maintained in accordance with these requirements and regulations and the requirements and regulations of the Specific Plan.
 - Active public park areas, greenways, open space, trail systems, agricultural/farm area, and infrastructure that would serve both the development and the City as a whole promotes public health, safety and general welfare through a balance of benefits to the entire Escondido Country Club (ECC) community.

Rezone Determinations:

1. The proposed Rezone would change the subject property from R-1-7 (7,000 square foot minimum lot size) to Specific Plan (SP Zone). The change of zone is proposed in conjunction with a General Plan Amendment that would change the land use designation from Residential Urban 1 to Specific Planning Area No. 14 (SP #14) to allow 380 residential homes at 3.5 dwelling units per acre; approximately 48.9 acres of permanent open space with active greenbelts; 3.5 acre of parks; and recreational, social, and community amenities in a Village Center. Approval of the General Plan Amendment alongside the Rezone would keep the project in conformance with Figure II-32 under Land Use Policy 2.3 in the General Plan, which matches General Plan land uses to their corresponding zoning categories.
2. The proposed Rezone is in conformance with the goals, policies, and objectives of the General Plan because the Project would facilitate and guide growth in accordance with the General Plan, which allows for the extension of the existing residential zoning pattern of the surrounding area. The Project site is bounded by existing residential neighborhoods, consisting of single-family detached residences on a variety of lot sizes, attached single-family

residences (duplexes) of several different densities, and several common-interest developments. The proposed Rezone is consistent with Land Use Policy 2.4, which necessitates the consideration of locational and operational characteristics of existing and proposed land uses, as well as the surrounding zoning patterns, when establishing new zoning. The Specific Plan (SP) zone is established to provide a zone for property that is subject to a specific plan adopted in accordance with the provisions of the Government Code and the Zoning Ordinance. The Specific Plan (SP) zone recognizes the detailed and unique nature of specific plans and the need to ensure that development conforms to the uses, development standards, and procedures contained in specific plans. Upon approval of General Plan Amendment and Rezone, the General Plan designation and zoning for the entire property would be SP and the Project would be consistent with the intent of the General Plan and Municipal Code through designation of the site as Specific Plan.

The proposed Rezone is consistent with, supports, or advances goals, policies, and objectives in other General Plan Elements. The Project supports the policies and goals of the General Plan by allowing the preservation of community character of the existing suburban residential neighborhood, while at the same time allowing strategic growth and development that is expressively allowed as use by the General Plan. The benefits conferred by orderly, well-designed development served by existing infrastructure and services and connected by transit, bicycle, and pedestrian networks with open space systems would be an amenity to existing and future residents. These benefits are consistent with the long term vision of sustainable growth stipulated in the General Plan, and the benefits help ensure the continued economic viability of the greater ECC community.

3. The proposed Rezone would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City because the development standards and building requirements allowed under the Rezone would be subject to all local and State regulations including, but not limited to, Air Pollution Control District regulations, Public Works Department regulations, Health Department regulations, Zoning Code and approved Specific Plan standards, Fire Department standards, and Building and Safety Division regulations. The proposal meets the purpose of the Municipal and Zoning Codes as it would be consistent with the established rules of the proposed zoning districts. The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development (Environmental Impact Report, State Clearinghouse #2017011060), and as appropriate, the Final EIR recommends measures to mitigate potential impacts.
4. The uses proposed for the subject property would not be detrimental to surrounding properties since the site is located in an established residential area containing a range of similar residential uses at a relatively similar size. All public services and utilities to serve the Project would remain as identified for in the General Plan or applicable Municipal and Zoning Codes. The open space system serves as a natural physical barrier, which provides ample distances from adjacent residential areas and proposed residential and commercial land uses. New vegetative screening and fencing would further reduce potential conflicts between existing and future residential uses.

The development would not impair the desirability of investment or occupation in the vicinity and is otherwise in the best interest of the public health, safety, and welfare because the development of the Project represents an upgrade of the property. The Specific Plan's proposed architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

5. The proposed Rezone meets all applicable development standards established in the Escondido Municipal and Zoning Codes, except whereas noted in the October 24, 2017 Planning Commission staff report. The action to approve the proposed Rezone, as recommended, has been made contingent upon compliance with the conditions of approval imposed herein. Such limitations are necessary to protect the best interests of, and to assure developments and improvements more compatible with, the surrounding properties, to secure an appropriate development through the orderly, planned use of property as anticipated within the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action. The properties involved are suitable for the uses permitted by the proposed Rezone since the permitted use on the proposed development site would be the same use permitted by the previous zoning and the proposed Project would be consistent with the development standards of the Escondido Municipal and Zoning Codes.

Specific Plan Determinations:

1. There are special circumstances or conditions affecting the subject property, which formerly operated as a golf course, which makes the Specific Plan development proposal relevant in its ability to promote amenities beyond those expected under a conventional development and to achieve greater flexibility in design and context-sensitive use of land. In accordance with City policy and California Government Code Sections 65450 et seq., and in consideration of the different application types that could be processed on the subject property, a Specific Plan application with clustered development patterns is the appropriate zoning tool or mechanism that can be used by the City to guide future development on the subject property and to promote greater flexibility in site design.

As proposed, the Planning Commission makes the finding that:

- Context-sensitive transitions between new development and the existing residences is best achieved through clustered development. This type of development approach is specifically permitted by the General Plan, Goal 5 et seq. of the Land Use portion of the General Plan. The purpose of clustered development is to provide for more flexibility in the location of dwelling units within a subdivision, to promote efficiency of access, and to reduce the overall amount and extent of physical improvements required for residential development to preserve open space conserve natural features of land, and/or to avoid potential adverse environmental impacts. The proposed clustered development is in conformance with the applicable goals and policies of the General Plan because the Project is consistent with the land use and housing-related policies in that essential open space masses and vital elements of the terrain are being protected while still allowing for the development at densities that are reasonably consistent with the patterns established on adjoining properties.
 - Innovative land use measures promoting the preservation of open space and environmentally sensitive areas is an important feature of the Project and helps produce a comprehensive development of superior quality than might otherwise occur from more traditional development applications because the proposed development clusters density at the center of the site allowing for more open space at the perimeter, preserving visual character. The proposed lot configuration of the three (3) Villages are context-sensitive, whereby residential neighborhoods provide a degree of separation from existing land uses (i.e. a landscaped buffer measuring between 50 and 200 feet is proposed). In addition, the Project provides 44.7 acres of public open space with recreational facilities and four (4) miles of walking trails along the perimeter of the development.
 - The proposed clustered development concept is reasonably suited to the specific characteristics of the site and the surrounding neighborhood and the site is physically suitable for the type and density/intensity of development being proposed because the proposed development is relatively similar in size and intensity to the residential development adjacent to the site. The site only requires limited changes to topography to complete development because the site is flat and previously graded under an unrelated permit. Implementation of the Specific Plan would result in new structures and landscaping that are in scale with the character of the ECC community neighborhood. To help with visual compatibility with adjacent single story residential buildings, 15 percent of all housing units would be restricted to single-story, which is adequate to provide variety in unit type and size.
 - The proposed clustered development can be adequately, conveniently, and reasonably served by public conveniences, facilities, services and utilities because the proposed development is immediately adjacent to existing residential developments and established routes to commercial centers both walking, and via private transportation. In addition, the area is largely developed except for this site, and fully serviced by existing or extended utilities. A traffic study, addressed in the Final EIR, determined that the site is adequately served by public facilities and services; the evidence and finding contained in that report are incorporated herein by this reference as though fully set forth.
2. The proposed Specific Plan has been prepared in accordance with Sections 65450 - 65457 of the Government Code.

3. A General Plan Amendment and Rezone is necessary to support the Specific Plan application and would ensure the proposed Project's consistency with the City's General Plan and Zoning Ordinance. All future development projects contributing to the build-out of the subject property would be subject to the Project's conditions of approval, applicable Specific Plan regulations, as well as other local, State, and Federal requirements pertaining to land use, as well as the Mitigation Monitoring and Reporting Program (MMRP).
4. The proposed Specific Plan, with ancillary and conforming amendments to the General Plan and Zoning map, is found to be consistent with the General Plan based on the following findings:
 - The Project is consistent with the applicable General Plan Land Use designation because the General Plan land use designation allows residential uses on the Project site. The proposed Specific Plan allows the same density of development as the General Plan Residential Urban 1 Land Use designation. Both of these designations permit residential units at a density of up to 5.5 units per acre. The Project proposes to subdivide an existing 109.3 acres into 303 lots, which would accommodate 222 residential lots, 2 Village Center lots, 15 lots to accommodate basins and channels, and 21 lots for landscaped areas and parks.
 - The location and design of the proposed Specific Plan is consistent with the goals and policies of the Escondido General Plan because of the following:
 - a) The proposed residential Project is located on property that is surrounded by residential uses at a relatively similar size and scale. The location, access, density/building intensity, size and type of uses proposed in the Specific Plan are compatible with the existing and future land uses in the surrounding neighborhood because this is an infill site that lends itself to the proposed type and density of development. The area is easily served by existing roadway network and in close proximity to freeways. Existing streets and pedestrian facilities are adequate in width and pavement type to carry the quantity and type of traffic expected to be generated by the proposed development because the existing streets would be improved as required by condition of approval. These modifications to the street widths would carry traffic safely in and out of the site as explained in the traffic report, which is an Appendix to the Final EIR. Furthermore, the proposed landscape buffer and meandering pathway on the perimeter of the subject property provides connections within and between neighborhoods allowing for pedestrians to walk safely within and around the neighborhood.
 - b) The proposed infill residential project would be in conformance with General Plan Housing Goals and Policies to expand the stock of all housing; increase homeownership; plan for quality managed and sustainable growth; and encourage a compact, efficient urban form that promotes transit, supports nearby commercial establishments and takes advantage of infrastructure improvements installed to accommodate their intended intensities. The proposed location of the development allows the development to be well integrated with its surroundings because adequate parking, circulation, utilities and access would be provided for the development (as detailed in the October 24, 2017 Planning Commission staff report).
 - c) While the project eliminates the land-intensive golf course use to make the land available for residential uses and new residents, many of the previous recreational and social functions would be replaced or expanded.
 - d) The former golf course provided visual open space and buffering from other land uses in the original design of the master planned ECC community. Many of the existing homes adjacent to the former golf course are oriented to take advantage of the visual open space and buffering from other homes provided by the golf course use. To successfully integrate the additional residential development into the existing community, the Specific Plan's open space system functions to provide this visual open space and buffering. The greenbelt portion of the open space system would provide a recreational amenity in the form of walking trails and parks. The convenient availability of walking trails and parks that are accessible for use by both nearby existing residents and new residents would satisfy and reduce the demand on the local parks and recreational facilities. The landscape treatment within the greenbelt would enhance the screening and buffering of existing homes from the new residential uses where needed, and retain existing distant views for residents where they currently exist.

- e) The main topographic feature of the Project site is San Marcos Creek, which flows from northeast to southwest through the former golf course via a combination of natural and man-made concrete channels that do not meet current Regional Water Quality Control Board requirements or City of Escondido flood control standards. These inadequate drainage channels would be replaced by open vegetated environmental channels and stormwater treatment basins that both safely convey stormwater currently flowing through the site and clean the stormwater runoff with Best Management Practices (BMP's) from the Project site.
- f) The residential areas surrounding the Project site are served by local residential streets. New residential streets would provide access to the new residential development and are designed to connect with the existing circulation system at multiple locations. This would disperse additional trips throughout the existing residential streets so as to not concentrate additional trips within the existing local circulation pattern.
- g) The pedestrian connectivity within the greenbelt encourages walking for residents of new development as well as for the existing residents. In addition, traffic calming measures along West Country Club Lane would enhance pedestrian experiences and widen the network of walkable routes throughout the extended community. The SAP on Country Club Lane focuses strongly on providing enhanced intersections, crosswalks, and large, buffered bike lanes to encourage circulation for all modes.
- h) The Project site is surrounded by existing residential development that is currently served by public infrastructure consisting of sewage collection systems, water distribution pipelines, electrical grid and telecommunications. Public services for the new residential uses would require only connections to existing infrastructure systems, rather than the extension of these services to currently unserved parts of Escondido.

Tentative Subdivision Map Determinations:

1. The Planning Commission makes the finding that none of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a Tentative Subdivision Map apply to this Project for the reasons stated as follows:

Findings for Tentative Map Approval	Explanation of Finding
<p>A. That the proposed map is consistent with applicable general and Specific Plans as specified in Section 65451 of the Subdivision Map Act</p>	<p>The proposed Project has been reviewed in accordance with the City's General Plan. The proposed subdivision is consistent with the General Plan because the General Plan land use designation allows residential uses on the Project site. The proposed Tentative Subdivision Map is consistent with the maximum density of 5.5 dwelling units per acre permissible in the General Plan, since the proposed development includes 3.47 dwelling units per acre. The Project meets the applicable minimum lot size area standards for the Urban 1 Land Use designation, when proposed as a Planned Development or Specific Plan. The Project is also consistent, and advances, a number of other important goals and policies of the General Plan, as discussed in the October 24, 2017 Planning Commission staff report. The Project site is not located within an existing Specific Plan; however, the Project proposes a Specific Plan for a specific area of the City to provide flexible site design, smart growth and sustainability, and to ensure that new development fits in to the existing community context.</p>

<p>B. That the design or improvement of the proposed subdivision is consistent with applicable general and Specific Plans.</p>	<p>There are special circumstances or conditions affecting the subject property, which formerly operated as a golf course, which makes the development proposal relevant in its ability to promote amenities beyond those expected under a conventional development, and to achieve greater flexibility in design and context-sensitive use of land. This type of development approach is specifically permitted by the General Plan. New development standards are proposed through the use of a new Specific Plan; however, the Project's proposed street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; and parkland areas were all reviewed for compliance to relevant City policies and codes. As conditioned, the design and improvements of the proposed subdivision are consistent with the General Plan.</p>
<p>C. The Project site is physically suitable for the proposed type of Project.</p>	<p>The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development (Environmental Impact Report, State Clearinghouse #2017011060), and as appropriate, the Final EIR recommends measures to mitigate potential impacts.</p> <p>The site is suitable for the residential type of development proposed since the Project is located on property that is surrounded by residential uses at a relatively similar size and scale. The location, access, density/building intensity, size and type of uses proposed in the Tentative Subdivision Map are compatible with the existing and future land uses in the surrounding neighborhood because this is an infill site that lends itself to the proposed type and density of development. Adequate access and utilities can be provided to the site. The proposed grading design would not result in any manufactured slopes or pad that would create any significant adverse visual or compatibility impacts with adjacent lots, nor block any significant views. Extensive grading is not required to support the project, and the project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas because the site is not located on a skyline or intermediate ridge, and the site does not contain any significant topographical features. Additionally, a combination of trees, shrubs, and groundcover would be installed to soften the appearance of the manufactured slopes.</p>
<p>D. That the site is physically suitable for the proposed density of development.</p>	<p>The granting of the Tentative Subdivision Map would not violate the requirements, goals, policies, or spirit of the General Plan. The Urban 1 Land Use designation allows for a maximum of 5.5 dwelling units per acre. The subdivision of the subject property would create 380 residential units on 222 lots, with an additional 81 lots</p>

	<p>provided to support the overall development, consistent with the allowable density.</p> <p>The Project also would not be out of character for the area because the proposed development would be well integrated into its surroundings, since the new structures would incorporate compatible and integrated architecture, materials and colors, the project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties, and the development would provide an attractive pedestrian access throughout the site. Necessary services and facilities are available or can be provided.</p>
<p>E. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.</p>	<p>The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development (Environmental Impact Report, State Clearinghouse #2017011060), and as appropriate, the Final EIR recommends measures to mitigate potential impacts. The design of the map and type of improvements are not likely to cause substantial environmental problems or substantially and avoidably injure fish or wildlife or their habitat since no stream courses or endangered wildlife occurs on the property as determined and reasonably concluded in the Final EIR.</p>
<p>F. That the design of the subdivision of the type of improvements is not likely to cause serious public health concerns.</p>	<p>The design of the map and the type of improvements are not likely to cause serious public health problems since the project would not degrade the levels of service on the adjoining streets or drainage system and city sewer and water is available to the site.</p> <p>The Project's proposed street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; and parkland areas were all reviewed for compliance to relevant City policies and codes. The proposed deviations from the City of Escondido standards are with the proposed public streets, by utilizing a six (6) inch curb and gutter; and streets "C," "E," "I," "J," and "L" are short cul-de-sacs with a minimum radius of 200 feet rather than 435 feet. Elsewhere, the proposed subdivision map has been designed to meet the requirements of the City and other service agencies standards. All necessary public facilities and services are in place or can be extended to serve the Project, which comes with support from fire, sewer, water, and school service providers, indicating that existing facilities are available to service the Project.</p> <p>New homes are not proposed to be located in areas that contain earthquake faults, flooding or dam inundation potential, or within the currently adopted safety</p>

	<p>zones. Environmentally sensitive areas and drainage courses are maintained and incorporated within the plan. The design of the subdivision would not result in serious health problems and would not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.</p>
<p>G. That the design of the subdivision or the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.</p>	<p>The design of the map and type of improvements would not conflict with easements of record, or easements established through court judgment, or acquired by the population at large, for access through, or use of property within the proposed map once all required quitclaims and easement relocations have been accomplished. All easements recorded identified in the preliminary title report for the subject property are shown on the proposed Tentative Subdivision Map. No conflicts with easements of record have been identified.</p> <p>Portions of the 109-acre site would be conveyed for street dedication improvements, including public right-of-way. The Project also incorporates a greenbelt into its design, which includes a series of pocket parks along four (4) miles of meandering trails in approximately 29 acres of passive/active open space. The walking trails and pocket parks would be open to the surrounding neighborhoods and the Escondido Country Club Community. The Project's recreational facilities would be privately developed and maintained; however, these facilities would be available for public use. The aforementioned improvements would enhance access through the property.</p>

2. The Tentative Subdivision Map has been conditioned appropriately to provide all infrastructure improvements including interconnected street system, pedestrian connectivity, and sufficient open space and landscaping. The conditions of approval and subsequent design review of future residential development would ensure consistency with all standard requirements. All permits and approvals applicable to the proposed map pursuant to Escondido Zoning Code will be obtained prior to recordation of the map.
3. All applicable requirements of the Map Act and any ordinance of the City of Escondido regulating land divisions have been satisfied.

Specific Alignment Plan:

1. Within the study area, Country Club Lane from El Norte Parkway to Nutmeg Street is classified on the City of Escondido's Circulation Element as a Collector Roadway (4-lanes) with a capacity of 20,000 ADT to 34,200 ADT, depending on the presence of parking. In response to site conditions and constraints, the Project is proposing modifications to Local Collector standards for Country Club Lane from El Norte Parkway to Nutmeg Street.
2. The roadway improvements to Country Club Lane proposed in the Specific Alignment Plan (SAP) that would be implemented as part of the Project would create a more "complete street" by improving circulation for vehicles, bicyclists, and pedestrians; provide a modified Local Collector that achieves City standards for acceptable levels of service; and introduces traffic calming measures, including road dieting, enhanced street landscaping, improvements to crosswalks and safety features, and bicycling infrastructure and protection areas.

Development Agreement Determinations:

1. The proposed Development Agreement is proposed in conjunction with a General Plan Amendment and Rezone that would allow 380 residential homes at 3.5 dwelling units per acre; approximately 48.9 acres of permanent open space with active greenbelts; 3.5 acre of parks; and recreational, social, and community amenities in a Village Center.
2. The proposed Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan since the proposed change to the General Plan land use designations from Urban 1 to Specific Plan (SP) does not change the number of homes permitted on the subject property. The Project is consistent with the maximum density of 5.5 dwelling units per acre permissible in the General Plan since the proposed development includes 3.47 dwelling units per acre. The Project development proposal promotes amenities beyond those expected under a conventional development, and achieves greater flexibility in design and context-sensitive use of land. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the property is located since the General Plan land use designation for the site is Specific Planning (SP), which allows the number of dwelling units approved for the development in conformance with Subdivision Ordinance Section 32.202.03.
3. The proposed Development Agreement provides sufficient benefit to the community to justify entering into the agreement. The Project is required to demolish and remove the clubhouse within six (6) months of Project approval.
4. The proposed Development Agreement would be beneficial to the public interest and general welfare of the City as it would help facilitate a Project that provides 48.9 acres of permanent open space with active greenbelts; 3.5 acre of parks; and recreational, social, and community amenities in a Village Center. These provisions for community benefits could not otherwise be required of the developer. Therefore, the proposed Development Agreement would be in the best interests of the City; and the ECC community would enjoy many benefits of the Project. The Development Agreement requires the Project to comply with the Conditions of Approval, the certified Final EIR and Mitigation Monitoring Reporting Program (MMRP), all applicable local and State regulations, including but not limited to, Air Pollution Control District regulations, Public Works Department regulations, Health Department regulations, Zoning Code and approved Specific Plan standards, Fire Department standards, and Building and Safety Division regulations, and to ensure that the Project would not be otherwise detrimental to the public interest, health, safety, convenience, or general welfare of the City.
5. The Development Agreement is consistent with the provisions of State law (Government Code, Sections 65864 – 65869.5) to develop in accordance with project approvals and existing laws. These Government Code Sections outline requirements related to the contents of agreements, the applicability of an agreement and on the public hearing and approval process. The proposed Development Agreement is consistent with Government Code Section 65864, which states that the lack of certainty in the approval of development projects can result in a waste of resources and escalated housing costs while discouraging comprehensive planning, because the proposed Development Agreement provides certainty to the applicant regarding fees required and construction obligations for associated public improvements for a period of five (5) years. In addition, the agreement complies with Article 58 of the Escondido Zoning Code, which outlines the procedures and requirements for the review, approval and amendment of development agreements.
6. The proposed Development Agreement would not adversely affect the orderly development of property or the preservation of property values since the project would be developed in conformance with the Specific Plan on the property, which would have a positive effect on the orderly development of the subject property and/or the preservation of neighboring property values. In addition, the agreement does not allow a use that would not be permitted by the Zoning Code. The agreement specifies the duration of the agreement, the terms of the agreement, the permitted uses of the property, and the density or intensity of use.

Proceedings:

1. The Record of Proceedings upon which the Planning Commission bases its decision includes, but is not limited to:
(1) the Final EIR and the appendices and technical reports cited in and/or relied upon in preparing the Final EIR;
(2) the staff reports, City files and records and other documents, prepared for and/or submitted to the City relating to the Final EIR and the Project itself; (3) the evidence, facts, findings and other determinations set forth in herein;
(4) the General Plan and the Escondido Municipal Code; (5) all designs, plans, studies, data and correspondence submitted to the City in connection with the Final EIR and the Project itself; (6) all documentary and oral evidence received at public workshops, meetings, and hearings or submitted to the City during the comment period relating to the Final EIR and/or elsewhere during the course of the review of the Project itself; (7) all other matters of common knowledge to the City, including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the City and its surrounding areas.

EXHIBIT "B"

CONDITIONS OF APPROVAL

Project Mitigation Measures:

1. The approval of the Specific Plan, General Plan Amendment, Rezone, Specific Alignment Plan (SAP), and Development Agreement, called THE VILLAGES - ESCONDIDO COUNTRY CLUB PROJECT PROPOSAL, Planning Code Nos. SUB 16-0009, PHG 16-0018, and ENV 16-0010, (hereinafter referred to as "Project"), is granted subject to the approval of the Final EIR and is subject to all Project features and mitigation measures contained therein. Applicant shall implement, or cause the implementation of the Final EIR Mitigation Monitoring and Reporting Program, provided as "Attachment 1 to Exhibit B," which is incorporated herein by reference as though fully set forth.

General Conditions:

1. The Project shall be completed in substantial conformance to the plans approved, except as modified herein. The Project shall be constructed and operated by the Applicant, Developer, Developer's Successor in interest, or Development Assignee ("Applicant") in accordance with the authorized use as described in the application materials and plans on file with the Office of the Clerk of the City of Escondido. Any additional uses or facilities other than those approved with this permit, as described in the approved plans, will require a separate application and approval.
2. In order to obtain construction permits for grading, building, and final inspection for an approved building, the Applicant shall process a Condition Compliance Release Form through the Community Development Department for each respective phase of the development in accordance with the progression described by this condition. The Planning Division shall release their holds on each phase of development by providing to the Building Division or Engineering Department the following:
 - a) Grading Permits - a copy of the signed Condition Compliance Release Form and two (2) "certified" stamped and signed approved copies of the grading plans.
 - b) Building Permits - a copy of the signed Condition Compliance Release Form and two (2) "certified" stamped and signed approved copies of the final site plan(s).
 - c) Final Inspection - a copy of the signed Condition Compliance Release Form after on-site compliance inspection by the Director of Community Development or his/her designee.

The Applicant shall submit to the Director of Community Development a Conditions and Mitigation Measures Compliance Plan that lists each condition of approval and Mitigation Measure, the City agency or Division responsible for review, and how or when the Applicant has met or intends to meet the conditions and/or mitigations. The Applicant shall sign the Conditions of Approval attached to the approval letter and submit that with the compliance plan for review and approval. The compliance plan shall be organized per step in the plan check/construction process unless another format is acceptable to the Director of Community Development. The Applicant, shall prepare and update the compliance plan and provide it each time the Condition Compliance Release Form is due to the City.

Planning Division Conditions:

1. The Applicant 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 permits are issued, including any applicable City-Wide Facilities fees, unless otherwise stipulated by an approved Development Agreement.
2. All construction and grading shall comply with all applicable requirements of The Villages Specific Plan, Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. 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.
4. 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.
5. 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.
6. All exterior lighting shall conform to The Villages Specific Plan and 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.
 - a) The design and location of lighting fixtures related to residential areas, the Village Center, or open space and recreational areas shall confine the area of illumination to the site boundaries and minimize impacts to night sky views from surrounding properties. On-site lighting shall include decorative lighting fixtures and be fully shielded, diffused, or directed in a manner to avoid glare to adjacent properties and roadways. Lighting fixtures shall have the International Dark Sky Association "Fixture Seal of Approval." No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic.
 - b) The glare from any luminous source on the Village Center property shall not exceed one-quarter (0.25) foot-candle at property line of the nearest residentially zoned property. The HOA shall fund field testing by an independent contractor or City staff trained in the use of a handheld photometer to demonstrate continued compliance. The City shall consider citizen complaints consisting of direct personal impacts as cause for requesting field testing. If increases in ambient light are found to be above the 0.25 footcandle level, the dimming level shall be adjusted until this level can be demonstrated. This must be completed and demonstrated through follow-up field testing within 24 hours or the lighting fixture shall not be operated until the lighting levels can be brought into compliance.
 - c) All monument signs proposed by this Project shall be externally lit by steady, stationary, down-shielded light.
7. Parking for the Village Center shall be provided as required by the Specific Plan. Said parking 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. Each residence shall be provided with a two-car garage as depicted on the plans. All residential garages shall have a minimum interior width of 19.5 feet and a depth of 20 feet that is free and clear of obstructions.
8. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) 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.

9. An inspection by the Planning Division will be required prior to operation of the Project. 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, as well as any outstanding condition(s) of approval. Everything 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.
10. Trash enclosures must be designed and built per City standards, and permanently maintained. All 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. 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.
11. Colors, materials and design of the Project shall be in substantial conformance with the plans/exhibits and details in the staff report to the satisfaction of the Planning Division.
12. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the Project must comply with the specific plan where specified. All other signs must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code).
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.
 - a) All roof mounted equipment and appurtenances, including air conditioners and their associated vents, conduits and other mechanical and electrical equipment, shall be architecturally integrated, and shall be shielded from view and sound buffered to the satisfaction of the Director of Community Development. Solar installations shall be exempt from this requirement. All rooftop equipment shall be assumed visible unless demonstrated otherwise to the satisfaction of the Director, and adequate structural support shall be incorporated into building design. Rooftop vent pipes shall be combined below the roof, and shall utilize decorative caps where visible from any point. Ground mounted mechanical and electrical equipment shall also be screened through use of a wall, fence, landscaping, berm, or combination thereof to the satisfaction of the Director. All exterior accessory structures shall be designed to be compatible with the primary building's exterior to the satisfaction of the Director.
15. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with state law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval (the "effective date" being the end of the appeal period, if applicable), a certified check payable to "County Clerk", in the amount of \$3,128.25 for a project with an Environmental Impact Report. These fees include an authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. If the required filing fee is not paid for a project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code).
16. Prior to issuance of a grading permit, the emergency access road width, pavement and gate specifications shall be reviewed and approved by the Fire Department.
17. All Project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.

18. Three copies of a revised Tentative Map, reflecting all modifications and any required changes arising from the public hearing process shall be submitted to the Planning Division for certification prior to submittal of grading and landscape plans and the Final Map.
19. All lots shall meet the lot area and average lot width requirements of the Specific Plan. Conformance with these requirements shall be demonstrated on the Tentative Map submitted for certification, the grading plan and Final Map. Non-compliance with these minimum standards will result in revisions to the map.
20. No street names are part of this approval. A separate request shall be submitted prior to Final Map.
21. All proposed grading shall conform with the conceptual grading as shown on the Tentative Map to the satisfaction of the Planning and Engineering Divisions.
22. Applicant shall establish a homeowner's association (HOA) and corresponding covenants, conditions and restrictions (CC&Rs). Prior to recordation of the Final Map, two copies of the CC&Rs shall be submitted to the Planning Division for review and approval. Except for those public improvements located in the public right-of-way, the CC&Rs shall contain provisions for the maintenance of any common landscaping, open space, walls, the emergency access road, common drainage facilities, fuel modification zones, etc. to the satisfaction of the Planning and Engineering Divisions. A review fee established in the current fee schedule shall be collected at the time of submittal.

Prior to issuance of a building permit, the Applicant shall provide the Planning Division with a recorded copy of the official CC&Rs that have been approved by the Department of Real Estate and the Planning and Engineering Divisions. At a minimum, the CC&Rs shall contain the following provisions:

- a) Notice and Amendment. A copy of any proposed amendment shall be provided to the City in advance. If the proposed amendment affects the City, City shall have the right to disapprove. A copy of the final approved amendment shall be transmitted to City within 30 days for the official record.
- b) Failure of Association to Maintain Common Area Lots and Easements. In the event that the Association fails to maintain the "Common Area Lots and/or the Association's Easements," the City shall have the right, but not the duty, to perform the necessary maintenance. If the City elects to perform such maintenance, the City shall give written notice to the Association, with a copy thereof to the Owners in the Project, setting forth with particularity the maintenance which the City finds to be required and requesting the same be carried out by the Association within a period of thirty (30) days from the giving of such notice. In the event that the Association fails to carry out such maintenance of the Common Area Lots and/or Association's Easements within the period specified by the City's notice, the City shall be entitled to cause such work to be completed and shall be entitled to reimbursement with respect thereto from the Owners as provided herein.
- c) Special Assessments Levied by the City. In the event the City has performed the necessary maintenance to either Common Area Lots and/or Association's Easements, the City shall submit a written invoice to the Association for all costs incurred by the City to perform such maintenance of the Common Area Lots and or Association's Easements; and pursue collection.
- d) Landscape Maintenance Responsibilities. The HOAs and individual lot or unit owner landscape maintenance responsibilities shall be established.
- e) Homeowner improvements such as balconies, trellis, and decks. The CC&Rs shall set forth requirements for the HOA to review and approve all homeowner landscape and hardscape plans to ensure compliance with local, State and Federal laws. The CC&Rs shall state the individual lot or unit owner allowances and prohibitions regarding balconies, trellis, decks and other improvements as regulated by the Project approval.

The Villages HOA shall continuously maintain the property so that it is not dangerous to the health, safety, and general welfare of both on-site users and surrounding properties. This condition requires the Project site and all facets described herein to be regularly inspected, maintained, and that any defects are timely repaired. Among the elements to be maintained include but not limited to structures, fencing and walls, landscaping, parking lots, driveways, and signs.

23. Prior to recordation of a Final Map, the Project shall be annexed into the Landscape Maintenance District for the ongoing maintenance of the landscaping in the medians and roundabouts in Country Club Lane. The establishment of the Landscape Maintenance District shall be noted in the CC&Rs for the Project. These areas shall be placed in landscape easements if deemed appropriate by the Planning and Engineering Divisions.
24. This Tentative Subdivision Map shall expire concurrently with the term of the associated Development Agreement if a Final Map has not been approved or an extension of time has not been granted.
25. The design of Village Center, recreational facilities, social amenities, and all future homes within the development shall be subject to review and approval by the Staff Design Review Committee.
 - a) The building envelopes for all residences shall substantially comply to the building envelopes as set forth in the approved Specific Plan, with the following exceptions:
 - Architectural projections in relation to the building setback; or
 - Patio covers and any and all accessory structures shall be subject to the provisions of the standards adopted by the Villages Specific Plan, unless otherwise regulated by the of the Escondido Municipal or Zoning Codes.
26. The Project site is located within the Airport Influence Area for McClellan-Palomar Airport. In situations where state law requires a real estate disclosure statement, the following statement shall be provided:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

In addition to the preceding real estate disclosure requirements, all new residential development approved within the Palomar Airport Influence Area shall record an Overflight Notification document with the same language noted above prior to issuance of any building permits. An example of an Overflight Notification document is presented in Appendix F of the McClellan-Palomar Airport Land-Use Compatibility Plan, dated March 4, 2010.
27. A minimum 10-foot separation between detached residences shall be maintained at all times.
28. Accessory Dwelling Units shall not be permitted within this development to the extent allowed by state law.
29. If at the time the Final Map is approved, any streets, paths, alleys, public utility easements, rights-of-way for local transit facilities, such as bus turnouts, benches, shelters, landing pads, and similar items, which directly benefit the residents of a subdivision, or storm drainage easements are rejected, subject to Section 771.010 of the code of Civil Procedure, the offer of dedication shall remain open and the legislative body may by resolution at any later date, and without further action by the Applicant, rescind its action and accept and open streets, paths, alleys, rights-of-way for local transit facilities such as bus turnouts, benches, shelters, landing pads, and similar items, which directly benefit the residents of a subdivision, or storm drainage easements for public use, which acceptance shall be recorded in the Office of the County Recorder.
30. The Director of Community Development, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Specific Plan, Tentative Tract Map, Specific Alignment Plan ("SAP"), Development Agreement, and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with the final action on the Project. Development shall occur substantially as shown on the approved Exhibits. Any proposed development, that substantially deviates from this approval, shall require an amendment to this approval.

31. To ensure that services, facilities, and amenities are provided together with the proposed residential development of each respective phase, the Applicant shall cause all amenities, parks, open space and recreation facilities located within each Village to be constructed prior to the issuance of 75 percent of the certificates of occupancy for each respective Village. The Applicant shall cause the full quota of development permissible and required as part of the Specific Alignment Plan (SAP) to be constructed, as set forth on the application materials and plans on file with the Office of the Clerk of the City of Escondido, prior to the issuance of the certificates of occupancy for the 50th unit of the Project, irrespective of Project phasing.
32. The City reserves the right to modify or terminate the Development Agreement upon the failure or refusal to comply with the terms of the Agreement by the Developer. Unless amended or otherwise terminated, the Development Agreement is enforceable during its term by a party to the Agreement. The City Manager is authorized and directed to perform all acts authorized to be performed by the City Manager in the administration of the Development Agreement pursuant to the terms of the Development Agreement.
33. Applicant shall and does hereby agree to indemnify, protect, defend, and hold harmless the City of Escondido, its Council members, officers, employees, agents, and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of the series of actions that this Project comprises, and/or (b) City's approval or issuance of any permit or action, whether discretionary or ministerial, in connection with the land use and activity contemplated described by this Project. This obligation survives until all legal proceedings have been concluded and continues even if the City's approval is not validated.
34. The Applicant shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services or work related to the Project of their responsibilities to comply with all pertinent requirements herein and as otherwise regulated by local, State, or Federal Law.
35. If any of the following conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.
36. If any condition for construction of any public improvements or facilities, or the payment of any fees in-lieu thereof, imposed by this approval or imposed by law on this Project are challenged, this approval shall be suspended as provided in Government Code Section 66020. If any such condition is determined to be invalid, this approval shall be invalid unless the City Council determines that the project without the condition complies with all requirements of law.
37. Prior to the recordation of the Final Map, along with the submission of construction documents, the Applicant shall submit to the Director of Community Development a list of measures to respond to and track complaints pertaining to construction noise.
38. Approval of the Tentative Subdivision Map and all associated permits will expire concurrently with the expiration of the five-year term of the Development Agreement, unless otherwise extended. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications.
39. A minimum of 48.9 acres of open space and recreational areas shall be provided within the Project to satisfaction of Community Development Director. This area shall consist of a minimum 3.5 acres of park land.
 - a) All required usable open space or recreational areas, including all trails, trail amenities, and the 3.5 acres of park land, shall be permanently maintained and provided for general public use and enjoyment.

- b) Prior to the recordation of a Final Map, the Applicant shall reference on the map any parcels or lots that benefit the public, which includes all trail and park facilities, in a manner meeting the approval of the Director of Community Development.
 - c) All pedestrian passageways in the designated park land or trails shall have walkway non-slip surfaces, such as decomposed granite, to enable multi-generational use, designed to prevent dust, and otherwise be designed to allow convenient use for outdoor activities. There shall be no obstructions above the open space except for devices to enhance its usability, such as pergolas or awning structures.
 - d) A two-way pedestrian access easement shall be recorded on HOA Lot 2 at the terminus of Street "C," to allow for the provisions of a future pedestrian connection to Golden Circle Drive.
40. Applicant shall designate a minimum of 22 homes on the Final Map of Village 3 to be restricted as single-story, based upon the findings of Project approval. Prior to issuance of any building permits for any lots or units associated with Village 3, the Applicant shall enter into and cause to be record a deed restriction or a covenant for the design, phasing, construction, marketing, occupancy, and maintenance of the restricted single-story housing units in Village 3.
41. The Postmaster shall approve final location of mailbox kiosks associated with this Project prior to issuance of a precise grading permit.
42. Prior to hauling dirt or construction materials to or from any proposed construction site within this Project, shall apply for and obtain approval from, the City Engineer for the proposed haul route.
43. Upon transfer of the property from the current property owner to the Applicant, the Project site along with any lots comprising the Project, shall be maintained for weed abatement so that weeds, dry grasses, and other growth shall be maintained to a height not to exceed four (4) inches; and all dead shrubs, dead trees, or other dead vegetation growing upon the streets, sidewalks, or upon the Project site shall be removed and maintained so as to meet the City's Fire Department or Code Enforcement standards.
44. Subsequent to the approval of the Project, the Applicant shall, within 120 days after the expiration of any applicable challenge or appeal periods, submit a complete final improvement plan set and final map to the City of Escondido for review. Upon approval by the City of Escondido of a final map and improvement plans, Applicant shall commence demolition of the existing clubhouse facility in accordance with all applicable laws, regulations and ordinances within seven (7) business days.
- In the event a legal challenge or referendum is filed, the applicant shall, within 120 days after final resolution of any litigation or election, submit final improvement plans and a final map to the City of Escondido. Upon approval by the City of Escondido of a final map and improvement plans, Applicant shall commence demolition of the existing clubhouse facility in accordance with all applicable laws, regulations and ordinances within seven (7) business days.
- The Applicant shall agree to provide any and all information necessary to show that the Escondido Country Clubhouse has been demolished and any associated blight or nuisance completely abated. Thereafter, the grounds associated with the clubhouse shall be kept in a blight/nuisance-free condition and maintained in an attractive and suitable fashion to the satisfaction of the Director of Community Development.
45. Prior to the recordation of a Final Map, the Applicant shall prepare any required improvement plans and shall identify on the plans the limits of all the facilities which the Applicant intends to fund through a Community Facilities District (CFD). In addition, the improvement plans shall identify the specific CFD under which the improvements will be funded, in a manner meeting the approval of the Director of Community Development.
46. The City Council maintains the authority to initiate the formation of a CFD pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code. In connection with the land use and activity contemplated described by the Project, the CFD may fund any of the following related to the services described as follows: (i) obtaining, constructing, and/or furnishing of equipment, apparatus, facilities related to providing the services and/or

October 24, 2017

equipment; (ii) paying the salaries and benefits, or consultant fees, of personnel necessary or convenient to provide the services; (iii) payment of insurance costs and other related expenses; and (iv) the provision or future provision of services. Said eligible activities shall be used to finance public improvements and services when no other source of money is available. The services to be financed by the CFD are in addition to those provided in the territory of the CFD before the date of formation of the CFD and will not supplant services already available within that territory when the CFD is created.

47. Model homes in a number for each Village not to exceed that necessary to provide an example of each dwelling type being offered in each respective Village, may be allowed in accordance with the City's Municipal and Zoning codes.
 - a) Building permits may not be issued for model homes until a Final Map has been recorded, or, in the alternative, that a Final Map has been submitted which the Engineering Director has determined to be in conformance with the approved tentative map and technically correct.
 - b) Prior to issuance of building permits for model homes, the applicant shall submit a Model Home Permit application to the satisfaction of the Director of Community Development, indicating, among other things, the location of the model homes and their relation to off-street parking, vehicular and pedestrian access, and existing and all known future development in surrounding areas, including within the Project site.
 - c) Model homes shall include at least one model designated as a "Water Efficient Landscape Model," featuring elements such as hydrozones, irrigation equipment, and other elements which contribute to overall water efficiency.
 - d) Any use of a trailer coach as a temporary business /sales office shall comply with the provisions of the City's Municipal and Zoning code and shall be removed upon completion of the sales program.
 - e) A temporary construction trailer shall be allowed on the Project site. The temporary construction trailer shall be identified, on the grading and building permit site plan and be removed prior to issuance of Certificate of Occupancy of the unit on the lot it is contained within to the satisfaction of the Director of Community Development.
48. The Applicant shall submit Public Improvement Plans for the SAP on Country Club Lane, showing all proposed improvements as described in the application materials and plans on file with the Office of the Clerk of the City of Escondido, and in compliance with the conditions and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the Utilities Division, street lighting, on-street parking, accessibility improvements, and any other requirements for the Project as provided for in this approval. Encroachment permits shall be obtained as necessary for any applicable improvements located within the public right-of-way.
49. All SAP-related improvements shall be completed to the satisfaction of the City Engineer and phased in accordance with the schedule described herein these Conditions of Approval.
50. Prior to the issuance of any related encroachment permits, the Applicant shall provide adequate sight distance at all intersections in a manner meeting the approval of the City Engineer. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree intersections of public right-of-way and private driveways. The Applicant shall make all necessary revisions to the Specific Alignment Plan to meet the sight distance requirement such as removing slopes, landscaping, or other encroachments from the limited use area.
51. Low-profile landscaping shall be added to all deflections of the proposed roundabouts, including bulb-outs, approach constriction points, and central island. The central island landscaping can enhance the safety of the intersection by making the intersection a focal point and by lowering speeds. Plant material should be selected so that sight distance is maintained, including consideration of future maintenance requirements to ensure adequate sight distance for the life of the project.
52. Where truck aprons are used in conjunction with a streetscape project, the pavement should be consistent with other streetscape elements. However, the material used for the apron should be different than the material used for the sidewalks so that pedestrians are not encouraged to cross the circulatory roadway.

53. If fountains or monuments are being considered for the central island, they must be designed in a way that will enable proper viewing from the perimeter of the roundabout. In addition, they must be located and designed to minimize the possibility of impact from an errant vehicle.
54. Adequate lighting shall be provided at all roundabouts. Illumination should be provided to improve the visibility of pedestrians and bicyclist. Good illumination should be provided on the approach nose of the splitter islands, at all conflict areas where traffic is entering the circulating stream, and at all places where the traffic streams separate to exit the roundabout. The shall light the roundabouts from the outside, in towards the center. Ground-level lighting within the central island that shines upwards towards objects in the central island can improve their visibility.

Landscaping Conditions

1. Prior to occupancy of each phase, all perimeter, slope and parking lot landscaping shall be installed. All vegetation (including existing vegetation required as part of previous project approvals) 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.
2. Applicant shall submit and obtain City approval of a Final Landscape and Irrigation Plan showing conformance with the approved Preliminary Landscape Plan and the City's landscaping standards. Seven copies of detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code as well as the State Model Water Efficient Landscape Ordinance. The plans shall be prepared by, or under the supervision of a licensed landscape architect who shall sign a statement on the cover sheet that the plans are consistent with California water efficient irrigation standards.
3. 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 prior to requesting a final inspection.
4. Street trees shall be provided along each of the site's street frontages, in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
5. Details of Project fencing and walls, including materials and colors, shall be consistent with the adopted specific plan and depicted on the landscape plans.
 - a) All masonry freestanding or retaining walls visible from points beyond the project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be of a type satisfactory to the Director of Community Development. The Applicant and/or HOA shall be responsible for the removal in a timely manner of any graffiti posted on such walls.
6. All new medians installed as part of the Specific Alignment Plan shall incorporate landscaping in areas where median width exceeds six feet to the satisfaction of the Planning Division.
7. All fencing for basin areas shall be set back at least five feet from back of sidewalk or edge of pavement to allow the appropriate integration of landscape screening to the satisfaction of the Planning Division.
8. All landscaping shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris. All irrigation systems shall be maintained to provide the optimum amount of water to the landscape for plant growth without causing soil erosion and runoff.

9. Each lot shall be required to install the landscaping within the front and rear yards within six (6) months after occupancy of the unit.
10. A Street Tree Maintenance Agreement is needed for any new landscaping installed in existing or proposed City right-of-way.

Fire Department Conditions

1. Notate or show gates on all final plans. Clarify if they are manual or electric. Manual gates will require a KNOX lock and electric gates will require a KNOX switch and opticom sensor. Note who will be responsible for gate maintenance.
2. Provide rolled curbs around center island and medians at intersections. Center island will need to account for over hang of front and back of apparatus. If vegetation or water feature are part of the center design they will need to be set back. Show design and apparatus turning on plans.
3. Minimum turning radius for our apparatus is 28 feet inside. Show on all final plans.
4. Provide a note on the plans stating fire access roadways shall be rated to 75,000 lbs.
5. All homes to be fire sprinklered per NFPA 13D.
6. Hydrants to be spaced every 500 feet.

ENGINEERING CONDITIONS OF APPROVAL

The Villages

GENERAL

1. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements. Grading/Private Improvement plan prepared by Civil Engineer is required for all grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a Landscape Architect. Traffic signal plans shall be prepared by a Traffic Engineer. The developer shall post securities in accordance with the City-prepared bond and fee letter based on a final estimate of grading and improvements cost prepared by the project engineer. The project owner is required to provide performance, labor and material and guarantee and warrantee bonds for all public improvements and a Grading bond for all grading, landscaping and private improvements (not including buildings) prior to approval of the Grading/Private Improvement plan, Final Map, and Improvement Plans.
2. As surety for the construction of required off-site and on-site improvements, bonds and agreements in forms acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of Grading Permit and/or Final Subdivision Map.
3. No building Permits shall be issued prior to recordation of Final Map unless appropriate securities are deposited and agreements executed as approved by the City Engineer and City Attorney.
4. Unless otherwise stipulated by an approved Development Agreement, Grading Permit(s) may be issued prior to approval of the Final Map, upon completion of the following requirements; a) City Engineer approval of the Grading & Erosion Control plan, Drainage and Water Quality Technical Report (WQTR) b) review of the Landscaping & Irrigation Plans; c) Compliance with all Planning requirements related to project Grading; d) Post bonds and fees for, Erosion Control, Grading, Drainage, Landscaping and Irrigation improvements.

All private access and utilities easements encumbering the project property shall be quit claimed prior to approval of the Grading Plans or satisfactory documentation to allow the developer to grade in the areas encumbered by easements shall be provided to the City Engineer.

5. The developer is required to establish a long term maintenance plan for all project-related improvements. In addition, the developer shall provide maintenance access to all existing public storm drains in accordance with City standards or shall provide for long term maintenance for these existing facilities. Long term maintenance shall be by a qualified contractor hired by the Home Owners' Association, or through an alternate method funded by the project residents and acceptable to the City Engineer, Community Development Director and City Attorney.
6. The property to be subdivided lies is within the Country Club Zone of the City's Landscape Maintenance District. The developer is responsible to pay for the cost to prepare an Engineers Estimate to calculate the assessment attributable to each parcel.
7. 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.
8. 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.
9. The project owner 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.

10. If multiple Final Maps are to be recorded for this project, the City Engineer will determine the extent of public and private improvements to be constructed with each Final Map.
11. If the project is constructed in multiple phases, the City Engineer will determine the extent of on-site and offsite improvements required to be completed for each phase prior to issuance of occupancy for the units within the phase.

STREET IMPROVEMENTS AND TRAFFIC

1. Public and private street improvements shall be designed in compliance with City of Escondido Design Standards and requirements of the City Engineer and Fire Marshal.
2. The project owner shall construct public and private street improvements for the following streets:

<u>STREET</u>	<u>CLASSIFICATION</u>
Interior Streets (A-N)	Residential (Public)
Interior Private Drives & Easements	Private Access Easement
Country Club Drive	Specific Alignment Plan (Modified Collector)
El Norte Parkway	Major/Super Major
Nutmeg Street	Local Collector
Bennett Avenue	Local Collector

3. The developer shall be responsible for design and construction of all interior public streets to Residential Street standards with 36' roadway within 56' right-of-way modified with a rolled curb and 5 ½" thick concrete sidewalk.
4. The developer shall be responsible for design and construction of all interior private drives in accordance with the Private Access Easement Road standards.
5. The developer shall be responsible for design and construction of street improvements along the frontage of the project and all mitigation measures as described in the adopted Environmental Impact Report in accordance with City Standards and to the satisfaction of the City Engineer. The improvements shall include but not be limited to the following:
 - a. Nutmeg Street, along the project frontage, south of Gary Lane:

The developer shall improve Nutmeg Street to Local Collector standards. Improvements shall include resurfacing of the intersection of Nutmeg and Gary Lane with asphalt concrete grind and overlay or type II slurry, re-striping, and signage as needed.
 - b. Gary Lane, along the project frontage:

The developer shall install a street light at the project entrance; remove and reconstruct all damaged sections of sidewalk, curb and gutter; resurface roadway with type II slurry or asphalt concrete grind and overlay; and restripe as required by the City Engineer.
 - c. El Norte Parkway and Woodland Parkway:

The developer shall submit signing, striping and median improvement plans for El Norte Parkway between Country Club Lane and Palomino. The design shall be based on the concept plan included in Tentative Map. Improvements shall include removal of the existing striping, full width roadway resurfacing with Type II slurry, and installation of signing and striping in accordance to the final plan approved by the City Engineer. Improvements within the City of San Marcos shall be reviewed by and coordinated with City of San Marcos staff.

d. El Norte Parkway and Country Club Drive:

The project owner shall be responsible for modification of the traffic signal system; and signing, striping and intersection improvements to provide for east-bound dual left turn lanes. Improvements will include replacement of the existing east-bound traffic signal pole and mast arm to accommodate for an additional signal head required for dual left turns. Intersection improvements shall include refreshing the existing striping on all approach lanes within 200 feet.

e. El Norte Parkway and Nordahl/Nutmeg:

The developer shall be responsible to modify the existing traffic signal system, signing and striping at the intersection in accordance with the concept plan and to the requirements of the City Engineer. To accommodate for the south-bound dual left-turn and the third west-bound lane, replacement of the west-bound and south bound traffic signal mast arms will be required. Replacement of signal poles/foundations may also be required based on current structural standards. Intersection improvements shall include refreshing the existing striping on all approach lanes within 200 feet. Improvements within the County of San Diego shall be reviewed by and coordinated with County of San Diego staff.

f. El Norte Parkway, I-15 to Nutmeg/Nordahl:

The project owner shall submit a signing, striping and median improvement plan based on the concept plan included in Tentative Map for review and approval. Signing and striping improvements shall include removal of the existing striping, full width roadway resurfacing with Type II slurry, and construction of signing and striping in accordance with the final plan approved by the City Engineer.

g. N. Nutmeg Street, between La Paloma Avenue and Via Alexandra:

The project owner shall submit street widening, signing and striping improvement plans based on the concept plan included in Tentative Map, for review and approval by the City Engineer. Improvements shall include widening of the existing roadway to provide for a 14' wide south-bound travel lane with curb, gutter, and sidewalk designed as a green streets facility. Improvements shall include removal and reconstruction of the existing driveways to private driveway standards and a parking restriction along the improved section of Nutmeg Street.

h. Bennett Avenue, between El Norte Parkway and Toyon Glen.

The project owner shall submit signing, striping and median improvement plans based on the concept plan included in Tentative Map for review and approval. Signing and striping improvements shall include removal of the existing striping, full width roadway resurfacing with Type II slurry, and construction of signing and striping in accordance to the final plan approved by the City Engineer. Improvements within the City of San Marcos shall be reviewed by and coordinated with City of San Marcos staff.

6. The developer shall be responsible for final design of improvements and construction of modifications to Country Club Lane in accordance with the approved Specific Alignment Plan and to the requirements of City Engineer. Country Club Lane improvements shall also include resurfacing of the roadway between Golden Circle and Nutmeg Street with type II slurry and restriping of the roadway in accordance with signing and striping plan approved by the City Engineer. Improvements shall include but not be limited to:

a. Country Club Lane and Golden Circle:

The project owner shall be responsible for construction of a roundabout in accordance with the approved Specific Alignment Plan for Country Club Lane by modifying the existing improvements on Country Club Lane and Golden Circle to the requirements of the City Engineer.

b. Country Club Lane and La Brea:

The project owner shall be responsible for construction of a roundabout in accordance with the approved Specific Alignment Plan for Country Club Lane by modifying the existing improvements on Country Club Lane and La Brea to the requirements of the City Engineer.

c. Country Club Lane and Gary Lane:

The project owner shall be responsible for installation of a new traffic signal and improvement of the intersection in accordance with the Country Club Lane Specific Alignment plan and to the requirements of the City Engineer. Traffic signal system for this intersection shall be interconnected to the existing traffic signal system at the intersection of Country Club Lane and El Norte Parkway.

d. Country Club Lane and Nutmeg Street:

The project owner shall be responsible for installation of a new traffic signal and improvement of the intersection in accordance with the Country Club Lane Specific Alignment plan and to the requirements of the City Engineer. Intersection improvements shall include refreshing the existing striping on all approach lanes within 200 feet. Signal system for this intersection shall be interconnected with the proposed traffic signal at Country Club Lane and Gary Lane.

e. Country Club Lane and Firestone Drive:

The project owner shall be responsible for construction a mid-block crossing in accordance with City's mid-block crossing improvements policy guidelines with rectangular rapid flash beacons, raised crosswalk, pedestrian ramps, safety lighting, signing and striping to the requirements of the City Engineer.

7. The developer shall be responsible to construct I-15 south bound on-ramp improvements in accordance with the concept plan in Tentative Map and to the requirements of Caltrans. The project owner shall be responsible to provide the City Engineer with approved plans by Caltrans and pay all required fees, post bonds and construct all improvements to the requirements of Caltrans.
8. The developer shall be responsible to construct improvements on El Norte Parkway and Borden Road that requires approval from the City of San Marcos. The developer is responsible to provide the City Engineer with approved plans by the City of San Marcos and pay all the fees, post bonds and construct improvements to the requirements of the cities of Escondido and San Marcos.
9. The project owner shall prepare and submit for approval by the City Engineer a complete final signing and striping plan for all project streets and intersections. The developer will be responsible for removal of all existing signing and striping and resurfacing with type II slurry or approved equal to refresh the pavement surface within improvements limits of removed and replaced signing and striping to the requirements of the City Engineer.
10. The developer is responsible for development of timing plan for the intersection and coordination of the intersection signal system with the intersections to the north, south, east and west to the satisfaction of the City Engineer. All work shall be completed prior to issuance of the first occupancy permit unless otherwise indicated in the adopted Environmental Impact Report or approved phasing plan. Signal system designs shall include signal interconnects to the requirements of the City Engineer.

October 24, 2017

11. The project owner 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.
12. The project owner is required to refresh striping and install Type II slurry on all street sections where striping is to be realigned as required by the of the City Engineer.

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 or her recommendations.
2. 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 retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical Report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings.
3. The project owner 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.
4. 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.
5. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.
6. Unless specifically permitted to remain by the County Health Department, any existing wells within the project shall be abandoned and capped, and all existing septic tanks within the project shall be pumped and backfilled per County Health Department requirements.

DRAINAGE

1. Final on-site and off-site drainage improvements shall be designed and constructed in accordance with the City's standards and to the requirements of the City Engineer, based on the approved drainage study prepared by the project owner's engineer.
2. A Final Storm Water Quality Management Plan in compliance with City's latest adopted Best Management Practices Manual shall be prepared and submitted for approval together with the final improvement and grading plans. The Storm Water Quality Management Plan shall include hydro-modification calculations, post construction storm water treatment measures and maintenance requirements. All onsite cistern or other hydro-modification facilities for treatment facilities shall be located outside public easements.
3. All proposed drainage systems, storm water treatment and retention facilities and their drains shall be maintained by the home owners' association. Provisions stating the maintenance responsibilities shall be included in the CC&Rs.
4. The project owner will be required to submit a signed, notarized and recorded copy of Storm Water Control Facility Maintenance Agreement by the home owners' association to the City Engineer. This Agreement shall be referenced and included in the CC&Rs.

WATER SUPPLY

This project is located within the City of Escondido and Rincon Water District service areas. Water supply for the project is provided by both agencies, subject to following conditions:

City of Escondido:

1. All water main locations and sizing shall be to the satisfaction of the City Engineer and Utilities Engineer. Required water main improvements shall include the construction of minimum 8-inch water mains (to serve single family residences) or 12" water mains (to serve multi-family residences or commercial facilities), to the satisfaction of the City Engineer and Utilities Engineer. All proposed water mains shall be sized to provide the required fire flow while still meeting City Standards.
2. All water mains shall be looped, unless the only means to loop the proposed main would interconnect the City of Escondido's water system with another water agency's water system.
3. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
3. Because 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.
4. No trees or deep rooted plants shall be planted within 10 feet of any water service.
5. All water mains, services, and appurtenances within the City of Escondido's service area shall be installed per current City of Escondido Design Standards and Standard Drawings.

Rincon Water District:

1. The property owner is responsible to make arrangements with the Rincon District as may be necessary to provide water service for domestic use and fire protection. The developer shall provide evidence of such arrangements prior to recordation of the Final Map, to the satisfaction of the City Engineer. The City of Escondido and the Rincon District will sign approval of the improvement plans with respect to the water mains.
2. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the City Engineer and Utilities Engineer. Required sewer main improvements include construction of minimum 8-inch sewer mains to serve the project.
2. Private 4" minimum PVC sewer laterals with standard clean-outs within 18" of the Public Utilities Easement shall be constructed for each Lot containing a single family residence and shown on the Improvement and Grading plans. Private 6" minimum PVC sewer laterals with standard clean-outs within 18" of the Public Utilities Easement shall be constructed for each Lot containing a multi-family residence or commercial building, and shown on the Improvement and Grading plans. The construction of all sewer laterals shall be included in the improvement plans and bonding quantities.
3. No trees or deep rooted bushes shall be planted within 10' of any sewer lateral, or within 15' of any sewer main.
4. All sewer laterals will be considered a private sewer system. The property owners and/or the home owners' association will be responsible for all maintenance of their individual sewer laterals to the sewer main. Provisions stating this shall be included in the CC&Rs.

5. All sewer mains, laterals, and appurtenances shall be installed per current City of Escondido Design Standards and Standard Drawings.

CC&R's

1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

The developer shall make provisions in the CC&R's for maintenance by the home owners' association of all project features including but not limited to private streets; all drainage swales and channels (concrete and natural); all project storm drain systems, water quality and hydro-modification/detention facilities; sewer laterals; all facilities in common open spaces (parks, trails, amenities) including retaining walls, fencing, landscape and irrigation; public street parkways; landscape, irrigation and hardscape installed with the Country Club Lane Specific Alignment Plan; and all at-grade and above grade facilities within public utility and emergency access easements. These provisions must be approved by the Engineering and Planning Departments prior to approval of the Final Map. Maintenance of certain project features through a Landscaping Maintenance District, or formation of Community Facility District, may be considered by the City Council in the future at the request of the developer and will be subject to applicable City policy.

2. If offsite improvements require storm water pollution control facilities, the home owners' association will be responsible for the maintenance of the offsite facilities and provisions for maintenance shall be included in the CC&Rs.
3. The CC&R shall make provisions in the CC&R recognizing that the City shall have the right, but not the obligation, to enforce those Protective Covenants set forth in this Declaration in favor of, or in which the City has an interest. In the event that the home owners' association fails to maintain the project features including but not limited to drainage swales and channels (concrete and natural); all project storm drain systems, water quality and hydro-modification/detention facilities; sewer laterals; all facilities in common open spaces (parks, trails, amenities) including retaining walls, fencing, landscape and irrigation; public street parkways; landscape, irrigation and hardscape installed with the Country Club Lane Specific Alignment Plan; and all at-grade and above grade facilities within public utility and emergency access easements.

If the City elects to perform such maintenance, the City shall give written notice to the home owners' association, setting forth with particularity the maintenance which the City finds to be required and requesting the same be carried out by the home owners' association within a period of thirty (30) days from the giving of such notice. In the event that the home owners' association fails to carry out the required maintenance within the period specified by the City's notice, the City shall be entitled to cause such work to be completed and shall be entitled to reimbursement with respect thereto from the property owners as provided herein.

In the event the City has performed the necessary maintenance on behalf of the home owners' association, the City shall submit a written invoice to the Association for all costs incurred by the City to perform such maintenance and pursue collection.

6. The CC&R's shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved SWQMP for the project.
7. Prior to issuance of a building permit, the Applicant shall provide the Planning and Engineering with a recorded copy of the official CC&Rs that have been approved by the Department of Real Estate and the Director of Community Development.
8. A copy of any future proposed amendments to the CC&R shall be provided to the Director of Community Development in advance. If the proposed amendment affects the City, City shall have the right to disapprove. A copy of the final approved amendment shall be transmitted to City within 30 days for the official record.

9. The CC&R's must state that (if stamped concrete or pavers are used in the private drives or utilities easements) the property owners are responsible for replacing the pavers and/or stamped concrete in kind if the City has to trench the street or within public utilities easements for repair or replacement of an existing utilities.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications for public rights-of-way for public streets or public utilities and emergency access easements for the private streets according to the following street classifications.

<u>STREET</u>	<u>CLASSIFICATION</u>
Interior Streets (A-N)	Residential (Public)
Interior Private Drives/ Emergency Access Easements	Private Access Easement (Minimum 24 feet in width)
Country Club Drive	Specific Alignment Plan (Modified Collector Street)

2. All necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.
3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
4. Necessary right-of-ways, public utilities and emergency access easements shall be granted on the Final Map.
5. 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. If an easement of record contains an existing access that could not be quit claimed, grading permit will not be issued for lots in which construction will conflict with existing access rights unless the developer provides the City Engineer satisfactory documentation prior to issuance of Grading Permit or Final Map approval.
6. Approval of the Tentative Subdivision Map and all associated permits will expire on three (3) years after the approval of this Project, unless additional time is granted pursuant to the Subdivision Map Act, Section 32.210 of the Escondido Municipal Code, or pursuant to a Development Agreement. Extensions of time to the expiration date may be granted in increments each not to exceed an additional five (5) years from the original expiration date. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications.
7. Applicant shall prepare, submit and process for City Engineer approval a Final Map to subdivide this Project. One or more final maps may be recorded for this Project.
8. Prior to the City approval of the Final Map for any phase of this Project, Applicant shall cause the property owner to apply for, execute, and submit, to the City Engineer for recordation, an Encroachment Agreement, boundary adjustment, deed restriction, or other alternative covering the 43 private encroachments, acceptable to the City Engineer.
9. A minimum of 48.9 acres of open space and recreational areas shall be provided within the Project. This area shall consist of a minimum 3.5 acres of park land.
10. Prior to the recordation of a Final Map, the Applicant shall reference on the map any parcels or lots that benefit the public, which includes all trail and park facilities, in a manner meeting the approval of the Director of Community Development.

11. A two-way pedestrian access easement shall be recorded on HOA Lot 2 at the terminus of Street "C," to allow for the provisions of a future pedestrian connection to Golden Circle Drive.
12. The project owner shall be responsible for obtaining any easements or letters of permission from property owners subject to project's construction impact to their driveways or yards.
13. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. For a single utility line and 24 feet for an Emergency Access road. Easements with additional utilities shall be increased to the requirements of the Utilities Engineer.
14. The project owner shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

REPAYMENTS, FEES AND CASH SECURITIES

1. The project owner shall be required to pay all development fees, including any repayments in effect prior to approval of the Final Subdivision Map. All development impact fees are paid at the time of Building Permit.
2. 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 \$50,000.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities along the project frontage and within the project boundaries shall be relocated underground.
2. All new dry utilities to serve the project shall be constructed underground.
3. 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.

Attachment 1 to Exhibit B
Final EIR Mitigation Monitoring and Reporting Program

THE VILLAGES – ESCONDIDO COUNTRY CLUB PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

California Public Resources Code Section 21081.6 requires that, upon certification of an EIR, “the public agency shall adopt a reporting or monitoring program for the changes made to the Project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This chapter contains the mitigation monitoring and reporting program (MMRP) that has been developed for the The Villages – Escondido Country Club Project (Project or proposed Project). This MMRP has been developed in compliance with Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines. The mitigation measures in the table are coded by alphanumeric identification consistent with the EIR. The following items are identified for each mitigation measure:

- **Mitigation Monitoring.** This section of the MMRP lists the stage of the proposed Project during which the mitigation measure would be implemented and indicates who is responsible for implementing the mitigation measure (i.e., the “implementing party”). It also lists the agency that is responsible for ensuring that the mitigation measure is implemented and that it is implemented properly.
- **Reporting.** This section of the MMRP provides a location for the implementing party and/or enforcing agency to make notes and to record their initials and the compliance date for each mitigation measure.

The City must adopt this MMRP, or an equally effective program, if it approves the proposed Project with the mitigation measures that were adopted or made conditions of Project approval.

This document also lists several Project Design Features (PDFs), which were listed in the CEQA document and considered as fundamental components of the Project’s design, construction, operation, and/or maintenance thereof. The PDFs are listed at the end of this chapter. Adoption of the MMRP will include adoption of the PDFs as though fully set forth as conditions of Project approval.

THE VILLAGES – ESCONDIDO COUNTRY CLUB PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

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THE VILLAGES – ESCONDIDO COUNTRY CLUB Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance	
				Initials	Date
<p>M-AQ-1 Prior to the San Diego Air Pollution Control District's (SDAPCD's) next biennial review of the Regional Air Quality Strategy, the City of Escondido (City) shall coordinate with SDAPCD to amend the growth assumptions using the Project's Specific Plan. This includes changing the designation of Residential Urban 1 and R-1-7 to Specific Plan Area and SP Zone within the Project site.</p> <p>M-AQ-2 Prior to the commencement of grading activities within each phase of development, the City shall confirm that the following measures shall be adhered to during construction activities associated with the Project to reduce oxides of nitrogen (NO_x):</p> <p>a. For off-road equipment with engines rated at 75 horsepower or greater, no construction equipment shall be used that is less than Tier 3.</p> <p>An exemption from these requirements may be granted by the City in the event that the Project applicant (or its designee) documents that:</p> <p>(1) Equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those related to the commercial availability of the necessary equipment within the County of San Diego within the scheduled construction period).</p> <p>(2) Corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment.</p> <p>For example, if a Tier 3 piece of equipment is not reasonably available at the time of construction and a lower tier equipment is used instead (e.g., Tier 2), another piece of utilized equipment could be upgraded from Tier 3 to a higher tier (e.g., Tier 4 Interim or Tier 4 Final) or replaced with an alternative-fueled (not diesel-fueled) equipment to offset the emission reductions associated with using a piece of equipment that does not meet Tier 3 standards. The permissibility to achieve greater emission reductions through the use of cleaner equipment engines to offset assumed emission reductions that are not feasibly achieved ensures that total Project-generated criteria air pollutant emissions from equipment operation are reduced, if an exemption is granted by the City.</p> <p>b. The engine size of construction equipment shall be the minimum size suitable for the required job.</p> <p>c. Construction equipment shall be maintained in accordance with the manufacturer's specifications.</p>	<p>Air Quality</p> <p>(1) Prior to issuance of Building Permit</p> <p>(1) Prior to issuance of Grading Permit</p> <p>(2) On-going during construction activities</p>	<p>(1) Review of Plans and Specifications</p> <p>(2) Field verification</p> <p>(1) Construction contractor/manager shall submit signed letter verifying compliance</p> <p>(2) Field verification</p>	<p>City of Escondido</p> <p>City of Escondido</p>		
	<p>M-BI-1 Nesting Bird and Raptor Avoidance. If initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird breeding season for migratory birds and raptors (January 15 and September 15), the Project applicant shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. The pre-construction survey shall be performed no more than 7 days before the start of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.</p> <p>M-BI-2 Restoration, Preservation, and Management of On-Site Open Space. The Project applicant shall prepare and submit to the City of Escondido (City) and/or other responsible agencies of the Project for approval a Restoration Plan for the establishment/reestablishment and enhancement of sensitive habitat within the Project's open space. The Restoration Plan shall provide for replacement of impacted sensitive habitat, i.e., wetland/riparian sensitive natural communities and jurisdictional wetlands and waters in an amount to satisfy a no-net-loss standard for both function and spatial area of</p>	<p>Biological Resources</p> <p>(1) Prior to issuance of Grading Permit</p> <p>(2) Prior to construction</p> <p>(3) On-going during construction</p> <p>(1) Prior to the issuance of Grading Permit</p>	<p>(1) General Contractor to consult with qualified biologist to verify compliance with requirements</p> <p>(2) Qualified biologist to submit report documenting compliance with requirements</p> <p>(1) Review of plans and specifications</p>	<p>Verification by City of Escondido</p> <p>City of Escondido</p>	

THE VILLAGES – ESCONDIDO COUNTRY CLUB Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance		Remarks
				Initials	Date	
<p>weiland and non-weiland resources. The Restoration Plan shall include 5 years of maintenance and monitoring to ensure the restoration effort is successful.</p> <p>The Project applicant shall record a conservation easement, restrictive covenant, or other protective mechanism approved by the City and/or other responsible agencies of the Project over the establishment/reestablishment and enhancement areas. The conservation easement shall be included on final Project plans. The Project applicant shall prepare and submit to the City and/or other responsible agencies of the Project a Long-Term Management Plan for the on-site biological conservation easement areas. The Long-Term Management Plan shall include area specific management directives for maintenance, monitoring, and management of the conservation easement areas in perpetuity.</p> <p>The applicant shall also establish a non-wasting endowment for an amount approved by the City based on a Property Analysis Record or similar cost estimation method to secure the ongoing funding for the perpetual maintenance, monitoring, and management of the biological conservation easement area by an agency, non-profit organization, or other entity approved by the City. Upon approval of the draft Long-Term Management Plan, the applicant shall submit the final Long-Term Management Plan to the City and/or other responsible agencies of the Project and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity.</p> <p>The Project applicant shall install appropriate permanent fencing, along the boundary of the open spaces to discourage human access. The Project applicant shall also install signage on the fence to educate and inform the public about the open space and to prohibit access. The fencing shall be shown on all final Project plans.</p>	(1) During construction	(1) Field Verification	City of Escondido			
<p>M-B-3 Mature and Protected Tree Replacement. The Project applicant shall replace impacted mature trees at a minimum 1:1 ratio, unless otherwise determined by the City. The Project applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City's Director of Community Development.</p>	(1) During construction	(1) Field Verification	City of Escondido			
<p>M-CR-1 An archaeological resources monitoring program shall be implemented that shall include the following:</p> <ol style="list-style-type: none"> Prior to issuance of a grading permit, the applicant shall provide written verification to the City of Escondido (City) that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the Project archaeologist to the City. The City, prior to any preconstruction meeting, shall approve all persons involved in the monitoring program. The qualified archaeologist and a Native American representative(s) shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program. Native American monitors/representatives from the Rincon Band of Luiseno Indians, the San Luis Rey Band of Mission Indians, and the Kumeyaay Nation shall be invited to participate in the monitoring program. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and tribal representative shall be on site, as determined by the consulting archaeologist, to perform periodic inspections of the excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated. Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed. In the event that previously unidentified cultural resources are discovered, either the archaeologist or Native American representative shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the Project manager at the time of discovery. The archaeologist, in consultation with the Project manager for the lead agency, shall determine the significance of the discovered resources. The lead agency must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the lead agency before being carried out using professional archaeological methods. If any human bones are discovered, the San Diego County coroner and the lead agency shall be contacted. In the 	<p>Cultural Resources</p> <p>(1) At least 30 days prior to issuance of grading permit</p> <p>(2) On-going during construction</p>	<p>(1) The Project Applicant and City of Escondido shall prepare and execute written agreements with each monitoring Native American Tribes, addressing the roles of the Developer/Applicant, the Qualified Archaeologist, and the Tribes (Rincon Band of Luiseno Indians, the San Luis Rey Band of Mission Indians, and the Kumeyaay Nation)</p>	City of Escondido			

THE VILLAGES – ESCONDIDO COUNTRY CLUB PROJECT
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Initials	Verification of Compliance	Remarks
<p>event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposal of the remains.</p> <p>6. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.</p> <p>7. In the event of the discovery of human remains determined to be Native American, any artifacts associated with the burial will be repatriated with the human remains at the request of the Most Likely Descendant. All other artifacts that may be encountered during grading and collected by the archaeologist will be curated at an approved facility unless the Native American representatives request that the artifacts be repatriated to the tribal representative. In the event of the discovery of human remains determined to be Native American, any artifacts associated with the burial will be repatriated with the human remains at the request of the Most Likely Descendant. All other artifacts that may be encountered during grading and collected by the archaeologist will be curated at an approved facility unless the Native American representatives request that the artifacts be repatriated to the tribal representative.</p> <p>8. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits. The report will include DPR Primary and Archaeological Site Forms.</p> <p>#-CR-2 Prior to commencement of Project construction, a qualified paleontologist shall be retained to attend the Project pre-construction meeting and discuss proposed grading plans with the Project contractor(s). If the qualified paleontologist determines that proposed grading/excavation activities would likely affect previously undisturbed areas of Pleistocene-age alluvial deposits, then monitoring shall be conducted as outlined below.</p> <p>1. A qualified paleontologist or a paleontological monitor under the direction and supervision of a qualified paleontologist shall be on site during original cutting of Pleistocene-age alluvial deposits. A paleontological monitor is defined as an individual who has at least 1 year of experience in field identification and collection of fossil materials, and who is working under the direction of a qualified paleontologist. Monitoring of the noted geologic unit shall be conducted at least half-time at the beginning of excavation, and may be either increased or decreased thereafter depending upon initial results (per direction of a qualified paleontologist).</p> <p>a. Qualified Paleontologist: The project paleontologist is a person who has a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g. sedimentary or stratigraphic geology, evolutionary biology, etc.); has a demonstrated knowledge of southern California paleontology and geology; and has documented experience in professional paleontological procedures and techniques.</p> <p>b. Qualified Paleontological Monitor: A paleontological monitor is defined as an individual with at least one year of experience in field identification and collecting of fossil materials.</p> <p>Monitoring of the noted geologic unit shall be conducted at least half-time at the beginning of the excavation, and may be either increased or decreased thereafter by the qualified paleontologist depending upon initial results of monitoring.</p> <p>2. In the event that well-preserved fossils are discovered, a qualified paleontologist shall have the authority to temporarily halt or redirect construction activities in the discovery area to allow recovery in a timely manner (typically on the order of 1 hour to 2 days). All collected fossil remains shall be cleaned, sorted, cataloged and deposited in an appropriate scientific institution (such as the San Diego Natural History Museum) at the applicant's expense.</p> <p>3. A report (with a map showing fossil site locations) summarizing the results, analyses, and conclusions of the above-described monitoring/recovery program shall be submitted to the City within 3 months of terminating monitoring activities.</p>	<p>(1) At least 30 days prior to issuance of grading permit</p> <p>(2) On-going during construction</p>	<p>(1) Paleontological monitor shall prepare a monitoring report and submit to the City of Escondido</p>	<p>City of Escondido</p>			

THE VILLAGES – ESCONDIDO COUNTRY CLUB Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance	Remarks
<p>M-CR-3 As specified by California Health and Safety Code, Section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's 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 an 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. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code, Section 5097.98. The Native American remains shall be kept in situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on site and in the presence of a Native American monitor.</p>	<p>(1) Prior to commencement of any grading activity on-site (2) During grading</p>	<p>(1) The grading contractor and City of Escondido shall coordinate as necessary with San Diego County Coroner, Native American Heritage Commission, and the most likely descendant with respect to disposition and treatment of remains as provided in PRC 5097.98.</p>	<p>City of Escondido</p>	<p>Date</p>	<p>Remarks</p>
<p>M-GHG-1 The applicant or its designee will purchase and retire greenhouse gas (GHG) offsets to reduce the Project's GHG emissions level to 3.15 metric tons carbon dioxide equivalent (MT CO₂E) per service population per year, consistent with the performance standards and requirements set forth below.</p> <ol style="list-style-type: none"> The GHG offsets shall be secured from an accredited registry that is recognized by the California Air Resources Board (CARB) or a California air district, or from an emissions reduction credits program that is administered by CARB or a California air district. The GHG offsets shall represent the past reduction or sequestration of 1 MT CO₂E that is "not otherwise required," in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15126.4(c)(3). The GHG offsets shall be real, permanent, quantifiable, verifiable, and enforceable. The quantity of GHG offsets required to achieve the service population value set forth above shall be calculated in and supported by technical documentation that is submitted to the City of Escondido (City) as part of the Mitigation Monitoring and Reporting Program, using an approved methodology demonstrating the quantity of reductions is valid and sufficient. The calculations shall be prepared by a qualified GHG emissions consultant utilizing the California Emissions Estimator Model or other widely-accepted methodologies that are acceptable to the City. The calculations shall demonstrate the quantity of reductions is valid and sufficient, as determined by the City. <p>The applicant shall offset the Project's GHG emissions prior to receiving the 196th certificate of occupancy from the City. This represents 50% of the Project's residential build-out and thus the Project's emissions would be offset prior to completion of the Project.</p>	<p>(1) Prior to receiving the 196th certificate of occupancy from the City</p>	<p>(1) The Applicant shall provide a signed letter to the City of Escondido verifying compliance with the offset purchase.</p>	<p>City of Escondido</p>	<p>Date</p>	<p>Remarks</p>
<p>M-HZ-1 Prior to any Project construction, including demolition, excavation, or other earth-moving or soil disturbance activities, any areas of the Project site identified as containing or formerly containing aboveground storage tanks (ASTs), suspected underground storage tanks (USTs), floor drains, and/or clarifiers, shall be assessed for the presence of potential contaminants of concern. Any areas of the Project site found to be contaminated shall be remediated in conformance with applicable federal, state, and local laws. Assessment and remediation shall be to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency. No Project construction activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the areas of the Project site identified as containing or formerly containing ASTs, suspected USTs, floor drains, and clarifiers.</p>	<p>(1) Prior to Construction Plan Approval (2) Prior to issuance of Certificate of Occupancy</p>	<p>(1) Review of Plans and Specification (2) Field verification</p>	<p>City of Escondido</p>	<p>Date</p>	<p>Remarks</p>

THE VILLAGES – ESCONDIDO COUNTRY CLUB Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance	
				Initials	Date
Remarks					
<p>M-HZ-2 Prior to demolition, all on-site structures shall be tested to determine if they include asbestos-containing materials (ACMs). If present, ACMs shall be removed and disposed of by a licensed and certified asbestos abatement contractor, in accordance with all applicable federal, state, and local laws and regulations for asbestos removal and demolition operations.</p>	(1) Prior to demolition.	(1) The Project Applicant shall submit an asbestos report to the City of Escondido to ensure compliance with disposal of hazardous materials.	City of Escondido		
<p>M-HZ-3 Prior to demolition, all on-site structures shall be sampled to determine if they contain lead-based paint. If lead-based paint is present, health and safety procedures shall be initiated to protect workers during demolition activities, in accordance with all applicable federal, state, and local laws and regulations.</p>	(1) Prior to demolition	(1) The Project Applicant, through a qualified environmental consultant, shall submit a letter summarizing the lead sampling conclusions to the City ensure compliance with disposal of lead based paint construction debris.	City of Escondido		
<p>M-HZ-4 Prior to excavation and other earth-moving or soil disturbance activities, representative soil samples shall be collected from areas subject to historical agricultural use, submitted to a State of California-certified laboratory, and analyzed for the following potential contaminants of concern, as follows:</p> <ul style="list-style-type: none"> • Organochlorine Pesticides using U.S. Environmental Protection Agency (EPA) Method No. 8081A • Arsenic using EPA Method No. 6010 • CAM-17 Metals, including lead, using EPA Method Nos. 6000/7000 series <p>Any soil identified as contaminated shall be remediated in accordance with all applicable federal, state, and local laws to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency. No excavation or other earthmoving or soil-disturbance activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the historical agricultural use of the Project site.</p>	(1) No less than 30 days prior to initiation of grading activities (2) Prior to issuance of Grading Permit	(1) Project applicant shall submit a laboratory report summarizing results of the soil samples and remediation plan if necessary.	City of San Diego, County of San Diego Department of Environmental Health		

THE VILLAGES – ESCONDIDO COUNTRY CLUB Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Phase Noise	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance	
				Initials	Date
Remarks					
<p>M-N-1 Construction noise levels are anticipated to exceed the applicable City of Escondido (City) noise restrictions when equipment is operating less than approximately 200 feet from existing residences in the Project vicinity. The following mitigation is required:</p> <ul style="list-style-type: none"> Install temporary noise barriers around the construction site to minimize construction noise to 75 A-weighted decibels (dBA) as measured at the applicable property lines of the adjacent uses, unless an acoustical engineer submits documentation that confirms that the barriers are not necessary to achieve the attenuation levels. All construction equipment employing an internal combustion engine shall be equipped with suitable exhaust and intake silencers that are in good working order. Stationary construction equipment such as generators or compressors shall be located on site as far away from adjacent residential property boundaries as is practicable. Minimize, to the extent practical, the number of pieces of construction equipment operating simultaneously. <p>M-N-2 Prior to issuance of building permits for the commercial structures to be located in the Village Center, an acoustical analysis shall be conducted to evaluate sound levels from proposed heating, ventilation, and air-conditioning equipment at the adjacent residential property lines, in order to ensure compliance with the City's daytime limit of 50 dBA equivalent continuous sound level (L_{eq}). Shielding of equipment, selection of low-noise-generating equipment, or both shall be specified as necessary to achieve compliance with this standard.</p> <p>M-N-3 Prior to issuance of building permits for the commercial structures that include outdoor sound amplification systems, an acoustical analysis shall be conducted to evaluate sound levels from use of the proposed amplification systems at the adjacent residential property lines, in order to ensure compliance with the City's daytime limit of 50 dBA L_{eq}. Location and orientation of the speakers, volume governors, and/or sound barriers between the areas with sound amplification use and adjacent residences shall be specified, as necessary, to achieve compliance with this standard.</p> <p>M-N-4 To comply with the City's 60 dBA community noise equivalent level (CNEL) exterior noise standard for single-family and duplex rear yards, noise barriers would be required for some home lots along Country Club Way and Nimitz Street within the Project boundaries; see Table M-N-1. Barrier Heights at Rearyard Boundaries, for specific locations. Placing a barrier between the sound source (roadway) and receiver location (backyard) is an effective means of reducing sound levels at the receiver. If the barrier blocks a direct line of site between receiver and sound source, the minimum attenuation is approximately 5 dB; with increasing height of the wall, effective attenuation rates up to approximately 15 dB can be achieved. A standard barrier attenuation calculation was performed to determine the minimum necessary barrier height to achieve compliance with the 60 dBA CNEL criterion. Noise barriers shall either be (1) solid masonry walls, or (2) tongue-and-groove walls with 1-inch-thick lumber. Based on future predicted traffic noise levels, barriers with the indicated heights would be required along the rearyard boundary of the residences identified in Table M-N-1.</p>	<p>(1) Prior to construction</p> <p>(1) Prior to issuance of Building Permits</p> <p>(1) Prior to issuance of the Building Permits</p> <p>(1) Prior to Certificate of Occupancy</p>	<p>(1) Field verification</p> <p>(1) Project construction contractor shall submit a letter verifying full compliance with all requirements</p> <p>(2) Applicant shall submit a letter verifying compliance with this requirement</p> <p>(3) Field Verification</p> <p>(1) Field Verification</p>	<p>City of Escondido</p> <p>City of Escondido</p> <p>City of Escondido</p> <p>City of Escondido</p>		

Table M-N-1
Barrier Heights at Rearyard Boundaries

Roadway	Distance from Road	Required Barrier
West Country Club Road	Yard boundary greater than 75 feet from road edge	No barrier required
West Country Club Road	Yard boundary between 74 feet and 55 feet from road edge	5.5-foot-high barrier along yard boundary facing road

THE VILLAGES – ESCONDIDO COUNTRY CLUB Project
Mitigation Monitoring and Reporting Program

Mitigation Measure		Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Initials	Verification of Compliance	Remarks
West Country Club Road	Yard boundary between 54 feet and 30 feet from road edge						
West Country Club Road	Yard boundary less than 30 feet from road edge						
North Nimitz Street	Yard boundary between 50 feet and 25 feet from road edge						
	6-foot-high barrier along yard boundary facing road						
	8-foot-high barrier along yard boundary facing road						
	6-foot-high barrier along yard boundary facing road (for the closest lot in row perpendicular to Nimitz; other adjacent lots further away also protected)						
M-N-5	Restrict blasting operations to no more than 3 minutes of any given hour during allowable construction time periods.	(1) Prior to issuance of Building Permits.	(1) A signed letter verifying compliance with this requirement shall be submitted from a registered acoustical engineer	City of Escondido			
M-N-6	To reduce adverse effects related to rock blasting, the following measures shall be adhered to: <ul style="list-style-type: none"> The blasting contractor shall design the blasts to reduce vibration velocity levels from each blast below the damage threshold of 3.0 inches per second at the closest nearby residences (i.e., as close as 100 feet from the blast area). A blast signal (e.g., air horn) shall be used to notify nearby residents that blasting is about to occur per the California Code of Regulations, Title 8, Section 5291 Firing of Explosives regulations. Additionally, notification of surrounding property owners within 100 feet of blasting activities shall occur via U.S. mail at least one week prior to blasting activities. All complaints shall be responded to and investigated as they occur. 	(1) During Construction	(1) Field Verification	City of Escondido			
M-TR-1	Intersection #8, El Norte Parkway/Woodland Parkway. Prior to issuance of a building permit for the 15th dwelling unit, the Project applicant, or its designee, shall resripe the westbound approach of El Norte Parkway at Woodland Parkway to provide one left-turn lane, two through lanes, one right-turn lane, and a bike lane. The westbound leg (west of Woodland Parkway, now Borden Road) shall be resriped with two receiving lanes and a bike lane. The striped median and eastbound left-turn lane will be resriped to correct the offset. The westbound right-turn lane striping on Borden Road to the church driveway will be removed. The two westbound lanes shall continue westbound to Amber Drive, where a lane drop shall be striped to transition to a single westbound through lane. Traffic signal equipment at the El Norte Parkway/Woodland Parkway intersection shall also be modified to serve the revised geometry. No widening of El Norte Parkway or Borden Road will be required.	(1) Prior to issuance of building permit for 15th dwelling unit	(1) Review of improvement plans and field verification.	City of Escondido			

THE VILLAGES – ESCONDIDO COUNTRY CLUB PROJECT
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance	
				Initials	Remarks
<p>M-TR-2 Intersection #9, El Norte Parkway/Country Club Lane. Prior to issuance of a building permit for the 60th dwelling unit, the Project applicant, or its designee, shall restripe the eastbound approach of El Norte Parkway to provide a second eastbound left-turn lane, and shall also restripe northbound Country Club Lane (north of El Norte Parkway) to accept the two left-turn lanes and to taper to one lane south of the Country Club Lane/Golden Circle Driveway. The existing raised median on El Norte Parkway would be removed and reconstructed to accommodate the second eastbound left-turn lane. The eastbound through lanes shall also be restriped to accommodate the improvement. Traffic signal equipment at the El Norte Parkway/Country Club Lane intersection shall also be modified to serve the revised geometry. No widening of El Norte Parkway or Country Club Lane will be required. These improvements were included into the modeling, thus accounted for the LOS findings.</p>	<p>(1) Prior to issuance of building permit for 60th dwelling unit</p>	<p>(1) Review of improvement plans and field verification.</p>	<p>City of Escondido</p>		
<p>M-TR-3 Segment #10, El Norte Parkway from Nutmeg Street/Nordahl Road to I-15 SB Ramps. Prior to issuance of a building permit for the 272nd dwelling unit, the Project applicant, or its designee, shall revise and enhance the right-turn/night edge-line striping serving the commercial uses between Bourbon Road and the I-15 southbound ramps, commensurate with the striping improvements recently installed by the City of Escondido between Nutmeg Street/Nordahl Road and Bourbon Road to improve ingress and reduce driver confusion with respect to the commercial driveways' right-turn movement to Nutmeg Street. The Project shall also restrict the northbound left-turns from Bourbon Road to westbound El Norte Parkway with striping and signage, consistent with left-turn restrictions for the commercial driveway located directly across the intersection. The eastbound U-turn restriction at the El Norte Parkway/I-15 northbound ramps intersection should be removed to serve the displaced left-turns that will become downstream U-turns. There is sufficient distance in the intersection to serve the displaced left-turns from Bourbon Road, and the modest volume would not affect efficiency of the intersection. If Caltrans will not allow the U-turn at this intersection, the movement is allowed at the signalized El Norte Parkway/ Oaks intersection located approximately 350 feet farther east. Removal of left-turns from Bourbon Road to El Norte Parkway will eliminate a conflicting midblock movement and enhance operations on El Norte Parkway. Construction of M-TR-8 (dual southbound lefts on Nutmeg Street at El Norte Parkway) will also increase efficiency on El Norte Parkway by processing twice as many southbound left-turning vehicles per cycle, allowing for more green time to serve El Norte Parkway. M-TR-5 (additional ramp storage on the I-15 southbound on-ramp) will further improve operations on this segment by reducing the eastbound queuing that occurs on El Norte Parkway during the AM peak hour and queuing these vehicles on the ramp instead of the segment. Although it is not a mitigation measure, the proposed adaptive signal control proposed for the El Norte Parkway corridor within the study area will also improve capacity along this segment.</p>	<p>(1) Prior to issuance of building permit for 272nd dwelling unit</p>	<p>(1) Review of improvement plans and field verification</p>	<p>City of Escondido</p>		
<p>M-TR-4 Segment #15, Nutmeg Street from Country Club Lane to Via Alexandria. Prior to issuance of a building permit for the 145th dwelling unit, the Project applicant, or its designee, shall construct interim improvements in the existing right-of-way on southbound Nutmeg Street between La Paloma Avenue and Via Alexandria to provide a wider travel lane, and curb, gutter, and sidewalk improvements to the satisfaction of the City engineer. These improvements will enhance vehicular, pedestrian, and bicycle circulation and will increase capacity to mitigate the Project's impact. These improvements would also result in the clearing of trees/vegetation within the public right-of-way which would improve site visibility north of the driveway intersection. Furthermore, M-TR-6 (dual southbound left-turns from Nutmeg Street to El Norte Parkway) will serve to enhance the overall Nutmeg Street corridor operations by increasing traffic flow from Nutmeg Street to El Norte Parkway.</p>	<p>(1) Prior to issuance of Building Permit of the 145th dwelling unit</p>	<p>(1) Improvement plan review and field verification</p>	<p>City of Escondido</p>		
<p>M-TR-5 El Norte Parkway to I-15 Southbound On-Ramp. Prior to issuance of a building permit for the 170th dwelling unit, the Project applicant, or its designee, shall provide an additional Single Occupancy Vehicle (SOV) lane to the southbound on ramp. However, because the improvement would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can assure that Caltrans will permit the improvement to be made, for the purposes of this analysis, the long-term significant cumulative impact at this location is considered significant and unavoidable.</p>	<p>(1) Prior to issuance of building permit for the 170th dwelling unit</p>	<p>(1) Improvement plan review and field verification</p>	<p>City of Escondido</p>		
<p>M-TR-6 Intersection #12, El Norte Parkway/Nutmeg Street/Nordahl Road. Prior to issuance of a building permit for the 300th dwelling unit, the Project applicant, or its designee, shall restripe the south leg of Nutmeg Street to provide two southbound left-turn lanes, one shared through-right-turn lane, and a bike lane. The median on the north leg will need to be restriped. Traffic signal equipment at the subject intersection shall also be modified to serve the revised geometry. No widening of El Norte Parkway, Nutmeg Street or Nordahl Road will be required. This improvement will primarily improve the efficiency of the intersection by serving the dominant movement with two lanes instead of one. The secondary effect will be more</p>	<p>(1) Prior to issuance of a building permit for the 300th dwelling unit</p>	<p>(1) Improvement plan review and field verification.</p>	<p>City of Escondido</p>		

THE VILLAGES – ESCONDIDO COUNTRY CLUB Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Phase	Monitoring Method	Enforcement Agency & Responsible Agency	Verification of Compliance	
				Initials	Date
<p>green time per cycle to be allocated to El Norte Parkway. Another benefit will be to address the existing offset issue affecting north-south drivers through the intersection. Moving the through lane to the east will better align it with the receiving lane on the side (Nordahl Road) of the intersection.</p> <p>Segment #17, Bennett Avenue from El Norte Parkway to Toyon Glen – Prior to issuance of a building permit for the 162nd dwelling unit, the Project applicant, or its designer, shall resripe a two-way left-turn lane between El Norte Parkway and Toyon Glen. There are currently left-turn pockets striped at intervals along this segment. As such, there is sufficient room in the existing curb-to-curb width to stripe in the two-way left-turn lane. While the existing pockets serve to allow turning vehicles from Bennett Avenue to queue outside of the through lanes, they do not provide refuge for vehicles turning from the minor streets along the segment to Bennett Avenue.</p>	(1) Prior to issuance of building permit for 162nd dwelling unit.	(1) Improvement plan review and field verification.	City of Escondido		

PROJECT DESIGN FEATURES

- PDF-AQ-1 The Project would include an on-site speed limit of 15 miles per hour to reduce fugitive dust emissions during construction.
- PDF-AQ-2 Exceed 2016 Title 24 building energy efficiency standards by 15%. Additionally, the Project will include electricity-saving features, such as an increase in energy efficiency above the 2016 Title 24 standards and solar photovoltaic systems that satisfy 70% of the electricity demand for residential buildings and 50% of the electricity demand for the Village Center.
- PDF-AQ-3 Traffic-calming measures for all new streets and existing affected streets and intersections.
- PDF-AQ-4 Improve the pedestrian network of the community by constructing an integrated walking and bicycling trail that would connect the villages with the Village Center and adjacent community.
- PDF-GHG-1 Use reclaimed water for park and greenbelt irrigation.
- PDF-GHG-2 Use low-flow water fixtures.
- PDF-GHG-3 The Project includes 10 publicly accessible electric-vehicle charging stations at the Village Center.
- PDF-N-1 No outdoor amplified entertainment or announcements shall be allowed after 9 p.m. on weeknights or after 10 p.m. on weekend or holiday nights.
- PDF-N-2 Maximum occupancy for special events at the meeting and banquet facilities and event courtyard shall be 300 people.
- PDF-TR-1 The Project will include appropriate work zone traffic control plans to ensure efficient ingress/egress of vehicles, and to maintain access to Country Club Lane during construction.
- PDF-GE-1 The Update Geotechnical Report and Recommended Grading Specifications (Appendix 3.1.3-1, prepared by GEOCON Inc.), shall be adhered to for construction of the Project. The recommendations and site design features include but are not limited to the following:
 - All Project site slopes would be landscaped with drought-tolerant vegetation, having variable root depths and requiring minimal landscape irrigation.
 - All Project slopes would be drained and properly maintained to reduce erosion.
 - Concrete cracking would be prevented by limiting the slump of the concrete, proper concrete placement and curing, and placement of crack control joints at periodic intervals, in particular, where re-entrant slab corners occur.

PDF-HY-1

Low Impact Development (LID) strategies have been incorporated into the Project design, including:

- Minimize impervious areas.
- Avoid compaction in planned landscape spaces.
- Till and amend soil for improved infiltration capacity.
- Drain rooftops, roads, or sidewalks into adjacent landscape areas.
- Drain impervious surfaces through pervious areas.
- Replace pervious drainage ditches with open, vegetated swales.
- Collect runoff.
- Landscape with native or drought-tolerant species.
- Manage stormwater within proposed biofiltration BMPs.

PDF-HY-2

The Project design includes 10 proposed biofiltration BMPs, which would discharge runoff into proposed vegetated channels that ultimately would convey stormwater off site. All of the proposed biofiltration BMPs would be designed for water quality and hydromodification management plan requirements, per County of San Diego Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) specifications. Eight of the 10 BMPs would be designed to provide 100-year detention in order to route post-Project peak discharges back to pre-Project conditions for the Project site as a whole.

PDF-HY-3

The Project includes an area that, due to site constraints, cannot be conveyed into one of the 10 biofiltration BMPs; therefore, this area will include modular wetlands systems to treat stormwater.

PDF-HY-4

Anticipated frontage and off-site street improvements will be addressed using green street elements outlined in the City of Escondido BMP Design Manual. Green Street components will be addressed during final engineering.

ATTACHMENT PC-1

Draft General Plan Amendment and Rezone

PROPOSED GENERAL PLAN AMENDMENT AND REZONE:

**CHANGE OF LAND USE DESIGNATION AND ESTABLISHMENT OF
SPECIFIC PLANNING AREA #14 AT 1800 W. COUNTRY CLUB LANE, ESCONDIDO, CA
SUB 16-0009 / PHG 16-0018 / ENV 16-0010**

I. Land Use Element - Land Use Designations Map

The General Plan Land Use Map is amended as shown (incorporates SUB 16-0009 / PHG 16-0018 / ENV 16-0010 land use mapping strategy described in the October 24, 2017 Planning Commission staff report), as attached hereto and made a part hereof. All parcels will carry the Specific Plan (SP) General Plan Land Use. The entire, existing General Plan land use map in on file with the Office of the City Clerk.

Each parcel associated with the proposed General Plan Amendment:

APNs	Existing General Plan Land Use Designation	Proposed General Plan Land Use Designation
223-210-53	Residential Urban 1	SPA #14
224-211-05, -11, -12, -15	Residential Urban 1	SPA #14
224-230-36	Residential Urban 1	SPA #14)
224-430-04	Residential Urban 1	SPA #14
224-431-01, -02, -03	Residential Urban 1	SPA #14
224-490-05, -06	Residential Urban 1	SPA #14
224-491-01	Residential Urban 1	SPA #14
224-811-28	Residential Urban 1	SPA #14

The map changes amend the following in the General Plan Land Use Element:

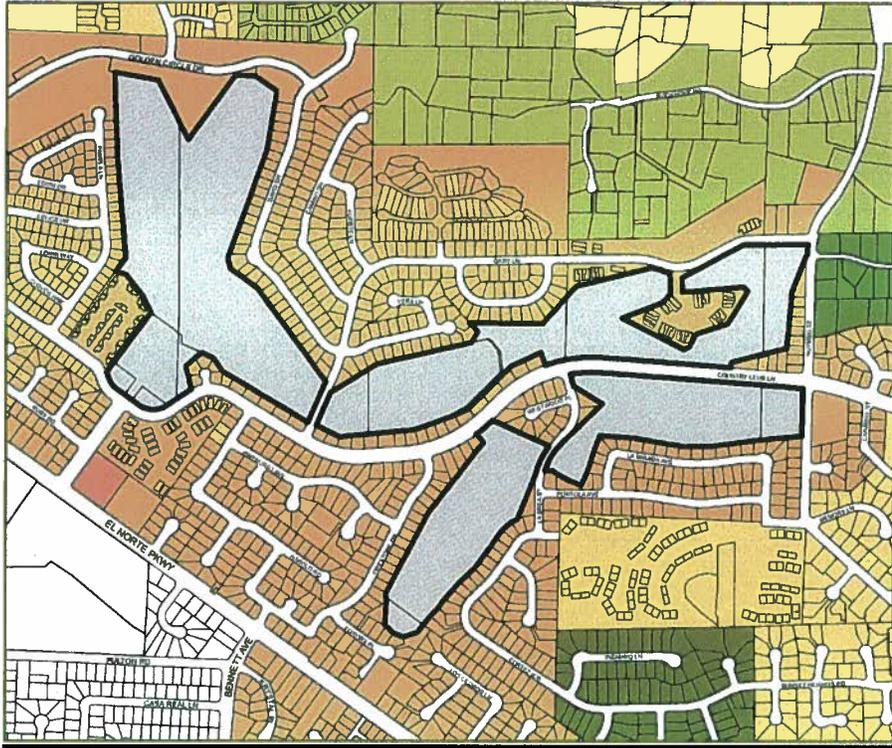
- Page II-3, Figure II-1: Color of Project site to be changed from orange (Urban 1) to light gray (Specific Plan)
- Page II-38, Figure II-8: Project site to be labelled as SPA #14

II. Land Use Element - Specific Planning Areas

Amendments to the Land Use Element (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

3. Page II-61: Graphic and text to be inserted for new SPA #14 and new Figure II-18, as follows:

14. The Villages SPA #14



Location: The Project site is located in the northwest portion of the City, along both sides of West Country Club Lane, west of Nutmeg Street.

Size: Approximately 109.3 acres (Figure II-19).

Current Status: privately owned land consisting primarily of an abandoned 18-hole golf course.

Adopted Plan Details: The Villages Specific Plan establishes developments standards and guidelines for this SPA. The project is a planned community with that includes a total of 380 residential homes at 3.5 dwelling units per acre; approximately 48.9 acres of permanent open space with active greenbelts; 3.5 acre of parks; and recreational, social, and community amenities in a Village Center

SPA 14 Guiding Principles:

The subject site provides a unique opportunity to allow for a compact mixed-use village in an already urbanized area, with existing infrastructure in place. The Specific Plan shall confer citywide benefits of infill development through goals and policies designed to incorporate smart growth principles. The Specific Plan shall also establish provisions for comprehensively planned development, focused on context sensitivity, to ensure that the new development is compatible with existing community character.

III. Clerical Changes

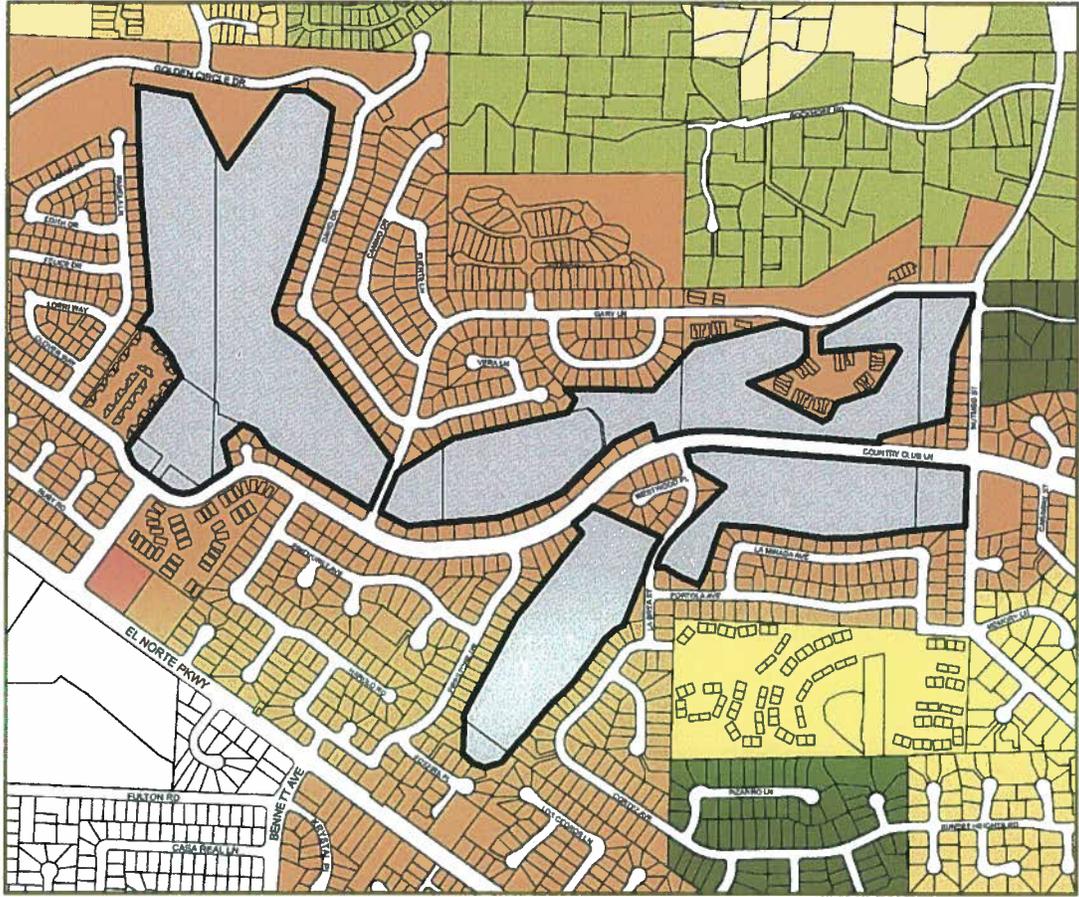
The City Clerk be hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this General Plan Amendment and Rezone reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repeal of existing provisions.

IV. Official Zoning Map

That the Official Zoning Map, also known as the Zoning Map of the City, is amended as shown (incorporates SUB 16-0009 / PHG 16-0018 / ENV 16-0010 land use mapping strategy described in the October 24, 2017 Planning Commission staff report), as attached hereto and made a part hereof. All parcels will carry the Specific Plan No. 14 (SP#14) Zoning Designation. The existing, complete Map being amended is on file with the Office of the City Clerk.

Each parcel associated with the proposed Rezone:

APNs	Existing Zone	Proposed Zone
223-210-53	R-1-7	Specific Plan (SP)
224-211-05, -11, -12, -15	R-1-7	Specific Plan (SP)
224-230-36	R-1-7	Specific Plan (SP)
224-430-04	R-1-7	Specific Plan (SP)
224-431-01, -02, -03	R-1-7	Specific Plan (SP)
224-490-05, -06	R-1-7	Specific Plan (SP)
224-491-01	R-1-7	Specific Plan (SP)
224-811-28	R-1-7	Specific Plan (SP)



ATTACHMENT PC-2

Draft Specific Plan, dated October 16, 2017

<https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/ECC/finalEIR/VillagesSpecificPlan10-13-171.pdf>

Hardcopies of the proposed Specific Plan are available to review during normal business hours in the Office of the City Clerk, located at 201 North Broadway, Escondido, CA 92025.

ATTACHMENT PC-3

Draft Development Agreement Terms

Draft Development Agreement Term Sheet

Disclaimer:

The following term list is a preliminary framework of public benefits and City obligations.

Public Benefits:

- Demolition and removal of the dilapidated clubhouse within six months of the effective date of the ordinance approving the Development Agreement.
- Upsized BMP controls and connections to bring runoff from adjacent properties on site and treat the runoff. City to approve media used.
- Surplus of active parkland beyond the applicable level of service. At least 3.5 acres of active parkland used for recreational space.

City's Obligations:

- Allow grading prior to final map recordation. Grading permit necessary for the clubhouse demolition will be processed using the City's expedited pilot program with no additional fees.
- Extend life of entitlement for a total of five years.
- Credit all parkland development impact fees at the amount in effect at the time of the effective date of the agreement.

ATTACHMENT PC-4

**CEQA Findings of Fact and Statement of Overriding
Considerations**

DRAFT

The Villages – Escondido Country Club Project

Candidate CEQA Findings of Fact and Statement of Overriding Considerations

Final Environmental Impact Report, SCH #2017011060
City Project No. PHG 16-0009 / ENV 16-0010

October 14, 2017

Prepared for/by:



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

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TABLE OF CONTENTS

I.	Introduction.....	1
I.A	Findings of Fact and Statement of Overriding Considerations.....	1
I.B	Record of Proceedings	4
I.C	Custodian and Location of Records	5
II.	Summary of Project description	5
II.A	Project Location and Environmental Setting	6
II.B	Surrounding Environment.....	6
II.C	Project Land Uses and Improvements	6
II.D	Discretionary Actions and Associated Project Approvals	9
II.E	Project Objectives	10
III.	Environmental Review and Public Participation.....	11
IV.	General Findings.....	13
V.	Environmental Impact Findings	15
V.A	Legal Requirements for Impact Findings.....	15
V.B	Summary of Impact Findings.....	17
V.C	Environmental Impacts Determined to be Not Significant or Less than Significant.....	19
V.D	Findings Regarding Significant Impacts that Will be Mitigated to Below a Level of Significance (CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1)).....	24
V.E	Findings Regarding Significant Unavoidable Impacts where Mitigation Measures are the Responsibility of Another Agency (CEQA Section 21081(a)(2) and Guidelines Section 15091(a)(2)) or Are Otherwise Infeasible (CEQA Section 21081(a)(3) and Guidelines Section 15091(a)(3)	47
VI.	Findings Regarding Project Alternatives.....	49
VI.A	Alternative Development Location Alternative Considered and Rejected from Further Evaluation in the EIR.....	51
VI.B	Summary of Alternatives Considered in the Final EIR.....	52
VI.C	Findings Regarding Alternatives Considered in the Final EIR.....	54
VII.	Growth-Inducing Impacts.....	57
VIII.	Mitigation Monitoring and Reporting Program.....	58
IX.	Statement of Overriding Considerations	58

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I. INTRODUCTION

I.A FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

The following Candidate Findings of Fact and Statement of Overriding Considerations are made for the Villages – Escondido Country Club Project (hereinafter referred to as the “Project”). The environmental effects of the Project were identified and analyzed in the Villages- Escondido Country Club Draft Environmental Impact Report (“Draft EIR”) (June 2017) and in the Final Environmental Impact Report (October 2017) (State Clearinghouse No. 2017011060) which includes Responses to Comments, Corrections/ Errata to the Draft EIR, the Final EIR, and the Mitigation Monitoring and Reporting Program (“MMRP”) (State Clearinghouse No. 2010071004) (collectively, “Final EIR”). The Final EIR is hereby incorporated by reference.

The California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000, *et seq.*) and the CEQA Guidelines (Guidelines) (14 Cal. Code Regs. Sections 15000, *et seq.*) promulgated thereunder, require that the environmental impacts of a Project be examined before a Project is approved. In addition, if significant impacts have been identified, CEQA and the Guidelines require that a public agency prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding. It is the discretion of the decision-maker certifying the Final EIR to determine the adequacy of the proposed Findings. Specifically, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the Project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

These requirements are also incorporated in Public Resources Code Section 21081.

The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of mitigation measures as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Should significant and unavoidable impacts remain after changes or alterations are applied to the Project, a Statement of Overriding Considerations must be prepared. The statement provides the lead agency’s views on the ultimate balancing of the merits of approving a Project despite its environmental damage. Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed Project against its unavoidable

environmental risks when determining whether to approve the Project. If the specific economic, legal, social, technological, or other benefits of a proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

- (b) When the lead agency approves a Project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the Project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The Final EIR for the Project identified potentially significant effects. However, the City Council finds that the inclusion of certain specified mitigation measures as part of the Project approval will reduce most, but not all, of those effects to less-than-significant levels. The one remaining impact to traffic which is not reduced to less-than-significant levels – a significant long-term cumulative traffic impact at the Interstate 15 (I-15) southbound on-ramp at El Norte Parkway – is identified and overridden due to specific project benefits. (See **Section IX, Statement of Overriding Considerations**, below). Although mitigation is proposed to reduce this impact, it is considered a significant unavoidable impact even with the identified mitigation improvements because the improvements are located within the jurisdiction and responsibility of the California Department of Transportation (“Caltrans”), and neither the applicant nor the City of Escondido can ensure that Caltrans will permit the improvement to be made.

Having received, reviewed, and considered the Final EIR for the Villages – Escondido Country Club Project proposal, State Clearinghouse No. 2017011060, as well as all other information in the Record of Proceedings (as defined below) on this matter, the following Findings are hereby adopted by the City Council of the City of Escondido (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Project.

The City Council has reviewed and considered the Final EIR for the Project. The City Council certifies that the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines, and the City’s requirements. The City Council adopts these “Candidate CEQA Findings of Fact and Statement of Overriding Considerations for the Villages- Escondido Country Club Project.”

I.B RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed Project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) of a Draft EIR, dated January 25, 2017, Initial Study Checklist, and all other public notices issued by the City in conjunction with the proposed Project;
- Comments received on the NOP;
- Scoping Meeting(s) and comments received at Scoping Meeting(s)
- The Notice of Availability and Notice of Completion of the Draft EIR, dated June 28, 2017.
- The Notice of Extended Comment Period dated August 8, 2017.
- The Draft EIR (June 2017) and its appendices for the proposed Project, circulated for public review between June 28, 2017 and August 18, 2017;
- All written comments received from agencies, organizations, or members of the public during the public review comment period on the Draft EIR;
- All responses to written comments received from agencies, organizations, or members of the public during the public review comment period on the Draft EIR, and included in the Final EIR;
- All written and verbal public testimony presented during a noticed public hearing for the proposed Project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in the Responses to Comments;
- The reports and technical memoranda included or referenced in the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference or cited to in the Draft EIR and Final EIR;
- The Final EIR and all supplemental documents prepared for the Final EIR;
- Any supplemental documents submitted to the City prior to public hearings on the Project;
- Matters of common knowledge to the City, including but not limited to federal, state and local laws and regulations;
- Any documents expressly cited in these Findings;
- City staff report(s) prepared for this Project, for any hearing related to the proposed Project, and any exhibits thereto;
- Project permit conditions; and

- Any other relevant materials required to be in the record of proceedings by CEQA Section 21167.6(e).

The Draft EIR and related technical studies were made available for review during the public review period on the City's website at <https://www.escondido.org/ecc.aspx> and at the following locations:

- Escondido Public Library, 239 S. Kalmia Street, Escondido, California; and
- Escondido City Hall 201 N. Broadway, Escondido, California.

Public notices and project updates concerning the City's review process were also posted on the City's website.

I.C CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials which constitute the administrative record for the City's actions related to the Project, as detailed in **Section I.B.** above, are located at the Escondido City Hall, 201 N. Broadway. The Planning Division of the Community Development Department is the custodian of the administrative record for the Project. Copies of these documents, which constitute the Record of Proceedings, are, at all relevant and required times have been, and will continue to be available upon request at the offices of the City Hall. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

II. SUMMARY OF PROJECT DESCRIPTION

The Project applicant, New Urban West, Inc., proposes to develop the Villages- Escondido Country Club project, a single-family residential development comprising 380 residential homes (as revised), approximately 48.9 acres of permanent open space with active greenbelts; parks; and recreational, social, and community amenities on the site of the former Escondido Country Club golf course. The Project site consists of approximately 109 acres, of which 44.7 percent would be retained in permanent open space with active greenbelts; parks; and recreational, social, and community amenities. The Project would require concurrent discretionary approval of a Specific Plan, General Plan Amendment, Zone Change, Tentative Subdivision Map, and a Specific Alignment Plan. The applicant also seeks approval of a Development Agreement relative to the Project.

II.A PROJECT LOCATION AND ENVIRONMENTAL SETTING

The Project site is located in the northwest portion of the City, along both sides of West Country Club Lane west of Nutmeg Street. The Project site currently has an address of 1800 West Country Club Lane and consists of approximately 109 acres. Regionally, the City is situated in northern San Diego County, about 30 miles north of downtown San Diego via Interstate 15 (I-15). The Project site is approximately 0.5 miles to the west of I-15, and about 2 miles north of State Route 78 (SR-78). The City of San Marcos boundary is approximately 0.2 miles to the southwest of the Project site.

The Project site is privately owned land consisting of an abandoned 18-hole golf course. Existing development on the site consists of concrete paved golf cart paths, several shallow lakes, six wells, a bathroom facility, and a clubhouse with associated pool, tennis court, asphalt-paved parking lot, and other hardscape improvements. The country club and golf course are no longer active, and the site is currently characterized by disturbed, fallow land. The man-made channels and basins/ponds that occur are no longer maintained and supported by irrigation water from the golf course, and as a result, most are in a dysfunctional state. The former golf course in its current state has resulted in code enforcement issues for the City.

II.B SURROUNDING ENVIRONMENT

Surrounding land uses include residential development in all directions. The surrounding residential development consists of single-family detached residences on a variety of lot sizes, attached single-family residences (duplexes) of several different densities, and several common-interest developments. Lot sizes range from duplex dwellings on about 2,000- square- foot lots to detached single-family homes on approximately 7,000-square foot lots. A large mobile-home park is located to the south on El Norte Parkway within the City of San Marcos.

II.C PROJECT LAND USES AND IMPROVEMENTS

The Project involves a series of actions to implement the Villages – Escondido Country Club Project proposal, which includes residential land uses, a Village Center, and open space on approximately 109 acres of land. Project development would include a total of 380 residential homes and 48.9 acres of permanent open space with active greenbelts; parks; and recreational, social, and community amenities. The dedicated open space comprises approximately 44.7 percent of the Project site. The proposed land uses for the Project include three (3) interrelated residential villages; an open space system and recreational and social amenities; circulation and infrastructure improvements; and offsite improvements as follows:

Residential Village Component:

- **Village 1** would be located north of West Country Club Lane, and is generally bounded by Golden Circle Drive, Pamela Lane, David Drive, Gary Lane, and West Country Club Lane. Village 1 would include approximately 148 homes. Village 1 would also include a number of social and community amenities, such as a convenience grocery store, a restaurant, a community farm, and a Village green. Recreational amenities would include a swimming pool, gym facility, and other community amenities. Primary access would be from West Country Club Lane at the location of the current clubhouse and from Gary Lane.
- **Village 2** would be located north of West Country Club Lane, and is generally bounded by Gary Lane, David Drive, Calle Redonda Lane, Wren Glen, Nutmeg Street, and West Country Club Lane. Village 2 would include approximately 86 homes in two neighborhoods. One of the two neighborhoods would have primary access from Gary Lane and from an extension of La Brea Street north of West Country Club Lane. The second neighborhood would have access from another point along West Country Club Lane.
- **Village 3** would be located south of West Country Club Lane, and is generally bounded by Firestone Drive, Cortez Avenue, La Brea Street, La Mirada Avenue, and Nutmeg Avenue. Village 3 would include approximately 146 homes in two neighborhoods. The two neighborhoods would have access from West Country Club Lane, Nutmeg Street, and La Brea Street.

Open Space, Recreational, and Social Amenities:

The 48.9-acre Open Space system would consist of approximately 29 acres of landscaped greenbelt and 19 acres of environmental channels and retention basins to convey stormwater from San Marcos Creek through the Project site and stormwater from the Project site. The proposed greenbelt would have a series of parks along an approximately 4-mile-long walking trail system.

A new, rebuilt Clubhouse would replace the former clubhouse. Recreational amenities would include a swimming pool, gym facility, and other community amenities. Social and community amenities would also be developed at the Project site to revitalize the site and broader community. These amenities would include:

- **Contemporary Restaurant and Bar:** This establishment will be open to village residents and the general public. Fresh produce from the professionally managed

community farm will be a feature in the farm-to-table style cuisine offered by the professionally operated restaurant.

- **Community Farm:** A professionally managed community farm will supply fresh seasonal produce to the restaurant and to the convenience grocery store.
- **Banquet Facilities and Event Courtyard:** The banquet facilities and courtyard gathering area will be available for village residents and other Village Center members to reserve and rent for a fee. These facilities can be used for weddings, community events, and other types of celebrations.
- **Village Green:** A large Village Green with a small concert/performance facility will be located within the Village Center site. This area will function as an informal gathering area for all residents and visitors.
- **Convenience Grocery Store:** This store will feature locally grown produce from the onsite community farm.
- **Administrative Offices:** The administrative operations for The Villages Homeowners Association that will be established to manage the residential units and associated resident amenities included as a part of the Village Center will be housed in this area.

Circulation and Infrastructure:

The Project will complete a circulation system interconnected with the existing adjacent public street system. The Project will create three new connections with West Country Club Lane, with two connections converting T-intersections into four-way intersections at North Golden Circle Drive and La Brea Street and one connection creating a T-intersection on West Country Club Lane. A new four-way intersection will be created on Gary Lane that provides secondary access to both Villages 1 and 2. A public street for access to Village 3 will create one new T-intersection to La Brea Street south of West Country Club Lane, and a new T-intersection providing access to the small eastern portion of Village 2 will be created on Gary Lane near Nutmeg Street.

The Project would also develop a Specific Alignment Plan (SAP) to improve Country Club Lane from Golden Circle Drive to the west to Nutmeg Street to the east with traffic calming features to reduce speeds along the corridor and improve the overall road user experience for all modes of transportation. The Specific Alignment Plan is anchored by a proposed roundabout at the Country Club Lane/Golden Circle Drive intersection, the north leg of which would be the Village 1 driveway. The second roundabout in the corridor is proposed at La Brea Street.

Other infrastructure improvements consist of connections to the adjacent water infrastructure, wastewater system, recycled water system, and dry utilities (including natural gas, electricity, telephone, cable TV, etc.). A major benefit of the Project is the removal of existing concrete

drainage channels that currently convey drainage through the Project site and the construction of open vegetated drainage channels that provide a safe drainage course for the stormwater runoff from the Project site, the existing surrounding development, and the existing tributary drainage flowing through the Project site into San Marcos Creek. The Project will also construct a number of biofiltration stormwater management basins distributed throughout the site to promote water quality treatment and hydromodification management of stormwater runoff from the project area.

Offsite Improvements:

The Project will construct minor off-site utility improvements to the existing circulation system. Other minor off-site utility improvements may consist of making connections to, and minor relocation of the adjacent existing water, wastewater, drainage, natural gas, electric and telecommunication systems.

Construction and Phasing:

The Project would minimize impacts of new development on existing public facilities by constructing public improvements prior to or concurrent with issuance of residential building permits. Issuance of building permits for the housing units would be market driven and generally phased along with the necessary public improvements. The SAP improvements would be phased alongside each village.

II.D DISCRETIONARY ACTIONS AND ASSOCIATED PROJECT APPROVALS

The Project requires the following discretionary approvals by the City:

- (a) **General Plan Amendment:** Approval of a General Plan Amendment to amend the land use designation of the site from Residential Urban 1 (which allows up to 5.5 dwelling units per acre) to Specific Plan Area #14 (SPA#14) to provide the flexibility to create a mix of open space uses, residential uses of varying densities, and social and recreational uses. New text and graphics would be added to Section I, on page II-38 and II-60, to support the new Specific Plan, and an amendment to the Land Use map would change the subject site from Residential Urban 1 to an SPA#14 land use designation. The Project would develop at a density of approximately 3.5 dwelling units per acre.
- (b) **Zone Change:** Approval of a Zone Change to change the existing R-1-7 zone to Specific Plan (SP) Zone.
- (c) **Specific Plan:** Adoption of the Specific Plan text and land use map as an integrated residential development, with supporting commercial, public facilities, recreation, and open space.

- (d) **Tentative Subdivision Map:** Approval of a Tentative Subdivision Map for the subdivision of the property into 303 lots, which would accommodate 222 residential lots (including individual residential lots and common ownership lots), public streets, grading and drainage, private driveways, a Village Center, public parks, passive and active open space areas, channels, basins, and other infrastructure improvements.
- (e) **Specific Alignment Plan:** Approval of a full-width Specific Alignment Plan (SAP) for West Country Club Lane from Golden Circle Drive to Nutmeg Street to improve the overall road experience for all modes of transportation.
- (f) **Development Agreement:** Approve a Development Agreement application pursuant to Government Code Sections 65864 through 65869.5 (the "Development Agreement Statutes"), in order to extend the amount of time allowed to record a final map for an additional two (2) years, to partially or fully waive parkland impact fees, and to process grading permits prior to map recordation.

II.E PROJECT OBJECTIVES

Section 15124(b) of the CEQA Guidelines requires an EIR to include a statement of objectives sought by a Project. The underlying purpose of the Project is to revitalize an existing residential area surrounding the Escondido Country Club community, and to develop a new community with unique homes and interrelated open space and recreation amenities on approximately 109 acres near existing and planned infrastructure, services, and jobs in the vicinity of the North San Diego County Interstate 15 (I-15) corridor. As described in **Section 1.1** of the Final EIR, the following objectives are identified for the proposed Project:

1. Eliminate the blighted condition of the current Project site and abate hazards to public health and safety.
2. Assist the City in implementing the General Plan's housing goals by increasing the City's housing stock and diversifying the range of housing opportunities.
3. Provide a variety of housing types and designs within interrelated villages located adjacent to an existing, established residential community.
4. Create an interrelated open space system including a greenbelt with walking trails, pocket parks, and landscape areas, in addition to active recreation facilities, to facilitate an active and healthy lifestyle for residents, thereby assisting the City in implementing the General Plan's community health and services goals.
5. Provide a place for the community to gather, socialize, dine, and recreate thereby assisting the City in implementing the General Plan's community health and services goals.
6. Provide a Specific Alignment Plan as part of the Project that would provide a series of intersection improvements designed to calm traffic speeds and enhance pedestrian and bicycle circulation.

7. Protect privacy of existing residents by providing a landscaped buffer between all new and existing homes.
8. Implement sustainable design measures to enhance walkability, minimize water usage for both interior and exterior facilities, and maximize energy-saving features; and cluster residential within established single-family villages or neighborhoods to maintain site topography, protect natural resources, and avoid hazards consistent with the City's land use goals.
9. Implement timely public facilities within existing service areas without burden or cost to existing residents, visitors, or North San Diego County incorporated and unincorporated communities.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

Environmental review of the Project was conducted by the City as follows:

Initial Study Checklist. The City prepared an Initial Study Checklist in accordance with CEQA Guidelines Section 15063. The Initial Study Checklist was posted on the City's website on January 25, 2017. Based on the Initial Study, the City determined an EIR would be prepared to address potential direct and cumulative impacts associated with air quality, aesthetics, biological resources, cultural resources/tribal resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use and planning, noise, public services, transportation/traffic and utilities and services.

Notice of Preparation. In accordance with Guidelines Section 15082, the City distributed a Notice of Preparation (NOP) of an EIR to the State Clearinghouse, local and regional responsible agencies, and other interested parties on January 25, 2017 for a 30-day comment period which ended on February 24, 2017. The Initial Study was provided as an attachment to the NOP. The City also advertised the NOP comment review period in an Escondido Country Club e-newsletter, print flyers at City Hall, and a display ad in a local newspaper; and made an announcement in the City Manager's weekly log and at a January Planning Commission meeting. Various agencies and other interested parties responded to the NOP. Pursuant to Senate Bill 18 and Assembly Bill 52, the City provided consultation opportunity with Native American tribes, as relevant. The City's NOP and associated comments are included in the Final EIR as Appendix 1-1.

Scoping Meeting. The City held an informational Scoping Meeting on February 13, 2017 to encourage public participation and obtain input regarding potential environmental impacts as part of the EIR preparation process. Approximately 120 people attended the scoping meeting, and written comments were submitted to the City at the scoping meeting.

Draft EIR. The Draft EIR for the proposed Project was then prepared and circulated for review and comment by the public, agencies, and organizations and was circulated for public review and comment pursuant to the State CEQA Guidelines for a period of 52 days: June 28, 2017 to August 18, 2017.

Notice of Availability. A Notice of Availability (NOA) of the Draft EIR for review was mailed to organizations and parties expressing interest in the Project on June 28, 2017 notifying the general public, public agencies, and interested individuals and organizations that a 45-day public review period would begin on June 28, 2017 and end on August 11, 2017. The Notice of Availability was also filed with the City Clerk, published in the Daily Transcript, and posted on the City's website.

Notice of Completion. A Notice of Completion the Draft EIR was circulated to State agencies for review through the State Clearinghouse, Office of Planning and Research (SCH No. 2017011060) on June 28, 2017.

Notice of Extended Comment Period. On August 8, 2017, the City provided a Notice of Extended Comment Period and extended the public comment period for the Draft EIR by seven (7) days, to close August 18, 2017, for a total public review and comment period of 52 days.

Response to Comments. As noted above, the public comment period on the Draft EIR concluded on August 18, 2017. During the 52-day public review period, staff received 442 comment letters and emails from 379 residents, businesses, agencies, or other community members. Pursuant to CEQA Guidelines Section 15088, the City prepared responses to all written comments received on the Draft EIR which raised environmental issues. These comments and the response to comments have been incorporated into the Final EIR. Responses to public agency comments were released for a 10-day public notice period on October 13, 2017 and ending on October 23, 2017, pursuant to Public Resources Code Section 21092.5.

Final EIR. The Final EIR was distributed on October 13, 2017. The Final EIR was prepared by the City in accordance with CEQA statutes and CEQA Guidelines. The Final EIR contains copies of all comments and recommendations received on the Draft EIR, a list of persons, organizations and public agencies commenting on the Draft EIR, responses to comments received during public review, changes to the Draft EIR, and the MMRP.

Planning Commission Public Hearing. On October 24, 2017, the City of Escondido Planning Commission (Planning Commission) held a public hearing on the proposed Project and provided a recommendation to the City Council.

EIR Certification. With respect to the entitlements over which the City Council has final approval authority and pursuant to CEQA Guidelines Section 15090, the City Council certifies that:

- a. The Final EIR constitutes an adequate, accurate, objective and complete final environmental impact report in full compliance with the requirements of CEQA and the State CEQA Guidelines;
- b. The Final EIR has been presented to the City Council, and the Council has reviewed and considered the information contained in the Final EIR prior to taking action on the Project; and
- c. The Final EIR, as certified, reflects the City Council's independent judgment and analysis.

Pursuant to CEQA Guidelines Section 15091(e), the administrative record of these proceedings is located, and may be obtained from, the City of Escondido, Community Development Department, Planning Division, 201 North Broadway, Escondido, CA 92025. The custodian of these documents and other materials is the Community Development Department, Planning Division.

Notice of Determination. Upon approval of the Project, the City shall file a Notice of Determination with the County Clerk of San Diego County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA Section 21152.

IV. GENERAL FINDINGS

The City hereby finds as follows:

- Pursuant to CEQA Guidelines Sections 15050 and 15051, the City is the "Lead Agency" for the proposed Project evaluated in the Final EIR.
- The Draft EIR and Final EIR were prepared in compliance with CEQA and the CEQA Guidelines.
- The City has independently reviewed and analyzed the Draft EIR and Final EIR, and these documents reflect the independent judgment of the City Council and the City as the Lead Agency for the Project.
- In determining whether the proposed Project has a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has based its decision on substantial evidence and has complied with CEQA Sections 21081.5 and 21082.2 and Guidelines Section 15901(b).

- The impacts of the proposed Project have been analyzed to the extent feasible at the time of certification of the Final EIR.
- Pursuant to Senate Bill 18 and Assembly Bill 52, the City provided consultation opportunities with Native American tribes, as relevant.
- The City evaluated comments on the environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments; and the responses, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR. The City reviewed the comments received and the responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The City has based its actions on a full evaluation of all comments in the Record of Proceedings, concerning the environmental impacts identified and analyzed in the Final EIR.
- The City evaluated the clarifications, enhancements, and minor revisions made to the EIR after preparation of the Draft EIR. In accordance with CEQA, the City finds that recirculation of the Draft EIR prior to certification is not required pursuant to CEQA Guidelines Section 15088.5 because no “significant new information,” as defined in that section, has been added to the EIR after public notice of availability of the Draft EIR.
- The City has made no decisions that constitute an irretrievable commitment of resources toward the proposed Project prior to certification of the Final EIR, nor has the City previously committed to a definite course of action with respect to the proposed Project;
- Any finding made by the City shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by this City, whether or not any particular sentence or clause includes a statement to that effect. The City intends that these findings be considered as an integrated whole and, whether or not any part of these findings fail to cross reference or incorporate by reference any other part of these findings, that any finding required or committed to be made by the City with respect to any particular subject matter of the Final EIR, shall be deemed to be made if it appears in any portion of these findings.
- These findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft EIR and the Final EIR, on the one hand, and these Findings, on the other, these Findings shall control, and the Draft EIR, Final EIR, or both, as the case may be, are hereby amended as set forth in these findings.
- No significant irreversible environmental changes which would be involved in the proposed Project which have not been discussed within the individual sections of the Final EIR.

- Copies of all the documents incorporated by reference in the Final EIR are and have been available upon request at all times at the offices of the City, custodian of record for such documents or other materials.
- Having received, reviewed, and considered all information and documents in the record, the City hereby conditions the proposed Project and makes the findings as stated in herein. To the extent that these Findings conclude that various Project design features and Mitigation Measures outlined in the Final EIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to implement these measures. These Findings, therefore constitute a binding set of obligations that will come into effect when the City formally approves the proposed Project. The Project design features and adopted Mitigation Measures are included in the MMRP adopted concurrently with these Findings and will be effectuated through the process of Project implementation.

V. ENVIRONMENTAL IMPACT FINDINGS

V.A LEGAL REQUIREMENTS FOR IMPACT FINDINGS

The CEQA statute at Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible Mitigation Measures available that would substantially lessen the significant environmental effects of such projects[...].” The procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures that will avoid or substantially lessen such significant effects. However, “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects.”

The principles established in CEQA Section 21002 are implemented, in part, through the requirement that an agency must adopt findings before approving a project for which an EIR has been certified which identified one or more significant environmental effects of a project. For each significant environmental effect identified in the EIR, the approving agency must issue a written finding, accompanied by a brief explanation of the rationale for each finding, reaching one or more of three permissible conclusions stated at CEQA Guidelines Section 15091(a):

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. (CEQA Guidelines Section 15091(a)).

“Feasible” in this context means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological, and legal factors. (CEQA, Public Resources Code, § 21061.1, CEQA Guidelines § 15364, *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565). The concept of “feasibility” of a particular alternative or mitigation measure promotes the underlying goals and core objectives of a project (see *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18; see also *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417). Feasibility under CEQA encompasses desirability to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.

CEQA equates “mitigating” with “substantially lessening” the effects of a project. (CEQA, Pub. Res. Code §§ 21002, 21081, CEQA Guidelines § 15091.) For purposes of these Findings, the term “avoid” means to not result in a significant impact, while the term “substantially lessen” refers to the effectiveness of a mitigation measure or measures to substantially reduce the severity of a significant effect to a level which is less than significant. Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level or has simply been lessened but remains significant. Moreover, although CEQA Guidelines Section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the Final EIR.

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modifications or alternatives are not required, however, where such changes are infeasible. (CEQA Guidelines, Section 15091, subd. (a)(3).) With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or a feasible environmentally superior alternative, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found

that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects" (CEQA Guidelines Sections 15093 and 15043(b)). The California Supreme Court has stated that, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced" (*Goleta, supra*, 52 Cal.3d at p. 576; see also *Cherry Valley Pass Acres Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 357-359).

This section makes those findings required by CEQA Guidelines Section 15091. In making each of the findings below, the City has considered the Project design features and applicable plans, programs, and policies listed in the Final EIR. The Final EIR, responses to comments in the Final EIR, all documents included in the record of proceedings, and/or other documents identified in these findings, are hereby incorporated by reference as if fully set forth herein.

V.B SUMMARY OF IMPACT FINDINGS

The Final EIR contains an environmental analysis of the potential impacts associated with implementing the proposed project. In preparing the requisite environmental analysis, the City has considered Project design features, as well as the applicable plans, programs, regulations, and policies. The Project design features are part of the proposed Project that the City has considered, regardless of whether they are explicitly made conditions of the Project approval, and the City may assume that the Project will be implemented consistent with the Project description, Project design features and applicable plans, programs, regulations and policies that the proposed Project is subject to.

Based on the analysis in the Final EIR, and other evidence in the administrative record relating to the Project, the City finds and determines that the Project will have **no impact or a less than significant impact**, and that no mitigation measures are needed, with respect to the following environmental impact categories:

- Aesthetics
- Energy
- Geology and Soils
- Hydrology and Water Quality
- Land Use
- Population and Housing
- Public Services
- Recreation

- Utilities and Service Systems
- Agricultural and Forestry Resources
- Mineral Resources

The following environmental impact categories were evaluated in the Final EIR and, it was determined that the potentially significant impacts of the Project would be reduced below a level of significance with the implementation of the mitigation measures described therein. Based on this analysis in the Final EIR and other evidence in the administrative record relating to the Project, the City finds and determines that the Project will have a **less than significant impact with mitigation incorporated** with respect to the following impact categories:

- Air quality
- Biological resources
- Cultural resources
- Greenhouse gas (GHG) emissions
- Hazards/hazardous materials
- Noise.

The following environmental impact category was evaluated in the Final EIR and it was determined that no feasible mitigation measure was available to reduce potentially significant impacts of the Project to below a level of significance. Based on this analysis in the Final EIR and other evidence in the administrative record relating to the Project, the City finds and determines that the following impacts would remain **significant and unavoidable** despite the adoption of all feasible mitigation measures:

- Transportation and Traffic

Specifically, the Final EIR concluded all potentially significant impacts would be mitigated to less than significant levels with the exception of one significant and unavoidable long-term cumulative traffic impact at the I-15 southbound on-ramp at El Norte Parkway. Although mitigation is proposed to reduce this impact, it is considered a significant unavoidable impact even with the identified mitigation improvements because the improvements are located within the jurisdiction and responsibility of the California Department of Transportation (Caltrans), and neither the applicant nor the City of Escondido can ensure that Caltrans will permit the improvement to be made. Nonetheless, the proposed mitigation improvements are considered feasible to implement, and both the applicant and City will continue to coordinate with Caltrans to complete the mitigation improvements should the Project be approved. If Caltrans subsequently concurs and authorizes such improvements, this would eliminate the identified significant impact at this referenced on-ramp.

V.C ENVIRONMENTAL IMPACTS DETERMINED TO BE NOT SIGNIFICANT OR LESS THAN SIGNIFICANT

The City, having independently reviewed and considered the information contained in the Final EIR and the Record of Proceedings and based upon substantial evidence in the record, finds the following individual and cumulative environmental effects of the Project will be **less than significant** and no mitigation is required:

- Aesthetics
- Energy
- Geology and Soils
- Hydrology and Water Quality
- Land Use
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Agricultural and Forestry Resources
- Mineral Resources

V.C.1 Aesthetics

Less than Significant Impact

Most of the Project site is relatively level and typically at a lower elevation than the surrounding residential development. The pad elevations for the new residential development have been designed to be lower than the existing development in most areas so that existing near views of the golf course are replaced by views of the landscaped Greenbelt/Open Spaces. The Project would be designed to maintain a relatively low profile and would be similarly scaled to residential development in the area. The Project site has a low visual quality currently because the golf course has been closed since 2013 and is unattended, resulting in overgrowth and the need for maintenance/ abatement. No designated scenic vistas would be impacted by the Project. There are no officially designated or eligible highways in proximity to the Project site. Implementation of the Project's Specific Plan landscape design would achieve a coherent and consistent landscape theme and new residences would be visually compatible with existing residences that border the Project site. The Project would comply with the City Zoning Ordinance to be sensitive to existing "night skies" conditions.

The City finds that, based on substantial evidence in the record, potential impacts to aesthetics would be **less than significant** and no mitigation is required because the Project would not: (A) Have a substantial adverse effect on a scenic vista; (B) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; (C) Substantially degrade the existing visual character or quality of the site and its surroundings; or (D) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

V.C.2 Energy

Less than Significant Impact

The Project is not expected to have an impact on the local utility and due to the energy efficiency measures designed into the Project, it would not result in a wasteful use of energy including electricity, natural gas, petroleum, etc. The City finds that, based on substantial evidence in the record, potential impacts associated with energy would be **less than significant** and no mitigation is required.

V.C.3 Geology and Soils

Less than Significant Impact

The Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure including liquefaction, or landslides. The Project would not result in substantial soil erosion or the loss of topsoil, would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, would not be located on expansive soil, and would not involve the use of septic tanks or alternative wastewater disposal. Site design measures would be used to minimize geology and soil impacts including but not limited to removal of all deleterious material and vegetation prior to construction, remedial grading, compacting fill slopes, landscaping with drought-tolerant vegetation, and use of properly compacted soils in the upper 3 feet of all building pads. Site design measures included in **PDF-GE-1** and compliance with CBC regulations, impacts associated with geology and soils would be avoided. The City finds that, based on substantial evidence in the record, potential impacts to geology and soils would be **less than significant** and no mitigation is required.

V.C.4 Hydrology and Water Quality

Less than Significant Impact

The Project would not violate any water quality or waste discharge requirements or substantially deplete groundwater supplies or recharge. The Project would develop biofiltration detention basins and channels which would minimize off-site discharge of surface water pollutants while simultaneously preventing downstream flooding-related impacts. Greenbelts and environmental channels/basins, residential lawns and gardens, the farm, etc. would allow infiltration for groundwater recharge. Runoff would be prevented by incorporation of Project-related surface drains, greenbelts, vegetated swales, and vegetated stormwater detention basins. As a result, the Project would not (1) result in substantial erosion or siltation on or off site, (2) result in flooding on or off site, or (3) create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The Project site is not located within a 100-year flood hazard area, a dam inundation area, or an area subject to inundation by seiche, tsunami, or mudflow. The City finds that, based on substantial evidence in the record, potential impacts to hydrology and water quality would be **less than significant** and no mitigation is required.

V.C.5 Land Use

Less than Significant Impact

Although the Project would change the on-site land use from a former golf course to residential with recreational uses, the operation of these uses would not conflict with existing uses in the surrounding community or divide an established community, and the Project would improve the existing site conditions. The Project would not generally conflict with the City's General Plan or zoning as development would occur generally consistent with the single-family residential designations and allowed density. The Project would be consistent with the General Plan and Zoning Ordinance upon issuance of associated approvals. The Project's proposed density and design, including its open space system, is compatible with the existing, adjacent residential uses. The Project's compliance with the design guidelines and other provisions of the Specific Plan ensure that the Project would be compatible with adjacent off-site land uses and those land uses proposed within the Project site. The Project also does not conflict with any adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. The Project is not proposed in any areas targeted for conservation and would not conflict with the provisions or preclude the future implementation of the Draft Escondido MHCP Subarea Plan.

The City finds that, based on substantial evidence in the record, potential impacts to land use would be **less than significant** and no mitigation is required.

V.C.6 Population and Housing

Less than Significant Impact

Implementation of the Project would accommodate projected growth within the City of Escondido. No existing housing would be displaced and no people would be displaced. The City finds that, based on substantial evidence in the record, potential impacts to population and housing would be **less than significant** and no mitigation is required.

V.C.7 Public Services

Less than Significant Impact

Through adherence to City policies associated with public services, payments of residential impact fees, and current availability of space at local schools, the Project would not cause substantial adverse impacts on public services throughout the City. Therefore, the City finds that, based on substantial evidence in the record, potential impacts to public services would be **less than significant** and no mitigation is required.

V.C.8 Recreation

Less than Significant Impact

The Project would development more than double the required amount of active and passive recreation areas for residential development. Furthermore, it is anticipated that residents would mainly use the new recreational facilities associated with the Project, thus lessening the deterioration of City-wide recreational facilities. As such, the City finds that, based on substantial evidence in the record, potential impacts to recreation would be **less than significant** and no mitigation is required.

V.C.9 Utilities and Service Systems

Less than Significant Impact

While the Project would connect to existing infrastructure, it would not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. The Project would also not require or result in the construction of new storm water drainage facilities or expansion of existing facilities. Sufficient water supplies are available from existing entitlements and resources to serve the Project. The City and the HARRF have been mandated to increase the capacity of the HARRF such that effluent will no longer be discharged to Escondido Creek after 2020, thus eliminating potential water quality impacts to a U.S. EPA-designated impaired water body. The City is complying with that mandate, and the Project would remain well below the HARRF's future capacity. The Project would not exceed the wastewater treatment requirements of the San Diego RWQCB, and the City has adequate capacity to serve the Project's projected wastewater demands. Solid waste disposal for the Project would be provided by Escondido Disposal, which has sufficient permitted capacity to accommodate the Project and which would comply with waste regulations. The City finds that, based on substantial evidence in the record, potential impacts to utilities and service systems would be **less than significant** and no mitigation is required.

V.C.10 Agricultural and Forestry Resources

Less than Significant Impact

No farmland or forest land exists within the vicinity of the Project site, as described previously. Therefore, no farmland or forests would be converted for nonagricultural or non-forest use due to the Project. The City finds that, based on substantial evidence in the record, **no impact** on farmland or forest land would occur and no mitigation is required.

V.C.11 Mineral Resources

Less than Significant Impact

The *City of Escondido General Plan* does not identify any zones of locally important mineral resources (City of Escondido 2012). Additionally, the Project site is located within a highly urbanized area of the City of Escondido. Mineral extraction land uses would be incompatible with the existing and planned land uses within and around the Project site. Therefore, **no impact** to locally important mineral resources would occur and no mitigation is required.

V.D FINDINGS REGARDING SIGNIFICANT IMPACTS THAT WILL BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE (CEQA SECTION 21081(A)(1) AND CEQA GUIDELINES SECTION 15091(A)(1))

The City, having independently reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to Public Resource Code Section 21081(a)(1) and Guidelines Section 15091(a)(1), that changes or alterations have been required in, or incorporated into, the Project which would mitigate, avoid, or substantially lessen the significant individual and cumulative environmental effects of the Project to **less than significant**, as identified in the Final EIR, related to:

- Air quality
- Biological resources
- Cultural resources
- Greenhouse gas (GHG) emissions
- Hazards/hazardous materials
- Noise
- Transportation and Traffic – Except I-15 Southbound Ramp at El Norte Parkway

V.D.1 Air Quality

Significant Effect

Air quality impacts associated with the Project are related to emissions from short-term construction and long-term operations. Construction may affect air quality as a result of construction equipment emissions, fugitive dust from grading and earthmoving, and emissions from vehicles driven to and from the Project site by construction workers and material delivery trucks. Operational emissions would result primarily from vehicle exhaust (i.e. mobile sources).

Before mitigation, impacts to air quality would be **potentially significant**.

- **Impact AQ-1:** The Project's requested zoning change was not included in the current RAQS and the SIP.
- **Impact AQ-2:** Daily construction emissions would exceed the City's significance thresholds for NO_x.
- **Impact AQ-3:** The Project would exceed the City's significance thresholds for NO_x during construction with respect to sensitive receptors.

- **Impact AQ-CUM-1:** The Project would exceed the City's significance thresholds for NO_x during construction. Accordingly, the Project may result in a cumulatively considerable increase in emissions of nonattainment pollutants.

Facts in Support of Finding

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. The following Mitigation Measures, as included in the Final EIR, are feasible and will reduce potentially significant impacts on air quality resources to less-than-significant levels, thereby avoiding any significant effects.

M-AQ-1: Prior to the San Diego Air Pollution Control District's (SDAPCD's) next triennial review of the Regional Air Quality Strategy, the City of Escondido (City) shall coordinate with SDAPCD to amend the growth assumptions using the Project's Specific Plan. This includes changing the designation of Residential Urban I and R-1-7 to Specific Plan Area and SP Zone within the Project site.

M-AQ-2: Prior to the commencement of grading activities within each phase of development, the City shall confirm that the following measures shall be adhered to during construction activities associated with the Project to reduce oxides of nitrogen (NO_x):

- a. For off-road equipment with engines rated at 75 horsepower or greater, no construction equipment shall be used that is less than Tier 3.

An exemption from these requirements may be granted by the City in the event that the Project applicant (or its designee) documents that:

1. Equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those related to the commercial availability of the necessary equipment within the County of San Diego within the scheduled construction period).
2. Corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment.

For example, if a Tier 3 piece of equipment is not reasonably available at the time of construction and a lower tier equipment is used instead (e.g., Tier 2), another piece of utilized equipment could be upgraded from Tier 3 to a higher tier (e.g.,

Tier 4 Interim or Tier 4 Final) or replaced with an alternative-fueled (not diesel-fueled) equipment to offset the emission reductions associated with using a piece of equipment that does not meet Tier 3 standards. The permissibility to achieve greater emission reductions through the use of cleaner equipment engines to offset assumed emission reductions that are not feasibly achieved ensures that total Project-generated criteria air pollutant emissions from equipment operation are reduced, if an exemption is granted by the City.

b. The engine size of construction equipment shall be the minimum size suitable for the required job.

c. Construction equipment shall be maintained in accordance with the manufacturer's specifications.

Rationale and Conclusion

With the implementation of Mitigation Measures **M-AQ-1** and **M-AQ-2**, the Project would have a less than significant impact related to air quality. Specifically, with implementation of **M-AQ-1**, the inconsistency with the current RAQS and SIP associated with the proposed land use designation changes would be rectified, and the proposed project would no longer be inconsistent. Therefore, after mitigation, **Impact AQ-1** would be **less than significant**. When **M-AQ-2** is implemented, daily construction emissions would not exceed the City's significance thresholds for VOCs, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} during construction in all construction years (see Table 2.1-15, Estimated Mitigated Maximum Daily Construction Criteria Air Pollutant Emissions). Therefore, construction-generated emissions (**Impact AQ-2**) would be considered **less than significant** with mitigation. Furthermore, when **M-AQ-2** is implemented, daily construction emissions would not exceed the City's significance thresholds for VOCs, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} during construction in all construction years (Table 2.1-15). Impacts to sensitive receptors associated with Project-generated construction criteria air pollutant emissions (**Impact AQ-3**) would be **less than significant** with mitigation.

V.D.2 Biological Resources

Significant Effect

Before mitigation, impacts to special-status species, riparian habitat or sensitive natural communities, and jurisdictional wetlands and waterways would be **potentially significant**.

- **Impact BI-1:** Significant impacts to nesting birds could occur if suitable nesting habitat is removed during the general bird breeding season (January 15 to September 15).
- **Impact BI-2:** The Project would impact approximately 0.29 acres of wetland/riparian sensitive natural communities.
- **Impact BI-3:** The Project would impact approximately 2.56 acres of wetland and jurisdictional waters.
- **Impact BI-4:** The Project would result in unavoidable impacts to up to 601 mature trees and 18 protected trees.
- **Impact BI-CUM-1:** The Project would potentially contribute to a cumulatively considerable impact to nesting birds.
- **Impact BI-CUM-2:** The Project would potentially contribute to a cumulatively considerable impact to jurisdictional waters and wetlands.
- **Impact BI-CUM-3:** The Project would potentially contribute to a cumulatively considerable impact to mature and protected trees.

Facts in Support of Finding

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. The following Mitigation Measures, as included in the Final EIR, are feasible and will reduce potentially significant impacts on biological resources to less-than-significant levels, thereby avoiding any significant effects.

The following mitigation would reduce **Impact BI-1** and **Impact BI-CUM-1** to a level less than significant:

M-BI-1: Nesting Bird and Raptor Avoidance. If initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird breeding season for migratory birds and raptors (January 15 and September 15), the Project applicant shall retain a qualified biologist to perform a preconstruction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and California

Fish and Game Code. The preconstruction survey shall be performed no more than 7 days before the start of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.

The following mitigation would reduce **Impact BI-2**, **Impact BI-3**, and **Impact BI-CUM-2** to a level less than significant:

M-BI-2: Restoration, Preservation, and Management of On-Site Open Space. The Project applicant shall prepare and submit to the City of Escondido (City) and/or other responsible agencies of the Project for approval a Restoration Plan for the establishment/reestablishment and enhancement of sensitive habitat within the Project's open space. The Restoration Plan shall provide for replacement of impacted sensitive habitat, i.e., wetland/riparian sensitive natural communities and jurisdictional wetlands and waters in an amount to satisfy a no-net-loss standard for both function and spatial area of wetland and non-wetland resources. The Restoration Plan shall include 5 years of maintenance and monitoring to ensure the restoration effort is successful. The Project applicant shall record a conservation easement, restrictive covenant, or other protective mechanism approved by the City and/or other responsible agencies of the Project over the establishment/reestablishment and enhancement areas. The conservation easement shall be included on final Project plans. The Project applicant shall prepare and submit to the City and/or other responsible agencies of the Project a Long-Term Management Plan for the on-site biological conservation easement areas. The Long-Term Management Plan shall include area specific management directives for maintenance, monitoring, and management of the conservation easement areas in perpetuity. The applicant shall also establish a non-wasting endowment for an amount approved by the City based on a Property Analysis Record or similar cost estimation method to secure the ongoing funding for the perpetual maintenance, monitoring, and management of the biological conservation easement area by an agency, non-profit organization, or other entity approved by the City. Upon approval of the draft Long-Term Management Plan, the applicant shall submit the final Long-Term Management Plan to the City and/or other responsible agencies of the Project and a contract with the approved land manager, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity. The Project applicant shall install appropriate permanent fencing, along the boundary of the open space to discourage human access. The Project applicant shall also install signage on the fence to educate and inform the public about the open space and to prohibit access. The fencing shall be shown on all final Project plans.

The following mitigation would reduce **Impact BI-4** and **Impact BI-CUM-3** to a level less than significant:

M-BI-3: Mature and Protected Tree Replacement. The Project applicant shall replace impacted mature trees at a minimum 1:1 ratio, unless otherwise determined by the City. The Project applicant shall replace protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the City's Director of Community Development.

Rationale and Conclusion

With the implementation of Mitigation Measures **M-BI-1**, **M-BI-2**, **M-BI-3**, the Project would have a less than significant impact related to biological resources. **M-BI-1** would reduce **Impact BI-1** and **Impact BI-CUM-1** by ensuring that if an active migratory bird or raptor nest is identified, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist. Additionally, the Project would incorporate open space elements that would function as foraging habitat for raptors and other species. By avoiding migratory bird and raptor nests, and incorporating functional foraging habitats for raptors and other species, **Impact BI-1** and **Impact BI-CUM-1** would be reduced to **less than significant**. By developing the Restoration Plan (**M-BI-2**), the Project would ensure that its impacts to 0.29 acres of wetland/riparian sensitive natural communities and 2.56 acres of wetland and waterways would be offset by establishment of new, superior habitat to satisfy a no net loss standard for both function and spatial area of wetland and non-wetland resources. In fact, there would be a considerable net gain in wetland/riparian sensitive natural communities on the site compared to existing conditions, and the Project would result in a biologically superior condition compared what currently exists. Implementation of the Restoration Plan would reduce **Impact BI-2**, **Impact BI-3**, and **Impact BI-CUM-2** to **less than significant** levels. **M-BI-3** would reduce **Impact BI-4** and **Impact BI-CUM-3** by replacing impacted mature trees at a minimum 1:1 ratio and replacing protected trees at a minimum 2:1 ratio, unless otherwise determined by the City. This would reduce **Impact BI-4** and **Impact BI-CUM-3** to **less than significant**.

V.D.3 Cultural Resources

Significant Effect

No cultural resources have been identified within the Project site, nor have any been documented in previous studies. The potential for intact, unknown, subsurface prehistoric archaeological materials to be present in the Project site is considered very low due to the developed nature of the site. However, in the unexpected event that grading and excavation activities during construction of the Project unearth previously undiscovered, intact archaeological materials, a potential impact could result. Before mitigation, impacts to cultural resources would be **potentially significant**.

- **Impact CR-1:** In the event that any previously undetected cultural resources are encountered, impacts associated with archaeological resources would be potentially significant.
- **Impact CR-2:** Because the exact depths of sensitive resources are unknown, in the event that unexpected intact paleontological resources are unearthed during ground-disturbing activities, impacts associated with the destruction of a unique paleontological resource or site or unique geologic feature would be potentially significant.
- **Impact CR-3:** In the event of accidental discovery of any human remains during construction of the Project, impacts associated with the disturbance of human remains would be potentially significant.
- **Impact CR-4:** Implementation of the Project has the potential to cause a substantial adverse change in the significance of a tribal cultural resource as defined in California Public Resources Code, Section 21074, if unknown tribal resources were unearthed during grading activities.
- **Impact CR-CUM-1:** In the event that any previously undetected cultural resources are encountered, the Project in combination with the identified cumulative projects would have the potential to result in a significant cumulative impact associated with archaeological resources.
- **Impact CR-CUM-2:** Ground-disturbing activities associated with the Project, in combination with cumulative projects occurring in areas containing geologic formations with high and moderate sensitivity for paleontological resources, could result in a significant cumulative impact associated with paleontological resources or unique geologic features.
- **Impact CR-CUM-3:** The Project would have the potential to disturb human remains, including those located outside of formal cemeteries, from ground-disturbing activities associated with development of the site. In combination with cumulative projects that

have the same potential to disturb human remains during ground-disturbing activities, a potentially significant cumulative impact associated with human remains would occur.

- **Impact CR-CUM-4:** In the event that any previously undetected tribal resources are encountered, the Project in combination with the identified cumulative projects would have the potential to result in a significant cumulative impact associated with tribal resources.

Facts in Support of Finding

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. The following mitigation would reduce **Impact CR-1, Impact CR-2, Impact CR-3, Impact CR-4, Impact CR-CUM-1, Impact CR-CUM-2, Impact CR-CUM-3, and Impact CR-CUM-4** to a level less than significant:

M-CR-1: An archaeological resources monitoring program shall be implemented that shall include the following:

1. Prior to issuance of a grading permit, the applicant shall provide written verification to the City of Escondido (City) that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the Project archaeologist to the City. The City, prior to any preconstruction meeting, shall approve all persons involved in the monitoring program.
2. The qualified archaeologist and a Native American representative(s) shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program. Native American monitors/representatives from the Rincon Band of Luiseño Indians, the San Luis Rey Band of Mission Indians, and the Kumeyaay Nation shall be invited to participate in the monitoring program.
3. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and tribal representative shall be on site, as determined by the consulting archaeologist, to perform periodic inspections of the excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated.
4. Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed.

5. In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the Project manager at the time of discovery. The archaeologist, in consultation with the Project manager for the lead agency, shall determine the significance of the discovered resources. The lead agency must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the lead agency before being carried out using professional archaeological methods. If any human bones are discovered, the San Diego County coroner and the lead agency shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposal of the remains.

6. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

7. All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, June 2017 9993 The Villages – Escondido Country Club EIR 2.3-31 including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

8. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits. The report will include DPR Primary and Archaeological Site Forms.

M-CR-2: Prior to commencement of Project construction, a qualified paleontologist shall be retained to attend the Project pre-construction meeting and discuss proposed grading plans with the Project contractor(s). If the qualified paleontologist determines that proposed grading/excavation activities would likely affect previously undisturbed areas of Pleistocene-age alluvial deposits, then monitoring shall be conducted as outlined below.

1. A qualified paleontologist or a paleontological monitor shall be on site during original cutting of Pleistocene-age alluvial deposits. A paleontological monitor is

defined as an individual who has at least 1 year of experience in field identification and collection of fossil materials, and who is working under the direction of a qualified paleontologist. Monitoring of the noted geologic unit shall be conducted at least half-time at the beginning of excavation, and may be either increased or decreased thereafter depending upon initial results (per direction of a qualified paleontologist).

2. In the event that well-preserved fossils are discovered, a qualified paleontologist shall have the authority to temporarily halt or redirect construction activities in the discovery area to allow recovery in a timely manner (typically on the order of 1 hour to 2 days). All collected fossil remains shall be cleaned, sorted, cataloged and deposited in an appropriate scientific institution (such as the San Diego Natural History Museum) at the applicant's expense.

3. A report (with a map showing fossil site locations) summarizing the results, analyses, and conclusions of the above-described monitoring/recovery program shall be submitted to the City within 3 months of terminating monitoring activities.

M-CR-3: As specified by California Health and Safety Code, Section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's 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 an 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. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code, Section 5097.98. The Native American remains shall be kept in situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on site and in the presence of a Native American monitor.

Rationale and Conclusion

With the implementation of Mitigation Measures M-CR-1 through M-CR-3, the residential development would have a less-than-significant impact related to archaeological and tribal cultural resources. Implementation of **M-CR-1** would reduce **Impact CR-1**, **Impact CR-4**, **Impact CR-CUM-1**, and **Impact CR-CUM-4** to less than significant by requiring a comprehensive archaeological resources monitoring program as described above. Implementation of **M-CR-2** would reduce **Impact CR-2** and **Impact CR-CUM-2** to a level less than significant by requiring a qualified paleontologist to be retained prior to construction commencing. If the qualified paleontologist determines that proposed grading/excavation activities would likely affect previously undisturbed areas of Pleistocene-age alluvial deposits, then monitoring shall be conducted as outlined in **M-CR-2**. Implementation of **M-CR-3** would reduce any potential impacts to accidental discovery of human remains (**Impact CR-3** and **Impact CR-CUM-3**) to less than significant by setting forth the procedures for handling human remains as consistent with California Health and Safety Code Section 7050.5. After mitigation, the Project would not represent a significant adverse impact to cultural resources.

V.D.4 Greenhouse Gas Emissions

Significant Effect

Based on the analysis in Chapter 2.4, the Project would have the following **potentially significant** impacts prior to mitigation:

- **Impact GHG-1:** The Project would exceed the City-specific GHG efficiency metric for 2023 prior to mitigation.
- **Impact GHG-CUM-1:** The Project would exceed the City-specific GHG efficiency metric for 2023 prior to mitigation, creating a potential cumulative impact relating to Project consistency with long-term statewide GHG reduction goals.

Facts in Support of Finding

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. The following Mitigation Measures, as included in the Final EIR, are feasible and will reduce potentially significant impacts on biological resources to less-than-significant levels, thereby avoiding any significant effects.

The following mitigation would reduce **Impact GHG-1** and **Impact GHG-CUM-1** to a level less than significant:

M-GHG-1: The applicant or its designee will purchase and retire greenhouse gas (GHG) offsets to reduce the Project's GHG emissions level to 3.15 metric tons carbon dioxide equivalent (MT CO₂E) per service population per year, consistent with the performance standards and requirements set forth below.

- The GHG offsets shall be secured from an accredited registry that is recognized by the California Air Resources Board (CARB) or a California air district, or from an emissions reduction credits program that is administered by CARB or a California air district.
- The GHG offsets shall represent the past reduction or sequestration of 1 MT CO₂E that is "not otherwise required," in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15126.4(c)(3).
- The GHG offsets shall be real, permanent, quantifiable, verifiable, and enforceable.
- The quantity of GHG offsets required to achieve the service population value set forth above shall be calculated in and supported by technical documentation that is submitted to the City of Escondido (City) as part of the Mitigation Monitoring and Reporting Program, using an approved methodology demonstrating the quantity of reductions is valid and sufficient.
- The applicant shall offset the Project's GHG emissions prior to receiving the 196th certificate of occupancy from the City. This represents 50% of the Project's residential build-out and thus the Project's emissions would be offset prior to completion of the Project.

Rationale and Conclusion

With implementation of **M-GHG-1**, the Project would offset 1,682 MT CO₂E per year over the Project's lifetime, for a total of 50,472 MT CO₂E. The Project's GHG emissions would be reduced to a level below the efficiency metric of 3.15 MT/SP/year, which would be consistent with the GHG emission statewide reduction goals for 2030 and 2050. Therefore, after mitigation, **Impact GHG-1** would be **less than significant**.

With implementation of **M-GHG-1**, the Project would offset GHG emissions to a level below the efficiency metric of 3.15 MT/SP/year, which would be consistent with the GHG emission statewide reduction goals for 2030 and 2050. Therefore, the Project would result in a **less than significant** cumulative impact (**Impact GHG-CUM-1**).

V.D.5 Hazardous and Hazardous Materials

Significant Effect

Before mitigation, impacts associated with hazards and hazardous materials would be **potentially significant**.

- **Impact HZ-1:** The historical presence of two former USTs in the Project vicinity is presently considered a potentially significant impact until further investigation is conducted.
- **Impact HZ-2:** The presence of two floor drains and two clarifiers is a potentially significant impact.
- **Impact HZ-3:** The potential presence of ACMs in the existing buildings on the property is a potentially significant impact.
- **Impact HZ-4:** The potential presence of lead based paint in the existing buildings on the property is a potentially significant impact.
- **Impact HZ-5:** The historic agricultural use of the property is a potentially significant impact.

Facts in Support of Finding

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. The following Mitigation Measures would reduce **Impact HZ-1** through **Impact HZ-4** to a less than significant level.

M-HZ-1: Prior to any Project construction, including demolition, excavation, or other earth-moving or soil disturbance activities, any areas of the Project site identified as containing or formerly containing aboveground storage tanks (ASTs), suspected underground storage tanks (USTs), floor drains, and/or clarifiers, shall be assessed for the presence of potential contaminants of concern. Any areas of the Project site found to be contaminated shall be remediated in conformance with applicable federal, state, and local laws. Assessment and remediation shall be to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency. No Project construction activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the areas of the Project site identified as containing or formerly containing ASTs, suspected USTs, floor drains, and clarifiers.

M-HZ-2: Prior to demolition, all on-site structures shall be tested to determine if they include asbestos-containing materials (ACMs). If present, ACMs shall be removed and disposed of by a licensed and certified asbestos abatement contractor, in accordance with all applicable federal, state, and local laws and regulations for asbestos removal and demolition operations.

M-HZ-3: Prior to demolition, all on-site structures shall be sampled to determine if they contain lead-based paint. If lead-based paint is present, health and safety procedures shall be initiated to protect workers during demolition activities, in accordance with all applicable federal, state, and local laws and regulations.

M-HZ-4: Prior to excavation and other earth-moving or soil disturbance activities, representative soil samples shall be collected from areas subject to historical agricultural use, submitted to a State of California-certified laboratory, and analyzed for the following potential contaminants of concern, as follows:

- Organochlorine Pesticides using U.S. Environmental Protection Agency (EPA) Method No. 8081A
- Arsenic using EPA Method No. 6010
- CAM-17 Metals, including lead, using EPA Method Nos. 6000/7000 series

Any soil identified as contaminated shall be remediated in accordance with all applicable federal, state, and local laws to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency. No excavation or other earthmoving or soil-disturbance activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the historical agricultural use of the Project site.

Rationale and Conclusion

Implementation of **M-HZ-1** would ensure that no ASTs, suspected USTs, floor drains, and/or clarifiers would affect the Project site during construction, by assessing the site for their presence prior to groundbreaking activities. Thus, implementation of **M-HZ-1** would reduce **Impact HZ-1** and **Impact HZ-2** to less than significant levels by ensuring that no ASTs or USTs would impact the Project site. Implementation of **M-HZ-2** would ensure that any ACMs are removed and disposed of in accordance with all applicable federal, state, and local laws and regulations, thus eliminating the potential for hazards associated with ACMs (**Impact HZ-3**). Thus, **Impact HZ-3** would be reduced to a less than significant level. Implementation of **M-HZ-3** would ensure that workers are not exposed to lead-based paint during demolition activities; this would be achieved by sampling the materials of the structures prior to demolition. Implementation of **M-HZ-3** would reduce **Impact HZ-4** to less than significant. Implementation of **M-HZ-4** would ensure that any contaminated soil at the Project site, including soil contaminated by the sites previous agricultural use, would be remediated appropriately, in accordance with all applicable federal, state, and local laws to the satisfaction of EFD, SDCDEH, or other applicable agency. Thus, implementation of **M-HZ-4** would reduce **Impact HZ-5** to a less than significant level by ensuring that all soils are remediated properly. With implementation of these Mitigation Measures, the Project would not 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. Thus, impacts associated with hazards and hazardous materials would be **less than significant**.

V.D.6 Noise

Significant Effect

Based on the analyses in Sections 2.6.2 and 2.6.3, the Project would have the following significant impacts prior to mitigation:

- **Impact N-1** When the entire assemblage of construction equipment is working right at the edge of the construction zone in each phase, within 50 feet of existing residences, construction noise levels are anticipated to range from 87 to 90 dBA Leq. Assuming relatively steady work, this would result in an exceedance of the City's construction noise limit of 75 dBA Leq HOUR.
- **Impact N-2** The exact location of buildings and HVAC equipment within the Village Center is unknown, but it is possible HVAC equipment could be located closer than 250 feet from existing or proposed residences, which could result in HVAC noise levels at

adjacent residences that exceed the City's daytime limit of 50 dBA Leq for single-family residences.

- **Impact N-3** The exact location and orientation of loudspeakers for amplified sound systems within the Village Center is unknown, but sound levels from a wedding event or dance function at adjacent residences that could exceed the City's daytime limit of 50 dBA Leq for single-family residences.
- **Impact N-4** At the closest backyard boundary in the west segment of Country Club Lane, the predicted future traffic noise level would marginally exceed the "normally acceptable" limit of 60 dBA CNEL (by 1 dB), while the closest backyards along the east segment of West Country Club Lane and along Nutmeg Street would exceed this limit by up to 5 dBA CNEL.
- **Impact N-5** It is possible that some minor structural damage to the closest residences (i.e., within 100 feet), could occur as a result of blasting activities during construction of the Project.
- **Impact N-CUM-1** When all construction equipment is working at the edge of the construction zone in each phase, within 50 feet of existing residences, construction noise levels are anticipated to range from 87 to 90 dBA Leq at the property line of these existing residences. This would result in a Project-specific exceedance of the City's construction noise limit of 75 dBA Leq HOUR, and conservatively assuming another construction project may occur within 0.25 miles of the Project site during this timeframe, the Project would also result in a cumulatively considerable contribution to a cumulative impact.

Facts in Support of Finding

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. The following Mitigation Measures, as included in the Final EIR, are feasible and will reduce potentially significant impacts on biological resources to less-than-significant levels, thereby avoiding any significant effects.

M-N-1: Construction noise levels are anticipated to exceed the applicable City of Escondido (City) noise restrictions when equipment is operating less than approximately 260 feet from existing residences in the Project vicinity. The following mitigation is required:

- Install temporary noise barriers around the construction site to minimize construction noise to 75 A-weighted decibels (dBA) as measured at the applicable property lines of the adjacent uses, unless an acoustical engineer submits

documentation that confirms that the barriers are not necessary to achieve the attenuation levels.

- All construction equipment employing an internal combustion engine shall be equipped with suitable exhaust and intake silencers that are in good working order.
- Stationary construction equipment such as generators or compressors shall be located on site as far away from adjacent residential property boundaries as is practicable.
- Minimize, to the extent practical, the number of pieces of construction equipment operating simultaneously.

M-N-2: Prior to issuance of building permits for the commercial structures to be located in the Village Center, an acoustical analysis shall be conducted to evaluate sound levels from proposed heating, ventilation, and air-conditioning equipment at the adjacent residential property lines, in order to ensure compliance with the City's daytime limit of 50 dBA equivalent continuous sound level (Leq). Shielding of equipment, selection of low-noise-generating equipment, or both shall be specified as necessary to achieve compliance with this standard.

M-N-3: Prior to issuance of building permits for the commercial structures that include outdoor sound amplification systems, an acoustical analysis shall be conducted to evaluate sound levels from use of the proposed amplification systems at the adjacent residential property lines, in order to ensure compliance with the City's daytime limit of 50 dBA Leq. Location and orientation of the speakers, volume governors, and/or sound barriers between the areas with sound amplification use and adjacent residences shall be specified, as necessary, to achieve compliance with this standard.

M-N-4: To comply with the City's 60 dBA community noise equivalent level (CNEL) exterior noise standard for single-family and duplex rear yards, noise barriers would be required for some home lots along Country Club Way and Nutmeg Street within the Project boundaries; see Table M-N-1, Barrier Heights at Rearyard Boundaries, for specific locations. Placing a barrier between the sound source (roadway) and receiver location (backyard) is an effective means of reducing sound levels at the receiver. If the barrier blocks a direct line of site between receiver and sound source, the minimum attenuation is approximately 5 dB; with increasing height of the wall, effective attenuation rates up to approximately 15 dB can be achieved. A standard barrier attenuation calculation was performed to determine the minimum necessary barrier height to achieve compliance with the 60 dBA CNEL criterion. Noise barriers shall either be (1) solid masonry walls, or (2) tongue-and-groove walls with 1-inch-thick lumber. Based on

future predicted traffic noise levels, barriers with the indicated heights would be required along the rear yard boundary of the residences identified in Table M-N-1.

The following mitigation is required in order to ensure blasting noise is compliant with this standard:

M-N-5: Restrict blasting operations to no more than 3 minutes of any given hour during allowable construction time periods. Adherence to the above mitigation during construction blasting would reduce potentially significant short-term blasting-related noise exposure impacts to less than significant levels.

Blasting activity during construction could result in damage to the existing residential structures located in close proximity to the blast zone. The following mitigation is required:

M-N-6: To reduce adverse effects related to rock blasting, the following measures shall be adhered to:

- The blasting contractor shall design the blasts to reduce vibration velocity levels from each blast below the damage threshold of 3.0 inches per second at the closest nearby residences (i.e., as close as 100 feet from the blast area).
- A blast signal (e.g., air horn) shall be used to notify nearby residents that blasting is about to occur per the California Code of Regulations, Title 8, Section 5291 Firing of Explosives regulations.
- All complaints shall be responded to and investigated as they occur.

Rationale and Conclusion

Implementation of **M-N-1** during construction activities within 260 feet of existing residences, would reduce construction noise levels to below the City's construction noise limit of 75 dBA Leq HOUR. Therefore, **M-N-1** would reduce potentially significant short-term construction noise exposure impacts (**Impact N-1** and **Impact N-CUM-1**) to less than significant levels. Implementation of **M-N-2** would achieve shielding and/or equipment selection to reduce HVAC noise levels from the Village Center at adjacent residential property lines, to achieve compliance with City residential exposure standards. Likewise, **M-N-3** would stipulate the location, orientation, and volume limits for outdoor amplification systems within the Village Center, along with sound barriers as necessary, to achieve compliance with the City of Escondido residential exposure standards. Consequently, **M-N-2** and **M-N-3**, as well as **PDF-N-1** and **PDF-N-2**, which include operating restrictions as part of the Specific Plan, would reduce **Impact N-2** and **Impact N-3**, respectively, to less than significant levels. Implementation of **M-N-4** would provide noise barriers along the rear yard boundary of residences some home lots along Country Club Way and

Nutmeg Street. This would reduce exterior noise exposure (**Impact N-4**) to below the City's 60 dBA CNEL exterior noise standard for single-family and duplex rear yards by providing a barrier between construction activities and residences that would dissipate the noise before it reaches the residences. Thus, with implementation **M-N-4**, **Impact N-4** would be reduced to less than significant. Implementation of **M-N-5** and **M-N-6** would ensure that impacts related to blasting noise and vibration (**Impact N-4**) are reduced to less than significant by implementing limits to the duration of blasting, requiring notification prior to blasting, and designing blasts to reduce vibration.

V.D.7 Transportation and Traffic

Significant Effect

Based on the analyses in Sections 2.7.2 and 2.7.3, the Project would have the following significant impacts prior to mitigation:

Existing Plus Project:

Intersections

- **Impact TR-1** Intersection #8. El Norte Parkway/Woodland Parkway (*Escondido/San Marcos*)
- **Impact TR-2** Intersection #9. El Norte Parkway/Country Club Lane (*Escondido*)

Street Segments

- **Impact TR-3** Segment #10. El Norte Parkway from Nutmeg Street/Nordahl Road to I-15 Ramps (*Escondido*)
- **Impact TR-4** Segment #15. Nutmeg Street from Country Club Lane to Via Alexandra (*Escondido*)

Ramp Meters

- **Impact TR-5** El Norte Parkway to I-15 Southbound On-Ramp (*Caltrans*)

Existing + Cumulative Projects + Project:

In addition to the four direct and cumulative impacts listed above, the Project would result in **significant** cumulative-only impacts to the following locations in the near term:

Intersections

- **Impact TR-6** Intersection #12. El Norte Parkway/Nordahl Road Nutmeg Street (*Escondido*)

Street Segments

- **Impact TR-7** Segment #17. Bennett Avenue from El Norte Parkway to Toyon Glen (*Escondido*)

Year 2035 + Project:

The Project would result in **significant** long-term cumulative impacts to the following locations:

Intersections

- **Impact TR-8** Intersection #8. El Norte Parkway/Woodland Parkway (*Escondido/San Marcos*)
- **Impact TR-9** Intersection #9. El Norte Parkway/Country Club Lane (*Escondido*)
- **Impact TR-10** Intersection #12. El Norte Parkway/Nutmeg Street/Nordahl Road (*Escondido*)

Ramp Meters

- **Impact TR-11** El Norte Parkway to I-15 Southbound On-Ramp (*Caltrans*)

Facts in Support of Finding

Pursuant to CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the Project that will substantially lessen or avoid the significant effect as identified in the Final EIR to a level of insignificance. The following Mitigation Measures, as included in the Final EIR, are feasible and will reduce potentially significant impacts on biological resources to less-than-significant levels, thereby avoiding any significant effects.

M-TR-1 Intersection #8. El Norte Parkway/Woodland Parkway. Prior to issuance of a building permit for the 158th dwelling unit, the Project applicant, or its designee, shall restripe the westbound approach of El Norte Parkway at Woodland Parkway to provide one left-turn lane, two through lanes, one right-turn lane, and a bike lane. The westbound leg (west of Woodland Parkway, now Borden Road) shall be restriped with two receiving

lanes and a bike lane. The striped median and eastbound left-turn lane will be restriped to correct the offset. The westbound right-turn lane striping on Borden Road to the church driveway will be removed. The two westbound lanes shall continue westbound to Amber Drive, where a lane drop shall be striped to transition to a single westbound through lane. Traffic signal equipment at the El Norte Parkway/Woodland Parkway intersection shall also be modified to serve the revised geometry. No widening of El Norte Parkway or Borden Road will be required.

M-TR-2 Intersection #9. El Norte Parkway/Country Club Lane. Prior to issuance of a building permit for the 60th dwelling unit, the Project applicant, or its designee, shall restripe the eastbound approach of El Norte Parkway to provide a second eastbound left-turn lane, and shall also restripe northbound Country Club Lane (north of El Norte Parkway) to accept the two left-turn lanes and to taper to one lane south of the Country Club Lane/Golden Circle Driveway. The existing raised median on El Norte Parkway would be removed and reconstructed to accommodate the second eastbound left-turn lane. The eastbound through lanes shall also be restriped to accommodate the improvement. Traffic signal equipment at the El Norte Parkway/Country Club Lane intersection shall also be modified to serve the revised geometry. No widening of El Norte Parkway or Country Club Lane will be required. These improvements were included in the modeling and are thus accounted for in the LOS findings.

M-TR-3 Segment #10. El Norte Parkway from Nutmeg Street/Nordahl Road to I-15 SB Ramps. Prior to issuance of a building permit for the 272nd dwelling unit, the Project applicant, or its designee, shall revise and enhance the right-turn/right edgeline striping serving the commercial uses between Bourbon Road and the I-15 southbound ramps, commensurate with the striping improvements recently installed by the City of Escondido between Nutmeg Street/Nordahl Road and Bourbon Road to improve ingress and reduce driver confusion with respect to the commercial driveways right-turn movement to Nutmeg Street. The Project shall also restrict the northbound left-turns from Bourbon Road to westbound El Norte Parkway with striping and signage, consistent with left-turn restrictions for the commercial driveway located directly across the intersection. The eastbound U-turn restriction at the El Norte Parkway/I-15 northbound ramps intersection should be removed to serve the displaced left-turns that will become downstream U-turns. There is sufficient distance in the intersection to serve the displaced left turns from Bourbon Road, and the modest volume would not affect efficiency of the intersection. If Caltrans will not allow the U-turn at this intersection, the movement is allowed at the signalized El Norte Parkway/7 Oaks intersection located approximately 350 feet farther east. Removal of left-turns from Bourbon Road to El Norte Parkway will eliminate a conflicting midblock movement and enhance operations on El Norte Parkway. Construction of **M-TR-6** (dual southbound lefts on Nutmeg Street at El Norte Parkway)

will also increase efficiency on El Norte Parkway by processing twice as many southbound left turning vehicles per cycle, allowing for more green time to serve El Norte Parkway. **M-TR-5** (additional ramp storage on the I-15 southbound on-ramp) will further improve operations on this segment by reducing the eastbound queuing that occurs on El Norte Parkway during the AM peak hour and queuing those vehicles on the ramp instead of the segment. Although it is not a Mitigation Measure, the proposed adaptive signal control proposed for the El Norte Parkway corridor within the study area will also improve capacity along this segment.

M-TR-4 Segment #15. Nutmeg Street from Country Club Lane to Via Alexandra. Prior to issuance of a building permit for the 145th dwelling unit, the Project applicant, or its designee, shall construct interim improvements in the existing right-of-way on southbound Nutmeg Street between La Paloma Avenue and Via Alexandra to provide a wider travel lane, and curb, gutter, and sidewalk improvements to the satisfaction of the City engineer. These improvements will enhance vehicular, pedestrian, and bicycle circulation and will increase capacity to mitigate the Project's impact. Furthermore, **M-TR-6** (dual southbound left turns from Nutmeg Street to El Norte Parkway) will serve to enhance the overall Nutmeg Street corridor operations by increasing traffic flow from Nutmeg Street to El Norte Parkway.

M-TR-5 El Norte Parkway to I-15 Southbound On-Ramp. Prior to issuance of a building permit for the 170th dwelling unit, the Project applicant, or its designee, shall provide an additional Single Occupancy Vehicle (SOV) lane to the southbound on ramp. However, because the improvement would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can assure that Caltrans will permit the improvement to be made, for the purposes of this analysis, the long-term significant cumulative impact at this location is considered significant and unavoidable.

M-TR-6 Intersection #12. El Norte Parkway/Nutmeg Street/Nordahl Road. Prior to issuance of a building permit for the 300th dwelling unit, the Project applicant, or its designee, shall restripe the south leg of Nutmeg Street to provide two southbound left-turn lanes, one shared through-right-turn lane, and a bike lane. The median on the north leg will need to be restriped. Traffic signal equipment at the subject intersection shall also be modified to serve the revised geometry. No widening of El Norte Parkway, Nutmeg Street or Nordahl Road will be required. This improvement will primarily improve the efficiency of the intersection by serving the dominant movement with two lanes instead of one. The secondary effect will be more green time per cycle to be allocated to El Norte Parkway. Another benefit will be to address the existing offset issue affecting north-

south drivers through the intersection. Moving the through lane to the east will better align it with the receiving lane on the side (Nordahl Road) of the intersection.

M-TR-7 Segment #17. Bennett Avenue from El Norte Parkway to Toyon Glen. Prior to issuance of a building permit for the 162nd dwelling unit, the Project applicant, or its designee, shall restripe a two-way left-turn lane between El Norte Parkway and Toyon Glen. There are currently left-turn pockets striped at intervals along this segment. As such, there is sufficient room in the existing curb-to-curb width to stripe in the two-way left-turn lane. While the existing pockets serve to allow turning vehicles from Bennett Avenue to queue outside of the through lanes, they do not provide refuge for vehicles turning from the minor streets along the segment to Bennett Avenue.

Rationale and Conclusion

In order to determine the significant of traffic and transportation impacts resulting from buildout of the Project, the trip generation for the Project was calculated based on the land use maps and buildout assumptions provided by the Project Description and trip generation rates from SANDAG's Guide to Vehicular Traffic Generation Rates for the San Diego Region. Five long-term cumulative impacts were identified in the traffic analysis (Chapter 2.7 of the Final EIR), three of which were at intersections surrounding the Project (**Impact TR-8** through **Impact TR-10**). One long-term cumulative impact was identified at a segment (**Impact TR-11**), and one long-term cumulative impact was identified at a nearby ramp meter (**Impact TR-12**).

The City of Escondido has adopted and will implement the following Mitigation Measures that will reduce impacts on the disturbance or loss of special-status plants to less-than-significant levels. **M-TR-1** would reduce **Impact TR-8** by restriping the westbound approach of El Norte Parkway at Woodland Parkway to provide one left-turn lane, two through lanes, one right-turn lane, and a bike lane, thus reducing congestion at the intersection and reducing the long-term cumulative impact to less than significant. **M-TR-2** would reduce **Impact TR-2** and **Impact TR-9** by providing a second eastbound lane at El Norte Parkway and modifying Country Club Lane, resulting in less congestion at the intersection of El Norte Parkway and Country Club Lane. Thus, the long-term cumulative impact would be reduced to less than significant. **M-TR-6** would reduce **Impact TR-10** restriping the south leg of Nutmeg Street to provide two southbound left-turn lanes, one shared through-right turn lane, and a bike lane, as well as restriping the north leg. Additionally, traffic signal equipment at this intersection would be modified to serve the revised intersection. Thus, with implementation of these measures, the long-term cumulative impact would be reduced to less than significant. **M-TR-5** would reduce **Impact TR-11** by providing an additional SOV lane to the southbound on ramp which would reduce congestion. However, because the improvement would be located within the jurisdiction

and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can assure that Caltrans will permit the improvement to be made, for the purposes of this analysis, the long-term significant cumulative impact at this location is considered significant and unavoidable.

V.E FINDINGS REGARDING SIGNIFICANT UNAVOIDABLE IMPACTS WHERE MITIGATION MEASURES ARE THE RESPONSIBILITY OF ANOTHER AGENCY (CEQA SECTION 21081(A)(2) AND GUIDELINES SECTION 15091(A)(2)) OR ARE OTHERWISE INFEASIBLE (CEQA SECTION 21081(A)(3) AND GUIDELINES SECTION 15091(A)(3))

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to CEQA §21081(a)(2) and (3) and CEQA Guidelines §15091(a)(2) and (3) that there are changes or alterations which could reduce significant impacts, but that such changes or alterations are within the responsibility and jurisdiction of another public agency, or are otherwise infeasible, related to:

- Transportation and Traffic – I-15 Southbound Ramp at El Norte Parkway (long-term cumulative)

The City thus finds and determines that the Project will have a **significant and unavoidable** long-term cumulative impact to traffic at this ramp.

V.E.1 Transportation and Traffic

Significant Effect

Chapter 7 of the Final EIR addressed the potential transportation- and traffic-related impacts associated with implementation of The Villages – Escondido Country Club Project. Interstate-15 (I-15) is a north/south facility that extends as a freeway from the San Diego area to the California/Nevada border and beyond. In the Project study area, it provides four lanes in each direction. A diamond interchange is located at El Norte Parkway. Similar to intersection analysis, the analysis for freeway on-ramps is based on the delay per vehicle at the ramp meter. However, the delay per vehicle is measured in minutes. Ramp metering delay represents how long the peak hour (ramp metering) would need to be extended in order to accommodate the excess vehicles. A delay above 15 minutes at a ramp is considered unacceptable. Table 2.7-8 of the Final EIR summarizes the peak hour ramp meter operations at the I-15/El Norte Parkway southbound on-ramp for Existing + Cumulative Projects + Project conditions. As shown on the table, with the addition of Project traffic, the calculated delay at this on-ramp during the AM

peak hour continues to be in excess of 15.0 minutes, with a calculated increase in excess of the allowable 2.0 minutes over Existing + Cumulative Projects conditions. Thus, the Project would result in a **significant cumulative impact** as the increase in delay exceeds the allowable 2.0 minutes established by the significance criteria (**Impact TR-11**).

For a complete summary of the Project's impacts and associated Mitigation Measures, Table 2.7-14 summarizes intersection impacts and Mitigation Measures, Table 2.7-15 summarizes street segment impacts and Mitigation Measures, and Table 2.7-16 summarizes the ramp meter impacts and Mitigation Measures.

Under CEQA, “[i]t is the policy of the state that public agencies should not approve Projects as proposed if there are feasible alternatives or feasible Mitigation Measures available which would substantially lessen the significant environmental effects of such Projects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such Project alternatives or such Mitigation Measures, individual Projects may be approved in spite of one or more significant effects thereof.” (Public Resources Code Section 21002.) Moreover, CEQA defines “feasible” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account, economic, social, legal, and technological factors.” (CEQA Guidelines Section 15364.) Accordingly, the Final EIR duly investigates all potential measures and provides specific, feasible actions that would actually improve adverse environmental conditions. The Final EIR distinguishes between Mitigation Measures which are proposed by the Project proponents to be included in the Project from other measures proposed, which are not included but could be reasonably expected to reduce the adverse impacts if required as conditions of approving the Project. Mitigation Measure **M-TR-5**, which relates to the **El Norte Parkway to I-15 Southbound On-Ramp**, states the following:

Prior to issuance of a building permit for the 170th dwelling unit, the Project applicant, or its designee, shall provide an additional Single Occupancy Vehicle (SOV) lane to the southbound on ramp. However, because the improvement would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can assure that Caltrans will permit the improvement to be made, for the purposes of this analysis, the long-term significant cumulative impact at this location is considered significant and unavoidable.

Facts in Support of Finding

Mitigation Measure **M-TR-5** would reduce **Impact TR-11** by providing an additional SOV lane to the southbound on ramp which would reduce congestion. However, because the improvement would be located within the jurisdiction and control of the State of California (Caltrans), and neither the applicant nor the City of Escondido can assure that Caltrans will permit the

improvement to be made, for the purposes of this analysis, the long-term significant cumulative impact at this location is considered significant and unavoidable.

Rationale and Conclusion

To reduce the potentially significant impacts, improvements to roadway segments, intersections, and freeway ramps would be required. The Final EIR, Table 2.7-14 summarizes intersection impacts and Mitigation Measures, Table 2.7-15 summarizes street segment impacts and Mitigation Measures, and Table 2.7-16 summarizes the ramp meter impacts and Mitigation Measures. Mitigation Measure **M-TR-5** would provide a mechanism by which to mitigate for ramp capacity impacts to Caltrans facilities. Because the City cannot ensure that the mitigation necessary to avoid or reduce the impacts to a level below significance will occur prior to construction of the Project, the Project's cumulative impacts on freeway ramp operations at the El Norte Parkway to I-15 Southbound On-Ramp are considered significant and unmitigated.

Pursuant to CEQA Guidelines Section 15091(a)(2), the implementation of necessary improvements to freeway facilities is within the exclusive jurisdiction of Caltrans, not the City, and Caltrans can and should adopt the measures identified in the Final EIR. The Project is required to implement all feasible mitigation measures referenced in Table 2.7-14 of the Final EIR. The timing, design and implementation of necessary improvements to freeway facilities is within the exclusive jurisdiction of Caltrans and the City cannot guarantee that necessary improvements will be installed when needed. No other feasible mitigation measures have been identified that would reduce potentially significant impacts to less than significant. Thus, a Statement of Overriding Considerations would be required with adoption of the Project.

VI. FINDINGS REGARDING PROJECT ALTERNATIVES

Because the proposed project will cause one or more unavoidable significant environmental effects, the City must make findings with respect to the alternatives to the proposed project considered in the Final EIR, evaluating whether these alternatives could feasibly avoid or substantially lessen the proposed project's significant environmental effects while achieving most of its objectives (listed in **Section II.E** above and in Chapter 4 of the Final EIR).

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, and pursuant to Public Resource Code § 21081(a)(3) and State CEQA Guidelines §15091(a)(3), makes the following ultimate findings with respect to the alternatives identified in the Final EIR:

Specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers,

make infeasible the mitigation measures or alternatives identified in the FEIR as described below.

“Feasible” is defined in Section 15364 of the CEQA Guidelines to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” Public Resources Code § 21081 and State CEQA Guidelines § 15019(a)(3) also provide that “other” considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds.

The City also finds that the Final EIR included an analysis of a reasonable range of feasible alternatives to a proposed project capable of avoiding or substantially lessening any significant adverse environmental impact associated with the project pursuant to CEQA Guidelines § 15126.6. Pursuant to CEQA Guidelines § 15126.6, the range of reasonable alternatives to the proposed project must include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. Based on considerations of avoiding or substantially lessening the significant environmental impacts of the Project, as well as consideration of the basic Project objectives and public comments, the following alternatives to the Project were identified and evaluated in the EIR:

- No Project/No Development Alternative
- Reduced-Density Alternatives (158 units and 138 units)
- Reduced-Density Alternative (279 units)

While the 138 and 158 Unit Reduced- Density Alternatives are two segregable alternatives to the Project, they were analyzed together in the Final EIR because both alternatives would result in similar impacts compared to the Project.

Based on the analysis presented in the EIR, the environmentally superior alternative is the No Project/No Development Alternative. However, CEQA requires that if the No Project/No Development Alternative is the environmentally superior alternative, another environmentally superior alternative must be identified. Here, aside from the No Project/ No Development Alternative, the 138 Unit Reduced- Density Alternative would be the environmentally superior alternative. 138 Unit Reduced- Density Alternative would be the environmentally superior alternative because this alternative develops the least number of residential units and therefore reduces vehicle trips from the project and impacts associated with air quality, noise, and transportation and traffic. However, as described below, the 138 Unit Reduced-Density Alternative does not meet several of the basic Project objectives.

VI.A ALTERNATIVE DEVELOPMENT LOCATION ALTERNATIVE CONSIDERED AND REJECTED FROM FURTHER EVALUATION IN THE EIR

The Final EIR discusses that an Alternative Development Location was considered and eliminated from further evaluation due to the alternative being infeasible, not reducing significant impacts of the Project, and not meeting the primary project objectives. This is consistent with CEQA Guidelines § 15126.6 (f)(2).

CEQA Guidelines Section 15126.6(f)(2) states an alternative location for a Project should be considered if development of another site is feasible and if such development would avoid or substantially lessen the significant impacts of the Project. Among factors typically used to eliminate alternatives from detailed consideration in an EIR include any of the following: failure to meet most of the basic Project objectives, inability to avoid significant environmental effects, need for additional regulatory steps, inability to add a meaningful analysis, and/or feasibility.

The Alternative Development Location alternative would consist of building the same development but at an alternative location. This alternative was rejected because another alternate site location is not likely to substantially reduce significant environmental effects as to those resources when compared to the Project site. Additionally, the Project site is in an area surrounded by residential development and thus constitutes infill and avoids inducing sprawl. In this way, the Project site helps to avoid environmentally sensitive areas and minimizes impacts to these other valued lands while aiding the City to meet their housing needs. An alternative development location is not likely to substantially reduce significant environmental effects as to those resources when compared to the Project site. The applicant has also stated that it cannot reasonably acquire, control, or otherwise have access to an alternative site with the same or similar attributes as the Project site.

Further, if an alternative site location were selected, the alternative would not address the underlying purpose of the Project and its basic objective to revitalize the existing abandoned clubhouse property, and eliminate its ongoing challenges with regard to maintenance and other hazard, public health, safety, and welfare concerns (e.g., overgrowth of vegetation, dying trees and other foliage due to lack of irrigation, unsightly areas adversely affecting neighboring properties). Additionally, the Project's underlying purpose would be frustrated by the selection of an alternative site. In fact, the applicant targeted this specific site because of the need to revitalize the now dilapidated former clubhouse property, which creates an opportunity for positive change, and there are no similar alternative sites that would provide opportunities for positive change of this magnitude. For these reasons, the City considered but rejected from further analysis an alternative development location as infeasible and undesirable.

VI.B SUMMARY OF ALTERNATIVES CONSIDERED IN THE FINAL EIR

The Project alternatives evaluated in the Final EIR include:

- No Project/No Development Alternative
- Reduced-Density Alternatives (158 and 138 Units)
- Reduced-Density Alternative (279 Units)

VI.B.1 No Project/No Development Alternative

CEQA requires an evaluation of the “No Project” alternative so that decision makers can compare the impacts of approving the Project with the impacts of not approving it. Under the No Project/No Development alternative, the site would remain in its existing condition as an unsightly, abandoned, former golf course/clubhouse property. There would be no residential, greenbelt, park, trail, and other community and recreation uses developed on site. Traffic improvements would not be constructed, and none of Project site would be permanently preserved as open space. Maintenance and abatement would continue to be required to ensure the public, health, safety, and welfare. The existing site would continue to be used for unauthorized purposes, such as use of the site by transients and vandals for drug use and graffiti.

In relation to the proposed Project, the No Project/ No Development alternative would reduce impacts to air quality, biological resources, cultural resources, greenhouse gas emissions (GHGs), hazards and hazardous materials, noise, and transportation and traffic.

However, because the proposed Project would not be constructed under the No Project/No Development Alternative, none of the Project objectives as set forth in **Section II.E.** above and in the Final EIR would be attained under this alternative. It also is noted that under this alternative, certain benefits associated with the project such as the construction of community and recreational amenities, preservation of open space, and maintenance and nuisance abatement would not occur. Furthermore, development of the existing site is reasonably expected to occur in the foreseeable future, and another development proposal would likely have the same or similar impacts.

VI.B.2 Reduced-Density Alternatives (158 and 138 Units)

ECCHO proposed two reduced-density alternatives of 158 and 138 residential units during the EIR public scoping period, which were considered as Reduced-Density Alternatives in the EIR. As both alternatives would result in similar impacts compared to the Project, they were analyzed together in the EIR. It was assumed, based on the Figures provided (Figures 4-1A and 4-1B of the Draft EIR), that the existing R-1-7 zoning would remain the same under the two reduced-

density alternatives; therefore, all lots would be a minimum of 7,000 square feet. Although fewer units would be developed, the disturbance footprint would be roughly the same as the Project because the lot sizes would be larger. In addition, the green areas depicted in the plans were reasonably assumed to consist of drainage facilities, BMPs, utilities to support the residential development and uses, as well as some passive open space. Lastly, the alternative would not include the SAP, but it would include bicycle and pedestrian improvements along Country Club Lane.

In relation to the proposed Project, as the footprint of disturbance to construct the reduced number of residences would remain the same, the Reduced-Density Alternatives (158 and 138 Units) would still result in impacts to biological resources, cultural resources and paleontological resources, and potentially hazardous conditions, and would be the same compared to the Project. The Reduced-Density Alternatives (158 and 138 Units) would reduce air quality, GHG, noise, and traffic impacts because the reduced-density alternatives would involve fewer units and thus fewer traffic trips. Construction emissions would be similar to the Project; however, since fewer homes would be constructed, fewer emissions would occur over a shorter duration. However, with the exception of the single identified traffic impact on the I-15 southbound on-ramp at El Norte Parkway, the Project would reduce each of these impacts to less than significant with mitigation incorporated. Ultimately, the impacts of the Reduced Density Alternatives would be less than significant with mitigation incorporated, the same as the Project, for air quality, biological resources, cultural resources and paleontological resources, GHGs, hazards/ hazardous materials, and noise.

While the alternatives would not require the identified improvements on the I-15 southbound on-ramp at El Norte Parkway, which would eliminate an identified significant unavoidable traffic impact associated with the Project, it is noted the Project incorporated mitigation for this impact which may reduce the impact to less than significant. The effect is only found significant and unavoidable because the proposed improvements are not within the City's jurisdiction and control because the on-ramp is a Caltrans facility.

VI.B.3 Reduced-Density Alternative (279 Units)

This reduced-density alternative would include development of 279 residential units (Figure 4-2). This alternative would include three different sized lots: 5,000 square feet (94 DUs); 6,000 square feet (86 DUs); and 7,000 square feet (99 DUs). A zone change or a specific plan would be required. Under this alternative, there would be approximately 30 acres less open space than the Project-- approximately 18 acres of open space/landscape with a 1.5-mile trail system. Although this alternative has fewer units than the Project, because the smallest lot would be 5,000 square feet, this alternative would have a larger development footprint than the Project. Because of the smaller area of open space, this reduced-density alternative would not include the same

opportunities for dedicated open space and the provision of greenbelts or a walking trail system as the Project. Lastly, the alternative would not include the SAP, but it would include bicycle and pedestrian improvements along Country Club Lane.

In relation to the proposed Project, as the footprint of disturbance to construct the reduced number of residences would be slightly larger, this Reduced-Density Alternative (would still result in similar impacts to biological resources, cultural resources and paleontological resources, and potentially hazardous conditions compared to the Project. However, the Reduced-Density Alternative would reduce air quality, GHG, noise, and traffic impacts because the reduced-density alternatives would involve fewer units and thus fewer traffic trips. Construction emissions would be similar to the Project; however, since fewer homes would be constructed, fewer emissions would occur over a shorter duration. Ultimately, the impacts of the Reduced Density Alternative would be the same as the Project: less than significant with mitigation incorporated for all impacts with the exception of traffic impacts at the El Norte Parkway I-15 Southbound ramp meter, which would remain significant and unavoidable.

VI.C FINDINGS REGARDING ALTERNATIVES CONSIDERED IN THE FINAL EIR

Finding

The City finds that the Final EIR adequately evaluates the comparative merits of each alternative. The No Project/No Development Alternative is addressed to compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. “No project” can be interpreted as no development or maintaining the existing condition. As discussed throughout the Final EIR, this alternative most closely represents the existing condition at the time of the release of the NOP. While adoption of the No Project/No Development Alternative would avoid the proposed Project’s significant impacts, it would not meet the basic Project objectives.

Development would still occur under the Reduced-Density Alternatives. The footprint of disturbance to construct the reduced number of residences would still result in impacts to biological resources, cultural resources and paleontological resources, and potentially hazardous conditions, and would be the same or substantially similar compared to the Project. The reduced density alternatives would still be required to implement mitigation measures to reduce potential impacts. Construction emissions would be similar to the Project; however, since fewer homes would be constructed under these alternatives, fewer emissions would occur over a shorter duration. Additionally, although slightly less grading and earthwork would be required because these alternatives do not include the Specific Alignment Plan (SAP), the same type of equipment would be used and the amount of area disturbed would be only slightly less under these

alternatives because the lot sizes would be larger. Construction noise levels would be slightly less; however, mitigation would still be required to reduce impacts to less than significant.

There would be approximately 67 percent less traffic under the Reduced-Density Alternative (138-unit) alternative and 63 percent less traffic under the Reduced-Density Alternative (158-unit) alternative compared to the Project. These alternatives would result in two fewer street segment significant impacts, and two fewer intersection impacts; see Appendix 4-1 in the Final EIR. All other significant impacts would remain the same as the Project. Therefore, under these Reduced-Density Alternatives (138- and 158- unit), traffic impacts would be reduced, because fewer homes would result in fewer trips and fewer vehicles on surrounding streets. In addition, the alternatives would not require the identified improvements on the I-15 southbound on-ramp at El Norte Parkway, which would eliminate an identified significant unavoidable impact associated with the Project. However, the Project mitigates this impact with the identified improvements and conservatively recommends adoption of a significant “unavoidable” impact, only because the proposed improvements are not within the City’s jurisdiction and control because the on-ramp is a Caltrans facility.

Under the Reduced-Density Alternative (279 Units), there would be approximately 35 percent less traffic compared to the Project. This alternative would result in one less street segment significant impact, one less intersection impact, and one intersection impact would be delayed from “direct” to “near-term and long-term cumulative” only. All other significant impacts would remain the same as the Project (Appendix 4-2). Therefore, although impacts would be reduced compared to the Project, they would not be avoided.

Having weighed and balanced the pros and cons of each of the alternatives analyzed in the Final EIR, each of these alternatives is hereby found to be infeasible based on the Final EIR’s analyses, the Project Objectives, these CEQA findings, and other appropriate considerations. Project alternatives would not meet Project Objectives as effectively as the Project and would not adequately meet the City’s housing goals and policies. Project alternatives would also not allow the context sensitivity addressed in the Project, through a clustered development pattern. Nor would the alternatives address existing land use incompatibilities to the extent addressed by the Project. Through the clustered development application, the total number of homes, or density allowed on the Project site, is clustered to more suited areas of the property (and on a smaller portion of the total available land). The remaining land, which would have been allocated to individual home sites, is converted into protected passive and active open space areas and shared by the residents of the Project and the entire ECC community.

The alternatives would not meet the City’s goals and policies concerning meeting its regional housing needs and promoting a variety of housing opportunities. The Project would increase housing stock and provide a variety of housing types in a manner that helps preserve community

character, while allowing development to proceed in accordance with the General Plan land use designation, which authorizes the type, amount, and intensity of permitted development. (See, General Plan; General Plan Housing Element; City Housing Policy 2.1; and City's Regional Housing Needs Assessment, Final EIR Section 4.9.2.) No housing would be provided with the No Project/ No Development Alternative. While the Reduced Density Alternatives would also increase housing by 138, 158, or 279 units, the increase would be substantially less and all new residential lots would be of larger size and feature similar housing prototypes. Therefore, a range of housing types and densities would not be provided. The alternatives also do not meet the City's policies to encourage creative residential development or provide the numerous amenities offered by the Project.

The City also finds the Project alternatives are infeasible for not satisfying Project Objectives. Whereas the Project would incorporate numerous community, social, and recreational amenities and expand the housing stock in clustered villages in a manner aligned with City policies and Project Objectives; the alternatives do not include a Specific Alignment Plan (SAP), a trail, recreation center, event lawn, community farm, restaurant, banquet space or other amenities provided by the Project. While sustainable design measures would be included as part of the Reduced Density Alternatives, they would not be included to the level provided by the Project. While the Reduced Density Alternatives would maintain site topography and protect natural resources similar to the Project, they would not enhance walkability, minimize water usage, maximize energy saving features, or protect privacy of existing residents to the level provided by the Project. **Table 4-2** of the Final EIR, **Comparison of Alternatives Relative to Project Objectives**, provides a comparison of each of the alternatives relative to achieving each of the Project Objectives. In sum, the Reduced Density Alternatives (138 and 158 Units) would not meet Project Objectives 3, 5, and 6 and would only partially achieve Project Objectives 4, 7, and 8. The Reduced Density Alternatives (279 Units) would not meet Project Objectives 3, 5, and 6, and would only partially achieve Project Objectives 2, 4, 7, and 8. The No Project/ No Development Alternative would not satisfy any Project Objectives.

Further, the Project would reduce all significant impacts to a less-than-significant levels through mitigation, excepting one anticipated cumulative impact at the I-15 southbound on-ramp at El Norte Parkway; thus the Project would ultimately achieve all of the Project objectives and substantially lessen its environmental impacts. Mitigation of the only identified unavoidable impact is technically and realistically feasible through ramp metering adjustments; the impact is only deemed significant and unavoidable because the timing, design and implementation of necessary improvements to freeway facilities is within the exclusive jurisdiction of Caltrans, and the City cannot guarantee that necessary improvements will be installed when needed. For each of these reasons, the City finds the alternatives infeasible.

VII. GROWTH-INDUCING IMPACTS

Pursuant to CEQA Guidelines Sections 15126(d) and 15126.2(d), the Draft EIR examined ways in which the Project could foster economic or population growth, or the construction of additional development, either directly or indirectly, in the surrounding environment. As discussed in the Initial Study prepared for the Project, which is provided in Appendix 1-1 of the Draft EIR, the Project proposes infill residential development which is not anticipated to induce substantial population growth in the area. The project would not remove an impediment to growth to the surrounding area by removing infrastructure limitations. If the project creates substantial new permanent employment opportunities, it could indirectly induce growth by stimulating the need for additional housing and services to support the new employment demand. Given the small size of proposed commercial use and activity, impacts are anticipated to be less than significant.

The Draft EIR Section 1.8, Growth-Inducing Impacts, examined whether the Project could induce growth. As discussed, the Project would connect to existing utilities and service systems, and would not result in the expansion or extension of facilities in a manner which would induce growth. The Project would also not result in the need for new or physically altered facilities related to fire, police, schools, or libraries; or solid waste disposal facilities. While the Project would induce economic growth by introducing temporary employment opportunities associated with construction of the Project; providing recurring revenues that would include property taxes and sales taxes; introducing new permanent jobs associated with ongoing maintenance and operations of the greenbelt area, Clubhouse, gym, community farm, convenience grocery store, and restaurant; etc.; the economic growth attributable to the Project would not result in an indirect adverse environmental impact. The Project would also not induce growth where its proposed density is consistent with the surrounding area and the General Plan.

The Draft EIR Chapter 3.1.6, Population and Housing, further analyzed forecasted growth under the Project to determine whether the potential population and housing change would result in physical environmental effects related to the development of the Project. The Project is anticipated to bring approximately 1,254 new residents to the Escondido area. Based on the analysis in the Draft EIR, the Project would be an infill development, constructed on previously developed land, and would provide appropriate housing stock to accommodate future growth forecasted to occur within the City. Growth as a result of the construction of utilities and associated utility lines is not considered to be substantial and it would not significantly increase existing population numbers within the Escondido Area.

VIII. MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the proposed Project, which the City has adopted or made a condition of approval of the proposed Project. That MMRP is incorporated herein by reference as though fully set forth and is considered part of the Record for the proposed Project. This MMRP is designed to ensure that, during Project implementation, the City and other responsible parties will comply with the mitigation measures adopted in these Findings. The MMRP designates responsibility and anticipated timing for the implementation of Mitigation Measures. The City will serve as the MMRP Coordinator.

To the extent that these Findings conclude that various project design features and mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to implement these measures. These Findings, therefore constitute a binding set of obligations that will come into effect when the City formally approves the proposed project. The project design features and adopted mitigation measures are included in the MMRP adopted concurrently with these Findings and will be effectuated through the process of implementation of the Project.

The City hereby finds that the MMRP, which is incorporated herein by reference, meets the requirements of CEQA, including Public Resources Code Section 21081.6, by providing for the implementation and monitoring of Project conditions intended to mitigate potential environmental effects of the Project.

IX. STATEMENT OF OVERRIDING CONSIDERATIONS

Whenever a lead agency adopts a Project which will result in a significant and unavoidable impact, the agency must, pursuant to Public Resources Code Sections 21002 and 21081(b) and CEQA Guidelines Section 15093, state in writing the specific reasons to support its action based on the Final EIR and/or other information in the administrative record.

CEQA Guidelines Section 15093 states:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed Project against its unavoidable environmental risks when determining whether to approve the Project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

- (b) When the lead agency approves a Project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the Project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

As demonstrated in **Section VI** of this document, the Project alternatives would not satisfy the project objectives as effectively as the Project. Accordingly, the City Council adopts the following Statement of Overriding Considerations.

The City recognizes that significant and unavoidable impacts would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives for the reasons discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project, against the Project's potential significant and unavoidable impacts, the City Council hereby finds that the benefits of the Project outweighs and overrides the potential significant unavoidable impacts of the Project, for the reasons stated below. Each of these public benefits serves as an independent basis for overriding all significant and unavoidable impacts. Any one of the reasons set forth below is sufficient to justify approval of the Project. The City finds that each one of the following overriding considerations independently, grouped by overarching theme, or collectively, is/are sufficient to outweigh the significant and unavoidable impacts of the Project:

1. Housing Benefits

- The Project would provide a variety of quality housing opportunities, totaling 380 units, which would accommodate anticipated population growth and future housing needs within the City as projected by the San Diego Association of Governments (SANDAG). SANDAG is the agency responsible for allocating the region's future housing needs to jurisdictions, taking into account: the market demand for housing; employment opportunities; availability of suitable sites and public facilities; commuting patterns; type and tenure of housing; loss of units in assisted housing developments; over-concentration of lower income households; and geographical and topographical constraints. Rather than directing new development into agricultural, natural land, or environmentally sensitive areas, the Project redirects anticipated growth to an underutilized, infill site and guides physical development towards a desired image that is consistent with the social, economic, and aesthetic values of the City.

- The Project proposes a range of housing types and designs, which would increase homeownership opportunities and expand the stock of housing. The proposed housing can accommodate a range of incomes and lifestyles, and can assist with meeting entry-level workforce, or senior housing. The Project would include senior-targeted residences designed to be compatible with existing residential land uses while providing for easy entry and other easy living features targeted for seniors or others with disabilities.
- The Project allows the City to become a model of context-sensitive development and provide for the long-term conservation and management of the natural resources that help to define the City's identity, contribute to its economy, and improve its quality of life. The Project provides a realistic land use map that accounts for existing development, physical constraints, hazards, and incompatible uses and assigns densities and use types accordingly to ensure that communities and neighborhoods remain safe and livable. The primary planning principle for the Project is the integration of the new land uses into the land use patterns of the existing ECC community. The Project is replacing the former golf course use. The original design of the master planned ECC community and many of the existing homes adjacent to the former golf course are oriented to take advantage of the visual open space. In consideration of this context, new development would need to fit within the existing neighborhood to help re-establish important community functions. Where new growth is anticipated and planned on the subject site, Project features have been incorporated to help minimize physical and visual impacts. The Project addresses land use compatibility with the adjacent neighborhood and overall mass and scale of the Project through the context sensitive design and innovative design solutions, such as, and not limited to, provisions of multiple smaller building groups rather than fewer but larger buildings; providing one-story development of 16 percent of the housing provided; facilitating architectural styles and building materials similar to adjacent single- and multi-family development; and accommodating privacy buffers between 50 and 200 feet, which would provide varied building setbacks around the perimeter of the site and larger setbacks adjacent to residential uses. In addition, the Project proposes to preserve or enhance much of the natural features on the site in order to maintain the character of the area. Therefore, the Project promotes sustainable development through goals and policies that balance the need for adequate housing, with the need for resource management, environmental protection, and preservation of quality of life for residents in the ECC community.
- The Project would eliminate the blighted condition of the Project site and abate hazards to public health in the neighborhood and would revitalize the neighborhood by creating a highly livable environment with various social, recreational, and open space uses.

2. Recreational and Open Space Benefits

- The Project promotes sustainability through the provision of residential, commercial, and recreational uses on the same site and in close proximity to existing ECC community. Development under the proposed project would be focused primarily on previously disturbed/developed areas around the golf course, and would integrate with and support the existing ECC community. Through compact design and enhanced mobility options, the Project provides infrastructure improvements that are conducive to walking and biking for residents of the new development, as well as for the existing residents. While the Project eliminates the land-intensive golf course use, recreational and social functions would be replaced or expanded. The Project's design includes a 48.9-acre open space system, a trail and park system that links the neighborhood amenities and encourages outdoor activity, a series of four neighborhood parks totaling 3.5 acres. Within these areas, there would be a wide range of services and amenities dedicated for public use. These improvements would result in a substantial public benefit in the form of expanded public recreation facilities in the ECC community. The Project would also provide other recreational amenities including a swimming pool, gym facility, and other community amenities. The Project expands opportunities and outcomes for families by providing a healthy and safe physical environment, while supporting recreational opportunities and land use patterns that encourage a healthy lifestyle.
- The Project would generally maintain the current land use pattern and housing density that is similar to the surrounding areas. Innovative land use measures promoting the preservation of open space and environmentally sensitive areas is an important feature of the Project and helps produce a comprehensive development of superior quality than might otherwise occur from more traditional development applications because the proposed development clusters density at the center of the site allowing for more open space at the perimeter, preserving visual character. The Project is a departure from the typical suburban development model, which generally has been implemented in other areas of the City and the rest of the San Diego region.
- The Project would develop an infill site which would limit the encroachment of development into environmentally sensitive areas and natural habitats.

3. Social Benefits

- The Project provides innovative land use measures and fulfills a neighborhood need to have a civic and cultural "core" by creating a special destination where work, play, dining/entertainment, living and just gathering naturally bring the ECC community together. The Project would serve as the major unifying element of the entire community

by helping connect the community by providing walkways, trails, bike lanes, linear park-like amenities, and diverse land uses to connect to one and another. By providing a new degree of connectivity, residents, employees, and visitors would be able to explore their community by foot and by bicycle in new and different ways.

- The Project provides a new set of activity options for guests, residents, and the surrounding community. In addition to the recreation and open space-related benefits of the Project, the Village Center would accommodate a number of social and community amenities, including a convenience grocery store, restaurant, community farm, and a Village green. Other amenities would include a swimming pool, gym facility, and other amenities. Increased options for entertainment and activities, such as community events and farmers' markets, would also increase options for entertainment. Altogether, the Project would provide a new set of diverse activity options for guests and residents, filling a void of activities for different age groups, including children and seniors. These areas can provide everyday experiences that are shared with a variety of people. The design of the Village Center, as well as the trail and park system, would help provide opportunities for interactions and contribute to social cohesion in the area.
- The Project would eliminate the blighted condition of the current Project site and abate hazards to public health and safety, which brings benefits to the larger ECC community.

4. Mobility and Access Benefits

- The Project improves mobility through the development of a balanced, multimodal transportation network, focusing new development near to existing services and infrastructure. It emphasizes a multi-modal approach to mobility that recognizes the benefits (including healthful and traffic-alleviating benefits) of providing options that encourage walking, cycling and transit use. All together these enhanced mobility options provide a better connected, user-friendly network representing a more diverse, sustainable transportation network.
- The convenient availability of walking trails and parks that are accessible for use by both nearby existing residents and new residents would reduce demand on the local street system and satisfy the demand on the local parks and recreational facilities.
- Traffic calming measures along West Country Club Lane, embodied by a proposed Specific Alignment Plan (SAP), would improve vehicular flow at a managed pace, enhance roadway user experiences, and widen the network of walkable routes and biking options throughout the extended community.

5. Economic and Tax Benefits

- Development of the Project would activate an underutilized property and result in a new source of economic vibrancy in the ECC community, which would benefit existing and future homeowners and fund City infrastructure. The Project, as designed, would provide a stable and significant source of tax revenue for the City, including property tax and sales tax. The addition of new retail uses at the Project site would fulfill a recognized need in the community for additional retail development, and reduce the need for area residents to travel outside the community to satisfy their shopping requirements. In consideration of property taxes and sales tax, the Project is estimated to generate a net annual fiscal benefit to the City. Such revenue may be spent by the City to improve vital services including police and fire protection, parks, roads and other infrastructure in the City. Money added to the General Fund will positively impact the City as a whole, not just the ECC community.
- The Project enhances the local economy and provides opportunities for future jobs and business development. The Project would boost the local economy by supporting construction-related jobs, property management and maintenance-related jobs, and full and part time jobs at the Village Center. Labor income output from the Project would result in direct, indirect, and induced spending, injecting job wages into the local economy.

The City, (i) having independently reviewed the information in the Final EIR and the Record of Proceedings; (ii) having made a reasonable and good faith effort to eliminate or substantially lessen the significant impacts resulting from the Project to the extent feasible by adopting the Mitigation Measures identified in the Final EIR; and (iii) having balanced the benefits of the Project against the significant environmental impacts, chooses to approve the Project, despite its significant environmental impacts, because, in its view, specific economic, legal, social, and other benefits of the Project render the significant environmental impacts acceptable. In making this Statement of Overriding Considerations in support of the Project, the City Council hereby determines that the Project's benefits outweigh the significant unmitigated adverse impacts. Substantial evidence supports the various benefits and such evidence can be found either in the Findings which are incorporated by reference into this section, the Final EIR, or in documents that comprise the Record of Proceedings in this matter. Therefore, the City Council finds it necessary to adopt a Statement of Overriding Considerations for the proposed Project.

ATTACHMENT PC-5
ECCHO White Paper

City of Escondido Planning Commission
201 North Broadway
Escondido, CA 92025



Oct. 2, 2017

**October 10, 2017 PC Meeting
Written Communication for a
future agenda item.
Case Nos. SUB 16-0009; ENV 16-0010;
PHG 16-0018**

Attention: Stan Weiler, Commissioner

Project Title: The Villages Specific Plan (Case No. ENV 16-0010; SUB 16-009)

Project Applicant: New Urban West, Inc.

Project Location: 1800 W. Country Club Lane, Escondido

Mr. Weiler,

Attached is a White Paper that was prepared by the Escondido Country Club Homeowners Organization (ECCHO) which we feel was ignored by the contract planner preparing the Environmental Impact Report for the Escondido Planning Division. It sets forth the history of land use and planning principles applied to the early project approvals in the Country Club neighborhood including density transfers, special use permits and variances to allow the building of the golf course. Exhibit B of the White Paper is a key reference document prepared by the City of Escondido pursuant to Election Code #9212, July 23, 2014.

The White Paper is the basis for ECCHO's reduced-density 158 lot alternative project adhering to the existing 2012 General Plan, R-1-7 zoning that is in the EIR.

The White Paper is a product of three contributors, researching and drafting collaboratively. Darrel Daugherty is the former Planning Director for the City of Escondido; Shareen Carr is retired Planner with the City of San Diego and Mike Slater is a licensed Land Surveyor in the State of California.

I have also included an article from the San Diego Union-Tribune. A portion of this article talks about a luncheon at the Escondido Chamber of Commerce which I attended. New Urban West's representative indicated the owner, Mr. Schlesinger, would take advantage of density bonuses that would lead to far more housing units "if the city doesn't approve the project, he will tie the city's hands, use this state statute, and preempt local control."

I thank you in advance for reviewing these documents and considering the information in them for your recommendation to the City Council.

Sincerely,

A handwritten signature in black ink that reads "Mike Slater".

Mike Slater

ECCHO President

m Slater.2014@cox.net

WHITE PAPER; COUNTRY CLUB LAND USE OVERVIEW

INTRODUCTION

This paper examines the history of land use designations in the area described in the City of Escondido's General Plan as the "Country Club." The historic designations define the true zoning regulatory scheme for the area and establish the capacity for, or the limitations on, any additional development. The paper also discusses the losses resulting from the closure of the Country Club property, and the remedies available for the purpose of addressing those losses through the enforcement of the terms of the historical land use regulatory scheme.

LOSSES DEFINED

Closure of the Escondido Country Club and golf course resulted in losses suffered in varying degrees by three categories of the citizenry of Escondido. They are:

Golf Club Members. The opportunity to play the game of golf is lost; it is lost to club members and members of the public who played the game.

Adjoining Property Owners. Owners whose homes adjoin or overview the golf course have sustained a more tangible, material loss. The benefit conferred by proximity to the course, whether the promised benefit was express or implied, was very real and the loss of such benefit could be calculated in monetary damages.

The Northwest Community. Somewhat more generalized, but nonetheless tangible, is the loss of the club and course as a community amenity – actually two amenities – open space and the recreational asset of the club house. The course is the only dedicated open space in that quadrant of the City west of the I-15 freeway; it defined the entire neighborhood. Home values in the area were and are defined by the open space benefit. For many years, the clubhouse offered the only venue for special social occasions in the City. Until the Center for the Arts was opened, every major community event was held at the club. After the CCAE opened, the club continued to be the social center of the local neighborhood for food and socialization. Both benefits have been lost.

REMEDIES

There are usually remedies available to address any loss and this case study is no exception. In fact, there are at least three remedies to be considered, depending on the party seeking redress.

Property Owners: Litigation

Home owners whose properties abut, or are expressly benefited by proximity to, the open space of the golf course have standing to enforce their rights pursuant to the Doctrine of Equitable Servitudes. An equitable servitude is a non-possessory interest in land that allows the owner of the *benefitted property* to use or restrict the use of the *burdened property*. Equitable servitudes operate similar to a covenant running with the land. Equitable servitudes differ from covenants in that:

- They are enforceable by injunction, while a real covenant is remedied by money damages.
- No horizontal or vertical privity is required for a servitude to run with the land.
- Servitudes are ownership interests in land, while real covenants are promises.
- The elements for a servitude to run with the land are:
 - a writing;
 - an intent to bind subsequent owners when the servitude was created;
 - the servitude “touches and concerns” the land; and
 - notice of the servitude.

An affirmative servitude allows the benefitting owner to use the burdened property in a specified manner and must satisfy the elements to bind successors.

A negative servitude allows the benefitting owner to restrict the use of the burdened property. A negative servitude may be implied without a writing when successors should have known of the restriction, even without notice. This typically occurs when a development is built under a common plan or scheme. As demonstrated in the analysis above, the Country Club homes were developed pursuant to just such a scheme.

Community Members: Initiative

It should be noted that the equitable servitude remedy was considered as early as 2013 when the closure of the club and course was first threatened. However, this litigation remedy would have been the responsibility of only the adjoining property owners having standing to sue. The decision was made to involve a larger number of stake-holders, so the alternative was selected that could be pursued by the community at large, namely the citizen’s initiative.

The same initiative remedy is available to the community today. The success of the 2013 open space initiative measure can be repeated. To whatever extent the original measure may have been deemed flawed, corrective language would be a simple fix.¹

The process is familiar. A petition is drafted, filed with the City Clerk, and circulated for voter signatures. If 10% of the registered voters sign the petition, the City Council may either adopt the measure outright or call an election in November of 2018. If 15% of the electors sign the petition, the City Council must either adopt the measure or call a special election in 2017. In either case, no development of the site could occur until the outcome is determined.

Alternative Plan: Project Proposal

The community has the option of offering an alternative development plan which conforms to the regulatory land-use scheme that has been a historic reality.

¹ Refusal by the City to defend the original open space measure- even in the context of the predicted success of such defense – puts the community in the position of having to repeat the process.

This option presents an ironic twist: the community assumes the task of doing the work of the developer. ECCHO could prepare a plan that is acceptable to (at least) a majority of the community. Yet, this is not a significant departure from the usual land use approval process. Land use decisions are now a democratic exercise: councils will usually approve projects only after a significant degree of acceptance is signaled by the public. If ECCHO were to register its adamant opposition to a development proposal, approval by the City would be unlikely. By presenting its own plan, ECCHO would simply be having more direct involvement in the process.

There is a reality to be noted in this context. New Urban West is only the nominal developer — the developer barely in name. NUWI does not own the property. In fact, the development application is signed by the owner, Michael Schlesinger. The high densities proposed in the NUWI/Schlesinger application are a direct function of the sales price currently demanded by the owner. Yet, the true value of the land will be determined by whatever development plan may be approved by the City. If a plan is approved, that plan will translate into a true market price for the land. If the approved plan densities fail to match the owner's sales-price expectation, there will be no sale or the sale price will be reduced.

If the community chooses the third remedy – presentation of an alternative development plan – it must do so in the context of the “true” land-use regulatory scheme for the region. Unfortunately, the zoning classification of R-1-7 is worse than incomplete; it is wrong and misleading. In order to pursue the alternative plan remedy, it's necessary to do so in accordance with the history of project approvals.

DEVELOPMENT HISTORY: LAND USE PLAN

Background

In 1960, the Royart Corporation bought two large tracts of land from local landowners and built a nine-hole golf course which was to be the centerpiece for 1,200 homes. The development was named the Golden Circle Valley Golf Club, homes were built and the club and course were opened in 1964. Later in the 60's the second nine holes of the course were added with accompanying housing projects. Approvals of these developments were granted pursuant to a variety of special use permits, variances and subdivision maps whereby densities were increased and set-backs and road standards were reduced as a result of the benefit of the golf course and open space. In 1967, Royart entered bankruptcy. The lender, Prudential Savings, took the property over and re-named it the Escondido Country Club. The property was acquired by Unger Pacific in 1971 and more housing was phased into the surroundings of the golf course. In 1973, Unger also entered bankruptcy and two club members, Vollney Bell and Fred Sherman acquired the club and course. They leased the operation to the predecessor, American Golf, which bought the property in 1983. During this period, a total of 19 housing projects were approved and built, all in keeping with the over-all development plan envisioned around the course. A more detailed account of the Club's background is available in a brochure that reported on the Club's history from 1962 to 1992, a copy of which is attached as Exhibit A.

The City Report

When, in 2014, the property owner submitted its own initiative measure to the City for consideration, the Council ordered the preparation of a report – often called a “9212 Report”, (based upon the Elections Code section which gives the City the right to call for such a report to be prepared in the thirty-day period following the submittal of a petition). The 36-page report, with 83 exhibits in the Appendix, is a very thorough recap of the history of Country Club project approvals, although it does not explain the principal of density transfers or bonuses resulting from the “pledge” of open space provided by the golf course. A copy of the report (and exhibits) is attached as Exhibit B and is a key reference document for this paper

The Front Nine Development

Exhibit B contains a map setting forth all the subdivisions developed around the golf course. The map is our primary point of reference.

There were four separate projects which comprised the early development of the Golden Circle Valley project. Working from the map contained in Exhibit B, it is possible to identify the earliest projects (up until 1974), particularly the “front nine houses” (referring to the first nine holes of the golf course). The first four subdivisions in this early phase are identified as projects A, B, H and S. Each proves the point that density “bonuses” were granted to these projects in recognition of the fact that the residential lots could be smaller because they had the benefit of adjoining the open space provided by the golf course. The same principle was applied to a fifth subdivision, listed on the map as project R, which was part of the later development of the “back nine” homes. (Approved in 1978.)

An analysis of the density bonus or transfer plan is best reflected in the attached graph of each of the five developments, shown as Exhibit C.

Subsequent Projects

The first four projects in the overall development are clear examples of the density exchanges, and the continuity of a “Country Club Plan.” This paper does not track the progress of this plan in subsequent years. Generally, individual projects were advanced via a patch-quilt of various approvals. In the later years (after the enactment of the Subdivision Map Act), formal subdivision maps were approved. In the mix of the many earlier project approvals were variances, Special Use Permits and Specific Plans. Each such planning vehicle was used to by-pass the typical R-1-7 standard requirements, thereby permitting density exchanges and clustering. Condominium projects were even included in the history of approvals. But the point remained – all approvals were done pursuant to a common plan or scheme centered on the club and course. Equally important, every approval “ran with the land” and conferred a vested right in the homeowners of each project. All such projects were designed around, and were dependent upon, the open space of the golf course; thus, the buyers of homes were deemed the beneficiaries of such open space.

INTERPRETATION/APPLICATION

Basic Constraints

The area of the golf course available for development is constrained by certain topographic factors which prohibit home building. Construction cannot occur within a defined flood plain, nor can it happen on steep slopes. In the case of the country club golf course, 13 acres are within the flood plain. The slopes and existing utility, sewer and water easements within the planned area require the subtraction of 4.4 acres of land. A commercial site within the planned area must also be subtracted from the developable area. An example would be the club house area consisting of lots 1, 2 and 3, Map No. 5433 consisting of 6.5 acres. The total of these non-developable acres is 23.9

Best planning practices require that these constraints be first netted-out of any area being considered for development. In the case of the 109.3-acre golf course property, 23.9 acres cannot be included in the buildable area because they are in the flood plain, existing easements, or contain slopes in excess of the permitted gradient. The subtraction of these set-asides leaves 85.4 developable acres. Further, the "pledged acres" (as described below) must also be subtracted from the developable area as dedicated open space.

Density Transfers: Pledged Open Space

The Country Club neighborhood was developed in phases over a multi-year period. It was built-out pursuant to over 10 different land use approvals up to 1974. The vehicles for approval varied from variances granted in the early years to subdivision maps with accompanying environmental impact reports in the later years. Irrespective of the various forms of approval, one principle was followed by all projects: residential units were keyed to the Country Club and golf course as amenities.

The relationship between the residential units and the golf course was more intimate than a mere marketing device. Based upon the principle that the golf course afforded an open space element benefiting each residential unit, the lots for each such unit were reduced in size and increased in number. Specifically, the lot sizes were reduced from the zoning requirement of 7,000 square feet to as small as 2,000 square feet, because the lots were benefited by their proximity to the open space of the golf course. Effectively, credit was given to each lot for the open space element of the golf course, a practice sometimes referred to as a "density transfer." Smaller lots and more of them (higher densities) were allowed in recognition of the accompanying open space element of the over-all plan.

The end result of any such transfer, however, is that the open space, for which higher densities have been granted, is no longer capable of supporting more residential capacity. Its capacity has been set aside as open space to serve the undersized residential lots. Stated differently, the open space has been equitably pledged to support the bonus densities.

This calculus has a profound impact on the 109.3-acre Escondido Country Club Golf Course. In return for many years of denser development of the ground surrounding the course, 41.4 acres of the course have been pledged – or consumed, if you will – to serve a total of more than 1500 homes dependent on that open space.

Total Area for Development

The basic topographic constraints subtract 23.9 acres from the developable area. The acreage pledged to open space as a result of the density transfer principle equals 41.4 acres, bringing the total of undevelopable acres to 65.3. The result: the net land area for new development on the golf course is 44 acres. Applying the underlying zoning regulation average for R-1-7 (3.6 density units per acre) to the net developable area, the golf course can legally yield no more than 158 new residential units.

It must be noted that this “density transfer and open space pledge” calculation is based upon a study of only five of the total of 26 projects approved as part of the Country Club neighborhood. As explained above, several later-dated projects were approved allowing clustering and condominiums, all resulting in greater densities that would not have been permitted in a standard R-1-7 project. A more complete study of ALL projects approved in the region is likely to reveal an even greater pledge of open space in return for density increases. Confirmation of such pledges would serve to further reduce (below 158) the permissible yield of new residential units.

The 2013 Open Space Measure

In 2013, when ECCHO sponsored its open space measure, care was taken to cite the history of project approvals (as set forth in the 9212 Report) which reflected the core value of the golf course to all the developments that surrounded the course. The Recitals in the measure tracked the history of approvals and established the historic land-use scheme as the basis for the measure. The Recitals also referred to the principle of density transfers which, as explained, were fundamental to the Country Club land-use scheme. The Recitals confirmed the “true” historic zoning scheme, contradicting the misleading facial designation of R-1-7. Essentially, the measure corrected the falsehood of the R-1-7 designation and brought the designation into conformance with the land-use history of the area. A copy of the Recitals is attached as Exhibit D. These Recitals were approved by the City Council when it adopted, unanimously, the 2013 Open Space Measure and its terms were endorsed by more than 61% of the City’s voters when they rejected the initiative intended to overturn the Open Space Measure.²

Alternative Plan as an Antidote

If ECCHO elects the course of presenting an alternative plan, this paper establishes the criteria – the standards to be followed – for such a plan.

² Abandonment by the City of the litigation confirming the validity of the measure left completely untested the legal principles of this historic planning designation, and the right of the voters to confirm such designation.

Any alternative project proposal becomes the antidote to the plan proposed by NUWI. In fact, the plan presented by NUWI is virtually undistinguishable from the plan presented to the City by Michael Schlesinger in 2014. As stated, that plan was the subject of a community-wide election in 2014 and was rejected by over 61% of the voters. It's incredible to think that NUWI would ask the City Council to approve a plan that has been soundly rejected by the electors.³

City's Comment Letter

On November 30, 2016, the City issued its 14-page comment or deficiency letter in response to the development plan submitted by New Urban West. The letter raises several of the points addressed in this paper. In particular, the question in Section B5(b) invites the very answers set forth herein. Previous and existing land use conditions dedicated to open space compel a conclusion that contradicts a residential designation. Further, the entirety of Section D places in question the compatibility of the proposed project with the historic plan and scheme of development for the neighborhood. It will be virtually impossible to compare the proposed project to historic uses and make a finding of compatibility.

The Public Review Process

We've noted (at page three) that the NUWI project proposal must undergo a thorough public review as part of a legally mandated process. A majority of the City Council acknowledged this commitment and gave the express assurance that the views of the community will be heeded if and when any land-use decision is made.

The density pledge limitation explained in this paper is only a starting point. Density giveaways in the years following the approvals cited in this research must be completed and added to the density cap. And, the density cap principle is only one of many land use constraints to be applied to the NUWI proposal. As suggested by the City's comment letter, issues involving flood plains, slopes, traffic and school impacts, as well as compliance with global warming restrictions (among others) – have to all be studied and reported. The California Environmental Quality Act mandates that all such issues must be addressed and resulting impacts completely mitigated before a project can be approved. Nothing less than a full Environmental Impact Report will be sufficient to satisfy the law in this regard.

In fact, the EIR requirement extends beyond the project proposed by NUWI. The law requires that any alternative plan to the proposed project must also be studied and its environmental impacts compared to those of the proposed project. If ECCHO elects to present an alternative plan, such plan has to be included in the EIR review process. More to the point, the EIR must, as a matter of law, analyze the so-called "no project" alternative. In other words, the EIR must study and compare the environmental impacts of the proposed project to the impact of no project approval.

In this day and age, EIR's have become a frequent subject of litigation. Flawed or insufficient EIR's are often targeted in court. If the litigation is successful, the EIR must be corrected and the challenging party is awarded its attorney's fees.

³ It is noteworthy that the NUWI plan actually offers fewer amenities than Schlesinger's plan.

To summarize the point, THIS PAPER IS ONLY THE BEGINNING OF THE PROJECT REVIEW PROCESS. If ECCHO presents an alternative development plan to the NUWI proposal, it will only be a starting point based on just one limitation on development. A refinement of the density cap principle, along with all the other development constraints, will only serve to further reduce the permitted density of the proposed project.

CONCLUSIONS

This study leads to the following conclusions:

The Country Club neighborhood was developed in phases over several years pursuant to an established land use scheme that contemplated the enjoyment by home-buyers of the benefits of the club house and the open space of the golf course. The preservation of such benefits can be enforced through any one, or all, of three different means. They are:

Litigation: Benefiting homeowners may pursue their rights to the continuation of such benefits through litigation enforcing an equitable servitude.

Initiative: Community members may prepare and circulate a citizen's initiative petition enforcing a land use plan that perpetuates and protects such benefits.

Alternative Plan: Community members may prepare and present an alternative development plan that respects the preservation of such benefits in a manner consistent with the land-use scheme contemplated for the region.

Sponsored By:
Escondido Country Club Homeowners Organization
January 25, 2017

ACKNOWLEDGMENTS

This White Paper includes the work product of three contributors, researching and drafting collaboratively. They are:

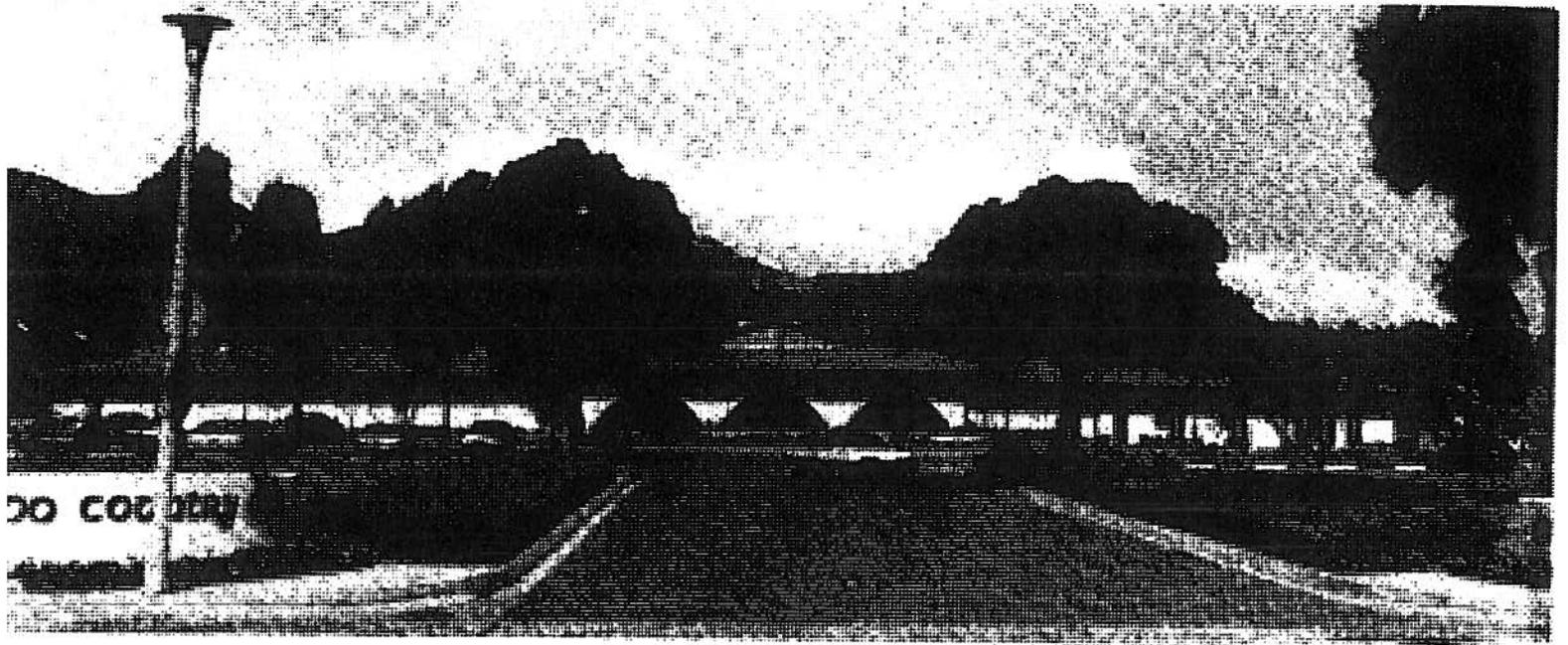
Mike Slater: Mr. Slater is a licensed surveyor with extensive experience in land use development projects. He is also the President of the Escondido Country Club Homeowners Organization (ECCHO), a 501c4 public benefit corporation. ECCHO sponsored and paid for the preparation of this paper.

Shareen Carr: Ms. Carr is a professional planner, certified by the American Institute of Certified Planners. From 1994 to 2007, she held a set of progressively responsible positions in the City of San Diego Planning Department. For seven years, beginning in 2009, she served as the land use consultant for San Diego City Council Member Sherri Lightner. She is retired.

Darrel Daugherty: Mr. Daugherty is the former Planning Director for the City of Escondido; he served in that position from 1972 to 1980. After leaving the City, he was engaged by two engineering firms as Director of Planning until 1994, when he accepted the position of City Manager of Tehachapi. He is now retired.

The more complete resumes of each contributor are available on request.

EXHIBIT A



GOLF



TENNIS



SWIMMING



30 YEAR HISTORY

**Escondido Country Club
1800 Country Club Lane
Escondido, California**

PREFACE



We'd like to start off with a few words about the nature of this history of the Escondido Country Club. Our intent is to capture the "flavor" of the Club and to generate some appreciation of whence we came. The information required to do that could probably be determined by extensive and exhaustive research in newspaper morgues, City and County records, etc., but the contents would be pretty sterile.

Since we felt there was a lot of lore regarding the Club and its history that was in danger of being lost due to many of our long-term associates moving out of town or transferring to the Big Country Club in the Sky, we decided to utilize the data that was first assembled by Harry Henderson which covered the period up to the mid 70's. This information was updated to 1991 through interviews with several of our long-term members who are still here and this enabled us to capture personal recollections that could never be found in historical records.

We feel the data used in this history is acceptably accurate and does portray our growth. We hope you enjoy it, and we ask only one favor—please don't hold the contributors responsible for minor errors or omissions. Thank you.

The Editors,

Bill Bradley
Harry Henderson

CLUB OWNERSHIP AND FACILITIES

The earliest information we were able to gather concerning ownership of what is now the Club property and the surrounding area indicates that the golf course property was owned by a Mr. Zeller, and sections of the surrounding area were owned by a local attorney, James Penfield, and his wife, Evelyn. (The Penfields were early Club members and they still reside in the area.)

The Penfield properties were basically avocado groves, while the Zeller property was somewhat flat and open. According to reports received, the Club area once included a chicken ranch and was the site for occasional mule races.

3 Early in 1960, the Zeller and Penfield properties were acquired by the Royart Corporation through Mr. Hal Curfew, President of Royart. Royart then employed Harry Rainville to design a golf course which would become the centerpiece for a housing development of 1,200 homes. The name of the project, at that time, was Golden Circle Valley and the golf course became known as the Golden Circle Valley Golf Club. The present Clubhouse complex, including the community buildings, swimming pool, Jacuzzi, etc.,

was originally built as part of the housing development. Information on the Golden Circle Valley Development is included in *Figure 1*.

The Golden Circle Valley Golf Course was originally built as a 9-hole course consisting of what is now holes 17, 18, 1, 2, 3, 4, 5, 6 and 7, as shown in *Figure 2*. A 1964 aerial view of the 9-hole golf course is shown in *Figure 3*. According to a *Times Advocate* newspaper article dated August 24, 1964, "The first 9 holes of the new course have been open to the public for several months." Apparently, the first pushing and shoving for tee times and handicaps must have started about April of 1964.

When the second 9 holes of the golf course were opened in the mid-sixties, the first 9 were unchanged. The additional 9 holes were laid out in a pattern which followed what is now holes 8-16, as shown in *Figure 4*.

The first Pro Shop on the golf course was a trailer located next to what was then the first tee (now, the 17th). When the golf course expanded to 18 holes and the holes were renumbered, the Pro Shop was replaced by a half-way house snack shop and restrooms. The portable Pro Shop was moved to an area adjacent to the new first



tee, and the new permanent pro shop, as we know it today, was built in 1968.

In 1967, the Royart Golden Circle Valley Project went bankrupt and the paper holder, Prudential Savings and Loan, took over. Under Prudential management, the Club was renamed the Escondido Country Club, and the community buildings, swimming pool, Jacuzzi, etc., became a part of the Club. The golf holes were renumbered as they are today, as shown in *Figure 5*.

In early 1971, the Unger Pacific Company entered the scene as owner and started a second program to develop housing in areas adjacent to the Club. The project was advertised under the name of Encanto del Sol, as shown in *Figure 6*, but the change in management and advertising didn't help. In 1973, Unger Pacific joined Royart in bankruptcy. Club members, Volney Bell and Fred Sherman, then joined forces and acquired the Golf Club through the bankruptcy court. This dynamic duo ran the Club until January of 1977, when they leased it to California Golf and Tennis, a corporation specializing in golf course management. Later, California Golf and Tennis became American Golf Corp., and in August of 1983, David Price, President of American Golf purchased the Escondido Country Club from Bell and Sherman. Management of the Club was then assigned to American Golf Corp.

Invest In Your Future

HOMES ALONG THE FAIRWAYS

Think you can't afford to make those long-ago dreams of the good life come true? Well, take a look at Golden Circle Valley in Escondido...and think again!

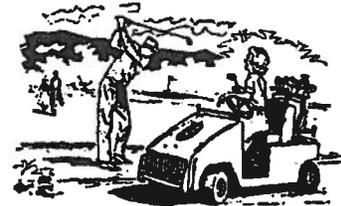
In Golden Circle Valley—a completely self-contained community—you'll find everything you ever dreamed of, and more. Such as year 'round sunshine and balmy climate, in one of the most scenically attractive areas of Southern California. Close to the ocean and mountain resorts. Near the Salton Sea and fresh-water lakes.

You'll discover the real meaning of gracious living in one of Golden Circle Valley's beautifully-designed homes where everything's planned for the maximum in privacy and convenience. You're only minutes away from the community shopping center with food markets, shops, medical and dental facilities. And each day widens your horizon with a dozen different pleasures to choose from: golf, swimming, tennis and you'll be proud to entertain old friends and greet new ones at Golden Circle Valley's Town Hall.

No isolated, far-away community, Golden Circle Valley is actually a part of the city of Escondido, sharing its modern facilities and easy-paced life. But don't just sit there and dream! Come to Golden Circle Valley now...and see for yourself what the good life is like.

Homes in a variety of floor plans and exteriors are priced from \$15,260 with excellent financing for low monthly payments.

MODEL HOMES AND SALES INFORMATION OFFICE OPEN EVERY DAY, 9 TO 5. For further information, write Royart Corp., 2490 Borden Road, Escondido, California.



We would like you to meet Golden Circle Valley's golf professional... Jerry Bell a P.G.A. star for 23 seasons and a 12 year member of Goldcrest's advisory staff.



Driver or near-pro, you'll be delighted with Golden Circle Valley's own golf course with smooth, rolling fairways and lush greens.

Royart

Golden Circle Valley

A Completely Self-contained Community



This is Golden Circle Valley's beautiful 1000 square foot Lexington Model...available in three distinctive elevations with 2 bedrooms and bath...from \$15,250.

Figure 1. Advertising and Daily Times Advocate article about the Royart Homes being built at Golden Circle Valley in Escondido (March 30, 1964)

Senior Citizens Attracted To Escondido

Golden Circle Is Planning 1,200 Homes

By BILL CAINE

Tall trees cast long shadows across the vast green lawn. People move about in a leisurely manner, talking, laughing, playing, or simply basking in the warm sunshine. This is the scene as viewed from inside the big hall, a portrait of leisurely living against a backdrop of rugged hills and blue sky.

Shangri-la? Not exactly. Yet, for many senior citizens it will do nicely until the real thing comes along. We're talking about a comparative newcomer to the contemporary economic and social scene, the retirement community. Such communities are products of a bountiful culture, increased longevity and a growing population. It is only natural, therefore, that North San Diego County, with its gentle climate and natural beauty, should be chosen by developers as the setting for several of these projects.

One of these developers is the Royart Corporation, which recently announced its entry in the field. It is constructing Golden Circle Valley at 2540 Borden Road, Escon-

dido. The first unit of 72 houses and 18 duplexes in this 25 million dollar planned community is nearing completion. Approximately 10 more units will be built.

270-Acre Site

The site, entirely within the city limits of Escondido, encompasses more than 270 acres and eventually will include 1,200 homes with an estimated population of 4,500. Five single family residence floor plans are offered, plus two duplexes. Maximum floor space runs about 1,500 feet. Models are available with from one to three bedrooms. A condominium-mutual ownership plans is being offered to purchasers of duplexes. Such an arrangement takes care of all maintenance to grounds and structures.

Recreation facilities abound. An Olympic size swimming pool, a therapeutic pool and bath house, horseshoes, lawn bowling, shuffleboard and an arts and crafts building are featured.

The main civic center building, designed by Robert Melvin of Escondido features men's and women's club rooms, a private dining area, a 200-seat auditorium and a spacious and impressive main lobby. The building is completed.

A public restaurant, motel and shopping center adjacent to the community are planned.

18-Hole Golf Course

Golden Circle Valley will feature an 18-hole golf course. A nine-hole course, as originally planned, is in operation. However, a recent deci-

sion involving a new agreement with the Escondido Planning Commission will allow expansion to 18 holes. The course will be built to standards of the Professional Golfers Association. The club pro is Jerry Bell.

Royart officers are Hal Curfew, president; Ralph Turner, secretary-treasurer; Jerry Swanger, vice president in charge of construction; and Deward Mitchell, controller. Curfew, a former resident of Long Beach, lives in Escondido at 2710 Surrey Lane, with his wife, Lorraine and children, Judy, 11, and David, 9.

A veteran of the Marine Corps, Curfew has been active in real estate in the Long Beach area for about four years.

Advertising Campaign

Royart will launch a massive advertising campaign about May 3 to tell the story of Golden Circle Valley. Radio, newspapers and magazines will carry the message thruout Southern California.

Some advertising already has appeared, notably a full page ad in the September, 1963, Reader's Digest. Inquiries were received as a result of the ad from all over the United States and Canada, Curfew said.

Retirement communities like Golden Circle Valley, for residents 50 and over, are here to stay. Retirees are discovering a new-found sense of freedom and independence, yet with a feeling of companionship, of belonging.

7

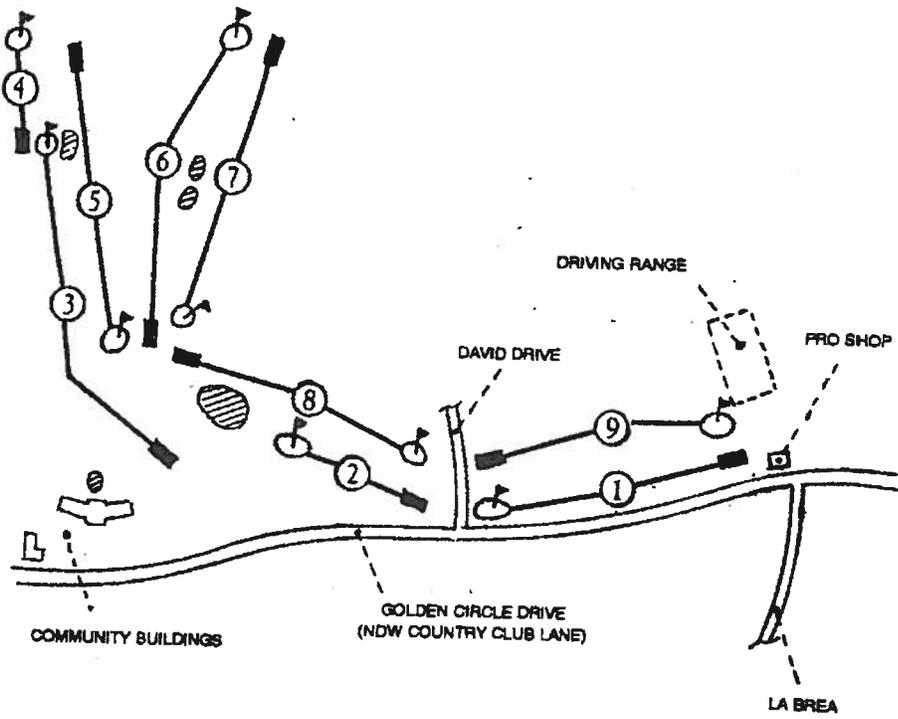


Figure 2.
Golden Circle Golf Club
Original 9-Hole Layout of Course

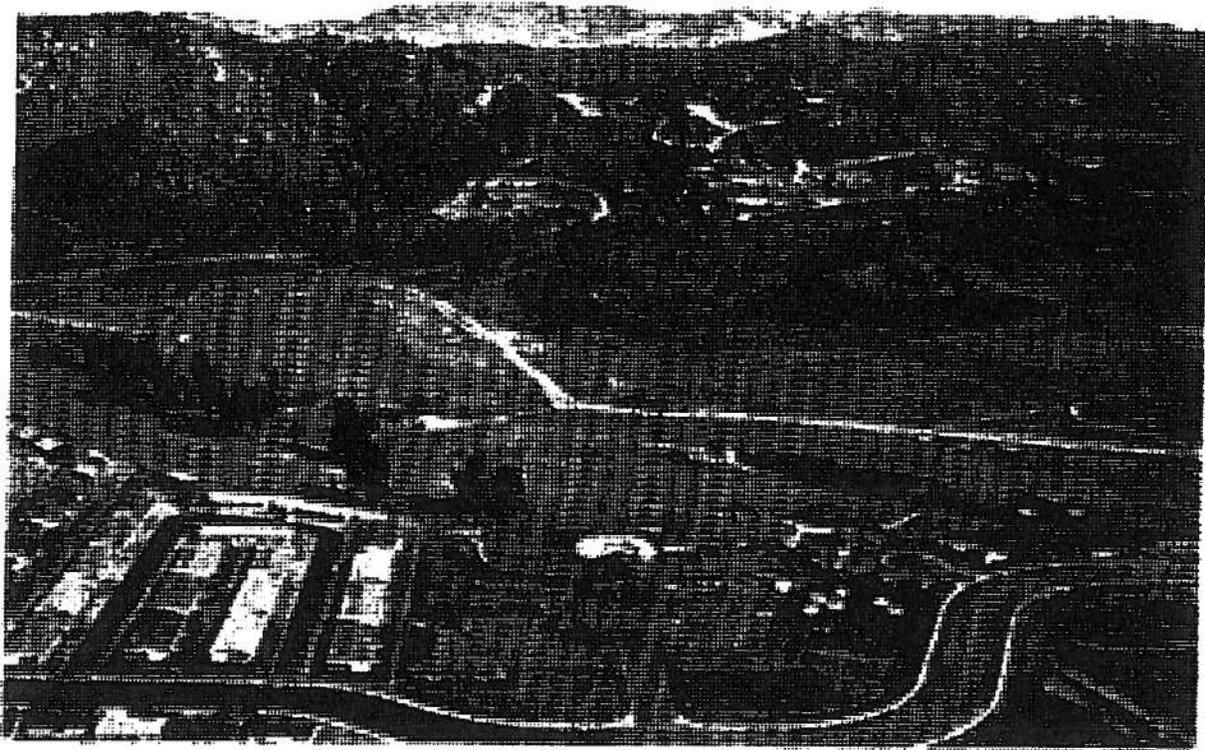


Figure 3.
Aerial View of
the Original 9-Hole
Golden Circle Valley
Golf Club (Circa 1964)

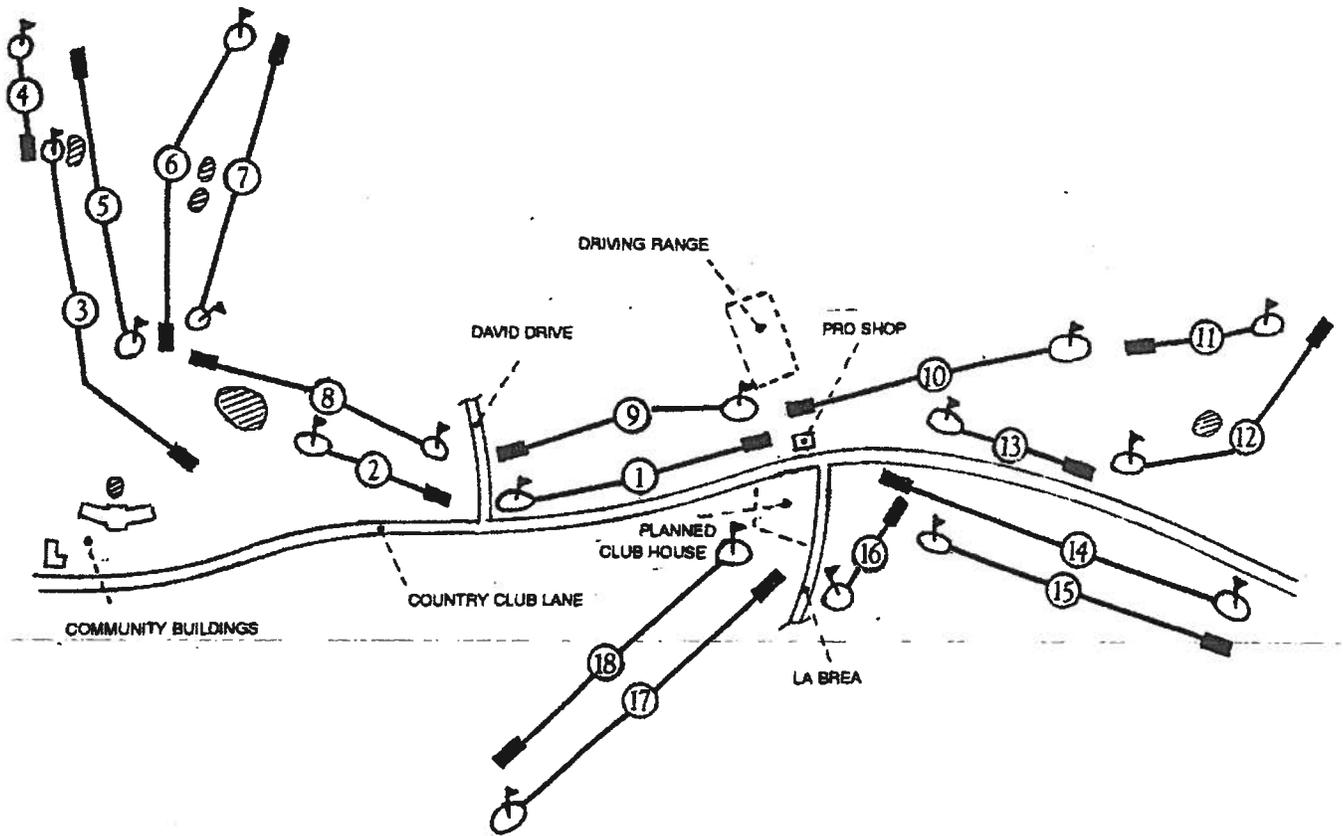


Figure 4.
ECC Original 18-Hole Layout

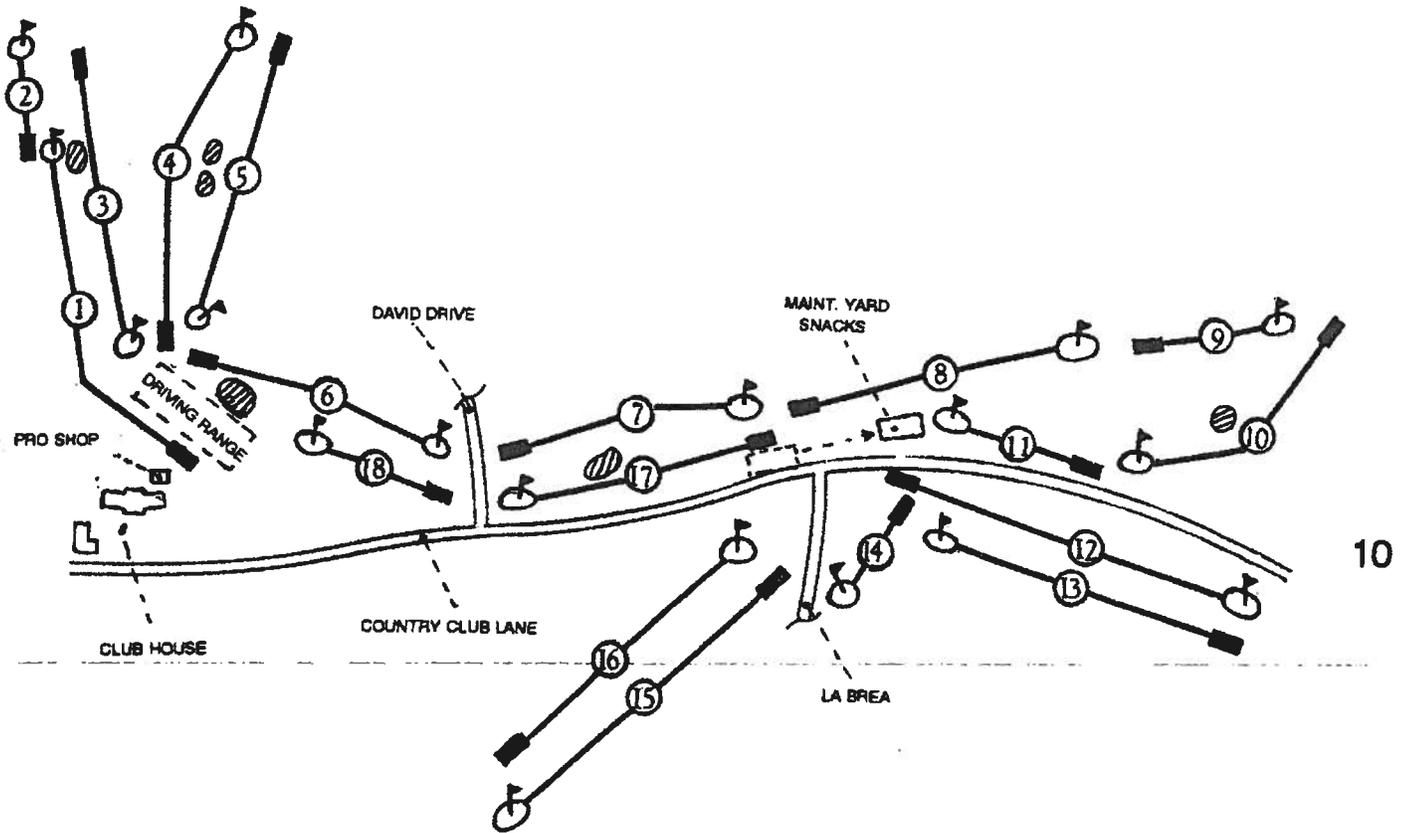


Figure 5.
Current 18-Hole Layout

EVERY DAY IS A FUN DAY AT ENCANTO del SOL

Recreation is built-in at ENCANTO del SOL—everything you have ever enjoyed is right in your own back yard! Whether it's the active sports of golf, swimming, or tennis, or the relaxing pastimes of good dining, quiet walks, and beautiful scenery, no other area in the country offers so much, so close-at-hand.

There's nothing to compare with the fabulous dining at the Golden Helmet Restaurant. Courses are served in a lavish style afford every connoisseur the finest in American and Continental cuisine. Adjoining the Golden Helmet Restaurant is the Las Torres Room where local residents gather for an occasional special, good conversation, music, and dancing.



GOLDEN HELMET

Your favorite freeway is only a chip-thin away at the Encantado Country Club. Although membership is officially closed, limited number of memberships are available to new homeowners at ENCANTO del SOL at a special, reduced rate, and membership entitles you to the full facilities of the club: the magnificent 18-hole golf course, swimming, tennis, the lounge, polo-riding, therapeutic Jacuzzi pool, plus a continuing, round-the-clock roster of varied social activities.



Miles away by car is everything you could ever ask for. You're right in the heart of Southern California's Vacation Wonderland. Twenty minutes to the west is the Pacific Ocean with 70 miles of the finest beaches in the world sunbathing, sailing, water-skiing, deep-sea fishing... the best in the world. To the east, the world-famous Palomar Observatory, miles of mountain trails, hiking, camping, picnics, ski lifts and trails, horseback riding, and freshwater fishing at any of several well-stocked lakes. You name it.

To the south, visit Del Mar and its race track, "where the turf moves the turf," the fashionable resort area of La Jolla, the famous Torrey Pines golf course. Thirty minutes away is San Diego's world-renowned Zoo, Mission Bay Aquatic Park, Sea World, the Circle Arts Theatre, and the Old Globe. And farther south, Tijuana and Old Mexico, with its continuous carnival atmosphere, and Agua Caliente with its race track, bull ring, and Jet Ski games.

For the golfer there are an unbelievable 21 superb golf courses—some of the very best in the United States—within only 70 minutes of ENCANTO del SOL.

It hasn't happened before—it won't happen again—where there is so much variety, so much health, so much fun, every day of every year! It's truly MAGIC—in every way total "Enchantment Under the Sun!"



ENCANTO del SOL

"Enchantment under the Sun"

ENCANTO del SOL—"Enchantment Under the Sun"—an unspoiled garden spot of real beauty—no concrete sidewalks, where every day is a "holiday" beginning with Air-Filtered, healthy air.

ENCANTO del SOL is beautifully situated on the outskirts of the charming City of Encantado (Hidden Valley), the hub of magnificent North San Diego County. Reached by several national freeways has established this fine area as the future-gone-by in the entire United States! And, when you visit ENCANTO you see more to agree that it must be "Beverly Hills at 1940 prices!"

Beautiful... warm... cozy... comfortable... relaxing—unspoiled by greed and competition—unspoiled by "progress"—ENCANTO del SOL means to all a happier, healthier, longer life! Before you—just one visit will lift your spirit—but, to live here is indeed heaven-on-earth!

A Residential Golf Course Community



... where every homeowner has a magnificent view. Whether you choose a beautiful 2-1/2-acre lot, or prefer a more modest one, you are sure to enjoy the wide-open, unspoiled feeling caused by the lack, not necessary of BROWARD COUNTY LIVES, every 18-hole, Golf Course.

Membership in the Encantado Development gives ENCANTO del SOL an unrivaled, total community all its own that means value long gone. You will choose from 14 different designs with floor area ranging from 1125 to over 2500, with the most of luxury and privacy! And each home is hand-crafted with features often considered to be even the most of all you'll be delighted with yours—even the most sophisticated can appreciate upon the ENCANTO del SOL, is thousands!

LOCATION

ENCANTO del SOL is 2 1/2 miles north of Encantado, just west of U.S. 95 on Country Club Lane, 33 miles north of San Diego, less than 100 miles south of Los Angeles, the big cities are situated where you can run them on or off as will, yet Encantado provides "big city" shopping, services and facilities covering a trading area of over 100,000.

CLIMATE

Perhaps most indicative of ENCANTO del SOL's superb, mild climate is the fact that so many top Health Resorts have chosen this area. The climate of the sun is qualified by climatologists as Mediterranean—one of the best four-season climates in the World! Summers are tempered with sea breezes, and the average maximum temperature in July is less than 88°. Most of the days have temperatures in the 70's. Nights, during the summer months, are usually cool, with the average minimum being less than 60°. There is almost no rainfall from April to October. Winters are mild with light to moderate rain falling during short periods, separated by many days of brilliant sunshine. Because of

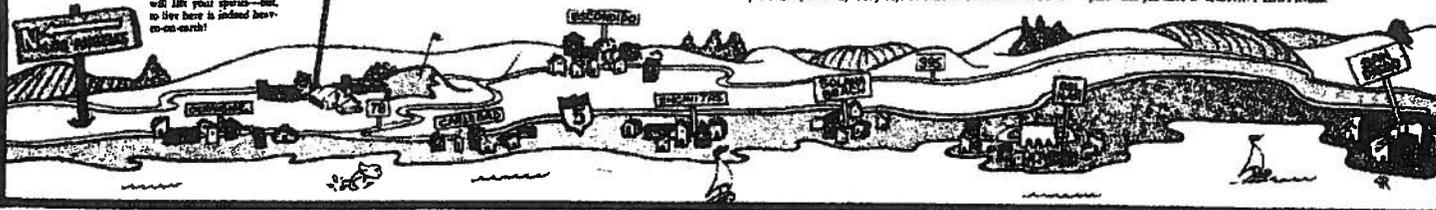
its proximity to the Pacific Ocean, freezing temperatures occur very infrequently, with the average minimum temperature in January being about 37°. Daytime temperatures are in the high 50's and 60's.

The Relative Humidity of the area is low when compared to other sections of the United States and average rainfall is 16.00". Because the community lies in a valley, it is protected from strong winds coming either from the desert or from the ocean. Of particular importance is the complete absence of smog.

GENERAL

Everything is right close by. Encantado provides the very best of modern medical and dental care—even housing a brand-new 3-story Hospital, equipped with complete emergency facilities. Top Doctors' Offices are well represented in your choice of general, Obstetrics/Gynecology, including Southern California's first all-enclosed, completely air-conditioned ENCANTADO VILLAGE MALL. Spiritual needs are served by 43 Churches.

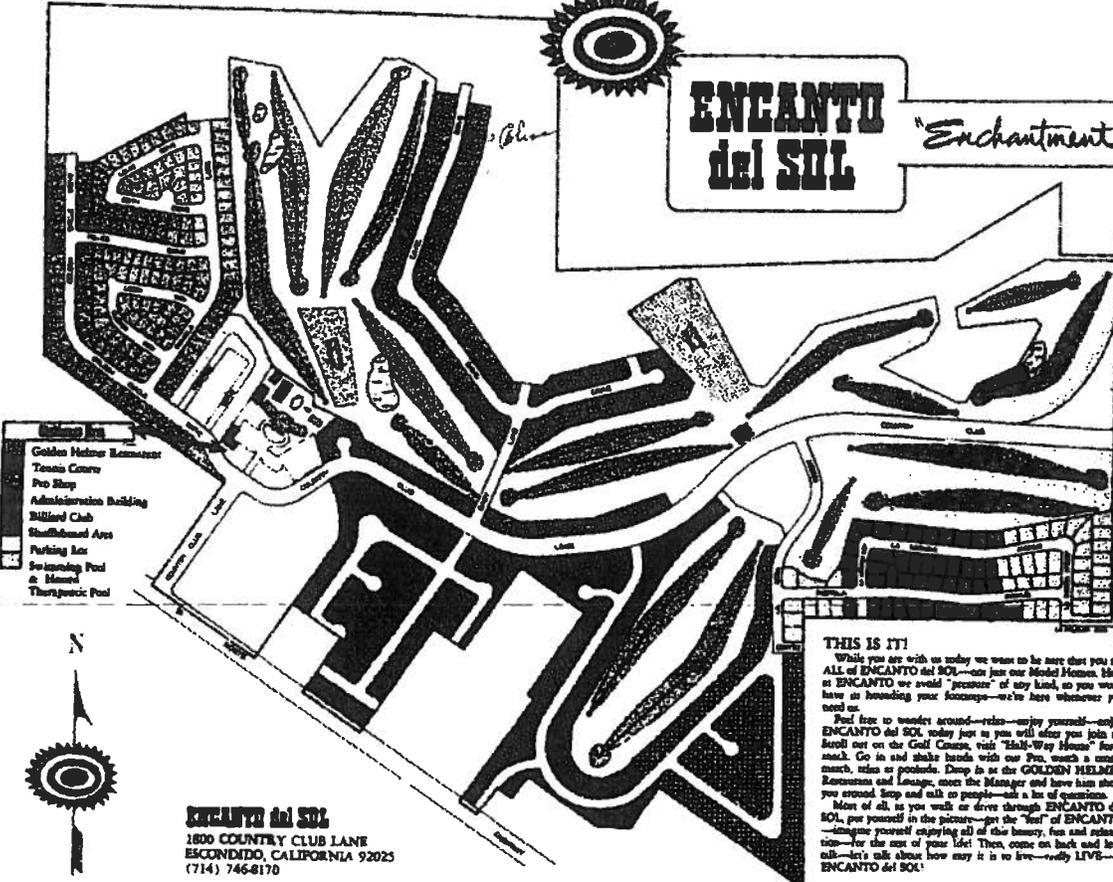
Take away the stress—old troubles—slow down the break-neck pace—and you have it: INSTANT HAPPINESS!





ENCANTO del SOL

"Enchantment under the Sun"



ENCANTO del SOL
 1800 COUNTRY CLUB LANE
 ESCONDIDO, CALIFORNIA 92025
 (714) 746-8170

YOUR GOLF-COURSE HOME AT ENCANTO del SOL

ENCANTO del SOL is a new development of the...
 The new 18-hole golf course is a masterpiece of...
 The clubhouse is a beautiful...
 The pools are...
 The tennis courts are...
 The pro shop is...
 The administration building is...
 The billiard club is...
 The shuffleboard area is...
 The parking lot is...
 The swimming pool is...
 The therapeutic pool is...

THIS IS IT!
 While you are with us today we want to be sure that you are ALL of ENCANTO del SOL—see just our Model Homes. Here at ENCANTO we avoid "pieces" of any kind, so you won't have to hodgepodge your accessories—we'll have whatever you need us.
 Feel free to wander around—relax—enjoy yourself—enjoy ENCANTO del SOL, today just as you will when you join us. Rent out on the Golf Course, visit "Half-Way House" for a snack. Go in and shake hands with our Pro, watch a tennis match, relax in pools. Dine in at the GOLDEN HELMET Restaurant and Lounge, meet the Manager and have him show you around. Stop and talk to people—ask a lot of questions.
 Most of all, as you walk or drive through ENCANTO del SOL, get yourself in the picture—get the "feel" of ENCANTO—imagine yourself enjoying all of the beauty, fun and relaxation—for the rest of your life! Then, come on back and let's talk—let's talk about how easy it is to live—really LIVE—at ENCANTO del SOL!

Village Residential area

Pinetree Residential area

Olden Oaks Residential area

Maple Residential area

Rainbow Residential area

Goldenside Residential area

Golf Green

Safety Lane



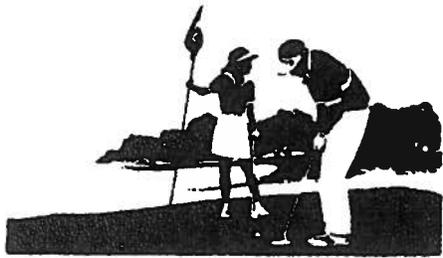


Figure 6.
 1971 Advertising for the
 Encanto del Sol
 Housing Project at ECC

is their only other trophy tournament. As this is a "fun" tournament, no formal winners record is maintained.

Until 1985, the Nueve-ettes operated under the same By-Laws as the ECCWGC. In that year, their Board modified those By-Laws slightly to more closely represent the Nueve-ettes' activities.

THE ECC COORDINATING COUNCIL

The "Council" was formed in 1987, as proposed and organized by Mo Husted who was then President of the Men's Golf Association. The purpose of the Council is to bring together the three Member Golf Associations within the ECC.

The goals of the Council are to meet at least monthly to:

- Discuss problems and recommend solutions to mutual concerns.
- Prepare and conduct special tournaments and events for the members of the three associations.
- Keep each of the three clubs informed as to the actions taken by the Council.
- Coordinate with ECC Management regarding requests for action on items of mutual concern.

Membership of the Council consists of the Presidents and Vice Presidents of the Men's Golf Association, the Women's Golf Club and the Nueve-ettes. Chairmanship of the Council is rotated

annually to each of these groups.

To date, the Chairpersons have been:

"Mo" Husted/MGA	1987-88
Dorothy Niederdeppe/WGC	1989
Virginia Brown/Nueve-ettes	1990
Larry Cummins/MGA	1991

Significant activities of the Council to date include:

- Integration of the annual planning process for each of the Clubs.
- Changes of the individual Club fiscal year to a January 1 calendar year.
- Closer integration of tournament and special event planning, special recognition parties for outstanding members of the Clubs, etc.
- Acting as the membership spokesmen to the ECC Management on matters relating to golf course and facility maintenance and improvement, rules and regulations, tournaments and social events.

ON THE SOCIAL SIDE

Some might feel that the Escondido Country Club is a little short on tradition, but that doesn't appear to be the case.

Probably the king of the social whirl was the VIP Cocktail Party and Smorgasbord sponsored by the Men's Golf Association in March of 1968. At that party, some 1,200 members, townspeople



and guests got acquainted and celebrated the Clubhouse remodeling. Another "biggie" was the first Member Dinner/Dance held in July of 1981, and attended by 160 couples in formals and dinner jackets.

Back in the early phases when the Royart Corporation was building senior citizen homes in the area, many social activities were sponsored to enhance sales. Some of these activities were continued by the Golf Club for many years. These included formal physical fitness and swim programs, the Organ Club, a Little Theater Club and the 18-member Women's Choral Group which performed not only at Club functions but at off-site functions as well. There was a ping pong club, art, ceramics and glass cutting classes. (The glass cutting classes lasted until about 1987.) During the early eighties, there were four annual first class art shows displaying members' work. The "granddaddies" of these early clubs were the ongoing Bridge Club, which still has weekly womens, couples and instructional sessions, and the Travel Club, which is still very popular and super active. There is also the 8-Ball Billiards Club and the ongoing summer exercise program.

Club Management holds many events for the enjoyment of the membership.

The first Presidents Ball honoring Past Presidents of the Men's and Women's Clubs was held in 1968, and virtually every major holiday such as Halloween,

Thanksgiving, Christmas, New Year's, etc., finds some activity sponsored by the Club, the Men's Club or the Women's Club. There are also many social events held in connection with tournaments sponsored by the Club and the Men's or Women's Clubs. These include the special Silver Eagle Member/Guest sponsored by the Club, Men's and Women's Club guest days, the Hole-In-One Club annual event, St. Patrick's Day, the Jack and Jill Member/Guest, the Labor Day Mixer Eclectic, the Presidents Cup, the ongoing Sunday Mixer packages and, last but not least, there are special Club events like Monday night football with TV and a half-time buffet.

In addition to the many member functions, the Club maintains a very active program for business luncheons, anniversaries, wedding receptions and community organization meetings, plus the regular daily luncheons and bar service, weekend dinners and dancing.

Besides weekly poolside aerobic classes, we have active members of men and women tennis clubs who play an active part in the ECC social life, so all in all, there are many things to do at ECC besides playing golf.

"GEE WHIZ" INFORMATION AND MEMORABILIA

It is certainly not fair to compare costs as they were "back then," with the way



they are today. It is interesting to note, however, that in the late sixties you could join the Club for as little as \$350 with dues of \$25 per month. You could also have a delightful and hearty lunch, with your choice of a large number of entrees, for less than a hamburger and a bowl of soup costs you today. (See *Figure 8*.)

◆ You think we had problems with the rainstorm early in 1991? In 1978, we had a deluge of 18.71 inches which caused the driving range lake to overflow onto the range and flood the houses next to the chipping green. The number 4 fairway was under six inches of water, and if you were walking from number 2 to number 3, the water was up to your knees!

◆ If you think the 18.71 inches of rain in 1978 was a "gasser," in December of 1969, a major snowstorm completely covered the golf course. In *Figure 9*, a photo taken by member, Claude Norris, illustrates the magnitude of the fall. The photo was taken looking north from Claude's backyard, which was next to the first tee.

◆ You didn't have to go traipsing around the country to buy a golf cart in 1973. The Pro Shop was selling "top-of-the-line" Cushman and Otis carts and was making generous trade-in allowances for old carts. They also could, and would, sell you any other cart of your choice.

◆ Did you know that our fairways were originally seeded with Kentucky Blue Grass? The course was one of the best looking courses in the area. The only

problem was that the ball would sink down in the soft grass and practically lay on the ground. In about 1977, the practice of overseeding with Bermuda grass was started and has continued since.

◆ When the Golden Circle Valley Golf Club was still 9 holes, the members managed to get in a full 18-hole round by playing the course twice. On the first round, the men played from the blue tees and on the second round they played from the white tees. *Figure 10* shows the original 18-hole scorecard. The hole illustrations and the par assignments are the same for each 9. Only the yardage figures are different because of the blue tee/white tee assignments for the men. On the ladies portion of the card, the yardage figures are the same for each 9 because they played both 9's from the red tees only. The back of the card showed the Clubhouse and some interesting local rules. We don't know exactly when these scorecards were used, but it was during the time the 9-hole course consisted of what is now holes 1-7, 17 and 18.

◆ *Figure 11* is a hole by hole description of the 9-hole course when it consisted of what is now holes 1-7, 17 and 18. This document was put together by Jerry Bell who was the Director of Golf for the Royart Corporation. The description of each hole is very well done and even today anyone familiar with the course can recognize each hole from the description.



Luncheon

APPETIZERS

CRAB MEAT and AVOCADO SUPREME	1.95
SHRIMP COCKTAIL SUPREME	1.95

Soups

CLAM CHOWDER or SOUP du Jour	Cup.40	Bowl.70
------------------------------	----------------	-----------------

Cold Entrees

CHICKEN SALAD	1.95
AVOCADO SUPREME	2.50
CHEF'S SALAD - Choice of Dressings	2.15
ESCONDIDO COUNTRY CLUB'S FAMOUS SPINACH SALAD	1.25
CALORAMIC PLATE - RARE ROAST BEEF with Fresh Spinach Salad	2.45

Hot Entrees

FRENCH DIP SANDWICH with French Fries	2.10
HAMBURGER SUPREME - Sesame Bun, French Fries	1.40
OPEN FACE CORNED BEEF SANDWICH on Rye Bread with Cole Slaw	1.65
NEW YORK STEAK SANDWICH with French Fries	3.75
FILET OF SOLE Sauté Meuniere	1.95
HOT BEEF SANDWICH	1.95
REUBEN SANDWICH	1.95
CHOPPED SIRLOIN with Tossed Salad, Baked or French Fried Potatoes	2.25

Luncheon

Cold Sandwiches

FRESH FRUIT GARNI	
SLICED BREAST OF TURKEY	1.45
BAKED VIRGINIA HAM and Swiss Cheese	1.55
ROAST SIRLOIN OF BEEF	1.75
CORNED BEEF on Rye Bread	1.75
CLUB HOUSE	1.95

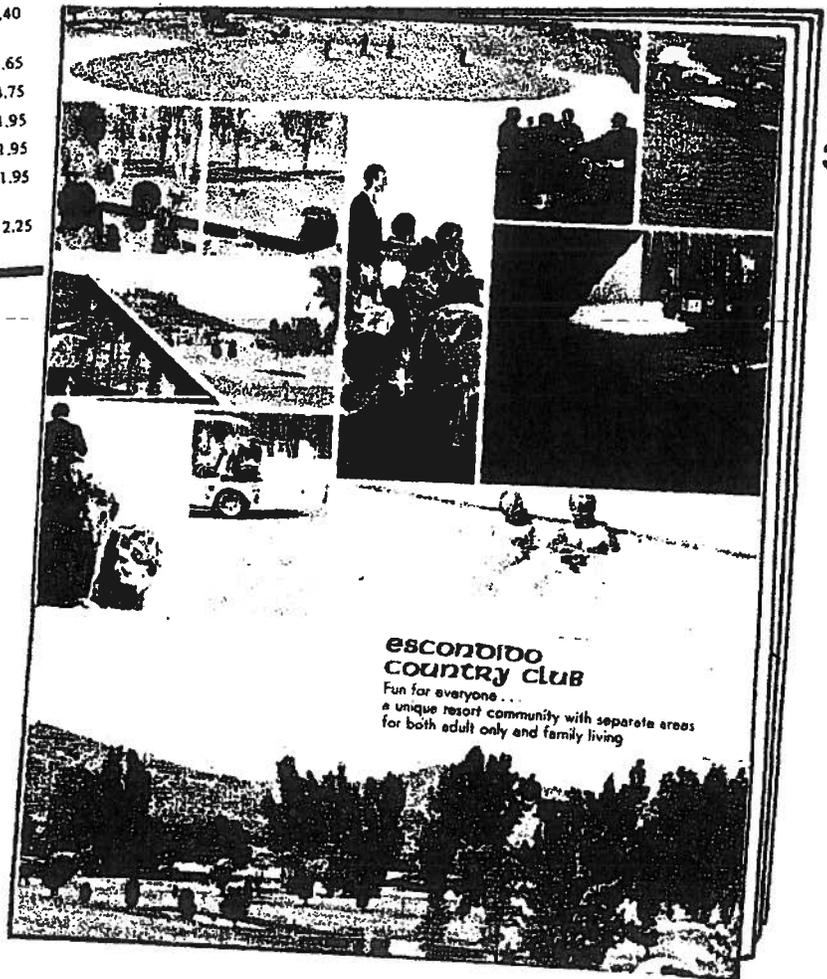
Desserts

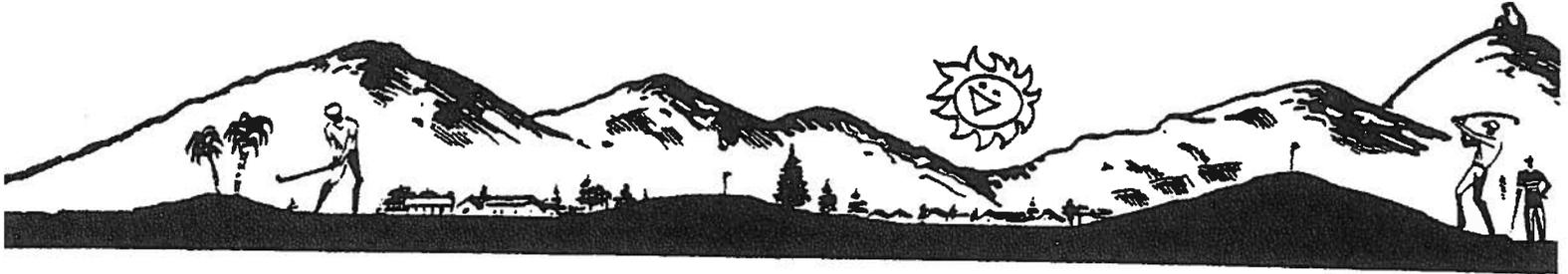
ICE CREAM AND SHERBETS Served with Wafers	.55
CHOCOLATE SUNDAE	.80

Beverages

COFFEE, TEA, SANKA, MILK	.25
	.50

Figure 8.
DINING ROOM
Menu
(Late 60's)





LOOKING AHEAD

Yes, we have fond memories of yesterday, but now we enjoy the fruits of today and the promises of tomorrow, especially in Escondido. The climate has been defined as Mediterranean—one of the best four-season climates in the world. Summers are tempered by sea breezes, the average maximum temperature in July and August is 88° and the nights are cool. Also, because the community lies in a valley, it is protected from strong winds coming from the desert or from the seacoast. Of particular importance, too, is the absence of smog.

The Escondido Country Club is the hub of this residential area and we truly live in a resort community where we enjoy the active sports of golf, tennis and swimming—right at our doorstep. ECC is a regulation 18-hole golf course in an area known as "Golfland USA," where there are 34 other golf courses (mostly public) within 30 minutes drive of the City. After golf, we can enjoy good dining, quiet walks and beautiful scenery.

To appreciate the Club's location, picture our town as being the hub of a wagon wheel with spokes

extending in all directions—30 miles to downtown San Diego; 8 miles to the Wild Animal Park, run by the famous San Diego Zoo; 6 miles to Lawrence Welk's Resort complex (complete with an executive golf course, time-share condominiums, restaurant, dinner theater and specialty shops); 8 miles to North County Fair, the largest enclosed shopping center in San Diego County with 175 stores, including 6 major department stores and restaurants. There are better shopping centers, better entertainment facilities and better medical services than most cities of this size. We are also 30 miles inland from the coastal towns of Carlsbad, Oceanside, La Jolla and Del Mar where you can enjoy sandy Pacific beaches and the Del Mar Race Track.

In 1989, Escondido's sleek new City Hall was completed and has recently won many architectural awards. Now under construction is a new cultural center and performing arts theater, community theater and fine arts museum. This will almost complete the downtown revitalization plan.

As someone once said...

Escondido is a Magical Place

ALWAYS HAS BEEN — ALWAYS WILL BE

EXHIBIT B



City of Escondido Report
On The Initiative Measure to Adopt
“The Lakes Specific Plan”

Report Prepared Pursuant to Elections Code § 9212
and City Council Directive from
June 25, 2014 City Council Meeting

July 23, 2014

TABLE OF CONTENTS

	<u>Page</u>
1.0 INTRODUCTION	1
2.0 DESCRIPTION OF COUNTRY CLUB PROPERTY.....	1
3.0 PURPOSE OF REPORT.....	1
4.0 THE DISPUTE BETWEEN SITR, THE RESIDENTS SURROUNDING THE COUNTRY CLUB, AND THE CITY.....	2
4.1. SITR Litigates Validity of Residents’ Initiative	3
4.2. SITR's Media Campaign	4
4.3. SITR Files Numerous Encroachment Lawsuits Against Individual Homeowners	4
4.4. SITR Litigates Validity of Ordinance No. 2013-10 and Seeks Millions of Dollars Against City Based on an Alleged “Regulatory Taking”	6
4.5. SITR Spreads Chicken Excrement Over Abandoned Fairways Located Closest to Adjacent Homes And Is Cited By The APCD For A Public Nuisance.....	7
4.6. SITR Now Seeks Approval of the Voters to Adopt “The Lakes Specific Plan”	8
5.0 DEVELOPMENT HISTORY OF COUNTRY CLUB PROPERTY AND SURROUNDING COMMUNITY	8
5.1. Executive Summary	8
5.2. Comprehensive Development History of “Golden Circle Valley” Retirement Community.....	12
6.0 IMPACTS OF THE DEVELOPMENT PROPOSED BY SITR INITIATIVE ON EXISTING LAND USES, AESTHETICS, FINANCES, OPEN SPACE AND PUBLIC INFRASTRUCTURE	27
6.1. Impacts on Existing Land Uses and Aesthetics	27
6.2. Financial Impacts	29
6.3. Open Space Impacts.....	31
6.4. School Impacts.....	31

6.5. Fire Services Impacts32

6.6. Traffic Impacts.....32

6.7. Drainage Impacts33

6.8. Water Quality and Hydro-Modification Impacts.....34

6.9. Police Services Impacts34

6.10. Water Demand Impacts.....35

6.11. Waste Water Demand Impacts.....36

1.0 INTRODUCTION

On June 17, 2014 the San Diego County Registrar of Voters verified the sufficiency of a petition to place on the ballot, "An Initiative Measure To Adopt The Lakes Specific Plan" (the "SITR Initiative").¹ The SITR Initiative concerns the real property which historically has been used as the Escondido Country Club (hereinafter, the "Country Club" or the "Country Club Property").² At the regularly-scheduled City Council meeting on June 25, 2014, the City Clerk certified to the City Council the sufficiency of the signatures on the petition. On that same date, the Escondido City Council accepted the sufficiency of the petition and ordered the preparation of this report.

2.0 DESCRIPTION OF COUNTRY CLUB PROPERTY

The Country Club Property comprises approximately 110 acres in northwest Escondido, generally located west of Nutmeg Street, north of El Norte Parkway, and east of Woodland Parkway. The Country Club Property includes the following San Diego County Assessor Parcel Numbers: 224-210-53-00, 224-430-04-00, 224-211-05-00, 224-431-02-00, 224-211-15-00, 224-211-12-00, 224-491-01-00, 224-211-11-00, 224-490-06-00, 224-230-36-00, 224-431-01-00, 224-431-03-00, 224-811-28-00, and 224-230-43-00.³

3.0 PURPOSE OF REPORT

Elections Code § 9212(a) permits the legislative body to refer a proposed initiative measure to any city agency or agencies for a report on:

- The initiative's fiscal impact.
- The initiative's impact on internal consistency of the city's general plan (including the housing element), specific plans, and zoning matters.
- The initiative's effect on the use of land, funding for infrastructure of all types, and the ability to attract and retain business.
- The initiative's impact on the uses of vacant parcels of lands, agricultural lands, open space, traffic congestion, areas designated for revitalization, and similar impacts.
- "Any other matters the legislative body requests to be in the report."

¹ Ex. 1. The exhibits referenced in this report (designated with "Ex. ____") are included in the Appendix of Exhibits submitted to the City Council concurrently with this report, entitled "Appendix of Exhibits for City of Escondido Report on The Initiative Measure to Adopt The Lakes Specific Plan" ("Appendix").

² Ex. 2, SITR Initiative.

³ Ex. 2, § 2(A)(1).

The report must be presented to the legislative body within 30 days after the elections officer certifies to the legislative body the sufficiency of the petition. (Elec. Code, § 9212(b).) The Legislature designed Elections Code § 9212 (and the parallel statute applicable to initiatives presented to counties embodied in Elections Code § 9211) “to better inform [] the electorate and [legislative body] about proposed initiatives.” (*DeVita v. County of Napa* (1995) 9 Cal.4th 763, 777-778.)

On June 25, 2014, the City Council referred Sitr’s Initiative to City staff to evaluate various matters listed in Elections Code § 9212(a). City staff has evaluated the following items which are addressed below in the body of this report:

- A summary of the ongoing dispute between Stuck in the Rough, LLC (“Sitr”) (the current owner of the Country Club Property), the residents of the community surrounding the Country Club Property, and the City.
- A comprehensive summary of the development history of the Country Club Property and the surrounding “country club” community originally known as “The Golden Circle Valley.”
- An analysis of the potential impacts of the Sitr Initiative on the existing land uses, open space, traffic and public infrastructure in the area.

4.0 THE DISPUTE BETWEEN Sitr, THE RESIDENTS SURROUNDING THE COUNTRY CLUB, AND THE CITY

The Country Club Property has been the subject of an ongoing dispute between: (i) Sitr; (ii) the residents of the surrounding community; and (iii) the City. The nature of the dispute is summarized below.

Sitr is a Beverly Hills company owned by Michael Schlesinger. Sitr acquired fee title to the Country Club Property in December 2012.⁴ Within four months after doing so, Sitr terminated the Country Club memberships, closed the Country Club, and cut off all irrigation to the golf course and landscaping on the site.⁵ Sitr also erected chain-link fencing around the perimeter of the Country Club Property, placing a chain-link screen between the rear-yards of the homes situated on the periphery of the golf course which had previously enjoyed an unobstructed view of the once lush, open space corridors provided and planned by the original developer of both the Country Club and initial housing tracts.

When it closed the Country Club, Sitr also announced its plan to replace the recreational facilities, golf course, and open space corridors with hundreds of new residential homesites.⁶ The surrounding residents formed the Escondido Country Club Homeowners

⁴ Ex. 3, Trustee’s Deed Upon Sale, recorded December 6, 2012.

⁵ See San Diego Source article, 11/18/13. “How Not to Win Friends in Escondido Open Space Fight,” included in Ex. 12. See also, Ex. 4, 4/16/13 Union Tribune article entitled, “Ballot Measure Would Preserve Escondido Country Club.”

⁶ Ex. 4.

Organization (“ECCHO”), for the purpose of preventing the conversion of the Country Club Property into a housing development.⁷

In April 2013, ECCHO filed a Notice of Intent to Circulate Petition for an Initiative Measure entitled, “Citizens’ Property Rights Initiative” (the “Residents’ Initiative”).⁸ The Residents’ Initiative proposed to amend the City’s general plan, designating the Country Club Property for open space, golf course, active recreational, or other similar uses. The City Clerk certified the sufficiency of the signatures on the petition to the City Council on August 14, 2013.⁹ On that same date, and in accordance with Elections Code § 9215, the City Council adopted Ordinance No. 2013-10, implementing the Residents’ Initiative.¹⁰

In response to the Residents’ Initiative, SITR engaged in a multi-pronged effort to promote SITR’s plans to redevelop the Country Club Property. SITR’s effort is summarized below:

4.1. SITR Litigates Validity of Residents’ Initiative

On June 26, 2013, SITR filed in the San Diego County Superior Court a Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief, entitled *Stuck in the Rough v. City of Escondido, et al.*, SDCSC Case No. 37-2013-00054876-CU-WM-NC (the “Invalidation Lawsuit”). SITR named as defendants the City, ECCHO, and the individual proponents of the Residents’ Initiative. Among other things, the Invalidation Lawsuit was a pre-election challenge that sought to prohibit the City Clerk from certifying the signatures on the petition. The Invalidation Lawsuit also sought a judicial order declaring the Residents’ Initiative to be illegal.¹¹

On July 24, 2013, the Court denied SITR’s application seeking to prevent the City Clerk from certifying the signatures on the petition for the Residents’ Initiative.¹² Accordingly, as required by law, on July 29, 2013, the City Clerk executed a “Certificate of Sufficiency” of the

⁷ Ex. 5, mission statement from ECCHO website.

⁸ Ex. 6, 4/17/13 Notice to Circulate Petition re: Citizens’ Property Rights Initiative.

⁹ Ex. 7, City Clerk staff report and certificate of sufficiency re: Residents’ Initiative.

¹⁰ Ex. 8, CC Ordinance No. 2013-10. The Residents’ Initiative and Ordinance No. 2013-10 also require an amendment to City’s zoning code and map, designating the Country Club Property for “Open Space Private.” The City will process the required zoning changes and, to the extent SITR seeks to redevelop the Country Club Property for different uses, will continue to solicit applications from SITR for redevelopment consistent with the City’s General Plan and zoning requirements. The zoning provisions applicable to open-space-designated parcels permit (and conditionally permit) a large variety of private uses, including: 1) agricultural uses such as field crops, orchards, vineyards and grazing; 2) colleges and universities; 3) common open space and recreational areas in planned communities; 4) country clubs; 5) equestrian centers and stables; 6) land-banks, mitigation sites, and conservations preserves; 7) preschool, elementary and secondary schools; 8) information and interpretive centers; 9) any variety of recreational uses, such as parks, playgrounds, sports activities, swimming areas, picnicking areas, golf courses, historic and cultural sites, band shells and stages; and 10) retreat centers. (Ex. 9, Escondido Municipal Code, §§ 33-41 and 33-42.)

¹¹ Ex. 10, Complaint filed in Invalidation Lawsuit.

¹² Ex. 11, minute order in Invalidation Lawsuit.

signatures on the petition, declaring that the "petition contained at least 5,956 verified signatures," reflecting the minimum 10% of registered voters in Escondido.¹³ As noted, the City Council then adopted the Residents' Initiative, without alteration, on August 14, 2013 pursuant to Elections Code § 9215.¹⁴

Because the Invalidation Lawsuit sought to prevent the City Clerk and City Council from acting on the Residents' Initiative, the City's Council's August 14, 2013 adoption of the Residents' Initiative (as permitted by the Court) rendered the Invalidation Lawsuit effectively "moot." Nevertheless, the Invalidation Lawsuit is still pending on appeal with respect to an issue concerning the Court's denial of a request by some of the defendants for attorney's fees.

4.2. SITR's Media Campaign

After the City Council adopted Ordinance No. 2013-10, SITR launched a two-pronged media campaign. First, SITR addressed the merits of its plans, and encouraged and contributed to several newspaper articles touting the benefits of SITR's proposed redevelopment plans for the Country Club. Second, SITR asserted that by adopting the Residents' Initiative, the City Council was frivolously exposing the citizens to a huge damages award and bankruptcy. Following the City Council's vote, SITR released a statement through its publicist, stating: "Today was a bad day for Escondido taxpayers. The City's gambling with public money on the hopes it will win a risky case and not end up with a taxpayer-funded bailout."¹⁵

NBC7.com also ran an article reporting that SITR's spokesperson explained that "there is still a legal battle ahead" and that "there have been cases where the developer was compensated hundreds of millions of dollars, an amount that could potentially bankrupt the City of Escondido."¹⁶ SITR's spokesman stated that SITR's claims against the City "would leave Escondido on the hook for up to \$100 million."

4.3. SITR Files Numerous Encroachment Lawsuits Against Individual Homeowners

Beginning in October 2013, SITR retained two law firms to file numerous "encroachment lawsuits" against individual residents throughout the community.¹⁷

The lawsuits allege that the individual homeowners unlawfully installed yard and wall improvements extending to some degree into SITR's golf course. The lawsuits contain claims for "encroachment," "trespass," and "declaratory relief," seeking both monetary damages and

¹³ Ex. 7.

¹⁴ Ex. 8, CC Ordinance No. 2013-10.

¹⁵ See sample collection of articles compiled in Ex. 12, including: 1) San Diego Source article, 11/18/13, "How Not to Win Friends in Escondido Open Space Fight;" 2) Union Tribune article, 11/17/13, "County Club Items Being Auctioned;" and 3) KPBS article, 11/14/13, "Escondido Golf Course Dispute Could Become Landmark Private Property Rights Case."

¹⁶ Ex. 13, NBC7.com article, 8/15/13, "Escondido City Council Votes in Favor of Green Designation for Golf Course."

¹⁷ Ex. 14, compilation of case summaries for encroachment lawsuits filed by SITR against individual homeowners in community.

injunctive relief compelling the removal of the encroachments.¹⁸ SITR filed a total of 24 “encroachment lawsuits” against individual homeowners, three of which were filed against the President, Treasurer and Director of ECCHO, respectively. The encroachment lawsuits include the following actions filed in the San Diego County Superior Court:

- 1) *SITR v. Swadley*, SDCSC Case No. 37-2013-00073610-CU-BC-NC (filed on October 31, 2013);
- 2) *SITR v. Mullenniex*, SDCSC Case No. 37-2013-00073617-CU-BC-NC (filed on October 31, 2013);
- 3) *SITR v. Delaurentis*, SDCSC Case No. 37-2013-00073621-CU-OR-NC (filed on October 31, 2013);
- 4) *SITR v. Fawley*, SDCSC Case No. 37-2013-00073626-CU-OR-NC (filed on October 31, 2013);
- 5) *SITR v. Rogers*, SDCSC Case No. 37-2013-00080116-CU-OR-NC (filed on October 31, 2013);
- 6) *SITR v. Mainwaring*, SDCSC Case No. 37-2013-00080113-CU-OR-NC (filed on December 17, 2013);
- 7) *SITR v. Wonacott*, SDCSC Case No. 37-2013-00080120-CU-OR-NC (filed on December 17, 2014);
- 8) *SITR v. Martin*, SDCSC Case No. 37-2013-00080131-CU-OR-NC (filed on December 17, 2014);

- 9) *SITR v. Johnsgard*, SDCSC Case No. 37-2013-00080135-CU-OR-NC (filed on December 17, 2014);
- 10) *SITR v. Ahler*, SDCSC Case No. 37-2013-00073625-CU-OR-NC (filed on December 17, 2013);
- 11) *SITR v. Schaefer*, SDCSC Case No. 37-2013-00080116-CU-OR-NC (filed on December 17, 2013);
- 12) *SITR v. Boyd*, SDCSC Case No. 37-2013-00080125-CU-OR-NC (filed on December 17, 2013);
- 13) *SITR v. Carter*, SDCSC Case No. 37-2013-00080129-CU-OR-NC (filed on December 17, 2013);
- 14) *SITR v. Croghan*, SDCSC Case No. 37-2013-00080134-CU-OR-NC (filed on December 17, 2013);

¹⁸ See, e.g., Complaint for Encroachments and Trespass filed in *SITR v. Swadley*, SDCSC Case No. 37-2013-00073610-CU-BC-NC, included in Ex. 15.

- 15) *SITR v. Hodges*, SDCSC Case No. 37-2013-00080136-CU-OR-NC (filed on December 17, 2013);
- 16) *SITR v. Kennedy*, SDCSC Case No. 37-2014-00008201-CU-OR-NC (filed March 25, 2014);
- 17) *SITR v. Mandelbaum*, SDCSC Case No. 37-2014-00008204-CU-OR-NC (filed March 25, 2014);
- 18) *SITR v. Maebert*, SDCSC Case No. 37-2014-0008226-CU-BC-NC (filed March 25, 2014);
- 19) *SITR v. Larue*, SDCSC Case No. 37-2014-00008236-CU-BC-NC (filed March 25, 2014);
- 20) *SITR v. Everest*, SDCSC Case No. 37-2014-00008246-CU-BC-NC (filed March 25, 2014);
- 21) *SITR v. Clauson*, SDCSC Case No. 37-2014-00008251-CU-OR-NC (filed March 25, 2014);
- 22) *SITR v. DeJong*, SDCSC Case No. 37-2014-00008253-CU-OR-NC (filed March 25, 2014);
- 23) *SITR v. Wesolowski*, SDCSC Case No. 37-2014-00008258-CU-OR-NC (filed March 25, 2014); and
- 24) *SITR v. Fieldman*, SDCSC Case No. 37-2014-00008263-CU-OR-NC (filed March 25, 2014).¹⁹

4.4. *SITR Litigates Validity of Ordinance No. 2013-10 and Seeks Millions of Dollars Against City Based on an Alleged “Regulatory Taking”*

On November 6, 2013, SITR filed another action against the City seeking: 1) to invalidate Ordinance No. 2013-10 on various grounds; and 2) monetary damages based on SITR’s allegation that the City’s action constituted a “regulatory taking” of the Country Club Property. SITR also asserted claims that the City violated SITR’s “due process” rights and deprived SITR of “equal protection” in violation of the United States and California Constitutions.

SITR claims it was entitled to redevelop its Country Club Property with residential home sites in a manner consistent with the Country Club’s “R-1-7” zoning and “Urban I” general plan designation in effect prior to the City’s adoption of Ordinance No. 2013-10. Although the historic use of the Country Club Property for golf course, country club, and recreational purposes was (and always has been) permitted under the City’s zoning and general plan designations with a special or conditional use permit, SITR claims that the underlying zoning and general plan designations entitled SITR (at its election) to convert the Country Club Property into a residential housing development.

¹⁹ Ex. 14.

Among other reasons, the City disputes Sitr's claims for the following reasons:

- The Country Club development was originally proposed, approved and developed as the "centerpiece" of (and catalyst for) the surrounding development;
- The "country club" community which evolved over time was approved with substandard home sites specifically on account of the fact that the Country Club provided the open-space and green-space corridors needed to offset the substandard, overbuilt nature of the home sites;
- A landowner, as a matter of law, has no "right" to develop its property in accordance with the existing zoning or general plan designation (*see, e.g., HFH, Ltd. v. Superior Court* (1975) 15 Cal.3d 508, 515 [holding that mere down-zoning of property does not constitute a "taking" under the United States and California Constitutions, explaining that "the courts of this state and the United States Supreme court firmly rejected the notion that the diminution of value of previously unrestricted land by imposition of zoning could constitute a taking impermissible in the absence of compensation."]; *Morse v. County of San Louis Obispo* (1967) 247 Cal.App.2d 600, 602-603 ["[L]andowners have no vested right in existing or anticipated zoning ordinances."]; and *Long Beach Equities v. County of Ventura* (1991) 231 Cal.App.3d 1016, 1040 [upholding County's down-zoning of property to open space allowing for minimal development and reasoning that the "[d]iminution in expected value, even if that loss is severe, does not constitute a taking."]);
- In addition to the City's retention of full discretionary land-use authority over any proposed redevelopment of the Country Club Property, any such development would be subject to full environmental review under the California Environmental Quality Act ("CEQA"); and
- Any subdivision of the Country Club Property would necessarily be subject to the California Subdivision Map Act, requiring the processing of tentative maps with the City over which the City would retain discretionary authority for approval.

Sitr's "takings" litigation against the City is currently pending in San Diego County Superior Court.

4.5. Sitr Spreads Chicken Excrement Over Abandoned Fairways Located Closest to Adjacent Homes And Is Cited By The APCD For A Public Nuisance

As reported in the San Diego Union Tribune, in April 2014, Sitr paid a firm to spread chicken manure over many of the abandoned fairways situated closest to the residential home sites existing along the periphery of the golf course. Sitr did that even though it no longer irrigates or maintains the golf course. On April 14, 2014, the County's Air Pollution Control District cited Sitr for creating a public nuisance. The citation was issued after inspectors determined that the chicken excrement created a "Level 5" odor, which represents the worst rating under the County's "smell-scale." As explained by the inspector for the Air Pollution

Control District, "Level 5 is bad. Level 5 will just about make you gag."²⁰ According to the County, SITR could face "fines of \$10,000 a day for dumping chicken excrement on a number of abandoned fairways."²¹

4.6. SITR Now Seeks Approval of the Voters to Adopt "The Lakes Specific Plan"

SITR has now decided to take the matter to the voters. In March 2014, SITR began circulating its petition to place the SITR Initiative on the ballot.²² If approved, the SITR Initiative would repeal Ordinance No. 2013-10 and again amend the City's general plan, general plan land use map, zoning code, and official zoning map, with respect to the Country Club Property.²³ It would enact "The Lakes Specific Plan," which would permit the Country Club Property to be redeveloped with up to 430 new residences.

5.0 DEVELOPMENT HISTORY OF COUNTRY CLUB PROPERTY AND SURROUNDING COMMUNITY

5.1. Executive Summary

Originally developed in the 1960s, the Country Club served as the centerpiece and catalyst for a developer's master plan to develop a new retirement community in northwest Escondido. At that time, Mr. Morgan Stivers ("Stivers") owned several hundred acres of undeveloped land in the area. In 1962, he submitted a plan to develop his acreage with 1,030 homesites.²⁴ In order to attract the "out of town" retired and semi-retired homebuyers needed for this new community, Stivers oriented the development plan around a new 9-hole golf course, community and recreation center, open space, and related amenities that would serve as the centerpiece of the retirement community. According to Stivers, the golf course, community center, and recreational amenities were "necessary" for the new retirement development to be "successful."²⁵ A graphic of the original "Golden Circle Valley" tentative map boundary in relation to the Country Club area's current development pattern is depicted on the following page of this report.

²⁰ Ex. 16, Union Tribune article, dated April 9, 2014, entitled, "Stench Rankles Escondido Club Neighbors."

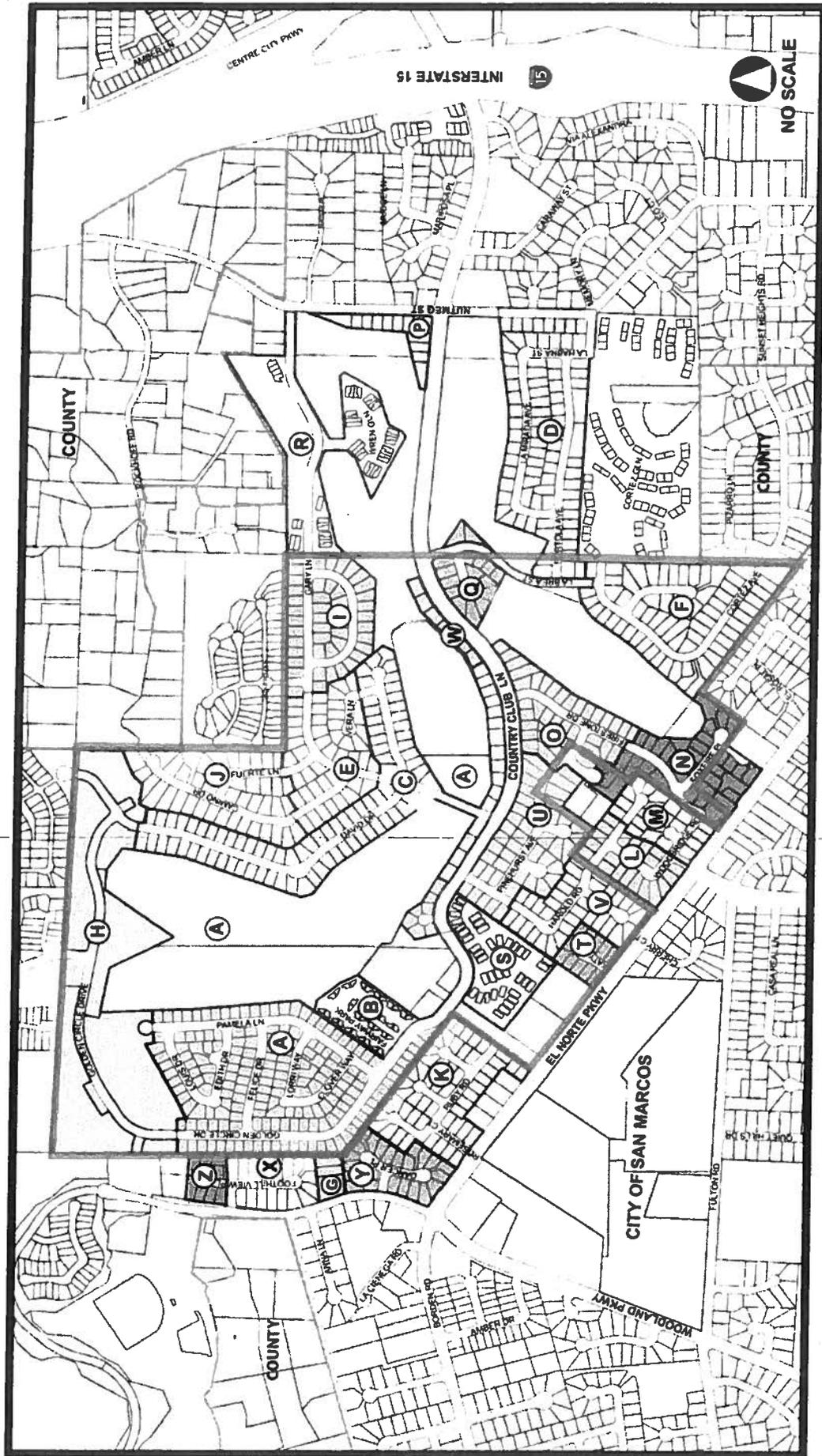
²¹ Ex. 17, Union Tribune article, dated April 14, 2014, entitled, "Chicken Manure Stink Could be Costly."

²² See Notice of Intent to Circulate Petition re: SITR Initiative included in Ex. 2.

²³ Ex. 2.

²⁴ Ex. 21, minutes from 12/12/62 Escondido Planning Commission ("PC") meeting; Ex. 22, minutes from 12/26/62 PC meeting; Ex. 23, 12/26/62 letter from City Clerk to PC; Ex. 24, 12/26/62 application by Stivers for special use permit allowing "golf course and community center in R-1 zone;" Ex. 25, Notice of Proposed Special Use Permit; Ex. 26, minutes from 1/22/63 PC meeting; Ex. 27, minutes from 2/12/63 PC meeting; Ex. 28, PC Resolution No. 389.

²⁵ Ex. 24.



LETTER	TRACT AND MAP	RECORDED DATE	UNITS	ACRES	DEVELOPER
A	Golden Circle No 2 Tract Map No 5433	7/29/64	179 SFR	42.8 ac	ROYART CORP
B	Golden Circle Annex - Tract Map No 5512	12/29/64	37 UNITS		ROYART CORP
C	Escondido Tract No 103 - Tract Map No 5578	5/11/65	96 SFR	25.5 ac	ROYART CORP
D	Escondido Tract No 149 - Tract Map No 6504	10/14/69	79 SFR	19.4 ac	ROYART CORP
E	Escondido Tract No 198-A - Tract Map No 7661	6/13/73	44 SFR		Country Club Homes
F	Escondido Tract No 180 - Tract Map No 7725	8/17/73	65 SFR	16.6 ac	
G	Escondido Map 73-74 / PM 2321 (incl Tr 752)	2/5/74	4 SFR		
H	Escondido Tract No 221 - Tract Map No 7917	4/10/74	132 UNITS		Leadership Housing Syst
I	Escondido Tract No 198 B - Tract Map No 7984	8/0/74	46 SFR		Country Club Homes
J	Escondido Tract No 198-C - Tract Map No 8025	9/18/74	41 SFR		Country Club Homes
K	Escondido Tract No 284 - Tract Map No 8372	9/17/76	53 SFR	11.094 ac	Country Club Homes
L	Escondido Tract No 293-A - Tract Map No 8478	1/31/77	20 SF		Butler Housing Corp
M	Escondido Tract No 293-B - Tract Map No 8606	6/28/77	21 SFR		Chester Ent Inc
N	Escondido Tract No 305-B - Tract Map No 8747	12/5/77	26 SFR		
O	Escondido Tract No 305-A - Tract Map No 8721	11/14/77	35 SFR		
P	Escondido Tract No 326 - Tract Map No 8900	6/22/78	13 SFR		
Q	Escondido Tract No 338 - Tract Map No 8901	6/22/78	16 SFR		
R	Escondido Tract No 358 - Tract Map No 9008	10/7/78	44 UNITS	14 ac	
S	Escondido Tract No 503 - Tract Map No 10553	12/30/82	38 UNITS		
T	Escondido Tract No 604 - Tract Map No 11224	5/7/85	11 SFR		
U	Escondido Tract No 530-A - Tract Map No 11803	5/6/87	33 SFR		
V	Escondido Tract No 530-B - Tract Map No 11804	5/6/87	33 SFR		
W	Escondido Tract No 568 - Tract Map No 12513	11/30/89	6 SFR		
X	Escondido Tract No 752 - Tract Map No 13056	4/27/89	17 SFR		
Y	Escondido Tract No 808 - Tract Map No 14330	12/28/01	28 SFR		
Z	Escondido Tract No 809 - Tract Map No 14798	5/20/04	5 SFR		
TOTAL NUMBER OF UNITS					1,134 SFR

LETTER	TRACT AND MAP	RECORDED DATE	UNITS	ACRES	DEVELOPER
A	Golden Circle No 2 Tract Map No 5433	7/29/64	179 SFR	42.8 ac	ROYART CORP
B	Golden Circle Annex - Tract Map No 5512	12/29/64	37 UNITS		ROYART CORP
C	Escondido Tract No 103 - Tract Map No 5578	5/11/65	96 SFR	25.5 ac	ROYART CORP
D	Escondido Tract No 149 - Tract Map No 6504	10/14/69	79 SFR	19.4 ac	ROYART CORP
E	Escondido Tract No 198-A - Tract Map No 7661	6/13/73	44 SFR		Country Club Homes
F	Escondido Tract No 180 - Tract Map No 7725	8/17/73	65 SFR	16.6 ac	
G	Escondido Map 73-74 / PM 2321 (incl Tr 752)	2/5/74	4 SFR		
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I	Escondido Tract No 198 B - Tract Map No 7984	8/0/74	46 SFR		Country Club Homes
J	Escondido Tract No 198-C - Tract Map No 8025	9/18/74	41 SFR		Country Club Homes
K	Escondido Tract No 284 - Tract Map No 8372	9/17/76	53 SFR	11.094 ac	Country Club Homes
L	Escondido Tract No 293-A - Tract Map No 8478	1/31/77	20 SF		Butler Housing Corp
M	Escondido Tract No 293-B - Tract Map No 8606	6/28/77	21 SFR		Chester Ent Inc

GOLDEN CIRCLE VALLEY SUBDIVISIONS

Boundary of original "Golden Circle Valley" tentative map

In February 1963, the City approved Stivers' application for the golf course, park/open space site, and community/recreation center, as well as the entire 1,030-unit development then known as the "Golden Circle Valley" subdivision.²⁶ The approval was memorialized in the tentative map for the Golden Circle Valley subdivision, and the special use permit for the golf course and related facilities embodied in Planning Commission Resolution No. 389.²⁷

Shortly after the City approved the original plan, Stivers transferred his project to H.L. Curfew of Royart Corporation.²⁸ Royart continued to move forward with the development as planned and approved, and completed the 9-hole golf course and recreational facilities in 1964.²⁹ By March of 1964, the 9-hole golf course was completed and in operation.³⁰ Royart, however, sought to enlarge the scope of the development to include additional adjoining property not included in the original approvals.³¹ The expanded scope of the development included additional land and a larger, 18-hole golf course and a modified housing layout surrounding the reconfigured golf course. To some degree, this necessitated "starting over" on the entitlements needed for the golf course, community/recreation center, and the new housing layouts surrounding the facilities.³² Thus, in May 1964, the Planning Commission adopted Resolution No. 478, approving the reconfigured golf course, open space/park, and community and recreation center. Resolution No. 478 replaced Resolution No. 389.³³

The expanded nature of the proposed development proceeded on a "piecemeal" basis. The overall Golden Circle Valley development started with the development of the originally smaller Country Club Property and 9-hole golf course (completed and operational in 1964) and the development of individual subdivisions situated along the periphery of the golf course. The Country Club expanded the development (to include an 18-hole golf course) a few years later.³⁴

The first five housing tracts in the Golden Circle Valley were developed by the developer of the Country Club (and its immediate successor-in-interest), who completed nearly half of the dwelling units originally proposed. The remaining subdivisions in Golden Circle Valley were completed by different ownerships generally in accordance with the "master plan" originally proposed by Stivers and Royart.

According to the sworn declarations of Stivers and Royart (the original owners and developers of *all* the property within the "Golden Circle Valley" master plan), the Country Club

²⁶ Ex. 27; Ex. 28.

²⁷ Ex. 27; Ex. 28.

²⁸ Ex. 28; Ex. 29, grant deed from Stivers to Royart, recorded June 1963.

²⁹ Ex. 18, booklet entitled "Echoes of the Escondido Country Club—1962 to 1992," pp. 3 and 6.

³⁰ Ex. 18, p. 6.

³¹ Ex. 30, minutes from 4/14/64 PC meeting; Ex. 31, 4/24/64 Royart Application for Special Use Permit for "Community and Recreation Center;" Ex. 32, applications for special use permit for golf course and recreational facilities; Ex. 33, PC Resolution No. 474 to hold public hearing on application for "constructing, maintaining and operating a golf course and related facilities, and a community and recreation center at the Golden Circle Development;" Ex. 18, pp. 3 and 6.

³² Ex. 34, minutes from 5/12/64 PC meeting.

³³ Ex. 34; Ex. 35, PC Resolution No. 478.

³⁴ Ex. 18, pp. 3 and 6.

was "necessary" for the new retirement community they envisioned. Thus, Royart's development of the Country Club necessarily needed to precede the sale of homes to be developed around the Country Club.³⁵

In addition to developing the Country Club, Royart also subdivided the first three housing tracts for the retirement community, including: (1) Golden Circle Unit No. 2, a 187-lot subdivision primarily consisting of single-family residences flanking the northwesterly legs of the golf course for which the final map was recorded in July 1964;³⁶ (2) the Golden Circle Annex, a 37-unit condominium complex located adjacent to the golf course and community/recreational center for which the final map was recorded in December 1964,³⁷ and (3) Escondido Tract No. 103, a 98-lot single-family subdivision located along the northerly periphery of the golf course for which the final map was recorded in May 1965.³⁸

Significantly, Golden Circle Unit No. 2 and Escondido Tract No. 103 were approved with "below minimally-sized lots," in return for the open space and recreational amenities provided in connection with the Country Club.³⁹ The City also approved setback and parking variances for numerous lots within those subdivisions due to the substandard nature of the lots and the open space/recreational amenities provided by the Country Club.

In 1966, Prudential Savings and Loan Association ("Prudential") acquired Royart's entire project, which included the unsold lots in the already subdivided housing tracts, the Country Club, and the balance of the undeveloped property included within Royart's original proposed senior-citizen retirement community. Prudential completed the expansion of the golf course (to include an additional 9 holes, making it an 18-hole golf course), and two more single-family subdivisions located adjacent to the southeasterly legs of the golf course. These housing tracts included: (1) "Escondido Tract No. 149," a 19.4 acre tract subdivided into 79 single-family residential lots;⁴⁰ and (2) "Escondido Tract No. 180," a 16.6 acre tract subdivided into 65 single-family residential lots.⁴¹ As with the earlier tracts, the City granted setback variances for several home sites, including substantial rear-yard setbacks for homes "backing up" to the golf course.⁴²

³⁵ Ex. 31; Ex. 24.

³⁶ Ex. 36, final map recorded on July 29, 1964 for Golden Circle Unit No. 2.

³⁷ Ex. 37, final map for Golden Circle Annex recorded on December 29, 1964.

³⁸ Ex. 38, final map for Escondido Tract No. 103 recorded on May 11, 1965.

³⁹ Ex. 39, 2/25/65 letter from PC to CC re: waivers for Tract No. 103; Ex. 40, 1966 application, agenda report, correspondence and PC Resolution No. 708, approving setback and parking variances for numerous lots within Golden Circle Unit No. 2 and Escondido Tract No. 103 (Planning Case No. 66-65-V); Ex. 41, July 1968 application, minutes and PC Resolution No. 956, approving parking variance for numerous lots within Golden Circle Unit No. 2 (Planning Case No. 68-59-V); Ex. 42, October/November 1970 application, agenda report, minutes and PC Resolution No. 2202, approving variances for numerous lots within Golden Circle Unit No. 2 (Planning Case No. 70-118-V); Ex. 43, application, negative declaration, correspondence, agenda report and minutes for Escondido Tract No. 481.

⁴⁰ Ex. 44, final map for Escondido Tract No. 149, recorded on October 14, 1969.

⁴¹ Ex. 45, final map for Escondido Tract No. 180, recorded on August 17, 1973.

⁴² Ex. 52, 1971 application, minutes, agenda report and resolution approving set back variance for Lot 28, Escondido Tract No. 149 (Planning Case No. 71-32-V).

By 1973, Royart and its successor, Prudential, had completed the subdivision of the Country Club Property and the first five housing tracts. These housing tracts combined for a total of over 458 dwelling units—nearly half of the units included in Stivers' originally proposed retirement community.

The balance of the (undeveloped) property within the proposed retirement community was thereafter conveyed to various ownerships, with individual subdivisions being processed and developed throughout the 1970s and 1980s. The entirety of the acreage included within Royart's retirement community had been fully subdivided by 1989. This included a total of 977 housing units (53 units fewer than the 1,030-unit "Golden Circle Valley" tentative map originally approved by the City but later abandoned by Royart in favor of Royart's proposed enlarged development).

All of these subdivisions were planned and designed to complement and incorporate the Country Club open space and recreational amenities integral to, and serving as the catalyst for, the entire retirement community. The developers used the Country Club, golf course, open space and recreational amenities as the primary selling-point to draw out-of-town homebuyers to the new community. Royart launched a "massive advertising campaign" in 1964, running ads in newspapers, magazines and the nationally-published Reader's Digest. Royart also ran advertisements on radio throughout southern California. The ads touted the new "Golden Circle Valley" community as a "completely self-contained community" with "a dozen different pleasures to choose from" such as golf, tennis, swimming and the new "Town Hall."⁴³ A later proposed subdivision (marketed as "Encanto del Sol" or "Enchantment Under the Sun") touted the "built-in" nature of the recreational features, highlighting the golf, swimming, tennis and "beautiful scenery" suitable for "quiet walks" right at the back door.⁴⁴ The marketing campaign for these "golf course homes" also promised "an unparalleled combination of luxury, beauty, comfort and convenience creating extraordinary, lasting value."⁴⁵

The Country Club and surrounding community is fully developed and for years has been referred to simply as the "Country Club" area of the Escondido community. The Country Club operated for nearly 50 years, serving to benefit the community that was planned and developed around it. The City's General Plan originally designated the Country Club Property for golf-course/open-space use and most recently designated it as "urbanized," reflecting the fully developed condition of the area. At no time has the Country Club been designated as a "revitalization" area. While SISR repeatedly refers to the Country Club Property as "blighted," the City has never designated it as "blighted."

5.2. Comprehensive Development History of "Golden Circle Valley" Retirement Community

A. **Development of Country Club and First Five Housing Tracts by Original Developer of "Golden Circle Valley"**

⁴³ Ex. 18, p.5, "Invest in Your Future" advertisement in Daily Times Advocate dated, March 30, 1964.

⁴⁴ Ex. 18, p.11. "Encanto del Sol" advertisement.

⁴⁵ Ex. 18, p.12. "Encanto del Sol" advertisement.

Having acquired several hundred acres of raw, undeveloped land in and around the northwesterly portion of Escondido, in 1962, Stivers began processing entitlements for the development of a new retirement community centered around significant open space, golf course and recreational facilities intended to draw "out of town" homebuyers to the area. The specific development plans for the area evolved over time, but the area was ultimately developed in a manner generally consistent with Stivers' original plan—to develop a "country club" retirement community featuring expansive open space corridors, viewsheds and recreational amenities that served as the intended "centerpiece" of the community. The specific land use proposals and approvals for the Country Club and surrounding retirement community are discussed below.⁴⁶

1) *The City Approves the Country Club Special Use Permit and "Golden Circle Valley" Tentative Map in 1963*

In 1962, Stivers processed a tentative map for the "Golden Circle Subdivision," calling for the development of several hundred acres of land in the northwestern portion of Escondido.⁴⁷ The subdivision proposed 1,030 dwelling units, a 9-hole golf course, an open space/park parcel, a community/recreational center, and two parcels devoted to "religious worship."⁴⁸

In accordance with the "R-1" zoning ordinance in effect at the time, the golf course and community/recreation center had to be processed under the "special use permit" procedures embodied in the City's zoning ordinance (Ordinance No. 371).⁴⁹ In support the special use permit, Stivers declared in sworn testimony that the golf course and recreational facilities were "necessary" for the successful completion of the overall retirement community Stivers sought to develop:

"This request is submitted in conjunction with the Tentative Map for Golden Circle Subdivision, which is to be a senior citizens development. The construction of golf course and community center buildings is necessary for the successful completion of the overall project."⁵⁰

On February 12, 1963, the Planning Commission held a hearing on Stivers' application for special use permit.⁵¹ As of that time, the interests in Stivers' application and tentative map had been transferred to the Royart Corporation.⁵² The Planning Commission adopted Resolution No. 389, approving the overall development, the construction of a 9-hole golf course, an open-space/park facility, a community center, and two parcels to be used for religious worship.⁵³ On

⁴⁶ See also "Golden Circle Valley Subdivision" graphic and chart reproduced at page 9 of this report, depicting and describing the various subdivisions of the Country Club community actually developed in and around the Country Club Property.

⁴⁷ Ex. 21, minutes from 12/11/62 PC meeting; Ex. 22, minutes from 12/26/62 PC meeting; Ex. 23, 12/26/62 letter from City Clerk to PC; Ex. 24, 12/26/62 application for Special Use Permit.

⁴⁸ Ex. 28, PC Resolution No. 389, pp.1-1C, 2-3, 5-8 of "Final Text of Special Use Permit" attached to resolution ("Special Use Permit Text").

⁴⁹ Ex. 23.

⁵⁰ Ex. 24.

⁵¹ Ex. 27, minutes from 2/12/63 PC meeting.

⁵² Ex. 28, p.1 of Special Use Permit Text.

⁵³ Exs. 27 and 28.

that same date, the Planning Commission approved the "Golden Circle Valley" tentative map for the master planned housing development.⁵⁴ In light of the open-space corridors and recreational facilities integrated into the proposed retirement community, the Planning Commission approved minimally-sized home sites (on Lots 1 through 1,030), narrow lot widths and narrow widths for the internal street system of the proposed community.⁵⁵

The Planning Commission conditioned the issuance of the special use permit on a number of significant items.⁵⁶ First, with one noted exception, none of the home sites could be given a final inspection or occupied until the golf course, park, recreation and community center facilities had been constructed, inspected, and certified by the City Engineer.⁵⁷ In addition, the parcels devoted to golf course, open space, community center and church purposes were to be permanently reserved for such purposes.⁵⁸

2) *The City Approves Final Map for Golden Circle Unit No. 1 in May 1963*

With the tentative map and special use permit approved in February 1963 (for the entire "Golden Circle Valley" retirement community), on May 1, 1963, the City Council approved Royart's final map for "Golden Circle Unit No. 1."⁵⁹ Recorded on May 14, 1963, the final map for Golden Circle Unit No. 1 was the first legal subdivision covering a portion of the Golden Circle Valley retirement community. The recordation of the final map for Golden Circle Unit No. 1 created 163 legal lots, 156 of which were for single-family-residences on "minimally-sized" lots with small square footages, narrow lot-widths, and shallow depths.⁶⁰ It also created the legal lots for the community center and recreational facilities (shown as Lots 96, 97, and 98 on the final map) and the golf course and open space (shown as Lots 99, 100 and 105). In addition, Lot 162 was created for the development of multi-family uses.

⁵⁴ Ex. 27.

⁵⁵ Ex. 28, pp.1C-2 of Special Use Permit Text ["It appearing that in consideration of the proposed development, the character of the recreation facilities to be provided, the maintenance of gross area requirements for parking areas, and the size of the single family dwellings to be erected on the lots within Golden Circle, that the lot size prescribed for R-1 zone should be reduced to the minimum size as shown on said attached tentative map, and that the applicant be permitted to establish certain local streets shown on the tentative map as 50 foot width streets instead of 60 foot width streets as would be required for a normal subdivision, and that the applicant further shall be permitted to construct, maintain, and operate park, recreation and community center facilities as indicated on said attached map and as outlined in detail hereafter."].

⁵⁶ Ex. 28, pp. 2-10 of Special Use Permit Text.

⁵⁷ Ex. 28, ¶¶ 2-3 of Special Use Permit Text. The exception to this requirement concerned the developer's construction of five model homes and one four-unit apartment complex, which could be completed prior to completion of the recreational facilities.

⁵⁸ Ex. 28, ¶ 4.

⁵⁹ Ex. 46, final map for Golden Circle Unit No. 1, recorded May 14, 1963.

⁶⁰ As shown on the final map, the vast majority of the single family residential home sites in Golden Circle Unit No. 1 were less than 5,000 square feet and had lot widths generally between 55 and 60 feet.

3) *Royart Records Use Restrictions Permanently Restricting the Golf Course, Open Space and Community Center Lots to Park and Community Center Use on June 17, 1963*

As required by Resolution No. 389, on June 17, 1963, Royart recorded a "Declaration of Restrictions" expressly applicable to the legal lots created through the recordation of the final map for Golden Circle Unit No. 1.⁶¹ These restrictions were imposed as "mutual, beneficial restrictions under a general plan or scheme of improvement of all the lands in the tract and the future owners of those lands."⁶² The restrictions imposed rules and covenants concerning the permitted and prohibited uses of the single family residences. In addition, Lots 96, 97 and 98 (the community and recreational center lots) were "restricted to Community Center use only." Lots 99, 100, and 105 (the golf course and open space/park lots) were "restricted to golf course or park use only."⁶³

4) *The City Approves a Revised (or "Replacement") Tentative Map for the Entire Golden Circle Valley Retirement Community on July 9, 1963*

On July 9, 1963, the Planning Commission considered (and approved) Royart's application to revise the previously-approved tentative map for the overall Golden Circle Valley development and to amend the special use permit (embodied in Resolution No. 389) accordingly.⁶⁴ The revised tentative map proposed slightly larger lots to accommodate homes with proper side-yard set-backs, to increase the size of the golf course and to modify the street pattern within the residential areas to allow for better traffic circulation.⁶⁵ The action taken by the Planning Commission on July 9, 1963, pertained to the overall Golden Circle Valley development, not just the area included within the previously-recorded final map for Golden Circle Unit No. 1. On that same date, the Planning Commission also approved Royart's separate request for set-back variances on all lots within Golden Circle Unit No. 1.⁶⁶ The setback variances were granted based on the finding that Royart had provided substantial acreage for the golf course and park/open space.⁶⁷

5) *Royart Pursues Alternative Plan of Development in 1964*

After the final map for Golden Circle Unit No. 1 was recorded in 1963, Royart decided to reconfigure the home site and golf course parcels created by the recordation of the final map. Royart thereafter processed a new final map for the area, known as "Golden Circle Unit No. 2."

⁶¹ Ex. 47, Declaration of Restrictions recorded on June 17, 1963.

⁶² Ex. 47, p.1.

⁶³ Ex. 47, ¶ 7(n).

⁶⁴ Ex. 48, minutes from 7/9/63 PC meeting.

⁶⁵ Ex. 48; Ex. 49, "Replacement" Tentative Map for Golden Circle Valley.

⁶⁶ Ex. 48; Ex. 50, PC Resolution No. 417.

⁶⁷ Ex. 51, application and PC Resolution No. 417, approving Royart's request for setback variances for all lots within Golden Circle Unit No. 1; see Application for Variance included within Ex. 51, explaining: "Since many acres of park and golf course have been provided, this minor reduction in side yard sky area will not be detrimental or injurious to adjacent properties."

On April 16, 1964, the Planning Commission considered and approved Royart's final map for the "Golden Circle Unit No. 2" subdivision.⁶⁸ Golden Circle Unit No. 2 included the same area that was previously subdivided in Golden Circle Unit No. 1, as well as additional land not included in Golden Circle Unit No. 1.⁶⁹ Golden Circle Unit No. 2 consisted of a larger, 186-lot subdivision, reconfiguring the street and lot layout to some degree, and slightly enlarging and modifying the boundary of the golf course lots.

As with Golden Circle Unit No. 1, Golden Circle Unit No. 2 created three lots to be devoted to the community center and recreational facilities (shown as Lots 1, 2 and 3 on the final map), three lots for the golf course and open space amenities (shown as Lots 185, 186 and 142), and one lot intended for multi-family dwelling units (shown as Lot 4).⁷⁰

At the April 16, 1964 Planning Commission meeting, Royart also raised an issue concerning its revised plan for development of the Golden Circle Valley retirement community. Royart sought to develop additional land outside the perimeter of the area subject to the approved "Golden Circle Valley" tentative map and special use permit embodied in Resolution No. 389.⁷¹ Accordingly, Royart proposed that future subdivisions be processed as "regular subdivisions," presumably on a "subdivision-by-subdivision" basis and by adoption of a new special use permit that would include the enlarged golf course.⁷²

On that same date, the Planning Commission set a public hearing for the issuance of a special use permit "for the purpose of constructing, maintaining and operating a golf course and related facilities, and a community and recreational center at the Golden Circle development."⁷³ The property subject to the proposed permit included the three community center lots, as well as Lots 185 and 186 designated on the final map for Golden Circle Unit No. 2 for golf course use. In addition, the proposed permit covered an expanded area not previously included in Resolution No. 389 or the approved tentative map.⁷⁴

On May 12, 1964, the Planning Commission held a hearing on Royart's application for a new special use permit to "construct, maintain and operate a golf course and related facilities.

⁶⁸ Ex. 30, minutes from 4/14/64 PC meeting.

⁶⁹ Compare final map for Golden Circle Unit No. 1 (Ex. 46) with final map for Golden Circle Unit No. 2 (Ex. 36); see also Ex. 30.

⁷⁰ Ex. 36.

⁷¹ Ex. 30; Ex. 32, Royart applications for special use permit for golf course and recreational facilities; Ex. 31.

⁷² Ex. 30. As noted, the original special use permit (PC Resolution 389 included in Ex.28) authorized the development of a 9-hole golf-course over the parcels labeled "Lot A" on the tentative map. See also Ex. 18, p. 3.

⁷³ Ex. 33, Resolution No. 474 setting hearing on Royart applications. See also Ex. 31, Royart application for special use permit; and Ex. 32, Royart applications for golf course and community/recreation center.

⁷⁴ See legal description set forth in PC Resolution No. 478 (Ex. 35, p.1) identifying Lots 96, 97, 98, and 105 [of Golden Circle Unit No. 1]. Lots 185, 186 and "A" [of Golden Circle Unit No. 2]. and additional land described as encompassing portions of Lot 3, Block 14 of Rancho los Vallecitos de San Marcos; and Sections 5 and 6 of Township 12 South, Range 2 West, San Bernardino Base and Meridian.

and a community and recreational center at the Golden Circle Development."⁷⁵ The Planning Commission adopted Resolution No. 478, approving Royart's application for a special use permit.⁷⁶ Resolution No. 478 authorized Royart to construct the following facilities in connection with its enlarged development proposal:

- A golf course, golf pro shop, dressing rooms and storage space, one putting green, and one driving range.
- A recreation and community facilities area containing:
 - A woodworking room, lapidary room, library room, ceramics room, sewing room, an arts room, and a film processing room.
 - A swimming pool, concrete shuffle board courts, croquet court, horseshoe pits, patio area, and bowling green.
- A town hall building with a kitchen, cafeteria, stage, dressing rooms, club rooms, and administrative offices.
- An open park and recreational area.
- Incidental uses similar in character and no more detrimental than the above-listed uses as determined by the Planning Commission.⁷⁷

The special use permit embodied in Resolution No. 478 included the same area subject to Resolution No. 389, plus the enlarged area not included in the original land-use application. As determined by the Planning Commission when adopting Resolution No. 478, Resolution No. 478 "replaced" the previously-adopted Resolution No. 389 which covered a smaller geographic area.⁷⁸

6) *The City Approves (and Royart Records) the Final Map for Golden Circle Unit No. 2 in July 1964*

The Planning Commission approved Royart's "revised" tentative map for the Golden Circle Valley subdivision in July 1963.⁷⁹ The revised tentative map reconfigured the internal street system of the housing tract and golf course parcels previously subdivided in Golden Circle Unit No. 1.⁸⁰ Accordingly, Royart needed to process a new final map incorporating the previously subdivided property (in Golden Circle Unit No. 1) and some additional land extending outside the Golden Circle Unit No. 1 boundary. On July 21, 1964, the City Council approved the final map for Golden Circle Unit No. 2, which Royart recorded on July 29, 1964.⁸¹

⁷⁵ Ex.34, minutes from 5/12/64 PC meeting.

⁷⁶ Ex. 34; Ex. 35.

⁷⁷ Ex. 35, pp.2-3.

⁷⁸ Ex. 34; Ex. 35.

⁷⁹ Ex. 48. minutes from 7/9/63 PC meeting.

⁸⁰ Compare "Replacement" Tentative Map for Golden Circle Subdivision approved in July 1963 (Ex. 49) with final map for Golden Circle Unit No. 1 (Ex. 46, pp. 3-4.)

⁸¹ Ex. 36.

Golden Circle Unit Number 2 consisted of 186 numbered lots and an additional lot designated as "Lot A." Lots 1, 2, and 3 included the same community/recreation center parcels that were designated as Lots 96, 97, and 98 in Golden Circle Unit No. 1. Lots 185, 186 and 141 included the reconfigured golf course and park lot previously designated as Lots 99, 100 and 105 in Golden Circle Unit No. 1.⁸²

The remaining 179 lots consisted of single-family residential home sites. Just like the home sites created in Golden Circle Unit No. 1, the Golden Circle Unit No. 2 home sites were minimally sized (on the order of 5,000 square feet or less), had narrow lot widths (60 feet or less), and shallow lot depths (less than 100 feet). As the City later acknowledged when granting several setback and parking variances for numerous home sites in Golden Circle Unit No. 2, the housing tract was predominated by "below minimally sized lots" due specifically to the fact that "the central recreation area and golf course compensated for these small lots."⁸³

On July 31, 1964, Royart recorded another "Declaration of Restrictions," specifically applicable to lots subdivided in Golden Circle Unit No. 2.⁸⁴ Like the prior restrictions, the new restrictions imposed certain rules and covenants concerning the uses of the single-family residences. The new restrictions, however, were not applicable to the lots devoted to golf course, park and recreational use.⁸⁵

On August 14, 1964, Royart recorded an amendment to the restrictions, adding a provision requiring that at least one member of each home site to be 50 years or older, and prohibiting anyone under the age of 16 from residing or occupying any home in the community.⁸⁶ Royart recorded another amendment to the restrictions on September 23, 1964, increasing the minimum age of residents from 16 to 18.⁸⁷

7) *Royart Subdivides 37-Unit Condominium Complex
("Golden Circle Annex" aka "Fairway Park") in
December 1964*

In September 1964, Royart applied for a special use permit to allow the development of a 37-unit condominium complex on Lot 4 of Golden Circle Unit No. 2.⁸⁸ On November 10, 1964, the Planning Commission approved both the tentative map and special use permit for the "Fairway Park" condominium complex (embodied in Resolution No. 516).⁸⁹ The text of the special use permit for the condominium complex makes express reference to (and approves) the recreational and community facilities adjoining the condominium complex.⁹⁰

⁸² Compare Ex. 36, pp. 3, 6-7, and 12, with Ex. 46, pp. 3-6.

⁸³ See 11/24/70 agenda report included in Ex. 42.

⁸⁴ Ex. 53.

⁸⁵ Ex. 53.

⁸⁶ Ex. 54.

⁸⁷ Ex. 55.

⁸⁸ Ex. 56, application for special use permit for 37-unit condominium complex.

⁸⁹ Ex. 57, minutes from 11/10/64 PC meeting; Ex. 58, PC Resolution No. 516.

⁹⁰ Ex. 59.

On December 1, 1964, the City Council approved and certified the final map for the "Golden Circle Annex" (i.e., "Fairway Park"). Royart recorded the final map on December 29, 1964.⁹¹ Golden Circle Annex consisted of a 37-unit condominium complex, wholly contained within Lot 4 of Golden Circle Unit No. 2. The condominium complex is situated adjacent to the recreational/community center facilities constructed on Lots 1, 2 and 3 of Golden Circle Unit No. 2.

8) *Royart Subdivides Escondido Tract No. 103 in May 1965*

In February 1965, Royart submitted a tentative map proposing a 93 lot, single-family residential subdivision, primarily along the northern periphery of the golf course parcels subdivided in Golden Circle Unit No. 2.⁹² In light of the adjacency of the golf course, Royart requested that the City "suspend" the requirement to place alleys at the rear of the lots and to allow Royart to exceed the maximum block length of 1,320 feet.⁹³ The City's "Staff Development Committee" reviewed Royart's proposal and concurred with the requested waivers. In addition, the committee recommended a "waiver of lots having less than 50 foot street frontage."⁹⁴ On February 23, 1965, the Planning Commission approved Royart's tentative map, approved the requested waiver of alleys at the rear of lots backing up to golf course, and allowed Royart to exceed the maximum block length due to terrain and the general layout of the surrounding area.⁹⁵ The City Council approved and certified the final map for Escondido Tract No. 103 on March 24, 1965.⁹⁶

9) *Prudential (Royart's Successor) Obtains Conditional Use Permit for Clubhouse Allowing for Bar, Restaurant, and Snack-Bar Facilities on Lots 1, 2, and 3 of Golden Circle Unit No. 2 in 1968*

On November 14, 1967, William Godbey (on behalf of the Escondido Country Club and Prudential) applied for a conditional use permit ("CUP") allowing for the construction of a "clubhouse" and related amenities (such as alcohol sales, restaurant, and snack bar) on the parcels previously approved for community and recreational amenities in Resolution No. 478.⁹⁷ In support of the request, the Escondido Country Club declared that it was "involved in the operation of an 18 hole championship golf course and that the golf course is not complete because of the lack of adequate clubhouse facilities. . . ."⁹⁸ The Planning Commission originally approved the CUP on December 12, 1967 when it adopted Resolution No. 865.⁹⁹ Thereafter, Escondido Country Club requested amendments to the CUP due, in part, to issues concerning Escondido Country Club's inability to obtain an alcohol license if the facilities serving alcohol were not open to the general public.¹⁰⁰ On June 25, 1968, the Planning Commission adopted

⁹¹ Ex. 37.

⁹² Ex. 60, 2/15/65 letter to planning department.

⁹³ Ex. 60.

⁹⁴ Ex. 61, 2/23/65 letter to Planning Commission.

⁹⁵ Ex. 62, 2/25/65 letter from City Clerk to City Council.

⁹⁶ Ex. 38, final map for Escondido Tract No. 103, recorded on 5/11/65.

⁹⁷ Ex. 63, 11/14/67 application for conditional use permit.

⁹⁸ Ex. 63; Ex. 64, 12/12/67 agenda report re: Prudential's application for conditional use permit.

⁹⁹ See reference to PC Resolution No. 865 in PC Resolution No. 884 included in Ex. 65.

¹⁰⁰ Ex. 65.

Resolution No. 944, amending the conditions allowing for the general public to patronize the bar, restaurant, and snack-bar facilities.¹⁰¹

10) *Royart and Prudential Obtain Numerous Set-Back and Parking Variances For Home Sites Throughout Golden Circle Unit No. 2 and Escondido Tract No. 103 Specifically on Account of the Golf Course and Recreational Facilities "Compensating" for the Substandard Lots*

The zoning ordinance in effect at the time Royart sought to develop the home sites in Golden Circle Unit No. 2 and Escondido Tract No. 103, required a minimum 5 yard setbacks on either side of the home and, for lots that did not abut alleys, one of the side-yards had to be at least 10 feet wide. In addition, the required rear-yard setback for all single-family dwellings was 20 feet. The zoning ordinance also required each single-family home site to have a structure suitable to accommodate two "off-street" parking spaces.

Upon obtaining approval of the final maps for Golden Circle Unit No. 2 (in 1964) and Escondido Tract No. 103 (in 1965), Royart applied for setback and parking variances for numerous home sites throughout the housing tracts. On October 11, 1966, the Planning Commission adopted Resolution No. 708, reducing the minimum side-yard setbacks from "5 and 10 foot side yards to 5 foot side yards and from 20 foot rear yard required to a 10 foot minimum rear yard."¹⁰² This variance applied to 59 home sites scattered throughout the two housing tracts. For one of the home sites, the Planning Commission reduced the rear yard setback to 8 feet.¹⁰³ The Planning Commission also granted the requested variance for the minimum "two vehicle" off-street parking structure to one vehicle with respect to 6 home sites located within Golden Circle Unit No. 2,¹⁰⁴ On January 10, 1967, the Planning Commission granted another variance to the side-yard setbacks as to Lot 138 in Golden Circle Unit No. 2.¹⁰⁵

In 1966, Prudential Savings and Loan Association ("Prudential") acquired all of Royart's holdings.¹⁰⁶ Those holdings included the unsold home sites in Golden Circle Unit No. 2, and Escondido Tract No. 103, the Country Club Property, and a large amount of acreage which at that time had not been subdivided.¹⁰⁷

¹⁰¹ Ex. 66, PC Resolution No. 944. Resolution No. 944 was amended again in October 1968, to allow for certain signage at the clubhouse. (Ex. 67, PC Resolution No. 994.)

¹⁰² Ex. 40, application, minutes, agenda report, correspondence and PC Resolution No. 708, approving setback and parking variances for numerous lots throughout Golden Circle Unit No. 2 and Escondido Tract No. 103.

¹⁰³ Ex. 40, PC Resolution No. 708, § 2.

¹⁰⁴ Ex. 40, PC Resolution No. 708, § 3.

¹⁰⁵ Ex. 68, application, minutes, agenda report and PC Resolution No. 738 approving requested variance for Lot 138.

¹⁰⁶ Prudential acquired all of Royart's holdings by way a trustee's deed recorded on December 28, 1966, (Ex. 69.) Although Prudential conveyed all of its holdings to Unger Pacific, Inc. on March 31, 1971. Prudential held a deed of trust on the property and ultimately reacquired the same holdings held by Unger Pacific, Inc. by way of a trustee's deed in August 1973. (Ex. 69.) Prudential, in turn, conveyed those holdings to the "Escondido Golf and Land Company" on the same date. (Ex. 69.)

¹⁰⁷ See legal description for Trustee's Deed Upon Sale to Prudential recorded 12/28/66, included

Because some of the previously-issued variances had expired for several home sites for which construction had not commenced, in October 1970, Prudential applied for new setback and parking variances. Gary Day, the "manager of the Escondido Country Club development," acknowledged the variances were needed for these "substandard lots."¹⁰⁸ City staff recommended approval specifically because the developer had "compensated" for the "below minimally sized lots" with the recreation area and golf course that were central to the development:

"The variances have now expired, and this application is to cover those not constructed thereupon. The previous variances were granted because it was felt that these lots were created under a criteria that allowed below minimum sized lots since the central recreation area and golf course compensated for these small lots."¹⁰⁹

On November 24, 1970, the Planning Commission adopted Resolution No. 2202, approving the Country Club's request for setback and parking variances.¹¹⁰

Numerous other variances were approved for home sites within the Country Club community as requested by Royart and Prudential, including (among others): 1) a side-yard setback variance for Lot 14, Blk 1, Tract No. 103, to accommodate patio-cover that would "be facing the golf course" and would "not be close to anyone's home;"¹¹¹ 2) a side-yard setback variance for Lot 138 of Golden Circle Unit No. 2; and 3) a single-vehicle "off street" parking variance for 54 lots located in Golden Circle Unit No. 2.¹¹²

11) Prudential Completes Subdivision of Escondido Tract No. 149 in October 1969

Having acquired Royart's holdings in 1966, Prudential recorded the final map for Escondido Tract No. 149 on October 14, 1969.¹¹³ This subdivision consisted of 79 single-family residences on a 19.4 acre site. The property is located along the southerly edge of the most southeasterly leg of the golf-course. Like the earlier housing tracts, many of the lot depths were insufficient for constructing homes, prompting Prudential to seek and obtain setback variances for numerous lots backing up to the golf course.¹¹⁴

12) Prudential Completes Subdivision of Escondido Tract No. 180 in August 1973

in Ex. 69.

¹⁰⁸ See Application for Variance executed October 29, 1970, included within Ex. 42.

¹⁰⁹ See Agenda Report dated 11/24/70 included in Ex. 42.

¹¹⁰ See minutes from 11/24/70 PC meeting included in Ex. 42.

¹¹¹ Ex. 82, application, minutes, agenda report and PC Resolution No. 2259 approving setback variance.

¹¹² Ex. 71, application, minutes, agenda report and PC Resolution No. 956 adopted approving variance on account of "substandard lots."

¹¹³ Ex. 44.

¹¹⁴ See Agenda Report for requested variance on Lot 28, Escondido Tract No. 149, dated 4/13/71 included in Ex. 52.

On August 17, 1973, Prudential recorded the final map for Escondido Tract No. 180.¹¹⁵ This was a single-family residential subdivision containing 65 homesites on a 16.6 acre property. The subdivision is situated on the southeasterly edge of the most southerly leg of the golf course.

B. Development of Remaining "Golden Circle Valley" Housing Tracts

Royart and its successor, Prudential, developed the golf course, community and recreational center, clubhouse, and first five housing tracts within the "Golden Circle Valley" community. By 1973, a total of 458 residential units had been created, including: 1) 179 SFR units in Golden Circle Unit No. 2; 2) 98 SFR units in Escondido Tract No. 103; 3) 37 multi-family dwelling units in Golden Circle Annex; 4) 79 SFR units in Escondido Tract No. 149; and 5) 65 SFR units in Escondido Tract No. 180.

The remaining undeveloped acreage (within the original Golden Circle Valley tentative map) was conveyed to different ownerships and developed over time. Like the initial tracts, all of these housing tracts were developed specifically in contemplation of the permanence of the Country Club golf course, open space, and recreational facilities serving as the catalyst to this new "country club" retirement community. The additional housing tracts developed included the following:

1) *Escondido Tract No. 196*

This housing tract was subdivided by "Country Club Homes" in 1973 and 1974, and is located just north of Escondido Tract No. 103.¹¹⁶ The overall tract contains three sub-tracts, which were subdivided by separate final maps. Escondido Tract 196-A (recorded 6/13/1973 in Tract Map No. 7661) contains 44 single-family residences. Escondido Tract 196-B (recorded in June 1974 in Tract Map No. 7984) contains 46 single-family residences. Escondido Tract 196-C (recorded 9/19/74 in Tract Map 8025) contains 41 single-family residences. Escondido Tract No. 196, in total, created 131 single-family lots.

2) *Escondido Tract No. 221*

This is a multi-family project subdivided by Leadership Housing System on April 10, 1974, when it recorded Tract Map No. 7917. This approximately 30-acre site is located immediately to the north of Golden Circle Unit No. 2 and Escondido Tract No. 103.¹¹⁷ A good portion of the southerly boundary of the site is located on the periphery of the most northerly legs of the golf course. The development consists of a 134-unit planned unit condominium project, designed with the express objective "to develop a recreationally-oriented retirement housing neighborhood which will meet current housing demands in the area and have a harmonious relationship with the existing golf course and the general neighborhood."¹¹⁸ The development was specifically "designed for older families" and was "oriented to the adjacent

¹¹⁵ Ex. 45.

¹¹⁶ Ex. 72, final maps for Escondido Tract Nos. 196-A, 196-B and 196-C.

¹¹⁷ Ex. 73, final maps, EIR and related documents for Escondido Tract No. 221.

¹¹⁸ See planning department comments on EIR, p. 1, dated 3/27/73, included in Ex. 73.

golf course, both for recreation and additional open space."¹¹⁹ The developer advertised and marketed the development towards semi-retired and retired homebuyers.¹²⁰

3) *Escondido Tract No. 305*

Dickerson Company subdivided this single-family development in 1977. It contains a total of 61 homesites. It is located along the westerly and southerly perimeter of the most southerly leg of the golf course. It was also subdivided in two separate tracts (Escondido Tract No. 305-A and Escondido Tract No. 305-B).¹²¹ Tract No. 305-A (containing 35 single-family residences) was recorded on November 14, 1977, as Tract Map No. 8721. Tract No. 305-B (containing 26 single-family residences) was recorded on December 5, 1977, as Tract Map No. 8747.¹²²

4) *Escondido Tract No. 326*

Dutton Vernon, Inc. subdivided this 13 unit, single-family subdivision in 1978. It is located on the northwest corner of Nutmeg Street and Country Club Lane. Each of the lots are located on the golf course. The subdivision was recorded on June 22, 1978 as Tract Map No. 8900.¹²³

5) *Escondido Tract No. 338*

Concurrently with Escondido Tract No. 326, Dutton-Vernon, Inc. subdivided this 16-unit, single-family subdivision in June 1978. This subdivision is surrounded on all sides by the golf course and Country Club Lane. Dutton-Vernon, Inc. recorded the final map on June 22, 1978, as Tract Map No. 8901.¹²⁴

6) *Escondido Tract No. 358*

This is a "Planned Unit Approval" for a 44-unit condominium complex subdivided by Biddie/Carter in October 1978 (as Tract Map No. 9008).¹²⁵ Portions of the complex are located along the northerly edge of the northeast legs of the golf course. Another large portion of the complex is completely surrounded by the golf course and designed as an "island" within the golf-course.

7) *Escondido Tract No. 503*

This is a multi-family development subdivided in 1982 by Wendick Development, Inc.¹²⁶ It is located directly across Country Club Lane from the clubhouse and recreational facilities. It contains 38 multi-family dwelling units.

¹¹⁹ See 5/22/73 Agenda Report, ¶ 6, included in Ex. 73.

¹²⁰ See minutes from 5/22/73 PC meeting included within Ex. 73.

¹²¹ Ex. 74, final maps for Escondido Tract Nos. 305-A and 305-B.

¹²² Ex. 74.

¹²³ Ex. 75, final map for Escondido Tract No. 326.

¹²⁴ Ex. 76, final map for Escondido Tract No. 338.

¹²⁵ Ex. 77, final map for Escondido Tract No. 358.

¹²⁶ Ex. 78, final map for Escondido Tract No. 503.

8) *Escondido Tract No. 530*

TDS & Associates subdivided this single-family housing development on May 6, 1987, when it recorded the final maps for Tract Nos. 530-A and 530-B as Tract Map Nos. 11803 and 11804, respectively.¹²⁷ It contains a total of 76 single-family residences, and fronts both Country Club Lane and El Norte Parkway. It is located just south of the Country Club and golf course facilities.

9) *Escondido Tract No. 568*

This is a 6 lot subdivision fronting Country Club Lane and bounded by the golf course on the rear.¹²⁸ This property was held by David Price (who also owned the Country Club) at the time,¹²⁹ and was developed to replace the maintenance yard used for the golf course. The property was subdivided on November 30, 1989, when Tract Map No. 12513 was recorded.

10) *Summary of Dwelling Units Developed in "Golden Circle Valley"*

As noted previously, Royart and its successor, Prudential, completed the subdivision of the first 5 housing tracts in the Golden Circle Valley. These tracts combined for a total of 458 dwelling units. The remaining subdivisions combined for an additional 519 units, including: (1) 131 SFR units in Escondido Tract No. 196; (2) 134 multi-family units in Escondido Tract No. 221; (3) 61 SFR units in Escondido Tract No. 305; (4) 13 SFR units in Escondido Tract No. 326; (5) 16 SFR units in Escondido Tract No. 338; (6) 44 multi-family units in Escondido Tract No. 358; (7) 38 multi-family units in Escondido Tract No. 503; (8) 76 SFR units in Escondido Tract No. 530; and (9) 6 SFR units in Escondido Tract No. 568.

In total, the Golden Circle Valley community planned and proposed by the original developer was actually developed with 977 dwelling units – 53 units shy of the 1,030-unit "Golden Circle Valley" tentative map approved by the City (but later abandoned by Royart in favor of the enlarged Country Club development). At the time the City approved the tentative map in 1963, the property was subject to the City's "R-1" zoning ordinance which allowed for smaller lots. In 1966, the property was rezoned to "R-1-7," imposing 7,000 sf minimum lot sizes. While Golden Circle Unit No. 2 and Escondido Tract No. 103 were approved under the prior "R-1" zoning ordinance, the single-family subdivisions which followed were subject to the larger, 7,000 sf minimum lot size requirement.

C. Other Development Proposals Within Country Club Community

1) *The City Approves Unger-Pacific's Request to Rezone Entire 350 Acres in Golden Circle Valley to "Planned Development (P-D)" in 1971*

¹²⁷ Ex. 79, final maps for Escondido Tract Nos. 530-A and 530-B.

¹²⁸ Ex. 80, final map for Escondido Tract No. 568.

¹²⁹ Escondido Golf and Land Company conveyed its interests in the Country Club and other holdings in the area to David Price on July 30, 1985.

In 1971, Prudential conveyed its remaining holdings in the Country Club, golf course, open space, recreational facilities, unsold lots in the subdivided tracts, and undeveloped acreage, to Unger Pacific, Inc. ("Unger").¹³⁰ Unger sought to move forward with the development of the remaining undeveloped acreage and proposed a "rezoning" of the entire 350 acres comprising the "country club" community to Planned Development (P-D).¹³¹ At that time, the only "subdivided" housing tracts included Golden Circle Unit No. 2, the Golden Circle Annex condominium complex, Escondido Tract 103, and Escondido Tract No. 149. This included 359 single-family residences, 1 condominium complex with 37 units, a commercial site, and the golf-course and club facilities.

The purpose of the proposed "Planned Development" was not to increase the density of the area as originally planned, but to provide more flexibility in developing the remainder of the community without the necessity of obtaining variances for substandard lots (which had been the practice up to that date).¹³² Staff was in favor of the proposal in order "to allow the flexibility without the requirement of variances." Staff also noted that the proposal was in conformance with the City's General Plan.¹³³ As proposed, the remaining development would accommodate an additional 670 units, for a total of 1,032 units (as identified in the original tentative map for the "Golden Circle Valley").

On July 27, 1971, the Planning Commission adopted Resolution No. 2313, recommending approval of the proposed zone change of the 350 acres to Planned Development, and Resolution No. 2314, recommending approval of the preliminary development plan proposed by Unger.¹³⁴ On August 25, 1971, the City Council adopted Ordinance No. 1449, rezoning the area to Planned Development.¹³⁵

On February 16, 1972, however, the City Council adopted Ordinance No. 1489, repealing Ordinance No. 1449, and reinstating the prior zoning.

2) *The Campana Company Proposes 444-Unit Condominium Complex Located on Various Parcels Surrounding Golf Course in 1974*

In 1974, the Campana Company ("Campana") proposed a new, 444-unit condominium project for various undeveloped parcels situated around the Country Club Property. Campana submitted its Environmental Impact Report for the project in September 1974.¹³⁶ The EIR for the project provided some background on the land-use history of the country-club area and noted that the underlying zoning for the entire area remained "R-1-7" until 1971, when it was rezoned to PUD.¹³⁷ The EIR noted that the "property remained zoned PD for approximately a year until

¹³⁰ Ex. 69.

¹³¹ Ex. 81, applications, studies, correspondence, resolutions and ordinances concerning Unger Pacific's area-wide request for zone change in 1971.

¹³² Ex. 81.

¹³³ See 7/27/71 agenda report included in Ex. 81.

¹³⁴ See PC Resolution Nos. 2313 and 2314 included in Ex. 81.

¹³⁵ See CC Ordinance No. 1449 included in Ex. 81.

¹³⁶ Ex. 83, EIR for "A Retirement-Oriented Condominium Development" and related documents.

¹³⁷ See EIR for Campana Project, p.26, included in Ex. 83.

the PD zoning was revoked because of a legal problem, thereby restoring the original R-1-7 zoning."¹³⁸ The EIR also identified the amount of developed acreage actually developed up to that date, including: Golden Circle Unit No. 2 (184 dwelling units on 42.8 acres), Tract No. 103 (98 dwelling units on 25.5 acres), Tract No. 149 (79 units on 19.4 acres) and Tract No. 180 (65 units on 16.4 acres).¹³⁹

Campana's proposed condominium project never went forward. As discussed above, the parcels proposed for development by Campana were developed under different ownerships over time.

3) *The Country Club's Proposed 7-Lot Subdivision (Escondido Tract No. 481) in 1981*

In January 1980, the Escondido Country Club submitted an application for a small subdivision within the Country Club Property.¹⁴⁰ The Escondido Country Club proposed to construct 7 single-family residences on an approximately 2-acre site.¹⁴¹ As set forth in the Agenda Report for the May 26, 1981 Planning Commission meeting, although zoned R-1-7, the "Land Use Element and the Open Space Element of the General Plan identify this property as 'Golf Course' designation—an Open Space category. The existing and surrounding zoning however, would be consistent with a Low Density Residential classification on the General Plan."¹⁴²

When evaluating the proposed subdivision, City staff emphasized that "one of the more significant issues" pertained to constructing additional home sites within the golf course, when the golf course and recreational facilities were "an integral part" of the development of the area. Nevertheless, it was City staff's opinion that the relatively small proposed subdivision over 2.0 acres would not materially affect the surrounding land uses or the golf course. As explained in the City's Agenda Report for the May 26, 1981 Planning Commission meeting:

"When the golf course was first constructed under a Conditional Use Permit, (64-15-58) it was an integral part of the Country Club development, which included the golf course, club house, associated recreational facilities, and units one and two of the Golden Circle Subdivision. As a part of that approval, several variances were granted with regard to setbacks, lot sizes, street widths, etc., for the proposed residences. These variances were justified, in the main, due to their proximity to adjacent open space or recreational areas, including the golf course. In addition, it is clear that the subsequent sales and sale price of many units in the Country Club area were based on their proximity to and views of the golf course. It seems obvious from past actions that the existing golf course was intended to remain as an integral of a planned

¹³⁸ EIR for Campana Project, p. 26, included in Ex. 83.

¹³⁹ Table 1 EIR for Campana Project, p. 26, included in Ex. 83. This summary omits the 37 condominium project developed in connection with the Golden Circle Annex project.

¹⁴⁰ Ex. 43.

¹⁴¹ See Agenda Report, p. 1, included in Ex. 43.

¹⁴² Agenda Report, p.1, included in Ex.43.

community. With regard to this particular piece of property, it would appear that this subdivision could be approved and constructed without significantly reducing either the area or playability of the existing golf course. The concern of surrounding property owners as well as staff is that future proposals of this kind, if approved, could result in a degradation or elimination of the existing golf course facility, to the detriment of the surrounding area."¹⁴³

The Escondido Country Club never moved forward with this proposed subdivision.

6.0 IMPACTS OF THE DEVELOPMENT PROPOSED BY SITR INITIATIVE ON EXISTING LAND USES, AESTHETICS, FINANCES, OPEN SPACE AND PUBLIC INFRASTRUCTURE

This section of the report addresses the anticipated impacts of the development proposed by the SITR Initiative on existing land uses, aesthetics, open space, public finances, and public infrastructure. Because the initiative proponents have not provided the various economic, traffic and related reports upon which its initiative is based, the City is not in a position at this time to evaluate the specifics of those reports or the assumptions upon which SITR's consultant reports may or may not be based. Given the statutory deadline for presenting this report to the City Council, there insufficient time to conduct a comprehensive impact analysis that might otherwise be performed if time permitted.

6.1. Impacts on Existing Land Uses and Aesthetics.

For nearly half a century the Escondido Country Club golf course has existed as the 'signature' open space in northwestern Escondido. The development was initially conceived in 1962 as a 9-hole golf course, open space, with related amenities involving approximately 1,000 home sites. The Country Club plan was expanded and reconfigured in 1964 to comprise an approximate 110-acre 18-hole golf course, open space/park, and community and recreation center surrounded by adjacent residential development. A detailed history of the golf course and surrounding residential development can be found in the preceding section of this report.

Aside from the golf course and its related amenities, the primary surrounding land uses comprise single family detached residential units, with several multi-family and attached residential projects interspersed around the golf course to establish a cohesive residential community. Nearly one-half of the approximately 1,000 units were initially developed by the developer/owner of the Country Club or his immediate successor within 10 years of the golf course's creation. However, later developments associated within the Country Club area maintained compatibility with the overall vision that revolved around promoting a land use pattern oriented toward the Country Club's environment.

Of the approximate 1,000 homes associated with the Country Club's development, nearly 300 residential units share a common property boundary with the golf course and/or recreation center (approximately 120 single-family units, and 180 multi-family units). Associated with the approval of many of these residences bordering the golf course, and other developments in the Country Club area, were numerous concessions and variances that deviated from adopted

¹⁴³ See Agenda Report, p.3, included in Ex.43.

development standards. The concessions and variances included significantly reduced lot sizes and setbacks, modified street widths, reduced parking, and increased densities for various housing projects within the area. Approval of these "sub-standard" lots, modified streets and increased densities was justified by findings that relied upon the open space provided by the golf course as a primary rationale for supporting the variations to adopted codes. Included in the rationale was that such variances and concessions were standard development practices found in golf course communities.

The open vistas and viewsheds associated with the golf course establish a community character and aesthetic quality for the neighborhood that provides a unique scenic resource for the entire city. In addition to home sites directly bordering the golf course are adjacent residences that, either by association or orientation, were developed in such a manner so as to relate to and benefit from proximity to the golf course. This included orienting home site view corridors toward the golf course and/or providing vehicular access around and through golf course links, as well as permitting golf carts on public streets to strengthen the entire community's connection with the Escondido Country Club.

The Sitr Initiative proposes to reconfigure the 110-acre facility with development of 430 single family residences, 5.7 acres of parks, buffer areas, trails, swimming pool and community center. Due to the thirty-day time restriction imposed by Elections Code § 9212(b), there is insufficient time to conduct a detailed analysis of the land use and aesthetic impacts which is typically done for such developments. The following discussion, however, provides a brief assessment:

A. Land Use Impact – Physical Division of an Established Community

For the past 50 years the Escondido Country Club golf course has been the primary unifying component for development in the immediate vicinity. However, the effort to establish and maintain the Country Club environment extends beyond the golf course. Land use decisions involving residential development patterns and densities, orientation, architecture, setback variances, modified street designs, and including businesses (i.e. restaurants, pro shop) and themed signage, etc. have focused on promoting a "country club community." Residential development in this established community is centered around the golf course, whether directly abutting the golf course property or oriented toward the links and fairways. Development as proposed in the Sitr Initiative would alter the existing country club community, effectively eliminating the established theme and vision created for the area.

B. Land Use Impact – Conflicts with Land Use Plans, Policies and Regulations

While the country club environment, along with its theme and vision, would be eliminated by the development as proposed in the Sitr Initiative, impacts from prior land use decisions would potentially impact existing property owners and conflict with land use plans and policies. Certain residential properties abutting the golf course were granted variances that greatly reduced rear yard setbacks significantly below the adopted 20-foot minimum depths. Additionally, many residential developments were approved with significantly increased intensities by reducing lot sizes or increasing densities. The Sitr Initiative would potentially generate land use impacts by establishing new two-story housing adjacent to existing residences

with sub-standard yard areas. Conflicts with land use plans and policies are further exacerbated by the proposed development because it conflicts with the rationale for increasing development intensities in other areas based in reliance on the golf course's open space offsetting the impact.

C. Aesthetic Impact – Scenic Vistas

Projects that obstruct, interrupt, or detract from a scenic vista that is visible from a public viewpoint, including a roadway, recreational area, designated trail, scenic vista or highway are determined to generate significant visual impacts. Since its construction, the Country Club golf course has served as a scenic resource for the community substantiated by the residential development patterns that orient toward the golf course. Public roadways that serve the community extend along the golf course perimeter and traverse fairways in multiple locations offering unobstructed views of the grounds and surrounding hillsides.

The development proposed in the Sitr Initiative would have potentially adverse impacts to scenic resources as a result of future development activity. The proposed 430 units on areas that served as golf course fairways would eliminate the scenic vistas and potentially block views of surrounding hillsides. The loss of these scenic vistas would be considered a potentially significant aesthetic impact given that over 71% of the golf course's original acreage (78.6 acres) would be developed for residential purposes.

6.2. Financial Impacts

The specific plan proposed by the Sitr Initiative states that the project will result in the construction of a number of public infrastructure improvements, facilities and amenities, including water and wastewater infrastructure, passive and active space, lakes, ponds, trails, community center, Olympic-size pool, tennis courts, public streets and offsite traffic improvements. The specific plan also identifies a number of potential financing mechanisms for the construction and ongoing maintenance of these improvements; some of these mechanisms are tied to whether the facilities are made available to the public or available solely to the property owners and residents within the specific plan boundary or surrounding neighborhood. The community center is proposed to be constructed prior to occupancy of the "residential areas". However, if the approval of a financing plan for the ongoing maintenance of the community center is delayed for reasons beyond control of the developer, the specific plan states that developer can be issued occupancy permits for the residences.

A. Financial Impact – General Fund

The project proposed by the Sitr Initiative would potentially generate new General Fund revenue from property tax generated by the sales of the 430 new homes, potential increase in assessed valuation of land and improvements on other non-residential property (e.g. community center) should it remain as private property, and potential increased sales tax revenue from the new residents who are likely to shop in Escondido. Assuming an average sales price of \$450,000-\$500,000 for the 430 homes on the 3,650 - 7,000 SF lots, the annual property tax revenue at buildout is estimated at \$251,000 - \$279,000. This, as discussed in more detail below, would be offset by maintenance and operations costs for City facilities and services to serve the new residents, including police and fire service, road maintenance, library, parks and open space.

B. Financial Impact – Construction of Offsite Transportation Improvements and Potential for Condemnation

The specific plan proposed by the SITR Initiative identifies a number of offsite street improvements that it deems necessary to mitigate the project's traffic impacts. Potential funding mechanisms include payment of traffic impact fees, developer constructed improvements, formation of assessment districts and/or reimbursement agreements. However, some of these improvements involve activities outside the SPA and would require cooperation and approval of third parties, including other public entities and agencies or private parties. Therefore, the implementation of these measures is predicated on the timely cooperation and approval by these third parties and could potentially result in the need for the City to initiate condemnation proceedings or waive the improvements.

C. Financial Impact – Water Service

The specific plan area proposed by the SITR Initiative is within two water districts: Rincon Del Diablo Municipal Water District (Rincon) and the City of Escondido (west of Gary Lane). Water service for the former golf course was provided by a combination of City, Rincon and well water. The specific plan indicates that the entirety of the specific plan area would be supplied with Rincon water. While the City has the ability to serve all properties within the City limits, the same does not apply to Rincon unless a negotiated agreement is reached between the service providers.

D. Financial Impact – Recreational Facilities and Active Open Space Areas

The specific plan proposed by the SITR Initiative identifies a number of public recreational amenities, including the community center, Olympic-size swimming pool and tennis courts, as well as active open space areas including parks and multi-use pathways (trails). Potential funding mechanisms include the developer-funded open space preservation program, and payment of impact fees. The developer-funded open space preservation program consists of a \$1M contribution to the City to acquire, preserve, protect and improve park space throughout the City. However, the specific plan states this contribution shall be used to achieve the purpose and objectives set forth in the plan, which calls for specific facilities within the SPA. While no preliminary cost estimate has been prepared by the City, it is likely that the proposed facilities within the SPA would use all available funds from this source, and additional funding sources would likely be needed to construct all the anticipated improvements. Use of the improvements by the general public is linked to the type of financing mechanism and does not guarantee public access to all proposed facilities.

E. Financial Impact – Maintenance and Operations Costs

The \$1M contribution proposed by the SITR Initiative does not appear to be intended or available for ongoing maintenance and operations (M&O) costs, nor has any specific funding mechanism or endowment been proposed for the ongoing M&O. Typically, maintenance and operations of a public community facility is financed by the City's General Fund. No financial analysis has been provided regarding the significant ongoing maintenance costs of a community center, pool, tennis courts, and other amenities that have been described as being intended for public use. Information from the City of Poway indicated that the city's municipal 50-meter pool

(similar to Olympic size facility) requires a \$210,000 annual budget for costs associated with equipment maintenance, security, chemicals and energy (heat and cooling). These costs do not include salaries for staffing. Information from the City of Carlsbad, who maintains both 25-meter and 50-meter swimming pools indicated that the maintenance and operation costs (including staffing) for their Olympic pool exceeds \$500,000 annually.

6.3. Open Space Impacts

The 110-acre golf course and recreational facilities included within the Country Club Property represent the largest block of open space in northwestern Escondido. For several decades after construction in the early 1960s, the facility operated as a private golf course, swimming pool, tennis courts and related recreational uses. During its later years of operation, the facility was maintained under private ownership and opened to the public for use on a fee basis. The development contemplated in the Sitr Initiative proposes to develop 430 single family residences, 5.7 acres of parks, buffer areas, trails, swimming pool and community center on the 110-acre site.

Due to the statutory time restriction on the report, there is insufficient time to conduct a detailed analysis of the open space impacts associated with the development. Nevertheless, the proposed development will obviously have a significant impact on the open space provided in connection with the Country Club Property, which includes vast acreage for golf course and open space. The development of residential units as proposed in Sitr Initiative would reduce approximately 110 acres of designated open space to 27.2 acres (which includes buffer areas in and around the development not devoted to parks), constituting a 75% reduction. The open space featured in the Country Club Property would largely be replaced by housing, eliminating viewsheds and the visual respite the open space and green areas provided to the surrounding residents.

6.4. School Impacts

The development proposed by the Sitr Initiative is served by three public school districts: 1) Escondido Union School District; 2) Escondido Union High School District; and 3) San Marcos Unified School District. The Escondido school districts' boundaries encompass approximately 95 acres on the eastern portion of the specific plan area proposed in the Sitr Initiative. Marcos Unified School District's boundary encompasses approximately 15 acres of the western portion of this area.

Escondido Union School District provides public education services to K-8 students. The assigned schools for proposed "Lakes Specific Plan" are Reidy Creek Elementary School located at 2869 N. Broadway, and Rincon Middle School located at 925 Lehner Ave.

Escondido Union High School District provides 9-12 public education. The assigned school for the proposed specific plan is Escondido High School located at 1535 North Broadway.

San Marcos Unified School District provides K-12 educational services. The assigned schools for the proposed specific plan are Richland Elementary School located at 910 Borden Road, Woodland Park Middle School located at 1270 Rock Springs Road, and Mission Hills High School located at 1 Mission Hills Court.

School districts apply a dwelling unit student generation rate for calculating the number of students anticipated for attendance. Information from San Marcos Unified School District (below) has been utilized for calculating the number of students anticipated to be generated by SITR Initiative (information was not available from Escondido School Districts). However, given the similarities between the communities, the use of a single student generation rate is appropriate for general purposes. While there is insufficient time to conduct a detailed analysis of the impacts on each district from development called for by the SITR Initiative, the following table provides a general assumption of anticipated students based on the development of 430 new homes:

School	Student Generation Rate	Students
Elementary	0.2801	120
Middle	0.1269	55
High	0.1527	66
Total		241

6.5. Fire Services Impacts

The development proposed by the SITR Initiative is served by Fire Station #3 at 1808 N. Nutmeg Street, located 1.5 miles from the site. Fire Station #3 has an Engine with three personnel and a Brush Engine which is cross-staffed by those three personnel. A response time from this station to the site is approximately 2 minutes. Fire Station #3 responded to 1905 calls for service in 2013.

The closest ambulance will come from Fire Station #7 at 1220 N. Ash Street located 3.5 miles from the site. This station has an Engine with three personnel, as well as two ambulances, one 24-hour unit and one 12-hour unit. The 24-hour unit is staffed with one firefighter/paramedic and one non-safety paramedic. The 12-hour unit is staffed with two non-safety paramedics. A response time from this station to the site is approximately 7 minutes. Fire Station #7 responded to 2884 calls for service in 2013.

The addition of 430 dwelling units will increase the number of calls for each of these stations. The addition of these units will not create a service deficiency in this area.

6.6. Traffic Impacts

The project proposed in the SITR Initiative is expected to generate traffic in excess of 5,000 average daily trips. This traffic would be distributed to existing City of Escondido, City of San Marcos and County streets, including El Norte Parkway, Country Club Lane, Nutmeg Street, Woodland Parkway and several existing residential streets in the Country Club area, including Gary Lane, La Brea Street, Cortez Avenue, Sunset Heights Rd., Rees Road and La Paloma Avenue.

Typically, projects of this size and scope would be required to prepare a Traffic Impact Analysis ("TIA") in advance of project approval. The TIA would analyze the current level of service of the surrounding streets and intersections. In addition, the TIA would determine the direct and cumulative impact that the project would have on surrounding streets and intersections. Lastly, the TIA would recommend measures to mitigate traffic impacts to below a level of significance and analyze the effectiveness of these mitigation measures. Because a Traffic Impact Analysis has not been provided by the project proponent, the current and future levels of services cannot be confirmed. In addition, it cannot be determined if the proposed mitigation measures are adequate to mitigate traffic impacts to below a level of significance.

It is anticipated that project traffic will use streets that are not fully improved. Portions of El Norte Parkway (Rees Road to Nutmeg) and Nutmeg (Gary Lane to El Norte Parkway) are narrower than City standards and lack sidewalks. The ability of these roadways to accept the anticipated additional vehicle, pedestrian and bicycle traffic cannot be confirmed.

Country Club Lane currently has a special designation as a golf cart zone resulting in a reduced speed limit of 25mph. The Traffic Impact Analysis conducted for the 2012 General Plan Update estimated that Country Club Lane carried approximately 5,000 average daily trips (Year 2011) between Nutmeg Street and Center City Parkway. It is anticipated that volumes west of Nutmeg are lower than 5,000 ADT.

The additional proposed trips are likely to change the character of the roadway. Currently, there are a number of intersections along Country Club Lane (Golden Circle Drive to Center City Parkway) that are controlled with stop signs for all directions. Additional traffic generated from the area subject to the specific plan proposed in the SITR Initiative is likely to result in poor levels of service at stop controlled intersections along Country Club Lane and may require signalization or other traffic control measures. In addition, the elimination of the golf course is likely to result in removal of the golf course reduced speed zone designation. Due to current geometric design of Country Club lane for low speeds, traffic impact from additional traffic volume from the Specific Plan area will require a traffic calming plan.

According to the Traffic Impact Analysis for the 2012 General Plan Update, it is estimated that El Norte Parkway carried approximately 29,700 average daily trips (Year 2011) between Nutmeg Street and I-15 South-bound Ramps, with a Level of Service of D.

6.7. Drainage Impacts

Large portions of the proposed specific plan area proposed by the SITR Initiative are within FEMA mapped 100-year floodplain areas that convey drainage from both on and offsite areas. Most of the drainage conveyance occurs within a system of natural and improved channels. However, there are existing pipelines within and directly downstream of the specific plan area that have been identified within the City's Drainage Master Plan as not having adequate capacity to convey anticipated runoff.

Page C-40 of "The Lakes Specific Plan" proposed by the SITR Initiative states that "Stormwater runoff will increase with planned development of the SPA." The SPA further states that detention ponds will be used "at major discharge points to reduce peak developed condition runoff to levels approaching pre-development condition peak flows." These statements indicate that the project's drainage impacts may not be fully mitigated and that mitigation may not be

implemented at all discharge points. It is expected that without full mitigation increases in storm water runoff draining to systems with inadequate capacity would increase the potential for flooding of the surrounding areas.

Typically, projects of this size and scope would be required to prepare a detailed grading and drainage plan and a drainage analysis in advance of project approval. The drainage analysis would determine the anticipated discharge rates from the site and from areas upstream of the site. Projects would then be conditioned to construct drainage improvements as necessary to convey anticipated discharge rates through the site. In addition, projects would be conditioned to improve downstream drainage facilities as necessary to convey increased flow rates anticipated from the site. Because neither a drainage analysis nor a grading and drainage plan have been provided by the project proponent, the effectiveness of the proposed detention ponds cannot be evaluated. Based on information available, it cannot be determined if the project would result in drainage impacts to surrounding areas.

Projects within FEMA mapped 100 year floodplain areas are required to elevate new buildings above the 100 year flood elevation. Because a grading plan has not been provided, it is unclear if the homes within the specific plan area are proposed to be elevated above 100 year flood elevations. Prior to placement of fill in the FEMA mapped floodplain, the applicant would be required to process a revision to the FEMA floodplain maps in accordance with FEMA standards.

6.8. Water Quality and Hydro-Modification Impacts

The project proposed by the SITR Initiative drains to San Marcos Creek which discharges into Lake San Marcos and ultimately into Batiquitos Lagoon. In the 2012, 303(d) list,¹⁴⁴ San Marcos Creek is listed as impaired for DDE,¹⁴⁵ phosphorous, selenium and sediment toxicity. Lake San Marcos is listed as impaired for Ammonia as N and Nutrients.

Typically, projects of this size and scope would be required to prepare a Water Quality Technical Report (WQTR) in advance of project approval. The WQTR would analyze the potential impacts to water quality and provide calculations for treatment measures sized to retain or treat the anticipated pollutants of concern. In addition, the WQTR would determine the amount of storage necessary to detain peak flows to avoid impacts to downstream water bodies. Because a Water Quality Technical Report has not been provided by the project proponent, the effectiveness of the proposed detention ponds to treat or retain pollutants in the water cannot be confirmed. In addition, it cannot be determined if the project would result in hydro-modification of downstream water bodies, based on information provided by the project proponent.

6.9. Police Services Impacts

The development proposed by the SITR Initiative development is located two miles from the police station and within the 43 Beat of the Escondido Police Department in the North-West area of the city. The 43 Beat encompasses the area from Valley Parkway on the south to the northern City limits. Its eastern boundary is Centre City Parkway and extends to the western

¹⁴⁴ "303(d) list" refers to the California Clean Water Act § 303(d) list compiled by the California State Water Resources Control Board.

¹⁴⁵ DDE is the abbreviation for Dichlorodiphenyldichloroethylene, a reproductive toxicant for bird species.

City limits. From July 13, 2013 to July 13, 2014, Escondido Police Officers responded to 7,516 calls for service on the 43 Beat.

The area of the proposed development is located within the Escondido Country Club. During the same time period, officers responded to 334 calls for service in the Country Club area. The addition of 430 residences will increase the calls for service in this area; however officers will be able to meet the existing response time goals with existing staffing.

6.10. Water Impacts

Escondido's water supply originates primarily from two sources: local water, derived from precipitation and stored in surrounding lakes, and imported water from the San Diego County Water Authority. Potable water is treated at the City's treatment plant on East Valley Parkway and conveyed to rate payers through a series of reservoir tanks, pumping and piping systems. The Escondido Country Club golf course was supplied potable water for irrigation by the City of Escondido Utilities through two meters, 1-3 inch and 1- 4 inch, as well as by the Rincon Water District through two meters, 1-3 inch and 1- 4 inch.

1. *Prior Water Usage*

The volume of water through all four meters was included for three consecutive years, fiscal years 2011, 2012, and 2013 then the average annual daily usage was calculated. These totals were based on usage prior to irrigation being terminated at the golf course. Additionally, because irrigation use is extremely seasonal the peak month of July was extracted for the same years (in the case of Escondido it was the July reads that were used).

Country Club Golf Course - Irrigation

Service Agency	Meter/ Account #	Meter Size	Average Annual	Average Annual Daily	Peak Month	Peak Month Average Daily
		Inches	Gallons	Gallons/Day	July-Gallons	Gallons/Day
Rincon	94-0400-1	4	14,007,000	38,567	2,804,663	90,473
Rincon	94-0200-1	3	7,126,333	19,524	1,507,344	48,624
Escondido	1376774	4	18,514,666	50,725	4,000,674	129,054
Escondido	1416910	3	2,182,666	5,980	350,672	11,312
Totals			41,830,665	114,796	8,663,353	279,463

2. *Estimated Water Usage from Proposed Development*

While there is insufficient time to conduct a detailed analysis of the impacts to the city's water treatment plant regarding upgraded infrastructure needs to accommodate the SITR

Initiative. Information from the City's Water Master Plan has been incorporated for general estimating purposes to calculate future water demands (see following table). The estimated water demand indicates the SITR Initiative would generate a net increase of anticipated daily water usage totaling approximately 173,585 more gallons than when the golf course irrigation was operational and 453,048 more gallons than currently used for the site.

Estimated Water Demand

Proposed Use	Quantity	Units	Gallons/Acre	Gallons/DU	Totals
Single Family Residential	430	Dwellings		490	210,700
Active Parks	5.7	acres	2,980	19,524	16,986
Passive Landscaping	13.2	acres	0		0
Lakes & Ponds	8.3	acres	27,152		225,362
Gallons Per Day Totals					453,048

6.11. Wastewater Impacts

Escondido's wastewater is treated at the Hale Avenue Resource Recovery Facility (HARRF) treatment plant at 1521 S. Hale Avenue. Wastewater is conveyed over land and discharged through an ocean outfall. The City's Wastewater Master Plan did not assume residential development associated with the SITR Initiative. While there is insufficient time to conduct a detailed analysis of the impacts to the HARRF regarding upgraded infrastructure needs to accommodate the proposed Initiative, information from the City's Waste Water Master Plan has been incorporated for general estimating purposes. Based on an average of 200 gallons of daily wastewater generated by each of the 430 units proposed, it is anticipated that approximately 86,000 gallons of daily wastewater will be generated by project.

APPENDIX

To see a copy of the Appendix, please contact:

City of Escondido
City Clerk
201 North Broadway
Escondido, CA 92025
Ph: 760-839-4617

EXHIBIT C

Increased Density Analysis – Country Club

Increased densities have been found within the following subdivisions keyed to the Golden Circle Valley Subdivisions Exhibit created by the City of Escondido:

“A” Subdivision

Developed Density	Average R-1-7 Density	Increased Density
5.5 d.u.'s per acre	3.6 d.u.'s per acre	1.9 d.u.'s per acre
160 d.u.'s on 29 acres	104 d.u.'s on 29 acres	56 d.u.'s

Note: Tract 5433 is shown correctly as 42.8 acres but that includes a portion of the golf course. It is estimated that approximately 29 acres is used for the residential subdivision. This can easily be verified. Using an average R-1-7 density yield of 3.6 d.u.'s per acre, approximately 15.5 acres of golf course land would have been needed for this subdivision. This resulted in 56 d.u.'s added above the standard yield using R-1-7 or 15.5 acres of golf course used.

“B” Subdivision

Developed Density	Average R-1-7 Density	Increased Density
8.18 d.u.'s per acre	3.6 d.u.'s per acre	4.6 d.u.'s per acre
36 d.u.'s on 4.4 acres	16 d.u.'s on 4.14 acres approximately	20 d.u.'s

“H” Subdivision

Developed Density	Average R-1-7 Density	Increased Density
4.48 d.u.'s per acre	3.6 d.u.'s per acre	.78 d.u.'s per acre
134 d.u.'s on 29.9 acres	107 d.u.'s per acre	26 d.u.'s

Note: Topography and street pattern probably would reduce the yield by at least 50 dwellings. Refer to tract map with topography. Also duplex units were used and approved to individual dwellings.

“R” Subdivision

Developed Density	Average R-1-7 Density	Increased Density
4.4 d.u.'s per acre	3.6 d.u.'s per acre	2.4 d.u.'s per acre
44 units	36 units of 10 acres	34 d.u.'s

Note: Using 10 acres parcel size, not 14 acres which includes Gary Lane right of way, which is 4 acres. See staff report on density increase dated 1974 indicating that the property should be down zoned to ½ acre or 1.0 acre because of topography. See Gary Lane right of way length, use of golf course for graded slopes possibly.

"S" Subdivision

Developed Density	Average R-1-7 Density	Increased Density
5.5 d.u.'s per acre	3.6 d.u.'s per acre	1.9 d.u.'s per acre
38 d.u.'s on 6.9 acres	25 d.u.'s on 6.9 acres	13 d.u.'s

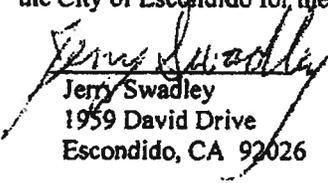
Note: Shapes of parcel (frontage along Country Club Lane) is very irregular. Standard subdivision yield would be adversely affected; however, topography is gentle for development.

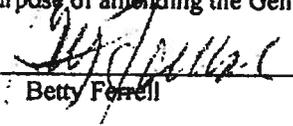
Total Units Increased Due to Density Transfer	
Subdivision	Additional Units
"A"	56
"B"	20
"H"	26 (Possibly 50)
"R"	34
"S"	13
Best Case	149 Or 41.38 acres of golf course density transfer

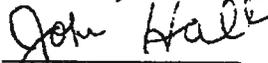
EXHIBIT D

NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Escondido for the purpose of amending the General Plan of the City of Escondido


Jerry Swadley
1959 David Drive
Escondido, CA 92026


Betty Ferrell


Jack Hall

Initiative Measure to be Submitted Directly to Voters

Petition for Submission to Voters of Proposed Amendment to the General Plan of the City of Escondido:

To the City Council of the City of Escondido

We, the undersigned, registered and qualified voters of the State of California, residents of the City of Escondido, pursuant to the California Constitution and sections 9200 et seq. of the California Government Code, present to the City Council of the City of Escondido this petition and request that the following proposed amendment to the General Plan of the City of Escondido be submitted to the registered and qualified voters of the City for their adoption or rejection at an election on a date to be determined by the City Council.

The proposed General Plan Amendment reads as follows:

(SPACE TO INSERT CITY ATTORNEY
TITLE AND SUMMARY)

City of Escondido
City Clerk's Office

2013 APR 17 AM 11:23

PROPOSITION – GENERAL PLAN AMENDMENT

TITLE: CITIZENS' PROPERTY RIGHTS INITIATIVE

PREAMBLE

We the people of the City of Escondido declare our intent to restore property values and land use stability to our City, both in the immediate term and for the long term, and to secure for our community the historic principles of self governance. Sincerely committed to the belief that local government has the closest affinity to the people governed and firm in the conviction that the people's right to directly legislate will better serve and promote the health, safety and welfare of all citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California.

SECTION ONE. FINDINGS AND DECLARATION OF PURPOSE

Using the power vested in the citizens of the City of Escondido by the California Constitution and Government Code Sections 9200 *et seq.*, this initiative measure restores and stabilizes for the future certain of the land principles according to which this City has been historically governed.

A. In 1963 the Escondido golf course and country club were first developed in conjunction with a residential project.

B. By the terms of Escondido Planning Commission Resolution 389 which approved a Special Use Permit for said project, residential units adjoining the course and clubhouse were originally granted the following guaranty which was required to run with the land:

All owners of the Escondido Country Club ... shall operate, maintain and repair (the golf course) primarily for the benefit of the residents of the Golden Circle ... until such time as the operation and maintenance of said recreation facilities and improvements are assumed by some public agency, district, corporation, non-profit corporation or legal entity approved by the City Planning Commission.

C. For nearly fifty years the recreation facilities, including the course and club, have served the greater Northwest Escondido community of more than 4,000 residents as an anchor of neighborhood stability, security and home values.

D. Buyers of residential property within the community have relied upon the esthetic and environmental character conferred upon their neighborhood by the continuing operation of the course and club as a green space.

E. The club property and course have now been purchased by a new owner who has closed the course and threatens to replace its green space with a housing project, based on a claim that Resolution 389 no longer applies.

F. Firm in the conviction that the loss of said green space, and the intensification of greater housing density, will depress property values, increase traffic congestion, impact schools and generally degrade the currently stable neighborhood, the Northwest Escondido community opposes the conversion of the green space to a construction project.

G. Property owners in the community seek to preserve and enforce the original guarantees offered by Resolution 389, not for the particular benefit of golfers, or members of a country club, but for the benefit of the landowners and citizens of the larger community who, for fifty years, have benefited from a regionally important green space.

H. Now, by the terms of this initiative measure, the greater community of Northwest Escondido seeks to reaffirm, implement and enforce the intent of Resolution No. 389, by assuring that the green space and recreation facilities provided by the Escondido Country Club golf course are preserved and maintained for the betterment of the community.

I. Further, the community proposes to advance the intent of Resolution No. 389 in a manner consistent with present day circumstances. Since the golf course was originally created, the area of benefit within the adjacent community has grown. Rather than pursue ownership of the recreation facilities by just the neighboring residential property owners, it is now timely to secure a base of support from the entire benefitting residential community. It is also time to expand membership opportunities to the public at large. Thus, operation of the property will be enhanced by a menu of membership and user fees to be paid in return for various levels of public use of all the recreation facilities.

J. If this Initiative petition is signed by not less than 15 percent of the voters of the city according to the last report of registration by the county elections official to the Secretary of State pursuant to Elections Code Section 2187, a Special Election shall be called if the City Council does not adopt this Initiative in the manner required by law. If this Initiative petition is signed by not less than 10 percent of the voters of the city, this Initiative shall be set at the next Regular Municipal Election if the City Council does not adopt this Initiative.

SECTION TWO

A. The General Plan of the City of Escondido is hereby amended to designate that property commonly referred to as the Escondido Country Club and golf course (more particularly described in the list of parcels attached hereto as Exhibit A – Parcel Numbers and incorporated herein) as Open Space-Park (OS-P), which designation shall permit the improvement, operation and maintenance of a golf course, club house and recreational facilities, along with uses appurtenant thereto.

B. The General Plan Map of the City of Escondido (Figure II-1) shall be redrawn, Figures II-6 and II-32 shall be amended, and Policy 12.1 shall be amended as follows:

The Parks and Open Space General Description of Uses in Figure II-6 (General Plan Land Use Designations) under the Other land Uses, Parks and Open Space category, the Land Use Designation "Parks and Open Space" shall be amended to read as follows:
"Accommodates land for public and large private recreational activities and habitat

preservation. Permitted public uses include active and passive parks or recreational uses as well as land to protect, maintain, and enhance the community's natural resources and include detention basins and creek corridors. Permitted private uses include, but are not limited to, golf courses, tennis court and related appurtenant active recreational use facilities." The Parks and Open Space Recommended Urban Form Characteristics shall be amended to strike the words "with public parks". The Open Space Required Standards shall be amended to include two zoning categories: "Zoning: Open Space – Public (OS-P), and Open Space – Private (OS)".

Figure II-32 (General Plan Land Use: Zoning Category) shall be amended to replace the existing category of "Public" under the Zoning Category column for "Open Space / Parks", with two zoning categories: "Open Space – Public (OS-P) and Open Space – Private (OS)".

Chapter II (Land Use and Community Form), Subsection 12 (Land Use and Community form Goals and Policies) of the General Plan, Goal 12.1 (Open Space Use Policy) shall be amended to read as follows: "12.1 Open Space Land Use Policy. Establish the Open Space/ Park designation to identify city and county properties reserved for active and passive parks, habitat preservation and public safety purposes, and to identify certain private properties reserved for active recreational uses as described in Figure II-6."

C. Upon the effective date of this amendment of the Escondido General Plan the City Council shall, after appropriate public hearings before the Planning Commission and City Council, adopt zoning ordinances that implement this General Plan Amendment. Until the adoption of such ordinances, no permit or entitlement shall be issued unless it is consistent with this General Plan amendment for covered properties described in Section 2(A), above.

SECTION THREE. SEVERABILITY.

If any section, sub-section, sentence, clause, phrase, part, or other portion of this measure, or application thereof, is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the remaining portions or provisions of this measure. It is hereby declared by the people voting for this measure that this measure, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts or portions, or the application thereof, are declared invalid or unconstitutional.

SECTION FOUR. CONFLICTING BALLOT MEASURES.

This measure is inconsistent with and intended as an alternative to any other initiative or measure placed on the same ballot that addresses the same subject matter as this measure. In the event that this measure and another initiative or measure addressing the same subject matter as this measure, or any part thereof, is approved by a majority of voters as the same election, and this measure receives a greater number of affirmative votes than any other such initiative or measure, then this measure shall prevail and control in its entirety and said other initiative or measure shall be rendered void and without any legal effect.

SECTION FIVE. AMENDMENT BY THE PEOPLE.

This Initiative shall only be repealed, amended or modified by a vote of the People.

SECTION SIX. LIBERAL CONSTRUCTION.

The provisions of this Initiative shall be liberally construed to effectuate its purposes.

EXHIBIT A - PARCEL NUMBERS

COMMONLY KNOWN AS: 1800 COUNTRY CLUB LANE, ESCONDIDO, CA 92026

APN: 224-210-53-00; 224-211-05-00; 224-211-11-00; 224-211-12-00; 224-211-15-00; 224-230-36-00; 224-230-43-00; 224-430-04-00; 224-431-01-00; 224-431-02-00; 224-431-03-00; 224-490-05-00; 224-490-06-00; 224-491-01-00; 224-811-28-00

End of Parcel Numbers

Place your ad here. Click triangle to begin. ◀

Golf course projects heading toward votes



By J. Harry Jones

SEPTEMBER 19, 2017, 5:00 PM

As he awaits the outcome of votes later this fall on housing projects proposed for his two North County golf course properties, Michael Schlesinger is suggesting he could force less-attractive alternatives if the measures fail.

Schlesinger owns the Escondido Country Club and Poway's Stoneridge Country Club. He purchased both courses around the same time during the Great Recession after both had fallen into foreclosure.

He is asking the Escondido City Council to allow him to build 392 homes on the 109-acre course in Escondido, which he shuttered in 2013. In Poway, he is asking voters to rezone a portion of the still-active course from recreational to residential use to make room for 180 high-end condominiums.

In the last week, comments made by his representatives have stirred concern in both communities, leading to charges that he is trying to bully his way to approval.

Jonathan Frankel, of the development company New Urban West, which was chosen by Schlesinger to pursue the Escondido project, told a gathering of the Escondido Chamber of Commerce last week that a new state law that grants greater density in exchange for low-income housing could come into play.

Responding to a question put to him after his formal presentation, Frankel said Schlesinger has indicated far more housing units — theoretically more than 800 — could be forced upon the city should the council not approve the lesser density.

He said Schlesinger indicated other developers have been beating down his door with other ideas, including taking advantage of density bonuses that could lead to far more housing units.

“The bottom line is we know there are other developers approaching the property owner,” Frankel said.

The message is clear, he said. “If the city doesn't want to approve or take a look at 392, he will be more than happy to tie the city's hands, use this state statute, and preempt local control....It's state law. It's

just the reality.”

The new law, expected to go into effect next year, allows developers who earmark at least 11 percent of any residential project for very low-income homes to increase the density of the project by 35 percent.

The Escondido property is zoned for residential use and arguably, for more than 600 units. A 35 percent density bonus could bring that number above 800. Whether underlying land use rules might prohibit such an increase would likely be the subject of great debate.

Mayor Sam Abed said Monday the threat of 800 homes is not credible. He maintains that 392 is also too many units and hopes the developer will be willing to compromise at a lower number, perhaps 275. New Urban West has maintained all along that 392 is the least number of homes possible if the project is to be fiscally possible.

It is expected the Escondido Planning Commission will consider the country club project in about a month with the final council vote coming a couple weeks later.

In Poway, a citywide special election will be held in November to decide if Schlesinger can build 180 high-end condominiums on part of the Stoneridge course while keeping a slightly smaller version of the golf course in place.

Measure A asks whether the golf course, which is zoned for recreational use, could be rezoned for residential use.

Should voters defeat Measure A, a spokeswoman said Schlesinger would be financially unable to continue maintaining the club and course and would close and fence the property.

Spokeswoman Sara Ellis also said Schlesinger has no plans to sell the property, which means it would become overgrown and brown just as the Escondido country club has over the past four years.

She said Schlesinger doesn't want to close the course but must for financial reasons. Stoneridge has been losing money consistently, she said — \$500,000 so far this year alone.

Ellis' comments have angered many in the community who say they view it as blackmail. An anonymous website recently went live called www.saynotomikey.com which urges people to vote against the measure.

This posting has been amended from its original version to remove reference to the website's creator who used an alias rather than his legal name.

jharry.jones@sduniontribune.com; 760/529-4931; Twitter: @jharryjones

ATTACHMENT PC-6

NUWI response to ECHHO White Paper

**N E W
URBAN
WEST
I N C**

16935 WEST
BERNARDO DR
SUITE 260
SAN DIEGO
CALIFORNIA
9 2 1 2 7

Jonathan Frankel
jonathanf@nuwi.com
Direct 925-708-3638

August 18, 2017

Ms. Kristin Blackson
Contract Planner
City of Escondido
201 N. Broadway
Escondido, CA 92025

Ms. Blackson:

On January 26, 2017 the Escondido Country Club Homeowners Organization (“ECCHO”) submitted a document entitled “White Paper; Country Club Land Use Overview” in response to the issuance of a notice of preparation (“NOP”) for the Villages environmental impact report (“EIR”). Subsequently, ECCHO has requested that this so-called “white paper” be included in the Villages’ EIR as a public comment.

It should first be noted the white paper does not raise any particular environmental concern regarding the sufficiency of the analysis or impacts found within the draft EIR prepared by the City. Nevertheless, I feel it is important to debunk the white paper’s baseless “trade-off” or “density transfer” theory, i.e., the paper’s argument high density development above permissible levels was historically approved around the Country Club based on a “pledge” the golf course would be restricted to open space. This claim is bereft of, and contrary to, any facts and evidence.

According to the white paper, there was some sort of trade-off where, because of the existence of the golf course and associated recreational facilities; the City permitted residential development on smaller lots; reduced setbacks; and narrower streets in the area surrounding the project site. Allegedly, in exchange for these “undersized residential lots,” part of the project site (allegedly 44.1 acres, though there is no explanation how this figure was arrived at) was “equitably” set aside as open space to support “bonus densities.” The white paper argues the otherwise developable area of the project site was thereby reduced. Nothing can be further from the truth.

A historical examination of the City’s zoning code clearly shows the inaccuracy of these statements as concerns the original development of the Country Club.

The White Paper contends lots in the area were reduced from a “zoning requirement of 7,000 square feet” because the lots benefitted from the open space of the golf course. However, the zoning code in place in 1964, when the first subdivision of the property was approved, required only 3,500 minimum square foot lots in the R-1 zone. There is no evidence that any of the lots then approved and developed were smaller than this required 3,500-square foot minimum in the original Golden Circle Unit #2 development.

Further, all streets in the original subdivision (Golden Circle Unit #2) were at least 60 feet wide, as required by the zoning code and shown on the recorded map. The final map, as recorded, likewise does not show any reduced setbacks or the existence of any deviation from existing development standards in place at the time of approval. As can be seen, there simply was no “credit” given for the golf course when the original development was approved in 1964—it was simply developed pursuant to 1964 zoning standards.

The white paper next points to a series of residential subdivisions that occurred around the golf course in the decades after the original development, claiming these developments were given “bonus densities” in reliance on the golf course’s open space. However, when the City approved three residential subdivisions on parts of the golf course in 1977, 1978 and 1983, there is no evidence cited the City mentioned “bonus densities” based on the golf course or this supposed “density transfer” theory. No findings, approvals, variances or other documents are cited to support the white paper’s baseless claims to the contrary.

The white paper further contends some overall “land use scheme” existed which contemplated reducing the lot sizes in reliance on the golf course’s open space in recent decades. Again, the white paper cites no evidence any such scheme existed, i.e., any master plan, specific plan, or open space easement or dedication.

To the contrary, it was not some grand scheme for development that allowed smaller lots and townhomes, duplexes and condominiums to proliferate in the neighborhood in recent decades, but rather parcels of land seeking to develop consistent with the demands of the housing market. Many of the newer developments in the area requested, and were granted, a *zone change* – to Planned Development (“PD”) – to take advantage of clustering provisions and more flexible development standards. In PD zones developers are encouraged to depart from standard subdivision and housing design by providing a variety of lot sizes and housing types to range widely – as is seen in the neighborhood today. The Barcelona project (Tract Map No. 10553), for example, immediately to the southeast of the abandoned clubhouse, requested a zone change in 1982 to PD to develop 38 homes on 2,400 sq. ft. lots. No fewer than 8 subdivisions in the areas

surrounding the golf course requested such a zone change between 1970-2002. As such, these “undersized residential lots” were not the result of any variance, conditional approval or master plan centered on the golf course; rather, the parcels were simply re-zoned consistent with the demands of the residential housing market.

In sum, the white paper is incorrect the golf course area was “pledged” as open space outright or otherwise to support approval of “bonus densities” for surrounding development. The original development complied with existing zoning density requirements at the time of approval. No subsequent development was approved in reliance on the golf course’s open space as a trade-off to obtain density bonuses.

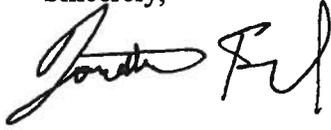
In addition, for the duration of area build-out, the site has retained a zoning classification permitting residential development—it has never been dedicated as open space. An owner could have developed the site at any time. Instead, prior disuse and misuse has resulted in the site becoming an unmaintained blight to the community.

The Villages project proposes to remedy this condition by developing residential uses on a portion of the site while retaining some 48 acres (44% of the site) in permanent open space, incorporating substantial setbacks from existing residences; active greenbelts; parks; and recreational, social, and other community amenities. The project proposes development consistent with existing area densities. As shown in the EIR at Figure 1-7, the Villages proposes single-family units on 2,500- 7,000 square foot lots with a density of 3.6 dwelling units per acre. Similarly, surrounding development ranges from a high density of duplex condominium units on 2,000+ square foot lots with up to 8.3 dwelling units per acre; to a low density of single family units on 7,000+ square foot lots with a density of 2.7 dwelling units per acre. The Villages project is thus squarely within the range of surrounding development densities *and* retains almost half the surrounding area in open space and recreational uses.

Hence, the white paper’s claims of density “trade-offs” or “transfers” are completely meritless. Area projects were developed to a variety of densities based not on any “land use scheme” or “pledge” of the golf course as open space but based on zoning requirements, PDs, and market drivers. Moreover, the Villages project is squarely within the scope of area densities. And, recognizing the opportunity to revitalize the surrounding community, the Villages project also incorporates a 48-acre open space system and includes recreational, social, and community amenities rather than developing a maximum number of homes at the site. The character of the community will thereby be preserved.

Thank you for the opportunity to submit this comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Frankel". The signature is written in a cursive style with a large initial "J" and "F".

Jonathan Frankel
Project Manager

ATTACHMENT PC-7

All public correspondences not included in the Final EIR

(received after August 18, 2017 and prior to staff report print production)

Mike Strong

From: Suzanne Southwell <suzannesouthwell@sbcglobal.net>
Sent: Friday, August 18, 2017 10:13 PM
To: Mike Strong
Subject: New Urban West Specific Plan
Attachments: August 18.pdf

Hello Mr. Strong,
Attached are my carefully considered thoughts about the
NUW Specific Plan for the Escondido Country Club.
I trust you will take them into consideration as a member
of the Escondido Planning Commission.
Thank you,
Suzanne Southwell
1405 Calle Redonda
Esc.

August 18, 2017

8:42 PM

To all those interested in the Specific Plan of New Urban West for the Escondido Country Club property:

We have enjoyed living in this area since 1975. It is tranquil, peaceful, beautiful, tree blessed, with an afternoon West breeze almost daily, which adds to the health and well-being of all who live here. It clears the air and cools the afternoon heat. The openness is ideal, like the Midwest, with no walls or loud noises or smells to ruin your enjoyment of life and your property. I lived a year in New York City and discovered the importance of alleys and space between buildings. There is none in NYC at all. The smell and rancid air is atrocious! It has no where to go but up and out. New Urban West has designed a type of modern 'NYC ghetto' in my opinion. There are no single story houses planned and each 'village' housing unit will be barely 6 feet apart and each 'village' will have houses that look extremely like the one next door, with small variations for square footage, but the identical style. There is no mix and match of Craftsman to Spanish Monterey to Western Cottage in a 'village' – it is tract housing, not R1 7 as zoned. There is no range of housing types and designs consistent with existing forms and patterns, as called for by the General Plan. The Villages Proposal is sneaky – they're not asking for a rezoning to R 1 2 or R 1 3 specifically, but rather to accept their design guidelines and scale of development to accommodate 392 housing units. That's the number they have determined will give them a profit after all the 'amazing' improvements and new features to be constructed.

The Specific Plan does not protect the public health, safety, and general welfare of the community. It destroys it. It crams in too many houses in too small a space, cutting off air and view with all 2 story structures and creating a wasteland of new build, most likely empty dwellings, if their last effort at Harmony Grove is any indication. (New Urban West sold off the partially completed and significantly unsold development to CalAtlantic). (There is no range of housing in Harmony Grove either, though there are 4 designs). What is to prevent the same situation from happening here?

There is a significant flood plain to deal with and I'm not convinced that their proposed construction of the drainage channels will adequately address the existing flooding issues when it rains.

The EIR addresses air quality in general, describing the health hazards of O3, NO2, CO, SO2, PM10 and PM 2.5 in our area. O3 can only become worse as hundreds more people are crammed into a small area with 2 story buildings that hold heat in the Summer and out door cooking smells that will be caught and held because the afternoon breeze can't get through. Barracades have been erected called housing. NO2 will increase as transportation vehicles increase by double or triple the number of occupants of 392 units, even with 'no street parking' rules! With all front facing garages, there should be no truck or RV parking in driveways either! That's not even

designated in their plan. What are garages for anyway? I can't imagine the PM10 and PM 2.5 during and after construction to be endured by the surrounding, existing homes. The Toxic Air Contaminants will be too vast to measure. The current measurements of O3, PM 10, and PM 2.5 are non-attainment! Throw in hundreds of air blocking 2 story buildings and a thousand more people and bad health is inevitable. The integrity of the Country Club area will be forever ruined.

Finally, the anticipated traffic on Nutmeg between Gary and El Norte will become a veritable nightmare each and every day. The road is 2 lane- mostly County owned, and cannot be widened. The pathetic 'traffic easing' suggestions by NUW will do nothing. Two lanes turning East off Nutmeg to the El Norte Fry.15 entrance will not accomplish much and will require a complete redesign of the intersection on the North and South corners of El Norte given the terrain.

The most housing units acceptable should be 250 and laid out differently, especially along Country Club, with 2 story units backing onto Country Club on the South side and single story across from them, and single story only on the North side of Country Club under the condos for starters.

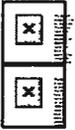
Thank you for carefully considering this monumental plan which will affect thousands of Escondido residents for years and years to come.

Mike Strong

From: Bernadette Bjork
Sent: Monday, August 21, 2017 11:28 AM
To: Mike Strong
Subject: FW: Cleaning Up Our Neighborhood

From: Michael Morasco
Sent: Monday, August 21, 2017 10:27 AM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Cleaning Up Our Neighborhood

Michael Morasco
Escondido City Council
District 4 Representative
mmorasco@escondido.org



Sent from my iPhone

Begin forwarded message:

From: Danielle Tribby <dtribby11312@gmail.com>
Date: August 21, 2017 at 10:04:55 AM PDT
To: Michael Morasco <mmorasco@escondido.org>
Subject: **Cleaning Up Our Neighborhood**
Reply-To: dtribby11312@gmail.com

Members of the City Council:

Now is the time to take action and clean up the Escondido Country Club neighborhood. Something has to be done about this deteriorating community. New Urban West has proposed a responsible, viable plan that will bring our neighborhood back to life.

Please consider approving The Villages plan to restore our community.

Thank you for your consideration,
Danielle Tribby
1943 David Dr
Escondido, CA 92026

Mike Strong

From: Bernadette Bjork
Sent: Monday, August 21, 2017 11:39 AM
To: Mike Strong
Subject: FW: Villages Plan is a Good Deal for Escondido

From: Ed Gallo
Sent: Monday, August 21, 2017 11:27 AM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fw: Villages Plan is a Good Deal for Escondido

Ed Gallo

From: Nancy White <nancylw56@gmail.com>
Sent: Monday, August 21, 2017 7:34 AM
To: Ed Gallo
Subject: Villages Plan is a Good Deal for Escondido

Hello,

I have watched the situation at the old ECC property with interest since it closed years ago. After evaluating the Villages plan, I think is a good deal for our community and the City of Escondido. We need a thriving economy in our City and this project creates millions in revenue to support local services while also providing much needed housing for our workforce. We lose billions every year because companies leave our area as a result of a limited housing supply for workers. The criticism of this proposal comes from the same small group of people that will oppose everything but offer no viable plan of their own. The truth is that saying no isn't a plan and their anger towards the actions of the property owner is not going to help us. Please approve the Villages to make our economy strong and future bright!

Thanks,
Nancy White
1914 Nina Pl
Escondido, CA 92026

Mike Strong

From: Bernadette Bjork
Sent: Tuesday, August 22, 2017 8:37 AM
To: Mike Strong
Subject: FW: Message from ECCHO Member

From: Ed Gallo
Sent: Tuesday, August 22, 2017 8:36 AM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Message from ECCHO Member

Begin forwarded message:

From: <ujvyiaaiat@hotmail.com>
Date: August 22, 2017 at 12:37:14 AM PDT
To: <sabed@escondido.org>, <odiaz@escondido.org>, <egallo@escondido.org>, <jmasson@escondido.org>, <mmorasco@escondido.org>
Subject: Message from ECCHO Member

ECCHO Member Message
Tuesday, August 22, 2017 at 07:37:14 (PDT)

I am a resident of the Escondido Country Club neighborhood and I AM AGAINST the proposed development of 392 dwelling units on the ECC property. The high density of two storied houses crammed onto tiny lots is offensive to me. The increase in traffic and noise will be intolerable. Our side streets will become even busier alternate routes for commuters avoiding the I-15 / 78 interchange. I am concerned about the air quality as well as demand on public services. The promise of public use of open space is not believable because the new residents will control the HOA– why would they choose to pay for the public's use and wear and tear?

However, mostly my biggest objections is:

I suggest posting your advertisement on your blog: <https://www.instagram.com/amiran495/>

Name: Your ad in my blog: www.instagram.com/amiran495/

Email: ujvyiaaiat@hotmail.com

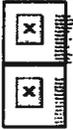
Address: 977997, 977997, 977997 977997 .

Mike Strong

From: Bernadette Bjork
Sent: Tuesday, August 22, 2017 11:14 AM
To: Mike Strong
Subject: FW: Support the Villages Plan

From: Michael Morasco
Sent: Thursday, August 17, 2017 10:58 AM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Support the Villages Plan

Michael Morasco
Escondido City Council
District 4 Representative
mmorasco@escondido.org



Sent from my iPhone

Begin forwarded message:

From: Richard Crobarger <aueagle79@gmail.com>
Date: August 17, 2017 at 8:02:01 AM PDT
To: Michael Morasco <mmorasco@escondido.org>
Subject: Support the Villages Plan
Reply-To: aueagle79@gmail.com

Mayor and Honorable Council Members,

I write to ask you to support the Villages plan. As a local resident, I was initially concerned about redevelopment of the old golf course. I was pleasantly surprised to learn about the thoughtful design and the lengths that the developer is going in order to improve our community and bring real benefits. Yes, traffic is an issue for everyone but spending \$4 million to fix local streets will be a big help. I am excited about the new smart signals they are installing along El Norte. I am also looking forward to taking advantage of the gym and pool all within walking distance. It will be great not to have to get in the car when I want to grab some dinner with friends or host an out of town guest. The abandoned clubhouse is a real eyesore and is attracting vandalism and graffiti. I hope you will side with reasonable voices in the neighborhood and approve the Villages plan.

My sincere thanks,
Richard Crobarger
1561 Vaquero Glen
Escondido, CA 92026

Mike Strong

From: Bernadette Bjork
Sent: Wednesday, August 23, 2017 8:29 AM
To: Mike Strong
Subject: FW: Message from ECCHO Member

From: Ed Gallo
Sent: Wednesday, August 23, 2017 8:27 AM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Message from ECCHO Member

Begin forwarded message:

From: <eqhqbvfbs@hotmail.com>
Date: August 23, 2017 at 12:46:57 AM PDT
To: <sabed@escondido.org>, <odiaz@escondido.org>, <egallo@escondido.org>, <jmasson@escondido.org>, <mmorasco@escondido.org>
Subject: Message from ECCHO Member

ECCHO Member Message
Wednesday, August 23, 2017 at 07:46:57 (PDT)

I am a resident of the Escondido Country Club neighborhood and I AM AGAINST the proposed development of 392 dwelling units on the ECC property. The high density of two storied houses crammed onto tiny lots is offensive to me. The increase in traffic and noise will be intolerable. Our side streets will become even busier alternate routes for commuters avoiding the I-15 / 78 interchange. I am concerned about the air quality as well as demand on public services. The promise of public use of open space is not believable because the new residents will control the HOA– why would they choose to pay for the public's use and wear and tear?

However, mostly my biggest objections is:
I suggest posting your advertisement on your blog: <https://lionsmedia.ru>

Name: Your ad in my blog: www.lionsmedia.ru
Email: eqhqbvfbs@hotmail.com
Address: 421709513, 421709513, 421709513 421709513 .

Mike Strong

From: Bernadette Bjork
Sent: Wednesday, August 23, 2017 2:19 PM
To: Mike Strong
Subject: FW: Message from ECCHO Member

From: Ed Gallo
Sent: Wednesday, August 23, 2017 2:10 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: FW: Message from ECCHO Member

From: gljuhfejf@mail.com [<mailto:gljuhfejf@mail.com>]
Sent: Wednesday, August 23, 2017 5:44 AM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; John Masson <jmasson@escondido.org>; Michael Morasco <Mmorasco@escondido.org>
Subject: Message from ECCHO Member

ECCHO Member Message
Wednesday, August 23, 2017 at 12:44:06 (PDT)

I am a resident of the Escondido Country Club neighborhood and I AM AGAINST the proposed development of 392 dwelling units on the ECC property. The high density of two storied houses crammed onto tiny lots is offensive to me. The increase in traffic and noise will be intolerable. Our side streets will become even busier alternate routes for commuters avoiding the I-15 / 78 interchange. I am concerned about the air quality as well as demand on public services. The promise of public use of open space is not believable because the new residents will control the HOA– why would they choose to pay for the public’s use and wear and tear?

However, mostly my biggest objections is:
I suggest posting your advertisement on your blog: <https://lionsmedia.ru>

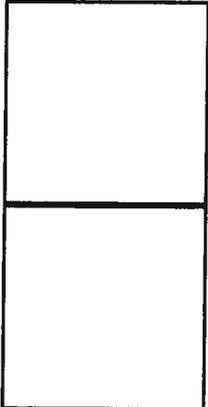
Name: Your ad in my blog: www.lionsmedia.ru
Email: gljuhfejf@mail.com
Address: 65285304, 65285304, 65285304 65285304 .

Mike Strong

From: Bernadette Bjork
Sent: Thursday, August 24, 2017 11:45 AM
To: Mike Strong
Subject: FW: Abandoned Escondido Country Club

From: Michael Morasco
Sent: Thursday, August 24, 2017 11:45 AM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Abandoned Escondido Country Club

Michael Morasco
Escondido City Council
District 4 Representative
mmorasco@escondido.org



Sent from my iPhone

Begin forwarded message:

From: Corinne Finney <cfinney57@gmail.com>
Date: August 24, 2017 at 9:48:37 AM PDT
To: Michael Morasco <mmorasco@escondido.org>
Subject: Abandoned Escondido Country Club
Reply-To: cfinney57@gmail.com

Mr. Mayor and City Councilmembers,

For too long, I have watched the abandoned Escondido Country Club fall into disrepair and become an attraction for elements I don't want in my community. Fortunately, The Villages plan will fix this problem and make our neighborhood even better than before. The environmental

report is really comprehensive and addresses all of the issues raised by those who oppose any development.

We cannot accept the current condition of the area and need to move forward. Please vote yes on The Villages plan.

Sincerely,
Corinne Finney
892 Delgado Pl
Escondido, CA 92025

Mike Strong

From: Bernadette Bjork
Sent: Friday, August 25, 2017 10:46 AM
To: Mike Strong
Subject: FW: Message from ECCHO Member

From: Ed Gallo
Sent: Friday, August 25, 2017 10:12 AM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fw: Message from ECCHO Member

Ed Gallo

From: email_rassylka@res217.servconfig.com <email_rassylka@res217.servconfig.com>
Sent: Thursday, August 24, 2017 9:56 PM
To: Sam Abed; Olga Diaz; Ed Gallo; John Masson; Michael Morasco
Subject: Message from ECCHO Member

ECCHO Member Message
Friday, August 25, 2017 at 04:56:47 (PDT)

I am a resident of the Escondido Country Club neighborhood and I AM AGAINST the proposed development of 392 dwelling units on the ECC property. The high density of two storied houses crammed onto tiny lots is offensive to me. The increase in traffic and noise will be intolerable. Our side streets will become even busier alternate routes for commuters avoiding the I-15 / 78 interchange. I am concerned about the air quality as well as demand on public services. The promise of public use of open space is not believable because the new residents will control the HOA— why would they choose to pay for the public's use and wear and tear?

However, mostly my biggest objections is:
Review of the best mailing services on our page: https://vk.com/email_rassylka

Name: www.vk.com/email_rassylka The lie and the truth about email newsletters
Email: email_rassylka
Address: email_rassylka, email_rassylka, email_rassylka email_rassylka .

Mike Strong

From: B Christina Conrad <Kleopatra1865@att.net>
Sent: Friday, August 25, 2017 7:04 PM
To: Sam Abed; Michael Morasco; John Masson; Olga Diaz; 'Escondido Homeowners'; Ed Gallo; Kristin Blackson; Mike Strong
Subject: Dear Mayor and City Council Members

Re: Escondido Country Club.

We object to the zoning proposal Project and to the entire plan of almost 400 2 story homes, including condominiums. Our neighborhood should not be rezoned to suit the new builder. Already we are losing everything we had and hoped for. It is not right to wall us in and choke us out with construction, cars and fumes in order for the new owner to become super rich. He is an out of townner and does not care. We are Escondidians and voters, we care about us, our environment and North Escondido.

We hope sincerely that our City council and our Mayor denies the project proposal.

Please help us and not the out of townners.

Thank you.

B. C. Conrad, 1434 San Carlos Pl. 92026

Mike Strong

From: Bernadette Bjork
Sent: Monday, August 28, 2017 9:28 AM
To: Mike Strong
Subject: FW: proposed change of zoning at the Escondido Country Club

From: Ed Gallo
Sent: Friday, August 25, 2017 9:16 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: proposed change of zoning at the Escondido Country Club

Begin forwarded message:

From: barbara conrad <kleopatra1865@att.net>
Date: August 25, 2017 at 9:05:46 PM PDT
To: "sabed@escondido.org" <sabed@escondido.org>, "jmasson@escondido.org" <jmasson@escondido.org>, "odiaz@Escondido.org" <odiaz@Escondido.org>, "mmorasco@Escondido.org" <mmorasco@Escondido.org>, "egallo@Escondido.org" <egallo@Escondido.org>
Subject: proposed change of zoning at the Escondido Country Club
Reply-To: barbara conrad <kleopatra1865@att.net>

We object to the proposed change of zoning at the Escondido Country Club area. It should stay the way it is and not to suit the new builder. We have rights also. We can't tolerate being walled in by almost 400 2 story houses with first construction noise, traffic and pollution and then lots of new people, cars and problems for ever and ever. Peace will be a history. We are also concerned about crime increase.

Please consider us, the existing home owners and not just the out of towners with lots of money and greed on their side.

We are the ones that vote. We are the Escondidians.

At my Toast Master Club during table topics the other day I was ask about what I think my immediate future holds in stall.

My first thought was to talk about our Country Club dilemma and everyone seemed to be incredulous and felt sorry for us. One person said: The city should not disregard the ones who have lived here first.

Sad how much is already being taken away from us. Please don't make it even worse with this monstrous amount of dwellings.

Fix this mess? Clean up the Country Club? Ridiculous. An open field with trees and birds is no mess to me. I feel save now. I will feel horrible when the bulldozers come. However as a compromise we suppose half the amount could

be tolerated and only one story homes since we are mostly one story here. Please consider that at least.

I am asking humbly for your help in the name of all of us.

Sincerely

Barbara Christina Conrad, 1434 San Carlos Pl, Escondido, Ca. 92026

Mike Strong

From: Bernadette Bjork
Sent: Monday, August 28, 2017 10:23 AM
To: Mike Strong
Subject: FW: Message from ECCHO Member

From: Ed Gallo
Sent: Saturday, August 26, 2017 3:18 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Message from ECCHO Member

Begin forwarded message:

From: <email_rassylka@res217.servconfig.com>
Date: August 26, 2017 at 7:26:38 AM PDT
To: <sabed@escondido.org>, <odiaz@escondido.org>, <egallo@escondido.org>, <jmasson@escondido.org>, <mmorasco@escondido.org>
Subject: Message from ECCHO Member

ECCHO Member Message
Saturday, August 26, 2017 at 14:26:38 (PDT)

I am a resident of the Escondido Country Club neighborhood and I AM AGAINST the proposed development of 392 dwelling units on the ECC property. The high density of two storied houses crammed onto tiny lots is offensive to me. The increase in traffic and noise will be intolerable. Our side streets will become even busier alternate routes for commuters avoiding the I-15 / 78 interchange. I am concerned about the air quality as well as demand on public services. The promise of public use of open space is not believable because the new residents will control the HOA– why would they choose to pay for the public’s use and wear and tear?

However, mostly my biggest objections is:

Review of the best mailing services on our page: https://vk.com/email_rassylka

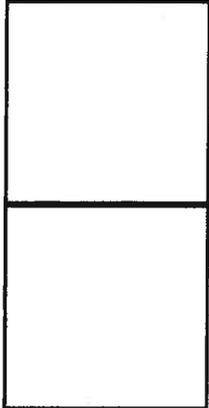
Name: www.vk.com/email_rassylka The lie and the truth about email newsletters
Email: email_rassylka
Address: email_rassylka, email_rassylka, email_rassylka email_rassylka .

Mike Strong

From: Bernadette Bjork
Sent: Wednesday, August 30, 2017 12:56 PM
To: Mike Strong
Subject: FW: Villages plan will make Escondido safer

From: Michael Morasco
Sent: Wednesday, August 30, 2017 12:55 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Villages plan will make Escondido safer

Michael Morasco
Escondido City Council
District 4 Representative
mmorasco@escondido.org



Sent from my iPhone

Begin forwarded message:

From: Henry Doorn <henrydoorn@outlook.com>
Date: August 30, 2017 at 8:24:10 AM PDT
To: Michael Morasco <mmorasco@escondido.org>
Subject: Villages plan will make Escondido safer
Reply-To: henrydoorn@outlook.com

To whom it may concern,

As a longtime resident in Escondido, I care about this city and our community. We need to stay focused on reducing crime, creating high quality jobs, and taking the actions needed to make our communities thrive. This is exactly why I support the Villages plan to replace the abandoned

Escondido Country Club. This property has become a hazard to the health and safety of our residents. It's that simple. Those who ignore the blight and vandalism should similarly be ignored. We have a great opportunity to make our area safer, cleaner and better for everyone who lives here. I hope you will support the Villages plan.

Regards,
Henry Doorn
1435 Anoché Glen
Escondido, CA 92026

Mike Strong

From: gfjdbr@aol.com
Sent: Tuesday, September 05, 2017 9:03 PM
To: gfjdbr@aol.com; John Masson; Michael Morasco; Olga Diaz; Sam Abed; Ed Gallo
Cc: johnbrown1228@cox.net; fgfreyne@gmail.com; bk515@powayrancho.com; tjoerin@yahoo.com; realtorferrell@yahoo.com; realtorpurpura@yahoo.com; gary@vestco.net; ronaldjbrezic@yahoo.com; garyodaffer@gmail.com; ben@dbrfactors.com; teesmail@cox.net; jc33ham@att.net; Rick.Elkin@cox.net; uhlhouse@cox.net; Mike Strong; mslater.2014@cox.net
Subject: Re: ECC Property Values
Attachments: Impact of ECC Closure on Neighborhood Property Values 8.29.pptx

PLEASE CONSIDER THAT THE NUWI VILLAGE PLAN WILL HAVE A FURTHER NEGATIVE IMPACT ON ECC PROPERTY VALUES. SEE ATTACHED STUDY OF IMPACT AFTER CLOSURE OF ECC.

**Gary F. Johnston
1642 David Drive
Escondido, CA 92026**

Impact of ECC Closure on Neighborhood Property Values

This presentation will detail the significant negative impact the April 1, 2013 closure of the Escondido Country Club (ECC) has had on the property values of homes in the ECC neighborhood; and the related impact on the tax base of the ECC neighborhood and tax revenue to the City of Escondido.

2

Because the two communities are similar in many respects, property values of Lake San Marcos (LSM) homes surrounding the St. Marks golf course are used for comparison purposes ^{F1}.

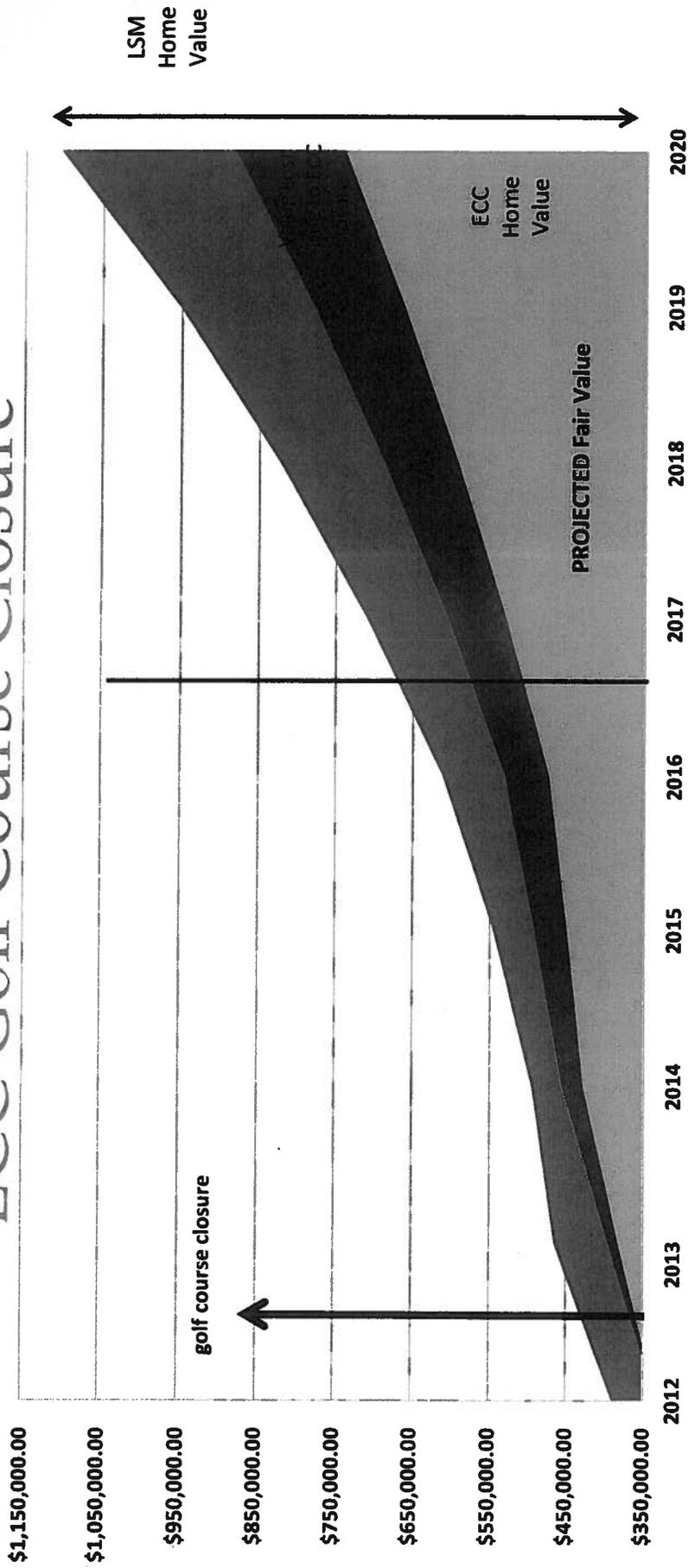
When the increase in property values projected for homes in the LSM neighborhood is compared to the much lower increase in property values projected for homes in the ECC neighborhood, the massive financial impact caused by closure of the Escondido Country Club becomes very clear ^{F2}.

A Comparison of Neighborhoods

Feature	ECC	Lake San Marcos
Average Home Size	1,800 sq ft F ³	1,800 sq ft
Home Type	Single Family	Single Family
On/Off Golf Course Home Locations	Both	Both
Number of Homes	2,000 approx.	3,200 approx.
1/1/13 Average Home Value	\$332,820	\$389,700
7/31/16 Average Home Value	\$474,660	\$612,000
Average Annual Increase Since 2013	\$39,400	\$61,750
% Difference		+ 56.73%

All property values were obtained from public record home sale information

Financial Impact of the ECC Golf Course Closure



This Chart shows the impact of ECC closure on home values in the ECC neighborhood. Immediately before closure of the golf course, ECC home values were 17.09% lower than LSM home values. By 7/31/16, ECC home values were 28.93% lower than LSM home values.

By 2020, ECC home values are projected to be 48.9% lower than LSM home values; and an 1,800 sq ft ECC home will be worth \$140,363 less due to the impact of the golf course closure.

A Comparison of Home Values

Historically, property values in the Lake San Marcos neighborhood have been somewhat higher than the property values in the Escondido Country Club neighborhood. In 2012 LSM property values were 17% higher than property values in the ECC neighborhood, but property values in each neighborhood were increasing annually at roughly the same rates.

Beginning with the closure of the Escondido Country Club in April of 2013, property values in the LSM neighborhood began to increase faster on an annual basis than property values in the ECC neighborhood ^{F4}.

As of July 31, 2016, in the 3+ years since closure of the ECC golf course the values of properties in the LSM neighborhood have increased 11.84% more than properties in the ECC neighborhood ^{F5}.

Based on the projections contained in the presentation, by 2020 values of properties in the LSM neighborhood will have increased 19.97% more than property values in the ECC neighborhood.

This means that in 2020, an 1,800 sq ft home in the LSM neighborhood will be worth \$362,729 more than an 1,800 sq ft home in the ECC neighborhood ^{c1}.

Loss of Property Value, Tax Base and Revenue

By 2020, an average 1,800 sq ft home in the ECC neighborhood will have lost \$140,363 in value due to the closure of the Escondido Country Club ^{c1}.

So, in addition to the loss of a major community asset resulting from closure of the ECC golf course and related social facilities, ECC homeowners are losing an average of \$17,545 per year in property values.

Additionally, closure of the ECC golf course has resulted in the City of Escondido losing an annual property tax base of \$35 million and by 2020 the City of Escondido will have suffered a total property tax base loss of over \$280.7 million ^{c2}.

Loss of the ECC property tax base has cost the City of Escondido \$73,689 in lost revenue each year since 2013 and by 2020 the closure of the ECC golf course will have cost the City of Escondido total lost revenue of \$589,525^{c3}.

Footnotes, Assumptions and Calculations

Footnotes

- F1 The neighborhoods of Escondido Country Club and Lake San Marcos are located 5.9 miles from each other and represent virtually identical population demographics, housing configurations, home size, geography, near-by facilities and most other important characteristics. Given the similar nature of the two neighborhoods, it is a fundamental assumption of this presentation that closure of the Escondido Country Club is the primary reason for the loss in property value experienced in the ECC neighborhood.
- F2 Property values for both neighborhoods were calculated using per square foot values obtained from public record home sale information multiplied times the average 1,800 sq ft home size selected.
- F3 1,800 sq ft was selected as the average home size based on public record home sale information .
- F4 ECC Homes Total Value Increase from 2013 to 2016 = $42.6\% \div 3.6 = 11.8\%$ **Average Annual Increase**
LSM Total Value Increase from 2013 to 2016 = $57.0\% \div 3.6 = 15.9\%$ **Average Annual Increase**
- F5 Average value of an 1,800 sq ft LSM home as of September 1, 2016 = \$612,000
Average value of an 1,800 sq ft ECC home as of September 1, 2016 = \$474,660

Assumptions

- A1 In light of the point-by-point similarities of the ECC and LSM neighborhoods and the fact that the only significant difference between the two communities is the closure of the ECC golf course and related facilities, it is a fundamental assumption of this presentation that closure of the Escondido Country Club is the primary reason for the loss of property value experienced in the ECC neighborhood.

Footnotes, Assumptions and Calculations, cont.

C1 Calculation #1 – Projected Difference of ECC and LSM Home Values by 2020

Projected Values of ECC Homes from 2017 to 2020

Actual ECC values - 1,800 sq ft home from 2012 to 2016
 2012 – Average value of homes sold per sq ft = \$184.90 x
 1,800 sq ft = \$332,820
 2013 – Average value of homes sold per sq ft = \$212.70 x
 1,800 sq ft = \$382,860
 2014 - Average value of homes sold per sq ft = \$238.50 x
 1,800 sq ft = \$429,300
 2015 - Average value of homes sold per sq ft = \$250.40 x
 1,800 sq ft = \$450,720
 2016 - Average value of homes sold per sq ft = \$263.70 x
 1,800 sq ft = \$474,660

Total Value Increase From 2012 to 2016

42.6% ÷ 3.6 = **11.8% Average Annual Increase**

Projected ECC values - 1,800 sq ft home from 2017 to 2020

2017 – \$263.70 X 111.8% = \$294.82 x 1,800 = \$530,670
 2018 - \$294.82 X 111.8% = \$329.60 x 1,800 = \$593,289
 2019 - \$329.60 X 111.8% = \$368.50 x 1,800 = \$663,297
 2020 - \$368.50 X 111.8% = \$411.98 x 1,800 = \$741,566

Projected Values of LSM Homes from 2017 to 2020

Actual LSM values - 1,800 sq ft home from 2012 to 2016
 2012 – Average value of homes sold per sq ft = \$216.50 x
 1,800 sq ft = \$389,700
 2013 – Average value of homes sold per sq ft = \$258.30 x
 1,800 sq ft = \$464,940
 2014 - Average value of homes sold per sq ft = \$274.80 x
 1,800 sq ft = \$494,640
 2015 - Average value of homes sold per sq ft = \$302.80 x
 1,800 sq ft = \$545,040
 2016 - Average value of homes sold per sq ft = \$340.00 x
 1,800 sq ft = \$612,000

Total Value Increase From 2012 to 2016

57.0 % ÷ 3.6 = **15.8% Average Annual Increase**

Projected LSM values - 1,800 sq ft home from 2017 to 2020

2017 - \$340.00 X 115.8% = \$394.06 x 1,800 = \$709,308
 2018 - \$394.06 X 115.8% = \$456.72 x 1,800 = \$822,088
 2019 - \$456.72 X 115.8% = \$529.33 x 1,800 = \$952,800
 2020 - \$529.33 X 115.8% = \$613.50 x 1,800 = \$1,104,295

Comparison of Home Value Increase – ECC vs. LSM

ECC Home Value in 2020 - \$1,104,295

LSM Home Value in 2020 - \$741,566

2020 Impact on Home Values = \$362,729

Footnotes, Assumptions and Calculations, cont.

C1 Calculation of ECC Home Value Impact from ECC golf course closure

4/1/13 DIFFERENCE IN HOME VALUES: ECC = \$184.90/sq ft LSM = \$263.70/sq ft DIFFERENCE = 17.09%
 7/31/16 DIFFERENCE IN HOME VALUES: ECC = \$263.7/sq ft LSM = \$340/.00sq ft DIFFERENCE = 28.93%

PERCENTAGE DIFFERENCE IN HOME VALUES FROM 2012 to 2016 = 28.93-17.09= 11.84%
 ANNUAL DIFFERENCE IN HOME VALUES FROM 2012 to 2016 = 3.29% per year

Actual + (Average differential increase Per Year)

2013- \$382,860 x 3.29%= \$12,596+ \$382,860= **\$395,456**

2014- \$429,300 x 3.29%= \$14,124 + \$12,596 + \$429,300= **\$456,020**

2015- \$450,720 x 3.29%= \$14,829 + \$14,124 + \$12,596 +450,720= **\$492,269**

2016- \$474,660 x 3.29%= \$15,616+ \$14,829 + \$14,124 + \$12,596 + \$474,660= **\$531,825**

2017- \$530,670x 3.29%= \$17,459 + \$15,616 + \$14,829 + \$14,124 + \$12,596 + \$514,152= **\$605,294**

2018- \$593,289 x 3.29%= \$19,519 + \$17,459 + \$15,616 + \$14,829 + \$14,124 + \$ 12,596 + \$556,929= **\$687,432**

2019- \$663,297 x 3.29%= \$21,822+ \$19,591+ \$17,459 + \$15,616 + \$14,829 + \$14,124 + \$ 12,596 + \$603,266= **\$779,263**

2020- \$741,566x 3.29%= \$24,398 + \$21,822 + \$19,591 + \$17,459 + \$15,616 + \$14,829 + \$14,124 + \$ 12,596 + \$653,457= **\$881,929**

Average 1,800 sq ft ECC Home loss of value by 2020= \$881,929-741,566 = \$140,363

Footnotes, Assumptions and Calculations, cont.

C2 Calculation #2 – Projected ECC Property Value Loss

Annual projected loss in property value of an 1,800 sq ft home in the ECC neighborhood as a result of the ECC golf course closure = \$17,545

Total projected loss in property value of an 1,800 sq ft home in the ECC neighborhood by 2020 = \$140,363

C3 Calculation #3 – Projected Loss of Tax Base and Tax Revenue by The City of Escondido

Annual projected tax base loss suffered by the City of Escondido as a result of the ECC golf course closure = \$17,545 x 2,000 homes = \$35,090,000

Total projected tax base loss suffered by the City of Escondido from 2013 to 2020 as a result of the ECC golf course closure = \$140,363 x 2,000 homes = \$280,726,000

Annual projected lost revenue by the City of Escondido as a result of the ECC golf course closure = \$35,090,000 x 1% property tax = \$350,090 x the City of Escondido's share (21%) = \$73,689

Total projected lost revenue by the City of Escondido from 2013 to 2020 as a result of the ECC golf course closure = \$280,726,000 x 1% property tax = \$2,807,260 x the City of Escondido's share (21%) = \$589,525

Mike Strong

From: Michael Slater <mslater.2014@cox.net>
Sent: Thursday, September 07, 2017 2:58 PM
To: Mike Strong
Cc: John Masson; Mike Slater
Subject: The Villages EIR

Hi Mike,

I am inquiring as to the timing for the EIR going to the Planning Commission. Are you still anticipating the EIR going to the PC in mid to late October, 2017?

Thanks, Mike

mslater.2014@cox.net

Mike Strong

From: Bernadette Bjork
Sent: Monday, September 11, 2017 5:05 PM
To: Mike Strong
Subject: FW: Message from ECCHO Member

From: Ed Gallo
Sent: Monday, September 11, 2017 4:56 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fw: Message from ECCHO Member

Ed Gallo

From: lutherdog100@hotmail.com <lutherdog100@hotmail.com>
Sent: Monday, September 11, 2017 9:50 AM
To: Sam Abed; Olga Diaz; Ed Gallo; John Masson; Michael Morasco
Subject: Message from ECCHO Member

ECCHO Member Message
Monday, September 11, 2017 at 16:50:46 (PDT)

I am a resident of the Escondido Country Club neighborhood and I AM AGAINST the proposed development of 392 dwelling units on the ECC property. The high density of two storied houses crammed onto tiny lots is offensive to me. The increase in traffic and noise will be intolerable. Our side streets will become even busier alternate routes for commuters avoiding the I-15 / 78 interchange. I am concerned about the air quality as well as demand on public services. The promise of public use of open space is not believable because the new residents will control the HOA— why would they choose to pay for the public's use and wear and tear?

However, mostly my biggest objections is:

NUW states that they are at their last best offer regarding the number, type and cost of homes to be built. I say they need to redo their math. We want fewer homes at a higher price in the neighborhood! It is possible, and one need go no further than the nearby Rincon Middle School neighborhood to see that \$600,000.00 homes sell just fine in the area. Too many homes is going to seriously degrade the traffic situation and quality of life in the area.

Name: Brian Nelson
Email: lutherdog100@hotmail.com
Address: 1945 Rockhoff Lane, Escondido, CA 92026 .

Mike Strong

From: gfjdbr@aol.com
Sent: Thursday, September 14, 2017 9:21 AM
To: johnbrown1228@cox.net; fgfreyne@gmail.com; bk515@powayrancho.com; tjoerin@yahoo.com; realtorferrell@yahoo.com; realtorpurpura@yahoo.com; gary@vestco.net; ronaldjbrezic@yahoo.com; garyodaffer@gmail.com; ben@dbrfactors.com; teesmail@cox.net; mslater.2014@cox.net; Mike Strong; jc33ham@att.net; uhlhouse@cox.net; swadley1@cox.net
Subject: Fwd: The Escondido Country Club Slum & Race Course

FYI

-----Original Message-----

From: John Brown <johnbrown1228@cox.net>
To: Sam Abed <sabed@escondido.org>; John Masson <Jmasson@escondido.org>; odiaz <odiaz@escondido.org>; Mike Garro <garro@chopra.com>; egallo <egallo@escondido.org>
Cc: Gary Johnston <Gfjdbr@aol.com>; Gary Vest <gary@vestco.net>; Betty Ferrell <realtorferrell@yahoo.com>; Rick Purpura <realtorpurpura@yahoo.com>
Sent: Thu, Sep 14, 2017 7:47 am
Subject: The Escondido Country Club Slum & Race Course

Hey Lady & Gentlemen!

So I bet you missed me? Sorry I haven't been in touch, been busy in my business. It's my busiest time of year, still is, but this needs tending to, so I am going to continue to express my dismay by your unwillingness

- A) To Respond
- B) To Consider Your Responsibilities
- C) Non-Action

You guys should roll on down to the Country Club Area one morning Monday - Friday. Waze has made drivers from North of us aware that you can cut through Country Club Lane to Bennett or Woodridge Parkway and avoid all the congestion, without 1000 more vehicles, by cutting through my neighborhood. They speed, they don't stop and stop signs, they ignore pedestrians, they are discourteous and frankly some of the stunts they pull are in fact dangerous.

Two mornings this week, I live at Foxfire and Firestone, cars were backed up beyond my house on Firestone trying to get to Bennett or El Norte. It got so congested, and truck drove down the oncoming lane and cut off cars that were waiting in front of him.

We need our neighborhood to be restored by the agency who allowed it to be taken away, the City of Escondido! We need to see golf carts driving these streets, not 1000 more cars. We need round-a-bouts and speed bumps so someone doesn't get killed or maimed.

When and what are you going to do?

It's September. I can't wait for November. Not motivated to vote for you. Do something. Motivate all of us to get behind this neighborhood and make it the jewel of Escondido once again!

Please

John Brown

gifts of nature
MANUFACTURED BY ALTERNATIVES

Mike Strong

From: eagle2win@gmail.com on behalf of Rick Elkin <Rick.Elkin@cox.net>
Sent: Thursday, September 14, 2017 11:44 AM
To: Jerry Swadley
Cc: Bill Martin; Ed Gallo; Jeffrey Epp; John Masson; Kristin Blackson; Michael McGuinness; Michael Morasco; Mike Strong; Olga Diaz; Sam Abed; Betty Ferrell; Jack Hall; Katey Hoehn; Kathie Taylor; Mike Rousseau; Mike Slater; Pat Hunter; Robert Crowe
Subject: Re: Escondido Country Club

God you are good Jerry! Thank you for making this easy to understand. I would think EVERYONE involved would agree this is the state of affairs. Except ONE man who insists on remodeling the community for one purpose only, and that is to maximize his ROI....there simply is no other impediment to progress. PERIOD.

On Thu, Sep 14, 2017 at 11:32 AM, Jerry Swadley <swadley1@cox.net> wrote:

Escondido City Councilmembers (CC) and Staff:

I spend a lot of time wondering if public communications mean anything, or if all will be privately decided and then reported to us? I just don't know!

But, there are a lot of frayed nerves, agitation, bewilderment, and aggressiveness (from neighbors and drivers) because of traffic, unmaintained and neglected open space, and questions about what the City Council will do with "The Villages" specific plan for ECC open space.

Side A

Side B

Michael Schlesinger, 1 ECC owner

>1500 ECC owners

(bought with R-1-7 zoning)

(bought with R-1-7 zoning)

1 NUWI, developer

>61% Escondido voters

ROCC

ECCHO

<10% of neighbors

>90% of neighbors

5-0 CC unanimous vote, cannot develop 270 homes

Voters defeated Prop H overcrowded 400 homes

3-2 CC vote to consider a Development

Plan if lawsuit is dropped

“The Villages” (392) Specific Plan CA Superior Court ruling

(Does not meet zoning requirements) (CC cannot change zoning after property purchase)

Round and round it goes, and where it stops nobody knows, and the CC are not talking!

Except, the last UT article claims one CC will vote for “The Villages”

Mayor and Deputy Mayor have both publicly stated they will not approve “The Villages”

That leaves two CC that have not publicly committed

I DON'T UNDERSTAND WHY THERE IS ANGST ABOUT WHAT TO DO?

RESIDENTIAL, SINGLE FAMILY, 7000 SQ. FT. MINIMUM LOTS

SIDE A MUST SUBMIT A PLAN MEETING R-1-7 ZONING

SIDE B MUST SUPPORT A PLAN MEETING R-1-7 ZONING

NOTHING ELSE WILL DO, STOP WASTING TIME AND ENERGY

CITY COUNCIL SHOULD STOP ACQUIESING AND VOTE TO UPHOLD “THE LAW” FOR R-1-7 ZONING!

OWNER, DEVELOPER, & RESIDENTS NEED “CLEAR” DIRECTION FOR THE FUTURE FROM THE CC!

--

Rick Elkin
760-877-1262
rick.elkin@cox.net

Mike Strong

From: Gary Vest <gary@vestco.net>
Sent: Friday, September 15, 2017 9:51 AM
To: gfjdbr@aol.com; johnbrown1228@cox.net; fgfreyne@gmail.com; bk515@powayrancho.com; tjoerin@yahoo.com; realtorferrell@yahoo.com; realtorpurpura@yahoo.com; ronaldjbrezic@yahoo.com; garyodaffer@gmail.com; ben@dbrfactors.com; teesmail@cox.net; mslater.2014@cox.net; Mike Strong; jc33ham@att.net; uhlhouse@cox.net; swadley1@cox.net
Subject: RE: The Escondido Country Club Slum & Race Course



Gary Vest shared ECCHO News's photo.

September 13 at 7:58pm

[checkmarkcaution-solid](#)

Escondido Mayor and Council need to get out of their chairs and see what the working class see! Traffic is unbelievably bad now. How can they think about 392 houses. It is zoned for 150 and not even sure that many could fit! It is the city's fault and always has been from the start! They missed it when they deleted the zoning for what reason except sorry! They need to tell Schlessinger that his gold is only worth half of what he thinks \$\$\$.

Nutmeg, Woodland, El Norte, Bennett..., Country Club, Rock Springs home owners need to tell our out of touch Mayor and Council that the traffic is so dangerous now how could we take any more. Our kids and families deserve safety!! Don't let money that not even party of our Community be the ones to ruin what we have. North Escondido this deal stinks and we can not allow it to happen to the people that came here for what it was design to be a quit peaceful place! Walk your dog say hi to your neighbor enjoy your safety of your home and surroundings . Help me tell them all no to this idea and yes to what good for North Escondido and Escondido!

This is what I wrote on Ecco site.

Gary Vest
President
Vestco Food Equipment
1220 Industrial Ave.
Escondido, CA 92029
www.vestco.com
Phone: 760-747-1970
Fax: 760-747-1939
Email: gary@vestco.net



From: gfjdbr@aol.com [mailto:gfjdbr@aol.com]
Sent: Thursday, September 14, 2017 9:21 AM

To: johnbrown1228@cox.net; fgfreyne@gmail.com; bk515@powayrancho.com; tjoerin@yahoo.com; realtorferrell@yahoo.com; realtorpurpura@yahoo.com; gary@vestco.net; ronaldjbrezic@yahoo.com; garyodaffer@gmail.com; ben@dbrfactors.com; teesmail@cox.net; mslater.2014@cox.net; mstrong@escondido.org; jc33ham@att.net; uhlhouse@cox.net; swadley1@cox.net
Subject: Fwd: The Escondido Country Club Slum & Race Course

FYI

-----Original Message-----

From: John

Brown <https://www.facebook.com/162691480555561/photos/a.194638077360901.1073741829.162691480555561/885165681641467/?type=3> <johnbrown1228@cox.net>

To: Sam Abed <sabed@escondido.org>; John Masson <jmasson@escondido.org>; odiaz <odiaz@escondido.org>; Mike Garro <garro@chopra.com>; egallo <egallo@escondido.org>

Cc: Gary Johnston <Gfidbr@aol.com>; Gary Vest <gary@vestco.net>; Betty Ferrell <realtorferrell@yahoo.com>; Rick Purpura <realtorpurpura@yahoo.com>

Sent: Thu, Sep 14, 2017 7:47 am

Subject: The Escondido Country Club Slum & Race Course

Hey Lady & Gentlemen!

So I bet you missed me? Sorry I haven't been in touch, been busy in my business. It's my busiest time of year, still is, but this needs tending to, so I am going to continue to express my dismay by your unwillingness

- A) To Respond
- B) To Consider Your Responsibilities
- C) Non-Action

You guys should roll on down to the Country Club Area one morning Monday - Friday. Waze has made drivers from North of us aware that you can cut through Country Club Lane to Bennett or Woodridge Parkway and avoid all the congestion, without 1000 more vehicles, by cutting through my neighborhood. They speed, they don't stop and stop signs, they ignore pedestrians, they are discourteous and frankly some of the stunts they pull are in fact dangerous.

Two mornings this week, I live at Foxfire and Firestone, cars were backed up beyond my house on Firestone trying to get to Bennett or El Norte. It got so congested, and truck drove down the oncoming lane and cut off cars that were waiting in front of him.

We need our neighborhood to be restored by the agency who allowed it to be taken away, the City of Escondido! We need to see golf carts driving these streets, not 1000 more cars. We need round-a-bouts and speed bumps so someone doesn't get killed or maimed.

When and what are you going to do?

It's September. I can't wait for November. Not motivated to vote for you. Do something. Motivate all of us to get behind this neighborhood and make it the jewel of Escondido once again!

Please

John Brown

Mike Strong

From: Jerry Swadley <swadley1@cox.net>
Sent: Wednesday, September 20, 2017 10:19 PM
To: Bill Martin; Ed Gallo; Jeffrey Epp; John Masson; Kristin Blackson; Michael McGuinness; Michael Morasco; Mike Strong; Olga Diaz; Sam Abed
Cc: Betty Ferrell; Jack Hall; Katey Hoehn; Kathie Taylor; Mike Rousseau; Mike Slater; Pat Hunter; Robert Crowe
Subject: Escondido Planning Commission

Escondido City Councilmembers:

Per the San Diego UT, "Michael Schlesinger is ... asking the Escondido City Council to allow him to build 392 homes on the 109-acre course in Escondido, which he shuttered in 2013." Isn't this in direct violation of his agreement with the City of Escondido to drop his "takings" lawsuit and stay out of negotiations between the City and the developer if the City would consider the developer's specific development plan. Mr. Schlesinger cannot be trusted.

Jonathan Frankel, of the development company New Urban West, which was chosen by Schlesinger to pursue the Escondido project, told a gathering, theoretically more than 800 housing units could be forced upon the city should the council not approve the lesser density, i.e., NUWI's "The Villages" Specific Plan. Mayor Sam Abed said Monday the threat of 800 homes is not credible.

Thank you, Mayor, for identifying the tactics from Mr. Schlesinger and Mr. Frankel as a "threat" intended to menace and intimidate the City Council, Escondido citizens and ECC residents to do the unthinkable, i.e., support and approve "The Villages" overcrowded specific development plan that violates the current zoning law. To quote Mr. Frankel, "It's just the reality."

The Escondido City Council could have pursued a proposed development plan from Mr. Schlesinger for 270 housing units presented back in 2013, but their research of master planning committee history indicated the ECC open space was never intended to be developed; and leaving it zoned as R-1-7 was a mistake that needed correcting. Mayor Sam Abed, Deputy Mayor Olga Diaz (who stated she reviewed the master plans and talked to master planning committee members), Mike Morasco, Ed Gallo and John Masson unanimously voted "no" to the proposed 270 housing unit development and changed the zoning. It's been over four years since the City Councilmembers directed ECC open space was not intended to be developed and meanwhile ECCHO (over 90% of ECC residents) and Escondido voters (over 61%) have supported and defended the City Council's unanimous objective for zero development.

It's unfounded and preposterous that even one City Councilmember would consider voting to approve "The Villages" overcrowded specific development plan for 392 housing units that violates current zoning law after unanimously leading their constituents against, even 270 housing units, development for over four years.

BUT, "here comes the Judge" and some development must be allowed because the City cannot change the zoning. Therefore, proposed development plans presented to the city should meet current zoning law requirements for Residential, 1 single family, and 7000 sq. ft. lots minimum.

Sorry, Jonathan Frankel and NUWI, but if you can't provide a "fiscally possible" plan, meeting current zoning requirements law; then "Schlesinger indicated other developers have been beating down his door with other ideas." Let them have a go at meeting R-1-7 zoning law.

I support our Mayor Sam Abed, Deputy Mayor John Masson and every other City Councilmember that has the courage, determination, integrity, and principles to stand firm; will not give into threats and will provide leadership that the City of Escondido needs to defend against bullying and, as some were quoted, blackmail.

VOTE "NO" ON "THE VILLAGES" SPECIFIC DEVELOPMENT PLAN.

Thank you.

Jerry Swadley

1959 David Drive
Escondido, CA 92026
(760) 294-8670 Home
(760) 703-9991 Cell
Swadley1@cox.net

Mike Strong

From: gfjdbr@aol.com
Sent: Thursday, September 21, 2017 11:13 AM
To: swadley1@cox.net
Cc: Mike Strong; recrowe@cox.net; realtorferrell@yahoo.com
Subject: Re: Escondido Planning Commission

Jerry,

.Good job. .This would be a good message for the "Planning Commission Members". I dont know their names and email addresses. Do you know how to find them.

Gary

Sincerely,

Gary F. Johnston
President
Diversified Business Resources, Inc.
1725 S. Escondido Blvd., Ste. A
Escondido, CA 92025
Telephone: (760) 738-1400
Fax: (760) 738-4012
Email: gfjdbr@aol.com

-----Original Message-----

From: Jerry Swadley <swadley1@cox.net>
To: Bill Martin <bmartin@escondido.org>; Ed Gallo <Egallo@ci.escondido.ca.us>; Jeff Epp <jepp@ci.escondido.ca.us>; jmasson <jmasson@ci.escondido.ca.us>; Kristin Blackson <kblackson@escondido.org>; Mmcguinness <Mmcguinness@ci.escondido.ca.us>; Mmorasco <Mmorasco@ci.escondido.ca.us>; Mike Strong <mstrong@escondido.org>; ODiaz <ODiaz@ci.escondido.ca.us>; Sam Abed <Sabad@ci.escondido.ca.us>
Cc: Betty Ferrell <realtorferrell@yahoo.com>; Jack Hall <jackui2003@yahoo.com>; Katey Hoehn <katey01@gmail.com>; Kathie Taylor <kataylor27@yahoo.com>; Mike Rousseau <mikerhomes@cox.net>; Mike Slater <m Slater.2014@cox.net>; Pat Hunter <phunter@cox.net>; Robert Crowe <recrowe@cox.net>
Sent: Wed, Sep 20, 2017 10:18 pm
Subject: Escondido Planning Commission

Escondido City Councilmembers:

Per the San Diego UT, "Michael Schlesinger is ... asking the Escondido City Council to allow him to build 392 homes on the 109-acre course in Escondido, which he shuttered in 2013." Isn't this in direct violation of his agreement with the City of Escondido to drop his "takings" lawsuit and stay out of negotiations between the City and the developer if the City would consider the developer's specific development plan. Mr. Schlesinger cannot be trusted.

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VOTE "NO" ON "THE VILLAGES" SPECIFIC DEVELOPMENT PLAN.

Thank you.

Jerry Swadley

1959 David Drive
Escondido, CA 92026
(760) 294-8670 Home
(760) 703-9991 Cell
Swadley1@cox.net

Mike Strong

From: noreply@www.escondido.org
Sent: Thursday, September 21, 2017 12:46 PM
To: Mike Strong
Subject: [Website Feedback]: "The Villages" specific plan

Jerry Swadley
swadley1@cox.net

Escondido City Planning Commission members:

Per the San Diego UT, "Michael Schlesinger is ... asking the Escondido City Council to allow him to build 392 homes on the 109-acre course in Escondido, which he shuttered in 2013." Isn't this in direct violation of his agreement with the City of Escondido to drop his "takings" lawsuit and stay out of negotiations between the City and the developer if the City would consider the developer's specific development plan. Mr. Schlesinger cannot be trusted.

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VOTE "NO" ON "THE VILLAGES" SPECIFIC DEVELOPMENT PLAN.

Thank you.

Jerry Swadley

ECCHO, President Emeritus

HTTP_USER_AGENT: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/52.0.2743.116 Safari/537.36 Edge/15.15063
REMOTE_HOST: 68.111.138.122
REMOTE_ADDR: 68.111.138.122
LOCAL_ADDR: 10.255.2.55

Mike Strong

From: Bernadette Bjork
Sent: Friday, September 22, 2017 10:22 AM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): Escondido CC

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Friday, September 22, 2017 9:40 AM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; Michael Morasco <Mmorasco@escondido.org>; John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): Escondido CC

Eric Weitz
eweitz123@gmail.com

I would like to express my support for The Villages, a long overdue plan to redevelop the Escondido Country Club. As you know, San Diego is experiencing a significant housing shortage. Recent studies show that San Diego needs three times the new housing production it currently sees just to keep pace with growth. Further, as many as 55% of San Diego's registered voters have considered leaving the area solely because of the high housing costs.

Not only will The Villages project add the San Diego's housing stock, but it will help Escondido restore the wonderful neighborhood gathering place ECC once was. The property has been a mess for years and a viable plan to improve our community is finally here. I urge councilmembers to approve this plan so that we can end this sad chapter of the country club's history and move towards a brighter future.

Regards,
Eric Weitz

Mike Strong

From: Bill Martin
Sent: Sunday, September 24, 2017 6:17 PM
To: Mike Strong
Subject: Fwd: Escondido club housing development

Sent from my iPhone

Begin forwarded message:

From: Sam Abed <sabed@escondido.org>
Date: September 24, 2017 at 4:16:52 PM PDT
To: patrick poling <elpopo40@msn.com>
Cc: Jay Petrek <jpetrek@escondido.org>, Bill Martin <bmartin@escondido.org>
Subject: Re: Escondido club housing development

Hello Mr. Poling,

Thank you for your email, I am forwarding your concerns to our planning department for consideration.

Sincerely, Sam Abed

Sent from my iPhone

On Sep 24, 2017, at 3:37 PM, patrick poling <elpopo40@msn.com> wrote:

Dear Mr. Abed,

I am a resident near the golf course. I live at the top of the hill on Sawgrass Glenn One of my biggest concerns is that when there is a fire on the hill behind us will all the people in the area be able to get out safely and quickly since there will be a noticable amount of extra traffic.

Patrick

Mike Strong

From: Bernadette Bjork
Sent: Monday, September 25, 2017 9:12 AM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): Development of the Former Escondido Coutry Club

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Sunday, September 24, 2017 1:55 PM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; Michael Morasco <Mmorasco@escondido.org>; John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): Development of the Former Escondido Coutry Club

cheri freathy
cafreathy@aol.com

I know I've contacted you already but I want to once again say that they current plan for the area is too dense for the area. I think the current EIR doesn't take into account all the new homes in the Ash St/Lehner Ave area and the traffic problem they are already causing for us. Getting onto the 15 in the morning is a mess and there is only one on ramp in the area as it is. Feel free to come out some morning and see. And they aren't even done developing in that area. So I don't think your current EIR takes any of that into account.

I know that Schleisinger is trying to threaten the City with going over all our heads to the State with his plans for even more homes, but you need to stick to the current zoning for our area. Have him stick to the current R-1-7 zoning that is currently required for the area.

Thank you.

Sincerely, you 'voting constituent',

Cheri

Mike Strong

From: Bernadette Bjork
Sent: Wednesday, September 27, 2017 2:55 PM
To: Mike Strong
Subject: FW: The Villages

From: Ed Gallo
Sent: Wednesday, September 27, 2017 1:14 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: FW: The Villages

From: Ranka Vukmanic [<mailto:ranka3@cox.net>]
Sent: Tuesday, September 26, 2017 9:51 PM
To: Ed Gallo <egallo@escondido.org>
Subject: Fwd: The Villages

Sent from my iPhone

Begin forwarded message:

From: Ranka Vukmanic <ranka3@cox.net>
Date: September 26, 2017 at 9:46:21 PM PDT
To: sabed@escondido.org
Subject: The Villages specific plan

I am contacting you again in regards with Country Club proposed development. No on "the Villages" 392 dwelling proposal and EIR as written. I already explained in my previous emails why this is not acceptable:
Escondido residents voted no on Proposition H,
Country Club suppose to remain quiet, retirement and family community with open space and zoning per original design, smaller lots with real open space, not a open space as proposed in "the Villages". Bioretention areas cannot be open space. Whole area is in a flood zone. Traffic on El Norte Parkway is already congested.
Water usage, schools. It would be disaster for homes facing "golf course " etc...

Sincerely,

Ranka Vukmanic
Escondido resident

Sent from my iPhone

Mike Strong

From: Jerry Swadley <swadley1@cox.net>
Sent: Thursday, September 28, 2017 10:36 AM
To: Ed Gallo; John Masson; Michael Morasco; Olga Diaz; Sam Abed
Cc: Bill Martin; Jeffrey Epp; Michael McGuinness; Mike Strong; Kristin Blackson; Betty Ferrell; Jack Hall; Katey Hoehn; Kathie Taylor; Mike Rousseau; Mike Slater; Pat Hunter; Robert Crowe
Subject: Last evening City Council meeting, 9/27/17

City Councilmembers,

I have so much passion about my neighbors having to live with a development at ECC that no one intended because a CA Superior Court judge says they must. Thank you once again for trying to do the right thing. The Times-Advocate article published yesterday was just another slap in the face of the City of Escondido, the ECC residents and me personally. I apologize my passion did not allow me to express my entire position on that article within the 3 minutes allotted me during the Council meeting. However, I was there and I wanted you to know that it's not okay for the Times-Advocate and NUWI to say whatever they want in the media and not be challenged. (my intended comments for last night are completed and summarized in **bold red type below**)

Slide 1 – Times-Advocate - “By the terms of the agreement Schlesinger was not supposed to be involved in any part of the development’s planning or in further negotiations with the city.” **I think there are indications that Michael Schlesinger is in charge behind NUWI but I imagine to legally prove violation of his agreement with the City is likely impossible and repercussions unenforceable**

“... (ECCHO) is calling foul on NUWI for allegedly involving himself. **I spoke with the current ECCHO president and this is not true. Apparently, literary license was taken to invigorate the story**

Slide 2 – Jerry Swadley ECCHO’s past president - ... Jerry Swadley recently read in an area daily newspaper this sentence: “Michael Schlesinger is ... asking the Escondido City Council to allow him to build 392 homes on the 109-acre course in Escondido, which he shuttered in 2013.” **Accurately stated and quoted as it appeared in the San Diego Union-Tribune**

Swadley declared. “Isn’t this in direct violation of his agreement with the City of Escondido to drop his ‘takings’ lawsuit and stay out of negotiations between the City and the developer if the City would consider the developer’s specific development plan. **I “declared” nothing, I just asked the question**

Mr. Schlesinger cannot be trusted.” **It is what it is!**

Slide 3 – Johnathan Frankel NUWI project manager - The Times-Advocate asked NUWI for a comment on the accusation. **Why did the Times-Advocate ask NUWI for comment on an agreement between Michael Schlesinger and the Escondido City Council? Obviously, NUWI will defend and protect Schlesinger, but why didn’t the Times-Advocate ask the City for comment. I would like the City to comment but understand there might be legal restraint necessary. Once again, I did not make an accusation, I just asked the question**

“Per the binding settlement agreement with the City, Michael Schlesinger has had no involvement in creating or designing the Villages plan. **Frankel is not knowledgeable, qualified, or authorized to state what is “binding” in an agreement between the City and Michael Schlesinger, but I agree that Schlesinger has likely not put pencil to paper creating or designing the Villages plan. HOWEVER, Frankel has stated publicly that development less than 392 dwelling units is not “fiscally possible” for NUWI. (Borden Glen development on El Norte just west of Woodland is underway for 22 dwelling units and I’m sure it’s “fiscally possible” for Hallmark) THEREFORE, the only variable making**

less than 392 dwelling units not “fiscally possible” for NUWI, is Schlesinger’s price for the property. My conclusion? He’s involved.

Unfortunately, a small group that opposes any development on the site has tried to create a false narrative that the property owner is ‘back.’ Irresponsible reporting! 1) What small group? ECCHO is not small. Me? I’m not a group. Who? 2) Who opposes any development? ECCHO? They publicly offered 158 dwelling units. Me? I’ve publicly said 270 dwelling units or less is a place to start. Who? 3) Who is responsible for false narrative that the property owner is “back”? What is false? What narrative? “Back” from where? ECCHO, and my personal narrative would be Schlesinger has never left

... the Villages plan is the only way to ensure that the property owner remains out of the picture forever. Otherwise, he is right back in the driver’s seat.” Incorrect! “The only way to ensure that the property owner (*Schlesinger*) remains out of the picture forever” is for someone else, accepting R-1-7 zoning as law, to own the property; and it doesn’t have to be NUWI or the Villages plan taking exception. How has Schlesinger ever been or ever will be in the driver’s seat? Does his bullying, bringing lawsuits and spreading chicken manure put him in charge in Escondido? What an unbelievable insult and distain for the City Council.

Slide 4 – Time-Advocate Background - The Villages – Escondido Country Club Project proposal consists of: A General Plan Amendment to the Land Use Element, Zone Change, A Specific Plan, and Tentative Map for a 392-single-family dwelling unit development project. Please vote NO on “The Villages” overcrowded Specific development plan that doesn’t meet current zoning requirements

The existing zoning for the 109-acres allows for single-family development, with a minimum lot size of 7,000 square feet. At least the CA Superior Court judge got it right, based on his own ruling, when he said the zoning was legally R-1-7 when Schlesinger bought the property. Now “everyone” knows that, so I respectfully request the Escondido City Council to keep the zoning R-1-7, whether it’s developed or not, per the judge’s ruling and their current documented zoning law. Thank you,

Jerry Swadley

1959 David Drive
Escondido, CA 92026
(760) 294-8670 Home
(760) 703-9991 Cell
Swadley1@cox.net

Mike Strong

From: Bernadette Bjork
Sent: Thursday, September 28, 2017 4:10 PM
To: Mike Strong
Subject: FW: Oppose 'The Villages' Rezoning

From: Ed Gallo
Sent: Thursday, September 28, 2017 3:52 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Oppose 'The Villages' Rezoning

Begin forwarded message:

From: Robert Crowe <recrowe@cox.net>
Date: September 28, 2017 at 3:20:44 PM PDT
To: <sabed@escondido.org>, <egallo@escondido.org>, <jmason@escondido.org>, <mmorasco@escondido.org>, <odiaz@escondido.org>
Subject: Oppose 'The Villages' Rezoning

Dear Escondido City Council Members:

I am deeply concerned about the state of our quality of life and the preservation of our community character. As an Escondidan, I cherish our country-in-the-city way of life and fear setting a dangerous development precedent throughout our community.

'The Villages' developer New Urban West Inc. proposes an upzoning to build 392 homes, which their traffic study shows will lead to 4,280 more daily vehicle trips - or 63% more traffic - over the alternative 158-plan (Source: 'The Villages' Draft Environmental Impact Report; Chapter 2, Pages 7-16; Chapter 4, Page 13). Such an exception would open the door to other developers to pursue similar upzonings around the city.

Please reject 'The Villages' rezoning exemption to build 392 homes and support the alternative plan of 158 homes on the former Escondido Country Club land under the 2012 General Plan. Thank you.

--
Robert Crowe
recrowe@cox.net

Mike Strong

From: Bernadette Bjork
Sent: Thursday, September 28, 2017 4:11 PM
To: Mike Strong
Subject: FW: Oppose 'The Villages' Rezoning

From: Ed Gallo
Sent: Thursday, September 28, 2017 3:54 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Oppose 'The Villages' Rezoning

Begin forwarded message:

From: Chip Johnston <Thereeltherapy@gmail.com>
Date: September 28, 2017 at 3:48:05 PM PDT
To: <sabed@escondido.org>, <egallo@escondido.org>, <jmason@escondido.org>, <mmorasco@escondido.org>, <odiaz@escondido.org>
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Please reject 'The Villages' rezoning exemption to build 392 homes and support the alternative plan of 158 homes on the former Escondido Country Club land under the 2012 General Plan. Thank you.

--

Chip Johnston
Thereeltherapy@gmail.com

Mike Strong

From: Bernadette Bjork
Sent: Thursday, September 28, 2017 4:11 PM
To: Mike Strong
Subject: FW: Oppose 'The Villages' Rezoning

From: Ed Gallo
Sent: Thursday, September 28, 2017 3:55 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Oppose 'The Villages' Rezoning

Begin forwarded message:

From: Patricia Hunter <phunter92026@gmail.com>
Date: September 28, 2017 at 3:46:19 PM PDT
To: <sabed@escondido.org>, <egallo@escondido.org>, <jmason@escondido.org>, <mmorasco@escondido.org>, <odiaz@escondido.org>
Subject: Oppose 'The Villages' Rezoning

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--

Patricia Hunter
phunter92026@gmail.com

Mike Strong

From: Bernadette Bjork
Sent: Friday, September 29, 2017 9:07 AM
To: Mike Strong
Subject: FW: Oppose 'The Villages' Rezoning

From: Ed Gallo
Sent: Thursday, September 28, 2017 7:38 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Oppose 'The Villages' Rezoning

Begin forwarded message:

From: Dean Hill <Deanstang@comcast.net>
Date: September 28, 2017 at 6:39:23 PM PDT
To: <sabed@escondido.org>, <egallo@escondido.org>, <jmason@escondido.org>, <mmorasco@escondido.org>, <odiaz@escondido.org>
Subject: Oppose 'The Villages' Rezoning

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--

Dean Hill
Deanstang@comcast.net

Mike Strong

From: Bernadette Bjork
Sent: Friday, September 29, 2017 9:11 AM
To: Mike Strong
Subject: FW: Oppose 'The Villages' Rezoning

From: Ed Gallo
Sent: Thursday, September 28, 2017 10:17 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Oppose 'The Villages' Rezoning

Begin forwarded message:

From: Allen Waite <billbarbw@att.net>
Date: September 28, 2017 at 9:37:49 PM PDT
To: <sabed@escondido.org>, <egallo@escondido.org>, <jmason@escondido.org>, <mmorasco@escondido.org>, <odiaz@escondido.org>
Subject: Oppose 'The Villages' Rezoning

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--

Allen Waite
billbarbw@att.net

Mike Strong

From: Bernadette Bjork
Sent: Friday, September 29, 2017 10:09 AM
To: Mike Strong
Subject: FW: Oppose 'The Villages' Rezoning

From: Ed Gallo
Sent: Thursday, September 28, 2017 7:39 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Oppose 'The Villages' Rezoning

Begin forwarded message:

From: Dean Hillestad <Deanhillestad@gmail.com>
Date: September 28, 2017 at 6:38:56 PM PDT
To: <sabed@escondido.org>, <egallo@escondido.org>, <jmason@escondido.org>, <mmorasco@escondido.org>, <odiaz@escondido.org>
Subject: Oppose 'The Villages' Rezoning

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--

Dean Hillestad
Deanhillestad@gmail.com

Mike Strong

From: Bernadette Bjork
Sent: Friday, September 29, 2017 10:10 AM
To: Mike Strong
Subject: FW: Oppose 'The Villages' Rezoning

From: Ed Gallo
Sent: Thursday, September 28, 2017 7:39 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Oppose 'The Villages' Rezoning

Begin forwarded message:

From: William Lawrence <wmlawrence50@att.net>
Date: September 28, 2017 at 6:15:41 PM PDT
To: <sabed@escondido.org>, <egallo@escondido.org>, <jmason@escondido.org>, <mmorasco@escondido.org>, <odiaz@escondido.org>
Subject: Oppose 'The Villages' Rezoning

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--

William Lawrence
wmlawrence50@att.net

Mike Strong

From: Bernadette Bjork
Sent: Tuesday, October 03, 2017 8:40 AM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): Escondido country club development

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Monday, October 2, 2017 9:06 PM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; Michael Morasco <Mmorasco@escondido.org>; John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): Escondido country club development

Felice DiCraсто and Rebecca DiCraсто
fydel@msn.com

As a homeowner on Fairway Park, it is appalling to think about the bullying and the unethical tactics that have been used by the potential developer of the golf course, in an effort to force his will on our community and the city of Escondido. My personal experience dealing with the present traffic issues, just attempting to maneuver to the corner of Country Club Drive and El Norte Parkway, is both frustrating and dangerous. Can anyone even imagine the catastrophe when hundreds of additional vehicles are added to this area, if the developer has his way by adding close to 400 homes to our community. Is it not the responsibility of the local government to do everything necessary to safeguard the people of our community by upholding the laws and ordinances presently on the books? It is the people who live and work in our great city that must come first over the questionable intent of this developer, who has no interest in our community except to profit financially from it. If they succeed in pushing their agenda through, they will then move on and won't look back or care about the enduring chaos they have created. We look to our government representatives to protect our people and property by fairly and compassionately intervening for our rights. We are all part of this city that we love and live in. We must all work to protect the vision and values of Escondido and not allow outside influences to distract us from the progress that we have witnessed, making our city such a great place to live, work and grow in.

Thank you, Felice and Rebecca DiCraсто

Mike Strong

From: Everett Delano <everett@delanoanddelano.com>
Sent: Wednesday, October 04, 2017 9:59 AM
To: Kristin Blackson
Cc: Mike Strong; Bill Martin
Subject: RE: Escondido Country Club Project and DEIR
Attachments: CCF10042017.pdf

I received a message that the file I sent was too large, so I am sending two separate emails.

Attached is part 1.

Everett DeLano
DeLano & DeLano
104 W. Grand Ave., Suite C
Escondido, CA 92025
(760) 741-1200
(760) 741-1212 (fax)
www.delanoanddelano.com

From: Everett Delano [mailto:everett@delanoanddelano.com]
Sent: Wednesday, October 4, 2017 9:48 AM
To: 'Kristin Blackson' <kblackson@escondido.org>
Cc: 'Mike Strong' <mstrong@escondido.org>; bmartin@escondido.org
Subject: Escondido Country Club Project and DEIR

Please see attached.

Thank you,

Everett DeLano
DeLano & DeLano
104 W. Grand Ave., Suite C
Escondido, CA 92025
(760) 741-1200
(760) 741-1212 (fax)
www.delanoanddelano.com



DELANO & DELANO

October 4, 2017

VIA E-MAIL

Kristin Blackson
Contract Planner
City of Escondido
201 North Broadway
Escondido, CA 92025

Re: THE VILLAGES – ESCONDIDO COUNTRY CLUB – ENV 16-0010; SUB 16-0009 (SCH #2017011060)

Dear City of Escondido:

This letter is submitted on behalf of Escondido Country Club Homeowners Organization (“ECCHO”) in connection with the proposed Escondido Country Club, the Villages project (“Project”) and Draft EIR (“DEIR”). In an August 18th letter, I noted, among other things, that the DEIR claims the reduced density alternatives would not have several features, but there is no legitimate basis to reject the alternatives on these grounds, particularly since it is the City that decided what features would be included.

Enclosed with this letter is a draft conceptual master plan for 158 units. This conceptual plan demonstrates that many of the features the DEIR claims the reduced density alternatives lack can, in fact, be constructed with a reduced density alternative. “[I]t is the policy of the state that public agencies should not approve projects if there are feasible alternatives ... available which would substantially lessen the significant environmental impacts of such projects” Pub. Res. Code § 21002. The City should revise the DEIR to demonstrate that a reduced density alternative is practicable and can accomplish most, if not all, of the Project objectives. “Indeed, consideration of alternatives is one of the hallmarks of CEQA analysis.” *Pesticide Action Network v. California Dept. of Pesticide Regulation* (2017) 17 Cal. Daily Op. Serv. 9315 at 10.

Accordingly, ECCHO urges you to reject the Project and DEIR as drafted. Thank you for your consideration of these concerns.

Sincerely,

Everett DeLano

EVERETT L. DELANO III
Admitted in California and Colorado

M. DARE DELANO
Admitted in California and New York

104 W. Grand Avenue, Suite C
Escondido, CA 92025

(760) 741-1200 :: Office
(760) 741-1212 :: Fax

City of Escondido
October 4, 2017
Page 2 of 2

Enc.

cc: Bill Martin
Mike Strong

Mike Strong

From: Dare DeLano <delivery@spaces.hightailmail.com>
Sent: Wednesday, October 04, 2017 11:39 AM
To: Mike Strong
Subject: Map

HIGHTAIL



Dare DeLano sent you 1 file

Here is the link to the map that Everett DeLano was trying to email. If you have any difficulties with the file, please let me know. Sincerely, Dare DeLano

[PDF ESCONDIDO COUNTRY CLUB 10-3-617-ESCONDIDO COUNTRY CLUB.pdf](#)

8.9 MB

[VIEW FILES](#)

[Terms](#) | [Privacy](#)

Mike Strong

From: dare@delanoanddelano.com
Sent: Wednesday, October 04, 2017 11:42 AM
To: Mike Strong; 'Everett Delano'; Kristin Blackson
Cc: Bill Martin
Subject: RE: Escondido Country Club Project and DEIR

I just sent the file with the map out to each of you via hightail.com. If you do not receive the link shortly, or if you have any difficulties accessing the document, please let me know.

Sincerely,

Dare DeLano
DeLano & DeLano
104 W. Grand Avenue, Suite C
Escondido, CA 92025
(760) 741-1200
(760) 741-1212 (fax)
www.delanoanddelano.com

From: Mike Strong [mailto:mstrong@escondido.org]
Sent: Wednesday, October 4, 2017 11:27 AM
To: 'Everett Delano' <everett@delanoanddelano.com>; Kristin Blackson <kblackson@escondido.org>
Cc: Bill Martin <bmartin@escondido.org>; dare@delanoanddelano.com
Subject: RE: Escondido Country Club Project and DEIR

Please do.

Mike

From: Everett Delano [mailto:everett@delanoanddelano.com]
Sent: Wednesday, October 04, 2017 11:04 AM
To: Kristin Blackson <kblackson@escondido.org>
Cc: Mike Strong <mstrong@escondido.org>; Bill Martin <bmartin@escondido.org>; dare@delanoanddelano.com
Subject: RE: Escondido Country Club Project and DEIR

For some reason, the City's system keeps rejecting the map even though it is under 10 MB. I would like to send you a Hightail link. Would that work?

Thank you,

Everett DeLano
DeLano & DeLano
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Escondido, CA 92025
(760) 741-1200
(760) 741-1212 (fax)

www.delanoanddelano.com

From: Kristin Blackson [<mailto:kblackson@escondido.org>]
Sent: Wednesday, October 4, 2017 10:48 AM
To: Everett Delano <everett@delanoanddelano.com>
Cc: Mike Strong <mstrong@escondido.org>; Bill Martin <bmartin@escondido.org>
Subject: RE: Escondido Country Club Project and DEIR

Hello Everett,

We have received Part 1.

Kristin

From: Everett Delano [<mailto:everett@delanoanddelano.com>]
Sent: Wednesday, October 4, 2017 9:59 AM
To: Kristin Blackson <kblackson@escondido.org>
Cc: Mike Strong <mstrong@escondido.org>; Bill Martin <bmartin@escondido.org>
Subject: RE: Escondido Country Club Project and DEIR

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Attached is part 1.

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From: Everett Delano [<mailto:everett@delanoanddelano.com>]
Sent: Wednesday, October 4, 2017 9:48 AM
To: 'Kristin Blackson' <kblackson@escondido.org>
Cc: 'Mike Strong' <mstrong@escondido.org>; bmartin@escondido.org
Subject: Escondido Country Club Project and DEIR

Please see attached.

Thank you,

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(760) 741-1200
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Mike Strong

From: Bernadette Bjork
Sent: Wednesday, October 04, 2017 11:43 AM
To: Mike Strong
Subject: FW: Oppose 'The Villages' Rezoning

From: Ed Gallo
Sent: Wednesday, October 4, 2017 11:27 AM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fwd: Oppose 'The Villages' Rezoning

Begin forwarded message:

From: wayne slahor <slahorw@cox.net>
Date: October 4, 2017 at 10:29:56 AM PDT
To: <sabed@escondido.org>, <egallo@escondido.org>, <jmason@escondido.org>, <mmorasco@escondido.org>, <odiaz@escondido.org>
Subject: Oppose 'The Villages' Rezoning

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Thank you.

--
wayne slahor
slahorw@cox.net

Mike Strong

From: noreply@www.escondido.org
Sent: Wednesday, October 04, 2017 6:27 PM
To: Mike Strong
Subject: [Website Feedback]: PC1:ECC-The Villages; All Because of a ScrewUp!!!

Gary Erickson
garyemasd@aol.com

This is the first of several messages to you as input as you prepare to consider this forthcoming Project Proposal. The message must be broken into three parts because of some issue with the Plg Dept's link for you.

Part I

Honorable Planning Commissioners

City of Escondido

References: 1-White Paper; Country Club Land Use, Dated 1/25/17 (Source: ECCHO) [Previously provided to the City Council and Planning Department and recently to you (from Mike Slater)]
2-ECCHO'S Report Concerning the Development and Use of Escondido Country Club Property, Dated 2/7/15 (Community Poll Results)

The ECC neighborhood homeowners today find themselves embroiled in a pickle of an effort to preserve the tranquility and quality of life in their long established, predominantly oriented senior/retirement community as set forth in the originals general plans for this area.

Why? Because the proper zoning never got transferred to the City's General Plan Map 50 yrs ago!

What I am about to share is clearly documented in the Planning Department's Property Files and the historical records of the property. (See Reference 1) Furthermore, it was originally clarified by the City Council (Diaz) when it was researched back in early 2013.

Very Brief Background:

The untold story: Let's be perfectly clear.....the current owner bought a profitable, operating golf course in late 2012 (as heard from several former ECC members at that time). It was part of a holding company's multiple assets of which most of its other commercial components suffered in the 2008-10 financial meltdown. The current owner, a property flipper out of L.A. and not a developer, bought the property with the intention of re-purposing the land, not running a golf operation or developing it, ie. a quick flip; a hit and run, get out of Dodge scenario. (Note: The owner's statement that the course was unprofitable when purchased has never been validated. He has never produced any financial records confirming his version of the story.)

Because of the City's oversight, the original Master Planned Retirement Community designation of the plan's centerpiece golf course as recreational/open space **never got posted onto the City's General Plan** with that zoning back in the 60's for **some unknown, undocumented reason**. But the groundwork and intent is **all documeted there in the files**.

The owner, without conducting his own due diligence search of the property files before OR after purchase, used that oversight as leverage to file suit against the City for "taking of property" (ie. the residential zoning) when the City tried to make amends and re-zone the property correctly in mid-2013. That lawsuit was finally negotiated for settlement out-of-court with the owner dropping the suit in return for letting the property proceed towards development according to established, standing procedures, and the City's planning approval process, in essence **AND** with the landowner removing himself ENTIRELY from any direct development planning for the property.

Worth noting: In contrast, the owner bought, also **in the same transaction**, the Stoneridge Country Club and Golf Course in north Poway, again an ongoing, profitable operation, with the same intentions. However, because that city had the proper recreational zoning on the property, his plans have been significantly scaled back. The City told him succinctly..."You bought a golf course; you own a golf course. You can operate a golf course; you can sell a golf course." So today, a negotiated resolution has been worked out with the surrounding neighborhood, subject to voter approval, of a new small condo development on one exterior portion of the land along RB road with the golf course/country club surviving, maintaining the tranquility and established quality of life for the surrounding community.

Quite a difference of impact, **all because of an oversight!**

Now here's the critical point: **The current owner sued the City to maintain the R-1-7 zoning code for development. That's exactly what he's gotten!**

To further his redevelopment plan, he embarked on his strategy plan to infuriated the neighborhood and create an eyesore so that the clamor would rise for a speedy solution! And in the process, let the (his chosen) white knight be the one to promote changing the zoning code for higher density development to increase his profits ultimately.

HTTP_USER_AGENT: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko)
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REMOTE_HOST: 68.7.161.7
REMOTE_ADDR: 68.7.161.7
LOCAL_ADDR: 10.255.2.55

Mike Strong

From: noreply@www.escondido.org
Sent: Wednesday, October 04, 2017 6:30 PM
To: Mike Strong
Subject: [Website Feedback]: PC1:ECC-The Villages; All Because of a ScrewUp!!!

Gary Erickson
garyemasd@aol.com

Part 2/3

cont'd...

How?

First, Shutting down the golf course became the first order of business. In early 2013 the owner had all golf tournaments and all booked social functions (weddings, retirement parties, etc) canceled, activities very lucrative to the operation's books. Well guess what, the operations could no longer show a profit, *so we were told*. In addition, he then canceled all active memberships, without refunds. RESULT: Shut down the whole *UNPROFITABLE* operation.....who could argue? Point 1.

Second, In order "*to maintain the course*" once shut down, the owner contracted a local farmer to spread chicken manure on several "selected" fairways to "fertilize" the grounds and shrubs, but with no accompanying watering to get the "nutrients" to the roots(noting that our rainy season had passed)! In grew the weeds, along came the coyotes to pick off neighborhood dogs and cats, down fell some trees, etc. Only after continuing prodding by the City to ensure public safety has some of these gotten attention. Result: Blighted property....score another point!

By the way, a former, now deceased, ECC neighbor-Paul DeLaurentis, whose home bordered on the seventh fairway and was suffering from final phase lung cancer at the time, had to endure the stench in those final days. After the community complained, a salvage crew was finally brought in and removed a few of the large manure clumps, but by then the infliction had been done! Everyone was getting the point by then.

Third, The owner, to "protect his property", had the entire course encased in security chain-link fencing, interfering with unobstructed views for the enjoyment of the residents from abutting homes. All watering and regular maintenance of the course had ceased. Thank goodness no more "fertilizer" was needed! Another Point.

Fourth, In another "good neighbor" act, the owner initiated encroachment suits against over twenty property owners abutting the golf course for mostly old, long standing retaining walls/fences. The thing he overlooked was that in California there is a statute that says after seven years without a challenge/notice, such uses are allowed to continue so

long as there are no associated safety or health issues. So this was just another harassing tactic. So far the strategy is going just fine, score another point.

Fifth, As the owner pressed his case to move forward, he decided to attempt an end-around the regulatory and planning process by placing a proposition on the 2014 November ballot, called Prop H-The Lakes Specific Plan. The measure had some unusual features such as by-passing an Environmental Impact Review, were it to pass. This measure, calling for some 430 residences to be jammed onto the property, was resoundingly defeated by the City's voters. Ooops, a mis-judgement and miscue.

(Note: Shortly after, in January 2015, the ECC Homeowners group polled the community to solicit their feedback to guide future development of the property. Those results have been made available to the City and any other interested party. (See Reference 2)

Sixth, The owner goes on record, given his proposition's defeat, to state that he'd rather have the property sit there for 300 years(!) vacant if necessary to get his way, ie. drag out the opposition's patience. Up the ante, one more point.

Seventh, At the time of settling the lawsuit, the owner stated he had three "qualified" developers bidding on his property to further justify his position. Interesting all three disappeared shortly after the settlement came. Within a short period, along comes New Urban West Inc.(NUWI), General Developer of the Harmony Grove project, whom he requested to begin working with him to design and put forth their current development plan. (NUWI, as we know, does not build out a plan, once approved, but sells and lets sub-developers complete the plan.) So now the strategy is homeward bound.

Today, 5 years later:

NUWI, the white knight, is coming to the rescue of the property and beleaguered community and to do the bidding to cram, ram and jam! In conjunction with the owner, they've come up with a brilliant solution---The Villages Specific Plan, a proposal of THREE separate, distinct, and uniquely themed Villages of some 392 residences. Amazing similar to The Lakes, don't you think? Oh yeah, those lakes are now called stormwater runoff "basins", ie. for water retention during the rainy season! Another coincidence.....NUWI also refers to Harmony Grove as "Villages"! Creativity at its finest!

Being promoted to "revitalize", resolve "years of golf operations distress", "distinct" villages with their own character, replacing the manufactured "blighted" property conditions, alleviate "the severe visual degradation and stigmatization of the community".....get the picture?

HTTP_USER_AGENT: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/43.0.2357.130 AOL/9.8 AOLBuild/4346.2019.US Safari/537.36
REMOTE_HOST: 68.7.161.7
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Mike Strong

From: noreply@www.escondido.org
Sent: Wednesday, October 04, 2017 6:32 PM
To: Mike Strong
Subject: [Website Feedback]: PC1:ECC-The Villages; All Because of a ScrewUp!!!

Gary Erickson
garyemasd@aol.com

Part 3/3

Cont'd...

And how does NUWI propose to do this exactly???

1. Stuffing **392** residences into the 109 Acre course, **except** there seems to be a BIG overhanging question of how many acres are available to actually build upon.
2. By requesting a DRASTIC overall zoning change from the R-1-7 code to lots as little as 2000 SE, in part, without additional NEW density transfers, capitalizing and utilizing prior density transfer areas already claimed onto the property as their own answer to Open Space and Greenbelt Buffer zones. The SPA has 75.6 % of the lots under the current zone code!
3. Lots with as little as 5 FT side and 7-15 FT back yard setbacks.
4. Large majority being TWO story, side-by-side residences for a smaller footprint. When they promised mostly single story in their neighborhood kitchen table "listening" sessions.
5. Residential and commercial/recreational buildings with up to 35 FT roof heights, creating full/partial blockage of pre-existing visual views from abutting properties.
6. Perimeter buffer zones with as little as 50 FT widths and landscaping trees which break up the views into the new Villages, but at the same time obstructing the once open, panorama views from abutting homes.
5. Condos/duplexes oriented such that the full depth is broadside to the abutting properties which again diminishes former open views.
6. Two story condo/duplex clusters...their answer for retiring seniors. When again they promised no condo's in their neighborhood "listening" sessions. Oh yes, there are 6 single story homes as part of 3 cluster groupings.
7. Unique "Villages" onto themselves (ie. no through streets, in the middle of the existing neighborhood.
8. Villages that employ a fence around the exterior to, as they have stated, "discourage human access" (their words).
9. A fit into the existing neighborhood that clearly by design styles and layout creates an obvious them's and us's wedged into the fabric of the existing community.
10. Maximizing the number of dwelling units as justification (without financial verification) to reaching a "financially stable base" to support all the implied, required(?) community amenities, at the same time stretching the development's potential

profit line for themselves and the landowner by deteriorating the established tranquility of the predominantly retirement community.

11. Amenities supposedly coming from the kitchen table "listening" forum, but not truly listening. Instead driving their own agenda with the idea of how to best market 392 residences. But beyond a level probably desired. And the more amenities, the more upkeep.

Planning Commission Action Required:

Vote NO! on this proposal. Recommend to the City Council that this proposal be rejected.

Reasons:

1. Too many residences for the estimated buildable acres; not adhering to the zoning code predominant in surrounding neighborhood and for which the property is currently zoned so that new residences blend more seamlessly into the existing community.
2. Too contrasting of character/style/design than surrounding, established neighborhood(ex. Monterey Spanish for one Village and Village Center)
3. Too dense/compact concentration of buildings physically for the net space available in comparison to existing neighborhood.
4. Double counting, ignoring or altering altogether prior density transfers with their proposal for the sub-7000 s.f. lots with no NEW open space designations, ie. not the area that's ALREADY been allocated for Open Space with prior developments in past years by the City/Planning Department. (See Reference 1)
5. Legal Injunction Issue.....the current property owners in abutting developments who were given covenants via prior density giveaways/transfers to comply with the prevailing zoning code can step forward via legal remedy based upon the way this proposal treats those areas. And the City may be called upon to defend these prior transfers In fact, if there's a "taking of property or benefits" it may well belong to these parties and the treatment/lack of recognition the applicant gives to their rights! It appears that once granted and other than agreed to by those parties, that no other party has the right to move/modify their designation to another area or place further claim on that area for their own specific use application in the way of "new" Open Space.

Remember: It's not the City's or the community's obligation or responsibility to accept a plan that disrupts and threatens to diminish the quality of life and ambience of the existing neighborhood so that the property maximizes the profit potential and greed of the owner and developer. **IT IS** our charter to ensure the adherence to the original intent for the community as laid out some 50 years ago with any changes complimenting and blending in a contiguous, aesthetic manner into what's already preceded it.

In conclusion: Please don't compound the error in the past by approving this unreasonable development proposal with MAJOR flaws as discussed. **We only have one chance to get this right and this solution isn't it!**

Respectfully Submitted,

Gary Erickson

2021 Via Alexandra

92026

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Mike Strong

From: Bernadette Bjork
Sent: Thursday, October 05, 2017 4:20 PM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): Escondido Country Club development

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Thursday, October 5, 2017 2:12 PM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; Michael Morasco <Mmorasco@escondido.org>; John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): Escondido Country Club development

Linda Karanewsky
Karanewsky@aol.com

At yesterday's Town Hall Meeting I heard Mayor Abed make the comment that 61% of residents voted against development of the Country Club property. That comment could not be more incorrect.

There are approximately 60,000 registered voters in the City of Escondido. Of that number, 16,442 of them voted NO on Proposition H. That comes to roughly 27%. 27%, NOT 61%. So while it IS correct that 61% of people who voted, voted NO, the comment he made at the meeting is NOT correct and was/is very misleading.

As someone who owns a home that backs up to a golf course I understand the concerns of the Country Club residents. But when I bought this home 20 years ago I understood that there was NO GUARANTEE that the property would always remain a golf course. How could I possibly expect that change might not happen? Too many of the Country Club residents think that because the property was "open space" when they bought their home, that it should always remain open space. They talk about "their rights". If they are so concerned about their rights, perhaps they should have taken a closer look at their Deed and Contract of Sale when they originally bought their home, or used a little common sense.

It is certainly true that the current owner of the property could have handled things better, but many of the residents bear the burden of blame as well when it comes to the animosity that now runs rampant in that community. It is clearly time to DO SOMETHING with the property. PLEASE don't think - as Mayor Abed stated - that 61% of Escondido residents are against development. It's simply not true. To be honest, many of them don't even know where the Country Club is, and most just don't care...

Mike Strong

From: noreply@www.escondido.org
Sent: Thursday, October 05, 2017 5:27 PM
To: Mike Strong
Subject: [Website Feedback]: PC2:The Villages; 800-Does That # Scare You???

Gary Erickson
garyemasd@aol.com

Honorable Commissioners

Planning Commission

City of Escondido

800 housing units jammed onto the old Escondido Country Club **IF YOU DON'T APPROVE** New Urban West's current proposal coming before you!!!

How do you like being threatened to do your appointed job??? If you're like almost everyone else, it's repulsive!

But then again what do you expect from NUWI and Michael Schlesinger??? True colors always show in the end. It's frankly amazing what business ethics we have to put up with from some parties who go all out in the name of greed and at the expense of the fabric of the surrounding community!

Jonathan Frankel, President of NUWI, in a recent presentation before the City's Chamber of Commerce stated that supposition. He refers to a (just approved) law that the state will allow zoning code limits to be exceeded by 35% for high density, low income projects! (If goals for low income housing are not being met).

If their proposal is not approved, they threaten to tie the City's hands regarding the property.

Why should we not be surprised by this latest act of intimidation??? If one can't bribe, I guess they resort to blackmail or threats! But these guys are so bold as to do it publicly!!!! I guess it fits the part of Schlesinger's overall, ongoing strategy to bully, sue, and whatever else, ethical or not, to get his way in the end.

This should not be a factor in reviewing the current proposal coming before you. There are plenty of solid reasons where the proposal fails on its own merits to reject it outright. Back to the drawing board.....

We count upon you to do your job and perform an unbiased, objective evaluation of the proposal. The goal is to find a proposal that is a good "fit" for the existing community and blends seamlessly into what already exists. This forthcoming proposal seems to have not gotten that message. Our patience to get to one that does will be rewarded.

Respectfully submitted,

Gary Erickson

2021 Via Alexandra

92026

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Mike Strong

From: Jerry Swadley <swadley1@cox.net>
Sent: Monday, October 09, 2017 4:20 PM
To: Ed Gallo; John Masson; Michael Morasco; Olga Diaz; Sam Abed
Cc: Bill Martin; Jeffrey Epp; Kristin Blackson; Mike Strong; Michael McGuinness; Betty Ferrell; Jack Hall; Katey Hoehn; Kathie Taylor; Mike Rousseau; Mike Slater; Pat Hunter; Robert Crowe
Subject: Mayor Abed Town Hall Meeting on October 4, 2017

This is my top ten take aways for ECC from the meeting:

- 1) We're stuck with the "brown field with the broken fence" at ECC, its deterioration, and lack of maintenance because there are no code violations except fire hazard when the weeds get too bad.
- 2) The City must accept and respond to all development plans submitted to their planning commission. The City's direction and comments to the developer are limited by the planning review process, at the public hearing scheduled for October 24th, and at the City Council meeting to vote on acceptance of the specific development plan and EIR.
- 3) The Mayor acknowledged that the City Agreement with Schlesinger for NUWI to negotiate a reasonable settlement for development has not worked as hoped. NUWI has merely submitted "The Villages", a revised Schlesinger plan from Prop H (defeated by 61% of Escondido voters, and over 80% in district 1), and changed the total by only 3 dwelling units.
- 4) The Mayor acknowledged that ECCHO, representing ECC residents, has shown a reasonable attempt to compromise from 0 development to 158 units, while NUWI "The Villages" plan is 492 units is the opposite of compromise from a unofficial preliminary plan presented by Schlesinger for only 270 units in 2013.
- 5) The Mayor acknowledged that the 109 acres of open space purchased by Schlesinger was mitigation for the original developer to get increased density.
- 6) NUWI is ONLY TAKING AWAY open space while redefining the rest! There is no additional open space for mitigation from NUWI that wasn't used by the original developer, therefore, it seems logical that any open space used by Schlesinger's developer for dwelling units must meet 7000 sq. ft. minimum lots (R-1-7 zoning) because there is not addition open space to mitigate for increased density.
- 7) The City cannot legally tell Schlesinger or NUWI how many dwelling units they can have, the city can only deny approval of plans that do not support the city master plan, current zoning law, and/or do not add value to the city of Escondido, its communities, and its voters.
- 8) To mitigate means to make or become milder, less severe, or less painful. Any development plan on ECC open space is not milder, less severe, or less painful than before ECC open space closed on April 1, 2013 and it is debatable whether it is milder, less severe, or less painful that the current neglected fenced in "brown field". For the Planning Commission to say 17 of 18 potential problems with "The Villages" Specific Development plan have been mitigated is extremely misleading. It is only milder, less severe, or less painful than 393 or more dwelling units and is less milder, more severe and more painful that 158 to 270 dwelling units in preliminary plans from ECCHO and Schlesinger respectively.
- 9) I caution my neighbors to remember the current City Council is not to blame for the mess we're in with Schlesinger. The City Council back in the 60's were irresponsible for not rezoning the open space once ECC was developed. Many, many, many City Councils and Master Plan Commissions since the 60's were derelict in not correcting this mistake. However, please acknowledge that the current City Council stepped up and fixed this zoning error in August, 2013, only to be overruled by CA Superior Court Judge Earl Maas, and only because Schlesinger had already bought the ECC open space property.
- 10) Likewise, blame cannot be placed on existing residents for not supporting ECC. The deterioration of ECC began in 2007 when purchased by LaJolla Development Group, followed by neglect to maintain an acceptable condition of the open space and retention of members. Regardless of a positive balance sheet when LDG went

bankrupt, Schlesinger's sole objective in 2012 was to buy the ECC financial note for the sole purpose of foreclosing, then selling the property to a developer, and would have outbid any other potential buyer, even if they had known about the auction.

Jerry Swadley

**1959 David Drive
Escondido, CA 92026
(760) 294-8670 Home
(760) 703-9991 Cell
Swadley1@cox.net**

Mike Strong

From: Michelle Poyner <socalshell82@yahoo.com>
Sent: Tuesday, October 10, 2017 7:10 PM
To: Joanne Tasher; Kristin Blackson
Cc: Mike Strong
Subject: Re: Planning Commission Meeting 10/24 for The Villages

I sold my house a couple of years ago and no longer reside in Country Club. Please remove me from the email list. Best of luck.

-Michelle
socalshell82@yahoo.com

Sent from Yahoo Mail on Android

On Tue, Oct 10, 2017 at 6:03 PM, Joanne Tasher
<jtasher@escondido.org> wrote:

You are receiving this email because you requested to be notified of any updates/meetings for the Escondido Country Club project – The Villages.

Attached is the public hearing notice for the October 24, 2017 Planning Commission meeting. The meeting will begin at 6:00 p.m. in the City Council Chambers 201 N. Broadway, Escondido.

For more information regarding this project, please visit the website at <https://www.escondido.org/ecc.aspx>

Thank you.

If you no longer wish to receive updates from the City, please send a reply requesting to be removed from the contact list.

Mike Strong

From: John Brown <johnbrown1228@cox.net>
Sent: Wednesday, October 11, 2017 8:19 AM
To: Sam Abed; John Masson; Olga Diaz; Mike Garro; Mike Strong
Subject: Mayor's Town Hall Meeting

Hello Mr. Mayor and Members of the City Council,

I attended the Mayor's Town Hall Meeting Last Week.

I left there angry, feeling helpless, hopeless, defeated and totally clear and sad that we have the leadership we currently have in the City of Escondido.

I feel the way I do because I asked the Mayor a question. Why are talking about housing at all? My neighbors nor I did anything to put ourselves in the situation we are in. He then proceeded to answer with his political babble, he's good!, practiced, he never answered a question all night that didn't mean this is what we are going to do and if you don't like it tough shit.

I said but the City of Escondido made an error when the zoning changed from open space to R-1-7!

Do you know what you said????????????????????

I wasn't here then!

You are the leader of our City and you said you weren't here when an error that is affecting at least 1200 households was made, and because of that you don't feel the need or responsibility to act on our behalf, but instead take the path of least resistance and cow down to the bully Michael Schlesinger from LA? Really, because of that you don't feel the moral and even legal responsibility to stand up to the bully and defend OUR property rights? Really? And then you've got our neighborhood resigned to the fact that there is going to be development. You know what Mayor Abed, when you look in the mirror, remember, I am standing behind you. I will never vote for you because as mad as I was about the above I was more angry about your budget and library talks.

Regarding the budget. Do you realize who you were addressing? I am a business owner. I can't give my employees a pension! I give them benefits, great benefits by today's standards, but nobody in business can afford a pension. Yet you are predicating the future of our city around the fact that you have to meet fiduciary obligations of the pension for city workers, which I am helping to pay for. Really? I know what you are going to say. I am bound by law to fulfill the City promise to give it's employee a pension. Sorry we CAN'T do it. I don't have a pension. Why should people who probably don't have to work nearly as hard as I do be set up for life because they made a living off of the taxpayers money. Nope, if I were CEO you are CEO I would have to figure out a way to change that and to a 401K program or the like. The pension model of employment is unsustainable! Again, as I've said in my previous correspondence, figure it out.

Then the library. What is wrong with a bidding process? Had you bid it our you may have gotten even a better deal from LS&S. You know what this smells like Mayor, huh? Someone is getting something for something, unless LS&S is your only choice and I doubt that. If you have a major line item on the budget for the library then it is your civic duty to make sure the city gets the best service for the best price. You failed us.

I will keep my communications coming just because, you, like few have, have made me feel helpless and hopeless in my own home.

Thank you Mayor!

John Brown

gifts of nature
MANUFACTURED REPRESENTATIVE

Mike Strong

From: Bernadette Bjork
Sent: Wednesday, October 11, 2017 8:56 AM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): THE VILLAGES - NEW URBAN WEST

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Tuesday, October 10, 2017 9:50 PM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; Michael Morasco <Mmorasco@escondido.org>; John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): THE VILLAGES - NEW URBAN WEST

Joanne Hewitt
joanne.hewitt@sbcglobal.net

Hello Escondido City Council Members,

I will be attending the ECCHO meeting tomorrow, 10/11 at 5:45 p.m. at the Life Church on Country Club Lane. I hope to see all of you there.

We must come together as a community and build new residences that fit into our existing lifestyle, culture and essence of the former country club area. 800 "units" won't do that. 392 houses won't do that. Won't you please stand up against Mr. M.S. and New Urban West and work to bring a decent, acceptable plan to fruition that we can all be proud of?

Thank you for your time.

Registered and active voter - Joanne Hewitt

Cell 760-533-3014

Mike Strong

From: noreply@www.escondido.org
Sent: Wednesday, October 11, 2017 9:25 AM
To: Mike Strong
Subject: [Website Feedback]: PC3:The Villages; Public Review of Final EIR/Speci

Gary Erickson
garyemasd@aol.com

Honorable Commissioners

Planning Commission

City of Escondido

I feel I must call your attention to the process and minimal public review period for these final versions. One of the primary reasons is that after months of preparation, several draft versions, and OVER 500 feedback comments on the latest drafts, we, the public now find we have only 10 days to vet the EIR and even less for the 70+ pgs of the Specific Plan!!!

This is not serving the process nor the City's position of full transparency in my opinion and that of my fellow citizens.

The applicant now seems hell-bent on rushing these final versions into the approval process at the absolute minimum 10 days (public availability to commission hearing) required for the EIR (and less for the Specific Plan). This is not serving the public's interest!

I don't know if there is anything procedurally you can do to rectify this situation, such as postponing or continuing the review until your next regularly scheduled meeting after Oct 24th.

Thank you for your kind consideration.

Respectfully submitted,

Gary Erickson

2021 Via Alexandra

92026

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Mike Strong

From: Jerry Swadley <swadley1@cox.net>
Sent: Wednesday, October 11, 2017 11:20 PM
To: Ed Gallo; John Masson; Michael Morasco; Olga Diaz; Sam Abed
Cc: Bill Martin; Jeffrey Epp; Kristin Blackson; Mike Strong; Michael McGuinness; Betty Ferrell; Jack Hall; Katey Hoehn; Kathie Taylor; Mike Rousseau; Mike Slater; Pat Hunter; Robert Crowe
Subject: How over crowded is "The Villages" specific development plan?

I went to the Escondido Planning Dept. today and looked over "The Villages" lot sizes:

The current zoning R-1-7 requires 7000 sq. ft. minimum lot size

"The Villages" does not have even one 7000 sq. ft. lot (ZERO) but the majority of existing lots bordering the ECC property are.

"The Villages" has 109 lots 45'x95'= 4275 sq. ft. (39% under zoned)

"The Villages" has 91 lots 45'x75'= 3375 sq. ft. (52% under zoned)

"The Villages" has 114 lots 35'x73'= 2555 sq. ft. (63% under zoned)

That's a total of 1,064,370 sq. ft. divided by 7000 sq. ft. lots = **152 dwelling units only, not 392 shoehorned in**

"The Villages" also has 78 dwelling units on 14 common lots (only zoned for 1 residential dwelling unit per lot)

Please vote NO on "The Villages". The Mayor said we must have a development that makes the Country Club and City proud, and "The Villages" does not meet that requirement

The Mayor said between doing nothing and building 400 homes there should be a compromise. That compromise will "never-ever" come from NUWI and/or Schlesinger (they won't give up millions of dollars in potential profit to compromise) unless, the City Council forces it by voting NO on "The Villages".

The Mayor said you can't continue to have 110 acres of brown grass not maintained. At the ECC community meeting on 10/11/17 the vast majority of residents disagree if it forces NUWI/Schlesinger to propose compromise. Please vote NO on "The Villages".

The Mayor said Country Club property values will deteriorate. The housing prices have recovered from the housing recession started in 2007, from LDG ownership of ECC and neglect from 2007 to 2012, and from Schlesinger neglect from 2012 to the present. They haven't recovered as well as some communities, but houses continue to sell in ECC, even with a brown fenced in neglected field. Please vote NO on "The Villages".

My novice review of California state law AB-678 Housing Accountability Act, indicates for mixed-use developments, that $\frac{2}{3}$ of the square footage be designated for residential use (R-1-7), while only $\frac{1}{3}$ can be low income housing with increased density. The low income housing development project must comply with applicable, objective general plan and zoning standards and criteria. Any Schlesinger developer will be hard pressed to design a

saleable project with low-income housing, and get City approval within State mandates, that would make more profit than a compromise residential development meeting R-1-7 requirements. Please vote NO on "The Villages".

Remember, CA Superior Court judge Earl Maas ruled the City cannot change the ECC property zoning of R-1-7. That alone is legal justification to vote NO on "The Villages" even if Schlesinger sues again and it goes before another CA Superior Court judge.

For the City Council to vote NO on "The Villages" will take resolve. BUT, NUWI's warning that it will put the ECC Property Owner in the "driver's seat" is nonsense. Our Mayor, Deputy Mayor, and City Councilmembers are responsible and accountable to their voters and I'm confident they will not give up the "driver's seat" for our community and city.

Thank you,

Jerry Swadley

1959 David Drive
Escondido, CA 92026
(760) 294-8670 Home
(760) 703-9991 Cell
Swadley1@cox.net

Mike Strong

From: James Ahler <jimahler1947@gmail.com>
Sent: Thursday, October 12, 2017 8:21 AM
To: Jerry Swadley
Cc: Betty Ferrell; Mike Slater; Pat Hunter; Katey Hoehn; Michael Morasco; Robert Crowe; Kristin Blackson; Mike Rousseau; John Masson; Sam Abed; Mike Strong; Michael McGuinness; Ed Gallo; Kathie Taylor; Bill Martin; Olga Diaz; Jeffrey Epp; Jack Hall
Subject: Re: How over crowded is "The Villages" specific development plan?

Very interesting! Thanks for your activism in protecting the neighborhood.

On Oct 11, 2017 11:20 PM, "Jerry Swadley" <swadley1@cox.net> wrote:

I went to the Escondido Planning Dept. today and looked over "The Villages" lot sizes:

The current zoning R-1-7 requires 7000 sq. ft. minimum lot size

"The Villages" does not have even one 7000 sq. ft. lot (ZERO) but the majority of existing lots bordering the ECC property are.

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Thank you,

Jerry Swadley

1959 David Drive

Escondido, CA 92026

(760) 294-8670 Home

(760) 703-9991 Cell

Swadley1@cox.net

Mike Strong

From: noreply@www.escondido.org
Sent: Friday, October 13, 2017 1:09 PM
To: Bill Martin; Mike Strong
Subject: Contact Executive Staff - Planning: Affordable Housing Development Opportunities

Brian Jones
jonesb@richmancapital.com

Hello Mr Bill Martin and Community Development Team,

I hope you are well. I look forward to an opportunity to meet you in person to discuss affordable housing development opportunities in The City of Escondido.

My company The Richman Group and I (www.therichmangroup.com) would like to help the City of Escondido develop more high-quality affordable multi-family units for families and individuals in need in your community.

Our company specializes in all aspects of affordable housing, from syndication, tax credits, development, property management to supportive services. The Richman Group is the 7th largest apartment owner/developer in the USA. Our local San Diego professional team is poised to help The City of Escondido achieve its ongoing housing needs.

Might you have time to chat on the phone next week to explore the opportunities...?
I also would be honored to come meet you in person, at your convenience.

Thank you for your time and leadership

Sincerely yours,
Brian Jones

Jonesb@richmancapital.com
P • 858.750.3731 x204 C • 415.269.5357
7817 Herschel Ave. Suite 102
La Jolla, CA. 92037
www.therichmangroup.com

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REMOTE_HOST: 75.80.96.93
REMOTE_ADDR: 75.80.96.93
LOCAL_ADDR: 10.255.2.55

Mike Strong

From: noreply@www.escondido.org
Sent: Friday, October 13, 2017 2:53 PM
To: Bill Martin; Mike Strong
Subject: Contact Executive Staff - Planning: Re-zoning for Esc Country Club Area

Colleen Casey
casey1123@cox.net

Dear Planning Commission,

As one of your constituents who lives in the Escondido Country Club area, I beseech you NOT to approve the re-zoning for the current proposed project by New Urban West via Mr. S. There are many many many reasons that this is NOT a good idea for our community. Many are obvious!! Just yesterday as I was commuting to work, I entered the intersection of El Norte Pkwy and Nutmeg/Nordahl. When my traffic light was green I was prevented from turning left onto El Norte Pkwy because the traffic to enter onto the I-15 Southbound was backed up to the intersection!!!! I am not exaggerating, not one bit!!! There is no way that adding a lane on the onramp is going to accommodate the traffic congestion caused by the project. The EIR report didn't offer any other traffic flow improvements for that area and there will be BIG problems happening on a regular basis (accidents) if the project gets approval.

This community has been a stable part of the Escondido area for decades and brings positive attention to Escondido. The double story homes and crammed in lots are not in character of the existing community. PLEASE vote NO on the proposal and rezoning. Not with current plan and proposed improvements - let's be rational, this can not be considered as a benefit to Escondido as you look at the whole picture!!

I appreciate the councilmen, Mayor Abed and councilman Masson for their consistency in support. Our community has used the democratic process of voting to let our voice be heard. Remember!!

Thank You

Colleen Casey

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LOCAL_ADDR: 10.255.2.55

Mike Strong

From: Bernadette Bjork
Sent: Friday, October 13, 2017 3:49 PM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): Re-Zoning Escondido Country Club

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Friday, October 13, 2017 2:50 PM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; Michael Morasco <Mmorasco@escondido.org>; John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): Re-Zoning Escondido Country Club

Colleen Casey
casey1123@cox.net

Dear Council,

As one of your constituents who lives in the Escondido Country Club area, I beseech you NOT to approve the re-zoning for the current proposed project by New Urban West via Mr. S. There are many many many reasons that this is NOT a good idea for our community. Many are obvious!! Just yesterday as I was commuting to work, I entered the intersection of El Norte Pkwy and Nutmeg/Nordahl. When my traffic light was green I was prevented from turning left onto El Norte Pkwy because the traffic to enter onto the I-15 Southbound was backed up to the intersection!!!! I am not exaggerating, not one bit!!! There is no way that adding a lane on the onramp is going to accommodate the traffic congestion caused by the project. The EIR report didn't offer any other traffic flow improvements for that area and there will be BIG problems happening on a regular basis (accidents) if the project gets approval.

This community has been a stable part of the Escondido area for decades and brings positive attention to Escondido. The double story homes and crammed in lots are not in character of the existing community. PLEASE vote NO on the proposal and rezoning. Not with the current plan and proposed improvements - let's be rational, this can not be considered as a benefit to Escondido as you look at the whole picture!!

Thank You Mayor Abed and councilman Masson for your consistency in support. Our community has used the democratic process of voting to let our voice be heard, please remember your constituents.

Thank You

Colleen Casey

Mike Strong

From: Bernadette Bjork
Sent: Friday, October 13, 2017 3:53 PM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): Escondido Golf Course

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Friday, October 13, 2017 3:14 PM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; Michael Morasco <Mmorasco@escondido.org>; John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): Escondido Golf Course

Thedra Adams
thedra_adams@sbcglobal.net

We fought our fight. We won our battle. We put it to the population and they were with us. I don't know what more you need to hear. You've heard about how we feel about excessive traffic. Our resources. You already know about crowding the schools. Even grocery stores in the area will be affected. You see the fire storms ravaging Northern California. We have had our own disasters. Remember October 2003 <http://www.atmospheric-violence.com/firestorm> when the entire city was on fire and trying to evacuate with only two freeways out of here? My husband was a quadriplegic then. Living in Poway we evacuated ourselves but had nowhere to go. We couldn't leave the city because the freeways were blocked with traffic. We couldn't go to a tent city because of his health. People died. It horrible and we had no options. We purchased our home in Escondido in 2007 and it was another wild and scary time <https://www.sandiego.gov/fire/about/majorfires/2007witchcreek>. Again, we were left to evacuate ourselves because of my husband's health. 2007 was not as bad as 2003 but people were displaced and again, people died. This is just an accounting of two horrible fires in San Diego. More...West Valley Parkway, Bandy Canyon, on and on fires after fire. It doesn't help that now the Escondido Golf Course is as dead as it can get because of greedy, self-serving developers. What else do you need to hear? What's happening in Northern California can easily happen here and it nearly did. There are entire neighborhoods that were destroyed. What else do you need to see? How many people need to die to fill heartless, greedy pockets? You are our city government. Is this really your mindset? We fought our fight. We won our battle. We put it to the population and they were with us. We trusted our city government to be with us, the population, and make good decisions on our behalf. Not ignore us and throw us to the wolves. The population was and is with us. Why aren't you?

Mike Strong

From: Bernadette Bjork
Sent: Friday, October 13, 2017 4:34 PM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): Escondido Country Club development

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Friday, October 13, 2017 4:25 PM
To: John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): Escondido Country Club development

Linda Karanewsky
Karanewsky@aol.com

I understand that you made the statement "The new plan that ECCHO proposed is, I think, a better plan." My question is, who is the builder involved with this new plan? Has a builder been identified who is willing to enter into this and work with the owner to make this new plan a reality?

There is no question that a plan that limits construction to 158 units is better than one involving almost 400, but unless that 158-home plan can actually be carried out it seems fruitless to support it. All it is, is an "idea". When there are names, dollar amounts and EIRs attached to it, THEN it becomes reality.

Mike Strong

From: Jerry Swadley <swadley1@cox.net>
Sent: Monday, October 16, 2017 9:11 AM
To: Jack Hall; Katey Hoehn; Kathie Taylor; Mike Rousseau; Mike Slater; Pat Hunter; Robert Crowe; Betty Ferrell
Cc: Bill Martin; Jeffrey Epp; Kristin Blackson; Mike Strong; Michael McGuinness; Ed Gallo; John Masson; Michael Morasco; Olga Diaz; Sam Abed
Subject: How much?

ECCHO Board:

If we want a reasonable solution/compromise for ECC development, I suggest the following:

We must put public pressure on Schlesinger that compromise (win for Schlesinger, win for NUWI, win for existing residents) is the only way he will be allowed to develop his ECC property. How do we do it? I suggest ECCHO evaluate what the Delano plan could offer to purchase the 109 acres of land for while making reasonable profit for their 158 dwelling units. Make that number public in a big way so the public knows how much Schlesinger can make on his \$1.8 to \$2.3M investment!

Then publicly ask NUWI to provide a plan meeting R-1-7 requirements and what price they would offer Schlesinger and still make a reasonable profit for NUWI. PUSH, PUSH, PUSH this and make it public in the media in a big way, what we're asking for. They likely will not answer, but put the pressure on them to stop saying they can't make money on less than 392. If they won't, then tell us what NUWI can offer for the land meeting R-1-7, and make a profit!

Finally, put pressure on NUWI and Schlesinger to disclose what the current sale price is for his property. Insist there are plenty of interested developers willing to buy the property but what's the sale price. His answer, regardless of what it is, or his refusal to answer, will give us good info to expose his outrageous greed to the public. We can take the offensive without being rude or difficult, but continuing to just be reactive to what Schlesinger/NUWI does, is not a winning strategy in my opinion. The issue is not NIMBY but GREED! Let's get the media on our side.

Thank you,

Jerry Swadley

1959 David Drive
Escondido, CA 92026
(760) 294-8670 Home
(760) 703-9991 Cell
Swadley1@cox.net

Mike Strong

From: Michael Slater <m Slater.2014@cox.net>
Sent: Monday, October 16, 2017 9:52 AM
To: Kathie Taylor; Betty Ferrell; Jack Hall; Pat Hunter; Jerry Swadley; Mike Rousseau; Katey Hoehn; Robert Crowe
Cc: Michael McGuinness; Sam Abed; Michael Morasco; Mike Strong; Bill Martin; Jeffrey Epp; Ed Gallo; John Masson; Olga Diaz; Kristin Blackson
Subject: Re: How much?

Jerry,

We will discuss at our next Board meeting. We will also discuss your email with our attorney, Everett DeLano.

Thanks, Mike

On October 16, 2017 at 12:10 PM Jerry Swadley <swadley1@cox.net> wrote:

ECCHO Board:

If we want a reasonable solution/compromise for ECC development, I suggest the following:

We must put public pressure on Schlesinger that compromise (win for Schlesinger, win for NUWI, win for existing residents) is the only way he will be allowed to develop his ECC property. How do we do it? I suggest ECCHO evaluate what the Delano plan could offer to purchase the 109 acres of land for while making reasonable profit for their 158 dwelling units. Make that number public in a big way so the public knows how much Schlesinger can make on his \$1.8 to \$2.3M investment!

Then publicly ask NUWI to provide a plan meeting R-1-7 requirements and what price they would offer Schlesinger and still make a reasonable profit for NUWI. PUSH, PUSH, PUSH this and make it public in the media in a big way, what we're asking for. They likely will not answer, but put the pressure on them to stop saying they can't make money on less than 392. If they won't, then tell us what NUWI can offer for the land meeting R-1-7, and make a profit!

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Thank you,

Jerry Swadley

1959 David Drive

Escondido, CA 92026

(760) 294-8670 Home

(760) 703-9991 Cell

Swadley1@cox.net

Mike Strong

From: Bernadette Bjork
Sent: Tuesday, October 17, 2017 8:14 AM
To: Mike Strong
Subject: FW: Contact Council (select recipient from drop-down list): Escondido Country Club

From: noreply@www.escondido.org [mailto:noreply@www.escondido.org]
Sent: Tuesday, October 17, 2017 8:03 AM
To: Sam Abed <sabed@escondido.org>; Olga Diaz <Odiaz@escondido.org>; Ed Gallo <egallo@escondido.org>; Michael Morasco <Mmorasco@escondido.org>; John Masson <jmasson@escondido.org>
Subject: Contact Council (select recipient from drop-down list): Escondido Country Club

Robert S Grasso
rgrasso1@cox.net

Dear City Council Members,

I have emailed you a couple of times previously on the subject of the proposed development of the former Escondido Country Club property. You don't need a history of how we got here, but as we approach the point for you to vote on this proposal, I would just like to reiterate a couple of points.

The most significant point has to do with zoning. Despite the citizens of Escondido voting to make the area "open space" and their voting down of Proposition H, an out of town (and out of touch) Judge ruled that you couldn't change to zoning to prevent the owner from developing the property. He DID NOT say that you had to change the zoning to meet the owners desires, as the current proposal would require. In fact, if you take his ruling literally, it would indicate that you can not change the zoning, period. While I don't agree with this ruling if we are going to base our actions on it, then lets stick to it. Assuming you stick with the R17 zoning, as studies have shown, the maximum number of residential lots would be about 135, not 360 or 390, or even 800. And I think this issue is bigger than Escondido. If the City is forced to change the zoning to meet the owners/developers desires it will effect similar developments throughout California. I believe we need to stick to our guns, the citizens obvious desires, and the Judges ruling and vote NO on the proposed development.

Obviously there are other factors at work here, but the zoning is the basis for the whole thing. Please do the right thing and vote no on this proposal.

Thank you,

Rob and Sandy Grasso

Mike Strong

From: noreply@www.escondido.org
Sent: Tuesday, October 17, 2017 8:34 AM
To: Mike Strong
Subject: [Website Feedback]: PC4:::The Villages; So Who/What Is ROCC?

Gary Erickson
garyemasd@aol.com

Honorable Commissioners,

Planning Commission

City of Escondido

The yard signs are out; the mailers and newsletter have been circulated through the neighborhood. The City's Councilmen have been bombarded by ROCC propaganda in support of the project. But who/what is ROCC (Renew Our **C**ountry Club) and why should one care?

Simply stated it is a "group" founded, organized, supported, and financially underwritten by NUWI and Schlesinger to be the "Pro" for this project. Even though Schlesinger committed in his negotiated lawsuit settlement with the City to refrain from all activity associated with the development of his ECC property, he has in fact not refrained from doing so behind the scenes!

Yes, ROCC is loosely "composed" of a few of the area's residents who want a timely end to the blighted conditions in their back yards (created in fact for just this reason by Schlesinger as part of his redevelopment strategy).

They/it:

Do NOT represent the majority of the homeowners/residents in the immediate neighborhood of the ECC, as ECCHO does.

Do NOT respond to clarification inquiries questioning their marginal representations of the project and misleading statements.

Do NOT have the overall long-term interests of the current area homeowners in mind.

Do NOT publish their own communications.....which is underwritten and organized by NUWI and Schlesinger through a professional Public Relations Group.

Do NOT hold open community meetings for ALL to work towards a common goal for ALL residents.

Why should YOU care?

Because, you represent the community to ensure it gets a good, long-term development solution for this property that seamlessly blends into the existing, long-established community and in fact, adds, not detracts, from the ongoing quality of life enjoyed by the neighborhood prior to the 2012 property acquisition by Schlesinger.

This project is NOT that solution. There are others that have been proposed for alternative consideration that go much farther to delivering on that objective. They only thing, in the rush to move this proposal to you, they have not been adequately studied and brought forward at this time so you can make a fair comparison of what a better solution looks like. Kind of reminds me of the football scenario where a questionable play/ruling has been made on the field and the team wants to quickly run the next play so it cannot be reviewed.

So if ROCC states to you otherwise, don't believe it. Remember, it's more Public Relations propaganda to ram this project through the system aside from any marginal merits it may have.

Respectfully Submitted,

Gary Erickson

2021 Via Alexandra

92026

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Mike Strong

From: noreply@www.escondido.org
Sent: Tuesday, October 17, 2017 8:48 AM
To: Mike Strong
Subject: [Website Feedback]: PC5:::The Villages; Zoning!

Gary Erickson
garyemasd@aol.com

Honorable Commissioners,

Planning Commission

City of Escondido

References: 1-White Paper; Country Club Land Use, Dated 1/25/17 (Source: ECCHO) [Previously provided to the City Council, Planning Department, and Planning Commission]

The General Plan for this property specifically "shows" it is zoned R-1-7. The landowner sued the City for "take of property rights" when it attempt to correct that code and rezone the property as Recreational/Open Space in 2013, according to the original intent back in the 60's. The landowner ultimately prevailed, to date anyway, to have the R-1-7 zoning to develop his property.

Let's briefly zero in on one of the core questions governing how to review this pending proposal.

If anyone wants to develop this property let them adhere to this zoning and not try to go around it with a Specific Plan for the sole purpose of increasing the density which would maximize the developer's profits and those of the current landowner, all to the detriment of the surrounding neighborhood's quality of life.

Oh, but wait they say.....we've got the equivalent Open Space to meet the overall R-1-7 zoning. Really?

Let's take a good hard, close look at the real facts of the matter. When the property was purchased in 2012 it already had density transfers/covenants on it for over 50 acres (see Ref. 1)!!! The "Open Space use rights" of those areas belong to other parties as approved in prior years by the Planning Department, as documented in their file for the property. There's legal descriptions for those.

So how can another party come along and either attempt to claim some/all of the same area or move them around for their own benefit without authorization of the transfer/covenant holders?

That's the core question before proceeding to weigh the merits of the proposal. Because if applicant's "planned" use belongs to other private parties via prior allocation, then this applicant is grossly exceeding adherence to the currently zoned property code.

And the City may be called upon to defend these prior transfers. In fact, if there's a "taking of property or benefits" it may well belong to those parties and the treatment/lack of recognition the applicant gives to their rights! It appears that once granted and other than agreed to by those parties, that no other party has the right to move/modify their designation to another area or place further claim on that same area for their own specific use application in the way of "new" Open Space.

Unless they rescale their plan and do similar density transfers to NEW SPACE, there is no way forward. End of discussion.

The essence of this question has previously been directed to the Mayor, City Council and Planning Department. To date NO ONE has gone on record to provide the answer to: **"How many buildable acres are there on the property as it current sits?"**

The General Plan is in place for a reason, ie. to provide a clear roadmap. Let's stick to our guns and hold to the zoning in place! Furthermore, let's answer the question on the table before proceeding further.

Vote NO on this proposal when it comes before the commission in the coming weeks and recommend the same to the City Council.

Respectfully Submitted,

Gary Erickson

2021 Via Alexandra

92026

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LOCAL_ADDR: 10.255.2.55

Mike Strong

From: Jerry Swadley <swadley1@cox.net>
Sent: Tuesday, October 17, 2017 1:39 PM
To: 'michael w finsterbusch'
Cc: John Masson; Betty Ferrell; Jack Hall; Katey Hoehn; Kathie Taylor; Mike Rousseau; Mike Slater; Pat Hunter; Robert Crowe
Subject: "The Villages" and Final EIR

Mike, thank you for the kind words coming from one of the founders of ROCC. As an engineer, I never considered myself a writer, but I do have passion. I will do everything I can to resist a Beverly Hills Land Speculator, with an excessive love of money, from taking advantage of my city representatives, my friends and my neighbors. He has caused concern, anxiety, worry, apprehension, fear, alarm, distress, unease, disquiet, trepidation, fretfulness, nervousness and uneasiness with the City Council, Escondido voters, the ECC community and I've been told with NUWI ownership and management as well (I've left a phone message with NUWI to confirm, but it has not yet been returned).

I did attend the meeting at Life Church last Wednesday. Mike Slater and ECCHO's attorney Everett Delano unequivocally stated that they strongly reject "The Villages" specific plan as not meeting the legal requirements of current R-1-7 zoning law and encouraged every attendee to ask the Planning Board and the City Council to please vote NO on "The Villages" specific plan. When the question was asked if Schlesinger could build a larger number of homes if "The Villages" is not approved, the response from Mike Slater was NO. ECCHO attorney Everett Delano walked to the microphone and asked everyone to please prioritize getting "The Villages" specific plan defeated. There was no point speculating what Schlesinger might or might not do relative to AB-678 Housing Accountability Act, but if and when another plan got submitted for the ECC property, it would have to go through the same Planning Board/City Council review and approval process as "The Villages". Mike, what you were told was not correct!

My novice review of California state law AB-678 Housing Accountability Act, indicates for mixed-use developments, that $\frac{2}{3}$ of the square footage be designated for residential use (R-1-7), while only $\frac{1}{3}$ (maybe 100 units) can be affordable housing with increased density. Any Schlesinger developer will be hard pressed to design a saleable project with affordable housing, and get City approval within State mandates; and it would make less profit than compromised residential development meeting R-1-7 requirements. AB-678 does not make any number of dwelling units legal, because any affordable housing development project must still comply with applicable, objective general plan and zoning standards and criteria required by the City. AB-678 merely provides some specific criteria for approving or disapproving the affordable housing portion of a new development. The current R-1-7 zoning allows 5.5 units per acre. However, all the infrastructure for road right of ways, environmentally sensitive land, steep slopes, jurisdictional wetlands/drainage, existing easements that cross the property like SDG&E, water lines, sewer lines, any proposed commercial areas, open space, recreational areas, etc. must be subtracted from the 109 ECC acreage. My estimate, after subtracting infrastructure, is that much less than 50% of 600 homes could be legally built on the property.

I would objectively review, with the intention of supporting, any reasonable development plan from Schlesinger/NUWI that meets current R-1-7 zoning requirements; but, aggressively oppose any plan that doesn't.

Thank you,
Jerry

From: michael w finsterbusch [mailto:mikewf2015@gmail.com]
Sent: Sunday, October 15, 2017 3:22 PM
To: Jerry Swadley <swadley1@cox.net>
Subject: Re: Mayor Abed Town Hall Meeting on October 4, 2017

Hi Jerry,

You write well. Have you ever considered side work as an editorial writer? Seriously you write well.

I was not in attendance at New Life last week. I was told though; Mike Slater, John Masson and ECCHO's attorney admitted over 600 homes could legally be built. What do you make of that?

Mike Strong

From: Jerry Swadley <swadley1@cox.net>
Sent: Tuesday, October 17, 2017 12:46 PM
To: Bill Martin; Mike Strong
Cc: Betty Ferrell; Jack Hall; Katey Hoehn; Kathie Taylor; Mike Rousseau; Mike Slater; Pat Hunter; Robert Crowe
Subject: Final EIR on "The Villages"

Bill and Mike,

Statement in the Final EIR, "During the public review period, a total of 485 comment letters were received on the Draft EIR. Of these, 231 letters were in opposition, 254 letters were in support." Why is there only 99 comment letters (comment letters 61 – 82 are missing) published and addressed in the Final EIR? Are all 485 letters in opposition or support available for review by the public? Opposing or supporting the EIR or "The Villages" specific plan? How and who judged the letters as opposing or supporting? (for example, one letter I read said they tended to be supportive, but they had concerns. Was that one judged to be opposing or supporting?)

Three of my letters were included; I89, I90 and I91 with itemized comments, but I wrote more than that, each with specific comments to the draft EIR. Were those counted as 3 in opposition or only one per author? Why only 3? Did you consider the others duplicates even if the content differed?

From what I've read so far of the Final EIR, I have many comments and questions. Can I email them to you in advance? Can I get speaking time at the October 24th review and how do I get it?

In the Final EIR section 6.0 List of Preparers there is no content. Why?

Thank you,

Jerry Swadley

1959 David Drive
Escondido, CA 92026
(760) 294-8670 Home
(760) 703-9991 Cell
Swadley1@cox.net

Mike Strong

From: noreply@www.escondido.org
Sent: Wednesday, October 18, 2017 8:05 AM
To: Mike Strong
Subject: [Website Feedback]: PC6:::The Villages: Harmony Grove II

Gary Erickson
garyemasd@aol.com

Honorable Commissioners

Planning Commission

City of Escondido

Stepping back from this Specific Plan, I ask myself,

"When all the dust settles: all the building is complete; all the workers have left and we are left with the end result, what is it we will actually have?"

And is it a neighborhood I'd really want to live in?

What immediately came to mind is "**Harmony Grove II**" with a couple twists thrown in! Not the image of a seamless blending of the new and the old that engenders a spirit of "one overall community" by design, style, and function, BUT a "community in a community". Interestingly, others in the neighborhood (and even Plg Dept) have come to exactly the same conclusion!

For starters, take the name....The Villages....., the same as what NUWI refers their Harmony Grove areas as.

Looking at the Housing Type Distribution figures and layouts given in the Specific Plan, I draw the image of a bunch of buildings packed together, especially the duplexes. Backed up by the setback guides, one can hardly walk down one's side yard without trespassing upon thy neighbor's property! And to have a Village and Village Center with a Spanish flare of Monterey is truly different; it just doesn't do much on the scale of fitting into the existing aesthetic style of the existing neighborhood. At least the Craftsman and Western Cottage do fit somewhat better to accomplish that. But have an entire Village comprised of significant numbers of one basic style side by side, detached and attached, doesn't lend itself to reflecting the established community's prevailing theme.

Imagining I was sitting on the backyard patio of my former home on David Drive for example and looking out across the 50 FT buffer and seeing the back or more likely the broadside of a condo building protruding 35 FT high, does not do much for my image of ambience in that setting, unless maybe someone like the artist Thomas Kinkade paints a landscape mural onto those buildings!

While it's lofty to see the replacement of the old Club House and all the new and additional amenities spiced in to help better market the new homes; in a way it's overkill, poorly thought out, but makes for good print. A mini-market is one thing, but there's a 7-11 two blocks away with a wider selection, excepting for the fresh produce twist. But a major grocery store is only a mile away which carries a broad selection of local produce. But maybe that farm area should be for the residents that want to grow their own since their property won't be big enough to do so! So some of these amenities may not get the support to sustain themselves, leaving behind more vacant space in the end.

One needs to ask yourself.....where do these fall....are they really "musts" or "wants".....and by whom. Nice to have, but in the end they are being used as a justification wedge for "financial stability" to sell an increased number of housing units by the developer. While the developer "went through the motions" of gathering community input, in the end it's become obvious it's their tailored list. To demonstrate the point, an informal poll conducted from attendees in the summer of 2016 to NUWI's project proposal met with lukewarm reception and many negative issues, contrary to what they espouse.

Additionally, the premise that these will restore/mend the social fabric of the overall community is a stretch. What underpinned the former social fabric was the golfing element. Look to any such entity for verification. Take that away from the equation, and it's a whole different ball game. Can one find any other examples where such a replacement strategy has worked? I haven't. And to say the memberships will be available to the at-large community without any implied pricing levels is fluff.

Adding more justification units brings with it more and larger environmental impacts that have to be "mitigated". But what does mitigate really mean? Bringing down the magnitude does not eliminate residual impact. It'll still be there when the dust settles for the community to have to "tolerate" in the ensuing years. And that takes away from the quality of life and tranquility of the community overall, reaching surrounding residents on the fringes of the immediate project area also.

Contrary to implications, this project imposes long-term costs and responsibilities upon the City as proposed. Is the City prepared to step up to these as projected budgets become squeezed in the years ahead?

And so in conclusion, I guess I have the answer to my own question..... **"No, I probably wouldn't want to live there in the established community facing the end result."**

Your recommendation to the City Council should be obvious!

Respectfully Submitted,

Gary Erickson

2021 Via Alexandra

92026

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LOCAL_ADDR: 10.255.2.55

Mike Strong

From: noreply@www.escondido.org
Sent: Wednesday, October 18, 2017 8:17 AM
To: Mike Strong
Subject: [Website Feedback]: PC7:::The Villages; Property Values

Gary Erickson
garyemasd@aol.com

Honorable Commissioners

Planning Commission

City of Escondido

As you can appreciate, like yourselves, one of the biggest investments a person makes in their lifetime is the purchase of their home. And as if the loss of the tranquility that comes with living on the fairway of a golf course wasn't enough, the situation is further exacerbated by this proposal to jam in a high density complex with building heights reaching 35 feet directly out one's back yard!

Throw in the lack of maintaining the old golf course in a reasonable manner along the way, without constantly being prodded by the City Code Enforcement Department, and you've created the almost perfect storm. In fact, the ECC landowner is on record as saying he's willing to let the property "sit" in "as is" condition for the next 300 years if he doesn't get his way!

His seemingly intentional action to not maintain the property in the interim has caused a significant impact in the housing values and quality of life of the surrounding neighborhood as was enumerated in feedback comments from the Feb. 24th Open House on this proposed development project. In that note, it highlighted a study made of comparative housing values between the operational Lake San Marcos golf course community and the non-operating ECC community. In summation it showed a significant loss of value for ECC homes since 2012, at which time they were roughly equivalent. But not anymore.

Additionally, in prior years when the ECC was operational and being maintained, fairway homes commanded a premium in purchase price or value because of their location and access to panorama views out their back yards. That incremental value has now been lost and certainly will not be recovered with THIS proposed project.

Is there compensation for those property owners who have suffered financial loss in the ensuing years since this began? Probably not. There is no reasonable way other than to now stick to the General Plan zoning in the hopes of seeing a better fitting project proposed to the community in the future. AND that includes honoring the previously conveyed density transfers for Open Space to adjacent property owners the City have approved.

Remember how he sued the City for exactly those zoning provisions on the current General Plan to start this whole mess? Well he's gotten what he wanted; now let him and those he works with live with it!!! There are solutions that work within these guidelines that do not have the holy dollar as their ultimate objective and will better "fit" to the existing community.

Recommend rejection of this proposal to the City Council.

Respectfully requested,

Gary Erickson

2021 Via Alexandra

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HTTP_USER_AGENT: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/43.0.2357.130 AOL/9.8 AOLBuild/4346.2019.US Safari/537.36
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Mike Strong

From: Bernadette Bjork
Sent: Wednesday, October 18, 2017 12:33 PM
To: Mike Strong
Subject: FW: Revised Villages EIR

From: Ed Gallo
Sent: Wednesday, October 18, 2017 12:17 PM
To: Bernadette Bjork <bbjork@escondido.org>
Subject: Fw: Revised Villages EIR

Ed Gallo

From: CHERI Wolcott <1rwolcott@att.net>
Sent: Wednesday, October 18, 2017 12:10 PM
To: Ed Gallo
Subject: Revised Villages EIR

Whether the people who did the survey found them or not, special status plants do exist on the Country Club property.

Failure to protect them may cause the City problems with the County, State and Federal regulators.

Please vote no on the attempt to change the zoning.

Ray Wolcott
1861 Cortez Ave