



City of Escondido Zoning Administrator

MEETING AGENDA

201 North Broadway
City Hall - Parkview Room
January 30, 2024
1:00 p.m.

A. Call to Order:

Zoning Administrator: Veronica Morones, City Planner

Staff Present:

Public Present:

B. Agenda Item:

1. E21-0066 (“IS-MND”) Escondido Creek Trail and Renovation Project

REQUEST: Adoption of a Final Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP)

Location: The banks of the Escondido Creek, generally from Citracado Parkway to North Midway Drive, within the City of Escondido

Applicant: City of Escondido

Planner: Oscar Romero, Principal Planner

ENVIRONMENTAL STATUS: A Final Initial Study/Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program (MMRP) was prepared for the project in conformance with CEQA Guidelines.

DECISION OF THE ZONING ADMINISTRATOR:

- Approved, as set to form
- Conditionally approved with the attached modifications
- Denied
- Continued to: ___ Date Certain (_____) ___ Date Unknown
- Referred to Planning Commission

2. PL23-0406 (SUB19-0010 and PHG19-0050) Extension of Time

REQUEST: Approval of a three-year extension of time for a Tentative Subdivision Map, Condominium Permit and Plot Plan for a 42-unit condominium development (“Project”)

Location: 2608 S. Escondido Boulevard (APN: 238-152-06-00 and 238-152-07-00)

Applicant: South Escondido LP (Tony Cassolato)

Decisions of the Zoning Administrator may be appealed to the Planning Commission pursuant to Zoning Code Section 33-1303

Planner: Jay Paul, Senior Planner

ENVIRONMENTAL STATUS: The Project is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), as the Project is a request for an extension of time of a previously entitled development for which a Final Initial Study/Mitigated Negative Declaration (City File No. ENV19-0007) was adopted in accordance with CEQA and a Notice of Determination posted with the County Clerk. Therefore, the Project qualifies under the General Exemption as the Project has no potential for causing a significant effect on the environment, as described in Section 15061(b)(3).

DECISION OF THE ZONING ADMINISTRATOR:

- ___ Approved, as set to form
- ___ Conditionally approved with the attached modifications
- ___ Denied
- ___ Continued to: ___ Date Certain (_____) ___ Date Unknown
- ___ Referred to Planning Commission

3. [PL23-0303 Minor Conditional Use Permit](#)

REQUEST: Approval of a Minor Conditional Use Permit (“MCUP”) for the operation of a daycare and preschool facility for up to 35 children (ages 18 months to 6 years old)

Location: 230 E. 5th Ave. (APN: 233-182-09-00)
Applicant: Brittany Keegan, Lilac Montessori
Planner: Jasmin Perunovich, Assistant Planner II

ENVIRONMENTAL STATUS: The project is categorically exempt from further CEQA review pursuant to CEQA Guidelines sections 15303 (New Construction or Conversion of Small Structures), and as described further in the Findings of Fact, attached as Exhibit “B” to Resolution No. 2024-01 (Attachment 2) and CEQA Notice of Exemption (Attachment 3).

DECISION OF THE ZONING ADMINISTRATOR:

- ___ Approved, as set to form
- ___ Conditionally approved with the attached modifications
- ___ Denied
- ___ Continued to: ___ Date Certain (_____) ___ Date Unknown
- ___ Referred to Planning Commission

C. Adjournment:

I certify that these actions were taken at the Zoning Administrator meeting on January 30, 2024.

Zoning Administrator

Witness

ZONING ADMINISTRATOR

CASE NUMBER: E21-0066 (“IS-MND”)

APPLICANT: City of Escondido

PROJECT LOCATION: The banks of the Escondido Creek, generally from Citracado Parkway to North Midway Drive, within the City of Escondido

REQUEST: Adoption of a Final Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP)

STAFF RECOMMENDATION: Approve

ZONING: Flood Control Channel (FCC)

BACKGROUND/PROJECT DESCRIPTION:

The request before the Zoning Administrator is to adopt the Final Initial Study/Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the Escondido Creek Trail project.

The Escondido Creek Trail project consists of a 4.5-mile expansion and renovation of the existing Escondido Creek Trail, which generally runs along the Escondido Creek Channel corridor. The Escondido Creek is channelized and lined with concrete in approximately 4.2-miles of the corridor between Harmony Grove Road and North Midway Drive. The creek channel slopes gently from an elevation of approximately 680 feet at North Midway Drive to 610 feet near Citracado Parkway. The 4.5-mile project corridor is surrounded by a wide variety of land uses, ranging from single-family residential to industrial. The western portion of the corridor, from Citracado Parkway to North Broadway, is generally the most urban in regard to density and land uses. This segment is surrounded by a mixture of industrial uses; commercial development including the Escondido Auto Park, shopping malls, stand-alone stores; a transit hub (the Escondido Transit Center); residential development, institutional uses; and parkland.

The proposed project would implement the City of Escondido Creek Trail Master Plan Report, which seeks to connect residents to work, home, recreation, schools, and shopping via the

Escondido Creek Trail, thereby reducing the need to travel by automobile. The proposed project would expand the trail westward along the north side of the creek from the western terminus of Harmony Grove Road to the Citracado Parkway extension. From Harmony Grove Road eastward improvements would consist of the new and rehabilitated landscaping, recreational areas, potable water features and fencing throughout the trail. Specifically, a 4.5-foot cable fence would replace an existing six-foot chain link fence in areas where fencing exist between the creek and the trail. In some areas where the trail abuts the right-of-way, a 6-foot black, wrought iron fence would replace an existing chain link fence. In instances where a privacy fence exists at the boundary of adjacent properties, the proposed project would entail use of a chain link fence with vines for screening.

The Escondido Creek Trail project would implement the existing Escondido Creek Trail Master Plan. The action before the Zoning Administrator is adoption of the Final IS/MND and MMRP per the Municipal Code, Article 61 (Administration and Enforcement), Section 33-1319 (Powers and Duties and Procedure). Section 33-1319 grants the Zoning Administrator the authority to consider and adopt a negative declaration or mitigated negative declaration, prepared pursuant to CEQA and Article 47 (Environmental Quality), upon completion of the CEQA public review period, for administrative projects that do not require a public hearing.

ENVIRONMENTAL STATUS:

A Draft IS/MND (State Clearinghouse No. 2022020438) was prepared for the Project by Rincon Consultants, Inc., and circulated for a 30-day public review period (February 18, 2023 to March 21, 2023). Staff received two comment letters from the California Fish & Wildlife Agency as well as the California Department of Transportation during the review period. The Final IS/MND includes amended language consisting of additional information or clarification in specific sections to correspond with relevant comments received during the review period. It was determined that the project could result in significant effects on the environment. However, revisions to the project via mitigation measures within the Mitigation Monitoring & Reporting Program (“MMRP”) would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

A copy of the Final IS/MND with corrections, public comments and response to comments, and the MMRP can be viewed at the following link:

IS/MND:

<https://escondido.org/Data/Sites/1/media/EscondidoCreekTrail/FinalEscondidoCreekTrailCEQAIS-MND.pdf>

MMRP:

<https://escondido.org/Data/Sites/1/media/EscondidoCreekTrail/FinalMitigationMonitoringProgram.pdf>

Zoning Administrator
January 30, 2024
E21-0066

REASONS FOR RECOMMENDATION:

1. The Final IS/MND has been prepared in compliance with all requirements contained in the California Environmental Quality Act (CEQA) and Article 47 (Environmental Quality Regulations) of the Escondido Zoning Code. The Project applicant (City of Escondido) has agreed to implement all mitigation measure identified in the Final IS/MND in order to reduce all potentially significant environmental impacts to a less-than-significant level, in accordance with the MMRP prepared for the project.

Respectfully submitted,

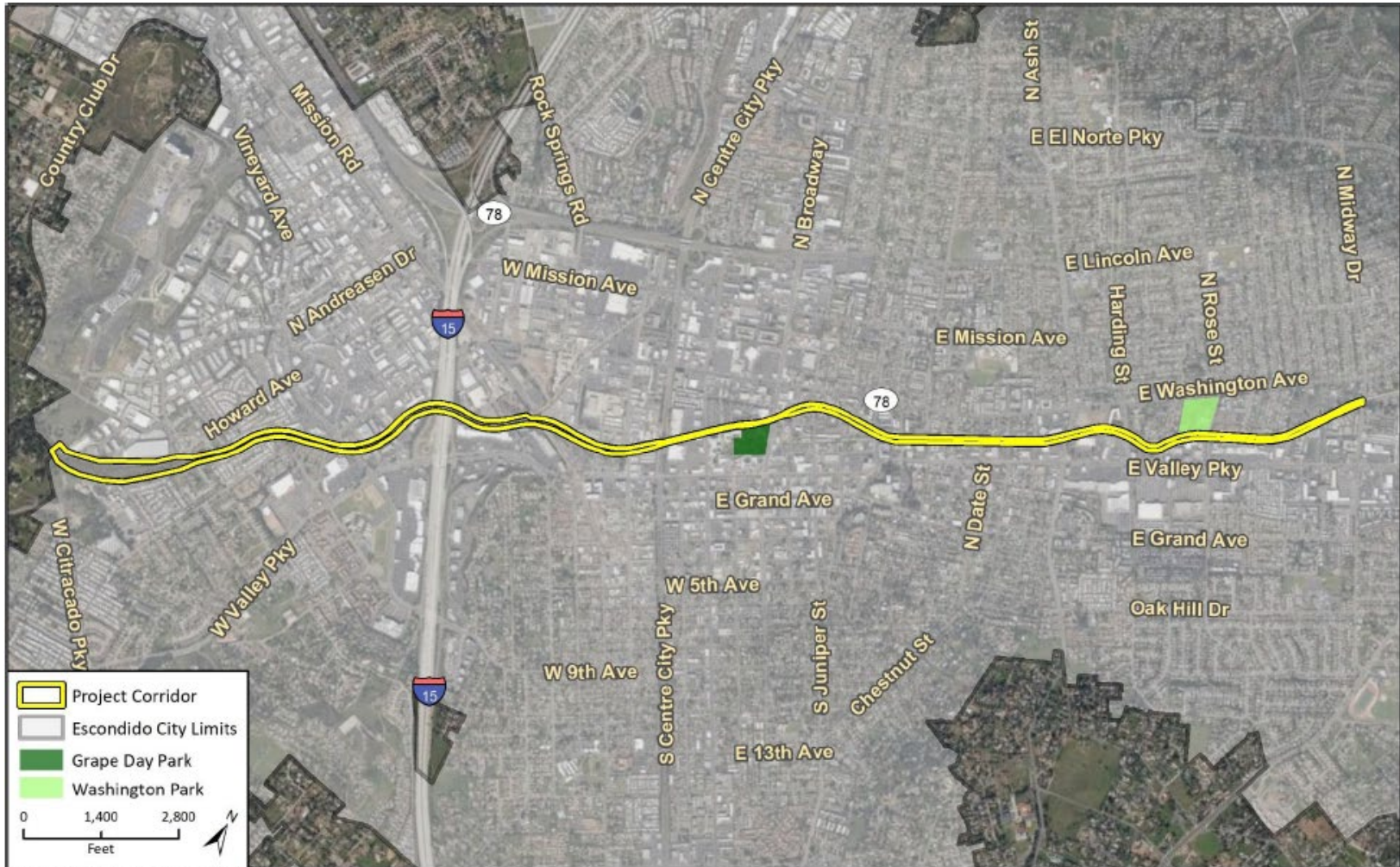
Oscar Romero

Oscar Romero
Principal Planner

ATTACHMENTS:

1. Project Location/Aerial Map
2. Notice of Determination
3. Draft Zoning Administrator Resolution No. 2024-03, including Exhibits "A", "B", and "C"

ATTACHMENT 1 – PROJECT LOCATION/AERIAL MAP E21-0066





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

NOTICE OF DETERMINATION

DATE: January 30, 2023

TO: Office of Planning Research, State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044; San Diego County Recorder's Office, Attn: Fish and Wildlife Notices, 1600 Pacific Highway, Room 260, San Diego, CA 92101, MS: A-33; FROM: City of Escondido, 201 North Broadway, Escondido, CA 92025 (Lead Agency)

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code.

Escondido Creek Trail and Renovation Project, Case No. E21-0066 ("IS-MND")
Project Title/Case No.

2022020438
State Clearinghouse Number (if submitted to State Clearinghouse) City of Escondido Lead Agency

City of Escondido Planning Division, 201 N. Broadway, Escondido, California 92025, 760-839-4801
Project Applicant, Address and Phone Number

Oscar Romero, Principal Planner, City of Escondido 760-839-4801 oromero@escondido.org
Contact Person Telephone Number Email

Project Location (Include County): The proposed project is located within the City of Escondido, County of San Diego, on the banks of the Escondido Creek, generally from Citricado Parkway to North Midway Drive.

Project Description:

The Escondido Creek Trail project consists of a 4.5-mile expansion and renovation of the existing Escondido Creek Trail, which generally runs along the Escondido Creek Channel corridor. The Escondido Creek is channelized and lined with concrete in approximately 4.2-miles of the corridor between Harmony Grove Road and North Midway Drive. The creek channel slopes gently from an elevation of approximately 680 feet at North Midway Drive to 610 feet near Citracado Parkway. The 4.5-mile project corridor is surrounded by a wide variety of land uses, ranging from single-family residential to industrial. The western portion of the corridor, from Citracado Parkway to North Broadway, is generally the most urban in regard to density and land uses. This segment is surrounded by a mixture of industrial uses; commercial development including the Escondido Auto Park, shopping malls, stand-alone stores; a transit hub (the Escondido Transit Center); residential development, institutional uses; and parkland.

The proposed project would implement the City of Escondido Creek Trail Master Plan Report, which seeks to connect residents to work, home, recreation, schools, and shopping via the Escondido Creek Trail,

thereby reducing the need to travel by automobile. The proposed project would expand the trail westward along the north side of the creek from the western terminus of Harmony Grove Road to the Citracado Parkway extension. From Harmony Grove Road eastward improvements would consist of the new and rehabilitated landscaping, recreational areas, potable water features and fencing throughout the trail. Specifically, a 4.5-foot cable fence would replace an existing six-foot chain link fence in areas where fencing exist between the creek and the. In some areas where the trail abuts the right-of-way, a 6-foot black, wrought iron fence would replace an existing chain link fence. In instances where a privacy fence exists at the boundary of adjacent properties, the proposed project would entail use of a chain link fence with vines for screening.

The Escondido Creek Trail project would implement the existing Escondido Creek Trail Master Plan. The action before the Zoning Administrator is adoption of the Final IS/MND and MMRP per the Municipal Code, Article 61 (Administration and Enforcement), Section 33-1319 (Powers and Duties and Procedure). Section 33-1319 grants the Zoning Administrator the authority to consider and adopt a negative declaration or mitigated negative declaration, prepared pursuant to CEQA and Article 47 (Environmental Quality), upon completion of the CEQA public review period, for administrative projects that do not require a public hearing.

This is to advise that on January 30, 2024, the Escondido Zoning Administrator (Lead Agency) has approved the above described project and adopted a Final Initial Study/Mitigated Negative Declaration (City File No. E21-0066; Resolution No(s). 2024-03), and has made the following determinations regarding the proposed project:

1. The project **will not** have a significant effect on the environment.
2. A **Negative Declaration** was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures **were** adopted for this project.
4. A mitigation reporting or monitoring plan **was** adopted for this project
5. A Statement of Overriding Considerations **was not** adopted for this project.
6. Findings **were** made pursuant to the provisions of CEQA.

This is to certify that a copy of the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (City File No. E21-0066 and Resolution Nos. 2024-03), and record of project approval(s) with any comments and responses are available for review by the general public at the City of Escondido Planning Division, 201 N. Broadway, Escondido, California 92025. Telephone number: 760-839-4801. The City of Escondido has complied with CEQA in preparation of the final adopted Initial Study/Mitigated Negative Declaration.

Name of Official Filing Notice: Oscar Romero, Principal Planner

City of Escondido
Lead Agency

Case No. E21-0066
Escondido Creek Trail and Renovation Project
January 30, 2024

Signature:  _____

Date: January 30, 2024

Date Received for Filing _____

Filing Fee Transmitted to County Clerk \$2,966.75

**ATTACHMENT 3
E21-0066**

Zoning Administrator

Hearing Date: January 30, 2024

Effective Date: February 12, 2024

RESOLUTION NO. 2024-03

A RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE CITY OF ESCONDIDO, CALIFORNIA,
ADOPTING A FINAL INITIAL STUDY/MITIGATED
NEGATIVE DECLARATION AND MITIGATION
MONITORING AND REPORTING PROGRAM FOR
THE ESCONDIDO CREEK TRAIL EXPANSION AND
RENOVATION PROJECT

APPLICANT: City of Escondido

CASE NO: E21-0066

WHEREAS, the City of Escondido (“Applicant”), proposes to implement the Escondido Creek Trail Master Plan through expansion and renovation of the existing Escondido Creek Trail, within a 4.5-mile segment of the existing Escondido Creek Channel corridor, within the City of Escondido, and thereby requires adoption of an Initial Study/Mitigated Negative Declaration (“IS/MND”) and Mitigation Monitoring and Reporting Plan (“MMRP”) (“Project”); and

WHEREAS, the subject property is all that real property described in Exhibit “A”, which is attached hereto and made a part hereof by this reference as though fully set forth herein (“Property”); and

WHEREAS, the Escondido Creek Trail Expansion and Renovation project implements an existing master plan, brought before the Escondido City Council on January 25, 2012; and

WHEREAS, the adoption of the Final IS/MND and MMRP are consistent with the powers and duties allotted to the Zoning Administrator pursuant to Article 61, Section 33-1319 of the Escondido Zoning Code (Chapter 33); and

WHEREAS, the Zoning Administrator of the City of Escondido did, on January 30, 2024, hold a public meeting to consider a request to adopt a Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Escondido Creek Trail Expansion and Renovation Project; and

WHEREAS, evidence was submitted to and considered by the Zoning Administrator at or before the public meeting date, including, without limitation, written information, and the staff report dated January 30, 2024, which along with its attachments is incorporated herein by this reference; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines (Title 14 of California Code of Regulations, Section 15000 et. seq.), the City is the Lead Agency for the Project, as the public Agency with principal responsibility for approving the Project; and

WHEREAS, a Draft Initial Study and Mitigated Negative Declaration (“IS/MND”) with a Mitigation Monitoring & Reporting Program (“MMRP”) was prepared, circulated, and noticed of its availability for public review and comment during the period from February 18, 2023 to March 21, 2023; and

WHEREAS, during the 30-day public comment period of the Draft IS/MND, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others. The City subsequently analyzed and considered any and all comments received during this public review period and has determined that they did not contain any significant new information within the CEQA Guidelines; and

WHEREAS, a Final IS/MND was subsequently prepared, which is comprised of any and all public comment letters received during the public review period, responses to comments, corrections/additions to the Draft IS/MND, or other referenced documents; and

WHEREAS, in addition to the Final IS/MND, a Mitigation and Monitoring and Reporting Program (“MMRP”) has been prepared for the Project to ensure compliance with the required mitigation measures or project revisions during project implementation; and

WHEREAS, on January 30, 2024, the Zoning Administrator held a public meeting as prescribed by law, at which time the Zoning Administrator received and considered the reports, related documents and recommendation of the Planning Division, and gave all person’s full opportunity to be heard and to present evidence and testimony regarding the Project. Evidence was submitted to and considered by the Zoning Administrator, including, without limitation:

- a. Written information including plans, studies, written and graphical information, and other material, submitted by the Applicant;

- b. Oral testimony from City staff, interested parties, and the public; and any written correspondence submitted by interested parties and the public;
- c. The staff report, dated January 30, 2024, with its attachments as well as City staff's recommendation on the Project, which is incorporated herein as though fully set forth herein;
- d. Additional information submitted during the public hearing; and

WHEREAS, the public meeting before the Zoning Administrator was conducted in all respects as required by the Escondido Municipal Code;

WHEREAS, the Zoning Administrator desires at this time, and seems it to be in the best interest, to adopt the Final IS/MND and MMRP.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Administrator of the City of Escondido:

1. That the above recitations are true and correct.
2. That the Zoning Administrator, in its independent judgement, has carefully reviewed and considered all environmental documentation comprising the Final IS/MND prepared for the Project and has determined that the City has made a good faith effort to adequately address all environmental issues associated with the Project. The Final IS/MND, as so amended and evaluated, is adequate and provides good-faith disclosure of available information on the project to determine whether there is substantial evidence that the Project would result in any significant effects. All of the requirements of CEQA have been met.
3. After consideration of all evidence presented, and studies and investigations made by the Zoning Administrator and on its behalf, the Zoning

Administrator makes the substantive findings and determinations attached hereto as Exhibit “B,” relating to the information that has been considered. In accordance with the Findings of Fact and the foregoing, the Zoning Administrator reached a decision on the matter as hereinafter set forth.

4. The Zoning Administrator adopts the Final IS/MND, attached as Exhibit “C,” which is incorporated herein as though fully set forth herein.

5. The MMRP, attached as Exhibit “C and incorporated herein by this reference, identifies mitigation measures necessary to reduce all impacts to a less-than-significant level, and assigns on-going responsibility for carrying out mitigation responsibilities which are appropriate to address and mitigate project-related impacts.

6. The Zoning Administrator, therefore, directs that Notice of Determination be filed with the County Clerk of the County of San Diego in accordance with CEQA Guidelines.

PASSED, ADOPTED AND APPROVED by the Zoning Administrator of the City of Escondido, California, at a regular meeting held on the 30th day of January, 2024.

Veronica Morones
Zoning Administrator, City of Escondido

ANNIE WARD
Witness

Note: This action may be appealed to Planning Commission
pursuant to Zoning Code Section 33-1303

SP

EXHIBIT "A"
PLANNING CASE NO. E21-0066
LEGAL DESCRIPTION

DOC# 2022-0278583



Jul 07, 2022 12:33 PM

OFFICIAL RECORDS

Ernest J. Dronenburg, Jr.,

SAN DIEGO COUNTY RECORDER

FEES: \$0.00 (SB2 Atkins: \$0.00)

PAGES: 75

RECORDING REQUESTED BY:
California Department of Parks and Recreation
Office of Grants and Local Services

WHEN RECORDED MAIL TO:
Office of Grants and Local Services
PO Box 942896
Sacramento, CA 94296-0001
Attn: Luan Aubin

APNs:

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

2350510100; 2350504100; 2350505300; 2350505400; 2323722100; 2325421500; 2325421400; 2321414900;
2321311300; 2321310500; 2323600900; 2320903300; 2321001800; 2321000700; 2320913400; 2293311500;
2293042400; 2293042600; 2293043100; 2293012000; 2293107300; 2301012500; 2301011700; 2301021800;
2301031500; 2301044000; 2301314800; 2301325500; 2301333800; 2301412000; 2313101700; 2313200200;
2313202400; 2313203400; 2313112800; 2313202600; 2313202800; 2313203600; 2313203000; 2313123000;
2313203200; 2313320500; 2313320400; 2313311100; 2313311000; 2313320300; 2313320200; 2313320100;

DEED RESTRICTION

I. WHEREAS, the City of Escondido (hereinafter referred to as "Owner(s)") is/are recorded owner(s) of the real property described in Exhibit A, attached and incorporated herein by reference (hereinafter referred to as the "Property"); and

II. WHEREAS, the California Department of Parks and Recreation (hereinafter referred to as "DPR") is a public agency created and existing under the authority of section 5001 of the California Public Resources Code (hereinafter referred to as the "PRC"); and

III. WHEREAS, Owner(s) (or Grantee) received an allocation of grant funds pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All of 2018 Competitive Grant Program for Improvements on the Property; and

IV. WHEREAS, on July 1, 2018, DPR's Office of Grants and Local Services conditionally approved Grant SW-37-011, (hereinafter referred to as "Grant") for improvements on the Property, subject to, among other conditions, recordation of this Deed Restriction on the Property; and

V. WHEREAS, but for the imposition of the Deed Restriction condition of the Grant, the Grant would not be consistent with the public purposes of the Competitive Grant Program and the funds that are the subject of the Grant could therefore not have been allocated; and

VI. WHEREAS, Owner(s) has/have elected to comply with the Deed Restriction of the Grant, so as to enable Owner(s), to receive the Grant funds and perform the work described in the Grant;

NOW, THEREFORE, in consideration of the issuance of the Grant funds by DPR, the undersigned Owner(s) for himself/herself/themselves and for his/her/their heirs, assigns, and successors-in-interest, hereby irrevocably covenant(s) with DPR that the condition of the grant (set forth at paragraph(s) 1 through 5 and in Exhibit B hereto) shall at all times on and after the date on which this Deed Restriction is recorded constitute for all purposes covenants, conditions and restrictions on the use and enjoyment of the Property that are hereby attached to the deed to the Property as fully effective components thereof.

1. DURATION. This Deed Restriction shall remain in full force and effect and shall bind Owner(s) and all his/her/their assigns or successors-in-interest for the period running from July 1, 2018 to June 30, 2048 (30 years).

2. TAXES AND ASSESSMENTS. It is intended that this Deed Restriction is irrevocable and shall constitute an enforceable restriction within the meaning of a) Article XIII, section 8, of the California Constitution; and b) section 402.1 of the California Revenue and Taxation Code or successor statute. Furthermore, this Deed Restriction shall be deemed to constitute a servitude upon and burden to the Property within the meaning of section 3712(d) of the California Revenue and Taxation Code, or successor statute, which survives a sale of tax-deeded property.

3. RIGHT OF ENTRY. DPR or its agent or employees may enter onto the Property at times reasonably acceptable to Owner(s) to ascertain whether the use restrictions set forth above are being observed.

4. REMEDIES. Any act, conveyance, contract, or authorization by Owner(s) whether written or oral which uses or would cause to be used or would permit use of the Property contrary to the terms of this Deed Restriction will be deemed a violation and a breach hereof. DPR may pursue any and all available legal and/or equitable remedies to enforce the terms and conditions of this Deed Restriction up to and including a lien sale of the property. In the event of a breach, any forbearance on the part of

DPR to enforce the terms and provisions hereof shall not be deemed a waiver of enforcement rights regarding such breach, or any subsequent breach.

5. SEVERABILITY. If any provision of these restrictions is held to be invalid, or for any reason becomes unenforceable, no other provision shall be affected or impaired.

Joanna Axelrod

Date: 7/7/22

Joanna Axelrod, Director of Community Services
City of Escondido

****NOTARY ACKNOWLEDGEMENT ON THE NEXT PAGE****

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA]

COUNTY OF San Diego]

On July 7 2022, before me,

Alicia Bagby, a Notary Public, personally appeared

Joanna Axelrod, who proved to me on the basis of

satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature:  (Seal)

EXHIBIT A

APN: 235-051-01-00

All that portion of land described in Grant Deed to the City of Escondido, located in the City of Escondido, County of San Diego, State of California, recorded as Document No. 203825 on December 5, 1958 in Book 7381, Page 492 of official records of said County.

Excepting from the above described land any portion being utilized by the Hale Avenue Resource Recovery Facility (HARRF) for plant operations Southeasterly of the Escondido Creek Watershed.

APN: 235-050-41-00

That portion of Block 143 of Rancho Rincon Del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of said County on August 13, 1892, more particularly described as follows:

Commencing at a point in the Southeasterly line of said Block 143, distant thereon North $26^{\circ}49'23''$ East from the Southeast corner of said Block 143; Thence at a right angle to said Southeasterly line of said Block 143, North $63^{\circ}10'37''$ West, a distance of 1076.12 feet to the TRUE POINT OF BEGINNING; Thence continuing North $63^{\circ}10'37''$ West, a distance of 540.47 feet to the Northwesterly line of said Block 143; Thence along said Northwesterly line, North $26^{\circ}38'38''$ East, a distance of 14.39 feet; Thence South $63^{\circ}16'07''$ East, a distance of 20.32 feet; Thence North $59^{\circ}52'00''$ East, a distance of 922.40 feet; Thence South $63^{\circ}24'54''$ East, a distance of 372.70 feet; Thence South $43^{\circ}22'38''$ West, a distance of 127.04 feet; Thence South $41^{\circ}26'42''$ West, a distance of 156.02 feet to a point on a non-tangent 1062.00 foot radius curve concave Northwesterly, a radial bearing to said point bears South $47^{\circ}04'58''$ East; Thence Southwesterly along arc of said curve, through a central angle of $16^{\circ}46'25''$, a distance of 310.91 feet; Thence South $59^{\circ}41'27''$ West, a distance of 279.17 feet to the POINT OF BEGINNING.

APN: 235-050-53-00

Parcel 1

Being a portion of Block 143 of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof made by J.M. Graham, No. 724, filed in the office of the County Recorder of San Diego County, August 13, 1892 more particularly described as follows:

Commencing at the most Easterly corner of said Block 143; thence, along the Northeasterly line of said Block 143, North $63^{\circ}25'29''$ West a distance of 639.00 feet to the TRUE POINT OF BEGINNING; thence, continuing along said Northeasterly line of Block 143, North $63^{\circ}25'29''$ West 58.00 feet; then South $26^{\circ}49'23''$ West 479.68 feet; thence North $42^{\circ}55'02''$ East a distance of 185.96 feet to the beginning of a tangent curve concave Westerly and having a radius of 96.00 feet; thence along said curve, in a Northerly direction, through an angle of $38^{\circ}47'37''$ a distance of 65.00 feet to the end of said curve; thence North $4^{\circ}07'25''$ East a distance of 55.69 feet to the beginning of tangent curve concave Easterly and having a radius of 49.00 feet; thence along said curve in a Northerly and Northeasterly direction, through an angle of $25^{\circ}17'53''$ a distance of 21.64 feet to the end of said curve; thence North $29^{\circ}25'18''$ East 80.86 feet; thence North $47^{\circ}25'33''$ East a distance of 90.06 feet to the TRUE POINT OF BEGINNING.

Parcel 2

Being a portion of Block 143 of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof made by J.M. Graham, No. 724, filed in the office of the County Recorder of San Diego County, August 13, 1892 more particularly described as follows:

Commencing at the most Easterly corner of said Block 143; thence along the Northeasterly line of Block 143, North $63^{\circ}25'29''$ West a distance of 697.00 feet to the TRUE POINT OF BEGINNING; thence, continuing along said Northeasterly line of Block 143, North $63^{\circ}25'29''$ West 144.97 feet; thence South $47^{\circ}25'33''$ West 21.85 feet; thence South $65^{\circ}26'07''$ West 98.46 feet; thence South $60^{\circ}26'29''$ West a distance of 54.32 feet to the beginning of a tangent curve concave Southeasterly and having a radius of 190.00 feet; thence along said curve, in a Southwesterly direction, through an angle of $13^{\circ}31'12''$ a distance of 44.83 feet to the end of said curve; thence South $46^{\circ}57'17''$ West 25.03 feet; thence North $43^{\circ}02'43''$ West 7.00 feet; thence South $46^{\circ}57'17''$ West a distance of 244.83 feet to the beginning of a tangent curve concave Northwesterly and having a radius of 763 feet; thence along said curve, in a Southwesterly direction, through an angle of $5^{\circ}31'49''$ a distance of 73.65 feet to a point, a radial bearing from said point to the center of said curve bears North $37^{\circ}30'54''$ West; thence South $63^{\circ}24'54''$ East 392.53 feet; thence North $26^{\circ}49'23''$ East a distance of 500.28 feet to the TRUE POINT OF BEGINNING.

EXCEPTING:

That portion of Block 143 of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof made by J.M. Graham, No. 724, filed in the office of the County Recorder of San Diego County, August 13, 1892 and a portion of Parcel No. 2 as described in San Diego County Superior Court Judgment of Condemnation No. 290694, June 1965, more particularly described as follows:

Commencing at the most easterly corner of said Block 143; thence along the Northeasterly line of said Block 143, North $63^{\circ}25'29''$ West a distance of 697.00 feet; thence South $26^{\circ}49'23''$ West 500.28 feet to the TRUE POINT OF BEGINNING; thence North $63^{\circ}24'54''$ West 22.61 feet; thence North $42^{\circ}55'02''$ East 212.09 feet to the beginning of a tangent 80 foot radius curve, concave westerly; thence northeasterly along the arc of said curve through a central angle of $26^{\circ}23'39''$ a distance of 36.85 feet; thence leaving said curve, southeasterly and radial to said curve South $73^{\circ}28'37''$ East 16.00 feet to a point on the arc of a 96.00 foot radius curve concave westerly; thence southwesterly along the arc of said curve through a central angle of $26^{\circ}23'39''$ a distance of 44.22 feet; thence tangent to said curve South $42^{\circ}55'02''$ West 185.96 Feet; thence South $26^{\circ}49'23''$ West 20.60 feet to the TRUE POINT OF BEGINNING.

APN: 235-050-54-00

Being a portion of Block 143 of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof made by J.M. Graham, No. 724, filed in the office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Easterly corner of said Block 143; thence, along the Northeasterly line of Said Block 143, North $63^{\circ}25'29''$ West a distance of 639.00 feet to the TRUE POINT OF BEGINNING; thence, continuing along said Northeasterly line of Block 143, North $63^{\circ}25'29''$ West 58.00 feet; thence South $26^{\circ}49'23''$ West 479.68 feet; thence North $42^{\circ}55'02''$ East a distance of 185.96 feet to the beginning of a tangent curve concave Westerly and having a radius of 96.00 feet; thence along said curve, in a Northerly direction, through an angle of $38^{\circ}47'37''$ a distance of 65.00 feet to the end of said curve; thence North $4^{\circ}07'25''$ East a distance of 55.69 feet to the beginning of a tangent curve concave Easterly and having a radius of 49.00 feet; thence along said curve in a Northerly and Northeasterly direction, through an angle of $25^{\circ}17'53''$ a distance of 21.64 feet to the end of said curve; thence North $29^{\circ}25'18''$ East 80.86 feet; thence North $47^{\circ}25'33''$ East a distance of 90.06 feet to the TRUE POINT OF BEGINNING.

APN: 232-372-21-00

Parcel 1

Being a portion of Lot 5 in Block 304 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Beginning at the most Southerly corner of said Lot 5, thence, along the Southeasterly line of Lot 5, North $47^{\circ}47'00''$ East 478.97 feet; thence North $63^{\circ}23'26''$ West 86.69 feet; thence South $48^{\circ}11'23''$ West 286.73 feet; thence South $49^{\circ}11'32''$ West a distance of 195.01 feet to the Southwesterly line of said Lot 5; thence, along said Southwesterly line of Lot 5, South $63^{\circ}35'29''$ East a distance of 94.02 feet to the POINT OF BEGINNING.

Parcel 2

Being a portion of Lot 6 in Block 304 of the Resurvey of a portion of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Beginning at the most Westerly corner of said Lot 6; thence, along the Northwesterly line of Lot 6, North $47^{\circ}47'00''$ East a distance of 713.00 feet to the most Northerly corner of said Lot 6; thence, along the Northeasterly line of Lot 6, South $63^{\circ}23'26''$ East a distance of 54.21 feet to an intersection with a curve concave Northwesterly and having a radius of 1478 feet, a radial bearing from said intersection to the center of said curve bears North $53^{\circ}07'54''$ West; thence, along said curve in a Southwesterly direction, through an angle of $10^{\circ}33'27''$ a distance of 272.34 feet to a point, a radial bearing from said point to the center of said curve bears North $42^{\circ}34'27''$ West; thence, South $42^{\circ}34'27''$ East 8.00 feet; thence South $46^{\circ}39'43''$ West 300.03 feet; thence South $47^{\circ}25'33''$ West 126.35 feet to the Southwesterly line of Lot 6, thence, along said Southwesterly line North $63^{\circ}25'29''$ West 98.60 feet to the POINT OF BEGINNING.

Parcel 3

Being a portion of Lot 5 in Block 304 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 724, filed in the Office of the Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Easterly corner of said Lot 5; thence, along the Southeasterly line of said Lot 5, South $47^{\circ}47'00''$ West 117.37 feet to the TRUE POINT OF BEGINNING; thence, continuing along the Southeasterly line, South $47^{\circ}47'00''$ West 116.66 feet; thence North $63^{\circ}23'26''$ West 86.69 feet; thence North $48^{\circ}11'23''$ East 13.30 feet; thence South $42^{\circ}34'27''$ East 4.00 feet to a point on a curve concave Northwesterly and having a radius of 1324 feet, a radial bearing from said point to the center of said curve bears North $42^{\circ}34'27''$ West; thence along said curve, in a Northeasterly direction, through an angle of $4^{\circ}28'05''$ a distance of 103.25 feet to a point, a radial bearing from said point to the

center of said curve bears North 47°02'32" West; thence South 63°23'26" East a distance of 87.31 feet to the TRUE POINT OF BEGINNING.

Parcel 4

Being a portion of Lot 5 in Block 304 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Beginning at the most Easterly corner of said Lot 5; thence, along the Southeasterly line of Lot 5, South 47°47'00" West 117.37 feet; thence North 83°23'26" West 87.31 feet to an intersection with a curve concave Northwesterly and having a radius of 1324 feet, a radial bearing from said intersection to the center of said curve bears North 47°02'32" West; thence along said curve, in a Northeasterly direction, through an angle of 4°52'51" a distance of 112.70 feet to an intersection with the Northeasterly line of said Lot 5, a radial bearing from said point of intersection to the center of said curve bears North 51°65'23" West; thence, along said Northeasterly line of Lot 5, South 63°23'26" East a distance of 102.59 feet to the POINT OF BEGINNING.

Parcel 5

Being a portion of Lot 4 in Block 304 of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Westerly corner of said Lot 4; thence along the Southwesterly line of Lot 4, South 63°23'26" East a distance of 360.14 feet to an intersection with a curve concave Northwesterly and having a radius of 1324 feet, a radial bearing from said intersection to the center of said curve bears North 51°55'23" West, said point of intersection also being the TRUE POINT OF BEGINNING; thence along said curve, in a Northeasterly direction, through an angle of 8°45'33" a distance of 202.41 feet to the end of said curve; thence, tangent to said curve, North 29°19'04" East a distance of 72.03 feet to the beginning of a tangent curve concave Southeasterly and having a radius of 1176 feet; thence along said curve, in a Northeasterly direction, through an angle of 0°21'36" a distance of 7.39 feet to a point, a radial bearing from said point to the center of said curve bears South 60°19'20" East; thence South 63°23'26" East 86.30 feet; thence South 29°09'9" West 280.28 feet to the said Southwesterly line of Lot 4; thence along said Southwesterly line North 63°23'26" West a distance of 102.59 feet to the TRUE POINT OF BEGINNING.

Parcel 6

Being a portion of Lot 7, Block 304, of Rancho Rincon del Diablo, in the City of, County of San Diego, State of California according to Map thereof No 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Beginning at the most Westerly corner of said Lot 6; thence along the Northwesterly line of said Lot 7 North $29^{\circ}09'09''$ East 412.34 feet to an angle point therein; thence, continuing along said Northwesterly line, North $38^{\circ}26'35''$ East 233.17 feet; thence South $63^{\circ}23'51''$ East a distance of 104.03 feet to an intersection with a curve concave Southeasterly and having a radius of 1022 feet, a radial bearing from said intersection to the center of said curve bears South $38^{\circ}56'03''$ East; thence along said curve, in a Southwesterly direction, through an angle of $21^{\circ}44'54''$ a distance of 387.93 feet to the end of said curve,; thence tangent to said curve, South $29^{\circ}19'04''$ West a distance of 72.03 feet to the beginning of a tangent curve concave Northwesterly and having a radius of 1478 feet; thence along said curve, in a Southwesterly direction, through an angle of $7^{\circ}33'02''$ a distance of 194.77 feet to an intersection with the Southwesterly line of said Lot 7, a radial bearing from said intersection to the center of said curve bears North $53^{\circ}07'54''$ West; then along said Southwesterly line of Lot 7 North $63^{\circ}23'26''$ West a distance of 54.21 feet to the POINT OF BEGINNING.

Parcel 7

Being a portion of Lot 4 in Block 304 of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Beginning at the most Easterly corner of said Lot 4; thence, along the Southeasterly line of Lot 4, South $67^{\circ}48'05''$ West 156.78 feet to an angle point therein; thence, continuing along said Southeasterly line, South $38^{\circ}26'35''$ West 316.99 feet to an angle point therein; thence, continuing along said Southeasterly line, South $29^{\circ}09'09''$ West 132.06 feet; thence North $63^{\circ}23'26''$ West a distance of 86.30 feet to an intersection with a curve concave Southeasterly and having a radius of 1176 feet, a radial bearing from said point to the center of said curve bears South $60^{\circ}19'20''$ East thence along said curve in a Northeasterly direction, through an angle of $10^{\circ}03'30''$ a distance of 206.45 feet to a point, a radial bearing from said point to the center of said curve bears South $50^{\circ}15'50''$ East; then North $41^{\circ}58'54''$ East 198.96 feet; thence North $39^{\circ}30'$ East a distance of 168.42 feet to the Northeasterly line of said Lot 4; thence along said Northeasterly line South $63^{\circ}23'51''$ East a distance of 141.06 feet to the POINT OF BEGINNING.

Parcel 8

Being a portion of Lot 7 in Block 304 of the Resurvey and subdivision of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 527, made by E. L. Dorn, filed in the Office of the County Recorder of San Diego County, April 10, 1888, more particularly described as follows:

Beginning at the most Northerly corner of said Lot 7; thence along the Northwesterly line of Lot 7, South $67^{\circ}48'05''$ West 156.78 feet to an angle point therein; thence, continuing along said Northwesterly line, South $38^{\circ}26'35''$ West 83.82 feet; thence South $63^{\circ}23'51''$ East a distance of 104.03 feet to an intersection with a curve concave Southeasterly and having a radius of 1022 feet, a radial bearing from said intersection to the center of said curve bears South $38^{\circ}56'03''$ East; thence along said curve, in a Northeasterly direction, through an angle of $13^{\circ}06'43''$ a distance of 233.88 feet to an intersection with the Northeasterly line of Lot 7, a radial bearing from said intersection to the center of said curve bears South $25^{\circ}49'20''$ East; thence along said Northeasterly line of Lot 7, North $63^{\circ}23'51''$ West 103.83 feet to the POINT OF BEGINNING.

Parcel 9

Being a portion of Lot 3 in Block 304 of Escondido Land and Town Company's Resurvey of a portion of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 527, filed in the Office of the County Recorder of San Diego County, April 10, 1888, more particularly described as follows:

Commencing at the most Westerly corner of said Lot 3; thence along the Southwesterly line of said Lot 3 South $63^{\circ}23'51''$ East a distance of 508.06 feet to the TRUE POINT OF BEGINNING; thence continuing along the Southwesterly line of Lot 3 South $63^{\circ}23'51''$ East 122.01 feet; thence North $26^{\circ}49'34''$ East 155.12 feet; thence North $50^{\circ}30'$ West 84.90 feet; thence South $39^{\circ}30'$ West a distance of 178.57 feet to the TRUE POINT OF BEGINNING.

Parcel 10

Being a portion of Lot 3 in Block 304 of Escondido Land and Town Company's Resurvey of a portion of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 527, filed in the Office of the County Recorder of San Diego County, April 10, 1888, more particularly described as follows:

Commencing at the most Southerly corner of said Lot 3; thence along the Southwesterly line of said Lot 3, North $63^{\circ}23'51''$ West a distance of 300.09 feet to a point distant thereon 630.07 feet from the most Westerly corner of said Lot 3; thence North $26^{\circ}49'34''$ East 155.12 feet; thence South $50^{\circ}30'$ East 33.16 feet to a point on a curve concave Southerly and having a radius of 1,185 feet, a radial bearing from said point to the center of said curve bears South $22^{\circ}48'45''$ East; thence along said curve in an Easterly direction through an angle of $9^{\circ}53'48''$ a distance of 204.68 feet; thence radially North $12^{\circ}54'57''$ West 5.00 feet; thence North $77^{\circ}05'03''$ East 163.33 feet to a point in the Southeasterly line of said Lot 3; thence South $26^{\circ}49'34''$ West along said Southeasterly line to the TRUE POINT OF BEGINNING.

Parcel 11

All that portion of Lot 6 in Block 304 of the Resurvey of a portion of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most westly corner of said Lot 6; thence along the southwesterly line of said Lot 6, South $63^{\circ}25'29''$ East a distance of 98.60 feet to the TRUE POINT OF BEGINNING; thence continuing along said southwesterly line, South $63^{\circ}25'29''$ East 11.90 feet, thence North $42^{\circ}13'24''$ East 122.61 feet to the southeasterly right-of way of the Escondido Creek Flood Control, Unit No. 1; thence southwesterly along said right-of-way line South $47^{\circ}25'33''$ West 126.35 feet to the TRUE POINT OF BEGINNING.

Parcel 12

That portion of Lot 3 in Block 304 of Escondido Land and Town Company's Resurvey of a portion of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No 527, filed in the Office of the County Recorder of San Diego County, April 10, 1888, lying within a strip of land 68.18 feet in width, said strip being 33.34 feet Northwesterly of and 34.84 feet Southeasterly of a line described as follows: Commencing at Engineer's Station 3+20.00 on the center line of the existing Indian Springs Channel as shown on City of Escondido Engineering Department Drawing No. F308-Sheet 9 on file in the Office of the City Engineer of the City of Escondido, being a point on the arc of a 800.00 foot radius curve, concave Southeasterly a radial line of said curve bears North $51^{\circ}05'47''$ West to said point; thence Northeasterly along the arc of said curve through a central angle of $04^{\circ}5'00''$ a distance of 57.01 feet to the Northeasterly line of land condemned in fee simple absolute to the City of Escondido and described in Parcel 9-A in that Final Order of Condemnation under Superior Court Case No. 290383 recorded May 24, 1965 as File No. 92628 being also a point in the boundary of land described in deed to Richard L. Yuebler recorded September 12, 1972 as File no. 242600 and being also the TRUE POINT OF BEGINNING of the herein described line; thence continuing Northeasterly along the arc of said curve through a central angle of $04^{\circ}34'58''$ a distance of 63.99 feet to the beginning of a reverse 800.00 foot radius curve; thence Northeasterly along the arc of said curve through a central angle of $15^{\circ}44'08''$ a distance of 219.71 feet to the Northeasterly line of said Lot 3. Said strip to terminate Northeasterly in the Northeasterly line of said Lot 3 and to terminate Southwesterly in the Northeasterly line of said parcel 9-A hereabove referred to.

APN: 232-542-14-00

Lot E of Escondido Tract Number 477, in the City of Escondido, County of San Diego, as shown on Map No 10083 filed in the Recorder's Office of the County of San Diego on May 4th, 1981, File Number 81-137700

APN: 232-542-15-00

Lot D of Escondido Tract Number 477, in the City of Escondido, County of San Diego, as shown on Map No 10083 filed in the Recorder's Office of the County of San Diego on May 4th, 1981, File Number 81-137700

APN: 232-141-49-00

Parcel 1

Being a portion of Lot 1, in Block 302 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Easterly corner of said Lot 1; thence along the Southeasterly line of said Lot 1, South $14^{\circ}22'56''$ West a distance of 146.37 feet to the TRUE POINT OF BEGINNING; thence, continuing, South $14^{\circ}22'56''$ West 83.72 feet; thence North $63^{\circ}21'19''$ West a distance of 107.75 feet to an intersection with a curve concave Northwesterly and having a radius of 1170 feet, a radial bearing from said point of intersection to the center of said curve, bears North $62^{\circ}31'13''$ West; thence along said curve, in a Northeasterly direction, through an angle of $3^{\circ}56'28''$ a distance of 80.48 feet to a point, a radial bearing from said point to the center of said curve bears North $66^{\circ}30'53''$ West; thence South $63^{\circ}31'11''$ East a distance of 91.63 feet to the TRUE POINT OF BEGINNING.

Parcel 2

Being a portion of Lot 1, in Block 302 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Easterly corner of said Lot 1: thence along the Southeasterly line of said Lot 1, South $14^{\circ}22'56''$ West a distance of 62.70 feet to the TRUE POINT OF BEGINNING; thence continuing, South $14^{\circ}22'56''$ West 85.67 feet; thence North $63^{\circ}31'11''$ West a distance of 91.63 feet to an intersection with a curve concave Northwesterly and having a radius of 1170 feet, a radial bearing from said point of intersection to the center of said curve bears North $66^{\circ}30'53''$ West; thence along said curve in a Northeasterly direction through an angle of $4^{\circ}07'11''$ a distance of 84.13 feet to a point, a radial bearing from said point to the center of said curve bears North $70^{\circ}38'04''$ West; thence South $63^{\circ}30'08''$ East a distance of 81.08 feet to the TRUE POINT OF BEGINNING.

Parcel 3

Being a portion of Lot 1, in Block 302 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Beginning at the most Southerly line of said Lot 1; thence along the Southwesterly line of said Lot 1, North $63^{\circ}21'19''$ West 50.50 feet; thence North $26^{\circ}38'49''$ East 96.80 feet; thence North $63^{\circ}21'19''$ West a distance of 116.50 feet to an intersection with a curve concave Northwesterly and having a radius of 1170 feet, a radial bearing from said point of intersection to the center of said curve bears North $44^{\circ}14'03''$ West; thence along said curve, in a Northeasterly direction, through an angle of $3^{\circ}04'57''$ a distance of 62.94 feet to a point, a radial bearing from said point to the center of said curve bears North $47^{\circ}19'00''$ West; thence South $63^{\circ}21'19''$ East a distance of 192.61 feet to an intersection with the Southeasterly line of said Lot 1; thence along said

Southeasterly line South $42^{\circ}31'56''$ West a distance of 163.04 feet to the POINT OF BEGINNING.

Parcel 4

Being a portion of Lot 1, in Block 302 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Southerly corner of said Lot 1; thence along the Southeasterly line of said Lot 1, North $42^{\circ}31'56''$ East a distance of 163.04 feet to the TRUE POINT OF BEGINNING; thence, continuing along said Southeasterly line, North $42^{\circ}31'56''$ East a distance of 55.16 feet to an angle point in said Southeasterly line of Lot 1; thence, continuing along said Southeasterly line, North $14^{\circ}22'56''$ East 98.24 feet; thence North $63^{\circ}21'19''$ West a distance of 154.48 feet to an intersection with a curve concave Northwesterly and having a radius of 1170 feet, a radial bearing from said point of intersection to the center of said curve bears North $54^{\circ}50'23''$ West; thence along said curve, in a Southwesterly direction through an angle of $7^{\circ}31'23''$ a distance of 153.62 feet to a point, a radial bearing from said point to the center of said curve bears North $47^{\circ}19'$ West; thence South $63^{\circ}21'19''$ East a distance of 192.61 feet to the TRUE POINT OF BEGINNING.

Parcel 5

Being a portion of Lot 1, in Block 302 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Beginning at the most Easterly corner of said Lot 1, ; thence along the Southeasterly line of said Lot 1, South $14^{\circ}22'56''$ West 62.70 feet; thence North $63^{\circ}30'08''$ West a distance of 81.08 feet to an intersection with a curve concave Northwesterly and having a radius of 1170 feet, a radial bearing from said point of intersection to the center of said curve bears North $70^{\circ}38'01''$ West; thence along said curve, in a Northeasterly direction, through an angle of $3^{\circ}02'20''$ a distance of 62.06 feet to an intersection with the Northeasterly line of said Lot 1, a radial bearing from said point of intersection to the center of said curve bears North $73^{\circ}40'24''$ West, thence, along said Northeasterly line of Lot 1 South $63^{\circ}31'11''$ East, a distance of 77.26 feet to the TURE POINT OF BEGINNING.

Parcel 6

Being a portion of Lot 2, in Block 302 of the Resubdivision of a part of Rancho Rincon del Diablo in the County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Beginning at the most Southerly corner of said Lot 2; thence along the Easterly line of said Lot 2, North $14^{\circ}22'56''$ East 186.10 feet; thence North $63^{\circ}26'43''$ West, 78.45 feet; thence South $13^{\circ}57'02''$ West a distance of 95.92 feet to the beginning of a curve concave Westerly and having a radius of 1170 feet, a radial bearing from said point of beginning to the center of said

curve bears North $78^{\circ}06'27''$ West; thence along said curve, in a Southerly direction through an angle of $4^{\circ}26'05''$ a distance of 90.56 feet to an intersection with the Southerly line of said Lot 2, a radial bearing from said point of intersection to the center of said curve bears North $73^{\circ}40'22''$ West; thence along said Southerly line of Lot 2, South $63^{\circ}31'11''$ East a distance of 77.25 feet to the POINT OF BEGINNING.

Parcel 7

Being a portion of Lot 1, in Block 302 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Southerly corner of said Lot 1, thence, along the Southwesterly line of said Lot 1, North $63^{\circ}21'19''$ West a distance of 50.50 feet to the TRUE POINT OF BEGINNING; thence, continuing along said Southwesterly line, North $63^{\circ}21'19''$ West a distance of 154.96 feet to an intersection with a curve concave Northwesterly and having a radius of 1170 feet, a radial bearing from said point of intersection to the center of said curve bears North $39^{\circ}07'53''$ West; thence along said curve, in a Northeasterly direction through an angle of $5^{\circ}06'10''$ a distance of 104.20 feet to a point, a radial bearing from said point to the center of said curve bears North $44^{\circ}14'03''$ West; thence, parallel to said Southwesterly line of Lot 1, South $63^{\circ}21'19''$ East 116.50 feet; thence South $26^{\circ}38'49''$ West a distance of 96.80 feet to the TRUE POINT OF BEGINNING.

Parcel 8

Being a portion of Lot 2, in Block 302 of the Resubdivision of a part of Rancho Rincon del Diablo in the County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Southerly corner of said Lot 2; thence along the Easterly line of said Lot 2, North $14^{\circ}22'56''$ East a distance of 186.10 feet to the TRUE POINT OF BEGINNING, thence, continuing North $14^{\circ}22'56''$ East 98.93 feet; thence North $63^{\circ}23'59''$ West 79.23 feet; thence South $13^{\circ}57'02''$ West 99.14 feet; thence South $63^{\circ}26'43''$ East a distance of 78.45 feet to the TRUE POINT OF BEGINNING.

Parcel 9

Being a portion of Lot 2, in Block 305 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof No. 349, filed in the Office of the County Recorder of San Diego County, July 10, 1886, more particularly described as follows:

Beginning at the most Northerly corner of said Lot 2; thence along the Westerly line of said Lot 2, South $14^{\circ}22'56''$ West a distance of 972.50 feet to an intersection with a curve concave Westerly and having a radius of 1345 feet, a radial bearing from said point of intersection to the center of said curve bears North $53^{\circ}22'18''$ West; thence along said curve, in a Northerly direction, through an angle of $24^{\circ}44'09''$ a distance of 580.67 feet to the end of said curve, a radial bearing from the end of said curve to the center of said curve bears North $78^{\circ}06'27''$ West; thence North $19^{\circ}58'15''$ East a distance of 298.98 feet to an intersection with the Northeasterly line of said Lot 2; thence along the Northeasterly line of said Lot 2, North $35^{\circ}37'54''$ West a distance of 167.00 feet to the POINT OF BEGINNING.

Parcel 10

Being a portion of Lot 1, in Block 302 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof No. 724, filed in the Office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Easterly corner of said Lot 1; thence along the Southeasterly line of said Lot 1, South $14^{\circ}22'56''$ West a distance of 232.09 feet to the TRUE POINT OF BEGINNING; thence, continuing South $14^{\circ}22'56''$ West 159.86 feet; thence North $63^{\circ}21'19''$ West a distance of 154.48 feet to an intersection with a curve concave Northwesterly and having a radius of 1170 feet, a radial bearing from said point of intersection to the center of said curve bears North $54^{\circ}50'23''$ West; thence along said curve, in a Northeasterly direction, through an angle of $7^{\circ}44'02''$ a distance of 157.93 feet to a point, a radial bearing from said point to the center of said curve bears North $62^{\circ}31'13''$ West, thence South $63^{\circ}21'19''$ East a distance of 107.75 feet to the TRUE POINT OF BEGINNING.

Parcel 11

Being a portion of Lot 1, in Block 305 of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego State of California, according to Map thereof made by E. L. Dorn, No. 527, filed in the Office of the County Recorder of San Diego County, April 10, 1888, more particularly described as follows:

Commencing at the most Southerly corner of said Lot 1; thence along the Southwesterly line of said Lot 1, North $35^{\circ}37'54''$ West a distance of 814.11 feet to an intersection with a curve concave Southeasterly and having a radius of 785 feet, a radial bearing from said point of intersection to the center of said curve bears South $57^{\circ}08'00''$ East, said point of intersection also being the TRUE POINT OF BEGINNING, thence along said curve, in a Northeasterly direction through an angle of $39^{\circ}01'39''$ a distance of 534.71 feet to a point, a radial bearing from said

point to the center of said curve bears South 18°06'21" East; thence North 18°06'21" West a distance of 5.00 feet to a point on a curve concave Southerly and having a radius of 790 feet; thence along said curve, in an Easterly direction, through an angle of 22°50'45" a distance of 315.00 feet to the end of said curve; thence tangent to said curve, South 85°15'36" East 64.70 feet; thence South 4°44'24" West a distance of 10.00 feet to a point on a curve concave Northerly and having a radius of 960 feet, a radial bearing from said point to the center of said curve bears North 4°44'24" East; thence along said curve, in an Easterly direction through an angle of 6°46'01" a distance of 113.38 feet to an intersection with the Northerly line of said Lot 1, a radial bearing from said point of intersection to the center of said curve bears North 2°01'37" West; thence along said Northerly line North 47°50'30" West 268.45 feet, thence continuing along the Northerly and Westerly boundaries of said Lot 1, the following bearings and distances: North 77°00' West 172.41 feet, South 75°15'17" West 280.49 feet, South 64°04'23" West 178.62 feet, South 58°01'09" West 149.49 feet, South 29°41'47" West 57.70 feet and South 16°47'19" West 154.32 feet to the Southwesterly line of said Lot 1; thence along said Southwesterly line of said Lot, South 35°37'54" East a distance of 167.00 feet to the TRUE POINT OF BEGINNING.

Excepting

Excepting all that portion granted to Edelbert and Margaret Ann Schmitt by the City of Escondido in deed No. 73-204714 filed in the office of the County Recorder San Diego County January 24, 1973.

APN: 232-131-13-00

Being a portion of Lot 1 in Block 305 of the Subdivision of the Rancho Rincon de el Diablo, in the City of Escondido County of San Diego, State of California, according to Map thereof made by E. L. Dorn No. 527, filed in the Office of the County Recorder of San Diego County, April 10, 1888, more particularly described as follows:

Commencing at the most Southerly corner of said Lot 1; thence along the Southwesterly line of said Lot 1, North $35^{\circ}37'54''$ West a distance of 814.11 feet to an intersection with a curve concave Southeasterly and having a radius of 785 feet, a radial bearing from said point of intersection to the center of said curve bears South $57^{\circ}08'00''$ East, said point of intersection also being the TRUE POINT OF BEGINNING; thence along said curve, in a Northeasterly direction through an angle of $39^{\circ}01'39''$ a distance of 534.71 feet to a point, a radial bearing from said point to the center of said curve bears South $18^{\circ}06'21''$ East; thence North $18^{\circ}06'21''$ West a distance of 5.00 feet to a point on a curve concave Southerly and having a radius of 790 feet; thence along said curve, in an Easterly direction, through an angle of $22^{\circ}50'45''$ a distance of 315 feet to an end of said curve; thence tangent to said curve, South $85^{\circ}15'36''$ East 64.70 feet; thence South $4^{\circ}44'24''$ West a distance of 10 feet to a point on a curve concave Northerly and having a radius of 960 feet, a radial bearing from said point to the center of said curve bears North $4^{\circ}44'24''$ East; thence along said curve, in an Easterly direction through an angle of $6^{\circ}46'01''$ a distance of 113.38 feet to an intersection with the Northerly line of said Lot 1, a radial bearing from said point of intersection to the center of said curve bears North $2^{\circ}01'37''$ West; thence along said northerly line North $47^{\circ}50'30''$ West 268.45 feet, thence continuing along the northerly and westerly boundaries of said Lot 1, the following bearings and distances: North $77^{\circ}00'$ West 172.41 feet, South $75^{\circ}15'17''$ West 280.49 feet, South $64^{\circ}04'23''$ West 178.62 feet, South $58^{\circ}01'09''$ West 149.49 feet, South $29^{\circ}41'47''$ West 57.70 feet and South $16^{\circ}47'19''$ West 154.32 feet to the Southwesterly line of said Lot 1; thence along said Southwesterly line of said Lot, South $35^{\circ}37'54''$ East a distance of 167.00 feet to the TRUE POINT OF BEGINNING.

APN: 232-131-05-00

Being a portion of Lot 5, Block 302, and Lot 5, Block 305, of subdivision of Rancho Rincon del Diablo in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 724, filed in the office of the County Recorder of San Diego County, August 13, 1892, more particularly described as follows:

Commencing at the most Easterly corner of Lot 5, Block 305; thence along the Northeasterly line of said Lot 5, Block 305, North $65^{\circ} 44' 11''$ West, a distance of 489.09 feet to an intersection with a curve, concave Northerly and having a radius of 955 feet, a radial bearing from said point of intersection to the center of said curve bears North $44^{\circ} 11' 34''$ West, said point of intersection also being the TRUE POINT OF BEGINNING; thence along said curve in a Westerly direction, through an angle of $31^{\circ} 25' 01''$ a distance of 523.65 feet to a point a radial bearing from said point to the center of said curve bears North $12^{\circ} 46' 33''$ West; thence along said radial bearing South $12^{\circ} 46' 33''$ East a distance of 5.00 feet to a point on a curve concave Northerly and having a radius of 960 feet; thence along said curve, in a Westerly direction, through an angle of $10^{\circ} 44' 35''$ a distance of 180.00 feet to an intersection with the Southerly line of Lot 5, Block 302, a radial bearing from said point of intersection to the center of said curve bears North $2^{\circ} 01' 58''$ West; thence along said Southerly line of Lot 5, Block 302, North $47^{\circ} 50' 30''$ West a distance of 268.61 feet to an angle point in said Southerly line of Lot 5, Block 302; thence, continuing along said Southerly line of Lot 5, Block 302; thence, continuing along said Southerly line of Lot 5, Block 302; North $77^{\circ} 00' 00''$ West, 46.23 feet to an intersection with a curve concave Southerly and having a radius of 960.00 feet, a radial bearing from said point of intersection to the center of said curve bears South, $106' 39''$ East; thence along said curve, in an Easterly direction, through an angle of $4^{\circ} 51' 03''$ a distance of 81.28 feet to the end of said curve; thence, tangent to said curve, South $85^{\circ} 15' 36''$ East 64.70 feet; thence South $4^{\circ} 44' 24''$ West a distance of 10.00 feet to a point on a curve concave Northerly and having a radius of 790.00 feet, a radial bearing from said point to the center of said curve bears North $4^{\circ} 44' 24''$ East; thence along said curve, in an Easterly direction, through an angle of $17^{\circ} 05' 57''$ a distance of 235.76 feet to a point, a radial bearing from said point to the center of said curve bears North $12^{\circ} 21' 33''$ West; thence along said radial bearing South $12^{\circ} 21' 33''$ East, a distance of 5.00 feet to a point on a curve concave Northerly and having a radius of 795.00 feet; thence along said curve, in an Easterly direction, through an angle of $27^{\circ} 18' 03''$ a distance of 378.81 feet to an intersection with the Northeasterly line of said Lot 5, Block 302, a radial bearing from said point of intersection to the center of said curve bears North $39^{\circ} 39' 36''$ West; thence along said Northeasterly line of Lot 5, Block 302, South $58^{\circ} 35' 51''$ East, a distance of 9.86 feet to the common corner between Lot 5, Block 302 and Lot 5, Block 305; thence along the said Northeasterly line of Lot 5, Block 305, South $65^{\circ} 44' 11''$ East a distance of 164.42 feet to the TRUE POINT OF BEGINNING.

APN: 232-360-09-00

Being a portion of Lots 1 and 2 in Block 315 of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 527, filed in the office of the County Recorder, of San Diego County, more particularly described as follows: Commencing at the most Northerly corner of said Block 315; thence along the Northeasterly line of said Block 315 South $65^{\circ} 43' 30''$ East, a distance of 433.50 feet to the TRUE POINT OF BEGINNING; thence, continuing along said Northeasterly line, South $65^{\circ} 43' 30''$ East 155.43 feet; thence, at right angles South $24^{\circ} 16' 30''$ West 50.00 feet; thence at right angles South $65^{\circ} 43' 30''$ East a distance of 90.60 feet to an intersection with a curve concave Southeasterly and having a radius of 1175 feet, a radial bearing from said point of intersection to the center of said curve bears South $22^{\circ} 01' 53''$; thence along said curve, in a Southwesterly direction, through an angle of $9^{\circ} 40' 03''$ a distance of 198.26 feet to a point, a radial bearing from said point to the center of said curve bears South $31^{\circ} 41' 56''$ East; thence North $31^{\circ} 41' 56''$ West 10.00 feet to a point on a curve concave Southeasterly and having a radius of 1185 feet, a radial bearing from said point to the center of said curve bears South $31^{\circ} 41' 56''$ East; thence along said curve, in a Southwesterly direction, through an angle of $10^{\circ} 30' 22''$ a distance of 217.29 feet to the end of said curve, a radial bearing from the end of said curve to the center of said curve bears South $42^{\circ} 12' 18''$ East; thence North $42^{\circ} 12' 18''$ West 5.00 feet; thence South $47^{\circ} 47' 42''$ West, a distance of 43.30 feet to the Southwesterly line of said Block 315; thence along said Southwesterly line of Block 315, North $65^{\circ} 44' 11''$ West 152.70 feet; thence North $47^{\circ} 47' 42''$ East, 104.27 feet; thence North $46^{\circ} 20' 45''$ East 276.80 feet; thence North $39^{\circ} 14' 22''$ East a distance of 77.03 feet to the TRUE POINT OF BEGINNING.

APN: 232-090-33-00

Being a portion of Lot 6 in Block 316 of Subdivision of a portion of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to map thereof made by E.L. Dorn, being Map No. 527, filed in the office of the County Recorder of San Diego County, on April 10, 1888, more particularly described as follows:

Beginning at the most Northerly corner of said Lot 6; thence along the Northerly line of said Lot 6, South $88^{\circ} 47' 10''$ West a distance of 272.63 feet to an intersection with the Northeasterly Right-of-Way line conveyed to California Central Railway Company, a corporation, (now Atchison, Topeka and Santa Fe Railroad Company), by deed dated August 13, 1888, and recorded March 7, 1889, in Book 146, page 196 of Deeds, and also as said right-of-way is shown on Miscellaneous Map No. 41, filed in the office of the County Recorder on January 10, 1922; thence along said Northeasterly Right-of-Way line South $65^{\circ} 43' 30''$ East, 142.00 feet; thence leaving said Right-of-Way line North $84^{\circ} 30' 00''$ East, a distance of 161.43 feet to an intersection with the Easterly line of said Lot 6; thence along said Easterly line North $19^{\circ} 50' 41''$ West, a distance of 51.76 feet to the POINT OF BEGINNING. (Said above described parcel contains 0.284 acres).

APN: 232-100-18-00

Being a portion of Block "X" of the Subdivision of the Rancho Rincon del Diablo in the City of Escondido, County of San Diego, State of California, according to the Map thereof no. 527 made by E.L. Dorn, filed in the office of the County Recorder of said San Diego County, April 10, 1887, more particularly described as follows:

Beginning at the most Westerly corner of said Block "X"; thence along the Westerly line of said Block "X", South $19^{\circ}50'41''$ East 53.92 feet; thence North $89^{\circ}34'20''$ a distance of 124.17 feet to the beginning of a tangent curve concave Northerly and having a radius of 1453 feet; thence along said curve, in an Easterly direction, through an angle of $4^{\circ}23'32''$ a distance of 111.39 feet to an intersection with the Easterly line of said Block "X", a radial bearing from said point of intersection to the center of said curve bears North $4^{\circ}49'12''$ West; thence along said Easterly line of Block "X", North $30^{\circ}21'01''$ West 57.30 feet to the Northerly line of said Block "X"; thence along said Northerly line of Block "X", South $88^{\circ}47'19''$ West a distance of 224.81 feet to the POINT OF BEGINNING. Said above describe parcel contains 0.276 acres.

APN: 232-100-07-00

Being a portion of Lot 5 in Block 145 in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 349, filed in the office of the County Recorder of San Diego County, July 10, 1866, more particularly described as follows:

Beginning at the Northwest corner of said Lot 5; thence along the Northerly line of said Lot 5, North $88^{\circ} 47' 19''$ East 91.73 feet; thence North $88^{\circ} 48' 23''$ East a distance of 233.06 feet to an intersection with a curve concave Northerly and having a radius of 1453 feet, a radial bearing from said point of intersection to the center of said curve bears North $16^{\circ} 42' 47''$ West; thence along said curve, in a Westerly direction, through an angle of $11^{\circ} 53' 35''$ a distance of 301.60 feet to an intersection with the Westerly line of said Lot 5, a radial bearing from said point of intersection to the center of said curve bears North $4^{\circ} 49' 12''$ West; thence along said Westerly line of Lot 5, North $30^{\circ} 21' 01''$ West a distance of 57.30 feet to the POINT OF BEGINNING.

APN: 232-091-34-00

Being a portion of the Westerly 300 feet of Lot 6, Block 317 of the Subdivision of Rancho Rincon del Diablo in the City of Escondido, County of San Diego, State of California, according to the Map thereof No. 527, made by E.L. Dorn, filed in the office of the County Recorder of said San Diego County April 10, 1888, more particularly described as follows:

Beginning at the Southwest corner of said Lot 6; thence along the Southerly line of said Lot 6, North $88^{\circ} 47' 19''$ East a distance of 316.54 feet to the Easterly line of the Westerly 300 feet of Lot 6; thence along said Easterly line of the Westerly 300 feet of Lot 6, North $19^{\circ} 50' 04''$ West a distance of 63.17 feet to a point on a curve concave Northerly and having a radius of 1347 feet, a radial bearing from said point to the center of said curve bears North $6^{\circ} 58' 05''$ West; thence along said curve, in a Westerly direction, through an angle of $6^{\circ} 32' 25''$ a distance of 153.76 feet to the end of said curve; thence South $89^{\circ} 34' 20''$ West a distance of 161.53 feet to the Westerly line of said Lot 6; thence, along said Westerly line of Lot 6, South $19^{\circ} 50' 41''$ East a distance of 58.47 feet to the POINT OF BEGINNING.

APN: 229-331-15-00

Lot 1 in Block 11 of RANCHO RINCON DEL DIABLO, in the City of Escondido, County of San Diego, State of California, according to the Map thereof No. 527, filed in the office of the County Recorder of said San Diego County, April 10, 1888:

EXCEPTING that portion lying Easterly of the Easterly line of the California State Highway as described in Final Order of Condemnation in Case No. 146391 Superior Court of San Diego County, in regard to "People of the State of California versus Claude R. Conklin, et al.", recorded December 23, 1948 in Book 3059, page 454 of Official Records.

ALSO EXCEPTING that portion described in Deed to Ralph L. Smith et ux., recorded September 10, 1954 in Book 5356, page 448 of Official Records said portion in said deed being described as follows:

Beginning at a point in the Southwesterly line of said Lot 1 which is distant thereon North 29° 19' West 444.50 feet from the most Southerly corner of said Lot 1; thence along said Southwesterly lot line South 29° 19' East 444.50 feet to said most Southerly corner; thence along the Southeasterly line of said Lot North 59° 08' 52" East 443 feet more or less to the Southwesterly corner of that parcel of land described under Parcel 6 of Final Order of Condemnation in Superior Court Case No. 146391, recorded December 23, 1948 as no. 126694, Book 3059, page 454 of Official Records; being a point in a 3880 foot radius curve concave Easterly in the Southwesterly line of said Parcel 6, the tangent to said curve bearing North 24° 26' 14" West to said point; thence along the Southwesterly line of said Parcel 6 Northerly along said curve North 23° 23' West 507.88 feet to a point which is distant along said Southwesterly line South 23° 23' West 507.88 feet to a point which is distant along said Southwesterly line South 23° 23' East 190.00 feet from the Northerly line of said lot; thence South 44° 44' West, 522.10 feet more or less to the point of beginning.

APN 229-304-24-00

That portion of Lot 9 in W.R. Timken's subdivision, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 464 filed in the Office of the County Recorder of said County on January 19, 1888, more particularly described as follows:

Commencing at the Southwesterly corner of said Lot 9, Thence Easterly along the Southerly line of said Lot 9, North $70^{\circ}03'14''$ East, a distance of 13.03 feet to the TRUE POINT OF BEGINNING; Thence North $40^{\circ}19'53''$ East, a distance of 146.20 feet to the Easterly line of said Lot 9; Thence Southerly along the Easterly line of said Lot 9, South $19^{\circ}55'46''$ East, a distance of 72.47 feet to the Southeasterly corner of said Lot 9; Thence Westerly along the Southerly line of said Lot 9, South $70^{\circ}03'14''$ West, a distance of 88.75 feet to the TRUE POINT OF BEGINNING.

APN: 229-304-26-00

Being a portion of Lot 10 in W.R. Timken's Subdivision of Block 9 of Sanford's Subdivision of Rancho Rincon del Diablo in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 464 filed in the office of the County Recorder of San Diego County, January 19, 1883, which lies within Lot 16 of said Block 9 according to Map No. 336, filed in the office of the County Recorder of San Diego County, more particularly described as follows:

Beginning at the most Westerly corner of said Lot 10; thence along the Westerly line of said Lot 10, South 19° 56' 46" East 108.78 feet; thence North 40° 19' 53" East 161.17 feet to the Easterly line of said Lot 10; thence along the said Easterly line, North 19° 55' 46" East 28.88 feet to the Northerly line of said Lot 10; thence along said Northerly line, South 70° 03' 14" West, a distance of 139.97 feet to the POINT OF THE BEGINNING.

APN: 229-304-31-00

Parcel 1

Being a portion of Lot 29 in W.R. Timken's Subdivision of Block 9, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 464, filed in the office of the County Recorder of San Diego County, January 19, 1888, more particularly described as follows:

Beginning at the most Southerly corner of said Lot 29; thence along the Southeasterly line of said Lot 29, North 24°47'25" East 159.94 feet; thence South 40°19'53" West a distance of 129.61 feet to the Westerly line of said Lot 29; thence along said Westerly line, South 19°55'46" East a distance of 49.35 feet to the POINT OF BEGINNING.

Parcel 2

Being a portion of Lots 26 and 27 in W.R. Timken's Subdivision according to Map thereof No. 464 filed in the office of the County Recorder of San Diego County, January 19, 1888, more particularly described as follows:

Commencing at the most Northerly corner of Lot 28 in said W.R. Timken's Subdivision; thence along the Easterly line of said Lots 27 and 28, South 19°54'45" East 164.44 feet; thence South 70°05'15" West a distance of 20.75 feet to the TRUE POINT OF BEGINNING thence, continuing South 70°05'15" West 75.25 feet; thence South 19°54'45" East 43.02 feet; thence North 40°19'53" East a distance of 86.68 feet to the TRUE POINT OF BEGINNING.

Parcel 3

Those portions of Lots 26 , 27 and 28 in W.R Timken's Subdivision, according to Map thereof No. 464, filed in the office of the County Recorder of San Diego County on January 19, 1888, in the City of Escondido, County of San Diego, State of California, more particularly described as follows:

Beginning at the Northwesterly corner of said Lot 27, Thence Southerly along the Westerly line of said lots 27 and 26, South 19°55'46" East, a distance of 91.15 feet; Thence North 40°19'53" East, a distance of 50.63 feet; Thence North 19°54'45" West, a distance of 110.46 feet to the Northerly line of said Lot 28;

Thence Westerly along the Northerly line of said Lot 28, South 24°47'25" West, a distance of 62.52 feet to the Point of Beginning.

APN 229-301-20-00

Parcel 1

Being a portion of Lot 38 of W.R. Timken's Subdivision of Block 9 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map No. 464 filed January 19, 1888 in the Office of the County Recorder of San Diego County and a portion of the Easterly 30 feet of Waverly Place, lying Westerly of and adjacent to said Lot 38 as vacated and closed to public use on February 20, 1912, by Ordinance No. 166 of the City Council of the City of Escondido, more particularly described as follows:

Beginning at the most Easterly corner of said Lot 38, thence along the Easterly line of said Lot 38 North $30^{\circ}18'21''$ West a distance of 76.92 feet to an intersection with a curve concave Southeasterly and having a radius of 812 feet, a radial bearing from said point of intersection to the center of said curve bears South $32^{\circ}32'05''$ East thence along said curve, in a Southwesterly direction, through an angle of $9^{\circ}27'30''$ a distance of 134.04 feet to a point, a radial bearing from said point to the center of said curve bears South $41^{\circ}59'35''$ East; thence, along said radial bearing, North $41^{\circ}59'35''$ West a distance of 8.00 feet to the beginning of a curve concave Southeasterly and having a radius of 820 feet; thence along said curve, in a Southwesterly direction, through an angle of $6^{\circ}59'15''$ a distance of 100.00 feet to an intersection with the Westerly line of the Easterly 30 feet of Waverly Place as vacated on February 20, 1912, a radial bearing from said point of intersection to the center of said curve bears South $48^{\circ}58'50''$ East; thence along the Westerly prolongation of the Southerly line of said Lot 38 and the Southerly line of Lot 38, North $5''$ East a distance of 234.83 feet to the POINT OF BEGINNING.

Parcel 2

That portion of Lot 39 of W.R. Timken's subdivision and also a portion of the Easterly 30.00 feet of Waverly Place lying Westerly and adjacent to said Lot 39 as vacated and closed to public use on February 20, 1912 by Ordinance No. 166 of the City Council of the City of Escondido, all located in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 464, filed in the Office of the County Recorder of said County on January 19, 1888, more particularly described as follows:

Beginning at the intersection of the Westerly prolongation of the Northerly line of said Lot 39 with the Westerly line of the said Easterly 30.00 feet of Waverly Place

as vacated; Thence Southerly along said Westerly line, South $19^{\circ}54'45''$ East, a distance of 111.25 feet; Thence North $70^{\circ}05'15''$ East, a distance of 126.01 feet; Thence North $24^{\circ}36'51''$ West, a distance of 111.62 feet to the Northerly line of said Lot 39; Thence Westerly along the Northerly line of said Lot 39, South $70^{\circ}05'15''$ West, a distance of 116.89 feet to the Point of Beginning.

APN: 229-310-73-00

Parcel 1

All that portion of Lot 23, Block 8 of Escondido in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the Office of the County Recorder of San Diego County, July 10, 1886, more particularly described as follows:

Commencing at the most Southerly corner of said Lot 23; thence along the Southeasterly line of Said Lot 23, North $68^{\circ}30'24''$ East a distance of 211.54 feet to an angle point in the said Southeasterly line and the TRU POINT OF BEGINNING; thence North $79^{\circ}04'15''$ East 23.71 feet; thence North $29^{\circ}17'22''$ West 68.74 feet; thence South $74^{\circ}40'39''$ West to an intersection with a line which bears North $30^{\circ}18'21''$ West from the TRUE POINT OF BEGINNING; thence South $30^{\circ}18'21''$ East to the TRUE POINT OF BEGINNING.

Parcel 2

That portion of Lot 22 in Block 8, according to Map thereof No. 336, filed in the Office of the County Recorder of San Diego County on July 10, 1886, located in the City of Escondido, County of San Diego, State of California, more particularly described as follows:

Beginning at the Northwesterly corner of said Lot 22, Thence Easterly along the Northerly line of said Lot 22, North $68^{\circ}30'24''$ East, a distance of 211.54 feet; Thence continuing along said Northerly line, North $79^{\circ}30'35''$ East, a distance of 261.50 feet to the Northeasterly corner of said Lot 22; Thence Southerly along the Easterly line of said Lot 22, South $29^{\circ}20'54''$ East, a distance of 98.53 feet; Thence South $89^{\circ}10'22''$ West, a distance of 71.27 feet to the beginning of a tangent 832.50 foot radius curve, concave Southerly; Thence Westerly along arc of said curve, through a central angle of $14^{\circ}29'39''$, a distance of 210.60 feet; Thence South $74^{\circ}40'43''$ West, a distance of 71.31 feet to the beginning of a tangent 682.50 foot radius curve concave Southerly; Thence westerly along arc of said curve, through a central angle of $10^{\circ}55'01''$, a distance of 130.04 feet to the Westerly line of said lot 22; Thence Northerly along the Westerly line of said Lot 22, North $30^{\circ}18'21''$ West, a distance of 65.12 feet to the Point of Beginning.

Parcel 3

That portion of Lot 23 in Block 8, according to Map thereof No. 336, filed in the Office of the County Recorder of San Diego County on July 10, 1886, located in the City of Escondido, County of San Diego, State of California, more particularly described as follows:

Beginning at the Southwesterly corner of said Lot 23; Thence Northerly along the Westerly line of said Lot 23, North $30^{\circ}18'21''$ West, a distance of 73.17 feet to a

point on a 820.50 foot radius curve concave Southerly, a radial bearing to said point bears North $26^{\circ}55'24''$ West; Thence Easterly along arc of said curve, through a central angle of $11^{\circ}36'07''$, a distance of 166.14 feet; Thence North $74^{\circ}40'43''$ East, a distance of 71.26 feet to the beginning of a tangent 970.50 foot radius curve concave Southerly; Thence Easterly along arc of said curve, through a central angle of $13^{\circ}11'32''$, a distance of 223.46 feet; Thence South $30^{\circ}18'21''$ East, a distance of 61.88 feet to the Southerly line of said Lot 23; Thence Westerly along the Southerly line of said Lot 23, South $79^{\circ}30'35''$ West, a distance of 245.40 feet; Thence continuing along said Southerly line, South $68^{\circ}30'24''$ West, a distance of 211.54 feet to the Point of Beginning.

Parcel 4

That portion of Lot 21 in Block 8, according to Map thereof No. 336, filed in the Office of the County Recorder of San Diego County on July 10, 1886, located in the City of Escondido, County of San Diego, State of California, more particularly described as follows:

Beginning at the Northwesterly corner of said Lot 21; Thence Easterly along the Northerly line of said Lot 21, North $87^{\circ}58'26''$ East, a distance of 247.47 feet to an angle point in said Northerly line; Thence continuing along said Northerly line, North $87^{\circ}45'57''$ East, a distance of 204.05 feet to an angle point in said Northerly line; Thence continuing along said Northerly line, North $89^{\circ}56'56''$ East, a distance of 213.89 feet to the Northeasterly corner of said Lot 21; Thence Southerly along the Easterly line of said Lot 21, South $28^{\circ}20'04''$ East, a distance of 95.39 feet; Thence South $88^{\circ}39'43''$ West, a distance of 664.13 feet to the Westerly line of said Lot 21; Thence Northerly along the Westerly line of said Lot 21, North $29^{\circ}20'54''$ West, a distance of 94.72 feet to the Point of Beginning.

APN: 230-101-25

That portion of Lot 1 in Block 7 of the subdivision of the Rancho Rincon Del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the Office of the County Recorder of said County on July 10, 1886, more particularly described as follows:

BEGINNING at the Southwesterly corner of said Lot 1, Thence Northerly along the Westerly line of said Lot 1, North $28^{\circ}20'04''$ West, a distance of 156.95 feet to a point on a 825 foot radius curve concave Northerly, a radial bearing to said point bears South $0^{\circ}43'30''$ West; Thence Easterly along arc of said curve, through a central angle of $20^{\circ}13'40''$, a distance of 291.26 feet; Thence leaving said curve, South $28^{\circ}22'02''$ East, a distance of 62.87 feet to the Southeasterly line of said Lot 1; Thence Westerly along the Southeasterly line of said Lot 1, South $61^{\circ}39'18''$ West, a distance of 274.10 feet to the POINT OF BEGINNING.

APN 230-101-17-00

Being a portion of the Southeasterly 142.2 feet, measured along the Northeasterly and Southwesterly lines of Lot 1 in Block 7 of the Subdivision of the Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to the Map thereof No. 336, filed by O.H. Sanford in the office of the Recorder of said San Diego County, July 10, 1886, more particularly described as follows:

Beginning at the most Easterly corner of said Lot 1; thence along the Southeasterly line of said Lot 1, South 61° 39' 18" West 125.59 feet; thence North 28° 22' 02" West a distance of 62.87 feet to an intersection with a curve concave Northwesterly and having a radius of 825 feet, a radial bearing from said point of intersection to the center of said curve bears North 19° 30' 40" West; thence along said curve, in a Northeasterly direction, through an angle of 8° 27' 17" a distance of 121.74 feet to the end of said curve; thence tangent to said curve, North 52° 02' 03" East a distance of 4.36 feet to the Northeasterly line of said Lot 1; thence along said Northeasterly line of Lot 1, South 28° 22' 02" East a distance of 53.07 feet to the POINT OF BEGINNING.

APN 230-102-18-00

Being a portion of Block 6 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the Office of the County Recorder of San Diego County, July 10, 1886, more particularly described as follows:

Beginning at the most Southerly corner of said Block 6; thence along the Southeasterly line of said Block 6 North $61^{\circ} 41' 51''$ East a distance of 399.72 feet to the most Easterly corner of said Block 6; thence along the Northeasterly line of said Block 6 North $28^{\circ} 19' 42''$ West 46.02 feet; thence South $62^{\circ} 02' 03''$ West a distance of 399.77 feet to the Southwesterly line of said Block 6; thence along said Southwesterly line of Block 6 South $28^{\circ} 22' 02''$ East a distance of 48.36 feet to the POINT OF BEGINNING.

APN 230-103-15-00

Being a portion of the Southerly 1 acre of Block 5 of the City of Escondido, County of San Diego, State of California, according to the Map thereof No. 336, filed in the Office of the County Recorder of San Diego County July 10, 1886, more particularly described as follows:

Beginning at the most Southerly corner of said Block 5; thence, along the Southeasterly line of said Block 5, North 61° 42' 18" East a distance of 400.13 feet to the most Easterly corner of said Block 5; thence, along the Northeasterly line of said Block 5, North 28° 19' 18" West 108.86 feet; thence South 41° 26' 31" West 180.26 feet; thence South 62° 02' 03" West a distance of 231.01 feet to the Southwesterly line of said Block 5; thence along said Southwesterly line of Block 5, South 28° 19' 42" East a distance of 47.76 feet to the POINT OF BEGINNING.

APN 230-104-40-00

PARCEL 1

That portion of Lot 9, in Block 4, of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the most Southerly corner of said Block 4; thence along the Southwesterly line of Block 4, being also the Northeasterly line of Elm Street (80 feet wide), North $28^{\circ} 18' 42''$ West, 288.67 feet to the TRUE POINT OF BEGINNING; thence North $61^{\circ} 37' 46''$ East, 349.19 feet to the Southwesterly line of the Northeasterly 50 feet of said Lot 9, said 50 feet being measured at right angles to the Northeasterly line of Lot 9; thence along the Southwesterly line of the Northeasterly 50 feet of Lot 9, North $28^{\circ} 18' 17''$ West, 62.15 feet to the Northwesterly line of Lot 9; thence along the Northwesterly line of Lot 9, South $65^{\circ} 18' 49''$ West, 149.90 feet and South $60^{\circ} 01' 20''$ West, 199.69 feet to the Southwesterly line of said Block 4; thence along said Southwesterly line, South $28^{\circ} 18' 42''$ East, 66.18 feet to the TRUE POINT OF BEGINNING.

PARCEL 2

That portion of the Westerly one-half of Lot 10, in Block 4, of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the most Westerly corner of said Lot 10; thence along the Southwesterly line of Lot 10, being also the Northeasterly line of Elm Street, (80 feet wide), South $28^{\circ} 18' 42''$ East, 366.61 feet to the TRUE POINT OF BEGINNING; thence North $61^{\circ} 37' 46''$ East, 199.61 feet to the Easterly line of the Westerly one-half of Lot 10; thence along said Easterly line, South $28^{\circ} 18' 42''$ East, 68.22 feet to the Southeasterly line of Lot 10; thence along the Southeasterly line of Lot 10, South $60^{\circ} 01' 20''$ West, 199.69 feet to the Southwesterly line of Lot 10; thence along said Southwesterly line, North $28^{\circ} 18' 42''$ West, 73.82 feet to the TRUE POINT OF BEGINNING.

PARCEL 3

That portion of the Easterly one-half of Lot 10, in Block 4, of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the most Northerly corner of said Lot 10; thence along the Northeasterly line of Lot 10, being also the Southwesterly line of Date Street (80 feet wide) South $28^{\circ} 18' 17''$ East, 306.61 feet to the TRUE POINT OF BEGINNING; thence continue along said Northeasterly line, South $28^{\circ} 18' 17''$ East, 81.07 feet to the Southeasterly line of said Lot 10; thence along said Southeasterly line, South $65^{\circ} 18' 49''$ West, 200.00 feet to the Westerly line of the Easterly one-half of Lot 10; thence along said Westerly line, North $28^{\circ} 18' 42''$ West, 68.22 feet to a line that bears South $61^{\circ} 37' 46''$ West, and passes through the TRUE POINT OF BEGINNING; thence North $61^{\circ} 37' 46''$ East, 199.61 feet to the TRUE POINT OF BEGINNING.

PARCEL 4

That portion of the Northeasterly 50 feet of Lot 9, in Block 4, of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:
Beginning at the most Easterly corner of said Block 4; thence along the Northeasterly line of Block 4, being also the Southwesterly line of Date Street (80 feet wide), North 28° 18' 17" West, 289.11 feet to the TRUE POINT OF BEGINNING; thence continue along the Northeasterly line, North 28° 18' 17" West, 58.93 feet to the Northwesterly line of said Lot 9; thence along the Northwesterly line of Lot 9, South 65° 18' 49" West, 50.10 feet to the Southwesterly line of the Northeasterly 50 feet of said Lot 9, said 50 feet being measured at right angles to the Northeasterly line of Lot 9; thence along the Southwesterly line of the Northeasterly 50 feet of Lot 9, South 28° 18' 17" East, 62.15 feet to a line that bears South 61° 37' 46" West and passes through the TRUE POINT OF BEGINNING; thence North 61° 37' 46" East, 50.00 feet to the TRUE POINT OF BEGINNING.

APN: 230-131-48-00

Parcel 1 (805)

All that portion of Lot 10, in Block 3 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the most Westerly corner of said Lot 10; thence along the Southwesterly line of Lot 10, being also the Northeasterly line of Date Street (80 feet wide), South $28^{\circ}18'17''$ East, 309.60 feet to the TRUE POINT OF BEGINNING; thence continue on said Southwesterly line, South $28^{\circ}18'17''$ East, 40.05 feet to the most Southerly corner of land described in deed to CORA PEARL HOUSER, recorded February 7, 1945, in Book 1826, page 16, of Official Records of said County; thence along the Southeasterly line of land so described, North $61^{\circ}41'43''$ East, 125.00 feet to the most Easterly corner of said land; thence along the Northeasterly line of said land, North $28^{\circ}18'17''$ West 40.19 feet to a line that bears north $61^{\circ}37'46''$ East and passes through the TRUE POINT OF BEGINNING; thence South $61^{\circ}37'46''$ West, 125.00 feet to the TRUE POINT OF BEGINNING.

Parcel 2 (806)

All that portion of Lot 10, in Block 3 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows.

Beginning at the most Westerly corner of said Lot 10; thence along the Southwesterly line of Lot 10, being also the Northeasterly line of Date Street (80 feet wide), South $28^{\circ}18'17''$ East, 309.60 feet; thence North $61^{\circ}37'46''$ East, 125.00 feet to the Northeasterly line of land described in deed to CORA PEARL HOUSER, recorded February 7, 1945, in Book 1826, page 16, of Official Records of said County, and the TRUE POINT OF BEGINNING; thence along said Northeasterly line, South $28^{\circ}18'17''$ East, 36.61 feet to the most Southerly corner of the land described in deed to AGUSTIN H. and FRANCES CORREA, recorded October 23, 1959, as Document no. 219560, of Official Records of said County; thence along the Southeasterly line of said Correa land, North $55^{\circ}10'08''$ East, 62.50 feet to the most Easterly corner thereof; thence along the Northeasterly line of said Correa land, North $28^{\circ}18'17''$ West, 29.58 feet to a line that bears North $61^{\circ}37'46''$ East and passes through the TRUE POINT OF BEGINNING; thence South $61^{\circ}37'46''$ West, 62.09 feet to the TRUE POINT OF BEGINNING.

Parcel 3 (807)

All that portion of Lot 10, in Block 3 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows.

Beginning at the most Westerly corner of said Lot 10; thence along the Southwesterly line of Lot 10, being also the Northeasterly line of Date Street (80 feet wide), South $28^{\circ}18'17''$ East, 309.60 feet; thence North $61^{\circ}37'46''$ East, 187.09 feet to the Northeasterly line of the land described in deed to AGUSTIN H. and FRANCES CORREA, recorded October 23 1959, as Document No. 219560, of Official Records of said County, and the TRUE POINT OF BEGINNING; thence

along said Northeasterly line, South 28°18'17" East, 29.58 feet to the most Southerly corner of land describe in deed to BILLY R. and MARY E. GARNER, recorded January 20, 1966 as File No. 11004 in Series 7, Book 1966, Official Records of said County; thence along the Southeasterly line of said Garner land, North 55°10'08" East, 62.50 feet to the most Easterly corner thereof; thence along the Northeasterly line of said Garner land, North 28°18'17" West, 22.55 feet to a line that bears North 61°37'46" East, and passes through the TRUE POINT OF BEGINNING; thence South 61° 37'46" West, 62.09 feet to the TRUE POINT OF BEGINNING

Parcel 4 (808)

All that portion of Lot 10, in Block 3, of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the Office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the most Westerly corner of said Lot 10; thence along the Southwesterly line of Lot 10, being also the Northeasterly line of Date Street (80 feet wide), South 28°18'17" East, 309.60 feet; thence North 61°37'46" East, 249.18 feet to the Northeasterly line of land describe in deed to Billy R. and Mary E. Garner, recorded January 20, 1966, as File No. 11004 in Series 7 Book 1966, Official Records of said County, and the TRUE POINT OF BEGINNING; thence along said Northeasterly line South 28°18'17" East, 22.55 feet to the most Southerly corner of land described in deed to Andrew J. Brewer, Jr, and Eula May Brewer, recorded February 19, 1958, in Book 6957, page 154 of Official Records of said County' thence along the Southeasterly line of said Brewer land, North 55°10'08" East, 62.50 feet to the most Easterly corner thereof; thence along the Northeasterly line of said Brewer land, North 28°18'17" West 15.52 feet to a line that bears North 61°37'46" East and passes through the TRUE POINT OF BEGINNING; thence South 61°37'46" West, 62.09 feet to the TRUE POINT OF BEGINNING.

Parcel 5 (809)

All that portion of Lot 10, in Block 3, of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the intersection of the Northeasterly line of Lot 10, being also the Southwesterly line of Cedar Street (80 feet wide), with the Southeasterly line of Cedar Brook, according to Map thereof No. 4340, filed in the office of the Recorder of said County, September 17, 1959; thence along the Northeasterly line of Lot 10, South 28°18'17" East, 9.92 feet to the Easterly prolongation of the Southerly line of land conveyed to Andrew Brewer by deed dated October 28, 1942, and recorded in Book 1422, page 488, of Official Records of said County; thence along said prolongation South 55°10'08" West, 89.21 feet to the most Southerly corner of land conveyed to William M. and Julia J. Hawkes by deed recorded March 20, 1958, and recorded in Book 7002, Page 122, of Official Records of said County' thence along the Southwesterly line of said Hawkes land, North 28°18'17" West 14.61 feet to the most Southerly corner of said Cedar Brook; thence along the Southeasterly line of Cedar Brook, North 58°10'38" East, 88.80 feet to the TRUE POINT OF BEGINNING.

Parcel 6 (810)

Those portions of Lots 9 and 10, in Block 3 of Map 336, filed in the office of the county recorder of San Diego county on July 10th, 1886, in the City of Escondido, County of San Diego, state of California, more particularly described as follows:

Beginning at the most westerly corner of said lot 10, thence along the southwesterly line of lot 10, being also the northeasterly line of Date Street, an 80.00 foot wide street, South 28°18'17" east, a distance of 349.65 feet to the most Southerly corner of land described in deed to Cora Pearl Houser, recorded February 7th, 1945, in book 1826, page 16 of official records of said County, point also being the true point of beginning; thence along the Southeasterly line of land so described, North 61°41'43" East, 125.00 feet to the most Easterly corner of said land; thence along the Northeasterly line of said land, North 28° 18'17" West, a distance of 3.58 feet to the most southerly corner of land described in deed to Agustin H. and Frances Correa, recorded October 23rd, 1959 as Document No. 219560 of official records of said County; thence along the Southeasterly line of said Correa land and the Easterly prolongation thereof, north 55° 10'08" East, a distance of 75.45 feet to an intersection with the Northerly prolongation of the Easterly line of lot 4 of said block 3; thence along the Northerly prolongation of the Easterly line of said lot 4, south 28°18'17" East, a distance of 91.88 feet; thence South 61°37'46" West, a distance of 199.96 feet to a point on the Southwesterly line of said lot 9, said point also being on the Easterly line of said Date Street; thence along the Southwesterly line of said lot 9 and the Northerly prolongation thereof, north 28°18'17" West, a distance of 79.95 feet to the TRUE POINT OF BEGINNING.

Parcel 7 (811)

Those portions of Lots 9 and 10, in Block 3, of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the most Easterly corner of Lot 5 in said Block 3; thence along the Northeasterly line of said Lot 5 and its Northwesterly prolongation, North $28^{\circ}18'17''$ West, 294.47 feet to the TRUE POINT OF BEGINNING; thence continue on said Northwesterly prolongation, North $28^{\circ}18'17''$ West, 97.54 feet to the Southeasterly line of land described in deed to ANDREW J. BREWER, JR. and EULA MAY BREWER recorded February 19, 1958, in Book 6957, page 154, of Official Records of said County; thence along the Southeasterly line of said Brewer land, South $55^{\circ}10'08''$ West, 0.77 feet to the most Easterly corner of land described in deed to BILLY R. and MARY E. GARNER, recorded January 20, 1966, as File No. 11004 in Series 7, Book 1966, Official Records of said County; thence along the Southeasterly line of said Garner land, South $55^{\circ}10'08''$ West, 49.55 feet to the Northwesterly prolongation of the Southwesterly line of said Lot 5 in Block 3; thence along said Northwesterly prolongation South $28^{\circ}18'17''$ East, 91.88 feet to a line that bears South $61^{\circ}37'46''$ West, and passes through the TRUE POINT OF BEGINNING; thence North $61^{\circ}37'46''$ East, 49.99 feet to the TRUE POINT OF BEGINNING.

Parcel 8 (812)

THOSE PORTIONS OF LOTS 9 AND 10, IN BLOCK 3 OF MAP 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 10TH, 1886, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF LOT 6 IN SAID BLOCK 3; THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOT 6 AND ITS NORTHWESTERLY PROLONGATION THEREOF, NORTH 28°18'17" WEST, A DISTANCE OF 294.53 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUEING ON SAID NORTHWESTERLY PROLONGATION, NORTH 28°18'17" WEST, A DISTANCE OF 103.20 FEET TO THE SOUTHEASTERLY LINE OF LAND DESCRIBED IN DEED TO ANDREW J. BREWER, JR. AND EULA MAY BREWER, RECORDED FEBRUARY 19TH, 1958 IN BOOK 6957, PAGE 154 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID BREWER LAND, SOUTH 55°10'08" WEST, A DISTANCE OF 50.31 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF SAID LOT 6; THENCE ALONG THE NORTHWESTERLY PROLONGATION OF SAID LOT 6, SOUTH 28°18'17" EAST, A DISTANCE OF 97.54 FEET; THENCE NORTH 61°37'46" EAST, A DISTANCE OF 49.99 FEET TO THE TRUE POINT OF BEGINNING.

Parcel 9 (813)

Those portions of Lots 9 and 10, in Block 3 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the most Easterly corner of said Block 3; thence along the Northeasterly line of said Block 3, being also the Southwesterly line of Cedar Street (80 feet wide), North 28°18'17" West, 305.00 feet to the TRUE POINT OF BEGINNING; thence continue on said Northeasterly line, North 28°18'17" West, 104.15 feet, to the Easterly prolongation of the Southerly line of land conveyed to Andrew Brewer by deed dated October 28, 1942, and recorded in Book 1422, page 488, of Official Records; thence South 55°10'08" West on said prolongation, a distance of 100.63 feet to the Northerly prolongation of the Westerly line of Lot 7 in said Block 3; thence along said Northerly prolongation South 28°18'17" East, 92.73 feet to a line that bears South 61°41'33" West and passes through the TRUE POINT OF BEGINNING; thence North 61°41'33" East, 99.98 feet to the TRUE POINT OF BEGINNING.

APN 230-132-55-00

Parcel 1

That portion of Lot 9 in Block 2 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at a point in the Southwesterly line of said Block 2, distant thereon North 28° 18' 17" west, 296.73 feet from the most Southerly corner of said Block 2; thence continue on said Southwesterly line, North 28° 18' 17" West, 61.32 feet to the most Westerly corner of said Lot 9; thence along the Northwesterly line of Lot 9, North 51° 59' 10" East, 102.61 feet to the Northwesterly prolongation of the Northeasterly line of Lot 2 in said Block 2; thence along said prolongation, South 28° 18' 27" East, 80.51 feet to a line that bears North 61° 37' 46" East and passes through the POINT OF BEGINNING; thence South 61° 37' 46" West, 101.14 feet to the POINT OF BEGINNING.

Parcel 2

That portion of Lot 9 in Block 2 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at a point in the Southwesterly line of said Block 2, distant thereon North 28° 18' 17" west, 296.73 feet from the most Southerly corner of said Block 2; thence continue on said Southwesterly line, North 28° 18' 17" West, 61.32 feet to the most Westerly corner of said Lot 9; thence along the Northwesterly line of Lot 9, North 51° 59' 10" East, 102.61 feet to the Northwesterly prolongation of the Northeasterly line of Lot 2 in said Block 2; thence along said prolongation, South 28° 18' 27" East, 80.51 feet to a line that bears North 61° 37' 46" East and passes through the POINT OF BEGINNING; thence South 61° 37' 46" West, 101.14 feet to the POINT OF BEGINNING.

Parcel 3

That portion of Lot 10 in Block 2 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the intersection of the Southwesterly line of said Block 2 with the Southeasterly line of Cedar Brook, according to Map thereof No. 4340, filed in the office of the County Recorder of said County; thence along the Southeasterly line of said Cedar Brook, North 58° 10' 38" East, 101.33 feet to Northwesterly prolongation of the Northeasterly line of Lot 2 in said Block 2; thence along said prolongation, South 28° 18' 27" East, 52.85 feet to the Southeasterly line of said Lot 10; thence along the Southeasterly line of Lot 10, South 51° 59' 10" West, 102.61 feet to the Southwesterly line of said Block 2; thence along the Southwesterly line of Block 2, North 28° 18' 17" West 63.94 feet to the POINT OF BEGINNING.

Parcel 4

That portion of Lot 10 in Block 2 of Escondido in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the intersection of the Northwesterly prolongation of the Southwesterly line of Lot 3 in said Block 2 with the Southeasterly line of Cedar Brook according to Map thereof No. 4340, filed in the office of the County Recorder of said County; thence South 28° 18' 27" East on said prolongation 0.99 feet to the TRUE POINT OF BEGINNING, said point also being the most Westerly corner of land conveyed to Marguerita E. Nordahl, et al., by deed recorded March 27, 1959, in Book 7573, Page 211 Official Records of said County; thence along the Northwesterly line of land so conveyed, North 62° 43' 22" East, 50.58 feet to the Northwesterly prolongation of the Northeasterly line of said Lot 3 in Block 2; thence along said prolongation South 28° 18' 27" East, 45.52 feet to the Southeasterly line of said Lot 10; thence along the Southeasterly line of Lot 10, South 64° 28' 55" West, 14.66 feet, and South 51° 59' 10" West, 36.45 feet to the abovementioned Northwesterly prolongation of the Southwesterly line of Lot 3; thence along said prolongation, North 28° 18' 27" West, 51.86 feet to the TRUE POINT OF BEGINNING.

Parcel 5

That portion of Lot 10 in Block 2 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the intersection of the Northwesterly prolongation of the Southwesterly line of Lot 4 in said Block 2 with the Southeasterly line of said Lot 10; thence along said prolongation North 28° 18' 27" West, 45.52 feet to the most Westerly corner of land conveyed to John S. and Marcelina Cookerly by deed recorded March 27, 1959, in Book 7573, Page 212, Official Records of said County; thence along the Northwesterly line of land so conveyed, North 62° 43' 22" East, 49.40 feet to the Southwesterly line of the Northeasterly 203.67 feet of said Lot 10; thence along said Southwesterly line, South 28° 16' 57" East, 47.04 feet to the Southeasterly line of said Lot 10; thence along said Southeasterly line, South 64° 28' 55" West, 49.43 feet to the POINT OF BEGINNING.

Parcel 6

That portion of Lot 10, in Block 2 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at the intersection of the Southeasterly line of Cedar Brook according to Map thereof No. 4340, filed in the office of the County Recorder of said County, with the Northwest prolongation of the Southwesterly line of Lot 3, in said Block 2; thence along the Southeasterly line of Cedar Brook, North 58° 10' 38" East, 100.16 feet to the Southwesterly line of the Northeasterly 203.67 feet of said Lot 10; thence along said Southwesterly line, South 28° 16' 57" East, 8.92 feet to the Northwesterly line of land conveyed to John S. and Marcelina Cookerly by deed recorded March 27, 1959, in Book 7573, page 212, Official Records of said County; thence along the Northwesterly line of land so conveyed, South 62° 43' 22" West, 49.40 feet to the most

Northerly corner of land conveyed to Marguerita E. Nordahl, et al., by deed recorded March 27, 1959, in Book 7573, page 211, Official Records of said County; thence along the Northwesterly line of land so conveyed, South $62^{\circ} 43' 22''$ West, 50.58 feet to the abovementioned Northwesterly prolongation of the Southwesterly line of Lot 3 in Block 2; thence along said prolongation, North $28^{\circ} 18' 27''$ West, 0.99 feet to the POINT OF BEGINNING.

Parcel 7

That portion of Lot 10, in Block 2 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at a point in the Northeasterly line of said Lot 10, distant thereon South $28^{\circ} 16' 57''$ East, 396.16 feet from the most Northerly corner of Lot 10; thence South $61^{\circ} 37' 46''$ West, 203.67 feet to the Southwesterly line of the Northeasterly 203.67 feet of said Lot 10; thence along said Southwesterly line, South $28^{\circ} 16' 57''$ East, 38.57 feet to the Southeasterly line of said Lot 10; thence along the Southeasterly line of Lot 10, North $64^{\circ} 28' 55''$ East, 203.91 feet to the most Easterly corner of said Lot 10; thence along the Northeasterly line of Lot 10 North $28^{\circ} 16' 57''$ West, 48.72 feet to the POINT OF BEGINNING.

Parcel 8

That portion of Lot 9, in Block 2 of Escondido, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 336, filed in the office of the County Recorder of said County, July 10, 1886, described as follows:

Beginning at a point in the Southwesterly line of said Block 2, distant thereon North $28^{\circ} 18' 17''$ West, 296.73 feet from the most Southerly corner of said Block 2; thence North $61^{\circ} 37' 46''$ East, 151.71 feet to the Northwesterly prolongation of the Southwesterly line of Lot 4 in said Block 1, and the TRUE POINT OF BEGINNING; thence along said prolongation North $28^{\circ} 18' 27''$ West, 85.89 feet to the Northwesterly line of said Lot 9; thence along the Northwesterly line of Lot 9, North $64^{\circ} 28' 55''$ East, 253.34 feet to the Northeasterly line of Block 2; thence along the Northeasterly line of Block 2, South $28^{\circ} 16' 57''$ East, 73.28 feet to a line that bears North $61^{\circ} 37' 46''$ East and passes through the TRUE POINT OF BEGINNING; thence South $61^{\circ} 37' 46''$ West, 253.01 feet to the TRUE POINT OF BEGINNING.

APN: 230-133-38-00

Those portions of Lots 9 and 10, in Block 1, according to Map No. 336, filed in the Office of the County Recorder of San Diego County on July 10, 1886, in the City of Escondido, County of San Diego, State of California, more particularly described as follows:

Beginning at the Southwesterly corner of said Lot 10, Thence Northerly along the Westerly line of said Lot 10, North $28^{\circ}16'57''$ West, a distance of 36.90 feet; Thence North $61^{\circ}37'46''$ East, a distance of 17.43 feet to the beginning of a tangent 936.00 foot radius curve concave Northwesterly; Thence Easterly along arc of said curve, through a central angle of $14^{\circ}34'04''$, a distance of 237.98 feet; Thence South $42^{\circ}56'18''$ East, a distance of 3.00 feet; Thence North $47^{\circ}03'42''$ East, a distance of 134.71 feet; Thence North $42^{\circ}56'18''$ West, a distance of 3.00 feet; Thence North $47^{\circ}03'42''$ East, a distance of 145.43 feet to the Easterly line of said Lot 10; Thence Southerly along the Easterly line of said Lots 10 and 9, South $14^{\circ}47'20''$ East, a distance of 140.63 feet; Thence South $47^{\circ}03'42''$ West, a distance of 213.80 feet to the beginning of a tangent 1060.00 foot radius curve, concave Northwesterly; Thence Westerly along arc of said curve, through a central angle of $14^{\circ}34'04''$, a distance of 269.51 feet; Thence radial to said curve, North $28^{\circ}22'14''$ West, a distance of 2.00 feet; Thence South $61^{\circ}37'46''$ West, a distance of 17.62 feet to the Westerly line of said Lot 9, Thence Northerly along the Westerly line of said Lot 9, North $28^{\circ}16'57''$ West, a distance of 85.10 feet to the Point of Beginning.

APN: 230-141-20-00

All that portion of Lot 5 in Block 179 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County August 13. 1892, described as follows:

Beginning at a point in the Westerly line of said Lot 5, distant thereon South $17^{\circ}49'55''$ East, 644.96 feet from the most Westerly corner of Lot 5, said point being in the arc of a curve, concave Southerly and having a radius of 1266 feet, a radial line to said point bears North $46^{\circ}07'10''$ West; thence Easterly along said curve, through a central angle of $20^{\circ}24'04''$, an arc distance of 450.78 feet; thence North $64^{\circ}16'54''$ East, 112.86 feet to a point on the Easterly line of said Lot 5, distance thereon South $12^{\circ}45'54''$ East, 676.16 feet from the most Northerly corner of Lot 5; thence along the Easterly line of Lot 5, South $12^{\circ}45'54''$ East, 77.89 feet to the most Easterly corner of Lot 5; thence along the Southeasterly line of Lot 5, South $58^{\circ}32'22''$ West, 546.55 feet to the most Southerly corner of Lot 5; thence along the Westerly line of Lot 5, North $17^{\circ}49'55''$ West, 51.67 feet to the point of beginning.

APN: 231-310-17-00

Lot 17 of Riva Park, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 5308, filed in the office of the County Recorder of San Diego County, December 10, 1963.

APN: 231-320-02-00

The Northerly 70.00 feet, measured at right angles, of the Westerly 545 feet, measured along the Northwesterly line of Valley Boulevard, of Lot 1 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723 filed in the office of the County Recorder of San Diego County.

APN: 231-320-24-00

That portion of Lot 1 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:
Beginning at a point in the Southeasterly line of said Block 178, distant thereon North 61° 39' 46" East, 545.00 feet from the most Southerly corner of Block 178; thence parallel with the Southwesterly line of Lot 1 in said Block 178, North 28° 15' 14" West, 397.30 feet to the TRUE POINT OF BEGINNING; thence continue North 28° 15' 14" West, 39.04 feet to the Northwesterly line of said Lot 1; thence along the Northwesterly line of Lot 1, North 64° 16' 54" East, 110.11 feet to a line that is parallel with the Southwesterly line of Lot 1 and passes through a point in the Southeasterly line of Block 178, distant thereon North 61° 39' 46" East, 655.00 feet from the most Southerly corner of Block 178, thence along said parallel line, South 28° 15' 14" East, 39.04 feet to a line that bears North 64° 16' 54" East and passes through the TRUE POINT OF BEGINNING thence South 64° 16' 54" West, 110.11 feet to the TRUE POINT OF BEGINNING.

APN: 231-320-34-00

Those portions of Lots 1 and 2 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southeasterly line of said Block 178, distant thereon North $61^{\circ}39'46''$ East, 655.00 feet from the most Southerly corner of Block 178; thence parallel with the Southwesterly line of Lot 1 in said Block 178, North $28^{\circ}15'14''$ West, 392.27 feet to the TRUE POINT OF BEGINNING; thence continue North $28^{\circ}15'14''$ West, 39.04 feet to the Northwesterly line of said Lot 1; thence along the Northwesterly lines of Lots 1 and 2, North $64^{\circ}16'54''$ East, 145.14 feet to a line that is parallel with the Southwesterly line of Lot 1 and passes through a point in the Southeasterly line of Block 178, distant thereon North $61^{\circ}39'46''$ East, 800.00 feet from the most Southerly corner of Block 178; thence along said parallel line South $28^{\circ}15'14''$ East, 47.05 feet; thence South $64^{\circ}16'54''$ West, 72.46 feet, thence North $25^{\circ}43'06''$ West, 8.00 feet; thence South $64^{\circ}16'54''$ West, 73.03 feet to the TRUE POINT OF BEGINNING.

APN: 231-311-28-00

Lot 28 in Vista Del Cerritos, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 5264, filed September 18, 1963, in the office of the County Recorder, of San Diego County.

APN: 231-320-26-00

That portion of Lot 2 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southeasterly line of said Block 178, distant thereon North 61° 39' 46" East, 800.00 feet from the most Southerly corner of Block 178; thence parallel with the Southwesterly line of Lot 1 in said Block 178, North 28° 15' 14" West, 377.63 feet to the TRUE POINT OF BEGINNING; thence continue North 28° 15' 14" West, 47.05 feet to the Northwesterly line of said Lot 2; thence along the Northwesterly line of Lot 2, North 64° 16' 54" East, 50.05 feet to a line that is parallel with the Southwesterly line of Lot 1 and passes through a point in the Southeasterly line of Block 178, distant thereon North 61° 39' 46" East, 850.00 feet from the most Southerly corner of Block 178; thence along said parallel line, South 28° 15' 14" East, 47.05 feet to a line that bears North 54° 16' 54" East and passes through the TRUE POINT OF BEGINNING; thence South 64° 16' 54" West, 50.05 feet to the TRUE POINT OF BEGINNING.

APN: 231-320-28-00

That portion of Lot 2 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southeasterly line of said Block 178, distant thereon North 61° 39' 46" East, 850.00 feet from the most Southerly corner of Block 178; thence parallel with the Southwesterly line of Lot 1 in said Block 178, North 28° 15' 14" West, 375.34 feet to the TRUE POINT OF BEGINNING; thence North 64° 16' 54" East, 23.25 feet to the beginning of a tangent curve, concave Northwesterly and having a radius of 1463 feet; thence Northeasterly along said curve, through a central angle of 1° 02' 56", an arc distance of 26.78 feet to a line that is parallel with the Southwesterly line of Lot 1 and passes through a point in the Southeasterly line of Block 178, distant thereon North 61° 39' 46" East, 900.00 feet from the most Southerly corner of Block 178; thence along said parallel line, North 28° 15' 14" West, 46.95 feet to the Northwesterly line of said Lot 2; thence along the Northwesterly line of Lot 2, South 54° 37' 10" West, 0.86 feet and South 64° 16' 54" West, 49.19 feet to a line that bears North 28° 15' 14" West and passes through the TRUE POINT OF BEGINNING; thence South 28° 15' 14" East 47.05 feet to the TRUE POINT OF BEGINNING.

APN 231-320-36-00

That portion of Lot 2 in Block 178 of Rancho del Diablo in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723 filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southeasterly line of said Block 178, distant thereon North $61^{\circ}29'46''$ East, 900.00 feet from the most Southerly corner of Block 178; thence parallel with the Southwesterly line of Lot 1 in said Block 178 North $28^{\circ}15'14''$ being in the arc of a non-tangent curve, concave Northwesterly and having a radius of 1463 feet, a radial line to said point bears South $26^{\circ}46'02''$ East; thence Northeasterly along said curve, through a central angle of $3^{\circ}55'02''$ an arc distance of 100.02 feet to a line that is parallel with the Southwesterly line of Lot 1 and passes through a point in the Southeasterly line of Block 178, distant thereon North $61^{\circ}39'46''$ East, 1000.00 feet from the most Southerly corner of Block 178; thence along said parallel line, North $28^{\circ}15'14''$ West and passes through the TRUE POINT OF BEGINNING; thence South $28^{\circ}15'14''$ East, 46.95 feet to the TRUE POINT OF BEGINNING.

APN 231-320-30-00

That portion of Lot 2 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southeasterly line of said Block 178, distant thereon North $61^{\circ}39'46''$ East, 1000.00 feet from the most Southerly corner of Block 178; thence parallel with the Southwesterly line of Lot 1 in said Block 178, North $28^{\circ}15'14''$ West, 373.98 feet to the TRUE POINT OF BEGINNING, said point also being in the arc of a non-tangent curve, concave Northwesterly and having a radius of 1463 feet, a radial line to said point bears South $30^{\circ}41'04''$ East; thence Northeasterly along said curve, through a central angle of $6^{\circ}27'28''$, an arc distance of 164.90 feet to a line that bears North $21^{\circ}32'30''$ West, and passes through a point in the Southeasterly line of Block 178, distant thereon North $61^{\circ}39'48''$ East, 1118.10 feet from the most Southerly corner of Block 178; thence along said line, North $21^{\circ}32'30''$ West, 64.26 feet to the Northwesterly line of said Lot 2; thence along the Northwesterly line of Lot 2, South $54^{\circ}37'10''$ West, 172.85 feet to a line that bears North $28^{\circ}15'14''$ West and passes through the TRUE POINT OF BEGINNING; thence South $28^{\circ}15'14''$ East, 58.63 feet to the TRUE POINT OF BEGINNING.

APN: 231-312-30-00

That Portion of Lot 7 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Northeasterly line of said Lot 7, distant thereon South 21° 30' 20" East, 775.59 feet from the most Northerly corner of Lot 7, said point also being in the arc of a non-tangent curve, concave Northwesterly and having a radius of 1333 feet, a radial line to said point bears South 47° 58' 40" East; thence Southwesterly along said curve, through a central angle of 9° 18' 32", an arc distance of 216.57 feet; thence on a line that is radial to said curve, South 38° 40' 08" East, 3.00 feet to a point on a curve that is concentric with the last mentioned curve and has a radius of 1336 feet; thence Southwesterly along said concentric curve, through a central angle of 9° 10' 17", and arc distance of 213.85 feet to the Northeasterly boundary of Vista Del Cerritos according to Map thereof No. 5264, filed in the office of the County Recorder of San Diego County, September 18, 1963; thence along said boundary, South 30° 26' 45" East, 71.21 feet to the Southeasterly line of said Lot 7; thence along the Southeasterly line of Lot 7, North 54° 37' 10" East, 409.33 feet to the most Easterly corner of Lot 7; thence along the Northeasterly line of Lot 7, North 21° 30' 20" West, 101.98 feet to the POINT OF BEGINNING.

APN 231-320-32-00

That portion of Lot 2 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southeasterly line of said Block 178 distant thereon North $61^{\circ}39'46''$ East, 1118.10 feet from the most Southerly corner of Block 178; thence North $21^{\circ}32'30''$ West, 392.75 feet to the TRUE POINT OF BEGINNING, said point also being in the arc of a non-tangent curve, concave Northwesterly and having a radius of 1463 feet, a radial line to said point bears South $37^{\circ}08'32''$ East; thence Northeasterly along said curve, through a central angle of $8^{\circ}19'37''$ an arc distance of 212.62 feet to the Northeasterly line of said Lot 2; thence along the Northeasterly line of Lot 2, North $21^{\circ}30'20''$ West, 41.68 feet to the most Northerly corner of Lot 2; thence along the Northwesterly line of Lot 2, South $54^{\circ}37'10''$ West, 205.92 feet to a line that bears North $21^{\circ}32'30''$ West, and passes through the TRUE POINT OF BEGINNING; thence $21^{\circ}32'30''$ East, 64.26 feet to the TRUE POINT OF BEGINNING.

APN: 231-332-05-00 and 231-332-04-00

That portion of Lot 3 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southwesterly line of said Lot 3, distant thereon North 21° 30' 20" West, 444.08 feet from the most Southerly corner of Lot 3, said point also being in the arc of a non-tangent curve, concave Northwesterly and having a radius of 1460 feet, a radial line to said point bears South 45° 31' 17" East; thence Northeasterly along said curve, through a central angle of 9° 24' 16", an arc distance of 239.64 feet; thence tangent to said curve, North 35° 04' 27" East, 60.57 feet; thence North 54° 55' 33" West, 2.00 feet; thence North 35° 04' 27" East, 72.63 feet to a line that is parallel with and 320.00 feet Northeasterly, measured at right angles, from the said Southwesterly line of Lot 3; thence along said parallel line, North 21° 30' 20" West, 105.35 feet to the Northwesterly line of Lot 3; thence along the Northwesterly line of Lot 3, South 29° 43' 35" West, 410.43 feet to the most Westerly corner of Lot 3; thence along the Southwesterly line of Lot 3, South 21° 30' 20" East, 38.40 feet to the POINT OF BEGINNING.

APN 231-331-11-00 and 231-331-10-00

That portion of Lot 6 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southwesterly line of said Lot 6, distant thereon South 21° 30' 20" East, 783.40 feet from the most Westerly corner of Lot 6, said point also being in the arc of a non-tangent curve, concave Northwesterly and having a radius of 1340 feet, a radial line to said point bears South 47° 49' 44" East; thence Northeasterly along said curve, through a central angle of 7° 05' 49" an arc distance of 165.98 feet; thence tangent to said curve, North 35° 04' 27" East, 512.56 feet to the Southeasterly line of said Lot 6; thence along the Southeasterly line of Lot 6, South 29° 43' 35" West, 733.17 feet to the most Southerly corner of Lot 6; thence along the Southwesterly line of Lot 6, North 21° 30' 20" West, 94.17 feet to the POINT OF BEGINNING.

APN: 231-332-03-00

That portion of Lot 3 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at the most Southerly corner of said Lot 3; thence along the Southeasterly line of Lot 3, North $61^{\circ} 39' 46''$ East, 322.29 feet to a line that is parallel with and 320.00 feet Northeasterly, measured at right angles, from the Southwesterly line of Lot 3; thence along said parallel line, North $21^{\circ} 30' 20''$ West, 595.79 feet to the TRUE POINT OF BEGINNING; thence continue North $21^{\circ} 30' 20''$ West, 105.35 feet to the Northwesterly line of Lot 3; thence along the Northwesterly line of Lot 3, North $29^{\circ} 43' 35''$ East, 218.35 feet to a line that is parallel with and 157.00 feet Southwesterly, measured at right angles, from the Northeasterly line of said Lot 3; thence along said parallel line, South $22^{\circ} 4' 44''$ East, 128.89 feet to a line that bears North $35^{\circ} 04' 27''$ East, and passes through the TRUE POINT OF BEGINNING; thence South $35^{\circ} 04' 27''$ West, 205.52 feet to the TRUE POINT OF BEGINNING.

APN: 231-332-02-00

That portion of Lot 3 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at the most Easterly corner of said Lot 3; thence along the Southeasterly line of Lot 3, South 61° 39' 46" West, 157.94 feet to a line that is parallel with and 157.00 feet Southwesterly, measured at right angles, from the Northeasterly line of Lot 3; thence along said parallel line, North 22° 04' 44" West, 687.64 feet to the TRUE POINT OF BEGINNING; thence continue North 22° 04' 44" West, 128.89 feet to the Northwesterly line of Lot 3; thence along the Northwesterly line of Lot 3, North 29° 43' 35" East, 199.76 feet to the most Northerly corner of Lot 3; thence along the Northeasterly line of Lot 3, South 22° 04' 44" East, 151.05 feet to a line that bears North 35° 04' 27" East and passes through the TRUE POINT OF BEGINNING; thence South 35° 04' 27" West, 186.87 feet to the TRUE POINT OF BEGINNING.

APN: 231-332-01-00

That Portion of Lot 4 in Block 178 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County, August 13, 1892, described as follows:

Beginning at a point in the Southwesterly line of said Lot 4, distant thereon North 22° 04' 44" West, 771.78 feet from the most Southerly corner of said Lot 4; thence North 35° 04' 27" East, 523.71 feet to the beginning of a tangent curve, concave Southeasterly and having a radius of 982 feet; thence Northeasterly along said curve, through a central angle of 11° 30' 38", an arc distance of 197.28 feet to the Northeasterly line of Block 178, distant thereon South 22° 29' 23" East, 427.16 feet from the most Northerly corner of Block 178; thence along the Northeasterly line of Block 178, North 22° 29' 23" West, 77.16 feet to the most Northerly corner of said Lot 4; thence along the Northwesterly line of Lot 4, South 41° 55' 12" West, 684.00 feet to the most Westerly corner of Lot 4; thence along the Southwesterly line of Lot 4, South 22° 04' 44" East, 151.05 feet to the POINT OF BEGINNING.

ROW 824

Those portions of Lot 8 in Block 179 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the Recorder of said County, August 13, 1892 described as follows:

Beginning at a point in the Westerly line of said Lot 8, distant thereon South $14^{\circ}47'20''$ East, 371.34 feet from the Northwesterly corner of said Lot 8; thence North $47^{\circ}03'42''$ East, 308.84 feet to the beginning of a tangent curve, concave Southeasterly and having a radius of 1064 feet; thence Northeasterly along said curve, through a central angle of $5^{\circ}17'31''$ an arc distance of 98.27 feet to a point on the Southeasterly line of said Lot 8, distant thereon South $39^{\circ}33'40''$ West, 19.77 feet from an angle point in said Southeasterly line; thence along the said Southeasterly line of Lot 8, South $39^{\circ}33'40''$ West, 444.23 feet to the most Southerly corner of said Lot 8; thence along the Westerly line of Lot 8, North $14^{\circ}47'20''$ West, 70.91 feet to the POINT OF BEGINNING.

ROW 825

Those portions of Lot 1 in Block 179 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the Recorder of said County, August 13, 1892 described as follows:

Beginning at a point in the Westerly line of said Lot 1, distance thereon North $14^{\circ}47'20''$ West, 417.63 feet from the Southwesterly corner of said Lot 1; thence North $47^{\circ}03'42''$ East, 375.18 feet; thence South $42^{\circ}56'18''$ East, 2.00 feet to a point on a non-tangent curve, concave Southeasterly and having a radius of 938 feet, a radial line to said point bears North $42^{\circ}56'18''$ West; thence Northeasterly along said curve, through a central angle of $14^{\circ}23'55''$, an arc distance of 235.72 feet to the Easterly line of land described in deed to Sunfair Markets recorded as File 125173 in Series 3, Book 1962, Official Records of said County; thence along said Easterly line North $8^{\circ}08'38''$ West 96.33 feet to a point on the Northwesterly line of said Lot 1, distant thereon North $70^{\circ}38'30''$ East, 186.00 feet from an angle point in said Northwesterly line of Lot 7; thence along the Northwesterly line of lot 1 South $70^{\circ}38'30''$ West 186.00 feet and South $39^{\circ}33'40''$ West, 464.00 feet to the most Westerly corner of said Lot 1; thence along the Westerly line of Lot 1 South $14^{\circ}47'20''$ East, 69.73 feet to the point of beginning.

ROW 826

ALL that portion of Lot 7 in Block 179 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the Recorder of said County, August 13, 1892 described as follows:

Beginning at a point in the Westerly line of said Lot 7, distance thereon South $15^{\circ}39'00''$ East, 330.74 feet from the Northwesterly corner of said Lot 7, said point being on the arc of a non-tangent curve, concave southerly and having a radius of 1064 feet, a radial line to said point bears North $24^{\circ}30'18''$ West; thence along said curve, through a central angle of $15^{\circ}39'53''$ an arc distance of 290.90 feet; thence on a line that is radial to said curve North $8^{\circ}50'25''$ West, 13.00 feet to a point on a non-tangent curve, concave Southerly and concentric with the last mentioned curve and having a radius of 1077 feet; thence Easterly along said concentric curve, through a central angle of $3^{\circ}03'03''$, an arc distance of 57.35 feet to the centerline of the San

Diego County Water Authority easement, distance thereon South 34°27'46" East, 417.74 feet from its intersection with the Northwesternly line of said Lot 7; thence along said centerline, South 34°27'46" East, 85.04 feet to the Southerly line of said Lot 7; thence along the Southerly line of said Lot 7, North 89°33'15" West, 130.82 feet and South 73°13'55" West, 250.00 feet to the Southwesterly corner of Lot 7; thence along the Westerly line of Lot 7, North 15°39'00" West, 39.33 feet to the point of beginning.

ROW 827

Those portions of Lots 1 and 2 in Block 179 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the Recorder of said County, August 13, 1892 described as follows:

Beginning at a point in the Southeasterly line of said Lot 1, distant thereon North 61°39'46" East, 500.00 feet from the Southwesterly corner of said Lot 1, said point also being on the Easterly line of land conveyed to Sunfair Markets by deed recorded July 23, 1962, as File No. 125173, in Series 3 Book 1962 of Official Records of said County; thence along the Easterly line of land so conveyed, North 8°08'38" West, 563.58 feet to the TRUE POINT OF BEGINNING, said point being on the arc of a non-tangent curve, concave Southerly and having a radius of 938 feet, a radial line to said point bears North 28°32'23" West; thence Easterly along said curve, through a central angle of 19°41'58", an arc distance of 322.50 feet; thence South 8°50'25" East on a line that is radial to said curve, a distance of 8.00 feet to a point on the arc of a curve, concave Southerly and having a radius of 930 feet, said curve being concentric to the last mentioned curve; thence Easterly along said concentric curve, through a central angle of 1°06'00", an arc distance of 17.85 feet to the Westerly line of land conveyed to Joseph E. and Frances R. Bernard by deed recorded January 10, 1964, as File No. 5248 in Series 5, Book 1964, of Official Records of said County; thence along the Westerly line of land so conveyed, North 12°16'54" West, 82.41 feet to the Northerly line of said Lot 2; thence along the Northerly lines of said Lots 2 and 1, North 89°33'15" West, 48.55 feet; South 73°13'55" West, 250.00 feet, and South 70°38'30" West, 32.95 feet to a line that bears North 8°08'38" West and passes through the TRUE POINT OF BEGINNING; thence South 8°08'38" East, 96.33 feet to the TRUE POINT OF BEGINNING.

ROW 839

That portion of Lot 4 in Block 179 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County August 13, 1892, described as follows:

Beginning at a point in the Northeasterly line of said Lot 4, distant thereon North 28°15'14" West, 414.20 feet from the most Easterly corner of said Lot 4; thence South 64°16'54" West, 97.88 feet to the beginning of a tangent curve, concave Southeasterly and having a radius of 1134 feet; thence Southwesterly along said curve, through a central angle of 8°44'57", an arc distance of 173.16 feet to a point on the Easterly line of land conveyed to Francis E. and Rafaelita P. Jagggers by deed recorded May 12, 1964, as File No. 85106, in Series 5, Book 1964, of Official Records of said County, said point bearing North 17°49'55" West, 420.42 feet from

the most Easterly corner of land so conveyed: thence along said Easterly line, North 17°49'55" West, 43.35 feet to the Northwesterly line of said Lot 4; thence along the Northwesterly line of Lot 4, North 58°32'22" East, 263.26 feet to the most Northerly corner of Lot 4; thence along the Northeasterly line of Lot 4, South 28°15'14" East, 56.14 feet to the point of beginning.

ROW 838

That portion of Lot 4 in Block 179 of Rancho Rincon del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County August 13, 1892, described as follows:

Beginning at the most Southerly corner of said Lot 4; thence along the Southeasterly line of Lot 4, North 61°39'46" East, 280.00 feet; thence parallel with the Westerly line of Lot 4, North 17°49'55" West, 420.42 feet to the TRUE POINT OF BEGINNING, said point being on the arc of a curve, concave Southeasterly and having a radius of 1134 feet, a radial line to said point bears North 34°28'03" West; thence Southwesterly along said curve, through a central angle of 5°13'20", an arc distance of 103.36 feet to the Easterly line of land conveyed to Elmer and Fern Bader by deed recorded May 9, 1952, in Book 4462, page 580, of Official Records of said County; thence along the Easterly line of land so conveyed, North 9°42'04" West, 56.25 feet, to the Northerly line of said Lot 4; thence along the Northerly line of Lot 4, North 58°32'22" East, 92.19 feet to a line that bears North 17°49'55" West and passes through the TRUE POINT OF BEGINNING; thence South 17°49'55" East, 43.35 feet to the TRUE POINT OF BEGINNING

ROW 837

That portion of Lot 4 in Block 179 of Rancho Rincon Del Diablo, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 723, filed in the office of the County Recorder of said County on August 13, 1892, more particularly described as follows:

Beginning at a point in the Westerly line of said Lot 4, distant thereon North 17° 49'55" West, 347.23 feet from the most Southerly corner of said lot 4, said point also being on the arc of a curve concave Southeasterly and having a radius of 1134 feet, a radial bearing to said point bears North 49°46'27" West; Thence Northeasterly along said curve, through a central angle of 10°05'04", an arc distance of 199.59 feet to the Westerly line of land conveyed to Francis E. and Rafaelita P. Jagers by Deed recorded May 12, 1964 as file No. 85106, in Series 5, Book 1964 of Official Records of said County; Thence along the Westerly line of land so conveyed, North 9°42'04" West, a distance of 56.25 feet to the Northerly line of said Lot 4; Thence along the Northerly line of said Lot 4, South 58°32'22" West, a distance of 191.10 feet to the most Westerly corner of said Lot 4; Thence along the Westerly line of said Lot 4, South 17°49'55" East, a distance of 100.84 feet to the point of Beginning.

EXHIBIT "B"

PLANNING CASE NO. E21-0066

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Resolution No. 2024-03

Escondido Creek Trail Expansion and Renovation Project

Environmental Determination:

1. Pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Article 14 of the California Code of Regulations section 15000 et. seq., the City of Escondido ("City") is the Lead Agency for the project ("Project"), as the public agency with the principal responsibility for approving the Project.
2. An Initial Study/Mitigated Negative Declaration ("IS/MND") for the Project was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA, the CEQA Guidelines, and the local environmental procedures. The decision-making body of the Lead Agency shall adopt the proposed IS/MND only if:
 - It finds on the basis of the whole record before it that there is no substantial evidence the project will have a significant effect on the environment, and
 - The IS/MND reflects the Lead Agency's independent judgment and analysis.
3. The Final IS/MND and Mitigation Monitoring and Reporting Program ("MMRP") collectively constitute the environmental documentation under and pursuant to CEQA, the CEQA Guidelines, and local environmental procedures relating to the Project, and shall be referred to herein collectively as the "CEQA Documents."
4. The IS/MND identified potentially significant impacts in the areas of biological and cultural/tribal, cultural resources, hazards and hazardous materials, and noise; however, mitigation measures have been identified which would reduce said impacts to a less-than-significant level.
5. The Director of Development Services/Zoning Administrator has received the material record supporting all of the CEQA Documents for the Project. The Director of Development Services/Zoning Administrator finds the following:

- The Final IS/MND reflects the City's independent judgment and analysis.
 - There is no substantial evidence that the Project or any of its aspects could result in significant adverse impacts or that cannot be fully mitigated. All identified impacts have been mitigated to a less-than-significant level.
 - The Zoning Administrator also finds that the mitigation measures listed in the MMRP will not cause any potentially significant effects.
 - The Final IS/MND has been completed in compliance with CEQA and it constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA.
6. Mitigation measures are incorporated as part of the adoption of the Mitigated Negative Declaration. The adoption of the Final IS/MND includes the adoption of the MMRP, attached as Exhibit C to the Zoning Administrator Resolution 2024-03.
7. Pursuant to Public Resources Code section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), all documents and other materials that constitute the record of proceedings are located at the Department of Development Services, Planning Division, City of Escondido. Such documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

EXHIBIT “C”
PLANNING CASE NO. E21-0066

Final Initial Study/Mitigated Negative Declaration & Mitigation Monitoring & Reporting Program

Due to the size of the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, the document is available for review at:

[“https://escondido.org/Data/Sites/1/media/EscondidoCreekTrail/FinalEscondidoCreekTrailCEQAIS-MND.pdf”](https://escondido.org/Data/Sites/1/media/EscondidoCreekTrail/FinalEscondidoCreekTrailCEQAIS-MND.pdf)

and

<https://escondido.org/Data/Sites/1/media/EscondidoCreekTrail/FinalMitigationMonitoringProgram.pdf>

The Final IS/MND and MMRP are also on file in the Planning Division of the Development Services Department and are available for inspection by anyone interested herein.

ZONING ADMINISTRATOR

CASE NUMBERS: PL23-0406 (SUB19-0010 and PHG19-0050)

APPLICANT: South Escondido LP (Tony Cassolato)

PROJECT LOCATION: The approximately 1.75-acre site consists of two contiguous parcels located on the east side of S. Escondido Boulevard, south of Citracado Parkway, west of Cranston Drive and addressed at 2608 S. Escondido Boulevard (Assessor's Parcel Numbers 238-152-06-00 and 238-152-07-00)

REQUEST: Approval of a three-year extension of time for a Tentative Subdivision Map, Condominium Permit and Plot Plan for a 42-unit condominium development ("Project").

STAFF RECOMMENDATION: Adopt Resolution No. 2024-02 approving a three-year extension of time for a Tentative Subdivision Map, Condominium Permit and Plot Plan.

ESSENTIAL SERVICE: Land Use/Development

COUNCIL PRIORITY: Encourage Housing Development

BACKGROUND/PROJECT DESCRIPTION:

A Tentative Subdivision Map, Condominium Permit (42-units) and Plot Plan (Case Nos. SUB19-0010 and PHG19-0050) were previously approved by the Escondido City Council on October 21, 2020. The entitled project involves the development of 42 air-space condominium units consisting of eight separate three-story buildings, private and common open space areas/amenities, and 95 parking spaces that include a combination of enclosed two-car garages for each unit and eleven open guest spaces on one consolidated lot ("Approved Project"). The buildings are approximately 37 feet in height to the top of ridgeline and incorporate a California/Mediterranean style of architecture. Under the proposed Project, three conditions of approval would be updated to include relevant and current formatting and language regarding waterline improvement repayments. The Tentative Subdivision Map and corresponding Condominium Permit and Plot Plan are valid for three-years, unless an extension of time is granted. Escondido Municipal Code Section 32.210.02(b) allows the City to grant multiple extensions up to a maximum of six years. The Tentative Subdivision Map and corresponding entitlements were scheduled to expire October 24, 2023. The applicant submitted a time extension request on October 23, 2023. This action suspends expiration of the map until a final decision is made regarding the extension request.

The purpose of this agenda item is to review and consider the extension request. The criteria for determining the appropriateness for granting an extension of time for a Tentative Subdivision Map and related entitlements is based on the map's compliance with the City's current General Plan, Zoning Ordinance, and the requirements of the California Environmental Quality Act ("CEQA").

FISCAL ANALYSIS:

As a private development project, the Approved Project will require the payment of fees in effect at the time permits are requested. The Escondido City Council adopted Resolution No. 2020-24 declaring the City's intent to form a Community Facilities District ("CFD") (collectively referred to herein as the "CFD") to offset the cost of governmental services associated with new development. The Applicant/Owner signed a letter of consent to agree to enter into the CFD. However, on December 13, 2023, the City Council voted 5-0 to approve Resolution No. 2023-156 setting the CFD levy to \$0.00 per unit per year for all residential housing types. Subsequently on January 24, 2024 the City Council adopted an ordinance to repeal such CFD in its entirety.

ENVIRONMENTAL REVIEW:

The Project is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), as the Project is a request for an extension of time of a previously entitled development for which a Final Initial Study/Mitigated Negative Declaration (City File No. ENV19-0007) was adopted in accordance with CEQA and a Notice of Determination posted with the County Clerk. Therefore, the Project qualifies under the General Exemption as the Project has no potential for causing a significant effect on the environment, as described in Section 15061(b)(3).

REASON FOR STAFF RECOMMENDATION:

The request to extend the previously approved Tentative Subdivision Map and corresponding entitlements conforms to the General Plan, Zoning Code, and CEQA provisions. The Planning and Engineering Divisions' Conditions of Approval have been updated to conform to current formatting and to include required waterline improvement repayments. Therefore, staff recommends the requested three-year extension of time and updated Conditions of Approval be approved. With this extension of time, the Project is valid through October 24, 2026.

Respectfully submitted,

J Paul

Jay Paul
Senior Planner

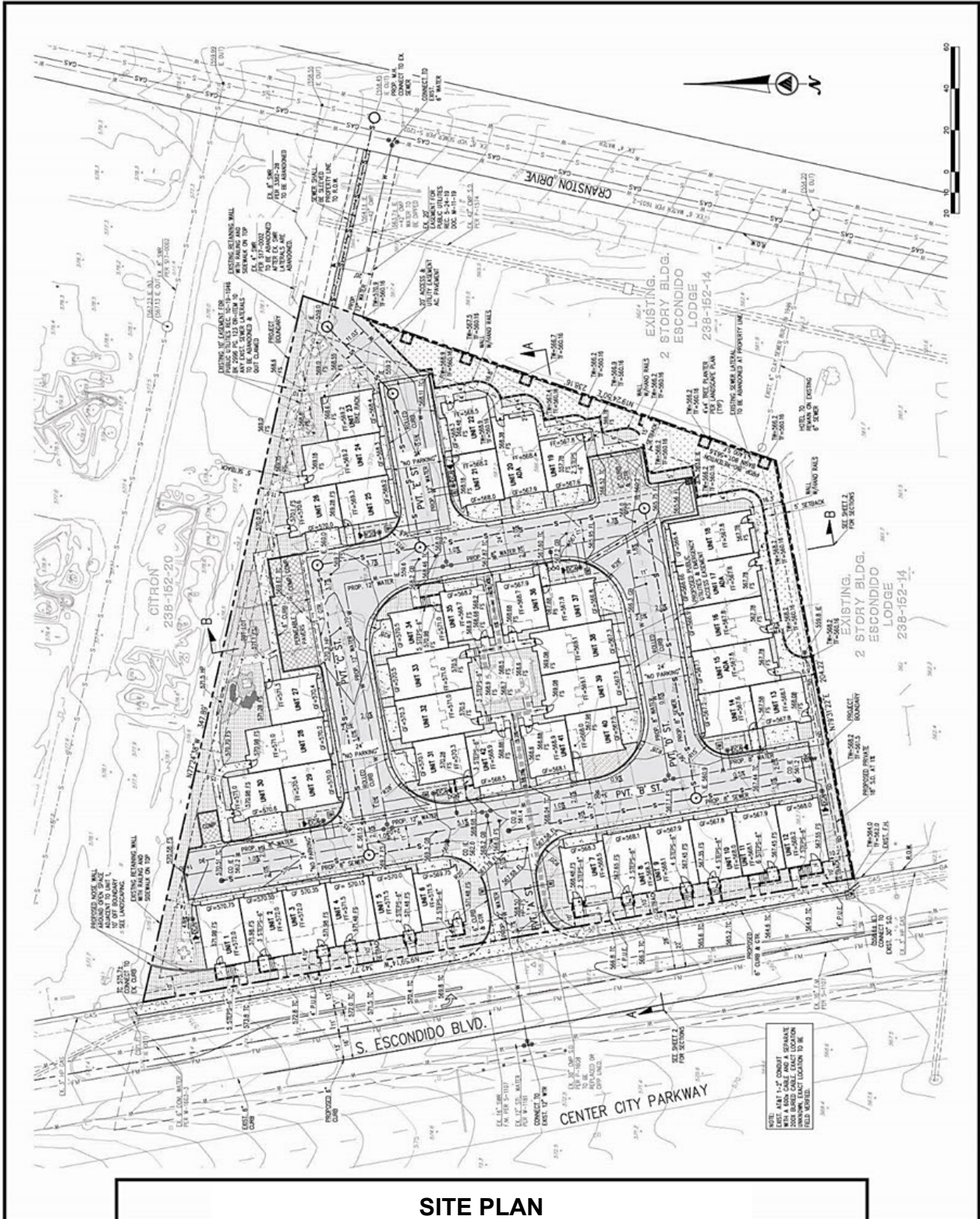
ATTACHMENTS:

1. Project Location/Aerial Map
2. Site Plan
3. Zoning Administrator Resolution No. 2024-02, including Exhibits A, B, C and D

ATTACHMENT 1 – PROJECT LOCATION/AERIAL MAP
APNs: 238-152-06-00 and 238-152-07-00



ATTACHMENT 2 – SITE PLAN



SITE PLAN
PL23-0406 (SUB19-0050 and PHG19-0007)

ATTACHMENT 3

Zoning Administrator
Hearing Date: January 30, 2024
Effective Date: February 9, 2024

ZONING ADMINISTRATOR RESOLUTION NO. 2024-02

A RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A THREE-YEAR EXTENSION OF TIME
FOR A TENTATIVE SUBDIVISION MAP,
CONDOMINIUM PERMIT AND PLOT PLAN FOR A 42-
UNIT CONDOMINIUM DEVELOPMENT

APPLICANT: South Escondido LP (Tony Cassolato)

CASE NO: PL23-0406

WHEREAS, South Escondido LP - Tony Cassolato ("Applicant"), filed a land use development application, Planning Case No. PL23-0406 ("Application"), constituting a request for an extension of time for an approved Tentative Subdivision Map, Condominium Permit and Plot Plan (Case Nos. SUB19-0010 and PHG19-0005) for a 42-unit condominium development on a 1.75-acre site located on the east side of S. Escondido Boulevard, south of Citracado Parkway, and addressed at 2608 S. Escondido Boulevard (Assessor's Parcel Nos. 238-152-06-00 and 238-152-07-00), ("Project"); and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as though fully set forth herein ("Property"); and

WHEREAS, the Application was submitted to, and processed by, the Planning Division of the Development Services Department in accordance with the rules and regulations of the Escondido Zoning Code and the applicable procedures and time limits

specified by the Permit Streamlining Act (Government Code section 65920 et seq.) and the California Environmental Quality Act (Public Resources Code section 21000 et seq.) (“CEQA”); and

WHEREAS, pursuant to CEQA and the CEQA Guidelines (Title 14 of California Code of Regulations, Section 15000 et. seq.), the City of Escondido (“City”) is the Lead Agency for the Project, as the public agency with the principal responsibility for approving the proposed Project; and

WHEREAS, the Escondido City Council approved a Tentative Subdivision Map (City File No. SUB19-0010), in conjunction with a Condominium Permit and Plot Plan (City File No. PHG17-0007) on October 30, 2020, and adopted Resolution No. 2020-146, including the environmental determination for the project (Case No. ENV19-0007); and

WHEREAS, a Tentative Subdivision Map and corresponding Condominium Permit and Plot Plan, which has been conditionally approved, was scheduled to expire thirty-six months from the effective date of approval, unless additional time was granted pursuant to the Subdivision Map Act, or an extension of time is approved in accordance with Section 32.210.02 of the Escondido Municipal Code; and

WHEREAS, the Applicant requests that the Zoning Administrator approve an extension of time as permitted by the Subdivision Map Act and Chapter 32, Article 2, of the Escondido Municipal Code. Pursuant to Section 32.210.02 of the Escondido Municipal Code, multiple extensions may be granted provided that the overall total of incremental extensions do not exceed six years; and

WHEREAS, the Planning Division studied the Application, performed necessary investigations, prepared a written report, and hereby recommends approval of the three-year extension of time as depicted on the plan set shown in Exhibit "B," which is attached hereto and made a part hereof by this reference as though fully set forth herein; and

WHEREAS, on January 30, 2024, the Zoning Administrator held a public meeting as prescribed by law, at which time the Zoning Administrator received and considered the reports and recommendation of the Planning Division and gave all persons full opportunity to be heard and to present evidence and testimony regarding the Project. Evidence was submitted to and considered by the Zoning Administrator, including, without limitation:

- a. Written information including plans, studies, written and graphical information, and other material, submitted by the Applicant;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated January 30, 2024, with its attachments as well as City staff's recommendation on the Project, which is incorporated herein as though fully set forth herein; and
- d. Additional information submitted during the public meeting; and

WHEREAS, the public meeting before the Zoning Administrator was conducted in all respects as required by the Escondido Municipal Code and the rules of the Zoning Administrator; and

WHEREAS, the Zoning Administrator desires at this time and deems it to be in the best public interest to approve a three-year extension of time for the Project, with an expiration date of October 24, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Administrator of the City of Escondido that:

1. The above recitations are true and correct.

2. The Zoning Administrator, in its independent judgment, has determined that all of the requirements of CEQA have been met.

3. After consideration of all evidence presented, and studies and investigations made by the Zoning Administrator and on its behalf, the Zoning Administrator makes the substantive findings and determinations, attached hereto as Exhibit "C," relating to the information that has been considered. In accordance with the Findings of Fact and the foregoing, the Zoning Administrator reached a recommendation on the matter as hereinafter set forth.

4. The Application to use the Property and extension of time for the Project, subject to each and all of the conditions hereinafter set forth in Exhibit "D," is hereby approved by the Zoning Administrator. The Zoning Administrator expressly declares that it would not have approved this Application except upon and subject to each and all of said conditions, each and all of which shall run with the land and be binding upon the Applicant, the owner, and all subsequent owners of the Property, and all persons who use the Property for the use permitted hereby.

5. The development plans for the Project are on file in the Planning Division of the Development Services Department and are available for inspection by anyone interested herein, and the development plans are incorporated herein by this reference as if they were fully set forth herein. The Project is conditionally approved as set forth on

the Application and Project drawings, all designated as approved by the Zoning Administrator, and which shall not be altered without the express authorization by the Planning Division. Any deviations from the approved development plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.

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

1. NOTICE IS HEREBY GIVEN that the Project is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval. The Project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Public Works Departments. 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 building permits are issued. It is the City's intent that the costs representing future development's share of public facilities and capital improvements be imposed to ensure that new development pays the capital costs associated with growth. The Applicant is advised to review the Planned Fee Updates portion of the web page, www.escondido.org, and regularly monitor and/or review fee-related information to plan for the costs associated with undertaking the Project.

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

PASSED, ADOPTED AND APPROVED by the Zoning Administrator of the City of Escondido, California, at a regular meeting held on the 30th day of September, 2024.

VERONICA MORONES
Zoning Administrator,
City of Escondido

WITNESS

Note: This action may be appealed to Planning Commission
pursuant to Zoning Code Section 33-130

EXHIBIT "A"

LEGAL DESCRIPTION

Planning Case Nos.: PI22-0444, SUB 19-0010 and PHG 19-0050

PARCEL 1:

ALL THAT PORTION OF LOT "C" OF THE RESUBDIVISION OF LOTS 9, 10, 11, 12 AND 13 IN BLOCK 30 AND LOTS 2, 3, 6, 17, 18, 19, 20 AND 21 IN BLOCK 32 OF HOMELAND ACRES ADDITION TO ESCONDIDO NO. 2, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1721, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 18, 1921 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID LOT "C" DISTANT THEREON NORTH 77°48' WEST 75.03 FEET FROM THE NORTHEAST CORNER OF SAID LOT "C"; THENCE ALONG SAID NORTH LINE, NORTH 77°48' WEST 347.62 FEET TO THE EASTERLY LINE OF THE LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, RECORDED NOVEMBER 29, 1956 IN BOOK 6362, PAGE 146 OF OFFICIAL RECORDS; THENCE ALONG SAID EASTERLY LINE SOUTH 10°21'58" EAST (RECORD 10°28'58" EAST) 244.87 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 10°21'58" EAST 97.82 FEET TO THE SOUTHERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES H. PAXTON RECORDED AUGUST 28, 1948 IN BOOK 2928, PAGE 349 OF OFFICIAL RECORDS; THENCE ALONG SAID SOUTHERLY LINE, NORTH 79°08' EAST 204.14 FEET TO THE SOUTHEASTERLY CORNER OF SAID LAND; THENCE ALONG THE EASTERLY LINE OF SAID LAND, NORTH 19°03' EAST 112.83 FEET TO A LINE WHICH BEARS NORTH 79°08' EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 79°08' WEST 259.50 FEET TO THE TRUE POINT OF BEGINNING.

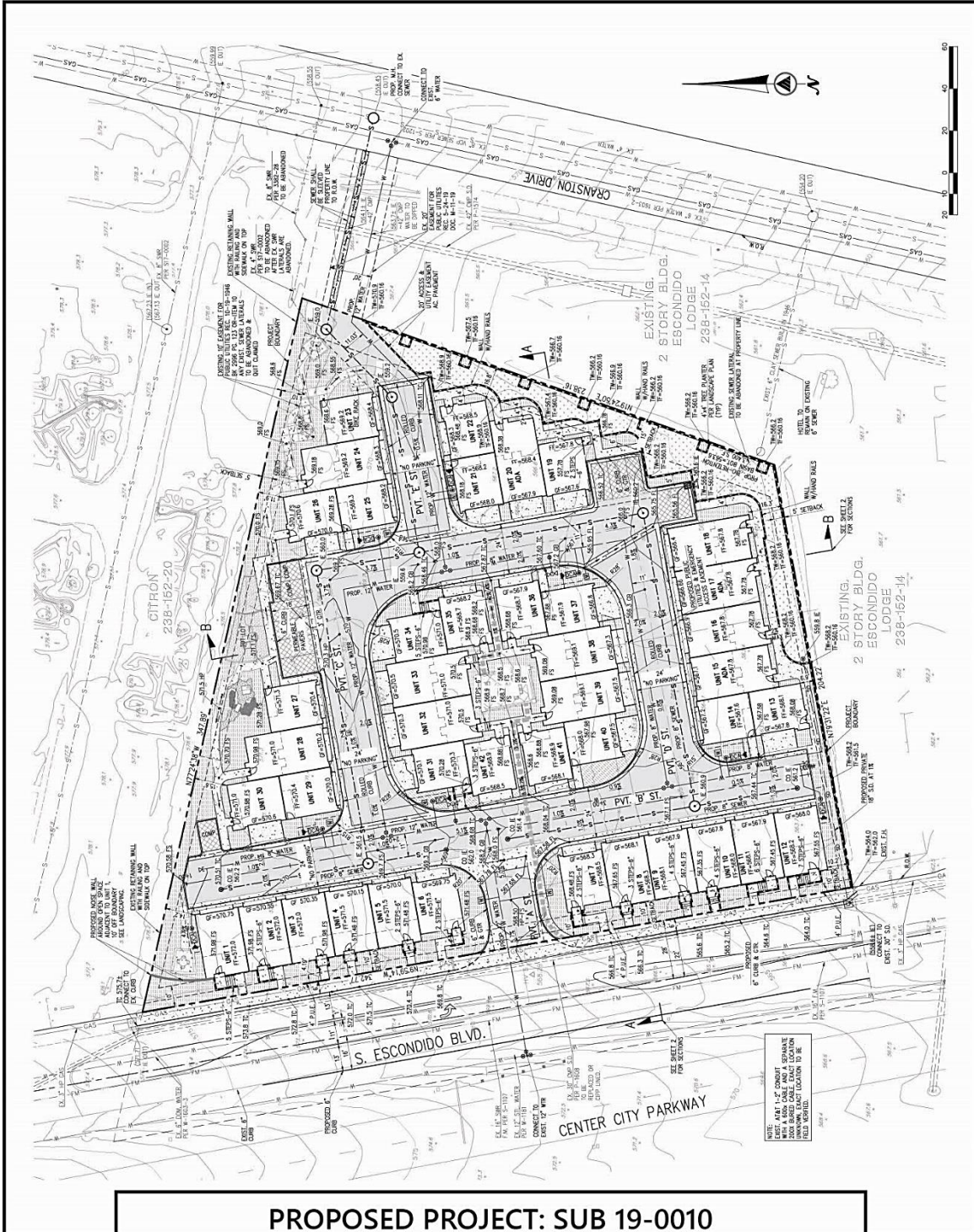
PARCEL 2:

ALL THAT PORTION OF LOT "C" OF RESUBDIVISION OF LOTS 9, 10, 11, 12 AND 13 IN BLOCK 30 AND LOTS 2, 3, 6, 7, 17, 18, 19, 20 AND 21 IN BLOCK 32 OF HOMELAND ACRES ADDITION NO. 2, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1721, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 18, 1921 DESCRIBED AS FOLLOWS:

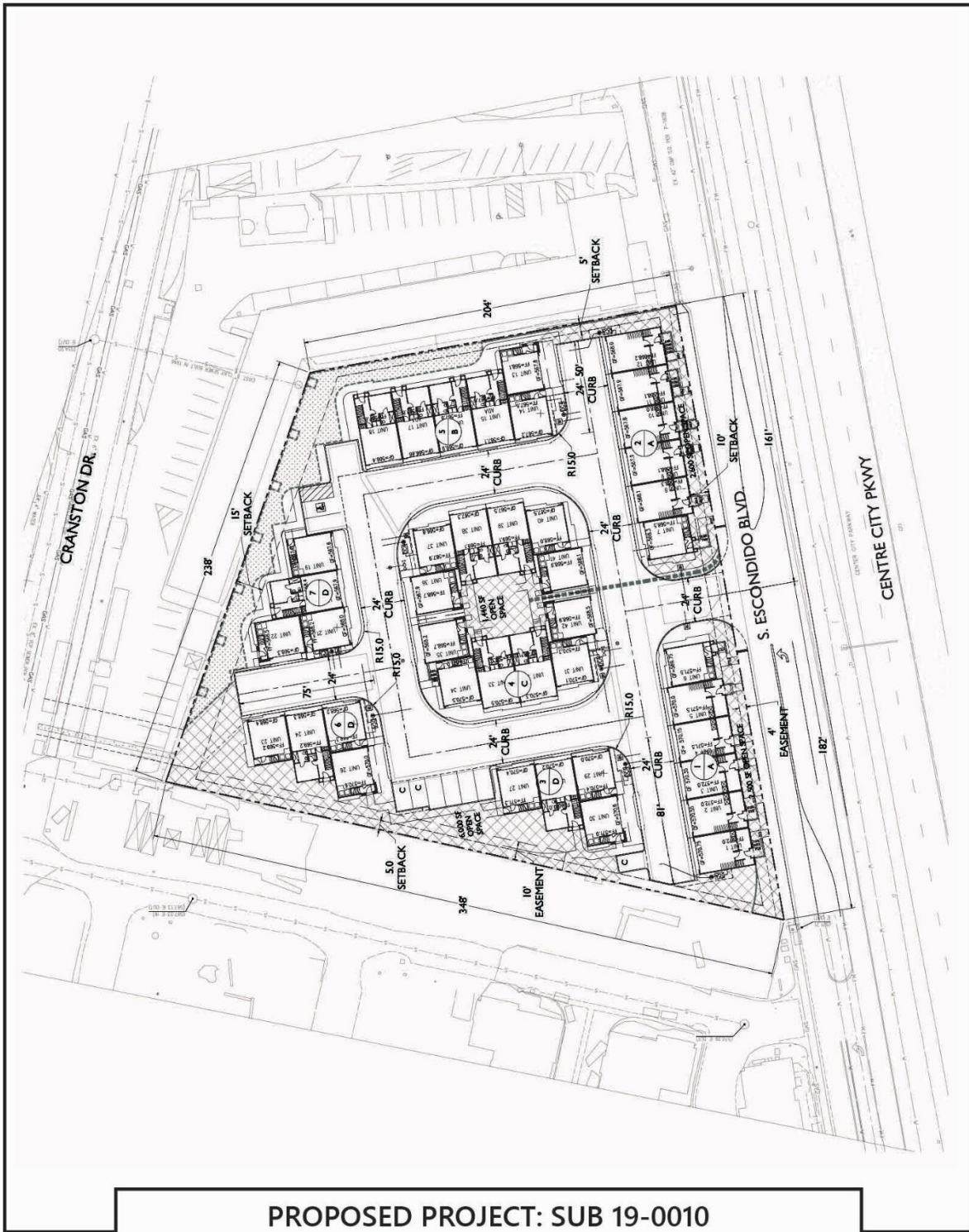
BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID LOT "C" DISTANT THEREON NORTH 77°48' WEST 75.03 FEET FROM THE NORTHEAST CORNER OF SAID LOT "C"; THENCE ALONG SAID NORTH LINE NORTH 77°48' WEST 347.62 FEET TO THE EASTERLY LINE OF THE LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA RECORDED NOVEMBER 29, 1956 IN BOOK 6362, PAGE 146 OF OFFICIAL RECORDS; THENCE ALONG SAID EASTERLY LINE SOUTH 10°21'58" EAST (RECORD 10°28'58" EAST) 244.87 FEET; THENCE NORTH 79°08' EAST 259.50 FEET TO THE EASTERLY LINE OF THE LAND DESCRIBED IN DEED TO CHARLES H. PAXTON RECORDED AUGUST 28, 1948 IN BOOK 2928, PAGE 349 OF OFFICIAL RECORDS; THENCE ALONG SAID EASTERLY LINE NORTH 19°03' EAST 125.35 FEET TO THE POINT OF BEGINNING.

APNs 238-152-06-00 and 238-152-07-00

EXHIBIT "B"
PROJECT PLANS/EXHIBIT
PL23-0406, SUB 19-0010 and PHG 19-0050

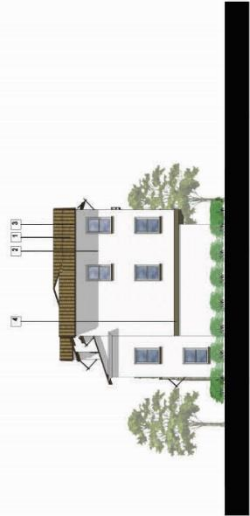


PROPOSED PROJECT: SUB 19-0010
TENTATIVE SUBDIVISION MAP

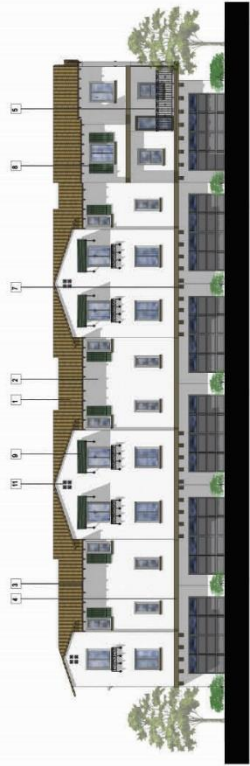


**PROPOSED PROJECT: SUB 19-0010
CONCEPTUAL SITE PLAN**

**PROPOSED PROJECT: SUB 19-0010
BUILDING A ELEVATIONS - SCHEME A**



RIGHT



REAR



LEFT



FRONT



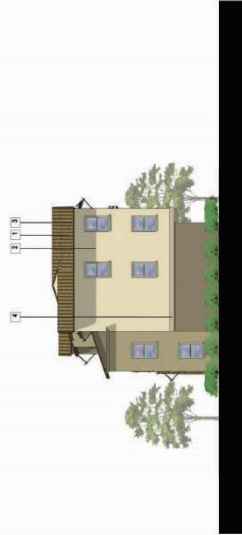
PERSPECTIVE



PERSPECTIVE

- MATERIAL SCHEDULE**
- 1 ROOF - CONCRETE ROOFTILE
 - 2 WALLS - STUCCO
 - 3 FASCIA - STUCCO
 - 4 TRIM - STUCCO OVER
 - 5 DECORATIVE METAL RAILING
 - 6 STONE VENEER
 - 7 DECORATIVE CORBEL
 - 8 DECORATIVE SHUTTERS
 - 9 DECORATIVE AWNING
 - 10 DECORATIVE IRON GRILLE
 - 11 DECORATIVE GABLE ACCENT

**PROPOSED PROJECT: SUB 19-0010
BUILDING A ELEVATIONS - SCHEME B**



RIGHT



LEFT



PERSPECTIVE



REAR



FRONT



PERSPECTIVE

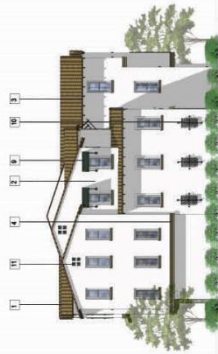
- MATERIAL SCHEDULE**
- 1 ROOF - CONCRETE ROOF TILE
 - 2 WALLS - STUCCO
 - 3 FASCIA - 2X6 REDAWN WOOD
 - 4 TRIM - 2X STUCCO OVER
 - 5 DECORATIVE METAL RAILING
 - 6 STONE VENEER
 - 7 DECORATIVE CORBEL
 - 8 DECORATIVE SHUTTERS
 - 9 DECORATIVE AWNING
 - 10 DECORATIVE IRON GRILLE
 - 11 DECORATIVE GABLE ACCENT



RIGHT



REAR



LEFT



FRONT



PERSPECTIVE

- MATERIAL SCHEDULE**
- 1 ROOF - CONCRETE ROOF TILE
 - 2 WALLS - STUCCO
 - 3 FASADA - 2X6 BESAWN WOOD
 - 4 TRIM - 2X STUCCO OVER
 - 5 DECORATIVE METAL RAILING
 - 6 STONE VENEER
 - 7 DECORATIVE CORBEL
 - 8 DECORATIVE SHUTTERS
 - 9 DECORATIVE AWNING
 - 10 DECORATIVE IRON GRILLE
 - 11 DECORATIVE GABLE ACCENT

**PROPOSED PROJECT: SUB 19-0010
BUILDING B ELEVATIONS - SCHEME A**



REAR



RIGHT



FRONT



LEFT



PERSPECTIVE



PERSPECTIVE

MATERIAL SCHEDULE

- 1 ROOF - CONCRETE ROOF TILE
- 2 WALLS - STUCCO
- 3 FASCIA - 2X6 REPAWN WOOD
- 4 TRIM - 2X STUCCO OVER
- 5 DECORATIVE METAL RAILING
- 6 STONE VENEER
- 7 DECORATIVE CORBEL
- 8 DECORATIVE SHUTTERS
- 9 DECORATIVE AWNING
- 10 DECORATIVE IRON GRILLE
- 11 DECORATIVE GABLE ACCENT

PROPOSED PROJECT: SUB 19-0010
BUILDING C ELEVATIONS - SCHEME B



RIGHT



REAR



LEFT



FRONT

- MATERIAL SCHEDULE**
- 1 ROOF - CONCRETE ROOF TILE
 - 2 WALLS - STUCCO
 - 3 FASCIA - 2X6 REBARN WOOD
 - 4 TRIM - 2X STUCCO OVER
 - 5 DECORATIVE METAL PAULING
 - 6 STONE VENER
 - 7 DECORATIVE CORBEL
 - 8 DECORATIVE SHUTTERS
 - 9 DECORATIVE AWNING
 - 10 DECORATIVE IRON GRILLE
 - 11 DECORATIVE GABLE ACCENT



PERSPECTIVE



PERSPECTIVE

**PROPOSED PROJECT: SUB 19-0010
BUILDING D ELEVATIONS - SCHEME A**



REAR



FRONT



RIGHT



LEFT



PERSPECTIVE

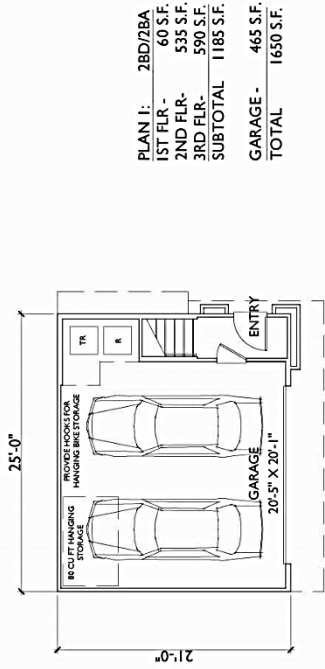


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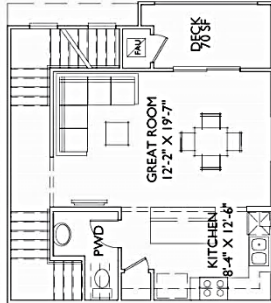
MATERIAL SCHEDULE

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- 3 FASCIA - 2X6 REBARN WOOD
- 4 TRIM - 2X STUCCO OVER
- 5 DECORATIVE METAL RAILING
- 6 STONE VENEER
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- 10 DECORATIVE IRON GRILLE
- 11 DECORATIVE GABLE ACCENT

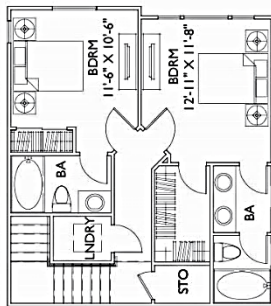
**PROPOSED PROJECT: SUB 19-0010
BUILDING D ELEVATIONS - SCHEME B**



FIRST FLOOR



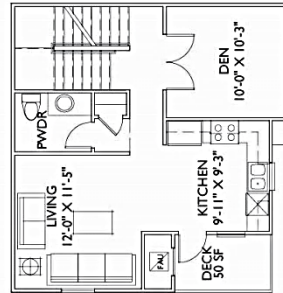
SECOND FLOOR



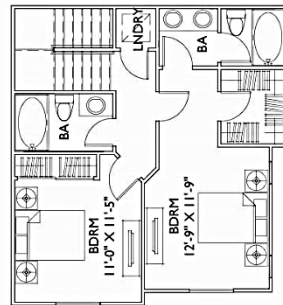
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FIRST FLOOR



SECOND FLOOR



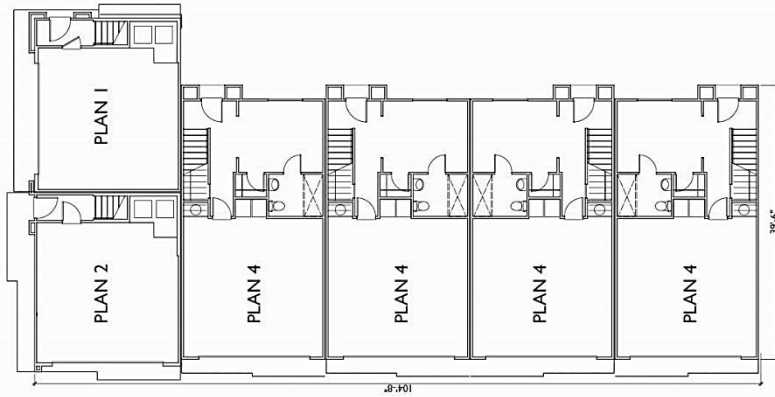
THIRD FLOOR

PROPOSED PROJECT: SUB 19-0010
UNITS FLOOR PLANS

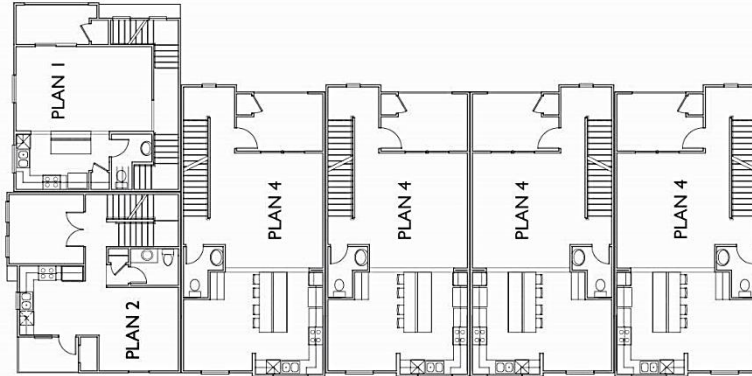


**PROPOSED PROJECT: SUB 19-0010
UNITS FLOOR PLANS**

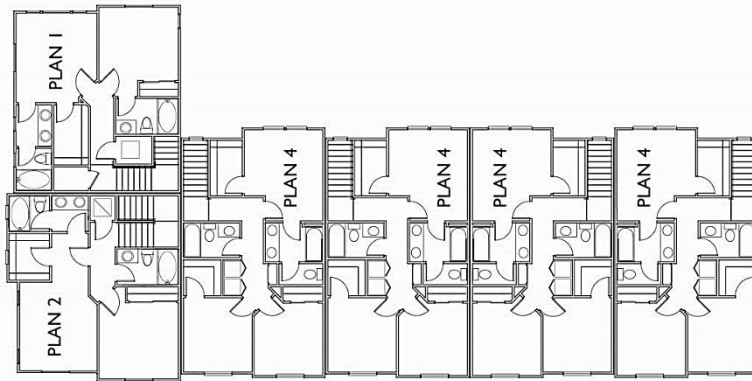




FIRST FLOOR

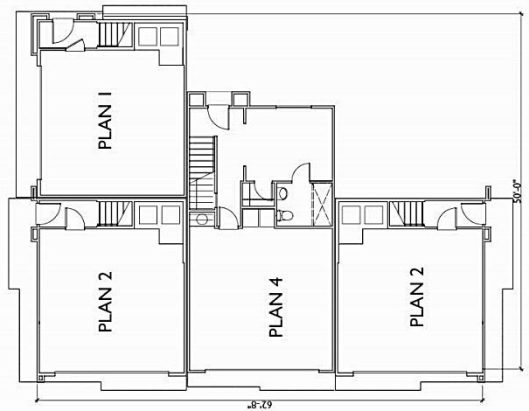


SECOND FLOOR



THIRD FLOOR

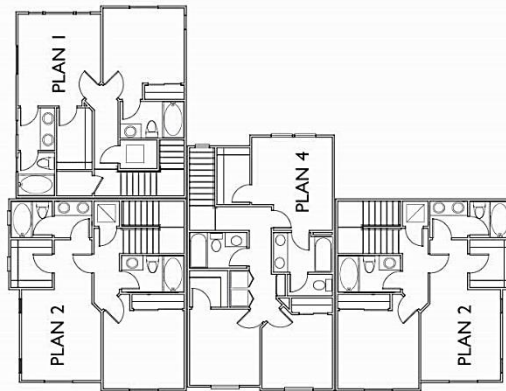
**PROPOSED PROJECT: SUB 19-0010
BUILDING B COMPOSITE**



FIRST FLOOR

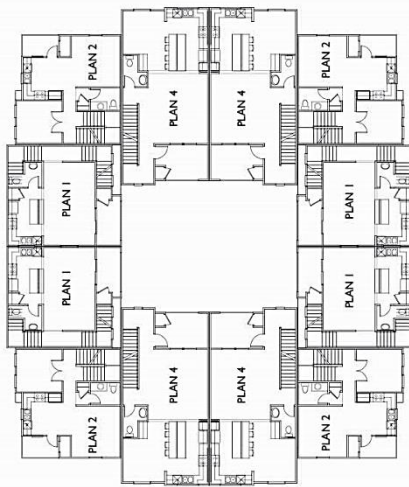


SECOND FLOOR



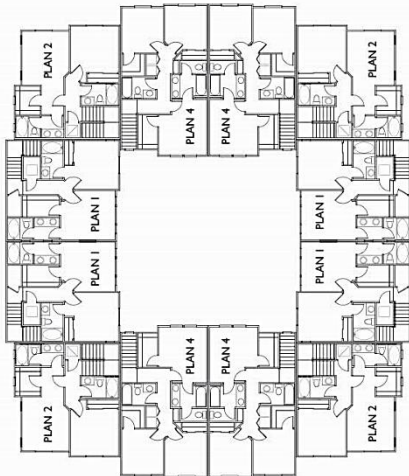
THIRD FLOOR

**PROPOSED PROJECT: SUB 19-0010
BUILDING D COMPOSITE**



SECOND FLOOR

108'-2"
FIRST FLOOR



THIRD FLOOR

**PROPOSED PROJECT: SUB 19-0010
BUILDING C COMPOSITE**

EXHIBIT “C”

Findings of Fact

Extension of Time

PL23-0406 (SUB19-0010/PHG19-0050)

Environmental Determination(s)

1. Pursuant to the California Environmental Quality Act, (CEQA, Public Resources Code section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Article 14 of the California Code of Regulations section 15000 et. seq., the City of Escondido (“City”) is the Lead Agency for the extension of time (“Project”), as the public agency with the principal responsibility for approving the Project.
2. A Final Initial Study/Mitigated Negative Declaration (“IS/MND”) was adopted for the original entitlement approved (SUB19-0010 and PHG19-0050) for the development project (“Approved Project”) (Case No. ENV19-0007) in accordance with the California Environmental Quality Act (“CEQA”). Mitigation measures were developed to reduce all potentially significant environmental impacts to a less-than-significant level, in accordance with the Mitigation Monitoring Reporting Program (“MMRP”) adopted for the Approved Project. A Notice of Determination was posted with the San Diego County Clerk.
3. The Project is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), as the Project is a request for an extension of time of a previously entitled development for which a Final Initial Study/Mitigated Negative Declaration (City File No. ENV19-0007) was adopted in accordance with CEQA and a Notice of Determination posted with the County Clerk. Therefore, the Project qualifies under the General Exemption as the Project has no potential for causing a significant effect on the environment, as described in Section 15061(b)(3).
4. Furthermore, the Project does not trigger any exceptions to the categorical exemption as listed in CEQA Guidelines section 15300.2.

Tentative Subdivision Map Determination(s)

1. The Zoning Administrator finds that the extension of time request is reasonable and does not entail any deviations to the scope of the Approved Project, was filed within the time periods specified, and meets all requisite findings for the requested extension of time on the Tentative Subdivision Map and associated Condominium Permit and Plot Plan. Escondido Municipal Code Section 32.210.02(c) allows for multiple extensions to be granted by the City, not to exceed a maximum of six years. This request would extend the Tentative Subdivision Map and associated Condominium Permit and Plot Plan through October 24, 2026.
2. The General Plan land-use designation of the project site is Specific Planning Area (SPA) 15, and is located within the Southern Entry District of the South Centre City Specific Plan, which allows multi-family/condominium development up to 30 dwelling units per acre (“du/ac”). The

one-lot Tentative Subdivision Map and 42-unit Condominium Development consist of a density of 24 du/ac, and remain compliant with the density provisions of the General Plan land use designation for the project site. Therefore, the request to construct 42 units (overall density of 24 du/ac) with three-story structures up to approximately 37 feet in height is consistent with the land use and development requirements within the specific plan and general plan principles envisioned for this area. No changes in City policy have occurred that would conflict with the Project.

3. All Findings of Fact associated with City Council Resolution No. 2020-146 that approved Case Nos. SUB19-0007 and PHG15-0005 and the environmental determination, are incorporated herein as though fully set forth. The Approved Project will comply with all the applicable regulations, conditions, and polices imposed by the Escondido Municipal and Zoning Codes.
4. The location, design, and residential density of the Tentative Subdivision Map and associated Condominium Development are consistent with the goals and policies of the Escondido General Plan to encourage permitted multi-family residential/condominium development within the Specific Planning area. The residential project would be in conformance with General Plan Housing Goals and Policies intended to plan for quality and sustainable growth and provide a range of housing opportunities for all income groups and populations with special needs, and which encourage smart growth principles. Efficient urban form promotes transit, supports nearby commercial establishments, and takes advantage of infrastructure improvements installed to accommodate their intended intensities.
5. The project site is physically suitable for the proposed density of development because the property is within a commercial and high-density redevelopment area that was previously used for residential and commercial purposes. The project site was previously abandoned and in disrepair, and the development of the property will assist in the ongoing revitalization of the South Centre City Specific Plan and Southern Entry District by establishing a permanent residential base along the transitioning corridor.
6. The Approved Project is based on sound principles of land use and is well-integrated with its surroundings. The site is near residentially and commercially developed properties with access to adequate parking, utilities, and on-site circulation, landscaping, and open space. The residential project would match the existing character for the area which contains other multi-story residential developments. The design of the Approved Project would be in conformance with the intent of the Southern Entry District to provide residential units for a wide range of housing needs (with ownership opportunities). The Approved Project includes a variety of amenities such as individual balconies for each unit along with various common areas and features. All vehicular traffic generated by the Approved Project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.
7. The Approved Project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with the surrounding area as detailed in the Final Mitigated Negative Declaration adopted for the Approved Project. The requirements of the

California Environmental Quality Act have been met as it was found/determined the Approved Project will not have a significant effect on the environment because mitigation measures and project design features will avoid or reduce potential impacts to a less than a significant level, as demonstrated in the Final Mitigated Negative Declaration adopted for the Approved Project.

8. The proposed residential development would not conflict with the provisions of an adopted Specific Plan or any Habitat Conservation Plan. The project site is not located within an area identified for preservation on the City's draft Multiple Habitat Conservation Program (MHCP), nor does it contain any sensitive resources as identified in General Plan Resource Conservation Element. The project site is not listed on the City's Parks, Trails and Open Space Plan, or any local or regional parks and open space.
9. The design of the subdivision and the type of improvements are not likely to cause serious public health problems. The Approved 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; unit configuration; traffic and emergency access; grading; and open space and recreational amenities were all reviewed for compliance with relevant City policies and codes. The Approved Project would not create any adverse noise impacts to adjacent properties due to the residential nature of the project and limited traffic generated by the Approved Project. The Approved Project would not cause substantial environmental damage and would avoid injury to fish or wildlife, or their habitat because the site is located within an urban setting and previously has been developed with a residential/commercial use. The Approved Project, as approved, is required to pay all applicable development fees and install improvements in conformance with City standards. The Approved Project is not subject to any further funding requirements as a result of the requested extension of time for expiration of the Tentative Subdivision Map.
10. The Tentative Subdivision Map and associated Condominium Permit/Plot Plan will not conflict with regional or local housing because the 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 Approved Project would not diminish the Quality-of-Life Standards of the General Plan as the Approved Project would not materially degrade the level of service on adjacent streets or public facilities, create excessive noise, and adequate on-site parking, circulation and public services could be provided to the site. All lots would maintain all development standards of the applicable zone and observe the density of the General Plan and area plans, as noted in the sections above.
11. The design of the Tentative Subdivision Map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map

because any existing easements will either be accommodated within the project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.

12. The design of the Tentative Subdivision Map has provided, to the extent feasible, for passive or natural heating or cooling opportunities in the subdivision. Unit sizes and configuration provide opportunities for passive/solar heating and landscaping provides passive cooling opportunities.
13. All permits and approvals applicable to the Tentative Subdivision Map pursuant to the Escondido Zoning Code will be obtained prior to recordation of the Final Map.
14. In consideration of the above, the proposed Project meets all of the requirements of section 66474 of the California Government Code and the Tentative Subdivision Map meets all of the requirements or conditions imposed by the Subdivision Map Act and the Escondido Zoning Code, as detailed in the staff report(s), the Escondido General Plan and above findings.

Condominium Permit and Plot Plan Determination(s)

1. The location, design, and residential density of the 42-unit condominium development are consistent with the goals and policies of the Escondido General Plan because high-density residential development is a permitted use and encouraged in the Southern Entry District of the South Centre City Specific Plan. The infill residential project would be in conformance with General Plan Housing Goals and Policies to plan for quality managed and sustainable growth and provide a range of housing opportunities for all income groups and populations with special needs, and which 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 site is physically suitable for the proposed density of development because the property is within a commercial and high-density redevelopment area that was previously used for residential and commercial purposes. Development of the property will assist in the ongoing revitalization of the South Centre City Specific Plan and Southern Entry District by establishing a permanent residential base along the transitioning corridor. The Southern Entry District allows multi-family development up to 30 du/ac. The Southern Entry District permits multi-family/condominium type development with a maximum density up to 30 dwelling units per acre. Based on the property size of 1.75 acres the underlying zoning would allow up to 52 units with structures up to three (3) stories and 45 feet in height. The request to construct 42 units (overall density of 24 du/ac) with three-story structures up to approximately 37 feet in height is consistent with the land use density and development requirements envisioned for this area.
2. The overall design of the residential development would produce an attractive, efficient and stable environment for living, because adequate residential amenities, parking, on-site circulation, access, city services and landscaping would be provided, and the design of the development is consistent with a high quality, urban infill project that will provide housing opportunities. The Approved Project's open space is well designed, properly distributed, and does not unreasonably restrict disabled access. The Approved Project contains architectural

and site-planning features commonly found in projects that maintain a majority of owner-occupied units.

3. The development would be well integrated into its surroundings, because the new structures would incorporate compatible and integrated architecture, materials and colors, and the Approved Project would not be visually obstructive or disharmonious with surrounding areas, or harm major views from adjacent properties. 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 Approved Project, and the Approved 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.
4. All vehicular traffic generated by the proposed development would be accommodated safely and without causing undue congestion upon adjoining streets, as determined by the Engineering Services Division and detailed in Final Initial Study/Mitigated Negative Declaration that was prepared for the Approved Project. City services, adequate utilities, and other infrastructure can be provided to the project site without significant upgrades to existing systems.
5. The improvements are not likely to cause substantial environmental concerns because the property was previously developed and used for residential and commercial/restaurant purposes and on-site paved parking. The site does not contain any sensitive or protected habitat or other environmental concerns that cannot be mitigated as determined during the environmental review. The design of the project and the type of improvements are not likely to cause serious public health problems because the Approved Project will not degrade the levels of service on the adjoining streets or drainage system as the project incorporates street and drainage improvements are part of the Approved Project and city sewer and water is available to the site.
6. The condominium development will be required to establish a Homeowners Association (HOA) to provide appropriate ongoing maintenance for the Approved Project. The overall size of the project/number of units would be sufficient to provide a sustainable association.
7. The Condominium Permit and Plot Plan are granted subject to such conditions as deemed necessary to meet the standards of the use and zone in which it is located and to comply with applicable design standards. The Condominium Permit and Plot Plan are granted subject to such additional conditions as deemed necessary and desirable to preserve the public health, safety and general welfare.

EXHIBIT “D”

CONDITIONS OF APPROVAL

Planning Case No. PL23-0406, SUB 19-0010 and PHG 19-0050

This Project is conditionally approved as set forth on the Extension of Time application received by the City of Escondido on October 23, 2023, and the Project drawings consisting of Tentative Subdivision Map, Civil Sheets and Grading Plan, Site Plan, Concept Landscape Plan, and Architectural Plans all designated as recommended for approval by the Zoning Administrator on January 30, 2024, and shall not be altered without express authorization by the Development Services Department. The full set of plans associated with the subject Tentative Subdivision Map, Condominium Permit and Plot Plan are available in the Planning Division as originally approved by the City Council pursuant to Resolution No 2020-146, and detailed in the City Council staff report, exhibits and attachments dated October 21, 2020.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, or its successor(s) in interest, as may be applicable.

A. GENERAL:

1. **Acceptance of Permit.** Should the applicant fail to file a timely and valid appeal of this Permit with the applicable appeal period, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
 - a. Acceptance of the Permit by the applicant; and
 - b. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
2. **Permit Expiration.** This extension of time for the Tentative Subdivision Map and associated Condominium Permit and Plot Plan is granted for an additional three years and shall expire on October 24, 2026, unless additional time is granted pursuant to the Map Act or to the Escondido Municipal Code. The Permit shall be deemed expired if a Final Map has not been approved or an extension of time has not been granted.
3. **Certification.** The Director of Development Services, or his/her designee, is authorized and directed to make, or require the applicant to make, all corrections and modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with final action on the Project. This includes amending the Project drawing as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of

approval. Said Plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the project.

4. Conformance to Approved Plans.

- a. The operation and/or use of the subject property shall be consistent with the Details of Request, designated with the Approval Plan set.
- b. Nothing in this Permit shall authorize the applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
- c. Once a permit has been issued, the applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Development Services to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.

5. Limitations of Use. Prior to any use of the Project site pursuant to this Permit, all conditions of approval contained herein shall be completed or secured to the satisfaction of the Director of Development Services.

6. Certificate of Occupancy.

- a. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
- b. Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Development Services.

7. Availability of Permit Conditions.

- a. Prior to building permit issuance, the applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Development Services.
- b. The applicant shall make a copy of the terms and conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that is submitted to the Building Division for the plan check processing.

8. Right of Entry. The holder of this Permit shall make the premises available for inspection by City staff during construction or opening hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The applicant shall provide such business records,

licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.

9. **Compliance with Federal, State, and Local Laws.** Nothing in this Permit shall relieve the applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. During Project construction and after Project completion, the applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

10. **Fees.** The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Community Development. Through plan check processing, the applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Community Development Department.
11. **Public Partnership Program.** All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for participating in the City Public Art Program.

12. **Clerk Recording.**

- a. **Notice of Determination.** The City of Escondido hereby notifies the applicant that State Law (AB 3158) effective January 1, 1991, 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, or if the Project was analyzed through a negative declaration or environmental impact report, the Applicant shall remit to the City of Escondido Planning Division, within two (2) working days of the effective date of the adoption of the environmental document, a check payable to the "County Clerk," in the amount that is published by the County Clerk's Office. Failure to remit the required fees in full within the specified time noted above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. In addition, Section 21089(b) of the Public

Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until all the required filing fees are paid. The County Clerk's Office filing fees for other environmental review documents are adjusted annually by the California Department of Fish and Wildlife. If the fees increase after the date of this approval, the Applicant shall be responsible for the increase.

- b. For further information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, section 753.5.

13. **Legal Description Adequacy.** The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

14. **Application Accuracy.** The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The applicant may be liable for any costs associated with rescission of such permits.

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

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

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

16. **Indemnification.** The applicant shall hold harmless the City, its Council Members, its Commission and Boards, officers, agents, employees, and representatives from liability for any award, damage, cost and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this Permit and from and against any and all claims, losses, proceedings, damages, cause of action, liabilities, cost and expenses, including reasonable

attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of applicant, or their respective contractors, licensees, invitees, agents, sub lessees, servants or employees, wherever on or adjacent to the property the same may occur; (ii) any use of the property, or any accident, injury, death, or damage to any person or property occurring in, or on or about the property, or any part thereof, or from the conduct of the applicant or owner's business or from any activity, work or thing done, permitted or suffered by the applicant or owner or its sub lessees, contractors, employees, or invitees, in or about the property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of applicant's or ones part to performed under the terms of this Agreement, or arising from any negligence of applicant or owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees, agents and representatives, by reason of any such claim, applicant or owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City. Owner further agrees to and shall indemnify, defend, protect, and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions brought by any third party to challenge the Project or its approval by the City, including environmental determinations. Such indemnification shall include any costs and expenses incurred by Agency and City in such action(s), including reasonable attorney fees.

B. Construction, Maintenance, and Operation Obligations;

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Building Official, and the Fire Chief. Approval of this request shall not waive compliance with any sections of the Municipal Code and all other applicable City regulations in effect at the time of Building Permit issuance unless specifically waived herein.
2. **Agency License and Permitting.** In order to make certain on- or off-site improvements associated with the Approved Plan set, the Permit request may require review and clearance from other agencies. Nothing in these Conditions of Approval shall be construed as to waive compliance with other government agency regulation or to obtain permits from other agencies.

At all times during the effective period of this permit, the applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.

3. **Utilities.** All new utilities and utility runs shall be undergrounded.
4. **Signage.** All proposed signage associated with the Project must comply with the South Centre City Specific Plan and City of Escondido Sign Ordinance (Ord. 92-47, Zoning Code Article 66) for the underling zone, and as may be approved pursuant to the Condominium Permit/Plot Plan, along with any exhibits included in the staff report(s), to the satisfaction

of the Planning Division. Separate sign permits (Planning Division Sign Permit) will be required for Project signage prior to the issuance of building permits for the signage.

5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
 - a. Prior to issuance of building permit(s), the applicant shall submit an exterior-to-interior noise report completed by a qualified acoustical consultant to demonstrate compliance with interior noise levels as required by the California Building Code of 45 dB. The report shall assume a "windows closed" conditions with regard to vehicles traveling along the adjacent roadways in accordance with the identified speed limits. The report would determine the predicted interior noise levels for the units, and would identify any necessary architectural materials or techniques that would be necessary to conform to interior noise levels.
6. **Lighting.** All exterior lighting shall conform to the requirements of Zoning Code Article 35, Outdoor Lighting).
7. **General Property Maintenance.** The property owner(s) or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.
8. **Anti-Graffiti.** The applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
9. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
10. **Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code. This shall include a combination of appropriate architectural features/screens and landscaping.
11. **Trash Enclosures.** Appropriate trash enclosure(s) or other approved trash system shall be approved by the Planning Division and Engineering Services Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. If public trash enclosures are provided, trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.

12. Staging Construction Areas. All staging areas shall be conducted on the subject property, subject to approval of the Engineering Services Division. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.

13. Disturbance Coordinator. The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.

14. Parking and Loading/Unloading.

a. A minimum of 95 parking spaces shall be provided on site as discussed in the staff report to the satisfaction of the City Engineer and Director of Development Services. Parking for disabled persons shall be provided in full compliance with Chapter 2-71, Part 2 of Title 24 of the State Building Code, including signage. All required parking spaces shall remain available for operable vehicles and shall not be used for inoperable vehicles or general storage.

15. Landscaping Maintenance. The property owner(s) or management company assumes all responsibility for maintaining all on-site landscaping and irrigation; any landscaping in the public right-of-way adjacent to the property, and any retaining and freestanding walls/fencing in a manner that satisfies the conditions contained herein.

a. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in an operational condition.

b. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

c. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.

16. Landscaping Plans. Applicant shall install all required improvements including any fencing, walls, storm improvements, and landscaping in substantial conformance to the planting and irrigation schedule as shown on the final Approved Plan set.

a. A final landscape and irrigation plan shall be submitted to the Engineering Services Division for review and approval, if meeting any of the criteria listed under Section 33-1323 of the Zoning Code. Five (5) copies of detailed landscape and irrigation plans shall be submitted to the Engineering Services Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees, paid in accordance with the prevailing fee schedule in effect at the time of submittal. Details of Project any fencing and walls, including materials

and colors, shall be provided on the landscape plans. (Building permits may also be required.) The landscape and irrigation plans shall be reviewed and approved by the Planning Division and Engineering Services Department prior to issuance of grading permits, and shall be equivalent or superior to the conceptual landscape plans included as part of the Approved Plan set, to the satisfaction of the Planning Division. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code, except where stricter requirements are imposed by the State of California.

- b. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The Applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
- c. The final landscape plan shall include an appropriate mix of trees, shrubs and groundcover along the South Escondido Boulevard street frontage in accordance with the South Centre City Specific Plan landscape design requirements.

C. Project Specific Conditions

1. Community Facility District or Separate Funding Mechanism. The Applicant shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding to be determined by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into a Community Facilities District (“CFD”) or the establishment of another lawful funding mechanism reasonably acceptable to the City (“Public Services Funding Agreement”). The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager’s designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City’s issuance of any permit for the Project.
2. Permitted animals/pets shall be allowed in conformance with those identified in the Escondido Zoning Code for R-4 zoned properties, unless more restrictive standards are applied by the property owner and included in the project CC&Rs.
3. Balconies and patios shall be kept in a neat and orderly manner. Items shall not be hung over, across or on balconies or patios (such as towels, clothing, etc.).
4. Any wall and retaining walls shall incorporate decorative block/finish to complement the overall design of the buildings. This shall be noted on the final plans.

5. The project shall be managed by a professional management company. A self-managed HOA shall not be allowed. This shall be reflected in the project CC&Rs.

D. Mitigation Measures

The approval of the Tentative Subdivision Map, Condominium Permit, Plot Plan, and Non-Emergency Demolition Permit, Planning Case No. SUB 19-0010, PHG 19-0050 and ENV 19-0007, is granted subject to the approval of the Final IS/MND and is subject to all Project features and mitigation measures contained therein and described below. Applicant shall implement, or cause the implementation of the Final IS/MND Mitigation Monitoring and Reporting Program (“MMRP”), provided as “Exhibit E” to City Council Resolution No 2020-146, which is incorporated herein by reference as though fully set forth herein.

Cultural/Tribal Cultural Resources

MM-CUL-1: The project applicant shall ensure Level I or II Historic American Buildings Survey documentation (or equivalent) of the residence be conducted in order to achieve mitigation by exhausting the research potential of the resource.

MM-CUL-2: Salvage Materials. Prior to demolition, distinctive representative architectural elements (interior and exterior features) shall be identified, and if feasible, salvaged for reuse in relation to the proposed plan. If reuse on-site is not feasible, opportunities shall be made for the features to be donated to various interested historical or archival depositories, to the satisfaction of the Director of Community Development.

MM-CUL-3: The project applicant shall prepare an interpretive program on-site that references the property’s history and the contribution of the historical resource to the broader neighborhood or historic district. An example of an interpretive program may be installation of interpretive signs or commemorative plaques in a publicly accessible and visible location that describe the history of the site must be installed prior to certificate of occupancy. The project applicant shall submit the interpretative program for consideration and approval by the Historic Preservation Commission. Although implementation of this mitigation measure may reduce impacts on historical resources, it would not lessen the effects to a less than significant level.

MM-CUL-4: The City Planning Division recommends the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a tribe that is traditionally and culturally affiliated with the project location (TCA Tribe) prior to issuance of a grading permit. The purposes of the agreement are: (1) to provide the applicant with clear expectations regarding tribal cultural resources and (2) to formalize protocols and procedures between them. The applicant/owner and the TCA Tribe responsible for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the project, including additional archaeological surveys

and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities.

MM-CUL-5: Prior to issuance of a grading permit, the applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.

MM-CUL-6: The qualified archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.

MM-CUL-7: During the initial demolition, site grading, excavation, or disturbance of the ground surface, the qualified archaeologist and the Native American monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

MM-CUL-8: In the event that previously-unidentified tribal cultural resources are discovered, the qualified archaeologist and the Native American monitor shall have the authority to temporarily divert or temporarily halt ground disturbance clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

MM-CUL-9: If a potentially significant tribal cultural resource is discovered, the archaeologist shall notify the City of said discovery. The qualified archaeologist, in consultation with the City, the TCA Tribe, and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the qualified archaeologist in consultation with the TCA Tribe and the Native American monitor and be submitted to the City for review and approval.

MM-CUL-10: If a potentially significant tribal cultural resources and/or unique archaeological resource is discovered, the avoidance and/or preservation of the significant tribal cultural resource and/or unique archaeological resource must first be considered and evaluated as required by CEQA. Where any significant tribal cultural resources and/or unique archaeological resources have been discovered and avoidance and/or preservation measures are deemed to be infeasible by the City, then a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. The archaeological monitor, in consultation with the Native American monitor, shall determine the amount of material to be recovered for an adequate artifact sample for analysis. Before construction activities are allowed to resume in

the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.

MM-CUL-11: 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 in the presence of a Native American monitor.

MM-CUL-12: If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Native American monitor, may at their discretion, collect said resources and provide them to the TCA Tribe for respectful and dignified treatment in accordance with the TCA Tribe's cultural and spiritual traditions. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe. Should the TCA Tribe or other traditionally and culturally affiliated tribe decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.

MM-CUL-13: Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusion of the archaeological monitoring program and any data recovery program on the project site shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

Noise

MM-NOS-1: Noise and ground-borne vibration construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement

mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses to the north. In addition, the use of vibratory rollers and packers should be avoided, as feasible, near sensitive areas.

MM-NOS -2: The operation of construction equipment that generates high levels of vibration, such as large bulldozers and loaded trucks, shall be prohibited between the hours of 6:00 p.m. and 7:00 a.m. Monday through Friday, 5:00 p.m. and 9:00 a.m. on Saturday, and all day on Sunday. Additionally, while construction would occur up to the property edge, the majority of construction would take place in the center of the site, which would be approximately 100 feet from the nearest sensitive receptor. With implementation of mitigation measures N-1 and N-2, impacts would be reduced to less than significant.

BUILDING

1. Approval and subsequent development is subject to all conditions and requirements of the California Building Code and Building Division.

ENGINEERING CONDITIONS

GENERAL

1. The Developer shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.
2. The location of all existing on-site and adjacent utilities and storm drain facilities shall be determined by the Developer's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the Grading plans and Final Map. This utility/facility relocation work shall be completed prior to issuance of Building Permits.
3. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a 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.
4. The Developer shall post securities in accordance with the City prepared Bond and Fee Letter based on a final Engineer's Estimate of Grading and Improvements Cost prepared by the project engineer. The Developer is required to provide a Cash Clean Up deposit for all grading, landscaping, private Improvements and onsite drainage improvements prior to approval of Grading Plans and issuance of Grading Permit. This Cash Clean Up Deposit amount shall be 10% of the total cost of the project private improvements, drainage and landscaping. The Developer is required to provide Performance (100% of total public improvement cost estimate), Labor and Material (50% of total public improvement cost estimate) and Guarantee and Warrantee (10 % of total public improvement cost estimate) bonds for all public improvements prior to approval of the Improvement Plans and issuance

of Building Permits. All improvements shall be completed prior to issuance of a Certificate of Occupancy.

5. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the Developer with the City of Escondido prior to the approval of any building permit.
6. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled, or
 - b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
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 by the Developer to the satisfaction of the City Engineer.
9. The Developer's engineer shall submit to the Planning Division three (3) copies of the Tentative Map as presented to the Planning Commission and approved by the City Council together with any changes contained in the adopted final conditions of approval. The Tentative Map will be certified by the Planning Division verifying that they are an accurate reproduction of the approved Tentative Map and must be included with the first Final Engineering submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, curb returns and pedestrian ramps, drainage, lighting, etc. shall be to the satisfaction of the City Engineer.
2. Prior to first occupancy the developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets adjoining the project boundary:

STREET

S. Escondido Blvd.

CLASSIFICATION

Mod. Local Collector per Tentative Map
(38' curb-to-curb)

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

3. The project's access drive shall be constructed as an alley-type driveway apron with a minimum throat width of 24-feet and a driveway apron with a 4-foot minimum ADA path of travel maintained near the R/W line to the satisfaction of the City Engineer.
4. All on-site driveways and parking areas are private, and shall be paved with a minimum of 3" asphalt concrete (AC) over 6" of aggregate base (AB) or 7" Portland concrete cement (PCC) over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.
5. Typical sections and design details shall be to the satisfaction of the City Engineer and Director of Development Services.
6. Public sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.
7. The minimum radius of the curb returns at intersecting private streets shall be 28 feet. The entrances to the private alleyways serving as vehicle access to the units off these private streets shall be designed and constructed with 15-foot minimum radius standard curb returns, concrete cross gutters, and pedestrian ramps (where sidewalk is required).
8. The Developer's engineer shall prepare and submit for approval by the City Engineer a complete final Signing and Striping plan for all improved and modified roadways. The Developer will be responsible for removal of all existing and the construction of all new signing and striping in compliance with the current CA MUTCD standards and to the satisfaction of the City Engineer.
9. Adequate horizontal sight distance shall be provided at all driveways. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
10. Street lighting shall be required on all on-site private streets and alleyways. It shall be the responsibility of the Home Owner's Association to maintain the street lighting system and such maintenance responsibility shall be clearly stated in the CC&Rs.
11. Pedestrian access routes meeting current ADA requirements shall be provided into the project to the satisfaction of the City Engineer and City Building Official.
12. The address of each dwelling unit shall either be painted on the curb or posted in such a manner that the address is clearly visible from the private roadways. The address shall be placed in a manner and location approved by the City Engineer, Director of Development Services, and Fire Marshal.
13. The Developer will be required to provide a detailed detour and traffic control plan, for all construction and staging activities, and any requested materials placement within existing rights-of-way to the satisfaction of the City Engineer. This plan shall include any proposed sidewalk closures and provide for alternate pedestrian access around the project site. This

plan shall be approved prior to the issuance of an Encroachment Permit for construction or other project activities within the public right-of-way.

14. An Encroachment Permit shall be obtained from the Engineering Services Division for all work within the public right-of-way. Contact the Engineering Field Office at 760 839-4664 to arrange for the Encroachment Permit and inspections, and note on the plans.

GRADING

1. A site grading and erosion control plan prepared by a registered Civil Engineer shall be approved by the Engineering Services Division prior to issuance of building permits. The first submittal of the grading plan shall be accompanied by three (3) copies of the preliminary soils and geotechnical report. The Soils Engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Any proposed retaining walls not a part of the building foundations or stem walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in the Geotechnical report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. The cost of any independent third-party review deemed necessary by the City Engineer shall be reimbursed by the developer. Stem walls, foundation structures, or deepened footings that are to be constructed as part of a building structure will be permitted as part of the Building Division plan review and permit process.
3. All retaining walls and screen walls, stairs and raised landings shall be constructed completely within the Project property and shall not encroach into the public right-of-way.
4. The Developer will be required to obtain permission from adjoining property owners for any off-site grading or work necessary to construct the project and/or the required improvements.
5. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The Developer shall be responsible for maintaining all erosion control facilities throughout the project.
6. The Developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
7. A Construction General Permit is required from the State Water Resources Control Board for all storm water discharges associated with a construction activity where clearing, grading, and excavation results in a land disturbance of one or more acres.
8. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

9. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a Drainage Study to be prepared by the Engineer of Work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains shall be that of the Home Owner's Association. Provisions stating this shall be included in the CC&Rs.
3. The project shall limit drainage flows to their pre-construction rates. Details and calculations for the detention basins shall be submitted and approved as part of the grading plan check.
4. A Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the final improvement and grading plans. The SWQMP shall include treatment calculations, post-construction storm water treatment measures, and maintenance requirements and responsibilities both for onsite treatment and also any "Green Street" facilities located in the public right-of-way. The SWQMP shall demonstrate how proposed proprietary best management practices meet bio-filtration treatment requirements in accordance with the City's Storm Water Design Manual.
5. All site drainage with emphasis on the parking and driveway areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
6. The Developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.
7. All storm water treatment and retention facilities and their drains including the bio-retention basins and planters, any permeable paver areas shall be considered private. The responsibility for maintenance of these post construction storm water treatment facilities shall be that of the Home Owner's Association.
8. The Developer's engineer shall design and the Developer shall construct any permeable surfaces proposed for the project to the specifications of the County of San Diego Green Streets manual in effect at the time the grading permits are issued. All permeable surfaces within the project footprint that are subject to vehicular traffic shall be designed for H20 loading.

9. The Home Owner's Association shall perpetually maintain all permeable surfaces in accordance to the standards established by the County of San Diego Green Streets manual in effect at the time the grading permits are issued. City shall have the right to inspect all permeable surfaces as needed to ensure they function as designed. City shall have the right to require qualified third-party testing at the property association's expense when surface failure is suspected. Contractor qualifications are outlined in the County of SD Green Streets manual. The Home Owner's Association will be required to repair or reinstall the permeable surface for all failing surfaces to County of SD Green Streets manual standards in place at the time of the grading permit. In the event of failure to maintain the permeable pavers system that result in not functioning as designed, the project Home Owner's Association will be responsible to replace the pervious pavers system with an alternate method of storm water treatment.
10. The Developer shall be required to clean the existing corrugated metal pipe storm drain pipe located along the project's frontage on S. Escondido Boulevard, provide the City's Field Engineering Inspector closed-circuit television video of the storm drain pipe, and rehabilitate the pipe with a method that provides a minimum 25-year life expectancy for the pipe. The pipe shall be cleaned and rehabilitated from the existing upstream and downstream in-line storm drain structures.
11. All perimeter brow ditches and all on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains and brow ditches shall be that of the property owner's association. Provisions stating this shall be included in the CC&Rs.

WATER SUPPLY

1. The locations and sizing of all required water mains, water services, fire hydrants, detector check assemblies, and other water appurtenances shall be designed and installed to the satisfaction of the Director of Utilities and the Utilities Engineer.
2. Improvement plans for all proposed water mains shall be prepared by a Civil Engineer and submitted to the City of Escondido for review and approval.
3. All water improvements shall be designed and constructed per the City of Escondido Design Standards and Standard Drawings, and to the satisfaction of the Utilities Engineer.
4. All public water mains shall be located under asphalt or concrete pavement and not under curbs, gutters, medians or sidewalks.
5. The Developer shall construct a 12-inch looped on-site water main designed to provide adequate water service and/or fire protection for the proposed project as shown on the Tentative Map. All proposed water mains shall be sized to provide the required fire flow while still meeting City of Escondido Standards.
6. All water mains shall be looped.
7. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.
8. All proposed fire hydrants shall be public and meet the current City of Escondido Standards, and shall connect to a minimum 8" diameter public water main.

9. Water services, meters and backflow prevention devices shall be a minimum of 1-inch in size. Water meters and backflow prevention devices shall not be installed within driveway aprons or drive areas.
10. Backflow prevention assemblies are private and should be located outside public utility easements. Backflows shall be located directly behind the public meter.
11. All water services to be replaced, reconnected or relocated as a part of this project shall be replaced in entirety from the public water main to the public water meter to the satisfaction of the Utilities Engineer and Water Distribution Department.
12. All fire hydrants to be replaced, reconnected or relocated as a part of this project shall be replaced in entirety from the public water main to the fire hydrant per the satisfaction of the Utilities Engineer and Water Distribution.
13. No trees or deep-rooted plants shall be planted within 10 feet of any public water main.
14. All water mains within easements shall be installed under a minimum 20-foot-wide all-weather road surface designed to the satisfaction of the Utilities Engineer.
15. There shall be no permanent structures or private facilities allowed within a public utility easement. Where private storm drains are necessary, they shall be the outer-most utility.
16. The Developer shall disconnect at the public main, all water services and fire hydrants laterals to be abandoned, to the satisfaction of the Utilities Engineer and Water Distribution Department.
17. Fire suppression and sprinkler systems beyond the Detector Check Valves are private and shall be designed and constructed per current Building, Plumbing, and Fire Code Standards, and per the requirements of the City Fire Marshal and City Building Official and shall be approved by a separate submittal to the Building Division.
18. All on-site water lines and backflow prevention devices beyond a City water meter or detector Check valve and/or not in public easements or the City's right of way shall be considered a private water system. The Home Owner's Association will be solely responsible for all maintenance or repair of these water lines and facilities.

SEWER

1. The location and sizing of all sewer mains shall be per City of Escondido Design Standards and to the satisfaction of the Director of Utilities and the Utilities Engineer.
2. Improvement plans for all proposed sewer mains shall be prepared by a Civil Engineer and shall be submitted to the City for review and approval.
3. All sewer mains, laterals, and appurtenances shall be designed and constructed per current City of Escondido Design Standards and Standard Drawings, and to the satisfaction of the Director of Utilities and Utilities Engineer.

4. The Developer shall construct 8-inch public backbone sewer systems on-site to serve the project as shown on the Tentative Map.
5. All manholes shall be accessible at all times by City vector trucks.
6. The Developer shall cap and plug at the public sewer main all sewer lines and laterals to be abandoned, to the satisfaction of the Utilities Engineer and the City Inspector. The existing sewer lateral sewerage to the existing public sewer main to the north of the property shall be abandoned at the public main to the satisfaction of the Utilities Engineer and the City Inspector. After this lateral is abandoned, the existing public sewer main shall be abandoned at the public main in Cranston.
7. The developer shall cap and plug the existing public sewer main currently sewerage under the existing motel to the satisfaction of the Utilities Engineer and the City Inspector.
8. The location of all sewer laterals shall be shown on the improvement plans.
9. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings and per the current Uniform Plumbing Code.
10. All sewer laterals are considered private and the Home Owner's Association will be responsible for all maintenance and replacement of sewer laterals.
11. A minimum 20-foot all weather access road (suitable for use by the City's vector trucks) shall be required for access to all sewer manholes.
12. There shall be no permanent structures or private utilities located within public sewer or public utility easements. Where it is necessary that the private storm drains share a public easement, they shall be placed on the outer-most edge away from the public sewer or water.
13. No trees or deep-rooted bushes shall be planted within 15-feet of any sewer main or within 10-feet of any sewer lateral. Sewer laterals shall be 5-feet horizontally clear from other utilities.
14. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.

LANDSCAPE

1. A site landscaping and irrigation plan shall be submitted to the Engineering Services Division with the second submittal of the grading plan for review and approval by Engineering Services Division and Planning Division. The initial submittal of the landscape plans shall include the required plan check fees.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.

2. Public utility easements for sewer, water, storm drain, etc. which are deemed necessary by the City Engineer shall be granted to the City. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
3. A public utility easement shall be dedicated over the private streets. The public utility easement width shall be 24 feet and extend curb-to-curb.
4. A public utility easement shall be dedicated along the S. Escondido Boulevard project frontage. The public utility easement width shall be 4 feet.
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. Building permits will not be issued for any building in which construction will conflict with existing easements or utilities, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS & FEES

1. On parcel no. 238-152-06-00, a waterline repayment of \$1,391.88 is due to the City of Escondido for the existing waterline improvements in Escondido Boulevard that will serve this development.
2. On parcel no. 238-152-07-00, a waterline repayment of \$3,484.50 is due to the City of Escondido for the existing waterline improvements in Escondido Boulevard that will service this development.
3. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the Developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
4. The Developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance. The developer may request a waiver of this condition by writing a letter to the City Engineer explaining his/her

reasons for requesting the waiver. The developer will be required to pay a waiver fee as adopted by City Council resolution.

2. The Developer shall sign a written agreement stating that 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.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Division for approval prior to approval of the Final Map.
2. The Developer shall make provisions in the CC&Rs for maintenance by the Home Owners' Association of private driveways, pavers, parking areas, private utilities (including sewer and water), storm water and drainage facilities, private street lighting, landscaping both onsite and within fronting public right-of-ways. These provisions must be approved by the Engineering and Planning Departments prior to approval of the Final Map.
3. The CC&Rs must state that the Home Owners' Association assumes liability for damage and repair to City utilities in the event that damage is caused by the property owners' association when repair or replacement of private utilities is done.
4. The CC&Rs must state that if stamped concrete or pavers are used in the private driveway and parking areas, the Home Owner's Association is responsible for replacing the stamped concrete in kind if the City has to trench these areas for repair or replacement of a City utility.
5. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan (SWQMP) for the project.

ZONING ADMINISTRATOR

CASE NUMBER:	PL23-0303
APPLICANT:	Brittany Keegan, Lilac Montessori
PROJECT LOCATION:	230 E. 5th Ave. (APN: 233-182-09-00)
REQUEST:	Approval of a Minor Conditional Use Permit (“MCUP”) for the operation of a daycare and preschool facility for up to 35 children (ages 18 months to 6 years old).
STAFF RECOMMENDATION:	Approval
GENERAL PLAN DESIGNATION:	SPA (Specific Plan Area #9)
ZONING:	S-P (Downtown Specific Plan, Southern Gateway District)

BACKGROUND/PROJECT DESCRIPTION:

The project site is located within the Downtown Specific Plan, Southern Gateway District (Attachment 1), which permits daycare facilities and preschools subject to the approval of a Minor Conditional Use Permit (MCUP). The 1,705 square-foot, one-story building was constructed in 1960 with 14 parking spaces on a 0.24-acre property. The project site is surrounded by single-family and multi-family residential uses along the north, east and south sides with commercial office use on the west side. The applicant, Lilac Montessori, proposes to convert the previous office use for the operation of a daycare and preschool. The facility will have a maximum capacity of 35 children, ages 18 months to 6 years old, and five staff employees. The facility will have two classrooms with a total of nine parking spaces provided on site (per Article 39 of the Escondido Zoning Code, one parking space per staff person (5) during the shift with the maximum number of employees, plus one space for each 10 children (35 students) for a total of (9) spaces. The hours of operation will be from 7:30 a.m. to 5:30 p.m., Monday through Friday.

The proposed project will include site enhancements such as the addition of an ADA compliant ramp at the front of the building; a newly designed 900 square foot outdoor playground between the parking lot and rear of the building, and a six-foot-high chain link fence and gate along the north and west sides. Due to the adjacent residential use an eight-foot-high solid fence along the east side will be required along with the construction of a new trash enclosure; reconfiguration of the parking lot circulation and parking space striping to include a loading and unloading area at the rear of the lot for student drop-off and pick-up.

ENVIRONMENTAL STATUS:

California Environmental Quality Act (“CEQA”) Guidelines list classes of projects that have been determined not to have a significant effect on the environment and as a result are exempt from further environmental review under CEQA. The project is categorically exempt from further CEQA review pursuant to CEQA Guidelines sections 15303 (New Construction or Conversion of Small Structures) as described further in the Findings of Fact, attached as Exhibit “B” to Resolution No. 2024-01 (Attachment 2) and the CEQA Notice of Exemption (Attachment 3).

REASON FOR STAFF RECOMMENDATION:

Staff recommends approval of the MCUP for the daycare facility and preschool as the uses adhere to requirements within the specific plan and municipal code. The outdoor play area is 900 square feet and meets the minimum outdoor recreation area requirement to accommodate the children for both daycare and preschool with a staggered recreation schedule. The playground will be secured with a six-foot-high chain link fence and gate along the north and west sides and an eight-foot-high solid fence along the east side.

Ingress and egress on and off the site will be accommodated via the alley at the north side of the property. Parking for a daycare facility and preschool requires a total of nine parking spaces, one parking space per staff person (5) during the shift with the maximum number of employees, plus one space for each 10 children (35 students). Parking will provide adequate on-site circulation for loading and unloading or pick-up and drop-off zones (per Article 39 of the Escondido Zoning Code).

Noise attenuation calculations from the Acoustical Analysis Report for Lilac Montessori, dated September 19, 2023, prepared by Eilar Associates, Inc., Acoustical & Environmental Consulting, confirm that use of an eight-foot-high sound attenuation barrier constructed along the northeastern property line will meet the applicable noise levels from proposed outdoor activities at all surrounding property lines (Attachment 4). Conditions of approval will be applied to the project to establish appropriate limitations on the number of children using the outdoor playground at any time and type of fence material required for the eight-foot-high sound attenuation barrier.

The project would not have a significant traffic impact on the surrounding streets and intersections. The pick-up/drop-off area would occur on-site at the rear of the building and not on public streets or rights-of-way. Therefore, the impacts along the main corridor would be minimal. The project meets the Transportation Impact Analysis Guidelines Appendix D: Screening Criteria and Threshold Evidence. Staff determined the proposed use qualifies as a “Locally-Serving Public (Day Care) Facility” and is not required to complete a Vehicles Miles Traveled (VMT) CEQA impact analysis. Similar to the previous locally serving office use, a locally serving public facility would redistribute trips and would not create new trips.

Therefore, staff recommends the Zoning Administrator approve the project as conditioned.

Zoning Administrator
January 30, 2024
PL23-0303

Respectfully submitted,

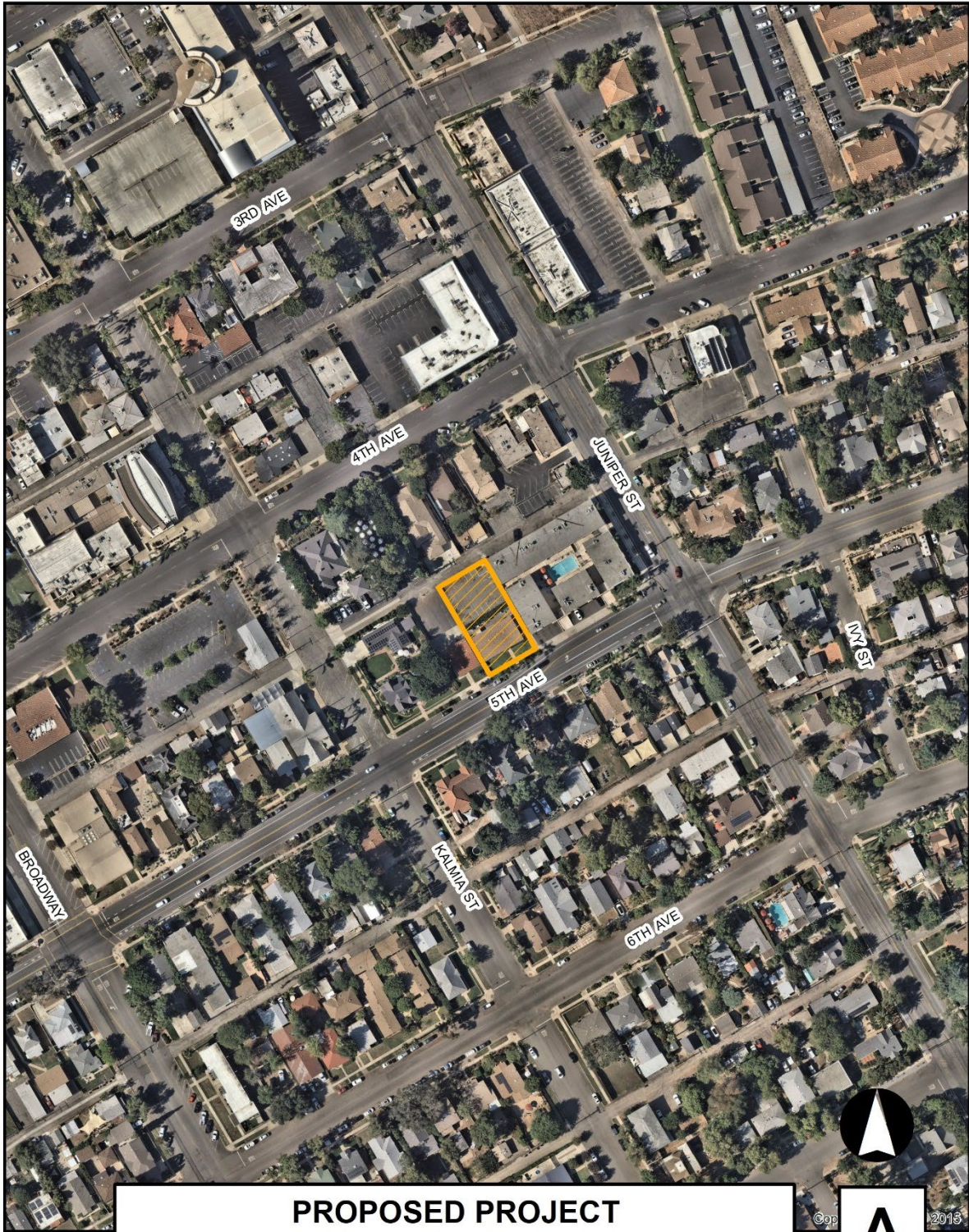
Jasmin Perunovich

Jasmin Perunovich
Assistant Planner II

ATTACHMENTS:

1. Project Location, Zoning and General Plan Land Use Maps, Photos
2. Draft Zoning Administrator Resolution No. 2024-01, Including Exhibits A, B, C and D
3. CEQA Notice of Exemption
4. Acoustical Analysis Report for Lilac Montessori, dated September 19, 2023, prepared by Eilar Associates, Inc., Acoustical & Environmental Consulting

ATTACHMENT 1 – PROJECT LOCATION, ZONING AND GENERAL PLAN LAND USE, AND PHOTOGRAPHS

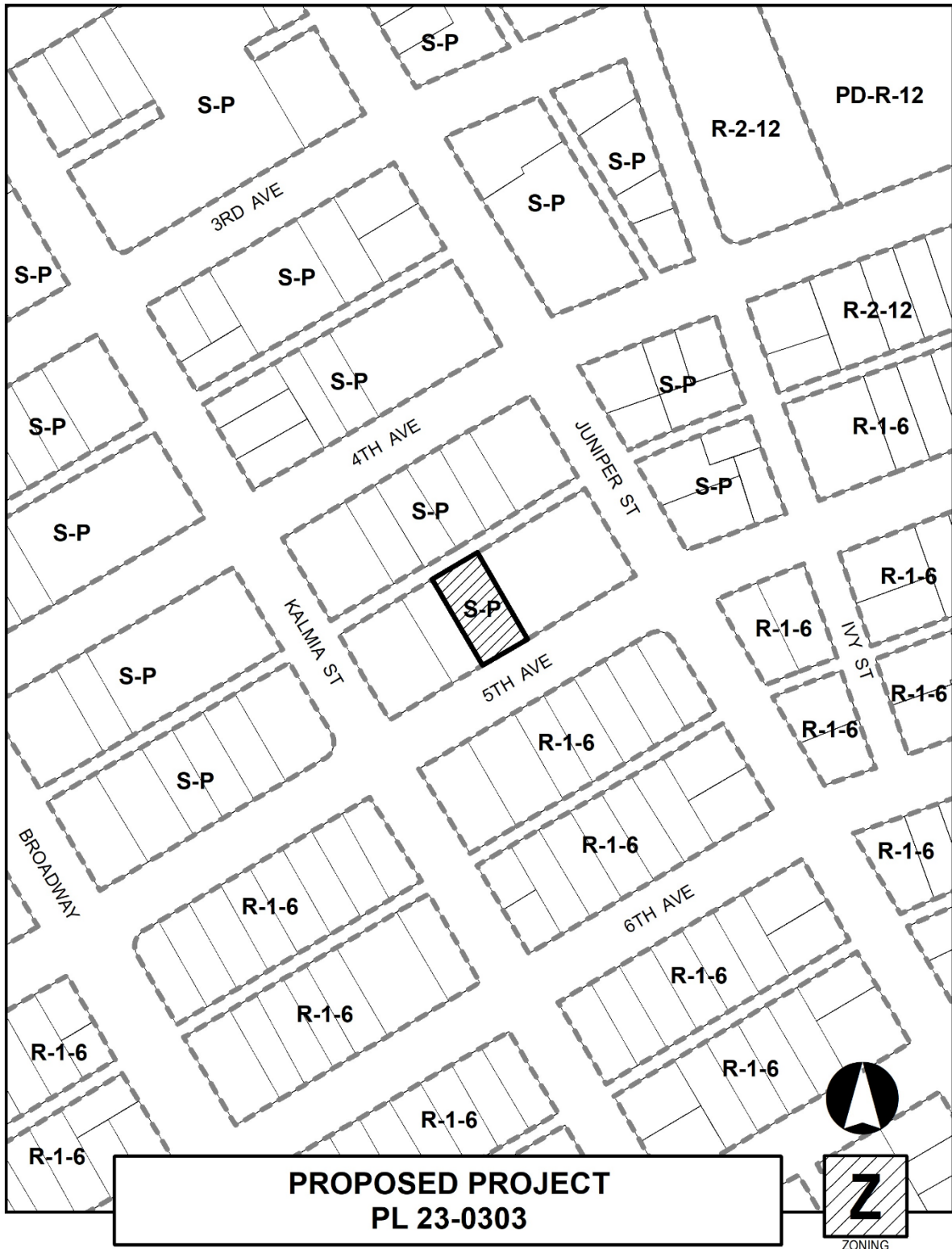


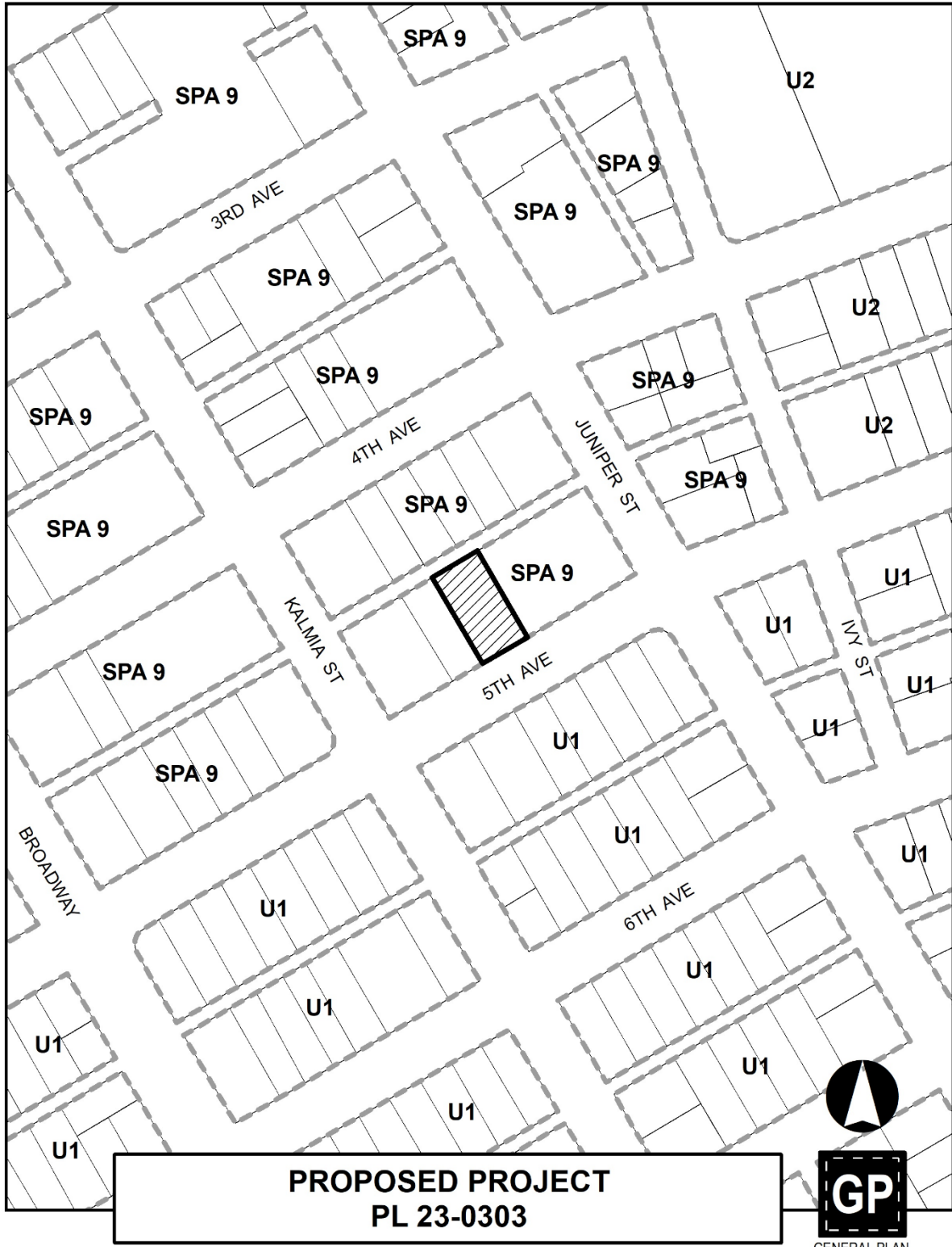
**PROPOSED PROJECT
PL 23-0303**



A

AERIAL





PROPOSED PROJECT
PL 23-0303



Zoning Administrator
January 30, 2024
PL23-0303

S o u t h E l e v a t i o n



Zoning Administrator
January 30, 2024
PL23-0303

East Elevation



Zoning Administrator
January 30, 2024
PL23-0303

North Elevation



W e s t E l e v a t i o n



Zoning Administrator
January 30, 2024
PL23-0303

P a r k i n g L o t (S o u t h w e s t - f a c i n g v i e w)



Zoning Administrator
January 30, 2024
PL23-0303

P a r k i n g L o t (S o u t h e a s t - f a c i n g v i e w)



Zoning Administrator
January 30, 2024
PL23-0303

Northern Property Line (East-facing view)



ATTACHMENT 2
PL23-0303

Zoning Administrator

Hearing Date: January 30, 2024

Effective Date: February 12, 2024

RESOLUTION NO. 2024-01

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A MINOR CONDITIONAL USE PERMIT FOR THE OPERATION OF A DAYCARE AND PRESCHOOL FACILITY FOR UP TO 35 CHILDREN IN THE S-P ZONE (DOWNTOWN SPECIFIC PLAN, SOUTHERN GATEWAY DISTRICT).

APPLICANT: Brittany Keegan, Lilac Montessori

CASE NO: PL23-0303

WHEREAS, the Zoning Administrator of the City of Escondido did, on January 30, 2024, hold a public hearing to consider a request for a Minor Conditional Use Permit for the operation of a daycare and preschool for up to 35 children (ages 18 months to 6 years old). The proposed uses would occupy an existing 1,705 square-foot commercial building on a 0.24-acre property in the Southern Gateway District of the Downtown Specific Plan. The request includes a newly designed 900 square foot fenced outdoor playground on the northside of the parcel between the parking lot and rear of the building. On-site enhancements include a new trash enclosure, reconfiguration of the parking lot circulation to allow for one-way ingress/egress, and parking space restriping to include a loading and unloading area at the rear of the lot for student drop-off and pick-up. The project site is addressed as 230 E. 5th Avenue (APN: 233-182-09-00).

WHEREAS, the subject property is all that real property described in Exhibit “A”, which is attached hereto and made a part hereof by this reference as though fully set forth herein (“Property”); and

WHEREAS, evidence was submitted to and considered by the Zoning Administrator at or before the public hearing, including, without limitation, written information, and the staff report dated January 30, 2024, which along with its attachments is incorporated herein by this reference; and

WHEREAS, a notice was published and mailed as required by the Escondido Zoning Code and applicable State law; and

WHEREAS, the application was assessed in conformance with the California Environmental Quality Act (CEQA) and a Notice of Exemption was prepared in conformance with CEQA Guidelines sections 15061 and 15062; and

WHEREAS, a staff report was presented discussing the issues in the matter;
and

WHEREAS, Ordinance No. 78-02, enacted pursuant to Section 65974 of the Government Code and pertaining to the dedication of land and fees for school facilities, has been adopted by the City of Escondido.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Administrator of the City of Escondido:

1. That the above recitations are true and correct.
2. That the project is categorically exempt from further CEQA review pursuant to CEQA Guidelines 15303 (New Construction or Conversion of Small Structures). The Zoning Administrator has reviewed and considered the Notice of

Exemption prepared for the project and has determined that it is complete and adequate, and there are no significant environmental effects which cannot be mitigated.

3. That, considering the Findings of Fact attached as Exhibit "B" hereto, and applicable law, the Zoning Administrator hereby approves said Minor Conditional Use Permit as depicted on the project plans included as Exhibit "C," and subject to the Conditions of Approval attached as Exhibit "D."

4. That this approval shall automatically become null and void unless the use authorized by this approval has commenced within 24 months of the date of this approval, unless an Extension of Time is granted pursuant to Article 61 of the Escondido Zoning Code.

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

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Engineering Services Departments. The project is also subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

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

Zoning Administrator
January 30, 2024
PL23-0303

PASSED, ADOPTED AND APPROVED by the Zoning Administrator of the
City of Escondido, California, at a regular meeting held on the 30th day of January, 2024.

VERONICA MORONES
Zoning Administrator

ANNIE WARD
Witness

Note: This action may be appealed to Planning Commission
pursuant to Zoning Code Section 33-1303

Zoning Administrator
January 30, 2024
PL23-0303

EXHIBIT "A"
PLANNING CASE NO. PL23-0303
LEGAL DESCRIPTION

Real property in the City of Escondido, County of San Diego, State of California, described as follows:

LOT 4 AND THE WESTERLY HALF OF LOT 5, IN BLOCK 100 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886.

APN: 233-182-09-00

EXHIBIT “B”

PLANNING CASE NO. PL23-0303

FINDINGS OF FACT

Environmental Determination:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) (“CEQA”), and its implementing regulations (14 C.C.R. § 15000 et seq.) (“CEQA Guidelines”), the City of Escondido (“City”) is the Lead Agency for the project (“Project”), as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines sections 15303 (New Construction or Conversion of Small Structures). The proposed Project meets all applicable conditions, as further described below:
 - a. A daycare facility is an allowed use within the Southern Gateway District of the Downtown Specific Plan and adheres to the City of Escondido Municipal Code. The project involves a change in occupancy of an existing commercial building, not exceeding 1,705 square feet in floor area, from an office use to a daycare facility, where minor modifications are made to the exterior of the structure and not involving the use of significant amounts of hazardous substances. The project includes a new trash enclosure and ancillary parking lot modifications. The project site is located in a developed area of the city where all necessary public services and facilities are available on site and the surrounding area is not environmentally sensitive. The project thus adheres to the criteria of CEQA Guidelines section 15303(c) and (e).
 - b. Furthermore, none of the exceptions listed under CEQA Guidelines section 15300.2 apply to the proposed project. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time, given the proposed project is consistent with the Municipal Code and General Plan policies. There are no unusual circumstances surrounding the proposed project that would result in a reasonable possibility of a significant effect on the environment in that the area of impact is already disturbed and improved with an existing, permitted building and parking lot, and all improvements would be required to comply with local and state laws. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings or similar resources, because the locations of the proposed improvements would be located within an area of the City previously disturbed and developed. The project area is not environmentally sensitive.
3. The Zoning Administrator has independently considered the full administrative record before it, which includes but is not limited to the January 30, 2024 Zoning Administrator staff report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any

of the above-described exemption requirements has not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.

Conditional Use Permit:

1. *A Conditional Use Permit should be granted upon sound principles of land use and in response to services required by the community.*

The proposed use is conditionally permitted within the Downtown Specific Plan's Southern Gateway District, subject to compliance with the requirements of the Escondido Municipal Code. Granting the Minor Conditional Use Permit would provide a service to the community in the form of a daycare program and school within close proximity to residential neighborhoods. The proposed project, as conditioned, would comply with such requirements.

2. *A Conditional Use Permit should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located.*

The Minor Conditional Use Permit is located in an area surrounded by a variety of commercial, retail, support and service uses. The proposed use would be conducted within an existing commercial building. The project site can reasonably accommodate the use because there is sufficient parking and adequate drop-off and pick-up area provided on site. The outdoor playground area is fenced with a 6-foot-high chain link and 8-foot-high solid wood fence. A maximum of 12 children would be allowed on the playground at any time and all outdoor activities are subject to the Noise Ordinance.

The facility would not create adverse noise impacts. Noise attenuation calculations from the Acoustical Analysis Report for Lilac Montessori, dated September 19, 2023, prepared by Eilar Associates, Inc., Acoustical & Environmental Consulting, show that with an eight-foot-high sound attenuation barrier constructed along the northeastern property line, the noise levels from proposed outdoor activities are expected to meet the City's applicable noise limits at all surrounding property lines.

The project would not have a significant traffic impact on the surrounding streets and intersections. The pick-up/drop-off area would occur on-site at the rear of the building and not on public streets or rights-of-way. Therefore, the impacts along the main corridor would be minimal. The project meets the Transportation Impact Analysis Guidelines Appendix D: Screening Criteria and Threshold Evidence. Staff determined that the project is a "Locally-Serving Public (Day Care) Facility" and not required to complete a Vehicles Miles Traveled (VMT) CEQA impact analysis. Similar to the previous locally serving retail use, a locally serving public facility would redistribute trips and would not create new trips.

3. *A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located.*

Zoning Administrator
January 30, 2024
PL23-0303

The proposed use is conditionally permitted within the Downtown Specific Plan's Southern Gateway District, subject to compliance with the requirements of the Escondido Municipal Code. The Downtown Specific Plan supports daycare facilities through the review of a Minor Conditional Use Permit process and the operations are regulated by the State of California Department of Social Services. The proposed project would not diminish the quality of life standards of the General Plan because the Project would not materially degrade the level of service on adjacent streets or public facilities, nor create excessive noise, and adequate public services are currently provided on site.

EXHIBIT "C" PROJECT PLANS

BUILDING DATA

ADDRESS: 230 E 5TH AVENUE
ESCONDIDO, CA 92025

LEGAL DESCRIPTION: TR 336 BLK 100* LOT 5* LOT 4 & 1/2*

NO. OF FLOORS 1

TYPE OF CONST: V-NR

OCCUPANCY: EXISTING (B - OFFICE)
NEW (E - PRE-SCHOOL / DAYCARE)

ZONE: SOUTHERN GATEWAY DISTRICT

GENERAL PLAN: DOWNTOWN SITE SPECIFIC PLAN

APN: 233-182-09-00

PROJECT DIRECTORY

BUILDING OWNER: LOTFALI YARI REVOCABLE TRUST
1252 FELICITA LANE
ESCONDIDO, CA 92025
760-221-5191

PROJECT DESIGNER: A REED CONSULTING
6924 SKYLINE DRIVE
SAN DIEGO, CALIFORNIA 92114
CONTACT: ANTHONY REED
TELEPHONE: 619-379-4670
FAX: 619-624-0530

GENERAL CONTRACTOR: T.B.D.
ADDRESS
ADDRESS
CONTACT: XXX
TELEPHONE: XXX



LILAC MONTESSORI ESCONDIDO

PROJECT DATA

TENANT: LILAC MONTESSORI

EXISTING SQ. FT.: 1,734 SQ FT

T.I. SQ. FT.: 60 SQ FT

SCOPE OF WORK:

CONDITIONAL USE PERMIT - CHANGE OF OCCUPANCY
EXISTING OCCUPANCY: B-OFFICE
NEW OCCUPANCY: E- PRE-SCHOOL / DAYCARE

REMODEL EXISTING 1-STORY DENTAL OFFICE TO A YOUTH PRE-SCHOOL AND DAYCARE.

NEW ADA RESTROOM
NEW PARKING LAYOUT AND RESTRIPE NEW PARKING SPACES
NEW ACCESSIBLE PATH OF TRAVEL AND BUILDING ENTRY RAMP & LANDING
NEW 6'H. CMU BLOCK WALL TRASH ENCLOSURE WITH WOOD TRELLIS
NEW PLAYGROUND AREA

SHEET INDEX

TENANT IMPROVEMENT:
TS : TITLE SHEET
SCP : SITE CONSTRUCTION PLAN
SP : SITE PLAN
LP : LANDSCAPE PLAN
MOE : MEANS OF EGRESS PLAN
TE : TRASH ENCLOSURE
DP : DEMOLITION PLAN
CP : CONSTRUCTION PLAN
ELEV : ELEVATIONS

PROJECT NOTES:

- TENANT IMPROVEMENT:
- NEW OFFICE / RECEPTION, 2 NEW CLASSROOMS, NEW ADA RESTROOM, SERVICE COUNTER & NEW KITCHENETTE.
- NO NEW HVAC.
- DEMOLISH (3) SINKS, AND (4) HOSE BIBS
- (1) NEW SINK, (1) NEW WATER CLOSET & (1) NEW LAVATORY
- NO NEW LIGHTING, (3) RELOCATED LIGHT FIXTURES.
- NO NEW ELECTRICAL
- NO STRUCTURAL WORK IS TO BE PERFORMED UNDER THIS PERMIT.
- THIS PROJECT SHALL COMPLY WITH ALL APPLICABLE CODES:
2022 CBC WHICH ADOPTS THE 2021 IBC
2021 UMC
2021 LFC
2021 NEC
2022 CALIFORNIA GREEN ENERGY STANDARDS

FLOOR PLATE

AREA OF WORK

DEFERRED SUBMITTALS

-IT IS UNDERSTOOD THAT THE PLANS FOR THE PROJECT HAVE, AT THIS TIME, BEEN REVIEWED FOR COMPLIANCE WITH ALL APPLICABLE STATE AND CITY REGULATIONS, AND THAT THE PROJECT AS A WHOLE HAS BEEN APPROVED BY THE CITY WITH THE EXCEPTION OF THE DEFERRED ITEMS LISTED.

-I/WE UNDERSTAND THAT I/WE WILL NOT AUTHORIZE ANY INSPECTION OF THE DEFERRED ITEMS PROPOSED PRIOR TO THE SUBMITTAL AND APPROVAL OF PLANS AND/OR CALCULATIONS FOR THOSE DEFERRED ITEMS.

-COMPLETE PLANS AND SPECIFICATIONS FOR NEW BUILDING FIRE EXTINGUISHING SYSTEM, INCLUDING AUTOMATIC SPRINKLER AND STANDPIPE SYSTEMS AND OTHER SPECIAL FIRE EXTINGUISHING SYSTEMS AND RELATED APPURTENANCES SHALL BE SUBMITTED TO THE CITY OF SAN DIEGO FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. 2022 CFC 90 3AND 2010 NFPA 13.

-COMPLETE PLANS AND SPECIFICATIONS FOR FIRE ALARM SYSTEMS SHALL BE SUBMITTED TO THE CITY OF SAN DIEGO DEVELOPMENT SERVICES FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. 2022 CFC 907 & 907.2 AND 2013 NFPA 72.

1. FIRE ALARMS

-PLANS FOR THE DEFERRED SUBMITTALS SHALL BE SUBMITTED IN A TIMELY MANNER BUT NOT LESS THAN 30 BUSINESS DAYS PRIOR TO INSTALLATION. ALL COMMENTS RELATED TO THE DEFERRED SUBMITTAL MUST BE ADDRESSED TO THE SATISFACTION OF THE PLAN CHECK DIVISION PRIOR TO APPROVAL OF THE SUBMITTED ITEMS.

VICINITY MAP

PARKING ANALYSIS

REQUIRED PARKING SPACES	1 SPACE PER STAFF	1 SPACE PER 10 STUDENTS
	5 STAFF = 5 SPACES	36 STUDENTS = 4 SPACES
PROVIDED PARKING SPACES	5 STAFF SPACES	4 STUDENT SPACES
	9 TOTAL SPACES	

Project No. 00002 Date 8/23/23
Sheet No. AR

TS

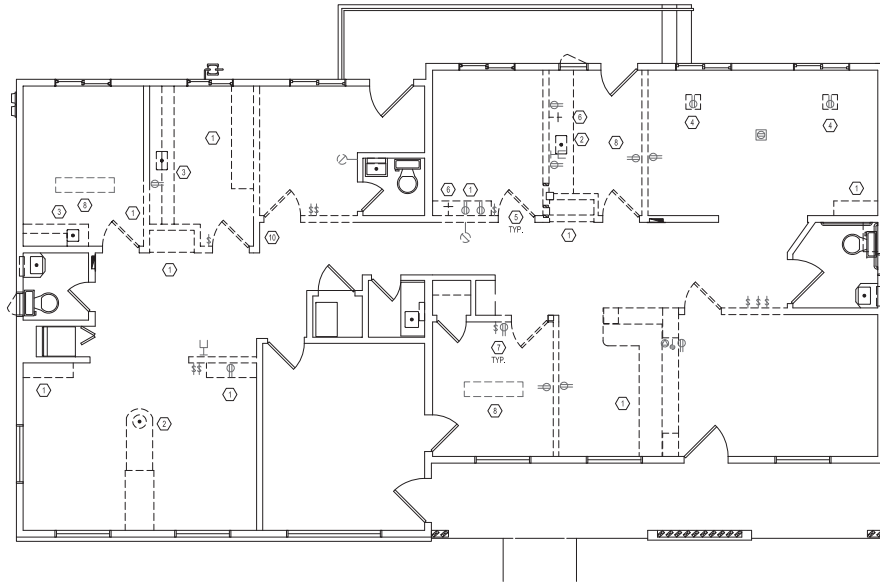
A REED CONSULTING, LLC 619.379.4670

6924 SKYLINE DR
SAN DIEGO, CA 92114

LILAC MONTESSORI 230 E 5TH AVENUE ESCONDIDO, CA 92025

TS

WE ARE SUBMITTING THESE PLANS FOR A REED CONSULTING, LLC. BY THE SUBMISSION OF THESE PLANS, WE ARE NOT IN ANY MANNER GUARANTEEING THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE INFORMATION PROVIDED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF ANY FINANCIAL PRODUCT OR SERVICE. THE INFORMATION PROVIDED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS PROVIDED. THE INFORMATION PROVIDED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS PROVIDED. THE INFORMATION PROVIDED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS PROVIDED.



DEMOLITION PLAN
SCALE: 3/8" = 1'-0"



DEMOLITION PLAN LEGEND:

	EXISTING BUILDING GLAZING TO REMAIN, U.N.O.
	EXISTING BUILDING PARTITION/SHELL/COLUMN TO REMAIN
	EXISTING 2 X 4 WOOD STUD TO REMAIN
	EXISTING NON-BEARING INTERIOR PARTITION TO BE DEMOLISHED
	EXISTING WALL MOUNT OUTLET TO BE DEMOLISHED
	EXISTING CEILING MOUNT LIGHT FIXTURE TO BE RELOCATED

DEMOLITION PLAN GENERAL NOTES:

1. DUE TO THE UNPREDICTABLE NATURE OF DEMOLITION, AND THE POSSIBILITY OF DISCOVERING UNFORESEEN DEMOLITION PROBLEMS, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO STUDY THE FULL INTENT OF REQUIRED DEMOLITION BY INCORPORATING A COMPLETE ANALYSIS OF THE PROPOSED CONSTRUCTION DOCUMENTS.
2. REFER TO GENERAL NOTES FOR GUIDELINES ON REMOVAL AND/OR DISPOSITION OF MECHANICAL, ELECTRICAL, PLUMBING SYSTEMS/DEVICES, GC & MEP SUBCONTRACTORS SHALL BE FULLY RESPONSIBLE FOR DEMOLITION, SALVAGE, & REINSTALLATION AND/OR REPLACEMENT OF MEP SYSTEMS.
3. ALL PHYSICAL STRUCTURES AND FEATURES OF THE BUILDING AND TENANT IMPROVEMENTS INDICATED THAT ARE NOT ILLUSTRATED BY DASHED LINE OR OTHERWISE SPECIFICALLY DESIGNATED TO BE REMOVED, SHALL REMAIN "AS-IS". THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL CAREFULLY STUDY THE DRAWINGS AND COMPARE THEM TO EXISTING CONDITIONS AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES PRIOR TO SUBMISSION OF BIDS TO GENERAL CONTRACTOR AND / OR TENANT. CHANGE ORDER REQUESTS FOR OBVIOUS EXISTING CONDITION DISCREPANCIES WILL NOT BE CONSIDERED BY TENANT OR DESIGNER.
4. PROTECT EXISTING SURFACES AND FINISHES TO REMAIN FROM DAMAGE DURING DEMOLITION AND CONSTRUCTION.
5. ALL EXISTING SURFACES AND FINISHES DAMAGED OR DISTURBED BY ALTERATIONS SHALL BE PATCHED, PAINTED, REPAIRED OR REPLACED IN KIND, U.N.O. ALL SURFACES THAT ARE SCHEDULED TO RECEIVE NEW FINISHES SHALL BE PREPARED ACCORDINGLY & APPROPRIATELY. REFER TO CONSTRUCTION PLAN & FINISH PLAN.
6. REPAIR AND/OR REPLACE DAMAGE TO ANY PARTITIONS NOT DESIGNATED TO BE DEMOLISHED DURING DEMOLITION AND/OR CONSTRUCTION. ALL SURFACES THAT ARE SCHEDULED TO RECEIVE NEW FINISHES SHALL BE PREPARED ACCORDINGLY AND APPROPRIATELY. REFER TO PARTITION PLAN AND FINISH PLAN.

7. ALL PENETRATIONS MADE TO RATED FLOOR SLABS AND PARTITIONS DURING DEMOLITION/REMODEL OPERATIONS SHALL BE FIRE-SAFED WITH U.L. APPROVED MATERIALS AND METHODS TO MAINTAIN EXISTING FIRE RATING. ALL EXISTING PENETRATIONS FOUND TO BE NON-COMFORMING SHALL ALSO BE FIRE-SAFED AS PART OF THIS PROJECT. PATCH, REPAIR TO MATCH ADJACENT SURFACES.
8. GC, FOLLOWING REMOVAL OF PARTITIONS, PLUMBING FIXTURES & ELECTRICAL DEVICES, ETC. INDICATED, SHALL FIELD VERIFY USE/PURPOSE OF ANY SUCH DEVICE & PROTECT ALL THAT ARE INTENDED TO REMAIN OR BE RE-USED. OTHERWISE, REMOVE, GRIND, SMOOTH & OR CAP AS REQUIRED TO PRODUCE A FLUSH, HARD SURFACE.
9. EXISTING GYP BOARD CEILING AND HVAC DIFFUSERS AND GRILLES THAT ARE TO REMAIN SHALL BE VERIFIED FOR EXISTING CONDITION. ALL DAMAGED, MISSING, NON-COMPLIANT SHALL BE REPLACED WITH NEW, MATCH EXISTING OR PROVIDE/INSTALL CODE COMPLIANT.
10. REMOVE ALL EXISTING INACTIVE DATA CABLING, ELECTRICAL AND LOW VOLTAGE WIRING IN WALLS AND ABOVE CEILING.

DEMOLITION PLAN KEY NOTES:

- ① DEMOLISH MILLWORK.
- ② DEMOLISH MILLWORK, SINK AND FAUCET. CAP-OFF PLUMBING AT NEAREST POINT OF CONNECTION.
- ③ DEMOLISH MILLWORK, SINK AND FAUCET. SALVAGE PLUMBING FOR RE-USE.
- ④ DEMOLISH FLOOR SINKS/DRAINS WATER-LINE AND ELECTRICAL OUTLET. CAP-OFF PLUMBING AT NEAREST POINT OF CONNECTION.
- ⑤ DEMOLISH INTERIOR DOOR, TYPICAL U.N.O.
- ⑥ DEMOLISH HOSE BIB CAP-OFF PLUMBING AT NEAREST POINT OF CONNECTION.
- ⑦ DEMOLISH ELECTRICAL/ TEL / DATA OUTLETS WHERE INDICATED, TYPICAL.
- ⑧ SALVAGE LIGHT FIXTURE FOR RELOCATION.
- ⑨ DEMOLISH PARTITION AS REQUIRED FOR NEW RESTROOM.
- ⑩ PARTITION W/ A/C PANEL TO REMAIN.

Drawing path C:\ARAC	
Sheet No. DEMOLITION PLAN	
Project No. 00002	Date 8/23/23
Designer AR	
Sheet No. DP	

Date	Issue

ARAC CONSULTING LLC 619.379.4620
6934 SHILOH DR
SAN DIEGO, CA 92114

**LILAC MONTESSORI
230 E 5TH AVENUE
ESCONDIDO, CA 92025**

THIS DEMOLITION PLAN IS THE PROPERTY OF ARAC CONSULTING LLC. THE SUBMITTER OF THESE PLANS, BEING THE ARCHITECT, IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING CONDITIONS OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONNEL AND THE PUBLIC DURING THE DEMOLITION PROCESS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENVIRONMENTAL FEATURES AND HISTORIC RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND THE PUBLIC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL PERSONNEL AND THE PUBLIC DURING THE DEMOLITION PROCESS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENVIRONMENTAL FEATURES AND HISTORIC RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND THE PUBLIC.

EXHIBIT “D”

PLANNING CASE NO. PL23-0303

CONDITIONS OF APPROVAL

This Project is conditionally approved as set forth on the application received by the City of Escondido on November 10, 2023, and the Project drawings consisting of Site Plans, Floor Plans, Sections and Architectural Elevations; all designated as approved on **January 30, 2024**, and shall not be altered without express authorization by the Development Service Department.

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

A. General:

1. **Acceptance of Permit.** If the Applicant fails to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a. Acceptance of the Permit by the Applicant; and
 - b. Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.
2. **Permit Expiration.** The Permit shall automatically expire after two years from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

3. **Certification.** The Director of Development Services, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. Said plans must be

certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.

4. Conformance to Approved Plans.

- a. The operation and use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
- b. Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
- c. Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Development Services to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.

5. Limitations on Use. Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Development Services Department.

6. Certificate of Occupancy.

- a. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
- b. Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Development Services.

7. Availability of Permit Conditions.

- a. Prior to building permit issuance, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Development Services.
- b. The Applicant shall make a copy of the terms and conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.

8. **Right to Entry.** The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.
9. **Compliance with Federal, State, and Local Laws.** Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. **During** Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

10. **Fees.** The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Development Services. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Development Services Department.

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

11. **Public Art Partnership Program.** All requirements of the Public Art Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

12. Clerk Recording.

- a. **Exemption.** The environmental determination prepared for the Project is a categorical exemption. The City of Escondido hereby notifies the Applicant that the County Clerk's Office requires a documentary handling fee of \$50 in order to file a Notice of Exemption. In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Guidelines

section 15062, the Applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the Project (the final approval being the date of this letter) a certified check payable to the "County Clerk" in the amount of \$50. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the Project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations period will apply.

- b. For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.

13. Legal Description Adequacy. The legal description attached to the application has been provided by the Applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

14. Application Accuracy. The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

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

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

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

16. Indemnification, Hold Harmless, Duty to Defend.

- a.** The Applicant shall indemnify, hold harmless, and defend (with counsel reasonably acceptable to the City) the City, its Councilmembers, Planning Commissioners, boards, commissions, departments, officials, officers, agents, employees, and volunteers (collectively, “Indemnified Parties”) from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, at law or in equity, including without limitation the payment of all consequential damages and attorney’s fees and other related litigation costs and expenses (collectively, “Claims”), of every nature caused by, arising out of, or in connection with (i) any business, work, conduct, act, omission, or negligence of the Applicant or the owner of the Property (including the Applicant’s or the owner of the Property’s contractors, subcontractors, licensees, sublessees, invitees, agents, consultants, employees, or volunteers), or such activity of any other person that is permitted by the Applicant or owner of the Property, occurring in, on, about, or adjacent to the Property; (ii) any use of the Property, or any accident, injury, death, or damage to any person or property occurring in, on, or about the Property; or (iii) any default in the performance of any obligation of the Applicant or the owner of the Property to be performed pursuant to any condition of approval for the Project or agreement related to the Project, or any such claim, action, or proceeding brought thereon. Provided, however, that the Applicant shall have no obligation to indemnify, hold harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney’s fees (including the full reimbursement of any such fees incurred by the City’s outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City).
- b.** The Applicant further and separately agrees to and shall indemnify, hold harmless, and defend the City (including all Indemnified Parties) from and against any and all Claims brought by any third party to challenge the Project or its approval by the City, including but not limited to any Claims related to the Project’s environmental determinations or environmental review documents, or any other action taken by the City regarding environmental clearance for the Project or any of the Project approvals. Such indemnification shall include the Applicant’s payment for any and all administrative and litigation costs and expenses incurred by the City in defending against any such Claims, including payment for all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney’s fees (including the full reimbursement of any such fees incurred by the City’s outside counsel, who may be selected by the City at its sole

and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City and the Project).

- c. The City, in its sole discretion and upon providing notice to the Applicant, may require the Applicant to deposit with the City an amount estimated to cover costs, expenses, and fees (including attorney's fees) required to be paid by the Applicant in relation to any Claims referenced herein, which shall be placed into a deposit account from which the City may draw as such costs, expenses, and fees are incurred. Within 14 days after receiving written notice from the City, the Applicant shall replenish the deposit account in the amount the City determines is necessary in the context of the further defense of such Claims. To the extent such deposit is required by the City, the amount of such deposit and related terms and obligations shall be expressed in a written Deposit Account Agreement, subject to the City Attorney's approval as to form. The City, in its sole and reasonable discretion, shall determine the amount of any initial deposits or subsequent deposits of funds, and the Applicant may provide documentation or information for the City to consider in making its determinations. Nothing within this subsection shall be construed as to relieve the Applicant's obligations to indemnify, hold harmless, or defend the City as otherwise stated herein.

B. Construction, Maintenance, and Operation Obligations:

1. **Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Development Services, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

2. **Agency License and Permitting.** In order to make certain on- or off-site improvements associated with the Approved Plan set, the Permit request may require review and clearance from other agencies. Nothing in these Conditions of Approval shall be construed as to waive compliance with other government agency regulations or to obtain

permits from other agencies to make certain on- or off-site improvements prior to Final Map recordation, grading permit issuance, building permit issuance, or certificate of occupancy as required. This review may result in conditions determined by the reviewing agency.

At all times during the effective period of this Permit, the Applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.

3. **Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
4. **Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.
5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
6. **Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
7. **General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.
8. **Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.
9. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
10. **Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
11. **Trash Enclosures.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering Division. The property owner or

management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.

- 12. Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
- 13. Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.
- 14. Construction Waste Reduction, Disposal, and Recycling.** Applicant shall recycle or salvage for reuse a minimum of 65% of the non-hazardous construction and demolition waste for residential projects or portions thereof in accordance with either Section 4.408.2, 4.408.3, or 4.408.4 of the California Green Building Standards Code; and/or for non-residential projects or portions thereof in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3 of the California Green Building Standards Code. In order to ensure compliance with the waste diversion goals for all residential and non-residential construction projects, the Applicant must submit appropriate documentation as described in Section 4.408.5 of the California Green Building Standards Code for residential projects or portions thereof, or Section 5.408.1.4 for non-residential projects or portions thereof, demonstrating compliance with the California Green Building Standards Code sections cited above.
- 15. Construction Equipment Emissions.** Applicant shall incorporate measures that reduce construction and operational emissions. Prior to the City's issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the Planning Division that its construction contractor will use a construction fleet wherein all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board ("CARB") certified Tier 4 Interim engines or equipment outfitted with CARB-verified diesel particulate filters. An exemption from this requirement may be granted if (i) the Applicant provides documentation demonstrating that equipment with Tier 4 Interim engines are not reasonably available, and (ii) functionally equivalent diesel PM emission totals can be achieved for the Project from other combinations of construction equipment. Before an exemption may be granted, the Applicant's construction contractor shall demonstrate to the satisfaction of the Director of Development Services that (i) at least two construction fleet owners/operators in San Diego County were contacted and those owners/operators confirmed Tier 4 Interim equipment could not be located within San Diego County during the desired construction schedule, and (ii) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model ("CalEEMod") or other industry standard emission estimation method, and

documentation provided to the Planning Division confirms that necessary project-generated functional equivalencies in the diesel PM emissions level are achieved.

C. Parking and Loading/Unloading.

1. A minimum of nine parking spaces shall be provided at all times. Said parking spaces provided by the Applicant, and any additional parking spaces provided above the required minimum amount, shall be dimensioned per City standards and be maintained in a clean, well-marked condition. The striping shall be drawn on the plans or a note shall be included indicating double-striping per City standards.
2. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with the State Building Code.
3. In accordance with the California Green Building Standard Code, at least eight percent of the total number of required spaces shall be designated for clean air vehicles (CAV), and shall be shown on the revised site plan to the satisfaction of the Planning and Building divisions.
4. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

D. Landscaping: The property owner or management company assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.

1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.
3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.

E. Specific Planning Division Conditions:

1. The maximum capacity for the daycare and preschool facility shall be for 35 children. Any request to increase the maximum allowable capacity will require a modification to the CUP.
2. The daycare and preschool facility may provide care for infants and children up to six years old. The number of children within various age categories shall be determined based on the State license issued for the facility.
3. The maximum number of children and staff in the building shall be subject to Building and Fire Codes, as approved by the Building Division and Fire Department.
4. The daycare facility hours of operation shall be limited to 7:30 a.m. to 5:30 p.m., Monday through Friday. Any request to modify said hours of operation shall be made in writing to the Director of Development Services, who may approve or disapprove said request.
5. A maximum of 12 children shall be allowed on the outdoor playground at any time. The daycare operator shall require all staff be notified of such restriction upon hiring and ensure staff comply with such requirement.
6. All outdoor play or recreation activity shall be supervised at all times by adult employees to ensure that activities are confined to the areas identified on the plans attached as Exhibit "C" to Zoning Administrator Resolution No. 2024-01. Any noise complaints shall be immediately addressed by the supervising adult(s). Devices capable of emitting loud noises, such as whistles or small bullhorns, shall be used for safety purposes only and shall be subject to the City's noise ordinance.
7. The pick-up/drop-off area shall occur on-site at the rear of the building. This area shall be marked with painted curb and/or signage. No pick-up/drop-off shall occur on public streets or rights-of-way.
8. Fire lanes shall remain clear and unobstructed at all times.
9. An 8-foot-high noise attenuation sound barrier shall be placed along the northeastern property line, constructed to the minimum standards and configuration specified in the Acoustical Analysis Report for Lilac Montessori, dated September 19, 2023, prepared by Eilar Associates, Inc., Acoustical & Environmental Consulting (Attachment 4). Prior to final occupancy, the Applicant shall provide to the Director of Development Services a letter from Eilar Associates stating a compliant sound barrier has been properly installed. The Applicant/Property Owner shall be responsible for ensuring such barrier is in good working order at all times during the operation of the conditionally permitted use.

"The sound barrier should be solid and constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, with no cracks or gaps through or below the wall. Any seams or cracks must be filled or caulked. If wood is used, it can be tongue and groove and must be at least 7/8-inch -thick or have a surface density of at least 3 ½

pounds per square foot. Sheet metal of 18-gauge (minimum) may be used if it meets the other criteria and is properly supported and stiffened so that it does not rattle or create noise itself from vibration or wind. If deemed feasible, the existing wooden fence may be upgraded to be a sound barrier by incorporating additional slats to sufficiently close any gaps between wood panels.”

10. The property owner shall be responsible for maintaining the fence and gates around the perimeter of the property.
11. Trash enclosure details shall be included with the building plan submittal. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast-growing shrubbery that will screen the enclosures wall surface. The Director of Development Services shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.
12. A valid City of Escondido Business License shall be maintained at all times, and shall specify the maximum capacity of 35 children served at the facility, as approved by this CUP and the Department of Social Services Community Care Licensing Division.
13. A Community Care License, for the daycare and preschool facility, shall be obtained from the Department of Social Services, Community Care Licensing Division, and a copy provided to the Planning Division. The number of children authorized by the license shall not exceed 35 children, as approved by this CUP.
14. No utilities shall be released for any purpose or Certificate of Occupancy issued until all requirements of the Planning, Engineering Services, and Building Divisions have been completed.
15. Building plans, prepared by a licensed design professional, must be submitted for this project and must comply with the building and fire codes in effect at the time of building plan submittal.
16. The plans submitted for building permit shall include notes or details containing the necessary work involved in complying with these project conditions.

F. Specific Fire Department Conditions:

1. Fire alarm plans shall be a deferred submittal to the Escondido Fire Department.
2. As per the 2022 California Fire Code, no more than 5 toddler age children (18 months -36 months) shall be allowed to be enrolled/cared for in this facility without the installation of Fire Sprinklers.

Zoning Administrator
January 30, 2024
PL23-0303

3. The Applicant shall submit for a Fire Safety Inspection prior to the use of child care in the facility.



ATTACHMENT 3

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

Notice of Exemption

To: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Hwy, Room 260
San Diego, CA 92101
MS: A-33

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

Project Title/Case No: Lilac Montessori / PL23-0303

Project Location - Specific:

On the north side of E. 5th Ave., between S. Kalmia St. and S. Juniper St., addressed as 230 E. 5th Ave. (APN: 233-182-09-00)

Project Location - City: Escondido **Project Location - County:** San Diego

Description of Project:

The Applicant is requesting approval of a Minor Conditional Use Permit for the operation of a child daycare and preschool facility for up to 35 children (ages 18 months to 6 years old). Hours of operation would be from 7:30 a.m. to 5:30 p.m., Monday through Friday. The facility would occupy an existing 1,705 square foot commercial building in the Southern Gateway District of the Downtown Specific Plan. The request includes a newly designed 900 square foot fenced outdoor playground between the parking lot and rear of the building. On-site enhancement will include a new trash enclosure, a reconfiguration of the parking lot circulation and parking space striping to include a loading and unloading area at the rear of the lot for student drop-off and pick-up.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name: Brittany Keegan, Lilac Montessori

Address: 2308 Oak Hill Drive, Escondido, CA 92025

Telephone: 619-538-5457

Private entity School district Local public Agency State agency Other special district

Exempt Status:

The project is categorically exempt pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures).

Reasons why project is exempt:

The proposed project qualifies for a categorical exemption pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures) meeting all applicable conditions, as further described below.

1. A daycare and preschool facility are permitted with the approval of a Minor Conditional Use Permit within the Southern Gateway District of the Downtown Specific Plan. The project involves a change in occupancy in an existing commercial building, not exceeding 1,705 square feet in floor area with minor exterior modifications which include construction of an accessory playground, trash enclosure and ancillary parking lot modifications. The project site is located in a developed area of the city where all necessary public services and facilities are available on site and the surrounding area is not environmentally sensitive. The project thus adheres to the criteria of CEQA Guidelines section 15303(c) and (e).

2. Furthermore, none of the exceptions listed under CEQA Guidelines section 15300.2 apply to the proposed project. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time, given the proposed project is consistent with the Municipal Code and General Plan policies. There are no unusual circumstances surrounding the proposed project that would result in a reasonable possibility of a significant effect on the environment in that the area of impact is already disturbed and improved with an existing, permitted building and parking lot, and all improvements would be required to comply with local and state laws. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings or similar resources, because the locations of the proposed improvements would be located within an area of the City previously disturbed and developed. The project area is not environmentally sensitive.

Lead Agency Contact Person:

Area Code/Telephone/Extension: 760-839-4552

Signature: _____

Jasmin Perunovich
Assistant Planner II

Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant



Eilar Associates, Inc.
Acoustical and Environmental Consulting Services

Acoustical Analysis Report for Lilac Montessori

Prepared for:

Lilac Montessori
Attention: Brittany Keegan
230 East 5th Avenue
Escondido, California 92025
Phone: 619-538-5457

Prepared by:

Eilar Associates, Inc.
210 South Juniper Street, Suite 100
Escondido, California 92025
Phone: 760-738-5570
info@eilarassociates.com

Job # S230804

September 19, 2023

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1.0 Executive Summary

The proposed project, Lilac Montessori, consists of the repurposing of an existing commercial building into a preschool. The project site is located at 230 East 5th Avenue in the City of Escondido, California.

The purpose of this report is to assess noise impacts from proposed outdoor activities, such as children playing in the playground area, and to determine if project design features are necessary and feasible to reduce project-related property line noise impacts to meet applicable noise limits. Absent a variance or conditional use permit, noise limits specified within the City of Escondido Municipal Code must be met at neighboring property lines.

Calculations show that, with the current design, noise impacts from the proposed outdoor activities are expected to exceed City of Escondido property line noise limits at surrounding property lines; therefore, additional project design features are required. Calculations show that, with an eight-foot-high sound attenuation barrier along the northeastern property line, constructed to the minimum standards and configuration detailed herein, noise levels associated with proposed outdoor activities are expected to meet applicable noise limits at all surrounding property lines.

2.0 Introduction

This acoustical analysis report is submitted to satisfy the noise requirements of the City of Escondido. Its purpose is to assess noise impacts from proposed outdoor activities, such as children playing in the playground area, and to determine if project design features are necessary and feasible to reduce project-related property line noise impacts to meet applicable noise limits specified within the City of Escondido Municipal Code.

All noise level or sound level values presented herein are expressed in terms of decibels (dB), with A-weighting, abbreviated “dBA,” to approximate the hearing sensitivity of humans. Time-averaged noise levels are expressed by the symbol “ L_{EQ} .” Unless a different time period is specified, “ L_{EQ} ” is implied to mean a period of one hour. Some of the data may also be presented as octave-band-filtered and/or 1/3-octave-band-filtered data, which are a series of sound spectra centered about each stated frequency, with half of the bandwidth above and half of the bandwidth below each stated frequency. This data is typically used for machinery noise analysis and barrier-effectiveness calculations.

Sound pressure is the actual noise experienced by a human or registered by a sound level instrument. When sound pressure is used to describe a noise source, the distance from the noise source must be specified in order to provide complete information. Sound power, on the other hand, is a specialized analytical metric used to provide information without the distance requirement and may be used to calculate the sound pressure at any desired distance.

2.1 Project Description

The proposed project, Lilac Montessori, consists of the repurposing of an existing commercial building into a preschool. An outdoor playground area is proposed to the rear of the building (to the northwest of the building). The playground is proposed to be used between 10 a.m. to 1 p.m. for morning activity and 3 p.m. to 5 p.m. for afternoon activity. No playground activity is expected to take place during the nighttime hours of 10 p.m. to 7 a.m. Noise from children playing on the playground is the primary focus of this analysis. For additional project details, please refer to the project plans, provided in Appendix A.

2.2 Project Location

The subject property is located at 230 East 5th Avenue in the City of Escondido, California. The Assessor's Parcel Number (APN) for the site is 233-182-09-00. The project site is currently occupied by an existing commercial building. For a graphical representation of the site, please refer to the Vicinity Map, Assessor's Parcel Map, and Satellite Aerial Photograph, provided as Figures 1 through 3, respectively.

2.3 Applicable Noise Regulations

The noise regulations applicable to this project are contained within the City of Escondido Municipal Code, Section 17-229, which specifies noise limits based on the zoning of the properties in question.

The City of Escondido Municipal Code states that properties zoned single-family residential have noise limits of 50 dBA between 7 a.m. and 10 p.m., and 45 dBA between 10 p.m. and 7 a.m. and multi-family residential have noise limits of 55 dBA between 7 a.m. and 10 p.m., and 50 dBA between 10 p.m. and 7 a.m. Properties zoned commercial have noise limits of 60 dBA between 7 a.m. and 10 p.m., and 55 dBA between 10 p.m. and 7 a.m. The code also states that the noise limit at the boundary of two dissimilar properties is the limit applicable to the receiving land use. The code also states that when the ambient noise level is greater than the applicable noise limit, the measured ambient noise level becomes the applicable limit.

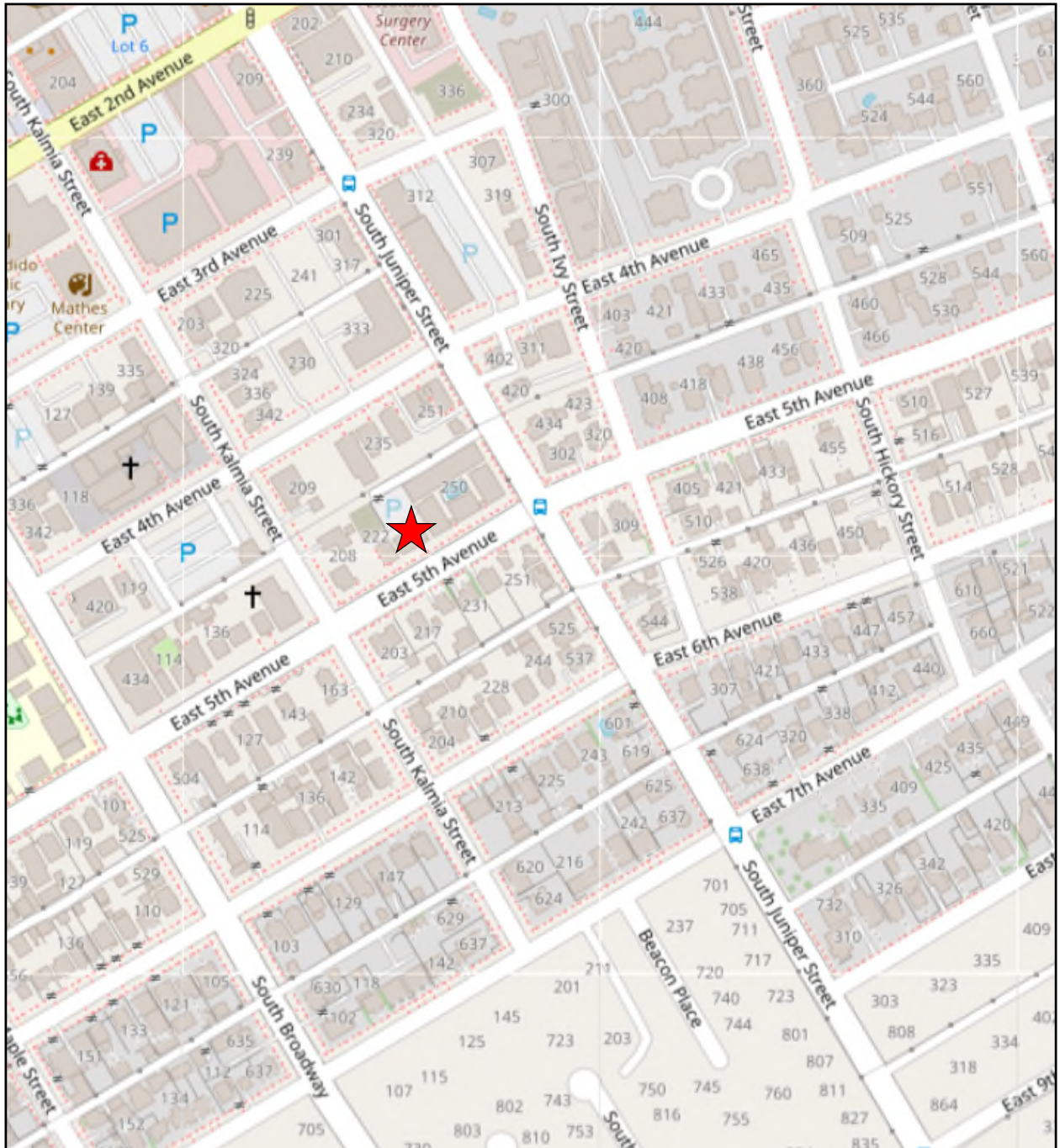
Properties to the southeast (across 5th Avenue) and directly north (across the alley) of the project site are zoned single-family residential. The property to the west of the playground and the property to the northeast of the project site are zoned multi-family residential. Properties to the southwest and northwest (across the alley) are zoned commercial. As no playground activity is expected to take place during the nighttime hours of 10 p.m. to 7 a.m., noise levels must comply with the daytime noise limits shown above. Based on the noise limits and provisions described above, noise levels from outdoor activities should not exceed 50 dBA at the nearest single-family residential property lines, 55 dBA at the nearest multi-family residential property lines, and 60 dBA at the nearest commercial property lines.

For pertinent sections of the City of Escondido Municipal Code, please refer to Appendix B.

3.0 Environmental Setting

3.1 Existing Noise Environment

A long-term noise measurement was made on Thursday, September 7, 2023. As the City of Escondido Municipal Code noise limits are dependent on the ambient noise levels in the vicinity of the project site, long-term noise monitoring was performed to determine the existing ambient noise level at sensitive properties in the vicinity of the project site. The existing noise environment consists primarily of noise from traffic traveling on East 5th Avenue and bells from the nearby church. The noise measurement was performed at approximately four feet above ground level, where the meter was placed in a bush on site for security purposes. Noise data obtained on site is shown in Table 1, and the measurement location is shown graphically in Figure 3.



Source: Open Street Map, 2023.



 Project Location

Figure 1.
Vicinity Map



Source: SanGIS, 2023.



 Project Location

Figure 2.

Assessor's Parcel Map



Source: Google Earth Pro, 2023.

⊗ Noise Measurement Location

□ Project Location



Figure 3.

Satellite Aerial Photograph

Table 1. Long-Term Measured Noise Levels on Site

Date	Time	Hourly Average Noise Level (dBA L _{EQ})
September 7, 2023	12 a.m. – 1 a.m.	52
	1 a.m. – 2 a.m.	50
	2 a.m. – 3 a.m.	50
	3 a.m. – 4 a.m.	52
	4 a.m. – 5 a.m.	52
	5 a.m. – 6 a.m.	56
	6 a.m. – 7 a.m.	59
	7 a.m. – 8 a.m.	61
	8 a.m. – 9 a.m.	62
	9 a.m. – 10 a.m.	59
	10 a.m. – 11 a.m.	58
	11 a.m. – 12 p.m.	73
	12 p.m. – 1 p.m.	60
	1 p.m. – 2 p.m.	57
	2 p.m. – 3 p.m.	58
	3 p.m. – 4 p.m.	59
	4 p.m. – 5 p.m.	62
	5 p.m. – 6 p.m.	59
	6 p.m. – 7 p.m.	60
	7 p.m. – 8 p.m.	57
8 p.m. – 9 p.m.	56	
9 p.m. – 10 p.m.	55	
10 p.m. – 11 p.m.	52	
11 p.m. – 12 a.m.	54	

As shown in Table 1, the hourly ambient noise level during daytime hours (7 a.m. to 10 p.m.) was found to range from a minimum of 55 dBA L_{EQ} between the hours of 9 p.m. and 10 p.m. on September 7 to a maximum of 73 dBA L_{EQ} between 11 a.m. and 12 p.m. on September 7. As the minimum measured ambient noise level during proposed hours of operation exceeds the 50 dBA limit for properties zoned for single-family residential use, an adjustment to this limit was applied. Multifamily residential and commercial noise limits were not adjusted.

3.2 Future Noise Environment

The future noise environment in the vicinity of the project site will be primarily a result of the same noise sources, as well as the noise generated by the proposed outdoor playground activities.

In order to approximate noise levels of children gathered in the outdoor activity areas of the project, measurements shown in a study prepared by Pearsons, Bennett, and Fidell for the U.S. Environmental Protection Agency titled *Speech Levels in Various Noise Environments (Report No. EPA-600/1-77-025)* were consulted. This study shows noise levels of speech for children for five different vocal efforts: casual, normal, raised, loud, and shout. Based on professional experience, it is the opinion of the undersigned that “loud” voices are considered to be appropriate, though slightly conservative for this analysis. Although a child may occasionally elevate their voice beyond the “loud” level, performing calculations assuming all children will speak using loud voices is expected to account for occasional loud or shouting children, combined with children who are either silent, or who are speaking in normal conversation. According to this study, at a distance of one meter (3.28 feet), an average child will generate a noise level of approximately 74 dBA when speaking with a loud voice. These noise measurements were incorporated into the analysis of noise impacts from outdoor activity detailed in Section 5.0.

4.0 Methodology and Equipment

4.1 Methodology

Modeling of the outdoor noise environment is accomplished using CadnaA Version 2023, which is a model-based computer program developed by DataKustik for predicting noise impacts in a wide variety of conditions. CadnaA (Computer Aided Noise Abatement) assists in the calculation, presentation, assessment, and alleviation of noise exposure. It allows for the input of project information such as noise source data, barriers, structures, and topography to create a detailed model and uses the most up-to-date calculation standards to predict outdoor noise impacts. Noise standards used by CadnaA that are particularly relevant to this analysis include ISO 9613-2 (Attenuation of sound during propagation outdoors). CadnaA provides results that are in line with basic acoustical calculations for distance attenuation and barrier insertion loss.

4.2 Measurement Equipment

The following equipment was used at the site to measure existing noise levels:

- Soft dB Model Piccolo II Type 2 Sound Level Meter, Serial # P0223031601
- Larson Davis Model CAL200 Type 1 Calibrator, Serial # 16454

The sound level meter was field-calibrated immediately prior to the noise measurement and checked afterward to ensure accuracy. All sound level measurements presented in this report, in accordance with the regulations, were conducted using a sound level meter that conforms to the American National Standards Institute specifications for sound level meters (ANSI S1.4). All instruments are maintained with National Institute of Standards and Technology (NIST) traceable calibration, per the manufacturers’ standards.

5.0 Noise Impacts

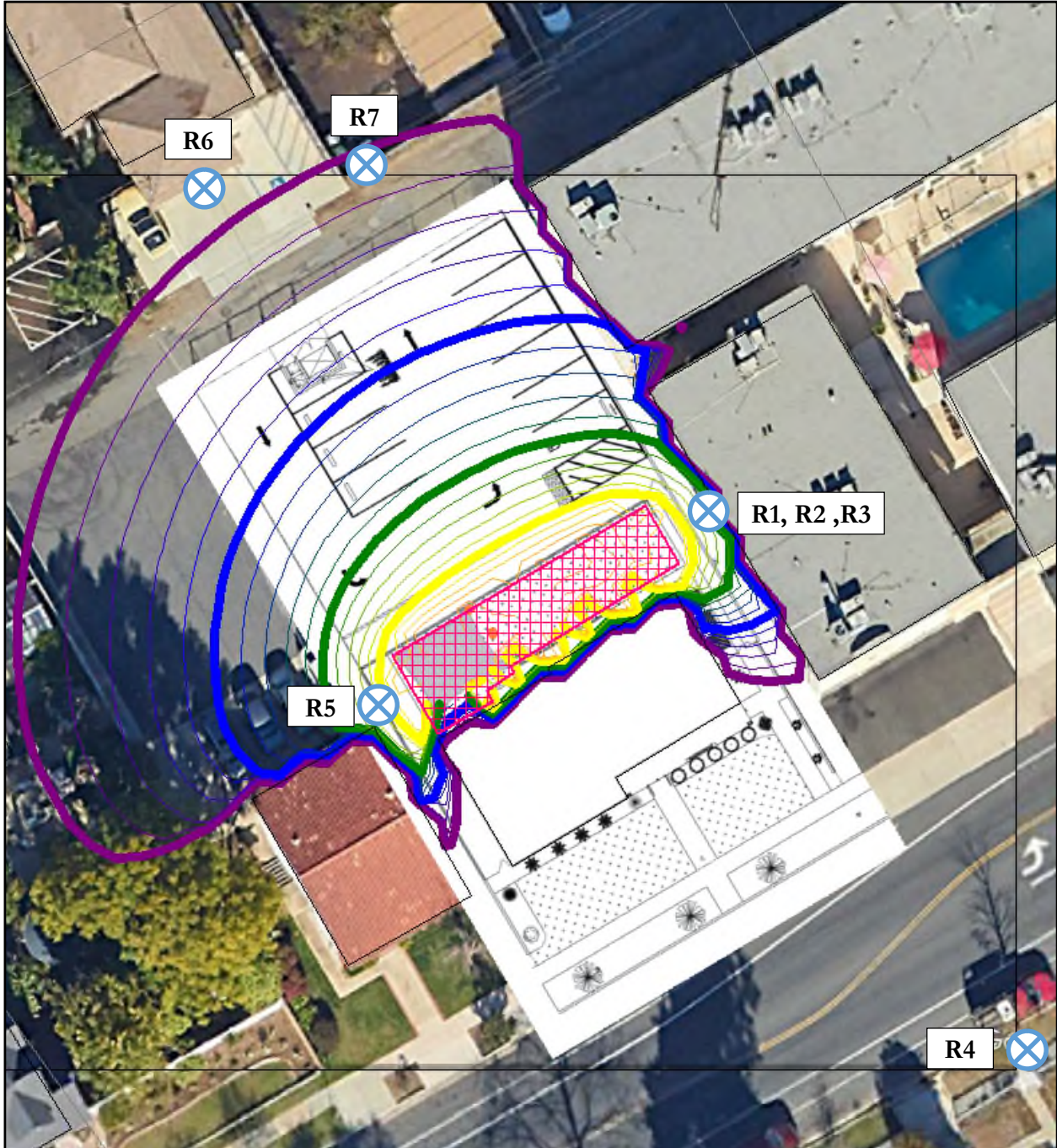
The Lilac Montessori school includes a designated playground area where outdoor activity will occur during daytime hours. As the lowest ambient noise level during daytime hours was measured to be 55 dBA L_{EQ} , exceeding the daytime noise limit of 50 dBA set by the City of Escondido for single-family residential properties, the applicable daytime noise limit for single-family residential properties may be adjusted to 55 dBA. The project must also meet the daytime noise limit of 55 dBA at multi-family residential properties and 60 dBA at commercial properties, as set by the City of Escondido.

According to information provided by the project proponent, the playground is expected to hold a maximum of twelve children at any given time. The playground is proposed to be used between 10 a.m. to 1 p.m. for morning activity and 3 p.m. to 5 p.m. for afternoon activity. For a worst-case analysis, a time of one hour was used in calculations.

In order to model the noise from several spread-out sources, an area source with moving point sources was used, which divides all of the sound power generated by the number of students along the surface of a plane, which is typical methodology for modeling schoolyard activities. A noise model was created using CadnaA, with twelve children located in the playground area. This is the maximum number of children that will be in this area at any given time. Each noise source was calculated as speaking using a “loud” vocal effort for 30 percent of the time they will be located outside (a maximum of 20 minutes of the one-hour period), which is considered appropriate for this type of use, and accounts for pauses within speech as well as breaks for listening.

Additionally, it should be noted that the modeling of noise from students using a “loud” vocal effort for 30 percent of the time the students will be located outside compares well (within a fraction of a decibel) with noise level measurements conducted by Hans Giroux (of Giroux and Associates) of 60 elementary school students playing outdoors (69 dBA L_{EQ} at a distance of 25 feet), detailed in an acoustical site assessment prepared for a school with similar outdoor activity (City of Encinitas Case No. 05-084 MUP/DR/CDP), dated October 16, 2007.

Noise levels of the proposed on-site playground activity were calculated using CadnaA at the nearest property lines in all directions. As the multi-family residential property to the northeast is a three-story building overlooking the playground, three receivers have been placed in this location (R1, R2, and R3) to account for noise levels at five, 15, and 25 feet above grade to approximate noise levels at both ground level and upper level receivers. Receivers were also placed at commercial properties to the southwest (R5) and northwest (R6). Although located at a further distance, receivers were similarly placed at single family residential receivers to the north (R7) and southeast (R4). These receivers represent the nearest affected noise-sensitive locations, such that any other potential receivers would be exposed to lower noise levels, as they will receive additional attenuation due to distance and shielding from intervening structures. As the existing eight-foot-high wooden fence along the northeast property line does not provide any sound attenuation, noise levels from outdoor use activities were calculated without considering shielding from the wall; calculations do, however, consider shielding from both on-site and off-site buildings. Noise sources were modeled at a height of three feet above grade to account for the height of preschool students. Please refer to Figure 4 for a graphical representation of evaluated source and receiver locations. Results are shown in Table 2 below. Additional information is shown in Appendix C.



Source: A Reed Consulting, LLC, Google Earth Pro, 2023.





- █ ≥ 45 dB
 - █ ≥ 50 dB
 - █ ≥ 55 dB
 - █ ≥ 60 dB
-  Receiver Location
 -  Playground Location

Figure 4.

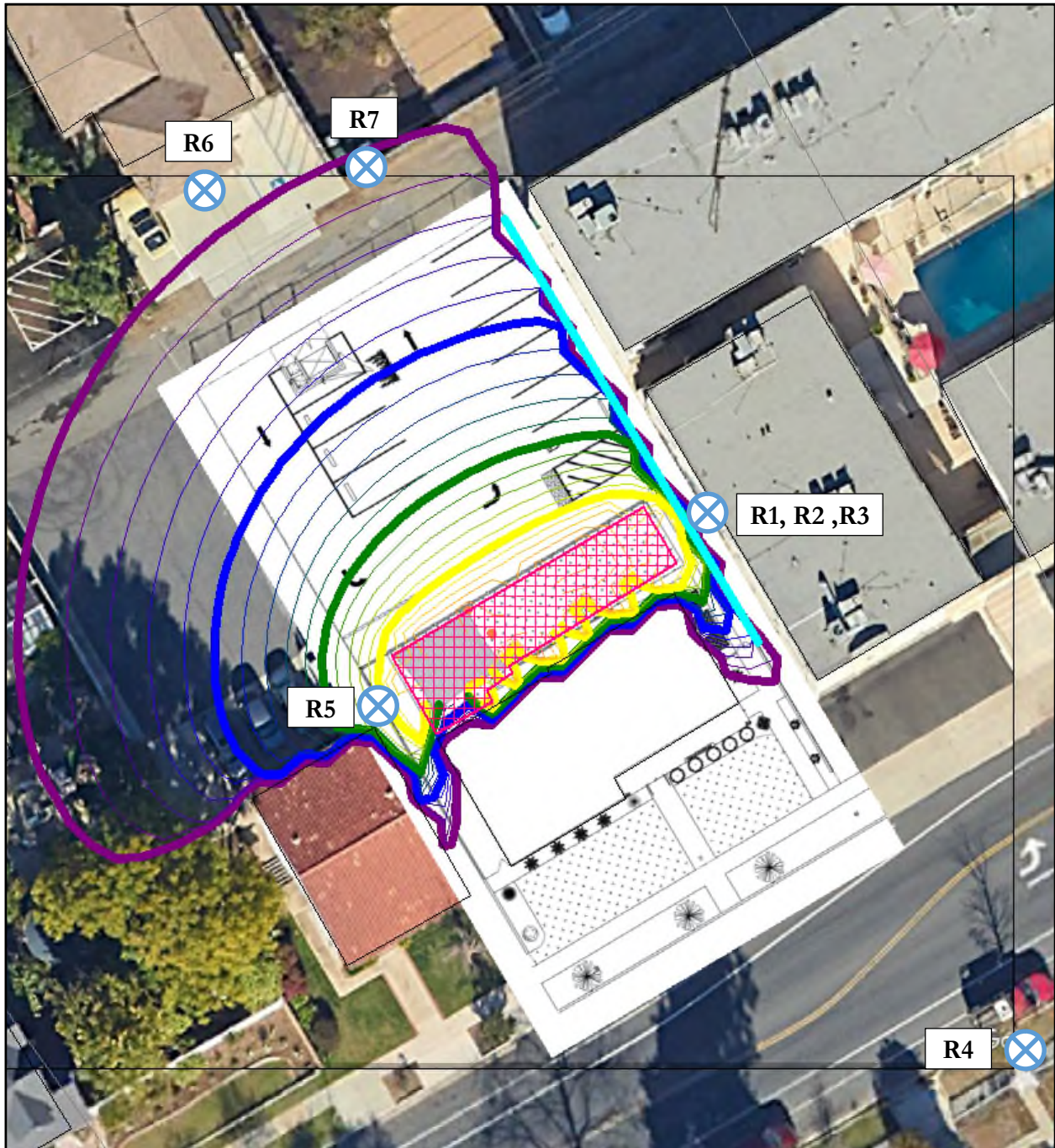
Playground Noise Contours - Current Design

Table 2. Calculated Noise Levels for Proposed Playground Activity – Current Design			
Receiver	Receiver Location	Daytime Noise Limit (dBA)	Calculated Noise Level (dBA)
R1	Northeast MFR – First Floor	55	57
R2	Northeast MFR – Second Floor	55	55
R3	Northeast MFR – Third Floor	55	54
R4	Southeast Single-Family Residential	55	32
R5	Southwest Commercial	60	59
R6	Northwest Commercial	60	44
R7	North Single-Family Residential	55	45

As shown in Table 2, with the current design, playground activity noise levels exceed City of Escondido limits at the northeast property line; therefore, additional project design features are required. The existing eight-foot-high wood fence along the northeast property line should be replaced with or modified to be a solid sound barrier in order to reduce noise impacts to the residential receiver to the northeast. Calculated noise levels with this barrier in place are shown in Table 3. For a graphical representation of mitigated noise contours from proposed outdoor activities and the proposed barrier configuration, please refer to Figure 5. Please refer to Appendix C for additional details.

Table 3. Calculated Noise Levels for Proposed Playground Activity – with 8-ft Sound Barrier			
Receiver	Receiver Location	Daytime Noise Limit (dBA)	Calculated Noise Level (dBA)
R1	Northeast MFR – First Floor	55	42
R2	Northeast MFR – Second Floor	55	55
R3	Northeast MFR – Third Floor	55	54
R4	Southeast Single-Family Residential	55	32
R5	Southwest Commercial	60	59
R6	Northwest Commercial	60	44
R7	North Single-Family Residential	55	45

As shown above, with the eight-foot-high barrier incorporated as a project design feature along the northeastern property line as specified herein, noise levels from proposed outdoor activities are expected to meet applicable noise limits of the City of Escondido at all surrounding property lines.



Source: A Reed Consulting, LLC, Google Earth Pro, 2023.

- ≥ 45 dB
- ≥ 50 dB
- ≥ 55 dB
- ≥ 60 dB
- ⊗ Receiver Location
- ▤ Playground Location
- 8 ft Barrier Location



Figure 5.

Playground Noise Contours with 8-foot Barrier

The sound barrier should be solid and constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, with no cracks or gaps through or below the wall. Any seams or cracks must be filled or caulked. If wood is used, it can be tongue and groove and must be at least 7/8-inch-thick or have a surface density of at least 3½ pounds per square foot. Sheet metal of 18-gauge (minimum) may be used if it meets the other criteria and is properly supported and stiffened so that it does not rattle or create noise itself from vibration or wind. If deemed feasible, the existing wooden fence may be upgraded to be a sound barrier by incorporating additional slats to sufficiently close any gaps between wood panels.

As shown above, with the eight-foot-high sound attenuation barrier in place along the northeastern property line, noise levels from proposed outdoor activities are expected to comply with the daytime noise limits at all surrounding property lines. Any other noise-sensitive receivers are located at a greater distance from proposed playground activity and will be exposed to lesser noise levels due to distance attenuation and shielding provided by intervening structures.

6.0 Conclusion

Calculations show that, with the current design, noise impacts from proposed outdoor activities are expected to exceed City of Escondido property line noise limits at surrounding property lines; therefore, additional project design features are required. Calculations show that, with an eight-foot-high barrier along the northeastern property line, constructed to the minimum standards and configuration detailed herein, noise levels from proposed outdoor activities are expected to meet applicable noise limits at all surrounding property lines.

This analysis is based upon a current worst-case scenario of anticipated project-generated noise levels. Increasing the maximum number of children in the playground area and the times they are outside may invalidate the recommendations of this study. These conclusions and recommendations are based on the best and most current project-related information available at the time this study was prepared.

7.0 Certification

All recommendations for noise control are based on the best information available at the time our consulting services are provided. However, as there are many factors involved in sound transmission, and Eilar Associates has no control over the construction, workmanship, or materials, Eilar Associates is specifically not liable for final results of any recommendations or implementation of the recommendations.

This report is based on the related project information that was received and on measured noise levels, and it represents a true and factual analysis of the acoustical impact issues associated with the Lilac Montessori project, located at 230 East 5th Avenue in the City of Escondido, California. This report was prepared by Rachael Ortiz-Cowell and Amy Hool.



Rachael Ortiz-Cowell, INCE
Acoustical Consultant



Amy Hool, INCE
President/CEO

8.0 References

City of Escondido Municipal Code, Section 17-229: Sound Level Limits, Effective March 28, 1990.

Pearsons, K.S., Bennett, R.L., & Fidell, S., *Speech Levels in Various Noise Environments* (Report No. EPA-600/1-77-025), U.S. Environmental Protection Agency, 1977.

DataKustik, CadnaA (Computer Aided Noise Abatement), Version 2023.

Acoustical Site Assessment Memo for Proposed Sanderling Waldorf School (1401 Windsor Road), by Giroux and Associates, October 16, 2007.



Appendix A

Project Plans



Appendix B

Applicable Noise Regulations

Chapter 17 OFFENSES—MISCELLANEOUS PROVISIONS
ARTICLE 12. NOISE ABATEMENT AND CONTROL

Sec. 17-229. Sound level limits.

(a) Unless a variance has been applied for and granted pursuant to this article, it shall be unlawful for any person to cause or allow the creation of any noise to the extent that the one-hour average sound level, at any point on or beyond the boundaries of the property on which the sound is produced, exceeds the applicable limits set forth in the following table, except that construction noise level limits shall be governed by Section 17-234 of this article.

TABLE 17-229

Zone	Time	Applicable Limit One-hour Average Sound Level (Decibels)
Residential zones	7 a.m. to 10 p.m.	50
	10 p.m. to 7 a.m.	45
Multi-residential zones	7 a.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50
Commercial zones	7 a.m. to 10 p.m.	60
	10 p.m. to 7 a.m.	55
Light industrial/ Industrial park zones	Anytime	70*
General industrial zones	Anytime	75*

*Subject to provisions of Section 17-229 (c)(5).

(b) Maximum Permissible Sound Levels by Receiving Land Use.

(1) The noise standards for the various categories of land use as presented in subsection (a) of this section shall, unless otherwise specifically indicated, apply to each property or portion of property substantially used for a particular type of land use reasonably similar to the land use types shown in subsection (a) of this section. Where two (2) or more dissimilar land uses occur on a single property, the more restrictive noise limits shall apply.

(2) Additional land use classifications may be added by action of the city council to reflect both lower and higher existing ambient levels than those shown.

(3) Where doubt exists when making identification of receiving land use, the city manager shall make an interpretation.

(4) No person shall operate or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level to exceed the environmental and/or nuisance interpretation of the applicable limits given in subsection (a) of this section.

(5)(A) Environmental noise shall be measured by the equivalent sound level (Leq) for such hours as are specified.

(B) Nuisance noise shall be measured as a sound level not to be exceeded at any time.

(C) Sound levels by receiving land use shall be measured at the boundary or at any point within the boundary of the property affected.

(D) Fixed location public utility distribution or fixed transmission facilities, located on or adjacent to a property line shall be subject to noise level limits of this section measured at or beyond six (6) feet from the boundary of the easement upon which the equipment is located.

(c) Corrections to Exterior Noise Level Limits.

(1) If the noise is continuous, the Leq for any hour will be represented by any lesser time period within that hour. Noise measurements of a few minutes only will thus suffice to define the noise level.

(2) If the noise is intermittent, the Leq for any hour may be represented by a time period typical of the operating cycle. Measurement should be made of a representative number of noisy/quiet periods. A measurement period of not less than fifteen (15) minutes is, however, strongly recommended when dealing with intermittent noise.

(3) In the event the alleged offensive noise, as judged by the enforcement officer, contains a steady, audible sound such as a whine, screech or hum, or contains a repetitive impulsive noise such as hammering or riveting, the standard limits set forth in Table 17-229 shall be reduced by ten (10) dB or to the ambient noise level when such noises are not occurring.

(4) If the measured ambient level exceeds that permissible in subsection (a) of this section, the allowable noise exposure standard shall be the ambient noise level. The ambient level shall be measured when the alleged noise violations source is not operating.

(5) The sound level limit at a location on a boundary between two (2) land use classifications is the limit applicable to the receiving land use; provided, however, that the one-hour average sound level limit applicable to extractive industries including but not limited to borrow pits and mines, shall be seventy-five (75) decibels (dB) at the property line regardless of the zone where the extractive industry is actually located.

Fixed-location public utility distribution or transmission facilities located on or adjacent to a property line shall be subject to the noise level limits of this section, measured at or beyond six (6) feet from the boundary of the easement upon which the equipment is located. (Ord. No. 90-8, § 2, 3-28-90)

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Appendix C

CadnaA Analysis Data and Results

Eilar Associates, Inc.
 210 South Juniper Street, Suite 100
 Escondido, California 92025-4230
 Phone: (760) 738-5570
 Date: 19 Sep 2023

Calculation Configuration

Configuration	
Parameter	Value
General	
Max. Error (dB)	0.00
Max. Search Radius #(Unit,LEN)	2000.01
Min. Dist Src to Rcvr	0.00
Partition	
Raster Factor	0.50
Max. Length of Section #(Unit,LEN)	999.99
Min. Length of Section #(Unit,LEN)	1.01
Min. Length of Section (%)	0.00
Proj. Line Sources	On
Proj. Area Sources	On
Ref. Time	
Reference Time Day (min)	960.00
Reference Time Night (min)	480.00
Daytime Penalty (dB)	0.00
Recr. Time Penalty (dB)	6.00
Night-time Penalty (dB)	10.00
DTM	
Standard Height (m)	0.00
Model of Terrain	Triangulation
Reflection	
max. Order of Reflection	0
Search Radius Src	100.00
Search Radius Rcvr	100.00
Max. Distance Source - Rcvr	1000.00 1000.00
Min. Distance Rcvr - Reflector	1.00 1.00
Min. Distance Source - Reflector	0.10
Industrial (ISO 9613)	
Lateral Diffraction	some Obj
Obst. within Area Src do not shield	On
Screening	
	Excl. Ground Att. over Barrier
	Dz with limit (20/25)
Barrier Coefficients C1,2,3	3.0 20.0 0.0
Temperature #(Unit,TEMP)	20
rel. Humidity (%)	50
Ground Absorption G	1.00
Wind Speed for Dir. #(Unit,SPEED)	3.0
Roads (TNM)	
Railways (Schall 03 (1990))	
Strictly acc. to Schall 03 / Schall-Transrapid	
Aircraft (NONE)	
Strictly acc. to AzB	

Receivers

Name	Sel.	M.	ID	Level Lr		Limit. Value		Land Use			Height (ft)	Coordinates			
				Day (dBA)	Night (dBA)	Day (dBA)	Night (dBA)	Type	Auto	Noise Type		X (ft)	Y (ft)	Z (ft)	
1st Floor MFR Receiver			R1	56.6	-80.2	55.0	0.0				5.00	r	416.64	319.83	5.00
2nd Floor MFR Receiver			R2	55.4	-80.2	55.0	0.0				15.00	r	416.64	319.83	15.00
3rd Floor MFR Receiver			R3	53.8	-80.2	55.0	0.0				25.00	r	416.64	319.83	25.00
1st Floor SFR Receiver			R4	32.2	-80.2	55.0	0.0				5.00	r	483.95	206.50	5.00
1st Floor Commercial Receiver			R5	58.9	-80.2	60.0	0.0				5.00	r	346.12	279.05	5.00
1st Floor Commercial Receiver			R6	44.3	-80.2	60.0	0.0				5.00	r	309.00	388.85	5.00
1st Floor SFR Receiver			R7	45.3	-80.2	55.0	0.0				5.00	r	343.82	394.34	5.00

Area Sources

Name	Sel.	M.	ID	Result. PWL			Result. PWL"			Lw / Li			Correction			Sound Reduction		Attenuation	Operating Time			K0	Freq.	Direct.	Moving Pt. Src			
				Day	Evening	Night	Day	Evening	Night	Type	Value	norm.	Day	Evening	Night	R	Area		Day	Special	Night				Number			
				(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)				(dBA)	(dBA)	(dBA)		(ft²)		(min)	(min)	(min)	(dB)	(Hz)		Day	Evening	Night	
Children				92.3	-18.5	-18.5	72.8	-38.0	-38.0	PWL-Pt	S1			0.0	0.0	0.0				20.00	0.00	0.00	0.0		(none)	12.0	0.0	0.0

Geometry - Area Sources

Name	ID	Height		Coordinates			
		Begin	End	x	y	z	Ground
		(ft)	(ft)	(ft)	(ft)	(ft)	(ft)
Children		3.00	r	348.77	290.14	3.00	0.00
				402.36	321.84	3.00	0.00
				409.49	309.83	3.00	0.00
				373.71	287.98	3.00	0.00
				374.44	286.60	3.00	0.00
				368.88	282.77	3.00	0.00
				370.00	280.53	3.00	0.00
				358.29	273.64	3.00	0.00

Buildings

Name	Sel.	M.	ID	RB	Residents	Absorption	Height
							Begin
							(ft)
Existing On-Site Structure				x	0		10.00 r
Existing Off-Site MFR				x	0		30.00 r
Existing Off-Site MFR				x	0	0.37	26.00 r
Existing Off-Site MFR				x	0	0.37	26.00 r
Existing Off-Site MFR				x	0	0.37	26.00 r
Existing Off-Site Commercial					0		10.00 r
Existing Off-Site Structure					0	0.37	20.00 r
Existing Off-Site Residential				x	0	0.37	13.00 r
Existing Off-Site Commercial				x	0	0.37	11.00 r
Existing Off-Site SFR				x	0	0.37	15.00 r
Existing Off-Site SFR				x	0	0.37	10.00 r
Existing Off-Site SFR				x	0	0.37	10.00 r
Existing Off-Site SFR				x	0	0.37	10.00 r
Existing Off-Site SFR				x	0	0.37	10.00 r
Existing Off-Site Commercial				x	0	0.37	10.00 r
Existing Off-Site Commercial					0	0.37	16.00 r

Geometry - Buildings

Name	Sel.	M.	ID	RB	Residents	Absorption	Height	Coordinates			
								Begin	x	y	z
							(ft)	(ft)	(ft)	(ft)	(ft)
Existing On-Site Structure				x	0		10.00 r	358.33	272.47	10.00	0.00
								382.44	286.51	10.00	0.00
								381.75	287.55	10.00	0.00
								408.80	303.57	10.00	0.00
								422.58	280.14	10.00	0.00
								396.05	264.29	10.00	0.00
								398.64	259.90	10.00	0.00
								374.26	245.43	10.00	0.00
Existing Off-Site MFR				x	0		30.00 r	402.90	346.56	30.00	0.00
								437.84	366.96	30.00	0.00
								474.95	306.20	30.00	0.00
								439.36	284.93	30.00	0.00
Existing Off-Site MFR				x	0	0.37	26.00 r	465.84	347.86	26.00	0.00
								510.76	373.69	26.00	0.00
								531.81	339.40	26.00	0.00
								484.72	311.19	26.00	0.00
Existing Off-Site MFR				x	0	0.37	26.00 r	508.16	408.85	26.00	0.00
								542.66	428.60	26.00	0.00
								578.25	366.09	26.00	0.00
								543.96	345.69	26.00	0.00
Existing Off-Site MFR				x	0	0.37	26.00 r	378.09	389.71	26.00	0.00
								517.85	471.53	26.00	0.00

Name	Sel.	M.	ID	RB	Residents	Absorption	Height	Coordinates			
								Begin	x	y	z
							(ft)	(ft)	(ft)	(ft)	
								538.47	435.94	26.00	0.00
								398.27	355.20	26.00	0.00
Existing Off-Site Commercial					0		10.00	r 318.85	259.74	10.00	0.00
								344.82	275.06	10.00	0.00
								365.61	239.37	10.00	0.00
								339.36	224.47	10.00	0.00
Existing Off-Site Structure					0	0.37	20.00	r 228.30	207.76	20.00	0.00
								258.24	225.12	20.00	0.00
								280.39	189.71	20.00	0.00
								254.69	174.67	20.00	0.00
								248.12	186.57	20.00	0.00
								242.38	183.28	20.00	0.00
Existing Off-Site Residential				x	0	0.37	13.00	r 202.30	276.29	13.00	0.00
								247.87	302.55	13.00	0.00
								268.38	269.02	13.00	0.00
								246.68	256.32	13.00	0.00
								239.41	268.47	13.00	0.00
								214.99	254.48	13.00	0.00
Existing Off-Site Commercial				x	0	0.37	11.00	r 242.54	469.47	11.00	0.00
								276.12	486.70	11.00	0.00
								319.53	408.84	11.00	0.00
								291.46	394.20	11.00	0.00
								284.91	405.74	11.00	0.00
								278.54	401.60	11.00	0.00
Existing Off-Site SFR				x	0	0.37	15.00	r 439.21	146.37	15.00	0.00
								460.74	159.11	15.00	0.00
								474.18	135.34	15.00	0.00
								452.82	122.60	15.00	0.00
Existing Off-Site SFR				x	0	0.37	10.00	r 478.49	153.72	10.00	0.00
								488.75	159.46	10.00	0.00
								484.37	167.67	10.00	0.00
								496.68	174.23	10.00	0.00
								493.94	178.74	10.00	0.00
								510.21	187.22	10.00	0.00
								528.12	156.18	10.00	0.00
								490.25	134.58	10.00	0.00
Existing Off-Site SFR				x	0	0.37	10.00	r 520.44	198.32	10.00	0.00
								546.80	212.96	10.00	0.00
								568.84	175.41	10.00	0.00
								541.63	160.08	10.00	0.00
Existing Off-Site SFR				x	0	0.37	10.00	r 380.99	116.24	10.00	0.00
								405.30	130.56	10.00	0.00
								427.43	94.10	10.00	0.00
								402.48	79.34	10.00	0.00
Existing Off-Site SFR				x	0	0.37	10.00	r 286.33	486.98	10.00	0.00
								318.71	504.89	10.00	0.00

Name	Sel.	M.	ID	RB	Residents	Absorption	Height	Coordinates				
								Begin	x	y	z	Ground
							(ft)	(ft)	(ft)	(ft)		
								345.59	458.38	10.00	0.00	
								313.20	439.43	10.00	0.00	
Existing Off-Site Commercial				x	0	0.37	10.00	r	360.06	462.17	10.00	0.00
									391.06	480.08	10.00	0.00
									366.60	524.53	10.00	0.00
									336.28	506.27	10.00	0.00
Existing Off-Site Commercial					0	0.37	16.00	r	108.52	400.35	16.00	0.00
									158.43	427.70	16.00	0.00
									188.82	376.91	16.00	0.00
									162.77	361.28	16.00	0.00
									167.55	348.26	16.00	0.00
									146.71	336.11	16.00	0.00

Sound Level Spectra

Name	ID	Type	1/3 Oktave Spectrum (dB)										Source	
			Weight.	63	125	250	500	1000	2000	4000	8000	A		lin
Children Loud	S1	Lw (c)			42.1	66.9	75.2	77.8	76.1	69.2	64.1	81.5	81.8	Pearsons et al. (1977)

Eilar Associates, Inc.
 210 South Juniper Street, Suite 100
 Escondido, California 92025-4230
 Phone: (760) 738-5570
 Date: 19 Sep 2023

Calculation Configuration

Configuration	
Parameter	Value
General	
Max. Error (dB)	0.00
Max. Search Radius #(Unit,LEN)	2000.01
Min. Dist Src to Rcvr	0.00
Partition	
Raster Factor	0.50
Max. Length of Section #(Unit,LEN)	999.99
Min. Length of Section #(Unit,LEN)	1.01
Min. Length of Section (%)	0.00
Proj. Line Sources	On
Proj. Area Sources	On
Ref. Time	
Reference Time Day (min)	960.00
Reference Time Night (min)	480.00
Daytime Penalty (dB)	0.00
Recr. Time Penalty (dB)	6.00
Night-time Penalty (dB)	10.00
DTM	
Standard Height (m)	0.00
Model of Terrain	Triangulation
Reflection	
max. Order of Reflection	0
Search Radius Src	100.00
Search Radius Rcvr	100.00
Max. Distance Source - Rcvr	1000.00 1000.00
Min. Distance Rcvr - Reflector	1.00 1.00
Min. Distance Source - Reflector	0.10
Industrial (ISO 9613)	
Lateral Diffraction	some Obj
Obst. within Area Src do not shield	On
Screening	
	Excl. Ground Att. over Barrier
	Dz with limit (20/25)
Barrier Coefficients C1,2,3	3.0 20.0 0.0
Temperature #(Unit,TEMP)	20
rel. Humidity (%)	50
Ground Absorption G	1.00
Wind Speed for Dir. #(Unit,SPEED)	3.0
Roads (TNM)	
Railways (Schall 03 (1990))	
Strictly acc. to Schall 03 / Schall-Transrapid	
Aircraft (NONE)	
Strictly acc. to AzB	

Receivers

Name	Sel.	M.	ID	Level Lr		Limit. Value		Land Use			Height (ft)	Coordinates			
				Day (dBA)	Night (dBA)	Day (dBA)	Night (dBA)	Type	Auto	Noise Type		X (ft)	Y (ft)	Z (ft)	
1st Floor MFR Receiver			R1	41.8	-80.2	55.0	0.0				5.00	r	416.64	319.83	5.00
2nd Floor MFR Receiver			R2	55.4	-80.2	55.0	0.0				15.00	r	416.64	319.83	15.00
3rd Floor MFR Receiver			R3	53.8	-80.2	55.0	0.0				25.00	r	416.64	319.83	25.00
1st Floor SFR Receiver			R4	32.2	-80.2	55.0	0.0				5.00	r	483.95	206.50	5.00
1st Floor Commercial Receiver			R5	58.9	-80.2	60.0	0.0				5.00	r	346.12	279.05	5.00
1st Floor Commercial Receiver			R6	44.3	-80.2	60.0	0.0				5.00	r	309.00	388.85	5.00
1st Floor SFR Receiver			R7	45.3	-80.2	55.0	0.0				5.00	r	343.82	394.34	5.00

Area Sources

Name	Sel.	M.	ID	Result. PWL			Result. PWL"			Lw / Li			Correction			Sound Reduction		Attenuation	Operating Time			K0	Freq.	Direct.	Moving Pt. Src		
				Day	Evening	Night	Day	Evening	Night	Type	Value	norm.	Day	Evening	Night	R	Area		Day	Special	Night				Number		
				(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)			dB(A)	dB(A)	dB(A)	dB(A)		(ft²)		(min)	(min)	(min)	(dB)	(Hz)		Day	Evening	Night
Children				92.3	-18.5	-18.5	72.8	-38.0	-38.0	PWL-Pt	S1		0.0	0.0	0.0				20.00	0.00	0.00	0.0		(none)	12.0	0.0	0.0

Geometry - Area Sources

Name	ID	Height		Coordinates			
		Begin	End	x	y	z	Ground
		(ft)	(ft)	(ft)	(ft)	(ft)	(ft)
Children		3.00	r	348.77	290.14	3.00	0.00
				402.36	321.84	3.00	0.00
				409.49	309.83	3.00	0.00
				373.71	287.98	3.00	0.00
				374.44	286.60	3.00	0.00
				368.88	282.77	3.00	0.00
				370.00	280.53	3.00	0.00
				358.29	273.64	3.00	0.00

Barriers

Name	Sel.	M.	ID	Absorption		Z-Ext.	Cantilever			Height	
				left	right		horz.	vert.	Begin	End	
						(ft)	(ft)	(ft)	(ft)	(ft)	
									8.00	r	

Geometry - Barriers

Name	Sel.	M.	ID	Absorption		Z-Ext.	Cantilever			Height		Coordinates			
				left	right		horz.	vert.	Begin	End	x	y	z	Ground	
						(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)
									8.00	r		426.67	293.15	8.00	0.00
												372.76	383.19	8.00	0.00

Buildings

Name	Sel.	M.	ID	RB	Residents	Absorption	Height
							Begin
							(ft)
Existing On-Site Structure				x	0		10.00 r
Existing Off-Site MFR				x	0		30.00 r
Existing Off-Site MFR				x	0	0.37	26.00 r
Existing Off-Site MFR				x	0	0.37	26.00 r
Existing Off-Site MFR				x	0	0.37	26.00 r
Existing Off-Site Commercial					0		10.00 r
Existing Off-Site Structure					0	0.37	20.00 r
Existing Off-Site Residential				x	0	0.37	13.00 r
Existing Off-Site Commercial				x	0	0.37	11.00 r
Existing Off-Site SFR				x	0	0.37	15.00 r
Existing Off-Site SFR				x	0	0.37	10.00 r
Existing Off-Site SFR				x	0	0.37	10.00 r
Existing Off-Site SFR				x	0	0.37	10.00 r
Existing Off-Site SFR				x	0	0.37	10.00 r
Existing Off-Site Commercial				x	0	0.37	10.00 r
Existing Off-Site Commercial					0	0.37	16.00 r

Geometry - Buildings

Name	Sel.	M.	ID	RB	Residents	Absorption	Height	Coordinates			
								Begin	x	y	z
							(ft)	(ft)	(ft)	(ft)	
Existing On-Site Structure				x	0		10.00 r	358.33	272.47	10.00	0.00
								382.44	286.51	10.00	0.00
								381.75	287.55	10.00	0.00
								408.80	303.57	10.00	0.00
								422.58	280.14	10.00	0.00
								396.05	264.29	10.00	0.00
								398.64	259.90	10.00	0.00
								374.26	245.43	10.00	0.00
Existing Off-Site MFR				x	0		30.00 r	402.90	346.56	30.00	0.00
								437.84	366.96	30.00	0.00
								474.95	306.20	30.00	0.00
								439.36	284.93	30.00	0.00
Existing Off-Site MFR				x	0	0.37	26.00 r	465.84	347.86	26.00	0.00
								510.76	373.69	26.00	0.00
								531.81	339.40	26.00	0.00
								484.72	311.19	26.00	0.00
Existing Off-Site MFR				x	0	0.37	26.00 r	508.16	408.85	26.00	0.00
								542.66	428.60	26.00	0.00
								578.25	366.09	26.00	0.00
								543.96	345.69	26.00	0.00
Existing Off-Site MFR				x	0	0.37	26.00 r	378.09	389.71	26.00	0.00
								517.85	471.53	26.00	0.00

Name	Sel.	M.	ID	RB	Residents	Absorption	Height	Coordinates			
								Begin	x	y	z
							(ft)	(ft)	(ft)	(ft)	
								538.47	435.94	26.00	0.00
								398.27	355.20	26.00	0.00
Existing Off-Site Commercial					0		10.00	r 318.85	259.74	10.00	0.00
								344.82	275.06	10.00	0.00
								365.61	239.37	10.00	0.00
								339.36	224.47	10.00	0.00
Existing Off-Site Structure					0	0.37	20.00	r 228.30	207.76	20.00	0.00
								258.24	225.12	20.00	0.00
								280.39	189.71	20.00	0.00
								254.69	174.67	20.00	0.00
								248.12	186.57	20.00	0.00
								242.38	183.28	20.00	0.00
Existing Off-Site Residential				x	0	0.37	13.00	r 202.30	276.29	13.00	0.00
								247.87	302.55	13.00	0.00
								268.38	269.02	13.00	0.00
								246.68	256.32	13.00	0.00
								239.41	268.47	13.00	0.00
								214.99	254.48	13.00	0.00
Existing Off-Site Commercial				x	0	0.37	11.00	r 242.54	469.47	11.00	0.00
								276.12	486.70	11.00	0.00
								319.53	408.84	11.00	0.00
								291.46	394.20	11.00	0.00
								284.91	405.74	11.00	0.00
								278.54	401.60	11.00	0.00
Existing Off-Site SFR				x	0	0.37	15.00	r 439.21	146.37	15.00	0.00
								460.74	159.11	15.00	0.00
								474.18	135.34	15.00	0.00
								452.82	122.60	15.00	0.00
Existing Off-Site SFR				x	0	0.37	10.00	r 478.49	153.72	10.00	0.00
								488.75	159.46	10.00	0.00
								484.37	167.67	10.00	0.00
								496.68	174.23	10.00	0.00
								493.94	178.74	10.00	0.00
								510.21	187.22	10.00	0.00
								528.12	156.18	10.00	0.00
								490.25	134.58	10.00	0.00
Existing Off-Site SFR				x	0	0.37	10.00	r 520.44	198.32	10.00	0.00
								546.80	212.96	10.00	0.00
								568.84	175.41	10.00	0.00
								541.63	160.08	10.00	0.00
Existing Off-Site SFR				x	0	0.37	10.00	r 380.99	116.24	10.00	0.00
								405.30	130.56	10.00	0.00
								427.43	94.10	10.00	0.00
								402.48	79.34	10.00	0.00
Existing Off-Site SFR				x	0	0.37	10.00	r 286.33	486.98	10.00	0.00
								318.71	504.89	10.00	0.00

S230804 Lilac Montessori - with 8 ft Sound Barrier

Name	Sel.	M.	ID	RB	Residents	Absorption	Height	Coordinates				
								Begin	x	y	z	Ground
							(ft)	(ft)	(ft)	(ft)	(ft)	
								345.59	458.38	10.00	0.00	
								313.20	439.43	10.00	0.00	
Existing Off-Site Commercial				x	0	0.37	10.00	r	360.06	462.17	10.00	0.00
									391.06	480.08	10.00	0.00
									366.60	524.53	10.00	0.00
									336.28	506.27	10.00	0.00
Existing Off-Site Commercial					0	0.37	16.00	r	108.52	400.35	16.00	0.00
									158.43	427.70	16.00	0.00
									188.82	376.91	16.00	0.00
									162.77	361.28	16.00	0.00
									167.55	348.26	16.00	0.00
									146.71	336.11	16.00	0.00

Sound Level Spectra

Name	ID	Type	1/3 Oktave Spectrum (dB)										Source	
			Weight.	63	125	250	500	1000	2000	4000	8000	A		lin
Children Loud	S1	Lw (c)			42.1	66.9	75.2	77.8	76.1	69.2	64.1	81.5	81.8	Pearsons et al. (1977)