

# Final Environmental Impact Report

# PALOMAR HEIGHTS



**CITY OF ESCONDIDO  
PLANNING DIVISION  
201 N. BROADWAY  
ESCONDIDO, CALIFORNIA 92025  
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July 2020



# **FINAL ENVIRONMENTAL IMPACT REPORT**

**Environmental Impact Report  
Palomar Heights  
SCH No. 2019059013**

**Lead Agency:**

**City of Escondido  
Planning Division  
201 N. Broadway  
Escondido, California 92025**

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## ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
AB	Assembly Bill
ACM	asbestos-containing materials
ADT	average daily traffic
AEC	Environmental Consulting LLC
AF	acre-feet
ALUCP	Airport Land Use Compatibility Plan
BFSA	Brian F. Smith and Associates Inc.
bgs	below ground surface
BMP	best management practice
CalARP	California Accidental Release Prevention
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Environmental Response, Compensation, and Liability Act
CFC	California Fire Code
CFR	Code of Federal Regulations
CHHSL	California Human Health Screening Level
CHMIRS	California Hazardous Material Incident Reporting System
CM	Compliance Measure
CMP	Congestion Management Program
CNEL	community noise equivalent level
CNMP	Construction Noise Management Plan
CNPS	California Native Plant Society
CO <sub>2</sub> e	carbon dioxide equivalent
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
dB	decibel
dBA	A-weighted decibel
dbh	diameter at breast height
d/D	depth to diameter
DMA	drainage management area
DTSC	Department of Toxic Substances Control
du/ac	dwelling units per acre
E-CAP	City of Escondido Climate Action Plan
ECHO	Enforcement and Compliance History Online
EFD	Escondido Fire Department
EIR	Environmental Impact Report
EMI	Emissions Inventory Data
EPD	Escondido Police Department
EPL	Escondido Public Library
ESA	federal Endangered Species Act

## Acronyms and Abbreviations

Acronym/Abbreviation	Definition
EUHSD	Escondido Union High School District
EUSD	Escondido Union School District
FAA	Federal Aviation Administration
FHWA	Federal Highway Administration
FINDS	Facility Index System
FTA	Federal Transit Administration
g	peak ground acceleration
GHG	greenhouse gas
GWh	gigawatt-hour
HABS	Historic American Buildings Survey
HAP	hazardous air pollutant
HARRF	Hale Avenue Resource Recovery Facility
HAZNET	Hazard Network
HIST UST	Historical UST Registered Database
HMBP	Hazardous Materials Business Plan
HMMD	Hazardous Materials Management Division
HRI	Historic Resources Inventory
Hz	hertz
I	Interstate
IFC	International Fire Code
ips	inches per second
KVP	key viewpoint
kWh	kilowatt-hour
LBP	lead-based paint
L <sub>eq</sub>	equivalent continuous sound level
LOS	level of service
LUST	leaking underground storage tank
M	Mitigation Measure
MBTA	Migratory Bird Treaty Act
MGD	million gallons per day
MHCP	Multiple Habitat Conservation Program
MSCP	Multiple Species Conservation Program
MT	metric ton
Mw	maximum earthquake magnitude
NAHC	Native American Heritage Commission
NDAA	Natural Disaster Assistance Act
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
O <sub>3</sub>	ozone
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Act
PAU	Paramedic Assessment Unit
PDF	Project Design Feature

## Acronyms and Abbreviations

Acronym/Abbreviation	Definition
Phase 1 ESA	Phase 1 environmental site assessment
PPV	peak particle velocity
PRG	Preliminary Remediation Goal
RAQS	Regional Air Quality Strategy
RCNM	Roadway Construction Noise Model
RCP	reinforced concrete pipe
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RMP	Risk Management Plan
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAM	Site Assessment and Mitigation
SANDAG	San Diego Association of Governments
SAP	Specific Alignment Plan
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SCS	Sustainable Communities Strategy
SDAPCD	San Diego Air Pollution Control District
SGI	Southwest Geophysics, Inc.
SIP	State Implementation Plan
SPA	Specific Plan Area
SR	State Route
SRA	State Responsibility Area
ST	short-term
SWEEPS	Statewide Environmental Evaluation and Planning System
SWPPP	Stormwater Pollution Prevention Plan
SWQMP	Stormwater Quality Management Plan
TCP	Traditional Cultural Place
TCR	tribal cultural resource
TPH	total petroleum hydrocarbons
USFWS	U.S. Fish and Wildlife Service
UST	underground storage tank
VdB	vibration velocity decibel
VHFHSZ	very high fire hazard severity zone
VMT	vehicles miles traveled
VOC	volatile organic compound

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## SUMMARY

### **S.1 Project Location**

The 13.8-acre Project site is located in central area of the City of Escondido (City), California. Regionally, the City is situated in northern San Diego County, about 30 miles north of downtown San Diego via Interstate (I) 15. The Project site is approximately 1.6 miles east of I-15, and about 0.6 miles west of State Route (SR) 78. The City of San Marcos boundary is approximately 2.2 miles to the northwest.

Locally, the site is located on the eastern edge of the downtown area of the City. The Project site currently associated with the following addresses: 121–141 N. Fig Street, 127–133 Valley Boulevard (parking lot), 151 Valley Boulevard (parking lot), 451–453 E. Valley Parkway, 456 E. Grand Avenue, 147 Valley Parkway (parking lot), 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue. The site is bordered by E. Valley Parkway to the north, N. Fig Street to the east, and E. Grand Avenue to the south. Valley Boulevard crosses the site. The Assessor’s Parcel Numbers are as follows: 229-450-06-00, 229-450-05-00, 229-442-18-00, 229-442-04-00, 229-442-03-00, 229-442-02-00, 229-442-01-00, 230-163-01-00, 230-163-02-00, 230-163-03-00, 230-163-04-00, 230-163-05-00, and 760-246-09-00.

The site is located on the eastern edge of the downtown area of the City. Uses to the east in the downtown area include primarily commercial uses comprised of retail stores and restaurants. Commercial uses are also located to the northeast of the Project site along E. Valley Parkway. Medical and dental offices are also a dominant use in the area, with such offices located to the northeast, southeast, and east. Residential uses are also interspersed in the area, with single- and multi-family residential uses in the neighborhood located to the east, and multi-family residential uses across E. Grand Avenue to the south and across E. Valley Parkway to the north.

The downtown area is connected through a grid of primarily north-south and east-west roadways. The main roadways through the downtown area include E. and W. Grand Avenue, E. Valley Parkway, N. and S. Broadway, Escondido Boulevard, and Centre City Parkway. These roadways also include a sidewalk network that provides pedestrian connections throughout the *Escondido Downtown Specific Plan* (Downtown Specific Plan; see Figure III-1, City of Escondido 2013). The primary east–west pedestrian linkage through the downtown area includes the Inland Rail Trail, to Quince Street, to W. and E. Grand Avenue. The north–south pedestrian linkages are located along N. and S. Broadway, Maple Street, and Juniper Street. The Project site is directly connected to the Downtown area via the adjacent E. Grand Avenue and E. Valley Parkway roadways and sidewalks.

The site is a visual focal point at the terminus of the downtown area. The 555 E. Valley Parkway portion of the site is located at a higher elevation relative to the rest of the downtown area and, in addition, includes several taller (four to seven story) buildings relative to the one- to four-story structures that are typical throughout the downtown area. Thus, the 555 E. Valley Parkway building is visible from the east–west main roadways throughout the area.

## **S.2 Project Description**

The Palomar Heights Project (Project) application includes several approvals necessary to implement the 13.8-acre Project. The applicant proposes an amendment of the Downtown Specific Plan to provide the flexibility for ground-floor residential uses. Development of the site also requires a Tentative Subdivision Map, a Planned Development Permit (Master and Precise Plans), a Development Agreement, an amendment to the Circulation Element of the *City of Escondido General Plan* (General Plan; City of Escondido 2012), Specific Alignment Plans, and Grading Exemptions.

The Project would require the demolition of the existing Palomar Heath Downtown Campus for the development of a mixed-use residential and commercial development. The Project includes a total of 510 residential dwelling units with supporting open space and recreational amenities, and up to 10,000 square feet of commercial space. In addition, the Project would include, landscaping, parking, and infrastructure improvements, as well as terraced retaining wall systems in order to accommodate both cut and fill conditions throughout the site in order to provide for necessary pad areas that are required for the Project. The infrastructure improvements include utility connections to lines within the adjacent roadways, on and off-site sewer improvements, as well as roadway frontage improvements.

The underlying purpose of the Project is to revitalize the Palomar Health Downtown Campus (Hospital Campus) site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types. Project objectives outlined below have also been developed to be consistent with the Downtown Specific Plan (City of Escondido 2013) vision. Project implementation is guided by the following statement of Project objectives:

1. Promote efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan (City of Escondido 2013) vision.
2. Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.
3. Provide a variety of multi-family housing types and designs.
4. Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.
5. Provide a development with adequate and appropriate recreational amenities.
6. Develop a community that responds to the unique topography and character of the Project site and surrounding area.
7. Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.

8. Assist the City in implementing the *City of Escondido General Plan* (City of Escondido 2012) housing goals by increasing the City's housing stock.
9. Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.
10. Improve Valley Boulevard to include multi-modal transportation features.
11. Provide a high-quality, attractive residential and commercial development.
12. Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.

### Project Approvals

Approvals required to implement the Project include (1) a Tentative Subdivision Map, (2) Specific Plan Amendment, (3) Planned Development Permit (Master and Precise Plans), (4) a Development Agreement, (5) a General Plan Amendment (Circulation Element), (6) Specific Alignment Plans, and (7) Grading Exemptions.

#### Tentative Subdivision Map

The Project includes a Tentative Subdivision Map. The map depicts the grading and drainage, individual residential lots, common ownership lots, public streets, private driveways, and infrastructure improvements. Final subdivision maps would be recorded, including maps for the condominium units and apartments.

#### Specific Plan Amendment

The Project proposes an amendment to the Downtown Specific Plan in two areas. Currently the specific plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through a Planned Development Permit process.

The proposed Specific Plan Amendment would be prepared in conformance with Sections 65450–65457 of the California Government Code. All development and improvements constructed within the Specific Plan Area must be consistent with the City's General Plan, the Downtown Specific Plan, and the Tentative Map.

#### Planned Development Permit (Master and Precise Plans)

A Planned Development Permit would be included as a part of the Project. The Planned Development process is intended to encourage the development of larger areas to provide more comprehensive planning and building design, while allowing flexibility from the standards of the

Escondido General Plan and Zoning Code. For the Project, the Planned Development Permit would include a reduction in the parking requirement, and the allowance for ground-floor residential uses at the Project site, as well as a request from the Density Transfer Program's Density Credit Pool in order to increase density greater than 75 dwelling units per acre for the proposed senior housing component of the Project west of Valley Boulevard. This process requires the preparation of a Master and Precise Development Plan.

### Development Agreement

Development Agreements are contracts negotiated between project developers and public agencies that typically vest the developer's rights to develop in accordance with project approvals and existing laws. California Government Code Section 65864 et seq. and Article 58 of the Escondido Zoning Code authorize the creation of Development Agreements, set minimum standards for what must be included in such agreements, and provide general procedural requirements for consideration and approval of Development Agreements. The Downtown Specific Plan identifies that development on site can be up to 100 dwelling units per acre (du/ac) in the proposed apartments and villa and rowhome areas, whereas the senior housing area can have up to 75 du/ac (City of Escondido 2013). The Development Agreement would allow the transfer of units from the City's density credit pool to the Project area west of Valley Boulevard (the proposed senior housing site) in order to allow a density greater than 75 du/ac for that portion of the Project site. This density transfer of 15 units would be in accordance with the City's Downtown Density Transfer Program. This transfer of density would allow for a higher density to be achieved on the Project site consistent with the City's Downtown Specific Plan. The net 830 units allowed on site would be transferred via the City's Density Transfer Program to the density credit pool, which would facilitate the future buildout of the Downtown Specific Plan Area.

A draft Development Agreement has been proposed as part of this Project, which results in the provision of overall benefits to the City and adequate development controls in exchange for vested rights in Project approvals. Terms contained in the Development Agreement do not commit the city to any Project features that would effectively preclude any alternatives or mitigation measures that the California Environmental Quality Act (CEQA) would otherwise require be considered.

### General Plan Amendment (Circulation Element)

N. Fig Street, between E. Valley Parkway and E. Grand Avenue, is currently classified as a Collector Street in the City's General Plan Mobility and Infrastructure Element, which is intended to provide for a four-lane roadway without parking and discourage direct residential driveway access (City of Escondido 2012). Currently Fig Street is a two-lane roadway with a partial painted centerline, residential driveway access, street parking, and low traffic volumes (less than 8,000 daily trips). Considering the current and future anticipated traffic volumes along Fig Street as well as the function of this roadway, the Project includes a General Plan Amendment to change the

classification of Fig Street from a Collector Street to a Local Collector. The Local Collector classification is defined as a two-lane roadway that may have a median, with direct residential driveway access permitted, curbside parking, and low traffic volumes.

### Specific Alignment Plans

Pursuant to the City's General Plan (City of Escondido 2012) Street Network Policy 7.2, the Project includes Specific Alignment Plans for the proposed changes to Valley Boulevard and N. Fig Street. The proposed changes to Valley Boulevard include northbound only vehicular traffic flow, inclusion of angled parking, accommodation of a bus stop, and the provision of a pick-up/drop-off area. N. Fig Street is proposed to be reclassified to a Local Collector, as described above. These changes are intended to accommodate the special conditions that may include unique alignment or other constraints, as well as transportation needs of the area.

### Grading Exemptions

The Project includes Grading Exemptions. Per City Municipal Code Section 33-1066(c), a Grading Exemption is required for any fill slopes (including retaining walls) that are over 10 feet in height and within 50 feet of a property line. Due to the existing topography and the need to create flat pads for development, Grading Exemptions for two areas are included in the Project. This includes a Grading Exemption for the area at the Project entrance as well as along the eastern perimeter.

## **S.3 Summary of Significant Effects and Measures That Reduce or Avoid the Significant Impacts**

In accordance with CEQA Guidelines Section 15123, this section summarizes “[e]ach significant effect with proposed mitigation measures” that would reduce or avoid that effect. Table S-1, Summary of Significant Effects and Measures that Reduce or Avoid the Significant Impacts, provides a summary of impact analysis, mitigation measures (M), and level of significance of impact after mitigation for each issue. Chapter 4, Environmental Analysis, of this Environmental Impact Report (EIR) contains the analyses of all issues found to have significant impacts, in addition to the analysis regarding land use and planning and transportation. Chapter 4 also includes proposed mitigation for these significant impacts. Significant impacts were found for the issues of biological resources, cultural resources, hazards and hazardous materials, noise, and tribal cultural resources. With implementation of the identified mitigation measures, prescribed in this EIR (see Table S-1 and Chapter 10, List of Mitigation Measures, Project Design Features, and Compliance Measures), all potentially significant impacts would be mitigated to less than significant levels.

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**Table S-1  
Summary of Significant Effects and Mitigation**

Environmental Impact	Mitigation Measures	Significance After Mitigation
<i>Biological Resources</i>		
<p><b>BI-1:</b> Significant impacts to nesting birds could occur if suitable nesting habitat is removed during the general bird breeding season (January 15 to September 15).</p> <p><b>BI-CUM-1:</b> The Project would potentially contribute to a cumulatively considerable impact to nesting birds.</p>	<p><b>M-BI-1 Nesting Bird and Raptor Avoidance.</b> Prior to the issuance of grading or demolition permits, the City of Escondido shall verify that the following measure is shown on the grading and demolition plans:</p> <p>If clearing or grubbing occurs within the nesting season (January 15 to August 31), nesting bird surveys for migratory birds and raptors are required to be performed by a qualified biologist at least 72 hours before the start of vegetation removal.</p> <p>If active nests are found, appropriately sized no-work buffers will be established around all active nests identified within and adjacent to the Project site. The qualified biologist will determine the appropriate buffer size and level of nest monitoring necessary for species not listed under the federal Endangered Species Act (ESA) or the California ESA based on the species' life history, the species' sensitivity to disturbances (e.g., noise, vibration, human activity), individual behavior, status of nest, location of nest and site conditions, presence of screening vegetation, anticipated Project activities, ambient noise levels compared to Project-related noise levels, existing non-Project-related disturbances in vicinity, and ambient levels of human activity. All buffers for non-ESA/California ESA-listed species will be no less than 50 feet and no less than 300 feet for raptor species.</p> <p>Buffers will be marked (flagged or fenced with Environmentally Sensitive Area fencing) around the active nest site as directed by the qualified biologist and in accordance with safety requirements. Periodic monitoring of active nests will occur to ensure the Project does not result in the failure of the nest. No Project activities or personnel will be allowed inside these buffers, except for the qualified biologist (if necessary). The buffer(s) will be maintained around each nest until the nest becomes inactive as determined by the qualified biologist.</p> <p>At the discretion of a qualified biologist, if a nesting bird appears to be stressed as a result of Project activities and the buffer does not appear to provide adequate protection, additional minimization measures may need to be implemented.</p> <p>Construction will be allowed to continue outside of the no-work buffers. The qualified biologist will ensure that restricted activities occur outside of the delineated buffers, check nesting birds for any potential indications of stress, and ensure that installed fencing or flagging is maintained at buffer boundaries during nest monitoring and any additional site visits. Buffer sizes may be reduced, or the extent of nest monitoring may be reduced, at the discretion of the qualified biologist. Any changes to buffer sizes and/or nest monitoring frequency will be documented.</p>	<p>Less than significant.</p>
<i>Cultural Resources</i>		
<p><b>CR-1:</b> The Project would require the removal of the 121-141 N. Fig Street building, which is eligible for listing on the CRHR under Criterion 3 and the City of Escondido Register under City of Escondido Criteria 2 and 5.</p> <p><b>CR-CUM-1:</b> The removal of an eligible historical resource, the 121-141 N. Fig Street building, would have the potential to result in a significant cumulative impact to historical resources in combination with identified cumulative projects.</p>	<p><b>M-CR-1</b> Offer Building for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the 121-141 N. Fig Street building, the applicant shall demonstrate to the City that it has offered the building for relocation. The applicant's "offer for relocation" will be placed in a newspaper of general circulation, posted on a website, and posted at the Project site for a period of 30 days. The party that proposes to relocate the building is responsible for finding a compatible off-site location that will reestablish contributing aspects of the building's historic orientation, immediate setting, and general environment (if such a site is not available, a less compatible site may be used). Relocation of the building would be at the expense of the party that takes responsibility for relocation, and at no expense to the applicant. The relocation efforts will be conducted in accordance with the California Historical Building Code (Title 24 Part 8) and the guidelines recommended by the National Park Service that are outlined in the booklet "Moving Historic Buildings," by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior's Standards for Rehabilitation and the California Historical Building Code (Title 24 Part 6). Negotiations shall be accommodated for a period of 60 days following project approval, during which time the applicant shall negotiate in good faith with the party(ies) proposing relocation. Should no plan of relocation be brought forward within 60 days following project approval, or if no agreement is reached in that time, demolition will be allowed to occur. In addition, any plan for relocation shall detail how relocation will be completed within six months following project approval. If relocation is not able to be completed within six months following project approval, demolition will be allowed to occur. The building shall not be relocated until Historic American Buildings Survey (HABS) recordation and documentation has been completed and an inventory of key exterior and interior features and materials has been completed by qualified professionals, as set forth in M-CR-2. Compliance with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development prior to demolition of the 121-141 N. Fig Street building.</p> <p><b>M-CR-2</b> Prior to relocation, or in the event that the 121-141 N. Fig Street building is not relocated, prior to the issuance of a demolition permit, the Applicant shall provide HABS documentation pursuant to the Level 1 standards as detailed by the National Park Service Heritage Documentation Programs. The documentation shall include a written report done in the outline format; HABS-quality photography of the exterior, interior, and overview shots of the historical resource; measured drawings; and video documentation. The documentation materials would be prepared by a qualified Architectural Historian(s) and an experienced HABS photographer(s). Copies of the resulting documentation shall be submitted to the Library of Congress, the California State Historic Preservation Officer, the South Coastal Information Center at San Diego State University, the Escondido History Center, the San Diego History Center, the Escondido Public Library Pioneer Room, and the City of Escondido Planning Division. A copy of</p>	<p>Less than significant.</p>

**Table S-1  
Summary of Significant Effects and Mitigation**

Environmental Impact	Mitigation Measures	Significance After Mitigation
	<p>the HABS documentation will be submitted to the City of Escondido Planning Division prior to any ground disturbance or demolition. The submittal of documentation to all other above-listed archives must be completed within 1 year of the initial date of demolition of the structure.</p> <p><b>M-CR-3</b> To preserve, interpret, and display the history of the 121-141 N. Fig Street building, prior to demolition, distinctive representative architectural elements (interior and exterior) shall be identified for salvage and reuse either as part of the proposed Project, to be removed to another on-site location (as provided in the Secretary of the Interior's Standards for the Treatment of Historic Properties to be donated to any interested or archival repositories (i.e., museums, archives, and curation facilities; the public; and nonprofit organizations) to the satisfaction of the City of Escondido Director of Community Development. The materials to become architectural salvage shall include historic-period elements that will be removed as part of the Project, and shall be identified and made available prior to the commencement of demolition activities, to ensure that materials removed do not experience further damage from removal/demolition. No materials shall be salvaged or removed until HABS recordation and documentation is completed and an inventory of key exterior and interior features and materials is completed by qualified professionals. The inventory of key exterior and interior features and materials may be developed as part of M-CR-1. The materials shall be removed prior to or during demolition. Materials that are contaminated, unsound, decayed, or whose integrity would not be retained by salvage will not be included in the salvage program and will not be available for future use or display. The City as lead agency will determine which materials are suitable for salvage (the City can utilize the assistance of qualified professionals to make such determinations).</p> <p><b>M-CR-4</b> During demolition and construction with any salvaged materials from the 121-141 N. Fig Street building, a qualified architect shall make daily site visits to monitor demolition and construction activities to ensure compliance with mitigation measures and conditions of approval adopted to reduce impacts to historic resources and provide for salvage of appropriate architectural materials. The construction manager will be responsible for notifying the architectural monitor of daily activities. The monitoring program may be modified at the discretion of the architect based upon the construction schedule, whether or not those activities will have an impact upon previously identified, representative architectural elements intended for salvage or reuse, or the likelihood of encountering previously unidentified historic fabric. During the course of administering and implementing this measure, in the event that previously unidentified historic fabric or representative architectural elements are discovered, a qualified historic architect, in consultation with city staff, shall determine its potential donation or reuse within the framework of the Secretary of the Interior's Standards for Rehabilitation. The architect shall have the authority to temporarily divert or temporarily halt demolition in the event of any unanticipated discovery of unidentified historic fabric or other materials of historic significance to allow for the evaluation and salvage of such materials. Compliance with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development prior to issuance of a certificate of occupancy.</p> <p><b>M-CR-5</b> The project applicant shall work with City of Escondido Planning Department staff or other qualified professionals to develop and install an on-site interpretive program that references the property's history and the contribution of the historic resource to the broader neighborhood or historic district. The interpretive program shall include, but is not limited to, a public art piece and/or a historic display case in a publicly visible location at the Project site that describes the history and significance of the 121-141 N. Fig Street Building. The interpretive program and its location within the Project site must be approved by the City of Escondido Director of Community Development. The historic display case shall include historic photographs and a brief narrative describing the history and significance of 121-141 N. Fig Street Building. In addition, educational/interpretive information that describes the history and significance of 121-141 N. Fig Street Building shall be made available to the public in a readily accessible format, such as a printed brochure and/or electronic format such as a webpage. This educational/interpretive material shall be available to schools, museums, archives and curation facilities, libraries, nonprofit organizations, the public, and other interested agencies. The interpretive program and educational/interpretive material could be based on the photographs produced in the HABS documentation, and the historic archival research previously prepared as part of the Project.</p>	
<p><b>CR-2:</b> In the event that any previously undetected cultural resources are encountered, impacts associated with archaeological resources would be potentially significant.</p> <p><b>CR-3:</b> In the event of accidental discovery of any human remains during construction of the Project, impacts associated with the disturbance of human remains would be potentially significant.</p> <p><b>CR-CUM-2:</b> In the event that any previously undetected cultural resources are encountered, the Project in combination with the identified cumulative projects would have the potential to result in a significant cumulative impact associated with archaeological resources.</p> <p><b>CR-CUM-3:</b> The Project would have the potential for accidental discovery of human remains. In combination with cumulative projects that have the same potential to disturb human remains during ground-disturbing</p>	<p><b>M-CR-6</b> Prior to the issuance of the grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location ("TCA Tribe") 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 the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures M-CR-7 through M-CR-15, and the following information:</p> <ul style="list-style-type: none"> <li>- Parties entering into the agreement and contact information.</li> <li>- Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors.</li> <li>- Project grading and development scheduling, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement.</li> <li>- Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.</li> <li>- Treatment of identified Native American cultural materials.</li> <li>- Treatment of Native American human remains and associated grave goods.</li> <li>- Confidentiality of cultural information including location and data.</li> <li>- Negotiation of disagreements should they arise.</li> </ul>	<p>Less than significant.</p>

**Table S-1  
Summary of Significant Effects and Mitigation**

Environmental Impact	Mitigation Measures	Significance After Mitigation
<p>activities, a potentially significant cumulative impact associated with human remains would occur.</p>	<ul style="list-style-type: none"> <li>- Regulations that apply to cultural resources that have been identified or may be identified during project construction.</li> <li><b>M-CR-7</b> 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.</li> <li><b>M-CR-8</b> 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.</li> <li><b>M-CR-9</b> During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock)..</li> <li><b>M-CR-10</b> In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. . The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected, and monitored grading can immediately proceed.</li> <li><b>M-CR-11</b> If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the 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. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c), appropriate treatment measures will be implemented. Work may not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.</li> <li><b>M-CR-12</b> All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City’s Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe and Native American monitor, making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. 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.</li> <li><b>M-CR-13</b> 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</li> </ul>	

**Table S-1  
Summary of Significant Effects and Mitigation**

Environmental Impact	Mitigation Measures	Significance After Mitigation
	<p>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. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of a Native American monitor, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination.</p> <p><b>M-CR-14</b> 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 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.</p> <p><b>M-CR-15</b> Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.</p>	
<i>Hazards and Hazardous Materials</i>		
<p><b>HZ-1:</b> The potential to expose contamination during the construction period and removal of USTs which are both known and unknown on the site is a potentially significant impact.</p> <p><b>HZ-2:</b> The potential presence of ACMs and LBP in the existing buildings on the property is a potentially significant impact.</p>	<p><b>M-HZ-1</b> Prior to the issuance of any Project construction permit, including demolition, excavation, or other earthmoving or soil-disturbance activities, any areas of the Project site identified as containing or potentially containing underground storage tanks (USTs) shall be assessed using more direct methods to detect the presence of any USTs, storm drains, manholes, or underground utilities. Such methods may include the excavation of exploratory trenches/test pits or borings. In addition, any soil excavated below emergency generators shall be treated as potentially contaminated by diesel fuel and oil.</p> <p>Any areas of the Project site found to be contaminated shall be remediated in conformance with applicable federal, state, and local laws. These laws may include, but are not limited to, the Resource Conservation and Recovery Act, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, International Fire Code, Occupational Safety and Health Act, Underground Storage Tank Act, Policy 8.2 of the <i>City of Escondido General Plan</i>, and the City of Escondido's Hazard Mitigation Plan. Assessment and remediation shall be to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency.</p> <p>No Project construction activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the areas of the Project site identified as containing or formerly containing USTs.-</p> <p><b>M-HZ-2</b> Prior to demolition, all on-site structures shall be tested to determine if they include asbestos-containing materials (ACMs) and lead-based paint (LBP). If either are present, ACMs shall be removed and disposed of by a licensed and certified asbestos abatement contractor, in accordance with all applicable federal, state, and local laws and regulations for asbestos removal and demolition operations, and procedures for the removal of LBP shall be initiated to protect workers during demolition activities, in accordance with all applicable federal, state, and local laws and regulations.</p>	<p>Less than significant.</p>
<i>Noise</i>		
<p><b>N-1:</b> Typical construction noise during allowable daytime hours would exceed the City's 75 dBA <math>L_{eq}</math> threshold and would be higher than existing ambient daytime noise levels when construction takes place near the eastern Project boundary.</p>	<p><b>M-N-1</b> Prior to the issuance of a Construction Permit, the Applicant/Owner or Construction Contractor shall prepare and submit to the City of Escondido Planning Division (City Planner) for its review and approval a Construction Noise Management Plan (CNMP). Prior to the issuance of a Construction Permit, Construction Plans shall also include a note indicating compliance with the CNMP is required. The CNMP shall be prepared or reviewed by a qualified acoustician (retained at the Applicant/Owner or Construction Contractor's expense) and feature the following:</p> <ol style="list-style-type: none"> <li>a. A detailed construction schedule, at daily (or weekly, if activities during each day of the week are typical) resolution and correlating to areas or zones of on-site Project construction activity(ies) and the anticipated equipment types and quantities involved. Information will include expected hours of actual operation per day for each type of equipment per phase and indication of anticipated concurrent construction activities on site.</li> </ol>	<p>Less than significant.</p>

**Table S-1  
Summary of Significant Effects and Mitigation**

Environmental Impact	Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> <li>b. Suggested locations of a set of noise level monitors, attended by a qualified acoustician or another party under their supervision or direction, at which sample outdoor ambient noise levels will be measured and collected over a sufficient sample period and subsequently analyzed (i.e., compared with applicable time-dependent dBA thresholds) to ascertain compliance with the City hourly threshold of 75 dBA <math>L_{eq}</math> during allowable construction hours per the City's Noise Ordinance or as permitted by City-approved variance. Sampling shall be performed, at a minimum, on the first (or otherwise considered typical construction operations) day of each distinct construction phase (e.g., each of the seven listed phases in Table 4.5-6, Construction Noise Modeling Summary Results).</li> <li>c. If sample collected noise level data indicates that the hourly noise threshold has been or will be exceeded, construction work shall be suspended (for the activity or phase of concern) and the Applicant/Owner or Construction Contractor shall implement one or more of the following measures as detailed or specified in the CNMP:               <ul style="list-style-type: none"> <li>i. Institute administrative controls (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances).</li> <li>ii. Institute engineering controls (upgrade noise controls; e.g., install better engine exhaust mufflers).</li> <li>iii. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern. The implemented measure(s) will be reviewed or otherwise inspected and approved by the qualified acoustician (or another party under their supervision or direction) prior to resumption of the construction activity or process that caused the measured noise concern or need for noise mitigation. Noise levels shall be re-measured, after installation of said measures, to ascertain post-mitigation compliance with the noise threshold. As needed, this process shall be repeated and refined until noise level compliance is demonstrated and documented. A report of this implemented mitigation and its documented success will be provided to the City Planner.</li> </ul> </li> <li>d. The Applicant/Owner or Construction Contractor shall make available a telephone hotline so that concerned neighbors in the community may call to report noise complaints. The CNMP shall include a process to investigate these complaints and, if determined to be valid, detail efforts to provide a timely resolution and response to the complainant—with copy of the resolution provided to the City Planner.</li> </ul>	
<i>Tribal Cultural Resources</i>		
<p><b>TC-1:</b> There is a moderate potential for unknown subsurface TCRs to be present on site. Proposed grading activities have potential to result in impacts to unknown subsurface TCRs. In the event that any previously undetected TCRs are encountered, impacts associated with TCRs would be potentially significant.</p> <p><b>TC-CUM-1:</b> Cumulative projects located in the region would have the potential to result in a cumulative impact associated with the loss of TCRs through development activities that could cause a substantial adverse change in the significance of a TCR. In the event that any previously undetected TCRs are encountered, the Project in combination with the identified cumulative projects would have the potential to result in a significant cumulative impact associated with TCRs.</p>	<p><b>M-CR-6 to M-CR-15</b> would reduce <b>Impacts TC-1 and TC-CUM-1</b>.</p>	<p>Less than significant.</p>

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#### **S.4 Areas of Controversy**

A notice of preparation (NOP) was distributed on May 3, 2019, for public review and comment. The NOP and ensuing comment letters are included in Appendix A to this EIR. Also refer to Chapter 1, Introduction, Table 1-1, for an additional summary of comments and the location of corresponding information in the EIR. In addition, the Draft EIR was circulated for public review between March 20, 2020 to May 19<sup>th</sup>, 2020. Refer to Chapter 11, Response to Comments, for details regarding the letters received and the associated responses. Areas of controversy are considered to include the following:

- Transportation
- Public health related to the demolition of the existing structures and Covid
- Construction noise
- Land use and proposed density
- Cultural (including historical) resources
- Tribal Cultural Resources
- Housing needs
- Consistency with the Downtown Specific Plan

#### **S.5 Issues to Be Resolved by the Decision-Making Body**

An EIR is an information document, used to inform the decision makers and the public of the environmental effects of a given project. The EIR includes discussion and inclusion of mitigation measures to reduce environmental impacts. The decision-making body must decide whether or how to mitigate significant impacts. The EIR is also to include a reasonable range of alternatives that might reduce significant impacts while still attaining the project's objectives. The decision-making body must determine if any of these alternatives could substantially reduce significant impacts and still meet Project objectives.

#### **S.6 Project Alternatives**

Several Project alternatives were considered during the preparation of this EIR, as discussed in Chapter 7, Alternatives. Alternatives considered but rejected from further analysis include Alternative Project Location, Building Reuse Alternative, and Increased Density Alternative. Three alternatives were carried forward for further analysis:

- No Project/No Development Alternative
- Reduced Footprint Alternative
- Historic Preservation Alternative

Table S-2 summarizes the analysis of these alternatives, and Table S-3 provides a comparison of the alternatives relative to Project objectives. This section presents a summary of the alternatives analysis completed. Refer to Chapter 7 for additional details.

**Table S-2**  
**Environmentally Superior Alternative**

Issue Areas with Potentially Significant Impacts	Project	Alternatives Considered		
		1	2	3
		<i>No Project/No Development</i>	<i>Reduced Footprint Alternative</i>	<i>Historic Preservation Alternative</i>
Biological Resources	LTS	▼	—	—
Cultural Resources	LTS	▼	▼	▼
Hazards and Hazardous Materials	LTS	▼	—	—
Noise	LTS	▼	▼	—
Tribal Cultural Resources	LTS	▼	—	—
Land Use	NS	▲	—	—
Other Issue Areas	NS	—	—	—

▲ Alternative is likely to result in greater impacts to issue when compared to Project.

— Alternative is likely to result in similar impacts to issue when compared to Project.

▼ Alternative is likely to result in substantially reduced impacts to issue when compared to Project.

NS = Not a potentially significant impact.

LTS = Less than significant with mitigation measures.

SU = Potentially significant and unavoidable impact.

**Table S-3**  
**Comparison of Alternatives Relative to Project Objectives**

Objectives	No Project/ No Development	Reduced Footprint	Historic Preservation
1. Promote efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan (City of Escondido 2013) vision.	<b>No</b> ; revitalization would not occur.	<b>Yes</b> , but to a lesser extent than the Project as this alternative would inefficiently not redevelop the entire site and would decrease density.	<b>Yes</b> , but to a lesser extent than the Project as this alternative would inefficiently not redevelop the entire site and would decrease density.
2. Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.	<b>No</b> ; improvements would not occur.	<b>Yes</b> ; but to a slightly lesser extent than the Project as efficiencies would be improved and hazards would be resolved with respect to the main hospital building, but the older, inefficient building at 121-141 N. Fig St. would be retained.	<b>Yes</b> ; but to a slightly lesser extent than the Project as efficiencies would be improved, and hazards would be resolved with respect to the main hospital building, but the older, inefficient building at N. 121-141 Fig St. would be retained.
3. Provide a variety of multi-family housing types and designs.	<b>No</b> ; no housing would be provided.	<b>Yes</b> , a variety of housing types would be provided.	<b>Yes</b> , a variety of housing types would be provided.

**Table S-3  
Comparison of Alternatives Relative to Project Objectives**

<b>Objectives</b>	<b>No Project/ No Development</b>	<b>Reduced Footprint</b>	<b>Historic Preservation</b>
4. Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.	<b>No</b> ; no visual transition would be provided.	<b>Yes</b> ; visual transitions would be provided but to a lesser degree compared to the Project as the eastern portion of the site would not be redeveloped and would be retained at a significantly lower topography compared to the remainder of the site.	<b>Yes</b> ; visual transitions would be provided but to a lesser degree compared to the Project as the building at 121-141 N. Fig St. would not be redeveloped and would be retained at a significantly lower topography compared to the remainder of the site.
5. Provide a development with adequate and appropriate recreational amenities.	<b>No</b> ; improvements would not occur.	<b>Yes</b> ; adequate recreational amenities would be provided with pedestrian connections. However, this alternative would not provide the proposed park amenity on N. Fig St. compared to the Project.	<b>Yes</b> ; adequate recreational amenities would be provided with pedestrian connections, although to a lesser extent than the Project. This alternative would not provide the proposed park amenity on N. Fig St. compared to the Project.
6. Develop a community that responds to the unique topography and character of the Project site and surrounding area.	<b>No</b> ; improvements would not occur.	<b>Yes</b> ; would include grading and design to follow topography	<b>Yes</b> ; would include grading and design to follow topography
7. Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.	<b>No</b> ; no transition would be provided.	<b>Yes</b> ; a transition would be provided.	<b>Yes</b> ; a transition would be provided.
8. Assist the City in implementing the <i>City of Escondido General Plan</i> (City of Escondido 2012) housing goals by increasing the City's housing stock.	<b>No</b> ; no housing would be provided.	<b>Yes</b> , but to a lesser extent than the Project due to the decrease in number of units.	<b>Yes</b> , but to a slightly lesser extent than the Project due to the decrease in number of units.
9. Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.	<b>No</b> ; no design measures would be implemented.	<b>Yes</b> ; design measures would be implemented but pedestrian access would be provided to a lesser extent compared to the Project. Specifically, the pedestrian connection provided to the east to N. Fig Street would not be provided under this alternative.	<b>Yes</b> ; design measures would be implemented but pedestrian access would be provided to a lesser extent compared to the Project. Specifically, the pedestrian connection provided to the east to N. Fig Street would not be provided under this alternative.

**Table S-3  
Comparison of Alternatives Relative to Project Objectives**

<b>Objectives</b>	<b>No Project/ No Development</b>	<b>Reduced Footprint</b>	<b>Historic Preservation</b>
10. Improve Valley Boulevard to include multi-modal transportation features.	<b>No</b> ; no improvements to Valley Boulevard would be provided.	<b>Yes</b> ; such improvements could be provided.	<b>Yes</b> ; such improvements could be provided.
11. Provide a high-quality, attractive residential and commercial development.	<b>No</b> ; no housing would be provided.	<b>Yes</b> ; high quality residential and commercial with parking and amenities would be provided.	<b>Yes</b> ; high quality residential and commercial with parking and amenities would be provided.
12. Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.	<b>No</b> ; no revitalization would occur.	<b>Yes</b> ; commercial would be limited to support and revitalize downtown.	<b>Yes</b> ; commercial would be limited to support and revitalize downtown.

### No Project/No Development Alternative

CEQA requires an evaluation of the “No Project” alternative so that decision makers can compare the impacts of approving the Project with the impacts of not approving it. According to CEQA Guidelines Section 15126.6(e), the No Project Alternative must include the assumption that conditions at the time of the Notice of Preparation (i.e., baseline environmental conditions) would not be changed since the Project would not be implemented.

The No Project/No Development Alternative assumes that the Project would not be developed, which means the existing Hospital Campus would not be demolished and there would be no residential and commercial uses developed on site. Roadway improvements would not be constructed. Under the No Project/No Development Alternative, the reasonably foreseeable use of the site is the continued operation of the healthcare facility as it exists today. No redevelopment of the site would occur. No amendment to the Downtown Specific Plan would be required.

In comparing the No Project/No Development Alternative to the Project, CEQA provides that the “lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services” (14 CCR Section 15126.6[e][3][C]).

### Reduced Footprint Alternative

The Reduced Footprint Alternative would result in the demolition and redevelopment of the site, similar to the Project, but no grading would occur within 125 feet of the Palomar Vista Healthcare Center to avoid construction noise impacts to this inpatient care facility. Due to the inclusion

of a building (121-141 N. Fig Street), roadway and parking in this area, the redesign of the Project would require the retention of the internal roadway connections to this area of the site. This would result in the elimination of the Project's eastern set of villas and five of the rowhome buildings, as well as the eastern park amenity on N. Fig Street. Overall, this alternative would include 430 residential units, which is 80 fewer than the Project. The historic structure at 121–141 N. Fig Street would be retained under this alternative. The overall construction phase would be shorter due to the reduced grading and development that would occur on site post-demolition. All other features of this alternative would be the same as the Project.

### Historic Preservation Alternative

The Historic Preservation Alternative would involve the same components as the Project, but the 121–141 N. Fig Street building would be retained. This alternative would therefore not include the five rowhome buildings in the area of the existing historic structure proposed by the Project, which results in this alternative including 480 residential units. Grading under this alternative would also be reduced by approximately 0.5 acres relative to the Project, and improvements to N. Fig Street would not be implemented. The park amenity near N. Fig Street, pedestrian connection through to N. Fig Street, and the sewer improvements along N. Fig Street would also not occur under the Historic Preservation Alternative. All other aspects of this alternative would be the same as the Project.

### **S.7 Environmentally Superior Alternative**

As shown in Table S-2, implementation of the No Project/No Development Alternative would result in the greatest reduction in significant impacts when compared to the Project. Because the No Project/No Development Alternative would result in the least amount of impacts to the environment, it would be the environmentally superior alternative. However, Section 15126.6(e)(2) of the CEQA Guidelines states that if the environmentally superior alternative is the No Project Alternative, the EIR also must identify an environmentally superior alternative among the other alternatives. Among the other alternatives, the Reduced Footprint Alternative would result in the least amount of environmental impacts. As compared to the Project, impacts associated with construction noise and historic resources would be avoided; however, the alternative would result in similar impacts to all other issue areas.

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## **CHAPTER 1 INTRODUCTION**

This chapter of this Environmental Impact Report (EIR) describes the purpose, scope, and legislative authority of the EIR; the intent of the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.); the environmental review process; and other pertinent environmental rules and regulations.

### **1.1 Purpose of the EIR**

This EIR addresses the potentially significant adverse environmental effects associated with the proposed Palomar Heights Project (Project) under CEQA. The Project proposes the redevelopment of the Palomar Health Downtown Campus into a mixed-use residential and commercial development located on the eastern edge of the downtown area within the City of Escondido (City). The Project would require approval of certain discretionary actions by the City and, therefore, is subject to the environmental review requirements of CEQA. A detailed description of the Project is provided in Chapter 2, Project Description, of this EIR. The City, as the CEQA lead agency, has overseen the preparation of this EIR to provide decision makers, the public, trustee agencies, and responsible agencies with information about the potential environmental effects associated with the Project.

### **1.2 Intended Use of the EIR**

This EIR was prepared in accordance with CEQA (California Public Resources Code Section 21000 et seq.), CEQA Guidelines (14 CCR 15000 et seq.), and the City's environmental review procedures.

The EIR is an informational document that will provide the City's decision makers, public agencies, responsible and trustee agencies, and members of the public with information about (1) the potential for significant adverse environmental impacts that would result from the development of the Project, (2) feasible or potentially feasible ways to minimize any significant adverse environmental impacts that would result from the development of the Project, and (3) a reasonable range of potentially feasible alternatives to the Project that would reduce or avoid significant adverse environmental impacts associated with the Project (California Public Resources Code Section 21002.1[a]; 14 CCR 15121[a]). Responsible and trustee agencies may use this EIR to fulfill their legal authority to issue permits for the Project. The analysis and findings in this EIR reflect the independent judgment of the City.

The City is the lead agency for the EIR and will perform the entitlement processing of the Project. As the designated lead agency, the City has overseen the preparation of this EIR, and the analysis and findings in this EIR reflect the City's independent judgment. When deciding whether to approve the Project, the City will use the information in this EIR to consider potential impacts to the physical environment associated with the Project. Subsequent to certification of the Final EIR, agencies with permitting authority over all or portions of the Project will use the Final EIR as the

basis for their evaluation of environmental effects related to the Project that will culminate with the approval or denial of applicable permits.

### **1.3 Scope of the EIR**

The City determined that a project EIR, as defined by CEQA Guidelines Section 15161, is the appropriate environmental document for this Project. The City made this determination based on the scope and the location of the Project. As such, and in accordance with CEQA Guidelines Section 15060(d), the City opted not to prepare a detailed Initial Study and to instead immediately begin preparation of an EIR for the Project.

In the absence of an Initial Study, this Draft EIR evaluates all subject areas listed in Appendix G of the CEQA Guidelines, which include the following: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, wildfire, and mandatory findings of significance.

As a “project EIR,” this EIR is “focused primarily on the changes in the environment that would result from the development project” (14 CCR 15161). In addition, as a project EIR, this EIR examines all phases of the Project, including planning, demolition, construction, and operation (14 CCR 15161). Where environmental impacts have been determined to be significant, this EIR recommends mitigation measures directed at reducing or avoiding those significant environmental impacts. A reasonable range of alternatives to the Project are identified to evaluate whether there are ways to minimize or avoid significant impacts associated with the Project.

### **1.4 The EIR and CEQA Environmental Review Process**

#### **1.4.1 CEQA Overview**

CEQA requires the preparation and certification of an EIR for any project that a lead agency determines may have a significant adverse effect on the environment. The following is stated in CEQA Guidelines Section 15151 (14 CCR 15151):

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main

points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Accordingly, this EIR has been prepared to identify and disclose the significant environmental effects of the Project, identify mitigation measures to minimize significant effects, and consider reasonable Project alternatives. The environmental impact analyses in this EIR are based on a variety of sources, including agency consultation, technical studies, and field surveys.

#### **1.4.2 Notice of Preparation and Scoping**

CEQA establishes mechanisms to inform the public and decision makers about the nature of the Project and the extent and types of impacts that the Project and alternatives to the Project would have on the environment should the Project or alternatives be implemented. Pursuant to Section 15082 of the CEQA Guidelines, the City circulated a Notice of Preparation (NOP) dated May 3, 2019 to interested agencies, organizations, and parties. The NOP was also sent to the State Clearinghouse at the California Office of Planning and Research. The State Clearinghouse assigned a state identification number (SCH No. 2019059013) to this EIR.

The NOP is intended to encourage interagency communication regarding the proposed action so that agencies, organizations, and individuals are afforded an opportunity to respond with specific comments and/or questions regarding the scope and content of the EIR. A public scoping meeting was held on May 20, 2019, at 4:30 p.m. at the Mitchell Room at Escondido City Hall (201 N. Broadway, Escondido, California) to gather additional public input. The 30-day public scoping period ended on June 3, 2019.

Comments received during the NOP public scoping period were considered as part of the preparation of this EIR. The NOP and written comments are included in Appendix A to this EIR. Comments covered numerous topics, including transportation, public health and hazardous materials, construction noise, land use and planning, aesthetics, cumulative impacts, greenhouse gas emissions, habitat destruction, cultural and historical resources, tribal cultural resources, utilities and service systems, excess parking, recommended sustainability and smart growth features, development of Project goals, housing, Project density, and recreation. A summary of NOP comments is also provided in Table 1-1, along with the location in the document where discussion relating to that information can be located. Public scoping comments regarding the Project's potential impact on the environment were evaluated as part of the preparation of this EIR.

**Table 1-1  
NOP Comments**

Commenter	Date	Environmental Topic <sup>a</sup>	EIR Chapter or Section
<i>Individual</i>			
Borchmann, Patricia	05/20/2019	Traffic Report Cumulative Impact Analysis	Section 4.6, Transportation Appendix J, Traffic Impact Analysis Cumulative analysis is within each topic of Chapter 4, Environmental Analysis, and Chapter 5, Effects Found Not to Be Significant
Campbell, Karen	05/20/2019	Asbestos Construction Noise and Vibration Traffic Congestion Dust	Section 4.3, Hazards and Hazardous Materials Section 4.5, Noise Section 4.6, Transportation Section 5.1.3, Air Quality
Cueva, K	05/28/2019	Green higher density housing	Chapter 7, Alternatives
Devine, Arthur	06/03/2019	Reuse for scientific research	Chapter 7, Alternatives
Erickson, Ken	06/03/2019	Site sections, grading plan, parking space count Architecture consistent with the Downtown Specific Plan	Chapter 2, Project Description Section 4.4, Land Use and Planning Section 5.1.1, Aesthetics
King, Lisa	05/28/2019	Residential density	Chapter 7, Alternatives
Koenig, Brenda	05/28/2019	Residential density	Chapter 7, Alternatives
Marler, Kathryn	05/20/2019	Should improve existing low-income housing instead	Chapter 7, Alternatives
Nava, Christine	05/20/2019	Affordable housing goals Climate change goals Supports Sierra Club Comments	Section 4.4, Land Use and Planning Section 5.1.9, Population and Housing Section 5.1.6, Greenhouse Gas Emissions (See Sierra Club in this table)
Nelson, Steve	06/03/2019	Cumulative projects should be included	Chapter 3, Environmental Setting Cumulative analysis is within each topic of Chapter 4, Environmental Analysis, and Chapter 5, Effects Found Not to Be Significant
Rea, Carol	06/03/2019	Building design Nearby historical buildings Consistency with the Downtown Specific Plan and Zoning Code Traffic congestion Utilities	Chapter 2, Project Description Section 4.2, Cultural Resources Section 4.4, Land Use and Planning Section 4.6, Transportation Section 5.1.12, Utilities and Service Systems
Reagle, Doreen	06/02/2019	Residential density	Chapter 7, Alternatives
Sundqvist, Verna	05/20/2019	Parking, green space, solar panels	Chapter 2, Project Description
Takahara, Barbara	05/27/2019	Project name	Noted; not analyzed in EIR
Tsoulos, Nick	05/30/2019	Traffic congestion Recreational facilities	Section 4.6, Transportation Section 5.1.11, Recreation

**Table 1-1  
NOP Comments**

<b>Commenter</b>	<b>Date</b>	<b>Environmental Topic<sup>a</sup></b>	<b>EIR Chapter or Section</b>
Warsh, Ken	05/23/2019	Traffic issues	Section 4.6, Transportation
West, Carolyn	06/03/2019	Pedestrian walkway and safety	Section 4.6, Transportation
<i>Organization</i>			
Environmental Center of San Diego; Heatherington, Pamela	05/28/2019	Residential density Affordable housing Net-zero energy Project goals	Chapter 2, Project Description Section 5.1.4, Energy Section 5.1.9, Population and Housing Chapter 7, Alternatives
San Diego County Archaeological Society Inc.; Royale, James W.	05/08/2019	Cultural resources and construction monitoring	Section 4.2, Cultural Resources
Climate Action Campaign; Vasilakis, Matthew	06/03/2019	Residential density GHG emissions Habitat destruction Public services and utilities Housing availability	Section 4.1, Biological Resources Section 4.6, Transportation Section 5.1.6, Greenhouse Gas Emissions Section 5.1.9, Population and Housing Section 5.1.10, Public Services Section 5.1.12, Utilities and Service Systems Chapter 7, Alternatives
Endangered Habitat League; Silver, Dan	06/03/2019	Residential density Housing	Chapter 2, Project Description Section 5.1.9, Population and Housing Chapter 7, Alternatives
Sierra Club: North County Group; Hunter, Lindsey and Suzi Sandore	05/21/2019	Affordable housing. Climate goals Transportation Net-zero energy Zoning Code Residential density Project goals	Chapter 2, Project Description Section 4.4, Land Use and Planning Section 4.6, Transportation Section 5.1.4, Energy Section 5.1.6, Greenhouse Gas Emissions Section 5.1.9, Population and Housing Chapter 7, Alternatives
<i>Agency/Government</i>			
Caltrans; McCumsey, Mark	05/29/2019	Traffic Impact Analysis	Section 4.6, Transportation Appendix J, Traffic Impact Analysis
Caltrans; Pereira, Melina	05/31/2019	Traffic Impact Analysis	Section 4.6, Transportation Appendix J, Traffic Impact Analysis
Department of Toxic Substances Control; Yen, Chia Rin	06/03/2019	Potential for existing hazardous wastes/substances and contaminated sites Agency-approved work plan Site assessments for demolition Soils and groundwater	Section 4.3, Hazards and Hazardous Materials Appendices E, F, and G
Rincon Band of Luiseno Indians; Colocho, Destiny	06/03/2019	Tribal Cultural Resource Assembly Bill 52 Consultation Archaeological record search	Section 4.7, Tribal Cultural Resources

**Table 1-1  
NOP Comments**

Commenter	Date	Environmental Topic <sup>a</sup>	EIR Chapter or Section
SANDAG; Litchney, Seth	05/31/2019	Smart Growth Opportunity Area Parking for carpools and vanpools Shared mobility services Wayfinding to nearby transit Amenities for bicycle users Parking reduction EV charging infrastructure	Chapter 2, Project Description Section 4.6, Transportation

**Notes:** NOP = Notice of Preparation; EIR = Environmental Impact Report; GHG = greenhouse gas; Caltrans = California Department of Transportation; SANDAG = San Diego Association of Governments; EV = electric vehicle.

<sup>a</sup> Only topics pertaining to environmental issues and the scope of the EIR are included in the summary. Refer to Appendix A for full comment letters.

### 1.4.3 Draft EIR and Public Review

Preparation of this Draft EIR was overseen by the City. The Draft EIR was available to members of the public, responsible agencies, and interested parties for a 45-day public review period between March 20, 2020 and May 4, 2020 in accordance with CEQA Guidelines Section 15105 and the Executive Order N-54-20. Due to the COVID-19 pandemic, the City provided an extended public review period from May 4, 2020 through May 19, 2020.

Public review of the Draft EIR is intended to focus “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated” (14 CCR 15204). The Notice of Completion of the Draft EIR was filed with the State Clearinghouse as required by CEQA Guidelines Section 15085. In addition, the Notice of Availability of the Draft EIR was distributed pursuant to CEQA Guidelines Section 15087. Interested parties may provide comments on the Draft EIR in written form. Comments ~~were to be~~ should be direct to ~~Kristin Blackson or Adam Finestone~~ via mail at Planning Division, City of Escondido, 201 N. Broadway, Escondido, California 92025 or via email at ~~kblackson@escondido.org or at palomarheights@escondido.org.~~ This The Draft EIR and related technical appendices are were available for review during the ~~45~~60-day public review period. As noted in the March 17, 2020 notice of availability, hardcopies of the document were not available for public review due to the COVID-19 pandemic and closure of physical facilities to the public. Consistent with the Executive Order N-54-20, notice was provided to interested parties and the document was available for review at: at the following locations:

- ~~• Escondido Public Library: 239 S. Kalmia Street, Escondido, California 92025~~
- ~~• Escondido City Hall Planning Division: 201 N. Broadway, Escondido, California 92025~~
- City of Escondido website: <https://www.escondido.org/palomarheights.aspx>

#### 1.4.4 Final EIR Publication and Certification

Once the ~~4560~~-day public review period ~~has~~ concluded, the City ~~will~~ reviewed all public comments on the Draft EIR and provided a written response to all written comments pertaining to environmental issues as part of the Final EIR (see Chapter 11, Response to Comments). The Final EIR ~~will~~ includes all written comments received during the public review period; responses to comments; and, if applicable, edits and errata made to the Draft EIR. The City will then consider certification of the Final EIR (14 CCR 15090). If the Final EIR is certified, the City may consider the Project approval (14 CCR 15092).

When deciding whether to approve the Project, the City will use the information provided in the Final EIR to consider potential impacts to the physical environment. The City will also consider all written comments received on the Draft EIR during the extended 4560-day public review period in making its decision to certify the Final EIR as complete and compliant with CEQA and in making its determination whether to approve or deny the Project. If the Project is approved, the City will file a Notice of Determination with the State Clearinghouse and San Diego County Clerk within five working days after Project approval (14 CCR 15094).

Subsequent to certification of the Final EIR, agencies with permitting authority over all or portions of the Project will use the Final EIR's evaluation of the Project's environmental effects in considering whether to approve or deny applicable permits.

#### 1.4.5 Mitigation Monitoring and Reporting Program

CEQA requires that a lead agency “adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment” (14 CCR 15097, 15091). The City, as the designated lead agency, is responsible for enforcing and verifying that each mitigation measure is implemented as required by the Mitigation Monitoring and Reporting Program.

### 1.5 Organization and Content of the EIR

This EIR is organized as follows:

- **Summary.** This chapter outlines the Project and conclusions of the environmental analysis, and provides a summary of the Project compared to the alternatives analyzed in the EIR. This chapter also summarizes feasible mitigation measures proposed to reduce or avoid each significant Project impact.
- **Chapter 1, Introduction.** This chapter briefly discusses the purposes of the EIR, the applicable environmental review process and procedures, and format and organization of the EIR.

- **Chapter 2, Project Description.** This chapter provides a thorough description of the Project, including its general location, Project objectives, characteristics, and required discretionary actions.
- **Chapter 3, Environmental Setting.** This chapter describes the Project location, physical environmental setting, and regulatory setting.
- **Chapter 4, Environmental Analysis.** This chapter discusses the regulatory and environmental setting, and provides an analysis of the Project’s potentially significant impacts, proposed mitigation measures to reduce or avoid any significant impacts, and conclusions regarding the level of significance after mitigation for each environmental impact issue.
- **Chapter 5, Effects Found Not to Be Significant.** This chapter discusses the reasons in which various possible significant effects of the Project were determined not to be significant and were therefore not discussed in detail in the EIR.
- **Chapter 6, Other CEQA Considerations.** This chapter addresses the Project’s potential growth-inducing impacts, which could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. This chapter addresses impacts that have been identified as significant and unavoidable, and provides an analysis of the significant irreversible changes in the environment that would result from the Project.
- **Chapter 7, Alternatives.** This chapter analyzes a reasonable range of potentially feasible alternatives to the Project that have the potential to reduce or avoid significant impacts associated with the Project.
- **Chapter 8, References.** This chapter lists the references and sources cited in each section of the EIR.
- **Chapter 9, List of Preparers.** This chapter provides a list of persons, organizations, and agencies that contributed to the preparation of this EIR.
- **Chapter 10, List of Mitigation Measures, Project Design Features, and Compliance Measures.** This chapter lists all the mitigation measures identified in Chapter 4. In addition, the project design features and compliance measures assumed to be a part of the Project based on Project design or regulatory compliance are listed in this chapter. Ultimately this chapter is intended to guide the future development of the Project’s Mitigation Monitoring and Reporting Program.
- **Chapter 11, Response to Comments.** This chapter includes all comments received on the Draft EIR during the 60-day Draft EIR public review period, as well as responses to each comment received on the Draft EIR.
- **Appendices.** The appendices include various technical studies and correspondence prepared for the Project, as listed in the table of contents.

## **CHAPTER 2            PROJECT DESCRIPTION**

This chapter describes the proposed Palomar Heights Project (Project). As required by Section 15124 of the California Environmental Quality Act (CEQA) Guidelines, this chapter contains the precise location and boundaries of the Project; a statement of objectives sought by the Project; a general description of Project's technical, economic, and environmental characteristics and its environmental setting; and a statement briefly describing the intended uses of the Environmental Impact Report (EIR). Consistent with CEQA Guidelines Section 15124, this chapter also includes, to the extent known, a list of the agencies expected to use the EIR in their decision making and a list of permits and other approvals required to implement the Project.

### **2.1            Project Location**

The 13.8-acre Project site is located in the central area of the City of Escondido (City), California. Figure 2-1, Project Location, shows the Project location within the County of San Diego and within the City of Escondido. Regionally, the City is situated in northern San Diego County, about 30 miles north of downtown San Diego via Interstate (I) 15. The Project site is approximately 1.6 miles east of I-15, and about 0.6 miles west of State Route 78. Locally, the site is located on the eastern edge of the downtown area of the City (Figure 2-2, Aerial Photograph).

The Project site is the Palomar Health Downtown Campus (Hospital Campus) site and various adjacent properties/parcels. The site is currently developed with hospital, medical office, and commercial uses, and associated parking facilities. The existing Hospital Campus and surrounding properties are composed of three areas; the main hospital building to the east of Valley Boulevard, medical offices and commercial uses to the west of Valley Boulevard, and medical offices along E. Grand Avenue and N. Fig Street. Refer to Chapter 3, Environmental Setting, for additional details.

The Project site is composed of 13 existing parcels. The Assessor's Parcel Numbers are as follows: 229-450-06-00, 229-450-05-00, 229-442-18-00, 229-442-04-00, 229-442-03-00, 229-442-02-00, 229-442-01-00, 230-163-01-00, 230-163-02-00, 230-163-03-00, 230-163-04-00, 230-163-05-00, and 760-246-09-00. With the implementation of the Project, the site would be consolidated and subdivided into a total of eight parcels: six residential parcels and one open space parcel located east of Valley Boulevard, and one residential parcel located west of Valley Boulevard.

### **2.2            Objectives**

Section 15124(b) of the CEQA Guidelines requires an EIR to include a statement of objectives sought by a project. The objectives assist the City as lead agency in developing a reasonable range of alternatives to the project to be evaluated in the EIR. The project objectives also assist the decision makers in preparing findings or, if necessary, a statement of overriding considerations. The statement of objectives should also include the underlying purpose of a project.

The underlying purpose of the Project is to revitalize the Palomar Health Downtown Campus site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types. Project objectives outlined below have also been developed to be consistent with the *Escondido Downtown Specific Plan* (Downtown Specific Plan; City of Escondido 2013) vision. Project implementation is guided by the following statement of Project objectives:

1. Promote efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan (City of Escondido 2013) vision.
2. Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.
3. Provide a variety of multi-family housing types and designs.
4. Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.
5. Provide a development with adequate and appropriate recreational amenities.
6. Develop a community that responds to the unique topography and character of the Project site and surrounding area.
7. Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.
8. Assist the City in implementing the *City of Escondido General Plan* (City of Escondido 2012) housing goals by increasing the City's housing stock.
9. Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.
10. Improve Valley Boulevard to include multi-modal transportation features.
11. Provide a high-quality, attractive residential and commercial development.
12. Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.

## **2.3 Project Description**

### **2.3.1 Project Components**

The Project proposes to demolish all existing structures on site, and construct a mixed-use residential and commercial development (Figure 2-3, Project Site Plan). The Project would include 510 dwelling units and up to 10,000 square feet of commercial space. In addition, the Project would include supporting open space and recreational amenities, landscaping, parking, and

infrastructure improvements. The infrastructure improvements include utility connections to existing utility lines within the adjacent roadways as well as roadway frontage improvements. Table 2-1 provides a summary of the proposed uses.

**Table 2-1  
Proposed Uses**

Use	Units	Square Feet
<i>Residential</i>		
Senior Apartments	90	—
Apartments	258	—
Villas	<del>7290</del>	—
Rowhomes	<del>9072</del>	—
<b>Total</b>	<b>510</b>	—
<i>Commercial</i>		
Commercial (café, work space, restaurant, leasing space, etc.)	—	10,000
<b>Total</b>	—	<b>10,000</b>
<i>Open Space</i>		
Private	—	45,375
Active	—	<del>40,226</del> 33,209
Passive	—	<del>99,705</del> 96,535
<b>Total</b>	—	<del>145,306</del> 175,119

### Residential

The residential uses would be composed of four multi-family residential unit types; senior apartments, apartments, villas, and rowhomes. The Project site would have an overall residential density of 37 units per acre. Below is a description of each housing type proposed.

- **Senior apartments** would be situated within one four-story building on the western portion of the Project site (west of Valley Boulevard). The ground floor would provide on-site parking and one residential unit, as well as commercial uses described later in this section. The floors above would be composed of residential units. A total of 90 units would be provided in the building, consisting of a mix of one and two-bedroom units ranging from approximately 600 to 825 square feet. The senior apartments include available universal design features, including accessible route from public areas and parking to the door, 32-inch wide no-step entry accessible doors, interior accessibility features (accessible light switches, doorbell, closets, counters, etc.), and interior maneuverable space.
- **Apartments** are proposed on the east of Valley Boulevard, fronting on Valley Boulevard, E. Valley Parkway, and E. Grand Avenue. A total of 258 apartments would be provided within three buildings. The proposed buildings would be five levels, with four floors and a mezzanine. The apartment building located on the northern side of the Project site along E. Valley Parkway

would include 70 units, the apartment building along Valley Boulevard would include 148 units, and the apartment building east of the Project driveway on E. Grand Avenue would include 40 units. Apartment units would include one, two, and three bedroom units ranging in size from approximately 650 to 1,550 square feet. Two of the apartment buildings would also include commercial and recreational uses, as described below.

- **Villas** would be located east of the apartments within the central area of the site. A total of 90 villas would be provided within nine three-story buildings, including two- and three-bedroom units. The villa units would range from approximately 1,100 to 1,650 square feet. Each villa would include a garage on the first floor, which is further discussed under parking, below.
- **Rowhomes** would be located in the southeastern area of the site, with frontage along E. Grand Avenue and N. Fig Street. Rowhomes would provide 72 dwelling units within 11, three-story buildings, including two- and three-bedroom units. Rowhomes would range in size from approximately 1,415 to 1,875 square feet.

### Commercial

The Project would include up to 10,000 square feet of commercial space. The proposed commercial space would be located at the northeast and northwest corners of the E. Grand Avenue/Valley Boulevard/E. Second Avenue intersection. Commercial space is proposed within the southern area of the senior apartment building as well as on the southern side of the apartment building proposed adjacent to this intersection. The commercial use areas could be used as a café, collaborative work space, bar/restaurant, indoor farmers market or food market, and/or leasing space. See Figure 2-3, “Commercial” and “Commercial Tower.”

### Architecture

The Project would have a unified modern architectural style, with a subset of styles for each area of the site (Figure 2-4, Elevations, and Figure 2-5, Rendering). The proposed structures would range from one to five stories, with heights ranging from 36 feet to 75 feet consistent with the Downtown Specific Plan height limits. The tallest component would consist of the Commercial Tower located at the northeast corner of Valley Boulevard and E. Grand Avenue. The Commercial Tower would include four stories of interior commercial space, along with a rooftop 20-foot architectural feature (non-habitable space) that would serve as a visual landmark (Figure 2-5). The color scheme would include varying shades of gray, off-white, and tan. Surfaces would be primarily stucco and glass, with accents of white corrugated metal, black metal, stone veneer, and varying types of wood to provide visual interest. The building design would be in accordance with the Downtown Specific Plan (City of Escondido 2013), which includes step-back building facades for upper floors at the corner of E. Grand Avenue, variation of the roofline heights, and articulation of facades to create a

pedestrian and street-orientation. Surface parking would be located on the interior of the site behind buildings so those areas would not be visible from the street. A focal point of the Project would be at the E. Grand Avenue/Valley Boulevard/Second Avenue intersection where the proposed mixed-use tower would be located. This corner is intended to include a public plaza with art and possible outdoor dining areas associated with the commercial uses.

### Recreation and Open Space

The Project includes recreational and open space amenities to support the proposed residential uses (Figure 2-3). The usable recreational and open space amenities include a centrally located pool/spa and community pavilion/clubhouse building, a gym within the main apartment building, a dog park located in the northeastern portion of the Project site and a pocket park near the southeastern corner of the Project site. A total of ~~40,226~~33,209 square feet of recreational (active) open space is provided on the Project site, with an ~~additional 99,705~~96,535 square feet of passive open space spread throughout the Project site in the form of walkways, courtyards, and open landscaped areas. A total of 45,375 square feet of private open space would be provided via balconies and patios associated with residential units. Overall, the Project would provide a total of ~~185,306~~175,119 square feet of open space, or ~~363~~343 square feet of space per unit, which would exceed the 300 square feet per unit minimum identified in the Downtown Specific Plan (City of Escondido 2013).

### Landscaping

A total of ~~4.5~~41 acres of landscaping is proposed throughout the site. Streetscape trees would be incorporated along Valley Boulevard, E. Grand Avenue, and E. Valley Parkway. Defining landscaping at the corner of N. Hickory Street/E. Valley Parkway/Valley Boulevard would demarcate the area as the main Project entrance; and a variety of trees, shrubs, and groundcover would be appropriately incorporated throughout the interior of the site. All proposed landscaping would be drought tolerant, and is depicted in Figure 2-6, Landscape Plan.

### Parking

Parking would be provided throughout the site. Parking for senior units would be provided within the first floor of the building, and would be provided at a rate of 0.75 spaces per one bedroom unit and 1.5 spaces per two bedroom unit. Parking for the proposed multi-family units would include 1.5 spaces per one bedroom unit, 1.75 spaces per two bedroom unit, and 2 spaces per three bedroom unit. Parking for the multi-family units would be provided in garages on the first floor of the apartment buildings, in attached garages in the rowhomes and villas, and in surface lots within the interior area of the site. Each apartment unit would have one covered parking space (in the first floor garage), and each villa and rowhome would have a private two-car garage. Guest parking would be provided at a ratio of approximately 0.17 spaces per unit, which is less than the 0.25

parking spaces per unit required by the Downtown Specific Plan. This deficiency would be addressed as part of the Planned Development Permit discussed in Section 2.3.3, Project Approvals, below. Overall, the Project would provide ~~891~~877 parking spaces via garage, open, and parallel spaces. The Project would also include accessible parking spaces and electric vehicle charging stations as required by state and local codes. Bike racks would also be provided along Valley Boulevard and within the interior of the Project site east of Valley Boulevard. The Project has been designed to reduce the visibility of parking areas by maximizing the inclusion of parking within structures and within the interior of the site.

In addition to the on-site parking, the Project modifications to Valley Boulevard would involve changes to street parking. Currently there is street parking allowed along Valley Boulevard with 10 spaces provided along the west side and 9 spaces along the east side. With the implementation of the Project circulation and access improvements identified below, parking along Valley Boulevard would be increased to 21 spaces.

### Project Utilities

The Project would replace an existing hospital facility in an urbanized area with available infrastructure. The Project includes the needed utility improvements to electric power, natural gas, telecommunications facilities, water, sewer, and storm drain facilities to serve the Project. Proposed power, natural gas, and telecommunications facilities improvements would include connections to existing service lines located in the adjacent roadways. Water, sewer, and storm drain facilities improvements are shown on Figures 2-7a through 2-7c, Utilities Plan, and described in additional detail below.

The proposed water system would consist of an 8-inch and 12-inch public pipeline system within the Project that would connect to the City's water system within the adjacent roadways. There are two proposed connections to the existing City of Escondido public system; one to the 12-inch pipeline in E. Valley Parkway and another to the line in E. Grand Avenue that is proposed to be upsized. To meet water system design criteria and fire flow requirements provided by the City of Escondido Fire Department, the existing off-site 6-inch water main in E. Grand Avenue would be replaced with a 12-inch water main from the S. Hickory Street intersection east to N. Fig Street.

The proposed on-site sewer improvements include an 8-inch public sewer main system within the private drives that would connect to the proposed buildings via private 6-inch sewer laterals located within alleyways. The senior apartment building would extend a new 8-inch gravity sewer along Valley Boulevard from the existing sewer line with flows north on N. Hickory Street. A new 8-inch sewer lateral would be constructed from the senior apartment building to this new sewer main in Valley Boulevard, and a new 6-inch sewer lateral would connect the commercial component of the building to the new sewer main in Valley Boulevard. ~~Two sewer alternatives~~

~~are currently proposed: Sewer Alternative 1 would direct all flows to an existing main in N. Hickory Street to the northwest, and Sewer Alternative 2~~The proposed sewer system would split flows between the N. Hickory Street main and the sewer main in N. Fig Street. ~~All but 12 of the dwelling units would direct sewage to the N. Hickory Street 12-inch sewer main, while 12 units would be directed to the N. Fig Street sewer main. In order to accommodate the sewage flow in the N. Fig Street sewer main, approximately 540 feet of the existing 8-inch gravity sewer would be upsized to a 10-inch pipe north of the alley between E. Ohio Avenue and E. Pennsylvania Avenue within N. Fig Street. which could result in off-site improvements to the existing 8-inch sewer main for up to approximately 540 linear feet. The proposed utilities system within the Project site under Sewer Alternative 1 is shown on Figure 2-7a, Utilities Plan—Sewer Alternative 1. The proposed utilities system within the Project site under Sewer Alternative 2 is shown on Figures 2-7b and 2-7c, Utilities Plan—Sewer Alternative 2, Sheets 1 and 2.~~

The proposed on-site storm drainage network within the Project would tie into the existing drainage network on Valley Parkway and N. Fig Street. The existing 18-inch storm drain within E. Valley Parkway would be replaced and upsized to a 36-inch storm drain in order to accommodate the Project flows. No extensions or expansion of existing infrastructure systems within N. Fig Street would be necessary to serve the Project beyond connections to existing facilities located within roadways immediately adjacent to the Project site.

### Project Circulation and Access

Primary vehicular and pedestrian access would be provided to the Project site at the intersection of E. Valley Parkway/N. Hickory Street/Valley Boulevard. This entrance would include signage and landscaping to demarcate it as the main entrance. Other vehicular and pedestrian access points would be provided at two locations along E. Grand Avenue and a public alley west of Valley Boulevard. Valley Boulevard and N. Fig Street would provide pedestrian-only access to the Project site. In addition, pedestrian access would be provided at the northeastern corner of Valley Boulevard and E. Grand Avenue via the plaza and the parking garage. The Project would make improvements to Valley Boulevard and E. Grand Avenue.

The Valley Boulevard improvements would include removal of the southbound lane in order to provide 21 parking spaces, improve and widen the sidewalk, provide a northbound bike lane, and reduce the pedestrian crossing width. Due to the low southbound traffic volumes, the elimination of the southbound lane would have minimal effects to capacity (see Section 4.6, Transportation; PDF-TR-1). With the implementation of the Project, Valley Boulevard would become a one-way northbound roadway. As shown in Figure 2-8, Valley Boulevard Conceptual Plan, Valley Boulevard would have a ~~6673~~6510-foot-wide right-of-way that would include, from west to east, a ~~6.5~~10-foot-wide sidewalk, 8.5-foot-wide parallel parking stalls with an adjacent 3-foot-wide buffer, two 12-foot-wide northbound traffic lanes, a 5-foot-wide

northbound bike lane with an adjacent 2-foot-wide buffer on each side, 8.5-foot-wide parallel parking or 11-foot-wide bus pull-out space, and another ~~6-5~~10-foot-wide sidewalk provided for pedestrian usage and access to residential units. The Project would also include a bulb-out at the intersection of Valley Boulevard and E. Grand Avenue to reduce the pedestrian crossing width and calm traffic conditions. These improvements to Valley Boulevard also involve relocating existing infrastructure such as street lights and traffic signals.

The Project would include half width frontage improvements to E. Grand Avenue along the Project frontage to Collector standards per the City's adopted Mobility and Infrastructure Element of the *City of Escondido General Plan* (General Plan; City of Escondido 2012). The proposed frontage improvement to E. Grand Avenue would include widening the two westbound vehicular lanes adjacent to the Project site to 32 feet total and improving the sidewalk. In addition, a painted median would be provided on E. Grand Avenue along the Project frontage, as well as two raised median "pork chops" at the N. Hickory Street/E. Grand Avenue and the N. Fig Street/E. Grand Avenue intersections. The N. Hickory Street/E. Grand Avenue raised median would control turn movements in a manner that provides a dedicated left-turn pocket into the Project's Private Drive B along E. Grand Avenue, prohibits travel from N. Hickory Street into Private Drive B or westbound E. Grand Avenue, and restricts outbound Private Drive B traffic to right-out only. The N. Fig Street/E. Grand Avenue pork chop restricts outbound Private Drive E traffic to right-in and right-out only. The sidewalk improvements along E. Grand Avenue would result in an 8-foot-wide pedestrian corridor with a 5-foot-wide sidewalk. As a part of this, the Project would include a small street dedication area just north of the Grape Street and E. Grand Avenue intersection. These improvements to E. Grand Avenue also involve relocating existing infrastructure such as utility poles, a fire hydrant, and a traffic signal (corner of N. Fig Street and E. Grand Avenue).

The Project would include half width improvements to N. Fig Street to the Local Collector standard along the Project frontage. This includes relocation of the traffic signal at the northwest corner of the E. Grand Avenue and N. Fig Street intersection. The Project would not include any hardscape improvements to N. Fig Street, but grading within the right-of-way on the west side of the sidewalk may be necessary, and street trees would be installed. As discussed in Section 2.3.3, Project Approvals, the Project would include a General Plan Amendment to N. Fig Street as well as a Specific Alignment Plan.

The Project would include internal pedestrian linkages, as shown in Figure 2-9, Connectivity Plan. These walkways would connect the proposed residential units to on-site recreational amenities, as well as to the sidewalks along the perimeter of the site. Due to the site topography, pedestrian connections are limited in some areas. The Project includes a pedestrian ramp on the eastern side of the site in order to provide a connection to N. Fig Street. In addition to sidewalks along the driveway at the main Project entrance, the Project includes pedestrian access from the proposed northern apartment building to the E. Valley Parkway sidewalk, and multiple connections are

provided from the other two apartment buildings to Valley Boulevard and E. Grand Avenue. The senior housing building includes a network of walkways to the north and south of the building that connect to the sidewalk system as well. Pedestrian connections along E. Grand Avenue in the vicinity of the rowhomes are limited to the private driveway access location due to topographical differences. Overall, the Project provides internal pedestrian connections and maximizes pedestrian connections to the adjacent areas as feasible based on Project design.

It is noted that the Project would also include roadway improvements as ~~mitigation~~ compliance measures. Refer to Section 4.6, Transportation, for additional details.

Overall, the proposed improvements are intended to improve multi-modal transportation, and promote pedestrian and bikeway connections to the downtown area.

### **2.3.2 Demolition, Grading, and Construction**

The Project would include demolition, grading, and construction phases (Table 2-2). The site is currently developed with the Palomar Health Downtown Campus (see EIR Section 1.1). The Project includes the demolition of all existing buildings and hardscape, as well as removal of two known underground storage tanks for diesel fuel and potentially removal of up to three other tanks based on the historic uses of the property. Once the demolition phase is complete, the site would be graded into pads for the proposed buildings and trenching would be completed for utility improvements. Grading, including remedial grading, would involve 212,361 cubic yards of cut and 227,831 cubic yards of fill (Figure 2-10, Grading Plan). Overall, 15,470 cubic yards of import would be required. With over 40 feet of vertical change in the existing topography, the proposed grading for the Project creates both cut and fill conditions throughout the site in order to provide for necessary pad areas. As a result, there would be both cut and fill slopes around the perimeter of the site to create the pads for construction. Portions of the proposed fill slopes on the site would exceed ten feet or higher within fifty feet of the property line. As such, a grading exemption would be necessary. In an effort to soften the impacts of the slopes and maintain the Project design, terraced retaining wall systems are proposed and reflected on Figure 2-11, Wall Plan. No rock blasting is anticipated to be necessary during grading (Appendix L, Updated Geotechnical Evaluation). The construction would be divided into phases, including the construction of senior housing units, apartments, and rowhomes and villas. Issuance of building permits for the housing units would be market driven and generally phased along with the necessary public improvements. All public improvements would be installed prior to or concurrently with construction of the first buildings.

**Table 2-2  
Estimated Construction Phasing\***

Project Construction Phase	Construction Start Month/Year	Construction End Month/Year
Demolition	06/2020	12/2020
Site Preparation	01/2021	05/2021
Grading	05/2021	11/2021
Paving 1	11/2021	02/2022
Building Construction	02/2022	05/2026
Paving 2	01/2025	03/2025
Architectural Coating	01/2026	05/2026

\* Due to delays, it is acknowledged that this schedule start date would be moved to a later date. All construction phases would be adjusted accordingly.

### 2.3.3 Project Approvals

Approvals required to implement the Project would include (1) a Tentative Subdivision Map, (2) Specific Plan Amendment, (3) Planned Development Permit (Master and Precise Plans), (4) a Development Agreement, (5) a General Plan Amendment (Mobility and Infrastructure Element), ~~and~~ (6) a Specific Alignment Plans (SAPs), and (7) Grading Exemptions. Table 2-3 identifies the required discretionary approvals and permits, and is followed by a description of each such approval and permit.

**Table 2-3  
Proposed Discretionary Approvals and Permits**

Discretionary Approval/Permit	Agency Title	Agency Type
Tentative Map	City of Escondido	Lead Agency
Specific Plan Amendment	City of Escondido	Lead Agency
Planned Development Permit (Master and Precise Plans)	City of Escondido	Lead Agency
Development Agreement	City of Escondido	Lead Agency
General Plan Amendment	City of Escondido	Lead Agency
Specific Alignment Plan	City of Escondido	Lead Agency
<u>Grading Exemption</u>	<u>City of Escondido</u>	<u>Lead Agency</u>

### Tentative Subdivision Map

The Project includes a tentative subdivision map. The map depicts the grading and drainage, individual residential lots, common ownership lots, public streets, private driveways, and infrastructure improvements. A final subdivision map or multiple final subdivision maps would be recorded, including maps for the condominium units and apartments. The apartment units would be mapped to condominium standards. With the implementation of the Project, the site would be consolidated and

subdivided into a total of eight parcels: six residential parcels and one open space parcel located east of Valley Boulevard, and one residential parcel located west of Valley Boulevard.

The Project tentative subdivision map also adjusts the parcels associated with right-of-way changes and an easement vacation. These right-of-way changes include an additional 4-foot right-of-way dedication along the existing alley located to the west of the Project site, right-of-way acquisition and dedications of varying width (3 to 11 feet) along Valley Boulevard associated with the SAP, a 7-foot right-of-way acquisition and a small dedication along N. Fig Street associated with the Project's General Plan Amendment, and a small right-of-way dedication along E. Grand Avenue. The tentative subdivision map also reflects an easement vacation for an alley that extends into the Project site from N. Fig Street. Overall, the proposed tentative map results in an additional 3,7581,155 square feet of street dedication, 4,813 square feet of street vacation, and 5,2717,767 square feet of street acquisitions.

### Specific Plan Amendment

Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed Specific Plan Amendment would change the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit. The proposed Specific Plan Amendment would be prepared in conformance with Sections 65450–65457 of the California Government Code.

### Planned Development Permit (Master and Precise Plans)

A Planned Development Permit would be included as a part of the Project. The Planned Development process is intended to encourage the development of larger areas to provide more comprehensive planning and building design, while allowing flexibility from the standards of the Escondido General Plan and Zoning Code. This process requires the preparation of a Master and Precise Development Plan. For this Project, the Planned Development Permit would allow ground-floor residential uses and a reduction in parking requirements, as well as a request from the Density Transfer Program's Density Credit Pool in order to increase density greater than 75 dwelling units per acre for the proposed senior housing component of the Project west of Valley Boulevard.

### Development Agreement

A Development Agreement would be included as part of this Project, which documents results in the provision of overall benefits to the City and adequate development controls in exchange for vested rights in Project approvals. Development Agreements are contracts negotiated between project developers and public agencies that typically vest the developer's rights to develop in accordance with project approvals and existing laws. California Government Code Section 65864 et seq. and Article 58 of the Escondido Zoning Code authorize the creation of Development

Agreements, set minimum standards for what must be included in such agreements, and provide general procedural requirements for consideration and approval of Development Agreements.

The Downtown Specific Plan allows development of the Project site at up to 100 dwelling units per acre east of Valley Boulevard (where the apartments, villas, and rowhomes are proposed), and up to 75 dwelling units per acre west of Valley Boulevard (where the senior apartments are proposed) (City of Escondido 2013). The Development Agreement would include a transfer of density from the City's density credit pool ~~Project area east of Valley Boulevard~~ into the Project area west of Valley Boulevard ~~to the~~ for the proposed senior housing in order to allow a density greater than 75 dwelling units ~~per acre west of Valley Boulevard~~ for that property. This density transfer would be in accordance with the City's Density Transfer Program and would allow for a higher density to be achieved on the Project site. This Density Transfer would also involve the transfer of the ~~remainder~~ net 830 units to the City's Density Transfer Program density credit pool, which would allow for future development in the Downtown Specific Plan area to obtain additional density beyond that that is permitted by the current zoning at the discretion of the City via the Planned Development Permit process (see above). It is noted that the density credit pool transfer may ultimately be completed via another City-approved agreement, and the Development Agreement may not be necessary to implement.

### General Plan Amendment (Mobility and Infrastructure Element)

N. Fig Street between E. Valley Parkway and E. Grand Avenue is currently classified as a Collector Street in the City's General Plan Mobility and Infrastructure Element (City of Escondido 2012). Collector Streets are defined as four-lane roadways without medians, without curbside parking, and with bicycle lanes. While not prohibited, driveways to residences are discouraged along Collector Streets. Collector Streets are intended to handle approximately 34,200 vehicles per day.

Currently N. Fig Street is developed as a two lane road with a partial painted centerline. Three residences currently have driveways on this segment of Fig Street and street parking is provided in areas not near intersections. Based on the Traffic Impact Analysis prepared for this Project (Appendix J), N. Fig Street between E. Valley Parkway and E. Grand Avenue currently experiences traffic volumes of 5,660 average daily trips, which would grow to 7,940 average daily trips in the Year 2035 with the Project condition. Considering the current and future anticipated traffic volumes along Fig Street as well as the function of this roadway, the Project includes a General Plan Amendment to change the classification of N. Fig Street from a Collector Street to a Local Collector.

The Local Collector classification is defined as a two-lane roadway that may have a median, with direct residential driveway access permitted, and curbside parking is allowed except near intersections where turn-lanes are provided. Local Collectors are intended to carry less than 10,000 average daily trips. As such, the Local Collector classification is appropriate for the segment of

N. Fig Street between E. Valley Parkway and E. Grand Avenue. Due to this reduction in classification, 7 feet of right-of-way would be vacated and incorporated into the Project site, as discussed under the Tentative Subdivision Map section above.

### Specific Alignment Plans

The City's General Plan Mobility and Infrastructure Element's (City of Escondido 2012) Street Network Policy 7.2 states the City may "[a]llow Specific Alignment Plans for unique situations when standard widening is not adequate for future needs or when special conditions/constraints exist which require a detailed implementation plan." Pursuant to this, the Project includes a SAP for the proposed changes to Valley Boulevard and N. Fig Street. Refer to Section 2.3.1, Project Components, for details regarding the proposed Valley Boulevard changes. Refer to the General Plan Amendment above regarding the changes to N. Fig Street. These changes are intended to accommodate the special conditions and transportation needs of the area. Due to the Valley Boulevard changes, an associated right-of-way vacation along both the sides of this road would occur and would be incorporated into the Project site. Right-of-way would be dedicated at the northeast corner of the E. Grand Avenue and Valley Boulevard intersection. Overall, these right-of-way changes along Valley Boulevard would result in an increase in Project site acreage by 5,240 square feet and would reduce the right-of-way width 80 feet, to ~~66~~73 feet.

### Grading Exemption

Per City Municipal Code Section 33-1066(c), a Grading Exemption is required for any fill slopes (including retaining walls) that are over 10 feet in height and within 50 feet of a property line. A Grading Exemptions are requested as part of the Project approvals in order to provide for the necessary pad areas to construct the proposed product types(s). Specifically, the Project proposes two fill slope areas that would exceed the limitations set forth by the Municipal Code; one area at the main Project entrance and one area along the east side of the Project. In order to visually soften the height difference, those fill slopes consist of a combination of 2:1 slopes and terraced retaining walls. Refer to the Figure 2-11, Wall Plan, for additional details.

## **2.3.4 Project Design Features and Compliance Measures**

The Project incorporates a number of project design features (PDFs) and compliance measures (CMs). These represent standard measures that are implemented by projects in compliance with regulations as well as project design features that were considered a part of the Project in the analysis included within this EIR. New residences would be designed to minimize water usage for both interior and exterior facilities. Drought-tolerant plants and landscape design concepts that minimize the use of water also would be used. Maximum energy-saving features and solar energy-producing capabilities would be incorporated as required by the California Building Code and

other laws and regulations. The specific PDFs and CMs are addressed throughout Chapter 4, Environmental Analysis, and Chapter 5, Effects Not Found to Be Significant, of this EIR. A complete list of PDFs and CMs is included in Table 2-4 and in Chapter 10, List of Mitigation Measures, Project Design Features, and Compliance Measures.

**Table 2-4**  
**Project Design Features and Compliance Measures**

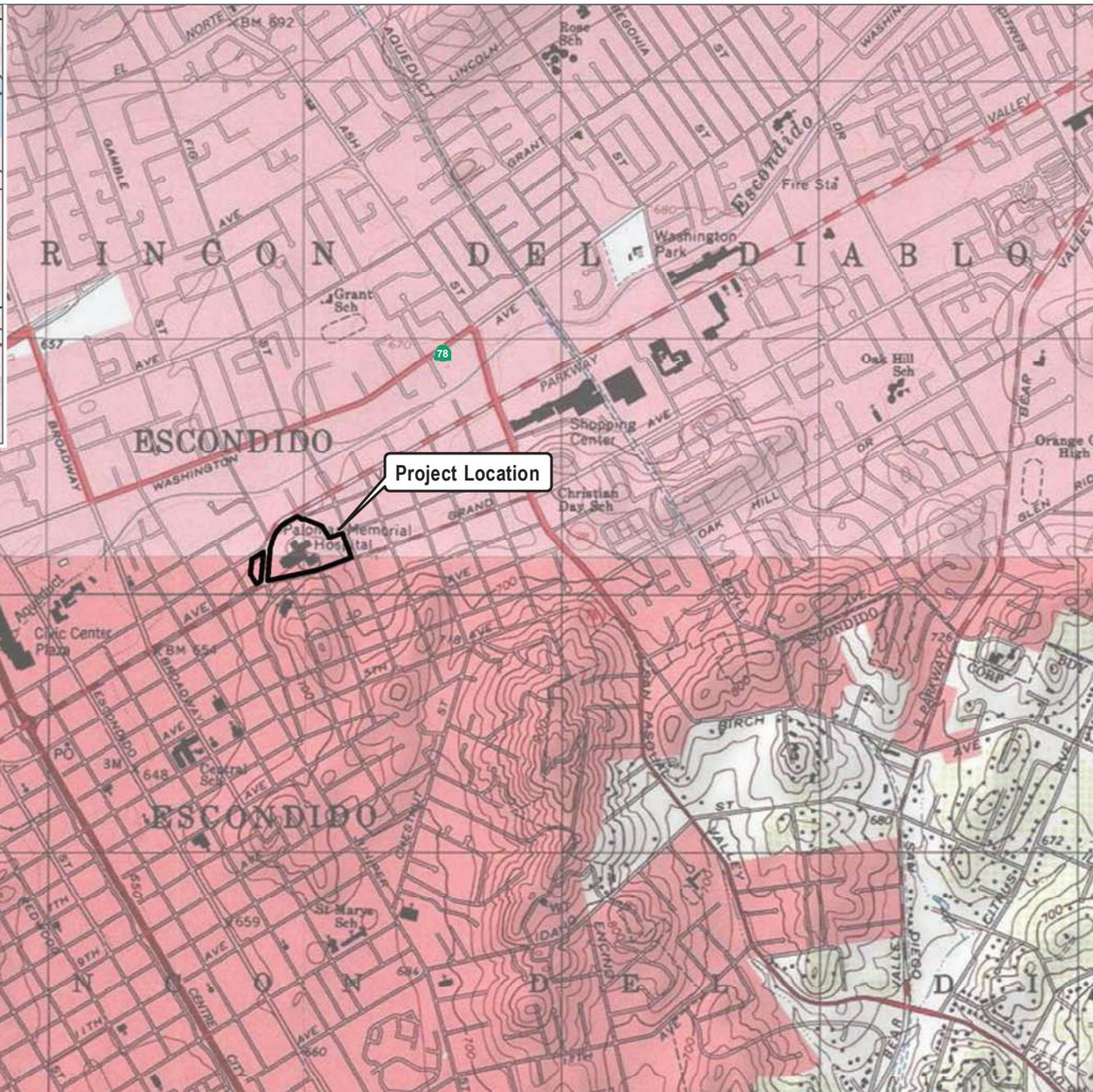
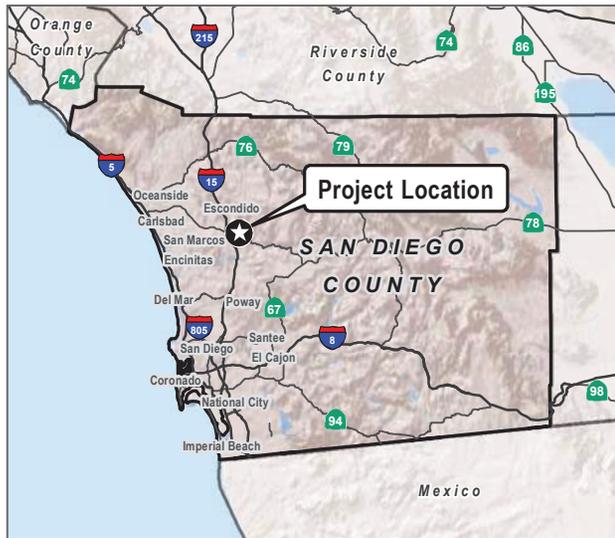
PDF/CM No.	Description
<i>Aesthetics</i>	
<b>CM-AE-1</b>	In accordance with Article 35 of the Zoning Ordinance, all exterior lighting fixtures, with the exception of street lamps, would be aimed or shielded so that unnecessary nighttime lighting and glare would be reduced for the benefit of City residents and astronomical research at Palomar Mountain Observatory. In accordance with Zoning Ordinance Section 33-713, lighting installed in the public right-of-way would also comply with the City's Engineering Design Standards and Standard Drawings.
<i>Air Quality</i>	
<b>CM-AQ-1</b>	In accordance with San Diego Air Pollution Control District (SDAPCD) Rule 55, Fugitive Dust Control, the Project will include dust control measures during grading.
<b>CM-AQ-2</b>	The Project shall comply with State of California Health and Safety Code, Division 26, Part 4, Chapter 3, Section 41700 and SDAPCD Rule 51 regarding emissions and odors.
<b>CM-AQ-3</b>	The Project shall comply with applicable California Air Resources Board (CARB) regulations and standards. CARB is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the federal Clean Air Act, and regulating emissions from motor vehicles and consumer products. CARB oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional and county levels.
<b>CM-AQ-4</b>	The Project will comply with SDAPCD regulations, including federal and state ambient standards they implement in the San Diego Air Basin.
<i>Biological Resources</i>	
<b>CM-BI-1</b>	The Project shall replace any mature or protected tree removed by the Project in accordance with the City of Escondido – Mature and Protected Tree Ordinance, Section 33-1069, Article 55 of Chapter 33 of the City's Zoning Code.
<i>Cultural Resources</i>	
<b>CM-CR-1</b>	<u>The Project shall comply with the City Municipal Code Chapter 33, Article 40, Section 33-803, procedure and findings for obtaining a nonemergency demolition permit. This shall specifically include compliance with City requirements related to the demolition of a significant historic resource.</u>
<i>Geology and Soils</i>	
<b>PDF-GE-1</b>	The Updated Geotechnical Evaluation and Recommended Grading Specifications (Appendix L, prepared by GeoTek), shall be adhered to for construction of the Project. The recommendations and site design features include but are not limited to the following: <ul style="list-style-type: none"> <li>• All Project site slopes would be landscaped with drought-tolerant vegetation having variable root depths and requiring minimal landscape irrigation, in accordance with the Project's Landscaping Plan.</li> <li>• All Project slopes would be drained and properly maintained to reduce erosion.</li> <li>• Removal of surficial deposits within the site to further stabilize these areas, as determined to be needed by a qualified geologist.</li> <li>• Concrete cracking would be prevented by limiting the slump of the concrete, proper concrete placement and curing, and placement of crack control joints at periodic intervals, in particular, where re-entrant slab corners occur.</li> </ul>

**Table 2-4  
Project Design Features and Compliance Measures**

PDF/CM No.	Description
<b>CM-GE-1</b>	The Project shall comply with the applicable requirements in Title 24 of the California Building Code of Regulations.
<i>Greenhouse Gas Emissions</i>	
<b>CM-GH-1</b>	The Project shall comply with applicable CARB regulations and standards. CARB is responsible for and is recognized as having the expertise to carry out and develop the programs and requirements necessary to achieve the GHG emissions reduction mandate of Assembly Bill 32. CARB oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional and county levels.
<i>Hazards and Hazardous Materials</i>	
<b>CM-HZ-1</b>	All future on-site uses shall comply with the County of San Diego Department of Environmental Health Unified Program Facilities Permit program and implement a hazardous materials business plan as appropriate to ensure compliance with Hazardous Waste – 22 CCR 66261.3, Excluded Recyclable Material (ERM) – HSC 25143.2, Retrograde Material – 22 CCR 66260.10, and Surplus Material (Continued Use) – 22 CCR 66260.10.
<b>CM-HZ-2</b>	All future on-site uses shall comply with the California Division of Occupational Safety and Health, which includes the preparation and implementation of an Injury and Illness Prevention Program as applicable.
<b>CM-HZ-3</b>	<u>The Project shall comply with all hazardous materials regulations during demolition, grading, and construction. Any areas of the Project site found to be contaminated with hazardous materials during demolition, grading, and construction shall be remediated in conformance with applicable federal, state, and local laws. These laws may include, but are not limited to, the Resource Conservation and Recovery Act, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, International Fire Code, Occupational Safety and Health Act, Cal/OSHA requirements, the Hazardous Waste Control Act, the CalARP Program, and the California Health and Safety Code.</u>
<i>Hydrology and Water Quality</i>	
<b>CM-HY-1</b>	Prior to the issuance of grading permits, a stormwater pollution prevention plan (SWPPP) shall be prepared by the Applicant's qualified engineer and approved by the City. Project grading and construction activities shall be conducted in accordance with the approved SWPPP.
<i>Land Use</i>	
<b>PDF-LU-1</b>	In accordance with the intent of the Downtown Specific Plan, the Project will include a focal point at the E. Grand Avenue/Valley Boulevard/E. Second Avenue intersection, with features such as a public plaza, outdoor art, outdoor dining, and enhanced visually prominent architectural landmark features.
<i>Noise</i>	
<b>CM-N-1</b>	Prior to the issuance of building permits, an interior noise analysis shall be conducted by the Project Applicant for the proposed dwelling units along E. Valley Parkway and E. Grand Avenue. Installation of mechanical ventilation systems or air conditioning systems and sound-rated windows shall be required if the interior noise analysis shows that impacts are above the state and City 45 dBA L <sub>dn</sub> interior standard. The interior noise analysis shall substantiate that the resulting interior noise levels will be less than the noise standard.
<i>Public Services</i>	
<b>CM-PS-1</b>	Consistent with Article 18B of Chapter 6 of the Escondido Municipal Code, the Applicant shall provide payment of applicable public facilities fees.
<b>CM-PS-2</b>	As applicable, the Applicant shall pay school fees in accordance with Government Code 65995 and Education Code 17620.

**Table 2-4  
Project Design Features and Compliance Measures**

PDF/CM No.	Description
<b>CM-PS-3</b>	Pursuant to Article 18C, Chapter 6, of the City's Municipal Code, the Applicant shall pay a park fee to ensure that the parkland and recreational facility standards established by the City are met with respect to the additional needs of the development.
<i>Transportation</i>	
<b>PDF-TR-1</b>	Prior to the issuance of construction permits related to Valley Boulevard, the Applicant shall coordinate with the North County Transit District to provide a public transit bus turn-out on Valley Boulevard, north of its intersection with E. Grand Avenue.
<b>PDF-TR-2</b>	As identified on the Specific Alignment Plan, the Project includes the following improvements to Valley Boulevard, between E. Valley Parkway and E. Grand Avenue: <ul style="list-style-type: none"> <li>• Removal of the southbound lane to limit traffic to northbound travel only</li> <li>• Retention of street parking</li> <li>• Improvement of pedestrian crossing by providing a bulb-out</li> <li>• Provision of a northbound bike lane</li> <li>• Provision of a ride-share hub that includes a pick-up and drop-off area</li> <li>• Accommodation of a public transit bus turn-out</li> </ul>
<b>CM-TR-1</b>	Prior to issuance of the <del>first</del> building permit for the 385 <sup>th</sup> unit, the Project Applicant, or their successors in interest, shall design and construct a new traffic signal at the N. Ivy Street/E. Valley Parkway intersection to the satisfaction of the City of Escondido.
<b>CM-TR-2</b>	Prior to the issuance of the <del>first</del> certificate of occupancy for the 395 <sup>th</sup> unit, the Applicant shall deposit a fair-share contribution (4.6%) toward the installation of a traffic signal, roundabout, or other necessary improvement, as determined by the City Engineer, at the E. Grand Avenue/Ivy Street intersection. Funds shall be deposited into the future public improvements trust deposit account and the Applicant shall coordinate with the City to incorporate improvements at the E. Grand Avenue/Ivy Street intersection in the City's future Capital Improvement Program (CIP).
<b>CM-TR-3</b>	Prior to issuance of a grading permit, the Applicant shall obtain a City-approved Traffic Control Plan and the grading plan notes shall identify that adherence to the Traffic Control Plan during grading and construction is required.
<i>Utilities and Service Systems</i>	
<b>CM-UT-1</b>	Project owners shall be responsible for design of improvements, posting of securities for improvements, and construction of improvements in accordance with the most recent adopted edition of the following: City of Escondido Design Standards and Standard Drawings, City of Escondido bonding policy, County of San Diego Regional Standard Drawings (SDRSD), Caltrans Standards, American Association of State Highway and Transportation Officials (AASHTO), Manual for Uniform Traffic Control Devices (MUTCD), American Water Works Association (A.W.W.A.), and other federal and state published engineering manuals approved by the City Engineer.
<i>Wildfire</i>	
<b>CM-WF-1</b>	The City of Escondido Fire Code regulates minimum fire safety requirements for new and existing buildings, facilities, storage, and processes. The Fire Code addresses fire prevention, fire protection, life safety and safe storage and use of hazardous materials in new and existing buildings, facilities, and processes. The Fire Code provides a total approach of controlling hazards in all buildings and sites, regardless of the hazard being indoors or outdoors. Ordinance 2016-09.



SOURCE: USGS 7.5-Minute Series Valley Center and Escondido Quadrangles



**FIGURE 2-1**  
Project Location  
Palomar Heights

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SOURCE: SANGIS 2017



**FIGURE 2-2**  
**Aerial Photograph**  
 Palomar Heights

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**PROJECT SUMMARY**

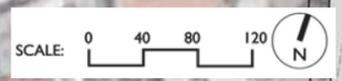
APN 2294500600  
 2294420100,200,300,400  
 2294421800  
 SITE AREA 13.8 AC  
 RESIDENCES 510 UNITS  
 DENSITY 37 DU/AC  
 LOT COVERAGE 45%  
 FAR 1.3  
 BUILDING HEIGHT 60'-0"

PRODUCT:  
 (258) 4-STORY+MEZZANINE FAMILY APARTMENTS  
 (90) 4-STORY SENIOR APARTMENTS  
 (72) 3-STORY ROWHOMES  
 (90) 3-STORY VILLAS  
 RECREATION BUILDING  
 POOL BUILDING  
 10,000 SF COMMERCIAL SPACE

**PROJECT AREAS**  
 RESIDENTIAL 539,593 SF  
 GARAGE 232,898 SF  
 RECREATION 4,520 SF  
 COMMERCIAL 10,000 SF

**TOTAL PARKING PROVIDED**  
 OPEN 227 SPACES  
 GARAGE 658 SPACES  
 LOADING 2 SPACES  
 RIDESHARE 2 SPACES  
 TOTAL 889 SPACES

PRODUCT MIX			
<b>FAMILY APARTMENTS (4-STORY + MEZZ)</b>			
<b>BUILDING 1</b>			
35	PLAN 1	1BD/1BA	650 SF
26	PLAN 2	2BD/2BA	1270 SF
9	PLAN 3	3BD/2BA	1550 SF
<b>40 SUBTOTAL</b>			
<b>BUILDING 18</b>			
20	PLAN 1	1BD/1BA	650 SF
14	PLAN 2	2BD/2BA	1270 SF
6	PLAN 3	3BD/2BA	1550 SF
<b>40 SUBTOTAL</b>			
<b>BUILDING 23</b>			
74	PLAN 1	1BD/1BA	650 SF
56	PLAN 2	2BD/2BA	1270 SF
18	PLAN 3	3BD/2BA	1550 SF
<b>148 SUBTOTAL</b>			
<b>SENIOR APARTMENTS (4-STORY)</b>			
<b>BUILDING 24</b>			
26	PLAN 1	1BD/1BA	600 SF
29	PLAN 2	1BD/1BA	645 SF
15	PLAN 3	1BD/1BA	700 SF
9	PLAN 4	2BD/1BA	775 SF
9	PLAN 5	2BD/2BA	825 SF
<b>90 SUBTOTAL</b>			
<b>ROWHOMES (3-STORY - 11 BUILDINGS)</b>			
22	PLAN 1	3BD/2.5BA	1,415 SF
22	PLAN 2	2BD/2.5 BAI	1,495 SF
12	PLAN 3	3BD/3BA	1,795 SF
16	PLAN 4	3BD/3BA	1,875 SF
<b>72 SUBTOTAL</b>			
<b>VILLAS (3-STORY - 9 BUILDINGS)</b>			
55	PLAN 1	2BD/2BA	1,104 SF
18	PLAN 2	3BD/2.5BA	1,405 SF
17	PLAN 3	3BD/3BA	1,646 SF
<b>90 SUBTOTAL</b>			
<b>162 SUBTOTAL ROWHOMES &amp; VILLAS</b>			
<b>510 TOTAL UNITS</b>			



SOURCE: Summa Architecture 2020

**FIGURE 2-3**  
 Project Site Plan  
 Palomar Heights

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Senior Apartments



Apartments



Rowhomes



Villas

SOURCE: SUMMA, 2019

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SOURCE: Summa, 2019

**DUDEK**

**FIGURE 2-5**  
Rendering  
Palomar Heights

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**PLANTING LEGEND**

**TREES**

SYMBOL/ QTY.	BOTANICAL	COMMON NAME	SIZE	MICOLS
★	RECREATION AREA PALMS SUCH AS: SYAGRUS ROMANOFFIANUM	QUEEN PALM	5' BTH	M
⊙	EVERGREEN SITE TREES SUCH AS: LOPHOSTEMON CONFERTUS METROSIDEROS EXCELSUS PODOCARPUS GRACILIOR	BRISBANE BOX NEW ZEALAND CHRISTMAS TREE FERN PINE	24" BOX 24" BOX 24" BOX	L L M
⊙	LARGE FOCAL TREE SUCH AS: KOELREUTARIA PANICULATA	GOLDEN RAIN TREE	36" BOX	L
⊙	PARKING LOT/STREET TREES SUCH AS: RHUS LANCEA TIPIANA TPU	AFRICAN SUMAC TIFU TREE	24" BOX 24" BOX	L M
⊙	VERTICAL ACCENT SHRUB PODOCARPUS M. 'MAKI' PRUNUS 'BRIGHT 4 TIGHT'	SHRUBBY YEM PINE CAROLINA CHERRY (COLUMNAR)	5 GAL. 5 GAL.	L M
⊙	SITE TREES SUCH AS: ARBUTUS UNEDO QUERCUS AGRIFOLIA RHUS LANCEA	STRAWBERRY TREE COAST LIVE OAK AFRICAN SUMAC	5 GAL. 5 GAL./5 GAL. 5 GAL./5 GAL.	L L L

NOTE:  
- ALL TREES WITH 6' OF ANY WALK, CURB, DRIVE, BUILDING, UTILITY OR HARDSCAPE ELEMENT SHALL RECEIVE 10' OF 24" DEEP MIN. ROOT BARRIER UNLESS OTHERWISE INDICATED ON THE PLANS.

**SHRUBS**

SYMBOL	BOTANICAL	COMMON NAME	SIZE	MICOLS
⊙	AEONIUM 'SUNBURST'	SUNBURST AEONIUM	1 GAL.	L
⊙	AGAPANTHUS AFRICANUS	LILY OF THE NILE	1 GAL.	M
⊙	AGAVE ATTENUATA	FOXTAIL AGAVE	5/15 GAL.	L
⊙	AGAVE VILMORIANA	OCTOPUS AGAVE	5/15 GAL.	L
⊙	ALOE ARBORESCENS	TREE ALOE	5 GAL.	L
⊙	ALOE BAINESII	TREE ALOE	24" BOX	L
⊙	ALOE STRIATA	CORAL ALOE	1 GAL.	L
⊙	ANIGOSANTHOS 'BUSH GOLD'	KANGAROO PAM	1 GAL.	L
⊙	BOUGAINVILLEA SPP.	BOUGAINVILLEA	5 GAL.	L
⊙	GALLISTEMON 'LITTLE JOHN'	LITTLE JOHN BOTTLE BRUSH	5 GAL.	L
⊙	CARISSA 'BOXWOOD BEAUTY'	BOXWOOD BEAUTY NATAL PLUM	5 GAL.	M
⊙	DIANELLA CAERULEA 'CASSA BLUE'	CASSA BLUE	1 GAL.	L
⊙	DIETES BICOLOR	FORTNIGHT LILY	5 GAL.	M
⊙	ECHEVERIA 'AFTERSLOW'	AFTERSLOW ECHEVERIA	1 GAL.	L
⊙	FESTUCA 'ELIJAH BLUE'	ELIJAH BLUE FESCUE	1 GAL.	L
⊙	HESPERALOE PARVIFOLIA	RED YUCCA	5 GAL.	L
⊙	LAVANDULA DENTATA	FRENCH LAVENDER	1 GAL.	L
⊙	LIGUSTRUM JAPONICA 'TEXANUM'	TEXAS PRIVET	15 GAL.	M
⊙	LOREPETALUM CHINENSE	RIEY CHINESE FRINGE FLONER	5 GAL.	M
⊙	PHILODENDRON 'XANADU'	XANADU PHILODENDRON	5 GAL.	M
⊙	PHORIMUM T. 'ATROPURPUREA'	RED NEW ZEALAND FLAX	15 GAL.	M
⊙	PITTOSPORUM T. 'VARIEGATA'	VARIEGATED MOCK ORANGE	5 GAL.	L
⊙	RHAPHOLEPIS U. MINOR	YEDDO HANTHORN	5 GAL.	M
⊙	SALVIA 'HOT LIPS'	HOT LIPS SAGE	5 GAL.	L
⊙	STRELITZIA REGINAE	BIRD OF PARADISE	5/15 GAL.	M
⊙	WESTRINGIA FRUITICOSA	COAST ROSEMARY	5 GAL.	L

NOTE:  
- ALL SHRUB AREAS SHALL RECEIVE 3" LAYER OF BARK MULCH

**VINES**

SYMBOL	BOTANICAL	COMMON NAME	SIZE	MICOLS
⊙	BOUGAINVILLEA 'SAN DIEGO RED'	BOUGAINVILLEA	5 GAL.	L
⊙	DISTICTIS BUCCNATORIA	BLOOD RED TRUMPET VNE	5 GAL.	M
⊙	FIGUS PIMILA	CREEPING FIG	5 GAL. @ 5' O.C.	L

**GROUND COVER**

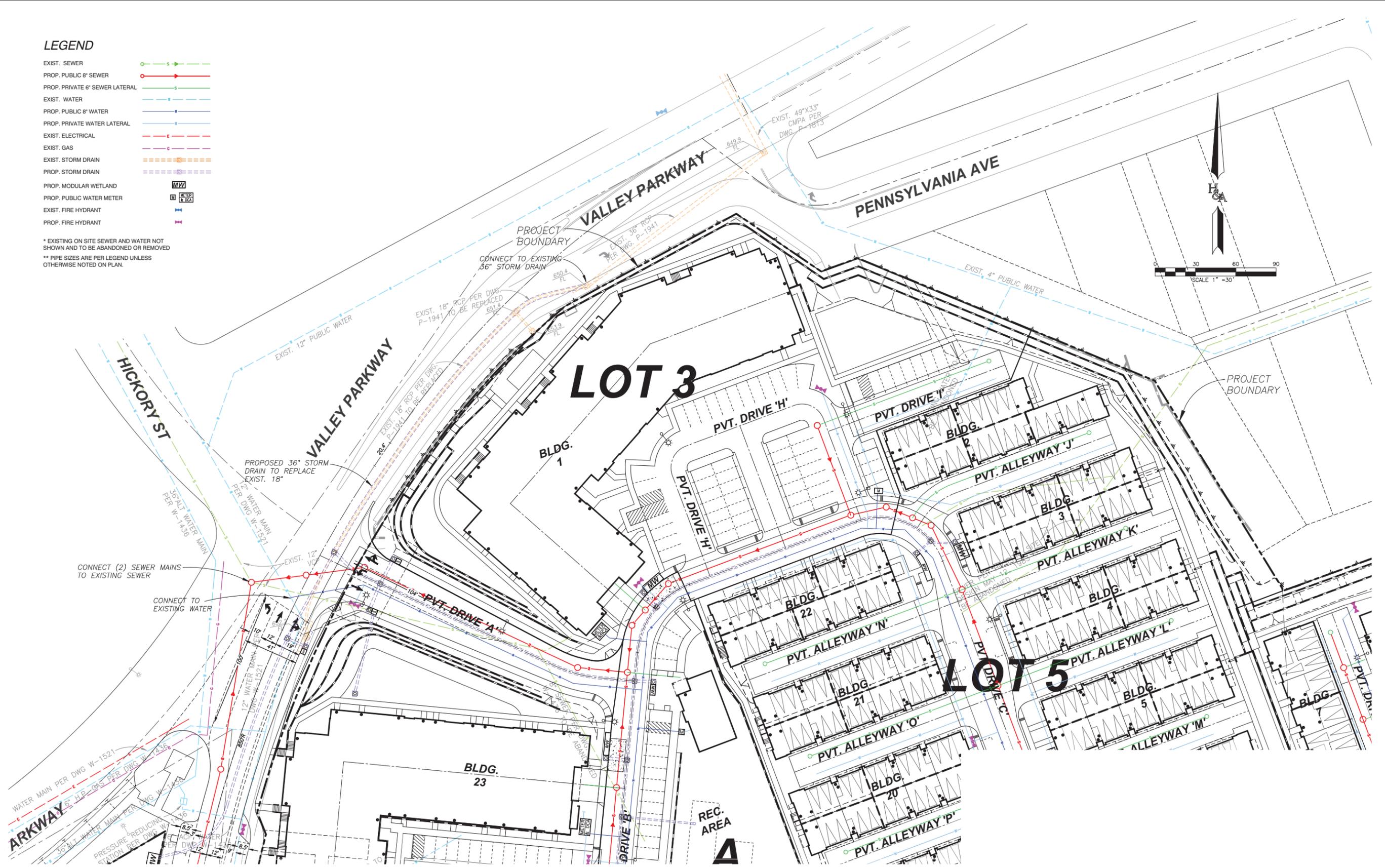
SYMBOL	BOTANICAL	COMMON NAME	SIZE	MICOLS
⊙	FLAT LANDSCAPE AREAS CAREX TUMULICOLA GAZANIA SPP. MYOPORUM P. 'UTAH CREEK'	BERKELY SEDGE GAZANIA CREEPING MYOPORUM	FLATS @ 12" O.C.	L
⊙	TURF	TIFWAY BERMUDA	SOD	H

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**LEGEND**

- EXIST. SEWER —○—○—
- PROP. PUBLIC 8" SEWER —○—○—
- PROP. PRIVATE 6" SEWER LATERAL —○—○—
- EXIST. WATER —○—○—
- PROP. PUBLIC 8" WATER —○—○—
- PROP. PRIVATE WATER LATERAL —○—○—
- EXIST. ELECTRICAL —○—○—
- EXIST. GAS —○—○—
- EXIST. STORM DRAIN —○—○—
- PROP. STORM DRAIN —○—○—
- PROP. MODULAR WETLAND MW
- PROP. PUBLIC WATER METER M
- EXIST. FIRE HYDRANT —○—○—
- PROP. FIRE HYDRANT —○—○—

\* EXISTING ON SITE SEWER AND WATER NOT SHOWN AND TO BE ABANDONED OR REMOVED  
 \*\* PIPE SIZES ARE PER LEGEND UNLESS OTHERWISE NOTED ON PLAN.



SOURCE: Hunsaker 2020

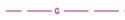
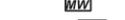
**FIGURE 2-7a**

Utility Plan  
 Palomar Heights

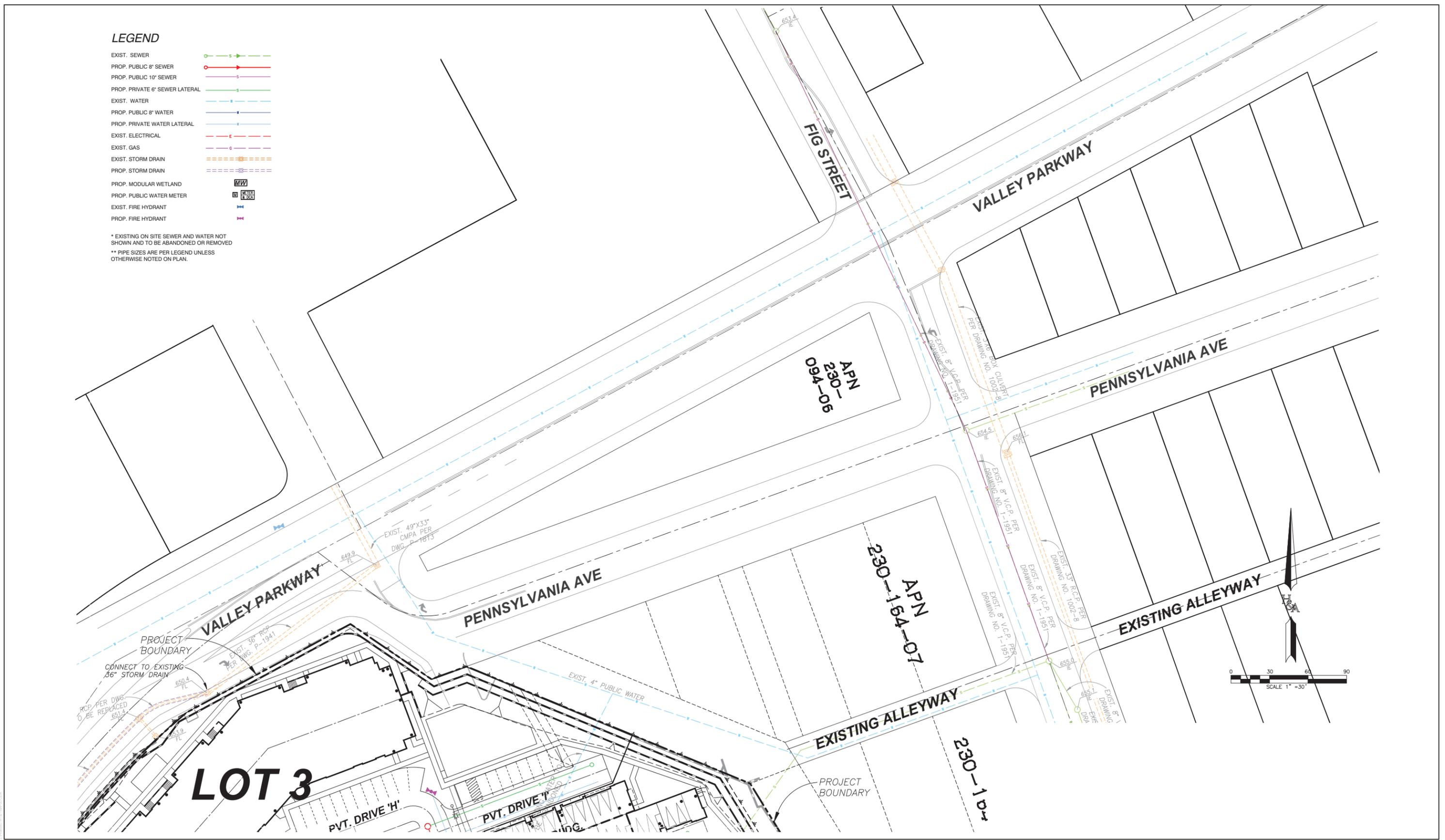


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**LEGEND**

- EXIST. SEWER 
- PROP. PUBLIC 8" SEWER 
- PROP. PUBLIC 10" SEWER 
- PROP. PRIVATE 6" SEWER LATERAL 
- EXIST. WATER 
- PROP. PUBLIC 8" WATER 
- PROP. PRIVATE WATER LATERAL 
- EXIST. ELECTRICAL 
- EXIST. GAS 
- EXIST. STORM DRAIN 
- PROP. STORM DRAIN 
- PROP. MODULAR WETLAND 
- PROP. PUBLIC WATER METER 
- EXIST. FIRE HYDRANT 
- PROP. FIRE HYDRANT 

\* EXISTING ON SITE SEWER AND WATER NOT SHOWN AND TO BE ABANDONED OR REMOVED  
 \*\* PIPE SIZES ARE PER LEGEND UNLESS OTHERWISE NOTED ON PLAN.

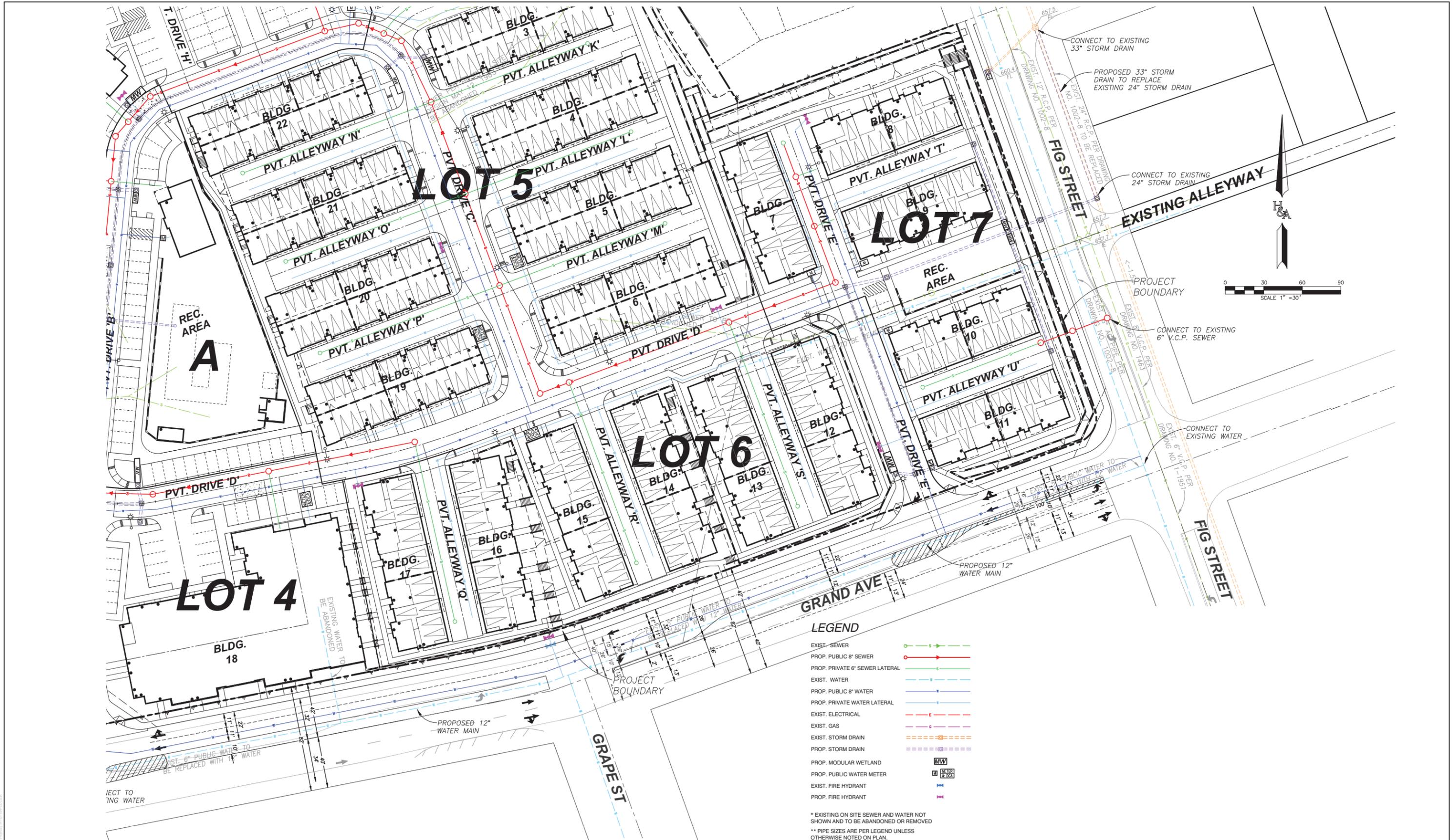


SOURCE: Hunsaker 2020



**FIGURE 2-7b**  
 Utility Plan  
 Palomar Heights

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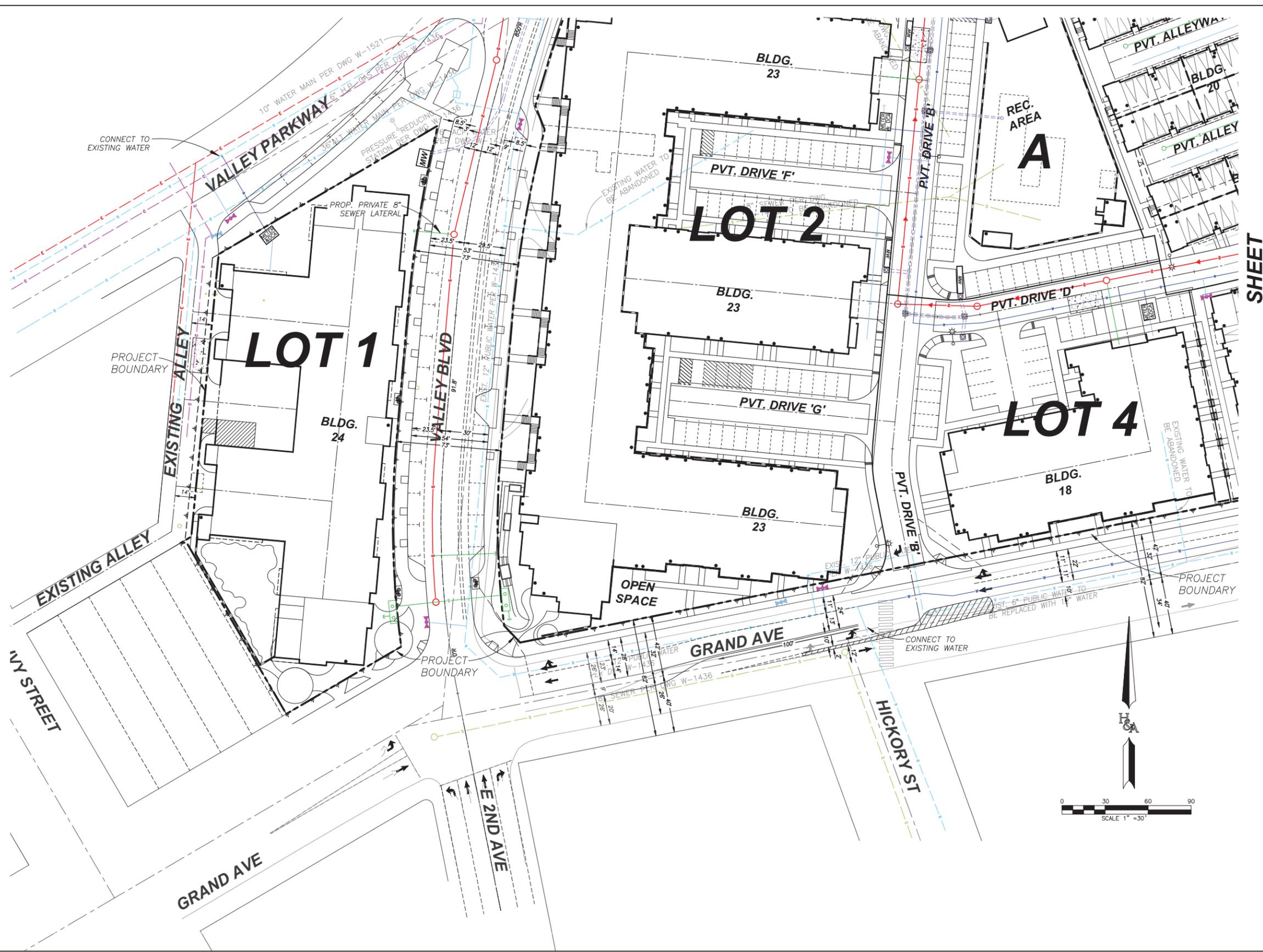
SOURCE: Hunsaker 2020

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**LEGEND**

- EXIST. SEWER
- PROP. PUBLIC 8" SEWER
- PROP. PRIVATE 6" SEWER LATERAL
- EXIST. WATER
- PROP. PUBLIC 8" WATER
- PROP. PRIVATE WATER LATERAL
- EXIST. ELECTRICAL
- EXIST. GAS
- EXIST. STORM DRAIN
- PROP. STORM DRAIN
- PROP. MODULAR WETLAND
- PROP. PUBLIC WATER METER
- EXIST. FIRE HYDRANT
- PROP. FIRE HYDRANT

\* EXISTING ON SITE SEWER AND WATER NOT SHOWN AND TO BE ABANDONED OR REMOVED  
 \*\* PIPE SIZES ARE PER LEGEND UNLESS OTHERWISE NOTED ON PLAN.



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SOURCE: GMP, 2019

**FIGURE 2-9**  
**Connectivity Plan**  
 Palomar Heights

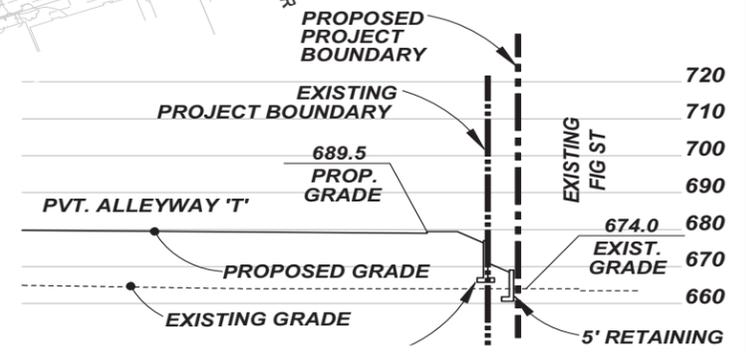
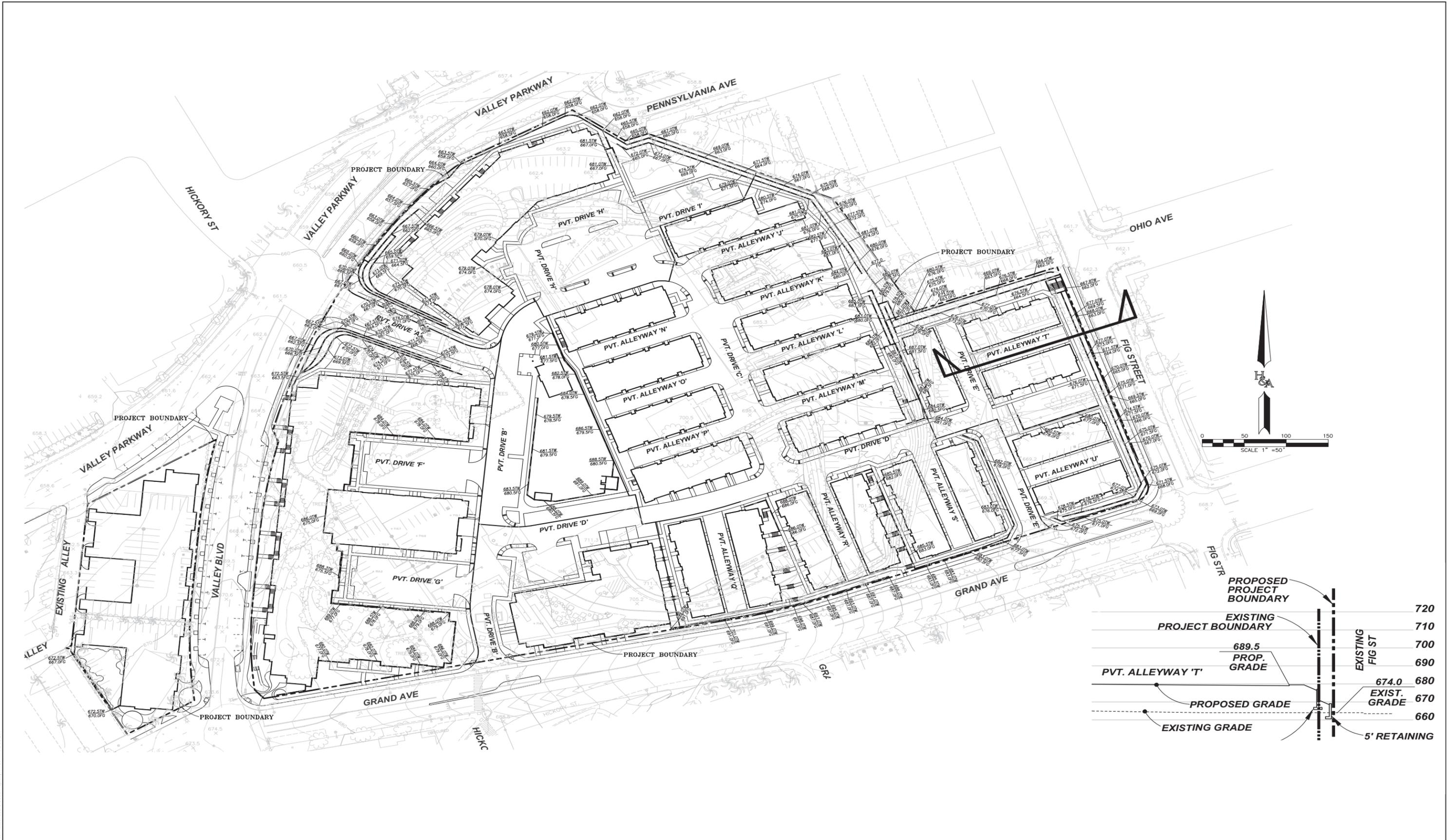
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SOURCE: Hunsaker, 2019

**FIGURE 2-10**  
**Grading Plan**  
 Palomar Heights

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SOURCE: Hunsaker 2020

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## **CHAPTER 3 ENVIRONMENTAL SETTING**

As required by Section 15125 of the California Environmental Quality Act (CEQA) Guidelines, this chapter of the Environmental Impact Report (EIR) includes a brief description of the existing physical conditions at the proposed Palomar Heights Project (Project) site and the surrounding vicinity at the time of filing of the Notice of Preparation. This chapter also provides an overview of the regulatory setting on the Project site pursuant to Section 15125(d) of the CEQA Guidelines. Additional details and descriptions of the existing conditions specific to each environmental issue can be found throughout Chapter 4, Environmental Analysis. The environmental conditions discussed in this chapter and throughout the EIR constitute the baseline conditions by which significances of impacts will be determined.

### **3.1 Project Setting**

#### **3.1.1 Project Location**

The 13.8-acre Project site is located in the central area of the City of Escondido (City), California. Figure 2-1, Project Location, shows the Project location within the County of San Diego and within the City of Escondido. Regionally, the City is situated in northern San Diego County, about 30 miles north of downtown San Diego via Interstate (I) 15. The Project site is approximately 1.6 miles east of I-15 and about 0.6 miles west of State Route (SR) 78. The City of San Marcos boundary is approximately 2.2 miles to the northwest.

Locally, the site is located on the eastern edge of the downtown area of the City (Figure 2-2, Aerial Photograph). The Project site currently associated with the following addresses: 121–141 N. Fig Street, 127–133 Valley Boulevard (parking lot), 151 Valley Boulevard (parking lot), 451–453 E. Valley Parkway, 456 E. Grand Avenue, 147 Valley Parkway (parking lot), 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue. The site is bordered by E. Valley Parkway to the north, N. Fig Street to the east, and E. Grand Avenue to the south. Valley Boulevard crosses the site. Due to the division of the site by Valley Boulevard, the site is generally split into two areas; the approximately 1-acre area east of Valley Boulevard and the 12.8-acre area west of Valley Boulevard. The Assessor's Parcel Numbers are as follows: 229-450-06-00, 229-450-05-00, 229-442-18-00, 229-442-04-00, 229-442-03-00, 229-442-02-00, 229-442-01-00, 230-163-01-00, 230-163-02-00, 230-163-03-00, 230-163-04-00, 230-163-05-00, and 760-246-09-00.

The 13.8-acre Project site is the Palomar Health Downtown Campus (Hospital Campus) site (Table 3-1). The site is currently developed with 398,246 square feet of hospital, medical office, and commercial uses, and associated parking facilities. The existing site also includes 1,037 parking spaces. The existing Hospital Campus is composed of three areas: the main hospital building to the east of Valley Boulevard, medical offices and commercial to the west of Valley Boulevard, and medical offices along N. Fig Street.

**Table 3-1  
Existing Palomar Health Downtown Campus**

Address	APNs	Existing Use	Square Feet
121–141 N. Fig Street	230-163-02-00 760-169-27-00	Medical Offices	2,549
127–133 Valley Boulevard	229-442-04-00	Parking Lot	—
151 Valley Boulevard	229-442-02-00	Parking Lot	—
451–453 Valley Boulevard	229-442-01-00	Vacant Commercial	4,100
456 E. Grand Avenue	229-442-18-00	Medical Offices	12,870
147 Valley Parkway	229-442-03-00	Parking Lot	—
555 E. Valley Parkway	229-450-05-00 229-450-06-00	Hospital Use	371,869
624 E. Grand Avenue	230-163-04-00	Medical Offices	2,190
644–660 E. Grand Avenue	230-163-03-00 760-246-09-00	Medical Offices	4,668
N/A	230-163-01-00	Parking Lot	—
N/A	230-163-05-00	Parking Lot	—
<b>Total</b>			<b>398,246</b>

**Note:** APN = Assessor's Parcel Number; N/A = not applicable.

The main hospital building (555 E. Valley Parkway) is 371,869 square feet, and includes the nine-story McLeod Tower; the Adams Wing; the South Wing; the West Tower, which is a hospital operations building over a four-story parking structure; an adjacent seven-story parking structure; a co-generation plant; and three trailers. The hospital also includes a heliport on the south side of the building as well as other exterior tanks, sheds, and equipment to the east. The building is composed of series of beige boxy structures with mirrored windows in a uniform line across the structure. The original building (Adams Wing) was constructed circa 1953, with subsequent additions of McLeod Tower in 1968, a parking structure and heliport in 1985, the co-generation plant in 1986, the West Tower in 1988, and the South Wing in 1990. Surface parking wraps around the south, east, and north sides of the building. Large mature trees are located throughout the surface parking areas as well as along the west side of the building adjacent to the large grassy open space area near the corner of E. Grand Avenue and Valley Boulevard. Access to the main hospital building is currently provided from the N. Hickory Street/E. Valley Parkway/Valley Boulevard intersection, with secondary access points at Pennsylvania Avenue and E. Grand Avenue.

The buildings located to the west of Valley Boulevard include a medical office building at 456 E. Grand Avenue and a vacant commercial building at 451 Valley Boulevard. The medical office building is 12,870 square feet and three stories tall. It is rectangular structure with a tan, white and brown color scheme, and is stucco-finished. The vacant commercial building is a 4,100-square-foot, single-story, triangular structure. It is a beige in color with green trim, and has a roll-up door along E. Valley Parkway and no windows. This building is listed on the

Historic Resources Inventory of the City of Escondido. Minimal landscaping exists on this portion of the site, as landscaping is limited to palm trees and shrubs associated with the medical office building. The parking lots associated with these structures are currently accessed via E. Valley Parkway and Valley Boulevard.

The site area east of the main hospital building includes five medical office buildings: 121–141 N. Fig Street (two buildings), 624 E. Grand Avenue (one building), and 644–660 E. Grand Avenue (two buildings). The 644–660 E. Grand Avenue buildings include 4,668 square feet of medical office space, 624 E. Grand is a 2,190-square-foot medical office building, and the two buildings at 121–141 N. Fig Street include 2,549 square feet of medical office space. All of these buildings are one to two stories tall, and parking lots associated with them from driveways along E. Grand Avenue and N. Fig Street. Similar to the hospital, these medical offices include landscaping with large mature trees, as well as shrubs and grassy areas adjacent to the streets.

### **3.1.2 Site Background**

The Project site contains numerous structures constructed over several years. The following is a brief history on construction of the existing structures; a complete history is provided in Appendix D, Historic Report. The existing Palomar Health Downtown Campus building located at 555 E. Valley Parkway (APN 229-450-06-00) was constructed in phases between 1957 and 2002. Although the original Palomar Memorial Hospital building was completed at this location in 1950, all original portions of the building were demolished between 1968 and 1990 during the various expansions made to the campus.

The 451–453 E. Valley Parkway building (APN 229-442-01-00) was constructed in 1934. The building was designed and contracted by Arthur J. Simpson, who owned and operated a wrecking yard across the street.

The 624 E. Grand Avenue building (APN 230-163-04-00) was constructed in 1953 as a church. The building record indicates that in 1959, the building was a medical office that had originally been designed as a church. According to the building record, the interior of the building was “gutted and remodeled” in 1991.

The 640–660 E. Grand Avenue buildings (APN 230-163-03-00) were originally constructed as medical offices beginning in 1960. The first building constructed on the property (660 E. Grand Avenue) was designed by architect Fred Earl Norris and completed in 1960 (Appendix D). The second building (644–646 E. Grand Avenue) was also designed by Norris and completed in 1961 (Appendix D). In 1969, architect Russell Forester designed an addition (640–642 E. Grand Avenue) onto the west facade of the 644–646 E. Grand Avenue building.

The 121–141 N. Fig Street building (APN 230-163-02-00) was constructed as an International-style medical office building in 1965. The 121–141 N. Fig Street building was designed in 1965 by Russell Forester, a City of San Diego-designated master architect. No modifications appear to have been made to the building since its initial construction.

In 2012, Palomar Health opened the Palomar Medical Center Escondido located at 2185 Citracado Parkway, Escondido. At that time, certain facility uses of the Downtown Palomar Health Facility were relocated to the new Palomar Medical Center. Since the opening of the new Palomar Medical Center Escondido, the need for the Downtown Palomar Health Facility has decreased and several of the floors of the main building at 555 E. Grand Avenue are vacant. At the time of NOP issuance, it is estimated that the campus was operating at approximately 30% capacity based on traffic volumes (Appendix J, Traffic Impact Analysis).

### 3.1.3 Site Land Use and Zoning

The approximately 13.8-acre Project site is located in the downtown area of the City of Escondido, California; refer to Figures 2-1 and 2-2 in Chapter 2, Project Description. Currently, the Project site is composed of the Palomar Health Downtown Campus (Hospital Campus) and various surrounding properties. The site is currently developed with approximately 398,246 square feet of hospital, medical office, and commercial uses. The existing site also includes 1,037 parking spaces. The existing Hospital Campus is composed of three areas: the main hospital building to the east of Valley Boulevard, medical offices and commercial uses to the west of Valley Boulevard, and medical offices along E. Grand Avenue and N. Fig Street. These existing structures are of varying heights and styles displaying the sequential development from the 1950s through 2005. The site is bordered by E. Valley Parkway to the north, N. Fig Street to the east, and E. Grand Avenue to the south. Valley Boulevard crosses the site.

The Project site is located within the Historic Downtown District of the *Escondido Downtown Specific Plan* (Downtown Specific Plan), and has a zoning designation of Specific Plan (S-P). Refer to Section 4.4, Land Use, for additional information regarding the existing land use and zoning designations of the Project site and surrounding area. The site is a visual focal point at the eastern terminus of the downtown area. The 555 E. Valley Parkway property (the main hospital building) is located at a higher elevation relative to the rest of the downtown area and, in addition, includes several taller (four- to seven-story) buildings relative to the one- to four-story structures that are typical throughout the downtown area.

## **3.2 Regional Setting**

### **3.2.1 Regional Location**

Regionally, the City is situated in North San Diego County, about 30 miles north of downtown San Diego via I-15. The Project site is approximately 1.6 miles east of I-15, and about 0.6 miles west of SR-78. I-15 bisects Escondido in a north–south direction and provides connections to San Diego and Riverside County (Figure 2-1, Project Location). SR-78 provides access to the City of San Marcos and ultimately the coast (approximately 20 miles) to the west, and rural areas of San Diego County to the east. Escondido’s geographic setting is characterized by hills and mountains surrounding an open valley bisected by Escondido Creek. With the exception of the San Marcos to the west, the outer area of Escondido, there are several large natural expanses of preserved open space that buffer Escondido from surrounding communities.

As indicated above, the site is located on the eastern edge of the downtown area of the City. Uses to the east in the downtown area include primarily commercial uses composed of retail stores and restaurants (Figure 2-2, Aerial Photograph). Commercial uses are also located to the northeast of the Project site along E. Valley Parkway. Medical and dental offices are also a dominant use in the area, with such offices located to the northeast, southeast, and east. Residential uses are also interspersed in the area, with single- and multi-family residential uses in the neighborhood located to the east, and multi-family residential uses across E. Grand Avenue to the south and across E. Valley Parkway to the north. Buildings in the area range in height from one to four stories.

The downtown area is connected through a grid of primarily north-south and east-west roadways. The main roadways through the downtown area include E. and W. Grand Avenue, E. Valley Parkway, N. and S. Broadway, Escondido Boulevard, and Centre City Parkway (Figure 2-2). These roadways also include a sidewalk network that provides pedestrian connections throughout the Downtown Specific Plan (see Figure III-1, City of Escondido 2013). The primary east–west pedestrian linkage through the downtown area includes the Inland Rail Trail, to Quince Street, to W. and E. Grand Avenue. The north–south pedestrian linkages are located along N. and S. Broadway, Maple Street, and Juniper Street. The Project site is connected to the downtown area via the adjacent E. Grand Avenue and E. Valley Parkway roadways and sidewalks.

The site is a visual focal point at the terminus of the downtown area. The 555 E. Valley Parkway portion of the site is located at a higher elevation relative to the rest of the downtown area and, in addition, includes several taller (four- to seven-story) buildings relative to the one- to three-story structures that are typical throughout the downtown area. Thus, the 555 E. Valley Parkway building is visible from the east–west main roadways throughout the area.

### 3.2.2 Project Inconsistencies with Applicable Regional and General Plans

Adopted regional and general plans are applicable to the Project. The Project site is currently designated in the *City of Escondido General Plan* (General Plan; City of Escondido 2012) as a Specific Plan Area (SPA). The Project site is within the Downtown Specific Plan (City of Escondido 2013) boundary. Similarly, the Project site is zoned as S-P. The Project site is located within the Historic Downtown District of the Downtown Specific Plan. The plans were reviewed and a consistency analysis was conducted to determine whether the Project is inconsistent with the applicable, adopted plans (see Appendix H, City of Escondido General Plan Policy Consistency Analysis Table).

### 3.2.3 List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area

The CEQA Guidelines define cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (14 CCR 15335). The CEQA Guidelines further state that the individual effects may be the various changes resulting from a single project or the changes resulting from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts may result from individually minor but collectively significant projects taking place over a period of time (14 CCR 15355). CEQA Guidelines Section 15130 requires that an EIR include either (a) a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or (b) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document that has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to a cumulative impact.

For the purposes of this EIR, the geographic scope of the cumulative analysis is defined for each environmental topic in Chapters 4 and 5. The cumulative study area varies per topic, and is based on either growth projections or a project list; see Figure 3-1, Cumulative Project Locations, and Table 3-2.

**Table 3-2  
Cumulative Projects**

Map Legend Number	Project	Project Description
1	Escondido Gateway Mixed-Use	The Escondido Gateway Mixed-Use Project is located at 700 W. Grand Avenue and includes 126 DU of apartments and 1 KSF of convenience market.
2	Hotel La Terraza	The Hotel La Terraza Project is located at 300 La Terraza Boulevard and includes a 105-room hotel.

**Table 3-2  
Cumulative Projects**

Map Legend Number	Project	Project Description
3	La Terraza Office	The La Terraza Office Project is located at 300 La Terraza Boulevard and includes 36.614 KSF of office.
4	Touchstone – Aspire	The Touchstone – Aspire Project is located at 137 W. Valley Parkway and includes 131 DU of residential and 4.289 KSF of specialty retail. Note that this cumulative project was proposed at the time the NOP was prepared for the Project but was denied by the City. It is included herein to be conservative.
5	Touchstone – The Ivy	The Touchstone – The Ivy Project is located at 343 E. 2nd Avenue and includes 127 DU of residential and 1.175 KSF of specialty retail.
6	Starbucks Drive-Through	The Starbucks Drive-Through Project is located at 350 W. Valley Parkway and includes 1.9 KSF of fast-food with drive-thru.
7	Quince Street Senior Housing	The Quince Street Senior Housing Project is located at 220 N. Quince Street and includes 147 DU of senior apartments.
8	Toyota Used Car Dealership	The Toyota Used Car Dealership Project is located at 125 E. Lincoln Avenue and includes 1.8 acres of used car dealership.
9	Grand Avenue Apartments	The Grand Avenue Apartments Project is located at 1316 E. Grand Avenue and includes 15 DU of apartments.
10	W. Grand Mixed-Use	The W. Grand Mixed-Use Project is located at 555 W. Grand Avenue and includes 32 DU of apartments and 0.6 KSF of office.
11	2nd Avenue Mixed-Use	The 2nd Avenue Mixed-Use Project is located at 510 W. 2nd Avenue and includes 5 DU of residential and 2 KSF of commercial/retail.
12	California Bank and Trust	The California Bank and Trust Project is located at 150 N. Quince Street and includes 5 KSF of bank.
13	Pine Street Apartments	The Pine Street Apartments Project is a 198-unit apartment complex located on the west side of Pine Street between 2nd Avenue and 3rd Avenue.

**Source:** Appendix J.

**Notes:** DU= dwelling unit; KSF = thousand square feet.

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## **CHAPTER 4 ENVIRONMENTAL ANALYSIS**

The sections in this chapter describe the existing conditions of the respective environmental issue areas and analyze potential impacts resulting from implementation of the Palomar Heights Project (Project) and applicable cumulative projects. For the purpose of this Environmental Impact Report (EIR), Appendix G of the California Environmental Quality Act Guidelines (14 CCR 15000 et seq.) applies to the direct/indirect impacts analysis and the cumulative impacts analysis. The analysis is based on relevant technical reports prepared for the project and consistency with applicable plans.

The following sections address environmental issue areas that were considered potentially significant and were analyzed in greater detail in this EIR:

- Section 4.1, Biological Resources
- Section 4.2, Cultural Resources
- Section 4.3, Hazards and Hazardous Materials
- Section 4.4, Land Use and Planning
- Section 4.5, Noise
- Section 4.6, Transportation
- Section 4.7, Tribal Cultural Resources

As noted within these sections, impacts related to land use and planning and transportation were ultimately determined to be less than significant.

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## **4.1 Biological Resources**

This section addresses the potential biological resources impacts associated with implementation of the Palomar Heights Project (Project). The analysis is based on the review of existing biological resources, technical data, and applicable laws, regulations, and guidelines, as well as the *Biological Site Assessment Report for the Palomar Heights Project in Escondido, California* prepared by Dudek (June 2019), which is included as Appendix B to this Environmental Impact Report (EIR).

### **4.1.1 Existing Conditions**

#### **4.1.1.1 Environmental Setting**

##### Regional

The City of Escondido (City) is located within the boundary of the Multiple Habitat Conservation Program (MHCP) for the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista, which the San Diego Association of Governments adopted in 2003 (SANDAG 2003). The City is located within the boundary of the County of San Diego (County) South County and North County Multiple Species Conservation Program (MSCP) areas, and adjacent to the City of San Diego's MSCP Cornerstone Lands at Hodges Reservoir and San Pasqual Valley. The MHCP is a comprehensive, multiple jurisdictional planning program designed to create, manage, and monitor an ecosystem preserve in northwestern San Diego County.

Each jurisdiction is responsible for preparing a subarea plan to implement the MHCP in its jurisdiction. A draft subarea plan, the Draft Escondido Subarea Plan, has been prepared for incorporated and unincorporated areas of Northern San Diego County but has not been adopted. A public review draft of the Draft Escondido Subarea Plan was released in 2001 (City of Escondido 2001). The Draft Escondido Subarea Plan covers the entire City boundary and approximately 3,000 acres of unincorporated County land within the City's sphere of influence (City of Escondido 2012).

##### Project Site

The 13.8-acre Project site is located in the central area of the City of Escondido. The Project site is bordered by E. Valley Parkway to the north, N. Fig Street to the east, and E. Grand Avenue to the south. The site is approximately 1.6 miles east of Interstate 15 and approximately 0.6 miles west of State Route 78. The Project site is currently developed and occupied by the Palomar Health Downtown Campus.

The Project site is mostly developed with buildings and pavement, with the exception of several areas of ornamental plantings and non-native vegetation. Elevations on site range from approximately 670

to 710 feet above mean sea level. Topography is generally flat, but some small vegetated slopes exist between paved areas.

### Methodology

Before conducting field surveys, a review of the regional California Natural Diversity Database occurrence data (CDFW 2019), the San Diego Natural History Museum's Bird Atlas (SDNHM 2012), and the National Wetlands Inventory (USFWS 2019) was performed to identify special-status species and jurisdictional aquatic resources that are known to occur or potentially occur within the Project site.

Fieldwork associated with this report was completed Dudek on June 20, 2019. The Project site was surveyed systematically on foot to determine the presence of appropriate habitat for special-status species, particularly nesting birds. The potential for special-status species was evaluated when considering whether additional focused surveys would be required.

The site was also surveyed for jurisdictional aquatic resources (i.e., waters or wetlands of the United States and/or state).

### Vegetation Communities/Habitat Types

Two vegetation land cover types were found within the Project site: urban/developed and ornamental plantings.

The majority of the Project site is developed with Palomar Health Downtown Campus buildings and paved parking lots. Between paved areas and buildings are strips of ornamental trees, including large eucalyptus (*Eucalyptus* spp.), western sycamore (*Platanus racemosa*, a native tree but part of the ornamental planting), pines (*Pinus* spp.), and other assorted non-native and ornamental shrub, grass, weed, and tree species; these areas appeared to be landscaped regularly.

Although ornamental and non-native plant species dominate the vegetation on site, there were several common native species found growing in landscaped and bare soil areas around buildings throughout the site (i.e., Canada horseweed [*Erigeron canadensis*], cottonbatting plant [*Pseudognaphalium stramineum*], and San Diego milk aster [*Stephanomeria diegensis*]). These species regularly occur on disturbed lands/roadsides and were not part of any larger native vegetation community on site. One immature coast live oak (*Quercus agrifolia*) was found in an ornamental patch of vegetation on the eastern side of the property.

### Flora

A total of 25 plant species were identified during the general biological survey. Of this total, 6 species are considered native to California and 19 species are considered non-native.

## Fauna

The wildlife observed within the survey area are predominantly urban species. Common bird species observed during the survey include house finch (*Haemorhous mexicanus*), goldfinch (*Spinus psaltria*), black phoebe (*Sayornis nigricans*), Cassin's kingbird (*Tyrannus vociferans*), red-tailed hawk (*Buteo jamaicensis*), raven (*Corvus corax*), horned lark (*Eremophila alpestris*), house sparrow (*Passer domesticus*), and mourning dove (*Zenaida macroura*).

Additionally, the western fence lizard (*Sceloporus occidentalis*) was observed.

Of the total wildlife species observed, only the house sparrow is considered non-native.

### **4.1.1.2 Regulatory Setting**

#### Federal

##### Federal Endangered Species Act

The federal Endangered Species Act of 1973 (ESA), as amended (16 USC 1531 et seq.), provides for listing of endangered and threatened species of plants and animals and designation of critical habitat for listed animal species. The ESA also prohibits all persons subject to U.S. jurisdiction from "taking" endangered species, which includes any harm or harassment. Section 7 of the ESA requires that federal agencies, prior to project approval, consult the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service to ensure adequate protection of listed species that may be affected by the project.

##### Migratory Bird Treaty Act

All migratory bird species that are native to the United States or its territories are protected under the federal Migratory Bird Treaty Act (MBTA), as amended under the Migratory Bird Treaty Reform Act of 2004 (Senate Bill 2547). The MBTA is generally protective of migratory birds but does not actually stipulate the type of protection required. In common practice, the MBTA is now used to place restrictions on disturbance of active bird nests during the nesting season (generally February 1 to August 31). In addition, USFWS commonly places restrictions on disturbances allowed near active raptor nests.

##### Clean Water Act

The federal Water Pollution Control Act Amendments of 1972 (Clean Water Act; 33 USC 1251 et seq.), as amended by the Water Quality Act of 1987 (PL 1000-4), is the major federal legislation governing water quality. The purpose of the Clean Water Act is to "restore and maintain the chemical, physical, and biological integrity of the nation's waters." Discharges into waters of the United States

are regulated under Section 404. Waters of the United States include (1) all navigable waters (including all waters subject to the ebb and flow of tides); (2) all interstate waters and wetlands; (3) all other waters, such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sand flats, wetlands, sloughs, or natural ponds; (4) all impoundments of waters mentioned above; (5) all tributaries to waters mentioned above; (6) the territorial seas; and (7) all wetlands adjacent to waters mentioned above. In California, the State Water Resources Control Board and the nine Regional Water Quality Control Boards (RWQCBs) are responsible for implementing the Clean Water Act. Important applicable sections of the Clean Water Act are discussed below:

- **Section 303** requires states to develop water quality standards for inland surface and ocean waters and submit to the EPA for approval. Under Section 303(d), the state is required to list waters that do not meet water quality standards and to develop action plans, called total maximum daily loads, to improve water quality.
- **Section 304** provides for water quality standards, criteria, and guidelines.
- **Section 401** requires an applicant for any federal permit that proposes an activity that may result in a discharge to waters of the United States to obtain certification from the state that the discharge will comply with other provisions of the Clean Water Act. Certification is provided by the respective RWQCB.
- **Section 402** establishes the National Pollutant Discharge Elimination System (NPDES), a permitting system for the discharge of any pollutant (except for dredge or fill material) into waters of the United States. The NPDES program is administered by the RWQCB. Conformance with Section 402 is typically addressed in conjunction with water quality certification under Section 401.
- **Section 404** provides for issuance of dredge/fill permits by the U.S. Army Corps of Engineers. Permits typically include conditions to minimize impacts on water quality. Common conditions include (1) U.S. Army Corps of Engineers review and approval of sediment quality analysis before dredging, (2) a detailed pre- and post-construction monitoring plan that includes disposal site monitoring, and (3) required compensation for loss of waters of the United States.

## State

### California Endangered Species Act

Similar to the federal ESA, the California ESA of 1970 provides protection to species considered threatened or endangered by the State of California (California Fish and Game Code, Section 2050 et seq.). The California ESA recognizes the importance of threatened and endangered fish, wildlife,

and plant species and their habitats, and prohibits the taking of any endangered, threatened, or rare plant and/or animal species unless specifically permitted for education or management purposes.

### California Fish and Game Code

The California Fish and Game Code provides specific protection and listing for several types of biological resources. Most of the code is administered or enforced by the California Department of Fish and Wildlife (CDFW; prior to January 2013, California Department of Fish and Game [CDFG]).

Sections 1600 et seq. of the California Fish and Game Code require notification and, if required, a Streambed Alteration Agreement for any activity that would alter the flow, change, or use any material from the bed, channel, or bank of any perennial, intermittent, or ephemeral river, stream, and/or lake. Typical activities that require notification include excavation or fill placed within a channel, vegetation clearing, structures for diversion of water, installation of culverts and bridge supports, cofferdams for construction dewatering, and bank reinforcement.

Pursuant to California Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Raptors and owls and their active nests are protected by California Fish and Game Code Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by CDFW. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. These regulations could require that construction activities (particularly vegetation removal or construction near nests) be reduced or eliminated during critical phases of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, subject to approval by CDFW and/or USFWS.

### California Environmental Quality Act

Primary environmental legislation in California is found in the California Environmental Quality Act (CEQA) and its implementing guidelines (CEQA Guidelines), which require that projects with potential adverse effects (or impacts) on the environment undergo environmental review. Adverse environmental impacts are typically mitigated as a result of the environmental review process in accordance with existing laws and regulations.

### California Native Plant Society

The California Native Plant Society (CNPS) maintains a list of special-status plant species based on collected scientific information. Designation of these species by CNPS does not constitute legal status or protection under federal or state endangered species legislation. CNPS's California Rare

Plant Ranks (CRPRs) are defined as follows: CRPR 1A (plants presumed extinct), CRPR 1B (plants rare, threatened, or endangered in California and elsewhere), CRPR 2 (plants rare, threatened, or endangered in California, but more numerous elsewhere), CRPR 3 (plants about which more information is needed—a review list), and CRPR 4 (plants of limited distribution—a watch list). In general, substantial adverse effects to plants designated as CRPR 1A, 1B, or 2 would be considered significant under CEQA.

### California Natural Community Conservation Planning Act of 1991

The Natural Community Conservation Planning Act of 1991 provides a framework for state and local government, as well as private interest efforts for the protection of regional biodiversity and the ecosystems upon which they depend. Natural community conservation plans allow for the appropriate, compatible economic activity to occur while ensuring the long-term conservation of multiple species. As a result of this act, the Carlsbad Habitat Management Plan was prepared under the MHCP.

#### Local

### North County Multiple Habitat Conservation Program

The MHCP is a comprehensive, long-term regional habitat conservation plan established to protect sensitive species and habitats in northern San Diego County. The MHCP is one of three large multiple-jurisdictional habitat planning efforts in San Diego County, those being the South County Plan, the North County Plan, and the East County Plan. Each of these constitutes a subregional plan under the State of California's Natural Community Conservation Planning Act of 1991. The MHCP encompasses the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. The program goals are to conserve approximately 19,000 acres of habitat, of which roughly 8,800 acres (46%) are already in public ownership and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened, or endangered species (SANDAG 2003). The MHCP sets forth general and subarea conditions of coverage that must be met for each covered species in order for the cities to obtain take authorization.

Within the North County MHCP, the site is situated in areas identified as Developed/Disturbed Land, outside of areas targeted for conservation, including Focused Planning Area, Hardline Areas (90% to 100% Conservation), Softline Areas (Less than 90% Conservation), Hardline Preserves, Major Amendment Area, Natural Habitats (Outside of Focused Planning Area), Core Gnatcatcher Conservation, Biological Core and Linkage Area, and Edge Habitat.

## City of Escondido – Mature and Protected Tree Ordinance

The City establishes regulations and standards for the preservation, protection, and selected removal of mature and protected trees. A City-issued vegetation removal permit is required before clearing, pruning, or destroying vegetation and before any encroachments by construction activities that disturb the root system within the dripline (i.e., the outer extent margin of a tree's canopy) of any mature and protected trees. Issuance of a vegetation removal permit requires the submittal of a tree survey and, as applicable, a tree protection and/or replacement mitigation plan. Tree protection, removal, and replacement standards are outlined in the City's General Plan and in Chapter 33 (Zoning), Article 55 (Grading and Erosion Control) of the City's Municipal Code (Ordinance 2001-21). The City's General Plan recognizes any oak tree species and other mature trees, as defined below, as significant aesthetic and ecological resources deserving protection within the boundaries of the City. Sections 33-1052 and 33-1068 of the City's Municipal Code set forth rules and standards for mature tree removal, protection, and replacement.

### *Section 33-1502 (Definitions)*

A mature tree is any self-supporting woody perennial plant, native or ornamental, with a single well-defined stem or multiple stems supporting a crown of branches. The single stem, or one of multiple stems of any mature oak tree (genus *Quercus*), shall have a diameter 4 inches or greater when measured at 4.5 feet diameter at breast height (dbh) above the tree's natural grade. All other mature trees shall have a dbh of 8 inches, or greater, for a single stem or one of the multiple stems.

A protected tree is any oak that has a 10-inch or greater dbh, or any other tree species or individual specimen listed on the historic register, or is determined to substantially contribute to the historic character of a property or structure listed on the local historic register, pursuant to Article 40 of the Escondido Zoning Code.

### *Section 33-1068 (Vegetation Clearing and Protection)*

Pursuant to this section, regulations and standards are established to safeguard life and property and the public welfare concerning the preservation, protection, and selected removal of mature trees, protected trees, and historically significant trees located within the boundaries of the City.

A vegetation removal permit and appropriate standards for the replacement of vegetation approved for removal is required before clearing, pruning, or destroying City-regulated vegetation, and before any encroachments by construction activities that destroy or disturb the root system within the dripline of regulated trees. Issuance of a vegetation removal permit requires the submittal of a tree survey and may potentially require a tree replacement and/or protection plan.

*Section 33-1069 (Vegetation Protection and Replacement)*

Pursuant to this section, every feasible effort and measure to avoid damage to existing trees to remain on site shall be taken by the owner and developer during clearing, grading, and construction activity, including the placement of City-approved tree protection barriers. If mature trees cannot be preserved on site, they shall be replaced at a minimum ratio of 1:1. If protected trees cannot be preserved on site they shall be replaced at a minimum ratio of 2:1. However, the number, size, and species of replacement trees can be determined on a case-by-case basis by the City's Director of Community Development.

## City of Escondido General Plan

*Resource Conservation Element***1. Biological and Open Space Resources**

**Goal 1:** Preservation and enhancement of Escondido's open spaces and significant biological resources as components of a sustainable community.

**Biological and Open Space Resources Policy 1.1:** Establish and maintain an interconnected system of open space corridors, easements, trails, public/quasi-public land, and natural areas that preserves sensitive lands, permanent bodies of water, floodways, and slopes over 35 percent, and provides for wildlife movement.

**Biological and Open Space Resources Policy 1.2:** Maintain open space and rural residential uses around the perimeter of the city to serve as a buffer from the surrounding urbanizing areas.

**Biological and Open Space Resources Policy 1.3:** Protect land areas with steep topography (generally over 25%) from intensive urban development, regulate development in areas with topographic constraints such as steep slopes, and include these areas within the overall open space system.

**Biological and Open Space Resources Policy 1.4:** Coordinate the planning and development of the overall open space system with other public facilities and services within Escondido.

**Biological and Open Space Resources Policy 1.5:** Participate in the planning and preservation of an interconnected biological resources and open space plan with appropriate federal, state, and local agencies that enhances the viability of the regional ecosystem.

**Biological and Open Space Resources Policy 1.6:** Preserve and protect significant wetlands, riparian, and woodland habitats as well as rare, threatened or endangered plants and animals and their habitats through avoidance. If avoidance is not possible, require mitigation of resources either on- or off-site at ratios consistent with State and federal regulations, and in coordination with those agencies having jurisdiction over such resources.

**Biological and Open Space Resources Policy 1.7:** Require that a qualified professional conduct a survey for proposed development projects located in areas potentially containing significant biological resources to determine their presence and significance. This shall address any flora or fauna of rare and/or endangered status, declining species, species and habitat types of unique or limited distribution, and/or visually prominent vegetation.

**Biological and Open Space Resources Policy 1.8:** Require that proposed development projects implement appropriate measures to minimize potential adverse impacts on sensitive habitat areas, such as buffering and setbacks. In the event that significant biological resources are adversely affected, consult with appropriate state and federal agencies to determine adequate mitigation or replacement of the resource.

**Biological and Open Space Resources Policy 1.9:** Encourage proposed development projects to minimize the removal of significant stands of trees unless needed to protect public safety and to limit tree removal to the minimum amount necessary to assure continuity and functionality of building spaces.

**Biological and Open Space Resources Policy 1.10:** Prohibit any activities in riparian areas other than those permitted by appropriate agencies to protect those resources.

**Biological and Open Space Resources Policy 1.11:** Construct appropriate barriers to be maintained by property owners or homeowners' associations that restrict access to areas containing sensitive biological resources.

**Biological and Open Space Resources Policy 1.12:** Promote the use of native plants for public and private landscaping purposes within the city (City of Escondido 2012).

#### **4.1.1.3 Sensitive Biological Resources**

##### Sensitive Natural Communities

Sensitive vegetation communities/habitat types consist of land that supports unique vegetation communities or the habitats of rare or endangered species or subspecies of animals or plants. The

Project site is characterized by disturbed and developed land associated with the Palomar Health Downtown Campus buildings and paved parking lots. Native and naturalized habitat is largely absent from the site, with the exception of native species found growing in landscaped and bare soil areas around buildings throughout the site (i.e., Canada horseweed, cottonbatting plant, and San Diego milk aster). These species regularly occur on disturbed lands/roadsides and were not part of any larger native vegetation community on site. One immature coast live oak was found in an ornamental patch of vegetation on the eastern side of the property.

### Special Status Plant Species

Special-status plant species have been afforded special status and/or recognition by the USFWS and CDFW, and may also be included in the CNPS's Inventory of Rare and Endangered Plants. Their status is often based on one or more of three distributional attributes: geographic range, habitat specificity, and/or population size. A species that exhibits a small or restricted geographic range (such as those endemic to the region) is geographically rare. A species may be more or less abundant but occur only in very specific habitats. Lastly, a species may be widespread but exist naturally in small populations.

### Special-Status Plant Species Observed

No special-status plant species were observed on the Project site. Most vegetation observed on site was ornamental or non-native, and the native species encountered are not considered rare or special status.

### Special-Status Plant Species with Potential to Occur

None of the special-status plant species known to the region have a high potential to occur within the Project site due primarily to the lack of suitable conditions, habitat conversion and disturbances from previous golf course uses, and prevalence of non-native vegetation. The site does not support the vegetation associations, soils, or hydrology required by many of the special-status plants known to the region.

### Mature and Protected Trees

The City regulates the removal of mature and protected trees as defined under their General Plan and municipal code. The 2019 survey found the presence of mature trees within the site, including large eucalyptus (*Eucalyptus* spp.), western sycamore (*Platanus racemosa*), and pines (*Pinus* spp.). Of the mature trees, none were considered protected trees by the City. One immature coast live oak was found. No heritage trees or other protected trees occur.

### Special-Status Animal Species

Special-status animal species include those that have been afforded special status and/or recognition by the USFWS and CDFW. In general, the principal reason an individual taxon (species or subspecies) is given such recognition is the documented or perceived decline or limitations of its population size or geographical extent and/or distribution, resulting in most cases from habitat loss.

#### Special-Status Animal Species Observed or Otherwise Detected

No special-status wildlife species were observed on the Project site. No historic occurrences of special-status species were mapped on or near the Project site. Given the urban and developed nature of the site, it is unlikely that special-status species would use the site for nesting, breeding, or foraging.

#### Special-Status Animal Species with Potential to Occur

None of the special-status animal species known to the region have a high potential to occur within the Project site due primarily to the lack of suitable habitat, isolation of the site from undeveloped habitat blocks in the region, and disturbances associated with the highly urbanized setting. The site does not support the constituent elements required by many of the special-status animals known to the region for nesting/breeding, foraging, dispersal, and other life history requirements. Special-status animal species analyzed for their potential to occur on the site are identified in Appendix B.

### Jurisdictional Waters and Wetlands

No jurisdictional aquatic resources occur on site.

### Habitat Connectivity and Wildlife Corridors

Wildlife corridors connect otherwise isolated pieces of habitat and allow movement or dispersal of plants and animals. Local wildlife corridors allow access to resources such as food, water, and shelter within the framework of their daily routine. Regional corridors provide these functions over a larger scale and link two or more large habitat areas, allowing the dispersal of organisms and the consequent mixing of genes between populations. A corridor is a specific route used for the movement and migration of species, and may be different from a linkage in that it represents a smaller or narrower avenue for movement. A linkage is an area of land that supports or contributes to the long-term movement of animals and genetic exchange by providing live-in habitat that connects to other habitat areas. Many linkages occur as steppingstone linkages that are composed of a fragmented archipelago arrangement of habitat over a linear distance. Important corridors and linkages have been identified on a local and regional scale throughout the MHCP (SANDAG 2003)

and the County MSCP (County of San Diego 1998). The planning objectives of most corridors and linkages in western San Diego County include establishing a connection between the northern and southern regional populations of the coastal California gnatcatcher (*Poliophtila californica californica*), in addition to facilitating movement and connectivity of habitat for large mammals and riparian bird species.

No known wildlife corridors or linkage areas are mapped as occurring on or in the immediate vicinity of the Project site. The site is surrounded by existing development and as a result does not by itself function as a wildlife corridor or linkage. The site is further characterized by highly developed, urban areas that lack suitable cover and resources that are typically associated with wildlife movement areas. Common birds and mammals might move through the site to forage and during dispersal activities; however, they would not be expected to use the site as a wildlife corridor, linkage, or specific travel route to and from nursery sites other important resources.

#### **4.1.2 Analysis of Project Effects and Determination as to Significance**

##### **4.1.2.1 Guidelines for the Determination of Significance**

For purposes of this EIR, Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) will apply to the direct, indirect, and cumulative impact analyses. A significant impact to biological resources would result if the Project would:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

#### 4.1.2.2 Analysis

- A. *Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No special-status plant or animal species were observed on the Project site during 2019 site surveys conducted for the Project. Federal, state, and County-listed species known to occur in the Project area are listed below.

##### Special-Status Plant and Wildlife Species

Special-status plant and wildlife species that are known to the region were not found during surveys on the Project site due to general lack of suitable habitat. Additionally, the fact that the Project site has previously been developed and disturbed as the Palomar Health Downtown Campus makes it unlikely that special-status plant and wildlife species would occur. Therefore, impacts on special-status species would be **less than significant**.

##### Nesting Birds

The Project site contains trees, shrubs, and other vegetation that provide suitable nesting habitat for common birds, including raptors, protected under the MBTA and California Fish and Game Code. Significant impacts to nesting birds could occur if suitable nesting habitat is removed during the general bird breeding season (January 15 to September 15). This would be a **potentially significant impact (Impact BI-1)**.

- B. *Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The Project site is defined as urban and characterized by disturbed and developed land associated with the former Palomar Health Downtown Campus. Any native, naturalized and riparian habitat is largely absent from the site and surrounding areas. Therefore, impacts to sensitive habitats would be **less than significant**.

- C. Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No jurisdictional resources occur on site. Therefore, impacts would be **less than significant**.

- D. Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

No known wildlife corridors or linkage areas are mapped as occurring on or in the immediate vicinity of the Project site. The site is surrounded by existing development and as a result does not by itself function as a wildlife corridor or linkage. The site is further characterized by highly developed, urban areas that lack suitable cover and resources that are typically associated with wildlife movement areas. Common birds and mammals might move through the site to forage and during dispersal activities; however, they would not be expected to use the site as a wildlife corridor, linkage, or specific travel route to and from nursery sites or other important resources. Therefore, impacts associated with wildlife movement and nursery sites would be **less than significant**.

- E. Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The Project site contains mature trees subject to the mitigation requirements of Section 33-1069, Article 55 of Chapter 33 of the City's Municipal Code; see Section 4.1.1.2, Regulatory Setting, of this EIR under City of Escondido – Mature and Protected Tree Ordinance. As indicated on Figure 4.1-1, Tree Removal Plan, the Project would require the removal of 232 existing trees within the Project impact area. The Project would result in unavoidable impacts to tree on site due to their location and considering the necessary grading. As indicated on the landscape plan (Figure 2-6, Landscape Plan), the Project would provide 380 trees. As such, the Project would be consistent with the City's Mature and Protected Tree Ordinance considering all trees removed would be replaced. The Project would comply with this ordinance, as reflected in **Compliance Measure (CM) BI-1** (see Section 2.3.4, Project Design Features and Compliance Measures). As such, the Project would not conflict with local policies or ordinances protecting biological resources, and impacts would be **less than significant**.

*F. Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Project site occurs within the boundaries of the North County MHCP. The only Subarea Plan that has been approved and adopted within the North County MHCP is the City of Carlsbad MHCP Subarea Plan, also known as the Carlsbad Habitat Management Plan. The Project occurs within the boundaries of the Draft Escondido MHCP Subarea Plan; however, the Draft Escondido MHCP Subarea Plan has not been approved or adopted.

Within the Draft Escondido MHCP Subarea Plan, the site also occurs in areas identified as Developed/Disturbed Land, outside of areas targeted for conservation. No suitable habitat for covered species and other resources targeted for conservation under the Draft Escondido MHCP Subarea Plan occurs on the site. As such, the Project is not proposed in any areas targeted for conservation and would not conflict with the provisions or preclude the future implementation of the Draft Escondido MHCP Subarea Plan. Therefore, the Project does not conflict with any adopted habitat conservation plan, natural conservation community plan, or other approved local, regional, or state habitat conservation plan, and **less than significant impacts** would occur.

### 4.1.3 Cumulative Impact Analysis

#### Special-Status Plant and Wildlife Species

As previously discussed, the Project has the potential to result in significant impacts to nesting birds; therefore, it could cumulatively contribute to an impact on these resources. Avoidance of nesting birds is a regulatory requirement for any project occurring within the cumulative study area. Nesting birds are protected under federal and state policy, including the MBTA and California Fish and Game Code, respectively. In complying with the MBTA and California Fish and Game Code, cumulative projects are required to restrict impacts on potential nesting habitat to periods when birds are not nesting (i.e., to periods that occur outside of regional breeding seasons). However, without the appropriate mitigation, in combination with other cumulative projects, the Project would potentially contribute to a **cumulatively considerable impact** to nesting birds (**Impact BI-CUM-1**).

#### Jurisdictional Waters and Wetlands

As previously discussed, no jurisdictional resources exist on site and potential impacts were identified at the project level would be less than significant. Pursuant to regulatory requirements, projects are required to notify the appropriate regulatory agencies and obtain the appropriate permits to demonstrate compliance with existing regulations protecting jurisdictional resources.

The regulatory permitting process ensures that every project with unavoidable impacts on jurisdictional resources implements required avoidance, minimization, and compensatory mitigation measures and obtains the appropriate permits. Projects in the region are required to meet a no-net-loss standard for both function and spatial area of wetland and non-wetland resources. Therefore, the Project would not contribute to the cumulative impact to jurisdictional waters and wetlands. The Project would have **no cumulative impact** to jurisdictional waters and wetlands.

#### Conflict with Local Policies or Ordinances Protecting Biological Resources

As previously described, the Project would involve the removal of 232 trees. Pursuant to regulatory requirements, the Project is required to compensate the loss of mature and protected trees. The Project would comply with this ordinance, as reflected in **CM-BI-1**. With compliance with the City's Mature and Protected Tree Ordinance, the Project would have a **less than significant** contribution toward the cumulative loss of trees.

#### **4.1.4 Significance of Impacts Prior to Mitigation**

Before mitigation, impacts to sensitive habitats for nesting birds and conflicts with policies for mature tree protection would be **potentially significant**.

**Impact BI-1** Significant impacts to nesting birds could occur if suitable nesting habitat is removed during the general bird breeding season (January 15 to September 15).

**Impact BI-CUM-1** The Project would potentially contribute to a cumulatively considerable impact to nesting birds.

#### **4.1.5 Mitigation**

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

**M-BI-1 Nesting Bird and Raptor Avoidance.** Prior to the issuance of grading or demolition permits, the City of Escondido shall verify that the following measure is shown on the grading and demolition plans:

If clearing or grubbing occurs within the nesting season (January 15 to August 31), nesting bird surveys for migratory birds and raptors are required to be performed by a qualified biologist at least 72 hours before the start of vegetation removal.

If active nests are found, appropriately sized no-work buffers will be established around all active nests identified within and adjacent to the Project site. The

qualified biologist will determine the appropriate buffer size and level of nest monitoring necessary for species not listed under the federal Endangered Species Act (ESA) or the California ESA based on the species' life history, the species' sensitivity to disturbances (e.g., noise, vibration, human activity), individual behavior, status of nest, location of nest and site conditions, presence of screening vegetation, anticipated Project activities, ambient noise levels compared to Project-related noise levels, existing non-Project-related disturbances in vicinity, and ambient levels of human activity. All buffers for non-ESA/California ESA-listed species will be no less than 50 feet and no ~~more~~-less than 300 feet for raptor species.

Buffers will be marked (flagged or fenced with Environmentally Sensitive Area fencing) around the active nest site as directed by the qualified biologist and in accordance with safety requirements. Periodic monitoring of active nests will occur to ensure the Project does not result in the failure of the nest. No Project activities or personnel will be allowed inside these buffers, except for the qualified biologist (if necessary). The buffer(s) will be maintained around each nest until the nest becomes inactive as determined by the qualified biologist.

At the discretion of a qualified biologist, if a nesting bird appears to be stressed as a result of Project activities and the buffer does not appear to provide adequate protection, additional minimization measures may need to be implemented.

Construction will be allowed to continue outside of the no-work buffers. The qualified biologist will ensure that restricted activities occur outside of the delineated buffers, check nesting birds for any potential indications of stress, and ensure that installed fencing or flagging is maintained at buffer boundaries during nest monitoring and any additional site visits. Buffer sizes may be reduced, or the extent of nest monitoring may be reduced, at the discretion of the qualified biologist. Any changes to buffer sizes and/or nest monitoring frequency will be documented.

#### 4.1.6 Significance of Impacts After Mitigation

**M-BI-1** would reduce **Impact BI-1** and **Impact BI-CUM-1** by ensuring that if an active migratory bird or raptor nest is identified, no construction activities shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist. Avoiding migratory bird and raptor nests would reduce **Impact BI-1** and **Impact BI-CUM-1** to **less than significant**.

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 - Existing Trees To Be Removed - 292  
 - see Figure 2-6, Landscape Plan, for trees to be added

SOURCE: GMP 2019

**FIGURE 4.1-1**  
**Tree Removal Plan**  
 Palomar Heights

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## **4.2 Cultural Resources**

This section addresses the potential cultural resources impacts associated with implementation of the Palomar Heights Project (Project). The potential for cultural resources to be present in the Project vicinity was determined based on available reports and site-specific studies. Information provided in this section was incorporated from the following sources: *Negative Cultural Resources Letter Report for the Palomar Heights Project*, prepared by Dudek, and the *Historic Structure Assessment for the Palomar Health Downtown Campus and Medical Offices* prepared by Brian F. Smith and Associates Inc. (BFSA). The results of these analyses are included in this section, and a copy of the reports are included as Appendices C and D of this Environmental Impact Report (EIR), respectively. An addendum to the Historic Structure Assessment was completed by BFSA, which is included as Appendix D.1 of this EIR.

### **4.2.1 Existing Conditions**

#### **4.2.1.1 Environmental Setting**

The 13.8-acre Project site is located in a central area of the City of Escondido (City), approximately 1.6 miles east of Interstate 15, and about 0.6 miles west of State Route 78. The City of San Marcos boundary is approximately 2.2 miles to the northwest. The Project site is developed and serves as the Palomar Health Downtown Campus (Hospital Campus).

#### **4.2.1.2 Records Search and Survey**

### **Cultural Resources**

#### **Archival Research**

Dudek consulted historical aerial photographs of the Project site from 1947, 1953, 1964, 1967, 1980, 1989, 1995, 1996, 2002, 2003, 2005, 2009, 2010, 2012, and 2014 (Appendix C). The historic photographs reveal that the modern street layout was present prior to 1947. Development of most of the area surrounding the Project site was present prior to 1980. It is unknown if mass grading took place during the initial development of the Project area. The historic photographs reveal that historic structures are located within the Project area. The structure located at 451 E. Valley Parkway was developed prior to 1947. The structures located at addresses 555 E. Valley Parkway, 640–644 E. Grand Avenue, and 660 E. Grand Avenue, were built prior to 1953. The building located at 121–141 N. Fig Street was constructed prior to 1964. The structure at 456 E. Grand Avenue was built prior to 1980.

#### **Pedestrian Survey**

Dudek archaeologist, Jessica Colston, performed an intensive pedestrian survey on June 20, 2019, using standard archaeological procedures and techniques that meet the Secretary of Interior's

standards and guidelines for cultural resources inventory. The survey method consisted of 15 meter-wide transects across the Project site. The archaeologist examined the ground surface for prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rocks), soil discoloration that could potentially indicate the presence of a cultural midden, soil depressions, features indicative of the current or former presence of structures or buildings (e.g., standing exterior walls, post holes, foundations), and historic-age artifacts (e.g., metal, glass, ceramics, building materials). Ground disturbances such as burrows, cut banks, and drainages were visually inspected for exposed subsurface materials.

Due to the Project site's heavily developed environment, ground visibility was poor (approximately 10%) overall due to the presence of buildings and asphalt. Ground visibility was good (80% to 100%) within landscaped areas with exposed soils. The survey did not identify any archaeological resources within the Project site. In addition, no human remains were observed or are expected.

### Cultural Resources Records Search

On July 4, 2019, the staff at the South Coastal Information Center at San Diego State University performed a California Historical Resources Information Systems records search for the Project site which includes a 1-mile radius buffer. The records search results indicate that 65 previous cultural resources studies were conducted within 1 mile of the Project site. Of the 65 studies, one was mapped within the Project site (see Table 4.2-1). The remaining cultural resource studies do not intersect the Project site.

**Table 4.2-1**  
**Previous Technical Studies within the Project Site**

Report Number	Authors	Date	Title
<i>Intersects the Project area</i>			
SD-12648	Moriarty, J.	1966	Culture Phase Divisions Suggested by Typological Change Coordinated with Stratigraphically Controlled Radiocarbon Dating at San Diego

Source: Appendix C.

The records search found no cultural resources within the Project site. However, 814 cultural resources were identified within the 1-mile-radius buffer. Of the 814 previously recorded cultural resources, 3 are located adjacent to the Project site approximately 50 meters north. These 3 resources are historic structures (see Table 4.2-2).

The records search identified 828 historic addresses within 1 mile of the Project site. Of the 828 addresses, 4 are located within the Project site (see Table 4.2-3). The addresses consist of residential, government, and commercial properties of various architectural styles. They were constructed between the late 1800s to 1940s. The structures at the four historic addresses were converted for commercial use. The built environment resources are further discussed below.

**Table 4.2-2  
Cultural Resources Adjacent to the Project Site**

Primary Number	Trinomial	Type	Description
<i>Outside of the Project area</i>			
P-37-036142	—	Historic	Government Building
P-37-036144	—	Historic	Government Building
P-37-036143	—	Historic	Government Building

Source: Appendix C.

**Table 4.2-3  
Historic Addresses within the Project Site**

Address	City	Primary Number	Description	Eligibility
100 Valley Boulevard	Escondido	P-37-019670	Government Building/ Old Fire Station	Appears Eligible
151–153 N. Valley Boulevard	Escondido	P-37-019671	Residential Building	Not Evaluated
155 N. Valley Boulevard.	Escondido	P-37-019672	Commercial Building	Not Evaluated
451 E. Valley Parkway	Escondido	P-37-19479/80	Vacant Commercial	Eligible

Source: Appendix C.

## Built Environment Resources Assessment

### Archival Research

In addition to the records search performed by Dudek, records relating to the ownership and developmental history of this property were sought by BFSA to identify any associated historic or architectural significance. Records located at the BFSA research library, those of the San Diego Assessor/Recorder/County Clerk, and the Escondido History Center were consulted. Title records for the property were also obtained. A detailed history and ownership of the Palomar Health Downtown Campus is found in Section IV of Appendix D. Appendix D also contains maps of the property, including historic and current U.S. Geological Survey maps, Sanborn Fire Insurance maps, and the original subdivision maps. Refer to Appendix D for further details.

### Field Survey

BFSA conducted a field assessment on October 2, 2019. Preparation of architectural descriptions was conducted in the field and supplemented using the photographic documentation. Potentially historic buildings identified within the Project site include the Palomar Health Downtown Campus located at 555 E. Valley Parkway and associated medical offices located at 451–453 East Valley Parkway, 624 E. Grand Avenue, 640–660 E. Grand Avenue, and 121–141 N. Fig Street (Figure 4.2-1, Key Map of Buildings within the Project Site). Although the 456 E. Grand Avenue building is also located within the Project boundaries, it does not meet the minimum age threshold (50 years

old) to be considered a historic resource since it was constructed in 1973.<sup>1</sup> The building was designed by an unknown architect in a combination of the International and Brutalist architectural styles. As a combination of the two styles, it does not serve as a good example of either as it is lacking several character-defining features of both. Originally constructed as an office building, the 456 E. Grand Avenue building has been used as such since its construction and is not associated with any known significant persons or events. Therefore, the building is not considered an “exceptional resource” justifying its evaluation prior to it reaching 50 years of age. Summarized descriptions of each evaluated property are included below, with additional details provided in Appendix D.

### *555 E. Valley Parkway*

The existing Palomar Health Downtown Campus building at 555 E. Valley Parkway, located within APN 229-450-06, was constructed between 1957 and 2002. Although the original Palomar Memorial Hospital building was completed at this location in 1950, all original portions of the building were demolished between 1968 and 1990 during the various expansions made to the campus. The building currently consists of a mixture of varying architectural styles including International, Brutalist, and modern 1980s architecture (Figure 4.2-2, Photos of 555 E. Valley Parkway). The main entrance is located on the north façade of the western portion of the building, which was completed in 1989 as the north façade of the “New Tower/Garage.” To the west of the 1989 “New Tower/Garage” addition is the north façade of the 1985 parking garage. Southeast of the parking garage is a helistop that was also constructed in 1985. Other additional structures were added or modified over time, including the Adams Medical Wing, a cogeneration plant, the south wing, utilities and storage structures, McLeod Tower, and cogeneration plant.

### *451–453 E. Valley Parkway*

The 451–453 East Valley Parkway building located within APN 229-442-01 was constructed in 1934 (Figure 4.2-3, Photos of 451–453 E. Valley Parkway). The building was included in the City of Escondido Historic Resources Inventory (HRI) in 1983 and in 1990, was updated with a status of “significant” (Appendix D). However, despite having been listed as significant in the HRI, the building has not yet been formally evaluated for historic significance. The building was designed and contracted by Arthur J. Simpson, who owned and operated a wrecking yard across the street.

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<sup>1</sup> As discussed below, resources less than 50 years old are generally not considered “historic resources” for purposes of CEQA as they are generally not considered for listing in the CRHR because sufficient time has not passed to obtain a scholarly perspective on the events or individuals associated with the resource (see 14 California Code of Regulations Section 4852(d)(2)). The City of Escondido Local Register of Historic Places (City of Escondido Register) likewise requires that, for a resource to be deemed historically significant and included on the survey, it “must be at least 50 years or older” or comprise an “exceptional resource” which has achieved historical significance within the past 50 years. (Escondido Municipal Code, Chapter 33, Art. 40, Section 33-790(b)(28), 33-794(c)(5) [Significance Criterion 5].) As the City of Escondido is the lead agency for the Project, and no evidence has shown the resources at the site to be “exceptional”, the 2020 BFSAs Historic Structure Assessment (Appendix D) has utilized the 50-year age criteria for all evaluations, which is the standard practice within the City.

Based on archival records and the survey, it appears that this building has been modified in several instances since initial construction, including exterior wood paneling, the exterior stucco additions, the irregular roofing, and the original service entrance door.

#### *624 E. Grand Avenue*

The 624 E. Grand Avenue building, located within APN 230-163-04, was constructed in 1953 as a church (Figure 4.2-4, Photos of 624 E. Grand Avenue). Around 1954, a new roof was installed. The building record indicates that in 1959, the building was a medical office that had originally been designed as a church. Currently, the entire 624 East Grand Avenue building is clad in stucco. Due to the mixture of different materials and modifications, the building is not representative of any specific architectural style. According to the building record, the interior of the building was “gutted and remodeled” in 1991.

#### *640–660 E. Grand Avenue*

The 640–660 E. Grand Avenue buildings, located within APN 230-163-03, were originally constructed as medical offices beginning in 1960 (Figure 4.2-5, Photos of 640–660 E. Grand Avenue). The first building constructed on the property (660 East Grand Avenue) was designed by architect Fred Earl Norris and completed in 1960 (Appendix D). The second building (644–646 E. Grand Avenue) was also designed by Norris and completed in 1961 (Appendix D). In 1969, architect Russell Forester designed an addition (640–642 E. Grand Avenue) onto the west façade of the 644–646 E. Grand Avenue building (Appendix D) based on Norris’s original 1960 plans. The pedestrian ramp that extends across the 640–642 E. Grand Avenue addition was completed in 1961 at the same time as the 644–646 E. Grand Avenue building (Appendix D). No modifications appear to have occurred since the 1969 addition.

#### *121–141 N. Fig Street*

The 121–141 N. Fig Street building, located within APNs 230-163-02 and 760-169-27, was constructed as an International-style medical office building in 1965 (Figure 4.2-6, Photos of 121–141 N. Fig Street). The 121–141 N. Fig Street building was designed in 1965 by Russell Forester, a City of San Diego-designated master architect. No modifications appear to have been made to the building since its initial construction.

### **4.2.1.3 Regulatory Setting**

#### Federal

##### **National Historic Preservation Act**

The National Historic Preservation Act (16 USC 470 et seq.) establishes the nation's policy for historic preservation and sets in place a program for the preservation of historic properties by requiring federal agencies to consider effects to significant cultural resources (e.g., historic properties) prior to undertakings.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of projects on historic properties (resources included in or eligible for the National Register of Historic Places). It also gives the Advisory Council on Historic Preservation and the state historic preservation offices an opportunity to consult. Federal agencies issuing permits for the Project will be required to comply with National Historic Preservation Act requirements.

##### **Antiquities Act**

The Antiquities Act of 1906 (16 USC 431–433) protects any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the government of the United States from appropriation, excavation, injury, or destruction without the permission of the secretary of the department of the government having jurisdiction over the lands on which the antiquities are situated. The California Department of Transportation, National Park Service, Bureau of Land Management, U.S. Forest Service, and other federal agencies have interpreted objects of antiquity to include fossils. The Antiquities Act provides for the issuance of permits to collect fossils on lands administered by federal agencies and requires projects involving federal lands to obtain permits for both paleontological resource evaluation and mitigation efforts.

##### **American Indian Religious Freedom Act**

The American Indian Religious Freedom Act (42 USC 1996) protects Native American religious practices, ethnic heritage sites, and land uses.

##### **Native American Graves Protection and Repatriation Act**

Enacted in 1990, the Native American Graves Protection and Repatriation Act conveys to American Indians of demonstrated lineal descent the human remains and funerary or religious items that are held by federal agencies and federally supported museums, or that have been recovered from federal lands. It also makes the sale or purchase of American Indian remains illegal, whether or not they derive from federal or Indian lands.

## Secretary of the Interior Standards

The secretary of the Interior is the head of the U.S. Department of the Interior, which is nation's principal conservation agency. The department oversees agencies including the Bureau of Land Management, the Bureau of Indian Affairs, and the National Park Service.

### *The Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation*

The purpose of the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation of 1983 is to (1) organize the information gathered about preservation activities; (2) describe results to be achieved by federal agencies, states, and others when planning for the identification, evaluation, registration and treatment of historic properties; and (3) integrate the diverse efforts of many entities performing historic preservation into a systematic effort to preserve the nation's culture heritage.

### *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*

The Secretary of the Interior's Standards for the Treatment of Historic Properties were developed to help protect the nation's irreplaceable cultural resources by promoting consistent preservation practices. The standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations; thus, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. But once an appropriate treatment is selected, the standards provide philosophical consistency to the work.

## State

### Assembly Bill 52 (Chapter 532, Statute of 2014)

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California Native American tribes as part of the California Environmental Quality Act (CEQA) and equates significant impacts on tribal cultural resources with significant environmental impacts (California Public Resources Code Section 21084.2). California Public Resources Code Section 21074 defines tribal cultural resources as follows:

1. Sites, features, places, sacred places, and objects with cultural value to descendant communities or cultural landscapes defined in size and scope that are:
  - Included in or eligible for listing in the California Register of Historical Resources (CRHR); or
  - Included in a local register of historical resources.

- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC [California Public Resources Code] Section 5024.1.

Sacred places can include Native American sanctified cemeteries, places of worship, religious or ceremonial sites, and sacred shrines. In addition, both unique and non-unique archaeological resources, as defined in California Public Resources Code Section 21083.2, can be tribal cultural resources if they meet the criteria detailed above. The lead agency relies upon substantial evidence to make the determination that a resource qualifies as a tribal cultural resource when it is not already listed in the CRHR or a local register.

AB 52 defines a “California Native American Tribe” (Tribe) as a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission (NAHC; California Public Resources Code Section 21073). Under AB 52, formal consultation with Tribes is required prior to determining the level of environmental document if a Tribe has requested to be informed by the lead agency of proposed projects and if the Tribe, upon receiving notice of the project, accepts the opportunity to consult within 30 days of receipt of the notice. AB 52 also requires that consultation, if initiated, address project alternatives and mitigation measures for significant effects, if specifically requested by the Tribe. AB 52 states that consultation is considered concluded when either the parties agree to measures to mitigate or avoid a significant effect on tribal cultural resources, or when either the Tribe or the agency concludes that mutual agreement cannot be reached after making a reasonable, good-faith effort. Under AB 52, any mitigation measures recommended by the agency or agreed upon with the Tribe may be included in the final environmental document and in the adopted mitigation monitoring program if they were determined to avoid or lessen a significant impact on a tribal cultural resource. If the recommended measures are not included in the final environmental document, then the lead agency must consider the four mitigation methods described in California Public Resources Code Section 21084.3(e). Any information submitted by a Tribe during the consultation process is considered confidential and is not subject to public review or disclosure. It will be published in a confidential appendix to the environmental document unless the Tribe consents to disclosure of all or some of the information to the public.

### California Historical Landmarks

The State Historical Landmarks Program places an emphasis on well-known places and events in California history. The goals of the program include the preservation and maintenance of registered landmarks, most of which include missions, early settlements, battles, and gold rush sites.

### California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act of 2001 conveys to American Indians of demonstrated lineal descent the human remains and funerary items that are held by state agencies and museums.

### California Points of Historical Interest Program

The State Points of Historical Interest Program was established in the effort to accommodate local historic properties not able to meet the restrictive criteria of the State Historical Landmarks Program. The Points of Historical Interest Program requires the participation of local governmental officials, such as the chairperson of the Board of Supervisors, in the approval process.

### California Health and Safety Code, Section 7050.5 – Human Remains

Section 7050.5(b) of the California Health and Safety Code specifies protocol when human remains are discovered. The Code states:

In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in section 5097.98 of the PRC [California Public Resources Code].

### California Public Resources Code

#### *Section 5097-5097.6 – Archaeological, Paleontological, and Historical Sites*

California Public Resources Code Sections 5097–5097.6 outline the requirements for cultural resource analysis before the start of any construction project on state lands. This section identifies that the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands is a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit (expressed permission) on public lands, and provides for criminal sanctions. This section was amended in 1987 to require consultation with NAHC whenever Native American graves are found. Violations for the taking or possessing remains or artifacts are felonies.

California Public Resources Code Section 5097.5(a) states, in part, the following:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

#### *Section 5097.9–5097.991 – Native American Heritage*

California Public Resources Code Sections 5097.9–5097.991 identify that no public agency, and no private party using or occupying public property, or operating on public property, under a public license, permit, grant, lease, or contract made on or after July 1, 1977, shall in any manner whatsoever interfere with the free expression or exercise of Native American religion as provided in the U.S. Constitution and the California Constitution; nor shall any such agency or party cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property, except on a clear and convincing showing that the public interest and necessity so require it. In addition, this section details the composition and responsibilities of NAHC. NAHC strives for the preservation and protection of Native American human remains, associated grave goods, and cultural resources. NAHC has developed a strategic plan to assist the public, development community, local and federal agencies, educational institutions and California Native Americans to better understand problems relating to the protection and preservation of cultural resources and to serve as a tool to resolve these problems and create an awareness among lead agencies and developers of the importance of working with Native Americans (NAHC 2008). California Public Resources Code Sections 5097.91 and 5097.98 were amended by AB 2641 in 2006. AB 2641 authorizes the NAHC to bring an action to prevent damage to Native American burial grounds or places of worship and establishes more specific procedures to be implemented in the event that Native American remains are discovered.

#### **Senate Bill 18 – Traditional Tribal Cultural Places**

As of March 1, 2005, Senate Bill 18 (California Government Code Sections 65352.3 and 65352.4) requires that, before the adoption or amendment of a general plan proposed on or after March 1, 2005, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction. The consultation intends to establish a meaningful dialogue regarding potential means to preserve Native American places of importance. It allows for tribes to hold conservation easements and for tribal cultural places to be included in open space planning.

## California Register of Historical Resources

The California Office of Historic Preservation maintains the CRHR. The CRHR is the authoritative guide to the state's significant historic and archaeological resources. The program provides for the identification, evaluation, registration, and protection of California's historic resources. The CRHR encourages public recognition and protection of resources of architectural, historic, archaeological, and cultural significance; identifies historic resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protection to resources under CEQA.

The CRHR also has established context types to be used when evaluating the eligibility of a property or resource for listing. A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the four following National Register Historic Properties (NRHP) criteria (Pub. Res .Code § 5024.1(c)):

1. It is associated with events that have made a significant contribution to the broad patterns of California's history or cultural heritage.
2. It is associated with the lives of persons important in our past.
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. It has yielded, or may be likely to yield, information important to prehistory or history.

Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 California Code of Regulations section 4852(d)(2)). Generally, 50 years is considered an appropriate metric for considering a resource to be historically significance, as to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. (*Id.*)

Similar to the National Register of Historic Places, eligibility for the CRHR requires an establishment of physical integrity. Integrity is the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. (see 14 California Code of Regulations section 4852(c)). The CRHR utilizes the seven aspects of integrity recognized by NRHP criteria and recommended in the *National Register Bulletin: How to Apply the National Register Criteria for Evaluation* (Andrus and Shrimpton 2002):

1. **Integrity of Location** [*refers to*] *the place where the historic property was constructed or the place where the historic event occurred.*
2. **Integrity of Design** [*refers to*] *the combination of elements that create the form, plan, space, structure, and style of the property.*

3. **Integrity of Setting** *[refers to] the physical environment of a historic property. Setting includes elements such as topographic features, open space, viewshed, landscape, vegetation, and artificial features.*
4. **Integrity of Materials** *[refers to] the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.*
5. **Integrity of Workmanship** *[refers to] the physical evidence of the labor and skill of a particular culture or people during any given time period in history.*
6. **Integrity of Feeling** *[refers to] a property's expression of the aesthetic or historic sense of a particular period of time.*
7. **Integrity of Association** *[refers to] the direct link between an important historic event or person and a historic property.*

The CRHR's list of special considerations is less stringent than that of the NRHP, providing allowances for relocated buildings, structures, or objectives as reduced requirements for physical integrity.

### California Environmental Quality Act

Primary environmental legislation in California is found in CEQA and its implementing guidelines (CEQA Guidelines), which require that projects with potential adverse effects (or impacts) on the environment undergo environmental review. Adverse environmental impacts are typically mitigated as a result of the environmental review process in accordance with existing laws and regulations. Resource importance is assigned to districts, sites, buildings, structures, and objects that possess exceptional value or quality illustrating or interpreting the heritage of San Diego County in history, architecture, archaeology, engineering, and culture. A number of criteria are used in demonstrating resource importance. Specifically, criteria outlined in CEQA provide the guidance for making such a determination. The following sections detail the criteria that a resource must meet in order to be determined important.

According to the CEQA Guidelines (14 CCR 15064.5a), the term "historical resource" includes the following:

- 1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (CRHR) (California Public Resources Code, §§ 5024.1; 14 CCR 4850 et seq.).
- 2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical

- resource survey meeting the requirements of Section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- 3) Any object, building, structure, site, area, place, record, or manuscript, which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR (California Public Resources Code, §§ 5024.1; 14 CCR 4852), including the following:
    - a) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
    - b) Is associated with the lives of persons important in our past;
    - c) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
    - d) Has yielded, or may be likely to yield, information important in prehistory or history.
  - 4) The fact that a resource is not listed on, or determined eligible for listing on the CRHR, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC Section 5020.1(j) or 5024.1.

According to the CEQA Guidelines (14 CCR 15064.5b), a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. CEQA defines a substantial adverse change as:

- 1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
- 2) The significance of an historical resource is materially impaired when a project:

- a) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR; or
- b) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- c) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion on the CRHR as determined by a lead agency for purposes of CEQA.

Section 15064.5(c) of the CEQA Guidelines applies to effects on archaeological sites and contains the following additional provisions regarding archaeological sites:

- 1) When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subsection (a).
- 2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the PRC, Section 15126.4 of the guidelines, and the limits contained in Section 21083.2 of the PRC do not apply.
- 3) If an archaeological site does not meet the criteria defined in subsection (a), but does meet the definition of a unique archaeological resource in Section 21803.2 of the PRC, the site shall be treated in accordance with the provisions of Section 21083.2. The time and cost limitations described in PRC Section 21083.2 (c-f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.
- 4) If an archaeological resource is neither a unique archaeological nor historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or Environmental Impact Report, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

Sections 15064.5(d) and 15064.5(e) of the CEQA Guidelines contain additional provisions regarding human remains.

Regarding Native American human remains, Section 15064.5(d) provides:

- (d) When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in PRC SS5097.98. The applicant may develop an agreement for treating or disposing of with appropriate dignity the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the NAHC. Action implementing such an agreement is exempt from:
- 1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).
  - 2) The requirements of CEQA and the Coastal Act.

Regarding tribal cultural resources, California Public Resources Code Sections 21074(a) and 21074(b) provide:

A “tribal cultural resource” is defined as any of the following under its subsections (a)–(c):

- a) (1) Sites, features, places, and objects with cultural value to descendant communities or cultural landscapes that are any of the following:
  - A. Included in the California Register of Historical Resources.
  - B. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
  - C. Deemed to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological

resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

Additionally, an environmental impact report, mitigated negative declaration, or negative declaration for a project with a significant impact on an identified tribal cultural resource cannot be certified or adopted unless one of the following occurs:

1. The consultation process between the tribe and the lead agency has concluded;
2. The tribe requested consultation but failed to provide comments or otherwise failed to engage in consultation; or
3. The lead agency provided notice of the project to a tribe and the tribe failed to request consultation within the 30 day deadline.

### Local

#### City of Escondido Municipal Code

Chapter 33, Article 40 of the City Municipal Code (Historical Resources) establishes the City’s Historic Preservation Committee, the Escondido Local Register of Historical Places, and the designation process for Escondido Local Landmarks. Any person may nominate an historical resource to the local register or for landmark designation; however, the application must be made to the planning division on forms provided by the City. In addition, requests for local landmark designation must include a letter signed by the property owner consenting to the initiation. Article 40 additionally establishes it as unlawful to tear down, demolish, construct, alter, remove or relocate any historical resource or any portion thereof that has been listed on the Escondido Historic Sites Survey, Local Register, designated as a Local Landmark, or located within an Historical Overlay District or to alter any feature of without first obtaining a permit as outlined in Article 40, Section 33-798. This includes obtaining a Certificate of Appropriateness for any new construction, and/or alteration that would affect the exterior appearance of an historical resource listed on the local register, or located within an historical overlay district, including the back, sides, and street façade, even when a building permit is not otherwise required. Additional permits, as well as review by the planning commission, may also be required. Improvements and alterations to properties listed on the Escondido Historic Sites Survey outside a historical overlay district are also subject to staff administrative review to ensure that improvements and alterations do not preclude future listing in the local register. Further, Article 40 requires that all repairs, alterations, constructions, restorations or changes in use of applicable historical resources shall conform to the requirements of the State Historical Building Code and the Secretary of the Interior’s Standards for Rehabilitation. Demolitions of such resources would require a permit acquired in accordance with Article 40, Sections 33-801, 33-802, and 33-803.

Article 40, Section 33-794, provides the criteria for which a historic resource would be granted a local register or historical landmark status as follows:

1. Escondido historical resources that are strongly identified with a person or persons who significantly contributed to the culture, history, prehistory, or development of the City of Escondido, region, state or nation;
2. Escondido building or buildings that embody distinguishing characteristics of an architectural type, specimen, or are representative of a recognized architect's work and are not substantially altered;
3. Escondido historical resources that are connected with a business or use that was once common but is now rare;
4. Escondido historical resources that are the sites of significant historic events;
5. Escondido historical resources that are fifty (50) years old or have achieved historical significance within the past fifty (50) years;
6. Escondido historical resources that are an important key focal point in the visual quality or character of a neighborhood, street, area or district;
7. Escondido historical building that is one of the few remaining examples in the city possessing distinguishing characteristics of an architectural type.
8. Sign that is exemplary of technology, craftsmanship or design of the period when it was constructed, uses historical sign materials and is not significantly altered;
9. Sign that is integrated into the architecture of the building, such as the sign pylons on buildings constructed in the Modern style and later styles;
10. Sign that demonstrates extraordinary aesthetic quality, creativity, or innovation;
11. Escondido landscape feature that is associated with an event or person of historical significance to the community or warrants special recognition due to size, condition, uniqueness or aesthetic qualities;
12. Escondido archaeological site that has yielded, or may be likely to yield, information important in prehistory;
13. Escondido significant historical resource that has an outstanding rating of the criteria used to evaluate local register requests.

A structural resource shall be evaluated against criteria number one (1) through seven (7), and must meet at least two (2) of the criteria.

The City of Escondido utilizes a 50-year age criteria for granting a resource local register or historic landmark status. Like the National Register of Historic Places, the City recognizes that properties less than fifty (50) years old ordinarily not historic unless they are of exceptional importance. The City thus requires that resources on the City's Survey of historical resources be

“fifty (50) years or older unless the historic preservation commission deems a younger, exceptional resource worthy of documentation.” (Article 40, Section 33-790(b)(23), (28).) Resources completed less than 50 years ago are generally not subject to historic review, or the permits and processes established to preserve historical resources. The age of a building is generally obtained through the review of historic records including, but not necessarily limited to, the Notice of Completion, the County Assessor’s residential or commercial building records, sewer and water connection records, building permits, and city directories (City of San Diego 2019; SOHO 2017).

Article 55 of the City Municipal Code (Grading and Erosion Control) ensures that development occurs in a manner that protects the natural and topographic character and identity of the environment, the visual integrity of hillsides and ridgelines, sensitive species and unique geologic/geographic features, and the health, safety, and welfare of the general public by regulating grading on private and public property and providing standards and design criteria. Additionally, the article recommends that grading designs be sensitive to natural topographic, cultural, or environmental features, as well as mature and protected trees by implementing the following features should be preserved in permanent open space easements, or such other means that will ensure their preservation: undisturbed steep slopes (over 35%); riparian areas, mitigation areas, and areas with sensitive vegetation or habitat; unusual rock outcroppings; other unique or unusual geographic features; and significant cultural or historical features.

## City of Escondido General Plan

### *Resource Conservation Element*

## 5. Historic and Cultural Resources

**Goal 5:** Preservation of important cultural and paleontological resources that contribute to the unique identity and character of Escondido.

**Cultural Resources Policy 5.1:** Maintain and update the Escondido Historic Sites Survey to include significant resources that meet local, state, or federal criteria.

**Cultural Resources Policy 5.2:** Preserve significant cultural and paleontological resources listed on the national, State, or local registers through: maintenance or development of appropriate ordinances that protect, enhance, and perpetuate resources; incentive programs; and/or the development review process.

**Cultural Resources Policy 5.3:** Consult with appropriate organizations and individuals (e.g., South Coastal Information Center of the California Historical Resources Information System, Native American Heritage Commission, Native American groups and individuals, and San Diego Natural History Museum) early in the development process to minimize potential impacts to cultural and paleontological resources.

**Cultural Resources Policy 5.4:** Recognize the sensitivity of locally significant cultural resources and the need for more detailed assessments through the environmental review process.

**Cultural Resources Policy 5.5:** Preserve historic buildings, landscapes, and districts with special and recognized historic or architectural value in their original locations through preservation, rehabilitation (including adaptive reuse), and restoration where the use is compatible with the surrounding area.

**Cultural Resources Policy 5.6:** Review proposed new development and/or remodels for compatibility with the surrounding historic context.

**Cultural Resources Policy 5.7:** Comply with appropriate local, State, or federal regulations governing historical resources.

**Cultural Resources Policy 5.8:** Consider providing financial incentives, and educational information on existing incentives provided by the federal government to private owners and development in order to maintain, rehabilitate, and preserve historic resources.

**Cultural Resources Policy 5.9:** Educate the public on the City's important historic resources in increase awareness for protection (City of Escondido 2012).

## **4.2.2 Analysis of Project Effects and Determination as to Significance**

### **4.2.2.1 Guidelines for the Determination of Significance**

For the purposes of this EIR, Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) will apply to the direct, indirect, and cumulative impact analyses. A significant impact to cultural resources would result if the Project would:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.
- C. Disturb any human remains, including those interred outside of formal cemeteries.

### **4.2.2.2 Analysis**

- A. ***Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?***

The Project would require removal of all existing structures within the Project site, including all potential historic structural resources. The following summarizes the historic eligibility of each potential resource within the Project site against the CRHR and City of Escondido criteria; a full analysis and archival research record is provided in Appendix D. The 456 E. Grand Avenue building does not meet the minimum age 50-year age criteria to be evaluated for potential listing under the CRHR or City of Escondido criteria, nor is it an “exceptional resource” justifying deviation from this standard. It is therefore is not considered in this analysis.

### CRHR Eligibility Evaluation

#### CRHR Criterion 1

It was discovered through historical research that no significant events could be associated with the 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, or 640–660 E. Grand Avenue buildings. Although the 555 E. Valley Parkway building is associated with Escondido’s transition from private- to public-funded hospitals/medical care, the original portions of the building that were associated with this transition are no longer extant and the building’s association with this time in history has been lost. Because none of the buildings could be associated with any specific event, they are not eligible for designation under CRHR Criterion 1.

#### CRHR Criterion 2

It was discovered that no historically significant persons are associated with the 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 East Valley Parkway, 624 E. Grand Avenue, or 640–660 E. Grand Avenue buildings. Because none of the buildings could be associated with any historically important persons, they are not eligible for designation under CRHR Criterion 2.

#### CRHR Criterion 3

##### *555 E. Valley Parkway*

Due to the modifications made to the hospital building over time and the loss of a majority of the building’s historic portions, the 555 E. Valley Parkway building is not eligible for designation under CRHR Criterion 3.

##### *451–453 E. Valley Parkway*

The 451–453 E. Valley Parkway building was originally constructed by Arthur Simpson in 1934 as a dealership and service center for Willys 77s, which was later used for

Studebakers. Simpson, however, is not considered a master or craftsman. While unique in shape, the building is not representative of any specific architectural style, type, period, or method of construction. Because the 451–453 E. Valley Parkway building does not possess high artistic values and it is not representative of any specific type, period, or method of construction, it is not eligible for designation under CRHR Criterion 3.

#### *624 E. Grand Avenue*

The 624 E. Grand Avenue building was originally constructed in 1953 as a church in an unknown architectural style. Since its construction, it has undergone substantial modifications. It is unknown if any portions of the current building are original and due to the replacement of original materials and stylistic modifications, the building is not reflective of any specific architectural style. Therefore, since the 624 E. Grand Avenue building is not representative of any specific type, period, or method of construction, does not possess high artistic values, and was not designed or constructed by a master or craftsman, it is not eligible for designation under CRHR Criterion 3.

#### *640–660 E. Grand Avenue*

Although the 660 E. Grand Avenue building has not been modified since its initial construction, the 640–642 E. Grand Avenue addition to the 644–646 E. Grand Avenue building was designed by a different architect almost 10 years after its initial completion in 1961. Due to the 1969 addition, which altered the 1961 building's style, the 640–646 E. Grand Avenue building does not retain integrity of design or materials. Because the 640–646 E. Grand Avenue building does not retain integrity of design or materials and represents two separate construction dates (1961 and 1969), it is not eligible for designation under CRHR Criterion 3 primarily because it no longer possesses distinctive characteristics of a type, method, or period of construction.

Russell Forester, who has been designated by the City of San Diego as a master architect, designed the 640–642 E. Grand Avenue addition in a way that modified Fred Norris's originally intended design. Although the City of San Diego has no authority over projects within the City of Escondido, the City of Escondido does not currently have a list of master architects, builders, or landscape architects. When evaluating a building under CRHR Criterion 3 (architecture), it is customary to default to the nearest municipality's list of masters to determine whether the individuals involved in the construction of a building are "important creative individuals." While Forester is considered an "important creative individual," the 1969 addition is not representative of his work because, as mentioned earlier, the 640–646 E. Grand Avenue building does not retain the integrity of design or materials. Therefore, the building does not embody the distinctive characteristics of a type,

period, region or method of construction or represents the work of a master or possesses high artistic values.

The 660 E. Grand Avenue building does retain integrity of design or materials and it is not particularly representative of a specific type, method, or period of construction. The building was designed in a mixture of International and Contemporary architectural styles but cannot not considered a distinctive example of either. In addition, Norris is not considered a significant master or craftsman, has not been designated as a master by any municipality, and the building does not possess high artistic values representative of either the Contemporary or International styles. Therefore, the 660 E. Grand Avenue is not eligible for designation on the CRHR under Criterion 3.

#### *121–141 North Fig Street*

The 121–141 N. Fig Street building was designed by City of San Diego-designated master architect Russell Forester in 1965 as an International-style medical office building. Characteristics of the International style that the building does exhibit include: a flat roof, usually without ledge (coping) at the roofline; windows set flush with outer walls; unornamented wall surfaces with no decorative detailing at doors or windows; façade composed of large window groupings and expanses of windowless wall surface; a unified wall surface; and asymmetry. As such, the building possesses distinctive characteristics of the International style. The building is considered representative of Russell Forester’s body of work and resembles other buildings designed by him, which also incorporate vertical windows that alternate with blank wall space and distinct modules (Appendix D).

Because the 121–141 N. Fig Street building has not been modified since its initial construction, is a representative example of the International style, and was designed by a designated master architect, the 121–141 N. Fig Street building is eligible for designation on the CRHR under Criterion 3.

#### CRHR Criterion 4

It is unlikely that the 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings, as they currently exist, could contribute additional information beyond that presented in the historic assessment included as Appendix D to this EIR, which could be considered important to the history of the local area or the state. The buildings could not be associated with any specific events or persons; therefore, further research would not provide any additional information pertinent to the history of the City of Escondido or the State of California. Therefore, the 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway,

624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings are not eligible for designation under CRHR Criterion 4.

### City of Escondido Register Evaluation

The Escondido Municipal Code provides that historic structural resources be evaluated under City of Escondido Criteria numbers (1) through (7) for potential local register or historical landmark status. Therefore, the buildings onsite are evaluated under these criteria as follows:

#### City of Escondido Criterion 1

As stated previously in the CRHR Criterion 2 evaluation, the 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings are not associated with a person or persons who significantly contributed to the culture, history, prehistory, or development of the City of Escondido, the region, the state, or the nation. Therefore, the buildings are not eligible for designation under City of Escondido Criterion 1.

#### City of Escondido Criterion 2

As stated previously in the CRHR Criterion 3 evaluation, the 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings do not embody distinguishing characteristics of an architectural type or specimen, nor are they representative of a recognized architect's work. The 121–141 N. Fig Street building, however, was designed by Russell Forester, a recognized architect, in the International style and has not been modified since its completion in 1965. All of the other buildings within the Project site have either been extensively modified or, in the case of the 660 E. Grand Avenue building, do not embody distinguishing characteristics of an architectural type or specimen that would constitute placement on the City of Escondido Register (see CRHR Criterion 3 evaluation, above). Therefore, while the 121–141 N. Fig Street building is eligible for designation under City of Escondido Criterion 2, the 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings are not.

#### City of Escondido Criterion 3

The 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings are not connected with a business or use that was once common but is now rare. The 121–141 N. Fig Street, 624 E. Grand Avenue, 555 E. Valley Parkway, and 640–660 E. Grand Avenue buildings are all associated with medical offices and hospitals, which is not considered rare. The 451–453 E. Grand Avenue building is primarily associated with automobile sales and service, as well as a used clothing store. Neither

of these business types are currently considered rare. Therefore, none of the buildings are eligible for designation under City of Escondido Criterion 3.

#### City of Escondido Criterion 4

The 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue properties are not the sites of any known significant historic events and therefore are not eligible for designation under City of Escondido Criterion 4.

#### City of Escondido Criterion 5

The 121–141 N. Fig Street, the 451–453 E. Valley Parkway building, the 1959 Adams Medical Wing addition of the 555 E. Valley Parkway building, the 624 E. Grand Avenue building, and the 640–660 E. Grand Avenue building are all over 50 years of age. Therefore, these buildings are eligible for designation under City of Escondido Criterion 5. The 456 E. Grand Avenue building and the following additions to the 555 E. Valley Parkway building (the 1972 McLeod Tower addition, the 1984 cogeneration plant addition, the 1985 parking garage and helistop additions, the 1987 utility tunnel addition, the 1989 “New Tower/Garage” addition, and the 1990 south wing addition) are all less than 50 years of age and are not eligible for designation under City of Escondido Criterion 5.

#### City of Escondido Criterion 6

The 555 E. Valley Parkway building can be considered a key focal point of the neighborhood. However, the portions of the building that can be seen from the downtown E. Grand Avenue and E. Valley Parkway thoroughfares (the 1972 McLeod Tower addition and the 1990 south wing addition) are not historic. The 121–41 N. Fig Street, 451–453 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings cannot be considered key focal points of the neighborhood. Therefore, the buildings are not eligible for designation under City of Escondido Criterion 6.

#### City of Escondido Criterion 7

The 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings are not some of the few remaining examples in the City possessing distinguishing characteristics of any architectural type. Contemporary- and International-style structures were extremely common in the 1950s and 1960s and are still prevalent throughout Escondido (Table 4.2-4, Local Contemporary and International Style Structures). Figure 4.2-7, Location of Local Contemporary and International Style Structures, shows the location of these structures relative to the Project site. Therefore, the buildings are not eligible for designation under City of Escondido Criterion 7.

**Table 4.2-4  
Local Contemporary and International Style Structures**

Contemporary	International
440 S. Broadway	207 Pennsylvania Avenue
510 W. Valley Parkway	609 S. Escondido Boulevard
1638 and 1640 E. Grand Avenue	350 W. Fifth Street
101–109 Fernwood Avenue	122 E. Fourth Avenue
132 and 134 Fernwood Avenue	480 Quince Street
122 and 124 Fernwood Avenue	506 Washington
1727 and 1729 E. Grand Avenue	1029 N. Broadway
1734 and 1736 E. Grand Avenue	1010–1060 E. Washington
1817 E. Grand Avenue	1070 E. Washington
911 E. Grand Avenue	1120 E. Washington
1605–1647 E. Grand Avenue	145 N. Escondido Boulevard

Source: Appendix D.

The Escondido Municipal Code provides that historic signs be evaluated under City of Escondido Criteria number (8) through (10) for potential local register or historical landmark status. Therefore, signs onsite are evaluated under these criteria as follows:

#### City of Escondido Criterion 8

None of the signage present on the 555 E. Valley Parkway property is historic, and none of the other properties possess any signage. Therefore, no historical signage is eligible for designation under City of Escondido Criterion 8.

#### City of Escondido Criterion 9

No historic signage is associated with the 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, or 640–660 E. Grand Avenue properties that has been integrated into the architecture of any of the buildings. The only signage present within the Project site, located on the 555 E. Valley Parkway property, is not historic. Therefore, no signage is eligible for designation under City of Escondido Criterion 9.

#### City of Escondido Criterion 10

None of the signage present on the 555 E. Valley Parkway property is historic and none of the other properties possess any signage. Therefore, no signage is eligible for designation under City of Escondido Criterion 10.

The Escondido Municipal Code provides that historic landscape features be evaluated under City of Escondido Criterion 11 for potential local register or historical landmark status. Therefore, the buildings onsite are evaluated under this criterion as follows:

#### City of Escondido Criterion 11

landscape features associated with an event or person of historical significance to the community, or which warrants special recognition due to size, condition, uniqueness or aesthetic qualities, occur onsite. In addition, none of the landscaping associated with the buildings within the Project is historic in age. Therefore, no landscape features are eligible for designation under City of Escondido Criterion 11.

The Escondido Municipal Code provides that archaeological resources be evaluated under City of Escondido Criterion 12 for potential local register or historical landmark status. Therefore, the archaeological resources onsite are evaluated under this criterion as follows:

#### City of Escondido Criterion 12

Refer to Section B below. No archaeological resources have been identified within the Project site, nor have any been documented in previous studies. Therefore, no archaeological resources are eligible for designation under City of Escondido Criterion 12.

The Escondido Municipal Code provides that resources proposed for landmark designation be evaluated under City of Escondido Criterion 13 for potential local register or historical landmark status. Therefore, the historical resources onsite are evaluated under this criterion as follows:

#### City of Escondido Criterion 13

The 121–141 N. Fig Street, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings do not have an outstanding rating of the criteria used to evaluate local register requests and therefore are not eligible for designation under City of Escondido Criterion 13.

### Conclusions

The 456 E. Grand Avenue building does not meet the minimum age 50-year age criteria to be considered for potential listing under the CRHR or City of Escondido criteria, nor is it shown to be an exceptional resource worthy of deviating from the general 50-year threshold age. The assessment of the 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings has concluded that their original historical and architectural characteristics are not exemplary in any way. The 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings were not found to be architecturally or historically significant under any CRHR criteria and only met City of Escondido Criterion 5 due to their age. However, none

of the buildings are associated with any historically significant persons or events, and all associations with any important designers or craftsmen have been negatively affected by changes made to the buildings subsequent to their original construction.

The 451–453 E. Valley Parkway building was previously included in the Escondido Historic Architectural Survey (completed in 1990 and updated in 2001; refer to Appendix D), is listed in the HRI, and is located within the Downtown Historic District; however, due to its overall loss of integrity, it is not considered individually significant under any state or local criteria. In addition, because the Downtown Specific Plan does not include themes, property types, or criteria for eligibility, it is unclear under what criteria the 451–453 E. Valley Parkway building was determined locally “significant” during the 1990 survey. Therefore, demolition and removal of the 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings would not result in a negative impact on the history or the overall character of the surrounding neighborhood. Therefore, the 456 E. Grand Avenue, 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings are not considered eligible to be historical resources pursuant to CEQA Guidelines Section 15064.5 and impacts to these structures would be less than significant. Further, no historic signage, landscaping, archaeological resources, or landmarks would be eligible for listing in on the CRHR or City of Escondido Register.

The 121–141 N. Fig Street building was designed by Russell Forester, a recognized architect, in the International style and it has not been modified since its completion in 1965. The building is characterized as a good representation of the International style designed by a recognized architect. Therefore, the 121–141 N. Fig Street building is eligible for listing on the CRHR under Criterion 3 and the City of Escondido Register under City of Escondido Criteria 2 and 5. The applicant proposes to redevelop the entire Project site, including demolition of multiple non-historic buildings and structures. Demolition of the single 121-141 N. Fig Street building represents just a small component of the overall hospital site to be redeveloped. However, because the Project would require demolition of this structure eligible for listing as part of Project implementation, the City considers impacts to be **potentially significant (Impact CR-1)**.

***B. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?***

No cultural resources have been identified within the Project site, nor have any been documented in previous studies. The potential for intact, unknown, subsurface prehistoric archaeological materials to be present in the Project site and potential off-site infrastructure improvement impact areas was stated as “moderate” in the Cultural Report (Appendix C), as that early prepared Report took into account only a Phase 1 survey and unknown grading and subsurface conditions at the Project site. According

to the Cultural Report (Appendix C), no archaeological resources were identified within the Project area; however, development occurred without formal archaeological studies and the extent/depth of grading and excavation was, at the time of preparation of the Cultural Report, unknown. Similarly, here there was a lack of detailed information regarding the extent/depth of grading and excavation within the off-site infrastructure improvement areas at the time the Cultural Report was prepared.

Following preparation of the Cultural Report, further investigation and analysis was conducted, and information provided, concerning the extent/depth of prior excavation and grading, as well as prior development/redevelopment of the site and potential cultural effects. This information and analysis is contained within the Historic Report and Amendment (Appendix D and D.1), the 2019 Geotechnical Report (Appendix L), and the grading plan (Figure 2-10).

As indicated in the Built Environment Resources Assessment in EIR Section 4.2.1 above and the Historic Report and Amendment (Appendix D and D.1), most of the site has been previously disturbed due to previous development and, in certain areas, *redevelopment*. In addition, off-site improvements for utilities would include upsizing existing lines and lateral connections within previously disturbed areas. Such development and redevelopment is likely to have previously disturbed any archaeological resources at the site or within off-site improvement areas.

Further, based on the 2019 Geotechnical Report (Appendix L), the site is underlain by undocumented fill, alluvium and granitic bedrock. The areas that consist of previously disturbed soils, fill or bedrock do not have potential to yield significant archaeological resources. Fill materials are not considered to contain significant archaeological resources, as any resources located would not be in-situ (i.e., would be out of archaeological context) and therefore would not yield significant information. Due to the nature of underlying bedrock being generally impenetrable except with heavy earthmoving equipment, bedrock is not able to contain, and therefore would not, contain archaeological resources. Thus, the potential to locate significant archaeological resources would be limited to areas where cuts would occur within alluvium.

Based on the grading plan (Figure 2-10), proposed cuts would be concentrated within the south-central area of the Project site. Accordingly, to have the potential to uncover previously unidentified archaeological resources, alluvium would have to underly this area. Borings to determine the underlying geotechnical conditions in this south-central area were completed in areas where buildings are not currently present. (Geotechnical Report, Appendix L.) These borings and analysis indicate that the area is underlain by fill and bedrock only (not alluvium), and therefore has a low potential to contain archaeological resources.

Therefore, the Project has a low potential to disturb significant archaeological resources. While the potential to disturb significant archaeological resources is low and not anticipated, there is nonetheless a possibility that unknown archaeological resources may be present below current structures and existing ground surface that may be uncovered during proposed ground disturbing activities. In the unexpected event that grading and excavation activities during construction of the Project unearth previously undiscovered, intact archaeological materials, a potential impact could result. Full-time archaeological and Native American monitoring is recommended during initial ground disturbance. If the full-time monitoring reveals that the top soil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented. In the event that any previously undetected cultural resources are encountered, impacts to archaeological resources would be **potentially significant (Impact CR-2)**.

*C. Would the Project disturb any human remains, including those interred outside of formal cemeteries?*

No evidence of human remains, including those interred outside of formal cemeteries, was discovered during the records search, literature review, field survey, or site testing and evaluation. Further, the site has been previously disturbed and developed as a hospital campus. Therefore, the likelihood of the Project disturbing human remains is considered low. Nonetheless, in the event of discovery of any human remains during construction of the Project, impacts would be **potentially significant (Impact CR-3)**.

### 4.2.3 Cumulative Impact Analysis

A cumulative impact, in terms of cultural resources, refers to the mounting aggregate effect upon cultural resources due to modern or recent historic land use, such as residential development, and natural processes, such as erosion, that result from acts of man. The issue that must be explored in a cumulative impact analysis is the aggregate loss of information as well as the loss of recognized cultural landmarks and vestiges of our community cultural history.

#### Historic Resources

Cumulative projects located in the region would have the potential to result in a cumulative impact associated with the loss of historical resources through the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Cumulative projects would have the potential to result in adverse impacts to historical resources from development activities, including development of land uses as designated in surrounding jurisdictions' general plans. These projects would be required to comply with federal, state, and local regulations. However, even with

regulations in place, individual historical resources would still have the potential to be impacted or degraded from demolition, destruction, alteration, or structural relocation as a result of new private or public development or redevelopment associated with cumulative projects. Therefore, the cumulative destruction of significant historical resources from construction and development planned within the region would be considered to be a cumulatively significant impact. Additionally, past projects involving development and construction, such as the Bear Valley Parkway – Residential Project and the Grand Project, have already impacted historical resources within the region.

Removal of the 451–453 E. Valley Parkway, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue buildings from the Downtown Historic District would not result in a negative impact on the history or the overall character of the surrounding neighborhood and would not result in any cumulative impact to the historic context of the district. Removal of the 121–141 N. Fig Street building is considered a substantial adverse impact on a historical resource pursuant to CEQA Guidelines Section 15064.5. This removal, in combination with other cumulative projects, would have the potential to result in a **significant cumulative impact** associated with historical resources (**Impact CR-CUM-1**).

### Archaeological Resources

Cumulative projects located in the region would have the potential to result in a cumulative impact associated with the loss of archaeological resources through development activities that could cause a substantial adverse change in the significance of an archaeological resource. Any cumulative projects that involve ground-disturbing activities, including the development of land uses as designated under surrounding jurisdictions general plans, would have the potential to result in significant impacts to archaeological resources. These projects would be regulated by applicable federal, state, and local regulations; however, the loss of archaeological resources on a regional level may not be adequately mitigated through the data recovery and collection methods specified in these regulations, as their value may also lie in cultural mores and religious beliefs of applicable groups. Therefore, the cumulative destruction of significant archaeological resources from planned construction and development projects within the region would be cumulatively significant. Additionally, past projects involving development and construction have already impacted archaeological resources within the region. South Coastal Information Center records did not identify any cultural resources within the Project area; however, 814 cultural resources are located within the 1-mile search radius. Therefore, cumulative projects in the area would also likely have the potential to impact known and previously unknown cultural resources.

As discussed in Section 4.2.2.2, Analysis, under Threshold B, implementation of the Project would have a low potential to result in a substantial adverse change in the significance of a previously undiscovered archaeological resource — including the destruction or disturbance of an important archaeological site or any portion of an important archaeological site that contains or has the

potential to contain information important to history or prehistory – considering that no resources have previously been identified at the site, the site has previously been developed and redeveloped, and in consideration of the site’s geotechnical composition. However, it remains possible the Project may uncover unknown archaeological resources that may be present below current structures and existing ground surface during proposed ground disturbing activities.. Therefore, the Project, in combination with the identified cumulative projects, would have the potential to result in a **significant cumulative impact** associated with archaeological resources (**Impact CR-CUM-2**).

### Human Remains

Cumulative projects located in region would have the potential to result in impacts associated with human remains due to grading, excavation or other ground-disturbing activities. Projects that may result in significant impacts due to ground-disturbing activities include the development of land uses as designated under surrounding jurisdictions general plans. On a regional level, the disturbance of human remains that are also considered archaeological resources may not be adequately mitigated through methods specified in regulations because their value may also lie in cultural mores and religious beliefs of applicable groups. Therefore, the cumulative disturbance of human remains by construction and development within the region would be considered a cumulatively significant impact. Additionally, past projects involving development and construction have already impacted human remains within the region.

As discussed in Section 4.2.2.2 under Threshold D, no evidence of human remains, including those interred outside of formal cemeteries, was discovered during the records search, literature review, field survey, or site testing and evaluation. Further, the site has been previously disturbed and developed as a hospital campus. Therefore, the likelihood of the Project disturbing human remains is considered low. However, while not anticipated, the Project could potentially disturb previously undiscovered human remains, including those located outside of formal cemeteries, from ground-disturbing activities associated with development of the site. In combination with cumulative projects in the area that would involve ground-disturbing activities, a **potentially significant cumulative impact** would occur in the event of such disturbance (**Impact CR-CUM-3**).

#### **4.2.4 Significance of Impacts Prior to Mitigation**

Before mitigation, impacts to historic resources, archaeological resources, and human remains would be **potentially significant**.

### Historic Resources

**Impact CR-1** The Project would require the removal of the 121–141 N. Fig Street building, which is eligible for listing on the CRHR under Criterion 3 and the City of Escondido Register under City of Escondido Criteria 2 and 5.

**Impact CR-CUM-1** The removal of an eligible historical resource, the 121–141 N. Fig Street building, would have the potential to result in a significant cumulative impact to historical resources in combination with identified cumulative projects.

### Archaeological Resources

**Impact CR-2** In the event that any previously undetected cultural resources are encountered, impacts associated with archaeological resources would be potentially significant.

**Impact CR-CUM-2** In the event that any previously undetected cultural resources are encountered, the Project in combination with the identified cumulative projects would have the potential to result in a significant cumulative impact associated with archaeological resources.

### Human Remains

**Impact CR-3** In the event of accidental discovery of any human remains during construction of the Project, impacts associated with the disturbance of human remains would be potentially significant.

**Impact CR-CUM-3** The Project would have the potential for accidental discovery of human remains. In combination with cumulative projects that have the same potential to disturb human remains during ground-disturbing activities, a potentially significant cumulative impact associated with human remains would occur.

## **4.2.5 Mitigation**

### Historic Resources

To reduce the Project impact to historic resources located at 121–141 N. Fig Street (**Impact CR-1** and **Impact CR-CUM-1**), mitigation options considered include preservation, building relocation and building documentation. Project alternatives that include the preservation of the N. Fig Street building are considered in Chapter 7, Alternatives. The Building Reuse Alternative considers reusing the existing buildings on the Project site instead of demolishing them. An Alternative Project Location would avoid impacts to the historic resources located at 121–141 N. Fig Street because the site would not be subject to demolition. However, both of these

alternatives were ultimately rejected from further analysis. A Historic Building Preservation Alternative would include demolition of all buildings as well as excavation of the Project site, with the exception of the 121–141 N. Fig Street building. The Reduced Footprint Alternative would also avoid demolition of the historic building. Refer to Chapter 7 for additional details regarding these Project alternatives.

The following building documentation mitigation, Mitigation Measures **MCR-1** through **M-CR-5**, are proposed to reduce the Project impact to historic resources:

**M-CR-1** Offer Building for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the 121-141 N. Fig Street building, the applicant shall demonstrate to the City that it has offered the building for relocation. The applicant’s “offer for relocation” will be placed in a newspaper of general circulation, posted on a website, and posted at the Project site for a period of 30 days. The party that proposes to relocate the building is responsible for finding a compatible off-site location that will reestablish contributing aspects of the building’s historic orientation, immediate setting, and general environment (if such a site is not available, a less compatible site may be used). Relocation of the building would be at the expense of the party that takes responsibility for relocation, and at no expense to the applicant. The relocation efforts will be conducted in accordance with the California Historical Building Code (Title 24 Part 8) and the guidelines recommended by the National Park Service that are outlined in the booklet “Moving Historic Buildings,” by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior’s Standards for Rehabilitation and the California Historical Building Code (Title 24 Part 6). Negotiations shall be accommodated for a period of 60 days following project approval, during which time the applicant shall negotiate in good faith with the party(ies) proposing relocation. Should no plan of relocation be brought forward within 60 days following project approval, or if no agreement is reached in that time, demolition will be allowed to occur. In addition, any plan for relocation shall detail how relocation will be completed within six months following project approval. If relocation is not able to be completed within six months following project approval, demolition will be allowed to occur. The building shall not be relocated until Historic American Buildings Survey (HABS) recordation and documentation has been completed and an inventory of key exterior and interior features and materials has been completed by qualified professionals, as set forth in M-CR-2. Compliance with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development prior to demolition of the 121-141 N. Fig Street building.

**M-CR-2** Prior to relocation, or in the event that the 121-141 N. Fig Street building is not relocated, prior to the issuance of a demolition permit, the Applicant shall provide

HABS documentation pursuant to the Level 1 standards as detailed by the National Park Service Heritage Documentation Programs. The documentation shall include a written report done in the outline format; HABS-quality photography of the exterior, interior, and overview shots of the historical resource; measured drawings; and video documentation. The documentation materials would be prepared by a qualified Architectural Historian(s) and an experienced HABS photographer(s). Copies of the resulting documentation shall be submitted to the Library of Congress, the California State Historic Preservation Officer, the South Coastal Information Center at San Diego State University, the Escondido History Center, the San Diego History Center, the Escondido Public Library Pioneer Room, and the City of Escondido Planning Division. A copy of the HABS documentation will be submitted to the City of Escondido Planning Division prior to any ground disturbance or demolition. The submittal of documentation to all other above-listed archives must be completed within 1 year of the initial date of demolition of the structure.

- M-CR-3** To preserve, interpret, and display the history of the 121-141 N. Fig Street building, prior to demolition, distinctive representative architectural elements (interior and exterior) shall be identified for salvage and reuse either as part of the proposed Project, to be removed to another on-site location (as provided in the Secretary of the Interior's Standards for the Treatment of Historic Properties to be donated to any interested or archival repositories (i.e., museums, archives, and curation facilities; the public; and nonprofit organizations) to the satisfaction of the City of Escondido Director of Community Development. The materials to become architectural salvage shall include historic-period elements that will be removed as part of the Project, and shall be identified and made available prior to the commencement of demolition activities, to ensure that materials removed do not experience further damage from removal/demolition. No materials shall be salvaged or removed until HABS recordation and documentation is completed and an inventory of key exterior and interior features and materials is completed by qualified professionals. The inventory of key exterior and interior features and materials may be developed as part of M-CR-1. The materials shall be removed prior to or during demolition. Materials that are contaminated, unsound, decayed, or whose integrity would not be retained by salvage will not be included in the salvage program and will not be available for future use or display. The City as lead agency will determine which materials are suitable for salvage (the City can utilize the assistance of qualified professionals to make such determinations).
- M-CR-4** During demolition and construction with any salvaged materials from the 121-141 N. Fig Street building, a qualified architect shall make daily site visits to monitor demolition

and construction activities to ensure compliance with mitigation measures and conditions of approval adopted to reduce impacts to historic resources and provide for salvage of appropriate architectural materials. The construction manager will be responsible for notifying the architectural monitor of daily activities. The monitoring program may be modified at the discretion of the architect based upon the construction schedule, whether or not those activities will have an impact upon previously identified, representative architectural elements intended for salvage or reuse, or the likelihood of encountering previously unidentified historic fabric. During the course of administering and implementing this measure, in the event that previously unidentified historic fabric or representative architectural elements are discovered, a qualified historic architect, in consultation with city staff, shall determine its potential donation or reuse within the framework of the Secretary of the Interior's Standards for Rehabilitation. The architect shall have the authority to temporarily divert or temporarily halt demolition in the event of any unanticipated discovery of unidentified historic fabric or other materials of historic significance to allow for the evaluation and salvage of such materials. Compliance with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development prior to issuance of a certificate of occupancy.

**M-CR-5** The project applicant shall work with City of Escondido Planning Department staff or other qualified professionals to develop and install an on-site interpretive program that references the property's history and the contribution of the historic resource to the broader neighborhood or historic district. The interpretive program shall include, but is not limited to, a public art piece and/or a historic display case in a publicly visible location at the Project site that describes the history and significance of the 121-141 N. Fig Street Building. The interpretive program and its location within the Project site must be approved by the City of Escondido Director of Community Development. The historic display case shall include historic photographs and a brief narrative describing the history and significance of 121-141 N. Fig Street Building. In addition, educational/interpretive information that describes the history and significance of 121-141 N. Fig Street Building shall be made available to the public in a readily accessible format, such as a printed brochure and/or electronic format such as a webpage. This educational/interpretive material shall be available to schools, museums, archives and curation facilities, libraries, nonprofit organizations, the public, and other interested agencies. The interpretive program and educational/interpretive material could be based on the photographs produced in the HABS documentation, and the historic archival research previously prepared as part of the Project.

### Archaeological Resources and Human Remains

Because no archaeological resources have been identified at the site, it is impractical to devise specific measures for impacts to specific resources at this time. The mitigation identified below therefore commits to the implementation of appropriate mitigation in accordance with CEQA Guidelines section 15126.4 as well as California Public Resources Code sections 21083.2(b)-(c), and incorporates specific criteria for performance in the event unanticipated archaeological resources are encountered. Specifically, Mitigation Measures **M-CR-6** through **M-CR-15** would require that the applicant enter into a Tribal Cultural Resource Treatment and Monitoring Agreement to ensure monitoring, identification, and proper treatment of previously undetected resources and human remains. To the greatest extent possible, recognizing that archaeological resources and human remains have not currently or previously been detected at the site and are unanticipated, the Agreement incorporates specific performance criteria that would be implemented, factors to be considered, and alternatives and objective procedures to be employed in order to ensure appropriate monitoring, identification, and treatment in the event previously undetected cultural resources are encountered. To reduce potential impacts related to newly identified cultural resources (**Impact CR-2** and **Impact CR-CUM-2**) and accidental discovery of human remains (**Impact CR-3** and **Impact CR-CUM-3**), the Project would implement the following:

**M-CR-6** Prior to the issuance of the grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”) 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 the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures M-CR-7 through M-CR-15, and the following information:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors.

- Project grading and development scheduling, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement.
- Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.
- Treatment of identified Native American cultural materials.
- Treatment of Native American human remains and associated grave goods.
- Confidentiality of cultural information including location and data.
- Negotiation of disagreements should they arise.
- Regulations that apply to cultural resources that have been identified or may be identified during project construction.

**M-CR-7** 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.

**M-CR-8** 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.

**M-CR-9** During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering

these factors. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock).-

**M-CR-10** In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. . The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected, and monitored grading can immediately proceed.

**M-CR-11** If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the 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. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) though (c), appropriate treatment measures will be implemented. Work may not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.

**M-CR-12** All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and

evaluated as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City's Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe and Native American monitor, making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. 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.

**M-CR-13** 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. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City

does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of a Native American monitor, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination.

**M-CR-14** 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 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.

**M-CR-15** Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

#### **4.2.6 Significance of Impacts After Mitigation**

##### Historic Resources

While comprising just a small component of the overall hospital site to be redeveloped as part of the Project, the Project would require the removal of the 121–141 N. Fig Street building, which is a historic resource pursuant to CEQA Guidelines Section 15064.5. As detailed above, this impact

to a historic resource would be potentially significant (**Impact CR-1** and **Impact CR-CUM-1**). Implementation of **M-CR-1** through **M-CR-5** would reduce **Impact CR-1** and **Impact CR-CUM-1** to below a level of significance. **M-CR-1** would preserve the building by relocating and reusing it. Although the building's integrity of location, setting, and feeling would be compromised if moved, it would retain integrity of design, materials, and workmanship. As the building is significant for its International-style architecture and design by designated master architect Russell Forester, all significant elements would be retained by relocating the building.

**M-CR-2** would preserve the historical record of the resource through research and documentation consistent with National Parks Service guidelines for historical buildings. Such documentation comprised of written narrative, photographic record, preparation of measured drawings, and video documentation retained at a number of public archives would mitigate for the loss of the 121-141 N. Fig Street building by developing an accessible public record to inform and educate the public in perpetuity. Such documentation would reduce the demolition's adverse effect on the building's historical significance by recording the representative International style architecture designed by a designated master architect (Russell Forester) for documentary, interpretative and educational purposes.

**M-CR-3** would provide for partial retention, salvage, and reuse of architectural features of the building onsite, or for the donation or sale of unused architectural features to museums, interested or archival repositories where reuse onsite is not feasible. Partial retention and salvage would reduce the demolition's adverse effect on the building's historical significance by preserving the history of the building and its representative International architectural features for reuse and display onsite; or for the public to reuse, preserve, interpret, and display the building in its historical context.

**M-CR-4** would provide for an architectural monitor of demolition and construction activities to ensure proper measures are taken to preserve and salvage any identified historic architectural features or previously unidentified historic fabric. Such monitoring would reduce the adverse effect of demolition to the building's historical significance by ensuring appropriate documentation, retention and salvage occurs, and by preserving any previously unidentified historic architectural features or fabric for public use and interpretation.

**M-CR-5** would mitigate for **Impact CR-1** and **Impact CR-CUM-1** through an onsite interpretive program comprised of a public art piece and/or display designed to inform the public of the site's history and contribution of the historic resource to the broader neighborhood or historic district. Implementation of the interpretive program would reduce the demolition's adverse effect on the 121-141 N. Fig Street building's historical significance by providing for recordation, visual preservation, and public interpretation and education about the building's representative International style and design by a designated master architect. These measures, which mitigate for historical resource impacts through salvage, documentation, and interpretation would reduce adverse potential adverse impacts to a less than significant level.

### Archaeological Resources

As discussed in Section 4.2.2.2, Analysis, under Threshold B, implementation of the Project would have a low potential to result in a substantial adverse change in the significance of a previously undiscovered archaeological resource. However, in the event that any previously undetected cultural resources are encountered, impacts to archaeological resources would be **potentially significant (Impact CR-2 and Impact CR-CUM-2)**. Implementation of mitigation measures **M-CR-6** through **M-CR-15** would reduce **Impact CR-2** and **Impact CR-CUM-2** to below a level of significance. **M-CR-6** would mitigate for **Impact CR-2** and **Impact CR-CUM-2** by providing a formalized agreement (Tribal Cultural Resource Treatment and Monitoring Agreement) between the Applicant and San Luis Rey Band of Mission Indians, Rincon Band of Luiseno Indians, or another tribe that is traditionally and culturally affiliated (TCA Tribe) with the Project Location. The agreement would allow for the Applicant to have clear expectations as to how to handle tribal cultural resources if they are identified within the Project site, and would allow for the Applicant and TCA Tribe to have a clear understanding of the protocols and procedures that would need to be followed, if a tribal cultural resource is discovered, in order to ensure no significant impact to tribal cultural resources would occur. The agreement would incorporate the performance criteria and standards, protocols and procedures set forth in mitigation measures M-CR-7 through M-CR-15.

**M-CR-7** would mitigate for **Impact CR-2** and **Impact CR-CUM-2** by ensuring that the City has reviewed and approved the chosen qualified archaeologist and Native American monitor associated with a TCA Tribe. The verification process would allow the City to confirm that the selected Native American monitor is associated with a TCA Tribe, and therefore has the authority to determine whether cultural resources are present or discovered within the Project Site.

**M-CR-8** acts to ensure that the qualified archaeologist and a Native American monitor have a complete and accurate understanding of the requirements of the monitoring program. This would ensure that no components or requirements of the monitoring program are overlooked and/or missed during the monitoring activity.

**M-CR-9** would mitigate for **Impact CR-2** and **Impact CR-CUM-2** by ensuring that the monitoring program for grading is fulfilled to the required duration and frequency, as deemed appropriate the qualified archeologist in consultation with the Native American monitor. This mitigation measure would ensure that monitoring occurs during stages of grading that could potentially result in the finding or disturbance of a cultural deposit, which if discovered, would trigger the implementation of **M-CR-10**.

**M-CR-10** would halt all work within a 100-foot radius of the resource if a potential tribal cultural resource is found within the Project site. The halting of construction activity within this radius would ensure that the resource remains intact so the qualified archeologist and Native American monitor can evaluate the potential significance of the resource and avoid the potential destruction of the resource.

**M-CR-11** would then notify the City promptly if a potential tribal cultural resource is discovered, and would allow for the City, qualified archeologist, and Native American monitor to determine the significance of the discovered resource. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in PRC Section 21074(a) through (c) of the CEQA Guidelines, appropriate treatment measures would be implemented, thereby ensuring the avoidance of a significant impact to a tribal cultural resource.

**M-CR-12** provides the appropriate treatment measures for any significant tribal cultural resources and/or unique archaeological resources encountered within the project area, stating that are avoided and preserved, if avoidance and preservation may be feasibly accomplished. If avoidance and preservation is infeasible, this mitigation measure would ensure that a research design and data recovery program is developed, and the recovery program activities are concluded to the satisfaction of the City prior to construction activities restarting in the affected area.

**M-CR-13** would mitigate for **Impact CR-2** and **Impact CR-CUM-2** by ensuring that the Project complies with California Health and Safety Code Section 7050.5 if human remains are found within the Project site. This mitigation measure would prevent further excavation and disturbance of the site any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§ 5097.98 of the California Public Resources Code) for proper treatment and disposition in accordance with California Public Resources Code Section 5097.98. Thus, implementation of this mitigation measure would ensure that human remains, if discovered within the Project site, are handled in accordance with applicable law, and preventing a potential significant impact to the remains.

**M-CR-14** would ensure that proper protocols are followed if the qualified archeologist, or the Native American monitor, choose to collect the cultural resources from the Project site. This would ensure that a TCA Tribe has the option to handle the resource as they see fit, or in the alternative, allow for the curation of the resource at the San Diego Archeological Center, if the TCA Tribe decline the collection of the resource.

**M-CR-15** would mitigate for **Impact CR-2** and **Impact CR-CUM-2** by ensuring that the monitoring report and/or evaluation report is submitted by the qualified archeologist to the City. This would ensure the mitigation and monitoring program for cultural and archeological resources has been completed, and that no further potential significant cultural resource impacts would occur.

### Human Remains

Implementation of **M-CR-13** would reduce any potential impacts to accidental discovery of human remains (**Impact CR-3** and **Impact CR-CUM-3**) to less than significant by setting forth the procedures for handling human remains as consistent with California Health and Safety Code

Section 7050.5. 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 will be done by a forensic anthropologist in situ, 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 shall occur until the Coroner makes their findings as to the origins and disposition of the remains. The area of discovery would be protected by establishing a temporary construction exclusion zone. These procedures would allow for proper evaluation of the site and treatment of accidentally found human remains, therefore lessening the potential for adverse impacts to a less than significant level.



SOURCE: SANGIS 2017



**FIGURE 4.2-1**  
**Key Map of Buildings within the Project Site**  
 Palomar Heights

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View of the Main Entrance on the North Facade of the 1989 "New Tower/Garage" Addition, Facing South



View of the West Facade of the 1990 South Wing Addition (Right) and the South Facade of the 1989 "New Tower/Garage" Addition (Left), Facing Northeast



View of the South Facade of the 1987 Utility Tunnel Addition (Left) and the 1959 Adams Medical Wing Addition (Right), Facing North



View of the West Facade of the 1972 McLeod Tower Addition, Facing East

SOURCE: Brian F. Smith & Associates, Inc., 2019

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View of the 451-453 East Valley Parkway Building From the 1972 McLeod Tower Addition, Facing Southwest



View of the North Facade of the 451-453 East Valley Parkway Building, Facing Southwest



View of the South Facade of the 451-453 East Valley Parkway Building, Facing North



View of the East Facade of the 451-453 East Valley Parkway Building, Facing Southwest

SOURCE: Brian F. Smith & Associates, Inc., 2019

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View of the Southwest Corner of the 624 East Grand Avenue Building, Facing Northeast



View of the North Facade of the 624 East Grand Avenue Building, Facing South



View of the South Facade of the 624 East Grand Avenue Building, Facing Northwest



View of the East Facade of the 624 East Grand Avenue Building, Facing West

SOURCE: Brian F. Smith & Associates, Inc., 2019

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View of the East Facade of the 660 East Grand Avenue Building, Facing Northwest



View of the West Facade of the 660 East Grand Avenue Building, Facing North



View of the Southeast Corner of the 644-646 East Grand Avenue Building, Facing Northwest



View of the West Facade of the 640-642 East Grand Avenue Addition, Facing East

SOURCE: Brian F. Smith & Associates, Inc., 2019

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View of the Entryway on the East Facade of the 121-141 North Fig Street Building, Facing West



View of the Entryway on the West Facade of the 121-141 North Fig Street Building, Facing East



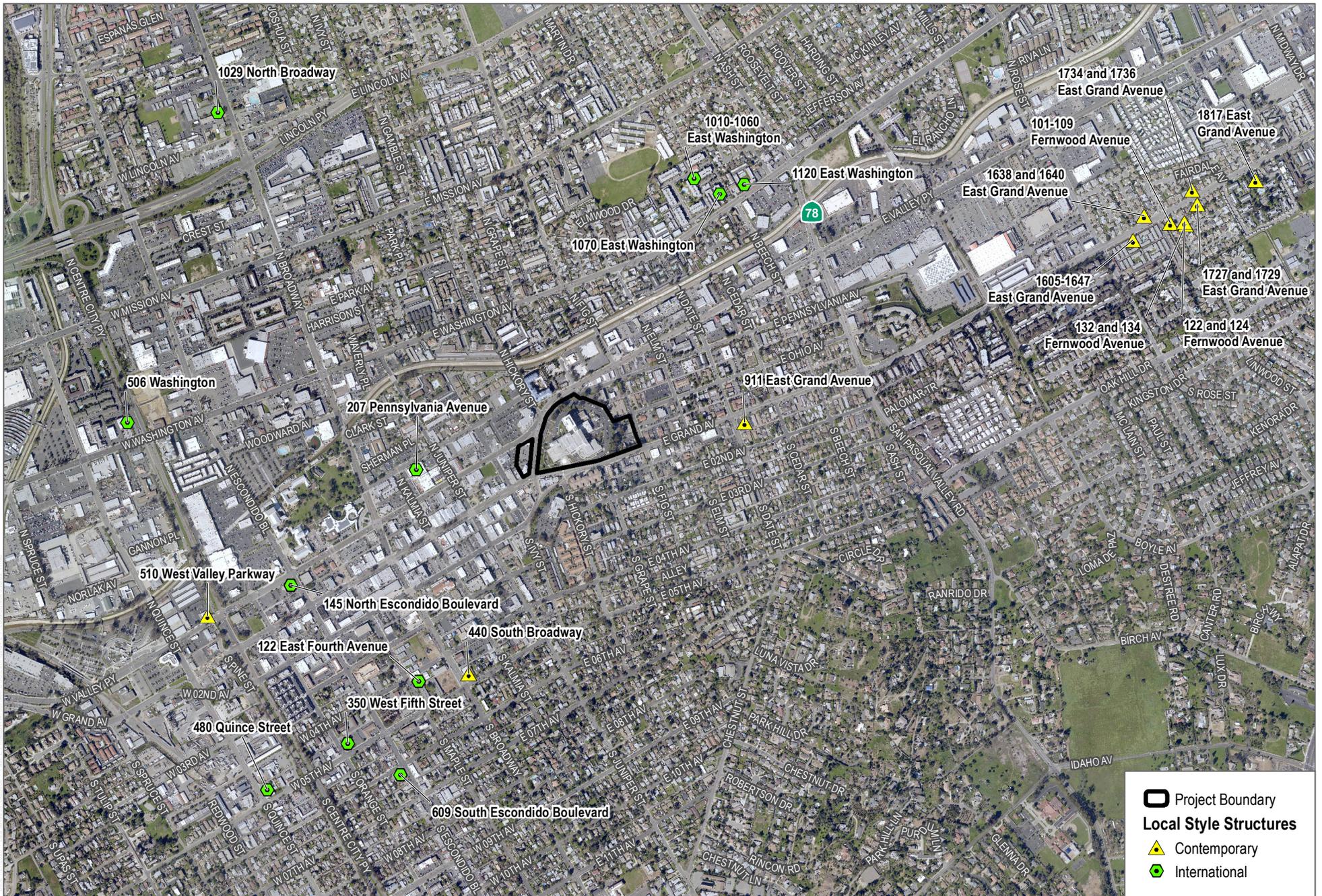
View of the West Facade of the 121-141 North Fig Street Building, Facing Northeast



View of a Vertical Wood Screen in Front of the Windows on the West Facade of the 121-141 North Fig Street Building, Facing East

SOURCE: Brian F. Smith & Associates, Inc., 2019

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SOURCE: SANGIS 2017

**FIGURE 4.2-7**  
 Location of Local Contemporary and International Style Structures  
 Palomar Heights

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### **4.3 Hazards and Hazardous Materials**

This section addresses the potential hazards and hazardous materials impacts associated with implementation of the Palomar Heights Project (Project). The section provides information on the existing conditions of the Project site, the location of potentially hazardous materials sites, and the potential for the Project to expose the public or the environment to hazards or hazardous materials. Information provided in this section was taken from the following sources: the *City of Escondido General Plan* (General Plan; City of Escondido 2012); other sources as cited throughout this section, and the following reports:

- *Phase 1 Environmental Site Assessment, 555 E. Valley Parkway, 456, 644–660 E. Grand Avenue, 121–141 N. Fig Street* conducted by Hillman Consulting, July 20, 2017 (Appendix E to this Environmental Impact Report [EIR])
- *Phase 1 Environmental Site Assessment, 624 E. Grand Avenue* conducted by Advantage Environmental Consultants LLC, August 15, 2018 (Appendix F to this EIR)
- *Phase 2 Environmental Site Assessment, Palomar Hospital Campus 555 E. Valley Parkway*, conducted by Advantage Environmental Consultants LLC, April 26, 2018 (Appendix G to this EIR)

#### **4.3.1 Existing Conditions**

##### **4.3.1.1 Environmental Setting**

The Project site is located in the central area of the City of Escondido (City), California, along the eastern edge of the downtown area. Detailed location information including Assessor's Parcel Numbers and acreage of each plot is detailed in Chapter 2, Project Description, of this EIR. The Palomar Health Downtown Campus site is currently developed with hospital, medical office, and commercial uses. For additional information, refer to Chapter 2 of this EIR.

The Project site is located in a suburban developed area characterized by a mix of commercial properties, single- and multi-family homes, and apartments. Land uses in the Project area that may handle or have handled or have generated hazardous wastes include former medical uses, and a variety of other historic uses, such as automotive. These former medical areas could have a potential risk of site contamination from historical use of heating fuels, solvents, mercury, and lead uses. It should be noted that any required cleanup would have been completed in order to allow the residential development that currently occupies the surrounding area. During the preparation of the Phase 1 environmental site assessments (ESAs), evidence of hazardous material release(s) onto the Project site were found, and a secondary Phase 2 ESA was completed.

### Historical Uses

The property was first developed with a commercial building circa 1892, which was used as a store and two residences. By 1907, the commercial structure and residences were replaced with a large commercial structure labeled Hotel Escondido. The western portion of the property was developed with three residences. In 1927, the hotel was demolished, the eastern portion of the property was developed with a residence, and the western portion of the property was developed with two additional structures. By 1940, the western portion of the central parcel was developed with three buildings, a fire station, jail, and city hall. In 1953, additional commercial structures were developed on the central portion of the property, and the main hospital wing was constructed on the central portion of the property. By 1953, additional wings were constructed on the eastern side of the property. Circa 1970, a large tower was constructed on the central portion of the property. By 1985, the three buildings on the western portion side of the central portion were demolished and replaced with a storage yard. By 1995, this storage yard was replaced with a grassy area. In 2005, the residences on the western portion of the property were replaced with an office building, parking lot, and a small storage building.

The northwestern portion of the property, located at 451 E. Valley Parkway operated as an auto repair shop from approximately 1949 to 1975. Due to the potential for soil and groundwater contamination as part of the improper disposal of hazardous substances and petroleum products at the service station, the historical use of that portion of the property as a service station constitutes a recognized environmental condition (REC).

### Hazardous Materials

Various agencies maintain hazardous waste and substance lists in planning documents used by state and local agencies to comply with California Environmental Quality Act (CEQA) requirements in providing information about the location of hazardous materials sites. An environmental database record search was completed for the Project site and surrounding properties (see Appendix E of this EIR).

The Project site was listed on environmental databases. More specifically, “Palomar Hospital” and “Palomar Memorial Hospital” at 555 E. Valley Parkway was listed in the HAZNET, UST, CHMIRS, RCRA-LGQ, SWEEPS UST, FINDS, HIST UST, ECHO, EMI, and the San Diego County (County) Hazardous Materials Management Division (HMMD) environmental databases.

### On-Site Hazardous Materials

As previously described, an environmental database record search was completed for the Project site and surrounding properties. Phase 1 ESAs were conducted (Appendices E and F) for the Project site, which located 12 environmental database records for the Project site.

The Project site is listed within the HAZNET database. This listing indicates that various types of hazardous waste generated at the property were generated between 1993 and 2015.

The underground storage tank (UST) listing indicated that the Project site has at least one active UST on site. According to SWEEPS UST, the site is registered to have two 5,000-gallon USTs, and one 6,000-gallon UST, which both have unreported statuses for holding fuel. The listing also included one 10,000-gallon UST for fuel, one 3,000-gallon UST for fuel, and one 550-gallon UST for petroleum on site. All of these listings are reported to have ‘active’ statuses. HIST UST also included these listings. However, according to San Diego Co. HMMD, the two 5,000-gallon USTs, the 6,000-gallon UST, and the 550-gallon UST had all been removed. Therefore, there are two active USTs on site, one 3,000-gallon UST and one 10,000-gallon UST which both contain fuel for the emergency generators located on site. In 1989, there is a reported leaking underground storage tank (LUST) listing, whereas a release of kerosene which impacted soils on site occurred due to a tank closure. This site has received “case closed” status in 1990.

The first CHMIRS listing indicates an incident the date of February 22, 1989, where a release or spill occurred with no other pertinent information. The second CHMIRS listing indicates an incident the date of September 20, 2001, where 2,250-gallons of waste water was released into the storm drain system due to a stoppage in the main line, and that the discharge was cleaned up. The third CHMIRS listing indicates an incident on May 9, 2007, when 1,200-gallons of waste water was discharged into a nearby creek (Escondido Creek).

The rest of the records are registration and inspection forms for previous hazardous waste generation or storage. These files range from 1990 to 2015. Several violations were reported during this time related to labeling of hazardous materials, records of pollutant emissions and hazardous materials listing information, missing submittals of waste plans, and poor waste container conditions.

#### *Interior Observations*

The following observations were made during the Project site reconnaissance of the building interiors at the Project site and/or during the interview or records review portions of the assessment (Appendix E):

- Significant staining and possible fresh oil/diesel was noted around three of the four generators in the main engineering plant and under the old emergency generator.
- Four floor drains were noted in the main engineering plant, eight floor drains were noted in the penthouse mechanical room, the drains reportedly discharge into the main sewer system.
- Monitoring wells located inside the property.
- Two 5-gallon buckets of microbicide tablets near the water treatment system.

- Biohazardous materials storage within a shed outside of the main hospital structure.
- Routine quantities of cleaning chemicals were noted in the office building on the western portion of the property and within medical office buildings and women's shelter on the eastern portion of the property.
- Nine 55-gallon drums; three of these drums were used to store waste oil, one drum was used to store fresh oil, one drum was used to store oil rags, one drum was used to store molybdate, one drum was used to store liquid crystalized sulfite, one drum was used to store used batteries, one drum was used to store sulfuric acid. Additionally, three 62-gallon drums: one drum was used to store polymer phosphate, one drum was used to store blended neutralizing amine, and one drum was used to store molybdate. No staining was observed.
- No unidentified substance containers were noted on the property at time of the field visit.
- No other containers of hazardous waste or petroleum products were noted on the property at the time of the site visit.

#### *Exterior Observations*

The following observations were made during the Project site reconnaissance of exterior areas of the Project site and/or during the interview or records review portions of the assessment (Appendix E):

- One hydraulic lift was noted on the exterior of the Adams wing of the main hospital. It was reported to Hillman that the lift had been recently replaced, and so it is unlikely to contain PCBs. The lift appeared to be in good condition and no corrosion or staining around the lift was noted.
- Several hydraulic trash compactors were noted on the exterior of the hospital. The compactors appeared to be in good condition, with no corrosion or staining around the area.
- Approximately 20 transformers of various sizes were noted in the main engineering plant, outside the main engineering plant, and in the various engineering rooms on the property.
- No strong, unusual, or pungent odors were noted on the property.
- No pools of unknown liquid were noted at the property.
- No evidence of exterior pits, ponds or lagoons was identified on the Property in connection with waste treatment or disposal.
- *De minimis* staining was observed on the pavement on the parking lot. No evidence of stained soils or stressed vegetation was identified on the property.
- No evidence of on-site solid waste dumping was noted at the property.

- No indication of septic systems was noted on the property, however septic systems may have been present historically on the property.
- No evidence of wells was noted at the property.

### Underground Storage Tanks

The following USTs were observed during the Project site visit (Appendix E):

- One 3,000-gallon diesel UST and one 10,000-gallon diesel UST were reported to be in service at the Property. The tanks are reported to be used by the emergency generators at the main hospital building. The tanks, installed in 1987 and repaired/upgraded in 2003, have double walled construction. No recent testing records were obtained for the USTs.

### Nearby Hazardous Sites

Data presented in the Phase 1 ESA database search report was reviewed to evaluate the potential for conditions to pose a REC, a controlled recognized environmental condition, or a historical recognized environmental condition for the Project site.

It was found that Madison Square Partnership located at 488 E. Valley Parkway, adjoining to the west and at a lower elevation relative to the property, is registered under LUST, HIST Cortese, and San Diego County Site Assessment and Mitigation (SAM). The LUST listing indicates a status of “Post Remedial Action Monitoring” as of January 13, 1988. A leak was first discovered during a tank closure procedure on January 1, 1988, and July 5, 1988. The San Diego County SAM listing shows a status of “Closed Case” as of March 16, 2006, for a mitigated drinking water aquifer. Monitoring wells are noted on site; however, no monitoring wells were noted on the property. This, along with the property’s upgradient location, indicates that it is unlikely that groundwater contamination has migrated beneath the property. However, because the site is adjacent to the property, a potential vapor encroachment impact to the property cannot be ruled out. Therefore, these adjoining site listings are considered to be a REC in connection with the property.

Located at 211 Valley Boulevard, adjoining to the west and at a lower elevation than the property, is an EDR Historical Auto listing. The site was operated as a gasoline service station from 1969 to 1982. Due to the location of the site being downgradient from the property, this listing is considered unlikely to represent an environmental concern to the Project site.

Escondido OB/GYN Medical Group, located at 488 E. Valley Parkway, adjoining to the west and at a lower elevation, is listed as a SWEEPS UST for having one registered 550-gallon tank for petroleum waste. The site is also listed within the San Diego County HMMD as having several

permits related to the generation of hazardous waste and two violations for not securing access to medical waste and improper labeling of medical waste. This site is considered to be a REC.

Palomar Medical Group, located at 625 E. Grand Avenue, adjoining to the east-southeast and at a lower elevation relative to the property is a FINDS listing. The listing indicates that the site is registered on the Resource Conservation and Recovery Act (RCRA) database. The RCRA-SQG listing indicates the site is registered as a small quantity generator for hazardous waste with no reported violations. Additionally, the site is listed in ECHO, with a registry ID of “110002804591”, indicating that the site is on the RCRA program with no reported violations. Due to the lack of reported spills or violations and the relative topography to the site, the listing is considered unlikely to represent an environmental concern to the Project site.

Redwood Town Court, which is located at 500 E. Valley Parkway and adjoins the site to the northwest at a lower elevation is listed as a “No Action Required,” Cal-mortgage funded RGA LUST cleanup site on EnviroStor as of May 9, 1997. EnviroStor is the California Department of Toxic Substances Control (DTSC) data management system for tracking cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons to investigate further (DTSC 2019). Due to the site type, status, and location down gradient, this listing is considered unlikely to represent an environmental concern to the Project site.

J.O. Knappe at 437 E. Grand Avenue, adjoining the site to the east-southeast, at a lower elevation, is considered to be an EDR Historical Cleaner. The site operated as a clothing cleaners in 1927 and as drycleaners from 1973 to 1975. Due to its lack of reported spills or violations and its location downgradient from the site, this listing is considered unlikely to represent an REC to the Project site.

### Site Soil Contamination

Based on the findings presented within the Phase 1 ESA and database search, it was found to be likely that the site contains contamination from previous and nearby hazardous sites. Phase 2 ESA geophysical surveying and soil testing was completed to further analyze the risks of the recorded hazardous materials found in 0.5 mile proximity to the Project site. The Phase 2 ESA, conducted by Advantage Environmental Consulting LLC (AEC), included geophysical surveying, soil testing, and soil gas testing (Appendix G).

On March 13, 2018, Southwest Geophysics Inc. (SGI), a subcontractor to AEC, completed a geophysical survey in the vicinity of the anticipated locations of current and former USTs at the Site. Geophysical survey methods used during the evaluation included ground-penetrating radar (GPR), electromagnetic (EM) technologies, and other methods as described in the geophysical survey report within Appendix G. As described in the geophysical survey report, the results of the

survey revealed the presence of two USTs in the northeastern portion of the Project site. No USTs were identified in anticipated former tank locations. However, several relatively large EM anomalies, underground utilities, and unidentified lines were identified during the survey.

As stated previously, a geophysical survey and boring location clearance was conducted on March 13, 2018, by SGI. Twelve soil borings (identified as B1 through B12) were advanced at the Project site on March 26, 2018. The soil borings were advanced by Astech Environmental of Santa Ana, California, under the oversight of AEC. One of the 12 soil borings (B2) was advanced to a depth of 17 feet below ground surface (bgs), 4 borings were advanced to 13 feet bgs (B1, B3, B4, and B8), 5 of the borings were advanced to 10 feet bgs (B6, B7, B10, B11, and B12), 1 of the borings was advanced to 6 feet bgs (B5), and 1 of the borings was advanced to 3 feet bgs (B9). Difficult drilling conditions resulting from apparent gravel and rock material and very dense soils resulted in not achieving target depths of 20 feet bgs in the borings. Soil samples were generally collected at depths of 1 foot bgs and at approximately 5-foot vertical depth increments or until refusal in each of the borings.

A total of 36 soil samples were collected from the soil borings, 24 of which were analyzed for total petroleum hydrocarbons (TPH) by U.S. Environmental Protection Agency (EPA) test method 8015B and 12 of which were analyzed for volatile organic compounds (VOCs) by EPA test method 8260B. Six of the twelve VOC-tested soil borings were converted to temporary soil gas probes installed at depths ranging from 5 to 17 feet at each of the respective boring locations (Appendix G).

Upon completion of the soil testing, it was found that neither TPH nor VOCs were detected at or above the laboratory reporting limits in any of the soil samples analyzed. Additionally, no soil gas VOCs were found during the soil gas testing.

### Fire Hazards

The Project site is surrounded on all sides by existing residential and commercial development and is within an existing Escondido Fire Department (EFD) service boundary. EFD provides fire protection and emergency medical services to the City and, through a contractual arrangement established in 1984, the Rincon Del Diablo Fire Protection District. A staff of 93 full-time safety (including Chief Officers), 18 full-time non-safety, 10 full-time administration, 3 part-time administration, and 27 senior volunteer personnel provide services to a population of approximately 153,614 in an area covering 50 square miles in North San Diego County, California. EFD currently has seven fire stations, which house emergency response personnel and equipment. EFD addresses fire emergencies (structure, vegetation, and automobile); medical aid emergencies (all chief complaints including vehicle accidents); special rescue emergencies (confined space rescue, trench rescue, low angle rescue, high angle rescue, and water rescue); hazardous materials

incidents (including explosive devices and weapons of mass destruction); and mass disaster incidents (earthquakes, flooding, and wind) (City of Escondido 2019).

EFD headquarters are located at a combined police and fire facility, at 1163 N. Centre City Parkway in Escondido. Fire Station No. 1, located at 310 N. Quince Street, is the closest station to the Project, approximately 0.9 miles to the southeast. Pursuant to the Community Protection Element of the City's General Plan, for no less than 90% of all emergency responses, EFD must provide an initial response time of 7.5 minutes for all structure fire and emergency Advanced Life Support (ALS) calls, and a maximum response time of 10 minutes for supporting companies in urbanized areas of the City.

The potential for wildland fires represents a hazard where development is adjacent to open space or within close proximity to wildland fuels or designated fire severity zones. Steep hillsides and varied topography within portions of the City also contribute to the risk of wildland fires. Pursuant to the City's Wildland–Urban Interface Fire Severity Zones, the Project site is not mapped in the high or very high fire severity zone.

#### **4.3.1.2 Regulatory Setting**

##### Federal

##### Chemical Accident Prevention Provisions

When Congress passed the Clean Air Act Amendments of 1990, it required the EPA to publish regulations and guidance for chemical accident prevention at facilities that use extremely hazardous substances. These rules, which built upon existing industry codes and standards, require companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program.

##### CERCLA and SARA

Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, on December 11, 1980. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites; and established a trust fund to provide for cleanup when no responsible party could be identified. The Superfund Amendments and Reauthorization Act (SARA) amended CERCLA on October 17, 1986. SARA stressed the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites; required Superfund actions to consider the standards and requirements found in other state and federal environmental laws and regulations; provided new enforcement authorities and settlement tools; increased state involvement in every phase of the Superfund

program; increased the focus on human health problems posed by hazardous waste sites; encouraged greater citizen participation in making decisions on how sites should be cleaned up; and increased the size of the trust fund to \$8.5 billion.

### Emergency Planning Community Right-to-Know Act

The Emergency Planning Community Right-to-Know Act, also known as SARA Title III, was enacted in October 1986. This law requires any infrastructure at the state and local levels to plan for chemical emergencies. Reported information is then made publicly available so that interested parties may become informed about potentially dangerous chemicals in their community. Emergency Planning Community Right-to-Know Act Sections 301 through 312 are administered by EPA's Office of Emergency Management. In California, SARA Title III is implemented through the California Accidental Release Prevention (CalARP) program.

### Federal Aviation Administration Functions

The Federal Aviation Administration (FAA) has primary responsibility for the safety of civil aviation. The FAA's major functions regarding hazards include the following: (1) developing and operating a common system of air traffic control and navigation for both civil and military aircraft; (2) developing and implementing programs to control aircraft noise and other environmental effects of civil aviation; (3) regulating U.S. commercial space transportation; and (4) conducting reviews to determine that the safety of persons and property on the ground are protected.

### Federal Response Plan

The Federal Response Plan of 1999 is a signed agreement among 27 federal departments and agencies, including the American Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act, as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a Presidential declaration of a major disaster or emergency.

### Hazardous Materials Transportation Act

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the Code of Federal Regulations. State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol and the California Department of Transportation (Caltrans). These

agencies also govern permitting for hazardous materials transportation. Title 49 of the Code of Federal Regulations reflects laws passed by Congress as of January 2, 2006.

### International Fire Code

The International Fire Code (IFC), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code (IBC) use a hazard classification system to determine what measures are required to protect fire and life safety. These measures may include construction standards, separation from Project site lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every 3 years.

### National Emissions Standards for Hazardous Air Pollutants Program

Under federal law, 188 substances are listed as hazardous air pollutants (HAPs). Major sources of specific HAPs are subject to the requirements of the National Emissions Standards for Hazardous Air Pollutants (NESHAPS) program. The EPA is establishing regulatory schemes for specific source categories, and requires implementation of Maximum Achievable Control Technologies (MACTs) for major sources of HAPs in each source category. State law has established the framework for California's Toxic Air Contaminant Identification and Control Program, which is generally more stringent than the federal program, and is aimed at HAPs that are a problem in California. The state has formally identified more than 200 substances as toxic air contaminants (TACs), and is adopting appropriate control measures for each. Once adopted at the state level, each local air district will be required to adopt a measure that is equally or more stringent.

### Renovating, Repair, and Painting Rule

In 2008, EPA issued the Renovation, Repair, and Painting Rule. This rule requires that firms performing renovation, repair, and painting projects that disturb lead-based paint in pre-1978 homes, childcare facilities, and schools be certified by the EPA, and that they use certified renovators who are trained by EPA-approved training providers to follow lead-safe work practices. Individuals can become certified renovators by taking an 8-hour training course from an EPA-approved training provider. Contractors must use lead-safe work practices and follow these three simple procedures: (1) contain the work area, (2) minimize dust, and (3) clean up thoroughly.

RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984

Federal hazardous waste laws are generally promulgated under RCRA. These laws provide for the “cradle to grave” regulation of hazardous wastes. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed. DTSC is responsible for implementing the RCRA program as well as California’s own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law. Under the Certified Unified Program Agency program, the California EPA has in turn delegated enforcement authority to the County Department of Environmental Health (DEH) for regulating hazardous waste producers or generators.

#### EPA Region 9, Preliminary Remediation Goals

Region 9 is the Pacific Southwest Division of the EPA, which includes Arizona, California, Hawaii, Nevada, Pacific Islands, and over 140 Tribal Nations. Preliminary Remediation Goals (PRGs) are tools for evaluating and cleaning up contaminated sites. PRGs for the Superfund/RCRA programs are risk-based concentrations, derived from standardized equations combining exposure information assumptions with EPA toxicity data. They are considered to be protective for humans (including sensitive groups) over a lifetime. However, PRGs are not always applicable to a particular site and do not address non-human health issues such as ecological impacts. Region 9’s PRGs are viewed as agency guidelines, not legally enforceable standards.

#### Toxic Substances Control Act

This federal law phased out the use of asbestos and asbestos-containing materials (ACMs) in new building materials and established requirements for the use, handling, and disposal of ACMs. New disposal standards for lead-based paint wastes are set forth in Section 402(a)(1) of the Toxic Substances Control Act.

#### State

##### California Environmental Quality Act

Primary environmental legislation in California is found in CEQA and its implementing guidelines (CEQA Guidelines [14 CCR 15000 et seq.]), which require that projects with potential adverse effects (or impacts) on the environment undergo environmental review. Adverse environmental impacts are typically mitigated as a result of the environmental review process in accordance with existing laws and regulations.

### California Emergency Services Act

The California Emergency Services Act was adopted to establish the state's role and responsibilities during manmade or natural emergencies that result in conditions of disaster and/or extreme peril to life, property, or the resources of the state. This Act is intended to protect health and safety by preserving the lives and property of the people of the state.

### California Fire Code

The California Fire Code (CFC) is provided in California Code of Regulations Title 24, Chapter 9. It was created by the California Building Standards Commission and is based on the IFC. The CFC is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the California Building Code (CBC) use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separation from Project site lines, and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every 3 years.

### California Human Health Screening Levels

The California Human Health Screening Levels (CHHSLs) or “Chisels” are concentrations of 54 hazardous chemicals in soil or soil gas that the California EPA considers to be below thresholds of concern for risks to human health. The CHHSLs were developed by the California Office of Environmental Health Hazard Assessment on behalf of the California EPA. The CHHSLs were developed using standard exposure assumptions and chemical toxicity values published by the EPA and the California EPA. The CHHSLs can be used to screen sites for potential human health concerns where releases of hazardous chemicals to soils have occurred. Under most circumstances, the presence of a chemical in soil, soil gas, or indoor air at concentrations below the corresponding CHHSL can be assumed to not pose a significant health risk to people who may live or work at the site. There are separate CHHSLs for residential and commercial/ industrial sites.

### California Natural Disaster Assistance Act

The California Natural Disaster Assistance Act (NDAA) provides financial aid to local agencies to assist in the permanent restoration of public real property, other than facilities used solely for recreational purposes, when such real property has been damaged or destroyed by a natural disaster. The NDAA is activated after a local declaration of emergency, after the California Emergency Management Agency CalEMA gives concurrence with the local declaration, or after the Governor

issues a Proclamation of a state emergency. Once the NDAA is activated, local government is eligible for certain types of assistance, depending upon the specific declaration or proclamation issued.

### California State Aeronautics Act

The State Aeronautics Act is implemented by Caltrans DOA. The purpose of this Act is to: (1) foster and promote safety in aeronautics, (2) ensure state laws and regulations relating to aeronautics are consistent with federal aeronautics laws and regulations, (3) ensure that persons residing in the vicinity of airports are protected against intrusions by unreasonable levels of aircraft noise, and (4) develop informational programs to increase the understanding of current air transportation issues. Caltrans DOA issues permits for and annually inspects hospital heliports and public-use airports, makes recommendations regarding proposed school sites within 2 miles of an airport runway, and authorizes helicopter landing sites at/near schools.

### California State Fire Plan

The 2010 California State Fire Plan is the first statewide fire plan developed in concert between the California Board of Forestry and Fire Protection and the California Department of Forestry and Fire Protection (CalFire). The central goals of the State Fire Plan include: (1) improved availability and use of information on hazard and risk assessment; (2) land use planning, including general plans, new development and existing developments; (3) shared vision among communities and the multiple fire protection jurisdictions, including county-based plans and community-based plans such as community wildfire protection plans; (4) establishing fire resistance in assets at risk, such as homes and neighborhoods; (5) shared vision among multiple fire protection jurisdictions and agencies; (6) levels of fire suppression and related services; and (7) post fire recovery.

### Emergency Response to Hazardous Materials Incidents

California has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local government, and private agencies. The Emergency Response Plan is administered by CalEMA and includes response to hazardous materials incidents. CalEMA coordinates the response of other agencies, including the California EPA, California Highway Patrol, California Department of Fish and Wildlife, the Regional Water Quality Control Boards (RWQCBs), San Diego Air Pollution Control District, City of San Diego Fire Department, and the County DEH Hazardous Incident Response Team.

### Government Code Section 65962.5(a), Cortese List

The Hazardous Waste and Substance Sites Cortese List is a planning document used by the state, local agencies and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the

California EPA to develop at least annually an updated Cortese List. DTSC is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous materials release information for the Cortese List.

#### Hazardous Materials Release Response Plans and Inventory

Two programs found in California Health & Safety Code Chapter 6.95 are directly applicable to the CEQA issue of risk due to hazardous substances release. These two programs are referred to as the Hazardous Materials Business Plan (HMBP) program and the CalARP program. In the San Diego region, the County DEH is responsible for implementing the HMBP and CalARP programs. The HMBP and CalARP programs provide threshold quantities for regulated hazardous substances. When the indicated quantities are exceeded, a HMBP or Risk Management Plan (RMP) is required pursuant to the regulation. Congress requires the EPA Region 9 to make RMP information available to the public through the EPA's Envirofacts Data Warehouse. The Envirofacts Data Warehouse is considered the single point of access to select EPA environmental data.

#### Aboveground Petroleum Storage Act

The Aboveground Petroleum Storage Act (California Health & Safety Code, Section 25270) requires registration and spill prevention programs for ASTs that store petroleum. In some cases, ASTs for petroleum may be subject to groundwater monitoring programs that are implemented by the RWQCBs and the State Water Resources Control Board. The County DEH is the local administering agency for this program within the Project area.

#### Senate Bill 1889, Accidental Release Prevention Law/California Accidental Release Prevention Program

Senate Bill 1889 required California to implement a new federally mandated program governing the accidental airborne release of chemicals promulgated under Section 112 of the Clean Air Act. Effective January 1, 1997, the Accidental Release Prevention Law/CalARP replaced the previous California Risk Management and Prevention Program and incorporated the mandatory federal requirements. CalARP addresses facilities that contain specified hazardous materials, known as regulated substances, that if involved in an accidental release, could result in adverse off-site consequences. CalARP defines regulated substances as chemicals that pose a threat to public health and safety or the environment because they are highly toxic, flammable, or explosive.

#### State Fire Regulations

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, and include regulations concerning building standards (as also set forth in the California Building Code), fire protection and notification systems, fire protection devices such as

extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training. The State Fire Marshal enforces these regulations and building standards in all state-owned buildings, state-occupied buildings, and state institutions throughout California.

#### Title 14 Division 1.5 of the CCR

CCR Title 14 Division 1.5 establishes the regulations for CAL FIRE and is applicable in all State Responsibility Area (SRA) areas where CAL FIRE is responsible for wildfire protection. Development within SRA areas must comply with these regulations. Among other things, Title 14 establishes minimum standards for emergency access, fuel modification, Project site line setbacks, signage, and water supply.

#### Title 22 of the CCR and Hazardous Waste Control Law, Chapter 6.5

DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste under RCRA and the California Hazardous Waste Control Law. Both laws impose “cradle to grave” regulatory systems for handling hazardous waste in a manner that protects human health and the environment. The California EPA has delegated some of its authority under the Hazardous Waste Control Law to county health departments and other Certified Unified Program Agencies, including the County DEH.

#### Underground Storage Tank Act

The Underground Storage Tank Act monitoring and response program is required under Chapter 6.7 of the California Health & Safety Code and Title 23 of the California Code of Regulations. The program was developed to ensure that facilities meet regulatory requirements for design, monitoring, maintenance, and emergency response in operating or owning USTs. The County DEH is the administering agency for this program in the Project area.

#### Federal/State Occupational Safety and Health Act

The federal and state Occupational Safety and Health Act (OSHA) laws require special training of handlers of hazardous materials, notification to employees who work in the vicinity of hazardous materials, acquisition from the manufacturer of material safety data sheets which describe the proper use of hazardous materials, and training of employees to remediate any hazardous material accidental releases. The California Division of Occupational Safety and Health also requires preparation of an Injury and Illness Prevention Program, which is an employee safety program of inspections, procedures to correct unsafe conditions, employee training, and occupational safety communication.

### Local

#### San Diego County of Department of Environmental Health

The County DEH protects public health and safeguards environmental quality, educates the public to increase environmental awareness, and implements and enforces local, state, and federal environmental laws. The County DEH regulates the following: retail food safety; public housing; public swimming pools; small drinking water systems; mobile-home parks; on-site wastewater systems; recreational water; AST and UST and cleanup oversight; and medical and hazardous materials and waste.

#### County of San Diego Office of Emergency Services

The Unified San Diego County Emergency Services Organization has the primary responsibility for preparedness and response activities, and addresses disasters and emergency situations within the unincorporated area of San Diego County. The County of San Diego Office of Emergency Services (OES) serves as staff to the Unified Disaster Council (UDC), the governing body of the Unified San Diego County Emergency Services Organization. Emergency response and preparedness plans include the Operational Area Emergency Response Plan and the San Diego County Multi-Jurisdictional Hazard Mitigation Plan.

#### Multi-Jurisdictional Hazard Mitigation Plan

This plan includes an overview of the risk assessment process, vulnerability assessments, and identifies hazards present in each jurisdiction of San Diego County. Hazards profiled in the plan include wildfire, structure fire, flood, coastal storms, erosion, tsunami, earthquakes, liquefaction, rain-induced landslide, dam failure, hazardous materials, incidents, nuclear materials release, and terrorism. The plan sets forth a variety of objectives and actions based on a set of broad goals including: (1) promoting disaster-resistant future development; (2) increased public understanding and support for effective hazard mitigation; (3) building support of local capacity and commitment to become less vulnerable to hazards; (4) enhancement of hazard mitigation coordination and communication with federal, state, local and tribal governments; and (5) reducing the possibility of damage and losses to existing assets, particularly people, critical facilities or infrastructure, and County-owned facilities, due to dam failure, earthquake, coastal storm, erosion, tsunami, landslides, floods, structural fire/wildfire, and manmade hazards.

Helicopters and small planes are used in a variety of emergency response actions such as search and rescue operations and retrieving water to extinguish wildfires. During an emergency response, aircraft tend to fly low to the ground thus increasing the potential hazards to aircraft from towers and other objects within airspace. CAL FIRE and the County of San Diego Sheriff's Department Aerial Support Detail, Air Support to Regional Enforcement Agencies (ASTREA) base carry out emergency response actions.

### City of Escondido Municipal Code, Chapter 7

Chapter 7, Sections 7-1 through 7-8, of the City's Municipal Code provides for the preparation and carrying out of plans for the protection of persons and property within the City in the event of an emergency. It also discusses coordination of the emergency functions of the City with all other public agencies, corporations, organizations, and affected private persons. Chapter 7 of the Municipal Code requires the City of Escondido Disaster Council to be responsible for the development of the City's Emergency Action Plan for City Employees, which provides for the effective mobilization of all City resources, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency, and to provide for the organization, powers and duties, services, and staff of the emergency organization.

### City of Escondido Weed and Rubbish Abatement Program

The City's Municipal Code, Chapter 11, Article 2, Division 2, establishes the Weed and Rubbish Abatement Program. The purpose of this ordinance is to designate the responsibility of the owners of real property in the City in the elimination of the public nuisance created by weeds, rubbish and refuse on or around their property. This chapter of the Municipal Code declares the following as a public nuisance or fire hazard: all weeds growing upon the streets, sidewalks, parking, and private property in the City of Escondido; and all rubbish upon the streets, sidewalks, parking facilities, and private property in the City of Escondido. The Chief of EFD, or any agent thereof, is vested with the authority to determine if vegetation on private property results in a fire hazard and must be removed.

### San Diego County Site Assessment and Mitigation Program

The County DEH maintains the SAM list of contaminated sites that have previously or are currently undergoing environmental investigations and/or remedial actions. The San Diego County SAM Program has a primary purpose to protect human health, water resources, and the environment within San Diego County by providing oversight of assessments and cleanups in accordance with the California Health and Safety Code and the California Code of Regulations. The SAM's Voluntary Assistance Program (VAP) also provides staff consultation, project oversight, and technical or environmental report evaluation and concurrence (when appropriate) on projects pertaining to properties contaminated with hazardous substances.

City of Escondido General Plan

*Community Protection Element*

## **2. Fire Protection**

**Community Protection Policy 2.14:** Require new development in high wildfire risk areas to incorporate site design, maintenance practices, and fire resistant landscaping to protect properties and reduce risks.

## **8. Hazardous Materials**

**Goal 8:** A safe and healthy community and environment that is protected from the use, storage, and transport of hazardous materials.

**Hazardous Materials Policy 8.1:** Maintain and update Escondido’s Household Hazardous Waste Management Plan and coordinate with the County of San Diego on periodic reviews and updates of the County’s Hazardous Waste Management Plan.

**Hazardous Materials Policy 8.2:** Coordinate with relevant agencies to enforce applicable laws regulating the handling, use, production, storage, disposal, and transportation of hazardous materials, and notify the appropriate city, county, state, and federal agency in the event of a violation.

**Hazardous Materials Policy 8.3:** Maintain regulations requiring proper handling, storage and disposal of hazardous materials to prevent leakage, potential explosion, fire, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances.

**Hazardous Materials Policy 8.4:** Encourage businesses and residents to utilize practices and technologies that will reduce the use of hazardous materials and generation of hazardous wastes.

**Hazardous Materials Policy 8.5:** Continue to provide frequent and convenient household hazardous waste collection options.

**Hazardous Materials Policy 8.6:** Cooperate with appropriate regional, state and federal agencies to mitigate impacts associated with hazardous contaminants discovered in the groundwater.

**Hazardous Materials Policy 8.7:** Maintain the City’s Fire Department’s programs to safely and effectively respond to hazardous materials incidents and releases.

**Hazardous Materials Policy 8.8:** Participate in the Hazardous Materials Incident Response Team Program, which is a countywide effort to address hazardous materials incidents.

**Hazardous Materials Policy 8.9:** Continue the public education efforts regarding proper use, storage, and disposal of household hazardous wastes, including universal wastes.

**Hazardous Materials Policy 8.10:** Require proponents of projects in known contamination areas to perform comprehensive soil and groundwater contamination assessments, in accordance with applicable regulations. If contamination exceeds regulatory levels, require the proponent to undertake remediation procedures consistent with county, regional, and state regulations prior to grading and development of the site.

**Hazardous Materials Policy 8.11:** Maintain strict land use controls, performance standards, and structure design standards for uses that generate, use, or store hazardous materials, including setbacks from sensitive uses (schools, residential homes, daycare facilities, etc.) to protect and [sic] health and safety of the community in concert with regional, state and federal requirements for existing and proposed uses (City of Escondido 2012).

#### **4.3.2 Analysis of Project Effects and Determination as to Significance**

##### **4.3.2.1 Guidelines for the Determination of Significance**

For purposes of this EIR, Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) will apply to the direct, indirect, and cumulative impact analyses. A significant impact to hazards and hazardous materials would result if the Project would:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area.
- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

#### 4.3.2.2 Analysis

- A. *Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

##### Construction

The Project site has historical uses of hazardous materials, and two active UST tanks present within the site which are to be removed prior to construction. Additionally, upon records search, it was found that at least one 6,000-gallon UST had been closed and abandoned in place. The removal of the current and former USTs would result in a potential to present a hazard to the public or the environment. However, the removal of any UST or other hazardous materials would be completed with the oversight of the County DEH. Additionally, the removal of known USTs would comply with any federal, state, or local policies regarding safe and proper removal and transport of hazardous materials and waste, such as RCRA, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, Underground Storage Tank Act, Policy 8.2 of the Escondido General Plan, and the Multi-Jurisdictional Hazard Mitigation Plan for the City of Escondido. Due to the potential for subsurface contamination from previous USTs and emergency generators, and the need to transport and dispose of potentially contaminated soils or materials, the removal of these vessels prior to construction and grading would create a **potentially significant impact (Impact HZ-1)**.

Construction of the Project would involve the transport of commonly used hazardous substances, such as gasoline, diesel fuel, lubricating oil, grease, and solvents. These materials would be used and stored in designated construction staging areas within the boundaries of the Project site, and once the Project has been constructed, any remaining materials would be transported off site. These materials would be transported, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations regulating the management and use of hazardous materials. Consequently, use of these materials for their intended purpose would not pose a significant risk to the public or environment. Therefore, construction impacts related to other commonly used hazardous substances would be **less than significant**.

### Operation

The operational phase of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The Project involves residential dwellings and commercial spaces with associated landscape and commercial facility maintenance. The former medical center would be replaced by a variety of home types and public commercial spaces such as a café, collaborative work space, bar and restaurant, and a secondary café and leasing space, with additional open space and recreational uses.

Hazardous materials associated with the residential dwellings, associated landscape, and facility maintenance, would be limited to private use of commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available substances. Although the Project would introduce dwelling units to the site resulting in an increased use of commercially available potentially hazardous materials, the use of these substances is subject to all applicable federal, state, and local health and safety laws and regulations that are intended to minimize health risk to the public associated with hazardous materials. The on-site cafés and restaurant would potentially use commercially available cleaning products, oil and grease, and other regulated materials commonly used in food service operations. The San Diego County Department of Environmental Health regulates hazardous materials and wastes within San Diego County. For the proposed uses, the typical applicable regulations include Hazardous Waste – 22 CCR 66261.3, Excluded Recyclable Material (ERM) – HSC 25143.2, Retrograde Material – 22 CCR 66260.10, and Surplus Material (Continued Use) – 22 CCR 66260.10. As required by regulations, any future uses on site that would involve hazardous materials would be required to obtain a Unified Program Facilities Permit and implement a hazardous materials business plan that ensure proper handling, transport, storage, and disposal of hazardous materials (**CM-HZ-1**). In addition, the future uses would be subject to OSHA regulations (**CM-HZ-2**), and the Project would be required to comply with all applicable hazardous materials regulations during demolition, grading, and construction (CM-HZ-3). California Division of Occupational Safety and Health requires preparation of an Injury and Illness Prevention Program related to handling hazardous wastes, which further ensures proper handling of typical residential and commercial hazardous materials. Therefore, impacts related to the operational phase of the Project would be **less than significant**.

- B. Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

#### Construction

Construction of the Project would increase the potential for release of hazardous materials into the environment as a result of standard construction activities. However, these materials would be transported, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations regulating the management and use of hazardous materials. Consequently, use of these materials for their intended purpose would not pose a significant risk to the public or environment. During the preparation of the Phase 1 ESA, evidence was found of hazardous material release(s) onto the Project site.

One 3,000-gallon diesel UST and one 10,000-gallon diesel UST were observed on the property during the Phase 1 ESA. The tanks were reportedly used by the emergency generators at the main hospital building. The tanks are double walled-steel tanks. Although no evidence of stained pavement was observed around the locations of the two tanks, the soil in the vicinity has been tested for contamination during the Phase 2 ESA. The soil tested negative for contamination, and although the two USTs would constitute a REC, due to the negative soil survey results, the potential for an undocumented release into the soil is unlikely.

Prior to and/or during Project construction and demolition, the USTs would be properly abandoned, removed, and disposed of in accordance with all applicable federal, state, regional, and local laws and regulations. Removal of the USTs would be subject to the Hazardous Materials Transportation Act, which would regulate the transportation of any hazardous materials found in the USTs. The IFC would regulate the use, handling, and storage requirements for hazardous materials found in the USTs on site. Also, both OSHA and fire codes require that fire extinguishers and adsorbent be present at the Project site to facilitate a quick response to any spill incident. Pre-cautionary measures that are standard in the construction industry and required under occupational health and safety laws (e.g., OSHA) would also reduce the potential for the release of hazardous materials into the environment. Such measures include ensuring special training of handlers of hazardous materials; notification of employees who work in the vicinity of hazardous materials; acquisition of manufacturers' material safety data sheets that describe the proper use of hazardous materials; and training of employees to remediate any hazardous material accidental releases. As a result, compliance with applicable federal, state, regional, and local laws and regulations would ensure the identified USTs' removal would not pose a significant threat to the public or the environment.

Using records obtained from the Phase 1 ESA, there is a historical presence of an old automobile shop. This auto shop, located at 451 E. Valley Parkway, operated from approximately 1949 to 1975. Due to the potential for soil and groundwater as a part of improper disposal of hazardous substances and petroleum products at the service station, the historical use of that portion of the Project site as a service station constitutes a REC. However, Phase 2 soil surveying at the Project site identified no presence of soil contamination; therefore, the historical use of the Project site as a service station would not pose a significant threat to the public or the environment.

During the preliminary site visit during the Phase 1 ESA, severe diesel/oil staining of the concrete around the base of three of the four emergency generators and the older emergency generator was noted. Due to the potential for the oil/diesel to seep under the pad and contaminate the soil underneath, the staining constitutes a REC. Since there is no record of soil testing in the vicinity of this portion of the Project site, construction would likely expose potential contamination.

Records from the Phase 1 ESA site visit indicate the presence of at least one former UST on the property, including one known 6,000-gallon UST that was abandoned in place. These former UST sites are considered to be a REC in connection with the property due to the potential that residual petroleum impacts to the subsurface may be discovered upon redevelopment of the site. Additionally, Phase 1 and Phase 2 ESA comments indicate that there may be additional USTs on site at undisclosed locations, with the potential for subsurface contamination. The removal of these known and unknown USTs may create a threat to human health and the environment and therefore may be considered a **potentially significant impact (Impact HZ-1)**.

The Phase 1 ESA noted that along the western adjoining property at 488 E. Valley Parkway, a closed LUST site (as of March 16, 2006) recorded contamination of a drinking water aquifer that was mitigated on site. During the Phase 1 site visit, monitoring wells were noted along the adjoining site. However, no monitoring wells were noted on the Project site. This, along with the Project site's upgradient location, indicates that it is unlikely that groundwater contamination has migrated beneath the Project site. However, because the mitigated site is adjoining to the Project site, a potential vapor encroachment impact for the Project site cannot be ruled out. Therefore, the adjoining LUST site is considered to be a REC, which could potentially pose a threat to human and environmental health.

During the Phase 1 ESA, preliminary evaluations for American Standard for Testing Materials (ASTM) "Non-Scope" items, such as asbestos-containing materials (ACM), lead-based paint (LBP), radon, mold, and wetlands were performed. Conclusions of the

analysis noted that ACMs and LBP may be present on site, due to the age of the property. Considering Project construction involves demolition of the existing on-site structures, ACMs and LBP may be present within these structures, a threat to human and environmental health could occur if disturbed, and would be a **potentially significant impact (Impact HZ-2)**.

### Operation

During the preparation of the Phase 1 ESA for the Project, no evidence of potential adverse environmental conditions were found such that a substantial hazard associated with the reasonably foreseeable release of hazardous materials would occur beyond what is mentioned above. Construction, demolition, and operation of the Project would also adhere to all applicable local standards set forth by the City, as well as state and federal health and safety requirements that are intended to minimize hazardous materials risk to the public, such as Cal/OSHA requirements, the Hazardous Waste Control Act, the CalARP Program, and the California Health and Safety Code.

Once operational, hazardous materials associated with the residential dwellings, associated landscape, and facility maintenance, would be limited to private use of commercially available cleaning products, landscaping chemicals and fertilizers, oil and grease, and various other commercially available substances. Although the Project would introduce dwelling units to the site resulting in an increased use of commercially available potentially hazardous materials, the use of these substances is subject to all applicable federal, state, and local health and safety laws and regulations that are intended to minimize health risk to the public associated with hazardous materials. Therefore, the operation of the Project would have **less than significant** impacts.

***C. Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

The Project is not located within one-quarter mile of an existing school or proposed school. The closest school to the Project site is Classical Academy High School, approximately 0.3 miles southwest. Thus, impacts associated with emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school would be **less than significant**.

- D. Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The Project site is listed as Palomar Hospital at 555 E. Valley Parkway in the HAZNET, UST, CHMIRS, RCRA-LGQ, SWEEPS UST, FINDS, HIST UST, ECHO, EMI and San Diego County HMMD environmental databases. The majority of listings for the Project site in the environmental databases are regarding the handling of regulated hazardous materials (including medical waste) and the presence of multiple active and former USTs located on the Project site.

The SWEEPS UST indicates that the facility is registered as having two active USTs, one 3,000-gallon fuel UST and one 10,000-gallon fuel UST. Furthermore, there is at least one 6,000-gallon UST that has been abandoned in place. Considering two of these USTs are still active, they are included currently in a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, they would have to be removed prior to the construction of the Project, which may result in a significant hazard to the public or environment. As stated above, federal, state, and local policies and emergency controls would be available to limit the potential to create a severe hazard for the environment. Additionally, the removal of other USTs on site would be subject to the same safety regulations. Due to the potential for subsurface contamination from previous USTs with both known and unknown USTs, the removal of these vessels prior to construction would create a **potentially significant impact (Impact HZ-1)**.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?*

The Project site is not located within an airport land use plan, and the closest airport to the Project site is McClellan Palomar Airport, which is approximately 11.75 miles southwest of the Project site. As such, impacts associated with airport hazards would be **less than significant**.

- F. Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The Project is located approximately 0.9 miles away from Fire Station No. 1, located at 310 N. Quince Street in downtown Escondido. The Project site is located between Valley Parkway to the north, Fig Street to the east, and Grand Avenue to the south. This would

allow for multiple options for emergency egress for residents an emergency event as well as alternative ingress and egress for emergency responders.

All intersections on the Project site are located within the jurisdiction of the City, and each intersection would offer emergency access. Within the site, one entry and exit point is located at the intersection of Valley Parkway and Valley Boulevard, and two are located on Grand Avenue (Figure 2-3, Project Site Plan). Valley Parkway is designated as an emergency evacuation route in the City's General Plan (City of Escondido 2012, Figure VI-1).

As discussed in Section 4.6, Transportation, of this EIR, the Project would include a Traffic Control Plan (**CM-TR-3**; see Section 2.3.4, Project Design Features and Compliance Measures) to be used during Project construction. This Traffic Control Plan, which would be approved by the City prior to construction and would outline all requirements to ensure that emergency access is maintained at all times, and that Project construction would not impact emergency evacuations routes and acceptable response times. In addition, the Traffic Control Plan would require coordination and notification of emergency service providers. This would allow for emergency egress for residents in an emergency event as well as include alternative ingress and egress for emergency responders. Thus, emergency response and evacuation routes would be maintained throughout Project construction.

Thus, impacts associated with an adopted emergency response plan or emergency evacuation plan would be **less than significant**.

**G. *Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

The Project site is not located within a federal, state, or local responsibility very high fire hazard severity zone (CAL FIRE 2017). The Project site is located within a moderate danger fire hazard zone according to the City's General Plan (City of Escondido 2012, Figure VI-6). However, the Project site is not adjacent to wildlands, has been previously developed, and is located in the urbanized downtown area. Compliance with all applicable existing laws, regulations, and policies would reduce impacts associated with wildland fires. The Project would be required to pay a development impact fee per dwelling unit, which would ensure fire response times are adequately met throughout the City. Refer to Section 5.2.10, Public Services, for further information on development impact fees. Therefore, impacts would be **less than significant**.

### **4.3.3 Cumulative Impact Analysis**

The geographic scope of the cumulative impact analysis for hazards and hazardous materials is limited to projects within 0.25 miles of the site, considering the typical limited geographic

nature of hazards and hazardous material impacts. Considering this, only the Touchstone–The Ivy project would be within the cumulative hazards and hazardous materials cumulative study area (see Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects).

### Hazardous Materials

Hazardous soils, USTs, and other existing sources of hazardous materials are generally site specific and handled on a project-by-project basis. The Ivy project, located at 343 E. 2nd Avenue, is not expected to increase exposure to or the chances of release of hazardous materials, because proposed residential land uses associated with the cumulative project do not typically involve large quantities of potentially hazardous materials. Further, cumulative projects would be required to comply with all applicable federal, state, and local standards regarding the handling, use, transportation, storage, and disposal of hazardous materials, which are intended to minimize risk to public health and the environment. This project was also approved via a CEQA Exemption; therefore, no hazardous material issues are anticipated from the Ivy project that would combine with the Project impacts. As such, the Project would not result in a cumulatively considerable impact related to the transportation, use, or storage of hazardous materials or related to a hazardous materials site.

### Schools

The potential to handle or emit hazardous materials within 0.25 miles of a school are generally site specific. No schools are located within 0.25 miles of the Project, as the closest school to the Project site is Classical Academy High School, approximately 0.3 miles to the southwest. Thus, the Project would not contribute to a significant cumulative impact associated with emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.

### Emergency Response/Emergency Evacuation Plans

Cumulative projects within the City would be required to comply with applicable emergency response and evacuation policies outlined in regulations such as the Federal Response Plan, the California Emergency Services Act, local fire codes, and regional/jurisdictional emergency response and evacuation plans. Due to existing regulations, cumulative projects would not result in a significant cumulative impact associated with the implementation of emergency response and evacuation plans. The Project's construction would take place within or immediately adjacent to the Project site, and existing access for emergency service providers would be maintained during the entire construction phase via a Traffic Control Plan (**CM-TR-3**). Thus, the Project would not contribute to a cumulative impact to emergency response plans or emergency evacuation plans.

### Airports/Private Airstrips

Cumulative projects in the City would be subject to safety regulations such as airport land use compatibility plans and FAA standards, which would reduce the potential for a significant cumulative impact to occur. Additionally, the closest airport is 11.75 miles away from the Project site, and the nearest private airstrip is 2.5 miles away from the Project site. Thus, the Project would not contribute to a cumulative impact to airports or private airstrips.

#### **4.3.4 Significance of Impacts Prior to Mitigation**

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

**Impact HZ-1** The potential to expose contamination during the construction period and removal of USTs which are both known and unknown on the site is a potentially significant impact.

**Impact HZ-2** The potential presence of ACMs and LBP in the existing buildings on the property is a potentially significant impact.

#### **4.3.5 Mitigation**

The following mitigation measures would reduce **Impact HZ-1** and **Impact HZ-2** to a less than significant level.

**M-HZ-1** Prior to the issuance of any Project construction permit, including demolition, excavation, or other earthmoving or soil-disturbance activities, any areas of the Project site identified as containing or potentially containing underground storage tanks (USTs) shall be assessed using more direct methods to detect the presence of any USTs, storm drains, manholes, or underground utilities. Such methods may include the excavation of exploratory trenches/test pits or borings. In addition, any soil excavated below emergency generators shall be treated as potentially contaminated by diesel fuel and oil.

Any areas of the Project site found to be contaminated shall be remediated in conformance with applicable federal, state, and local laws. These laws may include, but are not limited to, the Resource Conservation and Recovery Act, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, International Fire Code, Occupational Safety and Health Act, Underground Storage Tank Act, Policy 8.2 of the *City of Escondido General Plan*, and the City of Escondido's Hazard Mitigation

Plan. Assessment and remediation shall be to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency.

No Project construction activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the areas of the Project site identified as containing or formerly containing USTs.

**M-HZ-2** Prior to demolition, all on-site structures shall be tested to determine if they include asbestos-containing materials (ACMs) and lead-based paint (LBP). If either are present, ACMs shall be removed and disposed of by a licensed and certified asbestos abatement contractor, in accordance with all applicable federal, state, and local laws and regulations for asbestos removal and demolition operations, and procedures for the removal of LBP shall be initiated to protect workers during demolition activities, in accordance with all applicable federal, state, and local laws and regulations.

#### 4.3.6 Significance of Impacts After Mitigation

Implementation of **M-HZ-1** would ensure that no USTs, underground utilities, water vaults, manholes, or storm drain valves would affect the Project site during construction by further assessing the site for their presence prior to groundbreaking activities. In addition, this measure assures that the UST removal would be in compliance with federal, state, and local policies regarding hazardous materials removal including RCRA, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, International Fire Code, OSHA, Underground Storage Tank Act, and Policy 8.2 of the Escondido General Plan. Additionally, the Project would follow the City's Hazard Mitigation Plan, which outlines procedures for the removal and best methods of transportation to ensure hazardous materials incidents would be limited. Thus, implementation of **M-HZ-1** would reduce **Impact HZ-1** to less than significant levels by ensuring that no USTs would impact the Project site or surrounding area.

Implementation of **M-HZ-2** would ensure that any ACMs or LBP are removed and disposed of in accordance with all applicable federal, state, and local laws and regulations, thus eliminating the potential for associated hazards. It would also ensure that workers are not exposed to LBP or ACMs during demolition activities; this would be achieved by sampling the materials of the structures prior to demolition. Thus, implementation of **M-HZ-2** would reduce **Impact HZ-2** to less than significant levels.

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## **4.4 Land Use and Planning**

This section addresses the potential land use impacts associated with implementation of the proposed Palomar Heights Project (Project). The section describes the existing land use and planning setting; identifies associated relevant policy and regulatory requirements; evaluates the existing surrounding land uses and compatibility of the Project with neighboring areas; and analyzes consistency of the Project with relevant adopted local land use policies (refer to Appendix H, City of Escondido General Plan Policy Consistency Analysis Table). This section uses information provided by the *City of Escondido General Plan* (General Plan), the *Escondido Downtown Specific Plan* (Downtown Specific Plan), and the Escondido Zoning Ordinance.

### **4.4.1 Environmental Setting**

#### **4.4.1.1 Existing Setting and Land Uses**

The approximately 13.8-acre Project site is located the downtown area of the City of Escondido (City), California; refer to Figures 2-1 and 2-2 in Chapter 2, Project Description. The Project site is currently associated with the following addresses: 121–141 N. Fig Street, 127–133 Valley Boulevard, 151 Valley Boulevard (parking lot), 451–453 E. Valley Parkway, 456 E. Grand Avenue, 555 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue. The site is bordered by E. Valley Parkway to the north, N. Fig Street to the east, and E. Grand Avenue to the south. Valley Boulevard crosses the site. Refer to Chapter 2 for additional location detail.

Currently, the Project site is composed of the Palomar Health Downtown Campus (Hospital Campus). The Project site is located within the Downtown Specific Plan boundary and is zoned Specific Plan (S-P). Refer to Figures 4.4-1 and 4.4-2 for the existing land use and zoning designations of the Project site and surrounding area. The Project site is located within the Historic Downtown District of the Downtown Specific Plan. The site is a visual focal point at the terminus of the downtown area. The main hospital building is located at a higher elevation relative to the rest of the downtown area and, in addition, includes several taller (four to seven story) buildings relative to the one- to three-story structures that are typical throughout the downtown area.

#### **4.4.1.2 Surrounding Setting and Land Uses**

As indicated above, the site is located on the eastern edge of the downtown area of the City. Uses to the east in the downtown area include primarily commercial uses composed of retail stores and restaurants. Commercial uses are also located to the northeast of the Project site along E. Valley Parkway. Medical and dental offices are also a dominant use in the area, with such offices located to the northeast, southeast, and east. Residential uses are also interspersed in the area, with single- and multi-family residential uses in the neighborhood located to the east, and multi-family residential uses across E. Grand Avenue to the south and across E. Valley Parkway to the north. See Figure 2-2 in Chapter 2.

To the north of the Project site, the area immediately north of E. Valley Parkway is composed of land with the existing General Plan land use designations of Specific Plan Area and General Commercial (City of Escondido 2012). These same parcels have an existing zoning comprising a mix of Planned Development Residential (PD-R-1), Professional Commercial (C-P), and General Commercial (C-G) (City of Escondido 2017). The area farther north beyond Escondido Creek has an existing residential land use designation of Urban III: up to 18 dwelling units per acre (du/ac) and an existing zoning of Medium Multiple Residential (R-3) (City of Escondido 2012 and 2017). The existing uses to the north of E. Valley Parkway consist of medical centers, an assisted living facility, and general commercial and retail uses. Separating these uses from the predominantly multi-family residential to the north is the channelized Escondido Creek, which runs east–west through this area.

To the east of the Project site, the majority of the land has a General Plan land use designation of Office (City of Escondido 2012). The existing zoning is predominantly Hospital Professional (H-P), with a few parcels zoned Professional Commercial (C-P) (City of Escondido 2017). The majority of land uses in this area are composed of medical and dental offices, with other general commercial retail/restaurant, and single- and multi-family residential units.

To the south of the Project site, beyond the neighboring Specific Plan Area, the land immediately across E. Grand Avenue has a General Plan land use designation of Office, while farther south the land use designation is prominently the residential designation of Urban II: up to 12 du/ac (City of Escondido 2012). The parcels immediately to the south across E. Grand Avenue, beyond the neighboring Specific Plan (S-P) uses, have an existing zoning comprising a mix of Hospital Professional (H-P), Professional Commercial (C-P), and General Commercial (C-G) (City of Escondido 2017). The majority of the area farther south beyond this initial row of commercial has an existing zoning of Light Multiple Residential (R-2) and Planning Development Residential (PD-R-1) (City of Escondido 2017). Similar to the area to the east, the land to the south is composed of medical offices, the former Roynon Museum of Earth Science and Paleontology, and multi-family residential, which act as a buffer to the largely single-family medium-density residential uses further south.

Properties to the west of the Project site are within the Downtown Specific Plan Area (Downtown SPA), which has an existing General Plan land use designation of Specific Plan Area and an existing zoning of Specific Plan (S-P) (City of Escondido 2012 and 2017). Within the Downtown Specific Plan, this area immediately to the west is within the Historic Downtown District (similar to the Project site) and farther west is the Retail Core Area; refer to Figure II-1 of the Downtown Specific Plan (City of Escondido 2013). Existing uses in this areas primarily consist of restaurants, bars, and locally serving retail.

### **4.4.1.3 Historical Context**

A historic context of all the existing structures located on the Project site is provided in Section 4.2.1.2 of this Environmental Impact Report (EIR) and full detail of the site history is provided in the Historic Structure Assessment included as Appendix D to this EIR.

Potentially historic buildings identified within the Project site include the Palomar Health Downtown Campus, located at 555 E. Valley Parkway, and associated medical offices located at 121–141 N. Fig Street, 451–453 E. Valley Parkway, 624 E. Grand Avenue, and 640–660 E. Grand Avenue. Although the 456 E. Grand Avenue building is also located within the Project boundaries, it does not meet the minimum age threshold (50 years old) to be considered a historic resource since it was constructed in 1973.

In summary, 121–141 N. Fig Street was determined to be a historical resource and no other structures on site meet the criteria to be eligible for listing and are not considered significant historical resources. The 451–453 E. Valley Parkway building, located within Assessor’s Parcel No. 229-442-01, was constructed in 1934. The building was included in the City of Escondido Historic Resources Inventory in 1983 and in 1990, was updated with a status of “significant” (Appendix D). However, despite having been listed as significant in the Historic Resources Inventory, the building has not yet been formally evaluated for historic significance. Refer to Section 4.2, Cultural Resources, for an evaluation of all potentially historic structures.

### **4.4.1.4 Regulatory Setting**

#### **State**

##### **California Environmental Quality Act**

Primary environmental legislation in California is found in the California Environmental Quality Act (CEQA) and its implementing guidelines (CEQA Guidelines), which require that projects with potential adverse effects (or impacts) on the environment undergo environmental review. Adverse environmental impacts are typically mitigated as a result of the environmental review process in accordance with existing laws and regulations.

##### **California Planning and Zoning Law**

The legal framework in which California cities and counties exercise local planning and land use functions is provided in the California Planning and Zoning Law (California Government Code Sections 65000–66499.58). Under state planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be

met. These requirements include the inclusion of seven mandatory elements described in the Government Code. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

A specific plan implements, but is not technically a part of, the local general plan. Specific plans describe allowable land uses, identify open space, and detail infrastructure availability and financing for a portion of the community. In some jurisdictions, specific plans also take the place of zoning. These specific plans must be consistent with the general plan. In turn, zoning, subdivision, and public works decisions must comply with the provisions of the specific plan. Specific plans are adopted and amended in the same manner as general plans.

### Senate Bill 375

Senate Bill (SB) 375, the Sustainable Communities and Climate Protection Act, was adopted in September 2008 to coordinate land use planning, regional transportation plans, and funding priorities to reduce greenhouse gas (GHG) emissions from passenger vehicle travel through better-integrated regional transportation, land use, and housing planning that provides easier access to jobs, services, public transit, and active transportation options. SB 375 consists of five aspects: (1) creation of regional targets for GHG emissions reduction tied to land use; (2) a requirement that regional planning agencies create a Sustainable Communities Strategy (SCS) to meet those targets, even if that plan is in conflict with local plans; (3) a requirement that regional transportation funding decisions be consistent with this new plan; (4) a requirement that the Regional Housing Needs Allocation numbers, established by the State Department of Housing and Community Development and allocated by the San Diego Association of Governments (SANDAG), must conform to the SCS; and (5) new CEQA exemptions and streamlining for projects that conform to the SCS.

SB 375 specifically requires the metropolitan planning organization relevant to the Project area (in this case, SANDAG) to develop an SCS in its Regional Transportation Plan (RTP). The SCS's intent is to achieve GHG emissions reduction targets set by the California Air Resources Board by reducing vehicle miles traveled from light-duty vehicles through the development of more compact, complete, and efficient communities.

For the area under SANDAG's jurisdiction, including the Project site, the California Air Resources Board adopted regional targets for the reduction of mobile source GHG emissions. Those targets are 7% for 2020 and 13% for 2035. In preparing its 2015 SCS, also known as *San Diego Forward: The Regional Plan*, SANDAG stated it would achieve (and exceed) the region's GHG targets, with a 15% per capita reduction by 2020 and a 21% per capita reduction by 2035 (SANDAG 2015). In response, the California Air Resources Board accepted SANDAG's determination that its SCS would achieve its 2020 and 2035 GHG emissions reduction targets.

## Local

### San Diego Association of Governments Regional Plan

SANDAG adopted *San Diego Forward: The Regional Plan* (Regional Plan) in October 2015. The SANDAG Regional Plan combines the region's two most important existing planning documents: the *Regional Comprehensive Plan* and the *2050 Regional Transportation Plan and Its Sustainable Communities Strategy* (2050 RTP/SCS). The *Regional Comprehensive Plan*, adopted in 2004, laid out key principles for managing the region's growth while preserving natural resources and limiting development in the preserved areas. The plan covered eight policy areas, including urban form, transportation, housing, healthy environment, economic prosperity, public facilities, our borders, and social equity. These policy areas were addressed in the 2050 RTP/SCS and are now fully integrated into the Regional Plan. The Regional Plan provides innovative mobility choices and planning to support a sustainable and healthy region, a vibrant economy, and an outstanding quality of life for all. The Regional Plan (SANDAG 2015) includes six general categories of policy objectives, each with its own set of specific objectives:

**Habitat and Open Space:** (1) Focus growth in areas that are already urbanized, allowing the region to set aside and restore more open space in our less developed areas. (2) Protect and restore our region's urban canyons, coastlines, beaches, and water resources.

**Regional Economic Prosperity:** (1) Invest in transportation Projects that provide access for all communities to a variety of jobs with competitive wages. (2) Build infrastructure that makes the movement of freight in our community more efficient and environmentally friendly.

**Environmental Stewardship:** (1) Make transportation investments that result in cleaner air, environmental protection, conservation, efficiency, and sustainable living. (2) Support energy programs that promote sustainability.

**Mobility Choices:** (1) Provide safe, secure, healthy, affordable, and convenient travel choices between the places where people live, work, and play. (2) Take advantage of new technologies to make the transportation system more efficient and accessible.

**Partnerships/Collaboration:** (1) Collaborate with Native American tribes, Mexico, military bases, neighboring counties, infrastructure providers, the private sector, and local communities to design a transportation system that connects to the megaregion and national network, works for everyone, and fosters a high quality of life for all. (2) As we plan for our region, recognize the vital economic, environmental, cultural, and community linkages between the San Diego Region and Baja California.

**Healthy and Complete Communities:** (1) Create great places for everyone to live, work, and play. (2) Connect communities through a variety of transportation choices that promote healthy lifestyles, including walking and biking. (3) Increase the supply and variety of housing types – affordable for people of all ages and income levels in areas with frequent transit service and with access to a variety of services.

### City of Escondido General Plan

The City's General Plan is a statement of long-range public policy to guide the use of private and public lands within a community's boundaries. The plan is both general and comprehensive in that it provides broad guidelines for development in the City while addressing a wide range of issues that will affect the City's desirability as a place to live, work, and play. The General Plan guides land use and private development, as well as public facilities and services. Furthermore, it addresses community goals and issues regarding human needs such as education, employment, child and elder care, community health and housing, as well as recreation and cultural enhancement. The City's General Plan includes nine elements: Vision and Purpose, Land Use and Community Form, Mobility and Infrastructure, Housing, Community Health and Services, Community Protection, Resource Conservation, Growth Management, and Economic Prosperity.

In addition to the General Plan goals and policies, the City's General Plan includes Quality of Life Standards that establish minimum thresholds of service levels for various public improvements and facilities. The City's Quality of Life Standards (City of Escondido 2012) are identified below:

**Quality of Life Standard 1:** Traffic and Transportation. Circulation Element Streets and intersections shall be planned and developed to achieve a minimum level of service "C" defined by the Highway Capacity Manual as amended or updated, or such other national standard as deemed appropriate by the city. In addition, the city shall support public transportation facilities through such measures as requiring right-of-way for commuter rail or park-and-ride facilities, transit stops or facilities, or for other transportation needs.

**Quality of Life Standard 2:** Public Schools. The community shall have sufficient classroom space to meet state mandated space requirements and teacher/student ratios, with student attendance calculated on prescribed state and/or local school board standards. Implementation of this standard shall be the responsibility of the school districts and other appropriate agencies.

**Quality of Life Standard 3:** Fire Service. In urbanized areas of the city, an initial response time of seven and one-half (7½) minutes for all structure fire and emergency Paramedic Assessment Unit (PAU) calls and a maximum response time

of ten (10) minutes for supporting companies shall be maintained. A minimum of seven (7) total fire stations each staffed with a PAU engine company shall be in place prior to General Plan build-out. For outlying areas beyond a five (5) minute travel time or further than three (3) miles from the nearest fire station, all new structures shall be protected by fire sprinkler systems or an equivalent system as approved by the Fire Chief.

**Quality of Life Standard 4: Police Service.** The city shall maintain personnel staffing levels based on community generated workloads and officer availability.

**Quality of Life Standard 5: Wastewater System.** The city wastewater system shall have adequate conveyance pipelines, pumping, outfall, and secondary treatment capacities to meet both normal and peak demands to avoid wastewater spills affecting stream courses and reservoirs.

**Quality of Life Standard 6: Parks Systems.** The city shall provide a minimum of 11.8 acres of active and passive parkland per 1,000 dwelling units. This parkland acreage shall involve a minimum of 5.9 acres of developed active neighborhood and community parks in addition to 5.9 acres of passive park land and/or open space for habitat preservation per 1,000 dwelling units.

**Quality of Life Standard 7: Library Service.** The public library system shall maintain a stock and staffing of two (2) collection items per capita and three (3) public library staff per 8,000 residents of the City of Escondido. The city shall provide appropriate library facilities with a minimum of 1.6 square feet of library facility floor area per dwelling unit of the city prior to buildout of the General Plan where feasible.

**Quality of Life Standard 8: Open Space System.** A system of open space corridors, easements, acquisition programs and trails shall be established in the Resource Conservation Element. Sensitive lands including permanent bodies of water, floodways, wetlands, riparian and woodland areas, and slopes over 35 percent inclination shall be preserved.

**Quality of Life Standard 9: Air Quality.** The city shall establish a Climate Action Plan with feasible and appropriate local policies and measures aimed at reducing regional greenhouse gas emissions.

**Quality of Life Standard 10: Water System.** The city shall maintain provisions for an adequate water supply, pipeline capacity and storage capacity to meet normal and emergency situations and shall have the capacity to provide a minimum of 540

gallons per day per household or as established by the city's Water Master Plan. Federal and state drinking water quality standards shall be maintained.

**Quality of Life Standard 11:** Economic Prosperity. The city shall implement programs and support efforts to increase Escondido's median household income and per capita wage. Programs shall focus on actively fostering entrepreneurial opportunities, recruiting new businesses, and encouraging expansion of existing businesses to increase employment densities.

### Escondido Downtown Specific Plan

Adopted on August 7, 2013, the Downtown Specific Plan provides a comprehensive plan for land use, development regulations, development incentives, design guidelines, pedestrian and mobility improvements, and other related actions aimed at implementing the goals of the Downtown Specific Plan and the City's vision of the Downtown SPA (City of Escondido 2013). The Downtown Specific Plan contains the following strategic goals:

1. An economically viable Downtown with an appropriate mix of retail, office, residential, entertainment and cultural uses.
2. A local and regional destination for specialty shopping, dining, nightlife, employment, culture, and the arts.
3. A vibrant and exciting environment with land uses that foster an "18-hour" atmosphere, in addition to areas that provide mixed use, office employment and high-density residential opportunities.
4. Development and signage that strengthen the character of Downtown and are architecturally compatible with the existing urban fabric.
5. Street-level and human-scale design elements in new and remodeled developments that improve pedestrian orientation.
6. Preserved historically significant sites and structures that enhance the character of Downtown.
7. Pedestrian-oriented, ground-floor, specialty retail and restaurant uses on Grand Avenue that reinforce and expand its unique character.
8. Higher residential densities in key locations that support Downtown non-residential uses.
9. A pedestrian environment that provides connections, convenient access and opportunities for alternative modes of transportation.
10. Embellished landscaping, public art, comfortable street furniture and décor that improves walkability and pedestrian connections.
11. Maximized parking opportunities.

### City of Escondido Zoning Ordinance

The City's Zoning Ordinance, provided in Chapter 33 of the Municipal Code, is the primary way that the City administers the General Plan. The General Plan identifies general land use designations, while the Zoning Ordinance identifies specific uses and development standards within these land use designations (City of Escondido 2017).

The Zoning Ordinance establishes development regulations for specific land uses, identified by zones, as well as overlay areas established in the General Plan, such as open space and floodplain areas. For example, Article 16, Commercial Zones, establishes the permitted land uses and development standards such as setbacks, building height maximum, landscaping, and parking requirements for areas zoned for commercial use. Additionally, some portions of the Zoning Ordinance apply to all areas of the City, regardless of zone, such as Article 55, the Grading and Erosion Control Ordinance. The purpose of this Article is to assure that development occurs in a manner that protects the natural and topographic character and identity of the environment, the visual integrity of hillsides and ridgelines, sensitive species and unique geologic/geographic features, and the health, safety, and welfare of the general public by regulating grading on private and public property and providing standards and design criteria implementing best management practices (BMPs) to control stormwater and erosion during all construction activities for all development. Compliance with this ordinance is discussed in this EIR in Section 5.2.5, Geology and Soils.

Zoning Ordinance sections that pertain to specific environmental issues such as aesthetics, air quality, geology and soils, and hydrology and water quality are included in other sections of Chapter 4, Significant Environmental Effects of the Project, and Chapter 5, Effects Not Found to Be Significant, of this EIR.

#### **4.4.2 Analysis of Project Effects and Determination as to Significance**

##### **4.4.2.1 Guidelines for the Determination of Significance**

For purposes of this EIR, Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) will apply to the direct, indirect, and cumulative impact analyses. A significant impact to land use and planning would result if the Project would:

- A. Physically divide an established community.
- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

#### 4.4.2.2 Analysis

##### A. *Would the Project physically divide an established community?*

Project implementation would not interfere with adjacent land uses, nor would it restrict or eliminate existing public or private access to any surrounding properties. The Project does not contain any development that could act as a physical barrier that could inherently divide a community, such as removal of existing roadway network access, or development of large infrastructure preventing safe crossing by the public. With the exception of off-site roadway network improvements, all proposed development would be located entirely within the Project site.

The Project would make improvements to Valley Boulevard, E. Grand Avenue, and N. Fig Street that would consist of pedestrian and frontage improvements. Construction within the public right-of-way would require obtaining an Encroachment Permit and implementation of a Traffic Control Plan (**Compliance Measure [CM]-TR-3**; see Section 2.3.4, Project Design Features and Compliance Measures). Implementation of a Traffic Control Plan would maintain safe access through the construction area within the public right-of-way. Full closure of these roadways during construction is not anticipated. Vehicles, bicyclists, and pedestrians would have access through these affected roadways during construction as well as the surrounding roadway network. Further, construction within the public right-of-way would be temporary, and full access would be available post-construction.

While the Project would result in the removal the southbound lane on Valley Boulevard, it would not prevent access to the surrounding communities. The southbound lane on Valley Boulevard only permits a right turn at its intersection with E. Grand Avenue. In the proposed condition, traffic that would have otherwise used the southbound lane would continue west on Valley Parkway and would be able to turn south at the next available intersection (N. Ivy Street). Therefore, vehicles would still be able to access the same areas provided by the southbound lane on Valley Boulevard. This reconfiguration of Valley Boulevard, as shown on Figure 2-8, Valley Boulevard Conceptual Plan, as well as described in **Project Design Feature (PDF) TR-2** (see Section 2.3.4). Furthermore, the application of the lane reduction or “road diet” on Valley Boulevard can also be seen as an opportunity to provide space for other modes of travel and expand and augment multi-modal infrastructure. A new bike lane is proposed to be added along the east side of Valley Boulevard, as well as a public transit bus turn-out area and a ride-share hub. This, in addition to special intersection design treatments at E. Grand Avenue and Valley Boulevard, would reduce vehicular speed, promote greater driving attentiveness, reduce crash rates, and promote cycling and pedestrian connectivity. The Project’s frontage and pedestrian/bicycle improvements would increase access to the Project site and surrounding areas. Therefore, the Project would not physically divide any existing neighborhood and impacts would be **less than significant**.

***B. Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?***

As previously indicated, the Project site is currently designated in the City's General Plan as Specific Plan Area and similarly zoned as Specific Plan (S-P). Implementation of the permitted uses and development standards of these underlying designations occurs through compliance with the applicable Specific Plan (Downtown Specific Plan).

The Project proposes to demolish all existing structures on site, and construct a mixed-use residential and commercial development (Figure 2-3, Project Site Plan, in Chapter 2). The Project would include 510 dwelling units and up to 10,000 square feet of commercial space. In addition, the Project would include supporting open space and recreational amenities, landscaping, parking, and infrastructure improvements. The infrastructure improvements include utility connections to lines within the adjacent roadways as well as roadway frontage improvements. The Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit.

This section further details the Project's land use and design compatibility, and Appendix H includes a comprehensive policy consistency analysis for the Project and addresses the Project's consistency with applicable land use plans or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Upon issuance of the foregoing amendments to the Downtown Specific Plan, the proposed development of the Project site would be consistent with the allowable uses of the Historic Downtown District of Downtown Specific Plan (Figures II-2 and II-3 of the Downtown Specific Plan), General Plan, and Zoning Ordinance. Under the Downtown Specific Plan, the majority of the Project site has an allowable residential density of up to 100 du/ac, while the western portion across Valley Boulevard has an allowable residential density of up to 75 du/ac. The Downtown Specific Plan does not identify a minimum density requirement; however, it envisions a high-density urban environment. While significantly less than that permitted by the Downtown Specific Plan, the Project's proposed overall density of approximately 37 du/ac is consistent with the allowable densities provided by the Downtown Specific Plan.

The Project's compliance with the design guidelines and other provisions of the Downtown Specific Plan would ensure that the Project is compatible with adjacent off-site land uses and those land uses proposed within the Project site. As shown on Figures 4.4-1 and 4.4-2, beyond the Downtown SPA the land use designations in the immediately surrounding commercial areas include Urban II and Urban III, which allow for densities up to 12 and 18 du/ac, respectively. These adjacent land use designations allow residential development that is less dense than the proposed 37 du/ace, and substantially less dense than the allowable 75 and 100 du/ac of the Project site. The proposed density within the Project site would allow for a transition from the allowable higher residential densities of the Downtown SPA to the west (75 du/ac), to the lower-density residential and commercial uses just beyond the Downtown SPA boundary to the north, east, and south (12 and 18 du/ac). The existing surrounding land uses in this area include single- or two-story detached office and single-family buildings, two- to three-story multi-family residential buildings, and four-story office and assisted living buildings. The proposed building height/scale would be a middleground transition between existing surrounding one- to three-story detached structures and existing and potential future development of up to 75 du/ac in the core of the Downtown SPA. Development on site closer to the maximum allowable densities and within the 75-foot height limit would require much larger buildings with increased bulk and massing on a larger footprint within the site. This would substantially contrast with the surrounding land uses. In addition, the unused density would be allocated to the City's Density Transfer Program density credit pool that would allow for additional density elsewhere in the Downtown SPA at the discretion of the City. Therefore, while the Project site has a much higher allowable density, the proposed density would be more compatible with the surrounding residential land uses.

While the Project includes amendments to allow residential units on the ground floor within the Project site, subject to issuance of a Planned Development Permit, it would not preclude the overall goals of the Downtown Specific Plan to provide pedestrian-oriented ground-floor commercial uses, specifically on Grand Avenue. The proposed commercial uses would be located along E. Grand Avenue on the southwestern area of the Project site at the intersection of Valley Boulevard and E. Grand Avenue. These commercial uses would be located nearest the Retail Core Area of the Downtown SPA along E. Grand Avenue to the west of the Project site (refer to Figure II-1 of the Downtown Specific Plan). The provision of ground-floor residential within the Project site would be compatible with the surrounding residential uses in the immediate surrounding area outside the Downtown SPA.

The Project's proposed densities and housing product types would be consistent with the surrounding area and, with a Specific Plan Amendment, would be consistent with the Downtown Specific Plan, General Plan, and Zoning Ordinance upon Project approval. The

Project includes senior apartments, apartments, villas, rowhomes, and commercial uses. This proposed land use mix helps balance future land use activities on the site and helps establish identity and character. The proposed land use mix concentrates the more intensive development (i.e., residential density and commercial uses) along E. Grand Avenue and Valley Boulevard, which helps transition both scale and mass to the east and protects and preserves the existing neighborhood setting to the east. Providing a mix of compatible land uses, integrating residential, employment, entertainment, and recreational areas in close proximity, helps implement several policies in the Land Use Element of the General Plan.

In addition, the Housing Element of the General Plan strives to create a range of housing opportunities and choices, which this Project would achieve by providing a variety of housing types. The General Plan Housing Element identifies that the Downtown Area is estimated to accommodate an additional 3,680 units. This estimate is based on a density assumption of 45 du/ac within the Downtown Area, with an estimated average development target of 33.75 du/ac based on an average 75% buildout of allowed density. The General Plan Housing Element specifically states: “Improvements at the Downtown Medical Campus may include adding up to 300 housing units.” It is noted that this unit estimate also assumed the entire vacation of Valley Boulevard, which is not proposed by the Project. The proposed 510 units would exceed this 300-unit recommendation.

At the time of preparation of this EIR, the 2013–2020 Housing Element assumed partial redevelopment of the Hospital Campus. The residential land use inventory, which is attached to the Housing Element, is not a statement of policy, but rather a complementary component to the Housing Element that is used as a basis for how an agency can reasonably accommodate housing demand over a Housing Element cycle. Land use policies on density and intensity are controlled by the Land Use portion of the Housing Element and any implementing ordinances or specific plans. As such, the Project would be consistent with the overall 45 du/ac maximum identified in the Downtown Specific Plan and the Hospital Campus site.

The Project would have a unified modern architectural style, with a subset of styles for each area of the site. The proposed structures would range from one to five stories, with heights ranging from 36 feet to 75 feet. Proposed residential and commercial development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan, which includes step-back building facades for upper floors at the corner of E. Grand Avenue, variation of the roofline heights, and articulation of facades to create a pedestrian and street-orientation. Surface parking would be located on the interior of the site behind buildings so those areas would not be visible from the street. A focal point of the Project would be at the E. Grand Avenue/Valley Boulevard/Second Avenue intersection where the proposed Tower element would be located. This corner is intended to include a public plaza with art and outdoor dining area associated with the commercial uses (refer to Figure 2-4,

Elevations, and Figure 2-5, Renderings, in Chapter 2; see **PDF-LU-1** in Section 2.3.4). The Project's compliance with the design and development guidelines of the Downtown Specific Plan would not preclude compatibility with the long-term buildout of the Downtown SPA, which emphasizes a human-scale mix of retail, office, and entertainment uses to support an economically viable downtown.

As explained previously, the Project's consistency with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect is detailed in Appendix H. Based on the preceding discussion regarding the Project's land use and design compatibility and based on the consistency analysis in Appendix H, the Project would not result in a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect; therefore, impacts would be **less than significant**.

#### 4.4.3 Cumulative Impact Analysis

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. While land use impacts tend to be localized in nature, and specific impacts are tied either directly or indirectly to the specific action, the Project may have the potential to work in concert with other past, present, or future projects to either cause unintended land use impacts, such as reducing available open space, or accommodate increased growth, which may result in more intensive land uses. Impacts to land use tend towards larger policy areas as opposed to the more focused project-specific impacts. While the Downtown SPA represents a local cohesive land use area that the site is a part of, the Project is located on the eastern edge of this area and the site land use has the potential to influence a greater surrounding geographic area. Therefore, the geographic scope for analyzing cumulative impacts related to land use includes the Downtown SPA as well as the adjacent approximately 0.5-mile area that includes consideration of the following cumulative projects (identified in Table 3-2 – Cumulative Projects): Escondido Gateway Mixed-Use, City Plaza, Hotel La Terraza, La Terraza Office, Touchstone – Aspire, Touchstone – The Ivy, Starbucks Drive Through, Quince Street Senior Housing, Grand Avenue Apartments, W. Grand Avenue Mixed-Use, 2nd Avenue Mixed-Use, and California Bank and Trust.

#### Physical Division of an Established Community

Cumulative projects may include the construction of roadway improvements, open space areas, or other features that would individually have the potential to physically divide an established community. Such impacts would generally be limited to an individual community and would not be cumulative in nature. Multiple projects in the same community could combine to result in a cumulative division of that community. However, based on the residential and commercial nature of these cumulative projects and the fact that most are redevelopment projects on parcels that are already developed, it is unlikely that development of these projects would result in any physical

division of established communities. The Project does not include any new land uses or infrastructure projects that would divide established communities, including roadways. Therefore, the Project, in combination with other cumulative projects, **would not contribute to a significant cumulative land use impact.**

#### Conflicts with Land Use Plans, Policies, and Regulations

Cumulative projects in the region would have the potential to result in a cumulative impact if they would, in combination, conflict with existing land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental impact. Similar to the Project, cumulative projects would use regional planning documents, and general plans of adjacent jurisdictions and counties would be consistent with the regional plans, to the extent that they are applicable. Cumulative projects in these jurisdictions would be required to comply with the applicable land use plan or they would not be approved. The proposed 510 residential units would exceed the City's General Plan Housing Element inventory target of 300 units for the Project site; therefore, the Project would not conflict with the cumulative housing targets. As discussed previously in this section and in Appendix H, implementation of the Project would not conflict with existing land use plans, policies, or regulations of agencies with jurisdiction over the Project. Therefore, the Project **would not contribute to a significant cumulative land use impact.**

#### **4.4.4 Significance of Impacts Prior to Mitigation**

As analyzed in the preceding sections, impacts to land use resulting from the Project would be **less than significant.**

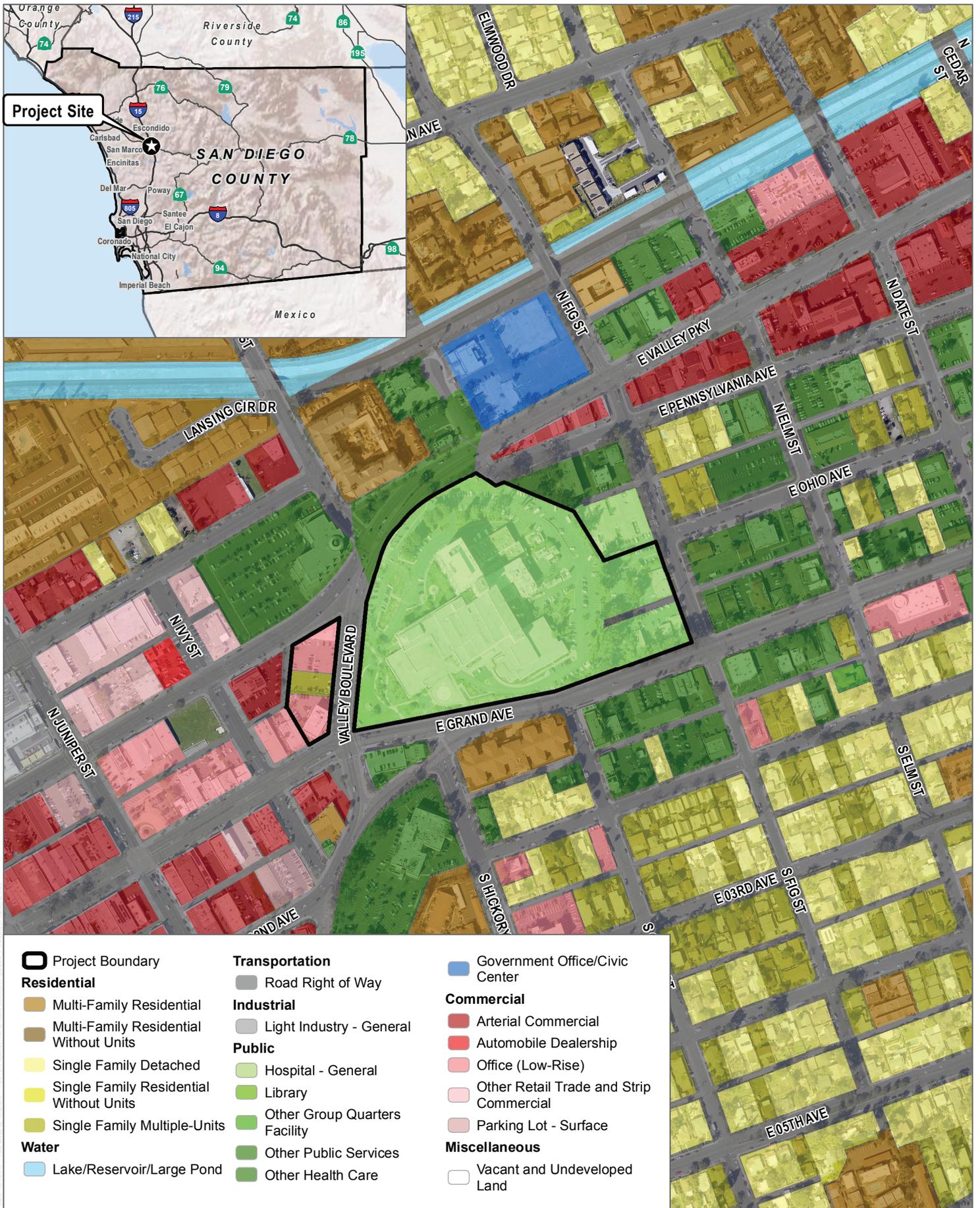
#### **4.4.5 Mitigation**

Because no significant impacts were identified related to land use, no mitigation is required.

#### **4.4.6 Significance of Impacts After Mitigation**

All impacts related to land use would be **less than significant.**

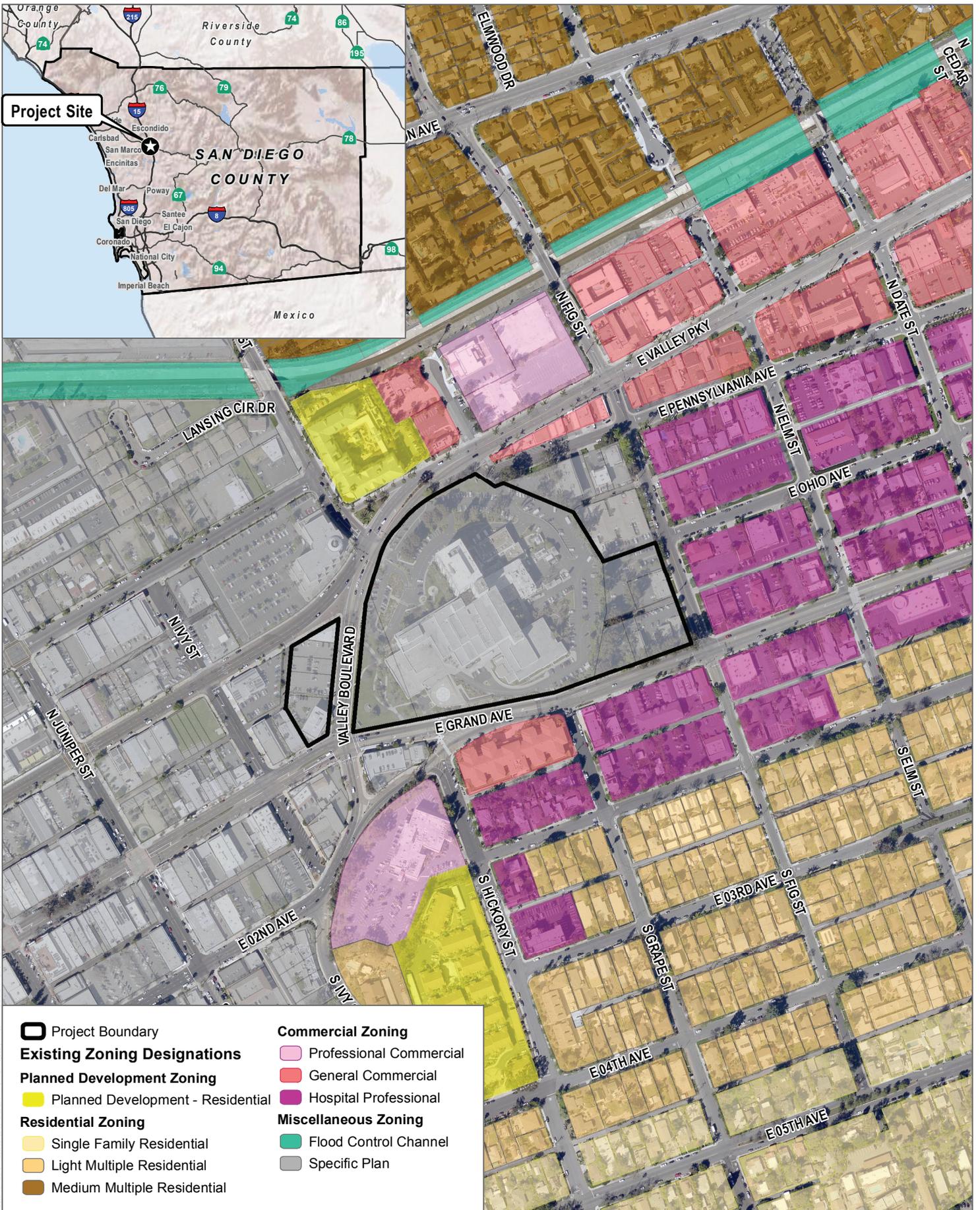
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SOURCE: SANGIS 2017

**FIGURE 4.4-1**  
Existing General Plan Land Use Designations

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SOURCE: SANGIS 2017, City of Escondido 2019

FIGURE 4.4-2

Existing Zoning Designations

Palomar Heights



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## **4.5 Noise**

This section addresses the potential noise and vibration impacts associated with implementation of the Palomar Heights Project (Project). It provides context with a description of noise factors and terminology, as well as the existing noise setting of the Project site, both environmental and regulatory. The analysis is based on technical data and applicable laws, regulations, and guidelines, as well as the technical report titled *Noise Technical Report for the Palomar Heights Project* prepared by Dudek (Appendix I to this Environmental Impact Report [EIR]).

### **4.5.1 Existing Conditions**

#### **4.5.1.1 Noise Factors and Terminology**

Vibrations, traveling as waves through air from a source, exert a force perceived by the human ear as sound. Sound pressure level (referred to as sound level) is measured on a logarithmic scale in decibels (dB) that represent the fluctuation of air pressure above and below atmospheric pressure. Frequency, or pitch, is a physical characteristic of sound and is expressed in units of cycles per second or hertz (Hz). The normal frequency range of hearing for most people extends from about 20 to 20,000 Hz. The human ear is more sensitive to middle and high frequencies, especially when the noise levels are quieter. As noise levels get louder, the human ear starts to hear the frequency spectrum more evenly. To accommodate for this phenomenon, a weighting system to evaluate how loud a noise level is to a human was developed. The frequency weighting called “A” weighting is typically used for quieter noise levels, which de-emphasizes the low-frequency components of the sound in a manner similar to the response of a human ear. This A-weighted sound level is called the “noise level” and is referenced in units of dBA.

Because sound is measured on a logarithmic scale, a doubling of sound energy results in a 3 dBA increase in the noise level. Changes in a community noise level of less than 3 dB are not typically noticed by the human ear (Caltrans 2013a). Changes from 3 to 5 dB may be noticed by some individuals who are extremely sensitive to changes in noise. A 5 dB increase is readily noticeable. The human ear perceives a 10 dB increase in sound level as a doubling of the sound level (i.e., 65 dBA sounds twice as loud as 55 dBA to a human ear).

An individual’s noise exposure occurs over a period of time; however, noise level is a measure of noise at a given instant in time. The equivalent continuous sound level ( $L_{eq}$ ), also referred to as the average sound level, is a single number representing the fluctuating sound level in A-weighted decibels (dBA) over a specified period of time. It is a sound-energy average of the fluctuating level and is equal to a constant unchanging sound of that dB level. Community noise sources vary continuously, being the product of many noise sources at various distances, all of which constitute a relatively stable background or ambient noise environment.

Noise levels are generally higher during the daytime and early evening when traffic (including airplanes), commercial, and industrial activity is the greatest. However, noise sources experienced during nighttime hours when background levels are generally lower can be potentially more conspicuous and irritating to the receiver. In order to evaluate noise in a way that considers periodic fluctuations experienced throughout the day and night, a concept termed “community noise equivalent level” (CNEL) was developed. The CNEL scale represents a time-weighted 24-hour average noise level based on the A-weighted sound level. CNEL accounts for the increased noise sensitivity during the evening hours (7 p.m. to 10 p.m.) and nighttime hours (10 p.m. to 7 a.m.) by adding 5 dB to the average sound levels occurring during the evening hours and 10 dB to the sound levels occurring during nighttime hours. Additional noise definitions are provided below.

**Ambient Noise Level.** The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.

**A-Weighted Sound Level (dBA).** The sound pressure level in decibels as measured on a sound level meter using the A-weighted filter network. The A-weighting filter deemphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with community equivalent sound level.

**Community Noise Equivalent Level (CNEL).** CNEL is the A-weighted equivalent continuous sound exposure level for a 24-hour period with a 10 dB adjustment added to sound levels occurring during the nighttime hours (10 p.m.–7 a.m.) and 5 dB added to the sound during the evening hours (7 p.m.–10 p.m.).

**Decibel (dB).** The decibel is a unit for measuring sound pressure level and is equal to 10 times the logarithm to the base 10 of the ratio of the measured sound pressure squared to a reference pressure, which is 20 micropascals.

#### **4.5.1.2 Environmental Setting**

The Project site is located on the eastern edge of the downtown area of the City of Escondido (City), on the Palomar Health Downtown Campus site. The Project site is approximately 1.6 miles east of Interstate 15 and about 0.6 miles west of State Route 78. The site is currently developed with hospital, medical office, and commercial uses.

Surrounding uses include commercial to the west and north; medical offices to the northeast, east, and southeast; multi-family residential to the north and south; and single-family residential to the east. In addition to the surrounding residential land uses, the Palomar Vista Healthcare Center directly east of the site is also a noise-sensitive land use, considering it is an in-patient facility and patients sleep at the facility. Refer to Figure 4.4-1, Existing General Plan Land Use, and Figure 4.4-2, Existing Zoning Designations, for information regarding the surrounding land use and zoning.

Noise measurements were conducted on and near the Project site on June 17, 2019, in order to characterize the existing pre-Project outdoor sound environment. Table 4.5-1 provides the locations, date, and times these noise measurements were performed.

**Table 4.5-1  
Measured Community Outdoor Noise Levels**

Receptor	Location/Address	Date (mm/dd/yy)	Time (hh:mm)	L <sub>eq</sub> (dBA)	L <sub>max</sub> (dBA)
ST1	201 N. Fig Street Escondido, California 92025	06/17/19	11:45–11:55 a.m.	47.2	54.3
ST2	Northwest boundary of Villa Escondido Apartments	06/17/19	11:00–11:10 a.m.	65.4	77.3
ST3	South of Southern Ca Presbyterian Homes	06/17/19	11:30–11:40 a.m.	70	75.6
ST4	Lawn, south of existing on-site parking structure	06/17/19	11:16–11:26 a.m.	65.5	76.4

Source: Appendix I.

Notes: L<sub>eq</sub> = equivalent continuous sound level (time-averaged sound level); L<sub>max</sub> = maximum sound level during the measurement interval; dBA = A-weighted decibels; ST = short-term noise measurement locations.

The four short-term (ST) noise measurement locations were selected to represent sample existing noise-sensitive receivers on and near the Project site. These locations are depicted as receivers ST1–ST4 on Figure 4.5-1, Noise Measurement Locations. The measured energy-averaged (L<sub>eq</sub>) and maximum (L<sub>max</sub>) noise levels at these field survey locations are provided in Table 4.5-1. The primary noise sources at the sites identified in Table 4.5-1 consisted of traffic along adjacent roadways; and, the sounds of rustling leaves, aircraft overflights, distant conversation, and birdsong. As shown in Table 4.5-1, the measured sound levels ranged from approximately 47.2 dBA L<sub>eq</sub> at ST1 to 70 dBA L<sub>eq</sub> at ST3. More details of the collected noise measurement data can be found in Appendix I.

#### 4.5.1.3 Regulatory Setting

##### Federal

##### Federal Transit Administration

In its Transit Noise and Vibration Impact Assessment guidance manual, the Federal Transit Administration (FTA) recommends a daytime construction noise level threshold of 80 dBA L<sub>eq</sub> over an 8-hour period (FTA 2006) when “detailed” construction noise assessments are performed to evaluate potential impacts to community residences surrounding a project. Although this FTA guidance is not a regulation, it can serve as a quantified standard in the absence of such limits at the State and local jurisdictional levels.

## State

### California Code of Regulations, Title 24

Title 24 of the California Code of Regulations sets standards which new development in California must meet. According to Title 24, interior noise levels are not to exceed 45 dB CNEL for new multifamily residences, hotels, and other attached residences.

Title 24 also requires that an interior acoustical study demonstrating that interior noise levels due to exterior sources will be less than or equal to 45 CNEL be performed for affected multifamily structures and hotels that are exposed to exterior noise levels in excess of 60 CNEL.

### California Department of Health Services Guidelines

The State Department of Health Services has developed guidelines of community noise acceptability for use by local agencies (OPR 2003). Selected relevant levels are listed here:

- Below 60 dBA CNEL: normally acceptable for low-density residential use
- 50 to 70 dBA: conditionally acceptable for low-density residential use
- Below 65 dBA CNEL: normally acceptable for high-density residential use and transient lodging
- 60 to 70 dBA CNEL: conditionally acceptable for high-density residential, transient lodging, churches, educational, and medical facilities.

The normally acceptable exterior noise level for transient lodging use is up to 65 dBA CNEL. Conditional acceptable exterior noise levels range up to 70 dBA CNEL for transient lodging.

### California Department of Transportation

In its Transportation and Construction Vibration Guidance Manual, Caltrans recommends a vibration velocity threshold of 0.2 inches per second (ips) peak particle velocity (PPV) (Caltrans 2013b) for assessing “annoying” vibration impacts to occupants of residential structures. Although this Caltrans guidance is not a regulation, it can serve as a quantified standard in the absence of such limits at the local jurisdictional level. Similarly, thresholds to assess building damage risk due to construction vibration vary with the type of structure and its fragility, but tend to range between 0.3 ips and 0.4 ips PPV for typical residential structures (Caltrans 2013b).

Local

**Airport Land Use Compatibility Plans**

Airport Land Use Compatibility Plans (ALUCPs) are plans that guide property owners and local jurisdictions in determining what types of proposed new land uses are appropriate around airports. They are intended to protect the safety of people, property and aircraft on the ground and in the air in the vicinity of an airport. ALUCPs are based on a defined area around an airport known as the Airport Influence Area. ALUCPs include policies that address noise compatibility issues associated with airports and their respective Airport Influence Areas. The San Diego County Regional Airport Authority adopted an amended ALUCP for the Ramona Airport in 2008, and the McClellan–Palomar Airport in 2010.

**City of Escondido General Plan – Community Protection Element**

The existing General Plan Community Protection Element establishes noise and land use compatibility standards and outlines goals and policies to achieve these standards. New projects in the City are required to meet the Noise Compatibility Guidelines (reproduced in Table 4.5-2) to determine the compatibility of land uses when evaluating proposed development projects. A land use located in an area identified as “normally acceptable” indicates that standard construction methods would attenuate exterior noise to an acceptable indoor noise level and that people can conduct outdoor activities with minimal noise interference. Land uses that fall into the “conditionally acceptable” noise environment should prepare an acoustical study that considers the type of noise source, the sensitivity of the noise receptor, and the degree to which the noise source has the potential to interfere with sleep, speech, or other activities characteristic of the land use. For land uses where the exterior noise level falls within the “conditionally unacceptable” range, new construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made with noise insulation features included in the design. For land uses where the exterior noise levels fall within the “clearly unacceptable” range, new construction generally should not be undertaken.

**Table 4.5-2  
Existing City of Escondido Noise Compatibility Guidelines**

Land Use	Noise Level (CNEL)						
	0–55	56–60	61–65	66–70	71–75	75–80	81–85
Residential–Single Family, Duplex, Mobile Home							
Residential–Multi-Family, Residential Mixed Use							

**Table 4.5-2  
Existing City of Escondido Noise Compatibility Guidelines**

Land Use	Noise Level (CNEL)						
	0-55	56-60	61-65	66-70	71-75	75-80	81-85
Transient Lodging, Motels, Hotels							
Schools, Libraries, Churches, Hospitals, Nursing Homes							
Auditoriums, Concert Halls, Amphitheaters							
Sports Arena, Outdoor Spectator Sports							
Playgrounds, Neighborhood Parks							
Golf Courses, Riding Stables, Water Recreation, Cemeteries							
Office Buildings, Business Commercial, Professional							
Industrial, Manufacturing, Utilities, Agriculture							

	<b>Normally Acceptable.</b> Specified land use is satisfactory, based on the assumption that any buildings involved are of normal, conventional construction, without any special noise insulation requirements.
	<b>Conditionally Acceptable.</b> New construction or development should be undertaken only after an analysis of the noise reduction requirements is made and needed insulation features have been included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will usually suffice.
	<b>Normally Unacceptable.</b> New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made with noise insulation features included in the design.
	<b>Clearly Unacceptable.</b> New construction or development should generally not be undertaken, unless it can be demonstrated that an interior level of 45 dBA can be achieved.

When preparing acoustical studies, noise measurements in residential areas should generally be applied at 10 feet from the backyard property line (per Figure VI-13 of the Community Protection Element). However, in certain cases, such as on estate lots where backyards are typically very large, the 60 dBA CNEL goal could be applied to a location that is approximately one half of the

distance between the back of the main residential structure and the rear property line. The outdoor standard should not normally be applied to balconies or patios associated with residential uses. The Community Protection Element (Figure VI-13) states that noise impacts of proposed projects on existing land uses should be evaluated in terms of potential for adverse community response based on a significant increase in existing noise levels. For example, if an area is currently below the maximum normally acceptable noise level, an increase in noise up to the maximum allowable level should not necessarily be allowed. Projects increasing noise levels by 5 dB or greater should be considered as generating a significant impact and would require mitigation to reduce noise levels. Goals and policies applicable to the Project and relevant to this EIR section are listed in this section.

### *Community Protection Element*

## **5. Noise**

**Goal 5:** Protection of the community from excessive noise exposure.

**Noise Policy 5.1:** Require development to meet acceptable exterior noise level standards as established in Figure VI-2 [of the General Plan], and use the future noise contour map (Figure VI-17 [of the General Plan]) as a guide for evaluating the compatibility of new noise sensitive uses with projected noise levels.

**Noise Policy 5.2:** Apply a CNEL of 60 dB or less for single family and 65 dB or less for multi-family as goals where outdoor use is a major consideration (back yards and single family housing developments, and recreation areas in multifamily housing developments) as discussed in Figure VI-13 [of the General Plan], and recognize that such levels may not necessarily be achievable in all residential areas.

**Noise Policy 5.3:** Require noise attenuation for outdoor spaces in all developments where projected incremental exterior noise levels exceed those shown in Figure VI-14 [of the General Plan].

**Noise Policy 5.4:** Require noise attenuation for new noise-sensitive uses which include residential, daycare facilities, schools, churches, transient lodging, hotels, motels, hospitals, health care facilities, and libraries if the projected interior noise standard of 45 dBA CNEL is exceeded.

**Noise Policy 5.5:** Require construction projects and new development to ensure acceptable vibration levels at nearby noise-sensitive uses based on Federal Transit Administrator criteria.

**Noise Policy 5.6:** Require the preparation of noise studies, as deemed necessary by the Planning Department, to analyze potential noise impacts associated with new development which could significantly alter existing noise levels in accordance with provisions outlined in Figure VI-14 [of the General Plan].

**Noise Policy 5.7:** Encourage use of site and building design, noise barriers, and construction methods as outlined in Figure VI-15 [of the General Plan] to minimize impacts on and from new development.

**Noise Policy 5.8:** Require that mixed use and multi-family residential developments demonstrate that the design of the structure will adequately isolate noise between adjacent uses (orientation, window insulation, separation of common walls, floors, and ceilings, etc.).

**Noise Policy 5.9:** Require new mixed use developments to locate loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noise sources away from the residential portion of the development, when physically feasible. Use construction standards to reduce noise between uses.

**Noise Policy 5.10:** Require development projects that are subject to discretionary approval to assess potential construction noise impacts on nearby sensitive uses and to minimize impacts on these uses, to the extent feasible.

**Noise Policy 5.11:** Limit direct access from individual properties along Major Roads and Prime Arterials in residential areas in order to minimize gaps in noise barrier sound walls.

**Noise Policy 5.12:** Limit “through truck traffic” to designated routes to minimize noise impacts to residential neighborhoods and other noise-sensitive uses.

**Noise Policy 5.13:** Limit the hours of operation for parks and active recreation uses in residential areas to minimize disturbance to residents (City of Escondido 2012).

#### City of Escondido Municipal Code Chapter 17, Article 12, Noise Abatement and Control (Noise Ordinance)

The City Noise Ordinance establishes prohibitions for disturbing, excessive or offensive noise; and, provides sound level limits for the purpose of securing and promoting the public health, comfort, safety, peace, and quiet for its citizens. Table 4.5-3 shows the allowable noise levels at any point on or beyond the boundaries of the property on which the sound is produced, and corresponding times of day for each zoning designation. The noise standards 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 Table 4.5-3. Where two or more dissimilar land uses occur on a single property, the more restrictive noise limits apply. Environmental noise is measured by the  $L_{eq}$  for the hours as specified in Table 4.5-3. If the noise is continuous, the  $L_{eq}$  for any hour will be represented by any lesser time period within that hour. If the noise is intermittent, the  $L_{eq}$  for any hour may be represented by a time period typical of the operating cycle, but the measurement period must be 15 minutes or longer. If the measured ambient level exceeds the permissible noise level, the allowable noise exposure standard is the ambient noise level.

**Table 4.5-3**  
**City of Escondido Exterior Sound Limit Levels**

Zone or Land Use Designation	Allowable Time	Applicable Limit 1-Hour Average Sound Level (A-Weighted Decibels)
Residential zones	7:00 a.m. to 10:00 p.m.	50
	10:00 p.m. to 7:00 a.m.	45
Multi-residential zones	7:00 a.m. to 10:00 p.m.	55
	10:00 p.m. to 7:00 a.m.	50
Commercial zones	7:00 a.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m.	55
Light industrial/industrial park zones	Anytime	70
General industrial zones	Anytime	75

**Source:** City of Escondido Municipal Code Section 17-229, Sound Level Limits.

Section 17-229(c) of the Noise Ordinance, Corrections to Exterior Noise Level Limits, includes the following regulations:

- (1) If the noise is continuous, the  $L_{eq}$  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  $L_{eq}$  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 [reproduced in Table 4.5-3 of this

EIR section] 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 [see Table 4.5-3 of this EIR 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.

Noise restrictions, such as specific regulations pertaining to motor vehicles and burglar alarms, are listed in Sections 17-230 through 17-241 of the Noise Ordinance. Additional sections of the Noise Ordinance applicable to this analysis are listed below.

*Section 17-234 (Construction Equipment)*

Except for emergency work, it shall be unlawful for any person, including the City of Escondido, to operate construction equipment as follows:

- (a) It shall be unlawful for any person, including the City of Escondido, to operate construction equipment at any construction site, except on Monday through Friday during a week between the hours of seven (7) a.m. and six (6) p.m. and on Saturdays between the hours of nine (9) a.m. and five (5) p.m., and provided that the operation of such construction equipment complies with the requirements of subsection (d) of this section.
- (b) It shall be unlawful for any person, including the City of Escondido, to operate construction equipment at any construction site on Sundays and on days designated by the president, governor or city council as public holidays.
- (d) No construction equipment or combination of equipment, regardless of age or date of acquisition, shall be operated so as to cause noise in excess of a one-hour average sound level limit of seventy-five (75) dB at any time, unless a variance has been obtained in advance from the city manager.

*Section 17-237 (Landscape Equipment)*

It shall be unlawful for any person, including the City of Escondido to use any motorized landscape equipment, including but not limited to power blowers and vacuums, which causes a disturbing, excessive or offensive noise as defined under section 17-227(k) of this article.

Disturbing, excessive or offensive noise refers to any sound or noise exceeding the noise standards established in the Noise Ordinance.

*Section 17-238 (Grading)*

- (a) It shall be unlawful for any person, including the City of Escondido, to do any authorized grading at any construction site, except on Mondays through Fridays during a week between the hours of seven (7) a.m. and six (6) p.m. and, provided a variance has been obtained in advance from the city manager, on Saturdays from ten (10) a.m. to five (5) p.m.
- (b) For the purpose of this section, “grading” shall include but not be limited to compacting, drilling, rock crushing or splitting, bulldozing, clearing, dredging, digging, filling and blasting.
- (c) In addition, any equipment used for grading shall not be operated so as to cause noise in excess of a one hour sound level limit of seventy-five (75) dB at any time when measured at or within the property lines of any property which is developed and used in whole or in part for residential purposes, unless a variance has been obtained in advance from the city manager.

General Noise Regulations (*Section 17-240*)

Section 17-240 includes additional general noise regulations. This section states that it is unlawful for any person to make, continue or cause to be made or continued, any disturbing, excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity. Noises declared to be disturbing, excessive and offensive include stereo equipment, animal noise, and loading and unloading of vehicles that disturbs neighboring receptors. This section also establishes the following requirements for pile driving activities:

- (a)(12) Pile Drivers, Pneumatic Hammers, etc. – No person shall operate between the hours of six (6) p.m. and seven (7) a.m. on weekdays, or on Saturdays, Sundays or any legal holidays, any pile driver, pneumatic hammer, derrick, or other similar appliance, the use of which is attended by loud or unusual noise, unless a variance has been obtained in advance from the city manager.

## City of Escondido Municipal Code Chapter 33, Article 47, Environmental Quality Regulations

The Environmental Quality Regulations (EQRs) implement the California Environmental Quality Act (CEQA) and the CEQA Guidelines by applying the provisions and procedures contained in CEQA to development projects proposed within the City of Escondido. Section (a)(8) pertains to noise impacts, specifically noise impacts related to the widening of circulation element streets. According to this section, the following incremental noise increases are generally not considered significant:

- (A) Short- or long-term increases, regardless of the extent, that do not result in noise increases in excess of general plan standards.
- (B) Short- or long-term increases that result in a three (3) dBA or less incremental increase in noise beyond the general plan's noise standards.

### **4.5.2 Analysis of Project Effects and Determination as to Significance**

#### **4.5.2.1 Methodology**

##### Ambient Noise Monitoring

Noise measurements were conducted on site and along vicinity roadways to characterize the existing noise levels. Four short-term noise measurements were conducted on June 17, 2019, at the locations shown on Figure 4.5-1. The measurements were made with a calibrated Rion NL-52 digital integrating sound level meter. This sound level meter meets the current American National Standards Institute standard for a Type 1 precision sound level meter. For all measurements, the sound level meter was positioned on a tripod at a height of approximately 5 feet above the ground and fitted with a windscreen.

Noise measurements were conducted at three locations adjacent to existing roadways on site. ST1 was approximately 20 feet west of the edge of pavement from Nutmeg Street, south of Country Club Lane, near future residences. ST2 was approximately 25 north of the edge of pavement from Country Club Lane, midway between Nutmeg and La Brea, near future residences; and ST3 was approximately 300 feet from the north edge of pavement for Country Club Lane, near the north end of the community center parcel. Additionally, a noise measurement (ST4) was conducted near the rear yard boundary for the row of residences along the west side of David Drive, to establish baseline noise conditions for reference in the construction noise analysis. With the exception of at ST4 (because of the lack of a clear view of the roadways), traffic volumes were counted concurrently with the noise measurements in order to validate the accuracy of the subsequent traffic noise modeling. The measured average noise levels (in  $L_{eq}$ ) are presented in Table 4.5-1.

### Noise Modeling

Traffic noise is generally assessed using software provided by the Federal Highway Administration (FHWA), the current version of which is titled Transportation Noise Model 2.5 (TNM 2.5). Refer to Appendix I for additional details. Existing traffic counts were based on the Traffic Impact Analysis (Appendix J) prepared for the Project. Table 4.5-4 presents the results of the noise modeling of existing traffic noise levels at the noise measurement locations.

**Table 4.5-4  
Traffic Noise Modeling Results**

Modeled Receiver No.	Existing (2018) Noise Level without Project Noise Level (dBA CNEL)	Existing (2018) Noise Level with Project Noise Level (dBA CNEL)	Near-Term (Opening Day) without Project Noise Level (dBA CNEL)	Near-Term (Opening Day) with Project Noise Level (dBA CNEL) <sup>a</sup>	Horizon Year (2035) without Project Noise Level (dBA CNEL)	Horizon Year (2035) with Project Noise Level (dBA CNEL) <sup>a</sup>	Maximum Project-Related Noise Level Increase (dB) <sup>a</sup>	Maximum Allowable Noise Level Increase (dB)	Significant Impact? <sup>b</sup>
ST1	51.4	51.4	51.5	51.5	52.4	52.5	0	5	No
ST2	59.4	59.6	59.6	59.7	62.1	62.1	0.2	2	No
ST3	68.1	67.2	68.2	68.3	70.3	70.4	0.1	1	No
ST4	64.5	64.6	64.6	64.8	65.7	65.8	0.2	1	No

**Notes:** dBA = A-weighted decibel; CNEL = community noise equivalent level; dB = decibel; ST = short-term noise measurement locations.

<sup>a</sup> These "with Project" scenarios were modeled based on an earlier version of the Traffic Impact Assessment that included different volumes. As such, an addendum analysis was completed as a part of the Noise Study (Appendix I) to verify the conclusions of this noise analysis. As shown in that analysis, the change in volumes would not significantly change the analysis or conclusions presented herein.

<sup>b</sup> Is the maximum Project-related noise level increase in excess of the allowable increase per Figure VI-14 of the City's General Plan Community Protection Element?

#### 4.5.2.2 Guidelines for the Determination of Significance

The following significance criteria are based on Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) and will be used to determine the significance of potential noise impacts. Impacts to noise would be significant if the Project would result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- B. Generation of excessive groundborne vibration or groundborne noise levels.
- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the Project area to excessive noise levels.

In light of these significance criteria, this analysis uses the following standards to evaluate potential noise and vibration impacts.

- **Construction noise** – Consistent with Section 17-234(d) and 17-238(c) of the City’s Noise Ordinance, construction activity noise emission at or beyond the property line of the source would result in a significant impact if it exceeds 75 dBA hourly  $L_{eq}$  for any allowable construction hour.
- **Off-site Project-attributed transportation noise** – For purposes for this analysis, a direct roadway noise impact would be considered significant if increases in roadway traffic noise levels attributed to the Project were (consistent with Figure VI-14 from the City’s General Plan Community Protection Element) greater than the FTA-based increment limit guidance at an existing noise-sensitive land use. For example, at noise-sensitive locations where the existing outdoor ambient sound level is 65 to 70 dBA day/night average sound level ( $L_{dn}$ ), up to a 1 dB increase would be allowable. Where existing outdoor sound level is only 50 dBA  $L_{dn}$ , up to a 5 dB increase would be considered allowable and not a significant impact, per Figure VI-13 of the City’s General Plan Community Protection Element.
- **Off-site Project-attributed stationary noise** – For purposes for this analysis, a noise impact would be considered significant if noise from typical operation of HVAC and other electro-mechanical systems associated with the Project exceeded 55 dBA hourly  $L_{eq}$  at the property line from 7 a.m. to 10 p.m., and 50 dBA hourly  $L_{eq}$  from 10 p.m. to 7 a.m. Note that these are the City’s thresholds for multi-family residential land use designation that characterizes the existing nearest neighbors to the east of the Project. The hourly noise limits for single-family homes to

the south of the Project, while more distant than the Palomar Vista Healthcare Center facility, would be more stringent by 5 dBA for both the daytime and nighttime periods.

- **Construction vibration** – Guidance from Caltrans indicates that a vibration velocity level of 0.2 ips PPV received at a structure would be considered annoying by occupants within (Caltrans 2013b). As for the receiving structure itself, aforementioned Caltrans guidance from Section 2 recommends that a vibration level of 0.3 ips PPV would represent the threshold for building damage risk.

#### 4.5.2.3 Analysis

- A. *Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

##### Short-Term Construction Impacts

Construction noise and vibration are temporary phenomena. Construction noise and vibration levels vary from hour to hour and day to day, depending on the equipment in use, the operations performed, and the distance between the source and receptor.

Equipment that would be in use during construction would include, in part, graders, backhoes, rubber-tired dozers, loaders, cranes, forklifts, pavers, rollers, and air compressors. The typical maximum noise levels for various pieces of construction equipment at a distance of 50 feet are presented in Table 4.5-5. However, construction equipment usually operates in alternating cycles of full power and low power, producing time-averaged noise levels that are thus less than the maximum noise level emitted during instances of full-power operation. The average sound level of construction activity also depends on the amount of time that the equipment operates on site and the intensity of construction activities during that time.

**Table 4.5-5  
Typical Construction Equipment Maximum Noise Levels**

Equipment Type	Typical Equipment (L <sub>max</sub> , dBA at 50 Feet)
All other equipment > 5 HP	85
Backhoe	78
Compressor (air)	78
Concrete saw	90
Crane	81
Dozer	82

**Table 4.5-5  
Typical Construction Equipment Maximum Noise Levels**

Equipment Type	Typical Equipment ( $L_{max}$ , dBA at 50 Feet)
Excavator	81
Front-end loader	79
Generator	72
Grader	85
Man lift	75
Paver	77
Roller	80
Scraper	84
Welder/torch	73

**Source:** FHWA 2006.

**Notes:**  $L_{max}$  = maximum sound level; dBA = A-weighted decibels.

Per Table 4.5-5, the maximum noise level for an individual piece of construction equipment anticipated for this development Project would be 90 dBA at 50 feet.

Project construction would take place both near and far from adjacent, existing noise-sensitive uses. For example, some construction activity phases near the eastern Project site boundary would take place as close as 25 feet to existing inhabited structures (e.g., the Palomar Vista Healthcare Center). But during other construction phases, the same noise-sensitive receptors would be further away from operating equipment and processes. For these reasons and for purposes of this assessment, construction noise is predicted for two different conditions as follows:

- Conservatively, construction noise is predicted at the noise-sensitive receptor when the distance between it and one or more pieces of equipment or processes for each phase is expected to be shortest. For instance, during the demolition phase, removal of existing pavement could occur as close as the Project boundary; but during building erection, the shortest distance would likely be to the nearest new building facade. Since construction equipment is usually mobile, and because equipment cannot be “stacked” at the same nearest position to a receptor at the same time, the anticipated quantity of equipment will be less than the total for the entire phase, and their duration of activity at this nearest distance will be a fraction of a given hour.
- In a manner similar to the “general assessment” construction noise prediction method described by FTA guidance (FTA 2006), one can assume that—on average—all construction activities associated with a particular phase would be represented geographically by an acoustic centroid, which would be approximately 235 feet from the closest existing noise-sensitive land use. This acoustic centroid

represents the average position of mobile construction equipment and ongoing processes across the entire Project site.

An Excel-based noise prediction model emulating and using reference data from the FHWA Roadway Construction Noise Model (RCNM) (FHWA 2006) was used to estimate construction noise levels at the nearest noise-sensitive land use. (Although the RCNM was funded and promulgated by the FHWA, it is often used for non-roadway projects, because the same types of construction equipment used for roadway projects are often used for other types of construction.) Input variables for the predictive modeling consist of the equipment type and number of each (e.g., two graders, a loader, a tractor), the duty cycle for each piece of equipment (e.g., percentage of time within a specific time period, such as an hour, when the equipment is expected to operate at full power or capacity and thus make noise at a level comparable to what is presented in Table 4.5-5), and the distance from the noise-sensitive receiver. No topographical or structural shielding was assumed in the modeling. The RCNM has default duty-cycle values for the various pieces of equipment, which were derived from an extensive study of typical construction activity patterns. Those default duty-cycle values were used for this noise analysis.

Estimated noise levels from the seven listed major construction phases were predicted for the nearest noise-sensitive land use, as presented in Table 4.5-6. The details of these calculations with respect to the shortest phase-to-receptor and acoustic centroid to receptor distance inputs are provided in Appendix I.

**Table 4.5-6  
Construction Noise Modeling Summary Results**

Construction Phase	Distance to Nearest Receptor (Feet) <sup>a</sup>	Estimated Hourly L <sub>eq</sub> at Nearest Receptor (dBA)	Estimated Hourly L <sub>eq</sub> at 235 Feet (to Acoustical Centroid) (dBA)
Demolition (dozer, excavator, concrete saw)	25	88	73
Site Preparation (dozer, backhoe, loader)	25	84	71
Grading (excavator, grader, dozer, loader, backhoe, scraper)	25	89	74
Building Construction (crane, forklift, generator, backhoe, loader, welder/torch)	50	77	68
Internal Road Construction (paver, roller, other equipment)	60	78	73

**Table 4.5-6  
Construction Noise Modeling Summary Results**

Construction Phase	Distance to Nearest Receptor (Feet) <sup>a</sup>	Estimated Hourly L <sub>eq</sub> at Nearest Receptor (dBA)	Estimated Hourly L <sub>eq</sub> at 235 Feet (to Acoustical Centroid) (dBA)
Architectural Coating (air compressor)	50	74	61
Paved Areas (paver, roller, other equipment)	60	77	73

**Notes:** L<sub>eq</sub> = equivalent continuous sound level (time-averaged sound level); dBA = A-weighted decibel.

<sup>a</sup> The distance at which no more than one piece of listed equipment per type for the indicated phase operates for more than half of a given hour during allowable daytime work hours (per Section 17-234 and 17-238 of the City of Escondido Noise Ordinance).

As presented in Table 4.5-6, the values in the rightmost column suggest that predicted construction noise levels using the acoustical centroid evaluation technique would be compliant with the City's 75 dBA hourly L<sub>eq</sub> threshold. However, when the predictive analysis focuses on the estimated construction noise levels for the shortest expected equipment-to-receptor distances by phase, estimated noise levels are predicted to be higher. For example, Table 4.5-5 shows that such predicted noise levels are as high as 89 dBA hourly L<sub>eq</sub> at the nearest existing residences (as close as 25 feet away) when grading activities take place near the eastern Project boundary. Note that these estimated noise levels at a source-to-receiver distance of 25 feet would only occur when a single noted piece of heavy equipment is operating along the eastern Project boundary for up to 50% of the time per hour. By way of example, the grader may make one or multiple passes on site that are this close to the receiver; however, for the remaining time during the hour, the grader is sufficiently farther away—performing work at a more distant location or simply not operating. For these instances when operation of construction equipment and processes are sufficiently proximate to cause activity noise levels to exceed 75 dBA hourly L<sub>eq</sub>, the Project would exceed the City's hourly threshold for construction noise exposure.

Although nearby off-site residences in the community surrounding the Project would be exposed to elevated construction noise levels, the increased noise levels would typically be relatively short term. It is anticipated that construction activities associated with the Project would take place within the allowable hours of the City of Escondido (7 a.m. and 6 p.m. Monday through Friday). In the event that construction is required to extend beyond these times, extended hours permits would be required and would be obtained by the Applicant.

While it is assumed that the Project would comply with the City's Noise Ordinance, if work were to occur outside of the allowable hours, annoyance or sleep disturbance could result from construction noise; also, due to the relatively limited distance to existing adjacent

residences, construction noise annoyance could result even during daytime hours. Regardless, since typical construction noise during allowable daytime hours would exceed the City's 75 dBA  $L_{eq}$  threshold and would be higher than existing ambient daytime noise levels when construction takes place near the eastern boundary, temporary construction-related noise impacts would be considered **potentially significant (Impact N-1)**.

### Long-Term Operational Impacts

#### Off-Site Traffic Noise

The Project would result in the creation of additional vehicle trips on local arterial roadways (i.e., E. Valley Parkway, E. Grand Avenue), which could result in increased traffic noise levels at adjacent noise-sensitive land uses. Appendix I contains a spreadsheet with traffic volume data (average daily traffic) for roadways surrounding the Project. In particular, the Project would create additional traffic along E. Valley Parkway and E. Grand Avenue, which according to the Traffic Impact Assessment prepared for the Project would add 2,144 total average daily trips to adjacent to the Project site. The Traffic Impact Assessment is included as Appendix J of this EIR.

The City's Community Protection Element establishes a policy for exterior sensitive areas to be protected from high noise levels. The Noise Element sets 65 dBA CNEL for the outdoor areas and interior noise levels of less than 45 dBA CNEL as the "normally acceptable" level. However, existing levels from traffic already exceed this threshold. For the purposes of this noise analysis, such impacts are considered significant when they cause an increase of existing noise levels that exceed FTA-based guidance as indicated in Figure VI-14 of the City's General Plan Community Protection Element. The allowable decibel increase is dependent on the value of the existing outdoor ambient noise level, ranging from zero to an upper limit of 5 dB, consistent with Figure VI-13 of the City's General Plan Community Protection Element. The receivers were modeled to be 5 feet above the local ground elevation. The noise model results are summarized in Table 4.5-4, which includes the allowable outdoor noise level increments attributed to Project influence on predicted traffic noise.

Potential noise effects from vehicular traffic were assessed using the Federal Highway Administration's Traffic Noise Model version 2.5 (FHWA 2004). Information used in the model included the roadway geometry, existing (year 2019), existing (year 2019) plus Project, near-term (opening day), near-term (opening day) plus Project, horizon year (2035) without Project, and horizon year (2035) plus Project traffic volumes and posted traffic speeds. Noise levels were modeled at representative noise-sensitive receivers ST1

through ST4, as shown on Figure 4.5-1. The receivers were modeled to be 5 feet above the local ground elevation. The noise model results are summarized in Table 4.5-4. Based on results of the model, implementation of the Project would not result in readily perceptible increases in traffic noise.

Table 4.5-4 shows that at all four listed representative receivers, the addition of Project traffic to the roadway network would result in an increase in CNEL of less than what would be considered allowable per the City's General Plan standards. Thus, a **less than significant impact** is expected for Project-related off-site traffic noise increases affecting existing residences in the vicinity.

### Interior Noise Impact

While current CEQA noise-related guidelines do not require an assessment of exterior-to-interior noise intrusion or noise exposure to occupants of newly created residences or non-residential uses attributed to the development of the Project, the City and the State require that interior noise levels not exceed a CNEL of 45 dB within residences. Typically, with the windows open, building shells provide approximately 15 dB (i.e., an average of 12–18 dB [OPR 2017]) of noise reduction; while with windows closed residential construction generally provides a minimum of 25 dB attenuation (FHWA 2011). Therefore, rooms exposed to an exterior CNEL not greater than 60 dB would result in an interior background CNEL of 45 dB or less, even with open fenestration. The state Building Code recognizes this relationship and, therefore, requires interior noise studies when the exterior noise level is projected to exceed 60 dBA  $L_{dn}$ .

The data shown in Table 4.5-4 indicate that the future noise levels would range up to 70 dBA  $L_{dn}$  at the facades of the proposed residences fronting on E. Valley Parkway. The unmitigated interior noise levels within the habitable rooms of these dwelling units could therefore exceed the 45 dBA  $L_{dn}$  noise criterion. A subsequent interior noise analysis will be required for these units and units along E. Grand Avenue. With the implementation of **Compliance Measure (CM) N-1** (see Table 2-4, Project Design Features and Compliance Measures, in Chapter 2, Project Description) that requires an interior noise analysis in compliance with the City's dBA  $L_{dn}$  interior standard, the resultant noise level would meet the state and City interior noise standard of 45 dBA  $L_{dn}$ .

### Stationary Noise Sources

The incorporation of new homes across the larger eastern portion of the Project area (i.e., east of Valley Boulevard) and the mix of commercial and senior living uses on the western portion attributed to development of the Project will add a variety of noise-producing

mechanical equipment that include those presented and discussed in the following paragraphs. Most of these noise-producing equipment or sound sources would be considered stationary, or limited in mobility to a defined area.

#### *Residential HVAC Operation Noise*

For purposes of this analysis, each of the new occupied residential units would be expected to feature a split-system type air-conditioning unit, with a refrigeration condenser unit mounted on the roof. Assuming each condenser unit has a sound emission source level of 74 dBA at 3 feet [Johnson Controls 2010]), the Project architectural rendering views (as of this writing) suggest that such rooftop air-cooled condenser units could be installed near the building perimeter but behind a parapet wall. Therefore, the closest existing noise-sensitive residential receptor (Palomar Vista Healthcare Center) to the east of the Project's eastern-most Villas-type building facade would be as close as 50 horizontal feet to as many as four (4) condenser units. But due to the roof height of these nearest Villas buildings and the presence of the sight-occluding parapet wall, in addition to the anticipated advantageous terrain effects previously discussed under construction noise, the predicted sound emission level from the combination of four condenser units at this single-story receptor would only be 44 dBA  $L_{eq}$  and thus compliant with the City's nighttime threshold of 50 dBA hourly  $L_{eq}$  for multi-family type residences. Under such conditions, potential impacts due to the operation of residential air-conditioning units would be **less than significant**.

#### *Commercial HVAC Operation Noise*

Commercial HVAC systems associated with the planned retail portion of the Project would involve noise-producing equipment similar to the aforementioned air-cooled condensers expected for the residential land uses. But the nearest existing noise-sensitive receptor to this commercial equipment would appear to be at least 500 feet away. Hence, noise emission from operation of this equipment would be a **less than significant impact**.

### ***B. Would the Project result in the generation of excessive groundborne vibration or groundborne noise levels?***

#### Construction Impacts

Generally, construction activities can expose persons to excessive groundborne vibration or groundborne noise, which can cause a potentially significant impact. Caltrans has collected groundborne vibration information related to construction activities (Caltrans 2013b). Information from Caltrans indicates that continuous vibrations with a PPV of approximately 0.2 ips is considered "annoying." For context, heavier pieces of construction

equipment, such as a bulldozer that may be expected on the Project site, have peak particle velocities of approximately 0.089 ips or less at a reference distance of 25 feet (FTA 2006). A vibratory roller, anticipated for the paving phase of construction, exhibits 0.21 ips at 25 feet per the same FTA guidance.

Groundborne vibration attenuates rapidly—even over short distances. In addition, when groundborne vibration encounters a building foundation, a coupling loss occurs depending on its mass and design. For typical single-story structures, like those associated with Palomar Vista Healthcare Center near the Project site, this coupling loss is usually 5 to 7 vibration velocity decibels (VdB) according to FTA guidance (FTA 2006). (Unlike peak particle velocity, vibration velocity decibels are an expression of the root mean square vibration velocity magnitude with respect to a reference value.) The attenuation of groundborne vibration as it propagates from source to receptor through intervening soils and rock strata can be estimated with expressions found in FTA and Caltrans guidance. By way of example, and without consideration of potential foundation coupling loss, for a bulldozer operating on site and as close as the eastern Project boundary (i.e., 25 feet from the nearest receiving sensitive land use) the estimated vibration velocity level would be approximately 0.09 ips and thus no greater than the annoyance threshold recommended by Caltrans. Foundation coupling loss would only reduce this vibration velocity amplitude.

Since the vibratory roller associated with paving activities is expected to be the greatest source of vibration, its anticipated PPV at a distance of 25 feet would just barely exceed the Caltrans annoyance standard of 0.2 ips; however, foundation coupling loss of 5 VdB at the receiving structure would reduce the apparent PPV to a level of less than 0.12 ips, and thus below this annoyance standard. Therefore, impacts due to generation of excessive groundborne vibration or groundborne noise levels from construction activities would be **less than significant**.

Construction vibration, at sufficiently high levels, can also present a building damage risk. However, anticipated construction vibration associated with this Project would not yield levels that surpass this risk. Per Caltrans, the recommended PPV threshold for newer residential structures is 0.5 ips and 0.3 ips for older residential structures—both of which are less stringent than the aforementioned threshold to annoy occupants of such structures; thus, vibration damage risk to nearby structures is considered **less than significant**.

### Operational Impacts

Once operational, the Project would not be expected to feature major producers of groundborne vibration. Anticipated mechanical systems like heating, ventilation, and air-conditioning units are designed and manufactured to feature rotating (fans, motors) and

reciprocating (compressors) components that are well-balanced with isolated vibration within or external to the equipment casings. On this basis, generation of excessive groundborne vibration or groundborne noise levels due to Project operation would be **less than significant**.

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?*

The Project is not located within the vicinity of a private airstrip nor is the Project located within an airport land use plan. The closest public airport to the Project site is the Ramona Municipal Airport, approximately 10.5 miles southeast of the site. The Project would therefore not expose people residing or working in the Project area to excessive noise levels, and there would be **no impact**.

#### **4.5.3 Cumulative Impact Analysis**

The geographic scope of the cumulative impact analysis for noise is limited to areas surrounding noise-generating sources, such as roadways, because noise impacts are localized. Therefore, the functional cumulative study area chosen for assessing the Project's cumulative contribution to noise impacts was taken from the Project's Transportation Impact Assessment (Appendix J). As described in Section 4.6, Transportation, of this EIR, cumulative projects located only within the City of Escondido were considered as part of the analysis. In analyzing the Project's cumulative impacts, the growth rate was calculated by comparing Year 2035 forecast volumes from the Escondido General Plan to existing (Year 2019) volumes at several locations within the Project study area. The traffic assessment includes cumulative roadway traffic evaluation within two planning horizons: Near-Term (Opening Year (2022)) and Long-Term (Year 2035). To determine if the Project would contribute substantially to a potentially significant cumulative off-site noise level increase, the noise levels from Project-specific traffic generation were compared to both the Opening Year (2022) with Project cumulative scenario and for the Year 2035 with Project scenario.

##### Excessive Noise Levels

A cumulative noise impact would occur if development associated with cumulative projects would expose new land uses to noise levels that exceed proposed noise compatibility guidelines. Cumulative projects within the region would be subject to regulations that require compliance with noise standards, including Title 24, and the applicable Noise Ordinance and general plan policies.

The primary concern of cumulative noise effects is traffic noise. Traffic noise levels were also analyzed for the Year 2035 cumulative scenario traffic levels, without and with Project contributions.

With regard to identifying near-term traffic levels, the traffic engineer applied a growth rate to existing volumes in lieu of a specific list of projects. Per Appendix J, a growth rate was calculated by comparing Year 2035 forecast volumes from the Escondido General Plan to existing (Year 2016) volumes at several locations within the Project study area, resulting in an average (median) growth rate of 1.9% annually. This growth rate was applied to existing volumes for a period of 5 years to reach near-term (Existing + Cumulative) volumes. The results of the noise analysis addressing the Project contribution against existing traffic noise levels, and for Year 2035, are presented in Table 4.5-4. As shown in Table 4.5-4, the Project would not result in a perceptible increase in cumulative traffic noise levels (less than 0.1 dBA increase for all locations). The Project in combination with other cumulative projects would result in a **less than significant cumulative impact** associated with noise levels.

#### Excessive Groundborne Vibration

A cumulative groundborne vibration impact would occur if one or more projects in the area would result in combined groundborne vibration that would increase vibration to a level that would result in sleep disturbance or interfere with activities at vibration-sensitive land uses (e.g., precision labs, surgical facilities). Groundborne vibration impacts could result from construction operations, railroad operations, or mining. Only construction would be a potential contributor to cumulative impacts in the Project vicinity. None of the cumulative projects would be close enough to produce groundborne vibration that would interact with the Project. Additionally, the Project alone would not result in excessive groundborne vibration. Consequently, the Project would result in a **less than significant cumulative impact** related to excessive groundborne vibration.

#### Excessive Noise Exposure from Airports

Noise related to airports is generally site specific and not cumulative in nature. The placement of a structure within the noise contours of a public airport or in close proximity to a private airstrip would not affect airport noise related to the placement of another cumulative project. The Project is not within the vicinity of a public or private airport; therefore, **no cumulative impact** would occur.

### **4.5.4 Significance of Impacts Prior to Mitigation**

Based on the analysis in Sections 4.5.2 and 4.5.3, the Project would have the following significant impacts prior to mitigation:

**Impact N-1** Typical construction noise during allowable daytime hours would exceed the City's 75 dBA  $L_{eq}$  threshold and would be higher than existing ambient daytime noise levels when construction takes place near the eastern Project boundary.

### 4.5.5 Mitigation

#### Construction Noise

**M-N-1** Prior to the issuance of a Construction Permit, the Applicant/Owner or Construction Contractor shall prepare and submit to the City of Escondido Planning Division (City Planner) for its review and approval a Construction Noise Management Plan (CNMP). Prior to the issuance of a Construction Permit, Construction Plans shall also include a note indicating compliance with the CNMP is required. The CNMP shall be prepared or reviewed by a qualified acoustician (retained at the Applicant/Owner or Construction Contractor's expense) and feature the following:

- a. A detailed construction schedule, at daily (or weekly, if activities during each day of the week are typical) resolution and correlating to areas or zones of on-site Project construction activity(ies) and the anticipated equipment types and quantities involved. Information will include expected hours of actual operation per day for each type of equipment per phase and indication of anticipated concurrent construction activities on site.
- b. Suggested locations of a set of noise level monitors, attended by a qualified acoustician or another party under its supervision or direction, at which sample outdoor ambient noise levels will be measured and collected over a sufficient sample period and subsequently analyzed (i.e., compared with applicable time-dependent dBA thresholds) to ascertain compliance with the City hourly threshold of 75 dBA  $L_{eq}$  during allowable construction hours per the City's Noise Ordinance or as permitted by City-approved variance. Sampling shall be performed, at a minimum, on the first (or otherwise considered typical construction operations) day of each distinct construction phase (e.g., each of the seven listed phases in Table 4.5-6, Construction Noise Modeling Summary Results).
- c. If sample collected noise level data indicate that the hourly noise threshold has been or will be exceeded, construction work shall be suspended (for the activity or phase of concern) and the Applicant/Owner or Construction Contractor shall implement one or more of the following measures as detailed or specified in the CNMP:
  - i. Institute administrative controls (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances).
  - ii. Institute engineering controls (upgrade noise controls; e.g., install better engine exhaust mufflers).

- iii. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern.

The implemented measure(s) will be reviewed or otherwise inspected and approved by the qualified acoustician (or another party under their supervision or direction) prior to resumption of the construction activity or process that caused the measured noise concern or need for noise mitigation. Noise levels shall be re-measured, after installation of said measures, to ascertain post-mitigation compliance with the noise threshold. As needed, this process shall be repeated and refined until noise level compliance is demonstrated and documented. A report of this implemented mitigation and its documented success will be provided to the City Planner.

- d. The Applicant/Owner or Construction Contractor shall make available a telephone hotline so that concerned neighbors in the community may call to report noise complaints. The CNMP shall include a process to investigate these complaints and, if determined to be valid, detail efforts to provide a timely resolution and response to the complainant—with copy of the resolution provided to the City Planner.

#### 4.5.6 Significance of Impacts After Mitigation

The Project would result in excessive noise levels during construction activities, exceeding the City's 75 dBA  $L_{eq}$  threshold (**Impact N-1**). However, development and implementation of a CNMP as required by **M-N-1** would require the use of administrative controls, engineering controls, and/or noise barriers to ensure that construction noise levels would be within the City's noise limits. As the proposed noise mitigation would ensure compliance with the City's noise limits, construction noise impacts would be mitigated to a **less than significant impact**.

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 Project Boundary  
 Noise Measurement Locations

SOURCE: SANGIS 2017



**FIGURE 4.5-1**  
Noise Measurement Locations  
Palomar Heights

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## **4.6 Transportation**

This section addresses the potential transportation- and traffic-related impacts associated with implementation of the Palomar Heights Project (Project). The analysis is based on the *Transportation Impact Analysis: Palomar Heights* (TIA) prepared by Linscott, Law & Greenspan, Engineers. A copy of the TIA is included as Appendix J of this Environmental Impact Report (EIR).

With respect to vehicle traffic, the TIA includes analysis of the Project's impacts utilizing both a level of service (LOS) metric and a vehicle miles traveled (VMT) metric. However, as presented in this section, the LOS analysis is provided to consider the Project's consistency with programs addressing the circulation system, including the General Plan, and otherwise is provided for informational purposes only. As provided in CEQA Public Resources Code Section 21099(b)(2), following certification of CEQA Guidelines Section 15064.3, which occurred in December 2018, "automobile delay, as described solely by [LOS] or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to" CEQA. Rather, and as provided in CEQA Guidelines Section 15064.3, VMT is now considered the most appropriate measure of transportation impacts, and the City of Escondido has elected to use the provisions of CEQA Guidelines Section 15064.3 for this analysis herein. As such, the analysis presented below utilizes VMT as the measure to determine Project impacts related to transportation facility operations.

### **4.6.1 Existing Conditions**

#### **4.6.1.1 Environmental Setting**

##### **Vehicle Miles Traveled**

VMT is defined as a measurement of miles traveled by vehicles within a specified region for a specified time period and is a measure of network use or efficiency. There are multiple ways to express VMT, although generally VMT is calculated by multiplying all vehicle trips generated by a project by their associated trip lengths, or by multiplying traffic volumes on roadway links by the associated trip distance of each link. VMT accounts for two-way (round trip) travel and is often estimated for a typical weekday for the purposes of measuring transportation impacts.

In September 2013, the Governor's Office signed SB 743 into law, starting a process that fundamentally changes the way transportation impact analysis is conducted under CEQA. These changes, which are implemented through the CEQA Guidelines, include the elimination of auto delay, LOS, and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant transportation impacts. As previously noted, the CEQA Guidelines identify VMT as the most appropriate CEQA transportation metric.

The justification for this paradigm shift is that when significant impacts are identified under a LOS and delay-based analysis, the mitigation is often to provide road improvements, which increase roadway

capacity that inherently accommodates more vehicular traffic resulting in additional greenhouse gas emissions. In contrast, under a VMT based analysis, mitigation typically takes the form of strategies intended to reduce vehicle traffic, rather than accommodate such traffic, thereby reducing vehicle traffic and associated emissions.

To implement the directives set by the Legislature in SB 743, in December 2018, the state Governor's Office of Planning and Research (OPR) approved revised CEQA Guidelines and a related Technical Advisory, which, taken together provide the guidance necessary to conduct a CEQA-compliant VMT analysis. Relatedly, in May 2019, San Diego's local Institute of Transportation Engineers (ITE) SB 743 Subcommittee updated its Guidelines for Transportation Impact Studies in the San Diego Region consistent with CEQA's VMT requirements. The City has elected to utilize the OPR Technical Advisory and ITE guidelines regarding VMT as interim guidelines until the City formally adopts a VMT threshold. The analysis provided herein is based on these two guidance documents.

## Transit Facilities and Mobility Options

### *Bus Service*

North County Transit District and Metropolitan Transit System provide bus service to the City of Escondido. Service is generally provided along major circulation corridors with a heavier concentration of bus routes in Downtown Escondido. North County Transit District provides three types of bus services in the City, including local bus service, County transit service, and express bus service. Local bus service is generally provided at 30- to 60-minute intervals and provides local access within the City and surrounding communities. County transit service provides bus service along rural routes connecting Escondido to the unincorporated Valley Center community (NCTD 2019a).

Transit service is provided to the area by bus Routes 351 and 352. Routes 351 and 352 provide bus service to the area via Grand Avenue with stops at the Escondido Transit Center, Palomar Health Campus, Orange Glen High School Midway Drive and Valley Parkway, and Washington Avenue and Harding Street (Figure 4.6-1, Transit Service). The Route runs between 5:00 a.m. and 5:30 PM with a frequency of 30 minutes.

Transit service is also provided to the area via the Route 357, 371, and 388 buses. Routes 357, 371, and 388 provide bus service to the area via E. Valley Parkway with stops at Escondido Transit Center, Valley Parkway and Escondido Boulevard, Valley Parkway and Broadway, and Valley Parkway and Juniper Street. Each route runs between 5:00 a.m. and 5:30 PM with a frequency of 30 minutes.

Transit service is also provided to the area via the Route 358 and 359 buses. Routes 358 and 359 provide bus service to the area via Broadway with stops at Broadway and El Norte Parkway, and Broadway and Pennsylvania Avenue. The Route runs between 5:00 a.m. and 5:30 PM with a frequency of 30 minutes.

### *Rail Service*

North County Transit District operates a light rail transit system, the SPRINTER, which stops at the Escondido Transit Center located 0.9 mile to the west of the site. The SPRINTER extends 22 miles along the SR-78 corridor, and serves 15 stations between Oceanside and Escondido, with a total traveling time of 53 minutes from end to end. Each light rail vehicle has a maximum capacity of 226 passengers and travels at a maximum speed of 55 mph. The SPRINTER offers easy connections to the COASTER, BREEZE, Amtrak, and Metrolink rail lines, Greyhound bus service, and Rapid bus service in Escondido. The SPRINTER runs every 30 minutes in each direction Monday through Friday, from approximately 4:00 a.m. to 9:00 p.m. Saturday, Sunday, and holiday trains operate every 30 minutes between 10:00 a.m. and 6:00 p.m. and hourly before 10:00 a.m. and after 6:00 p.m. (NCTD 2019b).

### *Bicycle and Pedestrian Facilities*

There are no bicycle facilities within the street segments in the study area. A Class I bike path, a regional link in the Bicycle Network system parallels the Sprinter route, just north of E. Valley Parkway, in the Project vicinity. This bike path parallels Escondido Creek approximately 500 feet north of the Project site and connects to the Escondido Transit Center approximately 0.9 mile west of the Project site. Sidewalks are provided along the both sides of all segments in the study area.

### Existing Local and Regional VMT

Baseline VMT information for the region and City was obtained from SANDAG and is based on the Series 13 model (SANDAG 2013). The SANDAG Series 13 model represents the 2050 Regional Growth Forecast conditions, and was developed based on regionally forecasted population, housing, and jobs assuming expected buildout of land use plans by the year 2050. As seen in Table 4.6-1, the existing baseline City of Escondido VMT per capita is 15.29 miles per resident and the baseline regionwide VMT per capita is 17.53 miles.

**Table 4.6-1**  
**Existing Vehicle Miles Traveled**

	Residents	Total Person Trips	Person Miles of Travel	VMT	VMT per Resident
<i>Existing Base Year 2012</i>					
Regionwide	3,129,417	11,211,651	73,624,387	54,858,289	17.53
City of Escondido	146,057	514,234	2,992,253	2,233,878	15.29

**Source:** Appendix J.

**Note:** VMT = vehicle miles traveled.

### Existing Vehicular Transportation Conditions

The Project site is bordered by E. Valley Parkway to the north, N. Fig Street to the east, and E. Grand Avenue to the south. The site is the former Palomar Health Downtown Campus (Hospital Campus) site. Figure 4.6-1, Existing Conditions Diagram, depicts the area's existing roadway conditions, including signalized/unsignalized intersections and lane configurations.

The following is a brief description of the existing roadways in the Project General Plan consistency study area.

**Juniper Street** is classified as a Collector Street in the Escondido Mobility and Infrastructure Element in the Project vicinity. It is currently constructed as a two-lane undivided roadway with a two-way-left-turn lane. Sidewalks are provided on both sides of the roadway. Bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. The posted speed limit is 25 mph.

**Ivy Street** is classified as a Local Street in the Escondido Mobility and Infrastructure Element in the Project vicinity. It is currently constructed as a two-lane undivided roadway. Sidewalks are provided on both sides of the roadway. Bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. No speed limit is posted.

**N. Hickory Street** is classified as a Local Collector in the Escondido Mobility and Infrastructure Element in the Project vicinity. It is currently constructed as a two-lane undivided roadway. Sidewalks are provided on both sides of the roadway. Bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. The posted speed limit is 25 mph.

**Valley Boulevard** is classified as a Collector Street in the Escondido Mobility and Infrastructure Element in the Project vicinity. It is currently constructed as a three-lane undivided roadway (one southbound lane and two northbound lanes) between E. Valley Parkway and E. Grand Avenue. Sidewalks are provided on both sides of the roadway. Bike lanes are not provided. Curbside parking is permitted on both sides of the roadway between E. Grand Avenue and N. Hickory Street.

**N. Fig Street** is classified as a Collector Street in the Escondido Mobility and Infrastructure Element in the Project vicinity. It is currently constructed as a two-lane undivided roadway. Sidewalks are provided on both sides of the roadway. Bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. The posted speed limit is 25 mph.

**W. and E. Valley Parkway** is classified as a Collector Street between Tulip Street and Hickory Street and as a four-Lane Major-Road between Hickory Street and Midway Drive, in the Escondido Mobility and Infrastructure Element. It is currently constructed as three-lane one-way (westbound) roadway between Tulip Street and N. Hickory Street and as a four-Lane undivided road between N. Hickory Street and N. Fig Street and a four-Lane Major-Road between N. Fig Street and N. Midway Drive. Sidewalks are provided on both sides of the roadway. Bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. The posted speed limit is 35 mph in the Project vicinity.

**E. Grand Avenue** is classified as a Collector Street in the Escondido Mobility and Infrastructure Element in the Project vicinity. It is currently constructed as a four-lane divided road west of Valley Boulevard. Between Valley Boulevard and Hickory Street, E. Grand Avenue is built as a two-lane undivided roadway. East of this intersection, E. Grand Avenue is a three-lane undivided roadway with one westbound lane and two eastbound lanes. Sidewalks are provided on both sides of the roadway. Bike lanes are not provided. Curbside parking is prohibited on both sides of the roadway. Adjacent to the Project site, the posted speed limit is 25 mph.

**2nd Avenue** is classified as a Collector Street in the Escondido Mobility and Infrastructure Element in the project vicinity. It is currently constructed as a three-lane one-way (eastbound) roadway. Sidewalks are provided on both sides of the roadway. Bike lanes are not provided. Curbside parking is permitted on both sides of the roadway. The posted speed limit is 30 mph.

### Existing Level of Service

The General Plan Mobility and Infrastructure Element, as well as the associated City of Escondido Traffic Impact Analysis Guidelines (City Guidelines), set goals for vehicular LOS operations for City roadway segments and intersections on the basis of the Quality of Life Standards. Specifically, the Mobility Element streets and intersections are to be planned and developed to achieve a minimum LOS C. However, it is recognized that LOS C may not be feasible in all areas at all times and LOS D may be acceptable in certain areas, such as in the Downtown Specific Plan area. The Quality of Life standard specifically states “[d]ue to physical design characteristics, implementation of pedestrian-oriented ‘smart growth’ and Complete Streets design improvements, high density infill areas, environmental resource considerations, existing development, freeway interchange impacts, and incomplete system improvements, alternative levels of service may be appropriate for isolated areas as determined by the city.” The City Guidelines also set forth guidance that the LOS at intersections should be LOS D or better, and provide guidance for establishing the study area. Based on that guidance, the study area for purposes of General Plan consistency analysis includes 15 existing intersections and 14 street segments, which are all located within the jurisdiction of the City<sup>1</sup>.

Table 4.6-2, Existing Roadway Segment Conditions, provides a summary of the average daily traffic volumes (ADTs) on the study area roadways based on traffic counts conducted by LLG in March 2018 and counts conducted in September 2018 by the City of Escondido. Manual hand counts at the study area intersections, including bicycle and pedestrian counts, were conducted in March 2018 and May 2019 when schools were in session. As shown, the roadways within the General Plan consistency study area range from LOS A to E. Areas currently operating at levels

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<sup>1</sup> The Project does not add more than 150 peak hour trips in either direction to any mainline freeway locations, or more than 20 peak hour trips to any metered freeway on-ramps. Hence, no mainline freeway segments or metered freeway on-ramps consistency analysis is necessary based on the City of Escondido Traffic Impact Analysis Requirements Guidelines.

not consistent with the General Plan goals include N. Fig Street: E. Washington Avenue to E. Valley Parkway (LOS D), and E. Valley Parkway: N. Hickory Street to N. Fig Street (LOS E).

As shown in Table 4.6-3, Existing Intersection Operations, the study area intersections generally operate between LOS A to LOS D, with one intersection operating at a LOS inconsistent with the City Guidelines, N. Ivy Street / E. Valley Parkway, which operates at LOS F in the AM peak hour.

**Table 4.6-2**  
**Existing Roadway Segment Conditions**

Street Segment	ADT <sup>a</sup> (Volume)	LOS E Capacity	V/C	LOS
1. N. Juniper St: E. Valley Pkwy to E. Grand Ave	5,870	19,000	0.309	A
2. S. Juniper St: E. Grand Ave to E. 2nd Ave	6,810	19,000	0.358	B
3. N. Hickory St: W. Washington Ave to E. Valley Pkwy	4,810 <sup>b</sup>	10,000	0.481	B
4. N. Fig St: E. Washington Ave to E. Valley Pkwy	7,950 <sup>c</sup>	10,000	0.795	D
5. N. Fig St: E. Valley Pkwy to E. Grand Ave	5,660	10,000	0.566	C
6. Valley Blvd: E. Grand Ave to E. Valley Pkwy	9,980	17,500	0.570	C
7. E. Valley Pkwy: N. Juniper St to N. Ivy St	14,790	30,000	0.493	B
8. E. Valley Pkwy: N. Ivy St to N. Hickory St	13,610	30,000	0.454	B
9. E. Valley Pkwy: N. Hickory St to N. Fig St	23,680	25,000	0.947	E
10. E. Grand Ave: Juniper St to Ivy St	9,550	20,000	0.478	B
11. E. Grand Ave: Valley Blvd to S. Grape St	9,450	25,000	0.315	A
12. E. Grand Ave: S. Grape St to S. Fig St	15,130	25,000	0.504	B
13. E. 2nd Ave: S. Juniper St to S. Ivy St	13,680	30,000	0.456	B
14. E. 2nd Ave: S. Ivy St to E. Grand Ave	13,070	30,000	0.436	B

Source: See Appendix J.

Notes: ADT= average daily traffic; LOS = level of service; V/C = volume-to-capacity ratio..

<sup>a</sup> ADT volume counts were conducted on March 22, 2018, except where noted otherwise.

<sup>b</sup> Volumes estimated based on the average of daily volumes calculated from the AM and PM peak hour volumes at adjacent intersections, assuming the peak hour volumes comprise 10% of the daily volumes.

<sup>c</sup> ADT volume counts were conducted on September 25, 2018, provided by the City.

**Table 4.6-3**  
**Existing Intersection Operations**

Intersection	Control Type	Peak Hour	Existing	
			Delay <sup>a</sup>	LOS
1. N. Hickory St / E. Washington Ave	Signal	AM	10.4	B
		PM	15.2	B
2. N. Fig St / E. Washington Ave	Signal	AM	51.0	D
		PM	43.5	D
3. N. Juniper St / E. Valley Pkwy	Signal	AM	6.3	A
		PM	5.7	A
4. N. Ivy St / E. Valley Pkwy	TWSC <sup>b</sup>	AM	<b>50.7</b>	<b>F</b>
		PM	<b>27.2</b>	<b>D</b>

**Table 4.6-3  
Existing Intersection Operations**

Intersection	Control Type	Peak Hour	Existing	
			Delay <sup>a</sup>	LOS
5. N. Hickory St / E. Valley Pkwy	Signal	AM	9.4	A
		PM	13.9	B
6. N. Fig St / E. Valley Pkwy	Signal	AM	12.8	B
		PM	13.8	B
7. S. Juniper St / E. Grand Ave	Signal	AM	5.5	A
		PM	7.4	A
8. S. Ivy St / E. Grand Ave	TWSC	AM	21.9	C
		PM	18.4	C
9. Valley Blvd / E. Grand Ave	Signal	AM	20.0	B
		PM	27.8	C
10. S. Grape St / E. Grand Ave	TWSC	AM	10.3	B
		PM	12.4	B
11. S. Fig St / E. Grand Ave	Signal	AM	11.2	B
		PM	12.1	B
12. S. Juniper St / E. 2nd Ave	Signal	AM	16.0	B
		PM	16.8	B
13. S. Ivy St / E. 2nd Ave	TWSC	AM	12.8	B
		PM	18.8	C
14. West Project Dwy / E. Grand Ave	Signal	AM	DNE	DNE
		PM	DNE	DNE
15. East Project Dwy / E. Grand Ave	TWSC	AM	DNE	DNE
		PM	DNE	DNE

**Source:** See Appendix J.

**Notes:** LOS = level of service; TWSC = two-way stop controlled intersection; DNE = does not exist; N/A = not applicable.

<sup>a</sup> Average delay expressed in seconds per vehicle.

<sup>b</sup> Minor street left-turn delay is reported.

SIGNALIZED		UNSIGNALIZED	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 45.0	D	25.1 to 35.0	D
45.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F

Counts were also conducted at all existing on-site driveways in order to determine the amount of traffic currently generated by the site. Based on those counts, the existing site generates daily ADT of 2,120, with 160 AM peak hour trips (82 inbound and 78 outbound) and 133 PM peak hour trips (61 inbound and 72 outbound). Refer to Table 4.6-4, Summary of Existing Traffic at All Driveways at the Palomar Heights Site.

**Table 4.6-4  
Summary of Existing Traffic at All Driveways at the Palomar Heights Site**

Driveway	Daily			AM Peak Hour			PM Peak Hour		
	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
No. 1	427	545	972	28	67	95	49	14	63
No. 2	11	11	22	0	0	0	1	1	2
No. 3	165	153	318	11	3	14	8	12	20
No. 4	81	61	142	11	0	11	0	3	5
No. 5	17	28	45	0	0	0	1	0	1
No. 6	40	29	69	1	0	1	0	4	4
No. 7	6	53	59	0	0	0	0	9	9
No. 8	49	16	65	1	0	1	2	0	2
No. 9	30	26	56	2	0	2	3	3	6
No. 10	—*	—*	128	11	3	14	5	2	7
No. 11	—*	—*	110	10	2	12	2	4	6
No. 12	—*	—*	40	0	3	3	0	3	3
No. 13	—*	—*	93	7	0	7	1	6	7
<b>Total</b>	—*	—*	<b>2,120</b>	<b>82</b>	<b>78</b>	<b>160</b>	<b>72</b>	<b>61</b>	<b>133</b>

**Source:** See Appendix J.

**Note:**

<sup>a</sup> ADT at Driveways No. 10 through No. 13 were estimated using the peak hour volumes, assuming the AM peak hour is 10% and PM peak hour is 6% of the ADT based on the comparison of the daily versus the peak hour counts at the other driveways.

### 4.6.1.2 Regulatory Setting

#### Federal

#### Highway Capacity Manual

The 2010 Highway Capacity Manual, prepared by the federal Transportation Research Board, is the result of a collaborative multiagency effort between the Transportation Research Board, Federal Highway Administration, and American Association of State Highway and Transportation Officials. The 2010 Highway Capacity Manual contains concepts, guidelines, and computational procedures for computing the capacity and quality of service of various highway facilities, including freeways, signalized and unsignalized intersections, rural highways, and the effects of transit, pedestrian, and bicycles on the performance of these systems. While the Manual is not a regulatory document, it is the primary reference for level of service analysis in the United States.

## State

### California Department of Transportation

Caltrans is the public agency responsible for designing, building, operating, and maintaining California's state highway system, which consists of freeways, highways, expressways, toll roads, and the right-of-way area between the roadways and property lines. Caltrans is also responsible for permitting and regulating the use of state roadways. Caltrans' construction practices require temporary traffic control planning during any activities that interfere with the normal function of a roadway.

### California Environmental Quality Act

Primary environmental legislation in California is found in the California Environmental Quality Act (CEQA) and its implementing guidelines (CEQA Guidelines), which require that projects with potential adverse effects (or impacts) on the environment undergo environmental review. Significant environmental impacts are required to be mitigated, where such mitigation is feasible, in accordance with existing laws and regulations.

As explained above, CEQA Section 21099(b)(2) states that automobile delay as described by LOS or similar measures of vehicular capacity or traffic congestion shall no longer be considered a significant impact on the environment. In its place, the CEQA Guidelines require a VMT analysis in all applicable CEQA documents by than July 1, 2020, though lead agencies are free to comply with the new requirements prior to that time. As noted at the outset, the City has elected to utilize SB 743 herein prior to the July 1 deadline and has elected to utilize the OPR Technical Advisory and SANTEC ITE Guidelines as interim guidelines related to VMT.

### Senate Bill 375

Senate Bill (SB) 375 (Steinberg, Statutes of 2008), targets regional greenhouse gas (GHG) emissions reductions from passenger vehicles and light-duty trucks through changes in land use and transportation development patterns. Integrating transportation and residential land use activity is one of the most impactful strategies for reducing GHG emissions, as well as other forms of air pollution. Governmental actions supporting the location, variety and availability of housing are critical to implementing GHG emissions reduction policies. This can support the integration of transportation and housing development, offering more varied and efficient consumer choices. Infill development patterns that emphasizes proximity and connectivity to public transit, walkable areas, employment and service centers and amenities can increase the effectiveness of these relationships.

### Senate Bill 743

On September 27, 2013, Governor Jerry Brown signed SB 743 into law, starting a process that is changing the way transportation impact analysis is conducted under CEQA. Within the State's CEQA Guidelines, as previously noted, these changes include the elimination of auto delay, level

of service (LOS), and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant impacts.

SB 743 created a process to change the way projects analyze transportation impacts pursuant to CEQA. Previously, environmental review of transportation impacts focused on the delay that vehicles experience at intersections and on roadway segments. That delay is often measured using a metric known as “level of service,” or LOS. Under SB 743, the Legislature directed that the focus of transportation analysis shift from driver delay to the reduction of GHG emissions, the creation of multimodal networks, and the promotion of a mix of land uses. SB 743 required the Governor’s Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts for transit-oriented infill projects, and authorized OPR to recommend such an alternative for the analysis of transportation-related impacts associated with all land use projects under CEQA.

SB 743 directed that the alternative criteria must promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. In response to the directive, OPR elected to utilize VMT as the metric upon which a project’s transportation-related impacts would be assessed under CEQA. As previously noted, VMT is defined as a measurement of miles traveled by vehicles within a specified region for a specified time period and is a measure of network use or efficiency. There are multiple ways to express VMT, although generally VMT are calculated by multiplying all vehicle trips generated by a project times their associated trip lengths, or by multiplying traffic volumes on roadway links by the associated trip distance of each link. VMT is often estimated for a typical weekday.

Since OPR determination to utilize VMT as the metric going forward, the state has approved CEQA Guidelines Section 15064.3, which implements that change. (See related discussion under prior heading California Environmental Quality Act.) In addition to issue the revised Guidelines, to assist CEQA practitioners in complying with the new guideline requirements, OPR also issued the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory), which provides recommendations for conducting VMT analysis in compliance with the new Guidelines.

### Assembly Bill 1358

The Complete Streets Act of 2008 AB 1358 (Leno, 2008) requires, beginning January 1, 2011, cities and counties, upon any substantive revision to their circulation elements, to plan for a balanced multi-modal transportation network that meets the needs of all users of streets, roads, and highways, including motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation.

## Regional

### 2050 Regional Transportation Plan and Sustainable Communities Strategy

The 2050 RTP provides a plan for investing an estimated \$214 billion in local, state, and federal transportation funds expected to come to the region over the next 40 years. The 2050 RTP is the blueprint for a regional transportation system that further enhances quality of life, promotes sustainability, and offers more mobility options for people and goods. The plan outlines projects for transit, rail and bus service, express or managed lanes, highways, local streets, bicycling, and walking to provide an integrated, multimodal transportation system by mid-century. Pursuant to SB 375, the 2050 RTP also includes the Sustainable Communities Strategy (SCS), which details how the region will reduce GHG emissions to state-mandated levels over time. The 2050 RTP and SCS are components of *San Diego Forward: The Regional Plan*, which was adopted by the San Diego Association of Governments (SANDAG) Board of Directors on October 9, 2015 (SANDAG 2015).

RTPs are developed to provide a clear vision of the regional transportation goals, objectives, and strategies. In addition, RTPs must reflect Senate Bill (SB) 375 (Steinberg, Statutes of 2008), which targets regional GHG emissions reductions from passenger vehicles and light-duty trucks through changes in land use and transportation development patterns.

The responsible Regional Transportation Planning Agency in the County of San Diego is SANDAG. Therefore, SANDAG is required to adopt and submit an updated RTP to the California Transportation Commission and Caltrans every 4 or 5 years, depending on air quality attainment within the region. SANDAG, in partnership with local governments, is required by federal law to create an RTP that determines the needs of the transportation system and prioritizes proposed transportation projects.

### Regional Transportation Improvement Program

The Regional Transportation Improvement Program (RTIP) is a multi-billion dollar, 5-year program of major transportation projects funded by federal, state, TransNet local sales tax, and other local and private funding. The RTIP is a prioritized program designed to implement the region's overall strategy for providing mobility and improving the efficiency and safety of the transportation system, while reducing transportation-related air pollution in support of the efforts to attain federal and state air quality standards for the region. The RTIP also incrementally implements the 2050 RTP, which is the long-range transportation plan for the San Diego region. The RTIP covers multiple fiscal years and is amended frequently to reflect near term priorities and expenditures.

### Congestion Management Program

State Proposition 111, passed by voters in 1990, established a requirement that urbanized areas prepare and regularly update a Congestion Management Program (CMP), which is a part of SANDAG's RTP. The purpose of the CMP is to monitor the performance of the region's

transportation system, develop programs to address near-term and long-term congestion, and better integrate transportation and land use planning. SANDAG provided regular updates for the State CMP from 1991 through 2008. In October 2009, the San Diego region elected to be exempt from the state CMP and since this decision, SANDAG has been abiding by 23 CFR 450.320 to ensure the region's continued compliance with the federal congestion management process. *San Diego Forward: The Regional Plan*, the region's long-range transportation plan and SCS, meets the requirements of 23 CFR 450.320 by incorporating the following federal congestion management process: performance monitoring and measurement of the regional transportation system, multimodal alternatives and non-Single Occupancy Vehicle (SOV) analysis, land use impact analysis, the provision of congestion management tools, and integration with the RTIP process.

### Local

#### City of Escondido General Plan Mobility and Infrastructure Element

The General Plan's Mobility and Infrastructure Element introduces planning tools essential for achieving the community's transportation and utility goals and policies with the intent of providing a sustainable system to serve residents and businesses. Relevant goals and policies of the Mobility and Infrastructure Element include the following (City of Escondido 2012a):

#### **Quality of Life Standard #1: Traffic and Transportation**

**Part 1** Circulation Element streets and intersections shall be planned and developed to achieve a minimum level of service "C" defined by the Highway Capacity Manual as amended or up-dated, or such other national standard deemed appropriate by the city. Level of service "C" may not be feasible in all areas at all times and level of service "D" shall be considered the threshold for determining significant impacts and appropriate mitigation. Due to physical design characteristics, implementation of pedestrian-oriented "smart growth" and Complete Streets design improvements, high density infill areas, environmental resource considerations, existing development, freeway interchange impacts, and incomplete system improvements, alternative levels of service may be appropriate for isolated areas as determined by the city.

Where existing street or intersection capacities are below level of service "C," street, operational or Transportation System Management improvements shall be required or planned to improve the service level to "C" when-ever feasible based upon impacts of future development. Such requirements or plans may be incremental to accommodate future development or the recycling of existing development. Feasibility of level of service "C" shall be based on impacts upon existing development or environmental constraints along street segments or intersections.

**Part 2** Capital improvement programs and/or facility plans shall include Transportation System Management measures designed to maintain or improve levels of service at existing or developed intersections that may be impacted by further development or traffic volume growth.

The city shall support public transportation facilities through such measures as requiring right-of-way for commuter rail or park-and-ride facilities, transit stops or facilities, or for other transportation needs. The city shall establish Transportation System Management measures and shall cooperate with agencies and coordinate with regional transportation plans and transportation agencies. Adopted San Diego Association of Governments (SANDAG) models shall be utilized to determine Quality of Life compliance.

### **1. Regional Transportation Planning**

**Goal 1** An accessible, safe, convenient, and integrated multimodal network that connects all users and moves goods and people within the community and region efficiently.

### **2. Complete Streets**

**Policy 2.1** Ensure that the existing and future transportation system is interconnected and serves multiple modes of travel, such as walking, biking, transit, and driving for safe and convenient travel.

**Policy 2.2** Provide a safe, efficient and accessible transportation network that meets the needs of users of all ages including seniors, children, disabled persons, and adults.

**Policy 2.5** Design streets in a manner that is sensitive to the local context and recognizes that the needs vary between mixed use, urban, suburban, and rural settings.

### **3. Pedestrian Network**

**Policy 3.3** Maintain a pedestrian environment that is accessible to all and that is safe, attractive, and encourages walking.

**Policy 3.5** Promote walking and improve the pedestrian experience by requiring pedestrian facilities along all classified streets designated on the Circulation Plan; implementing streetscape improvements along pedestrian routes that incorporate such elements as shade trees, street furniture, and lighting; orienting development toward the street; employing traffic calming measures; and enforcing vehicle speeds on both residential and arterial streets.

#### 4. Bicycle Network

**Policy 4.3** Promote bicycling as a common mode of transportation and recreation to help reduce traffic congestion and improve public health.

#### 5. Transit System

**Policy 5.8** Require that new developments incorporate transit-supporting facilities into the project design, where appropriate.

**Policy 5.9** Construct, when appropriate, transit facilities such as bus pullouts on Prime Arterials, Major Roads, and Collector streets.

#### 7. Street Network

**Policy 7.1** Plan, design, and regulate roadways in accordance with the street classification in the Circulation Element Diagram.

**Policy 7.2** Allow Specific Alignment Plans for unique situations when standard widening is not adequate for future needs or when special conditions / constraints exist which require a detailed implementation plan.

**Policy 7.3** Strive to maintain LOS C or better throughout the city except for within the urban core. Establish LOS D as the threshold for determining significant impacts and appropriate mitigation. Due to physical design characteristics, implementation of pedestrian-oriented „smart growth“ and Complete Streets design improvements, high density infill areas, environmental resource considerations, existing development, freeway interchange impacts, and incomplete system improvements, alternative levels of service may be appropriate for isolated areas as determined by the city.

**Policy 7.4** Provide adequate traffic safety measures on all new roadways and strive to provide adequate traffic safety measures on existing roadways (subject to fiscal and environmental considerations). These measures may include, but not be limited to, appropriate levels of maintenance, proper street design, traffic control devices (signs, signals, striping), street lighting, and coordination with the school districts and other agencies.

**Policy 7.5** Provide high priority to funding capital improvement projects that complete links to the circulation system, relieve existing congestion in the urban core as defined by the city, correct unsafe conditions on existing streets and/or improve the regional circulation system.

**Policy 7.6** Ensure that identified mobility system improvements are developed in a timely manner to meet the needs of the community.

**Policy 7.7** Require new development projects to analyze local traffic impacts, and construct and implement the improvements required for that development.

**Policy 7.8** Require new development projects to analyze traffic impacts on the regional transportation system, and pay a fair-share contribution to regional transportation improvements.

**Policy 7.11** Enhance the safety and efficiency of accessing the public street network from private properties by:

- a) Controlling driveway access locations on Prime Arterials and Major Roads;
- b) Installing medians and access controls on Collector Roads and higher classifications;
- c) Maintaining minimum distances from intersections for accessing Prime Arterials, Major Roads, and Collector streets;
- d) Consolidating driveway access; and
- e) Encouraging interconnected parking lots.

## 8. Parking

**Policy 8.1** Ensure off-street and on-street parking is adequate, considering access to transit facilities and mix of uses in the surrounding area.

**Policy 8.2** Consider reducing parking requirements in the downtown and at transit stations as transit ridership increases over time due to increased development intensities and a broader mix of land uses.

According to the City's General Plan Mobility and Infrastructure Element, streets and intersections shall be planned and developed to achieve a minimum LOS C as defined by the Highway Capacity Manual as amended or updated, or such other national standard deemed appropriate by the City. City's General Plan Mobility and Infrastructure Element also notes that LOS C may not be feasible in all areas at all times, and the City of Escondido considers LOS D the threshold for unacceptable operations. Per the certified General Plan EIR, a significant impact would generally result from a General Plan (Year 2035) analysis when a project would "cause the LOS of a General Plan Mobility and Infrastructure Element roadway to fall below LOS D and/or add more than 200 ADT to a Mobility and Infrastructure Element roadway with an LOS E or F" (City of Escondido 2012c).

### City of Escondido Bicycle Master Plan

The *City of Escondido Bicycle Master Plan* (Bicycle Master Plan; City of Escondido 2012b) identifies existing circulation patterns for bicyclists, problem areas and safety concerns, and develops a master system to further the implementation of bikeways throughout Escondido. The Bicycle Master Plan includes Caltrans bikeway standards, conceptual designs for bicycle paths

and trails, maps of existing and proposed bicycle facilities, a phasing plan for improvements, funding sources, and an implementation plan. The plan identifies a bicycle facility network, both on the road (Class II and III) and off road (Class I). Upon full implementation, the plan will create a comprehensive network of bicycle lanes, routes, and paths.

#### Chapter 23 City of Escondido Municipal Code

Chapter 23 of the Escondido Municipal Code (EMC) establishes street and sidewalk standards for areas within the City. This chapter defines standards for public dedication of rights-of-way; arrangement for relocation of public utility facilities within sidewalks or streets; and issuance of building permits for construction in setback areas and rights-of-way. Additionally, this chapter identifies standards for locating pumps, tanks, and fire hydrants within sidewalks, streets, or rights-of-way.

#### City of Escondido New Traffic Signals and Signal Modifications Program

The City has a New Traffic Signals and Signal Modifications Program (City of Escondido n.d.). This program establishes a Priority List for future signalization and traffic signal modifications in the City via the Transportation & Community Safety Commission and the City Council. The program utilizes the Federal and State warrants to determine the priority ranking of each intersection. The improvements are then carried out via the City's Capital Improvement Program as a part of the yearly Traffic Signals and Traffic Signal Synchronization projects (City of Escondido 2019). This program is utilized by the City to implement future signalization and traffic signal modifications necessary to maintain adequate intersection operations.

#### City of Escondido Traffic Impact Analysis Guidelines

Consistent with the requirement of Policies 7.7 and 7.8 of the General Plan Mobility and Infrastructure Element that new development projects analyze both local traffic impacts, as well as the project's impacts on the regional transportation system, the City's Traffic Impact Analysis Requirements Guidelines provide that segments or intersections operating at LOS D, E or F are considered to operate unacceptably, and improvement measures shall be provided if a project adds more than 2 seconds of delay or more than 0.02 to the volume to capacity (v/c) ratio. Supplemental to these provisions, City Ordinance No. 2013-12 and associated Zoning Code Article 47 regarding environmental quality regulation provide that areas within the Downtown Specific Planning Area shall have a roadway and intersection operational goal of LOS D or better. Refer to Section 4.6.2.2 for additional details.

## 4.6.2 Analysis of Project Effects and Determination as to Significance

### 4.6.2.1 Guidelines for the Determination of Significance

For purposes of this EIR, the criteria established in Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) will apply to the analysis of direct, indirect, and cumulative impacts. As such, a significant impact to transportation and traffic-related facilities would result if the Project would:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.
- B. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- D. Result in inadequate emergency access.

For Item A, the Project's consistency (i.e., potential conflicts) with relevant programs, plans, ordinances, and/or policies relating to transit, roadway, bicycle, and pedestrian facilities is addressed in this section.

Specific to roadway conflicts, the Project's consistency with the General Plan Mobility and Infrastructure Element will be addressed, as well as consistency with the City's Traffic Impact Analysis Requirements Guidelines. A component of this analysis includes consideration of whether LOS targets identified in the General Plan and Traffic Guidelines would be achieved or whether the Project would conflict with such targets. To assist in that analysis, the Significance Criteria shown in Table 4.6-5 are utilized to assess potential conflicts and related impacts.

**Table 4.6-5  
City of Escondido Transportation Significance Criteria**

Level of Service with Project	Allowable Change due to Project Impact		
	Roadway Segments		Intersections Delay (sec.)
	V/C	Speed (mph)	
D, E, or F	0.02	1	2

**Source:** See Appendix J.

**Notes:** V/C = volume to capacity ratio (use LOS E for capacity).

No significant impact occurs at areas in GP Downtown Specific Area that operate at LOS D or better.

Mitigation measures should also be considered for any segment or intersection operating at LOS F subject to less than significant impact.

As to Item B, as the City has not yet adopted VMT analysis guidelines, including thresholds of significance, for the limited purposes of this EIR, analysis of the Project's impacts relative to VMT was conducted utilizing the recommended methodology and significance thresholds provided in the OPR Technical Advisory, as well as the SANTEC/ITE Guidelines relevant to VMT. Per the San Diego ITE SB 743 Subcommittee guidelines, "The target is to achieve a project VMT per capita or

VMT per employee that is 85% or less of the appropriate average based on suggestions in [the] guidelines. Note that the lead agencies have discretion for choosing a VMT metric and threshold.”

Based on discussions with City staff, in combination with consideration of the OPR Technical Advisory and SANTEC/ITE Guidelines, the Project is presumed to have a less-than-significant impact if the Project VMT per capita is less than 15 percent of the existing City VMT per capita. Thus, the threshold for significance would be exceeded if the Project’s VMT per capita is higher than 85 percent of the Citywide average VMT per capita.

Regarding Items C and D, analysis of design hazards, incompatible uses, and emergency access are evaluated based on a review of the Project by professional transportation engineers and planners.

#### **4.6.2.2 Analysis**

##### **A. *Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

###### General Plan Mobility and Infrastructure Element – Street Network Policies

The City General Plan Mobility and Infrastructure Element sets forth goals and policies regarding the street network. Pursuant to these Policies, an analysis of local traffic impacts and impacts on the regional transportation system is provided below to determine whether the Project would conflict with the target LOS identified in the City’s General Plan and Traffic Guidelines. According to the General Plan Mobility and Infrastructure Element, streets and intersections shall be planned and developed to achieve a minimum LOS C defined by the Highway Capacity Manual as amended or updated, or such other national standard deemed appropriate by the City. The City of Escondido considers LOS D the threshold for unacceptable operations (City of Escondido 2012a). The analysis was prepared using Existing, Opening Year (2022), and Year 2035 conditions.

The analysis presented here also addresses the proposed General Plan Amendment for N. Fig Street and the proposed Specific Alignment Plan for N. Fig Street and Valley Boulevard. Additionally, the Project proposes a network change on Valley Boulevard between E. Valley Parkway and E. Grand Avenue. With this change, the southbound lane on Valley Boulevard would be eliminated and only northbound movements would be allowed on this portion of Valley Boulevard. This section addresses both the near-term and long-term impact due to the rerouting of traffic that would result from this network change. Lastly, the analysis also addresses the downgrade of N. Fig Street from a Collector Street to a Local Collector, as it assumes the implementation of this General Plan Amendment and the associated Local Collector classification.

## Existing + Project Conditions

*Trip Generation*

Trip generation rates for Condominium, Apartment, Commercial Office, Specialty Retail, Strip Commercial, and Delicatessen from the *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, April 2002, by SANDAG were used to estimate the trip generation for the project. As shown in Table 4.6-6, the Project is calculated to generate approximately 4,264 ADT with 327 AM peak hour trips (100 inbound / 208 outbound) and 370 PM peak hour trips (241 inbound / 129 outbound). These are the volumes prior to deducting the existing site trip generation.

**Table 4.6-6  
Project Trip Generation**

Land Use	Size	Daily Trip Ends (ADTs)	
		Rate <sup>a</sup>	Volume
<i>A. Proposed</i>			
<i>Residential</i>			
Apartments	258 DU	6/DU	1,548
Rowhomes	162 DU	8/DU	1,296
Senior Apartments	90 DU	4/DU	360
<i>Subtotal: Residential</i>	<i>510 DU</i>	—	<i>3,204</i>
<i>Commercial</i>			
Collaborative Work-Space (Office) <sup>b</sup>	3,000 SF	20/KSF	60
Retail <sup>c</sup>	2,000 SF	40/KSF <sup>b</sup>	220
Café <sup>d</sup>	2,000 SF	150/KSF <sup>b</sup>	300
Bar / Restaurant <sup>e</sup>	3,000 SF	160/KSF	480
<i>Subtotal: Retail</i>	<i>10,000 SF</i>	—	<i>1,060</i>
<b>Total Proposed</b>	—	—	<b>4,264</b>
<i>B. Land Uses to Be Demolished</i>			
Hospital/Medical Campus <sup>f</sup>	—	—	(2,120)
<b>Net Project</b>	—	—	<b>2,144</b>

**Source:** See Appendix J.

**Notes:** ADT = average daily traffic; SFDU = single-family dwelling unit; DU = dwelling unit; SF = square feet; KSF = thousand square feet; HOA = homeowners' association.

<sup>a</sup> Rates are based on the (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, April 2002, SANDAG.

<sup>b</sup> Rates for a standard Commercial Office are used.

<sup>c</sup> Rates for Specialty Retail / Strip Commercial are used.

<sup>d</sup> Rates for Delicatessen are used. This too will mostly be used by residents. However, members of the public will also be able to use it.

<sup>e</sup> Rates for Restaurant – Sit-Down, High Turnover are used.

<sup>f</sup> Existing land use to be demolished. Trip credit is based on counts conducted in November 2018 at the existing driveways.

Currently, a functioning hospital exists on this site and traffic counts were conducted at 13 driveways to determine the existing traffic generated by the site. As mentioned above,

currently, the site is occupied by the Hospital Campus. Traffic counts were conducted at the existing site driveways in November 2018 to determine the traffic currently generated by the site. As shown in Table 4.6-6, currently, the existing uses on the site generate 2,120 ADT with 160 AM peak hour trips (82 inbound / 78 outbound) and 133 PM peak hour trips (72 inbound / 61 outbound). These trips were deducted from the total Project trips to obtain the net new trips generated by the Project. Considering the existing trips generated at the site, the Project is estimated to generate approximately a net 2,144 ADT with 167 AM peak hour trips (18 inbound / 149 outbound) and 237 PM peak hour trips (169 inbound / 68 outbound).

### *Trip Distribution*

Trip distribution is the process of determining traffic percentage splits on the regional and local roadway network. Trip distribution is determined based on the characteristics of the Project and upon the general location of other land uses to which Project trips would originate or terminate, such as employment, housing, schools, recreation, and shopping. The traffic analysis utilized the SANDAG regional traffic model to establish the regional cordons and distribution. A Series 13 Select Zone Assignment (SZA) was obtained from SANDAG. The distribution percentages were revised based on discussions with City staff. This distribution was developed based on the roadway network, (one-way streets), the location of employment centers, area schools, shopping, desire to access the freeway for work, etc. Broadly, it was assumed that 20% of the Project trips will be oriented west on SR 78, 35% south on I-15, 7% north on I-15 and the remaining will be oriented to destinations within the City of Escondido.

### *Intersections*

Table 4.6-7, Near-Term Intersection Operations, summarizes the AM and PM peak hour intersection operations for Existing + Project conditions. With the addition of Project traffic, the N. Ivy Street / E. Valley Parkway (unsignalized) minor street<sup>2</sup> left-turn movement operates at LOS F during the AM peak hour and the increase due to the Project would be more than 2.0 seconds during the AM peak hour. To provide compliance with the City's General Plan, the Project applicant would either install or fund the cost to install signalization of this intersection to the satisfaction of the City traffic engineer (**Control-Compliance Measure (CM) TR-1**; see Section 2.3.4, Project Design Features and Compliance Measures). As seen in Table 4.6-8, Near-Term Compliance Measure Analysis, with the Project traffic and **CM-TR-1**, the Ivy Street / Valley Parkway intersection would operate at acceptable LOS C or better in the near term. As such, the Project would be consistent with the General Plan's Mobility and

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<sup>2</sup> Minor street at an unsignalized intersection is the street on which traffic is stopped.

Infrastructure Element Policy 7.7 and the associated City Traffic Impact Analysis Requirements Guidelines. Further, CEQA Guidelines Section 15064.3 states “a project’s effect on automobile delay shall not constitute a significant environmental effect.” No significant environmental impact would occur.

### *Segments*

Table 4.6-9, Near-Term Street Segment Operations, summarizes the street segment operations with the addition of Project traffic. The “with Project” scenario assumes the elimination of the southbound movement on Valley Boulevard and the consequent rerouting of this traffic to parallel routes. The Valley Boulevard segment and two segments of E. Grand Avenue would experience a decrease in ADT due to the rerouting of traffic as a consequence of eliminating the southbound movement on Valley Boulevard. With the addition of Project traffic, the E. Valley Parkway, N. Hickory Street to N. Fig Street, would continue to operate at unacceptable LOS (LOS E). The Project increase in the v/c ratio would be less than the allowable 0.02 and the Project would add less than 200 ADT. As such, the Project would not conflict with the General Plan’s Mobility and Infrastructure Element Policy 7.7 and the associated City Traffic Impact Analysis Requirements Guidelines. No significant environmental impact would occur.

**Table 4.6-7  
Near-Term Intersection Operations**

Intersection	Control Type	Peak Hour	Existing		Existing + Project			Potential Conflict?	Opening Year (2022) without Project		Opening Year (2022) with Project			Potential Conflict?
			Delay <sup>a</sup>	LOS	Delay	LOS	$\Delta^b$		Delay	LOS	Delay	LOS	$\Delta^b$	
1. N. Hickory St / E. Washington Ave	Signal	AM	10.4	B	10.8	B	0.4	No	10.4	B	10.8	B	0.4	No
		PM	15.2	B	15.3	B	0.1	No	15.4	B	15.7	B	0.3	No
2. N. Fig St / E. Washington Ave	Signal	AM	51.0	D	51.0	D	0.0	No	54.3	D	54.3	D	0.0	No
		PM	43.5	D	43.6	D	0.1	No	47.0	D	47.0	D	0.0	No
3. N. Juniper St / E. Valley Pkwy	Signal	AM	6.3	A	6.5	A	0.2	No	6.6	A	6.9	A	0.3	No
		PM	5.7	A	5.8	A	0.1	No	6.0	A	6.0	A	0.0	No
4. N. Ivy St / E. Valley Pkwy	TWSC <sup>c</sup>	AM	<b>50.7</b>	<b>F</b>	<b>67.7</b>	<b>F</b>	<b>17.0</b>	<b>Yes</b>	<b>68.5</b>	<b>F</b>	<b>96.9</b>	<b>F</b>	<b>28.4</b>	<b>Yes</b>
		PM	27.2	D	34.3	D	7.1	No	26.3	D	40.0	<b>E</b>	<b>13.7</b>	<b>Yes</b>
5. N. Hickory St / E. Valley Pkwy	Signal	AM	9.4	A	11.4	B	2.0	No	9.4	A	11.2	B	1.8	No
		PM	13.9	B	15.5	B	1.6	No	13.7	B	15.7	B	2.0	No
6. N. Fig St / E. Valley Pkwy	Signal	AM	12.8	B	13.0	B	0.2	No	13.3	B	13.5	B	0.2	No
		PM	13.8	B	14.2	B	0.4	No	14.0	B	14.3	B	0.3	No
7. S. Juniper St / E. Grand Ave	Signal	AM	5.5	A	9.8	A	4.3	No	9.8	A	9.8	A	0.0	No
		PM	7.4	A	10.9	B	3.5	No	10.9	B	11.1	B	0.2	No
8. S. Ivy St / E. Grand Ave	TWSC	AM	21.9	C	23.9	C	2.0	No	18.6	C	25.2	D	6.6	No
		PM	18.4	C	19.3	C	0.9	No	18.6	C	20.2	C	1.6	No
9. Valley Blvd / E. Grand Ave	Signal	AM	20.0	B	19.1	B	-0.9	No	18.5	B	21.6	C	3.1	No
		PM	27.8	C	18.0	B	-9.8	No	17.1	B	18.1	B	1.0	No
10. S. Grape St / E. Grand Ave	TWSC	AM	10.3	B	10.3	B	0.0	No	10.4	B	10.4	B	0.0	No
		PM	12.4	B	12.4	B	0.0	No	12.4	B	12.5	B	0.1	No
11. S. Fig St / E. Grand Ave	Signal	AM	11.2	B	11.5	B	0.3	No	11.2	B	11.9	B	0.7	No
		PM	12.1	B	12.3	B	0.2	No	12.2	B	12.4	B	0.2	No
12. S. Juniper St / E. 2nd Ave	Signal	AM	16.0	B	16.2	B	0.2	No	16.3	B	16.4	B	0.1	No
		PM	16.8	B	17.8	B	1.0	No	17.1	B	17.8	B	0.7	No
13. S. Ivy St / E. 2nd Ave	TWSC	AM	12.8	B	12.8	B	0.0	No	12.8	B	12.9	B	0.1	No
		PM	18.8	C	20.3	C	1.5	No	15.4	C	20.5	C	5.1	No

**Table 4.6-7  
Near-Term Intersection Operations**

Intersection	Control Type	Peak Hour	Existing		Existing + Project			Potential Conflict?	Opening Year (2022) without Project		Opening Year (2022) with Project			Potential Conflict?
			Delay <sup>a</sup>	LOS	Delay	LOS	Δ <sup>b</sup>		Delay	LOS	Delay	LOS	Δ <sup>b</sup>	
14. West Project Dwy / E. Grand Ave	Signal	AM	DNE	DNE	12.8	B	N/A	N/A	DNE	DNE	13.0	B	N/A	N/A
		PM	DNE	DNE	11.1	B	N/A	N/A	DNE	DNE	11.3	B	N/A	N/A
15. East Project Dwy / E. Grand Ave	TWSC	AM	DNE	DNE	12.8	B	N/A	N/A	DNE	DNE	12.9	B	N/A	N/A
		PM	DNE	DNE	11.1	B	N/A	N/A	DNE	DNE	11.3	B	N/A	N/A

Source: See Appendix J.

Notes: LOS = level of service; DNE = does not exist; N/A = not applicable.

<sup>a</sup> Average delay expressed in seconds per vehicle.

<sup>b</sup> Increase in delay due to Project traffic.

<sup>c</sup> TWSC = Minor street left turn delay is reported.

Bold typeface indicates a potentially significant impact.

SIGNALIZED		UNSIGNALIZED	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 45.0	D	25.1 to 35.0	D
45.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F

**Table 4.6-8  
Near-Term Compliance Measure Analysis**

Intersection	Control Type <sup>a</sup>	Peak Hour	Near-Term Direct Impacts							
			Existing + Project				Opening Year (2022) With Project			
			Pre-CM <sup>b</sup>		Post-CM <sup>c</sup>		Pre-CM <sup>b</sup>		Post-CM <sup>c</sup>	
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
4. N. Ivy St / E. Valley Pkwy	Signal (CM-TR-1)	AM	55.9	E	26.5	C	77.4	F	30.5	C
		PM	—	—	—	—	40.0	E	19.2	B

Source: See Appendix J.

Notes: CM = compliance measures; LOS = level of service; N/A = not applicable.

<sup>a</sup> Mitigated traffic control type shown.

<sup>b</sup> Delay and level of service with Project traffic, prior to the implementation of CM.

<sup>c</sup> Delay and level of service with Project traffic and CM.

**Table 4.6-9  
Near-Term Street Segment Operations**

Street Segment	LOS E Capacity <sup>a</sup>	Existing			Existing + Project				Opening Year (2022) without Project			Opening Year (2022) with Project				Potential Conflict?
		Volume	LOS	V/C	Volume	LOS	V/C	$\Delta^b$	Volume	LOS	V/C	Volume	LOS	V/C	$\Delta^b$	
1. <b>N. Juniper St:</b> E. Valley Pkwy to E. Grand Ave	19,000	5,870	A	0.309	6,030	A	0.317	0.008	6,050	A	0.318	6,210	A	0.327	0.008	No
2. <b>S. Juniper St:</b> E. Grand Ave to E. 2nd Ave	19,000	6,810	B	0.358	7,090	B	0.373	0.015	7,010	B	0.369	7,290	B	0.384	0.015	No
3. <b>N. Hickory St:</b> E. Washington Ave to E. Valley Pkwy	10,000	4,810	B	0.481	5,420	B	0.542	0.061	4,950	B	0.495	5,560	C	0.556	0.061	No
4. <b>N. Fig St:</b> E. Washington Ave to E. Valley Pkwy	10,000	7,950	D	0.795	8,000	D	0.800	0.005	8,190	D	0.819	8,240	D	0.824	0.005	No
5. <b>N. Fig St:</b> E. Valley Pkwy to E. Grand Ave	10,000	5,660	C	0.566	5,740	C	0.574	0.008	5,830	C	0.583	5,910	C	0.591	0.008	No
6. <b>Valley Blvd:</b> E. Grand Ave to E. Valley Pkwy <sup>c</sup>	15,000	9,980	C	0.665	9,250	C	0.617	(-) 0.048 <sup>d</sup>	10,280	C	0.685	10,780	C	0.719	0.033	No
7. <b>E. Valley Pkwy:</b> N. Juniper St to N. Ivy St	30,000	14,790	B	0.493	16,495	C	0.550	0.057	15,500	B	0.517	16,100	B	0.537	0.020	No
8. <b>E. Valley Pkwy:</b> N. Ivy St to N. Hickory St	30,000	13,610	B	0.454	15,370	B	0.512	0.058	14,320	B	0.477	14,850	B	0.495	0.018	No
9. <b>E. Valley Pkwy:</b> N. Hickory St to N. Fig St	25,000	23,680	E	0.947	24,010	E	0.960	0.013	24,390	E	0.976	24,720	E	0.989	0.013	No <sup>e</sup>

**Table 4.6-9  
Near-Term Street Segment Operations**

Street Segment	LOS E Capacity <sup>a</sup>	Existing			Existing + Project				Opening Year (2022) without Project			Opening Year (2022) with Project				Potential Conflict?
		Volume	LOS	V/C	Volume	LOS	V/C	$\Delta^b$	Volume	LOS	V/C	Volume	LOS	V/C	$\Delta^b$	
10. <b>E. Grand Ave:</b> Juniper St to Ivy St	20,000	9,550	B	0.478	8,755	B	0.438	(-) 0.040 <sup>d</sup>	9,980	B	0.499	10,290	B	0.515	0.016	No
11. <b>E. Grand Ave:</b> Valley Blvd to S. Grape St	25,000	9,450	A	0.315	8,550	A	0.285	(-) 0.030 <sup>d</sup>	9,880	A	0.329	10,210	A	0.340	0.011	No
12. <b>E. Grand Ave:</b> S. Grape St to S. Fig St	25,000	15,130	B	0.504	15,260	B	0.509	0.005	15,560	B	0.519	15,690	B	0.523	0.004	No
13. <b>E. 2nd Ave:</b> S. Juniper St to S. Ivy St	30,000	13,680	B	0.456	14,350	B	0.478	0.022	14,270	B	0.476	14,940	B	0.498	0.022	No
14. <b>E. 2nd Ave:</b> S. Ivy St to E. Grand Ave	30,000	13,070	B	0.436	13,740	B	0.458	0.022	13,660	B	0.455	14,330	B	0.478	0.022	No

**Source:** See Appendix J.

**Notes:** LOS = level of service; V/C = volume to capacity ratio.

<sup>a</sup> The capacity of the roadway at LOS E.

<sup>b</sup> Change in V/C ratio due to Project traffic.

<sup>c</sup> This roadway is currently a Three-Lane road with two northbound lanes and one southbound lane and has an LOS E capacity of 17,500. With the Project, the southbound lane will be removed and the capacity reduces to 15,000.

<sup>d</sup> (-) indicates a decrease in V/C ratio as a result of rerouting existing traffic due to the elimination of the southbound movement on Valley Boulevard between Valley Parkway and Grand Avenue.

<sup>e</sup> The Project does not have an impact on this segment since the increase in V/C ratio due to Project traffic is less than the allowed 0.02.

### Cumulative Scenarios

The cumulative scenario considers the effects of the Project in combination with other reasonably foreseeable projects in the study area that will add traffic to the local circulation system in the future and, as a result, would the Project's contribution to that increase conflict with relevant programs, plans, ordinances, or policies relating to roadway facilities.

Draft EIR Figure 3-1 depicts the locations of cumulative projects, and Appendix J provides the cumulative projects trip generation numbers. The cumulative projects considered as part of this analysis include:

1. Escondido Gateway Mixed-Use
2. Hotel La Terraza
3. La Terraza Office
4. Touchstone – Aspire<sup>3</sup>
5. Touchstone – The Ivy
6. Starbucks Drive-Through
7. Quince Street Senior Housing
8. Toyota Used Car Dealership
9. Grand Avenue Apartments
10. W. Grand Mixed-Use
11. 2nd Avenue Mixed-Use
12. California Bank and Trust
13. Pine Street Apartments

Two cumulative scenarios are considered in the analysis. The “Opening Year” scenario represents the near-term cumulative conditions. Under this scenario, the traffic generated by the cumulative projects was assigned to the Project study area intersections and segments and then added to the Existing traffic levels (Existing + Cumulative projects) to obtain the Opening Year (2022) traffic volumes. As detailed below, projects located only within the City of Escondido were considered as part of the cumulative analysis (see Figure 3-1). In addition to the Opening Year scenario, a long-term (year 2035) cumulative scenario was also analyzed, using regional projections of future traffic in the Project study area, and considering the impact of Project traffic added to the 2035 conditions.

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<sup>3</sup> Note that this cumulative project was proposed at the time the NOP was prepared for the Project, was denied by the City. It remains included herein to be conservative.

## Opening Year (2022) Without Project Conditions

### *Intersections*

Table 4.6-7, Near-Term Intersection Operations, summarizes the AM and PM peak hour intersection operations for the Opening Year (2022) Without Project conditions. Without the addition of Project traffic, the following signalized intersections or minor street left turn movements at unsignalized intersections would operate at unacceptable LOS per the General Plan:

- **N. Ivy Street / E. Valley Parkway (signalized):** Minor street left-turn movement operates at LOS F during the AM peak hour.

### *Segments*

Table 4.6-9, Near-Term Street Segment Operations, summarizes the street segment operations in Year 2022 without the addition of Project traffic. The Opening Year without Project scenario assumes the elimination of the southbound movement on Valley Boulevard and the consequent rerouting of this traffic to parallel routes. Without the addition of Project traffic, the following study area segment would operate at unacceptable LOS per the General Plan:

- **Valley Parkway:** N. Hickory Street to N. Fig Street (LOS E)

## Opening Year (2022) With Project

### *Intersections*

Table 4.6-7, Near-Term Intersection Operations, summarizes the AM and PM peak hour intersection operations for the Opening Year (2022) With Project conditions. With the addition of Project traffic, the N. Ivy Street / E. Valley Parkway intersection would operate at unacceptable LOS per the General Plan and the increase due to the Project would be more than 2.0 seconds during the AM and PM peak hours. Per **CM-TR-1**, the Project applicant would provide for the signalization of this intersection to the satisfaction of the City traffic engineer (see Section 2.3.4). As seen in Table 4.6-8, with the Project traffic and implementation of **CM-TR-1**, the Ivy Street / Valley Parkway intersection would operate at acceptable LOS C or better in the Opening Year with Project. As such, with implementation of this improvement, the Project would be consistent with the General Plan's Mobility and Infrastructure Element Policy 7.8 and the associated City's Traffic Impact Analysis Requirements Guidelines. Further, CEQA Guidelines Section 15064.3 states "a project's effect on automobile delay shall not constitute a significant environmental effect." No significant environmental impact would occur.

### *Segments*

Table 4.6-9, Near-Term Street Segment Operations, summarizes the AM and PM peak hour intersection operations for the Opening Year (2022) With Project conditions. With the addition of Project traffic, the E. Valley Parkway, N. Hickory Street to N. Fig Street, would operate at unacceptable LOS (LOS E) per the General Plan.

The Project-related increase in the v/c ratio would be less than the allowable 0.02 and the Project would add less than 200 ADT. As such, the Project would be consistent with, and not conflict with, the General Plan's Mobility and Infrastructure Element Policy 7.8 and the associated City's Traffic Impact Analysis Requirements Guidelines. No significant environmental impact would occur.

### *Year 2035 Without Project Conditions*

#### *Traffic Volumes*

The Escondido General Plan Mobility and Infrastructure Element Year 2035 traffic model was utilized for this analysis. Use of this model is somewhat conservative (i.e., may overstate deficiencies) as buildout volumes in other model options were in many cases lower than existing volumes due to transit and transportation demand management assumptions. However, this General Plan model was utilized because it includes the approved land uses associated with the City of Escondido's approved General Plan (adopted in 2012). The Year 2035 baseline volumes and analysis presented here are representative of the operations forecasted per the adopted General Plan, without implementation of the Project.

N. Fig Street is currently classified as a four-lane Collector in the City of Escondido Mobility and Infrastructure Element. A General Plan Amendment (GPA) to downgrade the section of N. Fig Street between E. Valley Parkway and E. Grand Avenue to a two-lane Local Collector (with parking) with a LOS capacity of 10,000 ADT is part of the Project. Therefore, this segment of N. Fig Street is analyzed as a Local Collector (with parking) to assess consistency of this downgrade with the City's General Plan Mobility and Infrastructure Element goals and policies.

#### *Network Conditions*

The traffic model accounts for the Mobility and Infrastructure Element network proposed at buildout of the City's General Plan. For Year 2035 conditions, the City assumes that transportation facilities within the City will be improved to their Mobility and Infrastructure Element classification, if not currently built as such. The City collects impact

fees to fund future improvements, and it is therefore reasonable to assume buildout of the Mobility and Infrastructure Element in long-term traffic analyses.

### *Intersections*

Table 4.6-10, Year 2035 Intersection Operations, summarizes the Year 2035 peak hour intersection operations both with and without Project Conditions. Without the addition of Project traffic, the following intersections would operate at unacceptable LOS per the General Plan:

- **N. Fig Street / W. Washington Avenue:** LOS F during the AM and PM peak hours
- **N. Ivy Street / E. Valley Parkway:** LOS F during the AM and PM peak hours
- **N. Ivy Street / E. Grand Avenue:** LOS F during the AM and PM peak hours
- **N. Ivy Street / E. 2nd Avenue:** LOS E during the PM peak hour

### *Segments*

Table 4.6-11, Year 2035 Street Segment Operations, summarizes the street segment operations in Year 2035 both with and without the addition of Project traffic. The Year 2035 without Project scenario assumes the elimination of the southbound movement on Valley Boulevard and the consequent rerouting of this traffic to parallel routes. Without the addition of Project traffic, the following study area segment would operate at unacceptable LOS per the General Plan:

- **E. Valley Parkway:** N. Hickory Street to N. Fig Street (LOS F)

**Table 4.6-10  
Year 2035 Intersection Operations**

Intersection	Control Type	Peak Hour	Year 2035		Year 2035 + Project			Potential Conflict?
			Delay <sup>a</sup>	LOS	Delay	LOS	$\Delta^b$	
1. N. Hickory St / E. Washington Ave	Signal	AM	30.8	C	31.0	C	0.2	No
		PM	36.8	D	37.7	D	0.9	No
2. N. Fig St / E. Washington Ave	Signal	AM	124.1	F	124.4	F	0.3	No
		PM	208.4	F	208.9	F	0.5	No
3. N. Juniper St / E. Valley Pkwy	Signal	AM	35.7	D	38.6	D	2.9	No
		PM	32.8	C	37.7	C	0.9	No
4. N. Ivy St / E. Valley Pkwy	TWSC <sup>c</sup>	AM	<b>&gt;100.0</b>	<b>F</b>	<b>&gt;100.0</b>	<b>F</b>	<b>&gt;10.0</b>	<b>Yes</b>
		PM	<b>72.4</b>	<b>F</b>	<b>85.9</b>	<b>F</b>	<b>13.5</b>	<b>Yes</b>
5. N. Hickory St / E. Valley Pkwy	Signal	AM	46.0	D	52.6	D	6.6	No
		PM	36.0	D	38.5	D	2.5	No
6. N. Fig St / E. Valley Pkwy	Signal	AM	37.4	D	39.0	D	1.6	No
		PM	41.4	D	43.2	D	1.8	No
7. S. Juniper St / E. Grand Ave	Signal	AM	15.9	B	16.3	B	0.4	No
		PM	17.8	B	18.0	B	0.2	No
8. S. Ivy St / E. Grand Ave	TWSC	AM	<b>&gt;100.0</b>	<b>F</b>	<b>&gt;100.0</b>	<b>F</b>	<b>&gt;10.0</b>	<b>Yes</b>
		PM	<b>&gt;100.0</b>	<b>F</b>	<b>&gt;100.0</b>	<b>F</b>	<b>&gt;10.0</b>	<b>Yes</b>
9. Valley Blvd / E. Grand Ave	Signal	AM	21.9	C	23.1	C	1.2	No
		PM	25.9	C	29.1	C	3.2	No
10. S. Grape St / E. Grand Ave	TWSC	AM	10.7	B	10.7	B	0.0	No
		PM	14.0	B	14.1	B	0.1	No
11. S. Fig St / E. Grand Ave	Signal	AM	15.3	B	15.6	B	0.3	No
		PM	14.0	B	14.2	B	0.2	No
12. S. Juniper St / E. 2nd Ave	Signal	AM	21.6	C	26.8	C	5.2	No
		PM	43.3	D	50.1	D	6.8	No
13. S. Ivy St / E. 2nd Ave	TWSC	AM	14.9	B	17.1	C	2.2	No
		PM	38.9	E	40.4	E	1.5	No

**Table 4.6-10  
Year 2035 Intersection Operations**

Intersection	Control Type	Peak Hour	Year 2035		Year 2035 + Project			Potential Conflict?
			Delay <sup>a</sup>	LOS	Delay	LOS	Δ <sup>b</sup>	
14. West Project Dwy / E. Grand Ave	Signal	AM	DNE	DNE	14.0	B	N/A	N/A
		PM	DNE	DNE	11.6	B	N/A	N/A
15. East Project Dwy / E. Grand Ave	TWSC	AM	DNE	DNE	14.3	B	N/A	N/A
		PM	DNE	DNE	11.7	B	N/A	N/A

Source: Appendix J.

Notes: LOS = level of service; TWSC = two-way stop controlled intersection; DNE = does not exist; N/A = not applicable.

<sup>a</sup> Average delay expressed in seconds per vehicle.

<sup>b</sup> Increase in delay due to Project traffic.

<sup>c</sup> Minor street left-turn delay is reported.

SIGNALIZED		UNSIGNALIZED	
Delay	LOS	Delay	LOS
0.0 ≤ 10.0	A	0.0 ≤ 10.0	A
10.1 to 20.0	B	10.1 to 15.0	B
20.1 to 35.0	C	15.1 to 25.0	C
35.1 to 45.0	D	25.1 to 35.0	D
45.1 to 80.0	E	35.1 to 50.0	E
≥ 80.1	F	≥ 50.1	F

**Table 4.6-11  
Year 2035 Street Segment Operations**

Street Segment	LOS E <sup>a</sup> Capacity	Year 2035			Year 2035 + Project				Potential Conflict Impact?
		ADT	LOS	V/C	ADT	LOS	V/C	$\Delta^b$	
1. <b>N. Juniper St:</b> E. Valley Pkwy to E. Grand Ave	19,000	9,700	B	0.511	9,860	B	0.519	0.008	No
2. <b>S. Juniper St:</b> E. Grand Ave to E. 2nd Ave	19,000	14,000	C	0.737	14,280	D	0.752	0.015	No
3. <b>N. Hickory St:</b> E. Washington Ave to E. Valley Pkwy	15,000	10,600	C	0.707	11,210	C	0.747	0.040	No
4. <b>N. Fig St:</b> E. Washington Ave to E. Valley Pkwy	34,200	20,300	C	0.594	20,350	C	0.595	0.001	No
5. <b>N. Fig St:</b> E. Valley Pkwy to E. Grand Ave	10,000	7,860	D	0.786	7,940	D	0.794	0.008	No
6. <b>Valley Blvd:</b> E. Grand Ave to E. Valley Pkwy	15,000	11,310	D	0.754	11,810	D	0.787	0.033	No
7. <b>E. Valley Pkwy:</b> N. Juniper St to N. Ivy St	30,000	23,600	D	0.787	24,200	D	0.807	0.020	No
8. <b>E. Valley Pkwy:</b> N. Ivy St to N. Hickory St	30,000	23,600	D	0.787	24,130	D	0.804	0.017	No
9. <b>E. Valley Pkwy:</b> N. Hickory St to N. Fig St	37,000	38,800	F	1.049	39,130	F	1.058	0.009	No
10. <b>E. Grand Ave:</b> Juniper St to Ivy St	34,200	24,900	C	0.728	25,210	C	0.737	0.009	No
11. <b>E. Grand Ave:</b> Valley Blvd to S. Grape St	34,200	17,600	B	0.515	17,930	B	0.524	0.009	No
12. <b>E. Grand Ave:</b> S. Grape St to S. Fig St	34,200	17,600	B	0.515	17,730	B	0.518	0.003	No
13. <b>E. 2nd Ave:</b> S. Juniper St to S. Ivy St	30,000	24,300	D	0.810	24,970	D	0.832	0.022	No
14. <b>E. 2nd Ave:</b> S. Ivy St to E. Grand Ave	30,000	24,300	D	0.810	24,970	D	0.832	0.022	No

**Source:** See Appendix J.

**Notes:** LOS = level of service; ADT = average daily trips; V/C = volume to capacity ratio.

<sup>a</sup> The capacity of the roadway at LOS E.

<sup>b</sup> The change in V/C ratio under the Project.

## Year 2035 With Project Conditions

*Intersections*

Table 4.6-10 summarizes the Year 2035 peak hour intersection operations both with and without Project Conditions. With the addition of Project traffic, four intersections would operate at unacceptable LOS per the General Plan, as addressed further below.

Under the Year 2035 with Project Conditions, the N. Fig Street / W. Washington Avenue intersection would operate at LOS F during the AM and PM peak hours with the addition of Project traffic. However, the increase in delay due to Project traffic would be less than 2.0 seconds. As such, the Project would be consistent with the General Plan's Mobility and Infrastructure Element Policy 7.8 and the associated City's Traffic Impact Analysis Requirements Guidelines. No significant environmental impact would occur.

The N. Ivy Street / E. Valley Parkway intersection would operate at LOS F during the AM and PM peak hours with the addition of Project traffic to the Year 2035 conditions, and the Project would add more than 2.0 seconds of delay. Based on the City of Escondido Significance criteria and compliance with the General Plan Mobility and Infrastructure Element Policy 7.8, the Project includes **CM-TR-1** (see Section 2.3.4), which provides improvements to this intersection (Table 4.6-12). As such, the Project would be consistent with the General Plan, Mobility and Infrastructure Element Policy 7.8 and the associated City's Traffic Impact Analysis Requirements Guidelines. Further, CEQA Guidelines Section 15064.3 states "a project's effect on automobile delay shall not constitute a significant environmental effect." No significant environmental impact would occur.

**Table 4.6-12**  
**Long-Term Compliance Measure Analysis**

Intersection	Control Type <sup>a</sup>	Peak Hour	Long-Term Cumulative Impacts			
			Year 2035 With Project			
			Pre-CM <sup>b</sup>		Post-CM <sup>c</sup>	
			Delay	LOS	Delay	LOS
5. N. Ivy St / E. Valley Pkwy	Signal (CM-TR-1)	AM	>100.0	F	35.0	D
		PM	84.9	F	19.9	C
8. N. Ivy St / E. Grand Ave	Signal (CM-TR-2)	AM	>100.0	F	46.1	D
		PM	>100.0	F	23.9	C
Alternate Mitigation	Round-about (CM-TR-2)	AM	>100.0	F	8.7	A
		PM	>100.0	F	10.4	B

Source: See Appendix J.

Notes: CM = compliance measures; LOS = level of service; N/A = not applicable.

<sup>a</sup> Mitigated traffic control type shown.

<sup>b</sup> Delay and level of service with Project traffic, prior to the implementation of CM.

<sup>c</sup> Delay and level of service with Project traffic and CM.

The N. Ivy Street / E. Grand Avenue intersection would operate at LOS F during the AM and PM peak hours with the addition of Project traffic to the Year 2035 condition, and the Project would add more than 2.0 seconds of delay. Based on the City of Escondido Significance criteria and compliance with the General Plan Mobility and Infrastructure Element Policy 7.8, the Project includes **CM-TR-2**, which provides a fair-share contribution towards improvements to this intersection (see Section 2.3.4). As such, the Project would be consistent with the General Plan, Mobility and Infrastructure Element Policy 7.8 and the associated City's Traffic Impact Analysis Requirements Guidelines. Further, CEQA Guidelines Section 15064.3 states "a project's effect on automobile delay shall not constitute a significant environmental effect." No significant environmental impact would occur.

The N. Ivy Street / E. 2nd Avenue intersection would operate at LOS E during the PM peak hour with the addition of Project traffic to the Year 2035 condition. The increase in delay due to Project traffic would be less than 2.0 seconds. As such, the Project would be consistent with the General Plan's Mobility and Infrastructure Element Policy 7.8 and the associated City's Traffic Impact Analysis Requirements Guidelines. No significant environmental impact would occur.

### *Segments*

Table 4.6-11, Year 2035 Street Segment Operations, summarizes the street segment operations in Year 2035 both with and without the addition of Project traffic. With the addition of Project traffic, the E. Valley Parkway, N. Hickory Street to N. Fig Street, segment would operate at unacceptable LOS (LOS F) per the General Plan. The Project would result in less than the allowable 0.02 v/c increase and the Project would add less than 200 ADT. As such, the Project would not conflict with the General Plan's Mobility and Infrastructure Element Policy 7.8 and the associated City's Traffic Impact Analysis Requirements Guidelines. No significant environmental impact would occur.

### General Plan Mobility and Infrastructure Element – Complete Streets, Pedestrian Network, Bicycle Network, and Transit System Policies

As discussed in Section 4.6.1.2, the General Plan Mobility and Infrastructure Element includes goals and policies related to complete streets, pedestrian network, bicycle network, and transit system. Consistent with these goals and policies, the Project would include multi-modal transportation improvements such as a public transit bus-turn out and passenger loading/unloading spaces for ride-share services (such as Lyft and Uber) on the north side of Valley Boulevard (**PDF-TR-1**; see Section 2.3.4). Additionally, a bike lane and pedestrian sidewalks would be provided along Valley Boulevard (**PDF-TR-2**; see Section 2.3.4). Refer to Figure 2-8, Valley Boulevard Conceptual Plan. The proposed

multi-modal transportation improvements would promote pedestrian and bikeway connections to the downtown area. Furthermore, in addition to the numerous bus routes described in Section 4.6.1.1, the Escondido Transit Center is located less than one mile (0.9 mile west) from the Project site and would be accessible to/from the Project site by bus, bicycle, or walking, and would provide greater transit access throughout the County via the NCTD Sprinter Rail (Figure 4.6-1). As such, the Project would be consistent with and not conflict with the goals in the Mobility and Infrastructure Element of the City's General Plan related to the promotion of alternative transportation modes, including transit, and walking. Refer to Appendix H, City of Escondido Plan Consistency Analysis., for additional details. Therefore, impacts would be **less than significant**.

***B. Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?***

As previously discussed, CEQA Guidelines Section 15064.3 replaces LOS with VMT as the appropriate metric to be used in assessing a project's transportation related impacts. While lead agencies are not required to comply with the provisions of Section 15064.3 until July 1, 2020, a lead agency may elect to be governed by its provisions immediately. The City of Escondido has elected to apply this provision to this Project (ahead of the standard schedule) and has directed this analysis follow the OPR's Technical Advisory and the SANTEC/ITE guidelines.

A detailed VMT analysis was conducted based on a combination of both OPR's guidelines and the San Diego ITE SB 743 Subcommittee guidelines. As previously noted, for purposes of this Project VMT impacts are assessed by comparing the Project's VMT per capita (i.e., per resident) with the existing VMT per capita. If the Project's VMT per capita is 15% or more below the existing VMT per capita, impacts are less than significant; on the other hand, if the Project's VMT per capita is less than 15% below existing, impacts are significant.

In order to calculate the existing baseline VMT per capita, the VMT average trip lengths were determined. Table 4.6-1-summarizes the baseline VMT results provided by SANDAG using the Series 13 model. As seen in Table 4.6-1, the existing baseline for the San Diego region is 17.53 VMT per capita. The City of Escondido VMT per capita is 15.29 per resident. For the purpose of evaluating VMT consistent with the guidelines, the Project VMT per capita would need to be 85% below the Citywide average, which equates to 13.01 VMT per capita (resident).

As to the Project VMT per capita, the Project would generate a total of 7,840 trips with a total of 21,772 vehicle miles traveled (Table 4.6-13, Vehicle Miles Traveled Analysis). Considering the Project would generate about 2,193 residents, the Project VMT per capita

would be 9.93. This number is below the significance threshold of 13.01. Thus, the Project would be consistent with the OPR and San Diego ITE guidelines and the Project impacts relative to VMT would be **less than significant**.

**Table 4.6-13**  
**Vehicle Miles Traveled Analysis**

Scenario	Residents	Total Trips	VMT	VMT Per Capita	85%
Regionwide (2012)	3,129,417	11,211,651	54,858,289	17.53	14.90
City (2012)	146,057	514,234	2,233,878	15.29	13.01
Project (2025)	2,193	7,840	21,772	9.93	—

Source: Appendix J.

**C. *Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

The Project site would link to the existing circulation system and would connect to existing infrastructure and utilities. No extensions or expansion of infrastructure systems are anticipated to be necessary to serve the Project. The Project would make improvements to Valley Boulevard, E. Grand Avenue, and N. Fig Street. The Valley Boulevard improvements would include the removal of the existing southbound lane, as previously discussed. Access to the Project site would be provided at the following locations, as shown on Figure 4.6-2, Project Vehicular Access:

- **E. Valley Parkway / N. Hickory Street**

A full signalized access is proposed at this intersection. This would form the main vehicular access to the Project site.

- **E. Grand Avenue Parkway / West Project Access**

A proposed Minor-Street-Stop-Controlled (MSSC) intersection with right-in / right-out and left-in only movements permitted. A raised median would be provided by the Project on E. Grand Avenue to allow left-turns into and prevent left-turns out of this driveway.

- **E. Grand Avenue Parkway / East Project Access**

A proposed Minor-Street-Stop-Controlled (MSSC) intersection with right-in / right-out only movements permitted. A raised median would be provided by the Project on E. Grand Avenue to allow only right-turns into and out of this driveway

- **E. Grand Avenue Parkway / Senior Apartment Access**

The senior apartment access would be provided in the existing alleyway accessing E. Valley Parkway.

The Project would also include multi-modal transportation improvements such as a public transit bus-turn out and pick-up/drop-off spaces for ride-share services (such as Lift and Uber) at the northeast corner of Valley Boulevard and E. Grand Avenue, and a bike lane along Valley Boulevard, improving the safety and circulation of traffic on streets surrounding the Project site. The Project roadways have been designed to City Design Standards and Standard Drawings design requirements and have been reviewed by the City Traffic Engineering staff for safety (City of Escondido 2014). With the Project's proposed improvements, the Project would not substantially increase hazards due to a geometric design feature or incompatible use, and impacts would be **less than significant**.

**D. *Would the Project result in inadequate emergency access?***

As described above, the Project would include four access points (see Figure 4.6-2, Project Vehicular Access). Primary access would be provided by a newly proposed, fully signalized intersection at E. Valley Parkway / N. Hickory Street. Two Minor-Street-Stop-Controlled (MSSC) intersections with adjacent raised medians would be provided at the east and west project driveways. Access to the senior apartments would be provided by the existing alleyway from E. Valley Parkway. Emergency roadways have been designed to City Design Standards and Standard Drawings emergency access requirements (City of Escondido 2014). Access to the Project site would allow for emergency egress for residents in an emergency event, as well as alternative ingress and egress for emergency responders.

Existing access to the Project area for emergency service providers would be maintained during construction and operation. The project would include a Traffic Control Plan (**CM-TR-3**; see Section 2.3.4) to ensure through access is adequately maintained during construction. Also, it is important to note that emergency vehicles have the right-of-way and therefore are able to bypass traffic when driving to their destination when responding to a call for emergency services. Additionally, it should be noted that the traffic control plan required by the City for construction activities would outline all requirements to ensure that emergency access is maintained at all times and that Project construction would not impact acceptable response times. The traffic control plan would require coordination and notification of emergency service providers. This would allow emergency egress for residents in an emergency event, as well as alternative ingress and egress for emergency responders. These alternative access routes may also provide emergency access for existing development, depending on the type and location of an emergency event. Thus, impacts on emergency access would be **less than significant**.

### 4.6.3 Cumulative Impact Analysis

The analysis presented in Section 4.6.2.3 includes consideration of the cumulative impacts of the Project due to the nature of the analysis. More specifically, the General Plan consistency analysis addresses the cumulative roadway and intersection conditions, including Opening Year and Year 2035. As described above, the Project would be consistent with General Plan Mobility and Infrastructure Policy 7.8, which requires a regional transportation analysis to address cumulative impacts, and the City's related Traffic Guidelines. Further, the VMT analysis presented above also considers the cumulative regional conditions in addition to the local conditions. As indicated, the Project's average VMT of 9.93 would be more than 15% below the region's average VMT of 17.53 and, therefore, in conformance with OPR's VMT reduction guidelines. Regarding cumulative transportation hazards and emergency access, the Project's infrastructure improvements would be in accordance with the City standards and adequacy review process, as would other cumulative projects in the area (Figure 3-1). As such, no cumulative impact to traffic hazards or emergency access are anticipated. Overall, cumulative transportation impacts would be **less than significant**.

### 4.6.4 Significance of Impacts Prior to Mitigation

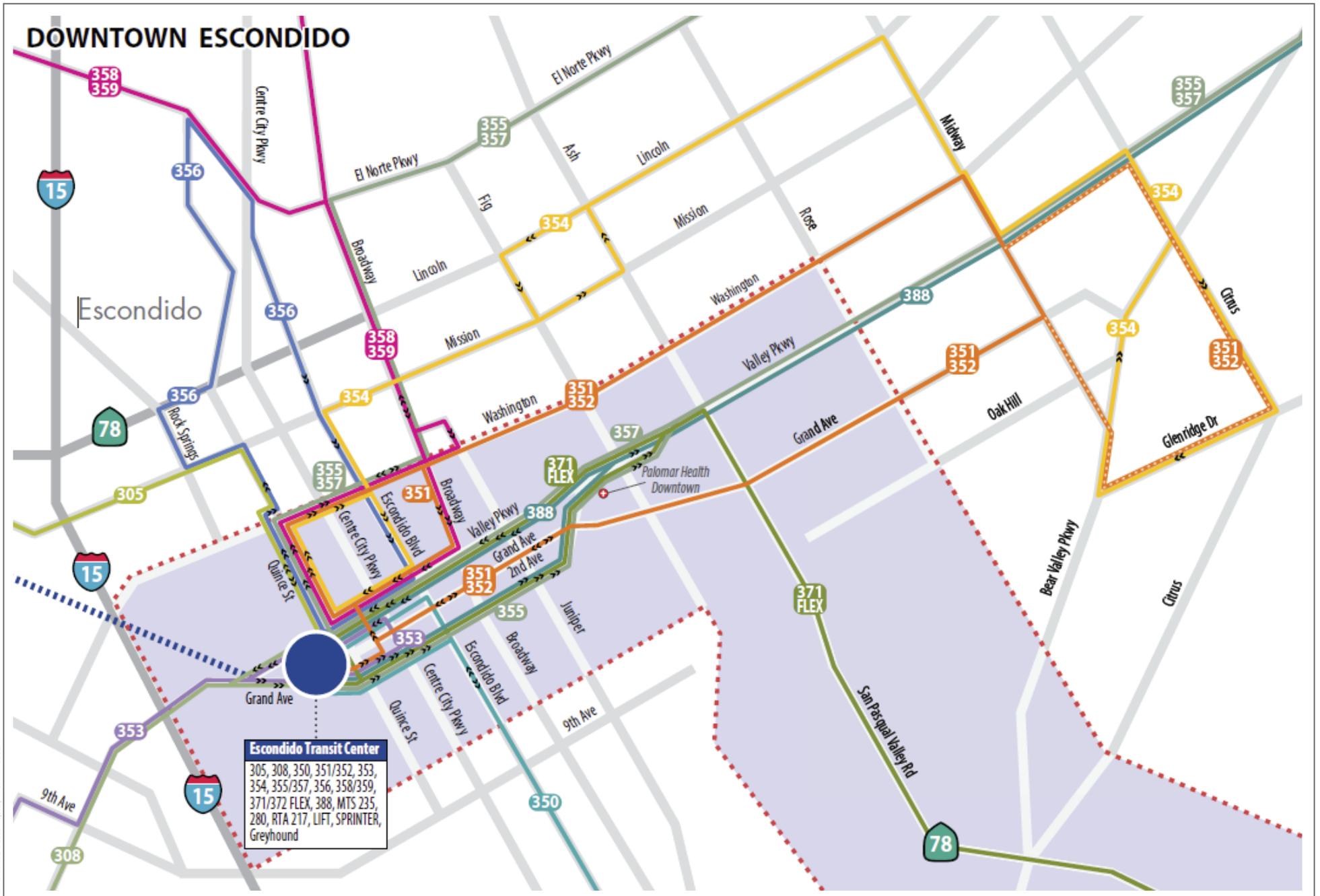
As analyzed above, the Project would result in **less than significant impacts** related to transportation.

### 4.6.5 Mitigation

Because no significant impacts were identified related to transportation, no mitigation is required.

### 4.6.6 Significance of Impacts After Mitigation

All impacts related to transportation would be **less than significant**.



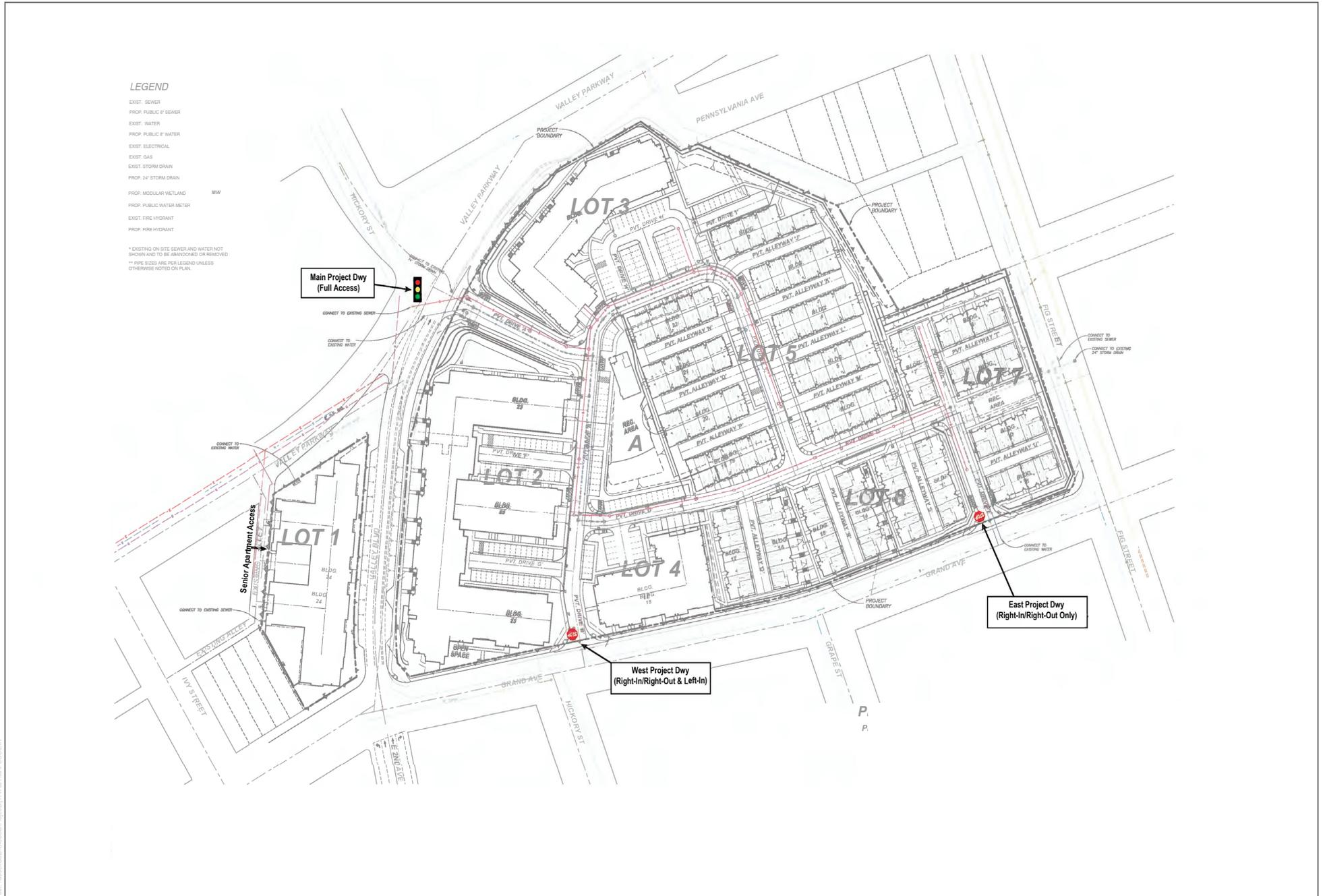
SOURCE: North County Transit District, 2019

**FIGURE 4.6-1**  
 Transit Service  
 Palomar Heights

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SOURCE: Linscott, Law & Greenspan, Engineers 2019

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## 4.7 TRIBAL CULTURAL RESOURCES

This section describes the existing setting for tribal cultural resources (TCRs), identifies associated regulatory requirements, evaluates potential impacts, and establishes mitigation measures related to implementation of the Palomar Heights Project (Project). The following analysis is based on the *Negative Cultural Resources Letter Report for the Palomar Heights Project* prepared by Dudek in July 2019, as well as tribal consultation completed between the City of Escondido (City) and the Rincon Band of Luiseño Indians. The letter report is included as Appendix C of this Environmental Impact Report (EIR).

### 4.7.1 Existing Conditions

#### 4.7.1.1 Environmental Setting

Refer to Section 4.2, Cultural Resources, and Appendices C and D of this EIR for a full discussion regarding the existing cultural and historical setting of the Project.

South Coastal Information Center staff conducted a records search of the proposed development including a 1-mile-radius buffer. The records search did not identify any cultural resources within the Project area; however, 814 cultural resources were identified within the 1-mile radius. As part of the process of identifying cultural resources within or near the Project site, Dudek contacted the Native American Heritage Commission (NAHC) to request a review of the Sacred Lands Files. A pedestrian survey was conducted by Dudek on June 20, 2019, using standard archaeological procedures and techniques that meet the Secretary of the Interior's standards and guidelines for cultural resources inventory. The Project area has been completely developed for the Palomar Health Downtown Campus Hospital, medical offices, commercial uses, parking lots, and landscaping. No archaeological resources were identified during the field survey. However, there is moderate sensitivity for intact subsurface archaeological deposits. Development within the Project area occurred prior to any formal archaeological studies and the extent (particularly depth) of grading and excavation within the Project area is unknown at this time. Therefore, it is possible that cultural resources may be preserved below the current structures and existing ground surface within the Project site.

#### 4.7.1.2 Tribal Coordination and Consultation

The Project requires tribal consultation pursuant to Assembly Bill (AB) 52 as well as Senate Bill (SB) 18. The City provided AB 52 consultation notification to Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, Mesa Grande Band of Mission Indians, and Soboba Band of Luiseño Indians on August 2, 2019. In addition, SB 18 consultation notification was provided to 25 tribes on August 2, 2019. To date, the City has received one request for consultation pursuant to AB 52/SB 18. The request was formally made by the Rincon Band of Luiseño Indians and the

City responded to the Tribe's request for consultation. The Agua Caliente Band of Cahuilla Indians submitted a letter in response to the City's SB 18 notification letter and indicated that the Project site is not located within the Tribe's Traditional Use Area. Therefore, they deferred to the other Tribes in the area. AB 52 consultation between the City and the Rincon Band of Luiseño Indians is in process and currently ongoing.

#### 4.7.1.3 Tribal Cultural Resources

During consultation under AB 52, no TCRs were identified that have the potential to be impacted by the Project. The request for consultation letter from Rincon Band of Luiseño Indians indicates that Rincon has knowledge of one Luiseño Traditional Cultural Place (TCP), *Chaymay*, within a 1-mile radius of the Project site.

#### 4.7.1.4 Regulatory Setting

##### State

California Register of Historical Resources and the California Environmental Quality Act

CEQA requires that all private and public activities not specifically exempted be evaluated against the potential for environmental damage, including effects to historical resources. Historical resources are recognized as part of the environment under CEQA. The act defines historical resources as "any object, building, structure, site, area, or place that is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code Section 5020.1[j]).

Lead agencies have a responsibility to evaluate historical resources against the California Register of Historical Resources (CRHR) criteria prior to making a finding as to a proposed project's impacts to historical resources. Mitigation of adverse impacts is required if the proposed project will cause substantial adverse change. Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired. While demolition and destruction are fairly obvious significant impacts, it is more difficult to assess when change, alteration, or relocation crosses the threshold of substantial adverse change. The CEQA Guidelines provide that a project that demolishes or alters those physical characteristics of a historical resource that convey its historical significance (i.e., its character-defining features) is considered to materially impair the resource's significance. The CRHR is used in the consideration of historical resources relative to significance for purposes of CEQA. The CRHR includes resources listed in or formally determined eligible for listing in the National Register of Historic Places and some California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources

inventory may be eligible for listing in the CRHR, and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise.

Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the CRHR (California Public Resources Code Section 5024.1; 14 CCR 4852), which include the following:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
- It is associated with the lives of persons important to local, California, or national history; or
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; or
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

#### Senate Bill 18

The Traditional Tribal Cultural Places Bill of 2004 (SB 18) requires local governments to consult with Native American tribes during the project planning process. The intent of this legislation is to encourage consultation and assist in the preservation of “Native American places of prehistoric, archaeological, cultural, spiritual, and ceremonial importance” (California Legislative Information, 2004). The purpose of this consultation is to protect the identity of the cultural place and to develop appropriate and dignified treatment of the cultural resource. The consultation is required whenever a General Plan, General Plan Amendment, Specific Plan, Specific Plan Amendment, or Open Space Element is proposed for adoption. As part of the planning process, California Native American tribes must be given the opportunity to consult with the lead agency for the purpose of preserving, mitigating impacts to, and identifying cultural places.

#### Assembly Bill 52

AB 52, which took effect July 1, 2015, establishes a consultation process between California Native American tribes and lead agencies in order to address tribal concerns regarding project impacts and mitigation to TCRs. California Public Resources Code Section 21074(a) defines TCRs and states that a project that has the potential to cause a substantial adverse change to a TCR is a project that may have an adverse effect on the environment. A TCR is defined as a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American tribe that is either (1) listed or eligible for listing in the CRHR or a local register of historical resources, or (2) determined by a lead agency to be a TCR.

### Native American Historic Resource Protection Act

State law addresses the disposition of Native American burials in archaeological sites, and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act (California Public Resources Code Section 5097 et seq.) makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy a Native American historic or cultural site that is listed or may be eligible for listing in the CRHR.

### California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (California Repatriation Act) (25 USC, Chapter 32), enacted in 2001, requires all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

### California Health and Safety Code Section 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains can occur until the County Coroner has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe that the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the most likely descendant, and with the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the most likely descendant by the NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

## 4.7.2 Analysis of Project Effects and Determination as to Significance

### 4.7.2.1 Guidelines for the Determination of Significance

The significance criteria used to evaluate the Project impacts to TCRs are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to TCRs would occur if the Project would result in:

- A. A substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
  - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

### 4.7.2.2 Analysis

- A. ***Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:***
  - i. ***Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?***

No tribal historical resources, as defined by California Public Resources Code Section 5020.1(k), are present within areas that would be impacted by the Project. Impacts to historical TCRs would be **less than significant**. As discussed in Section 4.2 of this EIR, the Project would result in a less than significant impact to a significant historical resource after mitigation. Refer to Section 4.2 for additional details.

- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

No TCRs have been identified that could be impacted by the Project through consultation with traditionally geographically affiliated California Native American Tribes. As indicated in Section 4.7.1, the City has received one request for consultation under AB 52 by the Rincon Band of Luiseño Indians. The Rincon Band of Luiseño Indians have identified a Luiseño TCP, *Chaymay*, within 1 mile of the Project. Considering the site is already developed along with the surrounding area, the Project is not anticipated to affect this TCP. As indicated in Section 4.7.1, there is a moderate potential for unknown subsurface TCRs to be present on site. Proposed grading activities have potential to result in **potentially significant impacts (Impact TC-1)** to unknown subsurface TCRs.

### 4.7.3 Cumulative Impact Analysis

A cumulative impact, in terms of TCRs, refers to the mounting aggregate effect on TCRs due to modern or recent historic land use, such as residential development, and natural processes, such as erosion, that result from acts of man. The issue that must be explored in a cumulative impact analysis is the aggregate loss of TCRs, including impacts to TCPs.

#### Historic Resources

No historic tribal resources have been identified on the site or are expected to occur. The site is currently developed, and the proposed redevelopment of the site is not anticipated to contribute to any historic tribal resource impact. Thus, the Project would have a **less than significant cumulative impact** related to historic tribal resources.

#### Tribal Cultural Resource

Cumulative projects located in the region would have the potential to result in a cumulative impact associated with the loss of TCRs through development activities that could cause a substantial adverse change in the significance of a TCR. Cumulative projects that involve ground-disturbing activities within previously undisturbed soils would have the potential to result in significant impacts to TCRs. These projects would be regulated by applicable federal, state, and local regulations; however, the loss of TCRs on a regional level may not be adequately mitigated through the data recovery and collection methods specified in these regulations, as their value may also lie in cultural mores and religious beliefs of applicable groups. Therefore, the cumulative destruction of significant TCRs from planned construction and development projects within the region would

be cumulatively significant. Additionally, past projects involving development and construction have already impacted TCRs within the region. Therefore, cumulative projects in the area would also likely have the potential to impact known and previously unknown TCRs. Thus, the Project, in combination with the identified cumulative projects, would have the potential to result in a **significant cumulative impact** associated with TCRs (**Impact TC-CUM-1**).

#### 4.7.4 Significance of Impacts Prior to Mitigation

**Impact TC-1** There is a moderate potential for unknown subsurface TCRs to be present on site. Proposed grading activities have potential to result in impacts to unknown subsurface TCRs. In the event that any previously undetected TCRs are encountered, impacts associated with TCRs would be potentially significant.

**Impact TC-CUM-1** Cumulative projects located in the region would have the potential to result in a cumulative impact associated with the loss of TCRs through development activities that could cause a substantial adverse change in the significance of a TCR. In the event that any previously undetected TCRs are encountered, the Project in combination with the identified cumulative projects would have the potential to result in a significant cumulative impact associated with TCRs.

#### 4.7.5 Mitigation

**Mitigation measure (M) CR-26 to M-CR-1511**, identified in Section 4.2, would reduce **Impacts TC-1 and TC-CUM-1**.

#### 4.7.6 Significance of Impacts After Mitigation

Implementation of **M-CR-62** through **M-CR-1511** would reduce **Impact TC-1** and **Impact TC-CUM-1** to a less than significant level. These mitigation measures would do so by detailing the authority the qualified archaeologist and Native American monitor that is traditionally and culturally affiliated with the Project location to evaluate the site in the event that a previously unidentified resource is discovered, by establishing protocol in the case of a potentially significant evaluation of a cultural resource, and by requiring a comprehensive monitoring program and report. Furthermore, these preventive mitigation measures would help ensure that proper measures have been taken to lessen the potential for adverse impacts to previously undiscovered cultural resources and ensure compliance with California Health and Safety Code Section 7050.5 to provide proper treatment of potential Native American remains. Refer to Section 4.2.6 for additional details. Impacts to TCRs would be less than significant, with incorporation of **M-CR-62** to **M-CR-1511**.

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## CHAPTER 5            EFFECTS NOT FOUND TO BE SIGNIFICANT

### **5.1            Introduction**

This chapter is broken down into sections that analyze potential impacts resulting from implementation of the Palomar Heights Project (Project) and applicable cumulative projects. Appendix G of the California Environmental Quality Act (CEQA) Guidelines has been used as the basis for this analysis. The analysis is based on relevant technical reports prepared for the Project, and is focused on consistency with the goals established in the *City of Escondido General Plan* (General Plan; City of Escondido 2012a).

The following sections of this chapter address environmental issue areas that have been found to be less than significant without mitigation:

- 5.2.1 Aesthetics
- 5.2.2 Agriculture and Forestry Resources
- 5.2.3 Air Quality
- 5.2.4 Energy
- 5.2.5 Geology and Soils
- 5.2.6 Greenhouse Gas Emissions
- 5.2.7 Hydrology and Water Quality
- 5.2.8 Mineral Resources
- 5.2.9 Population and Housing
- 5.2.10 Public Services
- 5.2.11 Recreation
- 5.2.12 Utilities and Service Systems
- 5.2.13 Wildfire

In addition, impacts related to land use and planning, and transportation were ultimately determined to be less than significant as well. Those topics are addressed in EIR Section 4.4, Land Use and Planning, and Section 4.6, Transportation.

## **5.2 Analysis of Effects Not Found to Be Significant**

### **5.2.1 Aesthetics**

#### **5.2.1.1 Guidelines for the Determination of Significance**

This section addresses the potential aesthetics and visual resources impacts associated with implementation of the Project. The analysis is based on a review of existing resources, technical data, and applicable laws, regulations, and guidelines. The information presented in this section was collected from a number of sources, including the City's General Plan (City of Escondido 2012a). A significant impact to aesthetics and visual resources would result if the Project would:

- A. Have a substantial adverse effect on a scenic vista.
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from [a] publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?
- D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

#### **5.2.1.2 Analysis**

##### **A. *Would the Project have a substantial adverse effect on a scenic vista?***

The General Plan emphasizes the protection of viewsheds that serve as a scenic amenity and contribute to the quality of life for City residents. Valuable scenic vistas include those of hillsides, ridgelines, unique landforms, open space, agricultural areas, and bodies of water. The City does not specifically designate scenic vistas. Although not officially designated, major roads in the City include I-15, Del Dios Highway, Centre City Parkway, Bear Valley Parkway, North Broadway, El Norte Parkway, and Valley Parkway and major public open space areas, including Lake Hodges Reservoir, Lake Wohlford, Lake Dixon, Daley Ranch and Kit Carson Park. Due to its distance and intervening topography, the Project site is not visible from any of these major roads or open space areas, with the exception of Valley Parkway which borders the northern boundary of the Project site.

Renderings of the Project were completed from various key viewpoints (KVPs) where the site is visible. The key location map is shown in Figure 5.2.1-1, Key Viewpoints Location Map, with the existing views and views with the Project shown in Figures 5.2.1-2 to 5.2.1-7. The view shown on Figure 5.2.1-6, Key Viewpoint 5 – W. Valley Parkway and N.

Broadway (Escondido City Hall), illustrates the view from W. Valley Parkway. As further discussed in Section 5.2.1.2(C), the Project site would be visible looking east along W. Valley Parkway. As shown, the Project would blend with the existing development along W. Valley Parkway and would appear to be an extension of the highly developed Downtown environment.

Centre City Parkway and North Broadway are located approximately 0.75 miles and 0.4 miles west of the Project site, respectively. However, the existing urban development characterizing the downtown Escondido area blocks views of the Project site from these roadways. Other major roadways and open space areas previously mentioned are not located within the Project area, and the Project would not obstruct views of these areas.

The Project site is elevated, which is characteristic of much of the surrounding topography. While the current Palomar Health Downtown Campus (Hospital Campus) includes the nine-story McLeod Tower, the proposed structures would range from one to five stories, with heights ranging from 35 feet to 75 feet. The proposed tower would be 75 feet tall, consistent with the Downtown Specific Plan height limit of 75 feet. The proposed senior apartments would not exceed the 60-foot Downtown Specific Plan height limit for that portion of the Project site. The lower profile of the Project relative to the existing structure would be more consistent with the height and scale of surrounding developments. Considering the Project would be at a reduced elevation relative to the existing McLeod Tower, the Project would not substantially interrupt or obstruct available views from any scenic vistas. No designated scenic vistas would be impacted by the Project. Thus, impacts to scenic vistas would be **less than significant**.

***B. Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

There are no officially designated or eligible highways within the City. The closest State Scenic Highway is SR-78 through the Anza-Borrego Desert State Park, over 30 miles east of the City. Therefore, **no impacts** to scenic resources within a State Scenic Highway would occur.

***C. In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from [a] publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?***

CEQA Section 21071 defines an “urbanized area” as “(a) an incorporated city that meets either of the following criteria: (1) Has a population of at least 100,000 persons, or (2) Has

a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons.” As of July 1, 2018, the U.S. Census Bureau estimated the population of Escondido to be 152,213 persons (U.S. Census Bureau 2018). Therefore, the City would be considered an urbanized area per CEQA and the first question of this threshold does not apply to the Project, as it is directed at non-urbanized areas.

As discussed in Chapter 2, Project Description, the Project site is zoned Specific Plan (S-P). The plans were reviewed and a consistency analysis was conducted to determine whether the Project would be inconsistent with the applicable, adopted plans (see Appendix H, City of Escondido General Plan Policy Consistency Analysis Table). As discussed in Appendix H, the Project would not conflict with applicable zoning regulations or any other regulations governing scenic quality within the City’s General Plan.

The Project is subject to the Downtown Specific Plan (City of Escondido 2013), which includes a number of policies regarding visual quality. The Project would be consistent with this plan, with the exception of parking and the requested Specific Plan Amendment to allow ground-floor residential uses through a Planned Development Permit process. The proposed provision of ground-floor residential uses and reducing the parking requirement would not negatively affect the scenic visual quality of the area relative to the existing conditions, as shown in Figures 5.2.1-2 to 5.2.1-7. The replacement of the Hospital Campus with the proposed mixed-use commercial and residential development would increase the downtown feel of the area consistent with the intent of the Downtown Specific Plan. The Project proposes a 75-foot Commercial Tower located on the northeastern corner of E. Grand Avenue and Valley Boulevard. The intent of this tower is to be a visual landmark, and it would be a visually prominent Project feature to attract people and demarcate the proposed commercial uses. While visually prominent, this tower would be consistent with the Downtown Specific Plan’s Sense of Place Policy as well as the 75-foot height limit applicable to that portion of the Project site. The plaza area would also be developed to include public art, seating, and landscaping intended to provide pedestrian orientation focused at E. Grand Avenue consistent with the Downtown Specific Plan Building Orientation, Complete Streets Policy, and Pedestrian-Oriented Environment Smart Growth Policies (Figure 5.2.1-7, Key Viewpoint 6 – N. Juniper Street and E. Grand Avenue-). The variety of housing types provided also promotes visual interest as well as allows for a visual transition from the downtown area to the less dense area to the east, consistent with the Housing Smart Growth Policy. Overall, the Project would be consistent with the visual quality regulations included in the Downtown Specific Plan.

Therefore, Project impacts related to a conflict with applicable zoning and other regulations governing scenic quality would be **less than significant**.

The following discussion provides a description of the visual simulations prepared to help conceptualize views of the Project from surrounding public KVPs. The following discussion is for informational purposes only and is not required by CEQA for determination of environmental impacts, as the Project site is located in an urbanized area and visual impacts area assessed based on compliance with regulations as discussed above. Locations of each KVP are provided on Figure 5.2.1-1, with the views subsequently shown on Figures 5.2.1-2 to 5.2.1-7.

**KVP-1:** As depicted on Figure 5.2-2, Key Viewpoint 1 – E. Grand Avenue and Valley Boulevard, KVP-1 is located at the intersection of E. Grand Avenue and Valley Boulevard looking northeast at the Project. Currently this view consists of the existing Hospital Campus, including McLeod Tower, and open green space in the foreground adjacent to Valley Boulevard. As shown in the visual simulation, the primary views from this location would be of the commercial space, tower, and residences along E. Grand Avenue with the implementation of the Project. Specifically, the apartment residences are visible beyond the tower. Additionally, proposed landscaping along E. Grand Avenue is shown from KVP-1. The Project would result in development adjacent to the roadway, which would change views of the foreground to consist of the commercial space, tower, and residences rather than the existing open grass area. The proposed tower would be smaller in height than the existing McLeod Tower.

**KVP-2:** As depicted in Figure 5.2-3, Key Viewpoint 2 – S. Hickory Street and 2nd Avenue, KVP-2 is located at the intersection of S. Hickory Street and 2nd Avenue looking northeast at the Project. Currently this view consists of the existing Hospital Campus, including the McLeod Tower. As shown in the visual simulation, the primary views from this location would be of the apartments along E. Grand Avenue. Additionally, the villa residences are visible beyond the apartments. Proposed landscaping along E. Grand Avenue is also shown from KVP-2. The Project would result in taller development adjacent to E. Grand Avenue, as the existing Hospital Campus rises in height further into the Project site. However, the Project would also be smaller in height than the existing McLeod Tower.

**KVP-3:** As depicted in Figure 5.2-4, Key Viewpoint 3 – N. Fig Street and E. Ohio Avenue, KVP-3 is located at the intersection of N. Fig Street and E. Ohio Avenue looking west at the Project. Currently, this view consists of landscaping and parking areas adjacent to N. Fig Street. The McLeod Tower can also be seen beyond the existing trees. As shown in the visual simulation, the primary views from this location would be of the proposed villas along N. Fig Street. Additionally, proposed rowhomes would be seen in the background, beyond the existing development along N. Fig Street. Proposed landscaping along N. Fig Street is also shown from KVP-3. The Project would result in development of three-story villas adjacent to N. Fig Street at a higher elevation than the existing buildings, which

would result in the site appearing denser than the existing Hospital Campus. However, the proposed development along this area of the site would be less dense than the development proposed along Valley Boulevard, which would provide a transition between the downtown area and the lower density area to the east.

**KVP-4:** As depicted in Figure 5.2-5, Key Viewpoint 4 – N. Hickory Street and E. Valley Parkway, KVP-4 is located approximately 200 feet northeast of the intersection of N. Hickory Street and E. Valley Parkway looking south at the Project. Currently, this view consists of large trees on the Project site adjacent to E. Valley Parkway as well as the low-profile single-story vacant commercial building on site in the center of the view. As shown in the visual simulation, the primary views from this location would be of the proposed apartment buildings in the foreground along E. Valley Parkway. Additionally, the proposed senior apartments would be visible in the background, beyond the N. Hickory Street and E. Valley Parkway intersection. Proposed landscaping along E. Valley Parkway is also shown from KVP-4. The Project would result in taller development along this roadway as compared to the existing conditions. However, the Project would be a similar height compared with the existing development north of the Project site shown on the right side of this view.

**KVP-5:** As depicted in Figure 5.2-6, KVP-5 is located at the intersection of W. Valley Parkway and N. Broadway (Escondido City Hall) looking east down W. Valley Parkway toward the Project site. Currently, the Hospital Campus can be seen in the background from this viewpoint and appears to be taller as well as larger in mass than the existing development along W. Valley Parkway. As shown in the visual simulation, the proposed apartments would be visible in the background from this location, and would blend in with the existing development along W. Valley Parkway. The Project would be of similar visual height relative to the existing downtown buildings, and buildings would have varying color making it appear as a series of smaller buildings, which makes it less visually prominent from this distance as compared to the Hospital Campus. Overall, the Project's visual mass and scale relative to the existing hospital building result in improved consistency and visual quality from this location.

**KVP-6:** As depicted in Figure 5.2-7, KVP-6 is located at the intersection of N. Juniper Street and E. Grand Avenue looking east toward the Project site. Currently, views from this location consist of the existing Hospital Campus in the background, with the McLeod Tower being the main focal point. As shown in the visual simulation, the proposed tower and apartment buildings would be visible from this location, with the tower being the main focal point. The Project would appear similar in bulk and scale as compared to existing conditions. However, the Project would ultimately be smaller in size than the existing Hospital Campus, with varying colors and surfaces that result in a visually reduced mass and scale. Overall, the Project would result in an improved visual consistency and quality from KVP-6.

As shown in the existing portion of these KVPs, the existing Hospital Campus includes the nine-story McLeod Tower, which is a prominent visual feature. This existing tower is visible from various viewpoints in the City due to the site elevation at 555 E. Valley Parkway above the surrounding area, combined with the nine-story McLeod Tower. As shown in the visual simulations, the proposed 75-foot-tall tower would be prominent and visible to create a sense of place; however, it would be smaller relative to the existing McLeod Tower. Moreover, all Project structures would be within the Downtown Specific Plan height limit of 75 feet. The Project would also include varying frontage appearances, with variances in color and articulation that are visually consistent with the Downtown area. Overall, the Project would not adversely affect visual quality and character consistency relative to the existing conditions.

***D. Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

The Project site currently contains the Hospital Campus, which is currently operational and thus lighting is used on site. The Project would demolish the Hospital Campus and construct 510 dwelling units and up to 10,000 square feet of commercial space. Nighttime exterior lighting would be provided at the Project site for safety, security, and circulation purposes. In addition, the tower may include backlighting. Consistent with Article 35 of the Zoning Ordinance, all exterior lighting fixtures, with the exception of street lamps, would be aimed or shielded so that unnecessary nighttime lighting and glare would be reduced for the benefit of City residents and astronomical research at Palomar Mountain Observatory. In accordance with Zoning Ordinance Section 33-713, lighting installed on public right-of-ways would also comply with the City's Engineering Design Standards and Standard Drawings.

Windows on the proposed residences, commercial uses, Commercial Tower, and associated cars have the potential to create new sources of glare. In addition, glare sources along E. Grand Avenue and E. Valley Parkway would be closer to the roadway where motorists travel relative to the existing on-site sources. However, these uses and glare sources would not be inconsistent with the surrounding land uses, as the Project site is surrounded by residential and commercial development to the north, south, east, and west. Also, the Project would not use highly reflective materials such as mirrored windows. Overall, the light and glare conditions on the Project site would not substantially change relative to the existing conditions. In addition, new light fixtures would likely be more efficient and result in less light trespass than existing fixtures. Compliance measures include **CM-AE-1** (see Table 2-4, Project Design Features and Compliance Measures, in Chapter 2 of this EIR). Therefore, impacts due to new sources of light and glare would be **less than significant**.

### 5.2.1.3 Cumulative Impact Analysis

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. More specifically, the geographic scope for analyzing cumulative impacts related to aesthetics focuses on lands in proximity to the Project area and within the surrounding viewshed that would have views of the site from public locations (e.g., public roadways).

#### Scenic Vistas

Cumulative projects located in the Escondido region would have the potential to result in a cumulative impact to scenic vistas if, in combination, they would result in the obstruction, interruption, or detracting from a scenic vista. As described, the City does not specifically designate scenic vistas. Due to its distance and intervening topography, the Project site is not visible from any major roads or open space areas. Additionally, the highly developed urban character of the Project area inhibits views of the Project site. As seen in Figure 3-1, the only cumulative projects located close to the Project site are the Touchstone – The Ivy and Touchstone – Aspire projects,<sup>1</sup> which could be visible from public roadways or vantage points near the Project site. However, these multi-family residential infill projects would also be consistent with the surrounding development, considering the area is a higher-density Downtown District, similar to the Project. Cumulative projects within the City would be required to comply with applicable regulations pertaining to scenic vistas, including the City’s General Plan Resource Conservation Element Goal 3 and Visual Resources Policies 3.3 through 5.1 regarding preserving views of unique landforms and maintaining density and development standards. Therefore, the Project **would not contribute to a cumulatively considerable impact** relative to scenic vistas.

#### Scenic Highways

State Scenic Highways are those highways that are either officially designated as State Scenic Highways by Caltrans or are eligible for such designation. There are no officially designated or eligible highways within the City. The closest State Scenic Highway is SR-78 through the Anza-Borrego Desert State Park, approximately 35 miles east of the City. Thus, **no cumulative impact** to a State Scenic Highway would occur.

#### Policy Consistency

As discussed, the Project site is in an urbanized area, per CEQA, so impacts would only occur if the Project would conflict with applicable zoning and other regulations governing scenic quality and

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<sup>1</sup> The Touchstone – Aspire project was denied by the City Council on October 9, 2019. However, this project is included in this analysis to be conservative, since it was a proposed project at the time of NOP issuance.

result in a physical environmental impact. Because the Project would not conflict with applicable zoning or any other regulations governing scenic quality, **no cumulative impact** would occur.

### Light or Glare

The Project would result in some light and glare associated with the new development. However, light and glare conditions associated with the existing Hospital Campus currently exist on the Project site. Thus, the Project would not substantially alter the existing light and glare conditions on site, and light and glare conditions on the Project site would likely be reduced, as the scale of the proposed development would be smaller than what currently exists on site. Additionally, cumulative projects would be required to comply with the City's Zoning Ordinance and the General Plan policies, which require new development to avoid glare impacts and minimize nighttime lighting. Therefore, impacts would be less than significant and the Project **would not result in a cumulatively considerable impact** related to light and glare.

#### **5.2.1.4 Conclusion**

The Project would result in **less than significant** impacts relative to scenic vistas, scenic resources within a scenic roadway, policy consistency, and light and glare.

### **5.2.2 Agriculture and Forestry Resources**

#### **5.2.2.1 Guidelines for the Determination of Significance**

This section addresses the potential agriculture and forestry resources impacts associated with implementation of the Project. The analysis is based on the review of state, regional, and local applicable laws, regulations, and mapping. A significant impact related to agriculture and forestry resources would occur if the Project would:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- B. Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- C. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).
- D. Result in the loss of forest land or conversion of forest land to non-forest use.
- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

### 5.2.2.2 Analysis

- A. *Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The entire Project site and Project vicinity are designated as urban and built-up land, pursuant to the Farmland Mapping and Monitoring Program of the California Natural Resources Agency (CDOC 2016). The Project site is not mapped as and does not meet the criteria for Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site is not in agricultural use. As indicated on the map of San Diego County Important Farmland developed by the California Department of Conservation for the Farmland Mapping and Monitoring Program, the Project site is located on and surrounded by “Urban and Built Up Land” (CDOC 2016). Urban and Built Up Land generally includes land uses such as residential, commercial, industrial, institutional facilities, and other urban land uses. Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and **no impact** would occur.

- B. *Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

According to the Department of Conservation’s map of San Diego County Williamson Act lands, the Project site is not located on Williamson Act contract land (CDOC 2013). The Project site is zoned as Specific Plan (SP), which does not contain any zoning for agricultural uses (City of Escondido 2018). Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract and **no impact** would occur.

- C. *Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

The Project site does not contain any timber or forest resources and does not meet the criteria for forest land or timberland. The Project site is within the Specific Plan zone, surrounded by residential and commercial uses, in an urban area. Therefore, the Project would not conflict with existing zoning for forest land or timberland and **no impact** would occur.

**D. *Would the Project result in the loss of forest land or conversion of forest land to non-forest use?***

As described above, construction of the Project would not result in the loss of forest land or conversion of forest land to non-forest use because the Project does not contain any forested lands. Further, the property is not zoned for forest land. **No impact** would occur.

**E. *Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

As described previously, the Project is located in the urbanized area of the City. The site and immediate surroundings are not designated as or used for agricultural purposes. Therefore, development of the Project would not result in the conversion of Farmland or forest land to non-agricultural or non-forest use. **No impact** would occur.

### **5.2.2.3 Cumulative Impact Analysis**

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects are located in urbanized areas similar to the Project site, and **would not result in a cumulative impact** to agriculture and forestry resources.

### **5.2.2.4 Conclusion**

The Project would result in **no impacts** to agriculture and forestry resources.

## **5.2.3 Air Quality**

### **5.2.3.1 Guidelines for the Determination of Significance**

This section addresses the potential air quality impacts associated with implementation of the Project. The analysis is based on the review of existing resources, technical data, and applicable laws, regulations, and guidelines, as well as the Air Quality Analysis Technical Report prepared by Dudek, included as Appendix K to this EIR. A significant impact related to air quality would occur if the Project would:

- A. Conflict with or obstruct implementation of the applicable air quality plan.
- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

- C. Expose sensitive receptors to substantial pollutant concentrations.
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

### 5.2.3.2 Analysis

This section evaluates the air quality impacts associated with the Project. The San Diego Air Pollution Control District (SDAPCD) significance criteria were used to evaluate impacts associated with construction and operation of the Project.

#### A. *Would the Project conflict with or obstruct the implementation of the applicable air quality plan?*

The Project site is located within the San Diego Air Basin and is subject to SDAPCD guidelines and regulations. SDAPCD and the San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plans for attainment and maintenance of the ambient air quality standards in the San Diego Air Basin—specifically, the State Implementation Plan (SIP) and Regional Air Quality Strategy (RAQS).<sup>2</sup> The federal ozone (O<sub>3</sub>) maintenance plan, which is part of the SIP, was adopted in 2012. The most recent O<sub>3</sub> attainment plan was adopted in 2016. The SIP includes a demonstration that current strategies and tactics will maintain acceptable air quality in the San Diego Air Basin based on the National Ambient Air Quality Standards. The RAQS was initially adopted in 1991 and is updated on a triennial basis (most recently in 2016). The RAQS outlines SDAPCD’s plans and control measures designed to attain the state air quality standards for O<sub>3</sub>. The SIP and RAQS rely on information from the California Air Resources Board (CARB) and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in the County as a whole and the cities in the County, to project future emissions and determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County and the cities in the County as part of development of their general plans.

If a project proposes development that is greater than that anticipated in the local plan and/or SANDAG’s growth projections, that project might be in conflict with the SIP and RAQS, and may contribute to a potentially significant cumulative impact on air quality due to an expected increase in emissions. According to the City’s Zoning Map (City of Escondido 2017), the Project site has a designation of “Specific Plan.” The maximum

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<sup>2</sup> For the purpose of this discussion, the relevant federal air quality plan is the ozone maintenance plan (SDAPCD 2012). The RAQS is the applicable plan for purposes of state air quality planning. Both plans reflect growth projections in the basin.

buildout of the Project site per the Downtown Specific Plan would result in approximately 1,350 residential units and 175,000 square feet of ground-floor commercial. Based on the SANDAG Series 13 forecast that was utilized for the RAQS, the site was assumed to generate up to 1,348 residential units and 474 jobs (Cortes, pers. comm., January 22, 2020).

Although the SDAPCD and City do not provide guidance regarding the analysis of impacts associated with air quality plan conformance, the County's Guidelines for Determining Significance and Report and Format and Content Requirements – Air Quality does discuss conformance with the RAQS (County of San Diego 2007). The guidance indicates that if a project, in conjunction with other projects, contributes to growth projections that would not exceed SANDAG's growth projections for that city, that project would not be in conflict with the RAQS (County of San Diego 2007). As previously discussed, the Project would require Specific Plan and General Plan amendments to refine development regulations for the Project site. However, the Project would not alter the allowable land uses on the Project site in a manner that would increase development beyond that assumed in the Downtown Specific Plan. As the Project includes lower density than assumed by the Downtown Specific Plan, the Project would generate fewer emissions than assumed in the RAQS.

SANDAG's population estimate for the City of Escondido in 2020 (the closest year SANDAG has available data to 2025) is 165,214 and the forecasted population in 2035 (the closest year SANDAG has available data to a Project buildout of 2025) is 172,892. Therefore, SANDAG's projections anticipated approximately 7,678 new residents in the City over a 15-year period. Regarding employment, SANDAG's employment estimate for the City of Escondido in 2020 is 53,495 and the forecasted employment in 2035 is 57,479 (the closest year SANDAG has available data to the Project buildout of 2025). Therefore, SANDAG's projections anticipated approximately 3,984 new jobs in the City over a 15-year period.

The proposed 510 residential units (approximately 1,571<sup>3</sup> new residents) and 10,000 square feet of commercial (approximately 25 jobs) included in the Project would be accommodated in the population and employment forecast used to prepare the 2016 RAQS. The SANDAG population projections for the City would accommodate more growth (7,678 new residents and 3,984 new jobs) than that associated with the Project (1,571 residents and an estimated 25 jobs) (Appendix K). Compliance measures include **CM-AQ-3** and **CM-AQ-4** (see Table 2-4). Because the growth forecasts and development assumptions upon which the SIP and RAQS are based would not be exceeded, the Project would not conflict with or obstruct implementation of the applicable air quality plan, and impacts would be **less than significant**.

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<sup>3</sup> Number of residents based on the City of Escondido average household size of 3.08 persons per dwelling unit (SANDAG 2017).

- B. Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?*

#### Construction Emissions

Construction of the Project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing) and off-site sources (worker, haul truck, and vendor vehicle trips). Construction emissions can vary substantially day to day, depending on the level of activity; the specific type of operation; and for dust, the prevailing weather conditions. Criteria air pollutant emissions associated with construction were quantified using CalEEMod. Default values provided by CalEEMod were used where detailed Project information was not available.

Implementation of the Project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, architectural coating, and asphalt pavement application. Entrained dust results from the exposure of ground surfaces to wind from the direct disturbance and movement of soil, resulting in PM<sub>10</sub> and PM<sub>2.5</sub> emissions. The Project would be subject to SDAPCD Rule 55, Fugitive Dust Control (**CM-AQ-1**). This rule requires that the Project take steps to restrict visible emissions of fugitive dust beyond the property line. Compliance with Rule 55 would limit fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>) generated during grading and construction activities. To account for dust control measures in the calculations, it was assumed that the active sites would be watered at least three times daily, resulting in an approximately 61% reduction of particulate matter.

Exhaust from internal combustion engines used by construction equipment and worker vehicles would result in emissions of VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The application of architectural coatings and asphalt pavement would also produce VOC emissions. However, as shown in Table 7 of Appendix K, daily construction emissions would not exceed the significance thresholds for any criteria air pollutant. Therefore, impacts during construction would be **less than significant**.

#### Operational Emissions

The Project would involve development of 510 residential dwelling units and supporting commercial services. Operation of the Project would generate VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from mobile sources, including vehicle trips; area sources, including the use of consumer products, natural gas hearths, and landscape maintenance equipment; and energy sources. Pollutant emissions associated with long-term operations were quantified using CalEEMod. Project-generated mobile source emissions were estimated in CalEEMod based on Project-specific trip rates and default trip lengths. CalEEMod default values were used to estimate emissions from the Project and energy sources.

As shown in Table 8 of Appendix K, the net increase in emissions associated with Project operations would not exceed the City's operational thresholds for VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>. Compliance measures include **CM-AQ-1** (see Table 2-4). Impacts associated with Project-generated operational criteria air pollutant emissions would be **less than significant**.

**C. *Would the Project expose sensitive receptors to substantial pollutant concentrations?***

Air quality varies as a direct function of the amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and the prevailing meteorological conditions. Air quality problems arise when the rate of pollutant emissions exceeds the rate of dispersion. Reduced visibility, eye irritation, and adverse health impacts on people termed "sensitive receptors" are the most serious hazards of air quality conditions. Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. Sensitive receptors include residences, schools, playgrounds, childcare centers, athletic facilities, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. The closest sensitive receptors are multifamily residences located along the Project's southern boundary and some single family residences to the northeast. In addition, the Project would result in the development of residences, which would be considered sensitive receptors.

As described in Appendix K, construction and operation of the Project would not result in emissions that exceed SDAPCD's emissions thresholds for any criteria air pollutants including toxic air contaminants (TACs), valley fever exposure, or carbon monoxide. Therefore, health impacts to sensitive receptors associated with criteria air pollutants as a result of the Project would be **less than significant**.

**D. *Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

The State of California Health and Safety Code, Division 26, Part 4, Chapter 3, Section 41700 and SDAPCD Rule 51, commonly referred to as public nuisance law, prohibit emissions from any source whatsoever in such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to the public health or damage to property. Projects required to obtain permits from the SDAPCD are evaluated by SDAPCD staff for potential odor nuisance, and conditions may be applied (or control equipment required) where necessary to prevent occurrence of public nuisance.

SDAPCD Rule 51, Public Nuisance, also prohibits emission of any material that causes nuisance to a considerable number of people, or endangers the comfort, health, or safety of any person. A project that proposes a use that would produce objectionable odors would be deemed to have a significant odor impact if it would affect a considerable number of

off-site receptors. Odor issues are very subjective, and their measurements are difficult to quantify. As a result, this guideline is qualitative, and focuses on existing and potential surrounding uses, and the location of sensitive receptors.

The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source; the wind speed and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Odors would be potentially generated from vehicles and equipment exhaust emissions during construction of the Project. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment. Such odors would disperse rapidly from the Project site and generally occur at magnitudes that would not affect substantial numbers of people. Therefore, impacts associated with odors during construction would be less than significant. Land uses and industrial operations associated with odor complaints include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). Compliance measures include **CM-AQ-2** (see Table 2-4). The Project would not result in the creation of a land use that is commonly associated with odors. Therefore, Project operations would result in an odor impact that is **less than significant**.

### **5.2.3.3 Cumulative Impact Analysis**

Cumulative impacts are considered in Section 5.2.3.2(B), and would be **less than significant**.

### **5.2.3.4 Conclusion**

The Project impacts to air quality would be **less than significant**.

## **5.2.4 Energy**

### **5.2.4.1 Guidelines for the Determination of Significance**

Appendix F of the CEQA Guidelines presents guidance for evaluating whether a development project may result in significant impacts with regard to energy. Based on this guidance and the Appendix G checklist, a project could have a significant impact under CEQA related to energy consumption if the project would:

- A. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

### 5.2.4.2 Analysis

- A. *Would the Project result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?*

#### Electricity

##### Construction Use

Temporary electric power for as-necessary lighting and electronic equipment such as computers may be needed inside temporary construction trailers. However, the electricity used for such activities would be temporary and would be substantially less than that required for Project operation and would have a negligible contribution to the Project's overall energy consumption.

##### Operational Use

The operational phase would require electricity for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, and electronics. The existing use, the Hospital Campus, may be considered an energy intensive use. Existing electricity use was estimated to compare to the Project for an overall net impact.

CalEEMod (version 2016.3.2) was used to estimate Project emissions from energy uses (see Appendix K for calculations). Default electricity generation rates in CalEEMod were used (based on the proposed land use and climate zone) based on compliance with 2016 Title 24. According to these estimations, the existing site would consume approximately 7,841,360 kilowatt-hours (kWh) per year. Note that this figure may underestimate energy usage, as many of the Hospital Campus buildings are older structures that do not meet 2016 energy standards. The Project would consume an estimated 2,393,598 kWh per year, for a net consumption of -5,447,762 kWh per year. This equates to a net decrease of 5.4 gigawatt-hours (GWh) per year. For comparison, in 2018, the total electricity demand for San Diego County was 19,749 GWh (CEC 2019a).

As described above, the electricity demand calculation for the Project assumes compliance with Title 24 standards for 2016. The Project would be required to meet the California Building Energy Efficiency Standards (24 CCR, Part 6 and 11) which improve the energy efficiency of residential and non-residential buildings. The Title 24 standards are updated every 3 years.

The building envelope; heating, ventilation, and air conditioning; lighting; and other systems, such as electric motor equipment, shall be designed to maximize energy

performance. The Project is subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Title 24, Part 11, contains voluntary energy measures that are applicable to the Project under the California Green Building Standards Code. Prior to Project approval, the Applicant would ensure that the Project would meet Title 24 requirements applicable at that time, as required by state regulations through their plan review process. Furthermore, the Project would result in a net reduction in electricity use compared to the existing site. For these reasons, the electricity consumption of the Project would not be considered inefficient or wasteful, and impacts would be **less than significant**.

### Natural Gas

#### Construction Use

Natural gas is not anticipated to be required during construction of the Project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed below under the “petroleum” subsection. Any minor amounts of natural gas that may be consumed as a result of Project construction would be substantially less than that required for Project operation and would have a negligible contribution to the Project’s overall energy consumption.

#### Operational Use

Natural gas consumption during operation would be required for various purposes, including, but not limited to, building heating and cooling.

Default natural gas generation rates in CalEEMod for the existing site and the proposed land use and climate zone were used and adjusted based on compliance with 2016 Title 24 (see Appendix K for calculations). According to these estimations, the existing site consumes approximately 227,243 therms per year. The Project would consume approximately 42,577 therms per year, for a net reduction of 184,666 therms per year. In comparison, the total natural gas demand for San Diego County in 2018 was 124,852,985 therms (CEC 2019b).

Prior to Project approval, the Applicant would ensure that the Project would meet Title 24 requirements applicable at that time, as required by state regulations through their plan review process. Furthermore, the Project would result in a net reduction in natural gas use compared to the existing site. For these reasons, the natural gas consumption of the Project would not be considered inefficient or wasteful, and impacts would be **less than significant**.

## Petroleum

### Construction Use

Petroleum would be consumed throughout construction of the Project. Fuel consumed by construction equipment would be the primary energy resource expended over the course of construction, and vehicle miles traveled (VMT) associated with the transportation of construction materials and construction worker commutes would also result in petroleum consumption. Heavy-duty construction equipment associated with construction activities, and haul trucks involved in relocating dirt around the Project site would rely on diesel fuel. Construction workers would travel to and from the Project site throughout the duration of construction. It is assumed that construction workers would travel to and from the Project site in gasoline-powered vehicles.

Heavy-duty construction equipment of various types would be used during construction. CalEEMod was used to estimate construction equipment usage; results are included in Appendix K of this EIR. Based on that analysis, diesel-fueled construction equipment would operate for an estimated 105,276 hours, as summarized in Table 5.2.3-1.

Fuel consumption from construction equipment was estimated by converting the total CO<sub>2</sub> emissions from each construction phase to gallons using conversion factors for CO<sub>2</sub> to gallons of gasoline or diesel. The conversion factor for gasoline is 8.78 kilograms per metric ton CO<sub>2</sub> per gallon, and the conversion factor for diesel is 10.21 kilograms per metric ton CO<sub>2</sub> per gallon (The Climate Registry 2019). The estimated diesel fuel use from construction equipment is shown in Table 5.2.3-2.

Fuel consumption from worker and vendor trips was estimated by converting the total CO<sub>2</sub> emissions from the construction phase to gallons using the conversion factors for CO<sub>2</sub> to gallons of gasoline or diesel. Worker vehicles are assumed to be gasoline fueled, and vendor/hauling vehicles are assumed to be diesel fueled.

Calculations for total worker, vendor, and hauler fuel consumption are provided in Table 5.2.3-3, Table 5.2.3-4, and Table 5.2.3-5.

**Table 5.2.3-1  
Hours of Operation for Construction Equipment**

Phase	Hours of Equipment Use
Demolition	7,344
Site preparation	4,760
Grading	9,728
Building construction	76,772

**Table 5.2.3-1  
Hours of Operation for Construction Equipment**

Phase	Hours of Equipment Use
Paving 1 – internal road construction	3,120
Paving 2 – paved areas	3,120
Architectural coating	528
Total	105,276

Source: Appendix K.

**Table 5.2.3-2  
Construction Equipment Diesel Demand**

Phase	Pieces of Equipment <sup>a</sup>	Equipment CO <sub>2</sub> (MT) <sup>a</sup>	kg CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Demolition	6	260.09	10.21	25,473.98
Site preparation	7	141.10	10.21	13,819.96
Grading	8	414.16	10.21	40,564.34
Building construction	9	1211.32	10.21	118,640.47
Paving 1 – internal road construction	6	65.08	10.21	6374.60
Paving 2 – paved areas	6	65.08	10.21	6176.37
Architectural coating	1	11.23	10.21	1,100.32
Total				212,150.04

Sources:

<sup>a</sup> Appendix K.

<sup>b</sup> The Climate Registry 2019.

Notes: CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

**Table 5.2.3-3  
Construction Worker Vehicle Gasoline Demand**

Phase	Trips	Vehicle CO <sub>2</sub> (MT) <sup>a</sup>	kg CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Demolition	2,448	8.87	8.78	1,010.54
Site preparation	1,530	5.36	8.78	610.36
Grading	3,040	10.56	8.78	1,212.74
Building construction	591,596	1,981.56	8.78	225,690.57
Paving 1 – internal road construction	1,040	3.56	8.78	405.30
Paving 2 – paved areas	1,008	3.02	8.78	343.45
Architectural coating	9,328	26.88	8.78	3,061.86
Total				232,334.82

Sources:

<sup>a</sup> Appendix K.

<sup>b</sup> The Climate Registry 2019.

Notes: CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

**Table 5.2.3-4  
Construction Vendor Truck Diesel Demand**

Phase	Trips	Vehicle CO <sub>2</sub> (MT) <sup>a</sup>	kg/CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Demolition	0	0.00	10.21	0.00
Site preparation	0	0.00	10.21	0.00
Grading	0	0.00	10.21	0.00
Building construction	130,964	1652.09	10.21	161,811.17
Paving 1 – internal road construction	0	0.00	10.21	0.00
Paving 2 – paved areas	0	0.00	10.21	0.00
Architectural coating	0	0.00	10.21	0.00
Total				161,811.17

Sources:

<sup>a</sup> Appendix K.

<sup>b</sup> The Climate Registry 2019.

Notes: CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

**Table 5.2.3-5  
Construction Haul Truck Diesel Demand**

Phase	Trips	Vehicle CO <sub>2</sub> (MT) <sup>a</sup>	kg CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Demolition	1,784	68.80	10.21	6,738.04
Site preparation	0	0.00	10.21	0.00
Grading	1,530	58.26	10.21	5,706.56
Building construction	0	0.00	10.21	0.00
Paving 1 – internal road construction	0	0.00	10.21	0.00
Paving 2 – paved areas	0	0.00	10.21	0.00
Architectural coating	0	0.00	10.21	0.00
Total				12,444.60

Sources:

<sup>a</sup> Appendix K.

<sup>b</sup> The Climate Registry 2019.

Notes: CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

As shown in Tables 5.2.3-2 through 5.2.3-5, the Project is estimated to consume 618,741 gallons of petroleum during the construction phase. By comparison, approximately 68 billion gallons of petroleum would be consumed in California over the course of the Project's construction phase based on the California daily petroleum consumption estimate of approximately 52.9 million gallons per day (CEC 2019c). In 2018, the total petroleum consumption within the County of San Diego was 1.6 billion gallons (CARB 2019). Therefore, the Project would represent less than 0.01% of the County's petroleum use during the course of construction. The Project would also be required to comply with CARB's Airborne Toxics Control Measures, which restrict heavy-duty diesel vehicle idling time to 5 minutes. Therefore, because petroleum use during construction would be temporary and relatively minimal, and would not be wasteful or inefficient, impacts would be **less than significant**.

## Operational Use

The majority of fuel consumption resulting from the Project's operational phase would be attributable to residents, employees and customers traveling to and from the Project site.

Petroleum fuel consumption associated with motor vehicles and delivery trucks traveling to and from the Project site during operation is a function of VMT. Based on the Traffic Impact Analysis (Appendix J), the Project VMT per capita was estimated to be 9.93 compared to the City's VMT per capita of 15.29. Additionally, based on the Air Quality Technical Report (Appendix K), the annual VMT attributable to the existing site is 4,898,057 VMT per year. The annual VMT attributable to the Project is expected to be 10,788,292 VMT per year, for a net total of 5,890,235 VMT per year. Similar to construction worker and vendor trips, fuel consumption for operation was estimated by converting the total CO<sub>2</sub> emissions from each land use type to gallons using the conversion factors for CO<sub>2</sub> to gallons of gasoline or diesel. The employee and customer vehicles were assumed to be gasoline powered and the vendor trucks were assumed to be diesel.

Calculations for annual fuel consumption are provided in Table 5.2.3-6. Mobile sources from the existing site result in approximately 217,289 gallons of gasoline per year and 15,191 gallons of diesel per year, for a total of 232,480 gallons of petroleum consumed per year. The Project will comply with Title 24 of the California Building Code (CBC), including electric vehicle charging station requirements (**CM-GE-1**). Mobile sources from the Project would result in approximately 392,246 gallons of gasoline per year and 27,423 gallons of diesel per year, for a total of 419,669 gallons of petroleum consumed per year beginning in 2025 after Project buildout. Accounting for the existing site, the Project would result in a net total consumption of 187,189 gallons of petroleum per year. By comparison, California as a whole consumes approximately 19.3 billion gallons of petroleum per year (CEC 2019c). It is forecasted that in 2025 approximately 1.4 billion gallons of petroleum in San Diego County will be consumed (CARB 2019).

Over the lifetime of the Project, the fuel efficiency of the vehicles being used by the residents is expected to increase. As such, the amount of petroleum consumed as a result of vehicular trips to and from the Project site during operation would decrease over time. There are numerous regulations in place that require and encourage increased fuel efficiency. For example, as mentioned previously, CARB has adopted an approach to passenger vehicles by combining the control of smog-causing pollutants and GHG emissions into a single, coordinated package of standards. The approach also includes efforts to support and accelerate the number of plug-in hybrids and zero-emissions vehicles in California (CARB 2013). Additionally, in response to SB 375, CARB adopted the goal of reducing per-capita GHG emissions from 2005 levels by 8% by 2020, and 18% by 2035 for light-duty passenger vehicles in the SANDAG planning area. As such, operation of the Project is expected to use decreasing amounts of petroleum over time due to advances in fuel economy.

**Table 5.2.3-6  
Petroleum Consumption – Operation**

Fuel	Vehicle MT CO <sub>2</sub>	kg CO <sub>2</sub> /Gallon	Gallons
<i>Existing Site</i>			
Gasoline	1,902.83	8.78	217,289.35
Diesel	154.70	8.78	15,191.31
Total			232,480.66
<i>Project</i>			
Gasoline	3,546.81	10.21	392,245.76
Diesel	288.35	10.21	27,423.01
Total			419,668.77
Net Total (Project minus Existing Site)			187,188.77

Sources:

<sup>a</sup> Appendix K.

<sup>b</sup> The Climate Registry 2019.

Notes: CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

In summary, although the Project would increase petroleum use during operation as a result of residents and customers commuting to the site and vendor trucks, the use would be a small fraction of the state- and County-wide use and, due to efficiency increases, would diminish over time. Compliance measures include **CM-GE-1** (see Table 2-4). Given these considerations, petroleum consumption associated with the Project would not be considered inefficient or wasteful and would result in a **less than significant** impact.

**B. *Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?***

Title 24 of the California Code of Regulations contains energy efficiency standards for residential and non-residential buildings based on a state mandate to reduce California's energy demand. Specifically, Title 24 addresses a number of energy efficiency measures that impact energy used for lighting, water heating, heating, and air conditioning, including the energy impact of the building envelope such as windows, doors, skylights, wall/floor/ceiling assemblies, attics, and roofs.

Part 6 of Title 24 specifically establishes energy efficiency standards for residential and non-residential buildings constructed in the State of California in order to reduce energy demand and consumption. The Project would comply with Title 24, Part 6 per state regulations. In accordance with Title 24 Part 6, the Project would have: (a) sensor based lighting controls—for fixtures located near windows, the lighting would be adjusted by taking advantage of available natural light; and, (b) efficient process equipment—improved technology offers significant savings through more efficient processing equipment.

Title 24, Part 11, contains voluntary and mandatory energy measures that are applicable to the Project under the California Green Building Standards Code. As discussed under the previous threshold, the Project would result in an increased demand for electricity, natural gas, and petroleum. In accordance with Title 24 Part 11 mandatory compliance, the Applicant would have (a) 50% of its construction and demolition waste diverted from landfills; (b) mandatory inspections of energy systems to ensure optimal working efficiency; (c) low-pollutant emitting exterior and interior finish materials, such as paints, carpets, vinyl flooring and particle boards; and (d) a 20% reduction in indoor water use. Compliance with all of these mandatory measures would decrease the consumption of electricity, natural gas, and petroleum.

The *City of Escondido Climate Action Plan* (E-CAP) establishes a series of energy efficiency related measures intended to reduce greenhouse gas (GHG) emissions based on the AB 32 Scoping Plan. Those applicable to the Project are R1-E1, Renewables Portfolio Standard for Building Energy Use, R1-E2 and E-3, Assembly Bill 1109 Energy Efficiency Standards for Lighting, R-1-E4, Electricity Energy Efficiency, R2-E1, Residential Energy Efficiency Standards, R2-E2, Commercial Energy Efficiency Requirements' and R2-E3, Residential Renewable Energy Requirements.

Because the Project would comply with Parts 6 and 11 of Title 24 and with E-CAP measures, no conflict with existing energy standards and regulations would occur. Therefore, impacts would be considered **less than significant**.

#### **5.2.4.3 Cumulative Impact Analysis**

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects would be subject to the same energy efficiency standards as the Project. In some cases, this may result in opportunities to improve energy conservation. In addition, the Project would result in a net decrease in energy use and would therefore not contribute to a cumulative impact. **No cumulative impact** related to energy would occur as a result of Project implementation.

#### **5.2.4.4 Conclusion**

The Project would result in **less than significant** impacts to energy.

## 5.2.5 Geology and Soils

### 5.2.5.1 Guidelines for the Determination of Significance

This section addresses the potential geological and soil impacts associated with implementation of the Project. The analysis is based on the review of existing resources, technical data, and applicable laws, regulations, and guidelines, as well as the Updated Geotechnical Evaluation report prepared by GeoTek, included with this EIR as Appendix L. A significant impact related to geology and soils would occur if the Project would:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
  - ii. Strong seismic ground shaking.
  - iii. Seismic-related ground failure, including liquefaction.
  - iv. Landslides.
- B. Result in substantial soil erosion or the loss of topsoil.
- C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- D. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.
- E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

### 5.2.5.2 Analysis

The following section is based on the Updated Geotechnical Evaluation prepared for the Project by GeoTek Inc. in November 2019, which is included as Appendix L to this EIR.

**A. *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

**i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***

The Project site is not located on an Alquist-Priolo Earthquake Fault Zoning Map. There are no known active faults within the Project site. The nearest known active fault is the Elsinore Fault, located approximately 16.2 miles northeast of the site and has an estimated deterministic maximum earthquake magnitude (Mw) and peak ground acceleration (g) of 7.85 Mw and 0.22 g, respectively (Appendix L). Due to the distance of the nearest fault and magnitude of past seismic activity, the Project would not expose people or structures to potential substantial adverse effects associated with the rupture of a known earthquake fault. Therefore, impacts would be **less than significant**.

**ii. *Strong seismic ground shaking?***

The geologic structure of the entire Southern California area is dominated mainly by northwest-trending faults associated with the San Andreas Fault system. Although the Project site is located in a seismically active region, no active or potentially active fault is presently known to exist at the Project site, nor is the Project site situated within an Alquist-Priolo Earthquake Fault Zone. The nearest known active fault is the Elsinore Fault Zone, located approximately 16.2 miles northeast of the Project site. The Elsinore Fault is the dominant source of potential ground motion. The other nearest known active fault is the Newport-Inglewood-Rose Canyon Fault Zone, located approximately 16.5 miles southwest of the Project site. Earthquakes that might occur on these known active faults or other faults within the Southern California and northern Baja California area are potential generators of significant ground motion at the site (see Appendix L).

The Project site is likely to be subjected to strong ground motion from seismic activity similar to that of the rest of the San Diego County and Southern California, due to the seismic activity of the region as a whole. However, compliance with the CBC and the

seismic design criteria recommendations described in Appendix L would reduce exposure of people or structures to potential substantial adverse effects from seismic ground shaking. Therefore, impacts would be **less than significant**.

*iii. Seismic-related ground failure, including liquefaction?*

Liquefaction typically occurs when a site is located in a zone with seismic activity, the on-site soils are cohesionless, groundwater is encountered within 50 feet of the surface, and soil relative densities are less than about 70%. If four of the previous criteria are met, a seismic event could result in a rapid pore-water pressure increase from the earthquake-generated ground accelerations. Seismically induced settlement may occur whether the potential for liquefaction exists or not. The potential for liquefaction at the Project site is considered very low due to the relative density of the older alluvium, shallow bedrock and planned engineered fill. Due to the very low liquefaction potential, surface manifestations and/or lateral spreading is not expected (Appendix L). The Updated Geotechnical Evaluation recommends the possible removal of surficial deposits within the site to further stabilize these areas (Appendix L). Additionally, according to the General Plan, the Project site is not located on a site subject to liquefaction (City of Escondido 2012a, Figure VI-9). Therefore, impacts associated with liquefaction would be **less than significant**.

*iv. Landslides?*

The risk associated with ground rupture hazards, such as landslides, is very low due to the absence of active faults near the Project site and the flat topography of the site. According to the City's General Plan, the Project site is not located in an area subject to a potential landslide (City of Escondido 2012a, Figure VI-9). Additionally, the Project would be designed in accordance with the 2019 CBC, which would minimize any potential risks associated with landslides. Therefore, impacts would be **less than significant**.

**B. *Would the Project result in substantial soil erosion or the loss of topsoil?***

The demolition and construction phases of the Project would require grading, excavation, and the import and export of soil from the Project site and therefore would increase the potential for erosion. Soil erosion and loss of topsoil could occur through runoff, wind transport, and vehicle movement. Grading would consist of approximately 439,093 cubic yards of cut and fill. Cut and fill slopes are designed at 2:1 (horizontal:vertical) or flatter. The site is underlain by surficial soils that include undocumented fill, young alluvium, and older alluvium. The undocumented fill, and upper portions of young alluvium deposits are

presently unsuitable to support fill and/or structural loads and would require remedial grading where improvements are planned. Additionally, all Project site slopes would be landscaped with drought-tolerant vegetation having variable root depths and requiring minimal landscape irrigation, and all slopes would be drained and properly maintained to reduce erosion. These site design measures are included in Project Design Feature (PDF) **GE-1** (see Table 2-4).

The Project would also be consistent with Title 24 of the CBC (**CM-GE-1**; see Table 2-4), and would not be approved or built without adequately demonstrating to the City compliance with the CBC and applicable geologic hazards regulations. Thus, in combination with the above discussion of planned grading and landscaping to avoid soil erosion, the Project would not result in substantial soil erosion or the loss of topsoil, and impacts would be **less than significant**.

**C. *Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?***

Liquefaction occurs when the pore water pressures generated within a soil mass become near or equal to the overburden pressure. This results in a loss of strength, and the soil develops a certain degree of mobility. Groundwater conditions, soil type, particle size, distribution, earthquake magnitude and acceleration, and soil density are all factors considered when evaluating liquefaction potential. Soils subject to liquefaction comprise saturated fine-grained sands and coarse silts. Coarser-grained soils are considered free draining and therefore dissipate excess pore pressures, while fine-grained soils possess higher shear strength.

Geotechnical borings were performed within the Project site to test soil characteristics. Three surficial soil types and one geologic formation was encountered during the field investigation consisting of undocumented fill, younger alluvium, older alluvium, and the formational unit consisting of weathered granitic bedrock. The undocumented fill soils were encountered within three of the test borings on site, to depths of about 4 feet below existing grade. Undocumented fill was also previously encountered at depths ranging from about 2.5 to 5.5 feet below grade. The undocumented fill consisted of dense to very dense silty sand (Appendix L). Younger alluvial deposits were previously encountered at depths ranging from approximately 3 feet to 13 feet below existing grade, and consisted of medium dense to dense clayey, fine to medium sand, which is also unsuitable for supporting new structures. Older alluvial soils were encountered at a range of 5 feet to 22 feet below existing grade, and consists of medium dense to very dense/very stiff clayey sand, silty sand, and sandy silt. This soil type is suitable for support of settlement-sensitive

structures. Weathered granitic bedrock underlies the surficial deposits and extended to the maximum depths explored. Groundwater was not encountered within any of the test borings explored by GeoTek Inc., which were drilled to a maximum depth of 20.5 feet. However, groundwater was previously encountered at a depth of about 17 feet below grade. Based on depths of groundwater encountered and Project design, it is not anticipated that any significant groundwater-related problems during or after Project construction would occur. Given the underlying soil types and units and the depth to groundwater, earthquake-induced liquefaction, lateral spread, subsidence, and settlement are not anticipated as a result of the Project.

According to the City's General Plan, the Project site is not located in an area subject to landslide, lateral spreading, subsidence, liquefaction, or collapse (City of Escondido 2012a). The site was previously developed and disturbed, and there are no known cases of landslide, lateral spreading, subsidence, liquefaction, or collapse occurring on site. Additionally, the Project would not be approved or built without adequately demonstrating compliance with the CBC and applicable geologic hazards regulations. Therefore, impacts associated with placement on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, would be **less than significant**.

***D. Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?***

Expansive soils contain minerals, such as clay, that are capable of absorbing water and expanding, and losing water and shrinking. The repetitive stress of a swell/shrink cycle on a foundation can cause severe damage to buildings and structures. The soil encountered in the field investigation is considered to be "expansive" (expansion index of greater than 20) as defined by 2019 CBC Section 1803.5.3.

The Project site is considered to have very low and low classifications for expansive soils, as defined by ASTM D 4829, Expansion Classification, which would result in both non-expansive and expansive soils as defined by 2016 CBC Expansion Classification (Appendix L).

In order to reduce the effects of expansive soils, the Project would remove the undocumented fill as well as 2 to 3 feet of the younger alluvial soils during the grading process. After removal, the soils will be replaced with properly compacted feet that is defined as non-expansive by 2019 CBC Expansion Classification. Prior to placing the fill, the exposed ground surface will be scarified, moisture conditioned as necessary, and compacted to at least 90% of the maximum dry density, at slightly over optimum moisture content. Fill materials placed below optimum moisture content may require additional moisture conditioning prior to placing additional fill. Even with the incorporation of the

recommendations presented in the Updated Geotechnical Evaluation (Appendix L), foundations, stucco walls, and slabs-on-grade placed on expansive soils may still exhibit some cracking due to soil movement and/or shrinkage. The occurrence of concrete shrinkage cracks is independent of the supporting soil characteristics.

As recommended in the Updated Geotechnical Evaluation (Appendix L), foundations should consist of continuous strip footings and or isolated spread footings. Where buildings or other improvements are planned near the top of a slope steeper than 3:1, special foundations and/or design considerations should be utilized due to the tendency for lateral soil movement to occur. After placement of concrete, the slab and foundation subgrade should be moisturized as necessary. In addition, limiting the slump of the concrete, proper concrete placement and curing, and the placement of crack control joints at periodic intervals, in particular, where re-entrant slab corners occur as a part of the site design would ensure the occurrence of concrete shrinkage cracks would be reduced and/or controlled (Appendix L). These site design measures are included in **PDF-GE-1**. Additionally, the Project would be constructed in conformance with the 2019 CBC, which would minimize impacts associated with expansive soils. With incorporation of these recommendations and compliance with the 2019 CBC, impacts would be **less than significant**.

**E. *Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?***

The Project would not involve the use of septic tanks or alternative wastewater disposal; therefore, **no impact** related to soils incapable of supporting these uses would occur.

**F. *Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

Most paleontological resources are not exposed at the surface, and fossils are usually found during earthmoving activities when geologic features are exposed. The Project site is entirely developed, while the likelihood of encountering subsurface paleontological resources is greatest on sites that have been minimally excavated in the past. Fill soils are located in up to 6 feet below ground surface, with most underlying areas subsequently layered with younger alluvium, older alluvium, and granitic rock (Appendix L). Grading would involve up to approximately 212,361 cubic yards of cut primarily in previous fill and younger alluvium, which have no to low potential to yield significant fossils (City of Escondido 2012a). Due to the depth of the excavation during grading activities and previous known development of the Hospital Campus, it is unlikely that the presence of paleontological resources would occur within soils to be excavated. Therefore, the impact would be **less than significant**.

### 5.2.5.3 Cumulative Impact Analysis

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. As described above (and further discussed in Appendix L), the Project vicinity is not characterized by significant seismic or geologic risks. The cumulative projects would adhere to CBC requirements regarding structural design, as well as local and state requirements for grading and erosion control. The Project would not impact geological resources. The Project site does contain some undocumented soils, but these would be addressed through **PDF-GE-1** and implementation of relevant building code requirements. Therefore, there would be **no cumulative impacts** related to geology and soils.

### 5.2.5.4 Conclusion

The Project impacts related to geology and soils would be **less than significant**.

## 5.2.6 Greenhouse Gas Emissions

### 5.2.6.1 Guidelines for the Determination of Significance

This section addresses potential global climate change impacts resulting from the GHG emissions associated with implementation of the Project. The analysis is based on the review of existing resources, technical data, and applicable laws, regulations, and guidelines, as well as the Greenhouse Gas Emissions Technical Report prepared by Dudek (Appendix M to this EIR). Other information presented in this section was obtained from the Project Applicant, the California Emissions Estimator Model (CalEEMod) Version 2016.3.2 (CAPCOA 2017), and best engineering judgment. A significant impact to global climate change resulting from GHG emissions would occur if the Project would:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- B. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

### CEQA Guidelines

With respect to GHG emissions, the CEQA Guidelines Section 15064.4(a) states that lead agencies “shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate” GHG emissions resulting from a project. The CEQA Guidelines note that an agency has the discretion to either quantify a project’s greenhouse gas emissions or rely on a “qualitative analysis or other performance based standards” (14 CCR 15064.4[b]). A lead agency may use a “model or methodology” to estimate greenhouse gas emissions and has the

discretion to select the model or methodology it considers “most appropriate to enable decision makers to intelligently take into account the project’s incremental contribution to climate change” (14 CCR 15064.4[c]). Section 15064.4(b) provides that the lead agency should consider the following when determining the significance of impacts from GHG emissions on the environment:

1. The extent a project may increase or reduce GHG emissions as compared to the existing environmental setting.
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]).

In the absence of any adopted numeric threshold, the significance of a project’s GHG emissions is evaluated consistent with CEQA Guidelines Section 15064.4(b) by considering whether the project complies with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. As a land use development project, the most directly applicable adopted regulatory plan to reduce the proposed project’s GHG emissions is SANDAG’s Regional Plan, which is designed to achieve regional GHG reductions from the land use and transportation sectors as required by SB 375 and the State’s long-term climate goals. This analysis also considers consistency with regulations or requirements adopted by the 2008 Climate Change Scoping Plan and subsequent updates.

~~Neither the State of California nor SDAPCD has adopted emission-based thresholds of significance for GHG emissions under CEQA.~~

~~For purposes of GHG significance criterion A from CEQA Guidelines Appendix G, the Project’s GHG emissions are assessed by evaluating the Project’s consistency with the E-CAP, as well as the Project’s potential to exceed a City-specific efficiency metric threshold (i.e., service population threshold) for 2023. The efficiency metric threshold developed for the purposes of this GHG emissions analysis is discussed in detail in Section 5.2.6.2(A).~~

~~For purposes of GHG significance criterion B from CEQA Guidelines Appendix G, the Project is assessed based on its potential to conflict with the City’s E-CAP, SANDAG’s Regional Plan, and CARB’s Scoping Plan, including the Draft 2030 Scoping Plan. The Regional Plan and Scoping Plan goals and measures are analyzed against the Project as part of the consistency analysis. The potential for the Project to conflict with these plans is addressed in detail in Section 5.2.6.2(B).~~

### 5.2.6.2 Analysis

- A. *Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

#### Construction Impacts

Emissions from the construction phase of the Project were estimated using CalEEMod Version 2016.3.2 (CAPCOA 2017). For the purposes of modeling, it was assumed that construction of the Project would commence in June 2020 and would occur over a period of approximately 6 years, ending in May 2026. Blasting activities are not anticipated for the Project and are not accounted for in this analysis. This analysis is based on the assumptions outlined in Table 3, Construction Phasing Assumptions, of Appendix M. Additionally, because detailed specific information regarding the construction equipment fleet is unknown at the time of analysis, the analysis is based on the default construction equipment fleet provided by CalEEMod. The construction equipment mix used for estimating the construction emissions of the Project is based on information provided by the Applicant and CalEEMod default values and is shown in Table 4, Construction Scenario Assumptions, in Appendix M. Notably, because detailed specific information regarding the construction equipment fleet is unknown at the time of analysis, the analysis is based on the default construction equipment fleet provided by CalEEMod. Construction phasing specifications were provided by the Project Applicant, while the default values generated by CalEEMod were used for the construction equipment mix. This equipment mix accounts for both on-site construction equipment, as well as construction equipment required for off-site improvements. For the analysis, it was generally assumed that heavy construction equipment would be operating both on the Project site and at the off-site improvement areas for approximately 8 hours per day, 5 days per week (22 days per month) during Project construction. CalEEMod defaults were applied for the worker, haul, and vendor trips (CAPCOA 2017).

A detailed depiction of the construction schedule—including information regarding subphases, demolition, and equipment used during each subphase—is included in Appendix M. The information contained in Appendix M was used as CalEEMod model inputs. As shown in Table 5 of Appendix M, estimated total Project-generated construction GHG emissions are approximately 5,991.93 MT CO<sub>2e</sub> over 6 years (2020 through 2026). The amortized construction GHG emissions over the lifetime of the Project (30 years) would be approximately 200 MT CO<sub>2e</sub> per year. Because there is no separate GHG threshold for construction, the evaluation of significance is discussed in the operational emissions analysis below.

### Operational Impacts

Emissions from the operational phase of the Project were estimated using CalEEMod. Operational year 2025 was assumed as it would be the first year following completion of construction. The existing hospital generates GHG emissions, primarily associated with vehicular traffic. Emissions generated during operation of the existing facility were estimated to provide a baseline for comparison to projected operational emissions generated by buildout of the Project. An operational year of 2019 was used to represent existing conditions because that is anticipated to be the last year of operation of the hospital before demolition of the site.

The Project would generate operational GHG emissions from area sources (landscape maintenance equipment), energy sources (natural gas and electricity consumption), mobile sources (vehicle trips), water supply and wastewater treatment, and solid waste (Table 5.2.6-1).

**Table 5.2.6-1  
Estimated Annual Operational Greenhouse Gas Emissions (2025)**

Emissions Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
	Metric Tons per Year			
<i>Existing</i>				
Area	0.03	0.00>0.01	0.00	0.030.03
Energy	3,775.28	0.13	0.04	3,791.42
Mobile	2,062.90	0.11	0.00	2,065.76
Solid waste	859.38	50.79	0.00	2,129.08
Water and wastewater	258.94	1.61	0.04	311.14
Existing Total				8,297.43
<i>Proposed</i>				
Area	330.023	0.49	>0.01	343.74
Energy	972.15	0.04	0.01	976.48
Mobile	3,723.91	0.19	0.00	3,728.54
Solid waste	12.98	0.78	0.00	32.15
Water and wastewater	213.52	1.15	0.03	250.94
Proposed Total				5,331.85
Amortized Construction Emissions				199.73
Net Total				-2,765.85

Source: See Appendix A to Appendix M of this EIR for detailed results.

Notes: CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>e = carbon dioxide equivalent.

Emissions were modeled with CalEEMod and are based on the "Mitigated" CalEEMod outputs. Numbers may not add exactly due to rounding.

As shown in Table 5.2.6-1, the total Project emissions during operation were estimated to be approximately 5,332 MT CO<sub>2</sub>e per year. After accounting for the emissions generated

from the existing Hospital Campus in the amount of 8,297.43 MT CO<sub>2</sub>e per year as well as the amortized construction emissions of 199.73 MT CO<sub>2</sub>e per year, the Project would result in a net reduction of GHG emissions of 2,765.85 MT CO<sub>2</sub>e per year. As the Project would reduce emissions relative to the existing conditions consistent with CARB's Scoping Plan, impacts would be **less than significant**.

**B. *Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

This section discusses the Project's consistency with the City's E-CAP, SANDAG's Regional Plan, and CARB's Scoping Plan.

Consistency with the E-CAP

The City's E-CAP is only a certified GHG reduction plan, for the purposes of CEQA, through 2020 (14 CCR 15183.5). Although the Project's build-out year of 2025 post-dates the City's E-CAP, the E-CAP remains a relevant document for purposes of this EIR because it is an applicable planning document that has been adopted by the City (e.g., 14 CCR 15125[d]). Additionally, the City's E-CAP provides a useful benchmark for evaluating whether the Project is consistent with the planning framework developed by the City to achieve its AB 32-related emissions reduction objectives. The E-CAP indicates that the post-2020 E-CAP would include a specific target for GHG reductions for 2035 and 2050 and states that "The targets would be consistent with broader state and federal reduction targets and with the scientific understanding of the needed reductions by 2050" (Appendix M). For the E-CAP to be a certified GHG reduction plan beyond 2020, it will have to incorporate reduction measures that align with AB 32 and EO S-3-05. The E-CAP update process is underway but the City has yet to adopt or approve the update that would enable this Project to tier from the E-CAP. The Project would include compliance measures including **CM-GH-1** (see Table 2-4). The Project would also generate a net negative amount of GHG emissions (-2,765.85 CO<sub>2</sub>e) after accounting for the GHG emissions associated with the existing hospital and would not exceed the E-CAP's screening threshold of 2,500 CO<sub>2</sub>e and therefore would be consistent with the City's E-CAP.

Consistency with the Regional Plan

The Project would be developed to support the policy objectives of the Regional Transportation Plan (RTP) and SB 375. For example, the Project would develop a mixed use community that would include residential uses, supported activities, and commercial amenities. Although the Project does result in an increase in VMT compared to the existing Hospital Campus use, because it is an infill mixed-use project, it would be expected to have inherently less vehicle

miles traveled (VMT) than a similar residential project located at the outskirts of a city. This is reflected in the following analysis which shows that VMT per capita of the Project is below the City's and regional VMT per capita forecast in the Regional Plan.

Implementation of the Project would result in an increase in 510 residential units. SANDAG's 2050 Regional Growth Forecast, adopted in October 2013, is the current growth forecast, and estimates that the City would have 53,605 units in 2020 and 55,633 units in 2035 (SANDAG 2017). The Project is expected to bring 510 units to market by 2025 and thus would be within SANDAG's growth projection for housing for that year. Therefore, the Project would not conflict with SANDAG's regional growth forecast for the City. To analyze the consistency of the Project with the Regional Plan for informational purposes, the Project's total daily VMT was divided by the Project's service population (i.e., residents plus employees) to arrive at the per capita total daily VMT estimates. As discussed in Section 4.6, Transportation, the existing baseline for the San Diego region is 17.53 VMT per capita. The City of Escondido VMT per capita is 15.29 per resident. For the purpose of evaluating VMT consistency with the guidelines, the Project VMT per capita would need to be 85% below the City-wide average, which equates to 13.01 VMT per capita (resident). The Project would generate a total of 7,840 trips, with a total of 21,772 VMT. Considering the Project would generate about 2,193 residents, the Project VMT per capita would be 9.93. This is below 85% of the City of Escondido VMT per capita rate of 13.01; therefore, the Project would be consistent with the OPR's guidelines and the San Diego ITE SB 743 Subcommittee guidelines. Therefore, the Project would be consistent with the total VMT per capita, growth projections, and GHG reductions assumed within the Regional Plan. As outlined in Table 7 of Appendix M, the Project is consistent with applicable Policy Objectives and Strategies from the Regional Plan.

#### Consistency with CARB's Scoping Plan

The Scoping Plan, approved by CARB on December 12, 2008, provides a framework for actions to reduce California's GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. As such, the Scoping Plan is not directly applicable to specific projects. Under the Scoping Plan, however, there are several state regulatory measures aimed at the identification and reduction of GHG emissions. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. The Project would comply with all applicable regulations adopted in furtherance of the Scoping Plan to the extent required by law. The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32 and establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. Based on the analysis in Table 8 of Appendix M, the Project would be consistent with the applicable strategies and measures in the Scoping Plan.

The Project would be consistent with the measures and policy goals of the Scoping Plan, as well as various efforts the Scoping Plan established to encourage infill development projects. Therefore, the Project would be consistent with CARB's Scoping Plan.

Finally, SDAPCD has not adopted GHG reduction measures that would apply to the GHG emissions associated with the Project. Compliance measures include **CM-GH-1** (see Table 2-4). For the reasons stated above, the Project would be consistent with all applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, and impacts would be **less than significant**.

### **5.2.6.3 Cumulative Impact Analysis**

GHG emissions and their relation to climate change are, by their very nature, cumulative impacts. Therefore, based on the analysis above, the Project's cumulative contribution to GHG emissions would be **less than significant**.

### **5.2.6.4 Conclusion**

The Project's impact on GHG emissions would be **less than significant**.

## **5.2.7 Hydrology and Water Quality**

### **5.2.7.1 Guidelines for the Determination of Significance**

This section addresses the potential hydrology, water quality, and stormwater/flooding impacts associated with implementation of Project. This analysis is based on the review of existing resources, applicable laws and regulations, as well as the following technical reports prepared for the Project: the *Updated Geotechnical Evaluation* prepared by GeoTek, included as Appendix L; the *Palomar Heights Drainage Study* (Drainage Study) prepared by Hunsaker & Associates, included as Appendix N; and *Priority Development Project – Stormwater Quality Management Plan* (SWQMP) prepared by Hunsaker & Associates, included as Appendix O to this EIR. A significant impact to hydrology and/or water quality would result if the Project would:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin.
- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - i. Result in substantial erosion or siltation on- or off-site;

- ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
  - iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
  - iv. Impede or redirect flood flows
- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?
- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

### 5.2.7.2 Analysis

**A. *Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?***

The existing drainage conveyance is urban, as the Project site is currently a hospital with associated structures and parking lots. No off-site bypass flow is conveyed through the site. Currently, the site discharges flow onto Valley Parkway and Fig Street via area drains and curb outlets. Flow discharged onto Valley Parkway is intercepted via one of three inlets. Flow collected by the first and second inlet is routed via an 18-inch reinforced concrete pipe (RCP) to a 36-inch RCP where it comes into confluence with the flow collected by the third inlet. This flow ultimately discharges into Escondido Creek. Flow discharged onto Fig Street from the property enters a curb inlet and is routed via a 12-inch RCP to a larger 33-inch RCP where it comes into confluence with flow from Fig Street. This flow ultimately discharges into Escondido Creek as well.

The proposed on-site drainage would maintain the existing condition drainage patterns onto E. Valley Parkway and N. Fig Street. As described in the SWQMP prepared for the Project (Appendix O), ~~12-14~~ drainage management areas (DMAs) are proposed within the Project site. Flow generated by each of the DMAs on site would reach 1 of the ~~13-16 proprietary biofiltration treatment~~ modular wetland unit best management practice (BMP) areas prior to entering the on-site storm drain network. The proposed on-site storm drain network would then discharge to E. Valley Parkway and N. Fig Street, and ultimately discharge into Escondido Creek as described above. As discussed in Appendix N, the Drainage Study, development of the Project would not increase overall surface runoff. Due to the existing high percentage of impervious area and the implementation of BMPs on site, there would be a slight decrease in peak flows in comparison to existing conditions.

Due to the Project's size of 13.8 acres, the site is subject to the National Pollutant Discharge Elimination System (NPDES). Under the NPDES permit program, BMPs are mandated for construction sites greater than 1 acre, through preparation of stormwater pollution prevention plans (SWPPPs) in order to reduce the occurrence of pollutants in surface water. SWPPPs are submitted to the Regional Water Quality Control Board prior to ground-disturbing activities and set forth the measures that would be employed during construction to avoid runoff into surface waters. A SWPPP is required for the Project. Both construction and operational BMPs for the Project will be outlined in the SWPPP being prepared for the Project. Typically, BMPs include street sweeping, waste disposal, vehicle and equipment maintenance, concrete washout area, materials storage, minimization of hazardous materials, and proper handling and storage of hazardous materials. Typical erosion and sediment control BMPs include silt fences, fiber rolls, gravel bags, temporary desilting basins, velocity check dams, temporary ditches or swales, stormwater inlet protection, and soil stabilization measures. Implementation of these state-mandated measures would ensure Project construction and operation would not violate any water quality standards or waste discharge requirements and not further contribute to water quality impacts identified in the Clean Water Act Section 303(d) List of Water Quality Limited Segments.

As discussed in Appendix L, the Updated Geotechnical Evaluation prepared for the Project, groundwater was encountered within the older alluvium and granitic rock at a depth of 17 feet. With the incorporation of BMPs, ~~biofiltration basins~~ modular wetland units, and the required SWPPP, the potential for infiltration into groundwater supplies, movement of foundation or slabs, slope instability, groundwater seepage, and other undesirable impacts as a result of groundwater infiltration would be reduced.

Therefore, with implementation of proposed BMPs, the required SWPPP, and compliance with water quality requirements and applicable regulations (**CM-HY-1**) (see Table 2-4), runoff from the site would not adversely affect surface or groundwater quality, and impacts would be **less than significant**.

***B. Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?***

The Project is not located within a known groundwater basin within the City of Escondido (SDIWM 2019). As outlined in the City of Escondido Urban Water Management Plan (City of Escondido 2015), the City does not participate in any groundwater withdrawal, storage, or recharge programs. Since the Project would be receiving water supplies from the City, rather than utilizing groundwater resources, there would be **no impact** on groundwater supplies or interference with groundwater recharge.

**C. *Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

***i. Result in substantial erosion or siltation on- or off-site?***

During construction of the Project, BMPs and recommendations in the Project SWPPP, and adequate drainage measures would be implemented to reduce the potential for differential soil movement, erosion, and subsurface seepage. The site would be graded and maintained in such that surface drainage would be directed away from drainage structures in accordance with 2016 CBC 1804.4 standards. In addition, the surface drainage would be directed away from the top of slopes into the proposed swales and other controlled drainage devices. Roof and pavement drainage would be directed into ~~biofiltration basins~~ basins modular wetland units that carry runoff away from the proposed drainage structures. The proposed ~~biofiltration basins~~ basins modular wetland units would eliminate pollution and sediment that may be in the water. Therefore, implementation of proposed DMAs and BMPs, as discussed above and outlined in the SWQMP prepared for the Project (Appendix O), would reduce the potential for substantial erosion or siltation on or off site. Therefore, impacts would be **less than significant**.

***ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?***

As discussed above, and indicated in Table 1 of the Drainage Study prepared for the Project (Appendix N), development of the Project would not increase overall surface runoff. Due to high percentage of impervious areas (approximately 80%), internal routing of flows, and the implementation of BMPs on site, there would be a slight decrease in peak flows in comparison to existing conditions (Appendix N). The Project would not increase runoff in the 100-year storm event, and would not require on-site detention facilities for flood attenuation. Therefore, impacts would be **less than significant**.

***iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?***

As previously discussed, the Project would maintain the existing drainage patterns and would discharge into the Escondido Creek. No off-site bypass flow is conveyed through the site. The Project proposes the construction of a new storm drain

network (see Section 2.3, Project Description) and ~~13—16 proprietary biofiltration~~ 13—16 modular wetland units to provide water quality treatment for runoff generated in the proposed condition. The proposed on-site drainage network would tie into the existing drainage network on E. Valley Parkway and N. Fig Street. As a part of the Project, the 18-inch storm drain within E. Valley Parkway would be replaced and upsized to a 36-inch storm drain in order to accommodate the Project flows. The existing infrastructure within N. Fig Street is sized appropriately to convey existing and proposed drainage (Appendix N). As previously described, due to the high percentage of impervious areas, internal routing of flows, and the implementation of BMPs on site, there would be a decrease in peak flows in comparison to existing conditions. Implementation of the required SWPPP would ensure the Project would not result in additional sources of polluted runoff. Therefore, impacts would be **less than significant**.

*iv. Impede or redirect flood flows?*

According to the FEMA Flood Insurance Rate Map (FIRM), the Project site is located in an unshaded Zone X, which is defined as “Areas determined to be outside the 500-year floodplain. The Project site is not mapped within a special flood hazard zone and would not require any flood map revisions through FEMA (Appendix N). Additionally, the site is not located within proximity to a water body that could pose a seiche hazard to the Project. Because Project impacts would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows, impacts would be **less than significant**.

*D. Would the Project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?*

The Project site is located approximately 14 miles inland from the Pacific Ocean and would not be subject to inundation by tsunami. Given that the Project site is not located near a large standing body of water (the nearest is Dixon Lake, approximately 3 miles northeast of the Project site), inundation by seiche (or standing wave) is considered negligible.

Therefore, **no impacts** would occur with respect to potential risk of Project pollutants released by inundation by seiche or tsunami.

*E. Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

As described above, the proposed drainage would maintain the existing condition drainage patterns. Flow generated by DMAs on site would reach 1 of the ~~13 proprietary biofiltration~~ 16 modular wetland unit-treatment BMPs before entering the on-site storm drain network. Proposed BMPs and site design features would reduce the potential for pollution within the City's stormwater system. BMPs would be compliant with Escondido's Jurisdictional Runoff Management Plan (City of Escondido 2017), which contains regulations and policies for sediment and pollutant management within the Project site. As stated above, and in the City of Escondido Urban Water Management Plan (City of Escondido 2015), the City does not participate in any groundwater withdrawal, storage, or recharge programs. Additionally, the Project would be subject to NPDES requirements and Regional Water Quality Control Board general permits and city construction inspection and enforcement. As such, the Project would be in compliance with applicable regulations, and would not obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, impacts would be **less than significant**.

### **5.2.7.3 Cumulative Impact Analysis**

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects are located in urbanized areas similar to the Project site, and their development could potentially result in an increase of stormwater flow or a decrease in water quality. These projects would be subject to the same requirements as the Project, to maintain existing runoff quantities and maintain or improve stormwater quality, as well as avoiding impacts to groundwater. By decreasing runoff effects (through decreasing the amount of impervious area and installing water quality improvements), the Project would contribute to a potentially cumulative impact to hydrology and water quality.

### **5.2.7.4 Conclusion**

The Project impacts to hydrology and water quality would be **less than significant**.

## 5.2.8 Mineral Resources

### 5.2.8.1 Guidelines for the Determination of Significance

This section addresses the potential mineral resources impacts associated with implementation of the Project. The analysis is based on the review of state, regional, and local applicable laws, regulations, and mapping. A significant impact related to mineral resources would occur if the Project would:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

### 5.2.8.2 Analysis

**A. *Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

There are no known mineral resources on the Project site. According to the Department of Conservation's Generalized Mineral Land Classification Map of Western San Diego County, California, the Project site is not located in a Mineral Resource Zone 2 (MRZ-2) where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists (CDOC 1996). The Project site is also located in a developed and urbanized area with surrounding land uses that are incompatible with and would likely preclude mineral extraction. Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the state and impacts would be **less than significant**.

**B. *Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

The City's General Plan 2012 does not identify any zones of locally important mineral resources. Mineral extraction land uses would be incompatible with the existing and planned land uses within and around the Project site. Therefore, **no impact** to locally important mineral resources would occur.

### 5.2.8.3 Cumulative Impact Analysis

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects are located in urbanized areas similar to the Project site, and would not result in cumulative impacts to the availability of minerals of state, regional, or local importance.

#### 5.2.8.4 Conclusion

The Project impacts to mineral availability would be **less than significant**.

### 5.2.9 Population and Housing

#### 5.2.9.1 Guidelines for the Determination of Significance

This section addresses the potential population and housing impacts associated with implementation of the Project. The analysis is based on the review of local housing policies, land use maps, and existing infrastructure. A significant impact related to population and housing would occur if the Project would:

- A. Induce substantial unplanned population growth in the area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

#### 5.2.9.2 Analysis

- A. *Would the Project induce substantial unplanned population growth in the area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The City's population in 2018 was 152,213 and is forecasted to increase to 165,812 by 2030 (U.S. Census Bureau 2018; SANDAG 2019). The City had an estimated 47,213 housing units in 2017 and is forecasted to increase to 52,954 by 2030 (U.S. Census Bureau 2017a; SANDAG 2019). According to the U.S. Census Bureau's American Community Survey, the estimated average persons per household was 3.29 in 2017 (U.S. Census Bureau 2017b). As discussed in Section 2.3.1, Project Components, the Project would build 510 dwelling units. Therefore, the Project would potentially increase the City's population by 1,677.9 persons. This potential increase in population as a result of the Project is not conflicting with the forecasted population increase for the City.

The Project site is located in the Historic Downtown District, as designated by the City's Downtown Specific Plan (City of Escondido 2013). The City's Downtown Specific Plan Area would accommodate up to 5,275 dwelling units (City of Escondido 2013). Additionally, the Project site is zoned for a density of up to 100 dwelling units per acre in the proposed apartments, villa, and rowhome areas, whereas the senior housing area can have up to 75 dwelling units per acre (City of Escondido 2013). As discussed in Section 2.3.1, the Project would have a residential density of 37 units per acre, which is in compliance with the City's Downtown Specific Plan.

According to the City's General Plan – Housing Element, the Regional Housing Needs Allocation prepared by SANDAG assessed that the City's share of regional future housing needs is a total of 4,175 units (City of Escondido 2012b). As mentioned earlier, the Project would involve building 510 dwelling units; therefore, the Project would work in accordance with the housing needs goal.

The Project would induce population growth because it would construct residential units and commercial space. However, the potential growth as a result of the Project would be aligned with the forecasted population growth of the City and in area designated for such growth. Therefore, the Project would have a **less than significant impact**.

***B. Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

As discussed in Chapter 2, the Project site is currently developed as the Hospital Campus with 398,246 square feet of hospital, medical office, and commercial uses and 1,037 parking spaces. There are no residential housing units located within the Project site. The Project would not displace a substantial number of existing people or housing. Therefore, the Project would have a **less than significant impact**.

### **5.2.9.3 Cumulative Impact Analysis**

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects would construct a total of 750 residential units, primarily multi-family units. This is consistent with City growth projections discussed above. There would be **no cumulative impact** to population and housing.

### **5.2.9.4 Conclusion**

The Project impacts to population and housing would be **less than significant**.

### **5.2.10 Public Services**

#### **5.2.10.1 Guidelines for the Determination of Significance**

This section addresses the potential impacts on public services associated with implementation of the Project. The analysis is based on applicable laws, regulations, and guidelines, and as well as public correspondence ~~detailed provided~~ in Appendix P to this EIR. The analysis of public services within this section is limited to those public services defined in CEQA Appendix G (related to new or physically altered governmental facilities). This section does not include analysis of the fiscal impacts to other public services, as these impacts are not required to be analyzed within an EIR.

(City of Hayward v. Board of Trustees of the California State University (2015) 242 Cal.App.4th 833.) The Project, however, will be expected to offset any additional ongoing public services required for the Project through the establishment of a lawful funding mechanism, if any, which shall be incorporated into the conditions of approval for the Project. Any reference in this section to the additional public services beyond the scope of CEQA Appendix G is provided for informational purposes only.

A significant impact related to public services would occur if the Project would:

A. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Fire protection
- Police protection
- Schools
- Parks
- Other public facilities

### **5.2.10.2 Analysis**

A. *Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

#### ***Fire protection?***

The Escondido Fire Department (EFD) currently staffs 93 full-time safety (including Chief Officers), 18 non-safety paramedics, 5 Fire Prevention Officers, 1 Emergency Preparedness Manager, 2 administrative staff, and 2 part-time administrative staff (Appendix P; City of Escondido n.d.a). The EFD operates seven fire stations (City of Escondido n.d.a). The closest station to the Project site is Fire Station 1, located at 310 N. Quince Street, which is approximately 1.2 miles southwest of the site (City of Escondido n.d.b). Fire Station 1 would provide primary response to the Project site, and Fire Station 7 on 1220 N. Ash Street would

provide secondary response to the Project site (Appendix P). At this time there are no plans to expand or build any new facilities in the Project service area (Appendix P).

The EFD's Quality of Life Standard states that, in urbanized areas, an initial response time of seven and one-half minutes for all structure fire and emergency Paramedic Assessment Unit calls and a maximum response time of 10 minutes for supporting companies shall be maintained (City of Escondido 2012c). Additionally, a minimum of seven fire stations shall be staffed with a Paramedic Assessment Unit engine company (City of Escondido 2012c).

EFD defines travel time as the elapsed time from a verbal or computerized acknowledgment of the dispatch by the responding unit at the moment of departure from the station to its arrival at the scene (City of Escondido 2012c). EFD defines response time as the elapsed time from receiving a call for service to the responding unit's arrival at the scene (City of Escondido 2012c).

The projected response times for the four closest fire stations are listed in Table 5.2.10-1. All of the projected response times are within the response time goal threshold. Additionally, the jurisdictional average response time for all calls is 6 minutes and 12 seconds, which is in compliance with the City's response time goals. The Project would likely result in increased emergency responses, primarily medical in nature; however, projected response times are currently well under the response time goal of 7.5 minutes with payment of all applicable fees.

**Table 5.2.10-1  
Projected Response Times to the Project Site**

Fire Station	Projected Response Times <sup>a</sup>
Fire Station 1	5 minutes, 01 seconds
Fire Station 7	5 minutes, 26 seconds
Fire Station 3	5 minutes, 34 seconds
Fire Station 2	5 minutes, 50 seconds

Source: Appendix P.

Note:

<sup>a</sup> Based on historical response times to the Project site.

All new developments must adhere to the building standards designated in the California Health and Safety Code (Section 13000 et seq.). Additionally, the City's General Plan indicates that new developments would be required to contribute fees to maintain fire protection facility service levels without adversely affecting facility service levels for existing development (City of Escondido 2012c). This is enforced in Article 18B of Chapter 6 of the Escondido Municipal Code, which states that all new residential or nonresidential development shall pay a fee for the purpose of ensuring that the public facility standards established by the City are met with respect to the additional needs

created by such development (City of Escondido n.d.c). The public facilities fee for projects within the Downtown Specific Plan Area is \$3,740.14 per dwelling unit (City of Escondido 2019).

EFD would be able to adequately serve the Project. Furthermore, payment of all applicable fees, as discussed above, would avoid potential significant impacts as a result of the Project. Compliance measures include **CM-PS-1** (see Table 2-4). Therefore, the Project would have a **less than significant** impact.

### ***Police protection?***

The Escondido Police Department's (EPD) central operation is located at 1162 N. Centre City Parkway. As of 2019, the EPD has 159 Sworn, 58 full-time Non-Sworn, and 36 part-time Non-Sworn employees(Appendix P).

The EPD's Quality of Life response time standard is 5 minutes or less for emergency calls (Priority 1) and no more than 6.5 minutes for high-priority calls (Priority 2). The response time standard includes the measurement of elapsed times from when the call was initially processed by the communication operator, the transfer of call information to the police officer, and the time of the field officer's arrival at the service call location (City of Escondido 2012c). Priority 1 calls are defined as calls for crimes in progress or life threatening, and Priority 2 calls are defined as serious calls requiring rapid response but not a life-threatening incident (City of Escondido 2012c).

**Table 5.2.10-2  
Escondido Police Department Call Priority Response Times**

Call Priority	Average Response Time Guidelines	Number of Calls (Citywide)	Average Response Times (Citywide)	Number of Calls (Beat 42)	Average Response Times (Beat 42)
Priority E—Imminent threat to life	—	—	—	—	—
Priority 1—Serious crimes in progress	Within 5 Minutes	533	04:04	80	03:10
Priority 2—Less serious crimes with no threat to life	Within 6.5 Minutes	9,644	06:39	1,436	05:30
Priority 3—Minor crimes/requests that are not urgent	Within 20 Minutes	33,754	19:08	4,591	17:25
Priority 4—Minor requests for police services	Within 120 Minutes	8,076	35:17	823	38:45
Total	—	52,007	—	6,930	—

Source: Appendix P.

According to Table 5.2.10-2, the total number of calls for service for the entirety of the City is 52,007. The total number of calls for service for Beat 42 is 6,930. Both the City and Beat 42 meet the threshold for each average response time goal as defined by the call for service's Priority level.

Article 18B of Chapter 6 of the Escondido Municipal Code establishes a public facility fees for the City of Escondido by which the Project would be required to pay a fee for the purpose of ensuring that public facilities standards established by the City can be met (City of Escondido n.d.c). The public facilities fee for projects within the Downtown Specific Plan Area is \$3,740.14 per dwelling unit (City of Escondido 2019). Additionally, as shown in Table 5.2.10-2, ~~the EPD facilities are~~ is currently able to service the City and the Project area. ~~The EPD facilities~~ would be able to adequately service the Project site, and payment of the applicable fees would mitigate any potential significant impact. Compliance measures include **CM-PS-1** (see Table 2-4). Therefore, the Project would have a **less than significant** impact.

### ***Schools?***

The Project would be serviced by the Escondido Unified School District (EUSD) and the Escondido Union High School District (EUHSD) (EUSD n.d.; EUHSD n.d.). Students residing within the Project area would go to Central Elementary School, Del Dios Academy

of Arts and Sciences (Middle School), and Escondido High School (EUSD n.d.; EUHSD n.d.). Central Elementary School is located on 122 W. Fourth Avenue, Del Dios Academy of Arts and Sciences is located on 1400 W. Ninth Avenue, and Escondido High School is located on 1535 N. Broadway Street.

Table 5.2.10-3 details the total enrollment, generation rates, and the projected number of students generated by the Project for Central Elementary, Del Dios Academy, and Escondido High School. As discussed in Chapter 2, there would be a total of 510 multi-family dwelling units constructed with the implementation of the Project. Based on the generation rates provided in Table 5.2.10-3, the Project would have the potential to generate approximately 60.3 students for Central Elementary, 64.4 students for Del Dios Academy, and 90 students for Escondido High School (Appendix P).

**Table 5.2.10-3**  
**Schools Serving the Project**

School Name	2016-2017 Total Enrollment	2017-2018 Total Enrollment	Generation Rates	Number of Students generated by the Project
<i>Elementary</i>				
Central Elementary	667	611	0.1183	60.3
<i>Middle School</i>				
Del Dios Academy of Arts and Sciences	822	816	0.1244	64.4
<i>High School</i>				
Escondido High School	2,322	2,315	—	90

Sources: Appendix P; EUSD 2017a, 2017b; EUHSD 2017, 2018; EdData n.d.a, n.d.b.

The 2018–2019 school capacity is 855 students for Central Elementary, 810 students for Del Dios Academy, and 2,800 students for Escondido High School. Based on the information in Table 5.2.10-3, the number of students generated by the Project would not exceed any capacity of the schools that would potentially serve residences on the Project site.

Senate Bill 50 allows school districts to levy statutory developer fees in order to fund public school services in accordance with the population of its district. Government Code 65995 and Education Code 17620 permits school districts to collect developer fees for residential, commercial, or industrial buildings. Both EUSD and EUHSD would be able to adequately service the potential population of students generated from the Project, and any additional potentially significant impact would be mitigated with the payment of developer fees to the school districts. Compliance measures include **CM-PS-2** (see Table 2-4). Therefore, the Project would have a **less than significant impact**.

### *Parks?*

A detailed impact analysis on parks and other recreational facilities can be found in Section 5.2.11, Recreation. Compliance measures include **CM-PS-3** (see Table 2-4). As detailed in Section 5.2.11, the Project would comply with recreation goals and impacts to parks would be **less than significant**.

### *Other public facilities?*

The Escondido Public Library (EPL) operates the Main Library located at 239 South Kalmia Street, the Escondido Pioneer Room located at 247 South Kalmia Street, and the Literacy Learning Center located at 200 S. Broadway. The EPL's Quality of Life Standard states that it shall provide and maintain a floor area of 1.6 square feet of library facilities per dwelling unit or 0.6 square feet per capita of the City, a ratio of three public library staff (including one librarian and two paraprofessional staff) per 8,000 residents or 2,300 dwelling units of the City, two collection items per capita, and one public access computer per 1,500 residents (City of Escondido 2012d).

As discussed in Section 5.2.9, Population and Housing, the City has a population of 152,213 and has 47,213 housing units. The Project would potentially increase the population by 1,677.9, increasing the total population from 152,213 to 153,890.9. The Project would add 510 dwelling units, increasing the total number of dwelling units from 47,213 to 47,723. Based on these potential parameters, in order to meet the City's Quality of Life Standard as defined by the City's General Plan, the City library would have to have at minimum 307,781.8 items in their inventory, 57.7 public library staff, 102.5 public access computers, and 76,356.8 square feet of library facility floor area.

According to correspondence with Dara Bradds, Escondido Library Director, the EPL currently staffs 32 employees. Specifically, the EPL employs 7 full-time librarians and 11 full-time employees that include an archivist, a literacy specialist, and a digital services specialist. Three staff members are 3/4-time and include a graphic designer/marketing coordinator and a volunteer coordinator. Eleven staff members are part-time. Additionally, there are 129,565 items in EPL inventory and approximately 54,000 square feet of space (Appendix P).

Although the EPL does not meet the thresholds listed in the City's Quality of Life Standard as defined by the City's General Plan, the EPL is still able to adequately serve the community. Not meeting established thresholds is a common occurrence for many library systems largely due to lack of funding, and therefore is not resultant of the Project. Library Director Bradds states that the Project would not adversely impact the EPL's facility's

ability to serve the community. The EPL would be able to adequately service the potential increase in residents; therefore, the Project would have a **less than significant impact**.

### **5.2.10.3 Cumulative Impact Analysis**

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects would increase demand for public services. These projects would also be subject to facilities fees designed to mitigate cumulative effects to public facilities, including school fees. Thus, the cumulative impact of these projects would be **less than significant**.

### **5.2.10.4 Conclusion**

The Project's impacts to public services would be **less than significant**.

## **5.2.11 Recreation**

### **5.2.11.1 Guidelines for the Determination of Significance**

This section addresses the potential recreation impacts associated with implementation of the Project. The analysis is based on the review of local plans and recreation facilities. A significant impact related to recreation resources would occur if the Project would:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- B. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

### 5.2.11.2 Analysis

- A. *Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

There are 36 parks in the City, encompassing approximately 6,585 acres (City of Escondido 2012d). The closest park to the Project site is Grape Day Park, located approximately 0.5 miles west of the Project site.

According to the City's General Plan – Community Health and Services element, the City shall provide a minimum of 11.8 acres of active and passive parkland per 1,000 dwelling units (City of Escondido 2012d). Of the 11.8 active and passive acres, 5.9 acres should be developed active Neighborhood, Community, and Urban parks and 5.9 acres should be passive park land/open space for habitat preservation and additional recreational opportunities (City of Escondido 2012d).

The City has approximately 48,000 housing units, and the Project would construct 510 dwelling units (SANDAG 2019). The City's park system would have to potentially accommodate 48,510 dwelling units. Accommodating a projected 48,510 dwelling units would require the City to provide approximately, at minimum, 573 passive and active acres. As discussed above, the City presently maintains approximately 6,585 active and passive acres. Therefore, the City's current parkland resources would be able to accommodate the increase in housing and population as a result of the Project. The Project would not substantially increase the use of existing neighborhood and regional parks or other regional facilities such that substantial physical deterioration of the facility would occur or be accelerated.

Pursuant to Article 18C, Chapter 6, of the City's Municipal Code, the City requires that all new residential developments pay a park fee to ensure that the park land and recreational facility standards established by the City are met with respect to the additional needs of the development (City of Escondido 2019, n.d.d). The City's park development fee for projects within the Downtown Specific Plan Area is \$4,655.40 per dwelling unit (City of Escondido 2019). The parks maintained by the City would be able to accommodate the potential population increase as a result of the Project, and any potential significant impacts would be mitigated through the payment of applicable park developer fees. Compliance measures include **CM-PS-3** (see Table 2-4). Therefore, impacts to recreation facilities would be **less than significant**.

***B. Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?***

As discussed in Section 2.3.1, Project Components, the Project would construct ~~40,226~~33,209 square feet of usable recreational and open space amenities. These recreation and open space amenities include a centrally located pool/spa and community pavilion/clubhouse building, a gym within the main apartment building, a dog park located in the northeastern portion of the Project site and a pocket park near the southeastern corner of the Project site (Figure 2-3, Project Site Plan). An additional ~~99,705~~96,535 square feet of passive open space would be provided as walkways, trails, and courtyards. Balconies and patios would be provided, totaling 45,375 square feet of private open space. In total, the Project would provide ~~185,306~~175,119 square feet of open space, which is approximately ~~363~~343 square feet of open space per residential unit. This ratio is in compliance with the regulation designated in the Downtown Specific Plan, which requires a minimum of 300 square feet per residential unit for mixed-use developments (City of Escondido 2013).

The Project would include usable recreational amenities. The Project would not require the creation or expansion of any recreational facilities outside of the Project site due to the proposed open space and recreational facilities. Therefore, the Project would have a **less than significant impact**.

### **5.2.11.3 Cumulative Impact Analysis**

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects include residential development that would result in 750 dwelling units, which would increase demand for parks. As discussed above, the City currently meets and exceeds its service ratio for parkland. In addition, the cumulative projects would be required to both provide parks and open space and to pay the park fee. Therefore there would be **no cumulative impact** related to parks and recreation.

### **5.2.11.4 Conclusion**

The Project impacts related to parks and recreation would be **less than significant**.

## 5.2.12 Utilities and Service Systems

### 5.2.12.1 Guidelines for the Determination of Significance

This section addresses the potential impacts to utilities and service systems associated with implementation of the Project. The analysis is based on the review of existing resources, applicable laws and regulations, as well as the following technical reports prepared for the Project: the *Sewer Study for the Palomar Heights Project* (Sewer Study) prepared by Dexter Wilson Engineering, included as Appendix Q to this EIR; the *Water Study for the Palomar Heights Project* (Water Study) prepared by Dexter Wilson Engineering, included as Appendix R to this EIR; and the *Water Supply Assessment for the Palomar Heights Project* (Water Supply Assessment) prepared by Dexter Wilson Engineering, included as Appendix S to this EIR. A significant impact related to utilities and service systems would occur if the Project would:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- B. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years.
- C. Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.
- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

### 5.2.12.2 Analysis

- A. ***Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?***

The Project would replace an existing hospital facility in an urbanized area with available infrastructure. Proposed utility improvements are described in Section 2.3 of this EIR. These utility improvements are included as a part of the Project, and the associated impacts are addressed in this EIR. No additional impacts related to utilities would occur. Each of the proposed utility improvements included in the Project is described further below.

The on-site public water system for the Project would connect in two locations. One connection would be made to the existing 12-inch water main in E. Valley Parkway and the other connection would be made in E. Grand Avenue. To meet water system design criteria, the existing off-site 6-inch water main in E. Grand Avenue would be replaced with a 12-inch water main from the S. Hickory Street intersection east to N. Fig Street. These improvements would serve the Project needs and no additional water improvements would be necessary to serve the Project.

~~The Project would implement one of two sewer service options. Sewer Alternative 1 would direct all sewage flows to the existing 12-inch sewer main in N. Hickory Street, which would flow to the existing 21-inch public trunk sewer in Pennsylvania Avenue north of the Project site (Figure 2-7a). Under Sewer Alternative 1, there are no off-site improvements necessary for the Project, except for the new 8-inch sewer needed in Valley Boulevard for the senior apartments building and the commercial component of the main residential area at the south end of Valley Boulevard. The existing 12-inch sewer line in N. Hickory Street has adequate capacity to serve the Project (Appendix Q; Appendix R). However, Sewer Alternative 1 would result in the construction of a deep (approximately 16.6 feet deep) public on-site sewer lateral flowing to the N. Hickory Street line. Construction of sewers at standard depths, rather than to the estimated depth of 16.6 feet, would facilitate better access for repair and maintenance. Thus, the Project includes Sewer Alternative 2, which would include standard depths.~~

~~Sewer Alternative 2 would direct sewage from up to 72 dwelling units on the Project site to the existing 8-inch gravity sewer in N. Fig Street, with the remaining sewage being directed to the sewer system in N. Hickory Street, as identified under Sewer Alternative 1 (Figures 2-7b and 2-7c). This would require a new sewer line within the Project site to extend from the facilities to the existing western manhole in the intersection of N. Fig Street and the alley between E. Grand Avenue and E. Ohio Avenue.~~

Sewer service to the Project site would be provided by connecting 498 dwelling units to an existing 12-inch sewer main within N. Hickory Street, while the remaining wastewater flow from 12 units (in the southeast corner of the Project site) would be directed to the existing sewer main within N. Fig Street, as identified within Figure 2-7a, 2-7b, and 2-7c, Utilities Plan.

The N. Hickory Street sewer connection would be divided into two separate areas by Valley Boulevard; the western side of the Project site consisting of the senior apartments building, and the eastern side of the Project site consisting of the main residential area. The senior housing building would be served by a new public 8-inch gravity sewer main in Valley Boulevard which flows north and connects to an existing 12-inch sewer main in N. Hickory Street. A new private 8-inch sewer lateral would be constructed from the senior apartments building, and a new 6-inch lateral would be constructed from the commercial component of the building. Both would connect to the new public 8-inch sewer main in Valley Boulevard before connecting to the existing public 12-inch sewer main in N. Hickory Street.

Within the main residential area east of Valley Boulevard (outside of the 12 dwelling units that would connect to N. Fig Street), the proposed on-site sewer improvements include an 8-inch public sewer main system within the private drives that would connect to the proposed buildings via private 6-inch sewer laterals located within alleyways. The wastewater flows from this internal sewer main network would connect to the existing 12-inch sewer main in N. Hickory Street. According to the sewer analysis prepared for the Project, the 12-inch N. Hickory Street sewer main would have adequate capacity to serve the Project (Appendix Q). Thus, no offsite improvements outside of the new 8-inch sewer to be constructed in Valley Boulevard across the property frontage to the south for the senior apartments building and commercial area would be required.

Regarding the N. Fig Street sewer main, an on-site public 8-inch main would be constructed within alleyway "U" to serve the 12 dwelling units at the southeast corner of the Project site. This main would connect to a new 8-inch public sewer main near the southeast corner of the Project site, and ultimately to an existing 8-inch sewer line in N. Fig Street upstream of the gravity sewer and manholes in the alley between E. Grand Avenue and E. Ohio Avenue. A new manhole would be constructed on the existing 8-inch sewer line. At the next downstream ~~In this~~ intersection (at the alley between E. Grand Avenue and E. Ohio Avenue) there are two manholes; the west manhole ties to the existing 6-inch gravity sewer in N. Fig Street flowing north, and the east manhole ties to an existing 8-inch relief sewer that also flows north. These two parallel gravity sewers combine into one 8-inch line at the alley between E. Ohio Avenue and E. Pennsylvania Avenue. This existing 8-inch sewer continues north, increasing to a 10-inch sewer at the alley north of E. Valley Parkway, after which it ties into the 21-inch sewer interceptor parallel to the south side of Escondido Creek.

The existing sewer in N. Fig Street collects flow from a large service area to the south and east of the Project site. The sewer service area extends south to 5th Avenue and east to Cedar Street. Under existing peak flows, the 6-inch and 8-inch sewers exceed the design criterion depth to diameter (d/D) ratio of 0.50; the 6-inch line flows at 0.63 d/D, whereas the 8-inch segments flow at 0.54 and 0.58 d/D, based on all the flow going through the existing 6-inch sewer between the alleys on either side of E. Ohio Avenue. Under the existing plus Project scenario flow, the sewer capacity analysis was completed based on splitting the sewage flow equally between the existing 6-inch sewer and the parallel 8-inch relief sewer. Under this scenario, it was determined that the depth of the 6-inch sewer would flow at 0.45 d/D and the 8-inch relief sewer would flow at 0.43 d/D. The two existing 8-inch sewer segments downstream of the 6-inch and 8-inch relief sewers would flow at 0.55 and 0.58 d/D respectively, while the 10-inch sewer that these lines connect to would flow at 0.25 d/D. While currently 12 equivalent dwelling units (EDUs) flow to the N. Fig

Street sewer system from the existing uses on the Project site and the Project would not increase those flows, improvements would be necessary to conform to the City of Escondido Utility Department's sewer design criterion.

To conform to the City of Escondido Utility Department's sewer design criterion for depth of flow, sewers flowing over half full would have to be ~~replaced~~ upsized. Since the existing 6-inch gravity sewer ~~has a~~ and parallel 8-inch relief sewer, ~~the existing 6-inch sewer line does both flow under half full, they do not need to be upsized.~~ As part of the improvements with the Palomar Heights Project, ~~Only~~ the two reaches of 8-inch sewer pipe from the alley north of E. Ohio Avenue to the alley north of E. Valley Parkway within Fig Street (approximately 540 feet) would be increased to 10-inch pipe, ~~as a part of Sewer Alternative 2.~~ With the two 8-inch sewer pipe segments upgraded to 10-inch-diameter pipe, the existing peak sewage flow plus Palomar Heights project peak flow under Sewer Alternative 2 would flow at ~~0.41~~0.39 d/D and ~~0.43~~0.41 d/D. As such, proposed sewer improvements would improve flow conditions to meet the City's standards, and no additional upgrades would be required beyond those already included as a part of the Project.

The proposed on-site storm drainage network within the Project would tie into the existing drainage network on E. Valley Parkway and N. Fig Street (Appendix N). As previously described under Section 5.2.7, Hydrology and Water Quality, the Project proposes the construction of a new storm drain network and ~~13~~16 modular wetland ~~proprietary biofiltration~~ units to provide water quality treatment for runoff generated in the proposed condition. The existing 18-inch storm drain within E. Valley Parkway would be replaced and upsized to a 36-inch storm drain in order to accommodate the Project. No extensions or expansion of existing infrastructure systems within N. Fig Street would be necessary to serve the Project beyond connections to existing facilities located within roadways immediately adjacent to the Project site. The proposed drainage would maintain the existing condition drainage patterns and discharge into Escondido Creek.

Proposed power, natural gas, and telecommunications facilities improvements would include connections to existing service lines located in the adjacent roadways. The Project would connect to existing dry utilities within E. Valley Parkway.

All proposed utilities would be designed to meet all requirements of the City of Escondido Design Standards. Compliance measures include CM-UT-1 (see Table 2-4). No significant environmental effects beyond those already addressed in this report would occur. Therefore, impacts are considered to be **less than significant**.

***B. Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?***

A Water Supply Assessment for the Project was completed by Dexter Wilson Engineering and it is included as Appendix S to this EIR. The following analysis is based on this Project-specific Water Supply Assessment as well as the City's Urban Water Management Plan (City of Escondido 2015).

The City purchases approximately 80% of its water from San Diego County Water Authority and 15% from Lake Dixon and Lake Wolford; the remaining 5% of City water is supplied by means of private wells (City of Escondido 2015). In 2015, potable water use for the City of Escondido was 21,879 acre-feet (AF). The water use projections for the City of Escondido are anticipated to stay generally consistent each year, with 21,903 AF demand anticipated in 2020; 21,440 AF demand anticipated in 2030; and 21,928 AF of potable water demand anticipated in 2040 (City of Escondido 2015).

Historically, the existing uses at the site utilized approximately 104,708 gallons per day, which is the equivalent of 349 multi-family dwelling units. The Project would have an anticipated water usage of 167,774 gallons per day (Appendix S). Overall, the net increase in water demand would be 63,066 gallons per day, which is the equivalent of about 210.22 multi-family residential units. The redevelopment of the Project site and associated change in water demand was addressed in the City's Downtown Specific Plan water supply assessment, and therefore was assumed in the City's 2015 Urban Water Management Plan (City of Escondido 2015). The water supply is also expected to increase as the City plans to expand recycled water facilities and implementing potable reuse. The projected supply levels for the City are 24,903 AF in 2020; 25,840 AF in 2030; and 26,328 AF anticipated in 2040. These additional supplies would provide a reliable local water source for the Project and City and would assist in being able to serve reasonably foreseeable future development during normal, dry, and multiple dry years. Therefore, impacts would be **less than significant**.

***C. Would the Project result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?***

As discussed above, the Project would ~~implement one of two sewer alternatives. Sewer Alternative 1 would connect the entire Project to the N. Hickory Street sewer at the northwest end of the site. Sewer Alternative 2 would connect to the N. Hickory Street sewer and would connect up to 72 dwelling units at the southeast end of the site to the existing sewer in N. Fig Street.~~ provide and on-site sewer system that would connect 498 dwelling units to an existing 12-inch sewer main within N. Hickory Street, while the

remaining wastewater flow from 12 units (in the southeast corner of the Project site) would be directed to the existing sewer main within N. Fig Street.

~~Under either alternative, all~~The sewer improvements needed to serve the Project would be included as a part of the Project. Redevelopment of the site has been planned via the Downtown Specific Plan. The Project site is within the Hale Avenue Resource Recovery Facility (HARRF) service area, and wastewater from the Project site would continue to be conveyed through existing sewer lines to HARRF. The HARRF is designed to treat a flow of 18 million gallons per day (MGD), and the current average daily flow is 12.7 MGD, composed of the City's flow of 9.7 MGD and the community of Rancho Bernardo's flow of 3.0 MGD.

As described in the Sewer Study prepared for the Project (included as Appendix Q to this EIR), sewage generation estimates for the Project were developed in accordance with the City of Escondido's Design Standards, dated April 2, 2014. For residential areas, the average flow generation factor used is 200 gallons per day per dwelling unit. Sewage generation for commercial areas are based on an average flow generation factor of 1,500 gallons per day per acre. As shown in Table 1 of the Sewer Study (Appendix Q), the projected average dry weather sewer flow for the Project is 102,420 gallons per day, which results in a peak dry weather flow of 232,727 gallons per day based on the peaking factor equation provided in Table 3-1 of the City of Escondido 2012 Wastewater Master Plan (Appendix Q). As stated in Section 5.2.12(A), ~~the Project would implement one of two sewer alternatives to provide an upgraded on-site wastewater infrastructure systems in order to serve the Project. If Sewer Alternative 2 is implemented,~~ In addition, implementation of the Project would require approximately 540 feet of 8-inch pipe would to be upgraded to a 10-inch pipe within Fig Street as a part of the Project to ensure design capacity. This includes the sewer the two reaches of 8-inch sewer pipe from the alley north of E. Ohio Avenue to the alley north of E. Valley Parkway to ensure design capacity. However, the HARRF would have sufficient capacity to service wastewater generated by the Project. In addition, the HARRF is currently being expanded to increase its storage and treatment capacity for recycled water. Therefore, there would be adequate capacity to serve the Project's projected wastewater demands, in addition to existing commitments, such that impacts would be **less than significant.**

***D. Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?***

Solid waste disposal for the Project would be provided by Escondido Disposal. Residents would be required to pay standard solid waste disposal fees for this service. Based on modeling completed for Section 5.2.6, Greenhouse Gas Emissions, the Project would generate

approximately 156.65 tons per year of solid waste. This would be considerably less than the Palomar Health Center production of solid waste, which is approximately 2,129 tons per year.

Solid waste from the area is currently taken to either the Sycamore or Otay Mesa Landfills. The Otay Mesa Landfill, located in the City of Chula Vista, has an approximate remaining capacity of 21,194,008 cubic yards, with a maximum permitted throughput of 5,830 to 6,700 tons per day. The Sycamore Landfill, located in the City of Santee, has an approximate remaining capacity of 113,972,637 cubic yards, with a maximum permitted throughput of 5,000 tons per day (CalRecycle 2019). These landfills that currently service the Project site would have sufficient permitted capacity to service solid waste generated by the Project. In addition, the Project would incorporate waste recycling areas into the design, and all City recycling requirements would be met and/or exceeded. Diversion of recyclable waste from the Project would reduce the amount of waste disposed in the Sycamore or Otay Mesa Landfills. Therefore, since the serving landfills are determined to have sufficient capacity to accommodate the Project, and the Project would comply with all applicable City waste and recycling regulations and diversion efforts, impacts would be **less than significant**.

***E. Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

The Project would be in compliance with state policies like the California Solid Waste Reuse and Recycling Access Act of 1991 and AB 341 (Solid Waste Diversion). Residential collection of solid waste by Escondido Disposal is transferred to the Escondido Disposal Transfer Station, where it is then taken to either the Sycamore or Otay Mesa Landfill. Each of these facilities is regulated under federal, state, and local statutes, including Solid Waste and Recycling Policies 15.1 through 15.8 of the City's General Plan. In addition, organic waste would be recycled in accordance with AB 1826 Chesbro (Chapter 727, Statutes of 2014). Conformance with these statutes and regulations, the Project would result in **less than significant impacts** with respect to disposal of solid waste.

### **5.2.12.3 Cumulative Impact Analysis**

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects include residential and commercial development that would result in an increased demand for utilities and service systems. The Project Water Supply Assessment (Appendix S) considers the Project demand in addition to existing and future water customers, and found the water supply to be adequate. Therefore, the Project would not contribute to a cumulative impact to water supplies. Similarly, the analysis for wastewater and solid waste considers cumulative demand in addition to the Project and found the impacts to be less than significant. Therefore, the Project **would not contribute to a significant cumulative impact**.

#### 5.2.12.4 Conclusion

The Project impacts related to utilities and service systems would be **less than significant**.

#### 5.2.13 Wildfire

##### 5.2.13.1 Guidelines for the Determination of Significance

This section addresses the potential wildfire impacts associated with implementation of the Project. The analysis is based on the review of state, regional, and local plans, existing infrastructure, and physical conditions. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones (VHFHSZs), a significant impact would occur if the Project would:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan.
- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

##### 5.2.13.2 Analysis

- A. *Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?*

The Project is not located within a state responsibility area or lands classified as VHFHSZ. According to the City's Community Protection Element, the Project is located within a moderate fire hazard zone rating (City of Escondido 2012b). As discussed in Section 4.3.2.2, Hazards – Analysis, and Section 4.6.2.2, Transportation – Analysis, the Project would not conflict with the regional or city emergency response plans, and the site would have adequate emergency access. Refer to Section 4.3, Hazards and Hazardous Materials, and Section 4.6, Transportation, for additional information. The Project would have a **less than significant impact**.

- B. *Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

See Section 5.1.13.2(A). The Project is located in the Downtown district of the City. The location of the Project site is a highly urbanized, developed area that is relatively flat and is not located within or adjacent to a fire hazard severity zone. The Project would be in compliance with the Fire Code and the development would be adjacent to other existing developments. In addition, adequate emergency egress would be provided. Compliance measures include CM-WF-1 (see Table 2-4).

Therefore, the Project would have a **less than significant impact**.

***C. Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?***

As discussed in Section 2.3.1, Project Components, the Project would replace an existing hospital facility in an urbanized area with available infrastructure. No extensions or expansion of existing infrastructure would be necessary; therefore, the Project would have a **less than significant impact**.

***D. Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?***

See Section 5.2.13.2(A). The Project is not located in a VHFHSZ and there is no risk of wildfire within or adjacent to the Project site because it is located in a highly urbanized area. The Project site would not be subject to flooding as it is located uphill relative to the Escondido Creek. Additionally, as discussed in Section 5.2.5, Geology and Soils, the risk associated with landslides is very low. Thus, the Project would have a **less than significant impact**.

### **5.2.13.3 Cumulative Impact Analysis**

Figure 3-1, Cumulative Project Locations, and Table 3-2, Cumulative Projects, identify the projects generally considered for the cumulative analysis. These projects develop residential and commercial uses within the City. Similar to the Project, the cumulative projects are located in an urban area without major changes in slope, and are not within a state responsibility area or VHFHSZ. The cumulative projects would not increase the risk of wildfire and the Project would not contribute to a potential wildfire hazard.

### **5.2.13.4 Conclusion**

The Project impacts to wildfire hazard would be **less than significant**.

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SOURCE: SANGIS 2017

FIGURE 5.2.1-1  
Key Viewpoints Location Map  
Palomar Heights

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A. Existing Conditions



B. Proposed Project Conditions

FIGURE 5.2.1-2  
Key Viewpoint 1 - E. Grand Avenue and Valley Boulevard  
Palomar Heights

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A. Existing Conditions



B. Proposed Project Conditions

FIGURE 5.2.1-3

Key Viewpoint 2 - S. Hickory Street and 2nd Avenue

Palomar Heights

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A. Existing Conditions



B. Proposed Project Conditions

FIGURE 5.2.1-4  
Key Viewpoint 3 - N. Fig Street and E. Ohio Avenue  
Palomar Heights

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A. Existing Conditions



B. Proposed Project Conditions

FIGURE 5.2.1-5

Key Viewpoint 4 - N. Hickory Street and E. Valley Parkway

Palomar Heights

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A. Existing Conditions



B. Proposed Project Conditions

FIGURE 5.2.1-6

Key Viewpoint 5 - W. Valley Parkway and N. Broadway (Escondido City Hall)

Palomar Heights

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A. Existing Conditions



B. Proposed Project Conditions

FIGURE 5.2.1-7

Key Viewpoint 6 - N. Juniper Street and E. Grand Avenue

Palomar Heights

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## CHAPTER 6 OTHER CEQA CONSIDERATIONS

This chapter includes the following other considerations that are required in an Environmental Impact Report (EIR) by the California Environmental Quality Act (CEQA):

- Growth inducement (Section 6.1)
- Significant and irreversible environmental effects (Section 6.2)
- Significant and unavoidable environmental impacts (Section 6.3)

### **6.1 Growth Inducement**

Section 15126.2(e) of the CEQA Guidelines mandates that the growth-inducing nature of the proposed Palomar Heights Project (Project) be discussed. ~~This~~ The CEQA Guidelines state that the growth-inducement analysis is intended to address the potential for a project to “foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Further, the ~~CEQA Guidelines~~ Appendix G Checklist (Population and Housing) also mandates that a CEQA document speak to a proposed project’s likelihood to induce substantial population growth in an area, either directly (e.g., by proposing new homes or businesses) or indirectly (e.g., through extension of roads or other infrastructure).

A project may be distinguished as either facilitating planned growth or inducing unplanned growth. Facilitating growth is relating to the establishment of direct employment, population, or housing growth that would occur within a project site. Inducing growth is related to lowering or removing barriers to growth or by creating an amenity or facility that attracts new population/economic activity. This section contains a discussion of the growth-inducing factors related to the Project as defined under ~~CEQA~~ Guidelines Section 15126.2(e). A project is defined as growth inducing when it directly or indirectly does any of the following:

1. Fosters population growth
2. Fosters economic growth
3. Includes the construction of additional housing in the surrounding environment
4. Removes obstacles to population growth
5. Taxes existing community service facilities, requiring construction of new facilities that could cause significant environmental effects
6. Encourages or facilitates other activities that could significantly affect the environments, either individually or cumulatively

Pursuant to ~~CEQA~~ Guidelines Section 15126.2(e), it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

### 6.1.1 Population Growth

Refer to Section 5.2.9, Population and Housing, of this EIR for a full discussion of potential growth-inducing impacts. As discussed in Section 5.2.9, the Project would directly facilitate growth through development of commercial land uses and 510 residential units, which would introduce new residents and jobs to, or relocate residents and jobs within, the area. However, the potential growth as a result of the Project would be aligned with the forecasted population growth of the City and in an area designated for such growth. Specifically, the potential increase in population is aligned with forecast population increases for the City from the U.S. Census Bureau and SANDAG, and the Regional Housing Needs Allocation established for the City based on its estimated share of regional future housing needs. The Project's service population is based on the U.S. Census Bureau's American Community Survey, which estimates average persons per household was 3.29 in 2017 (U.S. Census Bureau 2017). The Project's service population, defined as the number of residents plus the number of jobs supported by the Project, is 1,677.9 people. Construction of the Project would generate an economic stimulus from activities such as the use of building materials, employment of construction workers, the operation of the Project's commercial, and the introduction of new or relocated consumer demand in the area. The Project would not introduce a population beyond what is planned for the City of Escondido (City) and the region. The Project's contribution toward growth is consistent within the San Diego Association of Governments (SANDAG) growth projections, as well as the City's Regional Housing Needs Allocation goals. The Project would result in construction of additional housing and commercial development at the Project site, but that growth is authorized by the *City of Escondido General Plan* (General Plan; City of Escondido 2012), the *Escondido Downtown Specific Plan* (Downtown Specific Plan; City of Escondido 2013), and the City Zoning Code. The City's Downtown Specific Plan would accommodate up to 5,275 dwelling units, and permits a maximum density of up to 100 dwelling units per acre and 75 dwelling units per acre at the Project site. The Project would have a residential density of 37 dwelling units per acre, consistent with growth planned for within the Downtown Specific Plan. The Project would also transfer net unused density at the site to the City's Density Transfer Program, which would be 830 units. As this growth was already planned for in the Downtown Specific Plan, this density transfer is also not considered to result in growth beyond that planned for by the City.

### 6.1.2 Requiring Extension or Expansion of Utilities

Growth-inducing impacts may result from extension or expansion of public services to a project site. The Project does not include any extension or expansion of public services ~~beyond connections~~ or upgrades to the existing infrastructure in the immediate vicinity that would provide capacity beyond that are required to serve the Project, with the exception of sewer. While the Project would upsize off-site sewer lines in N. Fig Street, these improvements are intended to resolve an existing under capacity issue and serve the Project (see EIR Appendix Q). Due to

the need to upsize sewer lines in the sizes available (i.e., the 8-inch line upsized to a 10-inch), this would result in a slight increase in available capacity beyond that needed to serve the Project, but this additional capacity ~~These improvements would serve planned growth but are~~ is not anticipated to induce population growth beyond that already planned considering the existing developed nature of the area and the extent of the improvements. Solid waste disposal for the Project would be provided by Escondido Disposal Inc., and waste would be taken to either the Sycamore Landfill or the Otay Mesa Landfill, where there is sufficient capacity. Additionally, the Project would not result in the need for new or physically altered facilities related to fire, police, schools, or libraries. See Section 5.2.10, Public Services, and Section 5.2.12, Utilities and Service Systems, for further details. The Project would not remove obstacles to growth by extending infrastructure to new areas, nor would it result in significant adverse environmental impacts beyond those analyzed in this EIR due to the expansion of infrastructure such as water supply facilities, wastewater treatment plants, roads, or freeways.

### **6.1.3 Economic Stimulus (Construction of Commercial Uses or Other Uses Providing Employment Opportunities)**

One criterion by which growth inducement can be measured involves economic growth. Economic growth considerations range from a demand for temporary and permanent employees, to an increase in the overall revenue base for an area, to a new demand for supporting services such as retail, restaurant, and entertainment uses.

The Project would potentially foster growth through three primary means: (1) the creation of new jobs, (2) an increase in business and tax revenues, and (3) an increase in the demand for supporting services.

In the short term, the Project would induce economic growth by introducing temporary employment opportunities associated with construction of the Project. The Project would provide recurring revenues that would include property taxes and sales taxes. Consumer spending by new residents would also support the generation of new revenues from local commercial establishments throughout the City. This everyday spending would cause an increase in the volume of dollars flowing through the City economy, resulting in a multiplicative economic benefit. The Project would also introduce permanent jobs associated with ongoing maintenance and operations of the residences and commercial uses. As such, implementation of the Project would create employment opportunities. Furthermore, the site is already developed with 398,246 square feet of hospital, medical office, and commercial uses. The Project would not result in more employment opportunities than already exist on the site. Thus, the Project would not induce economic growth by introducing permanent employment opportunities.

The Project's implementation would result in an increase in business and local sales tax, and ~~The Project would result in a population increase, which~~ would increase the number of residents

making purchases and using commercial services in the area. Due to the underutilized nature of the commercial uses in the downtown area, this is not anticipated to result in additional growth that would lead to new commercial construction. However, it could promote redevelopment and further revitalization of the area pursuant to the Downtown Specific Plan (City of Escondido 2013). Overall, the economic growth attributable to the Project would not result in an indirect adverse environmental impact. Environmental impacts are evaluated in Chapters 4 and 5 of this EIR.

#### **6.1.4 Specific Plan Amendment**

The Project includes an amendment to the Downtown Specific Plan. The proposed amendment would focus on allowing for ground-level residential, and would not alter the density of development allowed or alter the anticipated buildout of the area. As the expected density and intensity of the Project is below the Downtown Specific Plan's allowance for the site, no changes in growth are expected to occur as a result of the proposed Specific Plan Amendment. Thus, this change to the Downtown Specific Plan is not considered growth inducing.

#### **6.1.5 General Plan Amendment**

The Project includes a General Plan Amendment to change the classification of N. Fig Street along the eastern Project boundary from a Collector Street to a Local Collector. This downgrade is not anticipated to induce growth, and it would reduce the planned capacity of this roadway. Therefore, the Project General Plan Amendment would not be considered growth inducing.

### **6.2 Significant and Irreversible Effects**

CEQA Guidelines Section 15126.2(d) requires that an EIR identify any significant irreversible environmental changes associated with a proposed project. That section (14 CCR 15126.2[d]) describes irreversible effects as:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified. (See Public Resources Code section 21100.1 and Title 14, California Code of Regulations, section 15127 for limitations to applicability of this requirement.)

Per CEQA Guidelines Section 15127, irreversible changes are only required to be addressed in EIRs when connected with the adoption amendment of a local plan, policy or ordinance; adoption by a local agency formation commission of a resolution making determinations, or when the project is subject to National Environmental Policy Act and requires an Environmental Impact Statement. Approval of the proposed amendment to the Downtown Specific Plan would consist of the following:

- Currently, the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor.

Approval of the above-listed amendment to the Downtown Specific Plan would allow for development of urban uses including 510 residential dwelling units, associated recreational facilities, commercial land uses, and circulation system improvements at the Project site as described throughout this EIR. Construction and operation of the Project would require the use of resources that include but are not limited to soils, gravel, concrete, and asphalt; lumber and other related forest products; petrochemical construction materials; steel, copper, and other metals; water; fuels; and energy. Because the Project would result in an increase in population in the City, it would result in an incremental increase in the consumption of resources such as water, fuels, and electricity during long-term operation and occupancy. As such, the Project would result in the long-term use of fossil fuels and other nonrenewable resources.

### **6.3 Significant and Unavoidable Impacts**

CEQA Guidelines Section 15126.2(b) requires that an EIR describe any significant impacts that cannot be avoided, including those impacts that can be mitigated but not reduced to a less than significant level. Chapter 5, Effects Not Found to Be Significant, analyzes and discusses the CEQA topic areas where the Project will not have a significant impact. Chapter 4, Environmental Analysis, of this EIR describes the potential environmental impacts of the Project, and recommends mitigation measures to reduce impacts, where feasible. As discussed in this EIR, potentially significant impacts from implementation of the Project were found for the issues of biological resources, cultural resources, hazards and hazardous materials, noise, and tribal cultural resources. These impacts would be reduced to below a level of significance through mitigation, and no significant and unavoidable impacts would remain.

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## **CHAPTER 7           ALTERNATIVES**

### **7.1           Introduction**

This Introduction section summarizes the Palomar Heights Project (Project) in order to allow for an evaluation of its comparative merit with a range of reasonable potentially feasible alternatives. The Project proposes a mixed-use commercial and residential development, including up to 10,000 square feet of commercial and 510 multi-family dwelling units. The proposed commercial uses could include uses such as a restaurant or other eating/drinking establishment, collaborative workspace, retail space, leasing space, and other non-residential uses in conformance with the Downtown Specific Plan. The proposed residential component would include 90 senior apartments, 258 apartments, 90 villas, and 72 rowhomes. Supporting recreational and open space, landscaping, parking, utilities, and access improvements would also be provided. Please refer to Chapter 2, Project Description, for a complete description of the Project.

Potentially significant impacts relating to construction and/or operation of the Project were identified in connection with biological resources, cultural resources, hazards, noise, and tribal cultural resources (TCRs). With the implementation of the identified mitigation measures prescribed in this Environmental Impact Report (EIR), all potentially significant impacts would be mitigated to less than significant levels. The Project would result in no significant unavoidable impacts.

### **7.2           Scope and Purpose**

Section 15126.6(a) of the California Environmental Quality Act (CEQA) Guidelines requires that an EIR “describe a range of reasonable alternatives to the Project, or to the location of the Project, that would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the Project, and evaluate the comparative merits of the alternatives” (CEQA Guidelines~~14 CCR~~ Section 15126.6a). Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project. Instead, the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. The EIR is not required to consider alternatives that are infeasible. There is no ironclad rule governing the nature or scope of the alternatives to be discussed in an EIR, other than the “rule of reason.” The “rule of reason” governing the range of alternatives specifies that an EIR should only discuss those alternatives necessary to foster meaningful public participation and informed decision making. CEQA requires consideration of a “No Project” alternative as part of the range of alternatives considered to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project (CEQA Guidelines~~14 CCR~~ Section 15126.6(e)).

Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (California Public Resources Code, Section 21002.1), the purpose of an EIR’s alternatives discussion is to focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if the alternatives

would impede to some degree the attainment of the project's objectives or be more costly. Further, CEQA requires that an EIR identify the environmentally superior alternative from among the alternatives considered.

This EIR has evaluated the Project's potentially significant impacts in numerous environmental categories. This information allows the Project to be compared against the merits of each alternative.

### **7.3 Criteria for Selection, Analysis, and Feasibility of Alternatives**

The criteria for the selection and analysis of alternatives are provided in CEQA Guidelines, Section 15126.6(c). The alternatives must (1) meet most of the project objectives, (2) be feasible, and (3) avoid or substantially lessen any significant impacts of the project. The Project objectives are contained in Chapter 2, Project Description, of this EIR and listed below.

The underlying purpose of the Project is to revitalize the former Palomar Health Downtown Campus site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types. Project objectives outlined below have also been developed to be consistent with the *Escondido Downtown Specific Plan* (City of Escondido 2013) vision. Project implementation is guided by the following statement of Project objectives:

1. Promote efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan (City of Escondido 2013) vision.
2. Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.
3. Provide a variety of multi-family housing types and designs.
4. Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.
5. Provide a development with adequate and appropriate recreational amenities.
6. Develop a community that responds to the unique topography and character of the Project site and surrounding area.
7. Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.
8. Assist the City in implementing the *City of Escondido General Plan* (City of Escondido 2012) housing goals by increasing the City's housing stock.
9. Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.
10. Improve Valley Boulevard to include multi-modal transportation features.

11. Provide a high-quality, attractive residential and commercial development.
12. Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.

According to CEQA Guidelines, Section 15126.6(b), the alternatives analysis should focus on those alternatives that, if implemented, could eliminate or reduce any of the project's significant environmental impacts. The alternatives will be evaluated to determine whether they eliminate any significant environmental effects or reduce them to a less-than-significant level. The Project-related significant impacts are considered to be those identified as significant prior to the incorporation or implementation of any mitigation measures.

The potential impacts of the alternative relative to the Project will be evaluated to determine the "comparative merits of the alternatives" (CEQA Guidelines Section 15126.6(a)). This analysis will be based, in part, on a comparison to the Project's impacts. It also will include a discussion of the relative feasibility of each alternative.

In determining the nature and scope of alternatives to be examined in an EIR, CEQA and the case law have stated that local agencies must be guided by the doctrine of "feasibility." As defined by CEQA, "feasible" means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors" (CEQA Guidelines Section 15364; Public Resources Code Section 21061.1; ~~see also 14 CCR Section 15364 [same definition but with the addition of "legal" factors].~~) The concept of feasibility under CEQA also encompasses "desirability" to the extent that desirability is based on a reasonable balancing of the relevant economic, social, technological, and other factors.<sup>1</sup>

CEQA Guidelines Section 15126.6(f)(1) identifies the factors to be taken into account to determine the feasibility of alternatives. The factors include site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and whether the Applicant can reasonably acquire, control, or otherwise have access to the alternative site. No one of these factors establishes a fixed limit on the scope of reasonable alternatives. An alternative does not need to be considered if its environmental effects cannot be reasonably ascertained and if implementation of such an alternative is remote or speculative.

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<sup>1</sup> See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3rd 401, 417.

## **7.4 Rationale for the Selection of Alternatives**

The criteria discussed above and information received during the CEQA Notice of Preparation and scoping process were used to select alternatives to the Project.

The “No Project” alternative must be evaluated along with any impacts (~~14 CCR Section~~ CEQA Guidelines Section 15126.6(f)(1)). If the environmentally superior alternative is the “No Project” alternative, the EIR must identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section ~~14 CCR Section~~ 15126(f)(2)). In addition, the EIR must identify any alternatives that were considered but rejected by the lead agency, and briefly explain the reasons behind the lead agency’s rejection determination.

An EIR need not evaluate the environmental effects of alternatives in the same level of detail as the project, but must include enough information to allow meaningful evaluation, analysis, and comparison with the project. The alternatives discussion is intended to focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the Project objectives.

In addition to the “No Project” alternative, a Reduced Footprint Alternative and a Historic Preservation Alternative are considered in this EIR. The Historic Preservation Alternative would retain the 121–141 N. Fig Street building in its current condition. The Reduced Footprint Alternative would avoid construction within 125 feet of the adjacent Palomar Vista Healthcare Center to avoid construction noise impacts to this in-patient care facility. As discussed below, several other alternatives were considered but not carried forward for analysis as they were determined to be infeasible, would not meet basic Project objectives, and/or would not reduce the significant effects of the Project.

## **7.5 Alternatives Considered but Rejected from Further Analysis**

### **7.5.1 Alternative Project Location**

In accordance with CEQA Guidelines Section 15126.6(f)(2), an alternative location for a project should be considered if development of another site is feasible and if such development would avoid or substantially lessen the significant impacts of the project. Factors that may be considered when identifying an alternative site location include the size of the site, its location, the General Plan land use designation, and availability of infrastructure. CEQA Guidelines Section 15126.6(f)(2)(A) states that a key question in addressing an off-site alternative is “whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location.”

One of the factors for feasibility of an alternative site is “whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.” No alternative location exists in the City that is available, of suitable size, owned and controlled by the Applicant. While there may be sites within the City of an approximately equivalent size to the Project site that could be redeveloped with a mixed-use residential and commercial project; the Project Applicant does not control another site within the City of comparable land area that is available for development of the Project, and does not have a reasonable expectation that a site of similar size and suitability could be obtained.

An alternative site also fails to meet the basic Project purpose of revitalizing the former Palomar Health Downtown Campus site by redeveloping the site. The redevelopment of another site elsewhere would not meet most basic Project objectives, as it would not assist with implementing the Downtown Specific Plan vision (Objective 1), would not improve existing inefficiencies and hazards at the site (Objective 2), would not provide a transition between the Downtown Specific Plan and lower-density uses to the east (Objective 7), and would not improve Valley Boulevard (Objective 10). Development of the Project in outlying, undeveloped areas would also likely be inconsistent and incompatible with adjacent land uses in those areas; therefore, the alternative location would not meet Objectives 4 and 6 regarding land use and visual compatibility. If an alternative site location were selected, the alternative site would not address ongoing challenges with regard to maintenance and ongoing viability of the Hospital Campus.

In addition, the inclusion of commercial uses would likely be infeasible in another location within the City. Currently, the South Centre City Specific Plan is the only other area within the City that allows mixed-use (commercial/residential) development by right, there are few properties of sufficient size in the South Centre City Specific Plan area to accommodate a project of the size and scale proposed for the Project site, and none of these are potentially available to the Applicant. Certain other areas of the City allow mixed-use (commercial/residential) development through a Planned Development Permit process; however, there are no such properties of sufficient size to accommodate a project of the size and scale of the Project which are available to the Applicant. Additionally, there are no properties available to the Applicant within the Downtown Specific Plan of a size that would allow development of a project that would meet the basic objectives. Therefore, an alternative project location would not meet the underlying Project purpose of developing a mixed-use commercial and residential project, nor. ~~Thus, this alternative would not~~ meet the basic Project objectives.

For these reasons, an alternative project location is not considered feasible and is rejected from further consideration.

## 7.5.2 Building Reuse Alternatives

Based on comments in response to the Notice of Preparation (NOP), the City considered potential alternatives where the existing buildings of the Palomar Health Downtown Campus were reused instead of demolished. Public comments suggested potential reuse of the buildings for scientific research or other institutional uses. The City also considered a potential alternative where the existing site is reused as a hospital, similar to its current function, as well as residential and commercial reuse pursuant to the Downtown Specific Plan land use vision. These reuse alternatives are discussed further below.

Reuse of the buildings for scientific research or institutional uses would not meet basic Project objectives of providing housing and commercial uses, or redeveloping the site as envisioned by the Escondido Downtown Specific Plan, as described in Project Objectives 1, 3, 8, and 12. In addition, this alternative would not meet Objective 2, as it would not improve efficiencies and resolve existing hazards. This building reuse alternative would retain the existing access and buildings, and therefore also would not provide improvements related to land use transitions, recreation amenities, topography and character, or pedestrian-oriented architectural designs pursuant to Objectives 4, 5, 6, 7, 9, or 11. Improvements to Valley Boulevard per Objective 10 could be completed; however, the transportation demand would not warrant these improvements. Additionally, this alternative involves retaining the existing built conditions. Thus, a building reuse alternative that involved scientific research uses would not meet the basic Project objectives.

The current Palomar Health Downtown Campus is no longer operating at full capacity; its overall function has decreased over time due to the opening of the newer Palomar Medical Center Escondido located on Citracado Parkway. Thus, the limited demand for a large hospital campus at this location would likely not sustain the use of the site as a hospital. In addition, the Palomar's Board of Directors decided to close the hospital in 2015 due to the significant costs of that facility, which included \$20 million in annual operating costs and \$172 million for needed repairs (CBS8 2015). ~~In addition, the~~ existing buildings are not built to current earthquake/seismic standards and would require seismic retrofit for reuse (Appendix T) ~~for such a hospital use~~. In conclusion, it would not be feasible for the site to be reutilized with hospital uses and such reuse is not considered further herein.

The City also considered a potential building reuse alternative that would include residential and commercial uses more consistent with the Project objectives. While building reuse for residential and commercial use would aid the City in meeting its housing needs similar to the Project, other basic Project objectives would not be met. The reuse of the existing structures would not promote efficient use of the land considering much of the space located adjacent to Valley Boulevard would remain undeveloped (Objective 1). While improvements are included to improve water and energy efficiencies and remediate asbestos and potential lead-based paint concerns to the extent feasible, this alternative would not include efficiency improvements to the same extent as the Project. In

addition, stormwater runoff and underground storage tank remediation would not be completed since no grading work would occur; thus, this alternative would not meet Objective 2. Housing would be provided under this alternative, but units would be limited by the existing structures. As such, this alternative would not include a variety of housing types and would not meet Objective 3. Because no improvements would be made to provide an east–west transition, more consistent building mass or height with the neighborhood, or design features, this building reuse alternative would also not meet Objectives 4, 6, 7, and 9. Objective 5 would also not be met, as no major recreational amenities such as a parks or a pool would be provided. This building reuse alternative would increase the housing stock in the City, but would not meet Objective 8 since it would not provide a diverse mix of residential products because all units would be apartments. Ground-floor commercial could be incorporated into the existing building to the west of Valley Boulevard, consistent with Objective 12. However, this alternative would not include improvements to Valley Boulevard, as no grading or off-site roadway improvements would be proposed under this alternative. It is assumed that existing parking would be adequate to serve the proposed uses for this building reuse alternative. Overall, this alternative would not meet the basic Project objectives.

Potential reuse of the existing buildings may result in reduced impacts, including impacts to biological resources, cultural resources, noise, and tribal cultural resources. For all potential reuses of the existing buildings, hazard impacts would increase compared to the Project. The existing McLeod Tower buildings is are not built to current earthquake/seismic standards and would require retrofit for reuse per Section 403, the American Society of Civil Engineers (ASCE) standards for Seismic Rehabilitation of Existing Buildings (Appendix T). In addition, the buildings contain asbestos and likely contain lead-based paint and other hazardous construction materials. Reuse of the existing buildings would require seismic retrofit of all buildings on the campus, remediation of asbestos, and remediation of potential lead-based paint and other hazardous construction materials, resulting in an increased hazardous materials risk and potential impact. As disclosed above (CBS8 2015), necessary improvements to continue to use the building as a hospital were estimated to be \$172 million in 2015. Additional improvements would be necessary to change the building’s land use, such as changes to the interior wall partitions, utility modifications or windows depending on the use. In addition, there are known and potentially unknown underground storage tanks that would not be removed in the event of a reuse, which would provide the continued risk for soil or groundwater contamination. Also, for all potential reuse scenarios, building reuse would limit the ability to develop pedestrian-scale and oriented residential and commercial development, as outlined in the goals of the Downtown Specific Plan. Because energy efficiency improvements may not occur under this alternative, this would also potentially result in increased energy inefficiencies.

As described above, the Building Reuse Alternative would not meet the majority of the Project objectives and For these reasons, this building reuse alternative has therefore been rejected from further consideration.

### 7.5.3 Increased Density Alternative

Based on comments provided during the public scoping period in response to the NOP (Appendix A), the City considered a potential alternative developed at a higher density than the project in accordance with the additional density permitted under the Downtown Specific Plan. Specifically, the Sierra Club suggested the Project site could yield 900, 1,100, or 1,350 dwelling units. Other responses also identified the 1,350-unit count, which is what would be permitted under current zoning. It should be noted that the Sierra Club also identified the potential for a density bonus project of up to 1,800 units, which is not being considered here due to infeasibility. The Downtown Specific Plan allows for a density of up to 100 dwelling units for the portion of the site east of Valley Boulevard, and up to 75 dwelling units per acre for the site area west of Valley Boulevard. The Downtown Specific Plan also requires ground-floor commercial uses. Thus, the 1,350-residential-unit scenario with 175,000 square feet of ground-floor commercial would represent the maximum buildout under in accordance with the Downtown Specific Plan.

It should be noted that while the Downtown Specific Plan allows for such densities and requires ground-floor commercial for the site, a site-specific feasibility and constraints analysis was not completed at the time of Downtown Specific Plan preparation to determine how many units could be accommodated at the Project site or the economic feasibility of providing such commercial and residential densities. The cost of construction of a higher-density product type generating 1,350 units and associated ground-floor commercial would not be covered by current market rents and sales prices. More specifically, an increased density alternative would result in a change in the construction building type classifications, resulting in Type V construction costs, which are higher than Type IV. This alternative would require a concrete podium base with steel, which is a higher cost than wood frame construction that is proposed as a part of the Project (University of California, Berkley, Turner Center for Housing Innovation 2019). As further stated in The Hard Costs of Construction: Recent Trends in Labor and Materials Costs for Apartment Buildings in California (University of California, Berkley, Turner Center for Housing Innovation 2020), “Type I construction (mainly composed of concrete and steel) is significantly more expensive than other construction types. This in turn means that these high-rise buildings are more likely to be financially feasible in markets with high rents.” The construction costs for such steel frame structures is about twice as expensive compared to the cost of developing housing types such as duplexes, quadplexes, townhomes, and low-rise to mid-rise units (Hernandez 2018). It would also result in subterranean parking, which would increase costs substantially considering the presence of subsurface granite (see Appendix L, Updated Geotechnical Evaluation) and the associated need for blasting and pile driving. Middle-income families are generally unable to afford such development. For this reason, a report by UC Berkeley’s Turner Center for Housing Innovation and UC Berkeley School of Law recommends construction of multifamily low/mid-rise wood frame units in infill areas — not steel frame/high-rise units — to achieve environmental objectives (including GHG and VMT reductions) while balancing the costs and affordability of new housing construction (Hernandez 2018).

With a City median household income of \$62,319 and 3.21 persons per household (U.S. Census Bureau 2019), families would be unable to afford an 800 square foot urban steel apartment development with rents of upwards of \$3,500 to \$4,000 (Hernandez 2018). Because a higher density steel-frame development would not meet the needs of the area workforce and middle-income families, this alternative is socially infeasible and undesirable for the City.

Because of its high cost, it is likely the site would not be fully built out and would remain vacant pending occupancy of initial development phases. This alternative would therefore not timely achieve the basic Project housing objectives or the overarching purpose to redevelop the site.

There are currently twelve million square feet of developed commercial uses within a 2-mile radius of the Project site, and vacancies are evident (Cityfeet 2020). Buildout of the site in accordance with the commercial density provided for under the Downtown Specific Plan at 175,000 square feet of ground-floor commercial would exacerbate such vacancies, such that this alternative is socially infeasible and undesirable.

An increased density alternative would not reduce any potentially significant impacts to biological resources, cultural resources, hazards, noise, or tribal cultural resources that would occur under the Project. The biological, cultural, and tribal cultural resource impacts of an increased density alternative would be the same as the Project, considering both the Project and an increased density alternative would involve the same development footprint area. Hazard impacts would also be the same, as both the Project and this alternative would require removal of the existing underground storage tanks as well as buildings with potential for asbestos containing materials and lead-based paint. Construction noise impacts of an increased density alternative would be increased relative to the Project due to the increased intensity of construction and the likely need for blasting due to the underlying granitic rock (see Appendix L), as discussed above ~~further below~~.

Instead of reducing impacts pursuant to the intent of the alternatives analysis under CEQA (CEQA Guidelines Section 15126.6), this alternative would instead result in additional potential environmental impacts related to construction noise, air quality, and potentially land use, depending on design.

Overall, an increased density alternative would not reduce any identified significant impacts on the environment resulting from the Project, and may otherwise increase such impacts. According to CEQA Guidelines Section 15126.6(b), the alternatives analysis should focus on those alternatives that, if implemented, could eliminate or substantially reduce any of the project's significant environmental impacts. For these reasons, an increased density alternative has been rejected from further consideration for the reasons stated above.

## **7.6 Analysis of the No Project/No Development Alternative**

### **7.6.1 No Project/No Development Alternative Description and Setting**

CEQA requires evaluation of the “No Project” alternative so that decision makers can compare the impacts of approving the project with the impacts of not approving it. According to CEQA Guidelines Section 15126.6(e), the No Project Alternative must include the assumption that conditions at the time of the NOP (i.e., baseline environmental conditions) would not be changed since the project would not be implemented.

The No Project/No Development Alternative assumes that the Project would not be developed, that the existing Palomar Health Downtown Campus would not be demolished, and that there would be no new residential and commercial uses developed on site. Roadway improvements would not be constructed, nor would existing potential hazards (LBP, ACMs, and underground storage tanks) be resolved or energy and water efficiencies improved. Under the No Project/No Development Alternative, the reasonably foreseeable use of the site is the continued operation of the healthcare facilities as it exists today, at approximately 30% of its operating capacity. No redevelopment of the site would occur. No amendment to the Downtown Specific Plan would be required.

### **7.6.2 Comparison of the Effects of the No Project/No Development Alternative to the Project**

#### ***7.6.2.1 Biological Resources***

The Project would result in potentially significant impacts to biological resources associated with the disturbance of nesting birds during construction. With implementation of mitigation measures, the identified impacts to biological resources would be reduced to less than significant levels.

Because no demolition or construction would occur, the No Project/No Development Alternative would not result in any impacts to nesting birds. No impacts to biological resources would occur under this alternative. Therefore, the No Project/No Development Alternative would result in reduced impacts to biological resources when compared to the Project.

#### ***7.6.2.2 Cultural Resources***

The Project may result in impacts to historical resources as well as unanticipated archaeological resources and human remains during construction. Impacts to cultural resources would be less than significant with implementation of mitigation measures under the Project.

The No Project/No Development Alternative would not disturb existing buildings or require any ground disturbing activities. Therefore, this alternative would have no potential to impact historic buildings, or encounter subsurface cultural resources or human remains. Under the No Project/No Development

Alternative, no impacts to cultural resources would occur. Therefore, the No Project/No Development Alternative would result in reduced impacts to cultural resources when compared to the Project.

### **7.6.2.3 Hazards and Hazardous Materials**

The Project would require demolition of existing structures that may contain asbestos and lead-based paint. Additionally, excavation required for Project construction would require the removal of known underground hazardous materials storage tanks. The Project would result in potentially significant impacts associated with hazards and hazardous materials; however, with implementation of mitigation measures, impacts would be reduced to less than significant.

Under the No Project/No Development Alternative, no demolition or excavation of underground storage tanks would be required. No hazard or hazardous materials impacts would occur under this alternative. Therefore, the No Project/No Development Alternative would result in reduced impacts to hazards and hazardous materials when compared to the Project. However, this alternative would also not remediate the existing site hazards related to USTs, asbestos, and lead-based paint.

### **7.6.2.4 Noise**

Project construction would result in an exceedance of the City's 75 dBA (A-weighted decibels)  $L_{eq}$  (equivalent continuous sound level) threshold near the eastern Project boundary. With implementation of mitigation measures, impacts associated with noise would be reduced to less than significant under the Project.

Under the No Project/No Development Alternative, construction would not occur at the Project site. No construction noise impacts would occur. Therefore, the No Project/No Development Alternative would result in reduced noise impacts when compared to the Project.

### **7.6.2.5 Tribal Cultural Resources**

The Project would result in potentially significant impacts to TCRs during construction which would be reduced to a level below significance with implementation of mitigation measures.

The No Project/No Development Alternative would not result in any change to the existing environment or require any excavation that may disturb native soils such that TCRs may be affected. This alternative would result in no impact to TCRs. Therefore, the No Project/No Development Alternative would result in reduced TCR impacts when compared to the Project.

### **7.6.2.6 Land Use**

The Project would implement the goals and objectives of the Downtown Specific Plan through redevelopment of the site as a mixed-use residential and commercial community. The Project would result in less than significant impacts to land use.

Under the No Project/No Development Alternative, the Project site would remain as the existing Palomar Health Downtown Campus. The continued operation of the hospital would not be consistent with the overall goals and objectives of the Downtown Specific Plan and the City's vision of the Downtown Specific Plan area to the same degree as the Project. The Downtown Specific Plan identifies the need for major renovations of the hospital involving construction of intern housing and other supporting/ancillary uses. Therefore, the No Project/No Development Alternative would result in greater land use impacts when compared to the Project.

### **7.6.32.7 Project Objectives**

As the No Project/No Development Alternative would result in the continued operation of the existing Palomar Health Downtown Campus with no additional redevelopment of the site, it would not meet the underlying Project purpose to revitalize the former Palomar Health Downtown Campus site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types.- It would also not meet any of the Project objectives, including redeveloping the site to improve energy and water use efficiencies, improving Valley Boulevard with multi-modal transportation features, and helping the City to implement its General Plan housing goals. Refer to Table 7-1, Comparison of Alternatives Relative to Project Objectives.

### **7.6.4 Feasibility**

The No Project/No Development Alternative assumes the continuation of the site in its current state, and thus would not directly conflict with the City of Escondido General Plan (General Plan), the Escondido Downtown Specific Plan (Downtown Specific Plan), and the Escondido Zoning Ordinance. However, under this alternative, the site would remain underutilized and planned for development with mixed-use residential uses (ground floor commercial development with residential uses above) under the existing Downtown Specific Plan, General Plan land use (Specific Plan Area), and zoning (Specific Plan (S-P) designations. Potential hazards related to USTs, ACMs, and LBPs, as well as energy and water use inefficiencies, would also remain to be remediated at the site. In addition, the remaining hospital uses are being moved to other existing Palomar Health locations. Oncology services were moved in March 2019. The Crisis Stabilization Unit was moved in July 2020 to the Palomar Medical Escondido campus (Palomar Health 2020a). Currently the remaining uses at the hospital include lab, acute rehabilitation unit and behavioral health unit (Palomar Health 2020b). Ultimately, the site will be vacant and potentially contribute to blight and result in a potential safety concern (see Sections 7.5.2 and 7.7.4 for additional discussion). As such, this alternative is not a feasible long-term use of the property.

**Table 7-1  
Comparison of Alternatives Relative to Project Objectives**

Objectives	No Project/ No Development	Reduced Footprint	Historic Preservation
1. Promote efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan (City of Escondido 2013) vision.	<b>No</b> ; revitalization would not occur.	<b>Yes</b> , but to a lesser extent than the Project <u>as this alternative would inefficiently not redevelop the entire site and would <del>due to the density decrease</del> decrease density.</u>	<b>Yes</b> , but to a lesser extent than the Project <u>as this alternative would inefficiently not redevelop the entire site and would <del>due to the decrease</del> decrease density.</u>
2. Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.	<b>No</b> ; improvements would not occur.	<b>Yes</b> ; <u>but to a slightly lesser extent than the Project as efficiencies would be improved, and hazards would be resolved with respect to the main hospital building, but the older, inefficient building at 121-141 N. Fig St. would be retained.</u>	<b>Yes</b> ; <u>but to a slightly lesser extent than the Project as efficiencies would be improved, and hazards would be resolved with respect to the main hospital building, but the older, inefficient building at N. 121-141 Fig St. would be retained.</u>
3. Provide a variety of multi-family housing types and designs.	<b>No</b> ; no housing would be provided.	<b>Yes</b> , a variety of housing types would be provided.	<b>Yes</b> , a variety of housing types would be provided.
4. Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.	<b>No</b> ; no visual transition would be provided.	<b>Yes</b> ; visual transitions would be provided <u>but to a lesser degree compared to the Project as the eastern portion of the site would not be redeveloped and would be retained at a significantly lower topography compared to the remainder of the site.</u>	<b>Yes</b> ; visual transitions would be provided <u>but to a lesser degree compared to the Project as the building at 121-141 N. Fig St. would not be redeveloped and would be retained at a significantly lower topography compared to the remainder of the site.</u>
5. Provide a development with adequate and appropriate recreational amenities.	<b>No</b> ; improvements would not occur.	<b>Yes</b> ; adequate recreational amenities would be provided with pedestrian connections. <u>However, this alternative would not provide the proposed park amenity on N. Fig St. compared to the Project.</u>	<b>Yes</b> ; adequate recreational amenities would be provided with pedestrian connections, although to a lesser extent than the Project. <u>This alternative would not provide the proposed park amenity on N. Fig St. compared to the Project.</u>

**Table 7-1  
Comparison of Alternatives Relative to Project Objectives**

<b>Objectives</b>	<b>No Project/ No Development</b>	<b>Reduced Footprint</b>	<b>Historic Preservation</b>
6. Develop a community that responds to the unique topography and character of the Project site and surrounding area.	<b>No</b> ; improvements would not occur.	<b>Yes</b> ; project would include grading and design to follow topography	<b>Yes</b> ; project would include grading and design to follow topography
7. Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.	<b>No</b> ; no transition would be provided.	<b>Yes</b> ; a transition would be provided.	<b>Yes</b> ; a transition would be provided.
8. Assist the City in implementing the <i>City of Escondido General Plan</i> (City of Escondido 2012) housing goals by increasing the City's housing stock.	<b>No</b> ; no housing would be provided.	<b>Yes</b> , but to a lesser extent than the Project due to the decrease in number of units.	<b>Yes</b> , but to a slightly lesser extent than the Project due to the decrease in number of units.
9. Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.	<b>No</b> ; no design measures would be implemented.	<b>Yes</b> ; design measures would be implemented <u>but pedestrian access would be provided to a lesser extent compared to the Project. Specifically, the pedestrian connection provided to the east to N. Fig Street would not be provided under this alternative.</u>	<b>Yes</b> ; design measures would be implemented <u>but pedestrian access would be provided to a lesser extent compared to the Project. Specifically, the pedestrian connection provided to the east to N. Fig Street would not be provided under this alternative.</u>
10. Improve Valley Boulevard to include multi-modal transportation features.	<b>No</b> ; no improvements to Valley Boulevard would be provided.	<b>Yes</b> ; such improvements could be provided	<b>Yes</b> ; such improvements could be provided
11. Provide a high-quality, attractive residential and commercial development.	<b>No</b> ; no housing would be provided.	<b>Yes</b> ; high quality residential and commercial with parking and amenities <u>would be provided.</u>	<b>Yes</b> ; high quality residential and commercial with parking and amenities <u>would be provided.</u>
12. Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.	<b>No</b> ; no revitalization <u>would occur.</u>	<b>Yes</b> ; commercial would be limited to support <u>and</u> revitalize downtown.	<b>Yes</b> ; commercial would be limited to support <u>and</u> revitalize downtown.

## **7.7 Analysis of Reduced Footprint Alternative**

### **7.7.1 Reduced Footprint Alternative Description and Setting**

The Reduced Footprint Alternative would result in the demolition and redevelopment of the site similar to the Project, but no grading would occur within 125 feet of the Palomar Vista Healthcare Center to avoid construction noise impacts to this in-patient care facility. Due to the inclusion of a roadway and parking in this area, the redesign of the Project would require the retention of the internal roadway connections to this area of the site. This would result in the elimination of the Project's eastern set of villas (Buildings 2 to 6 on Figure 2-3), and ~~three-five~~ of the rowhome buildings (Buildings 7 to ~~9-10~~ and ~~12~~ on Figure 2-3). There are 10 villas per building in Buildings 2 to 6 and 6 rowhomes per building in Buildings 7 to ~~9-10~~ and ~~12~~. As such, this alternative would result in a loss of 50 villas and ~~18-30~~ rowhomes compared to the Project. Overall, this alternative would include ~~442-430~~ residential units, which is ~~68-80~~ fewer than the Project. The historic structure at 121–141 N. Fig Street and associated parking lot, as well as the parking lot area east of the main hospital building within the 125-foot buffer area, would be avoided ~~removed from the Project site~~ and retained in theirs current condition under this alternative. The pedestrian connection provided to the east to N. Fig Street ~~and the park along N. Fig Street~~ would not be provided under this alternative due to that area being within the avoidance area removed from the Project site. A park amenity along N. Fig Street planned to serve residents along the eastern side of the site is also within the avoidance area and would not be provided under this alternative. The overall construction phase would be shorter due to the reduced grading and construction that would occur on site after demolition. All other features of this alternative would be the same as the Project.

### **7.7.2 Comparison of the Effects of the Reduced Density-Footprint Alternative to the Project**

#### **7.7.2.1 *Biological Resources***

Demolition and construction would still occur on the project site under the Reduced Footprint Alternative, although to a lesser extent. Even though the overall duration would likely be shorter and the area reduced, construction and demolition under this alternative would have a similar potential to impact nesting birds as the Project. As such, the Reduced Footprint Alternative would require implementation of mitigation measure (M) BI-1 (see Chapter 10, List of Mitigation Measures, Project Design Features, and Compliance Measures), similar to the Project. Therefore, the Reduced Footprint Alternative would result in similar impacts to biological resources when compared to the Project.

#### **7.7.2.2 *Cultural Resources***

The Reduced Footprint Alternative would require demolition of most buildings on the Project site, as well as excavation of the Project site; however, grading would be reduced relative to the Project, and the building at 121–141 N. Fig Street would be retained. Although this alternative would avoid

grading in the northeastern area of the site, it would have a similar potential to encounter unknown subsurface cultural resources or human remains as the Project. However, this alternative would avoid the removal of the historic structure at 121–141 N. Fig Street and would avoid the related significant impact (Impact CR-1); therefore, implementation of M-CR-1 to M-CR-4 would not be necessary. As such, the Reduced Footprint Alternative would require the same mitigation for cultural resource monitoring as required by the Project (M-CR-52 to M-CR-154) in order to reduce potentially significant impacts to a level below significance. Therefore, the Reduced Footprint Alternative would result in less impact to cultural resources when compared to the Project.

### **7.7.2.3 Hazards and Hazardous Materials**

The Reduced Footprint Alternative would also require demolition of existing structures that may contain asbestos and lead-based paint, although one less building would be demolished under this alternative. Additionally, construction of this alternative would also require the removal of known underground hazardous materials storage tanks. As such, the Reduced Footprint Alternative would still result in potentially significant impacts associated with hazards and hazardous materials. This alternative would require the implementation of M-HZ-1 and M-HZ-2, similar to the Project, to reduce impacts to less than significant. Therefore, the Reduced Footprint Alternative would result in similar impacts to hazards and hazardous materials when compared to the Project.

### **7.7.2.4 Noise**

Demolition, grading, and construction activities would be reduced under the Reduced Footprint Alternative since such activities would be limited to be 125 feet away from the adjacent Palomar Vista Healthcare Center on the eastern portion of the Project site.

An Excel-based noise prediction model emulating and using reference data from the Federal Highway Administration Roadway Construction Noise Model (RCNM) (FHWA 2008) was used to estimate construction noise levels at the nearest noise-sensitive land use (Palomar Vista Healthcare Center). As grading in this area results in the highest construction impact to the adjacent receiver and avoidance of grading would inherently avoid all other construction phase impacts, this noise analysis is focused on grading. Input variables for the predictive modeling consist of the equipment type and number of each, the duty cycle for each piece of equipment (e.g., percentage of time within a specific time period, such as an hour, when the equipment is expected to operate at full power or capacity), and the distance from the noise-sensitive receiver. No topographical or structural shielding was assumed in the modeling (Table 7-2, Reduced Footprint Construction Noise Analysis). The RCNM has default duty-cycle values for the various pieces of equipment, which were derived from an extensive study of typical construction activity patterns. Those default duty-cycle values were used for this noise analysis, as detailed for the Project in Appendix I. This scenario assumes no more than one piece of listed equipment per type for the indicated phase operates for more than half of a given hour during allowable daytime work hours (Section 17-234 and 17-238 of the City of Escondido Noise Ordinance). As shown in the Table 7-2, this Reduced

Footprint Alternative would not exceed the City's 1-hour average sound level limit of 75 dBA  $L_{eq}$  during construction based on the reduced grading avoiding the area within 125 feet of the noise-sensitive land use (Palomar Vista Healthcare Center).

**Table 7-2**  
**Reduced Footprint Alternative Construction Noise Analysis**

FHWA RCNM Equipment Type	Total Equipment	Alternative's Distance to Receiver (feet)	Assumed Operation Time Per Hour (hour)	Predicted 1-hour dBA $L_{eq}$
<i>Grading</i>				
Excavator	1	125	0.5	66
Grader	1	125	0.5	70
Dozer	1	125	0.5	67
Backhoe	1	125	0.5	63
Scraper	1	125	0.5	69
<b>Total</b>				<b>75</b>

**Notes:** FHWA = Federal Highway Administration; RCNM = Roadway Construction Noise Model; dBA = A-weighted decibels;  $L_{eq}$  = equivalent continuous sound level.

As this alternative would not exceed the City's 75 dBA  $L_{eq}$  threshold near the eastern Project boundary, no mitigation would be required. Therefore, the Reduced Density Alternative would result in substantially less noise impact when compared to the Project.

#### **7.7.2.5 Tribal Cultural Resources**

While this alternative would reduce grading, the Reduced Footprint Alternative would result in similar change to the existing environment and would require similar excavation that may disturb native soils such that TCRs may be affected. This alternative would require the same mitigation (M-CR-52 to M-CR-1544) as the Project to reduce potentially significant impacts to a level below significance. Therefore, the Reduced Footprint Alternative would result in similar TCR impacts when compared to the Project.

#### **7.7.2.6 Land Use**

The Reduced Footprint Alternative would result in the replacement of the existing Palomar Health Downtown Campus with residential and commercial uses. The amendment to the Downtown Specific Plan regarding ground-floor residential units proposed under the Project would still be required of this alternative due to the minimal amount of commercial space on the ground floor. The Downtown Specific Plan identifies the need for additional density to support the long-term vision of the Downtown Specific Plan area, as opposed to the reduced density under this alternative. Thus, while this alternative would not implement the Downtown Specific Plan to the same extent as the Project, it would not conflict with the Downtown Specific Plan because it would still provide pedestrian-oriented residential and commercial uses. Therefore, the Reduced Footprint Alternative would have similar land use impacts when compared to the Project.

### **7.7.32-7 Project Objectives**

The Reduced Footprint Alternative meets the underlying purpose of the Project to “revitalize the former Palomar Health Downtown Campus site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types,” but not to the same degree as the Project since this alternative would only partially and inefficiently redevelop a portion of the site. The Reduced Footprint Alternative would similarly meet all of the Project objectives, though some to a lesser degree than the Project. For example, this alternative would not promote the efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan vision (Objective 1) to the same degree as the Project, since a portion of the site would not be redeveloped and residential density would be reduced. The Reduced Footprint Alternative would also not improve energy and water use efficiencies (Objective 2) to the same degree as the Project, since the older energy and water inefficient building would remain at 121–141 N. Fig Street. The Reduced Footprint Alternative would implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access (Objective 9), but to a lesser extent compared to the Project as the pedestrian connection provided to N. Fig Street would not be provided due to that area being removed from the Project site. Refer to Table 7-1, Comparison of Alternatives Relative to Project Objectives.

### **7.7.4 Feasibility**

The Reduced Footprint Alternative would be physically feasible to design and construct; however, this alternative presents a number of concerns related to General Plan consistency, Downtown Specific Plan consistency, aesthetic cohesion, and other issues.

The City’s General Plan Land Use and Community Form Element includes Goal 11, which promotes “[l]arge-scale, multi-use Projects that create a sense of distinct identity, provide amenities, and are cohesively and comprehensively developed.” The exclusion of a portion of the site to avoid a temporary construction noise impact would result in a less cohesive site design than the Project and only partial redevelopment of the site, which presents a potential conflict with this General Plan goal. It would also result in the loss of a park amenity that would serve residents along the eastern side of the site, another inconsistency with this goal.

Retaining a portion of the site in its current state would not meet the City’s Downtown Specific Plan vision for the redevelopment of the site with mixed commercial and residential uses.- Further, it is uncertain if the building at 121–141 N. Fig Street could be reoccupied. For the purposes of this CEQA analysis it was assumed that no substantial remodeling would occur and the building could potentially be reused; however, it is uncertain if that would ultimately be feasible given the conditions of the building and potential future land uses. Palomar Hospital will vacate the existing medical uses within 121–141 N. Fig Street in 2020 regardless of the implementation of this Project or an alternative (Palomar Health 2020). Due to the reduction in Palomar Hospital Downtown Campus uses, there has been a decline in medical business in the area and it is uncertain if this

building could be reoccupied with a medical use once Palomar Hospital vacates. In addition, the Downtown Specific Plan indicates this property is to transition to residential and commercial uses once Palomar Hospital vacates. Residential uses could not be placed within the building without substantial remodeling due to the need for adequate egress from bedrooms as required by Building Code. Heavy modifications to the window size to meet egress requirements would result in a historical impact, as the windows contribute to the International architectural style and a change in the windows would reduce its integrity and eligibility for listing. Due to its location and the lack of storefront windows typical of such uses, the reuse of the building for retail commercial uses is also unlikely. Ultimately the site could potentially remain vacant similar to the nearby medical building at 641 E. Pennsylvania Avenue.

This alternative would be inconsistent with the Downtown Specific Plan Strategic Goal 9 to create a “pedestrian environment that provides connections, convenient access and opportunities for alternative modes of transportation.” The Reduced Footprint Alternative would result in the elimination of the pedestrian connection from the site eastward to N. Fig Street (see Figure 2-9, Connectivity Plan), which was designed to meet the Downtown Specific Plan’s pedestrian connectivity goals and to provide an ADA-compliant access route through the site and to the east.

Further, because the proposed Project includes a storm drain connection and a sewer connection (see Figures 2-7a and 2-7d) through the eastern area of the site to N. Fig Street and the intent of the Reduced Footprint Alternative is to avoid improvements in that area, the Reduced Footprint Alternative would need to include a modified storm drain connection and the proposed sewer improvements would be revised to connect westward towards N. Hickory Street. The improvements to the N. Fig Street sewer line would not occur under this alternative.

The Reduced Footprint Alternative would not remediate an existing hazard by retaining the existing structure at 121–141 N. Fig Street, which includes the potential for lead and asbestos. While the avoidance of demolition of lead-based paint and asbestos-containing materials would temporarily avoid the potential hazard, it is reasonable to expect that long-term maintenance would ultimately require disturbance of these hazardous materials.

Further, under CEQA (Public Resources Code § 21159.26), a public agency may not reduce the proposed number of housing units as a project alternative for a particular significant effect on the environment if it determines there is another feasible project alternative that would provide a comparable level of mitigation — a factor for the City to consider in whether to approve the Project or a Project alternative. The EIR identifies feasible mitigation measures to reduce all potentially significant impacts of the Project to less than significant.

## **7.8 Analysis of Historic Preservation Alternative**

### **7.8.1 Historic Preservation Alternative Description and Setting**

The Historic Preservation Alternative would involve the same components as the Project, but the 121–141 N. Fig Street building (see Figure 4.2-17-1, Historic Preservation Alternative) and associated parking would be removed from the Project site and retained in its current location and condition. This alternative would therefore not include the ~~two-five~~ rowhome buildings (buildings 7 to 10 and 12 ~~8 and 9~~ on Figure 2-3) in the area of the existing historic structure proposed by the Project. The removal of these five rowhomes would eliminate 30 units, which would result in this alternative including 480 units total. Each rowhome building has 6 units, so the removal of Buildings 8 and 9 would result in this alternative including 498 residential units. On-site ~~g~~Grading under this alternative would also be reduced by approximately 0.5 acres relative to the Project. The open space park area along N. Fig Street would not be provided under this alternative, and the eastern pedestrian access ramp to N. Fig Street would be eliminated. All other aspects of this alternative would be the same as the Project.

### **7.8.2 Comparison of the Effects of the Historic Preservation Alternative to the Project**

#### ***7.8.2.1 Biological Resources***

As described above, demolition and construction would be reduced under the Historic Preservation Alternative relative to the Project. Even though the overall duration would likely be shorter and the area slightly reduced, construction and demolition under this alternative would have a similar potential to impact nesting birds as the Project. As such, the Historic Preservation Alternative would require implementation of M-BI-1, similar to the Project. Therefore, the Historic Preservation Alternative would result in similar impacts to biological resources when compared to the Project.

#### ***7.8.2.2 Cultural Resources***

The Historic Preservation Alternative would require demolition of most buildings on the Project site as well as excavation of the Project site; however, grading would be reduced because the building at 121–141 N. Fig Street would be retained. Although this alternative would avoid grading the 0.5-acre historic building site, this alternative would have a similar potential to encounter unknown subsurface cultural resources or human remains as the Project. However, this alternative would avoid the removal of the historic structures at N. Fig Street ~~and would avoid~~ the related significant impact to historical resources (Impact CR-1); therefore, implementation of M-CR-1 to M-CR-4 would not be necessary. As such, the Historic Preservation Alternative would require the same mitigation for cultural resource monitoring as required by the Project (M-CR-~~52~~ to M-CR-~~154~~) in order to reduce potentially significant impacts to a level below significance. Overall, the Historic Preservation Alternative would result in less impact to cultural resources when compared to the Project.

### **7.8.2.3 Hazards and Hazardous Materials**

Although one less structure would be removed, the Historic Preservation Alternative would also require demolition of existing structures that may contain asbestos and lead-based paint. Additionally, construction of this alternative would also require the removal of known underground hazardous materials storage tanks. As such, the Historic Preservation Alternative would still result in potentially significant impacts associated with hazards and hazardous materials. This alternative would require the implementation of M-HZ-1 and M-HZ-2, similar to the Project, to reduce impacts to less than significant. Therefore, the Historic Preservation Alternative would result in similar impacts to hazards and hazardous materials when compared to the Project.

### **7.8.2.4 Noise**

Demolition and construction would still occur on the Project site under the Historic Preservation Alternative, although slightly less than the Project. Construction activities would still be required on the eastern portion of the Project site within 125 feet of the Palomar Vista Healthcare Center, but the amount of grading, demolition, and construction in this area would be reduced. While the overall reduced development of this alternative would shorten the construction schedule, similar construction equipment and phasing as the Project would be required. Since construction activities would occur within 125 feet of the adjacent noise sensitive land use under this Alternative, construction of the Historic Preservation Alternative would still result in an exceedance of the City's 75 dBA  $L_{eq}$  threshold near the eastern Project boundary. With implementation of the same mitigation measure required of the Project (M-N-1), construction noise impacts under the Historic Preservation Alternative would be reduced to less than significant. Therefore, the Historic Preservation Alternative would result in similar noise impacts when compared to the Project.

### **7.8.2.5 Tribal Cultural Resources**

While the Historic Preservation Alternative would slightly reduce the impact area by approximately 0.5 acres, this alternative would result in similar change to the existing environment that may disturb native soils such that TCRs may be affected. This alternative would require the same mitigation (M-CR-~~52~~ to M-CR-15+) as the Project to reduce potentially significant impacts to a level below significance. Therefore, the Historic Preservation Alternative would result in similar TCR impacts when compared to the Project.

### **7.8.2.6 Land Use**

The Historic Preservation Alternative would result in the demolition of the existing Palomar Health Downtown Campus, with the exception of the 121–141 N. Fig Street building, and the development of residential and commercial uses. The amendment to the Downtown Specific Plan regarding ground-floor residential units proposed under the Project would still be required of this alternative. The Downtown Specific Plan identifies the need for additional density to support the long-term vision of the Downtown Specific Plan area. With 480 units proposed for the 13.8-acre

site, this alternative would result in a density of 34.8 units per acre compared to the Project's density of 37.0 units per acre. ~~As this alternative would remove about 0.5 acres from the site and would eliminate only 12 units, the density of this alternative would be increased relative to the Project.~~ Thus, this alternative would implement the Downtown Specific Plan to a lesser degree slightly more than the Project. ~~Therefore~~ Overall, the Historic Preservation Alternative would have similar land use impacts when compared to the Project.

### **7.8.32-7 Project Objectives**

The Historic Preservation Alternative would meet all of the Project Objectives, though it would meet some of them ~~Project Objective 8~~ to a slightly lesser degree than the Project. For example, this alternative would not promote the efficient use of land and the revitalization of an underutilized downtown site in accordance with the Downtown Specific Plan vision (Objective 1) to the same degree as the Project, since a portion of the site would not be redeveloped. The Historic Preservation Alternative would also not improve energy and water use efficiencies (Objective 2) to the same degree as the Project, since the older energy and water inefficient building would remain at 121–141 N. Fig Street. The Historic Preservation Alternative would implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access (Objective 9), but to a lesser extent compared to the Project as the pedestrian connection provided to the east of N. Fig Street would not be provided due to that area being removed from the Project site. Refer to Table 7-1, Comparison of Alternatives Relative to Project Objectives.

### **7.8.4 Feasibility**

The Historic Preservation Alternative would be physically feasible to design and construct. ~~However, similar to the Reduced Footprint Alternative, this alternative presents a number of concerns related to General Plan consistency, Downtown Specific Plan consistency, aesthetic cohesion, and other issues.~~

The City's General Plan Land Use and Community Form Element includes Goal 11, which promotes "[l]arge-scale, multi-use Projects that create a sense of distinct identity, provide amenities, and are cohesively and comprehensively developed." The exclusion of 121–141 N. Fig Street from redevelopment would reduce the cohesive and comprehensive design of the redevelopment area and only partially redevelop the site, which presents a potential conflict with this General Plan goal. It would also result in the loss of a park amenity that would serve residents along the eastern side of the Project site; another inconsistency with this goal.

Retaining a portion of the site in its current state as an underutilized medical office would not meet the City's Downtown Specific Plan vision for the redevelopment of the entire site with mixed commercial and residential uses. This alternative would also be inconsistent with Downtown Specific Plan Strategic Goal 9, to create a "pedestrian environment that provides connections, convenient access and opportunities for alternative modes of transportation." The Historic Preservation Alternative would result in the elimination of the pedestrian connection from the site eastward to N. Fig Street (see Figure

2-9, Connectivity Plan), which was designed to meet the Downtown Specific Plan's pedestrian connectivity goals, and to provide an ADA-compliant access route through the site and to the east.

In addition to potential plan inconsistencies, while the grading area would be reduced in the historic building avoidance area under the Historic Preservation Alternative, this alternative would result in the disconnection of the eastern area of the site from the rest of the development need for a large retaining wall. In addition, this alternative would result in substantial soil export as the cut material could not be utilized as fill in the eastern area of the site like it would under the Project conditions. This would result in additional hauling truck trips during construction, as well as associated impacts to air quality and increased GHG emissions.

Further, because the proposed Project includes utility connections through the eastern area of the site to N. Fig Street, including a storm drain connection and a sewer connection (see Figures 2-7a to 2-7d), under this Historic Preservation Alternative, the storm drain connection would have to be revised and portions of the proposed Project sewer improvements could not be implemented. Specifically, the sewer connection and the sewer line upgrade in N. Fig Street proposed by the Project would also not occur. Instead, the Historic Preservation Alternative would include directing all wastewater to the sewer system in N. Hickory Street.

Palomar Hospital will vacate the existing medical uses within 121–141 N. Fig Street in 2020 regardless of the implementation of this Project or an alternative. If the building is preserved, it is uncertain what type of use could occupy the building without significant renovations that could affect its potential for historic listing. For the purposes of this CEQA analysis it was assumed that no substantial remodeling would occur and the building could potentially be reused; however, it is uncertain if that would ultimately be feasible given the conditions of the building and potential future land uses. Due to the reduction in Palomar Hospital Downtown Campus uses, there has been a decline in medical business in the area and it is uncertain if this building could be reoccupied with a medical use once Palomar Hospital vacates. In addition, the Downtown Specific Plan indicates this property is to transition to residential and commercial uses once Palomar Hospital vacates. Residential uses could not be placed within the building without substantial remodeling due to the need for adequate egress from bedrooms required by the Building Code. Heavy modifications to the window size to meet egress requirements would result in a historical impact, which this Historic Preservation Alternative is intended to avoid. Due to its location and the lack of storefront windows typical of such uses, the reuse of the building for retail commercial uses would be difficult. Ultimately, the site could potentially remain vacant similar to the nearby medical building at 641 E. Pennsylvania Avenue.

Designs were reviewed to attempt to retain a park in the eastern area of the site; however, providing ADA-compliant access to the park was determined to be infeasible due to the topography and limited space. The area considered for the park would be a water quality detention basin, as shown on Figure 7-1.

The Historic Preservation Alternative would not remediate an existing hazard by retaining the existing structure at 121–141 N. Fig Street, which includes the potential for lead and asbestos. While the avoidance of demolition of lead-based paint and asbestos-containing materials would temporarily avoid the potential hazard, it is reasonable to expect that long-term maintenance would ultimately require disturbance of these hazardous materials.

Further, under CEQA (Public Resources Code § 21159.26), a public agency may not reduce the proposed number of housing units as a project alternative for a particular significant effect on the environment if it determines there is another feasible project alternative that would provide a comparable level of mitigation — a factor for the City to consider in whether to approve the project or a project alternative. The EIR identifies feasible mitigation measures to reduce all potentially significant impacts of the Project to less than significant.

### 7.9 Determination of Environmentally Superior Alternative

As shown in Table 7-3, Environmentally Superior Alternative, implementation of the No Project/No Development Alternative would result in the greatest reduction in significant impacts when compared to the Project. Because the No Project/No Development Alternative would result in the least amount of impacts to the environment, it would be the environmentally superior alternative. However, Section 15126.6(e)(2) of the CEQA Guidelines states that if the environmentally superior alternative is the No Project Alternative, the EIR also must identify an environmentally superior alternative among the other alternatives.

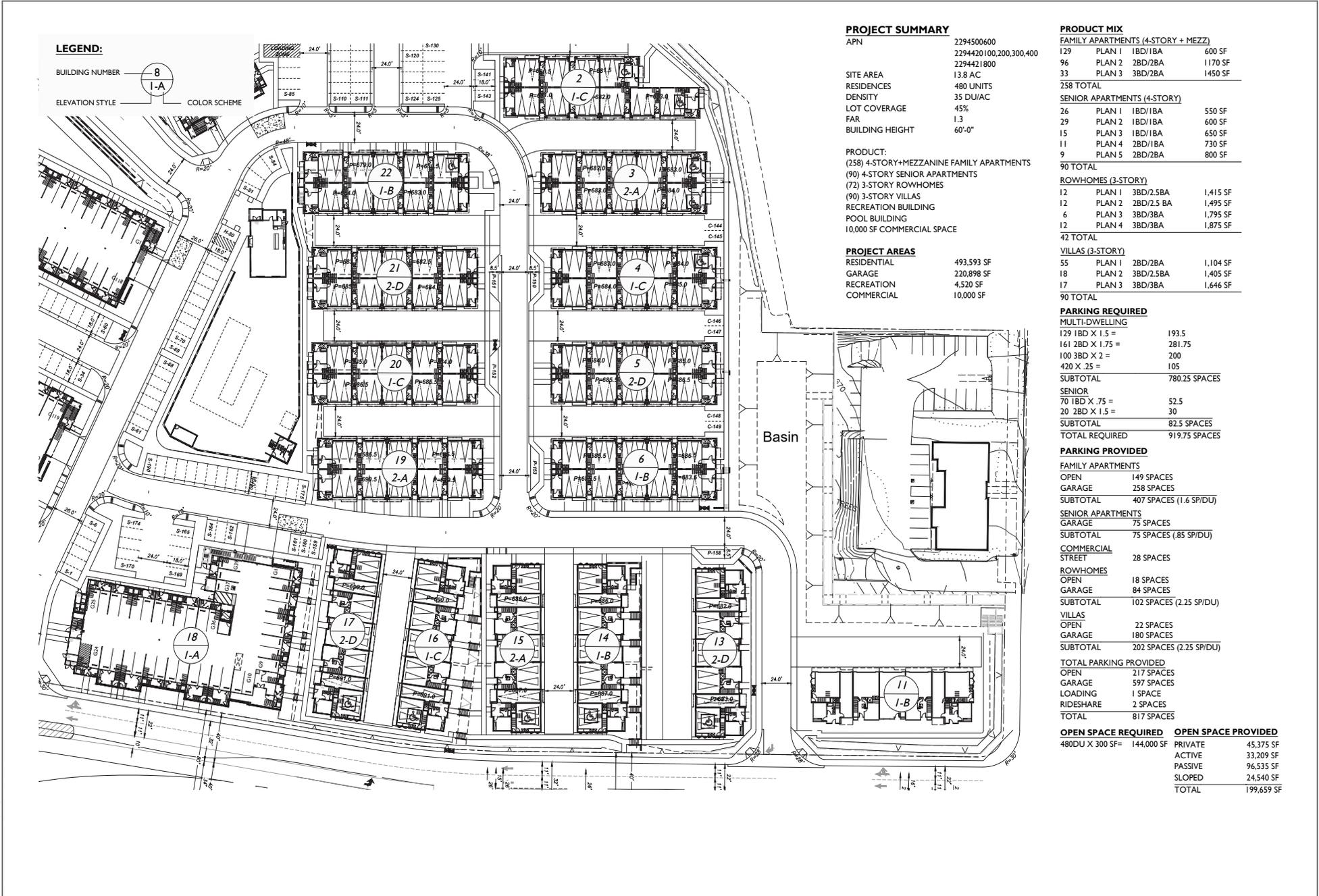
**Table 7-3**  
**Environmentally Superior Alternative**

Issue Areas with Potentially Significant Impacts	Project	Alternatives Considered		
		No Project/No Development	Reduced Footprint Alternative	Historic Preservation Alternative
Biological Resources	LTS	▼	—	—
Cultural Resources	LTS	▼	▼	▼
Hazards and Hazardous Materials	LTS	▼	—	—
Noise	LTS	▼	▼	—
Tribal Cultural Resources	LTS	▼	—	—
Land Use	NS	▲	—	—

- ▲ Alternative is likely to result in substantially greater impacts to issue when compared to Project.
- Alternative is likely to result in similar impacts to issue when compared to Project.
- ▼ Alternative is likely to result in substantially reduced impacts to issue when compared to Project.
- NS = Not a potentially significant impact.
- LTS = Less than Significant with mitigation measures.
- SU = Potentially significant and unavoidable impact.

The Reduced Footprint Alternative would result in the least amount of environmental impacts, as it would fully avoid the Project's construction noise impacts as well as avoiding the historic structure. As compared to the Project, impacts associated with noise and historic resources would be avoided; however, the Reduced Footprint Alternative would result in similar impacts to all other issue areas. This alternative would also meet the basic Project objectives, although it would meet Objective 8 to a slightly lesser degree than the Project (see Table 7-1, Comparison of Alternatives Relative to Project Objectives). Overall, the Reduced Footprint Alternative would be the environmentally superior alternative.

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**PROJECT SUMMARY**

APN 2294500600  
 2294420100,200,300,400  
 2294421800  
 SITE AREA 13.8 AC  
 RESIDENCES 480 UNITS  
 DENSITY 35 DU/AC  
 LOT COVERAGE 45%  
 FAR 1.3  
 BUILDING HEIGHT 60'-0"

PRODUCT:  
 (258) 4-STORY+MEZZANINE FAMILY APARTMENTS  
 (90) 4-STORY SENIOR APARTMENTS  
 (72) 3-STORY ROWHOMES  
 (90) 3-STORY VILLAS  
 RECREATION BUILDING  
 POOL BUILDING  
 10,000 SF COMMERCIAL SPACE

**PROJECT AREAS**  
 RESIDENTIAL 493,593 SF  
 GARAGE 220,898 SF  
 RECREATION 4,520 SF  
 COMMERCIAL 10,000 SF

**PRODUCT MIX**

FAMILY APARTMENTS (4-STORY + MEZZ)			
129	PLAN 1	1BD/1BA	600 SF
96	PLAN 2	2BD/2BA	1170 SF
33	PLAN 3	3BD/2BA	1450 SF
<b>258 TOTAL</b>			
SENIOR APARTMENTS (4-STORY)			
26	PLAN 1	1BD/1BA	550 SF
29	PLAN 2	1BD/1BA	600 SF
15	PLAN 3	1BD/1BA	650 SF
11	PLAN 4	2BD/1BA	730 SF
9	PLAN 5	2BD/2BA	800 SF
<b>90 TOTAL</b>			
ROWHOMES (3-STORY)			
12	PLAN 1	3BD/2.5BA	1,415 SF
12	PLAN 2	2BD/2.5 BA	1,495 SF
6	PLAN 3	3BD/3BA	1,795 SF
12	PLAN 4	3BD/3BA	1,875 SF
<b>42 TOTAL</b>			
VILLAS (3-STORY)			
55	PLAN 1	2BD/2BA	1,104 SF
18	PLAN 2	3BD/2.5BA	1,405 SF
17	PLAN 3	3BD/3BA	1,646 SF
<b>90 TOTAL</b>			

**PARKING REQUIRED**

MULTI-DWELLING	
129 1BD X 1.5 =	193.5
161 2BD X 1.75 =	281.75
100 3BD X 2 =	200
420 X .25 =	105
<b>SUBTOTAL</b>	<b>780.25 SPACES</b>
SENIOR	
70 1BD X .75 =	52.5
20 2BD X 1.5 =	30
<b>SUBTOTAL</b>	<b>82.5 SPACES</b>
<b>TOTAL REQUIRED</b>	<b>919.75 SPACES</b>

**PARKING PROVIDED**

FAMILY APARTMENTS	
OPEN	149 SPACES
GARAGE	258 SPACES
<b>SUBTOTAL</b>	<b>407 SPACES (1.6 SP/DU)</b>
SENIOR APARTMENTS	
GARAGE	75 SPACES
<b>SUBTOTAL</b>	<b>75 SPACES (.85 SP/DU)</b>
COMMERCIAL	
STREET	28 SPACES
ROWHOMES	
OPEN	18 SPACES
GARAGE	84 SPACES
<b>SUBTOTAL</b>	<b>102 SPACES (2.25 SP/DU)</b>
VILLAS	
OPEN	22 SPACES
GARAGE	180 SPACES
<b>SUBTOTAL</b>	<b>202 SPACES (2.25 SP/DU)</b>
TOTAL PARKING PROVIDED	
OPEN	217 SPACES
GARAGE	597 SPACES
LOADING	1 SPACE
RIDESHARE	2 SPACES
<b>TOTAL</b>	<b>817 SPACES</b>

OPEN SPACE REQUIRED	OPEN SPACE PROVIDED
480DU X 300 SF=	144,000 SF
PRIVATE	45,375 SF
ACTIVE	33,209 SF
PASSIVE	96,535 SF
SLOPED	24,540 SF
<b>TOTAL</b>	<b>199,659 SF</b>

SOURCE: Summa Architecture, 2020



**FIGURE 7-1**  
 Historic Preservation Alternative  
 Palomar Heights

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## CHAPTER 8 REFERENCES CITED

### **8.1 Project Description, Location, and Environmental Setting**

14 CCR 15000–15387 and Appendices A–L. Guidelines for Implementation of the California Environmental Quality Act, as amended.

City of Escondido. 2012. *City of Escondido General Plan*. May 2012. <https://www.escondido.org/general-plan.aspx>.

City of Escondido. 2013. *Escondido Downtown Specific Plan*. August 7, 2013.

### **8.2 Environmental Analysis**

#### **8.2.1 Biological Resources**

14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

CDFW (California Department of Fish and Wildlife). 2019. RareFind, Version 5.0 and BIOS. California Natural Diversity Database (CNDDDB). Accessed June 2019. <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>.

City of Escondido. 2001. *Public Review Draft Escondido Subarea Plan Implementing the Multiple Habitat Conservation Program*. City Case File 95-25-GPIP. Prepared by Ogden Environmental and Conservation Biology Institute for the City of Escondido Planning Division. June 2001. <http://www.sandag.org/?projectid=97&fuseaction=projects.detail>.

City of Escondido. 2012. *City of Escondido General Plan*. May 2012. <https://www.escondido.org/general-plan.aspx>.

County of San Diego. 1998. *County of San Diego Multiple Species Conservation Plan*.

Holland, R.F. 1986. *Preliminary Descriptions of the Terrestrial Natural Communities of California*. Nongame-Heritage Program, California Department of Fish and Game. October 1986.

Oberbauer, T., M. Kelly, and J. Buegge. 2008. *Draft Vegetation Communities of San Diego County*. March 2008. Accessed September 12, 2012. [http://www.sdcanyonlands.org/pdfs/veg\\_comm\\_sdcounty\\_2008\\_doc.pdf](http://www.sdcanyonlands.org/pdfs/veg_comm_sdcounty_2008_doc.pdf).

SANDAG (San Diego Association of Governments). 2003. *Final MHCP Plan for the Cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista*. Prepared for the Multiple Habitat Conservation Program. March 2003. <http://www.sandag.org/?projectid=97&fuseaction=projects.detail>.

SDNHM (San Diego Natural History Museum). 2012. “Birds of San Diego County.” From the San Diego County Bird Atlas. Accessed June 2019. <http://www.sdplantatlas.org/BirdAtlas/BirdPages.aspx>.

USFWS (U.S. Fish and Wildlife Service). 2019. National Wetlands Inventory (NWI) Wetlands Mapper. Accessed June 2019. <https://www.fws.gov/wetlands/Data/Mapper.html>.

### 8.2.2 Cultural Resources

14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

Andrus, Patrick W. and Rebecca H. Shrimpton 2002. *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*. U.S. Department of the Interior, National Park Service.

City of San Diego. 2019. Information Bulletin 580: Potential Historical Resource Review. Accessed June 4, 2020. <https://www.sandiego.gov/sites/default/files/dsdib580.pdf>

City of Escondido. 2012. *City of Escondido General Plan*. May 2012. <https://www.escondido.org/general-plan.aspx>.

SOHO (Save Our Heritage Organisation). 2017. How to Research Your Historic Home. Accessed June 4, 2020. <http://www.sohosandiego.org/resources/research.htm>

### 8.2.3 Hazards and Hazardous Materials

14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

CAL FIRE (California Department of Forestry and Fire Protection). 2017. “Very High Fire Hazard Severity Zones in LRA: Escondido.” CAL FIRE, Fire and Resources Assessment Program. [https://frap.fire.ca.gov/media/6403/fhszl06\\_1\\_map37.pdf](https://frap.fire.ca.gov/media/6403/fhszl06_1_map37.pdf)

City of Escondido. 2012. *City of Escondido General Plan*. Resolution 2012-52. May 2012. Accessed July 7, 2019. <https://www.escondido.org/general-plan.aspx>.

City of Escondido. 2019. "City of Escondido Fire Department: The Organization."  
<https://fire.escondido.org/the-organization.aspx>.

DTSC (Department of Toxic Substances Control). 2019. EnviroStor. Accessed December 26, 2019. <https://www.envirostor.dtsc.ca.gov/public/>.

#### **8.2.4 Land Use**

City of Escondido. 2012. *City of Escondido General Plan*. May 2012. <https://www.escondido.org/general-plan.aspx>.

City of Escondido. 2013. *Escondido Downtown Specific Plan*. August 7, 2013.

City of Escondido. 2017. Zoning Map. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/ZoningMap/Zoningmap.pdf?v=2>. Revised 2017.

SANDAG (San Diego Association of Governments). 2015. *San Diego Forward: The Regional Plan*. Approved October 2015.

#### **8.2.5 Noise**

Caltrans. 2013a. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. September 2013.

Caltrans. 2013b. *Transportation and Construction Vibration Guidance Manual*. Division of Environmental Analysis, Environmental Engineering, Hazardous Waste, Air, Noise, Paleontology Office. Sacramento, California. September 2013.

City of Escondido. 1990. City of Escondido Municipal Code, Article 12: Noise Abatement and Control

City of Escondido. 2012. *City of Escondido General Plan*. May 2012. <https://www.escondido.org/general-plan.aspx>.

FHWA (Federal Highway Administration). 2004. FHWA Traffic Noise Model Version 2.5. Washington, DC: U.S. Department of Transportation, FHWA.

FHWA. 2006. *FHWA Roadway Construction Noise Model User's Guide*. Final. FHWA-HEP-05-054 DOT-VNTSC-FHWA-05-01. January 2006. Prepared by U.S. Department of Transportation, Research and Innovative Technology Administration, John A. Volpe National Transportation Systems Center, Acoustics Facility. Washington, DC: U.S. Department of Transportation, FHWA.

- FHWA. 2008. *FHWA Traffic Noise Model User's Guide* (Version 2.5 Addendum). April 2008. Washington, DC: U.S. Department of Transportation, FHWA.
- FHWA. 2011. *Highway Traffic Noise: Analysis and Abatement Guidance*. FHWA-HEP-10-025. December 2011. <https://www.in.gov/indot/files/FHWA-Highway-Traffic-Noise-Analysis-and-Abatement-Guidance-December-2011.pdf>.
- FTA (Federal Transit Administration). 2006. *Transit Noise and Vibration Impact Assessment, FTA-VA-90-1003-06*. May 2006.
- Johnson Controls. 2010. 561927-YTG-A-0410. Technical Guide – Affinity Split-System Heat Pumps.
- OPR (Governor's Office of Planning and Research). 2003. *State of California General Plan Guidelines*. October 2003.
- OPR. 2017. *State of California 2017 General Plan Guidelines*. Accessed May 10, 2019. [http://www.opr.ca.gov/docs/OPR\\_COMPLETE\\_7.31.17.pdf](http://www.opr.ca.gov/docs/OPR_COMPLETE_7.31.17.pdf).

### 8.2.6 Transportation

- 14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.
- City of Escondido. 2012a. *City of Escondido General Plan*. <https://www.escondido.org/general-plan.aspx>.
- City of Escondido. 2012b. *City of Escondido Bicycle Master Plan*. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DraftBicycleMasterPlan.pdf>.
- City of Escondido. 2012c. *Escondido General Plan Update, Downtown Specific Plan Update, and Climate Action Plan Environmental Impact Report*. Final. SCH no. 2010071064. Prepared by Atkins. April 23, 2012. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/GPUupdate/Vol1Cover.pdf>.
- City of Escondido. 2014. Design Standards and Standard Drawings. Accessed January 9, 2020. <https://escondido.org/Data/Sites/1/media/pdfs/Engineering/DesignStandards.pdf?v=3>.
- City of Escondido. 2019. Preliminary Five-Year Capital Improvement Program and Budget. Fiscal Years 2019-20–2023/24. Accessed October 1, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Finance/CIP2019-20.pdf>.

- City of Escondido. n.d. City Website – Transportation. Accessed October 1, 2019.  
<https://www.escondido.org/transportation-1.aspx>.
- NCTD (North County Transit District). 2019a. North County Transit District System Map.  
<https://gonctd.com/wp-content/uploads/2019/01/NCTDSystemMap.pdf>.
- NCTD. 2019b. Transit Schedule Information. <https://www.gonctd.com/maps-schedules/schedules/#>.
- OPR (Governor’s Office of Planning and Research). 2014. Senate Bill 743.
- OPR. 2016. *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*. January 20, 2016. [https://www.opr.ca.gov/docs/Revised\\_VMT\\_CEQA\\_Guidelines\\_Proposal\\_January\\_20\\_2016.pdf](https://www.opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf).
- SANDAG (San Diego Association of Governments). 2002. “Not so Brief Guide of Vehicular Traffic Generation Rates for San Diego Region.” April 2002.
- SANDAG. 2015. *San Diego Forward: The Regional Plan*. October 2015.  
[http://www.sdforward.com/pdfs/RP\\_final/The%20Plan%20-%20combined.pdf](http://www.sdforward.com/pdfs/RP_final/The%20Plan%20-%20combined.pdf).

## **8.2.7 Tribal Cultural Resources**

- California Legislative Information. 2004. SB-18 Traditional Tribal Cultural Places (2003-2004). Senate Bill No. 18, Chapter 905. Accessed December 26, 2019.  
[https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=200320040SB18](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=200320040SB18)

## **8.3 Effects Not Found to Be Significant**

- City of Escondido. 2012a. *City of Escondido General Plan*. May 2012.  
<https://www.escondido.org/general-plan.aspx>.

### **8.3.1 Aesthetics**

- 14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.
- City of Escondido. 2012a. *City of Escondido General Plan*. May 2012. <https://www.escondido.org/general-plan.aspx>.
- City of Escondido. 2013. *Escondido Downtown Specific Plan*. August 7, 2013.

U.S. Census Bureau. 2018. Quickfacts, Escondido city, California. Accessed July 2019.  
<https://www.census.gov/quickfacts/fact/table/escondidocitycalifornia/HSD410217>.

### 8.3.2 Agriculture and Forestry Resources

City of Escondido. 2012a. *City of Escondido General Plan*. Resolution 2012-52. May 2012.  
Accessed January 9, 2017. <https://www.escondido.org/general-plan.aspx>.

City of Escondido. 2018. City of Escondido Zoning Map. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/ZoningMap/Zoningmap.pdf?v=2>

CDOC (California Department of Conservation). 2013. Williamson Act Program. Accessed July 18, 2019. <https://www.conservation.ca.gov/dlrp/wa>.

CDOC. 2016. Farmland Mapping and Monitoring Program. Accessed July 18, 2019.  
[https://www.conservation.ca.gov/dlrp/fmmp/Pages/prime\\_farmland\\_fmmp.aspx](https://www.conservation.ca.gov/dlrp/fmmp/Pages/prime_farmland_fmmp.aspx)

### 8.3.3 Air Quality

14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

Cortes, R. 2020. Personal communication. SANDAG Series 13 Growth Projections. January 22, 2020.

City of Escondido. 2017. City of Escondido Zoning Map. Revised July 18, 2017.

County of San Diego. 2007. *Guidelines for Determining Significance and Report and Format and Content Requirements – Air Quality*. March 19, 2007. Accessed April 2017.  
<http://www.sandiegocounty.gov/content/dam/sdc/pds/ProjectPlanning/docs/AQ-Guidelines.pdf>.

SCAQMD (South Coast Air Quality Management District). 1993. *CEQA Air Quality Handbook*.  
<http://www.aqmd.gov/home/regulations/rules/scaqmd-rule-book>.

SDAPCD (San Diego Air Pollution Control District). 2012. *Redesignation Request and Maintenance Plan for the 1997 National Ozone Standard for San Diego County*. Adopted December 5, 2012.

### 8.3.4 Energy

14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

CARB (California Air Resources Board). 2013. “Clean Car Standards – Pavley, Assembly Bill 1493.” Last reviewed May 6, 2013. Accessed July 2019. <http://arb.ca.gov/cc/ccms/ccms.htm>.

CARB. 2019. EMFAC 2017 Web Database (v1.0.2). Accessed June 2019. <https://www.arb.ca.gov/emfac/2017/>.

CEC (California Energy Commission). 2019a. “Electricity Consumption by County.” Accessed July 16, 2019. <http://www.ecdms.energy.ca.gov/elecbycounty.aspx>.

CEC. 2019b. “Gas Consumption by County.” Accessed July 16, 2019. <http://www.ecdms.energy.ca.gov/gasbycounty.aspx>.

CEC. 2019c. “Gasoline and Diesel Fuel Statistics.” Accessed January 2019. <https://www.energy.ca.gov/almanac/>.

The Climate Registry. 2019. “Default Emission Factors: May.” Accessed July 2019. <https://www.theclimateregistry.org/wp-content/uploads/2019/05/The-Climate-Registry-2019-Default-Emission-Factor-Document.pdf>.

### **8.3.5 Geology and Soils**

14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

California Building Code. Section 1803.5.3.

City of Escondido. 2012a. *City of Escondido General Plan*. Resolution 2012-52. May 2012. Accessed July, 2019. <https://www.escondido.org/general-plan.aspx>.

### **8.3.6 Greenhouse Gas Emissions**

14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

CAPCOA. 2017. *California Emissions Estimator Model (CalEEMod) User’s Guide Version 2016.3.2*. Prepared by BREEZE Software, A Division of Trinity Consultants in collaboration with South Coast Air Quality Management District and the California Air Districts. Accessed December 2017. [http://www.aqmd.gov/docs/default-source/caleemod/01\\_user-39-s-guide2016-3-2\\_15november2017.pdf?sfvrsn=4](http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4). SANDAG 2013.

SANDAG. 2017. “Series 13: 2050 Regional Growth Forecast.” Accessed June 2017.  
<http://www.sandag.org/index.asp?classid=12&subclassid=84&projectid=503&fuseaction=projects.detail>.

### 8.3.7 Hydrology and Water Quality

City of Escondido. 2015. *Urban Water Management Plan*. [https://www.escondido.org/Data/Sites/1/media/PDFs/Utilities/water/Chapters\\_EscondidoUWMP\\_PublicDraft\\_16May16.pdf](https://www.escondido.org/Data/Sites/1/media/PDFs/Utilities/water/Chapters_EscondidoUWMP_PublicDraft_16May16.pdf).

City of Escondido. 2017. *Jurisdictional Runoff Management Plan*. <https://www.escondido.org/Data/Sites/1/media/pdfs/pubworks/jrmp/JRMP.pdf?v=3>

SDIWM (San Diego Integrated Water Management). 2019. *San Diego Integrated Regional Water Management Plan*. [http://www.sdirwmp.org/pdf/sdirwm\\_groundwater\\_map.pdf](http://www.sdirwmp.org/pdf/sdirwm_groundwater_map.pdf).

### 8.3.8 Mineral Resources

CDOC (California Department of Conservation). 1996. *Aggregate Minerals in the Western San Diego County Production-Consumption Region*. Accessed July 18, 2019.  
[https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/SoitecDocuments/Final-EIR-Files/references/rtcref/ch3.2.2/2014-1219\\_CaliforniaDepartmentofConservation1997.pdf](https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/SoitecDocuments/Final-EIR-Files/references/rtcref/ch3.2.2/2014-1219_CaliforniaDepartmentofConservation1997.pdf).

### 8.3.9 Population and Housing

City of Escondido. 2012b. *General Plan – Housing Element*. Adopted May 2012. Accessed July 17, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/GPUpdate/GeneralPlanChapterIV.pdf>.

City of Escondido. 2013. *Downtown Specific Plan*. Adopted August 7, 2013. Accessed July 17, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DowntownSpecificPlan.pdf?v=4>.

SANDAG (San Diego Association of Governments). 2019. “Fast Facts – Escondido.” Accessed July 11, 2019. [https://www.sandag.org/resources/demographics\\_and\\_other\\_data/demographics/fastfacts/esco.htm](https://www.sandag.org/resources/demographics_and_other_data/demographics/fastfacts/esco.htm).

U.S. Census Bureau. 2017a. 2013-2017 American Community Survey 5-Year Estimates – Housing units. Accessed July 17, 2019.

U.S. Census Bureau. 2017b. “Quick Facts – Escondido city, California.” Accessed July 18, 2019.

U.S. Census Bureau. 2018. American Fact Finder – 2018 Population Estimates. Accessed July 17, 2019.

### 8.3.10 Public Services

City of Escondido. 2012c. General Plan – Community Protection. Amended May 2012. Accessed July 17, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/GPUpdate/GeneralPlanChapterVI.pdf>.

City of Escondido. 2012d. General Plan – Community Health and Services. Amended May 2012. Accessed July 17, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/GPUpdate/GeneralPlanChapterV.pdf>.

City of Escondido. 2019. “Fee Guide for Development Projects – Community Development Department/Building Division.” Revised February 19, 2019. Accessed July 17, 2019. <https://www.escondido.org/Data/Sites/1/media/BuildingDivisonREPORTS/February19th2019FEEGUIDEUPDATE.pdf>.

City of Escondido. n.d.a. Fire Department – The Organization. Accessed July 11, 2019. <https://fire.escondido.org/the-organization.aspx>.

City of Escondido. n.d.b. Fire Department – Facilities. Accessed July 17, 2019. <https://fire.escondido.org/facilities.aspx>.

City of Escondido. n.d.c. City of Escondido Municipal Code, Chapter 6: Buildings and Building Regulations, Article 18B: Public Facility Development Fee. Accessed July 17, 2019.

EdData. n.d.a. Ed Data – Central Elementary demographics. Accessed July 17, 2019. <https://www.ed-data.org/school/San-Diego/Escondido-Union/Central-Elementary>.

EdData. n.d.b. Ed Data – Del Dios Academy of Arts and Sciences. Accessed July 17, 2019. <https://www.ed-data.org/school/San-Diego/Escondido-Union/Del-Dios-Academy-of-Arts-and-Sciences>.

EUHSD (Escondido Union High School District). 2017. Escondido High School 2016-2017 School Accountability Report Card. Published January 2018. Accessed July 17, 2019. [https://www.axiomanalytix.com/SARC/\\_SupportFiles/SARCIndexPDFs/37681063732062\\_16-17\\_1.pdf](https://www.axiomanalytix.com/SARC/_SupportFiles/SARCIndexPDFs/37681063732062_16-17_1.pdf).

EUHSD. 2018. Escondido High School 2017-2018 School Accountability Report Card. Published January 2019. Accessed July 17, 2019. [https://www.axiomanalytix.com/SARC/\\_SupportFiles/SARCIndexPDFs/37681063732062\\_17-18\\_1.pdf](https://www.axiomanalytix.com/SARC/_SupportFiles/SARCIndexPDFs/37681063732062_17-18_1.pdf).

EUHSD. n.d. School Site Locator. Accessed July 17, 2019. <http://apps.schoolsitelocator.com/?districtcode=10923>.

- EUSD (Escondido Union School District). 2017a. Central School – School Accountability Report Card for School Year 2016-2017. Accessed July 17, 2019. <https://drive.google.com/file/d/0B40agxusOJjsa0VDMTRPTmRRMjA/view>.
- EUSD. 2017b. Del Dios Academy of Arts and Sciences – School Accountability Report Card for School Year 2016-2017. Accessed July 17, 2019. <https://drive.google.com/file/d/0B40agxusOJjsd1Z1d3ViTktOSIE/view>.
- EUSD. n.d. School Site Locator. Accessed July 17, 2019. <http://apps.schoolsitelocator.com/index.html?districtCode=10924>.
- 8.3.11 Recreation**
- City of Escondido. 2012d. General Plan – Community Health and Services. Amended May 2012. Accessed July 17, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/GPUupdate/GeneralPlanChapterV.pdf>.
- City of Escondido. 2013. Downtown Specific Plan. Adopted August 7, 2013. Accessed July 17, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DowntownSpecificPlan.pdf?v=4>.
- City of Escondido. 2019. Fee Guide for Development Projects – Community Development Department / Building Division. Revised February 19, 2019. Accessed July 17, 2019. <https://www.escondido.org/Data/Sites/1/media/BuildingDivisonREPORTS/February19th2019FEEGUIDEUPDATE.pdf>.
- City of Escondido. n.d.d. City of Escondido Municipal Code, Chapter 6: Buildings and Building Regulations, Article 18C: Park and Recreation Facilities Development Fee. Accessed July 17, 2019.
- SANDAG (San Diego Association of Governments). 2019. “Fast Facts – Escondido.” Accessed July 11, 2019. [https://www.sandag.org/resources/demographics\\_and\\_other\\_data/demographics/fastfacts/esco.htm](https://www.sandag.org/resources/demographics_and_other_data/demographics/fastfacts/esco.htm).

### **8.3.12 Utilities and Service Systems**

- CalRecycle (California Resources Recycling and Recovery). 2019. “Solid Waste Information System: Sycamore Landfill (37-AA-0023).” <https://www2.calrecycle.ca.gov/SWFacilities/Directory/37-AA-0023/Detail/>.
- City of Escondido. 2015. *Urban Water Management Plan*. [https://www.escondido.org/Data/Sites/1/media/PDFs/Utilities/water/Chapters\\_EscondidoUWMP\\_PublicDraft\\_16May16.pdf](https://www.escondido.org/Data/Sites/1/media/PDFs/Utilities/water/Chapters_EscondidoUWMP_PublicDraft_16May16.pdf).

### 8.3.13 Wildfire

City of Escondido. 2012d. General Plan – Community Health and Services. Amended May 2012. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/GPUupdate/GeneralPlanChapterV.pdf>.

## 8.4 Other CEQA Considerations and Project Alternatives

14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

City of Escondido. 2012a. *City of Escondido General Plan*. <https://www.escondido.org/general-plan.aspx>.

City of Escondido. 2012b. *City of Escondido Bicycle Master Plan*. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DraftBicycleMasterPlan.pdf>.

Cityfeet. 2020. San Diego Commercial Property for Lease. [www.cityfeet.com](http://www.cityfeet.com)

University of California, Berkeley. Terner Center for Housing Innovation. 2019. *Making It Pencil: The Math Behind Housing Development*. [http://ternercenter.berkeley.edu/uploads/Making\\_It\\_Pencil\\_The\\_Math\\_Behind\\_Housing\\_Development.pdf](http://ternercenter.berkeley.edu/uploads/Making_It_Pencil_The_Math_Behind_Housing_Development.pdf)

University of California, Berkeley. Terner Center for Housing Innovation. 2020. *Hard Construction Costs*. <https://ternercenter.berkeley.edu/hard-construction-costs-apartments-california>

Hernandez, Jennifer. 2018. *California Environmental Quality Act Lawsuits and California's Housing Crisis*, 24 *Hastings Env'tl L.J.* 21 (2018), p. 56. [https://repository.uchastings.edu/cgi/viewcontent.cgi?article=1032&context=hastings\\_environmental\\_law\\_journal](https://repository.uchastings.edu/cgi/viewcontent.cgi?article=1032&context=hastings_environmental_law_journal); citing Nathaniel Decker, Carol Galante, Karen Chapple & Amy Martin, *Right Type, Right Place: Assessing the Environmental and Economic Impacts of Infill Residential Development Through 2030*, Mar. 7 2017, Available at: <https://perma.cc/96RY-ECW7>

CBS News 8. Palomar Hospital in Escondido will close. <https://www.cbs8.com/article/news/palomar-hospital-in-escondido-will-close/509-13eb7f22-d720-4eaa-9836-9f454299bcde>

FHWA. 2008. *FHWA Traffic Noise Model User's Guide (Version 2.5 Addendum)*. April 2008. Washington, DC: U.S. Department of Transportation, FHWA.

Palomar Health 2020a. Crisis Stabilization Unit. July 2020. <https://www.palomarhealth.org/center-for-behavioral-health/crisis-stabilization-unit>

Palomar Health 2020b. Corona Virus Update. June 29, 2020. <https://www.palomarhealth.org/flu-source/coronavirus>

U.S. Census Bureau. 2019. QuickFacts, Escondido City, California. <https://www.census.gov/quickfacts/fact/table/escondidocitycalifornia/HSD410218>.

U.S. Census Bureau. 2017. American Community Survey.

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## CHAPTER 10 LIST OF MITIGATION MEASURES, PROJECT DESIGN FEATURES, AND COMPLIANCE MEASURES

### 10.1 Aesthetics

#### 10.1.1 Compliance Measures

**CM-AE-1** In accordance with Article 35 of the Zoning Ordinance, all exterior lighting fixtures, with the exception of street lamps, would be aimed or shielded so that unnecessary nighttime lighting and glare would be reduced for the benefit of City residents and astronomical research at Palomar Mountain Observatory. In accordance with Zoning Ordinance Section 33-713, lighting installed in the public right-of-way would also comply with the City's Engineering Design Standards and Standard Drawings

### 10.2 Air Quality

#### 10.2.1 Compliance Measures

**CM-AQ-1** In accordance with San Diego Air Pollution Control District (SDAPCD) Rule 55, Fugitive Dust Control, the Project will include dust control measures during grading.

**CM-AQ-2** The Project shall comply with State of California Health and Safety Code, Division 26, Part 4, Chapter 3, Section 41700 and SDAPCD Rule 51 regarding emissions and odors.

**CM-AQ-3** The Project shall comply with applicable California Air Resources Board (CARB) regulations and standards. CARB is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the federal Clean Air Act, and regulating emissions from motor vehicles and consumer products. CARB oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional and county levels.

**CM-AQ-4** The Project will comply with SDAPCD regulations, including federal and state ambient standards they implement in the San Diego Air Basin.

### 10.3 Biological Resources

#### 10.3.1 Mitigation Measures

**M-BI-1** **Nesting Bird and Raptor Avoidance.** Prior to the issuance of grading or demolition permits, the City of Escondido shall verify that the following measure is shown on the grading and demolition plans:

If clearing or grubbing occurs within the nesting season (January 15 to August 31), nesting bird surveys for migratory birds and raptors are required to be performed by a qualified biologist at least 72 hours before the start of vegetation removal.

If active nests are found, appropriately sized no-work buffers will be established around all active nests identified within and adjacent to the Project site. The qualified biologist will determine the appropriate buffer size and level of nest monitoring necessary for species not listed under the federal Endangered Species Act (ESA) or the California ESA based on the species' life history, the species' sensitivity to disturbances (e.g., noise, vibration, human activity), individual behavior, status of nest, location of nest and site conditions, presence of screening vegetation, anticipated Project activities, ambient noise levels compared to Project-related noise levels, existing non-Project-related disturbances in vicinity, and ambient levels of human activity. All buffers for non-ESA/California ESA-listed species will be no less than 50 feet and no less than 300 feet for raptor species.

Buffers will be marked (flagged or fenced with Environmentally Sensitive Area fencing) around the active nest site as directed by the qualified biologist and in accordance with safety requirements. Periodic monitoring of active nests will occur to ensure the Project does not result in the failure of the nest. No Project activities or personnel will be allowed inside these buffers, except for the qualified biologist (if necessary). The buffer(s) will be maintained around each nest until the nest becomes inactive as determined by the qualified biologist.

At the discretion of a qualified biologist, if a nesting bird appears to be stressed as a result of Project activities and the buffer does not appear to provide adequate protection, additional minimization measures may need to be implemented.

Construction will be allowed to continue outside of the no-work buffers. The qualified biologist will ensure that restricted activities occur outside of the delineated buffers, check nesting birds for any potential indications of stress, and ensure that installed fencing or flagging is maintained at buffer boundaries during nest monitoring and any additional site visits. Buffer sizes may be reduced, or the extent of nest monitoring may be reduced, at the discretion of the qualified biologist. Any changes to buffer sizes and/or nest monitoring frequency will be documented.

### **10.3.2 Compliance Measures**

**CM-BI-1** The Project shall replace any mature or protected tree removed by the Project in accordance with the City of Escondido – Mature and Protected Tree Ordinance, Section 33-1069, Article 55 of Chapter 33 of the City’s Zoning Code.

## **10.4 Cultural Resources**

### **10.4.1 Mitigation Measures**

**M-CR-1** Offer Building for Relocation Prior to Demolition. Prior to the issuance of a demolition permit for the 121-141 N. Fig Street building, the applicant shall demonstrate to the City that it has offered the building for relocation. The applicant’s “offer for relocation” will be placed in a newspaper of general circulation, posted on a website, and posted at the Project site for a period of 30 days. The party that proposes to relocate the building is responsible for finding a compatible off-site location that will reestablish contributing aspects of the building’s historic orientation, immediate setting, and general environment (if such a site is not available, a less compatible site may be used). Relocation of the building would be at the expense of the party that takes responsibility for relocation, and at no expense to the applicant. The relocation efforts will be conducted in accordance with the California Historical Building Code (Title 24 Part 8) and the guidelines recommended by the National Park Service that are outlined in the booklet “Moving Historic Buildings,” by John Obed Curtis (1979). In addition, any maintenance, repair, rehabilitation, stabilization, or preservation work performed in conjunction with the relocation of the buildings will be undertaken in a manner consistent with the Secretary of the Interior’s Standards for Rehabilitation and the California Historical Building Code (Title 24 Part 6). Negotiations shall be accommodated for a period of 60 days following project approval, during which time the applicant shall negotiate in good faith with the party(ies) proposing relocation. Should no plan of relocation be brought forward within 60 days following project approval, or if no agreement is reached in that time, demolition will be allowed to occur. In addition, any plan for relocation shall detail how relocation will be completed within six months following project approval. If relocation is not able to be completed within six months following project approval, demolition will be allowed to occur. The building shall not be relocated until Historic American Buildings Survey (HABS) recordation and documentation has been completed and an inventory of key exterior and interior features and materials has been completed by qualified professionals, as set forth in M-CR-2. Compliance

with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development prior to demolition of the 121-141 N. Fig Street building.

**M-CR-2** Prior to relocation, or in the event that the 121-141 N. Fig Street building is not relocated, prior to the issuance of a demolition permit, the Applicant shall provide HABS documentation pursuant to the Level 1 standards as detailed by the National Park Service Heritage Documentation Programs. The documentation shall include a written report done in the outline format; HABS-quality photography of the exterior, interior, and overview shots of the historical resource; measured drawings; and video documentation. The documentation materials would be prepared by a qualified Architectural Historian(s) and an experienced HABS photographer(s). Copies of the resulting documentation shall be submitted to the Library of Congress, the California State Historic Preservation Officer, the South Coastal Information Center at San Diego State University, the Escondido History Center, the San Diego History Center, the Escondido Public Library Pioneer Room, and the City of Escondido Planning Division. A copy of the HABS documentation will be submitted to the City of Escondido Planning Division prior to any ground disturbance or demolition. The submittal of documentation to all other above-listed archives must be completed within 1 year of the initial date of demolition of the structure.

**M-CR-3** To preserve, interpret, and display the history of the 121-141 N. Fig Street building, prior to demolition, distinctive representative architectural elements (interior and exterior) shall be identified for salvage and reuse either as part of the proposed Project, to be removed to another on-site location (as provided in the Secretary of the Interior's Standards for the Treatment of Historic Properties to be donated to any interested or archival repositories (i.e., museums, archives, and curation facilities; the public; and nonprofit organizations) to the satisfaction of the City of Escondido Director of Community Development. The materials to become architectural salvage shall include historic-period elements that will be removed as part of the Project, and shall be identified and made available prior to the commencement of demolition activities, to ensure that materials removed do not experience further damage from removal/demolition. No materials shall be salvaged or removed until HABS recordation and documentation is completed and an inventory of key exterior and interior features and materials is completed by qualified professionals. The inventory of key exterior and interior features and materials may be developed as part of M-CR-1. The materials shall be removed

prior to or during demolition. Materials that are contaminated, unsound, decayed, or whose integrity would not be retained by salvage will not be included in the salvage program and will not be available for future use or display. The City as lead agency will determine which materials are suitable for salvage (the City can utilize the assistance of qualified professionals to make such determinations).

**M-CR-4** During demolition and construction with any salvaged materials from the 121-141 N. Fig Street building, a qualified architect shall make daily site visits to monitor demolition and construction activities to ensure compliance with mitigation measures and conditions of approval adopted to reduce impacts to historic resources and provide for salvage of appropriate architectural materials. The construction manager will be responsible for notifying the architectural monitor of daily activities. The monitoring program may be modified at the discretion of the architect based upon the construction schedule, whether or not those activities will have an impact upon previously identified, representative architectural elements intended for salvage or reuse, or the likelihood of encountering previously unidentified historic fabric. During the course of administering and implementing this measure, in the event that previously unidentified historic fabric or representative architectural elements are discovered, a qualified historic architect, in consultation with city staff, shall determine its potential donation or reuse within the framework of the Secretary of the Interior's Standards for Rehabilitation. The architect shall have the authority to temporarily divert or temporarily halt demolition in the event of any unanticipated discovery of unidentified historic fabric or other materials of historic significance to allow for the evaluation and salvage of such materials. Compliance with this measure shall be documented to the satisfaction of the City of Escondido Director of Community Development prior to issuance of a certificate of occupancy.

**M-CR-5** The project applicant shall work with City of Escondido Planning Department staff or other qualified professionals to develop and install an on-site interpretive program that references the property's history and the contribution of the historic resource to the broader neighborhood or historic district. The interpretive program shall include, but is not limited to, a public art piece and/or a historic display case in a publicly visible location at the Project site that describes the history and significance of the 121-141 N. Fig Street Building. The interpretive program and its location within the Project site must be approved by the City of Escondido Director of Community Development. The historic display case shall include historic photographs and a brief narrative describing the history and significance of

121-141 N. Fig Street Building. In addition, educational/interpretive information that describes the history and significance of 121-141 N. Fig Street Building shall be made available to the public in a readily accessible format, such as a printed brochure and/or electronic format such as a webpage. This educational/interpretive material shall be available to schools, museums, archives and curation facilities, libraries, nonprofit organizations, the public, and other interested agencies. The interpretive program and educational/interpretive material could be based on the photographs produced in the HABS documentation, and the historic archival research previously prepared as part of the Project.

**M-CR-6** Prior to the issuance of the grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”) 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 the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures M-CR-7 through M-CR-15, and the following information:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors.
- Project grading and development scheduling, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement.
- Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.
- Treatment of identified Native American cultural materials.

- Treatment of Native American human remains and associated grave goods.
- Confidentiality of cultural information including location and data.
- Negotiation of disagreements should they arise.
- Regulations that apply to cultural resources that have been identified or may be identified during project construction.

**M-CR-7** 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.

**M-CR-8** 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.

**M-CR-9** During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock).-

- M-CR-10** In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. . The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected, and monitored grading can immediately proceed.
- M-CR-11** If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the 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. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c), appropriate treatment measures will be implemented. Work may not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.
- M-CR-12** All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique

archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City's Director of Community Development (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe and Native American monitor, making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. 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.

**M-CR-13** 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. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City

does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of a Native American monitor, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination.

**M-CR-14** 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 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.

**M-CR-15** Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources.

#### **10.4.2 Compliance Measures**

**CM-CR-1** The Project shall comply with the City Municipal Code Chapter 33, Article 40, Section 33-803, procedure and findings for obtaining a nonemergency demolition

permit. This shall specifically include compliance with City requirements related to the demolition of a significant historic resource.

## **10.5 Geology and Soils**

### **10.5.1 Project Design Features**

**PDF-GE-1** The Updated Geotechnical Evaluation and Recommended Grading Specifications (Appendix L, prepared by GeoTek), shall be adhered to for construction of the Project. The recommendations and site design features include but are not limited to the following:

- All Project site slopes would be landscaped with drought-tolerant vegetation having variable root depths and requiring minimal landscape irrigation, in accordance with the Project's Landscaping Plan.
- All Project slopes would be drained and properly maintained to reduce erosion.
- Removal of surficial deposits within the site to further stabilize these areas, as determined to be needed by a qualified geologist.
- Concrete cracking would be prevented by limiting the slump of the concrete, proper concrete placement and curing, and placement of crack control joints at periodic intervals, in particular, where re-entrant slab corners occur.

### **10.5.2 Compliance Measures**

**CM-GE-1** The Project shall comply with the applicable requirements in Title 24 of the California Building Code of Regulations.

## **10.6 Greenhouse Gas Emissions**

### **10.6.1 Compliance Measures**

**CM-GH-1** The Project shall comply with applicable CARB regulations and standards. CARB is responsible for and is recognized as having the expertise to carry out and develop the programs and requirements necessary to achieve the GHG emissions reduction mandate of Assembly Bill 32. CARB oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional and county levels.

## **10.7 Hazards and Hazardous Materials**

### **10.7.1 Mitigation Measures**

**M-HZ-1** Prior to the issuance of any Project construction permit, including demolition, excavation, or other earthmoving or soil-disturbance activities, any areas of the Project site identified as containing or potentially containing underground storage tanks (USTs) shall be assessed using more direct methods to detect the presence of any USTs, storm drains, manholes, or underground utilities. Such methods may include the excavation of exploratory trenches/test pits or borings. In addition, any soil excavated below emergency generators shall be treated as potentially contaminated by diesel fuel and oil.

Any areas of the Project site found to be contaminated shall be remediated in conformance with applicable federal, state, and local laws. These laws may include, but are not limited to, the Resource Conservation and Recovery Act, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, International Fire Code, Occupational Safety and Health Act, Underground Storage Tank Act, Policy 8.2 of the *City of Escondido General Plan*, and the City of Escondido's Hazard Mitigation Plan. Assessment and remediation shall be to the satisfaction of the City of Escondido Fire Department, the County of San Diego Department of Environmental Health, or other applicable agency.

No Project construction activities shall commence until written regulatory concurrence is obtained that no further action is required with respect to the areas of the Project site identified as containing or formerly containing USTs.

**M-HZ-2** Prior to demolition, all on-site structures shall be tested to determine if they include asbestos-containing materials (ACMs) and lead-based paint (LBP). If either are present, ACMs shall be removed and disposed of by a licensed and certified asbestos abatement contractor, in accordance with all applicable federal, state, and local laws and regulations for asbestos removal and demolition operations, and procedures for the removal of LBP shall be initiated to protect workers during demolition activities, in accordance with all applicable federal, state, and local laws and regulations.

### **10.7.2 Compliance Measures**

- CM-HZ-1** All future on-site uses shall comply with the County of San Diego Department of Environmental Health Unified Program Facilities Permit program and implement a hazardous materials business plan as appropriate to ensure compliance with Hazardous Waste – 22 CCR 66261.3, Excluded Recyclable Material (ERM) – HSC 25143.2, Retrograde Material – 22 CCR 66260.10, and Surplus Material (Continued Use) – 22 CCR 66260.10.
- CM-HZ-2** All future on-site uses shall comply with the California Division of Occupational Safety and Health, which includes the preparation and implementation of an Injury and Illness Prevention Program as applicable.
- CM-HZ-3** The Project shall comply with all hazardous materials regulations during demolition, grading, and construction. Any areas of the Project site found to be contaminated with hazardous materials during demolition, grading, and construction shall be remediated in conformance with applicable federal, state, and local laws. These laws may include, but are not limited to, the Resource Conservation and Recovery Act, Hazardous Materials Transportation Act, Emergency Response to Hazardous Materials Incidents, Hazardous Materials Release Response Plans, International Fire Code, Occupational Safety and Health Act, Cal/OSHA requirements, the Hazardous Waste Control Act, the CalARP Program, and the California Health and Safety Code.

See also **CM-TR-3** in Section 10.13.2.

## **10.8 Hydrology and Water Quality**

### **10.8.1 Compliance Measures**

- CM-HY-1** Prior to the issuance of grading permits, a stormwater pollution prevention plan (SWPPP) shall be prepared by the applicant’s qualified engineer and approved by the City. Project grading and construction activities shall be conducted in accordance with the approved SWPPP.

## **10.9 Land Use**

### **10.9.1 Project Design Features**

**PDF-LU-1** In accordance with the intent of the Downtown Specific Plan, the Project will include a focal point at the E. Grand Avenue/Valley Boulevard/E. Second Avenue intersection with features such as a public plaza, outdoor art, outdoor dining, and enhanced visually prominent architectural landmark features.

## **10.10 Noise**

### **10.10.1 Mitigation Measures**

**M-N-1** Prior to the issuance of a Construction Permit, the Applicant/Owner or Construction Contractor shall prepare and submit to the City of Escondido Planning Division (City Planner) for its review and approval a Construction Noise Management Plan (CNMP). Prior to the issuance of a Construction Permit, Construction Plans shall also include a note indicating compliance with the CNMP is required. The CNMP shall be prepared or reviewed by a qualified acoustician (retained at the Applicant/Owner or Construction Contractor's expense) and feature the following:

- a. A detailed construction schedule, at daily (or weekly, if activities during each day of the week are typical) resolution and correlating to areas or zones of onsite project construction activity(ies) and the anticipated equipment types and quantities involved. Information will include expected hours of actual operation per day for each type of equipment per phase and indication of anticipated concurrent construction activities on site.
- b. Suggested locations of a set of noise level monitors, attended by a Qualified Acoustician or another party under its supervision or direction, at which sample outdoor ambient noise levels will be measured and collected over a sufficient sample period and subsequently analyzed (i.e., compared with applicable time-dependent dBA thresholds) to ascertain compliance with the City hourly threshold of 75 dBA  $L_{eq}$  during allowable construction hours per the City's Noise Ordinance or as permitted by City-approved variance. Sampling shall be performed, at a minimum, on the first (or otherwise considered typical construction operations) day of each distinct construction phase (e.g., each of the seven listed phases in Table 4.5-6, Construction Noise Modeling Summary Results).

- c. If sample collected noise level data indicate that the hourly noise threshold has been or will be exceeded, construction work shall be suspended (for the activity or phase of concern) and the Applicant/Owner or Construction Contractor shall implement one or more of the following measures as detailed or specified in the CNMP:
  - i. Institute administrative controls (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances).
  - ii. Institute engineering controls (upgrade noise controls; e.g., install better engine exhaust mufflers).
  - iii. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern.

The implemented measure(s) will be reviewed or otherwise inspected and approved by the qualified acoustician (or another party under their supervision or direction) prior to resumption of the construction activity or process that caused the measured noise concern or need for noise mitigation. Noise levels shall be re-measured, after installation of said measures, to ascertain post-mitigation compliance with the noise threshold. As needed, this process shall be repeated and refined until noise level compliance is demonstrated and documented. A report of this implemented mitigation and its documented success will be provided to the City Planner.

- d. The Applicant/Owner or Construction Contractor shall make available a telephone hot-line so that concerned neighbors in the community may call to report noise complaints. The CNMP shall include a process to investigate these complaints and, if determined to be valid, detail efforts to provide a timely resolution and response to the complainant—with copy of the resolution provided to the City Planner.

### **10.10.2 Compliance Measures**

**CM-N-1** Prior to the issuance of building permits, an interior noise analysis shall be conducted by the Project Applicant for the proposed dwelling units along E. Valley Parkway and E. Grand Avenue. Installation of mechanical ventilation systems or air conditioning systems and sound-rated windows shall be required if the interior noise analysis shows that impacts are above the state and City 45 dBA L<sub>dn</sub> interior standard. The interior noise analysis shall substantiate that the resulting interior noise levels will be less than the noise standard.

### **10.11 Public Services**

#### **10.11.1 Compliance Measures**

**CM-PS-1** Consistent with Article 18B of Chapter 6 of the Escondido Municipal Code, the Applicant shall provide payment of applicable public facilities fees.

**CM-PS-2** As applicable, the Applicant shall pay school fees in accordance with Government Code 65995 and Education Code 17620.

**CM-PS-3** Pursuant to Article 18C, Chapter 6, of the City's Municipal Code, the Applicant shall pay a park fee to ensure that the parkland and recreational facility standards established by the City are met with respect to the additional needs of the development.

### **10.12 Recreation**

See **CM-PS-3** in Section 10.11.1.

### **10.13 Transportation**

#### **10.13.1 Project Design Features**

**PDF-TR-1** Prior to the issuance of construction permits related to Valley Boulevard, the Applicant shall coordinate with the North County Transit District to provide a public transit bus turn-out on Valley Boulevard, north of its intersection with E. Grand Avenue.

**PDF-TR-2** As identified on the Specific Alignment Plan, the Project includes the following improvements to Valley Boulevard, between E. Valley Parkway and E. Grand Avenue:

- Removal of the southbound lane to limit traffic to northbound travel only

- Retention of street parking
- Improvement of pedestrian crossing by providing a bulb-out
- Provision of a northbound bike lane
- Provision of a ride-share hub that includes a pick-up and drop-off area
- Accommodation of a public transit bus turn-out

### **10.13.2 Compliance Measures**

**CM-TR-1** Prior to issuance of the building permit for the 385<sup>th</sup> unit, the Project Applicant, or their successors in interest, shall design and construct a new traffic signal at the N. Ivy Street/E. Valley Parkway intersection to the satisfaction of the City of Escondido.

**CM-TR-2** Prior to the issuance of the certificate of occupancy for the 395<sup>th</sup> unit, the Applicant shall deposit a fair-share contribution (4.6%) toward the installation of a traffic signal, roundabout, or other necessary improvement, as determined by the City Engineer, at the E. Grand Avenue/Ivy Street intersection. Funds shall be deposited into the future public improvements trust deposit account and the Applicant shall coordinate with the City to incorporate improvements at the E. Grand Avenue/Ivy Street intersection in the City's future Capital Improvement Program (CIP).

**CM-TR-3** Prior to issuance of a grading permit, the Applicant shall obtain a City-approved Traffic Control Plan and the grading plan notes shall identify that adherence to the Traffic Control Plan during grading and construction is required.

### **10.14 Tribal Cultural Resources**

See **M-CR-6** to **M-CR-15** in Section 10.4.1.

### **10.15 Utilities and Service Systems**

#### **10.15.1 Compliance Measures**

**CM-UT-1** Project owners shall be responsible for design of improvements, posting of securities for improvements, and construction of improvements in accordance with the most recent adopted edition of the following: City of Escondido Design Standards and Standard Drawings, City of Escondido bonding policy, County of San Diego Regional Standard Drawings (SDRSD), Caltrans Standards, American Association of State Highway and Transportation Officials (AASHTO), Manual for Uniform Traffic Control Devices (MUTCD), American Water Works Association

(A.W.W.A.), and other federal and state published engineering manuals approved by the City Engineer.

**10.16 Wildfire**

**10.16.1 Compliance Measures**

**CM-WF-1** The City of Escondido Fire Code regulates minimum fire safety requirements for new and existing buildings, facilities, storage, and processes. The Fire Code addresses fire prevention, fire protection, life safety and safe storage and use of hazardous materials in new and existing buildings, facilities, and processes. The Fire Code provides a total approach of controlling hazards in all buildings and sites, regardless of the hazard being indoors or outdoors. Ordinance 2016-09.

## **CHAPTER 11            RESPONSE TO COMMENTS**

This chapter contains all comments received on the Draft Environmental Impact Report (EIR) and responses thereto. The focus of the responses to comments is on the disposition of significant environmental issues raised in the comments, as specified by Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines. As further discussed under CEQA Guidelines Section 15204, the intent of the public review of the CEQA document is to solicit input on the environmental analysis that focuses on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the Project might be avoided or mitigated, not on the Project design itself. Detailed responses are not provided to comments on the merits of the proposed Project. When a comment is not directed to significant environmental issues, the responses indicate that the comment has been acknowledged and no further response is necessary.

During the public review period of March 20, 2020 through May 4, 2020, a total of 19 comment letters were received on the Draft EIR. Due to the unforeseen circumstances surrounding the COVID-19 pandemic, the public review period was extended by 15 days. The extended public review period closed on May 19, 2020. An additional 10 comment letters were received during this time.

The comment letters that require individual responses have been categorized by sender (e.g., agency, organization, tribe, individual) and assigned a unique letter-number designation based on category. Letters in each category were organized alphabetically (last name first for letters from individuals). The list of commenters and the unique letter-number designators for each letter are listed in Table 11-1, Commenters on the Draft EIR. Individual comments within each letter are bracketed and subsequently numbered in the right-hand margin of the comment letter. Bracketed/numbered comment letters are placed adjacent to the responses of the same letter in the response to comment.

**Table 11-1  
Commenters on the Draft EIR**

<b>Letter No.</b>	<b>Commenter</b>	<b>Date of Letter</b>
A1	California Department of Transportation (Caltrans)	5/02/2020
A2	San Diego Association of Governments (SANDAG)	4/27/2020
O1	Environmental Center of San Diego	5/04/2020
O2	San Diego County Archaeological Society, Inc.	4/24/2020
O3	Sierra Club – North County Group, San Diego	5/04/2020
O4	Southwest Regional Council of Carpenters	5/04/2020
T1	Rincon Band of Luiseño Indians	4/06/2020
T2	San Luis Rey Band of Mission Indians	3/30/2020
I1	Clausen, Alexa	5/04/2020
I2	Danskin, Greg	5/04/2020
I3	Erickson, Ken	5/04/2020
I4	Fawcett, Robroy	4/07/2020
I5	Fawcett, Robroy	5/04/2020
I6	Kalpakgian, Mark	4/02/2020
I7	Moe, Heather	5/04/2020
I8	Nicole Purvis	5/04/2020
I9	Rea, Carol	5/04/2020
I10	Valverde, Daniel	4/08/2020
I11	Zech, Don	4/21/2020
<i>Extended Review Period Comments</i>		
O5	Mercado Business Association	5/17/2020
O6	Save Our Heritage Organisation	5/12/2020
I12	Nicole Purvis	5/07/2020
I13	Conley, Mary	5/10/2020
I14	Erickson, Ken	5/11/2020
I15	Erickson, Ken	5/19/2020
I16	Fawcett, Robroy	5/19/2020
I17	Meier, Wendy	5/09/2020
I18	Rea, Carol	5/15/2020
I19	Walker, Melissa	5/13/2020

<div style="text-align: center; border: 1px solid black; padding: 2px;"> <p><b>Comment Letter A1</b></p> </div> <p>STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY</p> <p><b>DEPARTMENT OF TRANSPORTATION</b>          DISTRICT 11          4050 TAYLOR STREET, MS-240          SAN DIEGO, CA 92110          PHONE (619) 688-6075          FAX (619) 688-4289          TTY 711          www.dot.ca.gov</p> <p style="text-align: right;">Gavin Newsom, Governor            Making Conservation          a California Way of Life.</p> <p>May 4, 2020</p> <p style="text-align: right;">11-SD-78          PM 18.56          Palomar Heights          DEIR/SCH #2019059013</p> <p>Mr. Adam Finestone          Project Manager          City of Escondido Community Development Department          201 North Broadway          Escondido, CA 92025</p> <p>Dear Mr. Finestone:</p> <p>Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Draft Environmental Impact Report (DEIR) (SCH # 2019059013) on the Palomar Heights multi land use development near State Route 78 (SR-78) at Valley Blvd. in the city of Escondido. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.</p> <p>Caltrans has the following comments:</p> <p><b>Traffic Impact Analysis</b></p> <p>The location of the development is not near a major transit corridor nor a high-quality transit corridor. Based on the anticipated trip generation of greater than 2,400 ADT and the project's inconsistency with the General Plan, a Project Specific SANDAG model run is required. The following are Caltrans comments on the Vehicle Miles Traveled (VMT) analysis:</p> <ul style="list-style-type: none"> <li>• Caltrans references the Governor's Office of Planning and Research (OPR) Senate Bill 743 based <i>Technical Advisory on Evaluating Transportation Impacts in CEQA</i> (December 2018) for guidance on the development of VMT based Transportation Impact Studies. Caltrans recommends use of OPR's</li> </ul> <p style="text-align: center; font-size: small;"><i>"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability."</i></p>	<div style="text-align: center;"> <p><b>Response to Comment Letter A1</b></p> <p><b>California Department of Transportation (Caltrans)</b></p> <p><b>Maurice Eaton</b></p> <p><b>May 4, 2020</b></p> </div> <p><b>A1-1</b>      The City of Escondido (City) acknowledges the comment as an introduction to comments that follow.</p> <p><b>A1-2</b>      The comment restates information contained in the Draft EIR regarding the development's location in relation to a major transit corridor or high-quality transit corridor. As noted therein, the Project is not screened out from preparing a full, project-specific vehicle miles traveled (VMT) analysis due to its distance to/from a major transit corridor or high-quality transit corridor. While bus service is provided by the North County Transit District (NCTD) along the Project frontage on Valley Boulevard within 400 feet of the driveway on E. Valley Parkway, the Escondido Transit Center located on E. Valley Parkway is 0.9 miles west of the Project site, and Bus Routes 351 and 352 provide 30-minute headways during the peak commuter periods; a transit center must be within 0.5 miles and/or buses must run every 15-minutes to meet the screening criteria requirements. Refer to Section 5.3 of Appendix J, Traffic Impact Analysis (TIA), of the Draft EIR.</p>
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Mr. Adam Finestone  
 May 4, 2020  
 Page 2

significance thresholds for determination of transportation impacts from land use projects. OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* is available online at <http://opr.ca.gov/ceqa/updates/sb-743/>.

↑ A1-3  
 (Cont.)

- The Traffic Impact Analysis (TIA) shows 46% of project trips traveling towards Interstate 15 (I-15) yet no analysis was done at the I-15 interchange with Valley Parkway.
- Section 5 – VMT analysis of Appendix J TIA, did not provide the Project opening (2022) VMT comparison between the baseline statewide VMT per capita nor the City of Escondido VMT per capita. The report is only comparing the 2025 VMT per capita.
- Appendix H is missing from the report. Section 5 states that the Baseline and Future VMT reports are included in Appendix H.

↑ A1-4  
 ↑ A1-5  
 ↑ A1-6

**Environmental**

Caltrans recommends that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans Right-of-Way (R/W) that includes impacts to the natural environment, infrastructure (highways/roadways/on- and off-ramps) and appurtenant features (lighting/signs/guardrail/slopes). Caltrans is interested in any additional mitigation measures identified for the Final EIR. Specifically, Caltrans would like to know the information for the resources listed in the Notice of Preparation (NOP).

↑ A1-7

If you have any questions, please contact Mark McCumsey at (619) 688-6802 or by email at [mark.mccumsey@dot.ca.gov](mailto:mark.mccumsey@dot.ca.gov).

↑ A1-8

Sincerely,

Electronically signed by

MAURICE EATON, Branch Chief  
 Local Development and Intergovernmental Review Branch

*"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"*

Accordingly, a full Project-specific San Diego Association of Governments (SANDAG) VMT traffic model was run for the Project. The results of this analysis are included in Appendix B to Appendix J, Traffic Impact Analysis, of the Draft EIR, and summarized in Section 4.6.2.2 of the Draft EIR and Section 5.3 of Appendix J.

The City does not concur with the comment that the Project is inconsistent with the General Plan. As part of the Project, the applicant will process a General Plan Amendment, and upon issuance of such amendment concurrent with Project approval, the Project would be consistent with the allowable uses of the Historic Downtown District of the Downtown Specific Plan, General Plan, and Zoning Ordinance. Further, the General Plan Amendment proposed by the Project is not required to permit proposed mixed-use residential development, but rather is proposed to amend the General Plan Mobility and Infrastructure Element to reduce certain roadway classifications consistent with projected future traffic volumes. Refer to Section 4.4.2.2 of the Draft EIR and Appendix H.

**A1-3**

The comment recommends use of the Office of Planning and Research's (OPR's) Technical Advisory and significance thresholds. OPR's Technical Advisory and significance thresholds were, in fact, used in conducting

Mr. Adam Finestone  
 May 4, 2020  
 Page 2

significance thresholds for determination of transportation impacts from land use projects. OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* is available online at <http://opr.ca.gov/ceqa/updates/sb-743/>.

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↑ A1-3  
(Cont.)

↑ A1-4

↑ A1-5

↑ A1-6

↑ A1-7

↑ A1-8

**A1-4**

the VMT analysis. Refer to Section 5 of Appendix J, Traffic Impact Analysis, of the Draft EIR.

The 46% referenced in the comment can be found on Figure 7-1 of the Traffic Impact Analysis and is the percentage at the E. Valley Parkway/Juniper Street intersection, 1.3 miles from the I-15/W. Valley Parkway interchange. The commenter erroneously assumes this percentage of Project traffic is added to the interchange. The SANDAG Select Zone Assignment (SZA) showed less than 5% of Project traffic oriented to/from the I-15/W. Valley Parkway interchange. Assuming the actual Project traffic is three times the SANDAG forecasted amount (an extreme worst-case amount), the added Project traffic to the signalized ramp termini intersections at the interchange is 25 trips, much less than the San Diego Traffic Engineers' Council (SANTEC) threshold of 50 trips that would require analysis. In addition, the maximum amount of traffic added to a freeway on-ramp would be 12 trips, less than the SANTEC threshold for ramp analysis of 20 trips. Therefore, an analysis of the I-15/W. Valley Parkway interchange is not warranted.

**A1-5**

Year 2022 (Project Opening) VMT comparison was not provided because the Project likely would not reach full build-out (i.e., be fully occupied) until sometime thereafter. SANDAG is presently able to run only Year 2020 and Year 2025 models. Thus,

Mr. Adam Finestone  
 May 4, 2020  
 Page 2

significance thresholds for determination of transportation impacts from land use projects. OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* is available online at <http://opr.ca.gov/ceqa/updates/sb-743/>.

↑ A1-3  
 (Cont.)

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↑ A1-4

↑ A1-5

↑ A1-6

**Environmental**

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↑ A1-7

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↑ A1-8

Sincerely,

Electronically signed by

MAURICE EATON, Branch Chief  
 Local Development and Intergovernmental Review Branch

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because the Project is not anticipated to be fully occupied on the Project opening day (Year 2022), the City elected to prepare a Project-specific VMT model run for Year 2025, when the Project would be fully developed and occupied.

**A1-6**

The Baseline and Future VMT reports are included in Appendix B of the TIA (Draft EIR, Appendix J). This appendix to the TIA was erroneously referred to as Appendix H, as noted by the comment. TIA Appendix B was available for review during the public review period, despite the typographical error. The TIA has been revised to correct this reference.

**A1-7**

As indicated in response to comment A1-4, the Project would have a less-than-significant impact to Caltrans facilities, and no mitigation is warranted within Caltrans right-of-way, nor is any transportation mitigation proposed in the Final EIR. It is unclear what Notice of Preparation (NOP) information is being requested in this comment. The NOP is included as Appendix A of the EIR.

**A1-8**

Closing remark is noted.

Comment Letter A3

**Dawna Marshall**

**From:** Ferchaw, Tracy <Tracy.Ferchaw@sandag.org>  
**Sent:** Monday, April 27, 2020 11:13 AM  
**To:** Palomar Heights Project  
**Cc:** Litchney, Seth; Henrich, Katie  
**Subject:** [EXT] Palomar Heights Draft EIR

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Mr. Fines,

Thank you for the opportunity to comment on the City of Escondido's Palomar Heights (SCH# 2019059013) Draft EIR. SANDAG is submitting the following comments, below:

- SANDAG appreciates the consideration of biking and walking facilities around the project. On Valley boulevard, it is suggested that southbound bike transportation be accommodated as well. Additionally, the driving lanes could be narrowed to accommodate a buffer on both sides of the northbound bike lane to eliminate bike and door zone conflicts.
- High quality bike parking, such as secure bike lockers, should be included at all community and commercial destinations. Bike parking should be located as close as possible to entrances of buildings or open spaces in highly visible areas.
- Showers, bike lockers, and other convenience amenities may be needed in new commercial development to further encourage walking and biking.

Please let Seth Litchney ([seth.litchney@sandag.org](mailto:seth.litchney@sandag.org)) and Tracy Ferchaw ([tracy.ferchaw@sandag.org](mailto:tracy.ferchaw@sandag.org)) know if you have any questions.

Thank you very much,

Tracy Ferchaw  
 Associate Business Analyst

(619) 699-6977  
 401 B Street, Suite 800, San Diego, CA 92101



SANDAG hours: Tuesday-Friday and every other Monday from 8 a.m.-5 p.m.  
 Employees are teleworking while our offices are closed during the COVID-19 pandemic.

Tracy Ferchaw  
 Associate Business Analyst  
 SANDAG  
 SANDAG  
 (619) 699-1977  
 401 B Street, Suite 800, San Diego, CA 92101



## Response to Comment Letter A2

**San Diego Association of Governments (SANDAG)**

**Tracy Ferchaw**

**April 27, 2020**

**A2-1** The City acknowledges the comment as an introduction to comments that follow.

**A2-2** The City acknowledges the suggestion that this comment provides, stating that southbound bike transportation could be accommodated on Valley Boulevard, and that driving lanes could be narrowed to accommodate a buffer on both sides of the northbound bike lane to eliminate bike and door zone conflicts. The Project includes the provision of a northbound bike lane with an adjacent buffer along Valley Boulevard. A 2-foot buffer between the northbound bike lane and parking has already been included along Valley Boulevard to minimize bike and door zone conflicts (EIR Figure 2-8). A bike lane in both directions was previously considered, but determined not to be appropriate for this location for the reasons described below.

Valley Boulevard is not an existing or proposed bikeway per the City's Bicycle Master Plan (City of Escondido 2012; available at <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DraftBicycleMasterPlan.pdf>). While

Comment Letter A3

**Dawna Marshall**

**From:** Ferchaw, Tracy <Tracy.Ferchaw@sandag.org>  
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- SANDAG appreciates the consideration of biking and walking facilities around the project. On Valley boulevard, it is suggested that southbound bike transportation be accommodated as well. Additionally, the driving lanes could be narrowed to accommodate a buffer on both sides of the northbound bike lane to eliminate bike and door zone conflicts.
- High quality bike parking, such as secure bike lockers, should be included at all community and commercial destinations. Bike parking should be located as close as possible to entrances of buildings or open spaces in highly visible areas.
- Showers, bike lockers, and other convenience amenities may be needed in new commercial development to further encourage walking and biking.

Please let Seth Litchney ([seth.litchney@sandag.org](mailto:seth.litchney@sandag.org)) and Tracy Ferchaw ([tracy.ferchaw@sandag.org](mailto:tracy.ferchaw@sandag.org)) know if you have any questions.

Thank you very much,

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Tracy Ferchaw  
 Associate Business Analyst  
 SANDAG  
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 (619) 699-1977  
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A3-1  
 A3-2  
 A3-3  
 A3-4  
 A3-5

currently E. Grand Avenue to the south of the Project does not have bike lanes, it is a proposed Class II bike lane per the Bicycle Master Plan that is expected to connect to the proposed Valley Boulevard bike lane in the future. The proposed Valley Boulevard bike lane is intended to allow bicyclist to travel from E. Grand Avenue north along Valley Boulevard to the proposed bike racks and uses that are located along Valley Boulevard. The Bicycle Master Plan (City of Escondido 2012) does not designate the segments of E. Valley Parkway or Hickory Street to the north as a bikeway, and therefore a southbound bike lane connection from those roadways is not proposed. Further, it would be potentially unsafe for southbound bicycles to cross the convergent E. Valley Parkway/Hickory Drive/Project driveway intersection considering the geometric configuration of that intersection. As such, the City has not included a southbound bike lane on Valley Boulevard.

A2-3

The comment provides a suggestion to include bike parking (i.e., bike lockers) at community and commercial locations, and that it be placed as close as possible to entrances of buildings or open spaces in highly visible areas. As stated on page 2-6 of the EIR, the Project includes bike racks along Valley Boulevard and within the interior of the Project site east of Valley Boulevard. Due to the locally serving size and type of commercial uses, the proposed bike racks are likely to

Comment Letter A3

**Dawna Marshall**

**From:** Ferchaw, Tracy <Tracy.Ferchaw@sandag.org>  
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Mr. Fines,

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- SANDAG appreciates the consideration of biking and walking facilities around the project. On Valley boulevard, it is suggested that southbound bike transportation be accommodated as well. Additionally, the driving lanes could be narrowed to accommodate a buffer on both sides of the northbound bike lane to eliminate bike and door zone conflicts.
- High quality bike parking, such as secure bike lockers, should be included at all community and commercial destinations. Bike parking should be located as close as possible to entrances of buildings or open spaces in highly visible areas.
- Showers, bike lockers, and other convenience amenities may be needed in new commercial development to further encourage walking and biking.

Please let Seth Litchney ([seth.litchnev@sandag.org](mailto:seth.litchnev@sandag.org)) and Tracy Ferchaw ([tracy.ferchaw@sandag.org](mailto:tracy.ferchaw@sandag.org)) know if you have any questions.

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A3-1  
 A3-2  
 A3-3  
 A3-4  
 A3-5

A2-4

provide sufficient capacity at locations convenient to serve community and commercial destinations; additional bike parking is not warranted.

The comment states that showers, bike lockers, and other amenities may be needed in new commercial development to further encourage walking and biking. The City acknowledges this comment. Commercial employees would be allowed to shower in the proposed on-site gym to further encourage walking and biking.

A2-5

The City acknowledges the comment and notes that it provides concluding remarks to the comment letter and offers contact information for SANDAG representatives should questions arise.

Comment Letter O1



May 4, 2020

Mr. Adam Finestone  
Principal Planner  
City of Escondido

Via Email [palomarheights@escondido.org](mailto:palomarheights@escondido.org)

Re: Environmental Center of San Diego comments on Palomar Heights Draft Environmental Impact Report (DEIR)

Dear Mr. Finestone:

We are sorry to see this DEIR released for a project which significantly fails to meet the needs of the city or the potential of the site. We cannot support this version of the project and suggest the following changes.

The site is currently zoned for 1,350 units yet no alternative is offered that analyzes this scenario. This site is zoned for this density. Because the higher number of units is permissible under the current zoning, it is a reasonable alternative. The project must include, at a minimum, 15% affordable units.

In addition, the Development Agreement should be updated to include strong climate measures, quality jobs and affordable housing requirements and compliance with an updated GAP.

We support a project that conditions approval on strong climate saving measures such as complete building electrification, solar power with adequate storage, and transit considerations that reduce vehicle miles traveled. This is Escondido's time to lead. The only requirement is implementing these smart growth tools at the local level.

In closing, we urge the City of Escondido to reject the DEIR. Please, send it back for a thorough analysis of a higher-density configuration. One that incorporates solid climate measures and considers all income levels. A higher density project is the only equitable solution. Failing to analyze reasonable alternatives leaves this DEIR inadequate under the law.

Thank you for your time and consideration of these comments.

Pamela Heatherington  
Board of Directors  
Environmental Center of San Diego  
[contactecsd@gmail.com](mailto:contactecsd@gmail.com)  
805-835-1833

cc:  
Mayor

O1-1  
O1-2  
O1-3  
O1-4  
O1-5  
O1-6

Response to Comment Letter O1

Environmental Center of San Diego  
Pamela Heatherington  
May 4, 2020

**O1-1** The City acknowledges the comment as an introduction to comments that follow, and recognizes the statement of opposition to the Project. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**O1-2** The comment states that an alternative scenario analyzing buildout of the Project site under the maximum buildout potential, as allowed under current zoning, of 1,350 dwelling units should have been included in the Draft EIR.

As discussed under Section 7.5 of the Draft EIR, an increased density alternative was considered but rejected from further analysis as it would not reduce any of the significant environmental impacts of the Project. More specifically, it was determined that an increased density alternative would not reduce any of the identified potentially significant impacts of the Project related to biological resources, cultural resources, hazards, noise, or tribal cultural resources. Moreover, it was determined that an increased density alternative would result in additional

Comment Letter O1



May 4, 2020

Mr. Adam Finestone  
Principal Planner  
City of Escondido

Via Email [palomarheights@escondido.org](mailto:palomarheights@escondido.org)

Re: Environmental Center of San Diego comments on Palomar Heights Draft Environmental Impact Report (DEIR)

Dear Mr. Finestone:

We are sorry to see this DEIR released for a project which significantly fails to meet the needs of the city or the potential of the site. We cannot support this version of the project and suggest the following changes.

O1-1

The site is currently zoned for 1,350 units yet no alternative is offered that analyzes this scenario. This site is zoned for this density. Because the higher number of units is permissible under the current zoning, it is a reasonable alternative. The project must include, at a minimum, 15% affordable units.

O1-2  
O1-3

In addition, the Development Agreement should be updated to include strong climate measures, quality jobs and affordable housing requirements and compliance with an updated CAP.

O1-4

We support a project that conditions approval on strong climate saving measures such as complete building electrification, solar power with adequate storage, and transit considerations that reduce vehicle miles traveled. This is Escondido's time to lead. The only requirement is implementing these smart growth tools at the local level.

O1-5

In closing, we urge the City of Escondido to reject the DEIR. Please, send it back for a thorough analysis of a higher-density configuration. One that incorporates solid climate measures and considers all income levels. A higher density project is the only equitable solution. Failing to analyze reasonable alternatives leaves this DEIR inadequate under the law.

O1-6

Thank you for your time and consideration of these comments.

  
Pamela Heatherington  
Board of Directors  
Environmental Center of San Diego  
[contactecsd@gmail.com](mailto:contactecsd@gmail.com)  
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cc.  
Mayor

**O1-3**

environmental impacts related to construction noise, air quality, and potentially land use, depending on design of the alternative. According to CEQA Guidelines Section 15126.6(b), the alternatives analysis should focus on those alternatives that, if implemented, could eliminate or substantially reduce any of the Project's significant environmental impacts. Thus, an increased density alternative that proposes buildout of the Project site to 1,350 dwelling units would not meet the requirements of CEQA Guidelines Section 15126.6(b), and for this reason, the increased density alternative was rejected from further consideration.

The comment states that the Project must include, at a minimum, 15% affordable units. The City acknowledges the comment. The City does not have affordable housing requirements for new development and notes it raises economic, social, or political issues that do not relate to any physical effect on the environment. Additionally, the City does not currently have an inclusionary housing requirement. The City will include the comment as part of the Final EIR for review and consideration by the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.

**O1-4**

The comment states the Project's development agreement should be updated to include strong climate measures, quality jobs and affordable requirements

Comment Letter O1



May 4, 2020

Mr. Adam Finestone  
Principal Planner  
City of Escondido

Via Email [palomarheights@escondido.org](mailto:palomarheights@escondido.org)

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O1-2  
O1-3

In addition, the Development Agreement should be updated to include strong climate measures, quality jobs and affordable housing requirements and compliance with an updated CAP.

O1-4

We support a project that conditions approval on strong climate saving measures such as complete building electrification, solar power with adequate storage, and transit considerations that reduce vehicle miles traveled. This is Escondido's time to lead. The only requirement is implementing these smart growth tools at the local level.

O1-5

In closing, we urge the City of Escondido to reject the DEIR. Please, send it back for a thorough analysis of a higher-density configuration. One that incorporates solid climate measures and considers all income levels. A higher density project is the only equitable solution. Failing to analyze reasonable alternatives leaves this DEIR inadequate under the law.

O1-6

Thank you for your time and consideration of these comments.

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Mayor

and compliance with an updated Climate Action Plan (CAP). The Project would locate housing near a major urban and employment center, reducing the need for employees to drive long distances to work; it would include electric vehicle (EV) charging stations; and it would be subject to statewide mandatory energy requirements as outlined in Title 24, Part 6 and Part 11 of the California Code of Regulations (California Green Building Standards Code). Part 6 of Title 24 of the California Code of Regulations energy efficiency standards, solar water heating, and solar rooftop panels, of which the Project would comply with. As discussed in Section 5.2.6 of the Draft EIR, implementation of the Project would result in a net reduction of greenhouse gas (GHG) emissions as compared to the current level of emissions generated by the existing hospital uses within the Project site. A discussion of the Project's consistency with the City's E-CAP (the City's certified GHG reduction plan), is included in Section 5.2.6 of the Draft EIR. As discussed in this section, the Project would generate a net reduction in GHG emissions (-2,765.85 CO<sub>2e</sub>) after accounting for the GHG emissions associated with the existing hospital. These emissions would not exceed the current E-CAP's screening threshold of 2,500 CO<sub>2e</sub> and therefore would be consistent with the City's current E-CAP, and the Project would reduce emissions relative to the existing conditions consistent with the California Air Resources Board's (CARB's) Scoping

Comment Letter O1



May 4, 2020

Mr. Adam Finestone  
Principal Planner  
City of Escondido

Via Email [palomarheights@cscondido.org](mailto:palomarheights@cscondido.org)

Re: Environmental Center of San Diego comments on Palomar Heights Draft Environmental Impact Report (DEIR)

Dear Mr. Finestone:

We are sorry to see this DEIR released for a project which significantly fails to meet the needs of the city or the potential of the site. We cannot support this version of the project and suggest the following changes.

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| O1-2  
| O1-3

In addition, the Development Agreement should be updated to include strong climate measures, quality jobs and affordable housing requirements and compliance with an updated GAP.

| O1-4

We support a project that conditions approval on strong climate saving measures such as complete building electrification, solar power with adequate storage, and transit considerations that reduce vehicle miles traveled. This is Escondido's time to lead. The only requirement is implementing these smart growth tools at the local level.

| O1-5

In closing, we urge the City of Escondido to reject the DEIR. Please, send it back for a thorough analysis of a higher-density configuration. One that incorporates solid climate measures and considers all income levels. A higher density project is the only equitable solution. Failing to analyze reasonable alternatives leaves this DEIR inadequate under the law.

| O1-6

Thank you for your time and consideration of these comments.

  
Pamela Heatherington  
Board of Directors  
Environmental Center of San Diego  
[contactecsd@gmail.com](mailto:contactecsd@gmail.com)  
805-835-1833

cc.  
Mayor

O1-5

Plan. Additionally, the City does not have affordable housing requirements for new development. The comment also suggests that the Project should provide quality jobs. The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. As this is not a comment on the environmental analysis, no further response is required. Nonetheless, it is noted that a Project objective is to provide housing (see EIR Section 2.2, Objectives), and the Project would provide housing as well as employment opportunities during both Project construction and operations. The City acknowledges these statements, and this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project. The comment does not raise an environmental issue or an issue with the analysis contained in the Draft EIR. Thus, no further response is required.

The comment provides a statement of support for a project that would include strong climate saving measures, such as “complete building electrification, solar power with adequate storage, and transit considerations that reduce vehicle miles traveled.” The Project would promote walkability and alternative transportation being centrally located in an existing downtown area; locate housing near major urban and employment centers, reducing the need for employees

Comment Letter O1



May 4, 2020

Mr. Adam Finestone  
Principal Planner  
City of Escondido

Via Email [palomarheights@escondido.org](mailto:palomarheights@escondido.org)

**Re: Environmental Center of San Diego comments on Palomar Heights Draft Environmental Impact Report (DEIR)**

Dear Mr. Finestone:

We are sorry to see this DEIR released for a project which significantly fails to meet the needs of the city or the potential of the site. We cannot support this version of the project and suggest the following changes.

O1-1

The site is currently zoned for 1,350 units yet no alternative is offered that analyzes this scenario. This site is zoned for this density. Because the higher number of units is permissible under the current zoning, it is a reasonable alternative. The project must include, at a minimum, 15% affordable units.

O1-2  
O1-3

In addition, the Development Agreement should be updated to include strong climate measures, quality jobs and affordable housing requirements and compliance with an updated CAP.

O1-4

We support a project that conditions approval on strong climate saving measures such as complete building electrification, solar power with adequate storage, and transit considerations that reduce vehicle miles traveled. This is Escondido's time to lead. The only requirement is implementing these smart growth tools at the local level.

O1-5

In closing, we urge the City of Escondido to reject the DEIR. Please, send it back for a thorough analysis of a higher-density configuration. One that incorporates solid climate measures and considers all income levels. A higher density project is the only equitable solution. Failing to analyze reasonable alternatives leaves this DEIR inadequate under the law.

O1-6

Thank you for your time and consideration of these comments.

*Pamela Heatherington*  
Pamela Heatherington  
Board of Directors  
Environmental Center of San Diego  
[contactecosd@gmail.com](mailto:contactecosd@gmail.com)  
805-835-1833

cc:  
Mayor

**O1-6**

to drive long distances to work; include EV charging stations; comply with the California Green Building Code (Title 24, Part 11); and comply with Title 24, Part 6, of the California Code of Regulations regarding energy efficiency standards, solar water heating, and solar rooftop panels. Thus, the Project has been designed to promote GHG emission reductions and VMT reductions, and to implement climate-saving measures. The City acknowledges these statements, and this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project. The comment does not raise an issue with the analysis contained in the Draft EIR. Thus, no revisions to the Draft EIR are required as a result of this comment.

The City acknowledges the concluding remarks offered in this comment, which summarize the points made by the author of the comment letter throughout the document. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter O2



San Diego County Archaeological Society, Inc.

Environmental Review Committee

24 April 2020



To: Mr. Adam Finestone, AICP, Principal Planner  
 Planning Division  
 City of Escondido  
 201 North Broadway  
 Escondido, California 92025

Subject: Draft Environmental Impact Report  
 Palomar Heights Project  
 ENV 18-0009, SUB 18-0011, PHG 18-0049

Dear Mr. Finestone:

I have reviewed the cultural resources aspects of the subject DEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DEIR and its Appendices C and D, we have the following comments:

1. Regarding mitigation measures for archaeological resources, we agree with the monitoring program as proposed with the addition that the monitoring needs to clearly extend beyond the parcel(s) to include excavations for utilities, including (but not limited to) water and sewer lines.
2. Regarding historical (built environment) resources, the report apparently did not include a check of the 1928-29 Tax Factor aerial photos.
3. Regarding the mitigation measure M-CR-1, if an alternative which results in preservation of the Russell Forester-designed historic structure at 121-141 North Fig Street is not to be adopted, the proposed HABS documentation does not mitigate the loss of the resource to the level of insignificance. Therefore, adoption of an alternative which results in demolition of the resource would require appropriate finding to justify the selection of such an alternative. Hence, either the Historic Building Preservation Alternative or the Reduced Footprint Alternative are preferable.
4. Again, specifically regarding M-CR-1, the HABS Documentation Level, which should be Level 1, needs to be specified. And copies should also be provided to the South Coastal Information Center at SDSU and the San Diego History Center.

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

O2-1  
 O2-2  
 O2-3  
 O2-4  
 O2-5

Response to Comment Letter O2

San Diego County Archaeological Society, Inc.

James W. Royale, Jr.

April 24, 2020

**O2-1** The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**O2-2** The comment specifies that the commenter agrees with the monitoring program for archaeological resources, but requests to extend monitoring to excavation activities for utilities, which occur beyond the boundary of the Project site.

It is the intent of the City to apply the archaeological mitigation measures to the entirety of the Project, including both on- and off-site grading improvements. As requested, this has been clarified in Section 4.2 of the Final EIR (see mitigation measure **M-CR-9**), which has been revised to include the following underlined text:

**M-CR-9** During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American

Comment Letter O2



**San Diego County Archaeological Society, Inc.**

Environmental Review Committee

24 April 2020



To: Mr. Adam Finestone, AICP, Principal Planner  
 Planning Division  
 City of Escondido  
 201 North Broadway  
 Escondido, California 92025

Subject: Draft Environmental Impact Report  
 Palomar Heights Project  
 ENV 18-0009, SUB 18-0011, PHG 18-0049

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Based on the information contained in the DEIR and its Appendices C and D, we have the following comments:

1. Regarding mitigation measures for archaeological resources, we agree with the monitoring program as proposed with the addition that the monitoring needs to clearly extend beyond the parcel(s) to include excavations for utilities, including (but not limited to) water and sewer lines.
2. Regarding historical (built environment) resources, the report apparently did not include a check of the 1928-29 Tax Factor aerial photos.
3. Regarding the mitigation measure M-CR-1, if an alternative which results in preservation of the Russell Forester-designed historic structure at 121-141 North Fig Street is not to be adopted, the proposed HABS documentation does not mitigate the loss of the resource to the level of insignificance. Therefore, adoption of an alternative which results in demolition of the resource would require appropriate finding to justify the selection of such an alternative. Hence, either the Historic Building Preservation Alternative or the Reduced Footprint Alternative are preferable.
4. Again, specifically regarding M-CR-1, the HABS Documentation Level, which should be Level 1, needs to be specified. And copies should also be provided to the South Coastal Information Center at SDSU and the San Diego History Center.

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

O2-1  
 O2-2  
 O2-3  
 O2-4  
 O2-5

monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock)..

**O2-3**

The comment states that the report did not include a check of the 1928-29 Tax Factor aerial photos.

Although the 1928-29 aerial photographs were reviewed as part of the historical research for the Project, they were not included in the historic structure

Comment Letter O2



San Diego County Archaeological Society, Inc.

Environmental Review Committee

24 April 2020



To: Mr. Adam Finestone, AICP, Principal Planner  
 Planning Division  
 City of Escondido  
 201 North Broadway  
 Escondido, California 92025

Subject: Draft Environmental Impact Report  
 Palomar Heights Project  
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Dear Mr. Finestone:

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Based on the information contained in the DEIR and its Appendices C and D, we have the following comments:

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3. Regarding the mitigation measure M-CR-1, if an alternative which results in preservation of the Russell Forester-designed historic structure at 121-141 North Fig Street is not to be adopted, the proposed HABS documentation does not mitigate the loss of the resource to the level of insignificance. Therefore, adoption of an alternative which results in demolition of the resource would require appropriate finding to justify the selection of such an alternative. Hence, either the Historic Building Preservation Alternative or the Reduced Footprint Alternative are preferable.
4. Again, specifically regarding M-CR-1, the HABS Documentation Level, which should be Level 1, needs to be specified. And copies should also be provided to the South Coastal Information Center at SDSU and the San Diego History Center.

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

O2-1  
 O2-2  
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 O2-5

O2-4

assessment because none of the structures currently located within the Project were built prior to 1934. However, the 1927 Sanborn Fire Insurance Map was reviewed and included in the Historic Report (Appendix D) as Figure 12. None of the current structures are illustrated on this map.

The comment states that the mitigation measure M-CR-1, proposed to mitigate for the loss of the 121-141 N. Fig Street structure, would not “mitigate the loss of the resource to the level of insignificance.” The commenter suggests that either the Historic Building Preservation Alternative or Reduced Footprint Alternative are preferable.

The Draft EIR evaluates two Project alternatives that would avoid impacts to the 121-141 N. Fig Street structure: the Historic Building Preservation Alternative and the Reduced Footprint Alternative. While these alternatives may be feasible, they do not fully meet the objectives of the project (see Chapter 7, Alternatives). Refer to the Final EIR, Chapter 7, Sections 7.6.4, 7.7.4, and 7.8.8. As discussed therein, the City has inquired further into the physical feasibility of retention of the 121-141 N. Fig Street building in response to public comments. While retention of this building would avoid significant cultural resources impact **CR-1** and **CR-CUM-1**, retention under the Historic Preservation Alternative would result in the loss of 30 units from buildings 7 through 10 and 12. The Reduced Footprint Alternative

Comment Letter O2



San Diego County Archaeological Society, Inc.

Environmental Review Committee

24 April 2020



To: Mr. Adam Finestone, AICP, Principal Planner  
 Planning Division  
 City of Escondido  
 201 North Broadway  
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 Palomar Heights Project  
 ENV 18-0009, SUB 18-0011, PHG 18-0049

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2. Regarding historical (built environment) resources, the report apparently did not include a check of the 1928-29 Tax Factor aerial photos. O2-2
3. Regarding the mitigation measure M-CR-1, if an alternative which results in preservation of the Russell Forester-designed historic structure at 121-141 North Fig Street is not to be adopted, the proposed HABS documentation does not mitigate the loss of the resource to the level of insignificance. Therefore, adoption of an alternative which results in demolition of the resource would require appropriate finding to justify the selection of such an alternative. Hence, either the Historic Building Preservation Alternative or the Reduced Footprint Alternative are preferable. O2-3
4. Again, specifically regarding M-CR-1, the HABS Documentation Level, which should be Level 1, needs to be specified. And copies should also be provided to the South Coastal Information Center at SDSU and the San Diego History Center. O2-4

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

would result in the loss of 80 units within Buildings 2 to 10. Due to the significant grade differential between the Fig Street area and the remainder of the site, the pocket park would also be undevelopable. The decision makers will make the ultimate determination on the feasibility of Project alternatives.

In response to the comment concerning the effectiveness of mitigation, the City has added several additional mitigation measures to be employed in addition to the Historic American Buildings Survey (HABS) documentation (**M-CR-2**), which would ensure the loss of the resource is mitigated to a level below significant. Such mitigation measures include architectural salvage of suitable materials, on-site construction/demolition observation, and the development and installation of an interpretive display (see **M-CR-1**, and **M-CR-3** to **M-CR-5**). A summary of these measures is provided herein; refer to revised EIR Section 4.2, Cultural Resources, for additional details.

Mitigation measure **M-CR-3** would preserve distinctive representative architectural elements (interior and exterior), as feasible, through salvage for reuse as part proposed plan or removed to another on-site location, as provided in the Secretary of the Interior’s Standards for Rehabilitation, prior to demolition. If on-site reuse or relocation is found to be not feasible under the standards set forth in **M-CR-1**, opportunities would be made for the materials to be donated to any interested historical or archival repositories to the satisfaction of the City of Escondido Director of Community Development.

Comment Letter O2



San Diego County Archaeological Society, Inc.

Environmental Review Committee

24 April 2020



To: Mr. Adam Finestone, AICP, Principal Planner  
 Planning Division  
 City of Escondido  
 201 North Broadway  
 Escondido, California 92025

Subject: Draft Environmental Impact Report  
 Palomar Heights Project  
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O2-1  
 O2-2  
 O2-3  
 O2-4  
 O2-5

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

Mitigation measure **M-CR-4** would require construction/demolition observation by a qualified architect, through periodic site visits to monitor demolition/construction activities. The monitoring is intended to ensure compliance with the approved construction documents with regards to historic resources, documented to the satisfaction of the City of Escondido Director of Community Development prior to issuance of a certificate of occupancy. During the course of administering and implementing this measure, in the event that previously unidentified historic fabric is discovered, a qualified historic architect, in consultation with city staff, shall determine its potential use or donation within the framework of the Secretary of the Interior’s Standards for Rehabilitation. In addition, mitigation measure **M-CR-5** requires that the Project applicant work with City of Escondido Planning Department staff or other qualified professionals to institute an on-site interpretive program that references the property’s history and the contribution of the historic resource to the broader neighborhood or historic district. With the implementation of these mitigation measures, which mitigate adverse impacts through salvage, documentation, and interpretation, adverse potential impacts would be reduced to a less-than-significant level. See Section 4.2 (Cultural Resources) in the Final EIR.

Comment Letter O2



San Diego County Archaeological Society, Inc.

Environmental Review Committee

24 April 2020



To: Mr. Adam Finestone, AICP, Principal Planner  
 Planning Division  
 City of Escondido  
 201 North Broadway  
 Escondido, California 92025

Subject: Draft Environmental Impact Report  
 Palomar Heights Project  
 ENV 18-0009, SUB 18-0011, PHG 18-0049

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O2-1

O2-2

O2-3

O2-4

O2-5

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

O2-5

The comment states that the HABS Documentation Level should be clarified to refer to Documentation Level 1 in mitigation measure M-CR-2. This clarification to mitigation measure M-CR-2 has been made in the Executive Summary, Section 4.2 (Cultural Resources) and Chapter 10 (List of Mitigation Measures, Design Features, and Compliance measures) in the Final EIR.

SDCAS appreciates the opportunity to participate in the City of Escondido's CEQA review process for this project.

02-6

Sincerely,

  
James W. Royle, Jr., Chairman  
Environmental Review Committee

cc: Brian F. Smith & Associates  
SDCAS President  
File

P.O. Box 81106 • San Diego, CA 92138-1106 • (858) 538-0935

**O2-6**

The City acknowledges the comment and notes that it provides concluding remarks to the comment letter.

Comment Letter O3



North County Group  
Sierra Club San Diego  
P.O. Box 2141  
Escondido, CA 92033

May 4, 2020

Mr. Adam Finestone  
Principal Planner  
City of Escondido  
Via Email [palomarheights@escondido.org](mailto:palomarheights@escondido.org)

Re: Sierra Club NCG comments on Palomar Heights Draft Environmental Impact Report (DEIR)

Dear Mr. Finestone:

The Sierra Club North County Group (NCG) requests that the City Council reject the draft Environmental Impact Report for the Palomar Heights Redevelopment Project (DEIR); require updated and full analysis of higher-density alternatives; update the Development Agreement to include new climate measures, quality jobs, and affordable housing; and establish a working group to develop an urban infill/transit-oriented development strategy for Escondido's urban core.

Sierra Club NCG filed an extensive comment letter on May 21, 2019 in a good-faith attempt to support a landmark, transit-oriented development worthy of this unique cornerstone location in Escondido. We are sorry to see this DEIR released for a project which fails to meet the need of the city or potential of the site. While we do not support this version of the project, we offer the following comments on the DEIR

First, the DEIR mis-characterizes the site right on the first page. This site is not at the 'edge' of anything. As the DEIR aerial shows, the site is in the center of Escondido's urban core and among the most precious development sites in the city.



O3-1  
O3-2  
O3-3

Response to Comment Letter O3

Sierra Club – North County Group, San Diego  
Laura Hunter  
May 4, 2020

- O3-1 The City acknowledges the comment as an introduction to comments that follow and acknowledges the commenter's opposition to the Project. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.
- O3-2 The City acknowledges the commenter's lack of support for the Project, acknowledges the commenter's past efforts to provide input on the Project prior to release of the Draft EIR for public review, and acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.
- O3-3 The comment states that the "DEIR mis-characterizes the site right on the first page. This site is not at the 'edge' of anything. As the DEIR aerial shows, the site is in the center of Escondido's urban core and among the most precious development sites in the city."

The DEIR is grossly deficient in many aspects and fails to meet any reasonable bar of a quality project or analysis.

**1. DEIR fails to analyze reasonable alternatives.**

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The dismissal based on the presence of granite needing blasting is also suspect given that there is currently a high-rise building on the location. The ability to replace that high-rise without addition blasting should have been part of the analysis, not just a general dismissal without evidence.

More problematic, the only alternatives fully analyzed were for even fewer units adding to the failing of this DEIR. Thus, neither the project itself nor any of the alternatives sufficiently implement the Downtown Specific Plan. Again, a major deficiency.

The failure to analyze these reasonable alternatives renders the DEIR wholly inadequate under the law. NCG requests the city prepare a supplemental DEIR to fully analyze these higher-density alternatives.

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The City does not concur that the Draft EIR mischaracterizes the location of the Project site. The first sentence under Section S.1, Project Location, states the “Project site is located in the central area of the City of Escondido...” As stated in the first sentence of the second paragraph in that same section, “Locally, the site is located on the eastern edge of the downtown area of the City.”

Chapter 3, Environmental Setting, of the Draft EIR, Section 3.1.1, Project Location, describes that the site is located “in the central area of the City” and at the “eastern edge of the downtown area.” The City’s General Plan, Land Use Chapter, shows the Project site in the central area of the City, at the eastern edge of the Downtown Specific Plan Area (SPA #9) (the Escondido General Plan, Land Use Chapter, is available at <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/GPUupdate/GeneralPlanChapterII.pdf?v=2>.) Refer also to Final EIR, Figures 2-1 and 2-2. The City acknowledges the commenter’s opinion of the import of the site, notes that the comment does not raise any issue concerning the adequacy of the Draft EIR, and for that reason, provides no further response to this comment.

**O3-4**

The comment states the Draft EIR “is deficient because it did not include all reasonable alternatives” and did not analyze a 1,350-unit alternative. The comment states the 1,350-unit alternative was rejected

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O3-9

for economic reasons not supported by an economic analysis. The City does not concur with the comment for the following reasons.

First, as detailed in Draft EIR Sections 7.2, Scope and Purpose, and Section 7.3, Criteria for Selection, Analysis, and Feasibility of Alternatives, CEQA does not require that an EIR consider “all reasonable alternatives” or every conceivable alternative to a project, as the comment suggests. Rather, CEQA Guidelines Section 15126.6(a), requires that an EIR consider a “reasonable range” of potentially feasible alternatives that will foster informed decision-making and public participation. The purpose of an EIR’s alternatives discussion is to focus on alternatives to the Project or its location that are capable of avoiding or substantially lessening any of the significant effects of the Project (CEQA Guidelines Section 15126.6(a), (b)).

The Draft EIR analyzes three alternatives based on the Project’s identified significant environmental impacts, the objectives established for the Project, and feasibility (refer to Section 7.3, Criteria for Selection, Analysis, and Feasibility of Alternatives). These include: (1) No Project/No Development Alternative, (2) Reduced Footprint Alternative, and (3) Historic Preservation Alternative. Section 7.3 explains that the “No Project” alternative was evaluated consistent with the requirements of CEQA Guidelines Section 15126.6(e).

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The Historic Preservation Alternative was selected to evaluate an alternative that would retain the 121-141 N. Fig Street building and thereby reduce potential impacts to cultural resources. The Reduced Footprint Alternative was selected for its ability to reduce/avoid temporary construction noise impacts to the in-patient care facility (Palomar Vista Healthcare Center) adjacent to the Project site. Refer also to Table 7-3, Environmentally Superior Alternative, which shows that each of the alternatives would reduce some of the significant impacts of the Project. Thus, the Draft EIR considered a reasonable range of alternatives selected to identify ways to avoid or substantially lessen the significant impacts resulting from the Project.

Second, the City does not concur with the comment that a 1,350-unit alternative was rejected for economic reasons. The Draft EIR considered an Increased Density Alternative, as discussed in EIR Section 7.5.3, Increased Density Alternative, which included a 1,350-residential-unit scenario, as detailed on Draft EIR page 7-8. The Draft EIR states that the higher density alternatives, including a 1,350-unit alternative, were briefly considered but rejected from detailed consideration during the scoping process. CEQA Guidelines Section 15126.6(c) explains alternatives may be eliminated from detailed consideration for any of the following reasons: (1) failure to meet most of the basic project objectives, (2) infeasibility, or (3)

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inability to avoid significant environmental impacts. The suggested 1,350-residential-unit scenario was considered as a part of the Increased Density Alternative discussed in Section 7.5.3, Increased Density Alternative, but was rejected from further analysis because an increased density design would not reduce any of the identified significant impacts of the Project on the environment, which include impacts to biological resources, cultural resources, hazards, noise, and tribal cultural resources. Furthermore, an increased density design would likely result in additional environmental impacts related to construction noise, air quality, and potentially land use. Therefore, this alternative was rejected from detailed consideration for the “inability to avoid significant environmental impacts” (CEQA Guidelines Section 15126.6(c)).

While increased costs due to certain physical constraints associated with more intensive construction (specifically citing the blasting and pile driving needed for expanded subterranean parking) were noted in the analysis for the Increased Density Alternative 1,350residential-unit scenario, this comment incorrectly states that economics was the basis for the rejection of this alternative. To the contrary, as further detailed in the concluding paragraph in Draft EIR Section 7.5.3, this alternative was rejected from further consideration for its inability to reduce a significant impact of the Project. Refer to Section 7.5.3,

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**O3-5**

Increased Density Alternative, of the Final EIR for further analysis.

The comment states the Draft EIR should have evaluated 900- and 1,100-unit alternatives. The comment states the Draft EIR dismissed these alternatives because it evaluated the impact from the alternatives and their benefits. The comment states the Draft EIR should have assessed impacts based on “emissions per capita” and asserts that a higher density alternative would have lower impacts.

Refer to response to comment O3-4 and Final EIR Sections 7.2, 7.3, and 7.5.3. As further detailed in the concluding paragraph in Draft EIR Section 7.5.3, the Increased Density Alternative, including the 900- and 1,100-unit scenarios, was rejected from further consideration since neither higher density alternative would reduce a significant impact of the Project, which include impacts to biological resources, cultural resources, hazards, noise, and tribal cultural resources (see CEQA Guidelines Section 15126.6(c) [explaining the reason to eliminate alternatives from detailed consideration may include the inability to avoid significant environmental impacts].)

A benefits analysis of alternatives is not required by CEQA. The purpose of an EIR’s alternatives discussion is to focus on alternatives to the Project or its location

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that are capable of avoiding or substantially lessening one or more of the significant effects of the Project. (CEQA Guidelines Section 15126.6(c), (f); *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 929.) Further, the City disagrees that additional analysis of “emissions per capita” is necessary or appropriate. The City’s standard method of GHG analysis does not currently require a per-capita method, and there is no established GHG emissions inventory nor a threshold in which to evaluate the significance of emissions per-capita estimate. Thus, such analysis is not warranted at this time. The commenter’s use of the term “emissions” is unclear; however, whether the commenter is referring to either air quality or GHG emissions by the comment, the City notes that the Project was determined to result in less-than-significant air quality and GHG impacts based on established methodologies and thresholds. Refer to Final EIR, Section 5.2.3, Air Quality; Section 5.2.6, Greenhouse Gas Emissions; Appendix K, Air Quality Report; and Appendix M, Greenhouse Gas Report. Indeed, the Project would substantially reduce GHG emissions compared to existing conditions (refer to Section 5.2 of the Final EIR). As the Increased Density Alternative would not decrease any significant impacts of the Project, additional analysis would not provide meaningful information and is not warranted.

**O3-6** Refer to response to comment O3-4. To clarify, the Increased Density Alternative was not dismissed solely

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on the basis of blasting. The Increased Density Alternative was rejected from further consideration in the EIR because it would not avoid or substantially lessen a significant impact of the Project. Nonetheless, it was noted that blasting and more intense construction would be required to implement the Increased Density Alternative. This is because any proposed development of the site must meet City parking standards, and the Downtown Specific Plan sets height limits that would not allow the placement of high-rise buildings at the site (assuming that construction would occur in accordance with the current specific plan development regulations, i.e., no Specific Plan Amendment required). As a result, to accomplish the densities considered with the Increased Density Alternative, parking would need to be developed underground. In addition, under the Downtown Specific Plan, redevelopment of the Project site could not occur with a building of this height in the future, due to height restrictions. Overall, because an Increased Density Alternative scenario would not reduce any of the significant effects of the Project, further evaluation of a high-rise building that would avoid blasting is not warranted.

The opinion expressed in this comment is noted. The intent of the EIR alternatives analysis is to identify potentially feasible alternatives that could avoid or substantially lessen significant impacts of the Project while meeting the basic Project objectives. An Increased

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Density Alternative would not avoid or sustainably lessen an impact of the Project, and therefore was rejected from further consideration in the EIR. The alternatives analyzed in the Draft EIR were selected for their ability to reduce or avoid significant impacts of the Project, meet the basic Project objectives and be potentially feasible. Contrary to the comment, the inclusion of such alternatives is appropriate and is not a CEQA EIR deficiency. In regard to the statement that neither the Project or alternatives sufficiently implement the Downtown Specific Plan, as discussed in Section 4.4 (Land Use and Planning) of the Draft EIR, the Project would implement a development that is consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. The Project’s proposed overall density of approximately 37 dwelling units per acre (du/ac) is consistent with the allowable densities provided by the Downtown Specific Plan (up to 100 du/ac east of Valley Boulevard and 75 du/ac west of Valley Boulevard). The Downtown Specific Plan does not identify a minimum density requirement. Regarding the alternatives analyzed, as discussed in Section 7.7.2 of the Draft EIR, the Reduced Footprint and Historic Building Alternatives would not implement the Downtown Specific Plan to the same extent as the Project; however, they would not conflict with the Downtown Specific Plan because they would still provide pedestrian-oriented residential and

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The DEIR is deficient because it did not fully evaluate the impacts due to the reasonable alternatives of building 900 and 1,100 housing units. These reasonable alternatives were dismissed because they only evaluated the impact from the alternatives and did not include the many benefits—especially housing up to 600 more families. The DEIR failed to consider the benefits of increasing the number of people living in a location that is easily served by transit and in a walkable, bikeable area. Additionally, being in the urban core the project site is close to stores, restaurants, and other amenities which would reduce the distance needed to drive. If the impacts and benefits were assessed, as they should be, on the emissions per capita, the higher density project would end up with the lower impacts. The failure to fully evaluate the impacts and benefits from the 900 and 1,100 housing unit alternative is deficiency in the DEIR.

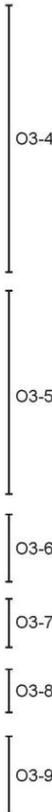
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More problematic, the only alternatives fully analyzed were for even **fewer** units adding to the failing of this DEIR. Thus, neither the project itself nor any of the alternatives sufficiently implement the Downtown Specific Plan. Again, a major deficiency.

The failure to analyze these reasonable alternatives renders the DEIR wholly inadequate under the law. NCG requests the city prepare a supplemental DEIR to fully analyze these higher-density alternatives.

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**O3-8**

commercial uses, and provide additional housing density to support the long-term vision of the Downtown Specific Plan area.

Refer to responses to comments O3-4 through O3-7. As explained above, the inclusion of an Increased Density Alternative is not appropriate because the intent of the alternatives analysis is to evaluate alternatives that would avoid or substantially lessen the significant impacts of the Project. The Increased Density Alternatives was briefly considered but rejected from further analysis because it would not reduce or avoid any of the identified significant Project impacts.

As the current EIR has not been certified, a Supplemental EIR would not be appropriate. While the comment suggests a Supplemental EIR should be prepared, it is the City’s understanding that the commenter intended to suggest the Draft EIR should be revised and recirculated (rather than having a Supplemental EIR prepared). As detailed in CEQA Guidelines Section 15088.5, “[a] lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification.” Regarding a Supplemental EIR, as detailed in CEQA Guidelines Section 15162, a Supplemental EIR may be prepared in certain circumstances when an EIR has been certified and revisions are necessary to address a situation where (1) the

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03-4  
03-5  
03-6  
03-7  
03-8  
03-9

Project would result in an additional significant impact, (2) significant impacts of the Project would be more substantial than previously identified, (3) mitigation or alternatives would be feasible and would sustainably reduce one or more significant effects of the Project and the proponent declines to adopt it, or (4) mitigation measures or alternatives that are considerably different from those addressed in the EIR would substantially reduce one or more significant impacts of the Project, but the proponent declines to adopt it. No EIR has been certified for the Project; therefore, a Supplemental EIR cannot be prepared. Further, none of the situations listed in CEQA Guidelines Sections 15088.5 (requiring recirculation of an EIR) or 15162 (requiring preparation of a Supplemental EIR) above have occurred or have been identified as having occurred in this comment. Recirculation of the Draft EIR is not required. No new significant impacts have been identified as a result of the comments included in this letter, or other comment letters received during the public review period. No substantial increase in the severity of previously identified impacts have been determined to occur as a result of the comments received during the public review period. No feasible alternatives (see Chapter 7 for further discussion) and no new feasible mitigation measures have been identified as a result of the public review period. Lastly, no meaningful public review has been precluded due to a fundamentally inadequate and conclusionary Draft EIR, as discussed throughout the responses to these comment letters

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O3-4

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O3-5

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O3-6

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O3-7

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O3-8

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O3-9

**O3-9**

received during the public review period. Therefore, no further response is required.

The comment states that the Project must include, at a minimum 15% affordable units. The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. Further, the City does not have an inclusionary housing requirement. The suggestion by this comment is noted for decision makers, but because it does not concern the environmental impact analysis or raise an environmental issue, no additional response is necessary.

<p><b>3. DEIR fails to incorporate climate saving measures or new realities in planning.</b></p>	<p>03-10</p>	<p><b>03-10</b> This comment states that the “DEIR fails to incorporate climate saving measures or new realities in planning. This Project should be required to include climate saving measures as conditions of approval such as complete building electrification, solar power, electric shuttle to and from the transit station, and high levels of energy efficiency as conditions.”</p>
<p>This project should be required to include climate saving measures as conditions of approval such as complete building electrification, solar power, electric shuttle to and from the transit station, and high levels of energy efficiency as conditions.</p> <p>Further, the proposed project worsens climate and air pollution impacts as it employs 1980’s suburban planning requiring the site to be graded necessitating retaining walls &amp; slope banks. The result is physical isolation of future residents from the surrounding neighborhood and will not encourage pedestrian activity to and from Downtown or eastward. More likely, it will encourage vehicle usage.</p>	<p>03-11</p>	<p>Initially, the City notes that the Project would result in a net reduction in GHG emissions compared to existing conditions and would be compliant with the goals of the CARB 2017 Scoping Plan. Therefore, no additional reduction measures would be required under CEQA as the Project would have a less-than-significant impact related to GHG emissions (refer to Section 5.2.6, Greenhouse Gas Emissions) and energy (refer to Section 5.2.4, Energy). Further, as discussed in Section 5.2.6 of the Draft EIR and Appendix M, the Project would be developed compliant with the Title 24 standards that are in effect at time of construction, including compliance with all energy efficiency standards (Title 24, Part 6 and Part 11), solar water heating, and solar rooftop panels. The Project would promote walkability and alternative transportation being centrally located in an existing downtown area; locate housing near major urban and employment centers, reducing the need for employees to drive long distances to work; and include EV charging stations. Thus, the Project would implement a number of climate-saving measures. The Project does not proposed</p>
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<p>As a building of a certain age, the hospital most certainly contained asbestos. We are confounded why there is no discussion of asbestos and lead-paint issues in the hazardous materials section addressing demolition, but it is noted to be present in the text dismissing the Building Reuse option. If it has all been removed, the DEIR should indicate that. If it has not, the plan for asbestos removal should be discussed.</p>		
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<p><b>Escondido deserves better than this project. The future demands better.</b></p>	<p>03-14</p>	
<p>This site is the opportunity of a lifetime and it is the heart of Escondido’s downtown. The proposed project is underwhelming on every level. It is not the landmark, project the city needs, just the project the developer wants. It does not house as many people as were planned and fails to meet its potential as a perfect transit-oriented location.</p>		
<p>This project is an anachronism. The climate crisis is here. Every possible signal has been given that we must grow and develop our region quite differently than has been done in the past. Urban infill, increased density in transportation corridors, and more affordable housing options are critical for residents of the region. Because this site is located near downtown, is infill, will not exacerbate gentrification, and is on a transit corridor, density should be maximized.</p>	<p>03-15</p>	
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<p><b>3. DEIR fails to incorporate climate saving measures or new realities in planning.</b></p> <p>This project should be required to include climate saving measures as conditions of approval such as complete building electrification, solar power, electric shuttle to and from the transit station, and high levels of energy efficiency as conditions.</p> <p>Further, the proposed project worsens climate and air pollution impacts as it employs 1980's suburban planning requiring the site to be graded necessitating retaining walls &amp; slope banks. The result is physical isolation of future residents from the surrounding neighborhood and will not encourage pedestrian activity to and from Downtown or eastward. More likely, it will encourage vehicle usage.</p> <p><b>4. DEIR and project description fail to disclose testing and fail to adequately discuss the presence of asbestos containing building materials, lead based paint and their remediation.</b></p> <p>As a building of a certain age, the hospital most certainly contained asbestos. We are confounded why there is no discussion of asbestos and lead-paint issues in the hazardous materials section addressing demolition, but it is noted to be present in the text dismissing the Building Reuse option. If it has all been removed, the DEIR should indicate that. If it has not, the plan for asbestos removal should be discussed.</p> <p><b>5. New climate measures, quality jobs and affordable housing requirements should be added to the Development Agreement.</b></p> <p>This project also has a responsibility to meet the needs of the city. The needs are good-paying jobs for local people and affordable housing. The Development Agreement should include conditions in these areas. The current reliance on the outdated ECAP is a failing given that the construction alone will last until 2026. The Development Agreement should specify that this project comport to any and all requirements in the updated ECAP expected later this year.</p> <p><b>Escondido deserves better than this project. The future demands better.</b></p> <p>This site is the opportunity of a lifetime and it is the heart of Escondido's downtown. The proposed project is underwhelming on every level. It is not the landmark, project the city needs, just the project the developer wants. It does not house as many people as were planned and fails to meet its potential as a perfect transit-oriented location.</p> <p>This project is an anachronism. The climate crisis is here. Every possible signal has been given that we must grow and develop our region quite differently than has been done in the past. Urban infill, increased density in transportation corridors, and more affordable housing options are critical for residents of the region. Because this site is located near downtown, is infill, will not exacerbate gentrification, and is on a transit corridor, density should be maximized.</p> <p>Further, greater density would also serve the city council's own interest in helping revitalize Escondido's downtown by providing much more foot traffic for local shops and</p>	<p>03-10</p> <p>03-11</p> <p>03-12</p> <p>03-13</p> <p>03-14</p> <p>03-15</p> <p>03-16</p>	<p>33 Cal.App.5th 321, 353 [“As its ‘draft’ designation suggests, the Draft Central SoMa Plan had not been approved at the time of the EIR, and thus the EIR was not required to consider it.”]; Chaparral Greens v. City of Chula Vista (1996) 50 Cal.App.4th 1134, 1145, fn. 7.) The City cannot reasonably or legally require the Project be consistent with a yet-to-be approved or Draft E-CAP.</p> <p><b>03-14</b> The City acknowledges the comment expresses the opinion of the commenter and does not raise any issue with the adequacy of the environmental document. While the comment states that the Project, as proposed, would not house as many people as were planned for the site, as discussed in Section 7-5 (Alternatives Considered but Rejected from Further Analysis), the City considered a potential alternative developed at a higher density than the Project in accordance with the additional density permitted under the Downtown Specific Plan as suggested in this comment. However, it was determined that an increased density alternative would not reduce any identified significant impacts on the environment resulting from the Project, and may otherwise increase such impacts. Refer to EIR Section 7.5.3 for additional details. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
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<p><b>3. DEIR fails to incorporate climate saving measures or new realities in planning.</b></p> <p>This project should be required to include climate saving measures as conditions of approval such as complete building electrification, solar power, electric shuttle to and from the transit station, and high levels of energy efficiency as conditions.</p> <p>Further, the proposed project worsens climate and air pollution impacts as it employs 1980's suburban planning requiring the site to be graded necessitating retaining walls &amp; slope banks. The result is physical isolation of future residents from the surrounding neighborhood and will not encourage pedestrian activity to and from Downtown or eastward. More likely, it will encourage vehicle usage.</p> <p><b>4. DEIR and project description fail to disclose testing and fail to adequately discuss the presence of asbestos containing building materials, lead based paint and their remediation.</b></p> <p>As a building of a certain age, the hospital most certainly contained asbestos. We are confounded why there is no discussion of asbestos and lead-paint issues in the hazardous materials section addressing demolition, but it is noted to be present in the text dismissing the Building Reuse option. If it has all been removed, the DEIR should indicate that. If it has not, the plan for asbestos removal should be discussed.</p> <p><b>5. New climate measures, quality jobs and affordable housing requirements should be added to the Development Agreement.</b></p> <p>This project also has a responsibility to meet the needs of the city. The needs are good-paying jobs for local people and affordable housing. The Development Agreement should include conditions in these areas. The current reliance on the outdated ECAP is a failing given that the construction alone will last until 2026. The Development Agreement should specify that this project comport to any and all requirements in the updated ECAP expected later this year.</p> <p><b>Escondido deserves better than this project. The future demands better.</b></p> <p>This site is the opportunity of a lifetime and it is the heart of Escondido's downtown. The proposed project is underwhelming on every level. It is not the landmark, project the city needs, just the project the developer wants. It does not house as many people as were planned and fails to meet its potential as a perfect transit-oriented location.</p> <p>This project is an anachronism. The climate crisis is here. Every possible signal has been given that we must grow and develop our region quite differently than has been done in the past. Urban infill, increased density in transportation corridors, and more affordable housing options are critical for residents of the region. Because this site is located near downtown, is infill, will not exacerbate gentrification, and is on a transit corridor, density should be maximized.</p> <p>Further, greater density would also serve the city council's own interest in helping revitalize Escondido's downtown by providing much more foot traffic for local shops and</p>		<p>The City notes the commenter's opinion that the Project "fails to meet its potential as a perfect transit-oriented location." The Project does increase residential density beyond the existing conditions within the Project site, and is in close proximity to a bus stop, with bus service provided by the North County Transit District (NCTD) along the Project frontage on Valley Boulevard within 400 feet of the Project driveway on E. Valley Parkway, while the Escondido Transit Center located on W. Valley Parkway is 0.9 miles west of the Project site. The Project would include a bus pull-out space along Valley Boulevard as well (see PDF-TR-2). This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>03-15</b> The City acknowledges that the comment expresses the opinion of the commenter and does not raise any issue with the adequacy of the environmental document. As discussed in Sections 5.2.4, Energy, and 5.2.6, Greenhouse Gas Emissions, of the Draft EIR, implementation of the Project would result in a net decrease in GHGs from the Project site, as compared to the existing condition. Moreover, the Project would comply with energy saving and GHG reducing measures as outlined in Title 24, Part 6 and Part 11 (California Building Energy Efficiency Standards (24 CCR, Part 6 and 11). The Project increases residential density within a site that currently does not contain existing housing, is</p>
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<p><b>3. DEIR fails to incorporate climate saving measures or new realities in planning.</b></p> <p>This project should be required to include climate saving measures as conditions of approval such as complete building electrification, solar power, electric shuttle to and from the transit station, and high levels of energy efficiency as conditions.</p> <p>Further, the proposed project worsens climate and air pollution impacts as it employs 1980's suburban planning requiring the site to be graded necessitating retaining walls &amp; slope banks. The result is physical isolation of future residents from the surrounding neighborhood and will not encourage pedestrian activity to and from Downtown or eastward. More likely, it will encourage vehicle usage.</p> <p><b>4. DEIR and project description fail to disclose testing and fail to adequately discuss the presence of asbestos containing building materials, lead based paint and their remediation.</b></p> <p>As a building of a certain age, the hospital most certainly contained asbestos. We are confounded why there is no discussion of asbestos and lead-paint issues in the hazardous materials section addressing demolition, but it is noted to be present in the text dismissing the Building Reuse option. If it has all been removed, the DEIR should indicate that. If it has not, the plan for asbestos removal should be discussed.</p> <p><b>5. New climate measures, quality jobs and affordable housing requirements should be added to the Development Agreement.</b></p> <p>This project also has a responsibility to meet the needs of the city. The needs are good-paying jobs for local people and affordable housing. The Development Agreement should include conditions in these areas. The current reliance on the outdated EGAP is a failing given that the construction alone will last until 2026. The Development Agreement should specify that this project comport to any and all requirements in the updated EGAP expected later this year.</p> <p><b>Escondido deserves better than this project. The future demands better.</b></p> <p>This site is the opportunity of a lifetime and it is the heart of Escondido's downtown. The proposed project is underwhelming on every level. It is not the landmark, project the city needs, just the project the developer wants. It does not house as many people as were planned and fails to meet its potential as a perfect transit-oriented location.</p> <p>This project is an anachronism. The climate crisis is here. Every possible signal has been given that we must grow and develop our region quite differently than has been done in the past. Urban infill, increased density in transportation corridors, and more affordable housing options are critical for residents of the region. Because this site is located near downtown, is infill, will not exacerbate gentrification, and is on a transit corridor, density should be maximized.</p> <p>Further, greater density would also serve the city council's own interest in helping revitalize Escondido's downtown by providing much more foot traffic for local shops and</p>	<p>03-10</p> <p>03-11</p> <p>03-12</p> <p>03-13</p> <p>03-14</p> <p>03-15</p> <p>03-16</p>	<p>located within proximity to the City center, and within walking distance to public transit options. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>03-16</b> The City acknowledges the comment expresses the opinion of the commenter and does not raise any issue with the adequacy of the environmental document. Nonetheless, the City notes Project Objective 1 is to “Promote efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan (City of Escondido 2013) vision”; and Project Objective 12 is to “Provide additional commercial use in balance with the future commercial needs of the Project’s residential component to support and revitalize the City’s existing Downtown District core.” The Project accomplishes these objectives by proposing to develop 510 residential units generating about 2,193 residents (Draft EIR page 4.6-35); and appropriately sizing local-serving commercial uses on site at approximately 10,000 square feet in order to revitalize rather than detract from the City’s existing Downtown District commercial uses (EIR Section 2.3, Project Description). The City further does not concur that the Project proposes “relatively low-density housing.” The Escondido General Plan Chapter II, Land Use and Community Form, provides that Urban “High-Density Multi-Family Residential Development”</p>
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<p>restaurants. This is our biggest opportunity to achieve economic revitalization in this prime location and should not be wasted on relatively low-density housing.</p>	<p>↑ O3-16 (Cont.)</p>	<p>includes multi-family housing developed at a minimum 16.8-21 du/acre and maximum 24-30 du/ac. The Project would develop 37 du/acre (Draft EIR page 2-3). This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>Sierra Club NCG is a strong supporter of development of the Palomar Hospital site. However, we opposed to this project because the density is too low for this prime location and we will continue to oppose the current project. It does not include enough housing, does not serve residents of Escondido with housing they can afford, does not require any designated affordable housing, does not create good-paying jobs for local workers, does not meet the climate challenge, does not reflect current and future planning measures, and does not create a landmark for the city.</p>	<p>O3-17</p>	<p><b>O3-17</b> Refer to responses to comments O3-10, O3-13, and O3-16. The City acknowledges the comment expresses the opinion of the commenter and expresses the commenter’s opposition to the Project. The City also notes the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. Because this comment does not address the adequacy of the environmental document, no further response is required. The opinion expressed in this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p><b>Process Request</b></p> <p>While this project continue to process, we urge the Council to create a stakeholder working group to develop an urban infill/transit oriented development strategy that also addresses the housing needs of lower and moderate income households for downtown and other corridor areas already in the urban footprint prior to making further development decisions. This strategy should then be incorporated into the city’s Climate Action Plan Update, to make Escondido the region’s leader in implementing the kind of smart growth tools needed at the local level to meaningfully address the climate crisis. We believe the city would have many coalition partners ready to support and help develop the projects needed to activate and enrich Escondido. We would welcome the opportunity to work with you on such an effort.</p>	<p>O3-18</p>	<p><b>O3-18</b> The City also notes the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The comment provided does not address the adequacy of the environmental document; therefore, no further response is required. The opinion expressed in this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>In closing, to make this project one appropriate for Escondido in this time and place, the Sierra Club NCG recommends the following actions be taken:</p>	<p>O3-19</p>	
<p>1. For the reasons stated above, the City of Escondido should reject the DEIR and send it back for full analysis of higher-density, reasonable alternatives, better integration of climate protective measures then, re-issue a supplemental analysis.</p>	<p>O3-20</p>	
<p>2. The City of Escondido should update the Development Agreement to include climate measures, quality jobs and affordable housing requirements and compliance with updated CAP.</p>	<p>O3-21</p>	
<p>3. Create a working group tasked with creating an urban infill/transit-oriented development strategy for Escondido.</p>		
<p>Thank you for the consideration of these comments.</p> <p><i>Laura Hunter</i>          Laura Hunter, Chair          NCG Conservation Committee</p> <p>cc.          Mayor and City Council</p>		

<p>restaurants. This is our biggest opportunity to achieve economic revitalization in this prime location and should not be wasted on relatively low-density housing.</p>	<p>↑ O3-16 (Cont.)</p>	<p><b>O3-19</b> The City acknowledges the comment and notes it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. Refer to response to comment O3-8.</p>
<p>Sierra Club NCG is a strong supporter of development of the Palomar Hospital site. However, we opposed to this project because the density is too low for this prime location and we will continue to oppose the current project. It does not include enough housing, does not serve residents of Escondido with housing they can afford, does not require any designated affordable housing, does not create good-paying jobs for local workers, does not meet the climate challenge, does not reflect current and future planning measures, and does not create a landmark for the city.</p>	<p>O3-17</p>	<p><b>O3-20</b> The City acknowledges the comment and notes it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. Refer to responses to comments O3-10 and O3-13.</p>
<p><b>Process Request</b></p>		
<p>While this project continue to process, we urge the Council to create a stakeholder working group to develop an urban infill/transit oriented development strategy that also addresses the housing needs of lower and moderate income households for downtown and other corridor areas already in the urban footprint prior to making further development decisions. This strategy should then be incorporated into the city's Climate Action Plan Update, to make Escondido the region's leader in implementing the kind of smart growth tools needed at the local level to meaningfully address the climate crisis. We believe the city would have many coalition partners ready to support and help develop the projects needed to activate and enrich Escondido. We would welcome the opportunity to work with you on such an effort.</p>	<p>O3-18</p>	
<p>In closing, to make this project one appropriate for Escondido in this time and place, the Sierra Club NCG recommends the following actions be taken:</p>		
<p><b>1. For the reasons stated above, the City of Escondido should reject the DEIR and send it back for full analysis of higher-density, reasonable alternatives, better integration of climate protective measures then, re-issue a supplemental analysis.</b></p>	<p>O3-19</p>	<p><b>O3-21</b> The City acknowledges the comment and notes it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. The comment provided does not address the adequacy of the environmental document. Refer to response to comment O3-18.</p>
<p><b>2. The City of Escondido should update the Development Agreement to include climate measures, quality jobs and affordable housing requirements and compliance with updated CAP.</b></p>	<p>O3-20</p>	
<p><b>3. Create a working group tasked with creating an urban infill/transit-oriented development strategy for Escondido.</b></p>	<p>O3-21</p>	
<p>Thank you for the consideration of these comments.</p>		
<p><i>Laura Hunter</i> Laura Hunter, Chair NCG Conservation Committee</p>		
<p>cc. Mayor and City Council</p>		

Comment Letter O4

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155 South El Molino Avenue  
 Suite 104  
 Pasadena, California 91101

**VIA U.S. MAIL & E-MAIL**

May 4, 2020

Attn: Adam Finestone  
 City of Escondido  
 Planning Division  
 201 North Broadway  
 Escondido, California 92025  
 Em: palomarheights@escondido.org

RE: Palomar Heights—Draft Environmental Impact Report, SCH No. 2019059013

Dear Mr. Finestone:

On behalf of Southwest Regional Council of Carpenters (“**Commenter**” or “**Southwest Carpenters**”), my Office is submitting these comments on the City of Escondido’s (“**City**” or “**Lead Agency**”) Draft Environmental Impact Report (“**DEIR**”) (SCH No. 2019059013) for the Palomar Heights Project (“**Project**”).

The Southwest Carpenters is a labor union representing 50,000 union carpenters in six states, including in southern California, and has a strong interest in well-ordered land use planning and addressing the environmental impacts of development projects.

Commenters expressly reserve the right to supplement these comments at or prior to hearings on the Project, and at any later hearings and proceedings related to this Project. (Gov. Code § 65009(b); Pub. Resources Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.)

Commenters incorporate by reference all comments raising issues regarding the DEIR or the final Environmental Impact Report (“**EIR**”) submitted prior to certification of the EIR for the Project. (*Citizens for Clean Energy v. City of Woodland* (2014) 225 Cal. App. 4th 173, 191 [finding that any party who has objected to the Project’s environmental documentation may assert any issue timely raised by other parties].)

O4-1

**Response to Comment Letter O4**

**Southwest Regional Council of Carpenters**

**Mitchell Tsai**

**May 4, 2020**

**O4-1**

The City acknowledges the comment as an introduction to the comment letter, which does not raise any issue pertaining to the adequacy of the environmental analysis. The City also acknowledges the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. Southwest Regional Council of Carpenters (Southwest Carpenters) will be included on future public notice distribution lists for the Project, as requested. The City noticed a public review period for the Draft EIR to run from March 20, 2020 to May 5, 2020, running for the required 45-day period under CEQA Guidelines Section 15105. The City subsequently extended the public review and comment period by 15 days to close at 5:00 p.m. on May 19, 2020. The Notice of Completion of the Draft EIR was filed with the State Clearinghouse as required by CEQA Guidelines Section 15085. In addition, the Notice of Availability (NOA) of the Draft EIR was distributed pursuant to CEQA Guidelines Section 15087 by posting notice with the County Clerk; publishing notice in the Escondido Times Advocate newspaper; mailing notice to neighbors surrounding

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 May 4, 2020  
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Moreover, Commenters request that the Lead Agency provide notice for any and all notices referring or related to the Project issued under the California Environmental Quality Act (“CEQA”), Pub. Resources Code § 21000 *et seq.*, and the California Planning and Zoning Law (“**Planning and Zoning Law**”), Gov. Code §§ 65000–65010. Pub. Resources Code §§ 21092.2, and 21167(f) and Gov. Code § 65092 require agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency’s governing body.

The City must seriously consider proposing that the Applicant provide additional community benefits such as requiring local hire and paying prevailing wages to benefit the City. Moreover, it would be beneficial for the City to require the Applicant to hire workers: (1) who have graduated from a Joint Labor-Management apprenticeship training program approved by the State of California or have at least as many hours of on-the-job experience in the applicable craft which would be required to graduate from such a state-approved apprenticeship training program and; (2) who are registered apprentices in an apprenticeship training program approved by the State of California.

I. THE PROJECT WOULD BE APPROVED IN VIOLATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. Background Concerning the California Environmental Quality Act

CEQA has two basic purposes. First, CEQA is designed to inform decision-makers and the public about the potential, significant environmental effects of a project. (14 California Code of Regulations (“CCR” or “CEQA Guidelines”) § 15002(a)(1).) “Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions *before* they are made. Thus, the EIR ‘protects not only the environment but also informed self-government.’ [Citation.]” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564.) The EIR has been described as “an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.” (*Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs.* (2001) 91 Cal. App. 4th 1344, 1354 (“*Berkeley Jets*”); *County of Inyo v. Yorty* (1973) 32 Cal. App. 3d 795, 810.)

Second, CEQA directs public agencies to avoid or reduce environmental damage when possible by requiring alternatives or mitigation measures. (CEQA Guidelines § 15002(a)(2) and (3); see also, *Berkeley Jets*, 91 Cal. App. 4th 1344, 1354; *Citizens of*

↑  
O4-1  
(Cont.)

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O4-2

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O4-2

the Project site; and mailing notice to appropriate agencies, those persons who had requested such notices, and those persons who commented on the NOP. The notice for extension of public review was also mailed to the identified interested parties and was posted on the City’s website. Thus, the City provided notice for public review under the required conditions for the Project. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment provides background information regarding CEQA and cites CEQA-related case law pertaining to the preparation of an EIR. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; therefore, no further response is required or provided. The City acknowledges the statements and citations contained within this comment, and the comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

City of Escondido – Palomar Heights  
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*Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553; *Laurel Heights Improvement Ass'n v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400.) The EIR serves to provide public agencies and the public in general with information about the effect that a proposed project is likely to have on the environment and to “identify ways that environmental damage can be avoided or significantly reduced.” (CEQA Guidelines § 15002(a)(2).) If the project has a significant effect on the environment, the agency may approve the project only upon finding that it has “eliminated or substantially lessened all significant effects on the environment where feasible” and that any significant unavoidable effects on the environment are “acceptable due to overriding concerns” specified in CEQA section 21081. (CEQA Guidelines § 15092(b)(2)(A–B).)

While the courts review an EIR using an “abuse of discretion” standard, “the reviewing court is not to ‘uncritically rely on every study or analysis presented by a project proponent in support of its position.’ A ‘clearly inadequate or unsupported study is entitled to no judicial deference.’” (*Berkeley Jets, supra*, 91 Cal. App. 4th 1344, 1355 [emphasis added, quoting *Laurel Heights*, 47 Cal. 3d at 391, 409 fn. 12].) Drawing this line and determining whether the EIR complies with CEQA’s information disclosure requirements presents a question of law subject to independent review by the courts. (*Sierra Club v. Cnty. of Fresno* (2018) 6 Cal. 5th 502, 515; *Madera Oversight Coalition, Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102, 131.) As the court stated in *Berkeley Jets, supra*, 91 Cal. App. 4th at 1355:

A prejudicial abuse of discretion occurs “if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process.

The preparation and circulation of an EIR are more than a set of technical hurdles for agencies and developers to overcome. The EIR’s function is to ensure that government officials who decide to build or approve a project do so with a full understanding of the environmental consequences and, equally important, that the public is assured those consequences have been considered. For the EIR to serve these goals, it must present information so that the foreseeable impacts of pursuing the project can be understood and weighed, and the public must be given an adequate opportunity to comment on that presentation before the decision to go forward is made. (*Communities for a Better Environment v. Richmond* (2010) 184 Cal. App. 4th 70, 80 [quoting *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449–450].)

O4-2  
(Cont.)

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**B. The DEIR’s Mitigation Measures for Archaeological and Human Remains are Impermissibly Vague and Defer Critical Details**

The DEIR improperly defers critical details of mitigation measures. Feasible mitigation measures for significant environmental effects must be set forth in an EIR for consideration by the lead agency’s decision-makers and the public before certification of the EIR and approval of a project. The formulation of mitigation measures generally cannot be deferred until after certification of the EIR and approval of a project. CEQA Guidelines § 15126.4(a)(1)(B) (“... [f]ormulation of mitigation measures should not be deferred until some future time.”).

Deferring critical details of mitigation measures undermines CEQA’s purpose as a public information and decision-making statute. “[R]eliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA’s goals of full disclosure and informed decisionmaking; and[,] consequently, these mitigation plans have been overturned on judicial review as constituting improper deferral of environmental assessment.” *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal. App. 4th 70, 92 (“*Communities*”). As the Court noted in *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307, “[a] study conducted after approval of a project will inevitably have a diminished influence on decision-making. Even if the study is subject to administrative approval, it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA.”

A lead agency’s adoption of an EIR’s proposed mitigation measure for a significant environmental effect that merely states a “generalized goal” to mitigate a significant effect without committing to any specific criteria or standard of performance violates CEQA by improperly deferring the formulation and adoption of enforceable mitigation measures. *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 670; *Communities*, 184 Cal.App.4th at 93 (“EIR merely proposes a generalized goal of no net increase in greenhouse gas emissions and then sets out a handful of cursorily described mitigation measures for future consideration that might serve to mitigate the [project’s significant environmental effects.”); cf. *Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1028-1029 (upheld EIR that set forth a range of mitigation measures to offset significant traffic impacts where performance criteria would have to be met, even though a further study was needed and EIR did not specify which measures had to be adopted by city)].

O4-3

**O4-3**

The comment provides the statement that the Draft EIR improperly defers mitigation measures for archaeological and human remains, and that the mitigation measures that are included in the Draft EIR are impermissibly vague. The comment serves as an introductory statement to the comments that follow regarding the same topic, and does not offer information that further discussion or edits to the Draft EIR. Refer to the updated cultural mitigation measures included in Section 4.2, Cultural Resources. No further response is required.

The comment cites a number of CEQA-related cases and provides a number of statements detailing the statutory and legal requirements for a lead agency’s consideration and inclusion of feasible mitigation measures within an EIR. The comment provides the regulatory background regarding mitigation measures and the impermissible deferral of such measures. The comment does not raise a specific issue with the analysis or mitigation measures provided in the Draft EIR. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

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Here, the DEIR has identified potentially significant impacts to archaeological and human remains relating to the latest discovery of either human remains or archaeological resources and has proposed mitigation measure M-CR-2. (DEIR, p. 4.2-30.) However, the DEIR’s proposal with respect to tribal human remains is inadequate because it omits critical details and defers them for development at a later date.

The DEIR notes that the City’s Planning Division recommended that the Applicant enters into a Tribal Cultural Resource Treatment and Monitoring Agreement prior to the issuance of a grading permit so that protocols and procedures could be formed for the discovery and protection of Native American human remains or related archaeological resources. However, the DEIR proposes no plan and includes no details as to what may be included in such a plan to mitigate this impact. This is an impermissible deferral of mitigation. Subsequent mitigation measures are also based upon the formulation of a future Agreement, including M-CR-3 and M-CR-4.

The DEIR should be revised to specify what will be included in the Tribal Cultural Resource Treatment and Monitoring Agreement.

C. The DEIR Fails to Support Its Thresholds of Significance and Findings with Substantial Evidence and Omits Information.

When new information is brought to light showing that an impact previously discussed in the DEIR but found to be insignificant with or without mitigation in the DEIR’s analysis has the potential for a significant environmental impact supported by substantial evidence, the EIR must consider and resolve the conflict in the evidence. See *Visalia Retail, L.P. v. City of Visalia* (2018) 20 Cal. App. 5th 1, 13, 17; see also *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1109. While a lead agency has the discretion to formulate standards for determining significance and the need for mitigation measures—the choice of any standards or thresholds of significance must be “based to the extent possible on scientific and factual data and an exercise of reasoned judgment based on substantial evidence. CEQA Guidelines § 15064(b); *Cleveland Nat’l Forest Found. v. San Diego Ass’n of Gov’ts* (2017) 3 Cal. App. 5th 497, 515; *Mission Bay Alliance v. Office of Community Inv. & Infrastructure* (2016) 6 Cal. App. 5th 160, 206. And when there is evidence that an impact could be significant, an EIR cannot adopt a contrary finding without providing an adequate explanation along with supporting evidence. *East Sacramento Partnership for a Livable City v. City of Sacramento* (2016) 5 Cal. App. 5th 281, 302.

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**O4-4**

The comment states that the potentially significant impacts to archaeological and human remains, which have been identified in the Draft EIR, and references mitigation measure M-CR-2, as proposed in the Draft EIR. The comment then states that the proposed mitigation measure is inadequate because it omits critical details and defers them for development at a later date.

The comment does not offer any information to detail what information the commenter believes has been omitted. To clarify, no human remains have been located on the site, nor is any discovery of human remains expected to occur, particularly as the site has been previously disturbed and developed as a hospital campus. Likewise, South Coastal Information Center records did not identify any cultural resources within the Project area. Refer to Chapter 4.2, Cultural Resources. The unanticipated discovery of human remains and impact to unknown cultural resources were conservatively considered potentially significant, and mitigation has been adopted in the unlikely event of such an unanticipated discovery. Because discovery of human remains or archaeological resources is not anticipated, no additional detail can be provided regarding archaeological resources or human remains in the mitigation measures. Nonetheless, the mitigation measures have been revised, where possible, to more specifically set forth performance criteria,

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Here, the DEIR has identified potentially significant impacts to archaeological and human remains relating to the latest discovery of either human remains or archaeological resources and has proposed mitigation measure M-CR-2. (DEIR, p. 4.2-30.) However, the DEIR’s proposal with respect to tribal human remains is inadequate because it omits critical details and defers them for development at a later date.

The DEIR notes that the City’s Planning Division recommended that the Applicant enters into a Tribal Cultural Resource Treatment and Monitoring Agreement prior to the issuance of a grading permit so that protocols and procedures could be formed for the discovery and protection of Native American human remains or related archaeological resources. However, the DEIR proposes no plan and includes no details as to what may be included in such a plan to mitigate this impact. This is an impermissible deferral of mitigation. Subsequent mitigation measures are also based upon the formulation of a future Agreement, including M-CR-3 and M-CR-4.

The DEIR should be revised to specify what will be included in the Tribal Cultural Resource Treatment and Monitoring Agreement.

C. The DEIR Fails to Support Its Thresholds of Significance and Findings with Substantial Evidence and Omits Information.

When new information is brought to light showing that an impact previously discussed in the DEIR but found to be insignificant with or without mitigation in the DEIR’s analysis has the potential for a significant environmental impact supported by substantial evidence, the EIR must consider and resolve the conflict in the evidence. See *Visalia Retail, L.P. v. City of Visalia* (2018) 20 Cal. App. 5th 1, 13, 17; see also *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1109. While a lead agency has the discretion to formulate standards for determining significance and the need for mitigation measures—the choice of any standards or thresholds of significance must be “based to the extent possible on scientific and factual data and an exercise of reasoned judgment based on substantial evidence. CEQA Guidelines § 15064(b); *Cleveland Nat’l Forest Found. v. San Diego Ass’n of Gov’ts* (2017) 3 Cal. App. 5th 497, 515; *Mission Bay Alliance v. Office of Community Inv. & Infrastructure* (2016) 6 Cal. App. 5th 160, 206. And when there is evidence that an impact could be significant, an EIR cannot adopt a contrary finding without providing an adequate explanation along with supporting evidence. *East Sacramento Partnership for a Livable City v. City of Sacramento* (2016) 5 Cal. App. 5th 281, 302.

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alternatives, factors to be considered, and objective procedures to be employed to ensure appropriate treatment in the event previously undetected cultural resources are encountered. However, because no archaeological resources or tribal cultural resources (TCR) have been identified on site, and discovering intact archaeological materials is unexpected (particularly given site build-out), it is impractical and infeasible for the City to provide additional specific details at this time.

Notwithstanding, in response to this comment, M-CR-6 has been revised to the following:

**M-CR-6** Prior to the issuance of the grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is traditionally and culturally affiliated with the Project Location (“TCA Tribe”) 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 the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items,

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Here, the DEIR has identified potentially significant impacts to archaeological and human remains relating to the latest discovery of either human remains or archaeological resources and has proposed mitigation measure M-CR-2. (DEIR, p. 4.2-30.) However, the DEIR’s proposal with respect to tribal human remains is inadequate because it omits critical details and defers them for development at a later date.

The DEIR notes that the City’s Planning Division recommended that the Applicant enters into a Tribal Cultural Resource Treatment and Monitoring Agreement prior to the issuance of a grading permit so that protocols and procedures could be formed for the discovery and protection of Native American human remains or related archaeological resources. However, the DEIR proposes no plan and includes no details as to what may be included in such a plan to mitigate this impact. This is an impermissible deferral of mitigation. Subsequent mitigation measures are also based upon the formulation of a future Agreement, including M-CR-3 and M-CR-4.

The DEIR should be revised to specify what will be included in the Tribal Cultural Resource Treatment and Monitoring Agreement.

C. The DEIR Fails to Support Its Thresholds of Significance and Findings with Substantial Evidence and Omits Information.

When new information is brought to light showing that an impact previously discussed in the DEIR but found to be insignificant with or without mitigation in the DEIR’s analysis has the potential for a significant environmental impact supported by substantial evidence, the EIR must consider and resolve the conflict in the evidence. See *Visalia Retail, L.P. v. City of Visalia* (2018) 20 Cal. App. 5th 1, 13, 17; see also *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1109. While a lead agency has the discretion to formulate standards for determining significance and the need for mitigation measures—the choice of any standards or thresholds of significance must be “based to the extent possible on scientific and factual data and an exercise of reasoned judgment based on substantial evidence. CEQA Guidelines § 15064(b); *Cleveland Nat’l Forest Found. v. San Diego Ass’n of Gov’ts* (2017) 3 Cal. App. 5th 497, 515; *Mission Bay Alliance v. Office of Community Inv. & Infrastructure* (2016) 6 Cal. App. 5th 160, 206. And when there is evidence that an impact could be significant, an EIR cannot adopt a contrary finding without providing an adequate explanation along with supporting evidence. *East Sacramento Partnership for a Livable City v. City of Sacramento* (2016) 5 Cal. App. 5th 281, 302.

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located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures M-CR-7 through M-CR-15, and the following information:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors.
- Project grading and development scheduling, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement.
- Requirements in the event of unanticipated discoveries, which shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.

<p>City of Escondido – Palomar Heights May 4, 2020 Page 5 of 18</p> <p>Here, the DEIR has identified potentially significant impacts to archaeological and human remains relating to the latest discovery of either human remains or archaeological resources and has proposed mitigation measure M-CR-2 (DEIR, p. 4.2-30.) However, the DEIR’s proposal with respect to tribal human remains is inadequate because it omits critical details and defers them for development at a later date.</p> <p>The DEIR notes that the City’s Planning Division recommended that the Applicant enters into a Tribal Cultural Resource Treatment and Monitoring Agreement prior to the issuance of a grading permit so that protocols and procedures could be formed for the discovery and protection of Native American human remains or related archaeological resources. However, the DEIR proposes no plan and includes no details as to what may be included in such a plan to mitigate this impact. This is an impermissible deferral of mitigation. Subsequent mitigation measures are also based upon the formulation of a future Agreement, including M-CR-3 and M-CR-4.</p> <p>The DEIR should be revised to specify what will be included in the Tribal Cultural Resource Treatment and Monitoring Agreement.</p> <p><b>C. <u>The DEIR Fails to Support Its Thresholds of Significance and Findings with Substantial Evidence and Omits Information.</u></b></p> <p>When new information is brought to light showing that an impact previously discussed in the DEIR but found to be insignificant with or without mitigation in the DEIR’s analysis has the potential for a significant environmental impact supported by substantial evidence, the EIR must consider and resolve the conflict in the evidence. See <i>Visalia Retail, L.P. v. City of Visalia</i> (2018) 20 Cal. App. 5th 1, 13, 17; see also <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal. App. 4th 1099, 1109. While a lead agency has the discretion to formulate standards for determining significance and the need for mitigation measures—the choice of any standards or thresholds of significance must be “based to the extent possible on scientific and factual data and an exercise of reasoned judgment based on substantial evidence. CEQA Guidelines § 15064(b); <i>Cleveland Nat’l Forest Found. v. San Diego Ass’n of Gov’ts</i> (2017) 3 Cal. App. 5th 497, 515; <i>Mission Bay Alliance v. Office of Community Inv. &amp; Infrastructure</i> (2016) 6 Cal. App. 5th 160, 206. And when there is evidence that an impact could be significant, an EIR cannot adopt a contrary finding without providing an adequate explanation along with supporting evidence. <i>East Sacramento Partnership for a Livable City v. City of Sacramento</i> (2016) 5 Cal. App. 5th 281, 302.</p>	<ul style="list-style-type: none"> <li>• Treatment of identified Native American cultural materials.</li> <li>• Treatment of Native American human remains and associated grave goods.</li> <li>• Confidentiality of cultural information including location and data.</li> <li>• Negotiation of disagreements should they arise.</li> <li>• Regulations that apply to cultural resources that have been identified or may be identified during project construction.</li> </ul> <p>As specifically stated in the measure, the agreement is “(1) to provide the Applicant with clear expectations regarding tribal cultural resources and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe.” It is noted that former M-CR-2 from the Draft EIR is now M-CR-6 in the Final EIR.</p> <p><b>O4-5</b> The comment cites CEQA-related case law regarding the process by which a lead agency must reanalyze or consider new information that could result in a change to a significance conclusion that has been identified within an EIR. In addition, the comment cites case law regarding lead agency discretion to formulate standards for determining significance, and discusses case law regarding the required level of analysis in</p>
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In addition, a determination that regulatory compliance will be sufficient to prevent significant adverse impacts must be based on a project-specific analysis of potential impacts and the effect of regulatory compliance. In *Californians for Alternatives to Toxics v. Department of Food & Agric.* (2005) 136 Cal. App. 4th 1, the court set aside an EIR for a statewide crop disease control plan because it did not include an evaluation of the risks to the environment and human health from the proposed program but simply presumed that no adverse impacts would occur from use of pesticides in accordance with the registration and labeling program of the California Department of Pesticide Regulation. See also *Ebbetts Pass Forest Watch v Department of Forestry & Fire Protection* (2008) 43 Cal. App. 4th 936, 956 (the fact that the Department of Pesticide Regulation had assessed environmental effects of certain herbicides, in general, did not excuse the failure to assess the effects of their use for specific timber harvesting project).

Finally, CEQA requires that an environmental document identify and discuss the significant effects of a Project, alternatives, and how those significant effects can be mitigated or avoided. CEQA Guidelines § 15126.2; PRC §§ 21100(b)(1), 21002.1(a). A Court “[w]hen reviewing whether a discussion is sufficient to satisfy CEQA, . . . the EIR (1) includes sufficient detail to enable those who did not participate in its preparation to understand and to consider the issues the proposed project raises meaningfully [citation omitted], and (2) makes a reasonable effort to substantively connect a project’s air quality impacts to likely health consequences.” *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502, 510 (citing *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 405); see also PRC §§ 21002.1(e), 21003(b). The Court may determine whether a CEQA environmental document sufficiently discloses the information required by CEQA *de novo* as “noncompliance with the information disclosure provisions” of CEQA is a failure to proceed in a manner required by law. PRC § 21005(a); see also *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502, 515.

1. *The DEIR Fails to Support its Findings on Greenhouse Gas Impacts with Substantial Evidence.*

CEQA Guidelines § 15064.4 allow a lead agency to determine the significance of a project’s GHG impact via a qualitative analysis (e.g., extent to which a project complies with regulations or requirements of state/regional/local GHG plans), and/or quantitative analysis (e.g., using model or methodology to estimate project emissions and compare it to a numeric threshold). So too, CEQA Guidelines allow lead agencies

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O4-6

**O4-6**

order to support a significance conclusion, and the required level of analysis needed in order to support the reliance on regulatory compliance for preventing adverse impacts. The comment does not raise a specific issue with the analysis of environmental impacts, or the mitigation measures, provided in the Draft EIR. The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment cites the CEQA Guidelines regarding a lead agency’s determination of the appropriate thresholds and level of significance related to GHG emissions. The comment does not raise a specific issue with the analysis or methodology provided in the Draft EIR. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**O4-7**

The comment states the Draft EIR relies on consistency with the City of Escondido’s CAP determining that the Project’s GHG impacts are less than significant. The

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to select what model or methodology to estimate GHG emissions so long as the selection is supported with substantial evidence, and the lead agency “should explain the limitations of the particular model or methodology selected for use.” CEQA Guidelines § 15064.4(c).

Here, the DEIR relies on consistency with the City of Escondido’s Climate Action Plan (“CAP”) in determining that the Project’s GHG impacts are less than significant. (DEIR, Appendix M, p. 31.) The DEIR further conducted qualitative analysis on GHG emissions in its GHG Impact Analysis and considered the Project’s consistency with SANDAG’s San Diego Forward Regional Plan and CARB’s 2008 and 2017 Scoping Plans.

Regarding the Project, the DEIR concludes that the Project’s GHG emissions will be less than significant primarily based on its consistency with the CAP because the Project achieves the numerical threshold set out in the CAP. However, as discussed below, the DEIR’s analysis of GHG impacts is inadequate because: 1) it relies on consistency with a CAP that is not compliant with CEQA; and 2) it relies on consistency with a CAP that may not be monitored or enforced by the City.

CEQA Guidelines sections 15064.4(b)(3) and 15183.5(b) allow a lead agency to consider a project’s consistency with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

However, a lead agency under CEQA is only allowed to determine if a project’s incremental contribution to cumulative greenhouse gas emissions are not significantly based on consistency with a statewide, regional, or local plan that:

- (1) **Inventory:** Quantify GHG emissions, both existing and projected over a specified time period, resulting from activities (e.g., projects) within a defined geographic area (e.g., lead agency jurisdiction);
- (2) **Establish GHG Reduction Goal:** Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;
- (3) **Analyze Project Types:** Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area;
- (4) **Craft Performance-Based Mitigation Measures:** Specify measures or a group of measures, including performance standards, that substantial evidence

O4-6  
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O4-7

O4-8

O4-9

comment states the Draft EIR conducted qualitative analysis on GHG emissions in its GHG Impact Analysis and considered the Project’s consistency with SANDAG’s San Diego Forward Regional Plan and CARB’s 2008 and 2017 Scoping Plan.

This comment inaccurately summarizes the GHG emissions analysis included in the Draft EIR. The Draft EIR does assess the Project’s consistency with the City’s CAP. However, as discussed in Section 5.2.6.2 (A) and (B), and Appendix M, the Project’s Draft EIR does not rely solely on consistency with the City’s CAP to conclude that GHG emissions would be less than significant. The Draft EIR also quantitatively estimates the proposed Project’s GHG emissions, finding the Project would result in a net reduction of 2,765.85 MT CO<sub>2</sub>e/year compared to existing conditions. The Draft EIR also assesses consistency with long range plans including SANDAG’s Regional Transportation Plan (RTP) and CARB’s 2017 Scoping Plan, which includes a quantitative VMT reduction analysis and qualitative discussion. As such, the Draft EIR analysis adequately addresses the CEQA Appendix G issue question pertaining to Project consistency with applicable plans that are adopted for the purpose of reducing emissions of GHG.

<p>City of Escondido – Palomar Heights May 4, 2020 Page 7 of 18</p>	<p>to select what model or methodology to estimate GHG emissions so long as the selection is supported with substantial evidence, and the lead agency “should explain the limitations of the particular model or methodology selected for use.” CEQA Guidelines § 15064.4(c).</p>	<p>O4-6 Cont.</p>	<p><b>O4-8</b> The comment states that “the Draft EIR concludes that the Project’s GHG emissions will be less than significant primarily based on its consistency with the CAP because the Project achieves the numerical threshold set out in the CAP.” The comment then states that the analysis is inadequate because the Draft EIR relies on a CAP that is not compliant with CEQA, and the CAP that may not be monitored or enforced by the City.</p>
<p>Here, the DEIR relies on consistency with the City of Escondido’s Climate Action Plan (“CAP”) in determining that the Project’s GHG impacts are less than significant. (DEIR, Appendix M, p. 31.) The DEIR further conducted qualitative analysis on GHG emissions in its GHG Impact Analysis and considered the Project’s consistency with SANDAG’s San Diego Forward Regional Plan and CARB’s 2008 and 2017 Scoping Plans.</p>	<p>O4-7</p>	<p>The comment mischaracterizes the analysis as “primarily” basing the GHG impact significance determination on compliance with the City’s CAP; see above response to comment O4-9. The Draft EIR assesses the Project consistency with several relevant long-term GHG reduction plans and demonstrates the Project would result in net negative GHG emissions relative to existing conditions. Collectively, the consistency with relevant plans and a net reduction in GHG emissions are what determine the basis for the “less than significant” significance determination for the Project.</p>	
<p>Regarding the Project, the DEIR concludes that the Project’s GHG emissions will be less than significant primarily based on its consistency with the CAP because the Project achieves the numerical threshold set out in the CAP. However, as discussed below, the DEIR’s analysis of GHG impacts is inadequate because: 1) it relies on consistency with a CAP that is not compliant with CEQA; and 2) it relies on consistency with a CAP that may not be monitored or enforced by the City.</p>	<p>O4-8</p>	<p><b>O4-9</b> The comment cites the CEQA Guidelines regarding requirements for a Project’s GHG emissions impact analysis to tier from a CAP, and does not offer information that warrants further discussion or edits to the Draft EIR. No further response is required.</p>	
<p>CEQA Guidelines sections 15064.4(b)(3) and 15183.5(b) allow a lead agency to consider a project’s consistency with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.</p>	<p>O4-9</p>	<p><b>O4-10</b> The comment states the Draft EIR “fails to demonstrate that the CAP includes the above-listed requirements to be</p>	
<p>However, a lead agency under CEQA is only allowed to determine if a project’s incremental contribution to cumulative greenhouse gas emissions are not significantly based upon consistency with a statewide, regional, or local plan that:</p>			
<ol style="list-style-type: none"> <li>(1) <b>Inventory:</b> Quantify GHG emissions, both existing and projected over a specified time period, resulting from activities (e.g., projects) within a defined geographic area (e.g., lead agency jurisdiction);</li> <li>(2) <b>Establish GHG Reduction Goal:</b> Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;</li> <li>(3) <b>Analyze Project Types:</b> Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area;</li> <li>(4) <b>Craft Performance-Based Mitigation Measures:</b> Specify measures or a group of measures, including performance standards, that substantial evidence</li> </ol>			

<p>City of Escondido – Palomas Heights May 4, 2020 Page 8 of 18</p> <p>demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level; and</p> <p>(5) <b>Monitoring:</b> Establish a mechanism to monitor the CAP progress toward achieving said level and requiring amendment if the plan is not achieving specified levels.</p> <p>Collectively, a proper CAP ties qualitative measures to quantitative results, which in turn become binding via proper monitoring and enforcement by the jurisdiction—all resulting in real GHG reductions for the jurisdiction as a whole, and the substantial evidence that the incremental contribution of an individual project is not cumulatively considerable.</p> <p>Here, however, the DEIR fails to demonstrate that the CAP includes the above-listed requirements to be considered a qualified CAP for the City. As such, the DEIR leaves an analytical gap showing that compliance with said plans can be used for a project-level significance determination for the Project. Thus, the DEIR’s GHG analysis should not be relied upon to determine Project significance.</p> <p>i. <i>The Escondido CAP is Outdated and Not Based on SB 32.</i></p> <p>The CAP for the City of Escondido was adopted on December 4, 2013, and designed to reduce GHG emissions consistent with “the state’s adopted AB 32 GHG reduction target...to reduce emissions back to 1990 levels by the year 2020.”<sup>1</sup> The goal of the CAP then is to “[r]educe emissions attributable to Escondido to levels at or below 1990 GHG emissions by the year 2020 consistent with the target reductions of AB 32.”<sup>2</sup> Compliance with the CAP then allows future development projects within Escondido to streamline their GHG analysis under CEQA by comparing a project to the CAP requirements.</p> <p>However, AB 32 was superseded by SB 32 in 2016. AB 32 enshrined the first two goals of Executive Order S-03-05 into law and directed the California Air Resources Board (CARB) to develop a “Scoping Plan” that describes how the state will achieve its emission reduction targets. SB 32 added the target for 2030 announced in Executive</p> <p><sup>1</sup> City of Escondido Climate Action Plan, S-2, <a href="https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/ClimateActionPlan/AdoptedClimateActionPlan.pdf">https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/ClimateActionPlan/AdoptedClimateActionPlan.pdf</a> <sup>2</sup> <i>Id.</i> at 1-3.</p>	<p>O4-9 Cont.</p> <p>O4-10</p> <p>O4-11</p> <p>O4-12</p> <p><b>O4-11</b> The comment provides a regulatory history of the City’s CAP, and does not offer information that warrants further discussion or edits to the Draft EIR. No further response is required.</p> <p><b>O4-12</b> The comment provides a regulatory context of the City’s CAP and CARB’s 2017 Scoping Plan. It does not offer information that warrants further discussion or edits to the Draft EIR. No further response is required.</p> <p><b>O4-13</b> The comment states the City’s CAP was only adopted to meet the goals of AB 32 not SB 32, whose targets</p>
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Order B-30-15 (to reduce emissions 40 percent below 1990 levels) and required CARB to make corresponding updates to the Scoping Plan. (Health & Safety Code § 38566.)

CARB’s 2017 Scoping Plan, based upon SB 32 targets, calls for “[s]ufficiently detailed and adequately supported GHG reduction plans (including CAPs)...[that] provide local governments with a valuable tool for streamlining project-level environmental review.”<sup>3</sup> CARB’s 2017 Scoping Plan calls for adequate local CAPs upon which adequate CEQA GHG analysis may be based, according to CEQA Guidelines § 15183.5, sub. (b).<sup>4</sup>

The Project claims consistency with the Escondido CAP based on its screening threshold of 2,500 CO<sub>2</sub>e, but that threshold was only adopted to meet the goals of AB 32—not SB 32, whose targets intend to further increase GHG emission reductions beyond 2020. SB 32’s current targets are to reduce emissions by an additional 40% below 1990 levels by 2030<sup>5</sup>; thus, the Project cannot be said to have a less than significant impact relating to GHG emissions based upon consistency with a CAP that does not comply with SB 32 targets.

The DEIR’s compliance with the CAP and conclusion of a less than significant GHG impact based on compliance with an outdated CAP is therefore unsupported by substantial evidence. The City should revise the EIR and explain how the Project complies with SB 32 and the new GHG reduction targets to further reduce GHG emissions beyond 2020.

- ii. *There is No Evidence the CAP is Monitored or Enforced by the City.*

While the CAP includes a monitoring mechanism,<sup>6</sup> it is unclear if the City has been monitoring compliance with its provisions. CAPs generally should undergo monitoring pursuant to CEQA Guidelines §§ 15064.4(b)(3) and 15183.5(b)(1) so that they are effective, but there is no evidence here that the City has been conducting compliance monitoring with its CAP. A search of the City’s website fails to reveal any publicly

<sup>3</sup> CARB (Nov. 2017) California’s 2017 Climate Change Scoping Plan at 101, [https://ww3.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf).

<sup>4</sup> California Air Resources Board (CARB), Assembly Bill 32 Overview, <https://ww3.arb.ca.gov/cc/ab32/ab32.htm>.

<sup>5</sup> CARB 2017 Scoping Plan at E56, [https://ww3.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf).

<sup>6</sup> CAP at 7-10.

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 O4-16

intend to further reduce GHG emissions reduction beyond 2020. The comment states the determination that the Project would have a less-than-significant impact to GHG emissions cannot be based on the claim of consistency with the CAP based on its screening threshold of 2,500 CO<sub>2</sub>e, because, the comment contends, the CAP does not comply with SB 32 targets. As discussed in responses to comments O4-9 and O4-10, the Draft EIR and the analysis in Appendix M rely on several relevant plans, including CARB’s 2017 Scoping Plan and the most recent version of SANDAG’s RTP, as well as a quantitative estimate of Project GHG emissions showing the Project would result in a net reduction in GHG emissions, to determine the Project would result in less-than-significant impacts with respect to GHG emissions. Specifically, the Project was found consistent with the measures of CARB’s 2017 Scoping Plan, which includes GHG reduction measures to meet reduction targets outlined in SB 32. Refer to Table 8 of Appendix M. Further, CARB’s Scoping Plan states that CARB supports a “no net additional increase in GHG emissions” as an appropriate objective for new development, while recognizing that lead agencies may elect to adopt non-zero (i.e., increased) GHG emission thresholds. (Refer to CARB’s 2017 Scoping Plan, pp. 101-102, [https://ww3.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf).) Here, the Project would improve upon net zero emissions by substantially

<p>City of Escondido – Palomar Heights May 4, 2020 Page 9 of 18</p>	<p>Order B-30-15 (to reduce emissions 40 percent below 1990 levels) and required CARB to make corresponding updates to the Scoping Plan. (Health &amp; Safety Code § 38566.)</p>	<p>↑ O4-12 Cont.</p>	<p>reducing existing GHG emissions by 2,765.85 MT CO<sub>2</sub>e/year. Therefore, the Draft EIR demonstrates that the Project is consistent with SB 32 and the CARB Scoping Plan, resulting in less-than-significant impacts relative to GHGs. No revisions to the Draft EIR are required as a result of this comment.</p>
<p>CARB’s 2017 Scoping Plan, based upon SB 32 targets, calls for “[s]ufficiently detailed and adequately supported GHG reduction plans (including CAPs)...[that] provide local governments with a valuable tool for streamlining project-level environmental review.”<sup>3</sup> CARB’s 2017 Scoping Plan calls for adequate local CAPs upon which adequate CEQA GHG analysis may be based, according to CEQA Guidelines § 15183.5, sub. (b).<sup>4</sup></p>	<p>The Project claims consistency with the Escondido CAP based on its screening threshold of 2,500 CO<sub>2</sub>e, but that threshold was only adopted to meet the goals of AB 32—not SB 32, whose targets intend to further increase GHG emission reductions beyond 2020. SB 32’s current targets are to reduce emissions by an additional 40% below 1990 levels by 2030<sup>5</sup>; thus, the Project cannot be said to have a less than significant impact relating to GHG emissions based upon consistency with a CAP that does not comply with SB 32 targets.</p>	<p>O4-13</p>	<p><b>O4-14</b> The comment states that the Project’s compliance with the City’s CAP and conclusion based on compliance with an outdated CAP is unsupported by substantial evidence. This comment also states the City should revise the Draft EIR and explain how the Project complies with SB 32 and the new GHG reduction targets to further reduce GHG emissions beyond 2020. See responses to comments O4-9, O4-10, and O4-15.</p>
<p>The DEIR’s compliance with the CAP and conclusion of a less than significant GHG impact based on compliance with an outdated CAP is therefore unsupported by substantial evidence. The City should revise the EIR and explain how the Project complies with SB 32 and the new GHG reduction targets to further reduce GHG emissions beyond 2020.</p>	<p>ii. <i>There is No Evidence the CAP is Monitored or Enforced by the City.</i></p>	<p>O4-14</p>	<p><b>O4-15</b> The comment discusses the City’s monitoring system for the CAP and the lack of publicly available information. The comment does not raise any environmental issues concerning the adequacy of the Draft EIR. It does not offer information that warrants further discussion or edits to the Draft EIR. Therefore, no further response is required.</p>
<p>While the CAP includes a monitoring mechanism,<sup>6</sup> it is unclear if the City has been monitoring compliance with its provisions. CAPs generally should undergo monitoring pursuant to CEQA Guidelines §§ 15064.4(b)(3) and 15183.5(b)(1) so that they are effective, but there is no evidence here that the City has been conducting compliance monitoring with its CAP. A search of the City’s website fails to reveal any publicly</p>	<p><sup>3</sup> CARB (Nov. 2017) California’s 2017 Climate Change Scoping Plan at 101, <a href="https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf">https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf</a></p>	<p>O4-15</p>	<p><b>O4-16</b> The comment further discusses the City’s reporting and monitoring requirements and states that, with the lack of available reports, the Draft EIR lacks substantial evidence that complying with the CAP translates to actual GHG reductions. The City</p>
<p><sup>4</sup> California Air Resources Board (CARB), Assembly Bill 32 Overview, <a href="https://ww3.arb.ca.gov/cc/ab32/ab32.htm">https://ww3.arb.ca.gov/cc/ab32/ab32.htm</a></p>	<p><sup>5</sup> CARB 2017 Scoping Plan at E56, <a href="https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf">https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf</a></p>	<p>↓ O4-16</p>	
<p><sup>6</sup> CAP at 7-10.</p>			

<p>City of Escondido – Palomar Heights                  May 4, 2020                  Page 10 of 18</p> <p>available documentation such as progress reports, GHG inventories, and completion of GHG reduction measures called for in the CAP.</p> <p>The City seems to have failed to satisfy the CAP’s reporting and monitoring requirements, and with no reports available to review, the DEIR lacks substantial evidence that complying with the CAP translates to actual GHG reductions.</p> <p>2. <i>The City’s Cultural Resources Analysis is Not Based Upon Substantial Evidence.</i></p> <p>It is well-established that architectural and historic resource impacts can be significant impacts that must be studied under CEQA Guidelines App. G. Under Pub. Res. Code § 21084.1, a project may have a significant effect on the environment if it causes a substantial adverse change in the significance of a historical resource. The fact a resource is not listed in a state or local register or identified in a survey does not preclude a lead agency from determining a resource is historically significant. See CEQA Guidelines § 15064.5(a)(4). A historical resource is “materially impaired when a project ... [d]emolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion” as a state or local historical resource. <i>Id.</i>, subd. (b)(2)(C). This is significant under CEQA. See, e.g., Pub. Res. Code § 15064.5(b); <i>Ocean View Estates v. Montecito Water Dist.</i> (2004) 116 Cal.App.4th 396, 401; <i>Quail Botanic Gardens v. City of Encinitas</i> (1994) 29 Cal.App.4th 1597, 1603-1605.</p> <p>Here, the DEIR identifies the 121-141 N. Fig building as a historic building eligible for designation under the California Register of Historical Resources, Criterion 3.<sup>7</sup> Hence, there is a potential for a significant impact identified in the DEIR as Impact CR-1. (DEIR, p. 4.2-25.) As stated in the DEIR, the 121-141 N. Fig building was designed by Russell Forester, a recognized architect is a good example of the International Style, and it has not been modified since completion in 1965. (DEIR, p. 4.2-25.)</p> <p>The DEIR concludes that mitigation measure M-CR-1 is required, calling for documentation of the structure prior to demolition—but the DEIR fails to adequately analyze alternatives such as preservation or relocation in its analysis. The DEIR</p> <p><sup>7</sup> Criterion 3 for eligibility on California Register of Historical Resources: “Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.” <a href="https://ohp.parks.ca.gov/?page_id=21238">https://ohp.parks.ca.gov/?page_id=21238</a></p>	<p>O4-16 Cont.</p> <p>O4-17</p> <p>O4-18</p> <p>O4-19</p> <p>O4-20</p>	<p>acknowledges the comment regarding CAP documentation and progress, and notes it does not raise an issue with the Project’s Draft EIR. As discussed in response to comment O4-10, the quantitative estimate of Project GHG emissions shows the Project would result in a net reduction in GHG emissions. The City’s CAP’s lack of available monitoring data does not prevent the Draft EIR from establishing the Project would result in “actual GHG reductions” as other substantial evidence in the Draft EIR supports this conclusion.</p> <p><b>O4-17</b> The comment provides background information and cites CEQA-related case law regarding the required level of detail needed for an analysis of architectural and historical resources under CEQA Guidelines Appendix G. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>O4-18</b> The comment summarizes information contained in the Draft EIR pertaining to the analysis of impacts to the 121-141 Fig Street building. The comment does not raise an issue with the analysis contained in the Draft EIR. This comment is included in the Final EIR</p>
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<p>City of Escondido – Palomar Heights May 4, 2020 Page 10 of 18</p> <p>available documentation such as progress reports, GHG inventories, and completion of GHG reduction measures called for in the CAP.</p> <p>The City seems to have failed to satisfy the CAP’s reporting and monitoring requirements, and with no reports available to review, the DEIR lacks substantial evidence that complying with the CAP translates to actual GHG reductions.</p> <p style="padding-left: 40px;">2. <i>The City’s Cultural Resources Analysis is Not Based Upon Substantial Evidence.</i></p> <p>It is well-established that architectural and historic resource impacts can be significant impacts that must be studied under CEQA Guidelines App. G. Under Pub. Res. Code § 21084.1, a project may have a significant effect on the environment if it causes a substantial adverse change in the significance of a historical resource. The fact a resource is not listed in a state or local register or identified in a survey does not preclude a lead agency from determining a resource is historically significant. See CEQA Guidelines § 15064.5(a)(4). A historical resource is “materially impaired when a project ... [d]emolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion” as a state or local historical resource. <i>Id.</i>, subd. (b)(2)(C). This is significant under CEQA. See, e.g., Pub. Res. Code § 15064.5(b); <i>Ocean View Estates v. Montecito Water Dist.</i> (2004) 116 Cal.App.4th 396, 401; <i>Quail Botanic Gardens v. City of Encinitas</i> (1994) 29 Cal.App.4th 1597, 1603-1605.</p> <p>Here, the DEIR identifies the 121-141 N. Fig building as a historic building eligible for designation under the California Register of Historical Resources, Criterion 3.<sup>7</sup> Hence, there is a potential for a significant impact identified in the DEIR as Impact CR-1. (DEIR, p. 4.2-25.) As stated in the DEIR, the 121-141 N. Fig building was designed by Russell Forester, a recognized architect is a good example of the International Style, and it has not been modified since completion in 1965. (DEIR, p. 4.2-25.)</p> <p>The DEIR concludes that mitigation measure M-CR-1 is required, calling for documentation of the structure prior to demolition—but the DEIR fails to adequately analyze alternatives such as preservation or relocation in its analysis. The DEIR</p> <p><sup>7</sup> Criterion 3 for eligibility on California Register of Historical Resources: “Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.” <a href="https://ohp.parks.ca.gov/?page_id=21238">https://ohp.parks.ca.gov/?page_id=21238</a></p>	<p>O4-16 Cont.</p> <p>O4-17</p> <p>O4-18</p> <p>O4-19</p> <p>O4-20</p>	<p>for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>O4-19</b> The comment states M-CR-1 is required, but asserts the Draft EIR “fails to adequately analyze alternatives such as preservation or relocation in its analysis.” The comment about M-CR-1 summarizes information contained in the Draft EIR but does not raise an issue with the analysis contained in the Draft EIR. As the commenter notes in comment O4-22, the Draft EIR analyzed two alternatives in Chapter 7 that would preserve the 121-141 N. Fig Street building.</p> <p><b>O4-20</b> This comment incorrectly states that the Draft EIR does not include an analysis of preservation or relocation of the structures at 121-141 N. Fig Street. The first sentence under Section 4.2.5, Mitigation, states, “To reduce the Project impact to historic resources located at 121–141 N. Fig Street (Impact CR-1 and Impact CR-CUM-1), mitigation options considered include preservation, building relocation and building documentation.” Section 4.2.5 goes on to state that the EIR includes an analysis of three alternatives, each of which includes preservation of the structures at 121-141 N. Fig Street and provides a cross-reference to Chapter 7, Alternatives. Refer to Sections 7.6, Analysis of the No Project/No Development Alternative; Section 7.7, Analysis of the Reduced Footprint Alternative; and Section 7.8,</p>
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The DEIR proposes a development agreement, which would include a transfer of density from the Project area east of Valley Boulevard to the Project area west of Valley Boulevard in order to allow a density greater than 75 du/ac west of Valley Boulevard. The DEIR concludes that the transfer would be in accord with the City’s Density Transfer Program.

O4-21  
 Cont.

Under Appendix G of the CEQA Guidelines, a significant impact on land use and planning may occur when a significant environmental impact may occur due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

O4-22

The DEIR proposes a density transfer that is inconsistent with the City’s General and Downtown Specific Plan, as discussed in further detail below. The DEIR contains no analysis of this inconsistency, potential for environmental impact resulting, or any discussion of the density transfer within the analysis of its land-use impact. Because the request to transfer densities within the Project site may violate the City’s Density Transfer Program under the Downtown Specific Plan—an analysis must be conducted whether this may or may not result in a potentially significant environmental impact requiring mitigation. Failure to do so is an unlawful omission of the information under CEQA.

**O4-21**

Analysis of Historic Preservation Alternative. Per this comment, a feasibility discussion has been added to each of these alternatives. Additional mitigation has been included for historical resources as well, including potential relocation (M-CR-1), salvage of materials (M-CR-3), monitoring (M-CR-4), and an interpretive program (M-CR-5), which together with M-CR-2 (HABS documentation) will reduce impacts from the loss of this small component of the hospital campus to less than significant. Refer to Section 4.2, Cultural Resources, for additional details.

**III. THE PROJECT VIOLATES THE STATE PLANNING AND ZONING LAW AS WELL AS THE CITY’S GENERAL PLAN**

**A. Background Regarding the State Planning and Zoning Law**

An EIR must identify, fully analyze, and mitigate any inconsistencies between a proposed project and the general, specific, regional, and other plans that apply to the project. CEQA Guidelines § 15125(d), *Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th 1552, 1566; *Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 881. There does not need to be a direct conflict to trigger this requirement, even if a project is “incompatible” with the “goals and policies” of a land-use plan, the EIR must assess the divergence between the project and the plan, and mitigate any adverse effects of the inconsistencies. *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 378-79; see also *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land-use policies); *Friends of “B” Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (held

O4-23

No federal, state, or local law or regulation prohibits the demolition of historic resources. Although it is generally preferred that a historic resource be avoided or relocated, the Draft EIR explains that the Historic Building Preservation Alternative and the Reduced Footprint Alternative may not present feasible Project alternatives for the Palomar Heights Project (see Chapter 7, Alternatives). Refer to the additional feasibility discussions added to the Final EIR, Chapter 7. Because these alternatives may not be feasible, the EIR proposes mitigation that would reduce impacts to historic resources to less than significant. In response to comments, mitigation measures M-CR-1, and M-CR-3 to M-CR-5 have been added to the Final EIR. These additional mitigation measures would be employed in addition to the Historic American Buildings Survey (HABS) documentation (M-CR-2). The measures include

<p>City of Escondido – Palomar Heights May 4, 2020 Page 12 of 18</p>	<p>O4-21 Cont.</p>	<p>architectural salvage of suitable materials, on-site construction/demolition observation, and the development and installation of an interpretive display.</p>
<p>The DEIR proposes a development agreement, which would include a transfer of density from the Project area east of Valley Boulevard to the Project area west of Valley Boulevard in order to allow a density greater than 75 du/ac west of Valley Boulevard. The DEIR concludes that the transfer would be in accord with the City's Density Transfer Program.</p>	<p>O4-22</p>	<p>The salvage of architectural materials (M-CR-3) measure requires that distinctive representative architectural elements (interior and exterior) be identified and salvaged for reuse as part of the proposed plan or removed to another on-site location, as provided in the Secretary of the Interior's Standards for Rehabilitation, prior to demolition.</p>
<p>Under Appendix G of the CEQA Guidelines, a significant impact on land use and planning may occur when a significant environmental impact may occur due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.</p>	<p>O4-23</p>	<p>If on-site reuse or relocation is not feasible, opportunities would be made for the materials to be donated to any interested historical or archival repositories to the satisfaction of the City of Escondido Director of Community Development. M-CR-4 would require that a qualified architect make periodic site visits to monitor demolition/construction activities to ensure compliance with the approved construction documents with regards to historic resources. This would be documented to the satisfaction of the City of Escondido Director of Community Development prior to issuance of a certificate of occupancy.</p>
<p>The DEIR proposes a density transfer that is inconsistent with the City's General and Downtown Specific Plan, as discussed in further detail below. The DEIR contains no analysis of this inconsistency, potential for environmental impact resulting, or any discussion of the density transfer within the analysis of its land-use impact. Because the request to transfer densities within the Project site may violate the City's Density Transfer Program under the Downtown Specific Plan—an analysis must be conducted whether this may or may not result in a potentially significant environmental impact requiring mitigation. Failure to do so is an unlawful omission of the information under CEQA.</p>		<p>During the course of administering and implementing this measure, in the event that previously unidentified historic fabric is discovered, a qualified historic architect, in consultation with City staff, shall determine its potential use or donation within the framework of the Secretary of the Interior's Standards for Rehabilitation. M-CR-5 requires that the Project applicant work with City of Escondido</p>
<p><b>III. THE PROJECT VIOLATES THE STATE PLANNING AND ZONING LAW AS WELL AS THE CITY'S GENERAL PLAN</b></p>		
<p><b>A. Background Regarding the State Planning and Zoning Law</b></p>		
<p>An EIR must identify, fully analyze, and mitigate any inconsistencies between a proposed project and the general, specific, regional, and other plans that apply to the project. CEQA Guidelines § 15125(d); <i>Pfeiffer v. City of Sunnyvale City Council</i> (2011) 200 Cal.App.4th 1552, 1566; <i>Friends of the Eel River v. Sonoma County Water Agency</i> (2003) 108 Cal.App.4th 859, 881. There does not need to be a direct conflict to trigger this requirement; even if a project is "incompatible" with the "goals and policies" of a land-use plan, the EIR must assess the divergence between the project and the plan, and mitigate any adverse effects of the inconsistencies. <i>Napa Citizens for Honest Government v. Napa County Bd. of Supervisors</i> (2001) 91 Cal.App.4th 342, 378-79; see also <i>Pocket Protectors v. City of Sacramento</i> (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land-use policies); <i>Friends of "B" Street v. City of Hayward</i> (1980) 106 Cal.App.3d 988, 998 (held</p>		

<p>City of Escondido – Palomar Heights May 4, 2020 Page 12 of 18</p>	<p>The DEIR proposes a development agreement, which would include a transfer of density from the Project area east of Valley Boulevard to the Project area west of Valley Boulevard in order to allow a density greater than 75 du/ac west of Valley Boulevard. The DEIR concludes that the transfer would be in accord with the City's Density Transfer Program.</p>	<p>O4-21 Cont.</p>	<p>Planning Department staff or other qualified professionals to institute an on-site interpretive program that references the property's history and the contribution of the historic resource to the broader neighborhood or historic district. Refer to revised Final EIR Section 4.2, Cultural Resources, for additional details. With the implementation of this mitigation, impacts to historical resources would be less than significant.</p>
<p>Under Appendix G of the CEQA Guidelines, a significant impact on land use and planning may occur when a significant environmental impact may occur due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.</p>	<p>The DEIR proposes a density transfer that is inconsistent with the City's General and Downtown Specific Plan, as discussed in further detail below. The DEIR contains no analysis of this inconsistency, potential for environmental impact resulting, or any discussion of the density transfer within the analysis of its land-use impact. Because the request to transfer densities within the Project site may violate the City's Density Transfer Program under the Downtown Specific Plan—an analysis must be conducted whether this may or may not result in a potentially significant environmental impact requiring mitigation. Failure to do so is an unlawful omission of the information under CEQA.</p>	<p>O4-22</p>	<p><b>O4-22</b> With the proposed Specific Plan Amendment, the Project would be consistent with the Downtown Specific Plan, General Plan, and Zoning Ordinance upon Project approval. The Density Transfer Program was unanimously approved by the City Council on May 1, 2019. The proposed density transfer is allowed by the Density Transfer Program. Additional clarification was added to the Final EIR to explain the Density Transfer Program process; see Final EIR pages 2-11 to 2-12. The Project would be consistent with applicable land use regulations. This change in density was analyzed as a part of the Project throughout the Draft EIR and no additional impact beyond that already analyzed would result. No revisions to the Draft EIR are required as a result of this comment.</p>
<p>III. THE PROJECT VIOLATES THE STATE PLANNING AND ZONING LAW AS WELL AS THE CITY'S GENERAL PLAN</p>	<p>A. Background Regarding the State Planning and Zoning Law</p>	<p>O4-23</p>	<p><b>O4-23</b> The comment provides background information and references CEQA-related case law pertaining to required land use consistency analyses within an EIR.</p>
<p>An EIR must identify, fully analyze, and mitigate any inconsistencies between a proposed project and the general, specific, regional, and other plans that apply to the project. CEQA Guidelines § 15125(d); <i>Pfeiffer v. City of Sunnyvale City Council</i> (2011) 200 Cal.App.4th 1552, 1566; <i>Friends of the Eel River v. Sonoma County Water Agency</i> (2003) 108 Cal.App.4th 859, 881. There does not need to be a direct conflict to trigger this requirement; even if a project is "incompatible" with the "goals and policies" of a land-use plan, the EIR must assess the divergence between the project and the plan, and mitigate any adverse effects of the inconsistencies. <i>Napa Citizens for Honest Government v. Napa County Bd. of Supervisors</i> (2001) 91 Cal.App.4th 342, 378-79; see also <i>Pocket Protectors v. City of Sacramento</i> (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land-use policies); <i>Friends of "B" Street v. City of Hayward</i> (1980) 106 Cal.App.3d 988, 998 (held</p>			

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county development and infrastructure improvements must be consistent with adopted general plans) (citing Gov. Code 65302).

B. The DEIR's Lack of Affordable Housing Units is Inconsistent with the State's RHNA Allocations

Since 1969, California has *required* that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. California's local governments meet this requirement by adopting housing plans as part of their "general plan" (also required by the state). General plans serve as the local government's "blueprint" for how the city and/or county will grow and develop and include seven elements: land use, transportation, conservation, noise, open space, safety, and housing. The law mandating that housing be included as an element of each jurisdiction's general plan is known as "housing-element law." California's housing-element law acknowledges that, in order for the private market to adequately address the housing needs and demand of Californians, local governments must adopt plans and regulatory systems that provide opportunities for (and do not unduly constrain), housing development. As a result, housing policy in California rests largely on the *effective implementation* of local general plans and, in particular, local housing elements. Existing law requires the housing element to contain a program that sets a 5-year schedule of actions to implement the goals and objectives of the housing element under RHNA allocations. Existing law also requires cities and counties to review and revise their housing elements at least every five years for compliance. (Gov. Code § 65584.)

The City of Escondido's General Plan – Housing Element was adopted in August 2011.<sup>10</sup> Escondido's RHNA is described beginning on page 82 of the Housing Element. SANDAG's RHNA was adopted in 2011 and allocated a need for 4,175 new housing units in the City for the period between January 1, 2010, to December 31, 2020. The number of units needed is broken down by income category on page 83 of the Housing Element. There is a need for 460 units for extremely low-income residents, 582 for very low income, 791 for low income, 733 for moderate-income, and 1,609 for above moderate-income residents.<sup>11</sup>

<sup>10</sup> City of Escondido General Plan Housing Element, <https://www.escondido.org/Data/Sites/1/media/pdfs/Housing/DraftHousingElement.pdf>.  
<sup>11</sup> *Id.* at 83.

↑ O4-23  
 Cont.

O4-24

O4-25

The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**O4-24**

The comment consists of background information regarding the State of California Regional Housing Needs Assessment (RHNA) allocation requirements. The City acknowledges the comment and notes it

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According to SANDAG’s RHNA assessment, or progress report for 2019, which tracked the progress toward the City of Escondido’s RHNA allocation requirements and compliance with the City’s Housing Element—the City is extremely far behind meeting its RHNA allocations for very low, low, and moderate-income housing units.<sup>12</sup> Almost no measurable progress was made from 2010 until the present in creating housing units for any group other than above moderate-income residents. The City’s own Housing Element Annual Report from 2017 indicates the same—the City is very far behind creating new affordable housing units and will not come close to meeting the RHNA requirement under state law.<sup>13</sup>

There is no reason units for very low, low, and moderate-income residents cannot be included in this Project. The Project should be amended to include affordable housing units as required under the City’s General Plan.

C. The Project’s Proposed Density Transfer is Inconsistent with the Downtown Specific Plan

The City appears to have adopted a Density Transfer Program under the Downtown Specific Plan per the City Planning Commission’s April 9, 2019 vote.<sup>14</sup> Commenters could find no other record evidence that the City Council or voters approved such an amendment to the City’s Downtown Specific Plan. Commenters operate under the assumption that the publicly available draft of the Density Transfer Program dated March 26, 2019, has or will be incorporated into the City’s Downtown Specific Plan.<sup>15</sup>

The Density Transfer Program (“DTP”) allows the City to transfer densities from undeveloped or underutilized properties (sending areas) within the Downtown Specific Plan to developing properties (receiving areas) to enable a developing property to increase its density beyond what current zoning permits. Notably, the receiving

<sup>12</sup> SANDAG 5<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) Fact Sheet, [https://www.sandag.org/uploads/publicationid/publicationid\\_4647\\_27206.pdf](https://www.sandag.org/uploads/publicationid/publicationid_4647_27206.pdf)

<sup>13</sup> 2017 City of Escondido Annual Housing Element Progress Report, <https://www.escondido.org/data/sites/1/media/pdfs/housing/annualhousingelementreport.pdf?v=4>

<sup>14</sup> April 9, 2019, Escondido Planning Commission meeting minutes, p. 4887. <https://www.escondido.org/Data/Sites/1/media/minutes/PC/2019/04.09.19PCMinutesApproved.pdf>

<sup>15</sup> Draft text of Density Transfer Program, March 26, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DensityTransferProgram/DensityTransferProgram032619.pdf>



raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. Because the comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR, no further response is required. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**04-25** The comment consists of background information regarding the State of California RHNA allocation requirements. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**04-26** The comment references the details of SANDAG’s RHNA assessment report for 2019, stating that the City is behind in meeting its RHNA requirements. In addition, the comment references the City’s Housing Element Annual Report from 2017, which stated that the

City of Escondido – Palomar Heights  
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According to SANDAG’s RHNA assessment, or progress report for 2019, which tracked the progress toward the City of Escondido’s RHNA allocation requirements and compliance with the City’s Housing Element—the City is extremely far behind meeting its RHNA allocations for very low, low, and moderate-income housing units.<sup>12</sup> Almost no measurable progress was made from 2010 until the present in creating housing units for any group other than above moderate-income residents. The City’s own Housing Element Annual Report from 2017 indicates the same—the City is very far behind creating new affordable housing units and will not come close to meeting the RHNA requirement under state law.<sup>13</sup>

There is no reason units for very low, low, and moderate-income residents cannot be included in this Project. The Project should be amended to include affordable housing units as required under the City’s General Plan.

C. The Project’s Proposed Density Transfer is Inconsistent with the Downtown Specific Plan

The City appears to have adopted a Density Transfer Program under the Downtown Specific Plan per the City Planning Commission’s April 9, 2019 vote.<sup>14</sup> Commenters could find no other record evidence that the City Council or voters approved such an amendment to the City’s Downtown Specific Plan. Commenters operate under the assumption that the publicly available draft of the Density Transfer Program dated March 26, 2019, has or will be incorporated into the City’s Downtown Specific Plan.<sup>15</sup>

The Density Transfer Program (“DTP”) allows the City to transfer densities from undeveloped or underutilized properties (sending areas) within the Downtown Specific Plan to developing properties (receiving areas) to enable a developing property to increase its density beyond what current zoning permits. Notably, the receiving

<sup>12</sup> SANDAG 5<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) Fact Sheet, [https://www.sandag.org/uploads/publicationid/publicationid\\_4647\\_27206.pdf](https://www.sandag.org/uploads/publicationid/publicationid_4647_27206.pdf)  
<sup>13</sup> 2017 City of Escondido Annual Housing Element Progress Report, <https://www.escondido.org/data/sites/17/media/pdfs/housing/annualhousingelementreport.pdf?v=4>  
<sup>14</sup> April 9, 2019, Escondido Planning Commission meeting minutes, p. 4887. <https://www.escondido.org/Data/Sites/17/media/minutes/PC/2019/04.09.19PCMinutesApproved.pdf>  
<sup>15</sup> Draft text of Density Transfer Program, March 26, 2019, <https://www.escondido.org/Data/Sites/17/media/PDFs/Planning/DensityTransferProgram/DensityTransferProgram032619.pdf>

O4-26

O4-27

O4-28

O4-29

City was very far behind in creating new affordable housing units and would not come close to meeting the RHNA requirement under state law. However, as it pertains to the City’s General Plan policies and Goals, the Project would not conflict with applicable goals or policies relating to the provision of affordable housing. There is not a requirement that affordable housing be provided within the Project site (Appendix H). Nonetheless, it is noted the site proposes 510 units that exceeds the assumed 150 to 300 units in the General Plan Housing Element that was prepared to meet the currently adopted RHNA goals.

The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**O4-27**

The comment provides a suggestion that there is no reason the Project could not include very low, low and moderate-income housing, and states that the Project should be revised to include affordable housing. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. Nonetheless, it is noted the site was assumed to include 150 to 300 residential units in the General Plan Housing Element that was prepared to meet

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According to SANDAG’s RHNA assessment, or progress report for 2019, which tracked the progress toward the City of Escondido’s RHNA allocation requirements and compliance with the City’s Housing Element—the City is extremely far behind meeting its RHNA allocations for very low, low, and moderate-income housing units.<sup>12</sup> Almost no measurable progress was made from 2010 until the present in creating housing units for any group other than above moderate-income residents. The City’s own Housing Element Annual Report from 2017 indicates the same—the City is very far behind creating new affordable housing units and will not come close to meeting the RHNA requirement under state law.<sup>13</sup>

O4-26

There is no reason units for very low, low, and moderate-income residents cannot be included in this Project. The Project should be amended to include affordable housing units as required under the City’s General Plan.

O4-27

C. The Project’s Proposed Density Transfer is Inconsistent with the Downtown Specific Plan

The City appears to have adopted a Density Transfer Program under the Downtown Specific Plan per the City Planning Commission’s April 9, 2019 vote.<sup>14</sup> Commenters could find no other record evidence that the City Council or voters approved such an amendment to the City’s Downtown Specific Plan. Commenters operate under the assumption that the publicly available draft of the Density Transfer Program dated March 26, 2019, has or will be incorporated into the City’s Downtown Specific Plan.<sup>15</sup>

O4-28

The Density Transfer Program (“DTP”) allows the City to transfer densities from undeveloped or underutilized properties (sending areas) within the Downtown Specific Plan to developing properties (receiving areas) to enable a developing property to increase its density beyond what current zoning permits. Notably, the receiving

O4-29

<sup>12</sup> SANDAG 5<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) Fact Sheet, [https://www.sandag.org/uploads/publicationid/publicationid\\_4647\\_27206.pdf](https://www.sandag.org/uploads/publicationid/publicationid_4647_27206.pdf)  
<sup>13</sup> 2017 City of Escondido Annual Housing Element Progress Report, <https://www.escondido.org/data/sites/1/media/pdfs/housing/annualhousingelementreport.pdf?v=4>  
<sup>14</sup> April 9, 2019, Escondido Planning Commission meeting minutes, p. 4887, <https://www.escondido.org/Data/Sites/1/media/minutes/PC/2019/04.09.19PCMinutesApproved.pdf>  
<sup>15</sup> Draft text of Density Transfer Program, March 26, 2019, <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DensityTransferProgram/DensityTransferProgram032619.pdf>

the currently adopted RHNA goals. Refer to response to comments O3-14 and O4-26. As the Project includes 510 units, the Project would exceed the General Plan Housing Element assumptions for the site that are intended to address RHNA allocations. There are no legally established requirements for the applicant to provide affordable housing; however, the applicant is not precluded from providing such units at the site. It is further noted that the Project includes senior housing units as well as multifamily units that are typically lower in cost relative to single-family product types. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**04-28**

The comment provides an overview of the City’s Density Transfer Program. The comment does not raise an issue with the analysis contained in the Draft EIR; thus, no further response is required. Nonetheless, the City notes the Density Transfer Program was unanimously approved by the City Council on May 1, 2019. Refer to Agenda Packet: <https://www.escondido.org/Data/Sites/1/media/agendas/Council/2019/05-01-19CCAgendaPacket.pdf>, and meeting minutes for the introduction and first reading <https://www.escondido.org/Data/Sites/1/media/minutes/Council/2019/05-01-19CCMeetingMinutes.pdf> and second reading/adoption

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According to SANDAG’s RHNA assessment, or progress report for 2019, which tracked the progress toward the City of Escondido’s RHNA allocation requirements and compliance with the City’s Housing Element—the City is extremely far behind meeting its RHNA allocations for very low, low, and moderate-income housing units.<sup>12</sup> Almost no measurable progress was made from 2010 until the present in creating housing units for any group other than above moderate-income residents. The City’s own Housing Element Annual Report from 2017 indicates the same—the City is very far behind creating new affordable housing units and will not come close to meeting the RHNA requirement under state law.<sup>13</sup>

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The Density Transfer Program (“DTP”) allows the City to transfer densities from undeveloped or underutilized properties (sending areas) within the Downtown Specific Plan to developing properties (receiving areas) to enable a developing property to increase its density beyond what current zoning permits. Notably, the receiving

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<sup>13</sup> 2017 City of Escondido Annual Housing Element Progress Report, <https://www.escondido.org/data/sites/17/media/pdfs/housing/annualhousingelementreport.pdf?v=4>.

<sup>14</sup> April 9, 2019, Escondido Planning Commission meeting minutes, p. 4887. <https://www.escondido.org/Data/Sites/17/media/minutes/PC/2019/04-09-19PCMinutesApproved.pdf>

<sup>15</sup> Draft text of Density Transfer Program, March 26, 2019, <https://www.escondido.org/Data/Sites/17/media/PDFs/Planning/DensityTransferProgram/DensityTransferProgram032619.pdf>

O4-26

O4-27

O4-28

O4-29

<https://www.escondido.org/Data/Sites/17/media/minutes/Council/2019/05-08-19CCMeetingMinutes.pdf>.

The Downtown Specific Plan, page II-10, was thereby amended as follows:

The Downtown SPA will accommodate up to 5,275 residential units. Residential densities range from 45 up to 100 units per acre. The specific locations within each District prescribing maximum densities are shown in Figure II-5.

Allowable residential densities may be exceeded on a case-by-case basis through a density transfer process subject to approval of a Planned Development Permit and Development Agreement (or other agreement approved by City), filed concurrently with all other necessary land development permit requests. The Density Transfer Program consists of the sale or transfer of one parcel’s development rights of dwelling units to another parcel, which allows more residential development on the second parcel while reducing or preventing development on the originating parcel. Overall density within the Downtown SPA cannot exceed the maximum buildout of 5,275 residential units. The Density Transfer Program requires a deed restriction to be recorded on the Sending Area property to demonstrate that the

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According to SANDAG’s RHNA assessment, or progress report for 2019, which tracked the progress toward the City of Escondido’s RHNA allocation requirements and compliance with the City’s Housing Element—the City is extremely far behind meeting its RHNA allocations for very low, low, and moderate-income housing units.<sup>12</sup> Almost no measurable progress was made from 2010 until the present in creating housing units for any group other than above moderate-income residents. The City’s own Housing Element Annual Report from 2017 indicates the same—the City is very far behind creating new affordable housing units and will not come close to meeting the RHNA requirement under state law.<sup>13</sup>

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The Density Transfer Program (“DTP”) allows the City to transfer densities from undeveloped or underutilized properties (sending areas) within the Downtown Specific Plan to developing properties (receiving areas) to enable a developing property to increase its density beyond what current zoning permits. Notably, the receiving

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<sup>13</sup> 2017 City of Escondido Annual Housing Element Progress Report, <https://www.escondido.org/data/sites/1/media/pdfs/housing/annualhousingelementreport.pdf?v=4>

<sup>14</sup> April 9, 2019, Escondido Planning Commission meeting minutes, p. 4887. <https://www.escondido.org/Data/Sites/1/media/minutes/PC/2019/04.09.19PCMinutesApproved.pdf>

<sup>15</sup> Draft text of Density Transfer Program, March 26, 2019. <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DensityTransferProgram/DensityTransferProgram032619.pdf>

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O4-29

**O4-29**

development rights are severed from the lot designated as a Sending Area. No “fractional” units may be severed or re-allocated. Residential density may be transferred as “whole” numbers from Sending Areas in the Downtown SPA to Receiving Areas in the Downtown SPA. The mechanism to sever dwelling units from a Sending Area and/or allocate units to a Receiving Area shall be through a Density Credit Pool, managed by the Planning Division.

The comment provides an overview of the City’s Density Transfer Program. The comment does not raise an issue with the analysis contained in the Draft EIR; thus, no revisions to the Draft EIR are required as a result of this comment.

**O4-30**

In response to this comment, the Final EIR, page 2-11, Section 2.3.3 (Project Approvals) has been revised to clarify the process of how the density transfer would be completed. The Project would transfer the excess density from the parcels east of Valley Boulevard to the

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property in need of a density allowance must receive credits from the density pool. Credits can then be transferred to developing properties from the pool.<sup>16</sup>

Here, the Applicant proposes a Development Agreement that would include a density transfer from the Project area east of Valley Boulevard to the Project area west of Valley Boulevard in order to allow a density greater than 75 du/ac west of Valley Boulevard. The DEIR claims that this transfer would be in accord with the DTP without any analysis. However, this transfer is not permissible under the DTP.

As is clear from the text of the DTP—no transfers are permitted under the same developing project. Unused densities must be transferred by the City to the credit pool where the City has identified underutilization, and then a receiving property may request density beyond that permitted by zoning with a grant of credits from the pool. Nowhere in the text of the DTP does it contemplate allowing a project applicant to shift densities within the same project to achieve something which is greater than that allowed under the DTP. The Program Administration section of the DTP lays out the process as follows:

A property owner or developer who requests density from the Density Credit Pool would submit an application for a Planned Development Permit to the Planning Division. The Planning Division would review the Planned Development application for completion, project design, environmental concerns, CEQA process, zoning compliance, and other City and state regulations.

When development is approved to receive density from the Density Credit Pool, those density units would be deducted from the density credit pool. Monitoring of the density credit pool would be accomplished by utilizing tables that details information regarding sending and receiving properties and documents available density within the DSP. Comprehensive tables would list pertinent data for each sending and receiving property such as assessor parcel numbers, addresses, ownerships, acreages, existing dwelling units and/or allowable dwelling units, additional dwelling units requested, application dates, approval dates, the available number of units within the district pool, and the number of units approved, and resolution number approving the allocations.

Administration of the transfer of density between the density credit pool, sending areas, and receiving areas would be routinely monitored to ensure that the number of dwelling units for the DSP would not be permitted to exceed the buildout of 5,275 units. An annual report to the City Council regarding the DSP density pool would be

<sup>16</sup> *Id.*

↑ O4-29  
 1 Cont.

O4-30

Density Transfer Program, and would also simultaneously be request credits from the Density Transfer Program Density Credit Pool for the parcels proposed for senior housing component located to the west of Valley Boulevard. This action would be included as a part of the Project, and included in the Planned Development Permit in addition to the Development Agreement in accordance with the Density Transfer Program. Contrary to the comment, nothing in the Density Transfer Program precludes such a transfer of density from one parcel to another simply by virtue of development being proposed as part of a single project. Refer to response to comment O4-28.

**O4-31**

The comment states that the Draft EIR needs to be revised and recirculated due to the comments provided in this comment letter, which have raised new information and detailed inadequacies of the Draft EIR.

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presented by staff to outline approved projects, constructed projects, the balance left in the density pool, and recommendations for the upcoming year.

The DEIR proposes shortcutting this process with the use of a development agreement and an intra-project transfer of credits that have not been approved by the City, nor is proposed for approval according to the steps laid out in the DTP's administration plan. Thus, the Project's proposed density transfer is inconsistent with the City's General Plan and the Downtown Specific Plan.

**IV. THE DEIR REQUIRES REVISION AND RECIRCULATION**

CEQA requires a lead agency to recirculate an EIR when significant new information is added to the EIR following public review but before certification or when an EIR is fundamentally inadequate. (Pub. Resources Code § 21092.1.) New information is significant if "the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project," including, for example, "a disclosure showing that ... [a] new significant environmental impact would result from the project." (CEQA Guidelines § 15088.5)

The critical issue in determining whether recirculation is required is whether any new information added to the EIR is "significant." If added information is significant, recirculation is required under Pub. Resources Code §21092.1. The purpose of recirculation is to give the public and other agencies an opportunity to evaluate the new data and the validity of conclusions drawn from it. (*Spring Valley Lake Ass'n v. City of Victorville* (2016) 248 Cal. App. 4th 91, 108; *Silverado Mojave Recreation & Park Dist. v. County of Orange* (2011) 197 Cal. App.4th 282, 305; *Save Our Peninsula Comm. v Monterey County Bd. of Supervisors* (2001) 87 Cal. App. 4th 99, 131; *Sutter Sensible Planning, Inc. v Board of Supervisors* (1981) 122 Cal. App. 3d 813, 822.)

In *Laurel Heights Improvement Ass'n v. Regents of Univ. of California* (1993) 6 Cal. 4th 1112, 1130 (Laurel Heights II), the court gave four examples of situations in which recirculation is required:

- When the new information shows a new, substantial environmental impact resulting from either from the project or from a mitigation measure;
- When the new information shows a substantial increase in the severity of an environmental impact, except that recirculation

O4-30  
 Cont.

O4-31

As detailed in CEQA Guidelines Section 15088.5(a), recirculation is only required if (1) a new significant impact has been identified; (2) a substantial increase in the severity of an impact would occur; (3) a feasible Project alternative or mitigation measure considerably different from those previously considered would lessen the impacts and the proponent declines to adopt it; and (4) the draft EIR is fundamentally inadequate and conclusionary that a meaningful public review was precluded. As explained in the responses provided above (responses to comments O4-1 through O4-31), recirculation of the Draft EIR is not required. No new significant impacts have been identified as a result of the comments included in this letter, or other comment letters received during the public review period. No substantial increase in the severity of previously identified impacts have been determined to occur as a result of the comments received during the public review period. No feasible alternatives (see Chapter 7 for further discussion) and no new feasible mitigation measures have been identified as a result of the public review period. Lastly, no meaningful public review has been precluded due to a fundamentally inadequate and conclusionary Draft EIR, as discussed throughout the responses to these comment letters received during the public review period. In addition, the public review period was extended by 15 days in light of the COVID-19 pandemic, and the City, as lead agency,

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would not be required if mitigation that reduces the impact to insignificance is adopted;

- When the new information shows a feasible alternative or mitigation measure, considerably different from those considered in the EIR, that clearly will lessen the significant environmental impacts of a project, and the project proponent declines to adopt it; and
- When the draft EIR was "so fundamentally and basically inadequate and conclusory in nature," that public comment on the draft EIR was essentially meaningless.

Here, the comments on the DEIR reveals both significant new information as well as the fundamental basic inadequacy and conclusory nature of the DEIR. The Project's DEIR should be revised and recirculated.

V. CONCLUSION

Commenters request that the City revise and recirculate the Project's environmental impact report to address the aforementioned concerns. If the City has any questions or concerns, feel free to contact my office.

Sincerely,



Mitchell M. Tsai  
 Attorneys for Southwest Regional  
 Council of Carpenters

Attached:

City of Escondido Public Review Draft Environmental Impact Report for the Palomar Heights Project (Exhibit A);

City of Escondido Climate Action Plan (E-CAP or CAP) (Exhibit B);

California Air Resources Board (Nov. 2017) California's 2017 Climate Change Scoping Plan (Exhibit C);

City of Escondido General Plan – Housing Element (Exhibit D);

O4-31  
 Cont.

O4-32

**O4-32**

complied with the requirements of Executive Order N-54-20 despite not being subject to such requirements.

The City acknowledges these concluding remarks to the comment letter. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

<p>City of Escondido – Palomar Heights May 4, 2020 Page 18 of 18</p> <p>SANDAG 5<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) Fact Sheet (Nov. 2019) (Exhibit E);</p> <p>City of Escondido Annual Element Progress Report (2017) (Exhibit F);</p> <p>City of Escondido April 9, 2019, Planning Commission Meeting Minutes (Exhibit G);</p> <p>and</p> <p>Density Transfer Program Draft (Mar. 26, 2019) (Exhibit H).</p>	<p>(Intentionally left blank)</p>
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<div style="text-align: center;">  <p><b>Comment Letter T1</b></p> <p><b>Rincon Band of Luiseño Indians</b>  <b>CULTURAL RESOURCES DEPARTMENT</b>  <small>One Government Center Lane   Valley Center   CA 92082              (760) 749-1051   Fax: (760) 749-8901   rincon-rnsn.gov</small></p> <p>April 6, 2020</p> <p>Sent via email: <a href="mailto:palomarheights@escondido.org">palomarheights@escondido.org</a>              Adam Finestone              City of Escondido              201 North Broadway              Escondido, CA 92025</p> <p>Re: <b>Palomar Heights Project; ENV 18-0009, SUB 18-0011, PHIG 18-0049; SCTI #2019059013</b></p> <p>Dear Mr. Finestone,</p> <p>This letter is written on behalf of the Rincon Band of Luiseño Indians. Thank you for providing us with the Notice of Availability of the Draft Environmental Impact Report for the above referenced project. The identified location is within the Territory of the Luiseño people, and is also within Rincon's specific area of Historic interest.</p> <p>We have reviewed the provided documents and we are in agreement with the measures which include archaeological and Luiseño tribal monitoring, a monitoring report, and protocols for discovery of cultural material and human remains.</p> <p>We request that the Rincon Band be notified of any changes in project plans. In addition, we request a copy of the final monitoring report, when available and ask that Rincon be afforded the opportunity to monitor the ground disturbances associated with this project.</p> <p>If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 297-2635.</p> <p>Thank you for the opportunity to protect and preserve our cultural assets.</p> <p>Sincerely,</p> <div style="text-align: center;">  <p>Cheryl Madrigal              Tribal Historic Preservation Officer              Cultural Resources Manager</p> </div> <hr/> <div style="display: flex; justify-content: space-around; font-size: small;"> <div style="text-align: center;">Bo Mazzetti Chairman</div> <div style="text-align: center;">Tishmall Turner Vice Chair</div> <div style="text-align: center;">Laurie E. Gonzalez Council Member</div> <div style="text-align: center;">Alfonso Kolb, Sr. Council Member</div> <div style="text-align: center;">John Constantino Council Member</div> </div> </div> <div style="position: absolute; right: 0; top: 400px;"> <p>T1-1</p> <p>T1-2</p> <p>T1-3</p> <p>T1-4</p> </div>	<div style="text-align: center;"> <p><b>Response to Comment Letter T1</b></p> <p><b>Rincon Band of Luiseño Indians</b>  <b>Cheryl Madrigal</b>  <b>April 6, 2020</b></p> </div> <p><b>T1-1</b>      The City acknowledges this comment as an introduction to the comment letter. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>T1-2</b>      The City acknowledges the Tribe's agreement with the mitigation measures provided in the Draft EIR. This comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>T1-3</b>      The City acknowledges the Tribe's request to be notified of any changes that may be made to the Project plans, and to receive a copy of the final monitoring report. Additional coordination will be completed to determine the TCA and tribal monitor.</p> <p><b>T1-4</b>      The City acknowledges the comment and notes it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. For that reason, the City provides no further response to this comment.</p>
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Comment Letter T2

SAN LUIS REY BAND OF MISSION INDIANS

1889 Sunset Drive • Vista, California 92081  
760-724-8505 • FAX 760-724-2172  
www.slrmissionindians.org

March 30, 2020

Adam Finestone, AICP  
Principal Planner  
Planning Division  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

VIA ELECTRONIC MAIL  
palomarheights@escondido.org

RE: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT  
FOR PALOMAR HEIGHTS (SCH NO. 2019059013) (ENV 18-0009, SUB 19-  
0011, PHG 18-0049)

Dear Mr. Finestone:

We, the San Luis Rey Band of Mission Indians ("Tribe"), have received and reviewed the City of Escondido's ("City's") Draft Environmental Impact Report ("DEIR") and all of its supporting documentation as it pertains specifically to the protection and preservation of Luiseño tribal cultural resources that may be located within the parameters of the Palomar Height's ("Project's") property boundaries and areas of impact.

T2-1

After our review of the DEIR, the Tribe is satisfied and concurs with the proposed tribal cultural resource mitigation measures (M-CR-2 through M-CR-10) contained within the DEIR, with the exception of M-CR-8. The proposed mitigation measures are culturally appropriate; however, M-CR-8 states:

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.

T2-2

### Response to Comment Letter T2

San Luis Rey Band of Mission Indians

Merri Lopez-Keifer

March 30, 2020

T2-1 The City acknowledges the comment as an introduction to the comment letter.

T2-2 The comment provides a statement that the Tribe is satisfied with the tribal cultural resource mitigation measures included in the Draft EIR, with the exception of mitigation measure M-CR-8. The comment provides a request to revise the language of mitigation measure M-CR-8. The requested revision has been made and is included in the Final EIR. It is noted that due to the addition of historic mitigation measures, the former M-CR-8 is now M-CR-12 in the Final EIR.



Comment Letter I1

May 4, 2020  
To: City of Escondido Planning Department  
From: Alexa Clausen  
2020 Ridgcrest Place, Escondido, CA 92029  
Re: EIR Palomar Heights

I am a retired State Historian and am actively working in this profession. The EIR for the major development of "Palomar Heights" has come to my attention. My concern is that there are major gaps in presenting the historical context and its application to the research and assessment of the properties involved in "Appendix D, Historic Report." Once presented with the complete historical context of the era in which these structures were designed and built, only then can an assessment of their value be made. The historical context and the value of the development of the Knoll is what put Escondido on the map in the Post War2 decades.

I1-1

1. The historical context for history that is reflected in the construction of these buildings in question is covered in a leap of three sentences. This should not be accepted.  
*"The grape harvest in Escondido was historically plentiful and to celebrate, the city began an annual Grape Day celebration on September 9, 1908. Visitors came from all over and stayed in the Escondido Hotel, centrally located on Grand Avenue, which was the main shopping street. In the 1950s, the city experienced a building boom. Highway 396 linked Escondido to San Diego, making the city a good choice for commuters. Around this time, many agriculture fields previously dedicated to citrus and grapes were developed into subdivisions to house workers in the defense industry. In 1960, the lemon packing house, previously famed to be the largest facility of its kind in the world, closed its doors. Citrus fields gave way to more subdivisions and some were converted into avocado crops (Fark 2016). Escondido can still be described as a commuter city. It has some fame because of the San Diego Zoo Safari Park, breweries, wineries, the auto mall, and the California Center for the Arts, Escondido, which was constructed in 1994."(Stropes, 4)*

I1-2

How can buildings whose architecture is begin addressed, not be set in their historical context? The coming of age of Escondido as a recognized center of North County is a extremely important element of this assessment, yet, there is no discussion of this critical component. The fact that Escondido could attract highly recognized architects for building design, and medical professionals with impressive credentials in their area of specialty speaks to the importance of Escondido at the time and faith in its ability to become San Diego of North County.

I1-3

2. I am also concerned about the references consulted for this assessment. The following entries are examples of reference cites that do not meet commonly accepted standards. The following citations do not inform the reader what was extracted and possibly used. These sources were either used, or not used for this assessment. If use, state so and list full citation.

I1-4

Response to Comment Letter I1

Alexa Clausen  
May 4, 2020

I1-1

The City acknowledges the comment as an introduction to comments that follow. While the buildings were evaluated within the context of the Escondido health industry (see pages 4 to 10 of Appendix D of the Draft EIR), no historic context statement currently exists for the City of Escondido that covers buildings constructed after 1940. While the creation of a historic context statement for the City was outside of the scope for this Project, an addendum to the historic structure assessment has been drafted and included in the Final EIR as Appendix D, which utilizes architectural descriptions and evaluation criteria from the San Diego Modernism Historic Context Statement, available at [https://www.sandiego.gov/sites/default/files/modernism\\_2007.pdf](https://www.sandiego.gov/sites/default/files/modernism_2007.pdf).

I1-2

The comment states that the historical context provided within the Historic Structure Assessment for the Project (Appendix D of the Draft EIR) is inadequate and includes an excerpt from the Historic Structure Assessment.

Comment Letter I1

May 4, 2020  
 To: City of Escondido Planning Department  
 From: Alexa Clausen  
 2020 Ridgecrest Place, Escondido, CA 92029  
 Re: EIR Palomar Heights

I am a retired State Historian and am actively working in this profession. The EIR for the major development of "Palomar Heights" has come to my attention. My concern is that there are major gaps in presenting the historical context and its application to the research and assessment of the properties involved in "Appendix D, Historic Report." Once presented with the complete historical context of the era in which these structures were designed and built, only then can an assessment of their value be made. The historical context and the value of the development of the Knoll is what put Escondido on the map in the Post War2 decades.

I1-1

1. The historical context for history that is reflected in the construction of these buildings in question is covered in a leap of three sentences. This should not be accepted.  
*"The grape harvest in Escondido was historically plentiful and to celebrate, the city began an annual Grape Day celebration on September 9, 1908. Visitors came from all over and stayed in the Escondido Hotel, centrally located on Grand Avenue, which was the main shopping street. In the 1950s, the city experienced a building boom. Highway 396 linked Escondido to San Diego, making the city a good choice for commuters. Around this time, many agriculture fields previously dedicated to citrus and grapes were developed into subdivisions to house workers in the defense industry. In 1960, the lemon packing house, previously famed to be the largest facility of its kind in the world, closed its doors. Citrus fields gave way to more subdivisions and some were converted into avocado crops (Fark 2016). Escondido can still be described as a commuter city. It has some fame because of the San Diego Zoo Safari Park, breweries, wineries, the auto mall, and the California Center for the Arts, Escondido, which was constructed in 1994."(Stropes, 4)*

I1-2

How can buildings whose architecture is begin addressed, not be set in their historical context? The coming of age of Escondido as a recognized center of North County is a extremely important element of this assessment, yet, there is no discussion of this critical component. The fact that Escondido could attract highly recognized architects for building design, and medical professionals with impressive credentials in their area of specialty speaks to the importance of Escondido at the time and faith in its ability to become San Diego of North County.

I1-3

2. I am also concerned about the references consulted for this assessment. The following entries are examples of reference cites that do not meet commonly accepted standards. The following citations do not inform the reader what was extracted and possibly used. These sources were either used, or not used for this assessment. If use, state so and list full citation.

I1-4

The excerpt included in the comment provides a general overview of the history of the City of Escondido and was not intended to serve as the historical context for the evaluation of the historic buildings. A detailed property history and further information concerning the buildings' construction history is provided in pages 4 to 10 of the Historic Structure Assessment (Appendix D of the Draft EIR), as well as pages 11 to 55. In addition, please refer to response to comment I1-1 for additional information regarding the historic context, as well as Appendix D-1 to the EIR (Addendum to the Historic Structure Assessment).

I1-3

Refer to response to comment I1-1. An addendum to the Historic Structure Assessment has been drafted and included in the Final EIR, which utilizes architectural descriptions and evaluation criteria from the San Diego Modernism Historic Context Statement, available at [https://www.sandiego.gov/sites/default/files/modernism\\_2007.pdf](https://www.sandiego.gov/sites/default/files/modernism_2007.pdf).

I1-4

All sources of information that were used in the Historic Structure Assessment (Appendix D of the Draft EIR) are individually cited in the text or plate captions of the document. The citations listed in this comment are the institutions or locations that were visited in order to obtain the sources cited. The citations can be found in the references section of the Historical Structure Assessment.

*"Brian F. Smith and Associates, Inc. Various dates. Research library holdings including Sanborn maps, city directories, published regional histories, aerial photographs, and geologic and paleontological references." (Stropes, 162)*

*"Escondido History Center Various dates. Various research library holdings including books, locally published regional histories, and city directories." (Stropes, 163)*

*"San Diego County Assessor Various dates. Various official records." (Stropes, 168)*

I believe a project of this magnitude, which will forever change the face of the City of Escondido and erase these major contributors to the history of our architecture, owes the citizens of Escondido a complete assessment which leads to the contextual understanding of the development of the Knoll.



**I1-5**

No revisions to the Historical Structure Assessment or Draft EIR are required as a result of this comment.

The City acknowledges the comment as expressing the opinion of the commenter and as providing concluding remarks. The Historic Structure Assessment (Appendix D of the Draft EIR) meets the current requirements and standards established by the City of Escondido and CEQA, and concludes that the 121-141 N. Fig Street building is the only resource located within the Project that is eligible for designation as a representative example of a specific architectural style (International). As such, it is the only building within the Project area that is considered a contributor to the architectural history of Escondido. While the other buildings within the Project area were designed in styles associated with the Modern movement, they do not rise to a level of significance. Please refer to responses to comments I1-1 and I1-2 for additional information regarding the historic context, as well as Appendix D-1 to the EIR (Amendment to the Historic Structure Assessment). In addition, the history of the development of “the Knoll” is provided on pages 11 to 37 of the Historic Structure Assessment (Appendix D of the Draft EIR) as part of the property/construction history for the 555 E. Valley Parkway building. Ultimately, please refer to responses to comments I1-1 and I1-2 for additional information regarding the historic context, as well as Appendix D-1 to the EIR (Amendment to the Historic Structure Assessment).

Comment Letter I2	<b>Response to Comment Letter I2</b>
<p>Adam Finestone, AICP Principal Planner City of Escondido 201 North Broadway Escondido, CA 92025</p>	<p><b>Greg Danskin</b> <b>May 4, 2020</b></p>
<p>Dear Adam,</p>	
<p>The draft EIR states the following items as the purpose of the project. I have inserted my questions and/or comments:</p>	<p><b>I2-1</b> The City acknowledges the comment as an introduction to the comment letter.</p>
<p><i>The underlying purpose of the Project is to revitalize the Palomar Health Downtown Campus (Hospital Campus) site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types. Project objectives outlined below have also been developed to be consistent with the Downtown Specific Plan (City of Escondido 2013) vision. Project implementation is guided by the following statement of Project objectives:</i></p>	<p><b>I2-2</b> The comment restates language contained in the Draft EIR. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. Thus, no further response is required.</p>
<p>1. <i>Promote efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan (City of Escondido 2013) vision.</i></p>	<p><b>I2-3</b> The comment restates Project Objective 1 and provides the commenter’s opinion that “[t]he Project does not exhibit an efficient use of land in that much of the land is devoted to paved vehicular travel, eliminating the possibility for a pleasing urban dwelling experience as well as outdoor spaces such as courts, softscape gathering and activity areas, and pedestrian connections throughout the site and into the neighboring areas.” Within the overall acreage of the site, 76% of the acreage is dedicated to either building coverage or landscaping, leaving less than 25% for road or parking systems. The commenter’s statement and opinion are noted. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. As detailed in the Draft EIR, Section 2.3.1, Project Components, the Project has been designed to provide pedestrian connections for</p>
<p>The project does not exhibit an efficient use of land in that much of the land is devoted to paved vehicular travel, eliminating the possibility for a pleasing urban dwelling experience as well as outdoor spaces such as courts, softscape gathering and activity areas, and pedestrian connections throughout the site and into the neighboring areas.</p>	
<p>2. <i>Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.</i></p>	
<p>It is unclear how the below grade situations will achieve the desired stormwater management goals, without ignoring more environmentally sound site planning solutions.</p>	
<p>3. <i>Provide a variety of multi-family housing types and designs.</i></p>	
<p>There is no explanation of how the proposed mix of residential types fits into the future fabric of Downtown Escondido. This project is decidedly a suburban solution, and not forward-looking as a creative urban solution with the appropriate urban housing mix.</p>	
<p>4. <i>Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.</i></p>	

Comment Letter I2

Adam Finestone, AICP  
Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Dear Adam,

The draft EIR states the following items as the purpose of the project. I have inserted my questions and/or comments:

*The underlying purpose of the Project is to revitalize the Palomar Health Downtown Campus (Hospital Campus) site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types. Project objectives outlined below have also been developed to be consistent with the Downtown Specific Plan (City of Escondido 2013) vision. Project implementation is guided by the following statement of Project objectives:*

1. *Promote efficient use of land and revitalize an underutilized downtown site in accordance with the Downtown Specific Plan (City of Escondido 2013) vision.*

The project does not exhibit an efficient use of land in that much of the land is devoted to paved vehicular travel, eliminating the possibility for a pleasing urban dwelling experience as well as outdoor spaces such as courts, softscape gathering and activity areas, and pedestrian connections throughout the site and into the neighboring areas.

2. *Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.*

It is unclear how the below grade situations will achieve the desired stormwater management goals, without ignoring more environmentally sound site planning solutions.

3. *Provide a variety of multi-family housing types and designs.*

There is no explanation of how the proposed mix of residential types fits into the future fabric of Downtown Escondido. This project is decidedly a suburban solution, and not forward-looking as a creative urban solution with the appropriate urban housing mix.

4. *Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.*

I2-1  
I2-2  
I2-3  
I2-4  
I2-5  
I2-6

I2-4

residents through the site. Refer also to Figure 2-9, Connectivity Plan. A total of 175,119 square feet of open space will be provided, with recreational and open space amenities including a centrally located pool/spa and community pavilion/clubhouse building, a gym in the main apartment building, a dog park located in the northeastern portion of the Project site, and a pocket park near the southeastern corner of the Project site. A detailed analysis of the Project’s consistency with the Downtown Specific Plan and its vision is provided in Appendix H, City of Escondido General Plan Policy Consistency Analysis Table, and further discussed in in the Draft EIR in Section 4.4, Land Use and Planning. The Project has been designed to be consistent with the Downtown Specific Plan vision. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment restates Project Objective 2, as identified and written in the Draft EIR, and provides the commenter’s opinion that “[i]t is unclear how the below grade situations will achieve the desired stormwater management goals, without ignoring more environmentally sound site planning solutions.”

A complete analysis regarding hydrology and water quality impacts is included in Chapter 5, Section 5.2.7, Hydrology and Water Quality. As discussed in this

Comment Letter I2

Adam Finestone, AICP  
Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

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The draft EIR states the following items as the purpose of the project. I have inserted my questions and/or comments:

*The underlying purpose of the Project is to revitalize the Palomar Health Downtown Campus (Hospital Campus) site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types. Project objectives outlined below have also been developed to be consistent with the Downtown Specific Plan (City of Escondido 2013) vision. Project implementation is guided by the following statement of Project objectives:*

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The project does not exhibit an efficient use of land in that much of the land is devoted to paved vehicular travel, eliminating the possibility for a pleasing urban dwelling experience as well as outdoor spaces such as courts, softscape gathering and activity areas, and pedestrian connections throughout the site and into the neighboring areas.

2. *Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.*

It is unclear how the below grade situations will achieve the desired stormwater management goals, without ignoring more environmentally sound site planning solutions.

3. *Provide a variety of multi-family housing types and designs.*

There is no explanation of how the proposed mix of residential types fits into the future fabric of Downtown Escondido. This project is decidedly a suburban solution, and not forward-looking as a creative urban solution with the appropriate urban housing mix.

4. *Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.*

I2-1

I2-2

I2-3

I2-4

I2-5

I2-6

I2-5

Section, the Project would improve stormwater runoff and water quality conditions by implementing a Storm Water Quality Management Plan (Appendix O) that includes the current more stringent water quality control requirements and Best Management Practices (BMPs) as well as compliance measure CM-HY-1. As detailed in Appendix O and summarized in Draft EIR Section 5.2.7, this includes directing stormwater runoff into BMP biofiltration basins to reduce pollutants prior to discharge into the storm drain system. Refer to EIR Section 5.2.7 and Appendix O for additional details.

The comment restates Project Objective 3 and provides the commenter’s opinion that “[t]here is no explanation of how the proposed mix of residential types fits into the future fabric of Downtown Escondido. The Project is decidedly a suburban solution, and not forward-looking as a creative urban solution with the appropriate urban housing mix.”

The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. To clarify, this goal is a Project goal, and it clearly states the goal is to provide a variety of housing types. This goal does not include any text about “suburban” versus “urban,” or Downtown Escondido context as implied by this comment. As described in Draft EIR Section 2.3.1, Project Components, the Project

Comment Letter I2

Adam Finestone, AICP  
Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

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The draft EIR states the following items as the purpose of the project. I have inserted my questions and/or comments:

*The underlying purpose of the Project is to revitalize the Palomar Health Downtown Campus (Hospital Campus) site by redeveloping the site into a mixed-use residential and commercial Project that provides a mix of housing types. Project objectives outlined below have also been developed to be consistent with the Downtown Specific Plan (City of Escondido 2013) vision. Project implementation is guided by the following statement of Project objectives:*

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2. *Redevelop the site in a manner to improve energy and water usage efficiencies, and improve stormwater runoff and water quality conditions.*

It is unclear how the below grade situations will achieve the desired stormwater management goals, without ignoring more environmentally sound site planning solutions.

3. *Provide a variety of multi-family housing types and designs.*

There is no explanation of how the proposed mix of residential types fits into the future fabric of Downtown Escondido. This project is decidedly a suburban solution, and not forward-looking as a creative urban solution with the appropriate urban housing mix.

4. *Provide visual and functional compatibility with adjacent land uses and development as to scale, massing, and height.*

I2-1  
I2-2  
I2-3  
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I2-5  
I2-6

I2-6

includes a variety of housing types, including senior apartments, apartments, villas, and rowhomes. This distinguishes the Project from other projects approved in the Downtown Specific Plan over the last 10 years, as they have been almost exclusively apartment communities. The comment provides the opinion of the author and is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment restates Project Objective 4 and provides the commenter’s opinion that “[w]hile any Project should consider its impact on neighboring properties, this is the physical and visual focus of the east end of the downtown core, and the gateway to the east valley. The design does not accomplish what it might.”

Using the existing topography, utility service, and road boundaries, the site has been designed to create an eastern focal point connecting E. Grand Avenue to the community as the eastern boundary of the Downtown Specific Plan area. At 75 feet in height, the tower element on the northeast corner of Valley Boulevard and E. Grand Avenue would house a mix of commercial uses, including a restaurant and rooftop bar, and would be open to the public. On the eastern portion of the Project site along N. Fig Street, the site has been raised to align with the main acreage in the tear drop portion of the campus. A pedestrian ramp,

<p>While any project should consider its impact on neighboring properties, this is the physical and visual focus of the east end of the downtown core, and the gateway to the east valley. The design does not accomplish what it might.</p>	<p>↑ 12-6 Con</p>	<p>terraced walls, a sidewalk connection, and landscaping are planned to create a pedestrian connection to N. Fig Street, the E. Valley Parkway businesses, and the low-rise residential buildings to the east. Building heights have been scaled so the massing of a three-story building is adjacent to the lower density uses to the east. A detailed analysis discussing the Project’s potential aesthetic and visual resource impacts is included in Chapter 5, Section 5.2.1, Aesthetics. As discussed in this section, no designated scenic vistas would be impacted by the Project; no impacts to scenic resources within a State Scenic Highway would occur; the Project would be consistent with the scenic quality/visual quality regulations included in the City’s General Plan and Downtown Specific Plan; and the Project would implement compliance measure CM-AE-1 (requiring compliance with Article 35 of the Zoning Ordinance pertaining to exterior lighting fixtures); therefore, no significant impacts related to light and glare would occur. Aesthetics and visual resources impacts were determined to be less than significant.</p>
<p>5. <i>Provide a development with adequate and appropriate recreational amenities.</i></p>	<p>12-7</p>	<p>The comment accurately states the location of the site. The comment provides the opinion of the author and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. Therefore, no further response is required. The comment is included in the Final EIR for</p>
<p>The recreational activities proposed appear as more of an afterthought, not creating a space desirable for many residents to frequent, and many would have to walk down alleyways and vehicular paths to access the facilities, which is not a pedestrian nor kid-friendly solution.</p>		
<p>6. <i>Develop a community that responds to the unique topography and character of the Project site and surrounding area.</i></p>	<p>12-8</p>	
<p>The product type has eliminated any possibility to truly respond to the unique topography of the site. The long mostly planar edges of the residential buildings do not evoke the variety and cadence of the surrounding area.</p>		
<p>7. <i>Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.</i></p>	<p>12-9</p>	
<p>While a land use transition is a worthy endeavor, this site presents a unique opportunity to create a truly special transition (or more appropriately perhaps a strong link) from the downtown to east valley, one which will not be realized by creating alleyways of residential with long retaining walls along the street edge. The transition should incorporate the logical goals of pedestrian travel, which requires and activated street edge.</p>		
<p>8. <i>Assist the City in implementing the City of Escondido General Plan (City of Escondido 2012) housing goals by increasing the City’s housing stock.</i></p>	<p>12-11</p>	
<p>This is an important goal, but as stated previously, the argument for the proposed mix of housing types is not explained. The interior rows of homes do not reflect a lively urban experience.</p>		
<p>9. <i>Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.</i></p>	<p>12-11</p>	
<p>As stated previously, the goals outlined here are not met in many of the situations, such as the interior where one must use a vehicle to get anywhere, or walk along a vehicular path. Pedestrian access, while suggested, will not be used in the situations where access is either unsafe or too difficult. There is no clear path from the east edge of the project to the downtown to be traveled on foot.</p>		
<p>10. <i>Improve Valley Boulevard to include multi-modal transportation features.</i></p>	<p>↓ 12-11</p>	

<p>While any project should consider its impact on neighboring properties, this is the physical and visual focus of the east end of the downtown core, and the gateway to the east valley. The design does not accomplish what it might.</p>	<p>↑ I2-6 Cont</p>	<p>review and consideration by the decision makers prior to making a final decision on the Project.</p>	
<p>5. <i>Provide a development with adequate and appropriate recreational amenities.</i></p> <p>The recreational activities proposed appear as more of an afterthought, not creating a space desirable for many residents to frequent, and many would have to walk down alleyways and vehicular paths to access the facilities, which is not a pedestrian nor kid-friendly solution.</p>	<p>I2-7</p>	<p><b>I2-7</b></p>	<p>The comment restates Project Objective 5 and provides the commenter’s opinion that “[t]he recreational activities proposed appear as more of an afterthought, not creating a space desirable for many residents to frequent, and many would have to walk down alleyways and vehicular paths to access the facilities, which is not a pedestrian nor kid-friendly solution.”</p>
<p>6. <i>Develop a community that responds to the unique topography and character of the Project site and surrounding area.</i></p> <p>The product type has eliminated any possibility to truly respond to the unique topography of the site. The long mostly planar edges of the residential buildings do not evoke the variety and cadence of the surrounding area.</p>	<p>I2-8</p>		<p>The primary recreation area for the Project includes a recreation building, pool, spa and other facilities, located in the center of the Project. At 0.8 acres, this area was dedicated as the center of the community and is intended to serve as a community gathering area. As indicated on Draft EIR page 2-5, “the Project would provide a total of 175,119 square feet of open space, or 343 square feet of space per unit, which would exceed the 300 square feet per unit minimum identified in the Downtown Specific Plan (City of Escondido 2013).” The main recreational area would be placed in the center of the site to encourage its accessibility. Further, as shown by Figure 2-9, Connectivity Plan, the Project has been planned to include both internal connectivity as well as connectivity to adjacent sidewalks.</p>
<p>7. <i>Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.</i></p> <p>While a land use transition is a worthy endeavor, this site presents a unique opportunity to create a truly special transition (or more appropriately perhaps a strong link) from the downtown to east valley, one which will not be realized by creating alleyways of residential with long retaining walls along the street edge. The transition should incorporate the logical goals of pedestrian travel, which requires and activated street edge.</p>	<p>I2-9</p>		
<p>8. <i>Assist the City in implementing the City of Escondido General Plan (City of Escondido 2012) housing goals by increasing the City’s housing stock.</i></p> <p>This is an important goal, but as stated previously, the argument for the proposed mix of housing types is not explained. The interior rows of homes do not reflect a lively urban experience.</p>	<p>I2-10</p>		
<p>9. <i>Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.</i></p> <p>As stated previously, the goals outlined here are not met in many of the situations, such as the interior where one must use a vehicle to get anywhere, or walk along a vehicular path. Pedestrian access, while suggested, will not be used in the situations where access is either unsafe or too difficult. There is no clear path from the east edge of the project to the downtown to be traveled on foot.</p>	<p>I2-11</p>		
<p>10. <i>Improve Valley Boulevard to include multi-modal transportation features.</i></p>	<p>↓ I2-12</p>		

<p>While any project should consider its impact on neighboring properties, this is the physical and visual focus of the east end of the downtown core, and the gateway to the east valley. The design does not accomplish what it might.</p>	<p>↑ I2-6 Cont</p>	
<p>5. <i>Provide a development with adequate and appropriate recreational amenities.</i></p> <p>The recreational activities proposed appear as more of an afterthought, not creating a space desirable for many residents to frequent, and many would have to walk down alleyways and vehicular paths to access the facilities, which is not a pedestrian nor kid-friendly solution.</p>	<p>I2-7</p>	<p>The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment provides the opinion of the author, and is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project</p>
<p>6. <i>Develop a community that responds to the unique topography and character of the Project site and surrounding area.</i></p> <p>The product type has eliminated any possibility to truly respond to the unique topography of the site. The long mostly planar edges of the residential buildings do not evoke the variety and cadence of the surrounding area.</p>	<p>I2-8</p>	<p><b>I2-8</b></p> <p>The comment restates Project Objective 6, and provides the commenter’s opinion that “[t]he product type has eliminated any possibility to truly respond to the unique topography of the site. The long mostly planar edges of the residential buildings do not evoke the variety and cadence of the surrounding area.”</p>
<p>7. <i>Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.</i></p> <p>While a land use transition is a worthy endeavor, this site presents a unique opportunity to create a truly special transition (or more appropriately perhaps a strong link) from the downtown to east valley, one which will not be realized by creating alleyways of residential with long retaining walls along the street edge. The transition should incorporate the logical goals of pedestrian travel, which requires and activated street edge.</p>	<p>I2-9</p>	<p>The comment states the commenter’s opinion and does not raise an issue with the adequacy of the analysis contained in the Draft EIR. While no further response is required, the City notes the Project would include front door access on Valley Boulevard. Within the Project site, a variety of multifamily housing types as well as commercial uses have been proposed within a series of buildings with a unified architectural appearance to provide a cohesive development while also balancing the bulk and scale of buildings along with the topography of the surrounding areas. Further, aesthetic impacts were assessed and analyzed as part of the Draft EIR, in Section 5.2.1, Aesthetics, and determined to be less than significant. While the comment states that the residential buildings do not evoke the cadence and variety of the area,</p>
<p>8. <i>Assist the City in implementing the City of Escondido General Plan (City of Escondido 2012) housing goals by increasing the City’s housing stock.</i></p> <p>This is an important goal, but as stated previously, the argument for the proposed mix of housing types is not explained. The interior rows of homes do not reflect a lively urban experience.</p>	<p>I2-10</p>	
<p>9. <i>Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.</i></p> <p>As stated previously, the goals outlined here are not met in many of the situations, such as the interior where one must use a vehicle to get anywhere, or walk along a vehicular path. Pedestrian access, while suggested, will not be used in the situations where access is either unsafe or too difficult. There is no clear path from the east edge of the project to the downtown to be traveled on foot.</p>	<p>I2-11</p>	
<p>10. <i>Improve Valley Boulevard to include multi-modal transportation features.</i></p>	<p>↓ I2-12</p>	

<p>While any project should consider its impact on neighboring properties, this is the physical and visual focus of the east end of the downtown core, and the gateway to the east valley. The design does not accomplish what it might.</p>	<p>↑ I2-6 Cont</p>	<p>it was determined that the Project would be consistent with applicable zoning and other regulations governing scenic quality. For further discussion regarding aesthetics, refer to Section 5.2.1 of the Draft EIR.</p>	
<p>5. Provide a development with adequate and appropriate recreational amenities.</p>	<p>I2-7</p>		
<p>The recreational activities proposed appear as more of an afterthought, not creating a space desirable for many residents to frequent, and many would have to walk down alleyways and vehicular paths to access the facilities, which is not a pedestrian nor kid-friendly solution.</p>		<p><b>I2-9</b></p>	<p>The comment restates Project Objective 7 and provides the commenter’s opinion that “[w]hile a land use transition is a worthy endeavor, this site presents a unique opportunity to create a truly special transition (or more appropriately perhaps a strong link) from the downtown to east valley, one which will not be realized by creating alleyways of residential with long retaining walls along the street edge. The transition should incorporate the logical goals of pedestrian travel, which requires and activated street edge.”</p>
<p>6. Develop a community that responds to the unique topography and character of the Project site and surrounding area.</p>	<p>I2-8</p>		
<p>The product type has eliminated any possibility to truly respond to the unique topography of the site. The long mostly planar edges of the residential buildings do not evoke the variety and cadence of the surrounding area.</p>		<p>The comment provides the commenter’s opinion and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. To clarify, this objective is to create a land use transition, and it is not related to access as this comment implies. Nonetheless, refer to Figure 2-9, Connectivity Plan, for the details on pedestrian pathways provided by the Project. As shown, pedestrian connections to all of the adjacent streets are provided. To promote internal pedestrian and visual connectivity, the Project includes raising the elevation of the N. Fig Street portion of the Project to an elevation similar to the rest of the development. The retaining walls along the eastern side of the Project site would be</p>	
<p>7. Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.</p>	<p>I2-9</p>		
<p>While a land use transition is a worthy endeavor, this site presents a unique opportunity to create a truly special transition (or more appropriately perhaps a strong link) from the downtown to east valley, one which will not be realized by creating alleyways of residential with long retaining walls along the street edge. The transition should incorporate the logical goals of pedestrian travel, which requires and activated street edge.</p>			
<p>8. Assist the City in implementing the City of Escondido General Plan (City of Escondido 2012) housing goals by increasing the City’s housing stock.</p>	<p>I2-10</p>		
<p>This is an important goal, but as stated previously, the argument for the proposed mix of housing types is not explained. The interior rows of homes do not reflect a lively urban experience.</p>			
<p>9. Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.</p>	<p>I2-11</p>		
<p>As stated previously, the goals outlined here are not met in many of the situations, such as the interior where one must use a vehicle to get anywhere, or walk along a vehicular path. Pedestrian access, while suggested, will not be used in the situations where access is either unsafe or too difficult. There is no clear path from the east edge of the project to the downtown to be traveled on foot.</p>			
<p>10. Improve Valley Boulevard to include multi-modal transportation features.</p>	<p>↓ I2-12</p>		

<p>While any project should consider its impact on neighboring properties, this is the physical and visual focus of the east end of the downtown core, and the gateway to the east valley. The design does not accomplish what it might.</p>	<p>↑ I2-6 Cont</p>	<p>terraced. An Americans with Disabilities Act (ADA)-accessible pathway and utilities would be constructed in order to provide access to N. Fig Street, which would require the construction of retaining walls at this location. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>5. <i>Provide a development with adequate and appropriate recreational amenities.</i></p> <p>The recreational activities proposed appear as more of an afterthought, not creating a space desirable for many residents to frequent, and many would have to walk down alleyways and vehicular paths to access the facilities, which is not a pedestrian nor kid-friendly solution.</p>	<p>I2-7</p>	<p><b>I2-10</b></p> <p>The comment restates Project Objective 8 and provides the commenter’s opinion that “[t]his is an important goal, but as stated previously, the argument for the proposed mix of housing types is not explained. The interior rows of homes do not reflect a lively urban experience.”</p>
<p>6. <i>Develop a community that responds to the unique topography and character of the Project site and surrounding area.</i></p> <p>The product type has eliminated any possibility to truly respond to the unique topography of the site. The long mostly planar edges of the residential buildings do not evoke the variety and cadence of the surrounding area.</p>	<p>I2-8</p>	<p>The comment states the commenter’s opinion and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. This Project Objective 8 is related to providing housing. Refer to response I2-5 above regarding providing a variety of housing types. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>7. <i>Create a land use transition between the Downtown Specific Plan to the west and single-family and lower-density uses to the east.</i></p> <p>While a land use transition is a worthy endeavor, this site presents a unique opportunity to create a truly special transition (or more appropriately perhaps a strong link) from the downtown to east valley, one which will not be realized by creating alleyways of residential with long retaining walls along the street edge. The transition should incorporate the logical goals of pedestrian travel, which requires and activated street edge.</p>	<p>I2-9</p>	<p><b>I2-11</b></p> <p>The comment restates Project Objective 9 and provides the commenter’s opinion that “the goals outlined here are not met in many of the situations, such as the interior where one must use a vehicle to get anywhere, or walk along a vehicular path. Pedestrian access, while</p>
<p>8. <i>Assist the City in implementing the City of Escondido General Plan (City of Escondido 2012) housing goals by increasing the City’s housing stock.</i></p> <p>This is an important goal, but as stated previously, the argument for the proposed mix of housing types is not explained. The interior rows of homes do not reflect a lively urban experience.</p>	<p>I2-10</p>	
<p>9. <i>Implement design measures to create human-scale, pedestrian-oriented buildings that enhance walkability and promote pedestrian access.</i></p> <p>As stated previously, the goals outlined here are not met in many of the situations, such as the interior where one must use a vehicle to get anywhere, or walk along a vehicular path. Pedestrian access, while suggested, will not be used in the situations where access is either unsafe or too difficult. There is no clear path from the east edge of the project to the downtown to be traveled on foot.</p>	<p>I2-11</p>	
<p>10. <i>Improve Valley Boulevard to include multi-modal transportation features.</i></p>	<p>↓ I2-12</p>	

<p>It is unclear how these modes connect to the wider city, especially with respect to pedestrians. The vehicular travel appears to drive the design of the edge of the project. It would be nice to see a more defined approach to activating the edge with retail and activities more on scale with the rest of the downtown experience.</p> <p>11. Provide a high-quality, attractive residential and commercial development.</p> <p>The terms 'high-quality' and 'attractive' are subjective and difficult to establish. However, the commercial component is so blended with the residential so as to make the composition unclear.</p> <p>12. Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.</p> <p>The commercial use proposed is less than 2% of the residential, and does not balance with the vibrant commercial in the adjacent Downtown Retail Core. If the commercial space is not large enough and inviting, it will not be viable, and will not encourage patrons to make the hike from Juniper to the project, which should be a primary goal. Explanation as to how this amount was arrived at and demonstration of how it will serve the future needs of the residents is not provided.</p> <p>Additional questions:</p> <ol style="list-style-type: none"> <li>1) Will a DTSP Amendment require a modification of the EIR for the DTSP?</li> <li>2)</li> </ol> <p>Respectfully Submitted,</p> <p>Greg Danskin Architect</p>	<p style="text-align: right;">↑ I2-12 Cont</p> <p style="text-align: right;">I2-13</p> <p style="text-align: right;">I2-14</p> <p style="text-align: right;">I2-15</p> <p>suggested, will not be used in the situations where access is either unsafe or too difficult. There is no clear path from the east edge of the Project to the downtown to be traveled on foot.”</p> <p>The Project would include internal pedestrian linkages, including linkages that would connect through the site to the eastern edge along N. Fig Street, and would provide access for residents through the garage of Building No. 23 to the commercial component of the Project and E. Grand Avenue beyond. These walkways would connect the proposed residential units to on-site recreational amenities, as well as to the sidewalks along the perimeter of the site. Refer to Figure 2-9, Connectivity Plan. The comment provides the opinion of the author and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>I2-12</b> The comment restates Project Objective 10 and provides the commenter’s opinion that “[i]t is unclear how these modes connect to the wider city, especially with respect to pedestrians. The vehicular travel appears to drive the design of the edge of the Project. It would be nice to see a more defined approach to activating the edge with retail and activities more on scale with the rest of the downtown experience.”</p>
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<p>It is unclear how these modes connect to the wider city, especially with respect to pedestrians. The vehicular travel appears to drive the design of the edge of the project. It would be nice to see a more defined approach to activating the edge with retail and activities more on scale with the rest of the downtown experience.</p> <p><i>11. Provide a high-quality, attractive residential and commercial development.</i></p> <p>The terms 'high-quality' and 'attractive' are subjective and difficult to establish. However, the commercial component is so blended with the residential so as to make the composition unclear.</p> <p><i>12. Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.</i></p> <p>The commercial use proposed is less than 2% of the residential, and does not balance with the vibrant commercial in the adjacent Downtown Retail Core. If the commercial space is not large enough and inviting, it will not be viable, and will not encourage patrons to make the hike from Juniper to the project, which should be a primary goal. Explanation as to how this amount was arrived at and demonstration of how it will serve the future needs of the residents is not provided.</p> <p>Additional questions:</p> <ol style="list-style-type: none"> <li>1) Will a DTSP Amendment require a modification of the EIR for the DTSP?</li> <li>2)</li> </ol> <p>Respectfully Submitted,</p> <p>Greg Danskin Architect</p>	<p>I2-12 Cont</p> <p>I2-13</p> <p><b>I2-13</b></p> <p>I2-14</p> <p>I2-15</p> <p><b>I2-14</b></p> <p>The comment provides the opinion of the author and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p>The comment restates Project Objective 11 and provides the commenter's opinion that "[t]he terms 'high-quality' and 'attractive' are subjective and difficult to establish. However, the commercial component is so blended with the residential so as to make the composition unclear."</p> <p>The comment provides the commenter's opinion and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p>The comment restates Project Objective 12 and provides the commenter's opinion that "[t]he commercial use proposed is less than 2% of the residential, and does not balance with the vibrant commercial in the adjacent Downtown Retail Core. If the commercial space is not large enough and inviting, it will not be viable, and will not encourage patrons to make the hike from Juniper to the Project, which should be a primary goal. Explanation</p>
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<p>It is unclear how these modes connect to the wider city, especially with respect to pedestrians. The vehicular travel appears to drive the design of the edge of the project. It would be nice to see a more defined approach to activating the edge with retail and activities more on scale with the rest of the downtown experience.</p> <p>11. <i>Provide a high-quality, attractive residential and commercial development.</i></p> <p>The terms 'high-quality' and 'attractive' are subjective and difficult to establish. However, the commercial component is so blended with the residential so as to make the composition unclear.</p> <p>12. <i>Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.</i></p> <p>The commercial use proposed is less than 2% of the residential, and does not balance with the vibrant commercial in the adjacent Downtown Retail Core. If the commercial space is not large enough and inviting, it will not be viable, and will not encourage patrons to make the hike from Juniper to the project, which should be a primary goal. Explanation as to how this amount was arrived at and demonstration of how it will serve the future needs of the residents is not provided.</p> <p>Additional questions:</p> <ol style="list-style-type: none"> <li>1) Will a DTSP Amendment require a modification of the EIR for the DTSP?</li> <li>2)</li> </ol> <p>Respectfully Submitted,</p> <p>Greg Danskin Architect</p>	<p>as to how this amount was arrived at and demonstration of how it will serve the future needs of the residents is not provided.”</p> <p>To clarify, the Project has proposed on-site commercial designed to balance the on-site commercial use with the commercial needs generated by the proposed future residents, and to not take away customers from the existing commercial uses in the Downtown District. The Project lies within the Downtown Specific Plan but not within the “retail core,” which has different design characteristics and focuses on business opportunities. The EIR is intended to disclose the environmental effects and not the economic aspects of the Project. The comment provides the commenter’s opinion and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>I2-15</b> The comment asks whether a Downtown Specific Plan Amendment will require a modification of the EIR. A Downtown Specific Plan Amendment is proposed as part of the Project. The potential environmental impacts of this amendment are discussed in Section 4.4, Land Use, of the Draft EIR. As discussed in this section, land use impacts, specifically those pertaining to consistency with land use regulations, would be less</p>
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I2-12  
Cont

I2-13

I2-14

I2-15

<p>It is unclear how these modes connect to the wider city, especially with respect to pedestrians. The vehicular travel appears to drive the design of the edge of the project. It would be nice to see a more defined approach to activating the edge with retail and activities more on scale with the rest of the downtown experience.</p> <p>11. <i>Provide a high-quality, attractive residential and commercial development.</i></p> <p>The terms 'high-quality' and 'attractive' are subjective and difficult to establish. However, the commercial component is so blended with the residential so as to make the composition unclear.</p> <p>12. <i>Provide additional commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core.</i></p> <p>The commercial use proposed is less than 2% of the residential, and does not balance with the vibrant commercial in the adjacent Downtown Retail Core. If the commercial space is not large enough and inviting, it will not be viable, and will not encourage patrons to make the hike from Juniper to the project, which should be a primary goal. Explanation as to how this amount was arrived at and demonstration of how it will serve the future needs of the residents is not provided.</p> <p>Additional questions:</p> <ol style="list-style-type: none"> <li>1) Will a DTSP Amendment require a modification of the EIR for the DTSP?</li> <li>2)</li> </ol> <p>Respectfully Submitted,</p> <p>Greg Danskin Architect</p>	<p>↑ I2-12 Cont</p> <p>I2-13</p> <p>I2-14</p> <p>I2-15</p> <p>than significant. The Downtown Specific Plan Amendment and associated environmental impacts are analyzed in this EIR prepared for the Palomar Heights Project. This planning process does not trigger a need to revise previous environmental analysis, since any new impacts are analyzed under this current EIR. No revisions to the Draft EIR are required as a result of this comment.</p>
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Comment Letter I3



**Palomar Heights**  
Palomar Health Downtown Campus  
DEIR Comments

May 4, 2020

Adam Finestone, AICP  
Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Dear Adam,

Since May 2019, I have reviewed and forwarded comments to the Escondido Planning Department on the four iterations submitted by the Applicant.

Subsequent to my May 2019 letter regarding the NOP, I sent specific comment letters in July, October and January. These letters are not listed as being received or reviewed as a part of the DEIR process. I have attached them to this letter.

All the comments in those three previous letters remain and I trust will be addressed or responded to.

Reviewing the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> submittals was a follow up on my original comments to the NOP, dated June 3, 2019. Considering the significant potential (aesthetic and financial) influence of redevelopment this site on Downtown, I reviewed all submittals for conformity to the Downtown Specific Plan.

My 2<sup>nd</sup> letter, documented my review of the July submittal, sent on July 29, added new comments but stated that "Overall, many of the comments in my June 3<sup>rd</sup> letter still apply". The timing of my review and comments was for Staff to consider as the reviewed the project internally.

My 3<sup>rd</sup> letter date October 2, 2019 letter is the most comprehensive review and references pertinent DTSP principles, goals, etc.

My 4<sup>th</sup> letter, dated January 30, was based on my review of the December 13<sup>th</sup> documents. The essence of the letter was that "little of significance has changed, so my past conclusions remain the same. The proposed suburban approach simply does not meet the standards and goals fundamental to the DTSP".

I have completed my review of the DEIR, my comments and questions follow.

I have included a new document (entitled Comments on Palomar Heights, dated May 4,2020) to go with the previous ones, specifically addressing continuing major issues with the proposed project.

Respectfully,  
Ken Erickson, Architect

122 ½ South Kalmia Street, Escondido, California 92025

I3-1

**Response to Comment Letter I3**

**Ken Erickson**  
**May 4, 2020**

**I3-1**

The comment provides an introduction to and summary of the comments that follow. The commenter provides an overview of past comment letters submitted to the City pertaining to the Project. The May 2019 letter submitted regarding the NOP for the Project is included in Appendix A to the Final EIR. The City is in receipt of the subsequent letters and has considered comments received in preparing the Draft EIR. Any subsequent letters sent outside of the NOP process or prior to the public review period for the Draft EIR are not required to be addressed in the Draft or Final EIR. No issues with regard to the adequacy of the analysis contained in the Draft EIR are raised in this comment. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project. The comments in the letter are directed at the plan check submittal(s), and are not directed at the Draft EIR specifically. While members of the public are certainly allowed to provide comments on plans submitted to the City as part of the project review process, City staff is formally responsible for the review of such plans. The commenter's plan review comments have been transmitted to the applicant as part of each City comment

Comments on Palomar Heights  
 Draft Environmental Impact Report (DEIR) – SCH No. 2019059013  
 Dated March 2020  
 Prepared by Ken Erickson, Architect  
 May 4, 2020

**DEIR INTRODUCTORY SECTIONS**

Item/Page #	Summary of Policy Text	Summary of Consistency Analysis Statement/Claim Made in DEIR	KE Comments
Summary 5.4	Areas of controversy	Areas of controversy are considered to include... - Aesthetics related to the Downtown Specific Plan area	There are major issues relative to the Downtown Specific Plan (DTSP). To say they are limited to aesthetics is a mischaracterization. The issue is non-compliance with the DTSP on a variety of fronts.
Project Description 2-3	Table 2-1, Proposed Uses	Total Commercial Space provided = 10,000sf	According to the most recent plans I have seen, the total Commercial Space square footage to be constructed is 539,593. (This figure does not include 232,898 sf of garage construction.) Commercial Space provided is less than 2% of total project square footage. To call this a mixed use project and claim all the associated benefits that go with a truly mixed use development is misleading if not disingenuous.
Project Description 2-4	Architecture	---	All buildings relating to street edges must conform to the DTSP...if the buildings were at or near the street/sidewalk grade and residential units were located on the ground level rather than second level over parking

I3-2  
I3-3  
I3-4

**I3-2**

letter issued to the applicant based on staff’s review of the various iterations of Project plans.

The comment begins by identifying a chapter and page of the Draft EIR, a summary of the issue area the comment will address, and a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the author’s comment.

Following this comment introduction, the comment states that “[t]here are major issues relative to the Downtown Specific Plan (DTSP)” and “non-compliance with the DTSP,” and that to limit the problems to just aesthetics is a mischaracterization. The comment does not identify any specific issues related to the consistency analysis provided in the Draft EIR pertaining to the Project and compliance with the regulations of the Downtown Specific Plan. An analysis of the Project in relation to consistency with applicable land use regulations, including the Downtown Specific Plan, is provided in Section 4.4, Land Use and Planning, of the Draft EIR. See Section 4.4 of the Draft EIR for further details regarding land use consistency.

**I3-3**

The comment begins by identifying a chapter and page of the Draft EIR and a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the remainder of the author’s comment.

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DEIR INTRODUCTORY SECTIONS

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Project Description 2-3	Table 2-1, Proposed Uses	Total Commercial Space provided = 10,000sf	According to the most recent plans I have seen, the total Commercial Space square footage to be constructed is 539,593. (This figure does not include 232,898 sf of garage construction.) Commercial Space provided is less than 2% of total project square footage. To call this a mixed use project and claim all the associated benefits that go with a truly mixed use development is misleading if not disingenuous.
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I3-2  
I3-3  
I3-4

**I3-4**

Following this introduction, the comment incorrectly identifies the amount of commercial space that would be provided as part of the Project, as expresses the commenter’s opinion that referring to the Project as “mixed use” is misleading. The Project includes a Specific Plan Amendment as a part of the Project to allow ground floor residential. As such, the Project includes 10,000 square feet of commercial uses at key locations and ground floor residential in other areas. The Project has been designed to provide locally serving commercial use to meet the needs of the Project’s residential component, while helping to support and revitalize the City’s existing Downtown District core through increasing residential housing. For information detailing the components of the Project, refer to Section 2 of the Draft EIR.

The comment begins by identifying a chapter and page of the Draft EIR, identifies the issue area the comment will address, and provides a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the remainder of the author’s comment.

Following this introduction, the comment states that all buildings relating to street edges must conform to the Downtown Specific Plan “if the buildings were at or near the street/sidewalk grade and residential units were located on the ground level rather than second

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Item/Page #	Summary of Policy Text	Summary of Consistency Analysis Statement/Claim Made in DEIR	KE Comments
Summary S.4	Areas of controversy	Areas of controversy are considered to include... - Aesthetics related to the Downtown Specific Plan area	There are major issues relative to the Downtown Specific Plan (DTSP). To say they are limited to aesthetics is a mischaracterization. The issue is non-compliance with the DTSP on a variety of fronts.
Project Description 2-3	Table 2-1, Proposed Uses	Total Commercial Space provided = 10,000sf	According to the most recent plans I have seen, the total Commercial Space square footage to be constructed is 539,593. (This figure does not include 232,898 sf of garage construction.) Commercial Space provided is less than 2% of total project square footage. To call this a mixed use project and claim all the associated benefits that go with a truly mixed use development is misleading if not disingenuous.
Project Description 2-4	Architecture	---	All buildings relating to street edges must conform to the DTSP...if the buildings were at or near the street/sidewalk grade and residential units were located on the ground level rather than second level over parking

13-2

13-3

13-4

level over parking.” As discussed in the Project Description (see Chapter 2 of the Draft EIR), the building design within the Project site would be in accordance with the Downtown Specific Plan. The Project would also be consistent with the regulations pertaining to aesthetics and visual quality that are identified within the Downtown Specific Plan. Refer to Section 5.2.1, Aesthetics for more information. Additionally, these statements included in the comment are a mischaracterization of the design. The goal referenced from the Downtown Specific Plan states “Street level and human scale design elements in new and remodeled developments that improve pedestrian orientation.” All of the residential units within the Project site would have a ground floor entry. Human scale design elements would be included within the development along Valley Boulevard where there would be public-facing of front doors. These elements include larger sidewalks and parkways and front door entries. These statements do not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

<p>Land Use and Planning 4.4-8</p>	<p>Escondido Downtown Specific Plan. Street-level and human-scale design elements in new and remodeled developments that improve pedestrian orientation.</p>	<p>----</p>	<p>The vast majority of buildings are located above street level from a few feet to up to 20' with slope banks &amp; retaining walls of those heights nearly encircling the entire property.. The actual residential living spaces are located from the second floor on up OVER ground level parking spaces/garages. There are is essentially no living residential living space on the entire ground floor of this entire project.</p>	<p>13-5</p>	<p><b>I3-5</b></p>	<p>The comment begins by identifying a chapter and page of the Draft EIR and provides a summary of the issue area the comment will address in order to provide context for the remainder of the author’s comment.</p>
<p>Land Use and Planning 4.4-11</p>	<p>The Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit.</p>	<p>----</p>	<p>Due to having no residential living space on the entire ground floor of this entire project, the project is not consistent with the most fundamental principle of creating a pedestrian-oriented community.</p> <p>The majority of buildings located adjacent to public streets are located above street level from a few feet to 20' or in some cases, below street level. And, with the exception of some Villas and Rowhomes, most residential units are on second level over ground level parking.</p>	<p>13-6</p>	<p>Following this introduction, the comment restates information provided within the Project Description (Chapter 2) of the Draft EIR regarding building heights and the location of residential living space within the development, and states that there is essentially no residential living space on the entire ground floor of the proposed development. The Project would include ground-floor residential living space within most of the villas and rowhomes proposed for the eastern portion of the Project site. All of the residential units within the Project site would have a ground floor entry. Human scale design elements would be included within the development along Valley Boulevard where there would be public-facing of front doors. These elements include larger sidewalks and parkways. In addition, the proposed retaining walls would be 10 feet or lower in height, though it is acknowledged that terraced retaining walls on the eastern portion of the site would cumulatively exceed 10 feet. This has been clarified and included within the Final EIR in Section 2.3.2, Demolition, Grading, and Construction. This statement does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to</p>	
<p>Alternatives Table 7-1 7-12</p>	<p>Comparison of Alternatives Relative to Project Objectives. 6. Develop a community that responds to the unique</p>	<p>“project would include grading and design to follow topography”</p>	<p>Considering the significant slope banks and retaining walls, the grading design does not appear “to follow topography”.</p>	<p>13-7</p>		
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<p>Land Use and Planning 4.4-8</p>	<p>Escondido Downtown Specific Plan. Street-level and human-scale design elements in new and remodeled developments that improve pedestrian orientation.</p>	<p>----</p>	<p>The vast majority of buildings are located above street level from a few feet to up to 20' with slope banks &amp; retaining walls of those heights nearly encircling the entire property.. The actual residential living spaces are located from the second floor on up OVER ground level parking spaces/garages. There are essentially no living residential living space on the entire ground floor of this entire project.</p>	<p>I3-5</p>	<p>making a final decision on the Project. For a discussion of the residential components of the Project, refer to Section 2, Project Description, of the Draft EIR. For a discussion of impacts related to aesthetics, refer to Section 5.2.1, Aesthetics.</p>
<p>Land Use and Planning 4.4-11</p>	<p>The Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit.</p>	<p>----</p>	<p>Due to having no residential living space on the entire ground floor of this entire project, the project is not consistent with the most fundamental principle of creating a pedestrian-oriented community.</p> <p>The majority of buildings located adjacent to public streets are located above street level from a few feet to 20' or in some cases, below street level. And, with the exception of some Villas and Rowhomes, most residential units are on second level over ground level parking.</p>	<p>I3-6</p>	<p><b>I3-6</b> The comment begins by identifying a chapter and page of the Draft EIR and provides a summary of the issue area the comment will address in order to provide context for the author's comment.</p>
<p>Alternatives Table 7-1 7-12</p>	<p>Comparison of Alternatives Relative to Project Objectives. 6. Develop a community that responds to the unique</p>	<p>"project would include grading and design to follow topography"</p>	<p>Considering the significant slope banks and retaining walls, the grading design does not appear "to follow topography".</p>	<p>I3-7</p>	<p>Following this introduction, the comment states that the Project is "not consistent with the most fundamental principle of creating a pedestrian-oriented community," due to the Project having no residential living space on the ground floor. The Specific Plan goal states that there should be street-level and human scale design elements. The comment then notes that the majority of the proposed buildings that would be located adjacent to public streets are located above or below street level, and most residential units are on the second level or over ground level parking. To clarify, the Downtown Specific Plan assumed the ground floor would be commercial and residential would be located on the second level or above. While the Specific Plan does not define street-level and human-scale elements to include "ground floor living," it should be noted that all of the residential units would have ground floor entries (with</p>
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<p>Land Use and Planning 4.4-8</p>	<p>Escondido Downtown Specific Plan. Street-level and human-scale design elements in new and remodeled developments that improve pedestrian orientation.</p>	<p>----</p>	<p>The vast majority of buildings are located above street level from a few feet to up to 20' with slope banks &amp; retaining walls of those heights nearly encircling the entire property.. The actual residential living spaces are located from the second floor on up OVER ground level parking spaces/garages. There are is essentially no living residential living space on the entire ground floor of this entire project.</p>	<p>13-5</p>	<p>the exception of units on the top floor of the apartment building and units in the senior apartments.) Of the seven residential unit plans within the villas and the rownhomes, five of them would have “ground floor living.” Entries to the units along Valley Boulevard would have front doors that would be accessed from the public sidewalk. Sidewalks have been enlarged, the buildings have been pushed back for larger landscape and parkway areas and the materials have been upgraded to create a more pleasing human scale experience.</p>
<p>Land Use and Planning 4.4-11</p>	<p>The Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit.</p>	<p>----</p>	<p>Due to having no residential living space on the entire ground floor of this entire project, the project is not consistent with the most fundamental principle of creating a pedestrian-oriented community.</p> <p>The majority of buildings located adjacent to public streets are located above street level from a few feet to 20' or in some cases, below street level. And, with the exception of some Villas and Rowhomes, most residential units are on second level over ground level parking.</p>	<p>13-6</p>	<p>As discussed in Appendix H to the Draft EIR in the City of Escondido General Plan Policy Consistency Analysis Table, the Project has been designed to create human-scale, pedestrian-oriented buildings and landscape design to promote pedestrian use of the local sidewalks and pedestrian site access. This includes high-profile and vertical design features, architecturally distinguishing the ground-floor facade, providing landscaping along pedestrian areas, and enhanced commercial building corners with special architectural treatments. The Project would promote multi-modal transportation use of Valley Boulevard via methods such as reducing the roadway crossing distance for pedestrians, providing a public transit bus-turn out, and providing a bike lane and a ride-share pickup/drop-off area.</p>
<p>Alternatives Table 7-1 7-12</p>	<p>Comparison of Alternatives Relative to Project Objectives. 6. Develop a community that responds to the unique</p>	<p>“project would include grading and design to follow topography”</p>	<p>Considering the significant slope banks and retaining walls, the grading design does not appear “to follow topography”.</p>	<p>13-7</p>	<p>Because the statements do not raise an issue regarding the adequacy of the analysis contained in the Draft</p>
<p>Ken Erickson, Architect</p>	<p>Comments on DEIR for Palomar Heights</p>	<p>May 4, 2020</p>	<p>Page 2 of 6</p>		

Land Use and Planning 4.4-8	Escondido Downtown Specific Plan. Street-level and human-scale design elements in new and remodeled developments that improve pedestrian orientation.	---	The vast majority of buildings are located above street level from a few feet to up to 20' with slope banks & retaining walls of those heights nearly encircling the entire property.. The actual residential living spaces are located from the second floor on up OVER ground level parking spaces/garages. There are is essentially no living residential living space on the entire ground floor of this entire project.	13-5	<b>I3-7</b>	EIR, no further response is required. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.
Land Use and Planning 4.4-11	The Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit.	---	Due to having no residential living space on the entire ground floor of this entire project, the project is not consistent with the most fundamental principle of creating a pedestrian-oriented community.  The majority of buildings located adjacent to public streets are located above street level from a few feet to 20' or in some cases, below street level. And, with the exception of some Villas and Rowhomes, most residential units are on second level over ground level parking.	13-6		The comment begins by identifying a chapter and page of the Draft EIR, a summary of the issue area the comment will address, and a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the author's comment.
Alternatives Table 7-1 7-12	Comparison of Alternatives Relative to Project Objectives. 6. Develop a community that responds to the unique	"project would include grading and design to follow topography"	Considering the significant slope banks and retaining walls, the grading design does not appear "to follow topography".	13-7		Following this introduction, the comment then states that the grading design of the Project does not appear to follow topography, considering the slope banks and retaining walls to be constructed within the Project site. Under existing conditions, the property has an elevated central area with descending elevations towards the perimeter of the site. Existing elevations range from about 670 feet above mean sea level (amsl) to 715 feet amsl. Retaining walls are present at several locations, including near the hospital's northern entrance on E. Valley Parkway and at the site's southern boundary. As discussed in Chapter 2, Section 2.3.2, the Project would require a Grading Exemption and an import of 15,470 cubic yards of soil, due to the existing topography along the eastern side of the site and the proposed grading to create flat pads for development. The proposed retaining walls would be 10 feet or lower in height. This has been clarified and
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Land Use and Planning 4.4-8	Escondido Downtown Specific Plan. Street-level and human-scale design elements in new and remodeled developments that improve pedestrian orientation.	----	The vast majority of buildings are located above street level from a few feet to up to 20' with slope banks & retaining walls of those heights nearly encircling the entire property. The actual residential living spaces are located from the second floor on up OVER ground level parking spaces/garages. There are essentially no living residential living space on the entire ground floor of this entire project.	13-5	<p>included within the Final EIR in Section 2.3.2, Demolition, Grading, and Construction (page 2-9) A figure (Figure 2-11, Wall Plan) has been added to the Final EIR to provide additional information regarding the walls. Refer to Appendix L, Updated Geotechnical Evaluation, and Figures 5.1-1 to 5.1-7 that provide visual simulations for additional information as well. The comment does not raise an issue with the adequacy of the analysis contained in the Draft EIR, therefore no further response is required. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
Land Use and Planning 4.4-11	The Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit.	----	<p>Due to having no residential living space on the entire ground floor of this entire project, the project is not consistent with the most fundamental principle of creating a pedestrian-oriented community.</p> <p>The majority of buildings located adjacent to public streets are located above street level from a few feet to 20' or in some cases, below street level. And, with the exception of some Villas and Rowhomes, most residential units are on second level over ground level parking.</p>	13-6	
Alternatives Table 7-1 7-12	Comparison of Alternatives Relative to Project Objectives. 6. Develop a community that responds to the unique	"project would include grading and design to follow topography"	Considering the significant slope banks and retaining walls, the grading design does not appear "to follow topography".	13-7	
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topography and character of the Project site and surrounding area

**APPENDIX H – GENERAL PLAN CONSISTENCY ANALYSIS**

Goal/Policy #	Summary of Policy Text	Summary of Consistency Analysis Statement/Claim Made in DEIR	KE Comments
<b>LAND USE AND COMMUNITY FORM ELEMENT</b>			
Goal 1	Community composed of...whose urban form reflects the natural environmental setting	"The Project ...would implement development consistent with the requirements of the Downtown Specific Plan."	Project is not in compliance with the DTSP. See specific comments below. In a developed area, what is meant by natural environmental setting? The site has been graded into many terraced planes to accommodate the topography. The proposed grading is essentially one flat graded pad made possible by series of retaining walls up to 20' tall surrounding the site.
Policy 1.3	Facilitate development that is consistent with the build out vision for each area through ...Specific Plans.	"Proposed residential and commercial development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan." "While the Project includes amendments to allow residential units on the ground floor..." "The provision of ground-floor residential within the Project site would be more consistent with the surrounding residential uses..."	Project is not in compliance with the DTSP. See specific comments below. - This corner represents a very small portion of the total perimeter of the project. The majority of the remaining buildings range from a few feet to 20' above adjacent streets. With a few exceptions at the "Rowhomes" and "Villas", residential units are located on the second floor above ground level parking garages. A few stairs and doors to some second-floor units have been added, but add little to the "articulation" of garage level walls.  - "variation of the roofline heights" that are significantly above and away from the street & sidewalk level are not consistent with the DTSP and do not create pedestrian
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**I3-8**

The City acknowledges the comment expresses the opinion of the commenter, and is an introduction to comments that follow. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I3-9**

The comment asks the question, "In a developed area, what is meant by natural environmental setting?" The comment then states that the Project site has been graded into many terraced planes to accommodate the topography, and states that the "proposed grading is essentially one flat graded pad made possible by a series of retaining walls up to 20' tall surrounding the site." The proposed retaining walls would be 10 feet or lower in height. The proposed retaining walls would be located in areas where there are the greatest topographical differences. The majority of the proposed retaining walls would be located along the eastern portion of the site where the existing roads and development lie 15 to 18 feet below the Project site. The retaining walls along the eastern and northeastern sides of the Project site would be terraced. Refer to the new Final EIR Figure 2-11, Wall Plan, for additional details regarding the proposed walls. As a result of project design, the construction of an ADA accessible pathway to N. Fig Street necessitates the construction of retaining walls at this location. An example of the retaining walls can be seen in EIR Figure 5.1-4. These statements do not raise an issue regarding the adequacy of the analysis contained in the Draft EIR.

I3-8  
I3-9  
I3-10  
I3-11

topography and character of the Project site and surrounding area			
<b>APPENDIX H – GENERAL PLAN CONSISTENCY ANALYSIS</b>			
<i>Goal/Policy #</i>	<i>Summary of Policy Text</i>	<i>Summary of Consistency Analysis Statement/Claim Made in DEIR</i>	<i>KE Comments</i>
<b>LAND USE AND COMMUNITY FORM ELEMENT</b>			
Goal 1	Community composed of...whose urban form reflects the natural environmental setting	"The Project ...would implement development consistent with the requirements of the Downtown Specific Plan."	Project is not in compliance with the DTSP. See specific comments below. In a developed area, what is meant by natural environmental setting? The site has been graded into many terraced planes to accommodate the topography. The proposed grading is essentially one flat graded pad made possible by series of retaining walls up to 20' tall surrounding the site .
			I 13-8
			I 13-9
Policy 1.3	Facilitate development that is consistent with the build out vision for each area through ...Specific Plans.	"Proposed residential and commercial development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan." "While the Project includes amendments to allow residential units on the ground floor..." "The provision of ground-floor residential within the Project site would be more consistent with the surrounding residential uses..."	Project is not in compliance with the DTSP. See specific comments below. – This corner represents a very small portion of the total perimeter of the project. The majority of the remaining buildings range from a few feet to 20' above adjacent streets. With a few exceptions at the "Rowhomes" and "Villas", residential units are located on the second floor above ground level parking garages. A few stairs and doors to some second-floor units have been added, but add little to the "articulation" of garage level walls. – "variation of the roofline heights" that are significantly above and away from the street & sidewalk level are not consistent with the DTSP and do not create pedestrian
			I 13-10
			I 13-11
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**I3-10**

The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment begins by identifying a Policy of the Land Use and Community Form Element of the City’s General Plan, provides a summary of the issue area the comment will address, and includes a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the author’s comment.

Following this comment introduction, the comment states that the Project is not in compliance with the Downtown Specific Plan, in that the majority of buildings would range from a few feet to 20-feet above adjacent streets. The comment also notes that residential units are located on the second floor above ground level parking garages, and that a few stairs and doors to some second-floor units have been added, but states the commenters opinion that “articulation” of garage level walls should be added. The Draft EIR evaluated Project aesthetic and visual impacts, and found that the Project would be consistent with the regulations pertaining to aesthetics and visual quality that are identified within the Downtown Specific Plan. Refer to Section 5.2.1 of the Draft EIR, Aesthetics for more information. The comment states the opinion of the commenter, but does not raise an issue regarding the adequacy of the analysis contained in the Draft

Goal 2	Regulations that clearly and effectively implement land use development goals and objectives	"The Project... would implement development consistent with the requirements of the Downtown Specific Plan." "...the Project would be consistent with the goals of the Downtown Specific Plan."	The project does not comply with the Downtown Specific Plan.	I3-11 Cont	I3-11	EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.
Policy 2.2	Apply zoning overlays to implement specific standards, regulations and guidelines... within Land Use Area Plans and Specific Plans.	"...the Project would be consistent with the Downtown Specific Plan upon approval of concurrently proposed Specific Plan Amendments."	The project does not comply with the Downtown Specific Plan.	I3-12	The comment states that the variation of the roofline heights that are significantly above and away from street and sidewalk level are not consistent with the Downtown Specific Plan and do not create a pedestrian oriented street edge. As discussed in Appendix H to the Draft EIR in the City of Escondido General Plan Policy Consistency Analysis Table, the Project has been designed to create human-scale, pedestrian-oriented buildings and landscape design to promote pedestrian use of the local sidewalks and pedestrian site access. Refer to response to comment I3-6 for further information regarding the creation of a pedestrian oriented environment.	
Policy 6.3	b) Preservation of the natural setting by minimizing earth movement	Unaddressed by DEIR	How can significant slope banks and retaining walls, sometimes up to 15'-20' be consistent?	I3-13		
Ken Erickson, Architect	Comments on DEIR for Palomar Heights	May 4, 2020	Page 4 of 6	I3-14		
				I3-15		
				I3-16		
				I3-17		

			oriented street edge.	I3-11 Cont	
			Where does the DTSP call for commercial, "specifically on Grand Ave"? The particular section needs to be referenced.	I3-12	<b>I3-12</b>
			The Palomar Hospital site is required to have commercial and retail on the ground floor.	I3-13	
			- The planned commercial component amounts to 0.06% of the total project square footage. Even recognizing there are market forces in play, it is a missed opportunity to create true mixed use (office, restaurants, live-work, residential, etc.) at a minimum along Valley BLVD, Grand Ave and a portion of Valley Pkwy that would provide downtown job opportunities for all of Escondido and within walking distance for future residents.	I3-14	
Goal 2	Regulations that clearly and effectively implement land use development goals and objectives	"The Project... would implement development consistent with the requirements of the Downtown Specific Plan." "...the Project would be consistent with the goals of the Downtown Specific Plan."	The project does not comply with the Downtown Specific Plan.	I3-15	
Policy 2.2	Apply zoning overlays to implement specific standards, regulations and guidelines... within Land Use Area Plans and Specific Plans.	"...the Project would be consistent with the Downtown Specific Plan upon approval of concurrently proposed Specific Plan Amendments."	The project does not comply with the Downtown Specific Plan.	I3-16	<b>I3-13</b>
Policy 6.3	b) Preservation of the natural setting by minimizing earth movement	Unaddressed by DEIR	How can significant slope banks and retaining walls, sometimes up to 15'-20' be consistent?	I3-17	
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as provides sidewalk improvements along the development. The comment expresses the commenter's opinion and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

A revision to the text within Appendix H has been made. The revised sentence now reads as follows: "While the Project includes amendments to allow residential units on the ground floor within the Project site, it would not preclude the overall goals of the Downtown Specific Plan or General Plan to provide pedestrian-oriented ground-floor commercial uses within the Retail Core Area."

The comment states that the Project site is required to have commercial and retail on the ground floor. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The Specific Plan Amendment proposed for the Project would change the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit. The Project includes 10,000 square feet of commercial space within the southern area of the senior apartment building as well as on the southern side of the apartment building proposed

			oriented street edge.	I3-11 Cont	
			Where does the DTSP call for commercial, "specifically on Grand Ave"? The particular section needs to be referenced.	I3-12	
			The Palomar Hospital site is required to have commercial and retail on the ground floor.	I3-13	<b>I3-14</b>
			- The planned commercial component amounts to 0.06% of the total project square footage. Even recognizing there are market forces in play, it is a missed opportunity to create true mixed use (office, restaurants, live-work, residential, etc.) at a minimum along Valley BLVD, Grand Ave and a portion of Valley Pkwy that would provide downtown job opportunities for all of Escondido and within walking distance for future residents.	I3-14	
Goal 2	Regulations that clearly and effectively implement land use development goals and objectives	"The Project... would implement development consistent with the requirements of the Downtown Specific Plan." "...the Project would be consistent with the goals of the Downtown Specific Plan."	The project does not comply with the Downtown Specific Plan.	I3-15	
Policy 2.2	Apply zoning overlays to implement specific standards, regulations and guidelines... within Land Use Area Plans and Specific Plans.	"...the Project would be consistent with the Downtown Specific Plan upon approval of concurrently proposed Specific Plan Amendments."	The project does not comply with the Downtown Specific Plan.	I3-16	
Policy 6.3	b) Preservation of the natural setting by minimizing earth movement	Unaddressed by DEIR	How can significant slope banks and retaining walls, sometimes up to 15'-20' be consistent?	I3-17	
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adjacent to the intersection of E. Grand Avenue and Valley Boulevard. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment notes that commercial uses would compose 0.06% of the total Project square footage, and states the commenter's opinion that this is a missed opportunity to create a mixed-use development. The comment expresses the commenter's opinion and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. However, it should be noted that the Project would provide a mix of residential and commercial land uses, including opportunities for café space, work spaces, restaurant uses, and leasing space. Thus, the Project, as designed, does contain a mix of uses. The proposed on-site commercial is designed to balance the commercial needs generated by the proposed future residents without adversely affecting existing commercial uses and ability to obtain commercial users in existing vacant commercial buildings in the Historic Downtown District of the Downtown Specific Plan. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Goal 2	Regulations that clearly and effectively implement land use development goals and objectives	"The Project... would implement development consistent with the requirements of the Downtown Specific Plan." "... the Project would be consistent with the goals of the Downtown Specific Plan."	oriented street edge.  Where does the DTSP call for commercial, "specifically on Grand Ave"? The particular section needs to be referenced.  The Palomar Hospital site is required to have commercial and retail on the ground floor.  - The planned commercial component amounts to 0.06% of the total project square footage. Even recognizing there are market forces in play, it is a missed opportunity to create true mixed use (office, restaurants, live-work, residential, etc.) at a minimum along Valley Blvd, Grand Ave and a portion of Valley Pkwy that would provide downtown job opportunities for all of Escondido and within walking distance for future residents.	↑ I3-11 Cont	<b>I3-15</b>	The comment begins by identifying a Goal of the Land Use and Community Form Element of the City’s General Plan, provides a summary of the issue area the comment will address, and includes a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the remainder author’s comment.	
Policy 2.2	Apply zoning overlays to implement specific standards, regulations and guidelines... within Land Use Area Plans and Specific Plans.	"...the Project would be consistent with the Downtown Specific Plan upon approval of concurrently proposed Specific Plan Amendments."	The project does not comply with the Downtown Specific Plan.	I3-12			Following this introduction, the comment states that the Project does not comply with the Downtown Specific Plan. The comment addresses general subject areas, which received extensive analysis in the Draft EIR. Refer to Appendix H to the Draft EIR, Escondido General Plan Policy Consistency Analysis Table. The comment does not raise any specific issue regarding that analysis and, therefore, no further response can be provided or is required. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.
Policy 6.3	b) Preservation of the natural setting by minimizing earth movement	Unaddressed by DEIR	How can significant slope banks and retaining walls, sometimes up to 15'-20' be consistent?	I3-13	I3-14		
Ken Erickson, Architect	Comments on DEIR for Palomar Heights	May 4, 2020	Page 4 of 6	I3-15	I3-16		
						<b>I3-16</b>	The comment begins by identifying a Policy of the Land Use and Community Form Element of the City’s General Plan, provides a summary of the issue area the comment will address, and includes a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the authors comment.
							Following this introduction, the comment states that the Project does not comply with the Downtown Specific Plan. The comment addresses general subject areas, which received extensive analysis in the Draft

Goal 2	Regulations that clearly and effectively implement land use development goals and objectives	"The Project... would implement development consistent with the requirements of the Downtown Specific Plan." "...the Project would be consistent with the goals of the Downtown Specific Plan."	oriented street edge.  Where does the DTSP call for commercial, "specifically on Grand Ave"? The particular section needs to be referenced.  The Palomar Hospital site is required to have commercial and retail on the ground floor.  - The planned commercial component amounts to 0.06% of the total project square footage. Even recognizing there are market forces in play, it is a missed opportunity to create true mixed use (office, restaurants, live-work, residential, etc.) at a minimum along Valley BLVD, Grand Ave and a portion of Valley Pkwy that would provide downtown job opportunities for all of Escondido and within walking distance for future residents.	↑ I3-11 Cont	<b>I3-17</b>	EIR. Refer to Appendix H to the Draft EIR, Escondido General Plan Policy Consistency Analysis Table. The comment does not raise any specific issue regarding that analysis and, therefore, no further response can be provided or is required. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.
			I3-12	The comment begins by identifying a Policy of the Land Use and Community Form Element of the City's General Plan, provides a summary of the issue area the comment will address, and includes a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the remainder of the author's comment.		
			I3-13	Following this introduction, the comment consists of a question, asking "[h]ow can significant slope banks and retaining walls, sometimes up to 15 to 20 feet be consistent" with Policy 6.3, and states that this policy is unaddressed by the Draft EIR. In reviewing this policy of the General Plan, the policy states "if applicable" and discusses the natural setting. It is the City's intent that this policy apply to significant grading that may occur in previously undeveloped locations that are in their natural state, rather than within previously developed locations, such as the Project site. Thus, this Policy is not applicable to the Project, and a consistency analysis is not required to be included within the Final EIR. Appendix H has been updated to clarify this.		
			I3-14			
			I3-15			
Policy 2.2	Apply zoning overlays to implement specific standards, regulations and guidelines... within Land Use Area Plans and Specific Plans.	"...the Project would be consistent with the Downtown Specific Plan upon approval of concurrently proposed Specific Plan Amendments."	The project does not comply with the Downtown Specific Plan.	I3-16		
Policy 6.3	b) Preservation of the natural setting by minimizing earth movement	Unaddressed by DEIR	How can significant slope banks and retaining walls, sometimes up to 15'-20' be consistent?	I3-17		
Ken Erickson, Architect	Comments on DEIR for Palomar Heights	May 4, 2020	Page 4 of 6			

Policy 6.3	g) Superlative architectural design features of all structures;	g) Architecture and features of the Project are addressed in Section 2.3.1 of the EIR	There are a couple sentences discussing the architectural design of the entire proposed project in Section 2.3.1. This is wholly inadequate.	13-18	<b>I3-18</b>	<p>The comment begins by identifying a Policy of the Land Use and Community Form Element of the City’s General Plan, provides a summary of the issue area the comment will address, and includes a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the remainder of the author’s comment.</p>	
Policy 11.3	Specific Plans...should be reserved for a limited number of proposals which, by nature, are ideally suited for the comprehensive planning efforts involved in the Specific Planning process.	"Project proposes an amendment to the existing Downtown Specific Plan. Currently the Downtown Specific Plan requires ground floor commercial uses at the Project site, with residential uses permitted above. The Project would include an amendment to the Downtown Specific Plan to allow residential units on the ground floor through a Planned Development Permit process. Because the Project would implement an existing Specific Plan, in conjunction with the proposed amendments, it would be consistent with this policy."	This is about a new specific plan not needed because the DTSP is being amended. – Questioning the consistent with the DTSP because it’s proposed to be amended and, – What is the process for an amendment? Public hearings? Does this affect the original DTSP DIR?	13-19			<p>Following this introduction, the comment states that the language discussing the architectural design of the Project is inadequate. However, no information or discussion is included as to why the commenter believes the language discussing the architecture of the Project is inadequate. Impacts regarding aesthetics and the visual quality of the Project are discussed and analyzed in Chapter 5, Section 5.2.1, Aesthetics, of the Draft EIR. As discussed in this section, the Project would be consistent with applicable regulations governing scenic quality, and aesthetics impacts were determined to be less than significant. Refer also to Draft EIR, Section 2.3.1, Project Components, which addresses the architectural design of the Project. Among other things, this section explains, “The building design would be in accordance with the Downtown Specific Plan (City of Escondido 2013), which includes step-back building facades for upper floors at the corner of E. Grand Avenue, variation of the roofline heights, and articulation of facades to create a pedestrian and street-orientation.” The Draft</p>
Policy 11.6	No Specific Plan shall be adopted by the City Council until the Council has reviewed the proposed Plan for compliance with the following requirements which are in addition to requirements imposed by State Government Code Sections 65450, et seq...[specific requirements a) through h) are listed]	"The Project does not include a Specific Plan. The Project would implement the Downtown Specific Plan with the inclusion of a Specific Plan Amendment, as discussed in Policy 11.3. The Project would otherwise be consistent with all requirements of the Downtown Specific Plan."	The project does not comply with the Downtown Specific Plan. It cannot be claimed that the project is "consistent" with the DTSP, ONCE AN AMENDMENT TO THE DTSP IS PASSED AS A PART OF THIS PROJECT. This is totally misleading to anyone who is not paying very close attention. And to say "The Project would otherwise be consistent with all requirements of the Downtown Specific Plan" is making a circular argument and equally misleading.	13-20			
Ken Erickson, Architect	Comments on DEIR for Palomar Heights	May 4, 2020	Page 5 of 6				

Policy 6.3	g) Superlative architectural design features of all structures;	g) Architecture and features of the Project are addressed in Section 2.3.1 of the EIR	There are a couple sentences discussing the architectural design of the entire proposed project in Section 2.3.1. This is wholly inadequate.	13-18	<p>EIR also provides a number of visual depictions. See, e.g., Figure 2-4, Elevations, and Figure 2-5, Rendering.</p> <p>Accordingly, because the comment addresses general subject areas, which received extensive analysis in the Draft EIR, but does not raise any specific issue regarding that analysis, no further response can be provided or is required.</p>		
Policy 11.3	Specific Plans...should be reserved for a limited number of proposals which, by nature, are ideally suited for the comprehensive planning efforts involved in the Specific Planning process.	"Project proposes an amendment to the existing Downtown Specific Plan. Currently the Downtown Specific Plan requires ground floor commercial uses at the Project site, with residential uses permitted above. The Project would include an amendment to the Downtown Specific Plan to allow residential units on the ground floor through a Planned Development Permit process. Because the Project would implement an existing Specific Plan, in conjunction with the proposed amendments, it would be consistent with this policy."	This is about a new specific plan not needed because the DTSP is being amended. - Questioning the consistent with the DTSP because it's proposed to be amended and, - What is the process for an amendment? Public hearings? Does this affect the original DTSP DIR?	13-19		<b>I3-19</b>	<p>The comment begins by identifying a Policy of the Land Use and Community Form Element of the City's General Plan, provides a summary of the issue area the comment will address, and includes a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the remainder of the author's comment.</p>
Policy 11.6	No Specific Plan shall be adopted by the City Council until the Council has reviewed the proposed Plan for compliance with the following requirements which are in addition to requirements imposed by State Government Code Sections 65450, et seq., [specific requirements a) through h) are listed]	"The Project does not include a Specific Plan. The Project would implement the Downtown Specific Plan with the inclusion of a Specific Plan Amendment, as discussed in Policy 11.3. The Project would otherwise be consistent with all requirements of the Downtown Specific Plan."	The project does not comply with the Downtown Specific Plan. It cannot be claimed that the project is "consistent" with the DTSP, ONCE AN AMENDMENT TO THE DTSP IS PASSED AS A PART OF THIS PROJECT. This is totally misleading to anyone who is not paying very close attention. And to say "The Project would otherwise be consistent with all requirements of the Downtown Specific Plan" is making a circular argument and equally misleading.	13-20			
<p>Ken Erickson, Architect      Comments on DEIR for Palomar Heights      May 4, 2020      Page 5 of 6</p>					<p>Following this introduction, the author then provides a statement, questioning the finding that the Project is consistent with the Downtown Specific plan, since a Specific Plan Amendment would be required. The author also asks what the process for an amendment entails, and whether it would affect the original Downtown Specific Plan EIR. As discussed in Section 4.4 of the Draft EIR, the Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed</p>		

Policy 6.3	g) Superlative architectural design features of all structures;	g) Architecture and features of the Project are addressed in Section 2.3.1 of the EIR	There are a couple sentences discussing the architectural design of the entire proposed project in Section 2.3.1. This is wholly inadequate.	I3-18	<p>Specific Plan Amendment. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit. Through the processing of a Specific Plan Amendment, the Project would be consistent with the Downtown Specific Plan. For further discussion regarding a land use consistency analysis, refer to Section 4.4, Land Use, of the Draft EIR.</p>
Policy 11.3	Specific Plans...should be reserved for a limited number of proposals which, by nature, are ideally suited for the comprehensive planning efforts involved in the Specific Planning process.	"Project proposes an amendment to the existing Downtown Specific Plan. Currently the Downtown Specific Plan requires ground floor commercial uses at the Project site, with residential uses permitted above. The Project would include an amendment to the Downtown Specific Plan to allow residential units on the ground floor through a Planned Development Permit process. Because the Project would implement an existing Specific Plan, in conjunction with the proposed amendments, it would be consistent with this policy."	This is about a new specific plan not needed because the DTSP is being amended. - Questioning the consistent with the DTSP because it's proposed to be amended and, - What is the process for an amendment? Public hearings? Does this affect the original DTSP DIR?	I3-19	
Policy 11.6	No Specific Plan shall be adopted by the City Council until the Council has reviewed the proposed Plan for compliance with the following requirements which are in addition to requirements imposed by State Government Code Sections 65450, et seq. [specific requirements a) through h) are listed]	"The Project does not include a Specific Plan. The Project would implement the Downtown Specific Plan with the inclusion of a Specific Plan Amendment, as discussed in Policy 11.3. The Project would otherwise be consistent with all requirements of the Downtown Specific Plan."	The project does not comply with the Downtown Specific Plan. It cannot be claimed that the project is "consistent" with the DTSP, ONCE AN AMENDMENT TO THE DTSP IS PASSED AS A PART OF THIS PROJECT. This is totally misleading to anyone who is not paying very close attention. And to say "The Project would otherwise be consistent with all requirements of the Downtown Specific Plan" is making a circular argument and equally misleading.	I3-20	
<p>Ken Erickson, Architect      Comments on DEIR for Palomar Heights      May 4, 2020      Page 5 of 6</p>					<p><b>I3-20</b>      Refer to response to comment I3-19.</p>

<p><b>ESCONDIDO DOWNTOWN SPECIFIC PLAN DOWNTOWN SPECIFIC PLAN STRATEGIC GOALS</b></p>	<p>Goal 3 A vibrant and exciting environment with land uses that foster an "18-hour" atmosphere, in addition to areas that provide mixed use, office employment and high-density residential opportunities</p>	<p>"The Project is a higher density mixed-use development that would add to, and support, the City's vision for the Downtown SPA."</p>	<p>According to the most recent plans I have seen, the total Commercial Space square footage to be constructed is 539,593. (This figure does not include 232,898 sf of garage construction.) Commercial Space provided is less than 2% of total project square footage. To call this a mixed use project and claim all the associated benefits that go with a truly mixed use development is misleading if not disingenuous.</p>	<p>I3-21</p>	<p><b>I3-21</b> Refer to response to comment I3-3.</p>
	<p>Goal 4 Development and signage that strengthen the character of Downtown and are architecturally compatible with the existing urban fabric.</p>	<p>Proposed residential and commercial development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan which includes...articulation of facades to create a pedestrian and street orientation." "The Project's compliance with the design and development guidelines of the Downtown Specific Plan would ensure its design compatibility with the long-term buildout of the Downtown SPA as envisioned by the City, which emphasizes a human-scale mix..."</p>	<p>The project does not comply with the Downtown Specific Plan.</p>	<p>I3-22</p>	<p><b>I3-22</b> The comment begins by identifying a Goal of the Downtown Specific Plan, provides a summary of the issue area the comment will address, and includes a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the remainder of the author's comment.</p> <p>Following this introduction, the comment states that the Project does not comply with the Downtown Specific Plan. The comment addresses general subject areas that received extensive analysis in the Draft EIR. Refer to Appendix H to the Draft EIR, Escondido General Plan Policy Consistency Analysis Table. The comment does not raise any specific issue regarding that analysis; therefore, no further response can be provided or is required. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
	<p>Goal 5 Street-level and human-scale design elements in new and remodeled developments that improve pedestrian orientation</p>	<p>"The Project would create human-scale, pedestrian-oriented buildings and landscape design to promote pedestrian use of the local sidewalks and pedestrian site access. This includes high-profile and vertical design features, architecturally distinguishing the ground-floor façade..."</p>	<p>"architecturally distinguishing the ground-floor façade..." how is this consistent with the slope banks, etc.?"</p>	<p>I3-23</p>	<p><b>I3-23</b> The comment begins by identifying a Goal of the Escondido Downtown Specific Plan, a summary of the issue area the comment will address, and a summary of the applicable text in the Draft EIR the commenter is referring to in order to provide context for the author's comment.</p>
<p>Ken Erickson, Architect</p>	<p>Comments on DEIR for Palomar Heights</p>	<p>May 4, 2020</p>	<p>Page 6 of 6</p>		

ESCONDIDO DOWNTOWN SPECIFIC PLAN DOWNTOWN SPECIFIC PLAN STRATEGIC GOALS			
Goal 3	A vibrant and exciting environment with land uses that foster an "18-hour" atmosphere, in addition to areas that provide mixed use, office employment and high-density residential opportunities	"The Project is a higher density mixed-use development that would add to, and support, the City's vision for the Downtown SPA."	According to the most recent plans I have seen, the total Commercial Space square footage to be constructed is 539,593. (This figure does not include 232,898 sf of garage construction.) Commercial Space provided is less than 2% of total project square footage. To call this a mixed use project and claim all the associated benefits that go with a truly mixed use development is misleading if not disingenuous.
Goal 4	Development and signage that strengthen the character of Downtown and are architecturally compatible with the existing urban fabric.	Proposed residential and commercial development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan which includes...articulation of facades to create a pedestrian and street orientation." "The Project's compliance with the design and development guidelines of the Downtown Specific Plan would ensure its design compatibility with the long-term buildout of the Downtown SPA as envisioned by the City, which emphasizes a human-scale mix..."	The project does not comply with the Downtown Specific Plan.
Goal 5	Street-level and human-scale design elements in new and remodeled developments that improve pedestrian orientation	"The Project would create human-scale, pedestrian-oriented buildings and landscape design to promote pedestrian use of the local sidewalks and pedestrian site access. This includes high-profile and vertical design features, architecturally distinguishing the ground-floor façade..."	"architecturally distinguishing the ground-floor façade..." how is this consistent with the slope banks, etc.?

Following this introduction, the comment asks the question of how the ground-floor façade is consistent with the slope banks, etc. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. Impacts regarding aesthetics and the visual quality of the Project are discussed and analyzed in Chapter 5, Section 5.2.1, Aesthetics, of the Draft EIR. As discussed in this section, the Project would be consistent with applicable regulations governing scenic quality, and aesthetics impacts were determined to be less than significant. Refer to Section 5.2.1 of the Draft EIR for further information. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I4

Email civics@robroy.cc  
 Council Meeting Date 4/8/2020  
 Agenda # 17  
 Subject Local Emergency Proclamation  
 Position In Favor  
 First and Last Name Robroy Fawcett  
 Escondido Resident True  
 Street Address 1576 Katella Way  
 City Escondido  
 State CA  
 Zip 92027

Comments On March 17th, a day after the City Manager signed a local emergency proclamation due to the COVID-19 pandemic, the City noticed a 45-day CEQA comment and review period running from March 20th to May 5th for redeveloping the Palomar Medical Center Downtown Campus, which project would include tearing down the currently operating hospital located on the campus. Local and regional libraries are currently closed, and the public does not have access to technical and legal resources for preparing comments. I request that the currently running CEQA period be terminated, and notice for a new 45-day period be given at a future date after the declared emergency ends.

A form has been submitted, click the link below to view the submission:  
<https://www.escondido.org/FormWizard/ViewSubmission.aspx?mid=5168&pageid=3094&rid=134a6cbb-401f-476d-9b86-6ffd409ae1e8>

I4-1

Response to Comment Letter I4

Robroy Fawcett  
 April 8, 2020

I4-1

The comment provides a request to extend the Draft EIR public review period for a new 45-day period to begin once the declared health emergency due to the COVID-19 pandemic has ended. The commenter notes that the public does not have access to technical and legal resources for preparing comments, as local and regional libraries are closed during the pandemic.

The following information details the requirements of Executive Order N-54-20 (regarding posting, filing and noticing requirements under CEQA). It should be noted that the Executive Order did not apply to this Project because the Project was already out for public review. However, the City chose to comply with the requirements of the Executive Order.

Pursuant to Executive Order N-54-20, issued by the Executive Department of the State of California and Governor Gavin Newsom on April 22, 2020, deadlines for filing, noticing, and posting of CEQA documents with county clerk offices have been suspended for a period of 60 days. Executive Order N-54-20 was issued to allow certain posting, filing, and notice requirements under CEQA to be satisfied through electronic means to allow

<p style="text-align: right;"><b>Comment Letter 14</b></p> <p><b>Email</b> civics@robroy.cc  <b>Council Meeting Date</b> 4/8/2020  <b>Agenda #</b> 17  <b>Subject</b> Local Emergency Proclamation  <b>Position</b> In Favor  <b>First and Last Name</b> Robroy Fawcett  <b>Escondido Resident</b> True  <b>Street Address</b> 1576 Katella Way  <b>City</b> Escondido  <b>State</b> CA  <b>Zip</b> 92027  <b>Comments</b> On March 17th, a day after the City Manager signed a local emergency proclamation due to the COVID-19 pandemic, the City noticed a 45-day CEQA comment and review period running from March 20th to May 5th for redeveloping the Palomar Medical Center Downtown Campus, which project would include tearing down the currently operating hospital located on the campus. Local and regional libraries are currently closed, and the public does not have access to technical and legal resources for preparing comments. I request that the currently running CEQA period be terminated, and notice for a new 45-day period be given at a future date after the declared emergency ends.</p> <p>A form has been submitted, click the link below to view the submission:  <a href="https://www.escondido.org/FormWizard/ViewSubmission.aspx?mid=5168&amp;pageid=3094&amp;rid=134a6cbb-401f-476d-9b86-6ffd409ae1e8">https://www.escondido.org/FormWizard/ViewSubmission.aspx?mid=5168&amp;pageid=3094&amp;rid=134a6cbb-401f-476d-9b86-6ffd409ae1e8</a></p> <p style="text-align: center;">1</p>	<p>public access and involvement consistent with COVID-19 public health concerns.</p> <p>Paragraph 8 of Executive Order N-54-20 states, in part, as follows:</p> <p>“In the event that any lead agency, responsible agency, or project applicant is operating under any of these suspensions, and the lead agency, responsible agency, or project applicant would otherwise have been required to publicly post or file materials concerning the project with any county clerk, or otherwise make such materials available to the public, the lead agency, responsible agency, or project applicant (as applicable) shall do all of the following:</p> <ol style="list-style-type: none"> <li>a) Post such materials on the relevant agency’s or applicant’s public-facing website for the same period of time that physical posting would otherwise be required;</li> <li>b) Submit all materials electronically to the State Clearinghouse CEQAnet Web Portal; and</li> </ol> <p>Engage in outreach to any individuals and entities known by the lead agency, responsible agency, or project applicant to be parties interested in the project in the manner contemplated by the Public Resources Code sections 21100 et seq. and California Code of Regulations, Title 14, sections 15000 et seq.”</p>
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Comment Letter 14

Email civics@robroy.cc  
 Council Meeting Date 4/8/2020  
 Agenda # 17  
 Subject Local Emergency Proclamation  
 Position In Favor  
 First and Last Name Robroy Fawcett  
 Escondido Resident True  
 Street Address 1576 Katella Way  
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Comments On March 17th, a day after the City Manager signed a local emergency proclamation due to the COVID-19 pandemic, the City noticed a 45-day CEQA comment and review period running from March 20th to May 5th for redeveloping the Palomar Medical Center Downtown Campus, which project would include tearing down the currently operating hospital located on the campus. Local and regional libraries are currently closed, and the public does not have access to technical and legal resources for preparing comments. I request that the currently running CEQA period be terminated, and notice for a new 45-day period be given at a future date after the declared emergency ends.

14-1

A form has been submitted, click the link below to view the submission:  
<https://www.escondido.org/FormWizard/ViewSubmission.aspx?mid=5168&pageid=3094&rid=134a6cbb-401f-476d-9b86-6ffd409ae1e8>

1

Deadlines for public review and comment periods for CEQA documents, such as for draft EIRs and negative declarations, have not been suspended, and those deadlines remain unchanged. Executive Order N-54-20 is available at <https://www.gov.ca.gov/wp-content/uploads/2020/04/N-54-20-COVID-19-4.22.20.pdf>.

The City noticed a public review period for the Draft EIR to run from March 20, 2020 to May 5, 2020, running for the required 45-day period under CEQA Guidelines Section 15105. The City subsequently extended the public review and comment period by 15 days to close at 5:00 p.m. on May 19, 2020. The Notice of Completion of the Draft EIR was filed with the State Clearinghouse as required by CEQA Guidelines Section 15085. In addition, the NOA of the Draft EIR was distributed pursuant to CEQA Guidelines Section 15087 by posting notice with the County Clerk; publishing notice in the Escondido Times Advocate newspaper; mailing notice to neighbors surrounding the Project site; and mailing notice to appropriate agencies, those persons who had requested such notices, and those persons who commented on the NOP. The notice for extension of public review was also mailed to the identified interested parties and was posted on the City’s website.

The Draft EIR was made available to the public via the City of Escondido website (<https://www.escondido.org/palomarheights.aspx>)

Comment Letter 14

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 Council Meeting Date 4/8/2020  
 Agenda # 17  
 Subject Local Emergency Proclamation  
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 First and Last Name Robroy Fawcett  
 Escondido Resident True  
 Street Address 1576 Katella Way  
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Comments On March 17th, a day after the City Manager signed a local emergency proclamation due to the COVID-19 pandemic, the City noticed a 45-day CEQA comment and review period running from March 20th to May 5th for redeveloping the Palomar Medical Center Downtown Campus, which project would include tearing down the currently operating hospital located on the campus. Local and regional libraries are currently closed, and the public does not have access to technical and legal resources for preparing comments. I request that the currently running CEQA period be terminated, and notice for a new 45-day period be given at a future date after the declared emergency ends.

14-1

A form has been submitted, click the link below to view the submission:  
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and State Clearinghouse CEQAnet web portal (see <https://CEQAnet.opr.ca.gov/2019059013/3>) throughout the duration of the public review period. Further, City Hall facilities remained open by appointment during the public review period, allowing interested parties an opportunity to review a physical copy of the Draft EIR. (Refer to the City’s COVID-19 webpage, updated regularly, <https://www.escondido.org/covid-19.aspx>.) No requests for appointments to review a physical copy of the document were received by the City. The City acknowledges the commenter’s request; however, the regulatory requirements of CEQA and Executive Order N-54-20 have been fulfilled.

Comment Letter I5

**Dawna Marshall**

**From:** Robroy R. Fawcett <civics@robroy.cc>  
**Sent:** Monday, May 4, 2020 1:09 PM  
**To:** Palomar Heights Project  
**Subject:** [EXT] Comments on Draft EIR for the Palomar Heights project from Robroy Fawcett

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Attention Adam Finestone,

I desire to submit the following comments regarding the sufficiency of the Draft EIR for the Palomar Heights project:

1. The CEQA public review period was noticed on March 17th, the day after the City Manager signed a Declaration of Local Emergency closing the Escondido Public Library and City Hall to the public because of the COVID-19 pandemic. The review period runs from March 20th - May 4th. The Escondido Public Library has been closed during the entire review period. City Hall is closed to the general public, and is only open to certain "time sensitive service only by appointment."

On March 19th, the California Governor issued a statewide stay at home order because of the COVID-19 pandemic. The stay at home order has not been lifted during the entire time of the review period. Leaving home to review CEQA documents during an appointment at City Hall has not been determined to be essential.

Public Resources Code Section 21092(b)(1) states the notice shall specify the "the address where copies of the draft environmental impact report or negative declaration, and all documents referenced in the draft environmental impact report or negative declaration, are available for review." (Emphasis added.)

The CEQA regulation 15087(c)(5) states, "The address where copies of the EIR and all documents referenced in the EIR will be available for public review. This location shall be readily accessible to the public during the lead agency's normal working hours." California Code of Regulations, Title 14, Division 6, Chapter 3.

The review period notice states, "The Draft EIR may be viewed on the City's website at <https://www.escondido.org/palomarheights.aspx>. Hardcopies of the Draft EIR and associated documents are available at the following location during normal business hours unless precluded by orders or other actions taken by federal, state or local government agencies: Escondido City Hall, Planning Division (201 N. Broadway, Escondido CA)."

I assert the copies of the CEQA documents were not available for public review at Escondido City Hall due to the precluding orders of the City Manager and the California Governor. Thus, the CEQA notice did not comply with Public Resources Code Section 21092(b)(1) and CEQA regulation 15087(c)(5).

The URL for the City's website is not an address/location under the meaning of Public Resources Code Section 21092(b)(1) and CEQA regulation 15087(c)(5), and requires internet access during the declared emergency. Since the Escondido Public Library was not open to the public, and the public was under a stay at home order, the URL did not provide sufficient access to the public during review period.

Further, the URL link in the notice does not work. The URL underlying the link resolves to <https://www.escondido.org/oalomarheiahts.aspx> which does not provide access to the Draft EIR.

Also, regional university libraries and other libraries, a source of scientific research, have not been available to the public for research on issues pertaining to the draft EIR.

The Provisions of Executive Order N-54-20, signed April 22, 2020, does not apply to the notice provided on March 17th. See, <http://opr.ca.gov/ceqa/>

Response to Comment Letter I5

**Robroy Fawcett**  
**May 4, 2020**

I5-1

The City acknowledges this introductory comment, which is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

I5-2

The Draft EIR was released for public review on March 17, 2020, for the required 45-day review period under Public Resources Code Section 21091. The City subsequently extended the public review and comment period by 15 days to May 19, 2020.

On April 22, 2020, the Governor signed Executive Order N-54-20, which recognizes that, due to the pandemic, some county clerk offices are currently closed to the public and thus are unable to accept filings and post notices as required by the CEQA. Therefore, certain requirements for filing, noticing, and posting of CEQA documents with county clerk offices have been suspended for 60 days. CEQA notices are not required to be filed, posted, or made publicly available at the relevant clerk's office during that time. Instead, lead and responsible agencies and project applicants are directed to post notices on the lead or responsible agency's website for the same

Comment Letter 15

**Dawna Marshall**

**From:** Robroy R. Fawcett <civics@robroy.cc>  
**Sent:** Monday, May 4, 2020 1:09 PM  
**To:** Palomar Heights Project  
**Subject:** [EXT] Comments on Draft EIR for the Palomar Heights project from Robroy Fawcett

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Attention Adam Finestone,

I desire to submit the following comments regarding the sufficiency of the Draft EIR for the Palomar Heights project:

1. The CEQA public review period was noticed on March 17th, the day after the City Manager signed a Declaration of Local Emergency closing the Escondido Public Library and City Hall to the public because of the COVID-19 pandemic. The review period runs from March 20th - May 4th. The Escondido Public Library has been closed during the entire review period. City Hall is closed to the general public, and is only open to certain "time sensitive service only by appointment."

On March 19th, the California Governor issued a statewide stay at home order because of the COVID-19 pandemic. The stay at home order has not been lifted during the entire time of the review period. Leaving home to review CEQA documents during an appointment at City Hall has not been determined to be essential.

Public Resources Code Section 21092(b)(1) states the notice shall specify the "the **address** where copies of the draft environmental impact report or negative declaration, and all documents referenced in the draft environmental impact report or negative declaration, **are available for review.**" (Emphasis added.)

The CEQA regulation 15087(c)(5) states, "The address where copies of the EIR and all documents referenced in the EIR will be available for public review. This location shall be readily accessible to the public during the lead agency's normal working hours." California Code of Regulations, Title 14, Division 6, Chapter 3.

The review period notice states, "The Draft EIR may be viewed on the City's website at <https://www.escondido.org/palomarheights.aspx>. Hardcopies of the Draft EIR and associated documents are available at the following location during normal business hours unless precluded by orders or other actions taken by federal, state or local government agencies: Escondido City Hall, Planning Division (201 N. Broadway, Escondido CA)."

I assert the copies of the CEQA documents were not available for public review at Escondido City Hall due to the precluding orders of the City Manager and the California Governor. Thus, the CEQA notice did not comply with Public Resources Code Section 21092(b)(1) and CEQA regulation 15087(c)(5),

The URL for the City's website is not an address/location under the meaning of Public Resources Code Section 21092(b)(1) and CEQA regulation 15087(c)(5), and requires internet access during the declared emergency. Since the Escondido Public Library was not open to the public, and the public was under a stay at home order, the URL did not provide sufficient access to the public during review period.

Further, the URL link in the notice does not work. The URL underlying the link resolves to <https://www.escondido.org/oalomarheiahts.aspx> which does not provide access to the Draft EIR.

Also, regional university libraries and other libraries, a source of scientific research, have not been available to the public for research on issues pertaining to the draft EIR.

The Provisions of Executive Order N-54-20, signed April 22, 2020, does not apply to the notice provided on March 17th. See, <http://opr.ca.gov/ceqa/>

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length of time that would be required for physical posting, submit all notices listed above to the State Clearinghouse's CEQAnet web portal, and perform public noticing and outreach to all interested parties as allowed and required by CEQA and the CEQA Guidelines (i.e., by giving notice to all entities who have requested notice).

Deadlines for public review and comment periods for CEQA documents, such as for draft EIRs and negative declarations, have not been suspended, and those deadlines remain unchanged. Executive Order N-54 is available at <https://www.gov.ca.gov/wp-content/uploads/2020/04/N-54-20-COVID-19-4.22.20.pdf>.

The Notice of Completion of the Draft EIR was filed with the State Clearinghouse as required by CEQA Guidelines Section 15085. In addition, the NOA of the Draft EIR was distributed pursuant to CEQA Guidelines Section 15087 by posting notice with the County Clerk; publishing notice in the Escondido Times Advocate newspaper; mailing notice to neighbors surrounding the Project site; and mailing notice to appropriate agencies, those persons who had requested such notices, and those persons who commented on the NOP. The NOA was posted on the City's website and notice was posted to the State

Comment Letter 15

Dawna Marshall

From: Robroy R. Fawcett <civics@robroy.cc>
Sent: Monday, May 4, 2020 1:09 PM
To: Palomar Heights Project
Subject: [EXT] Comments on Draft EIR for the Palomar Heights project from Robroy Fawcett

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Attention Adam Finestone,

I desire to submit the following comments regarding the sufficiency of the Draft EIR for the Palomar Heights project:

1. The CEQA public review period was noticed on March 17th, the day after the City Manager signed a Declaration of Local Emergency closing the Escondido Public Library and City Hall to the public because of the COVID-19 pandemic.

On March 19th, the California Governor issued a statewide stay at home order because of the COVID-19 pandemic. The stay at home order has not been lifted during the entire time of the review period.

Public Resources Code Section 21092(b)(1) states the notice shall specify the "the address where copies of the draft environmental impact report or negative declaration, and all documents referenced in the draft environmental impact report or negative declaration, are available for review."

The CEQA regulation 15087(c)(5) states, "The address where copies of the EIR and all documents referenced in the EIR will be available for public review. This location shall be readily accessible to the public during the lead agency's normal working hours."

The review period notice states, "The Draft EIR may be viewed on the City's website at https://www.escondido.org/palomarheights.aspx. Hardcopies of the Draft EIR and associated documents are available at the following location during normal business hours unless precluded by orders or other actions taken by federal, state or local government agencies: Escondido City Hall, Planning Division (201 N. Broadway, Escondido CA)."

I assert the copies of the CEQA documents were not available for public review at Escondido City Hall due to the precluding orders of the City Manager and the California Governor. Thus, the CEQA notice did not comply with Public Resources Code Section 21092(b)(1) and CEQA regulation 15087(c)(5),

The URL for the City's website is not an address/location under the meaning of Public Resources Code Section 21092(b)(1) and CEQA regulation 15087(c)(5), and requires internet access during the declared emergency. Since the Escondido Public Library was not open to the public, and the public was under a stay at home order, the URL did not provide sufficient access to the public during review period.

Further, the URL link in the notice does not work. The URL underlying the link resolves to https://www.escondido.org/palomarheights.aspx which does not provide access to the Draft EIR.

Also, regional university libraries and other libraries, a source of scientific research, have not been available to the public for research on issues pertaining to the draft EIR.

The Provisions of Executive Order N-54-20, signed April 22, 2020, does not apply to the notice provided on March 17th. See, http://opr.ca.gov/ceqa/

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Clearinghouse's CEQAnet web portal (see https://CEQAnet.opr.ca.gov/2019059013/3).

The Draft EIR was made available to the public via the City of Escondido website (https://www.escondido.org/palomarheights.aspx) and State Clearinghouse CEQAnet web portal (see https://CEQAnet.opr.ca.gov/2019059013/3)

throughout the duration of the public review period. Further, City Hall facilities remained open by appointment during the public review period, allowing interested parties an opportunity to review a physical copy of the Draft EIR. (Refer to the City's COVID-19 webpage, updated regularly, https://www.escondido.org/covid-19.aspx.). No requests for appointments to review a physical copy of the document were received by the City.

The City acknowledges the commenter's request; however, the regulatory requirements of CEQA and Executive Order N-54-20 have been fulfilled. It should be noted that the Executive Order did not apply to this Project because the Project was already out for public review. However, the City's actions were consistent and compliant with the requirements of the Executive Order. Thus, consistent with CEQA and Executive Order N-54-20, the City of Escondido, as lead agency, provided the Draft EIR on the City's website, submitted the Draft EIR to the State Clearinghouse CEQAnet Web Portal, and engaged in outreach to

<p>Therefore, I assert the notice is defective in making the Draft EIR available for public review during the COVID-19 pandemic.</p> <p>2. The affected communities were not alerted to the project and its consequences. The COVID-10 pandemic has highlighted the critical need for hospital beds to protect life. On numerous occasions, the United States President, his staff, the Governor, his staff, and County Health officials, have emphasized the critical importance of hospital beds and facilities for dealing with the COVID-19 Emergency. See, e.g., <a href="https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html">https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html</a>. The downtown hospital has provided medical services the jurisdictions of the City of San Marcos, City of Poway, City of San Diego, County of San Diego, and Palomar Health hospital district. Prior to, and during the review period, the downtown hospital was and has been providing hospital beds for medical uses.</p> <p>I assert that, with respect to the removal of serving hospital bed capacity, the jurisdictions of the City of San Marcos, City of Poway, City of San Diego County of San Diego, and Palomar Health hospital district should have been requested to provide input of the effects of to their communities, of the destruction of hospital bed capacity. See, e.g., Public Resources Code Section 21153. This is particularly critical in view of projection that the COVID-19 pandemic may continue to be a threat until a vaccine is available (projections: 6 to 18 months).</p> <p>3. The draft EIR fails to adequately address the handling of mercury contamination during the destruction and removal of the downtown hospital. The only mention of mercury in the Draft EIR is under section 4.3.1.1: "Land uses in the Project area that may handle or have handled or have generated hazardous wastes include former medical uses, and a variety of other historic uses, such as automotive. These former medical areas could have a potential risk of site contamination from historical use of heating fuels, solvents, mercury, and lead uses. It should be noted that any required cleanup would have been completed in order to allow the residential development that currently occupies the surrounding area. During the preparation of the Phase 1 environmental site assessments (ESAs), evidence of hazardous material release(s) onto the Project site were found, and a secondary Phase 2 ESA was completed." (Emphasis added.)</p> <p>The Phase 1 ESA merely confirms that the site was a historical generator of mercury as of 01/16/2006. The Phase 2 ESA has no mention of mercury.</p> <p>Scientific studies have found that significant mercury contamination may be found in the sewer systems of aging buildings. See, ASSESSING MERCURY LEVELS IN THE WASTEWATER OF AN AGING RESEARCH LABORATORY BUILDING, <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/</a>. This study concluded, "According to the results from the sink trap water sampling, the traps do not contain a majority of the mercury concentration in the plumbing system . . . it is likely that a majority of the mercury is located in sediments deeper in the plumbing system." The study also noted, "According to results from the sink trap air monitoring, the Jerome 431™ Mercury Vapor Analyzer is not well suited for screening sink traps for mercury concentration."</p> <p>See, also, "Mercury in Buildings and Equipment", <a href="http://www.hercenter.org/facilitiesandgrounds/mercury.php">http://www.hercenter.org/facilitiesandgrounds/mercury.php</a></p> <p>Accordingly, the level of mercury contamination will not be known until the sewer pipes are removed. Lack of controls may result in site contamination during the hospital destruction. The draft EIR fails to provide any hint that the sewer pipes will be handled in any manner other than as general debris.</p> <p>Further, mercury from broken equipment may have been pushed into cracks and crevices along the edges of floors. The draft EIR fails to address or recommend monitoring of mercury in the dismantling of the floors.</p> <p>Research on mercury contamination, and similar matter related to comment on the draft EIR, was severely hampered by the stay at home order due to the COVID-19 order, and the closure of regional libraries containing access to scientific research materials.</p>	<p>↑ 15-2 (Cont.)</p> <p>15-3</p> <p>15-4</p> <p>15-5</p> <p>15-6</p> <p>15-7</p> <p>15-8</p> <p>15-9</p>	<p>individuals and entities known by the lead agency, responsible agency, or Project applicant to be parties interested in the Project, and to owners of property within 500 feet of the Project site, in the manner contemplated by the Public Resources Code Sections 21100 et seq. and California Code of Regulations, Title 14, Sections 15000 et seq through the public noticing of the public review period and extension of the public review period. Thus, although the Executive Order did not apply to this Project because the Project was already out for public review, the City complied with the requirements of Executive Order N-54-20, as well as applicable public review requirements under CEQA.</p> <p><b>I5-3</b> The comment states that affected communities were not alerted to the Project and its consequences, and discusses the need for hospital beds, particularly in a time during a pandemic. The comment ends by stating that the hospital has provided medical services to the surrounding jurisdictions prior to and throughout the review period.</p> <p>Refer to response to comment I5-2. An NOP was distributed on May 3, 2019, for public review and comment pursuant to CEQA Section 15082. The Draft EIR was released for public review for 45 days on March 20, 2020. While the state has acknowledged physical availability may not be possible during this</p>
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<p>Therefore, I assert the notice is defective in making the Draft EIR available for public review during the COVID-19 pandemic.</p>	<p>15-2 (Cont.)</p>	<p>pandemic, the City nonetheless provided several electronic locations for interested persons to review the EIR, in addition to making the EIR available at City Hall, which remained open by appointment. Further, the Notice of Availability provided a City staff contact if an alternative arrangement for EIR review needed to be made. In addition, the City determined that, in light of the ongoing COVID-19 pandemic, it was in the best interest of the public to provide additional time for the public to review and provide comments on the document. As such, the City subsequently extended the public review and comment period by 15 days until May 19, 2020. Thus, interested parties were afforded an opportunity to provide input and comments on the Project in compliance with the requirements of CEQA. The Project was properly noticed and interested parties were alerted to the Project as required under CEQA, and the public review period was extended by 15 days. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>2. The affected communities were not alerted to the project and its consequences. The COVID-10 pandemic has highlighted the critical need for hospital beds to protect life. On numerous occasions, the United States President, his staff, the Governor, his staff, and County Health officials, have emphasized the critical importance of hospital beds and facilities for dealing with the COVID-19 Emergency. See, e.g., <a href="https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html">https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html</a>.</p>	<p>15-3</p>	<p></p>
<p>The downtown hospital has provided medical services the jurisdictions of the City of San Marcos, City of Poway, City of San Diego, County of San Diego, and Palomar Health hospital district. Prior to, and during the review period, the downtown hospital was and has been providing hospital beds for medical uses.</p>	<p></p>	<p></p>
<p>I assert that, with respect to the removal of serving hospital bed capacity, the jurisdictions of the City of San Marcos, City of Poway, City of San Diego County of San Diego, and Palomar Health hospital district should have been requested to provide input of the effects of to their communities, of the destruction of hospital bed capacity. See, e.g., Public Resources Code Section 21153. This is particularly critical in view of projection that the COVID-19 pandemic may continue to be a threat until a vaccine is available (projections: 6 to 18 months).</p>	<p>15-4</p>	<p></p>
<p>3. The draft EIR fails to adequately address the handling of mercury contamination during the destruction and removal of the downtown hospital. The only mention of mercury in the Draft EIR is under section 4.3.1.1: "Land uses in the Project area that may handle or have handled or have generated hazardous wastes include former medical uses, and a variety of other historic uses, such as automotive. These former medical areas could have a potential risk of site contamination from historical use of heating fuels, solvents, mercury, and lead uses. It should be noted that any required cleanup would have been completed in order to allow the residential development that currently occupies the surrounding area. During the preparation of the Phase 1 environmental site assessments (ESAs), evidence of hazardous material release(s) onto the Project site were found, and a secondary Phase 2 ESA was completed." (Emphasis added.)</p>	<p>15-5</p>	<p></p>
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<p>Accordingly, the level of mercury contamination will not be known until the sewer pipes are removed. Lack of controls may result in site contamination during the hospital destruction. The draft EIR fails to provide any hint that the sewer pipes will be handled in any manner other than as general debris.</p>	<p>15-8</p>	<p></p>
<p>Further, mercury from broken equipment may have been pushed into cracks and crevices along the edges of floors. The draft EIR fails to address or recommend monitoring of mercury in the dismantling of the floors.</p>	<p></p>	<p></p>
<p>Research on mercury contamination, and similar matter related to comment on the draft EIR, was severely hampered by the stay at home order due to the COVID-19 order, and the closure of regional libraries containing access to scientific research materials.</p>	<p>15-9</p>	<p></p>

<p>Therefore, I assert the notice is defective in making the Draft EIR available for public review during the COVID-19 pandemic.</p>	<p>15-2 (Cont.)</p>	<p>capacity. Hospital operations have been relocated to Palomar Health’s “Palomar Medical Center Escondido” campus at 2185 Citracado Parkway, and the remaining operations currently present on site will be relocated to other facilities this year regardless of the Project implementation. While unrelated to the Project, it is noted that Palomar Health has actually decreased operations amid the COVID pandemic, and has reduced staffing (see <a href="https://www.nbcсандiego.com/news/local/health-care-workers-to-protest-palomar-healths-layoffs-of-hundreds-of-workers/2322841/">https://www.nbcсандiego.com/news/local/health-care-workers-to-protest-palomar-healths-layoffs-of-hundreds-of-workers/2322841/</a>). Palomar Health plans to fully transition all operations to its new campus and other existing facilities, at which time the Downtown campus would be left vacant, contributing to blight and presenting safety and other health concerns for the City. By contrast, the provision of adequate housing has a multitude of benefits, including helping to stem transmission of COVID-19 by preventing residential overcrowding and permitting social distancing. (See SB 330, available at: <a href="https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330">https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330</a> ; see also, “COVID-19 and California’s housing crisis: 5 issues to watch,” March 19, 2020, <a href="https://calmatters.org/housing/2020/03/california-coronavirus-housing-crisis-renters-homelessness-covid19-gavin-newsom/">https://calmatters.org/housing/2020/03/california-coronavirus-housing-crisis-renters-homelessness-covid19-gavin-newsom/</a>.)</p>
<p>2. The affected communities were not alerted to the project and its consequences. The COVID-10 pandemic has highlighted the critical need for hospital beds to protect life. On numerous occasions, the United States President, his staff, the Governor, his staff, and County Health officials, have emphasized the critical importance of hospital beds and facilities for dealing with the COVID-19 Emergency. See, e.g., <a href="https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html">https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html</a>.</p>	<p>15-3</p>	
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<p>I assert that, with respect to the removal of serving hospital bed capacity, the jurisdictions of the City of San Marcos, City of Poway, City of San Diego County of San Diego, and Palomar Health hospital district should have been requested to provide input of the effects of to their communities, of the destruction of hospital bed capacity. See, e.g., Public Resources Code Section 21153. This is particularly critical in view of projection that the COVID-19 pandemic may continue to be a threat until a vaccine is available (projections: 6 to 18 months).</p>	<p>15-4</p>	
<p>3. The draft EIR fails to adequately address the handling of mercury contamination during the destruction and removal of the downtown hospital. The only mention of mercury in the Draft EIR is under section 4.3.1.1: "Land uses in the Project area that may handle or have handled or have generated hazardous wastes include former medical uses, and a variety of other historic uses, such as automotive. These former medical areas could have a potential risk of site contamination from historical use of heating fuels, solvents, mercury, and lead uses. It should be noted that any required cleanup would have been completed in order to allow the residential development that currently occupies the surrounding area. During the preparation of the Phase 1 environmental site assessments (ESAs), evidence of hazardous material release(s) onto the Project site were found, and a secondary Phase 2 ESA was completed." (Emphasis added.)</p>	<p>15-5</p>	
<p>The Phase 1 ESA merely confirms that the site was a historical generator of mercury as of 01/16/2006. The Phase 2 ESA has no mention of mercury.</p>	<p>15-6</p>	
<p>Scientific studies have found that significant mercury contamination may be found in the sewer systems of aging buildings. See, ASSESSING MERCURY LEVELS IN THE WASTEWATER OF AN AGING RESEARCH LABORATORY BUILDING, <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/</a>. This study concluded, "According to the results from the sink trap water sampling, the traps do not contain a majority of the mercury concentration in the plumbing system . . . it is likely that a majority of the mercury is located in sediments deeper in the plumbing system." The study also noted, "According to results from the sink trap air monitoring, the Jerome 431™ Mercury Vapor Analyzer is not well suited for screening sink traps for mercury concentration."</p>	<p>15-7</p>	
<p>See, also, "Mercury in Buildings and Equipment", <a href="http://www.hercenter.org/facilitiesandgrounds/mercury.php">http://www.hercenter.org/facilitiesandgrounds/mercury.php</a></p>		
<p>Accordingly, the level of mercury contamination will not be known until the sewer pipes are removed. Lack of controls may result in site contamination during the hospital destruction. The draft EIR fails to provide any hint that the sewer pipes will be handled in any manner other than as general debris.</p>		
<p>Further, mercury from broken equipment may have been pushed into cracks and crevices along the edges of floors. The draft EIR fails to address or recommend monitoring of mercury in the dismantling of the floors.</p>	<p>15-8</p>	
<p>Research on mercury contamination, and similar matter related to comment on the draft EIR, was severely hampered by the stay at home order due to the COVID-19 order, and the closure of regional libraries containing access to scientific research materials.</p>	<p>15-9</p>	

<p>Therefore, I assert the notice is defective in making the Draft EIR available for public review during the COVID-19 pandemic.</p>	<p>15-2 (Cont.)</p>	<p>The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>2. The affected communities were not alerted to the project and its consequences. The COVID-10 pandemic has highlighted the critical need for hospital beds to protect life. On numerous occasions, the United States President, his staff, the Governor, his staff, and County Health officials, have emphasized the critical importance of hospital beds and facilities for dealing with the COVID-19 Emergency. See, e.g., <a href="https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html">https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html</a>. The downtown hospital has provided medical services the jurisdictions of the City of San Marcos, City of Poway, City of San Diego, County of San Diego, and Palomar Health hospital district. Prior to, and during the review period, the downtown hospital was and has been providing hospital beds for medical uses.</p>	<p>15-3</p>	<p><b>I5-4</b> As stated in Section 1.4.2 of the Draft EIR, pursuant to Section 15082 of the CEQA Guidelines, the City circulated an NOP dated May 3, 2019, to interested agencies, organizations, and parties. The NOP was also sent to the State Clearinghouse at the California Office of Planning and Research.</p>
<p>I assert that, with respect to the removal of serving hospital bed capacity, the jurisdictions of the City of San Marcos, City of Poway, City of San Diego County of San Diego, and Palomar Health hospital district should have been requested to provide input of the effects of to their communities, of the destruction of hospital bed capacity. See, e.g., Public Resources Code Section 21153. This is particularly critical in view of projection that the COVID-19 pandemic may continue to be a threat until a vaccine is available (projections: 6 to 18 months).</p>	<p>15-4</p>	<p>The NOP is intended to encourage interagency communication regarding the proposed action so that agencies, organizations, and individuals are afforded an opportunity to respond with specific comments and/or questions regarding the scope and content of the EIR. A public scoping meeting was held on May 20, 2019, at 4:30 p.m. at the Mitchell Room at Escondido City Hall (201 N. Broadway, Escondido, California) to gather additional public input. The 30-day public scoping period ended on June 3, 2019. In addition, the Notice of Completion of the Draft EIR was filed with the State Clearinghouse as required by CEQA Guidelines Section 15085. An NOA of the Draft EIR was distributed pursuant to CEQA Guidelines Section 15087. the public review period for the Draft EIR ran from March 17, 2019, through May 4, 2019, for the required 45-day period. In addition, the City determined that, in light of the</p>
<p>3. The draft EIR fails to adequately address the handling of mercury contamination during the destruction and removal of the downtown hospital. The only mention of mercury in the Draft EIR is under section 4.3.1.1: "Land uses in the Project area that may handle or have handled or have generated hazardous wastes include former medical uses, and a variety of other historic uses, such as automotive. These former medical areas could have a potential risk of site contamination from historical use of heating fuels, solvents, mercury, and lead uses. It should be noted that any required cleanup would have been completed in order to allow the residential development that currently occupies the surrounding area. During the preparation of the Phase 1 environmental site assessments (ESAs), evidence of hazardous material release(s) onto the Project site were found, and a secondary Phase 2 ESA was completed." (Emphasis added.)</p>	<p>15-5</p>	
<p>The Phase 1 ESA merely confirms that the site was a historical generator of mercury as of 01/16/2006. The Phase 2 ESA has no mention of mercury.</p>	<p>15-6</p>	
<p>Scientific studies have found that significant mercury contamination may be found in the sewer systems of aging buildings. See, ASSESSING MERCURY LEVELS IN THE WASTEWATER OF AN AGING RESEARCH LABORATORY BUILDING, <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/</a>. This study concluded, "According to the results from the sink trap water sampling, the traps do not contain a majority of the mercury concentration in the plumbing system . . . it is likely that a majority of the mercury is located in sediments deeper in the plumbing system." The study also noted, "According to results from the sink trap air monitoring, the Jerome 431™ Mercury Vapor Analyzer is not well suited for screening sink traps for mercury concentration."</p>	<p>15-7</p>	
<p>See, also, "Mercury in Buildings and Equipment", <a href="http://www.hercenter.org/facilitiesandgrounds/mercury.php">http://www.hercenter.org/facilitiesandgrounds/mercury.php</a>. Accordingly, the level of mercury contamination will not be known until the sewer pipes are removed. Lack of controls may result in site contamination during the hospital destruction. The draft EIR fails to provide any hint that the sewer pipes will be handled in any manner other than as general debris.</p>	<p>15-8</p>	
<p>Further, mercury from broken equipment may have been pushed into cracks and crevices along the edges of floors. The draft EIR fails to address or recommend monitoring of mercury in the dismantling of the floors.</p>	<p>15-9</p>	
<p>Research on mercury contamination, and similar matter related to comment on the draft EIR, was severely hampered by the stay at home order due to the COVID-19 order, and the closure of regional libraries containing access to scientific research materials.</p>		
<p>2</p>		

<p>Therefore, I assert the notice is defective in making the Draft EIR available for public review during the COVID-19 pandemic.</p>	<p>↑ 15-2 (Cont.)</p>	<p>ongoing COVID-19 pandemic, it was in the best interest of the public to provide additional time for the public to review and provide comments on the document. As such, the City extended the public review and comment period by 15 days. The close of the public review period was extended to 5:00 p.m. on May 19, 2020. In particular, the NOA was filed and posted with the San Diego County Clerk. Thus, interested parties or other agencies were afforded a sufficient opportunity to provide input and comment on the Project. No comments were received on the Project from the County, the County Health Officer, or the other agencies noted in the comment.</p>
<p>2. The affected communities were not alerted to the project and its consequences. The COVID-10 pandemic has highlighted the critical need for hospital beds to protect life. On numerous occasions, the United States President, his staff, the Governor, his staff, and County Health officials, have emphasized the critical importance of hospital beds and facilities for dealing with the COVID-19 Emergency. See, e.g., <a href="https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html">https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html</a>. The downtown hospital has provided medical services the jurisdictions of the City of San Marcos, City of Poway, City of San Diego, County of San Diego, and Palomar Health hospital district. Prior to, and during the review period, the downtown hospital was and has been providing hospital beds for medical uses.</p>	<p>15-3</p>	<p>In addition, it should be noted that the existing hospital facility located within the Project site is operating at 30%, and the remaining uses are planned to be relocated to other facilities this year. The Palomar Medical Center facility, located at 2185 Citracado Parkway in Escondido, is open and available to treat COVID-19 patients. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>I assert that, with respect to the removal of serving hospital bed capacity, the jurisdictions of the City of San Marcos, City of Poway, City of San Diego County of San Diego, and Palomar Health hospital district should have been requested to provide input of the effects of to their communities, of the destruction of hospital bed capacity. See, e.g., Public Resources Code Section 21153. This is particularly critical in view of projection that the COVID-19 pandemic may continue to be a threat until a vaccine is available (projections: 6 to 18 months).</p>	<p>15-4</p>	<p><b>I5-5</b> The comment begins by stating that the Draft EIR fails to adequately address the handling of mercury contamination during demolition activity, and then provides language taken from the Draft EIR pertaining to this topic. The mere mention of being a former</p>
<p>3. The draft EIR fails to adequately address the handling of mercury contamination during the destruction and removal of the downtown hospital. The only mention of mercury in the Draft EIR is under section 4.3.1.1: "Land uses in the Project area that may handle or have handled or have generated hazardous wastes include former medical uses, and a variety of other historic uses, such as automotive. These former medical areas could have a potential risk of site contamination from historical use of heating fuels, solvents, mercury, and lead uses. It should be noted that any required cleanup would have been completed in order to allow the residential development that currently occupies the surrounding area. During the preparation of the Phase 1 environmental site assessments (ESAs), evidence of hazardous material release(s) onto the Project site were found, and a secondary Phase 2 ESA was completed." (Emphasis added.)</p>	<p>15-5</p>	
<p>The Phase 1 ESA merely confirms that the site was a historical generator of mercury as of 01/16/2006. The Phase 2 ESA has no mention of mercury.</p>	<p>15-6</p>	
<p>Scientific studies have found that significant mercury contamination may be found in the sewer systems of aging buildings. See, ASSESSING MERCURY LEVELS IN THE WASTEWATER OF AN AGING RESEARCH LABORATORY BUILDING, <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/</a>. This study concluded, "According to the results from the sink trap water sampling, the traps do not contain a majority of the mercury concentration in the plumbing system . . . it is likely that a majority of the mercury is located in sediments deeper in the plumbing system." The study also noted, "According to results from the sink trap air monitoring, the Jerome 431™ Mercury Vapor Analyzer is not well suited for screening sink traps for mercury concentration."</p>	<p>15-7</p>	
<p>See, also, "Mercury in Buildings and Equipment", <a href="http://www.hercenter.org/facilitiesandgrounds/mercury.php">http://www.hercenter.org/facilitiesandgrounds/mercury.php</a>. Accordingly, the level of mercury contamination will not be known until the sewer pipes are removed. Lack of controls may result in site contamination during the hospital destruction. The draft EIR fails to provide any hint that the sewer pipes will be handled in any manner other than as general debris.</p>	<p>15-8</p>	
<p>Further, mercury from broken equipment may have been pushed into cracks and crevices along the edges of floors. The draft EIR fails to address or recommend monitoring of mercury in the dismantling of the floors.</p>	<p>15-9</p>	
<p>Research on mercury contamination, and similar matter related to comment on the draft EIR, was severely hampered by the stay at home order due to the COVID-19 order, and the closure of regional libraries containing access to scientific research materials.</p>		
<p>2</p>		

<p>Therefore, I assert the notice is defective in making the Draft EIR available for public review during the COVID-19 pandemic.</p>	<p>15-2 (Cont.)</p>	<p>generator of mercury waste does not mean any related contamination occurred at the Project site. No violations related to mercury have been documented, nor is unauthorized disposal of mercury known to have occurred. Should mercury contamination be found, removal would occur in compliance with all applicable hazardous waste removal regulations, ensuring no significant impacts due to mercury contamination occur. To clarify this, CM-HZ-3 has been added to the Final EIR (see Table 2-4). Although the comment states that the Draft EIR fails to adequately analyze demolition impacts regarding health and safety hazards due to mercury contamination, the comment does not offer any information detailing why the analysis is inadequate. Thus, no revisions to the analysis contained in the Draft EIR are required as a result of this comment.</p>
<p>2. The affected communities were not alerted to the project and its consequences. The COVID-10 pandemic has highlighted the critical need for hospital beds to protect life. On numerous occasions, the United States President, his staff, the Governor, his staff, and County Health officials, have emphasized the critical importance of hospital beds and facilities for dealing with the COVID-19 Emergency. See, e.g., <a href="https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html">https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html</a>. The downtown hospital has provided medical services the jurisdictions of the City of San Marcos, City of Poway, City of San Diego, County of San Diego, and Palomar Health hospital district. Prior to, and during the review period, the downtown hospital was and has been providing hospital beds for medical uses.</p>	<p>15-3</p>	<p><b>I5-6</b> The comment states that the Phase I Environmental Site Assessment (ESA) prepared for the Project (included as Appendices E and F to the Draft EIR) mentions mercury, while the Phase II ESA (included as Appendix G to the Draft EIR) has no mention of mercury. The Phase II ESA was prepared in order to evaluate for the potential presence of potential site impacts from Underground Storage Tanks (USTs), as they were found within the Project site during the Phase I ESA site surveys. Thus, the Phase II ESA was not prepared in order to assess mercury-related impacts. No edits to the Draft EIR or Phase I or Phase</p>
<p>I assert that, with respect to the removal of serving hospital bed capacity, the jurisdictions of the City of San Marcos, City of Poway, City of San Diego County of San Diego, and Palomar Health hospital district should have been requested to provide input of the effects of to their communities, of the destruction of hospital bed capacity. See, e.g., Public Resources Code Section 21153. This is particularly critical in view of projection that the COVID-19 pandemic may continue to be a threat until a vaccine is available (projections: 6 to 18 months).</p>	<p>15-4</p>	
<p>3. The draft EIR fails to adequately address the handling of mercury contamination during the destruction and removal of the downtown hospital. The only mention of mercury in the Draft EIR is under section 4.3.1.1: "Land uses in the Project area that may handle or have handled or have generated hazardous wastes include former medical uses, and a variety of other historic uses, such as automotive. These former medical areas could have a potential risk of site contamination from historical use of heating fuels, solvents, mercury, and lead uses. It should be noted that any required cleanup would have been completed in order to allow the residential development that currently occupies the surrounding area. During the preparation of the Phase 1 environmental site assessments (ESAs), evidence of hazardous material release(s) onto the Project site were found, and a secondary Phase 2 ESA was completed." (Emphasis added.)</p>	<p>15-5</p>	
<p>The Phase 1 ESA merely confirms that the site was a historical generator of mercury as of 01/16/2006. The Phase 2 ESA has no mention of mercury.</p>	<p>15-6</p>	
<p>Scientific studies have found that significant mercury contamination may be found in the sewer systems of aging buildings. See, ASSESSING MERCURY LEVELS IN THE WASTEWATER OF AN AGING RESEARCH LABORATORY BUILDING, <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2346441/</a>. This study concluded, "According to the results from the sink trap water sampling, the traps do not contain a majority of the mercury concentration in the plumbing system . . . it is likely that a majority of the mercury is located in sediments deeper in the plumbing system." The study also noted, "According to results from the sink trap air monitoring, the Jerome 431™ Mercury Vapor Analyzer is not well suited for screening sink traps for mercury concentration."</p>	<p>15-7</p>	
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<p>Further, mercury from broken equipment may have been pushed into cracks and crevices along the edges of floors. The draft EIR fails to address or recommend monitoring of mercury in the dismantling of the floors.</p>	<p>15-9</p>	
<p>Research on mercury contamination, and similar matter related to comment on the draft EIR, was severely hampered by the stay at home order due to the COVID-19 order, and the closure of regional libraries containing access to scientific research materials.</p>		

<p>Therefore, I assert the notice is defective in making the Draft EIR available for public review during the COVID-19 pandemic.</p>	<p>15-2 (Cont.)</p>	<p>II ESAs are required. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>2. The affected communities were not alerted to the project and its consequences. The COVID-10 pandemic has highlighted the critical need for hospital beds to protect life. On numerous occasions, the United States President, his staff, the Governor, his staff, and County Health officials, have emphasized the critical importance of hospital beds and facilities for dealing with the COVID-19 Emergency. See, e.g., <a href="https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html">https://www.sacbee.com/news/politics-government/capitol-alert/article241693326.html</a>. The downtown hospital has provided medical services the jurisdictions of the City of San Marcos, City of Poway, City of San Diego, County of San Diego, and Palomar Health hospital district. Prior to, and during the review period, the downtown hospital was and has been providing hospital beds for medical uses.</p>	<p>15-3</p>	<p><b>I5-7</b> The comment provides scientific study citations regarding mercury contamination found within sewer systems of old or aging buildings. Appropriate Phase I and Phase II testing was completed and included in the Draft EIR, as discussed further in response to comment I5-6 above. No mercury contamination was identified at the Project site. Nonetheless, CM-HZ-3 was added to the Final EIR (see Table 2-4) to clarify that the Project would be required to comply with all hazardous materials regulations during demolition, grading, and construction. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
<p>I assert that, with respect to the removal of serving hospital bed capacity, the jurisdictions of the City of San Marcos, City of Poway, City of San Diego County of San Diego, and Palomar Health hospital district should have been requested to provide input of the effects of to their communities, of the destruction of hospital bed capacity. See, e.g., Public Resources Code Section 21153. This is particularly critical in view of projection that the COVID-19 pandemic may continue to be a threat until a vaccine is available (projections: 6 to 18 months).</p>	<p>15-4</p>	
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<p>See, also, "Mercury in Buildings and Equipment", <a href="http://www.hercenter.org/facilitiesandgrounds/mercury.php">http://www.hercenter.org/facilitiesandgrounds/mercury.php</a></p>		<p><b>I5-8</b> Refer to responses to comments I5-5 through I5-7 above.</p>
<p>Accordingly, the level of mercury contamination will not be known until the sewer pipes are removed. Lack of controls may result in site contamination during the hospital destruction. The draft EIR fails to provide any hint that the sewer pipes will be handled in any manner other than as general debris.</p>		<p><b>I5-9</b> The comment states that research on mercury contamination was severely hampered by the stay-at-home order due to the COVID-19 pandemic and closure of libraries. An opportunity for public review was provided in accordance with the Executive Order, as detailed in response to comment I5-2. The City acknowledges this comment, which is included in the Final EIR for consideration by the decision makers prior to making a final decision on the Project.</p>
<p>Further, mercury from broken equipment may have been pushed into cracks and crevices along the edges of floors. The draft EIR fails to address or recommend monitoring of mercury in the dismantling of the floors.</p>	<p>15-8</p>	
<p>Research on mercury contamination, and similar matter related to comment on the draft EIR, was severely hampered by the stay at home order due to the COVID-19 order, and the closure of regional libraries containing access to scientific research materials.</p>	<p>15-9</p>	
<p>2</p>		

Sincerely  
Robroy R. Fawcett  
1576 Katella Way  
Escondido, CA 92027  
760 432-9709

(Intentionally Left Blank)

Comment Letter I6

**Dawna Marshall**

**From:** Mark Kalpakgian <mark.kalpakgian@gmail.com>  
**Sent:** Thursday, April 2, 2020 5:19 PM  
**To:** Palomar Heights Project  
**Cc:** Paul McNamara; Olga Diaz; Michael Morasco; Consuelo Martinez  
**Subject:** [EXT] Palomar Heights Community Feedback

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Dear Adam, Mayor Paul, and Members of the City Council:

I was recently interviewed by Ninia Hammond with Integral Communities. She wanted to know my perspective on the Palomar Heights project since I work downtown at The Classical Academies and am a Board Member for the North County Economic Development Council. I thought it might be helpful to share some of my high level comments with you too:

1. A few years ago I took the family to visit DC and spend some time with my brother-in-law's family. He works for the FBI and was living in the "Mosaic District." One of the days we stayed outside the city and spent the afternoon leisurely touring the Mosaic.

<https://mosaicdistrict.com/>

It was truly incredible and awe-inspiring, and I think it could be a model for the Palomar Heights vision. The mosaic integrates the following concepts: live, fun, film, shop, dine, work, services, stay (hotel). The project is pedestrian-oriented and is an exciting place to work, live or play. Very dynamic!

2. The site of the former Palomar Hospital is truly unique because it acts as a gateway to downtown. Additionally, it has the opportunity to stimulate and shape the character of downtown for years to come. For these reasons, I am in favor of a very pedestrian-oriented ground level that invites the community in and engages it on a variety of levels. Again, look at the Mosaic District for an idea of how this is done.

3. The site should encourage residents to live and work downtown.

4. A monolithic apartment building complex with little architectural character isn't ideal for this location. Significant grading and flattening that isolates the complex from the street and community is not ideal either.

5. Having the site composed of mixed-use between business and residential is a great thing for downtown and for our city's future.

6. I am very much in favor of incorporating unique or boutique businesses into the space such as a microbrewery, grocery, restaurant, bakery, downtown hotel etc.

To summarize, I know many local residents that want to see this project successful but also want to see if complement Escondido's unique character and ethos. Having a "walk and enter" feel that invites the community in is of quintessential importance. Incorporating mixed-use residential and commercial is desirable and finally, having a unique architecture that interacts naturally with the environment and respects the downtown specific plan is ideal.

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**Response to Comment Letter I6**

**Mark Kalpakgian**  
**April 2, 2020**

**I6-1** The City acknowledges this comment as an introduction to the comment letter, and it is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I6-2** The comment consists of information provided by the commenter detailing an example of a pedestrian-oriented development near Washington D.C. The City acknowledges the comment and information provided therein. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I6-3** The City acknowledges the statements provided in this comment that the Project site acts as a gateway to Downtown Escondido, and notes the commenter's statement in favor of a project that provides a "very pedestrian-oriented ground level that invites the community in," as well as the commenter's suggestion to look to the Washington D.C. neighborhood as an example. Regarding a pedestrian-oriented environment, as discussed in Appendix H, the

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**Cc:** Paul McNamara; Olga Diaz; Michael Morasco; Consuelo Martinez  
**Subject:** [EXT] Palomar Heights Community Feedback

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2. The site of the former Palomar Hospital is truly unique because it acts as a gateway to downtown. Additionally, it has the opportunity to stimulate and shape the character of downtown for years to come. For these reasons, I am in favor of a very pedestrian-oriented ground level that invites the community in and engages it on a variety of levels. Again, look at the Mosaic District for an idea of how this is done.

3. The site should encourage residents to live and work downtown.

4. A monolithic apartment building complex with little architectural character isn't ideal for this location. Significant grading and flattening that isolates the complex from the street and community is not ideal either.

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To summarize, I know many local residents that want to see this project successful but also want to see if complement Escondido's unique character and ethos. Having a "walk and enter" feel that invites the community in is of quintessential importance. Incorporating mixed-use residential and commercial is desirable and finally, having a unique architecture that interacts naturally with the environment and respects the downtown specific plan is ideal.

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Project would create human-scale, pedestrian-oriented buildings and landscape design to promote pedestrian use of the local sidewalks and pedestrian site access. This includes high-profile and vertical design features, architecturally distinguishing the ground-floor facade, providing landscaping along pedestrian areas, and enhanced commercial building corners with special architectural treatments. The Project would promote multi-modal transportation use of Valley Boulevard via methods such as reducing the roadway crossing distance for pedestrians, providing a public transit bus-turn out, and providing a bike lane and a ride-share pickup/drop-off area. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I6-4**

The comment suggests that the site should encourage residents to live and work downtown. The City acknowledges this suggestion, and this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I6-5**

The comment provides an opinion of the author, stating that a "monolithic apartment building complex with little architectural character isn't ideal for this

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2. The site of the former Palomar Hospital is truly unique because it acts as a gateway to downtown. Additionally, it has the opportunity to stimulate and shape the character of downtown for years to come. For these reasons, I am in favor of a very pedestrian-oriented ground level that invites the community in and engages it on a variety of levels. Again, look at the Mosaic District for an idea of how this is done.

3. The site should encourage residents to live and work downtown.

4. A monolithic apartment building complex with little architectural character isn't ideal for this location. Significant grading and flattening that isolates the complex from the street and community is not ideal either.

5. Having the site composed of mixed-use between business and residential is a great thing for downtown and for our city's future.

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To summarize, I know many local residents that want to see this project successful but also want to see if complement Escondido's unique character and ethos. Having a "walk and enter" feel that invites the community in is of quintessential importance. Incorporating mixed-use residential and commercial is desirable and finally, having a unique architecture that interacts naturally with the environment and respects the downtown specific plan is ideal.

I 16-1

I 16-2

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**I6-6**

location. Significant grading and flattening that isolates the complex from the street and community is not ideal either.” As discussed in Chapter 5, Section 5.2.1, Aesthetics, the Project would be consistent with the regulations and policies identified in the Downtown Specific Plan regarding visual quality, and visual quality impacts were determined to be less than significant. Refer to Section 5.2.1 for more information. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. The City acknowledges this suggestion, and this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment provides an opinion of the commenter, stating that “[h]aving the site composed of mixed-use between business and residential is a great thing for downtown and for our city’s future.” The Project includes a mix of residential and commercial uses. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

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To summarize, I know many local residents that want to see this project successful but also want to see if complement Escondido's unique character and ethos. Having a "walk and enter" feel that invites the community in is of quintessential importance. Incorporating mixed-use residential and commercial is desirable and finally, having a unique architecture that interacts naturally with the environment and respects the downtown specific plan is ideal.

I6-7

The comment provides an opinion of the author, stating, "I am very much in favor of incorporating unique or boutique businesses into the space such as a microbrewery, grocery, restaurant, bakery, downtown hotel etc." As discussed in the Project description, with the exception of a downtown hotel, the Project would not preclude such uses. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The City acknowledges this suggestion, and this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

I6-8

The City acknowledges the comment and notes it provides a summary of the remarks contained in the comment letter that do not raise new or additional environmental issues concerning the adequacy of the Draft EIR. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Respectfully,

Mark Kalpakjian  
760-535-5189

(Intentionally Left Blank)

<div style="text-align: right; margin-bottom: 10px;"><b>Comment Letter I7</b></div> <p><b>From:</b> <a href="#">Heather</a>  <b>To:</b> <a href="#">Palomar Heights Project</a>  <b>Subject:</b> [EXT] Comments on Palomar Heights  <b>Date:</b> Monday, May 4, 2020 11:00:12 AM  <b>Attachments:</b> <a href="#">1588485376433.jpg</a>  <a href="#">1588485376461.jpg</a>  <a href="#">1588485376503.jpg</a></p> <p style="background-color: yellow; padding: 5px;"><b>CAUTION:</b> This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.</p> <p>Mr. Adam Finestone          Principal Planner, City of Escondido   <a href="mailto:palomarheights@escondido.org">palomarheights@escondido.org</a></p> <p>Dear Mr. Finestone,</p> <p>I am writing today to offer comments on the Palomar Heights Redevelopment Project.</p> <p>As business owners and residents of Escondido, my husband and I have been generally pleased to see the recent redevelopment in downtown. We chose this location for our business because of its historic charm, but we understand the complementary need for modernization and change.</p> <p>With this in mind, I think we can do better with the Palomar Heights project. I have 3 concerns:</p> <p>SPECIFICITY. A project in this large, important and central location provides an opportunity to build something iconic that looks like it belongs and relates to Escondido. The metal tower in the main building, with its nod to the City Hall pavilion structure, achieves that kind of local reflection. But this quality needs to be maintained throughout. My main concern is with the project's 2-story residential structures. Although they're attractive, they lack regional reference and look like they could be found anywhere in California.</p> <p>WALKABILITY. For so many reasons, Escondido's future will be defined by its success in improving walkability. Just as the entrances to this project need to interact with the surrounding streets and buildings to invite pedestrians in, paths and walkways for the projects' residents need to be built to encourage them to walk out into the community. As designed, limited entrances and high retaining walls send a clear non-verbal message that</p>	<h2 style="text-align: center;">Response to Comment Letter I7</h2> <p style="text-align: center;"><b>Heather Moe</b> <b>May 4, 2020</b></p> <p><b>I7-1</b>      The City acknowledges the comment as an introduction to comments that follow.</p> <p><b>I7-2</b>      The comment raises concerns regarding the overall architectural theme of the structures to be built within the Project site. The commenter states that the Project serves as “an opportunity to build something iconic that fits within the aesthetic character of the community.” The commenter states that the two-story residential structures lack regional reference. This comment expresses the commenter’s opinion and does not raise an issue with the adequacy of the analysis contained in the Draft EIR. For a discussion of impacts regarding aesthetics, refer to Section 5.2.1 of the Draft EIR. The City acknowledges this comment, which has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>I7-3</b>      The comment discusses walkability and the implications the Project may have on the ability for non-residents to move through the Project site. The comment raises concerns regarding the design of the Project, stating that limited entrances and high retaining walls would send a message that future residents of the Project are separate</p>
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future residents of this project are separate from their neighbors. As designed, the project will become an urban island to be circumnavigated rather than explored.

↑ I7-3  
(Cont.)

DENSITY. The low density designed into this project sends the message that Escondido's downtown land is not valuable or particularly precious. If a developer judges that the parcel is, for any reason, too costly to improve to the city's density standards, it may be worth investigating alternative developers, or perhaps a public/private collaborative solution, rather than lowering the standards.

I7-4

Perhaps the city could create a committee or some other deliberative body to address these concerns and to develop a site-specific development strategy? I believe that this project is on an important site that is worth the extra effort.

I7-5

Thank you for your attention.

Sincerely,  
Heather Moe, Designer/Owner  
Design Moe Kitchen & Bath  
143 Grand Ave West  
Escondido, CA 92025

Sincerely,  
Heather Moe  
Designer

We Love What We Do.



143 Grand Avenue West  
Escondido, CA 92025  
760-755-7554 Phone

from their neighbors, and as a result, the Project would become an urban island. Project design and site topography in relation to the surrounding area results in the unavoidable need for retaining walls in certain locations. The Project has been designed to maximize walkability to the extent feasible based on the design of the Project, as shown in Figure 2-9, Connectivity Plan. This comment does not raise an issue with the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. The City acknowledges this comment, which has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I7-4**

The comment provides the commenter's opinion, stating that "[t]he low density designed into this Project sends the message that Escondido's downtown land is not valuable or particularly precious. If a developer judges that the parcel is, for any reason, too costly to improve to the city's density standards, it may be worth investigating alternative developers, or perhaps a public/private collaborative solution, rather than lowering the standards."

The comment expresses the commenter's opinion and does not raise an issue with the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. The property is privately owned, and proposed development of the site is not controlled by the City in the

future residents of this project are separate from their neighbors. As designed, the project will become an urban island to be circumnavigated rather than explored.

↑ I7-3  
I (Cont.)

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manner implied by this comment. City goals and standards, as detailed in Appendix H, are addressed and met by the Project with the exception of the Specific Plan Amendment and General Plan Amendment noted in the Project Description (see Section 2.3.3, Project Approvals). Moreover, a higher-density project would not reduce any impacts of the Project, and would likely result in greater environmental effects compared to the Project (refer to Chapter 7, Alternatives, for further discussion). Further, as the Draft EIR explains, the Downtown Specific Plan presents the maximum allowable density; however, such density does not account for site constraints or feasibility (see Section 7.5.3, Increased Density Alternative). The Downtown Specific Plan does not establish a minimum density. The General Plan Housing Element indicates a maximum development of 45 du/ac, with a recommended 30 du/ac density. Neither the General Plan nor the Downtown Specific Plan include a minimum development density requirement. Thus, the Project's overall density of approximately 37 du/ac would be consistent with both the Downtown Specific Plan and General Plan Housing Element. The City acknowledges this comment, which been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I7-5**

The comment provides a suggestion that the City should create a committee or other deliberative body to address the concerns and to develop a site-specific strategy for

future residents of this project are separate from their neighbors. As designed, the project will become an urban island to be circumnavigated rather than explored.

↑ 17-3  
↑ (Cont.)

DENSITY. The low density designed into this project sends the message that Escondido's downtown land is not valuable or particularly precious. If a developer judges that the parcel is, for any reason, too costly to improve to the city's density standards, it may be worth investigating alternative developers, or perhaps a public/private collaborative solution, rather than lowering the standards.

| 17-4

Perhaps the city could create a committee or some other deliberative body to address these concerns and to develop a site-specific development strategy? I believe that this project is on an important site that is worth the extra effort.

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development within the Project site. The City does not have plans to create a committee to address this site, and the Project will be processed in accordance with City requirements. It should be noted that the Project has already been through a public design review hearing (October 25, 2019) to obtain input on the Project design. The City acknowledges this comment as a concluding remark to the comment letter. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I8

04 May 2020

City of Escondido  
Mr. Adam Finestone, AICP, Principal Planner  
201 N. Broadway  
Escondido, CA 92025

Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of hospital development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

I8-1

Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

I8-2

The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

I8-3

I8-4

I8-5

Table 7 of the Draft Historic Report, is presented to demonstrate that other Contemporary and International style buildings exist within Escondido. This acknowledgement does not preclude the subject resources from potential significance and eligibility to national, state or local registers. To use Table 7 to demonstrate a lack of significance, the properties listed would also require basic background information, and assessment and evaluation for comparative purposes under a local architectural context and the Modern movement.

I8-6

Reversible exterior modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings located on Grand Avenue within the Downtown Historic District that were granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.

I8-7

The subject resources are located within the boundaries of the Downtown Historic District as identified in previous surveys and codified in the Downtown Specific Plan. Adverse impacts of demolishing these resources and the impact to the Downtown Historic District is not adequately addressed in the DEIR, since the resources have not been addressed within a local architectural context and the Modern movement. Additionally, adverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood, are not adequately addressed in the DEIR.

I8-8

I8-9

I look forward to the subsequent EIR, and revised Historic Report that addresses resources 45 years or older, provides an assessment and evaluation of the resources within the local architectural context and Modern movement, addresses the prominent notoriety of associated architects/builders, and examines building additions that have achieved significance in their own right.

I8-10

Truly,  
Nicole J Purvis  
Historic Preservation Commission

Response to Comment Letter I8

Nicole Purvis  
May 4, 2020

I8-1

The comment states that the Historic Structure Assessment prepared for the Project fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the modern movement. Currently, no historic context statement exists for the City of Escondido that covers buildings constructed after 1940. According to the Office of Historic Preservation (OHP), historic contexts “are critical tools for understanding, identifying, evaluating, and protecting those resources which give each community its individual character and sense of place. Historic contexts provide the foundation for preservation planning. They describe the broad patterns of historical development of a community or region that are represented by the physical development and character of the built environment. They also identify important associated property types and establish integrity thresholds. An initial context statement should be developed during planning in order to utilize cost-effective survey methods that will result in the identification of significant resources.” Additional information about historic contexts and surveys is available at [https://ohp.parks.ca.gov/?page\\_id=23317](https://ohp.parks.ca.gov/?page_id=23317). While the

Comment Letter 18

04 May 2020

City of Escondido  
Mr. Adam Finestone, AICP, Principal Planner  
201 N. Broadway  
Escondido, CA 92025

Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of hospital development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

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Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

18-

18-2

The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

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18-

Truly,  
Nicole J Purvis  
Historic Preservation Commission

creation of a historic context statement for the City was outside of the scope for this Project, an addendum to the Historic Structure Assessment has been drafted and included in the Final EIR in Appendix D, which utilizes architectural descriptions and evaluation criteria from the San Diego Modernism Historic Context Statement available at [https://www.sandiego.gov/sites/default/files/modernism\\_2007.pdf](https://www.sandiego.gov/sites/default/files/modernism_2007.pdf).

The comment states that “[s]everal notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are no longer significant, and that the associated resources do not contribute to their body of work.” The evaluations for each building, as provided in the Historic Structure Assessment for the Project, provide information about the architects, the primary architectural styles for which they are known, and an integrity analysis of each building and any additions. Those resources that have been modified and no longer retain integrity of design, materials, workmanship, and feeling were determined not to be representative of the architects’ bodies of work. The additions made to each building were also included in the integrity analysis, which evaluated their potential impacts on the original structure as well as whether or not the additions themselves retain enough integrity to have gained

Comment Letter 18

04 May 2020

City of Escondido  
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Reversible exterior modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings located on Grand Avenue within the Downtown Historic District that were granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.

18-

18-4

The subject resources are located within the boundaries of the Downtown Historic District as identified in previous surveys and codified in the Downtown Specific Plan. Adverse impacts of demolishing these resources and the impact to the Downtown Historic District is not adequately addressed in the DEIR, since the resources have not been addressed within a local architectural context and the Modern movement. Additionally, adverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood, are not adequately addressed in the DEIR.

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I look forward to the subsequent EIR, and revised Historic Report that addresses resources 45 years or older, provides an assessment and evaluation of the resources within the local architectural context and Modern movement, addresses the prominent notoriety of associated architects/builders, and examines building additions that have achieved significance in their own right.

18-

Truly,  
Nicole J Purvis  
Historic Preservation Commission

significance in their own right. Refer to Section V, Significance Evaluations, of Appendix D of the Final EIR for further information.

18-3

The comment states that the Historic Structure Assessment prepared for the Project “excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement.” The Historic Structure Assessment provides information about the additions made to each building and an integrity analysis of those additions. The evaluations also include discussion concerning potential impacts that the additions may have had upon the original structures. Refer to Appendix D of the Final EIR for further information. No revisions to the Historic Structure Assessment or Draft EIR are required.

The comment states that the Historic Structure Assessment “excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art.” None of the landscape features (1989 landscaping in front of the main entrance) or public art (murals painted on the 1990 south wing addition) meet the City of Escondido’s 50-year age threshold to be considered historic, and none of the trees could be confirmed to be associated with any historic landscaping design.

Comment Letter 18

04 May 2020

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Dear Mr. Finestone,

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Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

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Truly,  
Nicole J Purvis  
Historic Preservation Commission

18-5

Therefore, they were not evaluated as part of the Historic Structure Assessment. No revisions to the Historic Structure Assessment or Draft EIR are required as a result of this comment.

The comment states that the Historic Structure Assessment “excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.”

As explained in Section 4.2.1.3, Regulatory Setting, of the Final EIR, resources less than 50 years old are generally not of sufficient age to be considered historically significant because sufficient time has not passed to obtain a scholarly perspective on the events or individuals associated with the resource (see 14 California Code of Regulations Section 4852(d)(2)). The City of Escondido Local Register of Historic Places (City of Escondido Register) requires that, for a resource to be deemed historically significant and included on the Escondido historic sites survey, it generally “must be 50 years or older” (Escondido Municipal Code, Chapter 33, Article 40, Section 33-794(c)(5)). As the City of Escondido is the lead agency for the Project, the Historic Structure Assessment utilized the 50-year age threshold for all evaluations, which is the standard practice within the

Comment Letter 18

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18-

Truly,  
Nicole J Purvis  
Historic Preservation Commission

18-6

City based on local register criteria. No revisions to the Historic Structure Assessment or Draft EIR are required as a result of this comment.

The comment refers to Table 7 of the Historic Structure Assessment, stating that in order to use the information contained within this table “to demonstrate a lack of significance, the properties listed would also require basic background information, and assessment and evaluation for comparative purposes under a local architectural context and the Modern movement.” Table 7 is provided to address potential eligibility for designation under City of Escondido Register Criterion 7. City of Escondido Register Criterion 7 reads, “The historic resource is one of the few remaining examples in the city possessing distinguishing characteristics of an architectural type.” The Contemporary- and International-style buildings provided in Table 7 were identified as possessing a number of the characteristics of the two styles. Refer to the addendum to the Historic Structure Assessment (Appendix D) in the Final EIR for a list of character-defining features of Contemporary- and International-style architecture.

Contrary to the comment, the criterion does not specify that the architecturally similar properties must also be historically significant; only that they must possess distinguishing characteristics of an architectural type. Evaluating the historical significance of properties

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The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

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Table 7 of the Draft Historic Report, is presented to demonstrate that other Contemporary and International style buildings exist within Escondido. This acknowledgement does not preclude the subject resources from potential significance and eligibility to national, state or local registers. To use Table 7 to demonstrate a lack of significance, the properties listed would also require basic background information, and assessment and evaluation for comparative purposes under a local architectural context and the Modern movement.

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Reversible exterior modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings located on Grand Avenue within the Downtown Historic District that were granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.

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The subject resources are located within the boundaries of the Downtown Historic District as identified in previous surveys and codified in the Downtown Specific Plan. Adverse impacts of demolishing these resources and the impact to the Downtown Historic District is not adequately addressed in the DEIR, since the resources have not been addressed within a local architectural context and the Modern movement. Additionally, adverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood, are not adequately addressed in the DEIR.

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I look forward to the subsequent EIR, and revised Historic Report that addresses resources 45 years or older, provides an assessment and evaluation of the resources within the local architectural context and Modern movement, addresses the prominent notoriety of associated architects/builders, and examines building additions that have achieved significance in their own right.

18-

Truly,  
Nicole J Purvis  
Historic Preservation Commission

located outside of the subject Project site lacks any reasonable nexus to this Project and is beyond its scope. Moreover, as discussed in Section 4.2, Cultural Resources, in the Draft EIR, the removal of an eligible historical resource, the 121–141 N. Fig Street building, would have the potential to result in a significant cumulative impact to historical resources in combination with identified cumulative projects (identified as Impact CR-CUM-1). Thus, the buildings listed in Table 7 of the Historic Structure Assessment provide context for conducting the cumulative impact analysis required to be included in the EIR. As noted in Section 4.2, with implementation of mitigation measures M-CR-1 through M-CR-5, this cumulative impact was reduced to a less-than-significant level.

The comment states that “[r]eversible modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings on Grand Avenue within the Downtown Historic District that were recently granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually,

Comment Letter I8

04 May 2020

City of Escondido  
Mr. Adam Finestone, AICP, Principal Planner  
201 N. Broadway  
Escondido, CA 92025

Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of hospital development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

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Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

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The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

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The subject resources are located within the boundaries of the Downtown Historic District as identified in previous surveys and codified in the Downtown Specific Plan. Adverse impacts of demolishing these resources and the impact to the Downtown Historic District is not adequately addressed in the DEIR, since the resources have not been addressed within a local architectural context and the Modern movement. Additionally, adverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood, are not adequately addressed in the DEIR.

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I look forward to the subsequent EIR, and revised Historic Report that addresses resources 45 years or older, provides an assessment and evaluation of the resources within the local architectural context and Modern movement, addresses the prominent notoriety of associated architects/builders, and examines building additions that have achieved significance in their own right.

18-

Truly,  
Nicole J Purvis  
Historic Preservation Commission

or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.”

Modifications made to the primary (north) façade of the 451-453 E. Valley Parkway building include the following: removal of original storefront windows; infilling of the eastern portion of the garage door opening with wall space; installation of a pedestrian door; introduction of vertical wood paneling in place of an original portion of stucco, replacement of the original storefront windows and glass door; and inappropriate re-stuccoing on all façades. While the Historic Preservation Standards and Guidelines section of the Downtown Specific Plan provides guidelines for how to apply the Secretary of Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>), none of the modifications made to the building are considered reversible, and each has substantially negatively impacted the building’s integrity of design, materials, workmanship, and feeling, ultimately undermining its historic value. Refer to Section V, Significance Evaluations, of Appendix D to the Draft EIR. These modifications are in direct contrast with the types of alterations recommended in the Historic Preservation Standards and Guidelines section of the Downtown Specific Plan, as provided below:

Comment Letter 18

04 May 2020

City of Escondido  
Mr. Adam Finestone, AICP, Principal Planner  
201 N. Broadway  
Escondido, CA 92025

Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of hospital development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

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I look forward to the subsequent EIR, and revised Historic Report that addresses resources 45 years or older, provides an assessment and evaluation of the resources within the local architectural context and Modern movement, addresses the prominent notoriety of associated architects/builders, and examines building additions that have achieved significance in their own right.

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Nicole J Purvis  
Historic Preservation Commission

“a. Historic Local Register commercial buildings should be researched before designs for alterations, additions, or rehabilitation are prepared so that changes to the building can be based on a clear understanding of the importance of the building and the feasibility of retaining or restoring its significant architectural features.” In the case of the 451-453 E. Valley Parkway building, no research was conducted prior to making modifications to the building.

“i. The proportion, size, and location of window openings should be respected and maintained. The rhythm of solid-to-void of the existing building should be retained and the total percentage of the façade glazing in proportion to solid-wall mass should not be significantly altered.” In the case of the 451-453 E. Valley Parkway building, the removal of the original storefront windows, in-filling of the eastern portion of the garage door opening with wall space, and installation of a pedestrian door did not respect or maintain the proportion, size, or location of window openings or retain the rhythm of solid-to-void.

In addition, as stated in the Historic Structure Assessment, the Escondido Downtown Specific Plan does not include themes, property types, or criteria for assessing a resource’s potential eligibility as a contributor to the Downtown Historic District. It should be noted that the Downtown Historic District

Comment Letter I8

04 May 2020

City of Escondido  
Mr. Adam Finestone, AICP, Principal Planner  
201 N. Broadway  
Escondido, CA 92025

Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of hospital development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

Table 7 of the Draft Historic Report, is presented to demonstrate that other Contemporary and International style buildings exist within Escondido. This acknowledgement does not preclude the subject resources from potential significance and eligibility to national, state or local registers. To use Table 7 to demonstrate a lack of significance, the properties listed would also require basic background information, and assessment and evaluation for comparative purposes under a local architectural context and the Modern movement.

Reversible exterior modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings located on Grand Avenue within the Downtown Historic District that were granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.

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I look forward to the subsequent EIR, and revised Historic Report that addresses resources 45 years or older, provides an assessment and evaluation of the resources within the local architectural context and Modern movement, addresses the prominent notoriety of associated architects/builders, and examines building additions that have achieved significance in their own right.

Truly,  
Nicole J Purvis  
Historic Preservation Commission

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I 18-8  
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I 18-10

I8-8  
I8-9

is not a historical district as defined in the Historical Resources ordinance (Article 40) of the Escondido Zoning Code. Rather, it is the name of a district within the Downtown Specific Plan, in the same way that the Gateway Transit District, Centre City Urban District, etc., are. Please refer to the addendum to the historic structure assessment in the Draft EIR.

Refer to response to comment I8-7.

The comment states that “[a]dverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood and other previously surveyed properties, are not adequately addressed in the DEIR.” All historic resources located within the Area of Potential Effect (APE) for the Palomar Heights Project, whether previously surveyed or not, were evaluated for significance. The 121-141 N. Fig Street building is the only historic resource identified as potentially eligible for listing on the Escondido Register or the California Register of Historical Resources as a good representation of the International style, as designed by a recognized architect. Removal of the surrounding buildings within the Project footprint would not result in an adverse impact to the 121-141 N. Fig Street building, as it derives no significance from its proximity to these buildings.

The Project will not demolish, damage, or materially alter any buildings outside of the Project APE. Construction of a project in the vicinity of historic or

Comment Letter 18

04 May 2020

City of Escondido  
Mr. Adam Finestone, AICP, Principal Planner  
201 N. Broadway  
Escondido, CA 92025

Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

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Historic Preservation Commission

potentially historic structures that does not damage or materially alter them is not considered a substantial adverse change in the significance of a historical resource under CEQA, and therefore is not evaluated in the Draft EIR. (*Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.* (2013) 215 Cal.App.4th 1013, 1045; *Eureka Citizens for Responsible Gov't v. City of Eureka* (2007) 147 Cal.App.4th 357, 375.) Therefore, the Project will not have a significant adverse effect on a historic resource located within the Old Escondido Neighborhood and other previously surveyed properties referenced in the comment, which are not located within the Project APE.

As stated in the Escondido Downtown Specific Plan, “the Old Escondido Neighborhood is [located] to the south of this district [the Southern Gateway District],” which is “located east of Centre City Parkway, west of Ivy Street, north of Fifth Avenue, and south of Second and Third Avenues,” which is not within the Project APE. (See Downtown Specific Plan, p. V-25 through V-26, available at <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DowntownSpecificPlan.pdf?v=4.>)

The Project site is not located within the Old Escondido Neighborhood and is not visible from the Neighborhood due to intervening buildings and topography. For these reasons, Old Escondido

Comment Letter I8

04 May 2020

City of Escondido  
Mr. Adam Finestone, AICP, Principal Planner  
201 N. Broadway  
Escondido, CA 92025

Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

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I 18-4

Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

I 18-2

The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

I 18-3

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I 18-6

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I 18-8

I 18-9

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I 18-10

Truly,  
Nicole J Purvis  
Historic Preservation Commission

I8-10

Neighborhood and the “other previously surveyed properties” referenced in the comment are not evaluated in the Draft EIR.

The comment summarizes the comments discussed above. Refer to responses to comments I8-1 through I8-9, as well as Appendix D to the Draft EIR and addendum to the Historic Structure Assessment for further information.

Comment Letter I9

To: City of Escondido Planning Department  
From: Carol Rea  
Re: EIR, Palomar Heights Project  
Date: May 4, 2020

The first part of my response to the **Historic Structure Assessment of the Environmental Impact Report** for the Palomar Heights project is based on my knowledge and experience in the field of Historic Preservation and Escondido history. I have been a member of the Escondido Historic Preservation Commission since 2010 and am currently the Chairman. I am also the Vice President of the Escondido History Center Board of Directors and, for many years, have served as a docent for the historic walking tours that the History Center sponsors. I have performed extensive research on numerous historic homes throughout Escondido in order to write copy for more than a dozen Old Escondido Mothers Day Home Tour programs and to complete various DPR forms for owners of historic homes as part of their local register applications.

I9-1

Unfortunately, I have only had a short amount of time to review the EIR as I only happened to be alerted to it by a friend less than one week prior to the deadline. Further, it appears that, at least online, Appendix D, the Historic Report was repeated and inserted into the Historic Report Appendices section, which meant **that the Appendices were not available for review**. The historical report does not include adequate historical information about the individual hospital buildings and further research is definitely indicated, particularly as **the site falls within the Downtown Specific Plan, entirely within the Historic Downtown District**, designated as such by the city for the high concentration of historic buildings located there. Thus, the historical report should be corrected and completed before a proper evaluation of the EIR can be made. I'm responding as best I can under the circumstances.

I9-2

I9-3

First and foremost, **the significance of the knoll** which encompasses the site for the proposed project needs to be acknowledged as **one of the most historic sites in the City of Escondido**. Shortly after Escondido first incorporated, in 1886, the impressive Escondido Hotel was strategically placed on that rise so that it could be seen across the valley from the train station on the west side of town, requiring that visitors behold the special town that Escondido was as they rode in horse-drawn wagons across town to their accommodations. The knoll also allowed an impressive view of the area from the hotel's porch. Unfortunately, the hotel was razed 37 years later but the City chose the impressive location for government offices in the 1950s; city hall, the police department, and fire department were housed in adobe buildings on the western edge of the property until the late 1980s. In the meantime, a handsome hospital became established on the site, several of the classically styled buildings designed by notable architects. Whatever project is built here, most definitely needs to reflect the significance of this stately knoll in the City of Escondido's history both by purpose and design. Such respect is not apparent in the proposed project.

I9-4



Photograph of the Escondido Hotel courtesy of Escondido History Center

### Response to Comment Letter I9

Carol Rea  
May 4, 2020

#### I9-1

The comment provides an introduction to the comment letter, offering information regarding the commenter's experience serving on various historic resource organizational boards. The City acknowledges this comment, which has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

#### I9-2

The comment states that the commenter had a short amount of time to review the EIR, and that Appendix D (Historic Report) was missing and unavailable for review. The City recognized the error in posting of the Historic Structure Assessment and Appendix to the Historic Structure Assessment, and corrected the posting error. The public review period was extended by 15 days in light of the COVID-19 pandemic, and the City, as lead agency, chose to comply with the requirements of Executive Order N-54-20, despite not being subject to such requirements, since the document was out for public review prior to the governor issuing the Executive Order. The extension of the public review period related to Executive Order N-54-20 provided the commenter and others the ability to review the Appendix to the Historic Structure

Comment Letter 18

To: City of Escondido Planning Department  
 From: Carol Rea  
 Re: EIR, Palomar Heights Project  
 Date: May 4, 2020.

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18-4



Photograph of the Escondido Hotel courtesy of Escondido History Center

I9-3

Assessment and provide comments on it. The commenter was notified of the updated posting and was given the opportunity to review and provide comments on the Appendix to the Historic Structure Assessment.

The comment states that the historical report does not include adequate information about the individual hospital buildings, and that it should be corrected before a proper evaluation can be completed within the EIR. The City does not concur with the commenter's statement that the historical report does not include adequate historical information. The Historic Structure Assessment provides the construction (original and subsequent additions) and ownership history for each of the historic buildings located within the Project boundaries (see pages 11 to 55 of Appendix D of the Draft EIR). Original plans, notices of completion, assessor's building records, previous survey forms, chain of title records, and directory listings are provided for the original buildings and additions, where applicable and available, in Appendix B and Appendix C of the Historic Structure Assessment.

I9-4

The comment provides, and the City notes, the factual background information and the opinion of the commenter about the design of the Project. The history of the development of "the Knoll" is provided on pages 11 to 37 of the Historic Structure Assessment

Comment Letter 19

To: City of Escondido Planning Department  
From: Carol Rea  
Re: EIR, Palomar Heights Project  
Date: May 4, 2020

The first part of my response to the **Historic Structure Assessment of the Environmental Impact Report** for the Palomar Heights project is based on my knowledge and experience in the field of Historic Preservation and Escondido history. I have been a member of the Escondido Historic Preservation Commission since 2010 and am currently the Chairman. I am also the Vice President of the Escondido History Center Board of Directors and, for many years, have served as a docent for the historic walking tours that the History Center sponsors. I have performed extensive research on numerous historic homes throughout Escondido in order to write copy for more than a dozen Old Escondido Mothers Day Home Tour programs and to complete various DPR forms for owners of historic homes as part of their local register applications.

19-1

Unfortunately, I have only had a short amount of time to review the EIR as I only happened to be alerted to it by a friend less than one week prior to the deadline. Further, it appears that, at least online, Appendix D, the Historic Report was repeated and inserted into the Historic Report Appendices section, which meant **that the Appendices were not available for review**. The historical report does not include adequate historical information about the individual hospital buildings and further research is definitely indicated, particularly as **the site falls within the Downtown Specific Plan, entirely within the Historic Downtown District**, designated as such by the city for the high concentration of historic buildings located there. Thus, the historical report should be corrected and completed before a proper evaluation of the EIR can be made. I'm responding as best I can under the circumstances.

19-2

19-3

First and foremost, **the significance of the knoll** which encompasses the site for the proposed project needs to be acknowledged as **one of the most historic sites in the City of Escondido**. Shortly after Escondido first incorporated, in 1886, the impressive Escondido Hotel was strategically placed on that rise so that it could be seen across the valley from the train station on the west side of town, requiring that visitors behold the special town that Escondido was as they rode in horse-drawn wagons across town to their accommodations. The knoll also allowed an impressive view of the area from the hotel's porch. Unfortunately, the hotel was razed 37 years later but the City chose the impressive location for government offices in the 1950s; city hall, the police department, and fire department were housed in adobe buildings on the western edge of the property until the late 1980s. In the meantime, a handsome hospital became established on the site, several of the classically styled buildings designed by notable architects. Whatever project is built here, most definitely needs to reflect the significance of this stately knoll in the City of Escondido's history both by purpose and design. Such respect is not apparent in the proposed project.



Photograph of the Escondido Hotel courtesy of Escondido History Center

19-4

(Appendix D of the Draft EIR) as part of the property/construction history for the 555 E. Valley Parkway building. As there are currently no remnants of the hotel and government buildings, they were not considered historic properties. The knoll itself currently only conveys an association with the Palomar Health Downtown Campus, which was evaluated in the Historic Structure Assessment and determined to not be historically significant (pages 127 to 158 of Appendix D of the Draft EIR). The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the Project.

<p>Beginning with the Executive Summary at the start of the report, the statement “As the <b>456 East Grand Avenue</b> building... was constructed in 1973, it does not meet the minimum age threshold to be considered a historic structure and was not evaluated as part of this study.” is not accurate as the threshold for CEQA purposes is 45 years and the building at 456 E. Grand has attained that age. Therefore, it <b>most certainly does merit historical study and evaluation</b>; the report is incomplete without this information.</p> <p>Enough of the <b>McLeod Tower</b> was completed by 1970 to allow occupancy and use, making it 50 years old and meeting the Escondido criterion and even though the final top floors weren’t completed until 1972, it would still qualify by CEQA standards. Therefore, the tower also meets the historic age threshold, certainly retains integrity of design, and, perhaps most impressively, is the product of a notable architect by the historical report’s own documentation. There is no doubt that the <b>McLeod Tower is worthy of consideration to be preserved</b> both as a reminder of the institution that occupied this hill for more than 60 years and for its embodied energy and building materials. In terms of sustainability, that tower would be inordinately expensive to rebuild today but it could be adapted to house a significant number of dwelling units; it should be preserved and adapted, worked into a redesigned commercial and residential development at the site.</p> <p>The building at <b>451-453 East Valley Parkway</b>, according to the report, was constructed in 1934 for use by a car dealership that sold Willys cars, which had, in its earlier years, been manufactured by the second largest carmaker in the country. The building’s unique shape, style, and age, as well as its use by well-known glass artist Joan Irving in its later years indicate that it could qualify for Local Register status at the very least and <b>should be saved, potentially to be a fine example of adaptive reuse.</b></p> <p>As stated in the historical report, “The <b>121-141 North Fig Street</b> building was designed by Russell Forester, a recognized architect, in the International style and it has not been modified since its completion in 1965. The building is characterized as a good representation of the International style designed by a recognized architect. Therefore, the 121-141 North Fig Street building is eligible for listing on the CRHR under Criterion 3 and the City of Escondido Register under City of Escondido Criteria 2 and 5.” It is, indeed, worthy of protection and <b>every effort should be made to preserve it</b>; resorting to HABS recordation or less is not appropriate.</p> <p>Time and quarantine constraints preclude my abilities to properly weigh in on the other historical buildings threatened by the project; more time for research and comments would be appreciated.</p> <p>I also have several <b>other general concerns</b> about the Palomar Heights project as submitted:</p> <ol style="list-style-type: none"> <li>1. The Palomar Heights project <b>conflicts with the Downtown Specific Plan and Zoning Code</b> in that it is almost entirely residential, a neighborhood about to be inserted into the middle of a commercial zone. The Downtown Specific Plan is a carefully crafted document that should set the standard, without recurrent compromise.</li> <li>2. The <b>commercial potential for downtown should be expanded</b> rather than restricted, extending the downtown as a larger and more vibrant area to attract potential customers for the entire downtown area. Consider the Gaslamp District in San Diego – it covers many blocks with lots of options to attract visitors ready to spend their money and no large apartment buildings can be found plopped in the middle of it, creating dead retail space at street level. The area proposed in this project for nondescript apartment buildings <b>could be a true feature for downtown</b>, creating an exciting destination that would extend eastward from the new arch at Centre City Parkway, up Grand, to a dynamic development with additional dining and entertainment options on the hill. Residential units could be built on upper floors for a pleasant mix. If the target of more than 5,000 residential units is ever reached in the Downtown Specific Plan, <b>greater numbers of shops, restaurants, pharmacies, and grocery stores will be needed</b> to service the additional residents who will otherwise have to leave the area, most likely in their cars, to avoid overcrowded restaurants already seen on Friday nights and during Cruisin’ Grand and other events. More commercial establishments will also bring potential customers to existing downtown businesses and</li> </ol> <p style="text-align: center;">2</p>	<p><b>I9-5</b></p> <p>The comment states that, under CEQA, the threshold for a building to be considered a historical resource is 45 years, and that the building at 456 E. Grand should be evaluated for historical significance.</p> <p>As explained in Section 4.2.1.3, Regulatory Setting, of the Final EIR, resources less than 50 years old are generally not of sufficient age to be considered historically significant because sufficient time has not passed to obtain a scholarly perspective on the events or individuals associated with the resource (see 14 California Code of Regulations Section 4852(d)(2)). Properties that are less than 50 years old are generally not considered eligible for listing in the California Register of Historical Resources (CRHR) or the National Register of Historic Places (50-year age threshold) as “[f]ifty years is a general estimate of the time needed to develop historical perspective and to evaluate significance. This consideration guards against the listing of properties of passing contemporary interest and ensures that the National Register is a list of truly historic places” (National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, p. 41, available at <a href="https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf">https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf</a>).</p> <p>The City of Escondido Local Register of Historic Places (City of Escondido Register) likewise requires</p>
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<p>Beginning with the Executive Summary at the start of the report, the statement "As the 456 East Grand Avenue building ... was constructed in 1973, it does not meet the minimum age threshold to be considered a historic structure and was not evaluated as part of this study." is not accurate as the threshold for CEQA purposes is 45 years and the building at 456 E. Grand has attained that age. Therefore, <b>it most certainly does merit historical study and evaluation</b>; the report is incomplete without this information.</p> <p>Enough of the <b>McLeod Tower</b> was completed by 1970 to allow occupancy and use, making it 50 years old and meeting the Escondido criterion and even though the final top floors weren't completed until 1972, it would still qualify by CEQA standards. 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The building's unique shape, style, and age, as well as its use by well-known glass artist Joan Irving in its later years indicate that it could qualify for Local Register status at the very least and <b>should be saved, potentially to be a fine example of adaptive reuse.</b></p> <p>As stated in the historical report, "The <b>121-141 North Fig Street building</b> was designed by Russell Forester, a recognized architect, in the International style and it has not been modified since its completion in 1965. The building is characterized as a good representation of the International style designed by a recognized architect. Therefore, the 121-141 North Fig Street building is eligible for listing on the CRHR under Criterion 3 and the City of Escondido Register under City of Escondido Criteria 2 and 5." 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More commercial establishments will also bring potential customers to existing downtown businesses and</li> </ol> <p style="text-align: center;">2</p>	<p style="text-align: right;">I 19-5</p> <p style="text-align: right;">I 19-6</p> <p style="text-align: right;">I 19-7</p> <p style="text-align: right;">I 19-8</p> <p style="text-align: right;">I 19-9</p> <p style="text-align: right;">I 19-10</p> <p style="text-align: right;">I 19-11</p> <p style="text-align: right;">I 19-12</p> <p><b>I9-6</b></p> <p>that for a resource to be deemed historically significant and included on the Escondido historic sites survey, it generally must be 50 years or older (Escondido Municipal Code, Chapter 33, Article 40, Section 33-794(c)(5)). As the City of Escondido is the lead agency for the Project, the Historic Structure Assessment utilized the 50-year age threshold for all evaluations, which is the standard practice within the City based on local register criteria, state, and national standards. Thus, no revisions to the Draft EIR or Historic Structure Assessment are required.</p> <p>The comment provides background information pertaining to the McLeod Tower, its construction and occupancy date, and states that it should be considered historical due to its age. The Notice of Completion for the McLeod Tower (see Appendix B of the Historic Structure Assessment) was filed in 1972 and used to determine the date of the building's construction. Use of the Notice of Completion for determining the age of a structure or building is considered industry standard and is used in conjunction with building permits, assessor's commercial/residential building records, and sewer and water connection records to pinpoint the year of its construction. Although the City of Escondido does not provide specific guidelines or requirements for the building development information that must be included with historic resource assessments, the City of San Diego outlines</p>
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Beginning with the Executive Summary at the start of the report, the statement "As the 456 East Grand Avenue building ... was constructed in 1973, it does not meet the minimum age threshold to be considered a historic structure and was not evaluated as part of this study." is not accurate as the threshold for CEQA purposes is 45 years and the building at 456 E. Grand has attained that age. Therefore, **it most certainly does merit historical study and evaluation**; the report is incomplete without this information.

I 19-5

Enough of the **McLeod Tower** was completed by 1970 to allow occupancy and use, making it 50 years old and meeting the Escondido criterion and even though the final top floors weren't completed until 1972, it would still qualify by CEQA standards. Therefore, the tower also meets the historic age threshold, certainly retains integrity of design, and, perhaps most impressively, is the product of a notable architect by the historical report's own documentation. There is no doubt that the **McLeod Tower is worthy of consideration to be preserved** both as a reminder of the institution that occupied this hill for more than 60 years and for its embodied energy and building materials. In terms of sustainability, that tower would be inordinately expensive to rebuild today but it could be adapted to house a significant number of dwelling units; it should be preserved and adapted, worked into a redesigned commercial and residential development at the site.

I 19-6

The building at **451-453 East Valley Parkway**, according to the report, was constructed in 1934 for use by a car dealership that sold Willys cars, which had, in its earlier years, been manufactured by the second largest carmaker in the country. The building's unique shape, style, and age, as well as its use by well-known glass artist Joan Irving in its later years indicate that it could qualify for Local Register status at the very least and **should be saved, potentially to be a fine example of adaptive reuse.**

I 19-7

As stated in the historical report, "The **121-141 North Fig Street building** was designed by Russell Forester, a recognized architect, in the International style and it has not been modified since its completion in 1965. The building is characterized as a good representation of the International style designed by a recognized architect. Therefore, the 121-141 North Fig Street building is eligible for listing on the CRHR under Criterion 3 and the City of Escondido Register under City of Escondido Criteria 2 and 5." It is, indeed, worthy of protection and **every effort should be made to preserve it**; resorting to HABS recordation or less is not appropriate.

I 19-8

Time and quarantine constraints preclude my abilities to properly weigh in on the other historical buildings threatened by the project; more time for research and comments would be appreciated.

I 19-9

I also have several **other general concerns** about the Palomar Heights project as submitted:

I 19-10

1. The Palomar Heights project **conflicts with the Downtown Specific Plan and Zoning Code** in that it is almost entirely residential, a neighborhood about to be inserted into the middle of a commercial zone. The Downtown Specific Plan is a carefully crafted document that should set the standard, without recurrent compromise.
2. The **commercial potential for downtown should be expanded** rather than restricted, extending the downtown as a larger and more vibrant area to attract potential customers for the entire downtown area. Consider the Gaslamp District in San Diego – it covers many blocks with lots of options to attract visitors ready to spend their money and no large apartment buildings can be found plopped in the middle of it, creating dead retail space at street level. The area proposed in this project for nondescript apartment buildings **could be a true feature for downtown**, creating an exciting destination that would extend eastward from the new arch at Centre City Parkway, up Grand, to a dynamic development with additional dining and entertainment options on the hill. Residential units could be built on upper floors for a pleasant mix. If the target of more than 5,000 residential units is ever reached in the Downtown Specific Plan, **greater numbers of shops, restaurants, pharmacies, and grocery stores will be needed** to service the additional residents who will otherwise have to leave the area, most likely in their cars, to avoid overcrowded restaurants already seen on Friday nights and during Cruisin' Grand and other events. More commercial establishments will also bring potential customers to existing downtown businesses and

I 19-11

I 19-12

those documents that are utilized as an industry standard to identify the original date of construction and subsequent modifications to the resource (Historical Resource Technical Report Guidelines and Requirements, May 2009, available at <https://www.sandiego.gov/sites/default/files/legacy/planning/programs/historical/pdf/hrbtechreport.pdf>; City of San Diego, Potential Historical Resource Review: Information Bulletin 580, July 2019, available at <https://www.sandiego.gov/sites/default/files/dsdb580.pdf>). As none of the other records are available for the building, the Notice of Completion serves as the only document providing evidence of its completion. As noted by Save Our Heritage Organisation, "[w]hen a Notice of Completion is filed, it provides a definitive date for the purposes of your report" (SOHO 2017; <http://www.sohosandiego.org/resources/research.htm>). As such, the addition does not meet the age threshold to be considered historic. Please also refer to response to comment I9-5. No revisions to the Draft EIR are required as a result of this comment.

I9-7

The comment provides information pertaining to the structure at 451-453 E. Valley Parkway, stating that the building was constructed in 1934, and that given its unique shape, style, and age, as well as its use by Joan Irving, it could qualify for Local Register status, and should be saved. The 451-453 E. Valley Parkway building was evaluated in the Historic Structure

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The building at 451-453 East Valley Parkway, according to the report, was constructed in 1934 for use by a car dealership that sold Willys cars, which had, in its earlier years, been manufactured by the second largest carmaker in the country. The building's unique shape, style, and age, as well as its use by well-known glass artist Joan Irving in its later years indicate that it could qualify for Local Register status at the very least and **should be saved, potentially to be a fine example of adaptive reuse.**

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I 19-10

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I 19-11

I 19-12

Assessment prepared for the Project and was determined to be ineligible for listing under any CRHR criteria, and only meets the City of Escondido Register Criterion 5 due to its age (see Appendix D). The building no longer conveys any association with Willys automobiles due to the modifications it underwent between the 1940s and 2010s. In addition, Joan Irving is not considered a historically significant individual associated with the building as she occupied it in the 2000s, which is not within a historic time period. No revisions to the Draft EIR are required as a result of this comment. Refer to Appendix D for detailed information.

The comment provides information pertaining to the structure at 121-141 N. Fig Street, in that it was designed by a well-known architect, and that it has not been modified since 1965 and is eligible for listing under CRHR Criterion 3 and under the City of Escondido Register under Criteria 2 and 5. Although the preferred mitigation for historic resources is to avoid impacts to the resource through avoidance, relocation, or project redesign, the Historic Building Preservation Alternative and/or relocation of the resource may not be feasible Project alternatives for the Palomar Heights Project. California Public Resources Code Section 21002.1(b) states that "[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." If it is determined that the proposed alternatives are not

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See also responses to comments I4-1 and I5-2.</p> <p><b>19-10</b> The comment states that time and quarantine precluded the commenter’s ability to properly provide comments on other historical buildings, and states that additional time to review would be appreciated. The public review period was extended by 15 days and closed on May 19, 2020.</p> <p><b>19-11</b> This comment provides an introduction to the comments that follow. No further response is required.</p> <p>The comment states that the Project conflicts with the Downtown Specific Plan and Zoning Code, in that it is almost entirely residential and would be inserted into the middle of a commercial zone. As discussed in Section 4.4, Land Use, in the Draft EIR, the Project would be consistent with the zoning designation (S-P). The Downtown Specific Plan currently requires ground-floor commercial uses at the Project site, with residential uses permitted above. The Project would require a Specific Plan Amendment to amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit. Thus, with</p>
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Therefore, the tower also meets the historic age threshold, certainly retains integrity of design, and, perhaps most impressively, is the product of a notable architect by the historical report's own documentation. There is no doubt that the <b>McLeod Tower is worthy of consideration to be preserved</b> both as a reminder of the institution that occupied this hill for more than 60 years and for its embodied energy and building materials. In terms of sustainability, that tower would be inordinately expensive to rebuild today but it could be adapted to house a significant number of dwelling units; it should be preserved and adapted, worked into a redesigned commercial and residential development at the site.</p> <p>The building at <b>451-453 East Valley Parkway</b>, according to the report, was constructed in 1934 for use by a car dealership that sold Willys cars, which had, in its earlier years, been manufactured by the second largest carmaker in the country. The building's unique shape, style, and age, as well as its use by well-known glass artist Joan Irving in its later years indicate that it could qualify for Local Register status at the very least and <b>should be saved, potentially to be a fine example of adaptive reuse.</b></p> <p>As stated in the historical report, "The <b>121-141 North Fig Street building</b> was designed by Russell Forester, a recognized architect, in the International style and it has not been modified since its completion in 1965. The building is characterized as a good representation of the International style designed by a recognized architect. Therefore, the 121-141 North Fig Street building is eligible for listing on the CRHR under Criterion 3 and the City of Escondido Register under City of Escondido Criteria 2 and 5." It is, indeed, worthy of protection and <b>every effort should be made to preserve it</b>; resorting to HABS recordation or less is not appropriate.</p> <p>Time and quarantine constraints preclude my abilities to properly weigh in on the other historical buildings threatened by the project; more time for research and comments would be appreciated.</p> <p>I also have several <b>other general concerns</b> about the Palomar Heights project as submitted:</p> <ol style="list-style-type: none"> <li>1. The Palomar Heights project <b>conflicts with the Downtown Specific Plan and Zoning Code</b> in that it is almost entirely residential, a neighborhood about to be inserted into the middle of a commercial zone. The Downtown Specific Plan is a carefully crafted document that should set the standard, without recurrent compromise.</li> <li>2. The <b>commercial potential for downtown should be expanded</b> rather than restricted, extending the downtown as a larger and more vibrant area to attract potential customers for the entire downtown area. Consider the Gaslamp District in San Diego – it covers many blocks with lots of options to attract visitors ready to spend their money and no large apartment buildings can be found plopped in the middle of it, creating dead retail space at street level. The area proposed in this project for nondescript apartment buildings <b>could be a true feature for downtown</b>, creating an exciting destination that would extend eastward from the new arch at Centre City Parkway, up Grand, to a dynamic development with additional dining and entertainment options on the hill. Residential units could be built on upper floors for a pleasant mix. If the target of more than 5,000 residential units is ever reached in the Downtown Specific Plan, <b>greater numbers of shops, restaurants, pharmacies, and grocery stores will be needed</b> to service the additional residents who will otherwise have to leave the area, most likely in their cars, to avoid overcrowded restaurants already seen on Friday nights and during Cruisin' Grand and other events. More commercial establishments will also bring potential customers to existing downtown businesses and</li> </ol> <p style="text-align: center;">2</p>	<p style="text-align: center;"><b>I9-5</b></p> <p style="text-align: center;"><b>I9-6</b></p> <p style="text-align: center;"><b>I9-7</b></p> <p style="text-align: center;"><b>I9-8</b></p> <p style="text-align: center;"><b>I9-9</b></p> <p style="text-align: center;"><b>I9-10</b></p> <p style="text-align: center;"><b>I9-11</b></p> <p style="text-align: center;"><b>I9-12</b></p> <p><b>I9-12</b> The comment provides the suggestion to expand commercial uses within the downtown Escondido area, rather than restrict it, and provides a number of hypothetical scenarios as to how development could be implemented within the Project area in order to accommodate additional commercial uses. As noted in Project Objective 12, the Project has been designed to provide commercial use in balance with the future commercial needs of the Project's residential component to support and revitalize the City's existing Downtown District core. It is the intent of the Project to increase residential housing within the area in order to provide a new customer base to support the existing commercial spaces. The comment does not raise an issue regarding the analysis contained in the Draft EIR; thus, no further response is required. The City acknowledges this comment, which has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>
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<p>provide interest for pedestrians walking along the sidewalks. <b>Businesses currently existing downtown will most certainly benefit</b> when locals and out of area visitors flock to a large and vibrant downtown.</p> <p>3. The Palomar Heights project <b>lacks adequate open space</b> to enjoy from within the dwelling units and for children to play within. Actual playground space is severely limited to one very small area. The current “stay at home” orders would be nearly unbearable for the residents of the proposed building.</p> <p>4. <b>The building design is not compatible</b> with the historic and classically designed buildings downtown. Instead, they are reminiscent of the 90s and not something that likely to be appreciated over the decades to come.</p> <p>5. The Palomar Heights project will <b>exacerbate the parking challenges in the downtown area</b> because parking as designed is inadequate for those living there as well as those visiting and working in the commercial spaces.</p> <p>6. Adding thousands of residential units to the downtown area <b>will create a demand on water, electricity, and sewer, as well as other services.</b> The existing population is already asked to/required to reduce electrical and water use, how can these additional needs be accommodated? Also, considering the greater impact of the current COVID-19 pandemic in the areas of the U.S. having greater density and the likelihood that another pandemic will occur, perhaps the idea of increasing density in our downtown should be rethought.</p> <p style="text-align: center;">3</p>	<p><b>I9-13</b></p> <p>The comment states that the Project lacks adequate open space, that playground space is severely limited to one very small area, and that the current “stay at home” orders would be unbearable for residents of the building. The City acknowledges the commenter’s opinion of the current “stay at home” orders, and notes such orders are temporary. The Project would provide open space that exceeds applicable requirements. As discussed in Chapter 2, Project Description, a total of 33,209 square feet of recreational open space is provided on the Project site, with an additional 96,535 square feet of passive open space spread throughout the Project site in the form of walkways, courtyards, and open landscaped areas. A total of 45,375 square feet of private open space would be provided via balconies and patios associated with residential units. Overall, the Project would provide a total of 175,119 square feet of open space, which would exceed the 300 square feet per unit minimum identified in the Downtown Specific Plan. In addition, compliance measure CM-PS-3 would be implemented as part of the Project, which requires the applicant to pay park fees to ensure that the parkland and recreational facility standards are met. The City acknowledges this comment, and it has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>I9-14</b></p> <p>The comment states that the architectural building design would be incompatible with the design of other</p>
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provide interest for pedestrians walking along the sidewalks. **Businesses currently existing downtown will most certainly benefit** when locals and out of area visitors flock to a large and vibrant downtown.

3. The Palomar Heights project **lacks adequate open space** to enjoy from within the dwelling units and for children to play within. Actual playground space is severely limited to one very small area. The current "stay at home" orders would be nearly unbearable for the residents of the proposed building.
4. The **building design is not compatible** with the historic and classically designed buildings downtown. Instead, they are reminiscent of the 90s and not something that likely to be appreciated over the decades to come.
5. The Palomar Heights project will **exacerbate the parking challenges in the downtown area** because parking as designed is inadequate for those living there as well as those visiting and working in the commercial spaces.
6. Adding thousands of residential units to the downtown area **will create a demand on water, electricity, and sewer, as well as other services**. The existing population is already asked to/required to reduce electrical and water use, how can these additional needs be accommodated? Also, considering the greater impact of the current COVID-19 pandemic in the areas of the U.S. having greater density and the likelihood that another pandemic will occur, perhaps the idea of increasing density in our downtown should be rethought.

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buildings within the downtown area. The City acknowledges the comment expresses the commenter’s opinion regarding aesthetics, which were analyzed in the Draft EIR. As discussed in Chapter 5, Section 5.2.1, Aesthetics, the Project would be consistent with the visual quality regulations contained within the Downtown Specific Plan, and impacts related to a conflict with applicable zoning and other regulations governing scenic quality were determined to be less than significant. As the comment does not raise a specific issue regarding the analysis contained in the Draft EIR pertaining to aesthetics, no further response can be provided or is required.

**I9-15**

The comment states that the Project would exacerbate parking problems in the downtown area because the parking, as designed, is inadequate for those living in the area and those visiting or working in the commercial spaces. A detailed description of the parking plans associated with the Project can be found in Chapter 2 of the Draft EIR; refer to this section for further discussion. It should be noted that parking adequacy is not a required topic to be analyzed under CEQA; thus, no further discussion of parking impacts in the Draft EIR are warranted. Moreover, as discussed under Policy 8.2 in the City of Escondido General Plan Policy Consistency Analysis Table provided in Appendix H, the Project has been designed to reduce parking needs by the inclusion of commercial amenities on site, the location of the Project a

<p>provide interest for pedestrians walking along the sidewalks. <b>Businesses currently existing downtown will most certainly benefit</b> when locals and out of area visitors flock to a large and vibrant downtown.</p> <p>3. The Palomar Heights project <b>lacks adequate open space</b> to enjoy from within the dwelling units and for children to play within. Actual playground space is severely limited to one very small area. The current "stay at home" orders would be nearly unbearable for the residents of the proposed building.</p> <p>4. <b>The building design is not compatible</b> with the historic and classically designed buildings downtown. Instead, they are reminiscent of the 90s and not something that likely to be appreciated over the decades to come.</p> <p>5. The Palomar Heights project will <b>exacerbate the parking challenges in the downtown area</b> because parking as designed is inadequate for those living there as well as those visiting and working in the commercial spaces.</p> <p>6. Adding thousands of residential units to the downtown area <b>will create a demand on water, electricity, and sewer, as well as other services.</b> The existing population is already asked to/required to reduce electrical and water use, how can these additional needs be accommodated? Also, considering the greater impact of the current COVID-19 pandemic in the areas of the U.S. having greater density and the likelihood that another pandemic will occur, perhaps the idea of increasing density in our downtown should be rethought.</p> <p style="text-align: center;">3</p>	<p style="text-align: right;">↑ I9-12 (Cont.) I9-13 I9-14 I9-15 I9-16 I9-17</p> <p><b>I9-16</b>      walkable distance to other commercial uses, the location near transit and accommodation of a bus stop along Valley Boulevard, and the provision of a drop-off/pick-up area. The City acknowledges this comment, and it has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p> <p><b>I9-16</b>      The comment states that the Project would create a demand on water, electricity, sewer, and other services, and asks how these additional needs would be accommodated. For a discussion regarding utility and service system impacts associated with implementation of the Project, refer to Section 5.2.12, Utilities and Service Systems, and Section 5.2.4, Energy, of the Draft EIR. As concluded in Section 5.2.4 of the Draft EIR, impacts to utilities and service systems and energy would be less than significant. No edits to the analysis contained in the Draft EIR are required as a result of this comment.</p> <p><b>I9-17</b>      The comment states that given the current COVID-19 pandemic in the areas of the United States having greater density and the likelihood that another pandemic might occur, perhaps the idea of increasing density in our downtown should be rethought. While the City acknowledges the current COVID-19 pandemic and the hardship many citizens have experienced or may be experiencing, the City also recognizes that the pandemic</p>
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provide interest for pedestrians walking along the sidewalks. **Businesses currently existing downtown will most certainly benefit** when locals and out of area visitors flock to a large and vibrant downtown.

3. The Palomar Heights project **lacks adequate open space** to enjoy from within the dwelling units and for children to play within. Actual playground space is severely limited to one very small area. The current "stay at home" orders would be nearly unbearable for the residents of the proposed building.
4. The **building design is not compatible** with the historic and classically designed buildings downtown. Instead, they are reminiscent of the 90s and not something that likely to be appreciated over the decades to come.
5. The Palomar Heights project will **exacerbate the parking challenges in the downtown area** because parking as designed is inadequate for those living there as well as those visiting and working in the commercial spaces.
6. Adding thousands of residential units to the downtown area **will create a demand on water, electricity, and sewer, as well as other services**. The existing population is already asked to/required to reduce electrical and water use, how can these additional needs be accommodated? Also, considering the greater impact of the current COVID-19 pandemic in the areas of the U.S. having greater density and the likelihood that another pandemic will occur, perhaps the idea of increasing density in our downtown should be rethought.

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 ↓ 19-17

is expected to be temporary in nature. In addition, a Reduced Footprint Alternative was included and analyzed in Chapter 7, Section 7.7 of the Draft EIR. The comment does not raise an issue regarding the analysis contained in the Draft EIR, and for that reason, no further response is required. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I10

Dawna Marshall

**From:** Daniel <dvalverde80@gmail.com>  
**Sent:** Wednesday, April 8, 2020 11:10 PM  
**To:** Palomar Heights Project  
**Subject:** [EXT] My Palomar Project Input

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Project isn't dense enough. Look what our neighbor cities are building compared to Escondido. We are a city rapidly approaching 200,000 people and we want to approve only 500 units at 3 to 4 stories. Buildings should be 5 to 7 stories with retail on bottom floor. In my opinion it looks like Integral is going cheap on this project.

I10-1

**Response to Comment Letter I10**

**Daniel Valverde**  
**April 8, 2020**

**I10-1**

The comment states that the Project is not dense enough, and offers the commenter’s opinion that the City should look at what neighboring cities are building, and that the Project should not be 500 units at 3 to 4 stories, but instead should be developed at 5 to 7 stories with retail on the bottom floor. These statements do not raise an issue with the analysis contained in the Draft EIR; thus, no further response is required. Section 7.5 of the Draft EIR discusses that the City briefly considered and rejected a higher density alternative from consideration in the EIR because it would not reduce any of the identified significant effects of the Project. Refer to this section for further information. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I11

Dawna Marshall

From: Don Zech <dzech@cdccommercial.com>
Sent: Tuesday, April 21, 2020 10:17 AM
To: Palomar Heights Project
Subject: [EXT] Palomar Heights - No retail

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Dear Adam,

I am writing this email to express my professional opinion and support of the Palomar Heights project during the EIR comment period. I have been in commercial real estate for over 35 years primarily in the Escondido market. Since I deal with business owners, retailers, investors, and property owners on a daily basis in Escondido I feel I have firsthand knowledge of the market place and trends.

I11-1

As you may or may not know, I have been vocal on my opposition of the requirement of commercial/retail being mandated on new residential projects – especially Palomar Heights. Despite it providing more product for me to lease, there just isn't the demand for the spaces and especially not at the price point that new construction requires. This leads to weak tenants and devaluation of the whole project, area and the City. With less retail and more residential, redevelopment becomes more realistic and we are able to raise up the quality of the product in the City and get rid of bottom feeding uses that are attracted by low rents. Brick and mortar has seen a steady decline over the past decade with more and more people using online shopping. This trend away from brick and mortar will continue especially with the Covid-19 crisis. Right now Escondido downtown needs all the help it can get and residential projects like Palomar Heights are crucial to the redevelopment of downtown. With Palomar Heights' 510 residential units it will support approximately 1,200 to 1,400 residents that will all shop and spend their money in Escondido, and this is exactly what Escondido needs.

I11-2

I11-3

I use the rough rule of thumb of 18 sf of retail per resident. Under that scenario the Palomar Heights Project will generate demand for about 20k sf of retail. If they build 10,000 sf that leaves very little in support of redevelopment for Downtown (I am not worried about a resident gym or library/ game room ect..). Again, my strong position is that there should be NO retail at the project and you should work to activate the corridors and access to Downtown so as to get those residents to provide the pedestrian traffic that Downtown so needs. At worst case maybe a restaurant and maybe a Deli-market. By the City showing leadership and commitment to Downtown they will be encouraging to other investors to come to Escondido. Also, there will be many construction and service jobs created by this project.

I11-4

I11-5

I11-6

Please feel free to contact me if you have any questions.

Don Zech | Lic #00885909
CDC Commercial Inc. | Lic #01857155
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San Diego, Ca. 92127
858.486.9999
www.cdccommercial.com

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Response to Comment Letter I11

Don Zech
April 21, 2020

I11-1

The comment provides an introduction to the comment letter, expresses support for the Project, and offers information regarding the commenter's professional background. The City acknowledges this comment, and is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

I11-2

The comment provides an overview of the reasoning as to why the author of the comment letter believes additional commercial/retail space within new residential projects, including this Project, should not be required. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

I11-3

The comment provides the opinion of the author that residential development is needed in order to support the redevelopment of Downtown Escondido. The comment notes the details of the Project, referring to the proposed dwelling unit count and estimated residential population that the Project could generate. The City acknowledges

Comment Letter I11

**Dawna Marshall**

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I11-1

As you may or may not know, I have been vocal on my opposition of the requirement of commercial/retail being mandated on new residential projects – especially Palomar Heights. Despite it providing more product for me to lease, there just isn't the demand for the spaces and especially not at the price point that new construction requires. This leads to weak tenants and devaluation of the whole project, area and the City. With less retail and more residential, redevelopment becomes more realistic and we are able to raise up the quality of the product in the City and get rid of bottom feeding uses that are attracted by low rents. Brick and mortar has seen a steady decline over the past decade with more and more people using online shopping. This trend away from brick and mortar will continue especially with the Covid-19 crisis. Right now Escondido downtown needs all the help it can get and residential projects like Palomar Heights are crucial to the redevelopment of downtown. With Palomar Heights' 510 residential units it will support approximately 1,200 to 1,400 residents that will all shop and spend their money in Escondido, and this is exactly what Escondido needs.

I11-2

I11-3

I use the rough rule of thumb of 18 sf of retail per resident. Under that scenario the Palomar Heights Project will generate demand for about 20k sf of retail. If they build 10,000 sf that leaves very little in support of redevelopment for Downtown (I am not worried about a resident gym or library/ game room ect..). Again, my strong position is that there should be NO retail at the project and you should work to activate the corridors and access to Downtown so as to get those residents to provide the pedestrian traffic that Downtown so needs. At worst case maybe a restaurant and maybe a Deli-market. By the City showing leadership and commitment to Downtown they will be encouraging to other investors to come to Escondido. Also, there will be many construction and service jobs created by this project.

I11-4

I11-5

I11-6

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**I11-4**

the comment expresses general support for the Project, and does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment provides an estimate of the retail demand the Project might generate within Downtown Escondido. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. The City acknowledges this suggestion, and this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I11-5**

The comment states the commenter's opinion that there should be no retail within the Project. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, further response is required. The City acknowledges this suggestion, and this comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I11

Dawna Marshall

From: Don Zech <dzech@cdccommercial.com>  
Sent: Tuesday, April 21, 2020 10:17 AM  
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I11-1

As you may or may not know, I have been vocal on my opposition of the requirement of commercial/retail being mandated on new residential projects – especially Palomar Heights. Despite it providing more product for me to lease, there just isn't the demand for the spaces and especially not at the price point that new construction requires. This leads to weak tenants and devaluation of the whole project, area and the City. With less retail and more residential, redevelopment becomes more realistic and we are able to raise up the quality of the product in the City and get rid of bottom feeding uses that are attracted by low rents. Brick and mortar has seen a steady decline over the past decade with more and more people using online shopping. This trend away from brick and mortar will continue especially with the Covid-19 crisis. Right now Escondido downtown needs all the help it can get and residential projects like Palomar Heights are crucial to the redevelopment of downtown. With Palomar Heights' 510 residential units it will support approximately 1,200 to 1,400 residents that will all shop and spend their money in Escondido, and this is exactly what Escondido needs.

I11-2

I11-3

I use the rough rule of thumb of 18 sf of retail per resident. Under that scenario the Palomar Heights Project will generate demand for about 20k sf of retail. If they build 10,000 sf that leaves very little in support of redevelopment for Downtown (I am not worried about a resident gym or library/ game room ect...). Again, my strong position is that there should be NO retail at the project and you should work to activate the corridors and access to Downtown so as to get those residents to provide the pedestrian traffic that Downtown so needs. At worst case maybe a restaurant and maybe a Deli-market. By the City showing leadership and commitment to Downtown they will be encouraging to other investors to come to Escondido. Also, there will be many construction and service jobs created by this project.

I11-4

I11-5

I11-6

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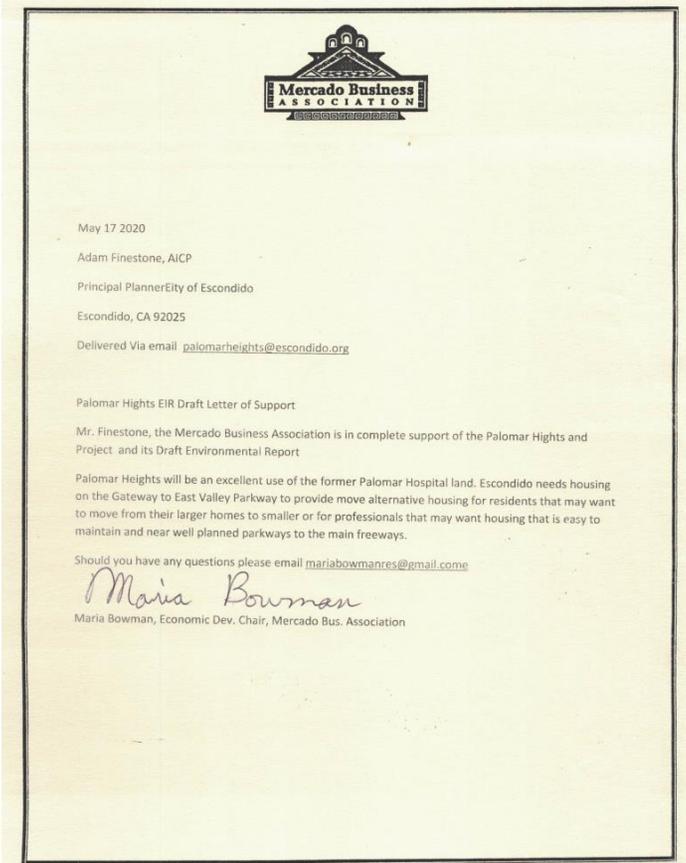
I11-6

The comment states that the Project would create construction and service jobs. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft EIR; thus, no further response is required. This comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

transmission to the sender immediately and delete this message from your mailbox. Nothing in this email is intended to be contractual (unless a mutually executed document is attached), nor shall any party be bound by the terms and conditions herein, unless and until a definitive Purchase Agreement or Lease Agreement and all other appropriate documentation has been mutually agreed upon, executed, and delivered to all parties.

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Comment Letter O5



O5-1

### Response to Comment Letter O5

**Mercado Business Association**  
**Maria Bowman**  
**May 17, 2020**

**O5-1** The City acknowledges the statement of support provided by this comment. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter O6



Save Our Heritage Organisation  
Protecting San Diego's architectural and cultural heritage since 1969

Tuesday, May 12, 2020

Adam Finestone, AICP Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Re: Palomar Heights Project, Escondido – DEIR comments

Mr. Finestone,

After reviewing the Draft Environmental Impact Report (DEIR) and Historic Report, Save Our Heritage Organisation (SOHO) finds the Historic Report (Appendix D) deficient in its contextual analysis and not to have included 456 East Grand Avenue for transparency and a realistic timeline, i.e. this project could be delayed for any number of reasons, such as the current public health pandemic.

O6-1

SOHO recognizes the breadth of research that went into the preparation of the Historic Report (Appendix D and E); however, the Research Method (Section IV) lacks a history and analysis of several applicable contexts. These include the built environment history of the health industry, history and development of the City of Escondido, and the use of Mid Century Modern styles as well as significant architects such as Frank Hope and Russell Forester. As a result, the Significance Evaluation (Section V) does not take these contexts into account when evaluating the resources making this section deficient in its analysis of all five resources. Due to the institutional association of these resources and their cultural landscape that includes trees and public art, their proximate location to downtown Escondido, as well as Mid Century styles and Master Architect designs, these contexts must be identified and examined within the Historical Report to be compliant under CEQA. Further, this project is within Escondido's Downtown Business Historical District; any potential impacts to this recognized historical area must be identified, evaluated, and mitigation proposed within the DEIR to be compliant under CEQA. Additionally, the project should make every effort to relocate and/or adaptively reuse the Russell Forester resource as 121-141 North Fig Street. Mid Century Modernism is part of Escondido's sense of place, especially for the downtown area; this project should seek to complement its neighborhood, not remove character defining buildings designed by well-known Master Architects.

O6-2

Last, the historical evaluation of 456 East Grand Avenue should be included within a revised Historical Report. Since this resource will become 50 in less than five years, which is the threshold to require review prior to demolition or commencement of this project, and the project could be subject to delays (especially during uncertain times), the historical analysis should be done now. Additionally, the right and transparent action would be to include review of this resource within the historical report, so at a minimum, there is a public record and evaluation of the building.

O6-3

O6-4

O6-5

The Historical Report (Appendix D) should be revised to include and examine the various applicable historical contexts these resources speak toward as well as the inclusion of 456 East Grand Avenue.

O6-6

Thank you for the opportunity to comment,

Bruce Coons  
Executive Director  
Save Our Heritage Organisation

2476 San Diego Avenue • San Diego CA 92110 • www.SOHOsandiego.org • 619/297-9327

Response to Comment Letter O6

Save Our Heritage Organisation

Bruce Coons

May 12, 2020

O6-1

The comment provides an introduction to the comment letter, stating that the Historical Structure Assessment prepared for the Project (Appendix D to the Draft EIR) is deficient in its contextual analysis and for not including 456 E. Grand Avenue. It also notes that the Draft EIR may be providing an unrealistic timeline for Project implementation.

While the buildings were evaluated within the context of the Escondido health industry, no historic context statement currently exists for the City of Escondido that covers buildings constructed after 1940. While the creation of a historic context statement for the City was outside of the scope for this Project, an addendum to the Historic Structure Assessment has been drafted and included in the Draft EIR (in Appendix D), which utilizes architectural descriptions and evaluation criteria from the San Diego Modernism Historic Context Statement. The 456 E. Grand Avenue property was not included in the evaluation because it is less than 50 years old. Resources less than 50 years old are generally not considered “historic resources” for purposes of CEQA as they are generally not considered for listing in the

Comment Letter O6



Save Our Heritage Organisation  
Protecting San Diego's architectural and cultural heritage since 1969

Tuesday, May 12, 2020

Adam Finestone, AICP Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Re: Palomar Heights Project, Escondido – DEIR comments

Mr. Finestone,

After reviewing the Draft Environmental Impact Report (DEIR) and Historic Report, Save Our Heritage Organisation (SOHO) finds the Historic Report (Appendix D) deficient in its contextual analysis and not to have included 456 East Grand Avenue for transparency and a realistic timeline, i.e. this project could be delayed for any number of reasons, such as the current public health pandemic.

O6-1

SOHO recognizes the breath of research that went into the preparation of the Historic Report (Appendix D and E); however, the Research Method (Section IV) lacks a history and analysis of several applicable contexts. These include the built environment history of the health industry, history and development of the City of Escondido, and the use of Mid Century Modern styles as well as significant architects such as Frank Hope and Russell Forester. As a result, the Significance Evaluation (Section V) does not take these contexts into account when evaluating the resources making this section deficient in its analysis of all five resources. Due to the institutional association of these resources and their cultural landscape that includes trees and public art, their proximate location to downtown Escondido, as well as Mid Century styles and Master Architect designs, these contexts must be identified and examined within the Historic Report to be compliant under CEQA. Further, this project is within Escondido's Downtown Business Historical District; any potential impacts to this recognized historical area must be identified, evaluated, and mitigation proposed within the DEIR to be compliant under CEQA. Additionally, the project should make every effort to relocate and/or adaptively reuse the Russell Forester resource as 121-141 North Fig Street. Mid Century Modernism is part of Escondido's sense of place, especially for the downtown area; this project should seek to complement its neighborhood, not remove character defining buildings designed by well-known Master Architects.

O6-2

O6-3

O6-4

Last, the historical evaluation of 456 East Grand Avenue should be included within a revised Historical Report. Since this resource will become 50 in less than five years, which is the threshold to require review prior to demolition or commencement of this project, and the project could be subject to delays (especially during uncertain times), the historical analysis should be done now. Additionally, the right and transparent action would be to include review of this resource within the historical report, so at a minimum, there is a public record and evaluation of the building.

O6-5

The Historic Report (Appendix D) should be revised to include and examine the various applicable historical contexts these resources speak toward as well as the inclusion of 456 East Grand Avenue.

O6-6

Thank you for the opportunity to comment,

Bruce Coons  
Executive Director  
Save Our Heritage Organisation

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California Register of Historical Resources (CRHR) because sufficient time has not passed to obtain a scholarly perspective on the events or individuals associated with the resource (see 14 California Code of Regulations Section 4852(d)(2)). The City of Escondido Local Register of Historic Places (City of Escondido Register) likewise requires that, for a resource to be deemed historically significant and included on the survey, it “must be at least 50 years or older” or comprise an “exceptional resource” that has achieved historical significance within the past 50 years (Escondido Municipal Code, Chapter 33, Article 40, Section 33-790(b)(28)). See also City of Escondido Local Register of Historic Places (City of Escondido Register) Criterion 5, which provides that a historical resource may be significant if, “[t]he historic resource is 50 years old or has achieved historical significance within the past 50 years.” As the City of Escondido is the lead agency for the Project, and there is no evidence the 456 E. Grand Avenue building presents an “exceptional” resource, the Historic Structure Assessment used the 50-year age threshold for all evaluations, which is the standard practice in the City. The City elects to use 50 years as the bright-line cutoff age to consider a resource to be of potential historic significance, except in exceptional circumstances, which have been determined to not exist here. Therefore, no revisions to the Draft EIR are required.

	<p><b>O6-2</b> The comment states that the Historical Structure Assessment prepared for the Project lacks a history and analysis of historical context within the City.</p> <p>The Historic Structure Assessment prepared for the Project (included as Appendix D to the Draft EIR) has been prepared to evaluate historic resources consistent with the City of Escondido’s Municipal Code, Chapter 33, Article 40 (Historical Resources) and CEQA Guidelines, Section 15064.5. Nonetheless, please refer to response to comment O6-1. In addition, none of the landscape features (1989 landscaping in front of the main entrance) or public art (murals painted on the 1990 south wing addition) meet the City of Escondido’s 50-year age threshold to be considered historic. In addition, none of the trees could be confirmed to be associated with any historic landscape design and were not evaluated as part of the Historic Structure Assessment. Therefore, no revisions to the Draft EIR are required as a result of this comment.</p> <p><b>O6-3</b> Refer to response to comment O6-1. The Project would not demolish, damage, or materially alter any buildings outside of the Project Area of Potential Effect (APE). Construction of a project in the vicinity of historic or potentially historic structures that does not damage or materially alter them is not considered a substantial adverse change in the significance of a historical resource under CEQA, and therefore was</p>
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Comment Letter O6



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Protecting San Diego's architectural and cultural heritage since 1969

Tuesday, May 12, 2020

Adam Finestone, AICP Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Re: Palomar Heights Project, Escondido – DEIR comments

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SOHO recognizes the breadth of research that went into the preparation of the Historic Report (Appendix D and E); however, the Research Method (Section IV) lacks a history and analysis of several applicable contexts. These include the built environment history of the health industry, history and development of the City of Escondido, and the use of Mid Century Modern styles as well as significant architects such as Frank Hope and Russell Forester. As a result, the Significance Evaluation (Section V) does not take these contexts into account when evaluating the resources making this section deficient in its analysis of all five resources. Due to the institutional association of these resources and their cultural landscape that includes trees and public art, their proximate location to downtown Escondido, as well as Mid Century styles and Master Architect designs, these contexts must be identified and examined within the Historical Report to be compliant under CEQA. Further, this project is within Escondido's Downtown Business Historical District; any potential impacts to this recognized historical area must be identified, evaluated, and mitigation proposed within the DEIR to be compliant under CEQA. Additionally, the project should make every effort to relocate and/or adaptively reuse the Russell Forester resource as 121-141 North Fig Street. Mid Century Modernism is part of Escondido's sense of place, especially for the downtown area; this project should seek to complement its neighborhood, not remove character defining buildings designed by well-known Master Architects.

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Last, the historical evaluation of 456 East Grand Avenue should be included within a revised Historical Report. Since this resource will become 50 in less than five years, which is the threshold to require review prior to demolition or commencement of this project, and the project could be subject to delays (especially during uncertain times), the historical analysis should be done now. Additionally, the right and transparent action would be to include review of this resource within the historical report, so at a minimum, there is a public record and evaluation of the building.

O6-3

O6-4

O6-5

The Historical Report (Appendix D) should be revised to include and examine the various applicable historical contexts these resources speak toward as well as the inclusion of 456 East Grand Avenue.

O6-6

Thank you for the opportunity to comment,

Bruce Coons  
Executive Director  
Save Our Heritage Organisation

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not evaluated in the Draft EIR. (Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist. (2013) 215 Cal.App.4th 1013, 1045; Eureka Citizens for Responsible Gov't v. City of Eureka (2007) 147 Cal.App.4th 357, 375.) Therefore, the Project would not have a significant adverse effect on a historic resource located within the Historic Downtown District of the Downtown Specific Plan that is not located within the Project APE. Further, the Historic Downtown District is not an historical district as defined in Escondido Municipal Code, Chapter 33, Article 40, Section 33-790(b)(12), and has not been designated as such pursuant to Escondido Municipal Code, Chapter 33, Article 40, Section 33-796. Rather, it is a district within the Downtown Specific Plan, in the same manner as the Centre City Urban District, Southern Gateway District, etc. In addition, as stated in the Historic Structure Assessment, the Downtown Specific Plan does not include themes, property types, or criteria for assessing a resource's potential eligibility as a contributor to the Downtown Historic District. Until the Downtown Historic District is clearly defined by the City, properties cannot be properly evaluated as potential contributors to the district. Please refer to the addendum for the historic structure assessment included in Appendix D to the Draft EIR.

Comment Letter O6



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Protecting San Diego's architectural and cultural heritage since 1969

Tuesday, May 12, 2020

Adam Finestone, AICP Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Re: Palomar Heights Project, Escondido – DEIR comments

Mr. Finestone,

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O6-1

SOHO recognizes the breadth of research that went into the preparation of the Historic Report (Appendix D and E); however, the Research Method (Section IV) lacks a history and analysis of several applicable contexts. These include the built environment history of the health industry, history and development of the City of Escondido, and the use of Mid Century Modern styles as well as significant architects such as Frank Hope and Russell Forester. As a result, the Significance Evaluation (Section V) does not take these contexts into account when evaluating the resources making this section deficient in its analysis of all five resources. Due to the institutional association of these resources and their cultural landscape that includes trees and public art, their proximate location to downtown Escondido, as well as Mid Century styles and Master Architect designs, these contexts must be identified and examined within the Historic Report to be compliant under CEQA. Further, this project is within Escondido's Downtown Business Historical District; any potential impacts to this recognized historical area must be identified, evaluated, and mitigation proposed within the DEIR to be compliant under CEQA. Additionally, the project should make every effort to relocate and/or adaptively reuse the Russell Forester resource as 121-141 North Fig Street. Mid Century Modernism is part of Escondido's sense of place, especially for the downtown area; this project should seek to complement its neighborhood, not remove character defining buildings designed by well-known Master Architects.

O6-2

O6-3

O6-4

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O6-5

The Historic Report (Appendix D) should be revised to include and examine the various applicable historical contexts these resources speak toward as well as the inclusion of 456 East Grand Avenue.

O6-6

Thank you for the opportunity to comment,

Bruce Coons  
Executive Director  
Save Our Heritage Organisation

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O6-4

The comment states that the Project should make every effort to relocate or reuse the Russell Forester resource at 121-141 N. Fig Street. Although the preferred mitigation for historic resources is to avoid impacts to the resource through avoidance, the Historic Building Preservation Alternative and/or relocation of the resource may not be feasible project alternatives for the Palomar Heights Project because these alternatives present a number of concerns related to General Plan consistency, Downtown Specific Plan consistency, aesthetic cohesion, and other issues, as discussed in Section 7.7, Reduced Footprint Alternative, and Section 7.8, Historic Preservation Alternative, in the Draft EIR. California Public Resources Code Section 21002.1(b) states that “[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.” If it is determined that the proposed alternatives are not feasible, mitigation measures may be employed to mitigate the loss of the resource to a level below significant. Please refer to mitigation measures M-CR-1 through M-CR-5 in Section 4.2.5 of the Draft EIR for mitigation measures proposed to mitigate the loss of the resource to a level below significant.

O6-5

Please refer to response to comment O6-1, above. Further, the Project applicant is not required to anticipate delays. As the City of Escondido is the lead agency for the Project and uses the standard 50-year

Comment Letter O6



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Tuesday, May 12, 2020

Adam Finestone, AICP Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Re: Palomar Heights Project, Escondido – DEIR comments

Mr. Finestone,

After reviewing the Draft Environmental Impact Report (DEIR) and Historic Report, Save Our Heritage Organisation (SOHO) finds the Historic Report (Appendix D) deficient in its contextual analysis and not to have included 456 East Grand Avenue for transparency and a realistic timeline, i.e. this project could be delayed for any number of reasons, such as the current public health pandemic.

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SOHO recognizes the breadth of research that went into the preparation of the Historic Report (Appendix D and E); however, the Research Method (Section IV) lacks a history and analysis of several applicable contexts. These include the built environment history of the health industry, history and development of the City of Escondido, and the use of Mid Century Modern styles as well as significant architects such as Frank Hope and Russell Forester. As a result, the Significance Evaluation (Section V) does not take these contexts into account when evaluating the resources making this section deficient in its analysis of all five resources. Due to the institutional association of these resources and their cultural landscape that includes trees and public art, their proximate location to downtown Escondido, as well as Mid Century styles and Master Architect designs, these contexts must be identified and examined within the Historical Report to be compliant under CEQA. Further, this project is within Escondido's Downtown Business Historical District; any potential impacts to this recognized historical area must be identified, evaluated, and mitigation proposed within the DEIR to be compliant under CEQA. Additionally, the project should make every effort to relocate and/or adaptively reuse the Russell Forester resource as 121-141 North Fig Street. Mid Century Modernism is part of Escondido's sense of place, especially for the downtown area; this project should seek to complement its neighborhood, not remove character defining buildings designed by well-known Master Architects.

O6-2

O6-3

O6-4

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O6-5

The Historical Report (Appendix D) should be revised to include and examine the various applicable historical contexts these resources speak toward as well as the inclusion of 456 East Grand Avenue.

O6-6

Thank you for the opportunity to comment,

Bruce Coons  
Executive Director  
Save Our Heritage Organisation

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“threshold to require review prior to demolition or commencement” of a project, only those structures that the minimum age threshold at the time of the study are required to be evaluated.

O6-6

Please refer to responses to comments O6-1 and O6-5.

Comment Letter I12

07 May 2020

City of Escondido  
 Mr. Adam Finestone, AICP, Principal Planner  
 201 N. Broadway  
 Escondido, CA 92025

Re: DEIR Palomar Heights—Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of hospital development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

I12-1

Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

I12-2

The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

I12-3

I12-4

I12-5

Table 7 of the Draft Historic Report, is presented to demonstrate that other Contemporary and International style buildings exist within Escondido. This acknowledgement does not preclude the subject resources from potential significance and eligibility to national, state or local registers. To use Table 7 to demonstrate a lack of significance, the properties listed would also require basic background information, and assessment and evaluation for comparative purposes under a local architectural context and the Modern movement.

I12-6

Reversible exterior modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings located on Grand Avenue within the Downtown Historic District that were recently granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually, or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.

I12-7

The subject resources are located within the boundaries of the Downtown Historic District as identified in previous surveys and codified in the Downtown Specific Plan. Adverse impacts of demolishing these resources and the impact to the Downtown Historic District is not adequately addressed in the DEIR, since the resources have not been addressed within a local architectural context and the Modern movement. Additionally, adverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood and other previously surveyed properties, are not adequately addressed in the DEIR.

I12-8

I12-9

Response to Comment Letter I12

Nicole J. Purvis  
 May 7, 2020

I12-1

The comment states that the Historic Structure Assessment prepared for the Project fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the modern movement. Currently, no historic context statement exists for the City of Escondido that covers buildings constructed after 1940. According to the Office of Historic Preservation (OHP), historic contexts “are critical tools for understanding, identifying, evaluating, and protecting those resources which give each community its individual character and sense of place. Historic contexts provide the foundation for preservation planning. They described the broad patterns of historical development of a community or region that are represented by the physical development and character of the built environment. They also identify important associated property types and establish integrity thresholds. An initial context statement should be developed during planning in order to utilize cost-effective survey methods that will result in the identification of significant resources.” Additional information about historic contexts and surveys is available at [https://ohp.parks.ca.gov/?page\\_id=23317](https://ohp.parks.ca.gov/?page_id=23317). While the

Comment Letter I12

07 May 2020

City of Escondido  
 Mr. Adam Finestone, AICP, Principal Planner  
 201 N. Broadway  
 Escondido, CA 92025

Re: DEIR Palomar Heights—Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of hospital development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

I12-1

Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

I12-2

The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

I12-3

I12-4

I12-5

Table 7 of the Draft Historic Report, is presented to demonstrate that other Contemporary and International style buildings exist within Escondido. This acknowledgement does not preclude the subject resources from potential significance and eligibility to national, state or local registers. To use Table 7 to demonstrate a lack of significance, the properties listed would also require basic background information, and assessment and evaluation for comparative purposes under a local architectural context and the Modern movement.

I12-6

Reversible exterior modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings located on Grand Avenue within the Downtown Historic District that were recently granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually, or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.

I12-7

The subject resources are located within the boundaries of the Downtown Historic District as identified in previous surveys and codified in the Downtown Specific Plan. Adverse impacts of demolishing these resources and the impact to the Downtown Historic District is not adequately addressed in the DEIR, since the resources have not been addressed within a local architectural context and the Modern movement. Additionally, adverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood and other previously surveyed properties, are not adequately addressed in the DEIR.

I12-8

I12-9

I12-2

creation of a historic context statement for the City was outside of the scope for this Project, an addendum to the Historic Structure Assessment has been drafted and included in the Final EIR in Appendix D, which utilizes architectural descriptions and evaluation criteria from the San Diego Modernism Historic Context Statement available at [https://www.sandiego.gov/sites/default/files/modernism\\_2007.pdf](https://www.sandiego.gov/sites/default/files/modernism_2007.pdf).

The comment states that “[s]everal notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are no longer significant, and that the associated resources do not contribute to their body of work.” The evaluations for each building, as provided in the Historic Structure Assessment for the Project, provide information about the architects, the primary architectural styles for which they are known, and an integrity analysis of each building and any additions. Those resources that have been modified and no longer retain integrity of design, materials, workmanship, and feeling were determined not to be representative of the architects’ bodies of work. The additions made to each building were also included in the integrity analysis, which evaluated their potential impacts on the original structure as well as whether or not the additions themselves retain enough integrity to have gained significance in their own right. Refer to Section V,

Comment Letter I12

07 May 2020

City of Escondido  
 Mr. Adam Finestone, AICP, Principal Planner  
 201 N. Broadway  
 Escondido, CA 92025

Re: DEIR Palomar Heights—Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of hospital development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

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I12-3

I12-4

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I12-8

I12-9

I12-3

Significance Evaluations, of Appendix D of the Final EIR for further information.

The comment states that the Historic Structure Assessment prepared for the Project “excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of hospital development in Escondido, but also within a local architectural context and the Modern movement.” The Historic Structure Assessment provides information about the additions made to each building and an integrity analysis of those additions. The evaluations also include discussion concerning potential impacts that the additions may have had upon the original structures. Refer to Appendix D of the Final EIR for further information. No revisions to the Historic Structure Assessment or Draft EIR are required.

I12-4

The comment states that the Historic Structure Assessment “excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art.” None of the landscape features (1989 landscaping in front of the main entrance) or public art (murals painted on the 1990 south wing addition) meet the City of Escondido’s 50-year age threshold to be considered historic, and none of the trees could be confirmed to be associated with any historic landscaping design. Therefore, they were not evaluated as part of the Historic Structure Assessment. No revisions to

Comment Letter I12

07 May 2020

City of Escondido  
 Mr. Adam Finestone, AICP, Principal Planner  
 201 N. Broadway  
 Escondido, CA 92025

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I12-8

I12-9

I12-5

the Historic Structure Assessment or Draft EIR are required as a result of this comment.

The comment states that the Historic Structure Assessment “excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.”

As explained in Section 4.2.1.3, Regulatory Setting, of the Final EIR, resources less than 50 years old are generally not of sufficient age to be considered historically significant because sufficient time has not passed to obtain a scholarly perspective on the events or individuals associated with the resource (see 14 California Code of Regulations Section 4852(d)(2)). The City of Escondido Local Register of Historic Places (City of Escondido Register) requires that, for a resource to be deemed historically significant and included on the Escondido historic sites survey, it generally “must be 50 years or older” (Escondido Municipal Code, Chapter 33, Article 40, Section 33-794(c)(5)). As the City of Escondido is the lead agency for the Project, the Historic Structure Assessment used the 50-year age threshold for all evaluations, which is the standard practice in the City based on local register criteria. No revisions to the Historic Structure Assessment or Draft EIR are required as a result of this comment.

Comment Letter I12

07 May 2020

City of Escondido  
 Mr. Adam Finestone, AICP, Principal Planner  
 201 N. Broadway  
 Escondido, CA 92025

Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

Dear Mr. Finestone,

The Draft Historic Report for the DEIR Palomar Heights project provides an overview of historical development history in Escondido, and biographical summaries of the property owners, associated architects and builders. There is no doubt, that substantial research and effort has been put into the Historic Report; yet, the report fails to provide a historic architectural assessment and evaluation of the resources within a local architectural context and the Modern movement.

I12-1

Several notable architects are associated with the resources and they merit appropriate analysis to demonstrate, with a preponderance of evidence, that they are not or are no longer significant, and that the associated resources do not contribute to their body of work.

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The report excludes evaluation of building additions that in-and-of-themselves may have achieved significance not only within the context of historical development in Escondido, but also within a local architectural context and the Modern movement. The report excludes discussion, assessment and evaluation of associated landscape features, heritage trees, plantings as well as public art. The report excludes evaluation of properties 45 years of age, as indicated with 456 East Grand Avenue built in 1973; although it is standard practice in order to accommodate for the lag time between reports and project approvals.

I12-3

I12-4

I12-5

Table 7 of the Draft Historic Report, is presented to demonstrate that other Contemporary and International style buildings exist within Escondido. This acknowledgement does not preclude the subject resources from potential significance and eligibility to national, state or local registers. To use Table 7 to demonstrate a lack of significance, the properties listed would also require basic background information, and assessment and evaluation for comparative purposes under a local architectural context and the Modern movement.

I12-6

Reversible exterior modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings located on Grand Avenue within the Downtown Historic District that were recently granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually, or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.

I12-7

The subject resources are located within the boundaries of the Downtown Historic District as identified in previous surveys and codified in the Downtown Specific Plan. Adverse impacts of demolishing these resources and the impact to the Downtown Historic District is not adequately addressed in the DEIR, since the resources have not been addressed within a local architectural context and the Modern movement. Additionally, adverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood and other previously surveyed properties, are not adequately addressed in the DEIR.

I12-8

I12-9

I12-6

The comment refers to Table 7 of the Historic Structure Assessment, stating that in order to use the information contained within this table “to demonstrate a lack of significance, the properties listed would also require basic background information, and assessment and evaluation for comparative purposes under a local architectural context and the Modern movement.” Table 7 is provided to address potential eligibility for designation under City of Escondido Register Criterion 7, which reads, “The historic resource is one of the few remaining examples in the city possessing distinguishing characteristics of an architectural type.” The Contemporary- and International-style buildings provided in Table 7 were identified as possessing a number of the characteristics of the two styles. Refer to the addendum to the Historic Structure Assessment (Appendix D) in the Final EIR for a list of character-defining features of Contemporary- and International-style architecture.

Contrary to the comment, the criterion does not specify that the architecturally similar properties must also be historically significant; rather the criterion specifies only that they must possess distinguishing characteristics of an architectural type. Evaluating the historical significance of properties located outside of the subject Project site lacks any reasonable nexus to this Project and is beyond its scope. With that being said, as discussed in Section 4.2, Cultural Resources,

Comment Letter I12

07 May 2020

City of Escondido  
 Mr. Adam Finestone, AICP, Principal Planner  
 201 N. Broadway  
 Escondido, CA 92025

Re: DEIR Palomar Heights—Cultural Resources (Appendix D Historic Report)

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I12-8

I12-9

I12-7

in the Draft EIR, the removal of an eligible historical resource, the 121–141 N. Fig Street building, would have the potential to result in a significant cumulative impact to historical resources in combination with identified cumulative projects (identified as Impact CR-CUM-1). Thus, the buildings listed in Table 7 of the Historic Structure Assessment provide context for conducting the cumulative impact analysis required to be included in the EIR. As noted in Section 4.2, with implementation of mitigation measures M-CR-1 through M-CR-5, this cumulative impact was reduced to a less-than-significant level.

The comment states that “[r]eversible modifications and tenant improvements do not preclude resources from eligibility to the local register as recently indicated by Staff regarding potentially significant buildings on Grand Avenue within the Downtown Historic District that were recently granted storefront modifications. Specifically, character defining features identified with the 1934 Art Modern building located at 451-453 East Valley Parkway includes a distinct triangular form, pilasters and reversible infill at the garage bay and original storefront. These reversible modifications do not detract from the Art Modern building individually, or as a contributor to the Downtown Historic District and cluster of Art Modern buildings.”

Comment Letter I12

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 Mr. Adam Finestone, AICP, Principal Planner  
 201 N. Broadway  
 Escondido, CA 92025

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I12-8

I12-9

Modifications made to the primary (north) façade of the 451-453 East Valley Parkway building include the following: removal of original storefront windows; infilling of the eastern portion of the garage door opening with wall space; installation of a pedestrian door; introduction of vertical wood paneling in place of an original portion of stucco, replacement of the original storefront windows and glass door; and inappropriate re-stuccoing on all façades. While the Historic Preservation Standards and Guidelines section of the Downtown Specific Plan provides guidelines for how to apply the Secretary of Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>), none of the modifications made to the building are considered reversible, and each has substantially negatively impacted the building’s integrity of design, materials, workmanship, and feeling, ultimately undermining its historic value. Refer to Section V, Significance Evaluations, of Appendix D to the Draft EIR. These modifications are in direct contrast with the types of alterations recommended in the Historic Preservation Standards and Guidelines section of the Downtown Specific Plan, as provided below:

“a. Historic Local Register commercial buildings should be researched before designs for alterations, additions, or rehabilitation are prepared so that

Comment Letter I12

07 May 2020

City of Escondido  
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201 N. Broadway  
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Re: DEIR Palomar Heights--Cultural Resources (Appendix D Historic Report)

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I12-8  
I12-9

changes to the building can be based on a clear understanding of the importance of the building and the feasibility of retaining or restoring its significant architectural features.” In the case of the 451-453 E. Valley Parkway building, no research was conducted prior to making modifications to the building.

“i. The proportion, size, and location of window openings should be respected and maintained. The rhythm of solid-to-void of the existing building should be retained and the total percentage of the façade glazing in proportion to solid-wall mass should not be significantly altered.” In the case of the 451-453 E. Valley Parkway building, the removal of the original storefront windows, in-filling of the eastern portion of the garage door opening with wall space, and installation of a pedestrian door did not respect or maintain the proportion, size, or location of window openings or retain the rhythm of solid-to-void.

In addition, as stated in the Historic Structure Assessment, the Escondido Downtown Specific Plan does not include themes, property types, or criteria for assessing a resource’s potential eligibility as a contributor to the Downtown Historic District. It should be noted that the Downtown Historic District is not a historical district as defined in the Historical Resources ordinance (Article 40) of the Escondido Zoning Code. Rather, it is the name of a district within the Downtown Specific Plan, in the same

Comment Letter I12

07 May 2020

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I12-8

I12-9

way that the Gateway Transit District, Centre City Urban District, etc., are. Please refer to the addendum to the historic structure assessment in the Draft EIR.

I12-8

Refer to response to comment I12-7.

I12-9

The comment states that “[a]dverse impacts to resources located within the area of potential effect, including the Old Escondido Neighborhood and other previously surveyed properties, are not adequately addressed in the DEIR.” All historic resources located within the Area of Potential Effect (APE) for the Palomar Heights Project, whether previously surveyed or not, were evaluated for significance. The 121-141 N. Fig Street building is the only historic resource identified as potentially eligible for listing on the Escondido Register or the California Register of Historical Resources as a good representation of the International style, as designed by a recognized architect. Removal of the surrounding buildings within the Project footprint would not result in an adverse impact to the 121-141 N. Fig Street building, as it derives no significance from its proximity to these buildings.

The Project will not demolish, damage, or materially alter any buildings outside of the Project APE. Construction of a project in the vicinity of historic or potentially historic structures that does not damage or materially alter them is not considered a substantial adverse change in the significance of a historical resource under CEQA, and therefore is not evaluated in

Comment Letter I12

07 May 2020

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 201 N. Broadway  
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I12-8

I12-9

the EIR. (Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist. (2013) 215 Cal.App.4th 1013, 1045; Eureka Citizens for Responsible Gov't v. City of Eureka (2007) 147 Cal.App.4th 357, 375.) Therefore, the Project will not have a significant adverse effect on a historic resource located within the Old Escondido Neighborhood and other previously surveyed properties referenced in the comment, which are not located within the Project APE.

As stated in the Escondido Downtown Specific Plan, “the Old Escondido Neighborhood is [located] to the south of this district [the Southern Gateway District],” which is “located east of Centre City Parkway, west of Ivy Street, north of Fifth Avenue, and south of Second and Third Avenues,” which is not within the Project APE. (See Downtown Specific Plan, p. V-25 through V-26, available at <https://www.escondido.org/Data/Sites/1/media/PDFs/Planning/DowntownSpecificPlan.pdf?v=4>.) The Project site is not located within the Old Escondido Neighborhood, and is not visible from the Neighborhood due to intervening buildings and topography. For these reasons, Old Escondido Neighborhood and the “other previously surveyed properties” referenced in the comment are not evaluated in the Project EIR.

<p>I look forward to the forthcoming EIR, and revised Historic Report that:</p> <ul style="list-style-type: none"> <li>• Addresses resources 45 years or older;</li> <li>• Provides an assessment and evaluation of the subject resources within the local architectural context and Modern movement;</li> <li>• Addresses the prominent notoriety of associated architects/builders, and landscape architects;</li> <li>• Identifies, assesses, and evaluates associated landscape features, heritage trees, plantings and public art;</li> <li>• Examines building additions that have achieved significance in their own right;</li> <li>• Provides standard recordation forms and updated forms (Primary Record, and Building, Structure &amp; Object Record) for each evaluated resource;</li> <li>• Verifies and/or engages a consultant who meets minimum professional qualification standards in Architectural History.</li> </ul> <p>Truly, Nicole J Purvis Historic Preservation Commission</p>	<p style="text-align: center;">I12-10</p> <p><b>I12-10</b> The comment expands upon the comment identified as I8-10. In addition to the list of information provided in comment I8-10 that the commenter is requesting to be addressed in a revised Draft EIR, this comment adds the following:</p> <ul style="list-style-type: none"> <li>• “Identifies, assesses, and evaluates associated landscape features, heritage trees, plantings and public art;</li> <li>• Provides standard recordation forms and updated forms (Primary Record, and Building, Structure &amp; Object Record) for each evaluated resource;</li> <li>• Verifies and/or engages a consultant who meets minimum professional qualification standards in Architectural History.”</li> </ul> <p>These additional remarks summarize the comments addressed in response to comments I12-1 through I12-9. Also, refer to response to comment I8-10.</p>
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Comment Letter I13

May 10, 2020

Dear Mr. Finestone,

I have serious concerns about traffic for the new development in the Palomar Heights project.

The parking & traffic for this project are substantial and already busy and confusing junctions of Grand & Valley.

There will be a parking for the 510 units & ingress egress onto busy streets.

I'll meet the Handson Hospital and have serious reservation.

Res. Mary Conley

I13-1

I13-2

I13-3

### Response to Comment Letter I13

**Mary Conley**  
**May 10, 2020**

**I13-1**

The comment provides a statement of concern regarding the traffic associated with the Project. Traffic impacts are discussed and analyzed in Section 4.6 of the Draft EIR. As discussed in this section, traffic and transportation impacts were determined to be less than significant. Further, the Project would implement CM-TR-1 (which provides improvements to the N. Ivy Street/E. Valley Parkway intersection), CM-TR-2 (which provides a fair-share contribution towards improvements to the N. Ivy Street/E. Grand Avenue intersection), and CM-TR-3 (a Traffic Control Plan during construction). In addition, the Project would implement project design features PDF-TR-1 (implementation of a public transit bus turnout and passenger loading/unloading spaces for ride-share services on the east side of Valley Boulevard), and PDF-TR-2 (bike lane and pedestrian sidewalks along Valley Boulevard). Refer to Section 4.6 for further discussion.

The comment does not raise an issue with the analysis contained within the Draft EIR. Thus, no revisions to the Draft EIR are required as a result of this comment. The comment has been included in the Final EIR for

Comment Letter I13

May 10, 2020

Dear Mr. Finestone,

I have serious concerns about traffic for the new restaurant at Palomar Heights project.

The parking & traffic for this project are substantial and already busy and confusing junction of Grand & Valley.

There will be no parking for the 510 units & ingress/egress onto busy streets.

I'll meet the Sanderson Hospital and have serious reservation

Key Mary O'Leary

I13-1

I13-2

I13-3

review and consideration by the decision makers prior to making a final decision on the Project.

**I13-2**

The comment states that there will be no parking for the residential units, and ingress/egress would occur onto busy streets. As discussed in Chapter 2, Project Description, the Project would provide 877 parking spaces via garage, open, and parallel spaces. In addition to the on-site parking, the Project modifications to Valley Boulevard would involve changes to street parking, increasing available spaces to 21 parking spaces. Guest parking would be provided at a ratio of approximately 0.17 spaces per unit, which is less than the 0.25 parking spaces per unit required by the Downtown Specific Plan. As discussed in Section 2.3.3, Project Approvals, of the Draft EIR, a Planned Development Permit is proposed with the Project, which allows flexibility from this standard to encourage the development of larger areas and to provide more comprehensive planning and building design. In addition and as discussed in response to comment I13-1 above and in Draft EIR Section 4.6, Transportation, the Project includes multi-modal transportation improvements to promote alternatives to single-occupancy vehicles, including ride-share accommodation and improvements to transit, bicycle, and pedestrian circulation. It should also be noted that parking is not considered to be an environmental issue required to be addressed under CEQA.

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May 10, 2020

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I13-1

I13-2

I13-3

**I13-3**

Regarding ingress/egress to the Project site, as discussed in Section 4.6 of the Draft EIR, vehicular access to the site would occur at four locations, and Project roadways have been designed to City Design Standards and Standard Drawings design requirements, and have been reviewed by the City Traffic Engineering staff for safety. Impacts regarding roadway design hazards were determined to be less than significant. Refer to Section 4.6 for further information.

The comment does not raise an issue with the adequacy of the analysis contained within the Draft EIR; therefore, no revisions to the Draft EIR are required as a result of this comment. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The City acknowledges this comment as a concluding remark to the comment letter, and the City notes the commenter's statement of concern. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I14



Palomar Heights  
Palomar Health Downtown Campus  
DEIR Comments

May 4, 2020

Adam Finestone, AICP  
Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Dear Adam,

Since May 2019, I have reviewed and forwarded comments to the Escondido Planning Department on the four iterations submitted by the Applicant.

Subsequent to my May 2019 letter regarding the NOP, I sent specific comment letters in July, October and January. These letters are not listed as being received or reviewed as a part of the DEIR process. I have attached them to this letter.

All the comments in those three previous letters remain and I trust will be addressed or responded to.

Reviewing the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> submittals was a follow up on my original comments to the NOP, dated June 3, 2019. Considering the significant potential (aesthetic and financial) influence of redevelopment this site on Downtown, I reviewed all submittals for conformity to the Downtown Specific Plan.

My 2<sup>nd</sup> letter, documented my review of the July submittal, sent on July 29, added new comments but stated that "Overall, many of the comments in my June 3rd letter still apply". The timing of my review and comments was for Staff to consider as they reviewed the project internally.

My 3<sup>rd</sup> letter dated October 2, 2019 letter is the most comprehensive review and references pertinent DTSP principles, goals, etc.

My 4<sup>th</sup> letter, dated January 30, was based on my review of the December 13<sup>th</sup> documents. The essence of the letter was that "little of significance has changed, so my past conclusions remain the same. The proposed suburban approach simply does not meet the standards and goals fundamental to the DTSP".

I have completed my review of the DEIR, my comments and questions follow.

I have included a new document (entitled Comments on Palomar Heights, dated May 4, 2020) to go with the previous ones, specifically addressing continuing major issues with the proposed project.

Respectfully,  
Ken Erickson, Architect

122 1/2 South Kalmia Street, Escondido, California 92025

I14-1

## Response to Comment Letter I14

**Ken Erickson**  
**May 4, 2020**

**I14-1**

The comment letter is generally duplicative of a prior letter submitted by the commenter; refer to comment letter I3 and response to comment I3-1. Where new comments have been raised by the commenter in this letter, they are specifically responded to herein.

Comments on Palomar Heights  
 Draft Environmental Impact Report (DEIR) – SCH No. 2019056013  
 Dated March 2020  
 Prepared by Ken Erickson, Architect  
 May 4, 2020

DEIR INTRODUCTORY SECTIONS

Item/Page #	Summary of Policy Text	Summary of Consistency Analysis Statement/Claim Made in DEIR	KE Comments
Summary 5-4	Areas of controversy	Areas of controversy are considered to include: - Aesthetics related to the Downtown Specific Plan area	There are major issues relative to the Downtown Specific Plan (DTSF). To say they are limited to aesthetics is a mischaracterization. The issue is non-compliance with the DTSF on a variety of fronts.
Project Description 2-3	Table 2-4, Proposed Uses	Total Commercial Space provided = 10,000sf	According to the most recent plans I have seen, the total Residential Space square footage to be constructed is 539,393. (This figure does not include 232,898sf of garage construction.) The Commercial Space provided, 10,000 square feet, is less than 2% of total project square footage. To call this a mixed use project and claim all the associated benefits that go with a truly mixed-use development is misleading if not disingenuous.
Project Description 2-4	Arch/structure	---	All buildings relating to street edges must conform to the DTSF. To do so, they must be set or near the street/sidewalk grade and the residential units are to be at ground level rather than second level over parking.
Ken Erickson, Architect	Comments on DEIR for Palomar Heights	May 4, 2020	Page 1 of 7

I 114-2  
 I 114-3  
 I 114-4

**I14-2** The comment letter is generally duplicative of a prior letter submitted by the commenter; refer to comment letter I3 and response to comment I3-2.

**I14-3** The comment letter is generally duplicative of a prior letter submitted by the commenter; refer to comment letter I3 and response to comment I3-3.

**I14-4** The comment expands upon the comment identified as I3-4. This comment provides a clarification to the commercial space included in the Project and adds a reference to the 10,000 square feet of proposed commercial space. Refer to response to comment I3-4 for additional information.

<p>Land Use and Planning 4.4-8</p>	<p>Escondido Downtown Specific Plan. Street-level and human-scale design elements in new and remedial developments to that improve pedestrian orientation.</p>	<p>---</p>	<p>The vast majority of buildings are located above street level – from a few feet to up to 20' with slope banks &amp; retaining walls – nearly enclosing the entire property. With the exception of a few units in the Villas and Rowhomes, the actual residential living spaces are located from the second floor up, and OVER ground level parking spaces/garages. With the exceptions noted above, there are essentially no residential living spaces on the ground floor of this project.</p>	<p>I14-5</p>	<p><b>I14-5</b> The comment provides minor editorial revisions to the comment identified as I3-5. The revised content included in this comment does not raise new information or issues that need to be addressed beyond what is provided in response to comment I3-5. Refer to response to comment I3-5.</p>
<p>Land Use and Planning 4.4-11</p>	<p>The Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. Currently the Downtown Specific Plan requires ground-floor commercial uses at the Project site, with residential uses permitted above. The proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit.</p>	<p>---</p>	<p>Due to the majority of buildings located adjacent to public streets being located above street level from a few feet to 20' or in some cases, below street level. And, with the exception of some Villas and Rowhomes, most residential units are on second level over ground floor parking, the project is not consistent with the most fundamental principle of creating a pedestrian-oriented community.</p>	<p>I14-6</p>	<p><b>I14-6</b> The comment provides editorial revisions to the comment identified as I3-6. The revised content included in this comment does not raise new information or issues that need to be addressed beyond what is provided in response to comment I3-6. Refer to response to comment I3-6.</p>
<p>Alternatives Table 7-1 7-12</p>	<p>Comparison of Alternatives Relative to Project Objectives. 5. Develop a community that:</p>	<p>---</p>	<p>"project would include grading and design to follow topography"</p>	<p>I14-7</p>	<p><b>I14-7</b> Refer to response to comment I3-7.</p>
<p>Ken Graham, Architect</p>	<p>Comments on DPR for Palomar Heights</p>	<p>May 4, 2020</p>	<p>Page 2 of 7</p>		

responds to the unique topography and character of the Project site and surrounding area.

**APPENDIX H – GENERAL PLAN CONSISTENCY ANALYSIS**

Goal/Policy #	Summary of Policy Text	Summary of Consistency Analysis Statement/Claim Made in DCR	KE Comments
<b>LAND USE AND COMMUNITY FORM ELEMENT</b>			
Goal 1	Community composed of...whose urban form reflects the natural environmental setting.	"The Project ...would implement development consistent with the requirements of the Downtown Specific Plan."	Project is not in compliance with the DTSF. See specific comments below. This development is, when formed by natural and/or natural setting. The site has been graded into many terraced planes to accommodate the topography. The proposed grading is essentially one flat graded pad made possible by series of retaining walls up to 20' tall surrounding the site.
Policy 1.3	Facilitate development that is consistent with the built-out vision for each area through ...Specific Plans.	"A proposed residential and commercial development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan." "While the Project includes amendments to allow residential units on the ground floor..." "The provision of ground-floor residential within the Project site would be more consistent with the surrounding residential uses..."	Project is not in compliance with the DTSF. See specific comments below. - This corner represents a very small portion of the total perimeter of the project. The majority of the remaining buildings range from a few feet to 20' above adjacent areas. With a few exceptions at the "breakdown" and "Widow", residential units are located on the second floor above ground level parking structures. A few stairs and doors from second-floor units to ground level have been added, but add little to the "articulation" of garage level walls. - "Variation of the roofline heights" that are significantly above and away from the street & sidewalk level are not.
Ken Graham, Architect	Comments on DCR for Palomar Heights	May 4, 2020	Page 9 of 7

I I14-8  
I I14-9  
I I14-10  
I I14-11

- I14-8** Refer to response to comment I3-8.
- I14-9** Refer to response to comment I3-9.
- I14-10** Refer to response to comment I3-10.
- I14-11** Refer to response to comment I3-11.

<p>Goal 2 Regulation that clearly and effectively implement land use development goals and objectives</p> <p>Policy 2.2 Apply zoning overlays to implement specific standards, regulations and guidelines... within Land Use Area Plans and Specific Plans.</p> <p>Policy 6.3 b) Preservation of the natural setting by minimizing earth movement</p> <p>Ken Graham, Architect      Comments on DPR for Palomar Heights      May 4, 2020      Page 4 of 7</p>	<p>consistent with the DTSP and do not create pedestrian oriented street edge.</p> <p>Where does the DTSP call for commercial, "specifically on Grand Ave"? The particular section needs to be referenced.</p> <p>The Palomar Hospital site is required to have commercial and retail on the ground floor.</p> <p>- The planned commercial component amounts to less than 25% of the total project square footage. Even recognizing there are market forces in play, it is a missed opportunity to create true mixed use (office, restaurants, live/work, residential, etc.) at a minimum along Valley Blvd, Grand Ave and a portion of Valley Street which would provide downtown job opportunities for all of Escondido and within walking distance for future residents.</p> <p>"The Project... would implement development consistent with the requirements of the Downtown Specific Plan."</p> <p>"...the Project would be consistent with the goals of the Downtown Specific Plan."</p> <p>"...the Project would be consistent with the Downtown Specific Plan upon approval of concurrently proposed Specific Plan Amendments."</p> <p>Unaddressed by DEIR</p> <p>How can significant slope banks and retaining walls, sometimes up to 12'-20' be consistent?</p>	<p>I14-11 Cont.</p> <p>I14-12</p> <p>I14-13</p> <p>I14-14</p> <p>I14-15</p> <p>I14-16</p> <p>I14-17</p>	<p><b>I14-12</b> Refer to response to comment I3-12.</p> <p><b>I14-13</b> Refer to response to comment I3-13.</p> <p><b>I14-14</b> The comment provides minor editorial revisions to the comment identified as I3-14. The revised content included in this comment (changing the original language of "amounts to 0.06%" to "amounts to less than 2%") does not raise new information or issues that need to be addressed beyond what is provided in response to comment I3-14. Refer to response to comment I3-14.</p> <p><b>I14-15</b> Refer to response to comment I3-15.</p> <p><b>I14-16</b> Refer to response to comment I3-16.</p> <p><b>I14-17</b> Refer to response to comment I3-17.</p>
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	<p><b>I14-18</b> Refer to response to comment I3-18.</p>
<p>Policy 6.3 g) Superlative architectural design features of all structures;</p> <p>Policy 11.3 Specific Plans...should be reserved for a limited number of proposals which, by nature, are ideally suited for the comprehensive planning efforts involved in the specific planning process.</p>	<p><b>I14-19</b> Refer to response to comment I3-19.</p> <p><b>I14-20</b> Refer to response to comment I3-20.</p>
<p>Policy 11.6 No Specific Plan shall be adopted by the City Council until the Council has reviewed the proposed plan for compliance with the following requirements which are in addition to requirements imposed by State Government Code Sections 65450, et seq. (specific requirements all through h) are listed)</p>	<p>There are a couple sentences discussing the architectural design of the entire proposed project in Section 2.3.1. This is usually inadequate.</p> <p>This is about a new specific plan not needed because the DTSP is being amended.          - Questioning the consistent with the DTSP because it's proposed to be amended and,          - What is the process for an amendment? Public hearings? Does this affect the original DTSP EIR?</p> <p>The project does not comply with the Downtown Specific Plan. It cannot be claimed that the project is "consistent" with the DTSP, ONCE AN AMENDMENT TO THE DTSP IS PASSED AS A PART OF THIS PROJECT. This is totally misleading to anyone who is not paying very close attention. And to say "The project would otherwise be consistent with all requirements of the Downtown Specific Plan" is making a circular argument and equally misleading.</p>
<p>Ken Drebus, Architect      Comments on DCR for Palomar Heights      May 4, 2020      Page 3 of 7</p>	

ESCONDIDO DOWNTOWN SPECIFIC PLAN DOWNTOWN SPECIFIC PLAN STRATEGIC GOALS				
Goal 3	A vibrant and exciting environment with land uses that foster an "18-hour" atmosphere, in addition to ones that provide mixed use, office employment and high-density residential opportunities	"The Project is a higher density mixed-use development that would add to, and support, the City's vision for the Downtown SPA."	According to the most recent plans I have seen, the total Residential Space square footage to be constructed is 538,593. (This figure does not include 232,898 of garage construction.) The Commercial Space provided, 15,000 square feet, is less than 3% of total project square footage. To call this a mixed-use project and claim all the associated benefits to go with a truly mixed-use development is misleading if not disingenuous.	I14-21
Goal 4	Development and signage that strengthen the character of Downtown and are architecturally compatible with the existing urban fabric.	Proposed residential and commercial development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan which includes articulation of facades to create a pedestrian and street orientation. "The Project's compliance with the design and development guidelines of the Downtown Specific Plan would ensure its design compatibility with the long-term bulidout of the Downtown SPA as envisioned by the City, which emphasizes a human-scale mix."	The project does not comply with the Downtown Specific Plan.	I14-22
Goal 5	Street-level and human-scale design elements in new and retrofitted developments that improve pedestrian orientation	"The Project would create human-scale, pedestrian-oriented buildings and landscape design to promote pedestrian use of the local sidewalks and pedestrian site access. This includes high-profile and vertical design features, architecturally distinguishing the ground-floor facade..."	"architecturally distinguishing the ground-floor facade..." "how is this consistent with the slope banks, etc.?"	I14-23
Ken Graham, Architect	Comments on DPR for Palomar Heights	May 4, 2020	Page 6 of 7	

**I14-21** The comment expands upon the comment identified as I3-21. This comment provides a clarification to the commercial space included within the Project by adding a reference to the 10,000 square feet of proposed commercial space. Refer to response to comment I3-21 for additional information.

**I14-22** Refer to response to comment I3-22.

**I14-23** Refer to response to comment I3-23.

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Comment Letter I15

KE | A

Palomar Heights  
Palomar Health Downtown Campus  
DEIR Comments

May 4, 2020

Adam Finestone, AICP  
Principal Planner  
City of Escondido  
201 North Broadway  
Escondido, CA 92025

Dear Adam,

Since May 2019, I have reviewed and forwarded comments to the Escondido Planning Department on the four iterations submitted by the Applicant.

Subsequent to my May 2019 letter regarding the NOP, I sent specific comment letters in July, October and January. These letters are not listed as being received or reviewed as a part of the DEIR process. I have attached them to this letter.

All the comments in those three previous letters remain and I trust will be addressed or responded to.

Reviewing the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> submittals was a follow up on my original comments to the NOP, dated June 3, 2019. Considering the significant potential (aesthetic and financial) influence of redevelopment this site on Downtown, I reviewed all submittals for conformity to the Downtown Specific Plan.

My 2<sup>nd</sup> letter, documented my review of the July submittal, sent on July 29, added new comments but stated that "Overall, many of the comments in my June 3<sup>rd</sup> letter still apply". The timing of my review and comments was for Staff to consider as they reviewed the project internally.

My 3<sup>rd</sup> letter dated October 2, 2019 letter is the most comprehensive review and references pertinent DTSP principles, goals, etc.

My 4<sup>th</sup> letter, dated January 30, was based on my review of the December 13<sup>th</sup> documents. The essence of the letter was that "little of significance has changed, so my past conclusions remain the same. The proposed suburban approach simply does not meet the standards and goals fundamental to the DTSP".

I have completed my review of the DEIR, my comments and questions follow.

I have included a new document (entitled Comments on Palomar Heights, dated May 4, 2020) to go with the previous ones, specifically addressing continuing major issues with the proposed project.

Respectfully,  
Ken Erickson, Architect



122 1/2 South Kalmia Street, Escondido, California 92025

I15-1

## Response to Comment Letter I15

**Ken Erickson**  
**May 4, 2020**

**I15-1**

The comment letter is generally duplicative of prior letters submitted by the commenter; refer to comment letters I3 and I14. For this specific response, refer to response to comment I3-1. Where new comments have been raised by the commenter in this letter, they are specifically responded to herein.

Comments on Palomar Heights  
 Draft Environmental Impact Report (DEIR) – SCH No. 2019059013  
 Dated March 2020  
 Prepared by Ken Erikson, Architect  
 May 4, 2020

DEIR INTRODUCTORY SECTIONS			
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Project Description 2-3	Table 2-1, Proposed Uses	Total Commercial Space provided = 10,000sf	According to the most recent plans I have seen, the total Residential Space square footage to be constructed is 339,563. (This figure does not include 232,898 sf of garage construction.) The Commercial Space provided, 10,000 square feet, is less than 2% of total project square footage. To call this a mixed-use project and claim all the associated benefits that go with a truly mixed-use development is misleading if not disingenuous.
Project Description 2-4	Architecture	"The building design would be in accordance with the Downtown Specific Plan (City of Escondido 2013)."	According to the DTSP, all buildings relating to street edges must be oriented toward the street to establish a strong connection with the ground plane (Building Orientation Policy).
Project	Project Circulation and Access	"Overall, the Project provides internal	The project design actually serves to minimize pedestrian
Ken Erikson, Architect	Comments on DEIR for Palomar Heights	May 4, 2020	Page 1 of 8

I 115-2  
 I 115-3  
 I 115-4  
 I 115-5

- I15-2** Refer to response to comment I3-2.
- I15-3** Refer to response to comment I14-3
- I15-4** The comment begins by identifying a chapter and page of the Draft EIR, identifies the issue area the comment will address, and provides a summary of the applicable text within the Draft EIR the commenter is referring to in order to provide context for the remainder of the author’s comment.

Following this introduction, the comment then states that “[a]ccording to the DTSP, all buildings relating to street edges must be oriented toward the street to establish a strong connection with the ground plane (Building Orientation Policy).” As discussed in the Project Description (see Chapter 2 of the Draft EIR), the building design within the Project site would be in accordance with the Downtown Specific Plan. Moreover, the Project would be consistent with the regulations pertaining to aesthetics and visual quality that are identified within the Downtown Specific Plan. Refer to Section 5.2.1, Aesthetics, for more information. These statements do not raise an issue regarding the adequacy of the analysis contained in the Draft EIR. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

<p>Description 2-8</p>	<p>pedestrian connections and maximizes pedestrian connections to the adjacent areas as feasible based on Project design.</p>	<p>connections to adjacent areas. Such connections are severely limited and thus not "feasible" based on the proposed design. There is only one pedestrian access point along the entirety of Valley Parkway that leads to the residential units. This occurs in the form of an on-grade sidewalk and a ramp at the main vehicular driveway. There are only two pedestrian access points all along Grand Ave. to access the residential units. See attached DER "Connectivity Plan" with highlights.</p>	<p>I15-5 Cont.</p>	<p><b>I15-5</b> The comment begins by identifying a chapter and page of the Draft EIR, identifies the issue area the comment will address, and provides a summary of the applicable text within the Draft EIR the commenter is referring to in order to provide context for the remainder of the author's comment.</p>
<p>Land Use and Planning 4.4-8</p>	<p>Esccondido Downtown Specific Plan. Street level and human-scale design elements in new and remodeled developments that improve pedestrian orientation.</p>	<p>The vast majority of buildings are located above street level – from a few feet to up to 20' with slope banks &amp; retaining walls – nearly encircling the entire property. With the exception of a few units in the Villas and Rowhomes, the actual residential living spaces are located from the second floor up, and OVER ground level parking spaces/terraces. With the exceptions noted above, there are essentially no residential living spaces on the ground floor of this project.</p>	<p>I15-6</p>	<p>Following this introduction, the comment then states that the Project design works to minimize pedestrian connections to adjacent areas, and that these connections are severely limited and thus not feasible because of the proposed design. The comment then identifies the proposed pedestrian access points within the Project site, and refers the comment reader to a graphic included in the comment letter (comment I15-25).</p>
<p>Land Use and Planning 4.4-11</p>	<p>The Project would be consistent with the underlying General Plan and zoning designations and would implement development consistent with the requirements of the Downtown Specific Plan, with the exception of the proposed Specific Plan Amendment. Currently the Downtown Specific Plan requires ground floor commercial uses at the Project site, with residential uses permitted above. The</p>	<p>Due to the majority of buildings located adjacent to public streets being located above street level from a few feet to 20' or in some cases, below street level. And, with the exception of some Villas and Rowhomes, most residential units are on second level over ground level parking. The project is not consistent with the most fundamental principle of creating a pedestrian-oriented community.</p>	<p>I15-7</p>	<p>As noted in Chapter 2, Project Description, pedestrian connections are limited in some areas due to Project design and site topography. However, the Project would include internal pedestrian linkages that would connect the proposed residential units to on-site recreational amenities, as well as to the sidewalks along the perimeter of the site. Overall, the Project provides internal pedestrian connections and provides pedestrian connections to the adjacent areas. The Draft EIR discusses pedestrian connectivity of the Project in Section 2.3.1 under Project Circulation and Access, and illustrates pedestrian connectivity in Figure 2-9, Connectivity Plan. As shown and as discussed in the</p>
<p>Ken Ericson, Architect      Comments on DER for Palomar Heights      May 4, 2020      Page 2 of 8</p>				

<p>proposed amendment would amend the Downtown Specific Plan to allow residential units on the ground floor through approval of a Planned Development Permit.</p> <p>Alternatives Table 7-1 7-12</p> <p>Comparison of Alternatives Relative to Project Objectives. 6. Develop a community that responds to the unique topography and character of the Project site and surrounding area</p> <p>"project would include grading and design to follow topography"</p> <p>Considering the significant slope banks and retaining walls, the grading design does not appear "to follow topography".</p>	<p>↑ I13-7 Cont.</p> <p>I13-8</p>	<p>Draft EIR, the Project includes pedestrian connections to adjacent sidewalks and provides sidewalk improvements along the development. It should be noted that the Project was presented to the Planning Commission for design review on October 25, 2019. This meeting was held in order to provide an opportunity to comment on the design. While not a formal legal notice, the meeting was advertised in the San Diego Union Tribune and a notice was mailed to property owners within 500 feet of the Project site and other interested parties. The comment is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.</p>																				
<p>APPENDIX H – GENERAL PLAN CONSISTENCY ANALYSIS</p>																						
<table border="1"> <thead> <tr> <th>Goal/Policy #</th> <th>Summary of Policy Text</th> <th>Summary of Consistency Analysis Statement/Claim Made in DEIR</th> <th>KE Comments</th> </tr> </thead> <tbody> <tr> <td colspan="4"><b>LAND USE AND COMMUNITY FORM ELEMENT</b></td> </tr> <tr> <td>Goal 1</td> <td>Community composed of...whose urban form reflects the natural environmental setting</td> <td>"The Project ...would implement development consistent with the requirements of the Downtown Specific Plan."</td> <td>Project is not in compliance with the DTSP. See specific comments below. In a developed area, what is meant by natural environmental setting? The site has been graded into many terraced planes to accommodate the topography. The proposed grading is essentially one flat graded pad made possible by series of retaining walls up to 30' tall surrounding the site.</td> </tr> <tr> <td>Policy 1.3</td> <td>Facilitate development that is</td> <td>"Proposed residential and commercial</td> <td>Project is not in compliance with the DTSP. See specific</td> </tr> <tr> <td>Ken Erickson, Architect</td> <td>Comments on DEIR for Palomar Heights</td> <td>May 4, 2020</td> <td>Page 3 of 8</td> </tr> </tbody> </table>	Goal/Policy #	Summary of Policy Text	Summary of Consistency Analysis Statement/Claim Made in DEIR	KE Comments	<b>LAND USE AND COMMUNITY FORM ELEMENT</b>				Goal 1	Community composed of...whose urban form reflects the natural environmental setting	"The Project ...would implement development consistent with the requirements of the Downtown Specific Plan."	Project is not in compliance with the DTSP. See specific comments below. In a developed area, what is meant by natural environmental setting? The site has been graded into many terraced planes to accommodate the topography. The proposed grading is essentially one flat graded pad made possible by series of retaining walls up to 30' tall surrounding the site.	Policy 1.3	Facilitate development that is	"Proposed residential and commercial	Project is not in compliance with the DTSP. See specific	Ken Erickson, Architect	Comments on DEIR for Palomar Heights	May 4, 2020	Page 3 of 8	<p>↑ I13-9</p> <p>I13-10</p> <p>↓ I13-11</p>	<p><b>I15-6</b> Refer to response to comment I14-5.</p> <p><b>I15-7</b> Refer to response to comment I14-6.</p> <p><b>I15-8</b> Refer to response to comment I3-7.</p> <p><b>I15-9</b> Refer to response to comment I3-8.</p> <p><b>I15-10</b> Refer to response to comment I3-9.</p> <p><b>I15-11</b> Refer to response to comment I3-10.</p>
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Ken Erickson, Architect	Comments on DEIR for Palomar Heights	May 4, 2020	Page 3 of 8																			

<p>consistent with the build out vision for each area through ...Specific Plans.</p> <p>development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan."</p> <p>"While the Project includes amendments to allow residential units on the ground floor..."</p> <p>"The provision of ground-floor residential within the Project site would be more consistent with the surrounding residential uses..."</p> <p>Goal 2 Regulations that clearly and effectively implement land use development goals and objectives</p> <p>Ken Erickson, Architect</p> <p>Comments on DER for Palomar Heights</p> <p>May 4, 2020</p> <p>Page 4 of 8</p>	<p>I15-11 Cont.</p> <p>I15-12</p> <p>I15-13</p> <p>I15-14</p> <p>I15-15</p> <p>I15-16</p>
<p>comment below.</p> <p>-This corner represents a very small portion of the total perimeter of the project. The majority of the remaining buildinga range from a few feet to 20' above adjacent streets. With a few exceptions at the "Rowhomes" and "Villas", residential units are located on the second floor above ground level parking garages. A few stairs and doors from second floor units to ground level have been added, but add little to the "articulation" of garage level walls.</p> <p>-"variation of the roofline heights" that are significantly above and away from the street &amp; sidewalk level are not consistent with the DTSP and do not create pedestrian oriented street edge.</p> <p>Where does the DTSP call for commercial, "specifically on Grand Ave"? The particular section needs to be referenced.</p> <p>The Palomar Hospital site is required to have commercial and retail on the ground floor.</p> <p>- The planned commercial component amounts to less than 2% of the total project square footage. Even recognizing there are market forces in play, it is a missed opportunity to create true mixed use (offices, restaurants, live work, residential, etc.) at a minimum along Valley Blvd, Grand Ave and a portion of Valley Pkwy which would provide downtown job opportunities for all of Escondido and within walking distance for future residents.</p> <p>The project does not comply with the Downtown Specific Plan.</p>	<p>I15-12 Refer to response to comment I3-11.</p> <p>I15-13 Refer to response to comment I3-12.</p> <p>I15-14 Refer to response to comment I3-13.</p> <p>I15-15 Refer to response to comment I14-14.</p> <p>I15-16 Refer to response to comment I3-15.</p>

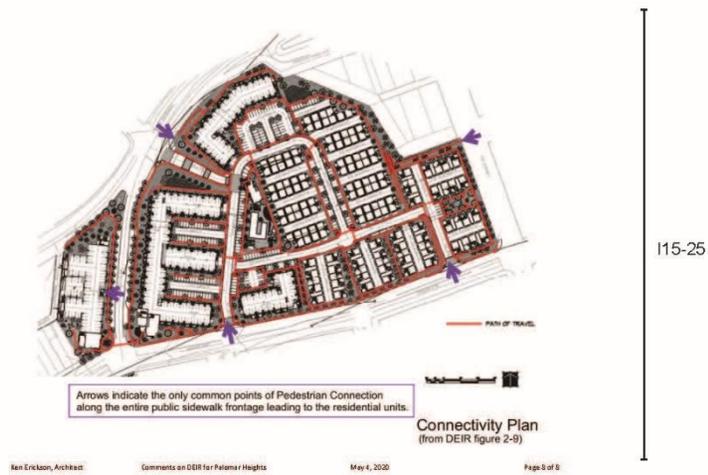
<p>Policy 2.2 Apply zoning overlays to implement specific standards, regulations and guidelines... within Land Use Area Plans and Specific Plans.</p>	<p>"...the Project would be consistent with the Downtown Specific Plan upon approval of concurrently proposed Specific Plan Amendments."</p>	<p>The project does not comply with the Downtown Specific Plan.</p>	<p>I 115-17</p>	<p><b>I15-17</b> Refer to response to comment I3-16.</p>
<p>Policy 6.3 b) Preservation of the natural setting by minimizing earth movement</p>	<p>Unaddressed by DEIR</p>	<p>How can significant slope banks and retaining walls, sometimes up to 15'-20' be consistent?</p>	<p>I 115-18</p>	<p><b>I15-18</b> Refer to response to comment I3-17.</p>
<p>Policy 6.3 g) Superlative architectural design features of all structures:</p>	<p>g) Architecture and features of the Project are addressed in Section 2.3.1 of the EIR.</p>	<p>There are a couple sentences discussing the architectural design of the entire proposed project in Section 2.3.1. This is wholly inadequate.</p>	<p>I 115-19</p>	<p><b>I15-19</b> Refer to response to comment I3-18.</p>
<p>Policy 11.3 Specific Plans...should be reserved for a limited number of proposals which, by nature, are ideally suited for the comprehensive planning efforts involved in the Specific Planning process.</p>	<p>"Project proposes an amendment to the existing Downtown Specific Plan. Currently the Downtown Specific Plan requires ground floor commercial uses at the Project site, with residential uses permitted above. The Project would include an amendment to the Downtown Specific Plan to allow residential units on the ground floor through a Planned Development Permit process. Because the Project would implement an existing Specific Plan, in conjunction with the proposed amendments, it would be consistent with this policy."</p>	<p>This is about a new specific plan not needed because the DTSP is being amended.                  - Questioning the consistent with the DTSP because it's proposed to be amended and,                  - What is the process for an amendment? Public hearing?                  Does this affect the original DTSP EIR?</p>	<p>I 115-20</p>	<p><b>I15-20</b> Refer to response to comment I3-19.</p>
<p>Policy 11.6 No Specific Plan shall be adopted by the City Council until the Council has reviewed the proposed Plan for compliance with the following requirements</p>	<p>"The Project does not include a Specific Plan. The Project would implement the Downtown Specific Plan with the inclusion of a Specific Plan Amendment, as discussed in Policy</p>	<p>The project does not comply with the Downtown Specific Plan. It cannot be claimed that the project is "consistent" with the DTSP, ONCE AN AMENDMENT TO THE DTSP IS PASSED AS A PART OF THIS PROJECT. This is totally misleading to anyone who is not paying very close</p>	<p>I 115-21</p>	<p><b>I15-21</b> Refer to response to comment I3-20.</p>
<p>Ken Erickson, Architect</p>	<p>Comments on DEIR for Palomar Heights</p>	<p>May 4, 2020</p>	<p>Page 5 of 8</p>	

<p>which are in addition to requirements imposed by State Government Code Sections 65450, et seq., (specific requirements a) through h) are listed]</p>	<p>11.3. The Project would otherwise be consistent with all requirements of the Downtown Specific Plan."</p>	<p>attention. And to say "The Project would otherwise be consistent with all requirements of the Downtown Specific Plan" is making a circular argument and equally misleading.</p>	<p>↑ I15-21 Cont.</p>	<p><b>I15-22</b> Refer to response to comment I14-21.</p>
<p><b>ESCONDIDO DOWNTOWN SPECIFIC PLAN DOWNTOWN SPECIFIC PLAN STRATEGIC GOALS</b></p>	<p>"The Project is a higher density mixed-use development that would add to, and support, the City's vision for the Downtown SFA."</p>	<p>According to the most recent plans I have seen, the total Residential Space square footage to be constructed is 339,263. (This figure does not include 232,898 of garage construction.). The Commercial Space provided, 10,000 square feet, is less than 2% of total project square footage. To call this a mixed-use project and claim all the associated benefits that go with a truly mixed-use development is misleading if not disingenuous.</p>	<p>I15-22</p>	<p><b>I15-23</b> Refer to response to comment I3-22.</p>
<p>Goal 4 Development and signage that strengthen the character of Downtown and are architecturally compatible with the existing urban fabric.</p>	<p>Proposed residential and commercial development within the Project incorporates a design that reflects the requirements of the Downtown Specific Plan which includes articulation of facades to create a pedestrian and street orientation." "The Project's compliance with the design and development guidelines of the Downtown Specific Plan would ensure its design compatibility with the long term build-out of the Downtown SFA as envisioned by the City, which emphasizes a human-scale mix..."</p>	<p>The project does not comply with the Downtown Specific Plan.</p>	<p>I15-23</p>	<p><b>I15-24</b> Refer to response to comment I3-23.</p>
<p>Goal 5 Street-level and human-scale design elements in new and</p>	<p>"The Project would create human-scale, pedestrian-oriented buildings</p>	<p>"architecturally distinguishing the ground-floor facade..." how is this consistent with the scope, banks, etc.?</p>	<p>↓ I15-24</p>	
<p>Ken Ericson, Architect</p>	<p>Comments on DSR for Palomar Heights</p>	<p>May 4, 2020</p>	<p>Page 6 of 8</p>	

remodeled developments that improve pedestrian orientation and landscape design to promote pedestrian use of the local sidewalks and pedestrian site access. This includes high-profile and vertical design features, architecturally distinguishing the ground-floor façade..."

↑  
113-24  
Cont.

(Page intentionally blank)



**I15-25** The comment consists of a copy of Figure 2-9 as provided in the Draft EIR, and includes arrows added by the commenter that identify the pedestrian connection points to/from the Project site along the public sidewalk frontage. Refer to response to comment I15-5 for a discussion on pedestrian connectivity. The City acknowledges the content provided in this comment, which is included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project. No revisions to the Draft EIR are required as a result of this comment.

Comment Letter I16

From: [civics@robroy.cc](mailto:civics@robroy.cc)  
 Sent: Tuesday, May 19, 2020 10:41 AM  
 To: [Palomar Heights Project](#)  
 Subject: [EXT] Additional Comments on Draft EIR for the Palomar Heights project from Robroy Fawcett

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Attention Adam Finestone,

In light of the extension of the comment period, I desire to submit the following additional comments regarding the sufficiency of the Draft EIR for the Palomar Heights project:

1. In the Draft EIR, under 4.4 Land Use and Planning, there is a section under the heading "Escondido Downtown Specific Plan." The description following this heading has no mention of the downtown hospital. This is a significant deficiency in the land use and planning analysis of the Draft EIR.

The Downtown Specific Plan states, on page V-5 of, under LAND USE DISTRICTS Historic Downtown: "Palomar Health Downtown Campus is located in the eastern area of the district and comprises a multi-story medical structure, parking garage, and emergency helicopter pad. A Memorandum of Understanding between the City and the Palomar Medical District outlines major renovations for the downtown hospital involving the construction of intern housing, support medical, office, and related uses."

Thus, the Downtown Specific Plan requires the land use and planning for the Campus to include a renovated downtown hospital and support medical uses. The Palomar Heights projects fails to comply with these elements of the Downtown Specific Plan. Further, the failure to address this portion of the Downtown Specific Plan in the Draft EIR is a substantial error and defect.

2. In the Draft EIR, under 7.5 Alternatives Considered but Rejected from Further Analysis, 7.5.2 Building Reuse Alternatives, there is the following statement: "In addition, the existing buildings are not built to current earthquakes/seismic standards for such a hospital use. In conclusion, it would not be feasible for the site to be reutilized with hospital uses and such reuse is not considered further herein." There is no citation to support the statement that "the existing buildings are not built to current earthquake/seismic standards for such a hospital use."

The statement that "the existing buildings are not built to current earthquake/seismic standards for such a hospital use" is false. In 2008, the Office of Statewide Health Planning and Development (OSHDP) found, based on

I16-1

I16-2

I16-3

Response to Comment Letter I16

Robroy Fawcett  
 May 19, 2020

**I16-1** The City acknowledges the comment as an introduction to comments that follow.

**I16-2** The comment refers to Section 4.4 of the Draft EIR, stating that the regulatory framework discussion for the Downtown Specific Plan fails to mention the hospital. The discussion in the Draft EIR referenced in this comment is provided to give the reader a background reference of the Strategic Goals of the Downtown Specific Plan. No mention of the hospital is provided in this list, since it is not specifically called out in the Strategic Goals of the Downtown Specific Plan. However, analysis of the Project's consistency with the Downtown Specific Plan is provided in Section 4.4.2 of the Draft EIR. The commenter is referred to this section for further information.

The comment then provides a quoted remark from Page V-5 of the Downtown Specific Plan, which states that "[a] Memorandum of Understanding between the City and the Palomar Medical District outlines major renovations for the downtown hospital involving the construction of intern housing, support medical, office, and related uses." The comment then states that

Comment Letter 116

From: [civics@robroy.cc](mailto:civics@robroy.cc)  
 Sent: Tuesday, May 19, 2020 10:41 AM  
 To: [Palomar Heights Project](#)  
 Subject: [EXT] Additional Comments on Draft EIR for the Palomar Heights project from Robroy Fawcett

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Attention Adam Finestone,

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1. In the Draft EIR, under 4.4 Land Use and Planning, there is a section under the heading "Escondido Downtown Specific Plan." The description following this heading has no mention of the downtown hospital. This is a significant deficiency in the land use and planning analysis of the Draft EIR.

The Downtown Specific Plan states, on page V-5 of, under LAND USE DISTRICTS Historic Downtown: "Palomar Health Downtown Campus is located in the eastern area of the district and comprises a multi-story medical structure, parking garage, and emergency helicopter pad. A Memorandum of Understanding between the City and the Palomar Medical District outlines major renovations for the downtown hospital involving the construction of intern housing, support medical, office, and related uses."

Thus, the Downtown Specific Plan requires the land use and planning for the Campus to include a renovated downtown hospital and support medical uses. The Palomar Heights projects fails to comply with these elements of the Downtown Specific Plan. Further, the failure to address this portion of the Downtown Specific Plan in the Draft EIR is a substantial error and defect.

2. In the Draft EIR, under 7.5 Alternatives Considered but Rejected from Further Analysis, 7.5.2 Building Reuse Alternatives, there is the following statement: "In addition, the existing buildings are not built to current earthquakes/seismic standards for such a hospital use. In conclusion, it would not be feasible for the site to be reutilized with hospital uses and such reuse is not considered further herein." There is no citation to support the statement that "the existing buildings are not built to current earthquake/seismic standards for such a hospital use."

The statement that "the existing buildings are not built to current earthquake/seismic standards for such a hospital use" is false. In 2008, the Office of Statewide Health Planning and Development (OSHPD) found, based on

116-1

116-2

116-3

“the Downtown Specific Plan required that the land use and planning for the Campus to include a renovated downtown hospital and support medical uses,” that the Project fails to comply with this element of the Downtown Specific Plan, and that the failure to address this portion of the Downtown Specific Plan in the Draft EIR is an “error and defect.”

Contrary to the comment, the section of the Downtown Specific Plan referenced by the comment describes the existing location of the Historic Downtown District, not the land uses that are permitted within the District under the Specific Plan. As discussed in the Downtown Specific Plan, Section II (A), Land Uses; Figure II-5; and Section V (B)(3); as well as in the Draft EIR, Section 2.3.3, Project Approvals, and Section 4.4.2, the Downtown Specific Plan identifies, allows, and plans for mixed use residential re-development of the Project site.

In addition, the City notes that the Memorandum of Understanding (MOU) referenced by the commenter here refers to the MOU signed between the City of Escondido and Palomar Pomerado Health. This MOU was brought forward to the City Council Resolution on February 7, 2006. This MOU expired on February 8, 2020. Therefore, the Project is not required to comply with the MOU referred to by the commenter.

computer modeling, that the hospital buildings at the Palomar Health Downtown Campus meet State earthquake standards for current use. The OSHPD's profile of the Palomar Health Downtown Campus is available at the following link:

<https://oshpd.ca.gov/facility/palomar-health-downtown-campus/>

The profile shows that 6 of the buildings have a Seismic Performance Rating of SPC-4, and 4 of the buildings have a Seismic Performance Rating of SPC-2. Thus, all of the buildings meeting State earthquake standards for current use. None of the buildings at the Palomar Health Downtown Campus have an SPC-1 rating.

For decades, Escondido area politician have lied about the condition and seismic performance rating of the hospital buildings at the Palomar Health Downtown Campus. However, professional engineers and planners should not engage in propagating such lies. Such continued lies mislead current politicians and may cause them to make decisions based on such falsehoods. Continued repetition of such lies is not professional negligence. It is public corruption, and must be end now!

3. It is unwise to move forward with the destruction of hospital buildings during a pandemic. There is much uncertainty regarding the need for the hospital buildings for public services due to the COVID-19 pandemic that are not addressed in the draft EIR.

Further, "on April 6, 2020, the Judicial Council of California issued Emergency Rules to address impacts of the COVID-19 pandemic on the judicial branch. Among other things, the Judicial Council added emergency rule 9 to the Rules of Court, which tolls the time to file any type of civil litigation from April 6, 2020 until 90 days after California Governor Gavin Newsom lifts the state of emergency for the COVID-19 pandemic. This is a significant time extension for many civil case types, and CEQA claims in particular, as they otherwise must be filed within 30 or 35 days of agency action. In practice, this means that project proponents and lead agencies will likely have a longer period of uncertainty related to whether a project will be challenged in court, both during the state of emergency and for some time afterward." (Emphasis added.)

<https://www.cagachronicles.com/2020/04/covid-19-alert-judicial-council-issues-sweeping-emergency-rules-local-agencies-issue-regional-changes/>

The extension period has allowed for the more data to come forth. Hospitals in San Diego County have had to turn away patients because of a recent surge in COVID-19.

<https://www.wsj.com/articles/coronavirus-crosses-borders-causing-surge-in-california-community-near-mexico-11569204646> (May 11, 2019).

<https://www.kpbs.org/news/2020/may/13/dhs-official-visits-san-diego-address-covid-needs-/> (May 13, 2020).

The need for the downtown hospital during the current pandemic may be imminent:

"What is happening with the downtown hospital?"

I16-3  
Cont.

I16-4

I16-5

I16-6

**I16-3**

The comment provides a statement detailing the author's opinion about the seismic performance rating of the hospital buildings at the Palomar Health Downtown Campus. The City acknowledges the commenter's opinion. Refer to response to comment I16-2 regarding the addition of a citation to support the seismic information provided in the Draft EIR. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I16-4**

The comment provides a statement detailing the author's opinion about the political situation regarding the condition and seismic performance rating of the hospital buildings at the Palomar Health Downtown Campus. A citation to support the statement that the existing buildings are not built to current earthquake standards (as of 2018; see Appendix T to the Final EIR) has been added to Section 7.5.2 of the Final EIR. A seismic safety study of McLeod Tower was completed by Englekirk Structural Engineers in 2018, which has been added to the Final EIR as Appendix T. Per this study, McLeod Tower reuse would require seismic retrofit (Appendix T). See Section 7.5.2 of the Final EIR and Appendix T for further information.

**I16-5**

The comment provides a statement regarding the COVID-19 pandemic, and states that it is unwise to demolish a hospital during a pandemic. While the City

computer modeling, that the hospital buildings at the Palomar Health Downtown Campus meet State earthquake standards for current use. The OSHPD's profile of the Palomar Health Downtown Campus is available at the following link:

<https://oshpd.ca.gov/facility/palomar-health-downtown-campus/>

The profile shows that 6 of the buildings have a Seismic Performance Rating of SPC-4, and 4 of the buildings have a Seismic Performance Rating of SPC-2. Thus, all of the buildings meeting State earthquake standards for current use. None of the buildings at the Palomar Health Downtown Campus have an SPC-1 rating.

For decades, Escondido area politician have lied about the condition and seismic performance rating of the hospital buildings at the Palomar Health Downtown Campus. However, professional engineers and planners should not engage in propagating such lies. Such continued lies mislead current politicians and may cause them to make decisions based on such falsehoods. Continued repetition of such lies is not professional negligence. It is public corruption, and must be end now!

3. It is unwise to move forward with the destruction of hospital buildings during a pandemic. There is much uncertainty regarding the need for the hospital buildings for public services due to the COVID-19 pandemic that are not addressed in the draft EIR.

Further, "on April 6, 2020, the Judicial Council of California issued Emergency Rules to address impacts of the COVID-19 pandemic on the judicial branch. Among other things, the Judicial Council added emergency rule 9 to the Rules of Court, which tolls the time to file any type of civil litigation from April 6, 2020 until 90 days after California Governor Gavin Newsom lifts the state of emergency for the COVID-19 pandemic. This is a significant time extension for many civil case types, and CEQA claims in particular, as they otherwise must be filed within 30 or 35 days of agency action. In practice, this means that project proponents and lead agencies will likely have a longer period of uncertainty related to whether a project will be challenged in court, both during the state of emergency and for some time afterward." (Emphasis added.)

<https://www.cagachronicles.com/2020/04/covid-19-alert-judicial-council-issues-sweeping-emergency-rules-local-agencies-issue-regional-changes/>

The extension period has allowed for the more data to come forth. Hospitals in San Diego County have had to turn away patients because of a recent surge in COVID-19.

<https://www.wsj.com/articles/coronavirus-crosses-borders-causing-surge-in-california-community-near-mexico-11569204646> (May 11, 2019).

<https://www.kpbs.org/news/2020/may/13/dhs-official-visits-san-diego-address-covid-needs-/> (May 13, 2020).

The need for the downtown hospital during the current pandemic may be imminent:

"What is happening with the downtown hospital?"



**I16-6**

recognizes the current health pandemic, the comment does not raise an issue with the adequacy of the analysis contained within the Draft EIR; therefore, no revisions to the Draft EIR are required. Also, please refer to response to comment I5-3 for further detail regarding the hospital closure. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

The comment discusses the Judicial Council of California's Emergency Rules issued on April 6, 2020, which added emergency rule 9 to the Rules of Court, which tolled the time to file any type of civil litigation from April 6, 2020, until 90 days after the governor lifts the state of emergency for the COVID-19 pandemic. The comment then provides information and links to news articles detailing San Diego hospitals and their handling of the COVID-19 pandemic. The comment then provides information pertaining to the use of the Palomar Medical Center as a potential location for treatment of those infected by COVID-19. The City initially notes that the Judicial Council of California's Emergency Rule 9 has been revised since this comment was received. The council has amended emergency rule 9 so that it is no longer tied to the state of emergency declaration. The new rule will restart statutes of limitations on set dates, and will suspend from April 6 to October 1 the statutes of limitations and repose for civil

**Some have been asking why the former Palomar Medical Center in downtown Escondido has not been used to treat COVID-19 patients. It currently functions as a lab, acute rehabilitation unit and behavioral health unit. The response to the COVID-19 pandemic is coordinated on a regional level by the County of San Diego Health Department under the direction of the State of California following guidelines established by the Centers for Disease Control. The response team also includes local hospital systems, including Palomar Health. The response team has determined the best location for the Federal Medical Station (FMS) is the top two floors of Palomar Medical Center Escondido for various reasons. Palomar Health has been working diligently to prepare the downtown Escondido facility in the event the response team determines additional bed spaces are necessary beyond the FMS.<sup>14</sup> (Emphasis added)**

<https://www.palomarhealth.org/flu-source/coronavirus>

The Draft EIR fails to address the project effect on public services such as medical services in the region.

There are additional defects in the Draft EIR that cannot be addressed during the Governor's orders. The comment period should be extended for at least 60 days after the Governor lifts the state of emergency for the COVID-19 pandemic. This is hospital, not an open field!

Sincerely

Robroy R. Fawcett  
1576 Katella Way  
Escondido, CA 92027

760 432-9709

↑  
I16-6  
Cont.  
I16-7  
I16-8

causes of action that exceed 180 days, and will suspend from April 6 to August 3 the statutes of limitations and repose for civil causes of action that are 180 days or less. Refer to the Judicial Council webpage or to <https://newsroom.courts.ca.gov/news/judicial-council-revises-emergency-rule-on-civil-filing-deadlines> for further information. While the City recognizes the current health pandemic, the comment does not raise an issue with the adequacy of the analysis contained in the Draft EIR; therefore, no revisions to the Draft EIR are required as a result of this comment. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

**I16-7**

The Draft EIR analyzed impacts to fire protection services within the City in Section 5.2.10 of the Draft EIR. Fire protection services for the City also provide emergency medical services, which is also discussed and analyzed in this Section of the Draft EIR. As discussed in this section, impacts to fire protection and emergency medical services were determined to be less than significant. Refer to Section 5.2.10 for further discussion. Further, the hospital is a private medical facility, not a public or governmental facility subject to evaluation under the CEQA Guidelines, Appendix G, Public Services. Nonetheless, the City notes that

Some have been asking why the former Palomar Medical Center in downtown Escondido has not been used to treat COVID-19 patients. It currently functions as a lab, acute rehabilitation unit and behavioral health unit. The response to the COVID-19 pandemic is coordinated on a regional level by the County of San Diego Health Department under the direction of the State of California following guidelines established by the Centers for Disease Control. The response team also includes local hospital systems, including Palomar Health. The response team has determined the best location for the Federal Medical Station (FMS) is the top two floors of Palomar Medical Center Escondido for various reasons. Palomar Health has been working diligently to prepare the downtown Escondido facility in the event the response team determines additional bed spaces are necessary beyond the FMS.<sup>14</sup> (Emphasis added)

<https://www.palomarhealth.org/flu-source/coronavirus>

The Draft EIR fails to address the project effect on public services such as medical services in the region.

There are additional defects in the Draft EIR that cannot be addressed during the Governor's orders. The comment period should be extended for at least 60 days after the Governor lifts the state of emergency for the COVID-19 pandemic. This is hospital, not an open field!

Sincerely

Robroy R. Fawcett  
1576 Katella Way  
Escondido, CA 92027

760 432-9709



**I16-8**

adequate medical facilities will be provided at the new Escondido Palomar Health hospital campus.

The comment starts by stating that “[t]here are additional defects in the Draft EIR that cannot be addressed during the Governor’s orders,” and that the comment period should be extended for 60 days after the governor lifts the state of emergency. The comment does not specifically state what defects are present within the Draft EIR; therefore, no specific responses can be provided. In addition, the City noticed a public review period for the Draft EIR to run from March 20, 2020, to May 5, 2020, running for the required 45-day period under Public Resources Code Section 21091. The City subsequently extended the public review and comment period by 15 days to May 19, 2020. All noticing was completed pursuant to current requirements, as discussed further in responses to comments I4-1 and I5-1. No further public review is required. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I17

From: Wendy Jo <wendy.meier@cox.net>  
Sent: Saturday, May 9, 2020 1:50 AM  
To: Palomar Heights Project  
Subject: [EXT] Hospital Destruction

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

This is a horrible project. Will completely destroy downtown Escondido.

What is wrong with Escondido planning staff? Its just one ugly apartment/condo project after another. All you care about is more tax revenue to feather your pensions.

I17-1

Response to Comment Letter I17

Wendy Meier  
May 9, 2020

I17-1

The City acknowledges the commenter’s opposition to the Project. The comment does not raise an issue with the adequacy of the analysis contained within the Draft EIR; therefore, no revisions to the Draft EIR are required as a result of this comment. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I18

Dawna Marshall

**From:** Carol Rea <carolrea@aol.com>  
**Sent:** Friday, May 15, 2020 1:29 PM  
**To:** AHayes SOHO  
**Cc:** Palomar Heights Project; Bruce Coons; Mariena Krcelich; N. Purvis  
**Subject:** [EX1] Re: Palomar Heights project, Escondido - SOHO comments

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Thank you, all. I'm sure this will make a strong impression and, along with other letters submitted, city staff and officials will hopefully realize these historical reports are unacceptable.

Carol Rea

Sent from my iPhone

On May 12, 2020, at 10:58 AM, AHayes SOHO <[ahayes.sohosandiego@gmail.com](mailto:ahayes.sohosandiego@gmail.com)> wrote:

Mr. Finestone,

Please see the attached comment letter regarding the Palomar Heights project—

Thank you and stay safe,

Amie Hayes  
 Historic Resources Specialist  
 Save Our Heritage Organisation (SOHO)  
 2476 San Diego Avenue  
 San Diego, CA 92110  
 Office: (619) 297-9327

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<Palomar Heights project, Escondido - SOHO comments.pdf>

I18-1

Response to Comment Letter I18

Carol Rea  
 May 15, 2020

I18-1

The comment is provided to serve as a concluding note by the commenter to correspondence between the commenter, City staff, and members of Save Our Heritage Organisation (SOHO). The comment notes the comment letter provided by SOHO (see responses to comment letter O6 for a response to the individual comments provided in this comment letter). The City acknowledges the remarks provided in this comment, and recognizes the commenter’s opinion that the historical reports provided for the Draft EIR are unacceptable. However, this comment does not provide further detail or offer specific information as to how or why these reports are unacceptable beyond those already addressed in response to comment letter O6. No further response can be provided, and no further edits to the Draft EIR are required as a result of this comment. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

Comment Letter I19

Dawna Marshall

From: Melissa Walker <melissa@distinctionart.com>  
Sent: Wednesday, May 13, 2020 5:09 PM  
To: Palomar Heights Project  
Subject: [EXT] Case File No: ENV 18-0009

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender email address AND know the content is safe.

Hello,

I own a building in the 300 block of E Grand Ave and I am in HUGE support of this project. We really need more life on our end and I have been looking forward to this project for years. I really think it will bring lots more foot traffic as well as much needed beautification to our end of Grand Ave.

I19-1

Hopefully it happens soon.

Sincerely,

Melissa

Melissa Inez Walker  
Distinction Gallery  
317 E Grand Ave  
Escondido, CA 92025  
(760) 707-2770  
[distinctionart.com](http://distinctionart.com)

### Response to Comment Letter I19

**Melissa Walker**  
**May 13, 2020**

**I19-1**

The City acknowledges the statement of support provided by this comment. The comment has been included in the Final EIR for review and consideration by the decision makers prior to making a final decision on the Project.

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