

1 Civic Center Drive
San Marcos, CA 92069-2918



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760.744.1050
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NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

The City of San Marcos intends to adopt ND 11-818. A Negative Declaration* has been prepared for this project and is available for review at the City of San Marcos, Development Services Department, 1 Civic Center Drive, San Marcos, CA 92069-2949.

CASE NO.: GPA 09-107 / R 09-144 / SP 09-54 / MFSDP 09-50 / TPM 675 / ND 11-818

APPLICANT: Hitzke Development Corporation

DESCRIPTION OF THE PROJECT: A request for review of a Specific Plan (SP), Multi-Family Site Development Plan (MFSDP), and Tentative Parcel Map (TPM) to allow a mixed-used development with 6,490 square-feet of commercial retail space and 84 affordable apartment units providing low-income rental housing. In addition, the project proposes a General Plan Amendment (GPA) to change the land use designation from "Residential 15-20 du/ac (12.75-17 du/ac [85% max density])" and "Residential 20-30 du/ac (17-25.5 du/ac [85% max density])" to "Specific Plan Area" and a Rezone (R) from Multi-Family Residential (R-3-6) to Specific Plan Area (SPA). The development will include eight (8) multi-family buildings, a community center building, recreational amenities; and 169 parking spaces (11 on-street/158 off-street spaces). The commercial units will be located on the first floor of Buildings A1 and A2 facing Autumn Drive. The project will include the demolition of the existing multi and single-family buildings, accessory structures, parking lots, private road (Chinaberry Lane), etc. on site. The existing City storm drain under Chinaberry Lane will remain.

LOCATION: Chinaberry Lane, south of Autumn Drive. Assessor's Parcel Number: 220-130-18, 220-130-23, 220-130-28, 220-130-35, 220-130-36, 220-130-43, 220-130-62, 220-130-65, and 220-130-67.

REVIEW PERIOD: October 12, 2011 – November 1, 2011

The purpose of this notice is to give interested persons an opportunity to be informed of the environmental determination prior to action by the City. If you have questions about this Notice, you may contact Norm Pedersen, Assistant Planner, 744-1050, Extension 3236.

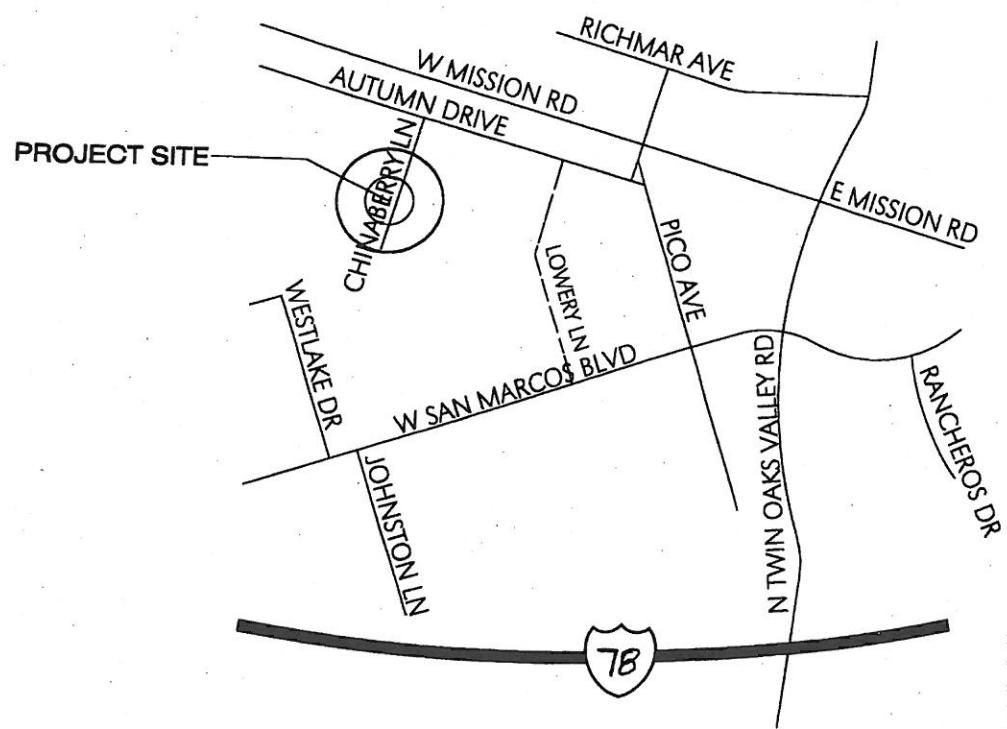
COUNTY CLERK: Please post until November 1, 2011 per Section 21092.3 of the Public Resources Code.

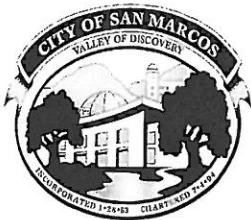
*Negative Declaration means a written statement/analysis briefly describing the reasons why a proposed project will not have a significant effect on the environment.

← VICINITY MAP ON OTHER SIDE →

AGENDA ITEM
3

VICINITY MAP





CITY OF SAN MARCOS Negative Declaration 11-818

DATE: October 12, 2011

APPLICANT: Hitzke Development Corporation

- 1. PROJECT CASE NUMBER:** GPA 09-107, R 09-144, SP 09-54, MFSDP 09-50, & TPM 675
- 2. LEAD AGENCY NAME AND ADDRESS:** City of San Marcos, 1 Civic Center Drive, San Marcos, CA 92069.
- 3. CONTACT PERSON AND PHONE NUMBER:** Norm Pedersen, Associate Planner, 760-744-1050 x3236.
- 4. PROJECT LOCATION:** Chinaberry Lane, south of Autumn Drive. Assessor's Parcel Number: 220-130-18, 220-130-23, 220-130-28, 220-130-35, 220-130-36, 220-130-43, 220-130-62, 220-130-65, and 220-130-67.
- 5. PROJECT SPONSOR'S NAME AND ADDRESS:** Hitzke Development Corporation, 251 Autumn Drive, Suite 100, San Marcos, CA 92069.
- 6. GENERAL PLAN DESIGNATION:** Properties on west side of Chinaberry Lane are "Residential 15-20 du/ac (12.75-17 du/ac [85% max density])", and on east side are "Residential 20-30 du/ac (17-25.5 du/ac [85% max density])"
- 7. ZONING:** Multi-Family Residential (R-3-6).
- 8. DESCRIPTION OF PROJECT:** A request for review of a Specific Plan (SP), Multi-Family Site Development Plan (MFSDP), and Tentative Parcel Map (TPM) to allow a mixed-used development with 6,490 square-feet of commercial retail space and 84 affordable apartment units providing low-income rental housing. In addition, the project proposes a General Plan Amendment (GPA) to change the land use designation from "Residential 15-20 du/ac (12.75-17 du/ac [85% max density])" and "Residential 20-30 du/ac (17-25.5 du/ac [85% max density])" to "Specific Plan Area" and a Rezone (R) from Multi-Family Residential (R-3-6) to Specific Plan Area (SPA). The development will include eight (8) multi-family buildings, a community center building, recreational amenities; and 169 parking spaces (11 on-street/158 off-street spaces). The commercial units will be located on the first floor of Buildings A1 and A2 facing Autumn Drive. The project will include the demolition of the existing multi and single-family buildings, accessory structures, parking lots, private road (Chinaberry Lane), etc. on site. The existing City storm drain under Chinaberry Lane will remain.
- 9. SURROUNDING LAND USES AND SETTING:** The 4.06-acre site has been previously developed with six (6) multi-family buildings (totaling 65 units) and three (3) single-family residences that were built between the 1940's and 1980's. The site consists of nine (9) lots which are accessed from Autumn Drive by a private road (Chinaberry Lane). An existing underground 24 to 36-inch storm drain extends from Autumn Drive, under Chinaberry Lane, off site to the elementary school to the south. The site is zoned Multi-Family Residential (R-3-6), and designated "Residential 15-20 du/ac (12.75-17 du/ac [85% max density])" on the west side of Chinaberry Lane and "Residential 20-30 du/ac (17-25.5 du/ac [85% max density])" on the east side per the General Plan. The project site is surrounded by multi-family residential to the west and east, an elementary school and future City park to the south; and Buelow Park and a rapid transit rail line to the north, across Autumn Drive.

10. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (e.g. PERMITS, FINANCING APPROVAL OR PARTICIPATION AGREEMENT): None.

11. MITIGATION MEASURES:

- Graded slopes shall be landscaped with a mixture of trees, shrubs, and ground cover for beautification and erosion control purposes. Landscape plans shall be submitted to the Planning Division for review and approval prior to the issuance of grading permit.
- The project shall implement a fugitive dust emissions control plan during construction. This plan shall include the watering of the site for dust control; isolating excavated soil until removed from the site; and periodic cleaning of streets to remove accumulated materials.
- The project shall comply with Regional Air Quality Standards.
- An updated report for the 2009 geotechnical investigation shall be submitted to the City Engineer for review and approval, addressing any changes of on-site conditions and said report shall include recommendations for cut and fill slopes and compaction.
- All recommendations and conclusions of the prepared geologic and soils study shall be incorporated into the project design and grading plan. Said report shall be approved by the City's Engineering and Building Divisions.
- A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a grading permit.
- The City of San Marcos is located in Seismic Design Category "D". Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.
- Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to the City's standards, codes and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions.
- A hydrology report (calculations) shall be prepared for the proposed project. Storm drains and drainage structures shall be sized according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the build-out runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.
- The applicant/developer shall submit for City review and approval for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest Caltrans SWPPP Preparation Manual, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all BMPs to be implemented year round. Specific Best Management Practice (BMP) implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a registered civil engineer.
- The applicant/developer shall submit a plan, for review and approval by the City, for the long-term maintenance of all post construction BMP's
- All manufactured slopes shall be landscaped and provided with an irrigation system.
- The applicant shall obtain a demolition permit from the Building Division prior to demolition of the existing structures on site. A certified asbestos consultant shall inspect the buildings for asbestos-containing materials and shall provide recommendations for proper removal of said materials prior to demolition. In addition, structures shall be inspected for lead-based painted materials, and provide recommendations for proper disposal.

- The applicant shall disclose to future residential tenants of the proposed project that the property is located within the Airport Influence Area of McClellan-Palomar Airport, and may be subject to some of the annoyances or inconveniences, if any, associated with proximity to airport operations (i.e.: noise, vibration, or odors).
- The proposed project requires approval of a Rezone from Multi-Family Residential (R-3-6) to Specific Plan Area (SPA), and a General Plan Amendment changing the land use designation from “Residential 15-20 du/ac (12.75-17 du/ac [85% max. density])” and “Residential 20-30 du/ac (17-25.5 du/ac [85% max. density])” to “Specific Plan Area”.
- The proposed project requires approval of a Tentative Parcel Map (TPM) to consolidate the property into a 3-lot condominium map.
- Construction hours shall be limited in accordance with the Grading Ordinance and Municipal Code.
- The subdivider shall submit separate petitions to annex into and establish with respect to the property, the special taxes levied by the following Community Facilities Districts (CFDs): (a) CFD 98-01, Improvement Area No. 1, Police, (b) CFD 2001-01, Fire and Paramedic, and (c) CFD 98-02, Lighting and Landscape. No final map, development entitlement or grading permit will be issued without receipt of an executed petition for annexation into each of the above-referenced CFDs and establishment of the special taxes. The subdivider shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.
- The proposed new development is subject to the payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district to obtain building permits from the City.
- An automatic fire extinguishing system is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the National Fire Protection Association standards.
- The applicant/developer for the proposed development, redevelopment or discretionary use is required to pay Public Facilities Fees as established by the latest adopted Public Facilities Fee Resolution. The fee is based on the proposed land use and shall be paid prior to the issuance of the first permit for the development.
- The applicant/developer/Property Owner shall enter into an agreement with the City regarding financial participation in the Congestion Management Community Facility District (“CFD”) 2011-01.
- Obtain “will-serve” letters from all affected public service and utilities agencies prior to issuance of grading permit.
- The proposed new development is subject to approval of the Vallecitos Water District and all applicable fees and charges shall be paid to the satisfaction of the District prior to permit issuance.
- The project shall incorporate site-design and naturalized treatment control Best Management Practices (BMPs) as required by the City Engineer; and shall implement a program, in a form to the satisfaction of the City Engineer, for long-term maintenance of all structural post-construction Best Management Practices (BMPs).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION:

On the basis of this initial evaluation:

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



Signature

October 12, 2011

Date

Norm S. Pedersen

Printed Name

INITIAL STUDY ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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I. AESTHETICS -- *Would the project:*

- a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No significant impacts to the obstruction of any scenic vista, or view open to the public are anticipated as a result of the proposed 2 to 3-story mixed-use development. The site has been previously developed with six (6) multi-family buildings and three (3) single-family residences, and is surrounded by existing development. The subject site is not located within a State scenic highway route or other scenic vista area. The project requires approval of a Specific Plan which will assure the proposal complies with the City's development standards, including incorporation of architectural enhancements, textured/colored walls, screened roof equipment, and landscaping to beautify the building site. Therefore, the proposed project will not have any significant impacts to scenic views, scenic resources, or visual quality.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES -- *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and Forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. - Would the project:*

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- 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?

The site has been previously developed with six (6) multi-family buildings and three (3) single-family residences, and is surrounded by existing development. The site is not used for agricultural purposes nor is the area designated as prime, unique, or farmland of statewide importance. Therefore, the proposed project will not impact agricultural resources.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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III . AIR QUALITY -- *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

No greater impacts to air quality are anticipated as a result of the proposed mixed-use project. The project will not significantly contribute to the deterioration of ambient air quality. Based upon the trip generation rate established by San Diego Association of Governments (SANDAG), the expected trip generation for the project is estimated to generate approximately an additional 130 average daily trips from existing ADT generation. Routine Federal and State laws and regulations concerning emissions created by automobiles will mitigate potential air quality impacts. San Marcos Elementary School is located in close proximity to the south of the subject site and San Marcos Middle School further to the northwest, and both schools would be considered as sensitive receptors. However, any development activity on the project site will be subject to all Federal and State air quality standards. During demolition and construction of the site, the project will implement a fugitive dust emissions control plan. Therefore, the development of the project will have a negligible impact to the air quality in the area due to vehicle trip generation of the potential mixed-use project.

Mitigation Measures:

- The project shall implement a fugitive dust emissions control plan during construction. This plan shall include the watering of the site for dust control; isolating excavated soil until removed from the site; and periodic cleaning of streets to remove accumulated materials.
- The project shall comply with Regional Air Quality Standards.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES -- *Would the project:*

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

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 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?

The site has been previously developed with six (6) multi-family buildings and three (3) single-family residences, and is surrounded by existing development. No sensitive habitat or wildlife corridor exists on site. The proposed project would not conflict with any conservation plan or local policy for biological resource protection. Therefore, the proposed project will not result in the alteration or diversity of plant or animal species, number of endangered species, or introduce new species of plants or habitat.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic features?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

The site has been previously developed with six (6) multi-family buildings and three (3) single-family

residences, and is surrounded by existing development. A City-wide archaeological resources map identifies a recorded site within the vicinity of the project. The applicant will be required to submit a letter from a certified archaeologist substantiating there are no cultural resources on site prior to issuance of grading permit. Due to the proposed General Plan Amendment and Specific Plan, local Native American tribes were notified for potential tribal consultation regarding the proposed redevelopment per Section 65362.3 of the California Government Code. Therefore, the proposed project will not significantly impact cultural resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS -- *Would the project:*

- a) Expose people or structures to 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 risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The existing site is relatively level and has been developed with six (6) multi-family buildings and three (3) single-family residences. According to the geotechnical investigation (dated: 10/19/09) prepared by Earth-Strata, Inc. (Attachment "A"), the site is suitable for development of the proposed mixed-use project provided that the recommendations stated therein are implemented (i.e.: existing native soils and fill shall be excavated

to firm native material and recompacted, etc.). The estimated earthwork will involve 3,000 cubic yards of cut and 3,000 cubic yards of fill. The soils investigation indicates there are no existing landslides, faults, or other natural disturbance on site, and the soil conditions do not allow for liquefaction. The Rose Canyon Fault is located more than eleven (11) miles to the southwest. The buildings will be built to current seismic construction standards per the California Building Code. Therefore, there are no significant impacts to earth conditions or geologic substructures, substantial changes in topography, increase in soil erosion, or the exposure of people or property from the project, and no geologic hazards are anticipated from the implementation of the proposed project.

Mitigation Measure:

- An updated report for the 2009 geotechnical investigation shall be submitted to the City Engineer for review and approval, addressing any changes of on-site conditions and said report shall include recommendations for cut and fill slopes and compaction.
- All recommendations and conclusions of the prepared geologic and soils study shall be incorporated into the project design and grading plan. Said report shall be approved by the City's Engineering and Building Divisions.
- A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a grading permit.
- The City of San Marcos is located in Seismic Design Category "D". Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS -- *Would the project:*

- 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?

The proposed project will result in the generation of an additional 130 Average Daily Trips (ADT) over the existing ADT. This ADT will not generate a significant impact to the level of service of the roadways serving the project site. Therefore, the maximum daily and average emissions associated with the project are not anticipated to exceed significance thresholds derived from the San Diego Air Pollution Control District's Air Quality Impact Assessment as set forth in SDAPCD Rule 20.2, and the City of San Diego's thresholds for reactive organic gases (ROG). Emissions from construction are anticipated to be below the significance thresholds and no significant air quality impacts are anticipated from the project. The project will be designed to LEED (Leadership in Energy and Environmental Design) standards or equivalent by incorporating recycled, low VOC (volatile organic compounds) building materials; energy efficient lighting, windows, and appliances; solar panels; etc. The project does not conflict with any applicable plan or regulation adopted to reduce emission of greenhouse gases. It is not anticipated that the project will have a negative significant impact on greenhouse gas emissions, directly or indirectly.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS -- *Would the project:*

- a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonable 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 it 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, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No significant impacts to emergency response plans or exposure to hazardous substances, or risk of explosion are anticipated as a result of the proposed mixed-use project. Several Phase 1 Environmental Site Assessments were conducted for the existing nine (9) properties within the project area. Attachment "B" includes said studies which were prepared by Earth-Strata, Inc. (dated 5/29/09), Integrated Property Analysis, Inc. (dated 12/19/08, 3/16/09, & 8/3/09), and Allstate Services Environmental, Inc. (dated 7/8/03). As a result, a

comprehensive survey for asbestos-containing and lead-based materials will be required and provide recommendations for proper removal of said materials prior to demolition of the existing buildings. The subject property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Adequate emergency response capability is available. San Marcos Fire Station No. 1 is located within a 0.5-mile vicinity; the buildings will be required to have fire sprinklers and the developer will be required to install a fire hydrant(s) to the satisfaction of the Fire Marshal. In addition, the site layout provides adequate circulation for emergency vehicles, and an emergency vehicle access is proposed from Westlake Drive to the south end of the project site. The property will be required to be annexed into the City's Community Facilities District, CFD 2001-01: Fire/Paramedic. The project is not located within two miles of any airports; however, it is located within the Airport Influence Area of the McClellan-Palomar Airport Land Use Compatibility Plan within Review Area 2. Due to the nature and location of the proposed project, it is a compatible land use within Review Area 2 which limits the heights of structures, particularly in areas of high terrain. The project would not subject people to safety hazards associated with public or private airports. The project site is not within the vicinity of a private airstrip; therefore, no safety hazard associated with such a facility would occur. The site is not located within a wildlands area. No impacts to these issues are anticipated as a result of the project.

Mitigation Measures:

- The applicant shall obtain a demolition permit from the Building Division prior to demolition of the existing structures on site. A certified asbestos consultant shall inspect the buildings for asbestos-containing materials and shall provide recommendations for proper removal of said materials prior to demolition. In addition, structures shall be inspected for lead-based painted materials, and provide recommendations for proper disposal.
- An automatic fire extinguishing system is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the National Fire Protection Association standards.
- The applicant shall disclose to future residential tenants of the proposed project that the property is located within the Airport Influence Area of McClellan-Palomar Airport, and may be subject to some of the annoyances or inconveniences, if any, associated with proximity to airport operations (i.e.: noise, vibration, or odors).

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY -- *Would the project:*

- a) Violate any water quality standards or waste discharge requirements?
- b) Have a potentially significant adverse impact on groundwater quality or cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses?

- c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site (e.g. downstream)?
- e) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?
- f) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?
- g) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?
- h) Result in increased impervious surfaces and associated increased runoff?
- i) Result in significant alteration of receiving water quality during or following construction?
- j) Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).
- k) Be tributary to an already impaired water body as listed on the Clean Water Act Section 303(d) list. If so, can it result in an increase in any pollutant for which the water body is already impaired?
- l) Be tributary to environmentally sensitive areas (e.g. MSCP, RARE, Areas of Special Biological Significance, etc.)? If so, can it exacerbate already existing sensitive conditions?

- m) Have a potentially significant environmental impact on surface water quality, to either marine, fresh or wetland waters?
- n) Otherwise substantially degrade water quality?
- o) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- p) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- q) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- r) Inundation by seiche, tsunami, or mudflow?

No bodies of water are present on the site, therefore, the project is not expected to result in the alteration of: currents or water movements, temperature or turbidity of water, direction or rate of flow of ground waters, the quantity of water, or the amount of potable water. The site is not located within the 100-year floodplain or in proximity to a body of water of which the proposed project would be subject to flooding. The site has been previously developed with six (6) multi-family buildings and three (3) single-family residences, and surrounded by existing development. The proposed grading and development of the site will result in a change to the rate and amount of surface water runoff from the site. The project will incorporate Low Impact Design Best Management Practices (BMPs) and Hydro-Modification Plan (HMP), and BMPs will be implemented during construction of the project. The project proposes to drain runoff from impervious surfaces (i.e.: building, road, parking lot, etc.) through landscape areas (bio-infiltration), including bioretention ponds, prior to exiting the site. Development of the project will require implementation of a Storm Water Pollution Prevention Plan which is consistent with the Standard Urban Runoff Management Plan (RWQCB Order No. R9-2007-000). Therefore, potential project impacts can be reduced to a level less than significant with implementation of mitigation measures.

Mitigation Measures:

- Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to the City's standards, codes and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions.
- A hydrology report (calculations) shall be prepared for the proposed project. Storm drains and drainage structures shall be sized according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the build-out runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.
- The applicant/developer shall submit for City review and approval for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest Caltrans SWPPP Preparation Manual, to manage storm

water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all BMPs to be implemented year round. Specific Best Management Practice (BMP) implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a registered civil engineer.

- The applicant/developer shall submit a plan, for review and approval by the City, for the long-term maintenance of all post construction BMP's.
- All manufactured slopes shall be landscaped and provided with an irrigation system.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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X. LAND USE AND PLANNING -- *Would the project:*

- a) Physically divide an established community?
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The proposed mixed-use project will be located on a 4.06-acre site on Chinaberry Lane, south of Autumn Drive. The adjacent land uses are multi-family residential to the west and east; Buelow Park and the Sprinter light rail line to the north, across Autumn Drive; and an elementary school and future City park to the south. The zoning of the subject property is currently Multi-Family Residential (R-3-6), and designated "Residential 15-20 du/ac (12.75-17 du/ac [85% max density])" on the west side of Chinaberry Lane and "Residential 20-30 du/ac (17-25.5 du/ac [85% max density])" on the east side per the General Plan. The proposed mixed-use project is inconsistent with the existing zone and General Plan designation. Therefore, the proposed use would be considered a significant land use impact. As a result, the project proposes a Rezone (R) of the property from Multi-Family Residential (R-3-6) to Specific Plan Area (SPA), and a General Plan Amendment (GPA) to change the land use designation from "Residential 15-20 du/ac (12.75-17 du/ac [85% max density])" and "Residential 20-30 du/ac (17-25.5 du/ac [85% max density])" to "Specific Plan Area". Approval of a Rezone and General Plan Amendment will deem the proposed project in compliance with the Zoning Ordinance and General Plan; therefore, reducing the land use impact to less than significant.

Per Section 20.52.020 of the Zoning Ordinance, a Specific Plan Area (SPA) may allow for an in-fill mixed-use development, through approval of a Specific Plan, provided the proposed land use consists of commercial and high density residential. The proposed Specific Plan identifies development standards such as setbacks, height limits, landscaping, recreational amenities, architectural details, parking, and density. The Specific Plan also limits potential commercial uses to neighborhood serving uses. The development will include eight (8) multi-family buildings (totaling 84 apartment units), a community center building, recreational amenities; and 169 parking spaces (11 on-street/158 off-street spaces). The commercial units (totaling 6,490 square feet) will be located on the first floor of Buildings A1 and A2 facing Autumn Drive. Buildings will range in height from

two (2) to three (3) stories. Apartments will range in size from one (1) to three (3) bedrooms.

The Richmar Neighborhood allows for a density of 12.75 to 17 dwelling units per acre for the western portion (2.17 acres) of the site and 17 to 25.5 dwelling units per acre for the eastern portion (1.84 acres). This split-density allows a range of 59 to 84 units for the site. Therefore, the proposed 84 apartment units, as part of the mixed use project, complies with the current General Plan density. Said apartment units will provide an opportunity to develop affordable housing; and therefore, implement the affordable housing policies of the General Plan Housing Element. In addition, the incorporation of 6,490 square feet of commercial retail space into the project will be consistent with the objectives of the Richmar Neighborhood Plan to provide commercial areas for concentrated densities of residential.

In addition to the proposed Specific Plan (SP) and Multi-Family Site Development Plan (MFSDP), the project proposes a Tentative Parcel Map (TPM) to consolidate the existing nine (9) lots and private road easement within the mixed-use project area into three (3) lots with the residential development on Parcel 1 and the commercial condominium units on Parcels 2 and 3.

Mitigation Measures:

- The proposed project requires approval of a Rezone from Multi-Family Residential (R-3-6) to Specific Plan Area (SPA), and a General Plan Amendment changing the land use designation from “Residential 15-20 du/ac (12.75-17 du/ac [85% max. density])” and “Residential 20-30 du/ac (17-25.5 du/ac [85% max. density])” to “Specific Plan Area”.
- The proposed project requires approval of a Tentative Parcel Map (TPM) to consolidate the property into a 3-lot condominium map.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XI. MINERAL RESOURCES -- *Would the project:*

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 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?

The site is fully developed, and surrounded by existing development. Therefore, the proposed project will not impact mineral resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XII. NOISE -- Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No significant impacts regarding increases in existing noise levels or the exposure of people to severe noise levels are anticipated as a result of the proposed project. It is expected that there will be an incremental impact upon the ambient noise level of the area with the activity housed within the proposed mixed-use project. However, the noise generated by the proposed project is expected to generate no more noise than is usually associated with typical neighboring multi-family complexes. The proposed use is compatible with surrounding uses of multi-family residential. The North County Transit District (NCTD) light-rail line is located to the north of the site across Autumn Drive. The proposed apartment units facing Autumn Drive and the NCTD light-rail line will require sound-rated windows/doors and mechanical ventilation in order to reduce any potential noise impacts to a level below significance. The project will be required to comply with the California Building Code and the City's General Plan regarding interior noise levels, and exterior usable areas for multi-family residential dwelling units, such as outdoor patio areas, balconies, and tot-lots. Apartment units located above the retail space shall also comply with interior noise levels per the California Building Code. A noise study will be required to be submitted which substantiates that interior/exterior noise levels comply with said regulations. Any severe noise during the site preparation and construction will be mitigated to a level of insignificance with routine implementation of the Grading Ordinance and Municipal Code which limit the hours of construction. The project is not located within two miles of any airports or private airstrip; however, it is located within the Airport Influence Area of the McClellan-Palomar Airport Land Use Compatibility Plan. Palomar Airport is located more than seven (7) miles to the west in Carlsbad, and the site is not located within

an area exposed to potential excessive airport noise as identified per the plan.

Mitigation Measures:

- Construction hours shall be limited in accordance with the Grading Ordinance and Municipal Code.
- Prior to issuance of building permit, a certified acoustical engineer shall submit a noise study substantiating that noise levels within interior living space and exterior usable areas (i.e.: outdoor patios/balconies) comply with California Building Code and the City's General Plan. The applicant shall comply with all recommendations given in the study. Mitigation measures shall be implemented per the approval of the Planning Division Director.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING -- *Would the project:*

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Due to the nature of the proposed project, no significant impacts are anticipated or will result due to the proposed mixed-use project. The site has been developed with six (6) multi-family buildings (totaling 65 units) and three (3) single-family residences. The project proposes to redevelop the site with mixed-use development under a Specific Plan. The proposed 84-unit project will comply with the housing density of "Residential 15-20 du/ac (85% max. density [12.75-17 du/ac])" and "Residential 20-30 du/ac (17-25.5 du/ac [85% max density])" for the site. Therefore, the proposed project will not induce substantial growth within the Richmar Neighborhood, because the proposed housing density was already anticipated per the General Plan. The existing residential buildings on site will be demolished and replaced with the proposed mixed use project resulting in the displacement of those existing residents. However, the project proposes to relocate the existing residents. The existing sixty-eight (68) units will be replaced with eighty-four (84) affordable apartment units which the existing residents may qualify to rent. Otherwise, the Richmar Neighborhood or other areas of the City provide other rental opportunities for the existing residents. Therefore, no significant impacts to housing or population will occur as a result of the proposed project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XIV. PUBLIC SERVICES --

- 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 objective for any of the public services:

Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

No significant impacts to fire protection, police, schools, parks, maintenance of public facilities, or other governmental facilities are anticipated as a result of the proposed project. Adequate emergency response capability is available. San Marcos Fire Station No. 1 is located within a 0.5-mile vicinity. The buildings will be required to have fire sprinklers and the developer will be required to install fire hydrants per the satisfaction of the Fire Marshal; and the site layout provides adequate circulation for emergency vehicles, including emergency access from Westlake Drive to the south end of the project site. The property will be required to annex into the Police/Fire and Lighting/Landscaping Community Facilities Districts. In addition, the proposal will be subject to school impact fees and park fees (Public Facilities Fees).

Mitigation Measures:

- The subdivider shall submit separate petitions to annex into and establish with respect to the property, the special taxes levied by the following Community Facilities Districts (CFDs): (a) CFD 98-01, Improvement Area No. 1, Police, (b) CFD 2001-01, Fire and Paramedic, and (c) CFD 98-02, Lighting and Landscape. No final map, development entitlement or grading permit will be issued without receipt of an executed petition for annexation into each of the above-referenced CFDs and establishment of the special taxes. The subdivider shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.
- The proposed new development is subject to the payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district to obtain building permits from the City.
- An automatic fire extinguishing system is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the National Fire Protection Association standards.
- The applicant/developer for the proposed development, redevelopment or discretionary use is required to pay Public Facilities Fees as established by the latest adopted Public Facilities Fee Resolution. The fee is

based on the proposed land use and shall be paid prior to the issuance of the first permit for the development.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XV. RECREATION --

- 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?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No significant impacts to recreation are anticipated as a result of the proposed project. Since this is an infill redevelopment project, it will not affect the quality or quantity of recreational opportunities. It is expected that the occupants of the mixed-use project will be able to utilize recreational facilities within the Richmar Neighborhood, particularly Buelow Park which is located on the north side of Autumn Drive, and the future City park to the south which will be accessed through a pedestrian gate at the south end of the proposed project. Additionally, the proposed project will have on-site recreational amenities (tot-lots and community meeting room) which can be utilized by the residents. Development of the proposed project will require payment of Public Facilities Fees which include park impact fees.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XVI. TRANSPORTATION/TRAFFIC -- *Would the project:*

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?
- e) Result in inadequate emergency access?
- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The project proposes to rezone the site from Multi-Family Residential (R-3-6) to Specific Plan Area (SPA) in order to allow for a mixed-use development with 6,490 square feet of commercial space and 84 affordable apartment units. Based upon the trip generation rate established by San Diego Association of Governments (SANDAG), the mixed-use development is estimated to generate 680 Average Daily Trips (40 trips per 1,000 square feet of specialty retail and 84 units x 5 trips per mixed-use unit = 680 ADT). According to SANDAG trip generation rates, the existing multi-family buildings (totaling 65 units) and three (3) single-family residences generate approximately 550 ADT (65 units x 8 trips per multi-family unit and 3 units x 10 trips per single-family unit = 550 ADT). As a result, the proposed project is estimated to generate an additional 130 ADT. Mixed-use projects have a lower trip generation rate for the residential component than standard multi-family projects due to the close proximity of retail uses within the project. The project will contribute toward City-wide traffic resulting in potential cumulative impacts. In order to mitigate for potential cumulative impacts, the proposed project shall financially participate in Community Facility District (CFD 2011-01) for a planned intra-City shuttle system which will assist in the reduction of City-wide traffic congestion and impacts to SR-78.

The mixed-use development will be accessed by a driveway entry off of Autumn Drive, and will provide emergency access from Westlake Drive through the adjacent future Westlake Village development. The existing private road (Chinaberry Lane) will be removed as part of the project. Pedestrian access to the future City park to the south will be available through a pedestrian gate on the southern property line of the site.

The project site is located midway between two (2) light rail stations (Civic Center and Palomar College to the east and west, respectively) which provide convenient light rail transit opportunities for residents of the development. The Specific Plan will establish parking standards for the commercial and residential uses of the mixed-use development based upon the project's location within a major transit corridor. Using a parking ratio consistent with the Parking Ordinance, the Specific Plan proposes one (1) parking space for every 250 square feet of retail/office floor area (6,490 sf x 1/250 = 26 spaces). The proposal complies with this parking requirement by providing parking for the retail shops along Autumn Drive within the public right-of-way, and within spaces behind Buildings A1 and A2. To be established by the Specific Plan, the parking ratio for the apartment units will be 1.7 spaces per unit with 143 parking spaces on site for residential parking. Based on parking demand studies for nearby affordable housing developments, the proposed parking ratio is consistent with those projects which range from 1.1 to 2.1 spaces per unit.

Due to the project site's close proximity to public transit and location within a pedestrian-oriented neighborhood, the proposed retail component of the mixed-use project will primarily serve residents of the project itself and nearby high-density residential within walking distance. In order to provide more convenient

parking for driving customers of the on-site retail shops, eleven (11) of the required twenty-six (26) commercial parking spaces will be provided as on-street parking along Autumn Drive which will be a continuation of the angled on-street parking of the adjacent future Westlake Village development.

No significant impacts or the generation of substantial additional vehicular movement, effects on existing parking facilities, or demand for new parking, substantial impacts upon existing transportation systems, alterations of present patterns of circulation or movement of people and/or goods, alterations to waterborne, rail or air traffic, or increase in traffic hazards are anticipated as a result of the proposed project.

Mitigation Measures:

- The applicant/developer/Property Owner shall enter into an agreement with the City regarding financial participation in the Congestion Management Community Facility District (“CFD”) 2011-01.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
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XVII. UTILITIES AND SERVICE SYSTEMS -- *Would the project:*

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

The subject site is located within the boundaries of the Vallecitos Water District (VWD). The applicant will be required to comply with all requirements of Vallecitos Water District (VWD) for the provision of water and sewer services to the subject site. Per the City's implementation of the Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan (SUSMP) storm water discharge procedures, the proposed project will incorporate site-design and naturalized treatment control Best Management Practices (BMPs) for all drainage before entering the City's storm drain system per the approval of the City Engineer. Trash collection service for the project will be provided by EDCO which will include collection of recyclable materials. The proposed project will result in no greater impacts to utilities and service systems than otherwise anticipated by the implementation of the General Plan.

Mitigation Measures:

- Obtain “will-serve” letters from all affected public service and utilities agencies prior to issuance of grading permit.
- The proposed new development is subject to approval of the Vallecitos Water District and all applicable fees and charges shall be paid to the satisfaction of the District prior to permit issuance.
- The project shall incorporate site-design and naturalized treatment control Best Management Practices (BMPs) as required by the City Engineer; and shall implement a program, in a form to the satisfaction of the City Engineer, for long-term maintenance of all structural post-construction Best Management Practices (BMPs).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The proposed mixed-use project lacks the potential to degrade the quality of the environment, since the proposed project will locate within a previously approved commercial center, and not known to contain any significant biological resources, and therefore will not result in the alteration or diversity of plant or animal species, number of endangered species, or introduce new species of plants or habitat.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

The proposed project does not have impacts that are “individually limited, but cumulatively considerable” as the proposal is a redevelopment project within the Richmar Neighborhood, except that the proposal will contribute toward City-wide traffic resulting in potential City-wide cumulative impacts. Although the

Negative Declaration analysis does identify less than significant impacts that could result from the project, any such impact will be mitigated to below a level of significance thereby insuring that impacts are not cumulatively considerable, including the proposed project shall financially participate in a planned intra-City shuttle system which will assist in the reduction of City-wide traffic congestion and impacts to SR-78.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The project will be mitigated and conditioned to ensure that impact areas of concern such as geology & soils, hydrology & water quality, land use and planning, public services, traffic, and utilities are fully mitigated to below a level of significance and will not cause a substantial adverse effects on human beings, either directly or indirectly.

In staff's opinion, no significant issues remain unmitigated through compliance with mitigation measures, compliance with code requirements, and the recommended conditions of approval for the proposed mixed-use project.

**MITIGATION MONITORING PROGRAM
FOR NEGATIVE DECLARATION 11-818**

MITIGATION MEASURES	MONITORING ACTIVITY/TIMING	RESPONSIBILITY
The proposed project requires approval of a Rezone from Multi-Family Residential (R-3-6) to Specific Plan Area (SPA), and a General Plan Amendment changing the land use designation from "Residential 15-20 du/ac (12.75-17 du/ac [85% max. density])" and "Residential 20-30 du/ac (17-25.5 du/ac [85% max. density])" to "Specific Plan Area".	Processing concurrently	Developer
The proposed project requires approval of a Tentative Parcel Map (TPM) to consolidate the property into a 3-lot condominium map.	Processing concurrently	Developer
Graded slopes shall be landscaped with a mixture of trees, shrubs, and ground cover for beautification and erosion control purposes. Landscape plans shall be submitted to the Planning Division for review and approval prior to the issuance of grading permit.	Prior to issuance of grading permits	Developer
An updated report for the 2009 geotechnical investigation shall be submitted to the City Engineer for review and approval, addressing any changes of on-site conditions and said report shall include recommendations for cut and fill slopes and compaction.	Prior to issuance of grading permits	Developer
All recommendations and conclusions of the prepared geologic and soils study shall be incorporated into the project design and grading plan. Said report shall be approved by the City's Engineering and Building Divisions.	Prior to issuance of grading permits	Developer
A comprehensive grading plan shall be submitted and approved by the City Engineer and Planning Director prior to the issuance of a grading permit.	Prior to issuance of grading permits	Developer
Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to the City's standards, codes and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions.	Prior to issuance of grading permits	Developer
A hydrology report (calculations) shall be prepared for the proposed project. Storm drains and drainage structures shall be sized according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the buildout runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.	Prior to issuance of grading permits	Developer
The applicant/developer shall submit for City review and approval for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest Caltrans SWPPP Preparation Manual, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all BMPs to be implemented year round. Specific Best Management Practice (BMP) implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a registered civil engineer.	Prior to issuance of grading permits	Developer
The applicant/developer shall submit a plan, for review and approval by the City, for the long-term maintenance of all post construction BMP's.	Prior to issuance of grading permits	Developer
The project shall incorporate site-design and naturalized treatment control Best Management Practices (BMPs) as required by the City Engineer; and shall implement a program, in a form to the satisfaction of the City Engineer, for long-term maintenance of all structural post-construction Best Management Practices (BMPs).	Prior to issuance of grading permits	Developer
The applicant shall obtain a demolition permit from the Building Division prior to demolition of the existing structures on site. A certified asbestos consultant shall	Prior to issuance of	Developer

MITIGATION MEASURES	MONITORING ACTIVITY/TIMING	RESPONSIBILITY
inspect the buildings for asbestos-containing materials and shall provide recommendations for proper removal of said materials prior to demolition. In addition, structures shall be inspected for lead-based painted materials, and provide recommendations for proper disposal.	grading permits	
The subdivider shall submit separate petitions to annex into and establish with respect to the property, the special taxes levied by the following Community Facilities Districts (CFDs): (a) CFD 98-01, Improvement Area No. 1, Police, (b) CFD 2001-01, Fire and Paramedic, and (c) CFD 98-02, Lighting and Landscape. No final map, development entitlement or grading permit will be issued without receipt of an executed petition for annexation into each of the above-referenced CFDs and establishment of the special taxes. The subdivider shall comply with all rules, regulations, policies and practices established by the City with respect to the CFDs including, without limitation, requirements for notice and disclosure to future owners or residents.	Prior to issuance of grading permits	Developer
The applicant/developer/Property Owner shall enter into an agreement with the City regarding financial participation in the Congestion Management Community Facility District ("CFD") 2011-01.	Prior to issuance of grading permits	Developer
The proposed new development is subject to approval of the Vallecitos Water District and all applicable fees and charges shall be paid to the satisfaction of the District prior to permit issuance.	Prior to issuance of grading permits	Developer
Obtain "will-serve" letters from all affected public service and utilities agencies prior to issuance of grading permit.	Prior to issuance of grading permits	Developer
The City of San Marcos is located in Seismic Design Category "D". Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.	Prior to issuance of building permits	Developer
The proposed new development is subject to the payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district to obtain building permits from the City.	Prior to issuance of building permits	Developer
An automatic fire extinguishing system is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall conform to the National Fire Protection Association standards.	Prior to issuance of building permits	Developer
The applicant/developer for the proposed development, redevelopment or discretionary use is required to pay Public Facilities Fees as established by the latest adopted Public Facilities Fee Resolution Number. The fee is based on the proposed land use and shall be paid prior to the issuance of the first permit for the development.	Prior to issuance of building permits	Developer
The project shall implement a fugitive dust emissions control plan during construction. This plan shall include the watering of the site for dust control; isolating excavated soil until removed from the site; and periodic cleaning of streets to remove accumulated materials.	During construction	Developer
The project shall comply with Regional Air Quality Standards.	During construction	Developer
Construction hours shall be limited in accordance with the Grading Ordinance and Municipal Code.	During construction	Developer
The applicant shall disclose to future residential tenants of the proposed project that the property is located within the Airport Influence Area of McClellan-Palomar Airport, and may be subject to some of the annoyances or inconveniences, if any, associated with proximity to airport operations (i.e.: noise, vibration, or odors).	During operations	Developer

VICINITY MAP

