

### 3.0 Response to Written Comments

Prepared by NDS/ATD

#### VOLUME

Mulberry Dr from Mission Rd to Borden Rd

Day: Thursday  
Date: 1/23/2014

City: San Marcos  
Project #: CA14\_4022\_005

| DAILY TOTALS |       |       |     | NB<br>4,526 | SB<br>4,821 | EB<br>0   | WB<br>0 | Total<br>9,347 |    |     |         |
|--------------|-------|-------|-----|-------------|-------------|-----------|---------|----------------|----|-----|---------|
| AM Period    | NB    | SB    | EB  | WB          | TOTAL       | PM Period | NB      | SB             | EB | WB  | TOTAL   |
| 00:00        | 4     | 3     |     |             | 7           | 12:00     | 62      | 67             |    |     | 129     |
| 00:15        | 5     | 0     |     |             | 5           | 12:15     | 78      | 67             |    |     | 145     |
| 00:30        | 4     | 1     |     |             | 5           | 12:30     | 68      | 50             |    |     | 118     |
| 00:45        | 2     | 15    | 3   | 7           | 22          | 12:45     | 66      | 274            | 51 | 235 | 117 509 |
| 01:00        | 2     | 0     |     |             | 2           | 13:00     | 55      | 50             |    |     | 105     |
| 01:15        | 4     | 1     |     |             | 5           | 13:15     | 50      | 60             |    |     | 110     |
| 01:30        | 1     | 0     |     |             | 1           | 13:30     | 53      | 55             |    |     | 108     |
| 01:45        | 1     | 8     | 4   | 5           | 13          | 13:45     | 53      | 211            | 43 | 208 | 96 419  |
| 02:00        | 0     | 5     |     |             | 5           | 14:00     | 66      | 64             |    |     | 130     |
| 02:15        | 1     | 1     |     |             | 2           | 14:15     | 85      | 67             |    |     | 152     |
| 02:30        | 2     | 2     |     |             | 4           | 14:30     | 78      | 59             |    |     | 137     |
| 02:45        | 2     | 5     | 2   | 10          | 15          | 14:45     | 82      | 311            | 76 | 266 | 158 577 |
| 03:00        | 0     | 4     |     |             | 4           | 15:00     | 166     | 107            |    |     | 273     |
| 03:15        | 1     | 5     |     |             | 6           | 15:15     | 125     | 109            |    |     | 234     |
| 03:30        | 3     | 5     |     |             | 8           | 15:30     | 109     | 80             |    |     | 189     |
| 03:45        | 0     | 4     | 5   | 19          | 23          | 15:45     | 96      | 496            | 80 | 376 | 176 872 |
| 04:00        | 2     | 5     |     |             | 7           | 16:00     | 113     | 78             |    |     | 191     |
| 04:15        | 0     | 7     |     |             | 7           | 16:15     | 111     | 82             |    |     | 193     |
| 04:30        | 0     | 9     |     |             | 9           | 16:30     | 126     | 76             |    |     | 202     |
| 04:45        | 4     | 6     | 22  | 43          | 49          | 16:45     | 117     | 467            | 75 | 311 | 192 778 |
| 05:00        | 4     | 13    |     |             | 17          | 17:00     | 166     | 85             |    |     | 251     |
| 05:15        | 5     | 33    |     |             | 38          | 17:15     | 167     | 103            |    |     | 270     |
| 05:30        | 3     | 41    |     |             | 44          | 17:30     | 150     | 74             |    |     | 224     |
| 05:45        | 10    | 22    | 40  | 127         | 149         | 17:45     | 147     | 630            | 69 | 331 | 216 961 |
| 06:00        | 8     | 37    |     |             | 45          | 18:00     | 133     | 61             |    |     | 194     |
| 06:15        | 11    | 62    |     |             | 73          | 18:15     | 106     | 61             |    |     | 167     |
| 06:30        | 23    | 107   |     |             | 130         | 18:30     | 85      | 46             |    |     | 131     |
| 06:45        | 37    | 79    | 119 | 325         | 404         | 18:45     | 76      | 400            | 48 | 216 | 124 616 |
| 07:00        | 24    | 129   |     |             | 153         | 19:00     | 74      | 41             |    |     | 115     |
| 07:15        | 49    | 208   |     |             | 257         | 19:15     | 71      | 36             |    |     | 107     |
| 07:30        | 76    | 243   |     |             | 319         | 19:30     | 58      | 33             |    |     | 91      |
| 07:45        | 113   | 262   | 181 | 761         | 1023        | 19:45     | 47      | 250            | 29 | 139 | 76 389  |
| 08:00        | 63    | 123   |     |             | 186         | 20:00     | 55      | 24             |    |     | 79      |
| 08:15        | 41    | 118   |     |             | 159         | 20:15     | 41      | 24             |    |     | 65      |
| 08:30        | 29    | 125   |     |             | 154         | 20:30     | 52      | 33             |    |     | 85      |
| 08:45        | 42    | 175   | 114 | 480         | 655         | 20:45     | 54      | 202            | 23 | 104 | 77 306  |
| 09:00        | 37    | 78    |     |             | 115         | 21:00     | 34      | 26             |    |     | 60      |
| 09:15        | 22    | 69    |     |             | 91          | 21:15     | 42      | 18             |    |     | 60      |
| 09:30        | 25    | 59    |     |             | 84          | 21:30     | 26      | 15             |    |     | 41      |
| 09:45        | 39    | 123   | 66  | 272         | 395         | 21:45     | 22      | 124            | 14 | 73  | 36 197  |
| 10:00        | 29    | 56    |     |             | 85          | 22:00     | 22      | 12             |    |     | 34      |
| 10:15        | 29    | 53    |     |             | 82          | 22:15     | 23      | 14             |    |     | 37      |
| 10:30        | 40    | 48    |     |             | 88          | 22:30     | 19      | 4              |    |     | 23      |
| 10:45        | 40    | 138   | 48  | 205         | 343         | 22:45     | 18      | 82             | 6  | 36  | 24 118  |
| 11:00        | 48    | 56    |     |             | 104         | 23:00     | 15      | 8              |    |     | 23      |
| 11:15        | 44    | 67    |     |             | 111         | 23:15     | 7       | 6              |    |     | 13      |
| 11:30        | 56    | 57    |     |             | 113         | 23:30     | 13      | 6              |    |     | 19      |
| 11:45        | 50    | 198   | 64  | 244         | 442         | 23:45     | 9       | 44             | 8  | 28  | 17 72   |
| TOTALS       | 1035  | 2498  |     |             | 3533        | TOTALS    | 3491    | 2323           |    |     | 5814    |
| SPLIT %      | 29.3% | 70.7% |     |             | 37.8%       | SPLIT %   | 60.0%   | 40.0%          |    |     | 62.2%   |
| DAILY TOTALS |       |       |     | NB<br>4,526 | SB<br>4,821 | EB<br>0   | WB<br>0 | Total<br>9,347 |    |     |         |

|                 |       |       |       |                 |       |       |       |
|-----------------|-------|-------|-------|-----------------|-------|-------|-------|
| AM Peak Hour    | 07:15 | 07:00 | 07:15 | PM Peak Hour    | 17:00 | 15:00 | 17:00 |
| AM Pk Volume    | 301   | 761   | 1056  | PM Pk Volume    | 630   | 376   | 961   |
| Pk Hr Factor    | 0.666 | 0.783 | 0.828 | Pk Hr Factor    | 0.943 | 0.862 | 0.890 |
| 7 - 9 Volume    | 437   | 1241  | 1678  | 4 - 6 Volume    | 1097  | 642   | 1739  |
| 7 - 9 Peak Hour | 07:15 | 07:00 | 07:15 | 4 - 6 Peak Hour | 17:00 | 16:30 | 17:00 |
| 7 - 9 Pk Volume | 301   | 761   | 1056  | 4 - 6 Pk Volume | 630   | 339   | 961   |
| Pk Hr Factor    | 0.666 | 0.783 | 0.828 | Pk Hr Factor    | 0.943 | 0.823 | 0.890 |

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### 3.0 Response to Written Comments



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### 3.0 Response to Written Comments

4/20/2014

Print

Subject: comments proposed plan for development on Mulberry  
From: Jerry Griswold (jerrygriswold@yahoo.com)  
To: gkoller@san-marcos.net;  
Date: Friday, February 21, 2014 5:23 PM

Garth Koller, Planner, City of San Marcos  
gkoller@san-marcos.net

ref to: Case P13-005. A proposed multi-family development plan on Mulberry Road

Garth Koller:

I am principally concerned with traffic impacts of the proposed multi-family development plan on Mulberry Road (Case P13-005). When a traffic assessment is prepared, I ask that the report specifically take into consideration three areas of concern:

**1. Pedestrian traffic, particularly at the intersection of Mulberry and Mission during normal school hours.** I believe that intersection is the most heavily used pedestrian crossing in the city; typically, at 3:00 p.m., hundreds of high school students use crosswalks in that area snarling traffic for quite some time. It is important that pedestrian flows (both legal and illegal) be measured at appropriate times on a typical school day (not a partial day) and during the regular school year (not the summer term).

6-12

**2. Traffic flow from the church across the street from the project (Mission Hills Church) should especially be measured on Sunday.** While vehicles access the church throughout the week, traffic on to Borden and thence on to Mulberry (and vice versa) is especially heavy on Sunday from 8:00 am to beyond the last service that begins at 6:00 p.m.

**3. Commercial and industrial trucking access the Hollandia Dairy within a few hundred feet of the proposed project.** Sixteen-wheel trucks regularly enter and exit the Dairy from a sole and busy access point on Mulberry. As I understand it, raw milk is brought in for processing and fresh milk and by-products are delivered to San Diego County and Orange County, as well as portions of Los Angeles, Riverside and San Bernardino Counties. While I am uncertain about its relevance, nearby the entrance/exit on Mulberry is a sign indicating trucks over seven tons are prohibited.

These and related traffic issues are my major concern with the proposed plan as now presented (I write this on February 21, 2014). I would be grateful if you would put me on the list of folks to be notified when this plan goes through its various stages.

Gratefully,

Jerry Griswold  
1068 Fulton Rd.

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about:blank

1/2

### 3.0 Response to Written Comments

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#### **Letter 6** **Jerry Griswold**

- 6-1 This comment provides a summary of the two key points of this comment letter. These points are further detailed in subsequent comments. Specific responses to those comments are provided below.
- 6-2 This comment provides opening remarks and does not raise any specific environmental issues. Thus no further response is warranted.
- 6-3 This comment addresses the definition of peak hour. It is accurate that SANDAG's definition of the morning "peak period" occurs between 6:00 a.m. and 9:00 a.m., and the afternoon peak period occurs between 3:00 p.m. and 6:00 p.m. This is a comprehensive range that encompasses all land use types used in trip generation calculations. The peaking characteristics of some major uses greatly influence the traffic peak hours of the surrounding roadway system that may be outside the "typical" peak hours, such as military bases, schools/universities, and heavy industrial/manufacturing uses. Military bases and many industrial uses experience a morning peak hour between 6:00 a.m. and 7:00 a.m., and along with many schools, experience an afternoon peak hour between 3:00 p.m. and 4:00 p.m.

The a.m. and p.m. peak periods (7:00-9:00 a.m. and 4:00-6:00 p.m.) as defined in Traffic Impact Analysis report (RBF 2014) can be described as "streamlined" peak periods in which the traffic peak hour is most likely to occur based on decades of collective experience by consultants and public agencies alike nationwide. These two-hour peak periods that were used to collect the intersection count data are representative of the typical traffic conditions on most arterial streets in most suburban areas, and are generally accepted by all public agencies in San Diego County and beyond. Exceptions to this typical peaking condition would be local or collector streets next to schools, all streets adjacent to military bases, and streets within a major industrial or manufacturing zone

Schools and universities experience the same morning peak hour as the typical traffic commute peak hour on suburban arterial streets, which in most cases occurs between 7:00 a.m. and 9:00 a.m. The intersection traffic counts collected for the Mulberry traffic impact analysis captures the morning peak traffic generated by Mission Hills High School and the commute peak hour of the surrounding arterial roadway network in the study area.

While schools and commuting traffic experience the same morning peak hour, it is accurate that schools experience an afternoon peak hour that occurs 1-2 hours prior to the typical traffic commute afternoon peak hour. However, the afternoon peak hour on most suburban arterial streets still occurs between 4:00 p.m. and 6:00 p.m., including arterial streets adjacent to schools. A school has a much larger influence on peak hour traffic when it is located on local or collector streets in a primarily residential neighborhood where traffic volumes are relatively low with the exception of the school peak hours.

The commenter is incorrect in his statement that the 24-hour traffic count data in the appendices show that the heaviest traffic flow occurs between 3:00 p.m. and 4:00 p.m. In the

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table he provided showing hourly traffic flow on Mulberry Street between Borden Road and Mission Road, the highest peak hour is between 5:00 p.m. and 6:00 p.m., not between 3:00 p.m. and 4:00 p.m. as he indicated. Thus the traffic analysis considered the worst case analysis.

6-4 Upon reviewing the 24-hour traffic count data collected for the study area street segments, it was revealed that on virtually all segments, the p.m. peak hour occurred between 5:00 p.m. and 6:00 p.m. Most importantly, the traffic counts for the two street segments of Mission Road to the west and east of the intersection to Mission Hills High School show that the peak hour occurs between 5:00 p.m. and 6:00 p.m. Out of the 18 street segment counts, only one segment showed a peak hour occurring between 3:00 p.m. and 4:00 p.m., which is Rancheros Drive between the SR-78 Westbound Ramps and Woodland Parkway. The peak hour for the other 17 street segments occurred from 5:00 p.m. to 6:00 p.m.

Although Mission Hills High School does generate a heavy spike in traffic in the nearby vicinity when school lets out for the day at 2:54 p.m., this peak in traffic quickly dissipates and is replaced by higher traffic flow later in the afternoon during the typical p.m. traffic peak hour.

The comment letter fails to acknowledge is that Mission Hills High School also generates a heavy spike in traffic during the morning peak hour, which is accounted for in the intersection counts that were collected between 7:00 a.m. and 9:00 a.m. Therefore, the City concludes that the analysis of the study intersections accurately reflects both the morning and afternoon peak hours and that redefining the afternoon peak hour to 3:00-4:00 p.m. would NOT provide the worst-case traffic conditions at the study intersections.

6-5 This comment addresses Hollandia Dairy. Traffic from the dairy was considered in the analysis. The intersection and street segment counts would have captured all trips associated with Hollandia Dairy.

Regarding the location of the project entrance and the entrance to the dairy, the measured distance between the Mulberry project driveway and Hollandia Dairy driveway is approximately 460 feet. There will be adequate spacing between the project driveway and the Hollandia Dairy driveway, and as a result no operational or safety issues between the two driveways are anticipated. Information has been added to the traffic report and the Final IS/MND to further clarify the project's location in relation to the dairy.

Regarding traffic from employees at the Hollandia Dairy, while it may be true that the Hollandia Dairy employs a number of staff comparable to Costco and Home Depot, the fact is that for Costco and Home Depot, employee trips represent at most 5 percent of the total trips as these are high-intensity retail uses. Hollandia Dairy is an industrial use in which employee trips typically represent more than 90 percent of the total trips. Therefore, Hollandia Dairy is not generating a high number of trips as suggested in this comment letter.

With regard to construction traffic, the peak hour trip generation calculations for the construction truck trips are factored Passenger Car Equivalency (PCE) trips, which essentially doubled the actual number of trips to account for the large size of the hauling trucks in comparison to passenger vehicles. Approximately seven trucks per hour would arrive at the site

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to import materials during the grading period. It is assumed that each truck would make one inbound trip and one outbound trip, for a total of 14 trips per hour. When applying the PCE factor (2.0) to these trips, this number increases to 28 trips per hour to account for the impact of heavy vehicle operations. But the actual number of truck trips is still 14 trips per hour, which equates to one truck every 4.5 minutes either arriving or exiting the project site.

- 6-6 The traffic impact analysis and environmental document provide appropriate information for the public and decision makers. As a point of clarification based upon this comment letter, refinements have been made to both the traffic report and the environmental document, however, these changes are for clarification purposes and do not change the conclusions of the environmental document.
- 6-7 The traffic impact analysis and environmental document provide appropriate information for the public and decision makers.
- 6-8 This comment references past comments that were sent to City staff on the project. Mr. Griswold had also provided a letter to the City dated February 21, 2014, in which he also expressed concerns about school pedestrian traffic and Sunday church traffic from the nearby Mission Hills Church.

Regarding the pedestrian traffic when Mission Hills High School lets out for the day, the impact of pedestrian crossings at the intersection of Mission Road / Mulberry Drive is not occurring during the highest peak of traffic flow, which as shown to occur between 5:00 p.m. and 6:00 p.m. School-related pedestrian traffic is typically concentrated into the first half hour after school lets out for the day, and after 30 minutes pedestrian traffic quickly dissipates. Traffic impacts related to pedestrian crossings are typically limited to right-turning vehicles, and with six travel lanes on Mission Road, it is very unlikely that queuing at the intersection is excessive during this time.

Although Mission Hills Church may generate a high number of trips on Sundays, the overall traffic flow on Sundays is typically at the lowest level of any day of the week. It is highly doubtful that Sunday traffic volumes on Mulberry and on Borden Road are anywhere near the typical mid-week volumes that occur during the morning and afternoon peak hours. Collecting traffic counts on a Sunday would only confirm what is already known, that traffic flow is lower on Sundays than on weekdays. However, the report can be revised to acknowledge that Sunday traffic conditions were not evaluated as aside from the church-related trips, overall traffic volumes on Sundays are relatively low.

- 6-9 This attachment is correspondence between the commenter and Mike Calandra at SANDAG discussion peak hour time frames in traffic analysis. Please see response 6-3 regarding peak hour assumptions used in the traffic study for the project.
- 6-10 This attachment to the comment letter is the traffic count output sheet for the segment of Mulberry Drive from Mission to Borden. As shown in this table, the highest PM peak hour volumes are in the 5pm to 6pm time frame, with a total of 961 vehicles.

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- 6-11 This attachment is an aerial photograph image showing Hollandia Dairy and a portion of the project site. There is an approximate 460 foot separation between the Hollandia Dairy entrance and the proposed project entrance. Please see response 6-5 for more information on this topic.
- 6-12 This attachment is correspondence to Garth Koller from the commenter. This email addresses three areas. The first is pedestrian safety: 1) pedestrian traffic from the high school; 2) traffic from the church at Mulberry/Borden, and 3) commercial traffic from Hollandia Dairy.

Pedestrian flows associated with the high school are an existing condition and would not be changed with implementation of the project.

With regard to traffic from the church at Mulberry/Borden, although Mission Hills Church may generate a high number of trips on Sundays, the overall traffic flow on Sundays is typically at the lowest level of any day of the week. It is unlikely that Sunday traffic volumes on Mulberry and on Borden Road would approach mid-week volumes that occur during the morning and afternoon peak hours.

Regarding Hollandia Dairy traffic, please see response 6-5.

### 3.0 Response to Written Comments

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Forwarded message -----

From: Ronald Hanshew <rhanshew@csumb.edu>  
To: "Koller, Garth" <GKoller@san-marcos.net>  
Cc: ""Dr. Sandra Miller X" <sandy@greensails.net>  
Date: Mon, 28 Apr 2014 22:14:41 -0700  
Subject: Property development along Mulberry Drive North of Mission.

Dear Mr. Koller,

The condominium project sited behind the 7-11 market on Mulberry Drive between Mission and Borden will place a very densely populated development in the center of an otherwise quiet and peaceful neighborhood.

7-1

The plan here is to build and rent 126 condos that vary in size, facilities and inhabitants. That means that some 700 people will regularly live on the seven acres included in the housing complex. That is an average occupancy per unit of more than 5 persons and means that there will be many times the number of cars coming and going as those that came by previous to the development. This traffic jam will be heightened by the fact that only one direction roadway can only be transited through a one lane exit/entry point.

7-2

*On street parking* will be needed to provide the cars owned by 700 people, but parking would be immediately adjacent to the roadway and from half the cars, it would entail walking across a busy roadway or walking to a signaled corner more than the length of a football field each way. The project lies directly in the path of hundreds of students walking and driving to Mission Hills High School. We owe it to the future generations of San Diego North County residents to provide safe easy well maintained accesses to their schools.

7-3

I urge you to consider the denial of a permit for the development of these 7 acres of property. It would seem a likely place to develop a public park instead. Let's talk; together we can continue the excellent city planning that we citizens of San Marcos have come to enjoy.

7-4

Ron Hanshew  
rhanshew@csumb.edu

## 3.0 Response to Written Comments

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### **Letter 7**

**Ronald Hanshew**

7-1 This comment discusses the proposed density on the project site. The project site is designated MDR2 (Medium Density Residential 2) in the General Plan. The MDR2 designation allows for residential development with 15 to 20 dwelling units/acre (du/acre). Under the current designation, up to 200 residential units could be developed on the project site. The project proposes 126 residential units on approximately 10 acres yielding a density of 12.6 du/acre. Thus the project represents a lower density project that is currently allowed under the site's General Plan and zoning designations.

7-2 This project will be a "for-sale" condominium project and is not designed as rental apartments. This comment states that the project will add 700 people to the project site. This is not a correct statement. The project is anticipated to have a population of approximately 380 residents, as noted in the Population and Housing section of the Draft IS/MND.

With regard to the increase in traffic, a traffic impact report was prepared for the project and summarized in the Draft Initial Study/Mitigated Negative Declaration (IS/MND). The complete traffic report was included as Appendix I of the document. Project traffic assumptions are generated based on a rate of 8 trips per residential unit. No operational impacts at the project entrance were identified and no significant traffic impacts were identified for the project.

7-3 This comment addresses parking. Parking was addressed in Section 16.f of the Draft Initial Study/Mitigated Negative Declaration (IS/MND). Each residential unit in the project will have a two-car garage. Additionally, the Specific Plan mandates one guest parking space for every three dwelling units, which would require a minimum of 42 guest parking spaces. As currently designed, there are 48 guest spaces available. Therefore, adequate parking is proposed as part of the project and impacts are less than significant. On-street parking will not be required for the project.

7-4 This comment provides closing remarks and suggests that park should be constructed on the project site. As noted in response 6-1, the project site is currently zoned for residential development and the project is proposing development below the maximum allowable density.

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### **Koller, Garth**

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**From:** John Harmon [jrharmon2@gmail.com]  
**Sent:** Thursday, April 24, 2014 10:01 PM  
**To:** Koller, Garth  
**Subject:** Development plans for Borden and Mullberry St.

Mr Koller;

I am a resident in the Borden Street area, and have learned of the plans for a 120 plus unit condo development for the lot at the Southwest corner of Borden and Mullberry St. This seems excessive for the existing zoning in this area. Furthermore it is likely to be a significant burden on the existing infrastructure and services in the immediate area. Has a zoning variance been granted and what is the status of this development project? I would appreciate any details you can provide on this planned development, and when the review hearing are scheduled for on this planned development. Thanks for your time.

8-1  
8-2  
8-3  
8-4

Respectfully,  
John Harmon

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### **Letter 8**

**John Harmon**

- 8-1 This comment provides opening remarks and does not raise a specific environmental issue. Thus no further response is warranted.
- 8-2 This comment discusses the proposed density on the project site. The project site is designated MDR2 (Medium Density Residential 2) in the General Plan. The MDR2 designation allows for residential development with 15 to 20 dwelling units/acre (du/acre). Under the current designation, up to 200 residential units could be developed on the project site. The project proposes 126 residential units on approximately 10 acres yielding a density of 12.6 du/acre. Thus the project represents a lower density project that is currently allowed under the site's General Plan and zoning designations.
- 8-3 This comment addresses the project's potential burden on infrastructure and services in the project area. The Initial Study/Mitigated Negative Declaration analyzes the project in terms of traffic (Section 4.16), as well as public service (Section 4.14), recreation (Section 4.15), and utilities/service systems (Section 4.17). The project would have less than significant impacts for these issue area. As part of the project design, the developer will be required to upsize approximately 465 feet of an existing 6-inch diameter water main to an 8-inch diameter main in Mulberry Drive. Additionally, the developer will be required to pay water and wastewater fees as well as school district fees. The project includes recreation spaces for the future residents.
- 8-4 This comment asks if a zoning variance has been granted. A Zoning Ordinance Amendment to change the project site from R-3-10 to Specific Plan is one of the proposed discretionary actions for the project. The amendment has not been granted at this time. The amendment would need to be approved by the City Council.

The commenter will be provided with notification of the Planning Commission and City Council hearing. A description of the project is included in the Project Description section of the Initial Study/Mitigated Negative Declaration (IS/MND). Additionally, the Specific Plan for the project was included as Appendix A of the Draft IS/MND.

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### **Koller, Garth**

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**From:** Hernandez Fam. [msohndz@gmail.com]  
**Sent:** Tuesday, April 29, 2014 1:38 PM  
**To:** Koller, Garth  
**Subject:** Condo Building Plans NO

Dear Mr. Koller,

As a home owner who will be affected by your current building plans on Mulberry Rd/ Mission, I am extremely concerned and upset. Traffic in that area is already a nightmare, I cannot imagine anymore traffic on my way to work/home.

I am against such building plans and hope that you would have at least given notice of such plans visible to the neighborhood.

Att.

Concerned Homeowner  
Hernandez Family.

9-1

9-2

## 3.0 Response to Written Comments

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### **Letter 9** **Hernandez Family**

- 9-1 This comment addresses traffic in the project area. A traffic impact analysis was prepared for the project and analyzed 18 intersections and 18 roadway segments. The complete traffic report was included as Appendix I of the Draft Initial Study/Mitigated Negative Declaration (IS/MND) and summarized in the IS/MND. All traffic impacts (project and cumulative) were determined to be less than significant. No traffic mitigation is required.
- 9-2 This comment states the commenter's opposition to the project and also discusses noticing for the project. The project was noticed to property owners within a 500-foot radius of the project site and met the legal noticing requirements.

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**Koller, Garth**

**From:** WendyInc. [jowendy17@sbcglobal.net]  
**Sent:** Wednesday, April 23, 2014 11:14 PM  
**To:** Koller, Garth  
**Subject:** Mulberry Project Denial or Changes Needed

Dear Mr. Koller,

Thank you for your time and consideration in reading this. I'll try to make it brief.

I object to the Mulberry Project. As it will impact me (traffic and overcrowding, plus lower resale of my existing home) I'm going to point out some true problems.

1. 126 units IS FAR TOO DENSE FOR A 7 ACRE PROPERTY. PERHAPS HALF THAT MANY UNITS IS ACCEPTABLE.

2. WHY ARE THERE 4 BEDROOM CONDOS!!!!. I'VE NEVER HEARD IN MY 35 YEARS IN BLDG & REAL ESTATE OF 4 BEDROOM CONDO UNITS. WILL THERE BE 4, or 6 or 8 people to one unit? It's not a feasible condo conception, more of a single family home concept. Why do you allow it here? There are not enough overflow parking spaces for such high density! You are talking familes, not singles or 2-3 people in a 3-4 bedroom unit.

3. IF THE UNITS DO NOT SELL, THEY'LL BECOME RENTALS, I"VE SEEN THIS HAPPEN IN THE LATE 1970s thru 1990s. THIS WILL DEVALUE THE PROPERTY and MY RSALE VALUE ALSO.

4. FIRE DEPT. CONCERN- THE ROADS AND DRIVEWAYS ARE TOO NARROW FOR APPROPRIATE FIRE PROTECTION, whether they have a side entrance or not.

5. TOO MANY UNITS SQUEEZED IN CREATES PROBLEMS, OFEN CRIME (IF RENTED OUT, EVEN TO INVESTORS WHO BUY AND RENT OUT. WE DON'TNEED MORE POLICE ACTIVITY, THEFT, CRIMINALS (LIKE MISSION RD. AND AUTUMN DR. NOW HAVE).

MANY FIGHTS, ROBBERIES, LATINO GANG PROBLEMSS AND JUVENILE DELINQUENTS N THE SCHOOLS COME FROM THESE SAID OVERBUILT SECTION 8 AREAS.

6.. The bldgs. designs are acce[table, I'd like to know the Horton Bldrs. profit on this project, as the density is far too intense. Perhaps it should revert to light industrial.

The whole area could turn into a Section 8 HUD (or orentals) if the bldr. can't sell them. By the way, the townhomes in San Marcos (LaCosta area) aren't selling very well either.

8. TRAFFIC! HOW CAN ONE EXPECT 126 PROPOSED UNITS TO ONLY USE ONE EGRESS & EXIT ROAD? EXPECTING 800 PLUS RESIDENTS FOR ONE ROAD IS LUDICROUS. Mission and Mulberry are already congested with the high school traffic. AGAIN, THERE SHOULD BE LESS UNITS, perhaps 65-70 on 7 acres.

Again,WE WERE NEVER TOLD OF ANY PLANNING OR ADVISORY COMMITTEE MEETINGS, OR I'd HAVE BEEN THERE-OR BEEN ON A COMMITTEE IF I HAD KNOWN. I DON'T LIVE WITHIN 500 FT.AND THE SIGN WAS DOWN IN THE VALLEY OR "GULLY" THERE. THE SIGN WAS NOT AT EYELEVEL WHERE PEOPLE COULD SEE IT. THIS SEEMMS SNEAKY, e.g. LIKEAND LIKE A COVER-UP TO ME. WE, the local1/2 MIILE RESIDENTS NEVER RECEIVED ANY WRITTEN NOTICE, BEYOND THAT SMALL SIGN I HAD TO PEER DOWN THE HILL TO SEE & WRITE THE

10-1

10-2

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10-9

### 3.0 Response to Written Comments

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→ CITY'S PHONE NUMBER ON> IS THIS CONSTRUCTIVE NOTICE TO WE LOCALS BEYOND 500 FEET? IF IT WAS PUBLISHED, I'D LIKE TO SEE A NEWSPAPER OR COPY OF IT.

10-9  
Cont.

Please advise what next step/s we newly informed people can take to cut the density.

10-10

Thank you.  
Weny Jo  
jowendy17@sbcglobal.net

## 3.0 Response to Written Comments

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### Letter 10

#### Wendy Jo

10-1 This comment provides opening remarks and notes the commenter's opposition to the project. Specific points are made in subsequent comments and responses are provided below.

10-2 This comment discusses the proposed density on the project site. The project site is designated MDR2 (Medium Density Residential 2) in the General Plan. The MDR2 designation allows for residential development with 15 to 20 dwelling units/acre (du/acre). Under the current designation, up to 200 residential units could be developed on the project site. The project proposes 126 residential units on approximately 10 acres yielding a density of 12.6 du/acre. Thus the project represents a lower density project that is currently allowed under the site's General Plan and zoning designations.

10-3 This comment addresses the proposed number of bedrooms for the proposed residences. The project proposes a mix of three- and four-bedroom homes in both an attached and detached configuration.

With regard to parking, each residential unit in the project will have a two-car garage. Additionally, the Specific Plan mandates one guest parking space for every three dwelling units, which would require a minimum of 42 guest parking spaces. As currently designed, there are 48 guest spaces available. Therefore, adequate parking is proposed as part of the project and parking-related impacts are less than significant. On-street parking will not be required for the project.

10-4 The homes are designed to be for sale and are not developer-owned rental units.

10-5 The San Marcos Fire Department has reviewed the project plans and did not raise any concerns regarding the proposed width for the project entrance. In addition to the primary entrance, the project has a secondary gated entrance reserved exclusively for emergency use.

10-6 As part of the environmental review for the project, a letter was sent to the Sheriff's Department for their input on the the project. Malcolm Horst, with the Department did not identify any significant safety issues for the project. Any incremental effects of the project on police protection services will be offset by the City requirement for payment of fees to a preexisting Community Facilities District for police protection. Therefore, impacts to police protection services are determined to be less than significant.

10-7 Profit of a project is not an environmental topic under CEQA, therefore that information is not disclosed. The site zoning and designation was changed from industrial to residential during the City's General Plan update. The project is not proposed to be affordable or HUD housing.

10-8 This project will be a "for-sale" condominium project. This comment states that the project will have 800 plus residents. This is not a correct statement. The project is anticipated to have a

### 3.0 Response to Written Comments

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population of approximately 380 residents, as noted in the Population and Housing section of the Draft IS/MND.

With regard to the increase in traffic, a traffic impact report was prepared for the project and summarized in the Draft Initial Study/Mitigated Negative Declaration (IS/MND). The complete traffic report was included as Appendix I of the document. Project traffic assumptions are generated based on a rate of 8 trips per residential unit. No operational impacts at the project entrance were identified.

The traffic report analyzed segments of Mulberry Drive (Rose Ranch to Mission Road) and Mission Road (San Marcos Boulevard to Woodland Parkway) and all roadways are forecast to operate at an acceptable level of service both with and without the project in both the existing + project and the cumulative scenarios. See Tables 22, 24 and 26 in the Initial Study/Mitigated Negative Declaration for specific level of service information for the segments of Mulberry Drive and Mission Road. All traffic impacts were determined to be less than significant.

- 10-9 This comment addresses the noticing for the project. Notices were sent out to property owners within a 500-foot radius of the project site and a sign was placed on the project site. Additionally, the notice for the community workshop was posted on the City's webpage and the City's online calendar (<http://www.ci.san-marcos.ca.us/index.aspx?page=17&recordid=3887>).
- 10-10 The project will be heard by both the Planning Commission and the City Council at future meetings. These are public meetings and there is an opportunity for the public to speak. The commenter will be notified of these meeting dates. Additionally, the Planning Commission calendar and City Council calendars are available on the City's webpage at <http://www.ci.san-marcos.ca.us/index.aspx?page=17>

## 3.0 Response to Written Comments

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### **Koller, Garth**

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**From:** Sandra Miller [smiller2@laverne.edu]  
**Sent:** Tuesday, April 29, 2014 9:00 AM  
**To:** Koller, Garth  
**Subject:** Condos on Mulberry Road

Since our area has single family homes, this will be a change. However, nice looking condos (limited in number) would be okay.

I have some suggestions if they are built.

1. Allow NO street parking on Mulberry from Mission to Borden.  11-1
2. Have the exit from the condos RIGHT TURN ONLY.  11-2
3. Include a park/play area for children living in the condos.  11-3
4. Stipulate that parking for ALL residents and visitors must be provided within the complex.  11-4
5. Limit the number of university students allowed in one unit.  11-5

Thank you for listening.

Sandra Miller —Vereda Rd

Disclaimer: This message and any attached documents contain information which may be confidential, privileged, or exempt from disclosure under applicable law. These materials are intended only for the use of the intended recipient. Delivery of this message to any person, other than the intended recipient, shall not compromise or waive such confidentiality, privilege or exemption from disclosure as to this communication. If you are not the intended recipient, please notify the sender and delete the material from any computer. Any dissemination or reproduction of this message or attachments is strictly prohibited.

## 3.0 Response to Written Comments

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### **Letter 11** **Sandra Miller**

11-1 This comment addresses parking on Mulberry Drive between Mission Road and Borden Road. Currently parking is prohibited along both sides of Mulberry between Mission Road and Borden Road and will continue to remain as such with or without the project. The project provides adequate parking onsite to meet the needs of the future home owners as well as guests. Please see response 4-10 for additional information on the proposed parking.

11-2 This comment recommend have the exit from the project be a right turn only. There are no operational or safety concerns that would warrant restricting the driveway to right in/right out. The driveway is 500 feet south of Borden and nearly 500 feet north of the Hollandia Dairy driveway, so intersection spacing is not an issue, and there are no sight distance limitations such as physical obstructions (e.g., existing buildings/signage) or roadway curvature (horizontal or vertical). In addition, there is a center two-way left-turn lane that provides safe left-turn access into the driveway, which also provides refuge for left-turning vehicles exiting the driveway before merging into through traffic.

The traffic counts and traffic analysis show daily traffic on Mulberry Drive ranging from about 9,300 under existing conditions to approximately 12,200 in 2035 including trips from the project. Both the existing and future volumes on Mulberry Drive are relatively low for a four-lane arterial roadway, and high traffic volumes are definitely not a reason for considering restricting the project driveway to right in/right out.

The analysis results did not show any operational issues at the driveway, so combined with the adequate intersection spacing and sight distance, safe left-turn access, and relatively low traffic volumes for street classification, there is no justification to require restrict driveway access to right-turn in/out.

11-3 This comment requests that a park/play area be provided for future residents. A private recreation area is proposed in the north central portion of the project site and will be for the exclusive use of project residents and their guests. There will be a recreation area with a pool, restroom building, BBQs, tot lot and benches. A meandering paseo is also incorporated into the project design.

11-4 This comment addresses parking. Parking was addressed in Section 16.f of the Draft Initial Study/Mitigated Negative Declaration (IS/MND). Each residential unit in the project will have a two-car garage. Additionally, the Specific Plan mandates one guest parking space for every three dwelling units, which would require a minimum of 42 guest parking spaces. As currently designed, there are 48 guest spaces available. Therefore, adequate parking is proposed as part of the project and impacts are less than significant. On-street parking will not be required for the project.

11-5 The residences at this location will be for purchase and are anticipated to be owner occupied. If a future owner decides to rent out their home, they would be subject to any specific provisions identified in the CC&Rs for the Home Owner's Association.

### 3.0 Response to Written Comments

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From: Sean Mott <seanrob21@yahoo.com>  
To: "Koller, Garth" <GKoller@san-marcos.net>  
Cc:  
Date: Mon, 28 Apr 2014 20:55:21 -0700  
Subject: Proposed Condo Complex at Mulberry Dr. and Borden Rd.  
Hi Garth,

I am writing to voice my concern regarding the proposed condo construction project at Mulberry Dr and Borden Rd. The building of 126 units on 7 acres of land will result in too much traffic congestion on Mulberry Dr. Thank you for your consideration.

12-1

Sincerely,  
Sean Mott  
915 Mulberry Dr

## 3.0 Response to Written Comments

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### **Letter 12**

**Sean Mott**

12-1 This comment addresses traffic congestion on Mulberry Drive. A traffic impact report was prepared for the project and summarized in the Draft Initial Study/Mitigated Negative Declaration (IS/MND). The complete traffic report was included as Appendix I of the document. The traffic analysis included an assessment of Mulberry Drive.

As shown in Table 22 of the Draft IS/MND, under the existing plus project condition, Mulberry Drive from Rose Ranch to Borden Road will operate at level of service (LOS) A both with and without the project. The segment of Mulberry Drive from Borden Road to Mission Road will go from LOS A to LOS B with the addition of traffic. This is a less than significant impact.

As shown in Table 24 of the Draft IS/MND, in the existing plus cumulative condition, Mulberry Drive from Rose Ranch to Borden Road will operate at level of service (LOS) A both with and without the project. The segment of Mulberry Drive from Borden Road to Mission Road will operate at LOS B both with and without the project. This is a less than significant impact.

Finally, in the forecast year 2035, Mulberry Drive from Rose Ranch to Borden Road will operate at level of service (LOS) A both with and without the project. The segment of Mulberry Drive from Borden Road to Mission Road will operate at LOS B both with and without the project. This is a less than significant impact.

In conclusion, the project does not result in any significant impacts to Mulberry Drive.

## 3.0 Response to Written Comments

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### **Koller, Garth**

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**From:** Lisa Roth-Dean [yarra-10@hotmail.com]  
**Sent:** Tuesday, April 29, 2014 8:45 PM  
**To:** Koller, Garth  
**Subject:** Property Development along Mulberry Drive North of Mission

Dear Mr. Koller,

The condominium project sited behind the 7-11 market on Mulberry Drive between Mission and Borden will place a very densely populated development in the center of an otherwise quiet and peaceful neighborhood.

13-1

The plan here is to build and rent 126 condos that vary in size, facilities and inhabitants. That means that some 700 people will regularly live on the seven acres included in the housing complex. That is an average occupancy per unit of more than 5 persons and means that there will be many times the number of cars coming and going as those that came by previous to the development. This traffic jam will be heightened by the fact that only one direction roadway can only be transited through a one lane exit/entry point.

13-2

*On street parking* will be needed to provide the cars owned by 700 people, but parking would be immediately adjacent to the roadway and from half the cars, it would entail walking across a busy roadway or walking to a signaled corner more than the length of a football field each way.

13-3

The project lies directly in the path of hundreds of students walking and driving to Mission Hills High School. We owe it to the future generations of San Diego North County residents to provide safe easy well maintained accesses to their schools.

13-4

I urge you to consider the denial of a permit for the development of these 7 acres of property. It would seem a likely place to develop a public park instead. Let's talk, together we can continue the excellent city planning that we citizens of San Marcos have come to enjoy.

13-5

Thank you for your time,

Lisa Roth-Dean  
708 Vereda Road  
San Marcos, Ca 92069

## 3.0 Response to Written Comments

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### **Letter 13** **Lisa Roth-Dean**

13-1 This comment discusses the proposed density on the project site. The project site is designated MDR2 (Medium Density Residential 2) in the General Plan. The MDR2 designation allows for residential development with 15 to 20 dwelling units/acre (du/acre). Under the current designation, up to 200 residential units could be developed on the project site. The project proposes 126 residential units on approximately 10 acres yielding a density of 12.6 du/acre. Thus the project represents a lower density project that is currently allowed under the site's General Plan and zoning designations.

13-2 This project will be a "for-sale" condominium project and is not designed as rental apartments. This comment states that the project will add 700 people to the project site. This is not a correct statement. The project is anticipated to have a population of approximately 380 residents, as noted in the Population and Housing section of the Draft IS/MND.

With regard to the increase in traffic, a traffic impact report was prepared for the project and summarized in the Draft Initial Study/Mitigated Negative Declaration (IS/MND). The complete traffic report was included as Appendix I of the document. Project traffic assumptions are generated based on a rate of 8 trips per residential unit. No operational impacts at the project entrance were identified and no significant traffic impacts were identified for the project.

13-3 This comment addresses parking. Parking was addressed in Section 16.f of the Draft Initial Study/Mitigated Negative Declaration (IS/MND). Each residential unit in the project will have a two-car garage. Additionally, the Specific Plan mandates one guest parking space for every three dwelling units, which would require a minimum of 42 guest parking spaces. As currently designed, there are 48 guest spaces available. Therefore, adequate parking is proposed as part of the project and impacts are less than significant. Additionally on-street parking will not be required for the project.

13-4 With regard to pedestrian safety, there is an existing sidewalk that runs along both sides of Mulberry Drive in the vicinity of the project. The segment of sidewalk along the project frontage will be retained with the project. For people driving to Mission Hills High School, the traffic report did not identify any traffic impacts for the project. Mulberry Drive will maintain an acceptable level of service.

13-5 This comment provides closing remarks and suggests that park should be constructed on the project site. As noted in response 13-1, the project site is currently zoned for residential development and the project is proposing development below the maximum allowable density.

## 3.0 Response to Written Comments

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### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

#### 4.1 INTRODUCTION AND SUMMARY

Pursuant to Section 21081.6 of the Public Resources Code and the *California Environmental Quality Act (CEQA) Guidelines* Section 15097, public agencies are required to adopt a monitoring or reporting program to assure that mitigation measures and revisions identified in the Mitigated Negative Declaration (MND) are implemented. As stated in Section 21081.6 of the Public Resources Code:

*“... the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.”*

Pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision makers coincidental to certification of the MND. The Mitigation Monitoring and Reporting Program (MMRP) must be adopted when making the findings (at the time of approval of the project).

As defined in the CEQA Guidelines, Section 15097, “reporting” is suited to projects that have readily measureable or quantitative measures or which already involve regular review. “Monitoring” is suited to projects with complex mitigation measures, such as wetland restoration or archaeological protection, which may exceed the expertise of the local agency to oversee, are expected to be implemented over a period of time, or require careful implementation to assure compliance. Both reporting and monitoring would be applicable to the proposed project.

The Initial Study/ Mitigated Negative Declaration prepared for the Mulberry Specific Plan provided an analysis of the environmental effects resulting from construction and operation of the project.

#### 4.2 MITIGATION MATRIX

To sufficiently track and document the status of mitigation measures, a mitigation matrix has been prepared and includes the following components:

- Impact
- Mitigation Measure
- Action
- Timing
- Responsibility

The mitigation matrix is included in Table 4-1. Additionally, the project will be required to adhere to the design features presented in Table 4-2.

## 3.0 Response to Written Comments

**Table 4-1. Mitigation Measures**

| Impact  | Mitigation Measure  | Action   | Timing   | Responsibility   |
|---|---|--|--|--|
| <b>CULTURAL RESOURCES</b>   |   |  |  |  |
| While no resources were identified on the project site, the site's location near CA-SDI-749 warrants monitoring by a qualified archaeological monitor and a Native American monitor to prevent accidental disturbance of any intact cultural deposits that were not identified on the project site. | <p><b>MM-CR-1</b><br/>An archeological monitor and a Luiseño Native American monitor shall be present during all earth moving and grading activities to assure that any potential cultural resources, including tribal, found during project grading be protected.</p> <p><b>MM CR-2</b><br/>Prior to beginning project construction, the Project Applicant shall retain a San Diego County qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to cultural resources evaluation, which shall include archaeological documentation, analysis and report generation and take into account tribal customs and traditions.</p> <p><b>MM-CR-3</b><br/>At least 30 days prior to beginning project construction, the Project Applicant/Landowner shall enter into a Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a Luiseño Tribe. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on site.</p> | <p>Monitoring of earthmoving and grading activities.</p> <p>Retention of an archaeological monitor to monitor ground disturbing activities.</p> <p>Development of a Cultural Resources Treatment and Monitoring Agreement.</p> | <p>During grading and earthmoving activity</p> <p>At least 30 days prior to grading the applicant shall execute a Cultural Resources and Treatment agreement with the</p> <p>At least 30 days prior to grading the applicant shall execute a Cultural Resources and Treatment agreement with the</p> | <p>Applicant, Archaeological Monitor, and Tribal Monitor</p> <p>Applicant</p> <p>Applicant and Pechanga Band</p> |

## 3.0 Response to Written Comments

| Impact | Mitigation Measure   | Action  | Timing                           | Responsibility |
|--------|--|---|----------------------------------|----------------|
|        | <p><b>MM-CR-4</b></p> <p>Prior to beginning project construction, the Project Archaeologist shall file a pre-grading report with the City to document the proposed methodology for grading activity observation, which will be determined in consultation with the contracted Luiseño Tribe referenced in MM-CR-3. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in MM-CR-3, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Luiseño Native American monitor in order to evaluate the significance of any archaeological resources discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities. The Luiseño Native American monitor shall be a participant in any pre-construction meetings that address archaeological issues.</p> | Filing of a pre-grading report with the City.   | Prior to project construction.   | Applicant      |
|        | <p><b>MM-CR-5</b></p> <p>The landowner shall relinquish ownership of all cultural resources collected during the grading monitoring program and, if appropriate, from any previous archaeological studies or excavations on the project site to the appropriate Tribe for proper treatment and disposition per the Cultural Resources Treatment and Monitoring Agreement referenced in MM-CR-3. Such treatment may include curation at a facility that meets the criteria contained in 36 C.F.R. Part 79, including those facilities operated and maintained by a <i>Luiseño</i> Tribe, or if requested by the appropriate Tribe, reburial on-site. All cultural materials that are deemed by the Tribe to be associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98.</p>  | Landowner shall relinquish any cultural resources found on the site to the appropriate Tribe. | At the time resources are found. | Applicant      |

## 3.0 Response to Written Comments

| Impact | Mitigation Measure  | Action   | Timing  | Responsibility |
|--------|---|--|---|----------------|
|        | <p><b>MM-CR-6</b><br/>All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.</p>  | Avoidance and preservation (if feasible) of sacred sites | At the time of encounter                            | Applicant      |
|        | <p><b>MM-CR-7</b><br/>If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field the location of the find shall be kept secure. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 hours. The NAHC must then immediately notify the “most likely descendant(s)” of the discovery. The most likely descendants(s) shall then make recommendations within 48 hours, and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.</p> | Halting of construction and contact NAHC.                | At the time human remains are encountered           | Applicant      |
|        | <p><b>MM-CR-8</b><br/>If inadvertent discoveries of subsurface archaeological/cultural resources, not including human remains or associated burial goods which is addressed in MM-CR-7, are discovered during grading, the Developer, the project archaeologist, and the Luiseño Tribe under agreement with the landowner described in MM-CR-3 shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist and the Tribe cannot agree on the significance of mitigation for such resources, these issues will</p>  | Halt construction and assess significance of resources.  | At the time inadvertent discoveries are encountered | Applicant      |

## 3.0 Response to Written Comments

| Impact       | Mitigation Measure  | Action   | Timing   | Responsibility |
|--------------|---|--|--|----------------|
|              | be presented to the Planning Director for decision. The Planning Director shall make a determination based upon the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Tribe. Notwithstanding any other rights available under law, the decision of the Planning Director shall be appealable to the Planning Commission and/or City Council.   |  |  |                |
|              | <b>MM-CR-9</b><br>Fill material brought onto the project site shall be clean of cultural resource material. The fill material shall be analyzed and confirmed by an archaeologist and/or Luiseño Native American monitor.   | Review of fill material brought onto the site shall be reviewed  | At the time the fill material is brought to the site.  | Applicant      |
| <b>NOISE</b> |   |  |  |                |
|              | <b>MM-N-1</b><br>A 4-foot high noise barrier shall be required at the patio/courtyard areas on select multi-family residences that face Mulberry Drive, as shown in <b>Figure 7</b> , Noise Barrier Location. Barriers could include walls, glass, plexi-glass or a combination of these materials to meet the required noise attenuation. Verification of the type of noise reduction barrier material shall be provided to the Planning Director for review and approval prior to grading permit issuance.                | Construction of noise attenuation features   | Prior to occupancy of homes that front Mulberry Drive. | Applicant      |
|              | <b>MM-N-2</b><br>A final noise assessment shall be prepared prior to the issuance of the first building permit. This final report would identify the interior noise requirements based upon architectural and building plans to meet the City's established interior noise limit of 45 dBA CNEL. (Interior noise levels of 45 dBA CNEL can easily be obtained with conventional building construction methods and providing a closed window condition requiring a means of mechanical ventilation (e.g., air conditioning). | Conduct final noise assessment and mitigate noise conditions to acceptable levels if an exceedance is identified | Prior to issuance of first building permit.            | Applicant      |

## 3.0 Response to Written Comments

**Table 4-2. Design Considerations for the Project**

|   |
|---|
| <b>Aesthetics</b>   |
| <ul style="list-style-type: none"><li>• Lighting plan to be revised and approved by the Planning Director.</li></ul>  |
| <b>Air Quality</b>  |
| <ul style="list-style-type: none"><li>• The project shall implement dust control measures. These measures include watering of active grading sites and unpaved roads a minimum of twice daily, replacement of ground cover as quickly as possible, reducing speeds on unpaved roads/surfaces to 15 miles per hour or less, and reducing dust during unloading and loading operations.</li><li>• Low-VOC coatings shall be used for all buildings, as required under SDAPCD Rule 67.0.</li></ul>   |
| <b>Geology and Soils</b>  |
| <p>The project applicant shall follow the recommendations within the Geotechnical Report prepared for the proposed project by GeoTek, Inc. dated June 27, 2013. Specific guidelines related to remedial grading and undocumented fill are listed below.</p> <ul style="list-style-type: none"><li>• Remedial Grading: Prior to placement of fill materials, the upper loose and compressible materials should be removed for structural site areas. Removal depths in areas of existing undocumented fill, alluvium, colluvium and weathered bedrock, if encountered, are estimated to be up to approximately 5 feet below existing grade across the site with localized areas in the western portion of the site estimated to be less than 5 feet. The western portion of the site is located in a cut area based on review of the preliminary grading plan; therefore, removal of unsuitable materials in this area will be accomplished by grading to the proposed profile. The lateral extent of removals beyond the outside edge of all settlement-sensitive structures/foundations should minimally be equivalent to that vertically removed. Depending on actual field conditions encountered during grading, locally deeper and/or shallower areas of removal may be necessary. At a minimum, building pads located in cut areas and the cut portion(s) of any transition building pad areas in site bedrock or natural material(s) should be overexcavated a minimum of 5 feet below finish pad grade or a minimum of 3 feet below the bottom of the deepest proposed footing, whichever is deeper. Overexcavations should extend a minimum of 5 feet outside the proposed building envelope(s). The intent of the recommended overexcavation is to support the improvements on engineered fill with relatively uniform engineering characteristics and decrease the potential for future differential settlement. The bottom of all removals should be scarified to a minimum depth of 6 inches, brought to at or above optimum moisture content, and then compacted to minimum project standards prior to fill placement. The remedial excavation bottoms should be observed by a GeoTek representative prior to scarification. The resultant voids from remedial grading/overexcavation should be filled with materials placed in accordance with Section 5.2.4 Engineered Fill of the Geotechnical report.</li><li>• Engineered Fill: Onsite materials are generally considered suitable for reuse as engineered fill provided they are free from vegetation, roots, and rock/concrete or hard lumps greater than 6 inches in maximum dimension. The earthwork contractor should have the proposed excavated materials to be used as engineered fill at this project approved by the soils engineer prior to placement. Engineered fill materials should be moisture conditioned to optimum moisture content or slightly above and compacted in horizontal lifts not exceeding</li></ul> |

## 3.0 Response to Written Comments

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|--|
| 8 inches in loose thickness to a minimum relative compaction of 90% as determined in accordance with laboratory test procedure ASTM D 1557. If fill is being placed on slopes steeper than 5:1 (h:v), the fill should be properly benched into the existing slopes and a sufficient size keyway shall be constructed in accordance with the recommendations of the soils engineer.   |
| <b>Hazards/Hazardous Materials</b> <ul style="list-style-type: none"><li>Debris piles on the project site (soil, concrete, metal pipes, drums, etc.) shall be collected and disposed from the target property in accordance with federal, state, and local regulations.</li><li>Implementation of the Fire Protection Plan for the project.</li></ul>  |
| <b>Hydrology/Water Quality</b> <ul style="list-style-type: none"><li>The project will be required to provide a design to mitigate water quality and HMP under the land development requirements deemed to be in effect of the Regional Stormwater permit R9 2013-0001 and the currently adopted Standard Urban Stormwater Mitigation Plan (SUSMP).</li><li>Mark all inlets with the words "No Dumping! Drains to Waterways" and "No Contaminate" in Spanish.</li><li>Landscaping has been designed to minimize irrigation and runoff and to minimize the use of fertilizers and pesticides that can contribute to storm water.</li><li>Sidewalks, parking lots and roads shall be swept regularly to prevent the accumulation of litter and debris. Debris from pressure washing will be collected to prevent entry into the storm drain system. Wash water containing any cleaning agents or degreaser shall be collected and discharged to the sanitary sewer and not discharged to a storm drain.</li><li>Trash container area to be screened or walled to prevent off-site transport of trash.</li><li>Provide roofs, awnings or attached lids on all trash containers to minimize direct precipitation and prevent rainfall from entering containers</li><li>Post signs on all dumpsters information residents that hazardous material are not to be disposed of therein</li><li>Implementation of all construction-related BMPs identified in the SWPPP.</li></ul> |
| <b>Noise</b> <ul style="list-style-type: none"><li>All construction equipment shall be properly fitted with mufflers.</li></ul>  |
| <b>Public Services – Fire</b> <ul style="list-style-type: none"><li>Roadways serving the project shall have a minimum improved paved width of 24 feet with an additional 8 feet to each side for parking. Any other roadway features such as cul-de-sacs and gates must meet the design criteria of the San Marcos Fire Department.</li><li>Any automatic gates are required to have a Knox rapid entry system and emergency vehicle strobe detector.</li><li>Fire hydrants with an adequate water supply must be installed at locations approved by the San Marcos Fire Department. Hydrant spacing shall be 300 feet apart for multi-family areas. For single-family areas, hydrants shall be spaced 600 feet apart.</li><li>Residential structures shall be outfitted with fire sprinklers per California Building Code 2010 edition and City Ordinance.</li></ul>  |

## 3.0 Response to Written Comments

### Utilities and Services Systems

- Upsize approximately 465 feet of an existing 6-inch diameter water main to an 8-inch diameter main in Mulberry Drive.
- Payment of Water Capital Facility Fees per Vallecitos Water District Ordinance No. 175.
- Payment of Wastewater Capital Facility Fees per Vallecitos Water District Ordinance No. 176.
- Payment of Wastewater Density Impact Fees per Vallecitos Water District Ordinance No. 177.