



City of Lemon Grove City Council Regular Meeting Agenda Tuesday, July 21, 2020, 6:00 p.m.

Virtual Meeting via Zoom platform

<https://www.zoom.us/home?zcid=2478>

Meeting Access # 619-825-3800

<https://us04web.zoom.us/j/6198253800>

City Council

Racquel Vasquez, Mayor
Jennifer Mendoza, Mayor Pro Tem
Jerry Jones, Councilmember
David Arambula, Councilmember
Yadira Altamirano, Councilmember

A public agenda packet is available for review on the [City's website](#)

Public Participation

In accordance with Executive Orders N-25-20, N-29-20 and N-35-20 paragraph 3, executed by the Governor of California on March 17, 2020, and as a response to mitigating the spread of Coronavirus known as COVID-19, the Regular Meeting of the City Council scheduled for Tuesday, July 21, 2020, at 6:00 p.m. will be a virtual meeting – audio only.

Below are the ways to participate. For any questions contact the City Clerk's Office at (619) 825-3800.

Members of the public are able to participate in the following ways:

1. Listen to audio live via zoom
2. Written Public Comment: Which will be accepted by email with the subject line PUBLIC COMMENT ITEM #____. Email to the City Clerk schapel@lemongrove.ca.gov prior to the meeting. The deadline for the public comment to be submitted is **Monday, July 20, 2020 at 5:00 p.m.** Any comment received after the deadline will not be read at the meeting, but will be maintained in the record.

Join the Meeting

Before joining a Zoom meeting on a computer or mobile device, you can download the Zoom app from the [Zoom Download Center](#). Otherwise, you will be prompted to download and install Zoom when you click a join link.

Prerequisites

- Each meeting has a Meeting Access ID and Password that will be required to join a Zoom meeting. #619-825-3800. If you have eNotification set-up it will be included on your email notification. If you have not yet set-up notifications for City meetings and events please go to the City website and [sign up](#).
- Meeting will be Audio only for all participants.

1. Open the Zoom desktop client
2. Join a meeting using one of these methods:
 - * Click Join a Meeting if you want to join in without signing in.
 - * Sign in to Zoom then click join.
3. Enter the Meeting ID number and your display name
4. If you're not signed in, enter a display name.

All audio will be muted upon entering.

The meeting audio will be available on the City website within 24 hours of the meeting.

Public Comment:

In accordance with Executive Orders N-25-20, N-29-20 and N-35-20 paragraph 3, executed by the Governor of California on March 17, 2020. Written Public Comment: Which will be accepted by email with the subject line PUBLIC COMMENT ITEM ____ . Email to the City Clerk schapel@lemongrove.ca.gov prior to the meeting. The deadline for the public comment to be submitted is Monday, July 20, 2020 at 5:00 p.m. Any comment received after the deadline will not be read but will be maintained in the record.

Process:

1. Email City Clerk your written comment. In the Subject Line of the email indicate whether comment is for Public Comment (item not on the agenda) or Agenda Item #.

Participants addressing the City Council by email are encouraged to provide the following information:

- a) Full Name;
- b) Contact Number;
- c) Address;
- d) Public Comment or Agenda Item No;
- e) Subject;
- f) Written Comments

2. Include Comment – Comment is limited up to three (3) minutes. Comment will be read by the City Clerk and timed and if comment extends longer than three (3) minutes it will be timed out.

If comment is received but there is no indication as to whether it is to be read under Public Comment or a specific agenda item, the comment will be retained in the record but not read at the meeting.

Currently public comment is only being accepted by email to be read by the City Clerk. City Clerk email address: schapel@lemongrove.ca.gov

**City of Lemon Grove
City Council Regular Meeting Agenda**

**Tuesday, July 21, 2020, 6:00 p.m.
Virtual Meeting via Zoom platform**

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency

Call to Order

Pledge of Allegiance:

Changes to the Agenda:

Public Comment:

(Note: In accordance with State Law, the general public may bring forward an item not scheduled on the agenda; however, the City Council may not take any action at this meeting. If appropriate, the item will be referred to staff or placed on a future agenda.)

Public comment will be read into the record by the City Clerk. Per Lemon Grove Municipal Code Section 2.14.150, each comment is allowed up to three (3) minutes.

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City.
(GC 53232.3 (d)) (53232.3.(d) states that members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.)

City Manager Report:

1. Consent Calendar:

(Note: The items listed on the Consent Calendar will be enacted in one motion unless removed from the Consent Calendar by Council, staff, or the public.)

A. Waive Full Text Reading of All Ordinances on the Agenda

Reference: Kristen Steinke, City Attorney

Recommendation: Waive the full text reading of all ordinances included in this agenda; Ordinances shall be introduced and adopted by title only.

B. City of Lemon Grove Payment Demands

Reference: Molly Brennan, Administrative Services Director

Recommendation: Ratify Demands

C. Approval of Meeting Minutes

July 7, 2020 Regular Meeting

Reference: Shelley Chapel, City Clerk

Recommendation: Approve Minutes

D. Second Extension of the Proclamation of an Existing Local Emergency (COVID-19)

Reference: Lydia Romero, City Manager

Recommendation: Adopt a Resolution entitled, "Resolution of the City of Lemon Grove, California, Extending the Proclamation of a Local Emergency (COVID-19) in the City of Lemon Grove."

Public Hearing:

2. Public Hearing to Consider Planned Development Permit Modification PDP-160-01M1 and Tentative Map Revision TM0-000-0063; A Request to Modify an Approved Planned Development and Subdivision for 13 Single-Family Homes at 1993 Dain Drive.

Reference: Noah Alvey, Community Development Manager

Recommendation: (1) Conduct the Public Hearing, (2) Receive Public Comment, (3) Adopt a Resolution entitled, "Resolution of the City Council of the City of Lemon Grove, California, Approving Revised Tentative Map TM0-000-0063 and Planned Development Permit Modification PDP-160-01M1, a Request to Modify Grading, Landscaping, Unit Types, and Accessory Structures for an Approved 13 Unit Single Family Residential Development at 1993 Dain Drive, Lemon Grove, California."

3. CARES ACT – CRF Small Business Grant Program

Reference: Lydia Romero, City Manager

Recommendation: Discuss and provide feedback to staff.

Adjournment

AFFIDAVIT OF NOTIFICATION AND POSTING

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS
CITY OF LEMON GROVE)

I, Shelley Chapel, MMC, City Clerk of the City of Lemon Grove, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the City Council of the City of Lemon Grove, California, was delivered and/or notice by email not less than 72 hours, before the hour of 6:00 p.m. on July 21, 2020, to the members of the governing agency, and caused the agenda to be posted on the City's website at www.lemongrove.ca.gov and at Lemon Grove City Hall, 3232 Main Street Lemon Grove, CA 91945.

/s/: Shelley Chapel
Shelley Chapel, MMC, City Clerk

In compliance with the Americans with Disabilities Act (ADA), the City of Lemon Grove will provide special accommodations for persons who require assistance to access, attend and/or participate in meetings of the City Council. If you require such assistance, please contact the City Clerk at (619) 825-3800 or email schapel@lemongrove.ca.gov. A full agenda packet is available for public review at City Hall



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.A

Meeting Date: July 21, 2020
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Kristen Steinke, City Attorney
Item Title: **Waive the Full Text Reading of all Ordinances**

Summary: Waive the full text reading of all ordinances included in this agenda. Ordinances shall be introduced and adopted by title only.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Fiscal Impact: None.

Public Notification: None.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.B

Meeting Date: July 21, 2020
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Molly Brennan, Administrative Services Director
<mailto:MBrennan@lemongrove.ca.gov>
Item Title: City of Lemon Grove Payment Demands

Recommended Action: Ratify Demands.

Environmental Review:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section [] | <input type="checkbox"/> Mitigated Negative Declaration |

Fiscal Impact: None.

Public Notification: None.

City of Lemon Grove Demands Summary

Approved as Submitted:

Molly Brennan, Administrative Services Director

For Council Meeting: 07/21/20

ACH/AP Checks 06/30/20-07/13/20

1,220,146.09

Payroll - 06/30/20

126,429.55

Total Demands

1,346,575.64

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Jun20	Wage Works	06/30/2020	FSA Reimbursement - Jun'20	7,638.07	7,638.07
ACH	FY19/20	California Public Empl Retirement System	07/01/2020	1959 Survivor Benefit FY 19/20	3,345.60	3,345.60
ACH	Jun20	Power Pay Biz/Evo	07/01/2020	Online Credit Card Processing - Jun'20	109.90	109.90
ACH	Jul20	Pers Health	07/02/2020	Pers Health Insurance - Jul'20	46,678.46	46,678.46
ACH	Jun30 20	Employment Development Department	07/02/2020	State Taxes 6/30/20	7,627.77	7,627.77
ACH	268654	Aflac	07/02/2020	AFLAC Insurance 07/01/20	1,684.42	1,684.42
ACH	Jun20	Authorize.Net	07/02/2020	Merchant Fees - Jun'20	28.75	28.75
ACH	Jun17-Jun30 20	Calpers Supplemental Income 457 Plan	07/03/2020	457 Plan 6/17/20-6/30/20	8,906.55	8,906.55
ACH	3568860625/0720	SDG&E	07/07/2020	Electric Usage:St Light 5/31/20-6/30/20	1,257.40	1,257.40
ACH	Jun30 20	US Treasury	07/07/2020	Federal Taxes 6/30/20	27,005.21	27,005.21
ACH	May20	San Diego County Sheriff's Department	07/08/2020	Law Enforcement Services - May'20	516,056.86	516,056.86
ACH	4154920380/0720	SDG&E	07/08/2020	Electric Usage:St Light 5/31/20-6/30/20	1,836.97	1,836.97
ACH	10745912	LEAF	07/08/2020	Ricoh C3502 Copier System-PW Yard - Jun'20	160.51	160.51
ACH	SpclCompFY20	California Public Empl Retirement System	07/10/2020	Calpers Special Comp Fire FY20	34,436.60	34,436.60
ACH	Jun20-CC Jun20-CC	Wells Fargo	07/10/2020	Credit Card Processing-Mo.Svc -Jun'20 Credit Card Transaction Fees- Jun'20	9.95 945.45	955.40
ACH	Jun20	Wells Fargo	07/13/2020	Bank Service Charge - Jun'20	305.00	305.00
13082	Jul-Dec 20	Adams Robert	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,136.58	1,136.58
13083	ACIP318	Alliant Insurance Services, Inc. - NPB Main	07/01/2020	Annual ACIP Crime Premium 7/1/20-6/30/21	1,800.00	1,800.00
13084	Jul-Dec 20	Anderson, Curtis	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13085	14900227	AT&T	07/01/2020	Phone Service 5/13/20-6/12/20	83.56	83.56
13086	Jul-Dec 20	Brackmann, Bruce	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,136.58	1,136.58
13087	Jul 2020	California Dental Network Inc.	07/01/2020	California Dental Insurance -Jul20	342.12	342.12
13088	PRIM01851-LP PRIM01851-WC	California Joint Powers Insurance Authority	07/01/2020	Liability Insurance Program 7/1/20-6/30/21 Workers' Compensation Insurance Program 7/1/20-6/30/21	207,800.00 120,200.00	328,000.00
13089	06302020	California State Disbursement Unit	07/01/2020	Wage Withholding Pay Period Ending 6/30/20	161.53	161.53
13090	137076	CDCE, Inc.	07/01/2020	IBR Routers/Cloud Renewal- 7/1/20-6/30/21	396.00	396.00
13091	Jul-Dec 20	Chamberlain, Dale	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13092	21982	City of La Mesa	07/01/2020	Household Hazardous Waste Event- 5/9/20	1,611.00	1,611.00
13093	Jun20	Colonial Life	07/01/2020	Colonial Optional Insurance -Jun20	328.76	328.76
13094	21400025	CSAC Excess Insurance Authority	07/01/2020	Employee Assistance Program - Jul-Sep 20	46,718.59	46,718.59
13095	Jul-Dec 20	Davisson, William	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13096	4/13/20-4/16/20 4/27/20-4/30/20	Esgil Corporation	07/01/2020	75% Building Fees- 4/13/20-4/16/20 75% Building Fees- 4/27/20-4/30/20	3,021.36 4,173.55	7,194.91
13097	11013	FailSafe Testing	07/01/2020	Ground Ladder Testing 6/23/20	456.40	456.40
13098	Jul-20	Fidelity Security Life Insurance Company	07/01/2020	Vision Insurance -Jul20	274.23	274.23
13099	Ghannam	Ghannam,Jennifer	07/01/2020	Reimbursement - Daycamp Supplies	77.47	77.47
13100	Jul-Dec 20	Harper, Raymond	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,136.58	1,136.58
13101	4/21/2020	Helix Water District	07/01/2020	Water Services- 4/21/20-6/16/20	26,183.70	26,183.70

13102	20-4799	I love a Clean San Diego	07/01/2020	ILACSD Recycling Educ Community Outreach Events thru 6/30/20	4,250.00	4,250.00
13103	Jun30 20	ICMA	07/01/2020	ICMA Deferred Compensation Pay Period Ending 6/30/20	780.77	780.77
13104	Jul-Dec 20	Laff, Timothy	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13105	ERCMembership21	Liebert Cassidy Whitmore	07/01/2020	ERC Membership/Subscription LE050-10000 7/1/20-6/30/21	900.00	900.00
13106	Jul-Dec 20	Maciejewski, Frank	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13107	Jul-Dec 20	Marcon, Romeo	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13108	Jul-Dec 20	McBride, Thomas	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13109	Jul-Dec 20	Mullins, Karl	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13110	Jul-Dec 20	Ott, Manie	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,136.58	1,136.58
13111	Jul-Dec 20	Ott, Mike	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13112	PER-2021-HEA	Personal Exposure Reporting	07/01/2020	Annual Personal Exposure Subscription - 7/1/20-6/30/21	190.00	190.00
13113	839845	PNC Equipment Finance, LLC	07/01/2020	New Engine Lease Payment - FY21	86,689.44	86,689.44
13114	2020-218	Quality Code Publishing LLC	07/01/2020	Internet Website Updating- LG Municipal Code 7/1/20-12/31/20	240.00	240.00
13115	1134-05162020	Redman Disputes & Investigations Group	07/01/2020	Legal Svcs: GHC0019886 thru 5/15/20	4,131.25	4,131.25
13116	Jul-Dec 20	Schmidtman, Warren	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13117	5/19/2020 5/19/2020 5/19/2020	SDG&E	07/01/2020	3225 Olive- 5/19/20-6/18/20 3500 1/2 Main- 5/19/20-6/18/20 3601 1/2 LGA-5/19/20-6/18/20	92.32 168.87 32.25	293.44
13118	Jul-Dec 20	Smith, Timothy	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13119	Jun 2 Jun 16 Jun 30	Southern CA Firefighters Benefit Trust	07/01/2020	LG Firefighters Benefit Trust 6/2/20 LG Firefighters Benefit Trust 6/16/20 LG Firefighters Benefit Trust 6/30/20	830.70 830.70 830.70	2,492.10
13120	FTB-00001873	State Controller	07/01/2020	FTB Charges- 2019 Offsets- 1/1/19-12/31/19	82.05	82.05
13121	10158526	Stryker Medical	07/01/2020	Heart Monitors/CPR Devices- Annual Maintenance 7/1/20-6/30/21	9,000.00	9,000.00
13122	Jul-Dec 20	Taff, Jon	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,200.00	1,200.00
13123	INV6059	Target Solutions Learning, LLC	07/01/2020	Online Learning & Record Mgmt System- 7/1/20-6/30/21	1,680.00	1,680.00
13124	CD-2020-104	Urban Futures Inc.	07/01/2020	Continuing Disclosure Svc: 2014, 2019A, 2019B Bonds	5,250.00	5,250.00
13125	Williams	Williams,Redell	07/01/2020	Refund/Williams, Redell/Rental- Gazebo BS#2 - 6/27/20 COVID-19	100.00	100.00
13126	Jul-Dec 20	Wright, Nancy	07/01/2020	Retiree Health Benefit - Jul'20-Dec'20	1,136.58	1,136.58
13127	13288	AdminSure	07/08/2020	Workers' Compensation Claims Administration - Jun'20	453.34	453.34
13128	2020-52 2020-59 2020-70	American Asphalt South, Inc.	07/08/2020	FY2019-20 St Rehab Proj/Contract #2020-10 thru 4/30/20 FY2019-20 St Rehab Proj/Contract #2020-10 thru 5/26/20 FY2019-20 St Rehab Proj/Contract #2020-10 thru 6/26/20	188,633.37 216,686.83 2,280.00	407,600.20
13129	192000364583 FY21	ASCAP	07/08/2020	Adjustment - Music License Fee - 1/1/20-6/30/20 FY20 Annual Music License Fee - 7/1/20-6/30/21 FY21	11.00 363.00	374.00
13130	10279L-IN 10280L-IN 10280L-IN	Aztec Landscaping Inc.	07/08/2020	Prune & Remove Overgrown Ficus Tree Vines/Senior Ctr - Overhead Weed Abatement & Remove Debris from Channel - 2787 Citronella Weed Abatement & Remove Debris from Channel - 7464 Mt Vernon	8,176.00 2,940.00 2,660.00	13,776.00
13131	5041467	Bearcom	07/08/2020	Portable Radios Monthly Contract 6/22/20-7/21/20	150.00	150.00
13132	Aug 2020	California Dental Network Inc.	07/08/2020	California Dental Insurance -Aug20	342.12	342.12
13133	137076	CDCE, Inc.	07/08/2020	IBR Routers/Cloud Renewal- 7/1/20-6/30/21	396.00	396.00
13134	2427-Apr 2427-Jun 2427-May ACSERV-Apr2020 ACSERV-Jun2020 ACSERV-May2020 ACSERV-May2020	City of Chula Vista	07/08/2020	Animal Control Services- Apr'20 Animal Control Services- Jun'20 Animal Control Services- May'20 After Hours Calls- Apr'20 After Hours Calls- Jun'20 After Hours Calls- May'20 Credits/Impound Fees/Animal Control Services- May'20	23,466.00 23,466.00 23,466.00 195.82 195.82 587.46 -300.00	71,077.10
13135	20CTOFLGN12	County of San Diego- RCS	07/08/2020	800 MHZ Network - Jun'20	2,736.00	2,736.00
13136	5186 5217 5254 5257 5258 5259 5260 5579	D- Max Engineering Inc.	07/08/2020	3515 Harris St MMD Stormwater Inspection 9/17/19-9/25/19 7508 Church St Stormwater Inspection 9/4/19-10/14/19 7508 Church St Stormwater Inspection 10/21/19-11/6/19 1993 Dain Dr Stormwater Inspection 10/1/19-10/31/19 6800 Mallard Ct Stormwater Inspection 10/1/19-10/31/19 Celsius Phase II Stormwater Inspection 10/1/19-10/31/19 Golden Doors Stormwater Inspection 10/1/19-10/31/19 7508 Church St Stormwater Inspection 3/4/20-4/27/20	232.50 815.50 998.00 250.48 227.48 1,079.68 30.48 1,489.50	5,123.62
13137	0520.02.5087	Dexter Wilson Engineering, Inc.	07/08/2020	FY20/21 Sewer Svc Charge Analysis for LG Sani District- May'20	5,775.00	5,775.00

13138	ES 198479/Miller	ES 198479 LLC	07/08/2020	Refund/Miller, Larry H/Cash Bond Deposit/Unused Cash Plan Ck6899	57,430.55	57,430.55
13139	5/18/20-5/21/20 5/26/20-5/28/20 5/4/20-5/7/20 6/15/20-6/18/20	Esgil Corporation	07/08/2020	75% Building Fees- 5/18/20-5/21/20 75% Building Fees- 5/26/20-5/28/20 75% Building Fees- 5/4/20-5/7/20 75% Building Fees- 6/15/20-6/18/20	29,284.01 3,481.55 2,913.44 4,160.94	39,839.94
13140	1493	G & G Backflow Plumbing Service	07/08/2020	Backflow Assembly - Repaired & Tested Backflows	2,911.91	2,911.91
13141	127968	Granicus	07/08/2020	Vision Live Subscription Annual Fee 6/27/20-6/26/21	8,710.00	8,710.00
13142	PS020048537	Hawthorne Machinery Co	07/08/2020	Equip Maint- CAT 420E Backhoe- Coolant	30.90	30.90
13143	Hughes	Hughes, Narvesha	07/08/2020	Refund/Hughes, Narvesha/Rental Sunflower Gazebo 7/4/20 COVID-19 Refund/Hughes, Narvesha/Jumper Permit 4/12/20 COVID-19	100.00 40.00	140.00
13144	12673 12674 12675 12676	Infrastructure Engineering Corporation	07/08/2020	Prof Svc: 1993 Dain Dr - Development Inspection 4/25/20-5/29/20 Prof Svc: 1913 Berry St - Development Inspection 4/25/20-5/29/20 Prof Svc: Mallard Ct - CM Services 4/25/20-5/29/20 Prof Svc: 8327 Mt Vernon - CM Services 4/25/20-5/29/20	592.00 518.00 740.00 148.00	1,998.00
13145	625627 629187	J.P. Cooke Company	07/08/2020	Dog License Tags Dog License Tag Packaging	237.38 91.46	328.84
13146	1624	Janazz, LLC SD	07/08/2020	IT Services- City Hall- Jun'20	2,500.00	2,500.00
13147	202006 202006	Lemon Grove Car Wash, Inc.	07/08/2020	Oil Change - LGPW#07 '14 Ford F550 - 6/29/20 Oil Change - LGPW#04 '08 Chevy Colorado - 6/29/20	61.09 50.39	111.48
13148	Luna	Luna, Karla		Refund/Luna, Karla/Rental - LBH- 4/18/20 COVID-19 Refund/Luna, Karla/Deposit - LBH- 4/18/20 COVID-19	1,250.00 300.00	1,550.00
13149	4863885 4863886	Mallory Safety and Supply, LLC	07/08/2020	Nitrile Gloves/Personal Protective Gear/PW - COVID-19 Black Nitrile Gloves/Personal Protective Gear/PW - COVID-19	40.52 269.38	309.90
13150	165955	MJC Construction	07/08/2020	CUPCCA #2020-11/ FY 2019-20 Concrete CIP Repair & Upgrades	29,385.00	29,385.00
13151	6/21/20	Purchase Power	07/08/2020	Postage for Packages 6/17/20	20.00	20.00
13152	CLGLGAT_202006	Rail Pros	07/08/2020	Prof Svc: LGA Timing Project thru 6/30/20	200.00	200.00
13153	INV00015784	RapidScale Inc.	07/08/2020	Virtual Hosting/Back Up Svc/Cloud Storage/Svr 6/30/20-7/30/20	4,175.78	4,175.78
13154	AR173363 AR173363	SD Association of Governments/SANDAG	07/08/2020	SanDAG Member Agency Assessments - FY'21 Criminal Justice Clearinghouse Assessments - FY'21	8,968.00 1,317.00	10,285.00
13155	AR-S242309	Signa Digital Solutions	07/08/2020	Ink for Plotter - COVID-19 Signs	72.19	72.19
13156	101014274-001	SiteOne Landscape Supply, LLC	07/08/2020	E-Z Reachers	226.20	226.20
13157	CLG-20	Smith Air Conditioning	07/08/2020	Service Call- AC Unit Repair/Sheriff Office	485.00	485.00
13158	2423	Spring Valley Lawn Mower Shop	07/08/2020	Repair Carburetor/Makita Blower - PW/Streets	165.01	165.01
13159	101384891-0001 102065267-0001 102117784-0001 102269246-0001 102314922-0001 102361965-0001 102470762-0001 102519115-0001 102564427-0001 102612446-0001 102713321-0001	Sunbelt Rentals Inc.	07/08/2020	Propane Gas Hedge Trimmer - PW/Streets Propane Propane Propane Propane Propane Propane Propane Propane Propane	17.72 33.30 15.13 7.54 11.31 16.44 15.09 17.54 13.58 11.69 14.86	174.20
13160	72611015 72611016 72615524 72619054 72619055 72623417 72626830 72626831	Vulcan Materials Company	07/08/2020	Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket Asphalt/SS1H 4.5 Gallon Bucket	197.40 200.31 202.25 150.85 149.88 203.22 200.31 198.37	1,502.59
					1,220,146.09	1,220,146.09



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.C

Meeting Date: July 21, 2020

Submitted to: Honorable Mayor and Members of the City Council

Department: City Manager's Office

Staff Contact: Shelley Chapel, City Clerk

Schapel@lemongrove.ca.gov

Item Title: **Approval of City Council Meeting Minutes**

Recommended Action: Approval of City Council Meeting Minutes.

Environmental Review:

☒ Not subject to review Negative

☐ Declaration

☐ Categorical Exemption, Section

☐ Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.

**MINUTES OF REGULAR MEETING
OF THE LEMON GROVE CITY COUNCIL
VIRTUAL MEETING VIA ZOOM**

TUESDAY, JULY 7, 2020

*The City Council also sits as the Lemon Grove Housing Authority,
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,
and Lemon Grove Successor Agency.*

Regular Meeting of the City Council of the City of Lemon Grove, California, took place virtually only pursuant to California Governor Executive Orders N-25-20, N-29-20 and N-35-20, and in the interest of public health and safety, we temporarily took actions to prevent and mitigate the spread and effects of the COVID-19 pandemic by holding City Council and other public meetings via virtual audio media only.

Call To Order:

Mayor Vasquez called the Regular Meeting to order at 6:03 p.m.

Present:

Mayor Racquel Vasquez, Mayor Pro Tem Jennifer Mendoza, Councilmember Yadira Altamirano, Councilmember David Arambula, and Councilmember Jerry Jones.

Absent: None.

Staff Members Present:

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Mike James, Assistant City Manager/Public Works Director, Molly Brennan, Administrative Services Director, Noah Alvey, Community Development Manager, Mike Rand, San Diego Sheriff's Lieutenant, Bent Koch, Division Chief, and Shelley Chapel, City Clerk.

Pledge of Allegiance was led by Mayor Pro Tem Mendoza.

Public Comment was read into the Record by City Clerk, Chapel: None received.

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City

Councilmember Jones attended the following meetings and events:

- Virtual Sheriff's Department and Contract Cities with Sheriff Gore

Councilmember Altamirano attended the following meetings and events:

- Cox Communications Government Affairs Representative
- Helix Water Board of Directors Meeting
- East County Economic Development Meeting

Mayor Pro Tem Mendoza attended the following meetings and events:

- SANDAG Transportation Meeting

Mayor Vasquez attended the following meetings and events:

- CAL OES Meeting
- Weekly COVID Meeting to Update Mayors - Meeting Hosted by San Diego County
- SANDAG Board of Directors Meeting
- Food Distribution Events
- Virtual Sheriff's Department and Contract Cities with Sheriff Gore

City Manager's Report:

City Manager Romero provided an update on COVID restrictions and remind everyone that Concerts in the Park has been cancelled. The County of San Diego has been put back on the Governors orders restaurants need to close again to indoor service and indoor activities including bars. There is a food distribution paid for by CARE Act Grant for Lemon Grove residents. Day Camp is open with space available. City Manager and Assistant City Managers were also on the call with the other cities.

Consent Calendar:

- 1.A Waive Full Text Reading of All Ordinances on the Agenda.
- 1.B Ratification of Payment of Demands
- 1.C Approved City Council Meeting Minutes for Virtual Regular Meeting of June 16, 2020
- 1.D Note and File Planning Commission Meeting Minutes for Virtual Regular Meeting of June 22, 2020.
- 1.E Adoption of Resolution No. 2020-3743 entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Accepting the Amendment to the Conflict of Interest Code."
- 1.F Rejection of Claim - Wight

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to approve Consent Calendar Items 1.A-1.F.

The motion passed by the following vote:

Ayes: Vasquez, Mendoza, Altamirano, Arambula, Jones

Noes: None.

Reports to Council:

- 2. Presidential General Election, Tuesday, November 3, 2020

Mayor Vasquez introduced Shelley Chapel, City Clerk who gave the report and PowerPoint Presentation.

No Public Comment Received.

Action: It was moved by Councilmember Altamirano, seconded by Councilmember Jones to Adopt Resolution No. 2020-3744 entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Calling for the Holding of a General Municipal Election to be held on Tuesday, November 3, 2020, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities and Electing to Determine the Votes by Lot."

The motion passed by the following vote:

Ayes: Vasquez, Mendoza, Altamirano, Arambula, Jones

Noes: None.

Action: It was moved by Councilmember Arambula, and seconded by Councilmember Jones to Adopt Resolution No. 2020-3745, entitled, "Adopt a Resolution entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Requesting the San Diego County Board of Supervisors Authorize the San Diego County Registrar of Voters to Consolidate a General Municipal Election to be held on November 3, 2020, with the Presidential General Election to be held on the date pursuant to Section 10403 of the Elections Code, and to Render Specified Services Related to a General Municipal Election in the City of Lemon Grove."

The motion passed by the following vote:

Ayes: Vasquez, Mendoza, Altamirano, Arambula, Jones

Noes: None.

Action: It was moved by Councilmember Jones, and seconded by Mayor Pro Tem Mendoza to Adopt Resolution No. 2020-3746, entitled, “A Resolution of the City Council of the City of Lemon Grove, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to be held on Tuesday, November 3, 2020.”

The motion passed by the following vote:

Ayes: Vasquez, Mendoza, Altamirano, Arambula, Jones

Noes: None.

3. Award a Professional Services Agreement for Engineering Services to Chen Ryan Associates, Incorporated.

Mayor Vasquez introduced Mike James, Assistant City Manager / Public Works Director who gave the report and PowerPoint Presentation.

No Public Comment Received.

Action: It was moved by Councilmember Arambula, and seconded by Councilmember Jones to Adopt Resolution No. 2020-3747 entitled, “A Resolution of the City Council of the City of Lemon Grove, California, Awarding A Professional Services Agreement for Engineering Services to Chen Ryan Associates, Incorporated.”

The motion passed by the following vote:

Ayes: Vasquez, Mendoza, Altamirano, Arambula, Jones

Noes: None.

4. **Community Development Block Grant Allocation for Fiscal Years 2020-2021**

Mayor Vasquez introduced Mike James, Assistant City Manager / Public Works Director who gave the report and PowerPoint Presentation.

No Public Comment Received.

Action: It was moved by Mayor Pro Tem Mendoza, and seconded by Councilmember Altamirano to Adopt Resolution No. 2020-3748, entitled, “A Resolution of the City Council of the City of Lemon Grove, California, Authorizing the Submission of a Revised Application for the Community Development Block Grant Program for the Fiscal Years 2020-21.”

The motion passed by the following roll call vote:

Ayes: Vasquez, Mendoza, Arambula, Altamirano

Noes: Jones

5. **CARES ACT – CRF Grant Acceptance and Allocation Plan**

Mayor Vasquez introduced Lydia Romero City Manager who gave the report and PowerPoint Presentation.

No Public Comment Received.

Action: It was moved by Councilmember Altamirano, and seconded by Councilmember Jones to Adopt Resolution No. 2020-3749, entitled, “Resolution of the City Council of the City of Lemon Grove, California, Accepting a Sub-Grant

Allocation from the County of San Diego Providing Funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Fund (CRF) and Approving the Expenditure Plan.”

The motion passed by the following roll call vote:

Ayes: Vasquez, Mendoza, Arambula, Altamirano, Jones

Noes: None.

6. Proposed Cannabis Business Gross Receipts Tax

Mayor Vasquez introduced Kristen Steinke, City Attorney and Lydia Romero City Manager who gave the report and PowerPoint Presentation.

No Public Comment Received.

Action: It was moved by Councilmember Jones, and seconded by Councilmember Altamirano to Adopt Resolution No. 2020-3750, entitled, “Adopt Resolution submitting to the voters a ballot measure to repeal Section 5.04.220(D) and adding Chapter 5.46 to Title 5 to modernize and establish a new cannabis business tax which includes industrial hemp and hemp products. Adding the measure to the ballot being submitted to qualified electors of the City of Lemon Grove at the Presidential General Election to be held on Tuesday, November 3, 2020, as called by Resolution No. 2020-3744, as adopted by the City Council early at this same meeting dated July 7, 2020.”

The motion passed by the following roll call vote:

Ayes: Vasquez, Mendoza, Arambula, Altamirano, Jones

Noes: None.

City Attorney Steinke convened the meeting into Closed Session at 8:42 p.m. Closed Session was conducted via Closed Session Room separate from the “Virtual Meeting.” The Audio Recording for the Meeting was paused at that time.

Closed Session:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code § 54956.9(a)
Name of Case: Citrus St Partners, LLC vs City of Lemon Grove
San Diego Superior Court - Case No.: 37-2019-00064690-CU-MC-CTL
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section 54956.9b
Number of potential cases: 1

The meeting was reconvened into Open Session at 9:26 p.m., the City Attorney Steinke reported there was no action taken in Closed Session.

Adjournment:

There being no further business to come before the Council, the meeting was adjourned at 9:26 p.m. to a meeting to be held Tuesday, July 21, 2020, as a Virtual Meeting, for a Regular City Council Meeting.

Shelley Chapel, MMC
City Clerk



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.D

Meeting Date: July 21, 2020

Submitted to: Honorable Mayor and Members of the City Council

Department: City Manager's Office

Staff Contact: Lydia Romero, City Manager

Item Title: **Second Extension of the Proclamation of an Existing Local
Emergency (COVID-19)**

Recommended Action: Adopt a Resolution Approving the Second Extension of the Proclamation of an Existing Local Emergency due to COVID-19.

Summary: On March 24, 2020, a proclamation was signed by the Director of Emergency Services for the City of Lemon Grove related to the COVID-19 pandemic. On March 31, 2020, the City Council adopted Resolution No. 2020-3710 proclaiming the Existence of a Local Emergency (COVID-19) in the City of Lemon Grove. On May 19, 2020 the City Council adopted Resolution No. 2020-3725, extending the proclamation of the Existence of a Local Emergency (COVID-19) in the City of Lemon Grove. Under state law the elected body must extend the declaration of the stated emergency within 60 days of its adoption. Thus, an additional extension of the declaration of a state of emergency due to the COVID-19 pandemic must be adopted if the emergency still exists. In this case, the emergency still exists and, thus, an extension should be adopted.

Environmental Review:

- ☒ Not subject to review ☐ Negative Declaration
☐ Categorical Exemption, Section | | ☐ Mitigated Negative Declaration

Staff Recommendation: Adopt a resolution continuing the proclamation of a Local Emergency Authorizing the City Manager to take necessary actions to protect the public welfare of the City from the serious and imminent threat of Coronavirus (COVID-19).

Attachments: Attachment A – Resolution

RESOLUTION NO. 2020-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE,
CALIFORNIA EXTENDING THE PROCLAMATION OF A LOCAL
EMERGENCY (COVID-19) IN THE CITY OF LEMON GROVE**

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency in the State of California as a result of the threat of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the novel coronavirus (COVID-19) pandemic; and

WHEREAS, on March 24, 2020, the Emergency Services Director of the City of Lemon Grove signed a Proclamation declaring an emergency in the City of Lemon Grove related to the COVID-19 pandemic;

WHEREAS, on March 31, 2020, the City Council of the City of Lemon Grove adopted Resolution No. 2020-3710 proclaiming the Existence of a Local Emergency (COVID-19) in the City of Lemon Grove;

WHEREAS, on May 19, 2020, the City Council of the City of Lemon Grove adopted Resolution No. 2020-3725 extending the proclamation of the Existence of a Local Emergency (COVID-19) in the City of Lemon Grove;

WHEREAS, the conditions brought upon the City by the COVID-19 pandemic are or are likely to continue to be beyond the control of the services, personnel, equipment and facilities of the City of Lemon Grove; and

WHEREAS, this emergency proclamation extends the proclamation of the emergency declared by the Lemon Grove City Council pursuant to Government Code section 8360.

NOW, THEREFORE, the City Council of the City of Lemon Grove, California hereby ratifies the attached emergency proclamation for the City of Lemon Grove related to the COVID-19 pandemic.

PASSED AND ADOPTED on July 21, 2020, the City Council of the City of Lemon Grove, California, adopted Resolution No. 2020-_____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest: Shelley Chapel, MMC, City Clerk

Approved as to Form: Kristen Steinke, City Attorney



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 2

Meeting Date: July 21, 2020

Submitted to: Honorable Mayor and Members of the City Council

Department: Community Development Department

Staff Contact: Noah Alvey, Community Development Manager

nalvey@lemongrove.ca.gov

Item Title: **Public Hearing to Consider Planned Development Permit Modification PDP-160-01M1 and Tentative Map Revision TMO-000-0063; A Request to Modify an Approved Planned Development and Subdivision for 13 single family homes at 1993 Dain Drive.**

Recommended Action:

- 1) Conduct the public hearing;
- 2) Receive public comment; and
- 3) Adopt the Resolution (**Attachment A**) recommended by the Planning Commission conditionally approving Planned Development Permit Modification PDP-160-01M1 and Tentative Map Revision TM-000-0063 which modifies City Council Resolutions 2017-3499 and Resolution 2017-3500.

Summary: On April 4, 2017, the City Council adopted Resolutions 2017-3499 and 2017-3500 thus approving Planned Development Permit PDP-160-0001 and Tentative Map TMO-000-0063 which authorized Dessert Springs, LLC to construct a common interest development consisting of 13 single family homes, a private park, private street, and public park along Ildica Street. On March 7, 2019, the developer, submitted an application to modify the Planned Development Permit and revise the Tentative Map to permit changes to landscaping, grading, and unit types. On June 22, 2020, the Lemon Grove Planning Commission held a duly noticed public hearing and recommended City Council conditionally approve the application subject to a supplemental on-going condition requiring maintenance of drainage features and elimination of any nuisance cross lot drainage.

Discussion:

This discussion provides a brief description of the subject application and regulatory framework. Please reference the attached Planning Commission Staff Report (**Attachment F**) for further detail.

Grading and Earthworks

The conceptual grading included in the revised Tentative Map achieves the same pad elevations as the approved grading plans. The primary grading change is the elimination of retaining walls on slopes, which will reduce the building pad areas in the back yards of Lots 5 and 6, as well as the Lot B common area. The application proposes to construct a deck over portions of the new slope where the building pads were reduced, essentially maintaining the size of the previously approved back yards and common area. While the Zoning Ordinance does not permit the inclusion of such a deck in open space calculations, further Planned Development Permit deviations are not required as the proposed grading remains consistent with the open space deviation granted in Resolution 2017-3500 permitting seven (7) lots with substandard open space ranging between 1,500 and 1,200 square feet per lot.

Another key change in the application relates to the location of the retaining wall along the southeasterly property line. The subject application proposes construction of the retaining wall further to the west to create a two-part slope and, rather than a brow ditch at the top of the wall, relies on a rock lined swale at the bottom of the slope along the property line for conveyance of drainage flows. An analysis by the project Geotechnical Engineer states that groundwater infiltration is limited by soil conditions and that any groundwater flows will likely mirror surface contours. The Drainage Study prepared by the project Civil Engineer and reviewed by the Engineering Division further demonstrates that the swale is sufficient to accommodate drainage flows with the appropriate safety factor. The draft Resolution, which incorporates the Planning Commission's supplemental condition, explicitly requires the Homeowner's Association (HOA) to maintain drainage features and eliminate nuisance cross-lot drainage.

Structures

The deck across Lots B, 5, and 6 is proposed as a single continuous composite structure which includes noise attenuating glass view walls rather than railings. The deck, as measured from grade to the top of the view sound wall, is approximately 17 feet which exceeds both the RLM zone 15 foot accessory structure height limit and the six (6) foot height limit for fencing. The proposed deck similarly exceeds Section 17.24.050(C)(2) setback encroachment allowances as it extends to the rear lot line at Lot 5 and extends across side lot lines at Lots B, 5 and 6. The draft resolution includes a Planned Development Permit deviation to permit the proposed design but will require the HOA to maintain the proposed deck as well as the slopes, landscaping and irrigation beneath it, to ensure that it will be available as usable space for the life of the project.

The approved project includes two different two-story residence floor plans with A and B options, which differ in roofing materials and architectural elements, and two colors for each option. Floor Plan One is 2,565 square feet, with four bedrooms and four bathrooms while Floor Plan Two is 2,952 square feet with four bedrooms plus a loft area and three-and-one-half bathrooms. Both plans feature a two car garage. While the approved project assigned Floor Plan Two to Lots 3, 6, 7, 10, and 13, the subject application instead proposes Floor Plan One variants at Lots 3, 10, and 13.

Landscape

The subject application also includes embedded cobble and rock fragments on the north and east facing fill slopes. The application includes a letter from the Geotechnical engineer attesting to the surficial stability of the rock faced slopes provided they are appropriately landscaped and routinely maintained. Crushed rock is permitted as ground cover per Section 17.24.050(B)(4) of the Zoning Ordinance. The draft Resolution includes a condition requiring the applicant to revise project landscape plans to incorporate low water-use landscape and irrigation in compliance with the City's Water Efficient Landscape Regulations and maintain the slopes, landscape, and irrigation to ensure surficial stability of these rock slopes.

Conclusion:

The proposed modifications to the project do not change the function of the original project. Therefore, staff recommends that the original findings required by Section 17.28.030 be reaffirmed to approve the Planned Development Permit Modification and Revised Tentative Map subject to the conditions in the Resolution of Approval.

Environmental Review:

The City Council certified Mitigated Negative Declaration (MND) of Environmental Impact ND 17-01 in Resolution 2017-3499 on April 4, 2017 with approval of Tentative Map TMO-000-0063. The MND was filed in the Office of the County Clerk on April 14, 2017 and identified mitigated impacts for Cultural Resources, Geology and Soils, Noise, and Mandatory Findings of Significance. The proposed project modifications are consistent with and substantially conform to the certified Mitigated Negative Declaration of Environmental Impact ND 17-01.

Fiscal Impact:

No fiscal impact.

Public Notification: The Notice of Public Hearing for this item was published in the East County Californian and mailed to all property owners on July 10, 2020. Staff verified the presence of the public notice sign required by Municipal Code Section 17.28.020(F)(2) on June 11, 2020. The City of Lemon Grove did not receive any comments in response to

the Notice of Public Hearing. Staff will provide the City Council with any comments received after publication of this report.

Staff Recommendation:

- 1) Conduct the public hearing;
- 2) Receive public comment; and
- 3) Adopt the Resolution (**Attachment A**) recommended by the Planning Commission conditionally approving Planned Development Permit Modification PDP-160-01M1 and Tentative Map Revision TM-000-0063 which modifies City Council Resolutions 2017-3499 and Resolution 2017-3500.

Attachments:

Attachment A – Draft Resolution

Attachment B – GeoSoils, Inc. Letter Dated April 20, 2020

Attachment C – GeoSoils, Inc. Letter Dated May 20, 2019

Attachment D – Proposed Deck Rendering

Attachment E – Planning Commission Resolution 2020-03

Attachment F – Planning Commission Staff Report

Attachment G – Approved PDP-160-0001 Floor Plans

Attachment H – Exhibit A – Revised TMO-000-063 PDP-160-01M1 Plans

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, APPROVING REVISED TENTATIVE MAP TMO-000-0063 AND PLANNED DEVELOPMENT PERMIT MODIFICATION PDP-160-01M1, A REQUEST TO MODIFY GRADING, LANDSCAPING, UNIT TYPES, AND ACCESSORY STRUCTURES FOR AN APPROVED 13 UNIT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AT 1993 DAIN DRIVE, LEMON GROVE, CALIFORNIA.

***WHEREAS**, the applicant, Dessert Springs, LLC, filed a complete application for on May 7, 2020; and*

***WHEREAS**, the application is a request to modify Planned Development Permit PDP-160-0001 and revise Tentative Map TMO-000-0063; and*

***WHEREAS**, on April 4, 2017, the City Council approved Planned Development Permit PDP-160-0001 and Tentative Map TMO-000-0063 authorizing a subdivision and planned development consisting of 13 single family residences, private street, private park, and public park along Ildica Street; and*

***WHEREAS**, the City Council also certified Mitigated Negative Declaration (MND) of Environmental Impact 17-01, which found that the project would have no significant effect on the environment as mitigated, with approval of Planned Development Permit PDP-160-0001 and Tentative Map TMO-000-0063; and*

***WHEREAS**, the application for revised Tentative Map is necessary only to accommodate changes to the conceptual grading shown on the approved Tentative Map; and*

***WHEREAS**, on June 22, 2020, the Planning Commission held a duly noticed public hearing to consider Planned Development Permit Modification PDP-160-01M1 and Revised Tentative Map TMO-000-0063 and resolved to recommend City Council conditionally approve the application subject to a supplemental condition requiring maintenance of drainage features and elimination of any nuisance cross lot drainage upon use in reliance; and*

***WHEREAS**, the City Council has determined that the additional deviations, waivers, or modifications that follow which are requested pursuant to Section 17.28.030(D) of the Planned Development Permit regulations are adequately offset by*

the provision of private and public park spaces, view sound wall at Lot 7, and private residential decks with view sound walls at Lots 5 and 6 as equivalent benefits; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California, hereby:

SECTION 1. *Finds and determines that the facts set forth in the recital of this Resolution are true; and*

SECTION 2. *Finds and affirms that the findings of fact, certifications, waivers, and modifications and conditions of approval of City Council Resolution No. 2017-3499 for Tentative Map TMO-000-0063 and City Council Resolution No. 2017-3500 for Planned Development Permit PDP-160-0001 remain except as modified herein; and*

SECTION 3. *Waives or modifies the following Development Standards in accordance with Municipal Code Section 17.28.030(D) to permit:*

1. *A deck to replace portions of building pads at Lots B, 5, and 6, at substantially the same height and location as the approved pads, but exceeding the height limit for a deck with fencing stated in Sections 17.16.020(E)(4)(b) and 17.24.050(J)(8) and extending through required side and rear yard encroachment limits outlined in Section 17.24.030(C)(2).*

SECTION 4. *Approves Tentative Map Revision TMO-000-0063 and Planned Development Permit Modification PDP-160-01M1 and the plans dated June 10, 2020 incorporated herein by reference as Exhibit A, subject to all findings of fact, certifications, waivers and modifications and conditions of approval in City Council Resolution No. 2017-3499 and 2017-3500 and the following supplemental conditions:*

A. Prior to issuance of a building permit:

1. *Record an agreement, covenant, easement, or similar instrument(s) guaranteeing Homeowner's Association (HOA) access and maintenance of the slopes, slope landscape and irrigation, and decks over slopes, situated outside of the recorded HOA access easement on lots 5, 6, for the life of the project. Said document shall be reviewed and approved by the Community Development Department prior to recordation.*

2. *Submit a Grading and Improvement construction plan change in conformance with Exhibit A to the Engineering Department for review and approval. All applicable notes from the GeoSoils Inc. letter entitled "Geotechnical Review of Surficial Slope Stability, Existing Graded Fill Slopes, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California, 91945, TM-000-0063" dated May 20, 2019 . Three (3) feet of clearance shall be provided around fire hydrants. Plans shall also demonstrate positive drainage of the rock lined swale to the natural drainage channel at the northeast corner of the property.*
 3. *Revise project Landscape Plans as necessary to reflect Exhibit A. Said Landscape Revision shall show plantings along rock covered slopes that are consistent with the letter from GeoSoils Inc. entitled "Geotechnical Review of Surficial Slope Stability, Existing Graded Fill Slopes, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California, 91945, TM-000-0063" dated May 20, 2019 and the landscape architect shall also certify consistency of plantings with a written statement in the plans. The proposed landscape revision shall comply with Section 17.24.050 and Chapter 18.44 of the Municipal Code and all plantings shall be accurately rated per the Water Use Classification of Landscape Species. Fences within the front yard areas of the private street lot, Lot 1, and Lot 13, shall be limited to 42" in height and any fences required for purposes of noise attenuation, shall be provided with construction details that conform to the August 16, 2016 acoustical analysis. Three (3) feet of clearance shall also be provided around project fire hydrants.*
- B. Prior to Grading Permit Final Approval:*
1. *Construction of project drainage features which are designed to protect adjacent private property shall be expedited to the maximum extent practicable.*
 2. *The following shall be identified as HOA maintenance responsibilities and included in the Operation and Maintenance Program (OMP) in the project Covenants, Conditions, and Restrictions (CC&Rs). Funding for these maintenance activities must be included in the annual HOA budget with the OMP.*

- i. *Rock slope maintenance, including the rodent control program as described in the GeoSoils Inc. letter regarding surficial slope stability dated May 20, 2019.*
- ii. *Maintenance of slopes and appurtenant landscape and irrigation, situated outside of the recorded HOA access easement.*
- iii. *Maintenance of private decks over slopes on Lot 5, Lot 6, and wherever else it may occur.*

C. Prior to occupancy:

1. *Building Permits must be obtained and inspected for all accessory structures to be maintained by the Homeowners Association which are not exempt from California Building Code requirements, including but not necessarily limited to, the proposed pool and decks. Decks and attached view walls shall conform to the recommendations of the Noise Study and any addenda. The project geotechnical engineer shall also provide design recommendations for the decks, pools, and patio cover founded in constructed slopes unless otherwise determined by the City Engineer.*

D. Upon Establishment of use in reliance:

1. *Three (3) feet of clearance shall be maintained around fire hydrants.*
2. *Over-irrigation and/or watering of rock slopes as evidenced by staining or molding shall be eliminated.*
3. *Drainage structures shall be maintained and nuisance drainage conditions impacting surrounding properties shall be eliminated.*

E. The terms and conditions of this Revised Tentative Map and Planned Development Permit Modification shall be binding upon the permittee and all persons, firms, and corporations having an interest in the subject property and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies and districts.

PASSED AND ADOPTED on _____, 2020, the City Council of the City of Lemon Grove, California, adopted Resolution No. _____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Shelley Chapel, MMC, City Clerk

Approved as to Form:

Kristen Steinke, City Attorney



Geotechnical • Geologic • Coastal • Environmental

5741 Palmer Way • Carlsbad, California 92010 • (760) 438-3155 • FAX (760) 931-0915 • www.geosoilsinc.com

April 20, 2020

W.O. 7062-B-SC

Mr. Noah Alvey, AICP
3232 Main Street
Lemon Grove, CA 91945-1705

Subject: Limited Geotechnical Evaluation, Onsite Infiltration Potential Assessment of Impact on Offsite Sorensen Property East of Grove Hill Court, TM0-000-0063 (1993 Dain Drive), Lemon Grove, California

References: 1. "Compaction Report of Grading, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California 91945," TM0-000-0063, W.O. 7062-B-SC, dated June 4, 2019, by GeoSoils, Inc.

2. "Grading Plans for: 1993 Dain Drive, TM0-000-0063, Grove Hill Court," sheet 4, W.O. 5011, printed February 6, 2018, by Walsh Engineering & Surveying, Inc.

Dear Mr. Alvey:

In accordance with your request, GeoSoils, Inc. (GSI) is providing this summary letter regarding our evaluation of the potential adjoining offsite impacts of storm water originating onsite, owing to potential infiltration. The scope of our services has included a review of email and photographs provided by you, a review of the compaction report of grading for the planned Grove Hill Court residential tract, a review of the grading plans for the subject site, geologic and engineering analyses, and preparation of this summary report. Unless specifically superceded herein, the conclusions and recommendations contained in the referenced GSI report remain pertinent and applicable.

SITE CONDITIONS SUPERJACENT TO SORENSON PROPERTY

A review of the grading plans and compaction report (see references no. 1 and 2), indicates that the subject site (Grove Hill Court), is partially located atop an east-southeast descending cut slope, that drops to an elevation of about 324 feet Mean Sea Level, or less, on the Sorensen property. The cut slope appears to have been constructed to develop a pad area, at its toe, for the Sorensen residence and pool. The existing cut slope ranges from about 3:1 (h:v), and flatter, to locally nearly vertical. The face of the cut slope is covered with relatively loose clayey residuum/colluvium (topsoil), and locally exposes small areas of relatively fresh, dense metavolcanic rock, and appears sparsely to moderately vegetated. The top of the cut slope appears mostly natural, as evidenced by contour lines

that descend to the northeast, not east or southeast, at a gradient of about 8:1 (h:v), or flatter, and generally parallel the pre-grading/existing topography that is shown on the grading plan underlying the Grove Hill Court property. The tract property line transects this natural area, trending to the northeast. It is important to note that grades at the top of the existing cut slope trend northeast (not east or southeast), which surface water migrating from Grove Hill Court would follow, down-gradient, to the northeast. This condition existed even prior to the construction of the Grove Hill Court subdivision.

BACKGROUND

The graded Grove Hill Court development was recently graded (see reference no. 1), and is underlain by hard/dense volcanic bedrock, and surficial soils consisting of locally-derived, engineered, rocky fills, and existing clayey topsoil (colluvium), where undisturbed. The Sorensen property is located east-southeast of the northeast extent of the Grove Hill Court project. A side-hill keyway, and benching during hillside grading, were performed superjacent the Sorensen property, for fill placement and compaction, and to achieve the design grades on the Grove Hill Court property. Site soils are classified as Hydrologic Soils Group (HSG) "D," Diablo-Urban Land Complex, per the USDA/NRCS, and are underlain by hardpan (volcanic bedrock). This soil is not conducive to significant infiltration, but has a very high surface runoff potential/class. Fill soils derived from this soil have similar properties (low transmissivity, high surface runoff). In addition, groundwater was not encountered during the preliminary geotechnical subsurface investigation of the Grove Hill Court site, nor during grading.

DISCUSSION AND CONCLUSIONS

Typically only about 10% of overland flow is available for groundwater infiltration or recharge, and on sloping terrain, such as the Grove Hill Court project and existing Sorensen cut slope, would be much less. Accordingly, most, if not all, of the ponded water affecting the Sorensen property is runoff. Further, most, if not all, of the runoff on the Sorensen property is from the existing cut slope, and not the Grove Hill Court project. We note that surface drainage falls under the purview of the project design civil engineer.

We also point out that even if the observed ponded water were a result of perched groundwater conditions, originating offsite and from up-gradient infiltration and recharge, owing to the geometry and shallow bedrock conditions, this issue would exist independent of whether or not the new subdivision was built or not. Up-gradient groundwater, if present, would have a regional and pervasive contribution, and would not be derived solely from adjoining properties. The direction of up-gradient groundwater has not been determined. However, based on our experience, groundwater flow direction in the subsurface generally mimics the surface topography. Thus, the groundwater flow direction in the study area is likely to the north-northeast.

Qasim
Grove Hill Court, Lemon Grove
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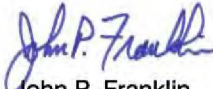
GeoSoils, Inc.

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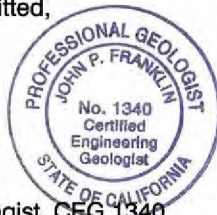
If you have any questions or comments regarding this letter, please do not hesitate to contact the undersigned.

Respectfully submitted,

GeoSoils, Inc.


John P. Franklin

Engineering Geologist, CEG 1340




David W. Skelly

Civil Engineer, RCE 47857




Ryan B. Boehmer

Project Geologist

RB/JPF/DWS/jh

Distribution: (1) Addressee (email and US Mail)
(1) Mr. Sameer Qasim (email)
(1) Walsh Engineering & Surveying, Inc. - Mr. Larry Walsh (email)

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Grove Hill Court, Lemon Grove
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GeoSoils, Inc.

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5741 Palmer Way • Carlsbad, California 92010 • (760) 438-3155 • FAX (760) 931-0915 • www.geosoilsinc.com

May 20, 2019

CITY OF LEMON GROVE

W.O. 7062-B-SC

Mr. Sameer Qasim566 Brighthaven Avenue
El Cajon, California 92019

DEVELOPMENT SERVICES

Subject: Geotechnical Review of Surficial Slope Stability, Existing Graded Fill Slopes, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California 91945, TM0-000-0063

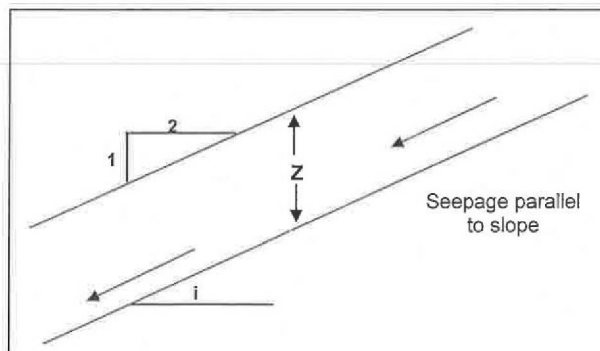
Dear Mr. Qasim:

In accordance with the request of the City of Lemon Grove and your authorization, GeoSoils, Inc. (GSI) is providing the following geotechnical review summary pertaining to the surficial stability of the existing graded fill slopes, which have been mantled with rock fragments, during rough grading to dispose of excess oversized fill materials. The scope of our services has included a review of the field density tests performed during grading (in the vicinity of and on the subject slopes), a review of shear strength and laboratory testing for site soils, analysis of data, and preparation of this summary report. Unless specifically superseded herein, the conclusions and recommendations contained in the referenced geotechnical reports, included in the Appendix, are still considered valid and applicable and should be appropriately implemented during the balance of project construction.

The approximate location of the subject surficial fills are primarily limited to the fill slopes below the following lots: east ¼ of Lot 2, Lot 3, Lot 4/Pool Area (Lot B), Lot 5, west ½ of Lot 6, flat area below the slope for Lot 6, and south of Lot 7. Test results indicate that the subject fill slopes were compacted to their face prior to the placement of the rock fragments. Subsequently, the rocks were placed in shallow (± 6 -inch) excavations (shallow benches) on the slope, and worked into the ground by heavy equipment, such that a small amount of soil fill was exposed between the rocks. In addition, surficial slope stability analyses (see Figure 1 and Figure 2) indicate that the fill slopes have a calculated factor of safety (FOS) greater than that required by Code. Further, given past rainy season, the slopes have performed better than unprotected slopes comprised solely of soil fill.

Based on the above, the subject slopes may be considered surficially stable in the prevailing climate (semi-arid), provided that they are periodically and routinely maintained, as with all manufactured slopes.

SURFICIAL SLOPE STABILITY ANALYSIS



Tract/Project:	1993 DainDrive
Material Type:	Engineered Fill
	Clayey Sand

Depth of Saturation (z)	4	feet
Slope Angle (i) (for 2:1 slopes)	26.6	degrees
Unit Weight of Water (γ_w)	62.4	lb/ft ³
Saturated Unit Weight of Soil (γ_{sat})	130	lb/ft ³
Apparent Angle of Internal Friction (ϕ)	32.4	degrees
Apparent Cohesion (C)	180	lb/ft ²

$$F_s = \text{Static Safety Factor} = \frac{z (\gamma_{sat} - \gamma_w) \cos^2(i) \tan(\phi) + C}{z (\gamma_{sat}) \sin(i) \cos(i)}$$

DEPTH OF SATURATION	SLOPE	FACTOR OF SAFETY
4 FEET	2:1	1.52



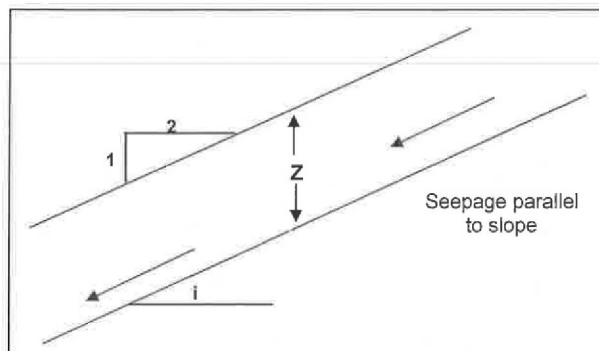
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SURFICIAL SLOPE STABILITY

2: 1 SLOPE

Figure 1

SURFICIAL SLOPE STABILITY ANALYSIS



Tract/Project:	1993 DainDrive
Material Type:	Engineered Fill
	Clayey Sand

Depth of Saturation (z)	4	feet
Slope Angle (i) (for 2:1 slopes)	26.6	degrees
Unit Weight of Water (γ_w)	62.4	lb/ft ³
Saturated Unit Weight of Soil (γ_{sat})	130	lb/ft ³
Apparent Angle of Internal Friction (ϕ)	26	degrees
Apparent Cohesion (C)	225	lb/ft ²

$$F_s = \text{Static Safety Factor} = \frac{z (\gamma_{sat} - \gamma_w) \cos^2(i) \tan(\phi) + C}{z (\gamma_{sat}) \sin(i) \cos(i)}$$

DEPTH OF SATURATION	SLOPE	FACTOR OF SAFETY
4 FEET	2:1	1.59



W.O. 7062-B-SC

SURFICIAL SLOPE STABILITY
2: 1 SLOPE

Figure 2


Slope Maintenance and Planting

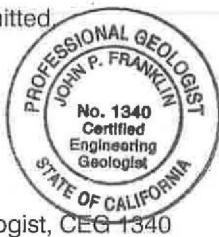
Water has been shown to weaken the inherent strength of all earth materials. Slope stability is significantly reduced by overly wet conditions. Positive surface drainage away from slopes should be maintained and only the amount of irrigation necessary to sustain plant life should be provided for planted slopes. Over-watering should be avoided as it adversely affects site improvements, and causes perched groundwater conditions. Graded slopes constructed utilizing onsite materials would be erosive. Eroded debris may be minimized and surficial slope stability enhanced by establishing and maintaining a suitable vegetation cover soon after construction. Plants selected for landscaping should be light weight, deep rooted types that require little water and are capable of surviving the prevailing climate. Jute-type matting or other fibrous covers may aid in allowing the establishment of a sparse plant cover. Utilizing plants other than those recommended above will increase the potential for perched water, staining, mold, etc., to develop. A rodent control program to prevent burrowing should be implemented. Irrigation of natural (ungraded) slope areas is generally not recommended. These recommendations regarding plant type, irrigation practices, and rodent control should be provided to all interested/affected parties. Over-steepening of slopes should be avoided during building construction activities and landscaping.

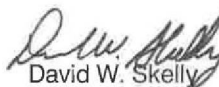
The opportunity to be of service is sincerely appreciated. If you should have any questions, please do not hesitate to contact our office.

Respectfully submitted,

GeoSoils, Inc.


John P. Franklin
Engineering Geologist, CEG 1340




David W. Skelly
Civil Engineer, RCE 47857




Ryan Boehmer
Project Geologist

RB/JPF/DWS/jh

Attachment: Appendix - References

Distribution: (1) Addressee (via US Mail and email)
(2) Walsh Engineering and Surveying, Inc., Attention: Mr. Larry Walsh

Qasim
1993 Dain Drive, Lemon Grove
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GeoSoils, Inc.

W.O. 7062-B-SC
May 20, 2019
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APPENDIX

REFERENCES

California Department of Conservation, California Geological Survey (CGS), 2008, Guidelines for evaluating and mitigating seismic hazards in California: California Geological Survey Special Publication 117A (revised 2008), 102 p.

GeoSoils, Inc., 2018a, Geotechnical review of plans and associated structural calculations for retaining wall nos. 1 through 5, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California 91945, TM0-000-0063, W.O. 7062-B-SC, dated September 26.

_____, 2018b, Grading, foundation, and masonry retaining wall plan reviews, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California 91945, TM0-000-0063, W.O. 7062-A1-SC, dated March 16.

_____, 2018c, Geotechnical comments, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California 91945, TM0-000-0063, W.O. 7062-A1-SC, dated March 16.

_____, 2018d, Addendum to "Preliminary Geotechnical Evaluation, Proposed 12-Lot Subdivision, 1993 Dain Drive, Lemon Grove, San Diego County, California, APN 577-620-37-00, W.O. 7062-A-SC," dated May 5, 2016, by GeoSoils, Inc, W.O. 7062-A1-SC, dated February 27.

_____, 2016a, Geotechnical addendum, City of Lemon Grove Tentative Map TM0-000-063, 1993 Dain Drive, Lemon Grove, San Diego County, California, Assessor's Parcel Number (APN) 577-620-37, W.O. 7062-A1-SC, dated November 16.

_____, 2016b, Supplemental geotechnical response to City of Lemon Grove Development Services Department Review Comments, 15-lot residential subdivision, City of Lemon Grove Tentative Map TM0-000-063, 1993 Dain Drive, Lemon Grove, San Diego County, California, W.O. 7062-A1-SC, dated September 20.

_____, 2016c, Geotechnical response to City of Lemon Grove Development Services Department and D-Max Engineering, Inc. review comments, and geotechnical update evaluation, 15-lot residential subdivision, City of Lemon Grove Tentative Map TM0-000-063, 1993 Dain Drive, Lemon Grove, San Diego County, California, W.O. 7062-A1-SC, dated August 31.

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GeoSoils, Inc.

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Tencate Mirafi, 2015, Product specifications for Miragrid 20XT.

Walsh Engineering and Surveying, Inc., 2018, Grading plans for: 1993 Dain Drive, TM0-000-0063, Grove Hill Court, sheets 1 through 4 of 6, 20-scale, dated September 10.



RESOLUTION NO. 2020-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMON GROVE, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF REVISED TENTATIVE MAP TMO-000-0063 AND PLANNED DEVELOPMENT PERMIT MODIFICATION PDP-160-01M1, A REQUEST TO MODIFY GRADING, LANDSCAPING, UNIT TYPES, AND ACCESSORY STRUCTURES FOR AN APPROVED 13 UNIT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AT 1993 DAIN DRIVE, LEMON GROVE, CALIFORNIA.

WHEREAS, the applicant, Dessert Springs, LLC, filed a complete application for on May 7, 2020; and

WHEREAS, the application is a request to modify Planned Development Permit PDP-160-0001 and revise Tentative Map TMO-000-0063; and

WHEREAS, on April 4, 2017, the City Council approved Planned Development Permit PDP-160-0001 and Tentative Map TMO-000-0063 authorizing a subdivision and planned development consisting of 13 single family residences, private street, private park, and public park along Ildica Street; and

WHEREAS, the City Council also certified Mitigated Negative Declaration (MND) of Environmental Impact ND 17-01, which found that the project would have no significant effect on the environment as mitigated, with approval of Planned Development Permit PDP-160-0001 and Tentative Map TMO-000-0063; and

WHEREAS, the application for revised Tentative Map is necessary only to accommodate changes to the conceptual grading shown on the approved Tentative Map; and

WHEREAS, the Notice of Public Hearing for this item was published in the East County Californian and mailed to all property owners with 500 feet on June 12, 2020 and a public notice sign was posted on June 11, 2020 as required by Municipal Code Section 17.28.020(F); and

WHEREAS, on June 22, 2020, the Planning Commission held a duly noticed public hearing to consider Planned Development Permit Modification PDP-160-01M1 and Revised Tentative Map TMO-000-0063; and

WHEREAS, the Planning Commission has determined that the additional deviations, waivers, or modifications that follow which are requested pursuant to Section 17.28.030(D) of the Planned Development Permit regulations are adequately

offset by the provision of private and public park spaces, view sound wall at Lot 7, and private residential decks with view sound walls at Lots 5 and 6 as equivalent benefits; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemon Grove, California, hereby recommends that the City Council:

SECTION 1. *Find and determine that the facts set forth in the recital of this Resolution are true;*

SECTION 2. *Find and affirm that the findings of fact, certifications, waivers, and modifications and conditions of approval of City Council Resolution No. 2017-3499 for Tentative Map TMO-000-0063 and City Council Resolution No. 2017-3500 for Planned Development Permit PDP-160-0001 remain except as modified herein; and*

SECTION 3. *Waive or modify the following Development Standards in accordance with Municipal Code Section 17.28.030(D) to permit:*

- 1. A deck to replace portions of building pads at Lots B, 5, and 6, at substantially the same height and location as the approved pads, but exceeding the height limit for a deck with fencing stated in Sections 17.16.020(E)(4)(b) and 17.24.050(J)(8) and extending through required side and rear yard encroachment limits outlined in Section 17.24.030(C)(2).*

SECTION 4. *Approve Tentative Map Revision TMO-000-0063 and Planned Development Permit Modification PDP-160-01M1 and the plans dated June 10, 2020 incorporated herein by reference as Exhibit A, subject to all findings of fact, certifications, waivers and modifications and conditions of approval in City Council Resolution No. 2017-3499 and 2017-3500 and the following supplemental conditions:*

A. Prior to issuance of a building permit:

- 1. Record an agreement, covenant, easement, or similar instrument(s) guaranteeing Homeowner's Association (HOA) access and maintenance of the slopes, slope landscape and irrigation, and decks over slopes, situated outside of the recorded HOA access easement on lots 5, 6, for the life of the project. Said document shall be reviewed and approved by the Community Development Department prior to recordation.*

2. *Submit a Grading and Improvement construction plan change in conformance with Exhibit A to the Engineering Department for review and approval. All applicable notes from the GeoSoils Inc. letter entitled "Geotechnical Review of Surficial Slope Stability, Existing Graded Fill Slopes, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California, 91945, TM-000-0063" dated May 20, 2019. Three (3) feet of clearance shall be provided around fire hydrants. Plans shall also demonstrate positive drainage of the rock lined swale to the natural drainage channel at the northeast corner of the property.*
3. *Revise project Landscape Plans as necessary to reflect Exhibit A. Said Landscape Revision shall show plantings along rock covered slopes that are consistent with the letter from GeoSoils Inc. entitled "Geotechnical Review of Surficial Slope Stability, Existing Graded Fill Slopes, Grove Hill Court, 1993 Dain Drive, Lemon Grove, San Diego County, California, 91945, TM-000-0063" dated May 20, 2019 and the landscape architect shall also certify consistency of plantings with a written statement in the plans. The proposed landscape revision shall comply with Section 17.24.050 and Chapter 18.44 of the Municipal Code and all plantings shall be accurately rated per the Water Use Classification of Landscape Species. Fences within the front yard areas of the private street lot, Lot 1, and Lot 13, shall be limited to 42" in height and any fences required for purposes of noise attenuation, shall be provided with construction details that conform to the August 16, 2016 acoustical analysis. Three (3) feet of clearance shall also be provided around project fire hydrants.*

B. Prior to Grading Permit Final Approval:

1. *Construction of project drainage features which are designed to protect adjacent private property shall be expedited to the maximum extent practicable.*
2. *The following shall be identified as HOA maintenance responsibilities and included in the Operation and Maintenance Program (OMP) in the project Covenants, Conditions, and Restrictions (CC&Rs). Funding for these maintenance activities must be included in the annual HOA budget with the OMP.*

- i. *Rock slope maintenance, including the rodent control program as described in the GeoSoils Inc. letter regarding surficial slope stability dated May 20, 2019.*
- ii. *Maintenance of slopes and appurtenant landscape and irrigation, situated outside of the recorded HOA access easement.*
- iii. *Maintenance of private decks over slopes on Lot 5, Lot 6, and wherever else it may occur.*

C. Prior to occupancy:

1. *Building Permits must be obtained and inspected for all accessory structures to be maintained by the Homeowners Association which are not exempt from California Building Code requirements, including but not necessarily limited to, the proposed pool and decks. Decks and attached view walls shall conform to the recommendations of the Noise Study and any addenda. The project geotechnical engineer shall also provide design recommendations for the decks, pools, and patio cover founded in constructed slopes unless otherwise determined by the City Engineer.*

D. Upon Establishment of use in reliance:

1. *Three (3) feet of clearance shall be maintained around fire hydrants.*
2. *Over-irrigation and/or watering of rock slopes as evidenced by staining or molding shall be eliminated.*
3. *Drainage structures shall be maintained and nuisance drainage conditions impacting surrounding properties shall be eliminated.*

E. The terms and conditions of this Revised Tentative Map and Planned Development Permit Modification shall be binding upon the permittee and all persons, firms, and corporations having an interest in the subject property and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies and districts.

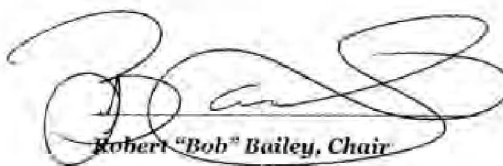
PASSED AND ADOPTED on June 22, 2020, the Planning Commission of the City of Lemon Grove, California, adopted Resolution No. 2020-03, passed by the following vote:

AYES: *Bailey, Browne, LeBaron, Smith*

NOES: *None.*

ABSENT: *None.*

ABSTAIN: *Evans*



Robert "Bob" Bailey, Chair

Attest:

Shelley Chapel

Shelley Chapel, MMC, Planning Commission Clerk

Approved as to Form:



Punam Prahalad, Planning Commission Attorney



CITY OF LEMON GROVE

PLANNING COMMISSION STAFF REPORT

Item No. 2

Meeting Date: June 22, 2020

Submitted to: Honorable Chair and Planning Commissioners

Department: Community Development Department

Staff Contact: Mike Viglione, Associate Planner

mviglione@lemongrove.ca.gov

Item Title: Public Hearing to Consider Planned Development Permit Modification PDP-160-01M1 and Tentative Map Revision TMO-000-0063; A Request to Modify an Approved Planned Development and Subdivision for 13 single family homes at 1993 Dain Drive.

Recommended Action:

- 1) Conduct the public hearing;
- 2) Receive public comment; and
- 3) Adopt a Resolution (**Attachment A**) recommending City Council conditionally approve Planned Development Permit Modification PDP-160-01M1 and Tentative Map Revision TM-000-0063 which modifies City Council Resolutions 2017-3499 and Resolution 2017-3500.

Summary: On April 4, 2017, the City Council adopted Resolutions 2017-3499 and 2017-3500 thus approving Planned Development Permit PDP-160-0001 and Tentative Map TMO-000-0063. With these approvals, the City Council authorized Dessert Springs, LLC to construct a common interest development consisting of 13 single family homes, private park, private street, public park along Ildica Street. On March 7, 2019, Dessert Springs, LLC, submitted an application to modify approved Planned Development Permit PDP-160-0001 and revise approved Tentative Map TM-000-0063 to authorize changes to landscaping, grading, and unit types. Staff found the application, PDP-160-01M1 and TMO-000-0063, complete on May 7, 2020.

Discussion:

Approved Planned Development Permit PDP-160-0001 and Tentative Map TMO-000-0063 authorize the construction of 13 single-family residential lots, a private street and

*Revised TMO-000-0063/PDP-160-01M1
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private park with swimming pool on a 2.8 net acre lot in the in the Residential Low/Medium (RLM) zone. Included in the approved PDP are also three biofiltration basins, a large canopy storm water treatment street tree well, street trees along Dain Drive and the interior private street, landscaping and irrigation throughout, and a screening and sound wall along the project perimeter. All project improvements and appurtenant services are required to be privately maintained. As part of the authorized project, the developer is to construct a public parkette along Ildica Street to the adjacent to north of the subject property in lieu of paying a parkland dedication ordinance fee which will be maintained by the City.

The approved Planned Development Permit authorizes two different two-story residence floor plans with A and B variants, which differ in roofing materials and architectural elements, and two subordinate color options for each materials variant. Floor Plan One provides 2,565 square feet of living area, including four bedrooms four bathrooms, and a 456 square foot two-car garage while Floor Plan Two provides 2,952 square feet of living area with four bedrooms plus a loft area and three-and-one-half bathrooms, and a 474 square foot two-car garage. The approved Floor Plans are included as **Attachment F** for reference.

Project construction is underway. Grading and Improvement Plans were approved by the City Engineer on May 10, 2018. Building Permit applications for residences were submitted on April 11, 2018 and remain in plan check at this time. In October of 2018, the developer proposed Grading and Improvement changes which were not in substantial conformance with the approved Planned Development Permit and Tentative Map. Consequently the applicant filed the subject Tentative Map Revision and Planned Development Modification to request authorization for changes primarily related to grading, landscaping, and structures as described in subsequent sections of this report.

Grading and Earthworks

The conceptual grading in the revised Tentative Map achieves the same pad heights shown in the approved grading plans but instead broadly proposes replacement of approved retaining walls with extended 2:1 fill slopes. Specific examples include the replacement of the 5.5 foot retaining wall around Lot B (private park) and removal of the 4.5 foot retaining wall that forms the northerly edge of biofiltration basin 1 and extends toward the north east corner of the site. A 2.5 foot retaining wall situated between Lots 7 and 8 is also removed.

Owing to the additional horizontal “run” required for a 2:1 slope to reach the height of a comparable retaining wall, the pad areas at Lots B, 5, 6, and 8 are reduced. The applicant proposes to create equivalent usable areas at Lots B, 5, and 6, where the reduction is most substantial through the construction of a deck overhanging the enlarged 2:1 slopes from the finished pad to the location of original retaining walls.

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June 22, 2020
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While the municipal code definition of open space as land area would exclude the inclusion of the deck surface from open space calculations, the reductions in pad sizes will not require the applicant to seek an additional deviation from the RLM zone open space minimum of 1,500 square feet. The proposed changes are consistent with the Planned Development Permit deviation permitting seven (7) lots of substandard open space, with a minimum of 1,200 square feet, granted in Resolution 2017-3500. The proposed grading plans propose seven (7) lots with less than 1,500 square feet of open space with a minimum of 1,267 square feet of open space at lot 12.

At the southeast corner of the site, the revised plans propose to relocate the retaining wall originally situated along the existing chain link fence in the approved plans further to the west to create a two-part slope. Rather than a brow ditch on top of the retaining wall this application proposes a rock lined swale at the bottom of the slope along the eastern property line. The Drainage Study prepared by Walsh Engineering & Surveying and reviewed by the City's Engineering Division demonstrates that the swale has sufficient capacity to accommodate drainage flows from 100-year storm events while providing the necessary safety factor of 1 foot of freeboard. In response to Staff concern regarding potential subsurface drainage impacts to neighboring properties, the applicant also furnished an analysis from geotechnical engineering firm GeoSoils Inc. stating that groundwater flows likely mirror surface drainage to the north east corner of the property. This analysis is included as **Attachment B** to this report.

Lastly, the proposed location of Biofiltration Basin 2 is also shifted slightly north to eliminate the need for an additional cut slope. With this change, the applicant also proposes replacement of the existing driveway apron adjacent to Biofiltration Basin 2 with regional standard curb, gutter, and sidewalk along the north side of Dain Drive.

Structures

As referenced in the preceding grading section, the applicant proposes to construct a single continuous deck which overhangs the 2:1 fill slopes across Lots B, 5, and 6. This deck is proposed to be constructed of a composite material, such as Trex, and will be fitted with view walls which comply with noise attenuation requirements rather than typical railings. While the features of the private park are also reconfigured as a consequence of the reduced pad size and deck, the number and type of improvements within it are unchanged. The proposed design is anticipated to maximize usable open space for residents and offer a more attractive appearance than that of three separate adjacent decks.

Planned Development Permit modifications related to height and setbacks are requested to accommodate this proposed design. The deck, as measured from grade to structure peak, which in this case is the top of the view sound wall at the edge of the deck, is

Revised TMO-000-0063/PDP-160-01M1
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approximately 17 feet. This dimension exceeds the RLM zone accessory structure height limit of 15 feet and the six (6) foot height limit for fencing in the Landscape and Screening regulations as it is measured in the same fashion. The Yards and Setbacks regulations in Section 17.24.050 also stipulate that decks at or below the level of the first floor cannot extend more than three feet into a required rear or side yard setback area. The proposed deck extends to the rear property line on Lot 5 thus exceeding the encroachment allowance for rear yards and, similarly, it exceeds the limits for side yard setback encroachments as it traverses through setbacks and property lines.

The draft resolution of approval includes a condition requiring Homeowner's Association access to and maintenance of the proposed deck and the slopes and any appurtenant landscaping and irrigation beneath it. The proposed condition ensures that the deck will be available as usable space akin to a pad for residents of Lots 5 and 6 for the life of the project and avert the development of any unsightly conditions for neighboring property owners. This recommended condition is incorporated into the revised Tentative Map as the proposed Private Slope, Drainage, and Storm Drain easement on Sheet 2.

The application also proposes a change to the plan types assigned to Lots 3, 10, and 13. In the approved Tentative Map and Planned Development Permit these lots, in addition to Lots 6 and 7, are proposed to be developed with variants of the larger Plan 2 floor plans. In the subject application, variants of the Plan 1 unit replace these Plan 2 units as shown in the table below.

	Approved	Proposed
Lot 3	<i>Plan 2 A-1</i>	<i>Plan 1 A-1</i>
Lot 10	<i>Plan 2 B-1</i>	<i>Plan 1 B-1</i>
Lot 13	<i>Plan 2 B-2</i>	<i>Plan 1 B-2</i>

Landscape

The proposed changes also propose the embedding of cobble and rock fragments on the north and east facing fill slopes. While this is an existing condition on-site, the rock faced slopes are not a part of the approved grading plan and are not permitted to remain without approval of the subject application.

The applicant has furnished a letter from GeoSoils Inc., **Attachment C** of this report, attesting to the surficial stability of the rock faced slopes provided they are appropriately landscaped and routinely maintained. Included in the draft Resolution is a recommended condition of approval which requires maintenance of slopes and low water-use landscape and irrigation practices to ensure long term surficial stability of these rock slopes.

Conclusion:

In order to approve the subject Tentative Map Revision and Planned Development Permit Modification, the Planning Commission must make the following findings as stated in LGMC Section 17.28.030:

1. The development is not detrimental to the public interest, health, safety, or general welfare;
2. The development complies with applicable provisions of this title and/or deviations that comply with applicable provisions in subsection D;
3. The development is consistent with general plan policies and standards and other applicable plans or policies adopted by the city council;
4. The development density or intensity does not exceed general plan limitations;
5. Existing infrastructure such as utilities, transportation systems, and communication networks adequately serve the development or will be upgraded to efficiently accommodate the additional burdens imposed.

The proposed modifications to the project do not change the function of the original project. Therefore, staff believe that the original findings made in favor of the project can be reaffirmed provided the conditions in the Resolution of Approval are observed.

Environmental Review:

The City Council certified Mitigated Negative Declaration (MND) of Environmental Impact ND 17-01 in Resolution 2017-3499 on April 4, 2017 with approval of Tentative Map TMO-000-0063. Said MND was filed in the Office of the County Clerk on April 14, 2017 and identified mitigated impacts for Cultural Resources, Geology and Soils, Noise, and Mandatory Findings of Significance. The proposed project modifications are consistent with and substantially conform to the certified Mitigated Negative Declaration of Environmental Impact ND 17-01.

Fiscal Impact:

No fiscal impact.

Public Notification: The Notice of Public Hearing for this item was published in the June 12, 2020 edition of the East County Californian and was mailed to all property owners on June 12, 2020. Staff verified the presence of the public notice sign required by Municipal Code Section 17.28.020(F)(2) on June 11, 2020. The City of Lemon Grove received 1 public comment in response to the Notice of Public Hearing which is included as **Attachment D**.

Staff Recommendation:

- 1) Conduct the public hearing;
- 2) Receive public comment; and
- 3) Adopt a Resolution (**Attachment A**) recommending City Council conditionally approve Planned Development Permit Modification PDP-160-01M1 and Tentative Map Revision TM-000-0063 which modifies City Council Resolutions 2017-3499 and Resolution 2017-3500.

Attachments:

Attachment A – Draft Resolution

Attachment B – GeoSoils, Inc. Letter Dated April 20, 2020

Attachment C – GeoSoils, Inc. Letter Dated May 20, 2019

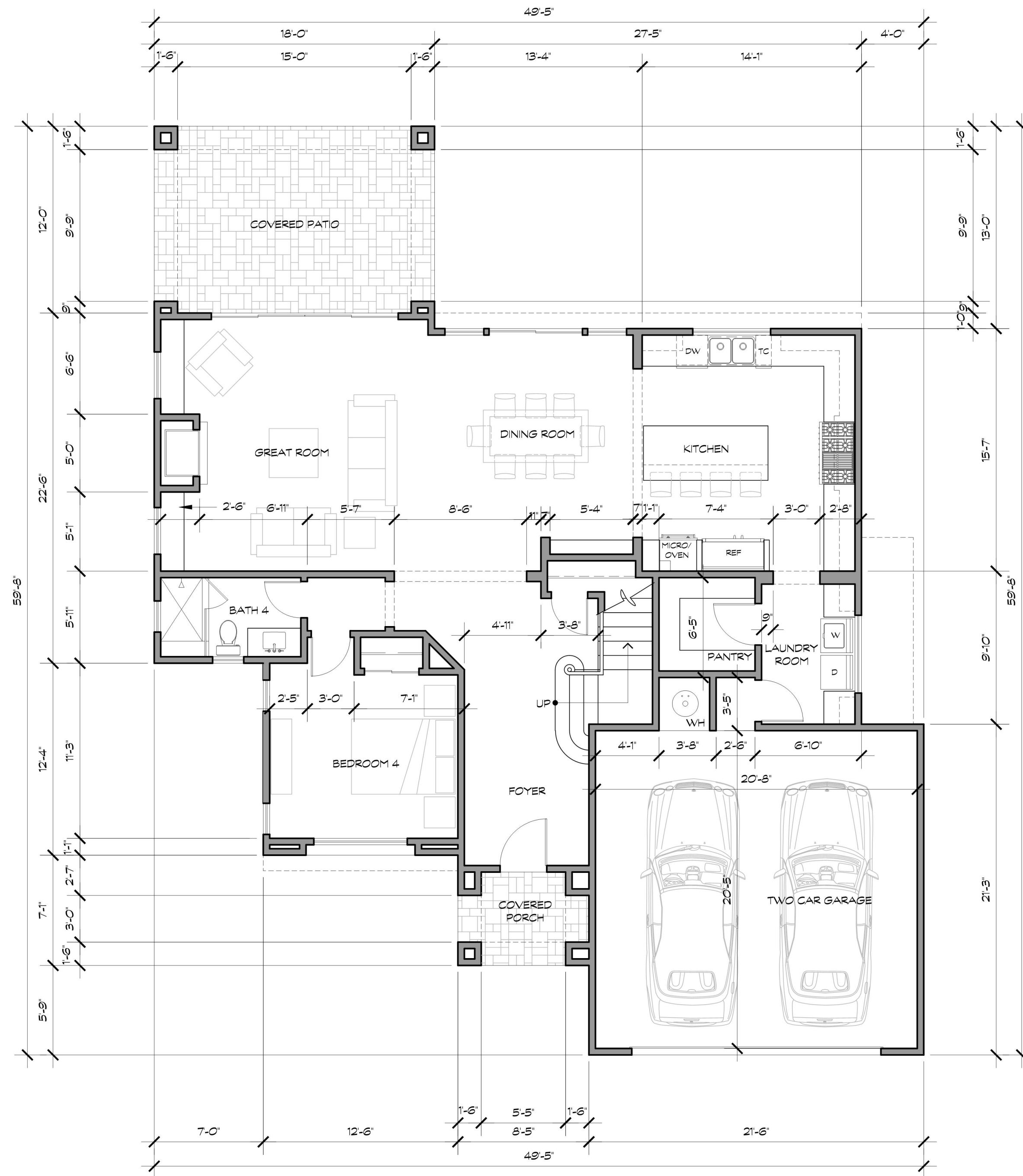
Attachment D – Public Comment

Attachment E – Proposed Deck Rendering

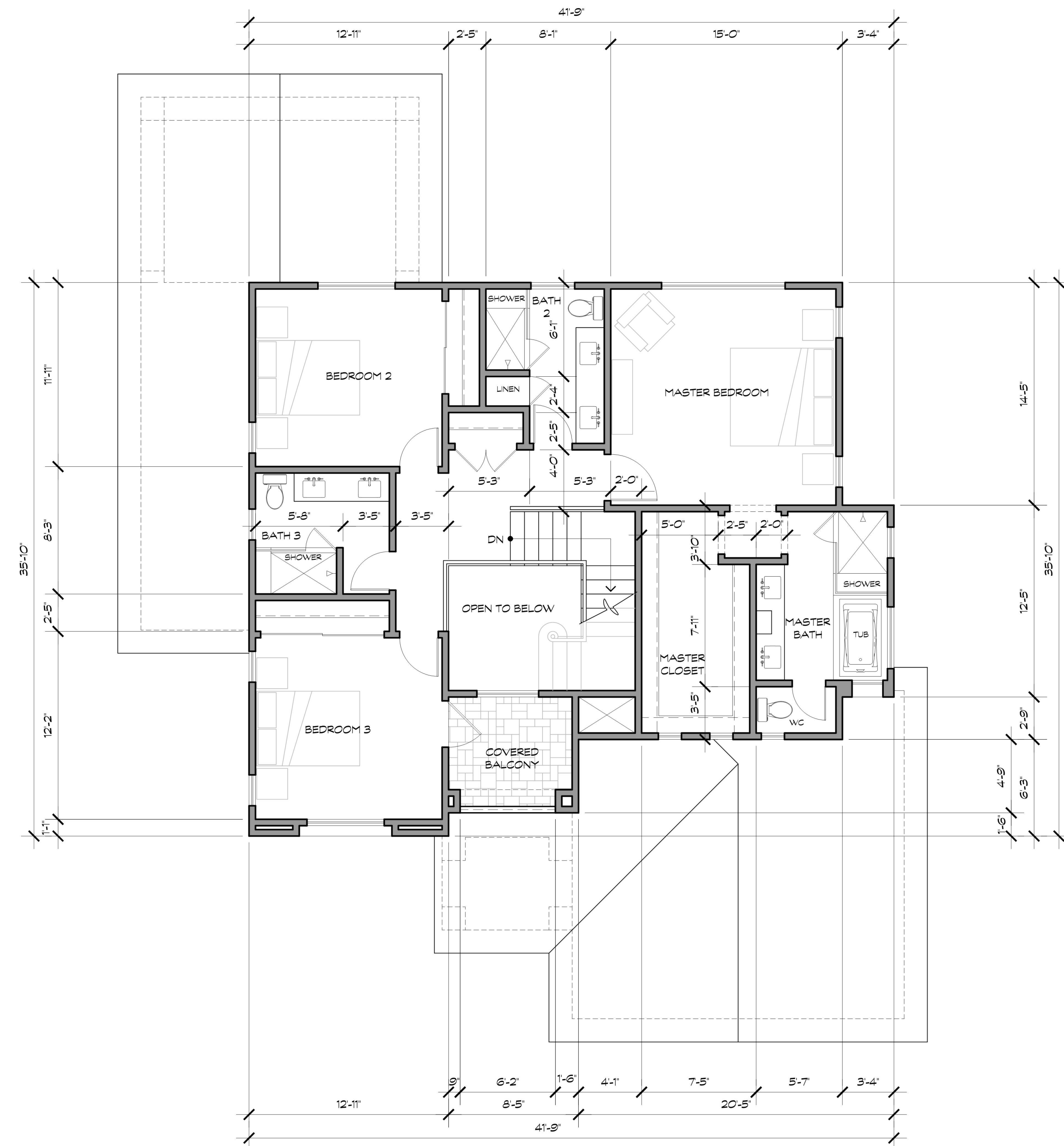
Attachment F – Approved PDP-160-0001 Floor Plans

Attachment G – Exhibit A – Revised TMO-000-063 PDP-160-01M1 Plans

Approved PDP-160-0001 Floor Plans



FIRST FLOOR PLAN
 $\frac{3}{16}'' = 1'-0''$
 1,329 SF LIVING / 456 SF GARAGE



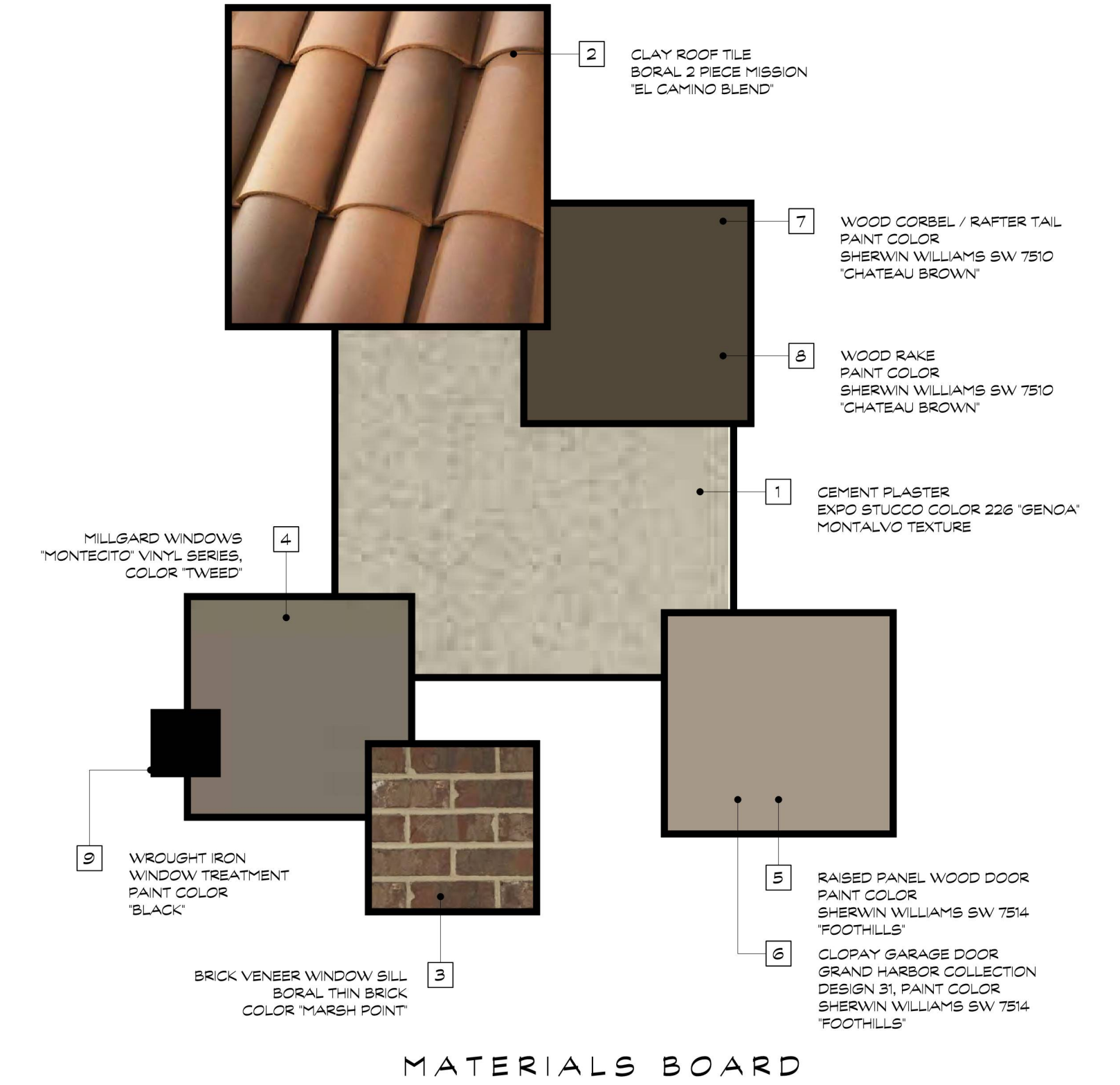
SECOND FLOOR PLAN
 $\frac{3}{16}'' = 1'-0''$
 1,236 SF LIVING

DAIN DRIVE SUBDIVISION 15 LOTS
 FLOOR PLAN
ONE



MATERIALS

- 1 CEMENT PLASTER
EXPO STUCCO
COLOR 228 'GENOA'
MONTALVO TEXTURE
- 2 CLAY ROOF TILE
BORAL 2 PIECE MISSION
COLOR 'EL CAMINO BLEND'
- 3 BRICK VENEER WINDOW SILL
BORAL THIN BRICK
COLOR 'MARSH POINT'
- 4 MILLGARD WINDOWS
'MONTECITO' VINYL SERIES,
COLOR 'TWEED'
- 5 RAISED PANEL WOOD DOOR
PAINT COLOR
SHERWIN WILLIAMS SW 7514
'FOOTHILLS'
- 6 CLOPAY GARAGE DOOR
GRAND HARBOR COLLECTION
DESIGN 31, PAINT COLOR
SHERWIN WILLIAMS SW 7514
'FOOTHILLS'
- 7 WOOD CORBEL / RAFTER TAIL
PAINT COLOR
SHERWIN WILLIAMS SW 7510
'CHATEAU BROWN'
- 8 WOOD RAKE
PAINT COLOR
SHERWIN WILLIAMS SW 7510
'CHATEAU BROWN'
- 9 WROUGHT IRON
WINDOW TREATMENT
PAINT COLOR
'BLACK'

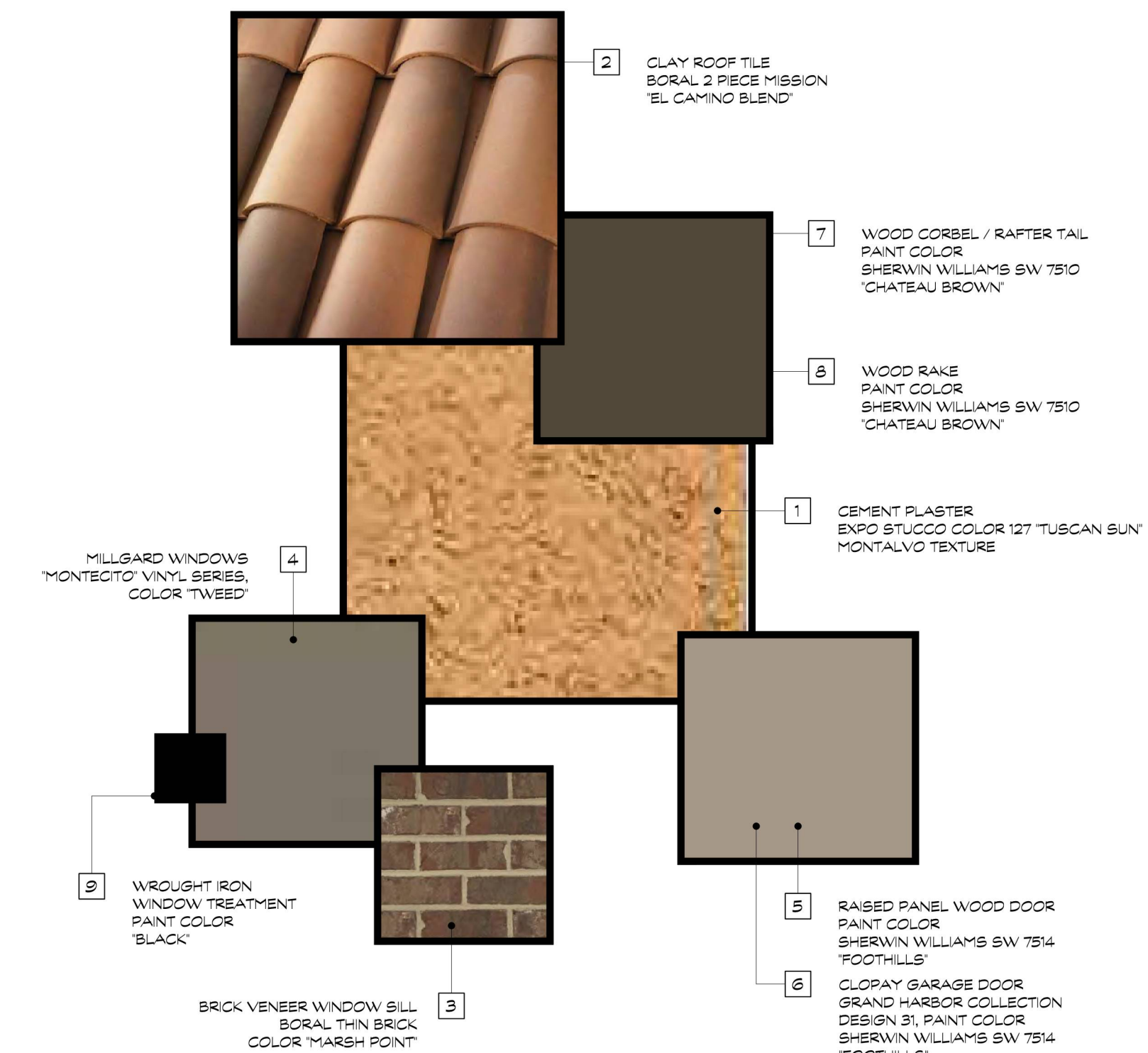


FLOOR PLAN ONE COLOR VARIATION "A-1"



MATERIALS

- 1 CEMENT PLASTER
EXPO STUCCO
COLOR 127 'TUSCAN SUN'
MONTALVO TEXTURE
- 2 CLAY ROOF TILE
BORAL 2 PIECE MISSION
COLOR 'EL CAMINO BLEND'
- 3 BRICK VENEER WINDOW SILL
BORAL THIN BRICK
COLOR 'MARSH POINT'
- 4 MILLGARD WINDOWS
'MONTECITO' VINYL SERIES,
COLOR 'TWEED'
- 5 RAISED PANEL WOOD DOOR
PAINT COLOR
SHERWIN WILLIAMS SW 7514
'FOOTHILLS'
- 6 CLOPAY GARAGE DOOR
GRAND HARBOR COLLECTION
DESIGN 31, PAINT COLOR
SHERWIN WILLIAMS SW 7514
'FOOTHILLS'
- 7 WOOD CORBEL / RAFTER TAIL
PAINT COLOR
SHERWIN WILLIAMS SW 7510
'CHATEAU BROWN'
- 8 WOOD RAKE
PAINT COLOR
SHERWIN WILLIAMS SW 7510
'CHATEAU BROWN'
- 9 WROUGHT IRON
WINDOW TREATMENT
PAINT COLOR
'BLACK'



FLOOR PLAN ONE COLOR VARIATION "A-2"



FRONT ELEVATION
1/8" = 1'-0"



REAR ELEVATION
1/8" = 1'-0"



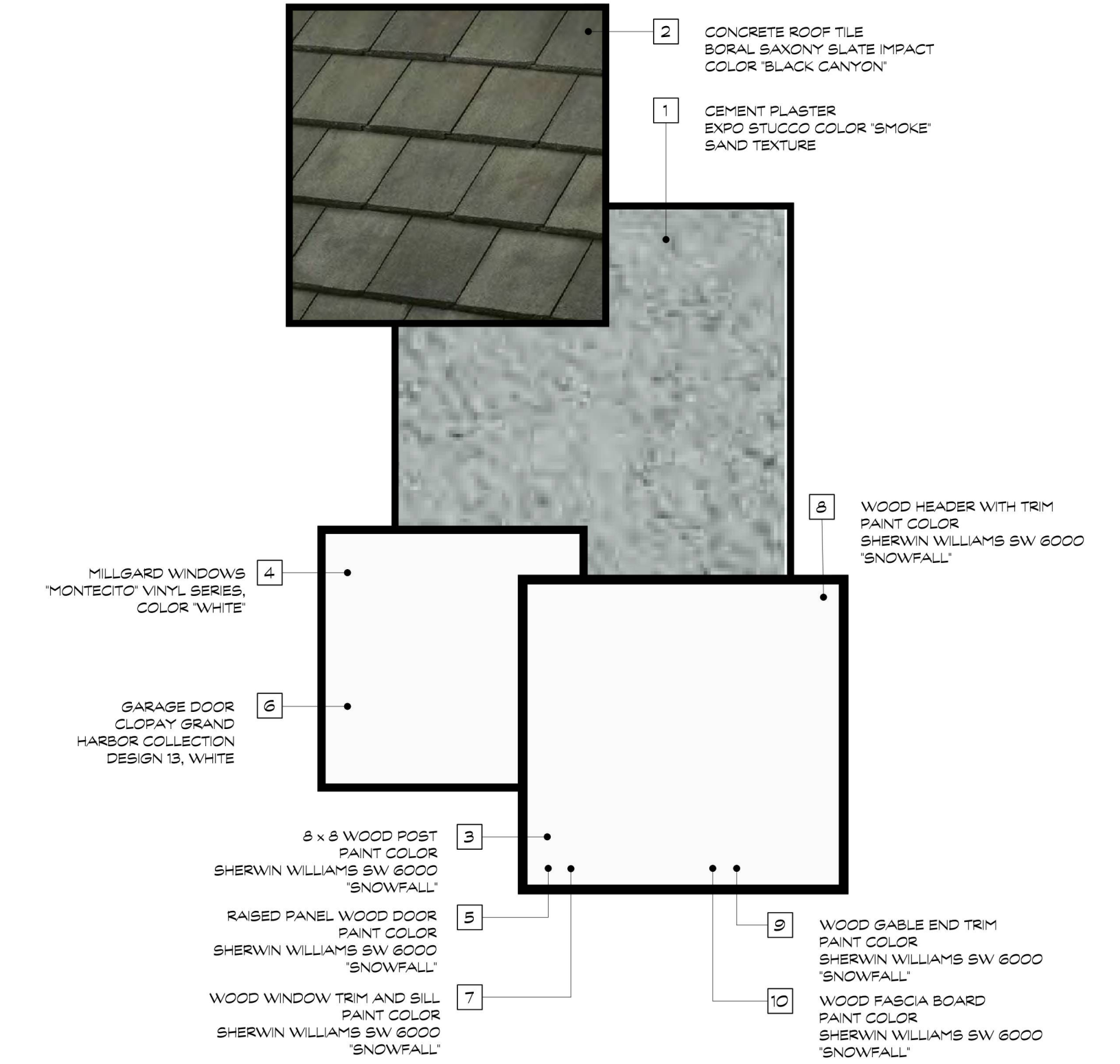
LEFT ELEVATION
1/8" = 1'-0"



RIGHT ELEVATION
1/8" = 1'-0"

MATERIALS

- 1 CEMENT PLASTER
ENPO STUCCO COLOR 'SMOKE'
SAND TEXTURE
- 2 CONCRETE ROOF TILE
BORAL SANONY SLATE IMPACT
COLOR 'BLACK CANYON'
- 3 6 x 6 WOOD POST
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 4 MILLGARD WINDOWS
'MONTECITO' VINYL SERIES,
COLOR 'WHITE'
- 5 RAISED PANEL WOOD DOOR
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 6 GARAGE DOOR
CLOPAY GRAND HARBOR COLLECTION
DESIGN 'B', WHITE
- 7 WOOD WINDOW TRIM AND SILL
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 8 WOOD HEADER WITH TRIM
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 9 WOOD GABLE END TRIM
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 10 WOOD FASCIA BOARD
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'



MATERIALS BOARD

FLOOR PLAN ONE

COLOR VARIATION "B-1"



FRONT ELEVATION
1/8" = 1'-0"



REAR ELEVATION
1/8" = 1'-0"



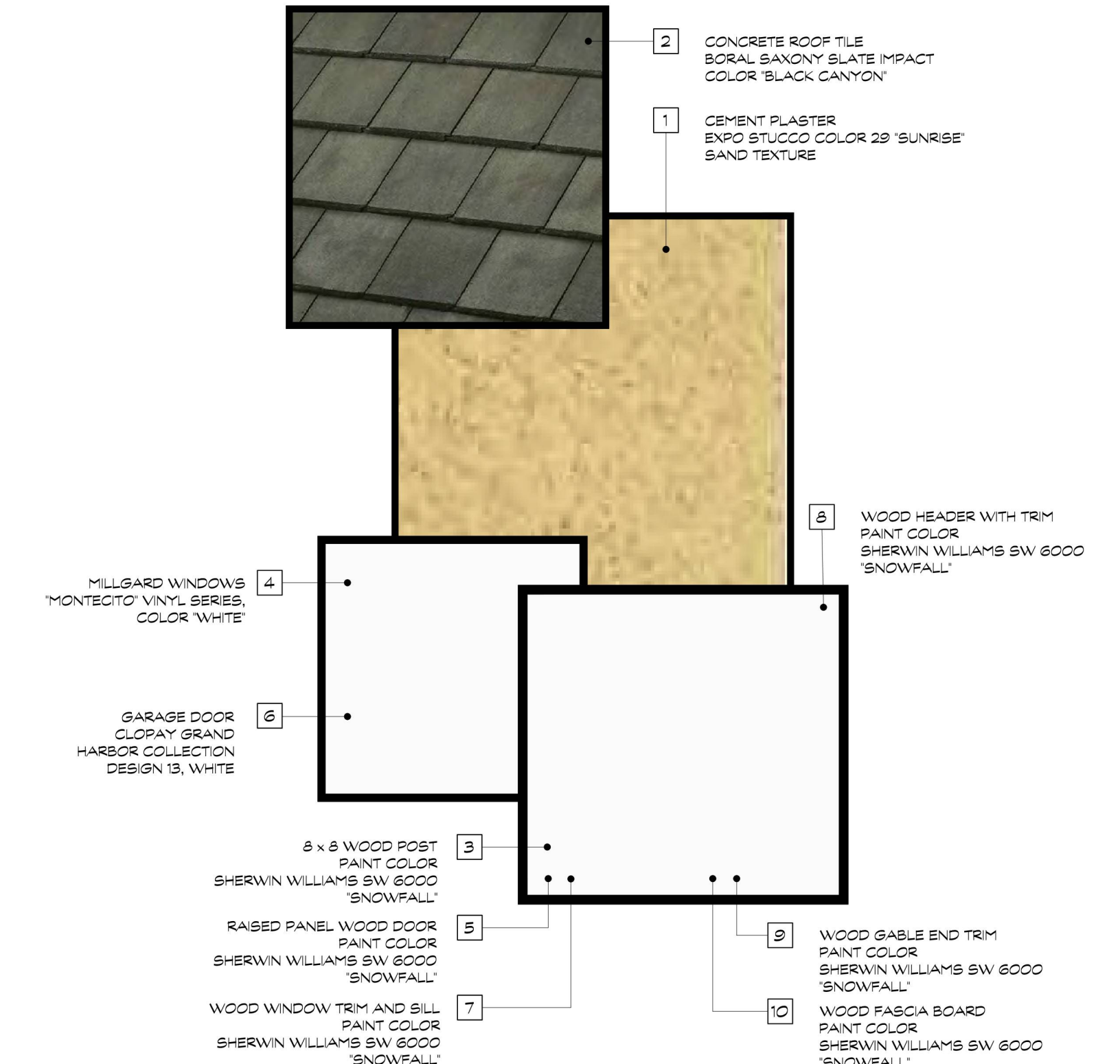
LEFT ELEVATION
1/8" = 1'-0"



RIGHT ELEVATION
1/8" = 1'-0"

MATERIALS

- 1 CEMENT PLASTER
ENPO STUCCO COLOR 28' 'SUNRISE'
SAND TEXTURE
- 2 CONCRETE ROOF TILE
BORAL SANONY SLATE IMPACT
COLOR 'BLACK CANYON'
- 3 6 x 6 WOOD POST
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 4 MILLGARD WINDOWS
'MONTECITO' VINYL SERIES,
COLOR 'WHITE'
- 5 RAISED PANEL WOOD DOOR
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 6 GARAGE DOOR
CLOPAY GRAND HARBOR COLLECTION
DESIGN 'B', WHITE
- 7 WOOD WINDOW TRIM AND SILL
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 8 WOOD HEADER WITH TRIM
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 9 WOOD GABLE END TRIM
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'
- 10 WOOD FASCIA BOARD
PAINT COLOR
SHERWIN WILLIAMS SW 6000
'SNOWFALL'



MATERIALS BOARD

FLOOR PLAN ONE

COLOR VARIATION "B-2"