



City of Lemon Grove
City Council Regular Meeting Agenda

Tuesday, April 4, 2017, 6:00 p.m.
Lemon Grove Community Center
3146 School Lane, Lemon Grove, CA

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 Board

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.)

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. Items that are pulled will be considered at the end of the agenda.)

A. Approval of Meeting Minutes

March 21, 2017 – Regular Meeting

Members present: Arambula, Jones, J. Mendoza, and M. Mendoza

B. City of Lemon Grove Payment Demands

Reference: Gilbert Rojas, Interim Finance Director

Recommendation: Ratify Demands

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

Reference: James P. Lough, City Attorney

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

D. Rejection of Claim

The City Council will consider rejecting a claim submitted by P. Guliasia.

Reference: Mike James, Assistant City Manager/Public Works Director

Recommendation: Deny Claim

E. Rejection of Claim

The City Council will consider rejecting a claim submitted by Ward and Hagen LLP.

Reference: Mike James, Assistant City Manager/Public Works Director

Recommendation: Deny Claim

F. Rejection of Claim

The City Council will consider rejecting a claim submitted by L. Williams.

Reference: Mike James, Assistant City Manager/Public Works Director

Recommendation: Deny Claim

- G. Acceptance of the FY 2016-17 CIP Concrete Repair and Upgrade Program, Various Locations, Project (Contract No. 2017-06)

The City Council will consider adopting a resolution accepting the Concrete Repair and Upgrade Program at various locations throughout the City.

Reference: Mike James, Assistant City Manager/Public Works Director
Recommendation: Adopt Resolution

- H. Third Amendment to Option Agreement between City of Lemon Grove and the San Diego Community Land Trust for 8084 Lemon Grove Way

The City Council will consider adopting a resolution approving an Option Agreement to provide a third time extension San Diego Community Land Trust's commitment to develop and construct a minimum of nine affordable housing units.

Reference: David De Vries, Development Services Director
Recommendation: Adopt Resolution

- I. Oppose Assembly Bill 805 (Gonzalez Fletcher)

The City Council will consider adopting a resolution opposing Assembly Bill 805 that would change the voting structure and board make up to SANDAG, MTS and NCTD.

Reference: Lydia Romero, City Manager
Recommendation: Adopt Resolution

2. Public Hearing to Consider Planned Development Permit PDP-160-0001 and Tentative Map TM0-000-0063 to Authorize a 13 Unit Single-Family Residential Subdivision with a Private and Public Park on 3.67-Acres at 1993 Dain Drive

The City Council will conduct a public hearing and consider adopting resolutions that conditionally approve Tentative Map TM-000-0063 and certifying Mitigated Negative Declaration ND17-01 and a resolution conditionally approving Planned Development Permit PDP160-0001. This will authorize 13 single-family residential lots, one private street and one common area private park and swimming pool, and a public parkette on Ildica Street. The proposed project is located at 1993 Dain Drive on a 3.67 acre lot

Reference: Michael Viglione, Assistant Planner and
David De Vries, Development Services Director
Recommendation: Conduct Public Hearing, Adopt a Resolution Conditionally Approving Tentative Map TM-000-0063 and Certifying Mitigated Negative Declaration ND17-01; and Adopt a resolution conditionally approving Planned Development Permit PDP160-0001.

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

(GC 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.)

Department Director Reports (Non-Action Items)

Closed Session

Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:
One Case

Adjournment

**MINUTES OF A MEETING OF
THE LEMON GROVE CITY COUNCIL**

March 21, 2017

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

City Councilmembers Present:

Councilmember David Arambula, Councilmember Jerry Jones, Mayor Pro Tem Jennifer Mendoza, and Councilmember Matt Mendoza

City Council Members Absent:

Mayor Racquel Vasquez

City Staff Present:

Lydia Romero, City Manager, Eric Craig, Associate Planner; David De Vries, Development Services Director; Daryn Drum, Division Fire Chief; Mike James, Assistant City Manager/Public Works Director; James P. Lough, City Attorney; Lt. May, Sheriff's Department; Gilbert Rojas, Interim Finance Director; and Corinne Russell, HR Manager.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Jones.

Changes to the Agenda

~~Mayor Pro Tem J. Mendoza noted that staff has requested that item No. 5 be moved up on the agenda to be discussed before item No. 2.~~

Presentations

Lydia Romero introduced Cassandra Mendenhall, Executive Assistant.

Mayor Pro Tem J. Mendoza read a certificate of recognition for Lt. May service to the City Lemon Grove.

Public Comment

John L. Wood commented on City Council attendance at regional committees. He added that there was vandalism in his neighborhood and he went to the Lemon Grove Sheriff's Department, but would have preferred to have a deputy come to his residence to write a report.

Jessica McElfresh reported on the challenges for those interested in applying for and operating medical marijuana dispensaries in Lemon Grove.

Cynara Velazquez commented on Measure V and the City's process for those interested in applying for and operating medical marijuana dispensaries.

Sapphire Blackwood reported on the challenges for those interested in applying for medical and operating marijuana dispensaries.

Ebon Johnson commented in the challenges with the City's medical marijuana dispensary process and the uses that prohibit an application.

Marty Frank commented on language in Measure V.

Sean Silva commented on sales tax generated by a medical marijuana dispensary.

Richard Payne commented on challenges with the City's medical marijuana dispensary process and the uses that prohibit an application.

1. Consent Calendar

A. Approval of City Council Minutes

March 7, 2017 Regular Meeting

B. Ratification of Payment Demands

C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda

D. Resolution Amending the Heartland Joint Powers Agreement

E. Regional Transportation Congestion Improvement Plan Fee Amendment

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to approve the Consent Calendar passed, by the following vote:

Ayes: Arambula, Jones, J. Mendoza, M. Mendoza

Absent: Vasquez

Resolution No. 2017- 3491: Resolution of the City Council of the City of Lemon Grove, California Amending the Current Heartland Communications Fire Authority Agreement to Allow the San Miguel Fire Protection District to Join as a Member Agency

Resolution No. 2017-3492: Resolution of the City Council of the City of Lemon Grove, California Amending the Regional Transportation Congestion Improvement Plan Fee

5. Annual Financial Report for Fiscal Year 2015-2016

Gilbert Rojas reported that the annual financial report for the Fiscal Year ending on June 30, 2016 has been completed and he introduced Mr. Ahmed Badawi, CPA.

Mr. Ahmed Badawi, CPA, provided a presentation and was available to the City Council to answer questions.

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to accept and file the audit passed, by the following vote:

Ayes: Arambula, Jones, J. Mendoza, M. Mendoza

Absent: Vasquez

2. Fiscal Year 2016-17 Mid-Year Budgets

Gilbert Rojas reported that on June 21, 2016, the City Council adopted a City-wide Consolidated Operating and Capital Budget for Fiscal Year 2016-17. Since the budget was adopted, the revenues and expenditures for FY 2015-16 have been finalized and audited.

Mr. Rojas recommended that the General Fund revenues be decreased in total by \$245,000. This entails a decrease in the revenue estimates in Sales Tax \$250,000, Building Permits \$70,000, however, there was an increase in Property Tax estimate of \$75,000.

The City Council previously approved an additional \$150,000 appropriation for the Sage project and staff is also recommending the appropriation of \$100,000 within the General Fund to supplement the Connect Main Street grant monies previously secured. Lowering "transfers out" to the Gas tax fund from \$100,000 to \$30,000.

Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to adopt the resolution passed, by the following vote:

Ayes: Arambula, Jones, J. Mendoza, M. Mendoza

Absent: Vasquez

Resolution No. 2017-3493: Resolution of the City Council of the City of Lemon Grove, California Approving the City of Lemon Grove Mid-Year Budget for Fiscal Year 2016-2017 and Authorizing Expenditures Thereto

3. Award Construction Contract for the Connect Main Street Segment I Phase I Project (Contract No. 2017-16)

Tim Gabrielson provided an overview of the grant and design aspects for the Connect Main Street Segment I Phase I Project.

October 14, 2016 the City contracted with Michael Baker International and KTUA to prepare the first phase of construction improvements for the Connect Main Street Project based upon the City Council approved Connect Main Street General Plan Amendment. Through the initial designs, the project limits and features along Main Street from Broadway to approximately City Hall were defined to be able to construct the project within the grant funding requirements and schedule. Within the HRPP Grant, there was a design and construction budget set aside of \$279,500 to start the first construction phase of the project. All HRPP Grant funds for design and construction must be used by June 30, 2017 or the Grant will expire. No extensions of time for this Grant is allowed.

The project's engineering estimate was \$210,000.00. The lowest responsive and responsible bid was submitted by New Century Construction, Inc. (New Century) in the amount of \$291,641.50.

Staff reviewed New Century's project work history, references, and construction license. Its project work history and reference checks were positive. New Century has successfully performed similar work for other local governments to include prior work with the City. New Century's contractor's license is current and in good standing with the State of California

Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to adopt the resolution passed, by the following vote:

Ayes: Arambula, Jones, J. Mendoza, M. Mendoza

Absent: Vasquez

Resolution No. 2017–3494: Resolution of the Lemon Grove City Council Awarding a Contract for the Connect Main Street Segment I Phase I Project (Contract No. 2017-16)

4. Public Hearing for Review of the 2016 General Plan Annual Progress Report

Eric Craig explained that State law requires cities and counties to annually review, conduct a public hearing, and authorize the submission of a General Plan Annual Progress Report (Report) to the State.

Mr. Craig provided an overview of the Report that includes the status of the General Plan implementation and the progress towards meeting regional housing needs. In preparing the Report, staff distributed sections of the Report to the appropriate City departments for review and input.

Councilmember Jones recommended the following clarifications to the language in the Report regarding the completion of the mural, skate park 2017, Palm Avenue interchange land use, Skyline Drive neighborhood/commercial area, and revitalized business areas.

Public Speaker(s)

There were no requests from the public to speak during the public hearing.

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to close the public hearing and include changes recommended by Councilmember Jones, and adopt the resolution passed, by the following vote:

Ayes: Arambula, Jones, J. Mendoza, M. Mendoza

Absent: Vasquez

Resolution No. 2017- 3495: Resolution of the City Council of the City of Lemon Grove Accepting the 2016 General Plan Annual Progress Report and Directing Staff to Submit the Report to the State of California in Accordance With Government Code Section 65400(A)(2

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City. (GC 53232.3 (d))

Councilmember Jones reported that SANDAG is processing a Request for Proposals to firms for an independent investigation regarding Measure A.

Councilmember Arambula reported on meetings at MTS and East County Economic Development Council.

Councilmember M. Mendoza had no reports.

Mayor Pro Tem J. Mendoza attended the Lemon Grove Interfaith Clergy and reported on the upcoming annual cross walk on April 14th. She also attended Heal Zone meetings, Assemblywoman Weber's Salute to Women Leaders event, the League of California Cities luncheon, SANDAG Transportation Committee meeting, reported on the Lyons Club eyeglass event, and a Soroptimist meeting.

City Manager and Department Director Reports

Mike James reported that the skate park construction is near completion and on April 15th there will be the re-grand opening from noon to 3:00 p.m.

Lt. May thanked the City Council for his time of service in Lemon Grove.

Lydia Romero introduced Lt. Amos who will be taking Lt. May's position.

Lt. Amos expressed his appreciation for the opportunity to serve Lemon Grove.

James Lough stated that he will provide the City Council with a memo related to Measure V.

Closed Session

Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:
Three Cases

Closed Session Report: No reportable action was taken.

Adjournment

There being no further business to come before the City Council, Housing Authority, Sanitation District Board, Lemon Grove Roadway Lighting District Board, and the Lemon Grove Successor Agency the meeting was adjourned at 8:00 p.m.



Susan Garcia, City Clerk

City of Lemon Grove Demands Summary

Approved as Submitted:

Gilbert Rojas, Interim Finance Director

For Council Meeting: 04/04/17

ACH/AP Checks 03/14/17-03/22/17

874,028.06

Payroll - 03/14/17

126,282.99

Total Demands

1,000,311.05

Check No	Vendor No	Vendor Name	Check Date	Vendor Name	Check Amount	
CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Jan17	San Diego County Sheriff's Department	03/14/2017	Law Enforcement Services - Jan'17	433,391.45	433,391.45
ACH	Stmt 2/28/17	Home Depot Credit Services	03/14/2017	Home Depot Purchases - Feb'17	707.73	707.73
ACH	Mar14 17	Employment Development Department	03/16/2017	State Taxes 03/14/17	6,831.29	6,831.29
ACH	Mar1-14 17	Calpers Supplemental Income 457 Plan	03/16/2017	457 Plan 3/1/17-3/14/17	4,840.21	4,840.21
ACH	Mar14 17	US Treasury	03/21/2017	Federal Taxes 03/14/17	25,875.55	25,875.55
ACH	Mar15-22 17	Wage Works	03/22/2017	FSA Disbursement 3/15/17-3/22/17	51.54	51.54
7317	196503	Allstar Fire Equipment Inc.	03/15/2017	Gas Cylinder	54.54	54.54
7318	L1072895RC	American Messaging	03/15/2017	Pager Replacement Program- 3/1/17-3/31/17	40.68	40.68
7319	9268592 9310726	AT&T	03/15/2017	Fire Telephone 1/13/17-2/12/17 Fire Backup Phone Line- 1/22/17-2/21/17	78.64 37.41	116.05
7320	123678 123706	Best Tire Buy	03/15/2017	Flat Repair - LGPW Vehicle #26 Re-issue Flat Repair - LGPW Facilities Vehicle #20 Re-issue	19.23 20.31	39.54
7321	4021554917	Canon Solutions America, Inc.	03/15/2017	Canon Maintenance-Copier Usage 11/27/16-2/26/17	48.88	48.88
7322	250086	CarsonTrailer.Com	03/15/2017	DUI Trailer for Serious Traffic Offender Program - Sheriff	10,269.28	10,269.28
7323	694312648	Cintas Corporation #694	03/15/2017	Janitorial Supplies - Fire - 2/16/17	395.79	395.79
7324	235-4	Circulate San Diego	03/15/2017	Caltrans SSARP Project- 2/1/17-2/28/17	2,000.00	2,000.00
7325	HCA0000181	City of El Cajon	03/15/2017	HCFA Assessments - QTR 4 FY16/17	37,490.00	37,490.00
7326	81782688	Corelogic Solutions, LLC.	03/15/2017	RealQuest Graphics Package- Feb '17	300.00	300.00
7327	3/1/2017 3/1/2017	Cox Communications	03/15/2017	Main Phone/Fire- 3/1/17-3/31/17 Phone/City Hall- 3/1/17-3/31/17	566.71 972.46	1,539.17
7328	030417560	DAR Contractor	03/15/2017	Animal Disposal- Feb '17	162.00	162.00
7329	0224172305	Domestic Linen- California Inc.	03/15/2017	Shop Towels & Safety Mats 2/24/17	96.40	96.40
7330	3/6-9/17	Esgil Corporation	03/15/2017	75% Building Fees- 3/6/17-3/9/17	6,583.34	6,583.34
7331	18087938	Globalstar USA, Inc.	03/15/2017	Satellite Service 1/16/17-2/15/17	100.90	100.90
7332	Gold Youth	Gold Youth Arts	03/15/2017	Refund/Gold Youth Arts/Deposit-Rec Ctr- 3/3/17	200.00	200.00
7333	173	Janazz, LLC SD	03/15/2017	Computer Maintenance - Feb 17 AV Computer for Sewer Camera - Feb 17 Wireless SonicPoint ACe with PoE Injector/PW - Feb 17	2,500.00 991.25 627.03	4,118.28
7334	RogowayTrust	Jeffrey Rogoway Trust	03/15/2017	Refund/Jeffrey Rogoway Trust/Charged Twice for Sewer Capacity	1,000.00	1,000.00
7335	Reimb 2/27/17	Maxfield, Brad	03/15/2017	Reimb/Car Rental & Gas/EMS Conf/Salt LakeCity-2/22-25/17	478.77	478.77
7336	11700196	NBS Govt Finance Group	03/15/2017	Develop Additional Rate Alternatives - thru Feb 28, 2017	3,408.50	3,408.50

7337	203808	Ninyo & Moore	03/15/2017	Starbucks Project Inspection Svcs thru 11/25/16	5,405.00	5,405.00
7338	SolarCity3/8	SolarCity	03/15/2017	Refund/SolarCity/Permit Withdrawn/B16-0603	183.42	183.42
7339	Soroptimists3/7	Soroptimists Int'l of Lemon Grove	03/15/2017	Refund/Soroptimists/Deposit/Facility Use -CC 4/17/17	370.00	370.00
7340	220337	State of California- Department of Justice	03/15/2017	Fingerprint Apps - Feb '17	128.00	128.00
7341	STMT 2/22/201	US Bank Corporate Payment Systems	03/15/2017	200 Filled Sand Bags	558.15	8,052.80
				NASSCO Publications/PW/Adams	172.18	
				MSA SD Joint Meeting 2/15/17 Bell/Harper/Hunt	60.00	
				MSA SD PW Training 2/23/17 Landeros/Corona/McDonald	180.00	
				Supplies/PW	5.92	
				Vehicle Batteries Return/Fire	-257.33	
				Vehicle Batteries/Fire	208.11	
				Storage Cabinets/Fire	650.60	
				First Aid/CPR/AED DVD Set	189.59	
				Award Certificate Holders/Mayor & City Council	90.43	
				Exec Asst Interviews/Panel Meals	88.85	
				Ice Chests for Engines/Fire	283.48	
				Kitchen Pan/Fire Station	26.03	
				Vehicle Supplies/Bulbs & Wipers/Fire	96.34	
				Registration/TriCON Conference/Drum 2/26-3/1/Las Vegas	895.00	
				Lodging/TriCON Conference/Drum 2/26-3/1/Las Vegas	550.14	
				Hole Punched Paper	20.16	
				Lunch/CalPERS Training	231.55	
				Treadmill/Reconditioned/Fire	378.00	
				Rental Car & Gas/Finance Comm/CSAC/James-2/3/17	110.55	
				Rental Car & Meals/Legis Comm/CSAC/James-2/9/17	84.18	
				Lodging/PARMA Conference/James-2/11-15/17	703.39	
				AutoCAD Software	1,400.00	
				ECC/Best of East County-Civc Ctr Park	90.00	
				Toilet Plunger & Caddy/Fire	16.95	
				Helmet Shields/Fire/Maxfield	130.00	
				Saw Blade & Locking Pin/Fire	221.38	
				Cordless Tool Batteries/Fire	255.95	
				Registration/2017 Sandag Board Retreat 2/8-9/17 J Mendoza	373.80	
				Registration/2017 Sandag Board Retreat/2/8-9/17 Vasquez	239.40	
7342	Mar14 17	Vantage Point Transfer Agents-457	03/15/2017	ICMA Deferred Compensation Pay Period Ending 3/14/16	580.77	580.77
7343	9780686633 9780669366	Verizon Wireless	03/15/2017	MDC Engine Tablets- 1/21/17-2/20/17	190.05	551.03
				EOC Router/Emer Phone Lines/Tablets - 1/21/17-2/20/17	360.98	
7344	0009 0251 30017	A Aaron Lock & Key	03/22/2017	Keys	21.47	225.17
				Keys	52.03	
				Re-Key Side Door for HCPH Inc - Community Center	151.67	
7345	C2629	A-Pot Rentals	03/22/2017	Portable Restroom Rental - Berry St Pk/Water Shut Off 3/3-6/17	316.30	316.30
7346	31716 31828	Anita Fire Hose Company Etc.	03/22/2017	Annual Fire Extinguisher Maintenance/6 Year - Fire Station	30.98	96.60
				Annual Extinguisher Maintenance/6 Year - Fire Station	65.62	
7347	9419563	AT&T	03/22/2017	Fire Telephone 2/13/17-3/12/17	78.64	78.64
7348	1366	Badawi & Associates	03/22/2017	FY16 Audit - Final Billing	2,500.00	2,500.00
7349	759478-9	BJ's Rentals	03/22/2017	Trencher Rental - Berry St Dog Park - Water Line 3/9/17	209.56	209.56
7350	Burkett-3/14	Burkett, Terry	03/22/2017	Driver Operator IA Class/Course Book- 3/6/17-3/10/17	76.78	76.78
7351	Apr 2017	California Dental Network Inc	03/22/2017	California Dental Insurance - Apr17	158.86	158.86
7352	17106645	Canon Financial Services Inc.	03/22/2017	Canon Copier Contract Charge 4/1/17	642.60	642.60
7353	4021550061	Canon Solutions America, Inc.	03/22/2017	Canon Maintenance-Copier Usage 11/26/16-2/25/17 Basement	57.18	57.18
7354	Cesena	Cesena, Wenceslao Roberto	03/22/2017	Refund/Cesena, Wenceslao/Notary Fees/LGA 20A Undergrounding	30.00	30.00
7355	694320274 694322823 694322824	Cintas Corporation #694	03/22/2017	Janitorial Supplies - 3/9/17	184.16	2,254.22
				Janitorial Supplies - 3/16/17	1,078.98	
				Janitorial Supplies - 3/16/17	991.08	

7356	032017	City Clerks Association of California	03/22/2017	Training Manual/Revised City Clerk's Handbook	40.00	40.00
7357	HFTA000037	City of El Cajon	03/22/2017	HFTA Fees - QTR 4 FY16/17	2,933.00	2,933.00
7358	19033	City of La Mesa	03/22/2017	FY16-17 Qtr 2- JPA Reconciliation- Oct-Dec 2016	34,823.00	34,823.00
7359	81783272	Corelogic Solutions, LLC.	03/22/2017	Image Requests- Feb '17	11.00	11.00
7360	3/5/2017 3/5/2017 3/9/2017 2/27/2017 3/7/2017 3/4/2017	Cox Communications	03/22/2017	Calsense Modem Line:2259 Washington Ave 3/6/17-4/5/17 Calsense Modem Line:7071 Mt Vernon- 3/6/17-4/5/17 Calsense Modem Line:8235 Mt Vernon- 3/9/17-4/8/17 Internet/Community Ctr- 3/1/17-3/29/17 B/U Phone/Fire /7853 Central- 3/7/17-4/6/17 Phone/Rec Ctr/ 3131 School Ln - 3/4/17-4/3/17	20.87 19.76 94.39 75.00 34.06 97.48	341.56
7361	3242851/FY17	CWEA	03/22/2017	CWEA Membership FY17- Dumas	172.00	172.00
7362	0310172305	Domestic Linen- California Inc.	03/22/2017	Shop Towels & Safety Mats 3/10/17	96.40	96.40
7363	12060	ECS Imaging	03/22/2017	Laserfiche Annual Renewal - FY18	5,680.00	5,680.00
7364	3/13-16/17	Esgil Corporation	03/22/2017	75% Building Fees- 3/13/17-3/16/17	1,383.08	1,383.08
7365	25174	Excell Security, Inc.	03/22/2017	Senior Center Security Guard - 3/12/17	79.84	79.84
7366	5-734-18670	Federal Express	03/22/2017	Shipping Charges - Equipment Repair - Cues West 2/16/17	362.70	362.70
7367	lgfd-16/17	FieldSaver Inc.	03/22/2017	Annual Subscription/FieldSaver Software - 7/1/16-6/30/17	2,500.00	2,500.00
7368	8563	G & G Backflow Plumbing Service	03/22/2017	Backflow Assemblies - Tested & Repaired Leak- Berry St Park	229.81	229.81
7369	INV1011661	George Hills Company	03/22/2017	TPA Claims Svc - Feb'17	830.00	830.00
7370	00042177 00042371 00042371	Hudson Safe-T- Lite Rentals	03/22/2017	Street Closure Signs Use Crosswalk Signs/No Ped Crossing Sign/Barricade Tape Safety Vest/PW	194.85 330.16 19.49	544.50
7371	9667	Infrastructure Engineering Corporation	03/22/2017	Prof Svc: LGA Realignment - 1/28/17-2/24/17	7,590.70	7,590.70
7372	Jackson	Jackson, Melinda	03/22/2017	Refund/Jackson,Melinda/Deposit-Lee House 3/12/17	300.00	300.00
7373	119971 119972	Knott's Pest Control, Inc.	03/22/2017	Monthly Bait Stations- Civic Ctr - Mar 17 Monthly Bait Stations- Sheriff - Mar 17	60.00 45.00	105.00
7374	4229350	Mallory Safety and Supply, LLC	03/22/2017	Safety Glasses/Nitrile Gloves/Disposable Respirator/Coveralls	505.16	505.16
7375	31700002	NBS Govt Finance Group	03/22/2017	Prop 218 Noticing for Sewer Rates (2017) and Consulting Svcs	16,314.60	16,314.60
7376	WO-35369-1	Office Advantage, Inc.	03/22/2017	Office Supplies- City Hall	205.24	205.24
7377	117017920	Physio-Control, Inc.	03/22/2017	AED Reusable Direct Contact Sensor/Adult Size	612.03	612.03
7378	PD-34184 PD-34185	Plumbers Depot Inc.	03/22/2017	Repair CPR/Replace Camera Outer Connector - Sewer Camera LGPW#26 Repair Sewer Camera/Replace Motor Driver,Video Board	142.13 1,556.12	1,698.25
7379	9939 INV012848	RapidScale Inc.	03/22/2017	Virtual Hosting 1/31/17 Virtual Hosting 2/28/17	2,715.03 2,715.03	5,430.06
7380	31053222	RCP Block & Brick, Inc.	03/22/2017	Bulk Concrete Sand - Fire Station	190.07	190.07
7381	Rucker	Rucker, Alvida	03/22/2017	Refund/Rucker, Alvida/Deposit- CommCtr - 3/11/17	200.00	200.00
7382	1052-03 1052-04	SC Valley Engineering Inc.	03/22/2017	LG Sewer Upsizing Proj- 12/31/16-1/31/17 LG Sewer Upsizing Proj- 2/1/17-2/28/17	91,318.75 114,475.00	205,793.75
7383	Feb17	SDG&E	03/22/2017	Gas & Electric 1/20/17-2/21/17	19,743.88	19,743.88
7384	79403897 79403897 79403979 79403979	SiteOne Landscape Supply, LLC	03/22/2017	PVC Pipe/Water Line for Dog Park/Berry St Park Classic Lifeguard Hat/PW Refund/PVC Pipe/Water Line for Dog Park/Berry St Park PVC Pipe/Water Line for Dog Park/Berry St Park	781.67 10.18 -781.67 83.46	93.64
7385	0170077-IN 0170078-IN	South Bay Foundry Inc.	03/22/2017	Stormdrain Grates/Streets/Dain Ct/School Ln/Federal@College/LGA Riser Rings for Manhole Covers/Sanitation/Mazer St & PW Supply	1,414.22 280.15	1,694.37

7386	00049982	The East County Californian	03/22/2017	Notice - 2016 General Plan Annual Progress Report	143.50	143.50
7387	9781423726 9782019990	Verizon Wireless	03/22/2017	Models- Cardiac Monitors - 2/4/17-3/3/17 City Phone Charges- 2/13/17-3/12/17	14.04 351.13	365.17
7388	93445	Vinyard Doors, Inc.	03/22/2017	Sectional Door Repair- Door 4 & 5 - Fire Station	455.00	455.00
7389	71383506 71389359 71389360	Vulcan Materials Company	03/22/2017	Asphalt Asphalt Asphalt	135.36 134.48 137.11	406.95
7390	0169348	Zumar Industries, Inc.	03/22/2017	Special St Name Signs- Clabby Court/Tom's Way- Updated	96.98	96.98
					874,028.06	874,028.06

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.D
Mtg. Date April 4, 2017
Dept. Public Works

Item Title: Rejection of Claim

Staff Contact: Mike James, Assistant City Manager / Public Works Director

Recommendation:

Reject a claim submitted by Patricia Guliasia.

Item Summary:

On March 20, 2017, the City of Lemon Grove received a timely and revised claim from Patricia Guliasia. After reviewing the claim staff recommendations that it is rejected.

Fiscal Impact:

None.

Environmental Review:

☒ Not subject to review

☐ Categorical Exemption, Section

☐ Negative Declaration

☐ Mitigated Negative Declaration

Public Information:

☒ None

☐ Newsletter article

☐ Notice to property owners within 300 ft.

☐ Notice published in local newspaper

☐ Neighborhood meeting

Attachments:

None.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.E
Mtg. Date April 4, 2017
Dept. Public Works

Item Title: Rejection of Claim

Staff Contact: Mike James, Assistant City Manager / Public Works Director

Recommendation:

Reject a claim submitted by Ward & Hagen LLP on behalf of Mark Jaromillo, Aaron Guadrana and Donald Conrad.

Item Summary:

On February 1, 2017, the City of Lemon Grove received a timely filed claim from Ward & Hagen LLP on behalf of Mark Jaromillo, Aaron Guadrana and Donald Conrad. After reviewing the claim staff recommendations that it is rejected.

Fiscal Impact:

None.

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 |

Public Information:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

None.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.F
Mtg. Date April 4, 2017
Dept. Public Works

Item Title: Rejection of Claim

Staff Contact: Mike James, Assistant City Manager / Public Works Director

Recommendation:

Reject a claim submitted by Lawrence Williams.

Item Summary:

On February 1, 2017, the City of Lemon Grove received a timely filed claim from Lawrence Williams. After reviewing the claim staff recommendations that it is rejected.

Fiscal Impact:

None.

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 |

Public Information:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

None.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.G
Mtg. Date April 4, 2017
Dept. Public Works

Item Title: **Acceptance of the FY 2016-17 CIP Concrete Repair and Upgrade Program, Various Locations, Project (Contract No. 2017-06)**

Staff Contact: Mike James, Assistant City Manager / Public Works Director

Recommendation:

Adopt a resolution (**Attachment A**) accepting FY 2016-17 CIP Concrete Repair and Upgrade Program, Various Locations, Project (Contract No. 2017-06) as complete. |

Item Summary:

On December 6, 2016, Miramar General Engineering was awarded the FY 2016-17 CIP Concrete Repair and Upgrade Program, Various Locations, Project (Contract No. 2017-06) with a bid cost of \$43,903 and a project budget not to exceed \$48,293.

Since the project was awarded, there was one change order: Change Order No.1. Change Order No. 1 removed and replaced 560 square feet of sidewalks that staff identified as trip hazards after the contract was awarded. The change order increased quantities at a cost of \$4,368. The final project cost totaled \$48,271.

On March 23, 2017, staff completed the final inspection of the improvements and determined the work was completed per the contract specifications. Staff recommends that the City Council adopt a resolution (**Attachment A**) accepting the work as complete, authorize the City Manager or designee to file a notice of completion with the County of San Diego, and authorize staff to release the retention no sooner than thirty (30) days after the notice of completion has been filed. |

Fiscal Impact:

TransNet funds were budgeted for this project as part of the Five-Year Capital Improvement Program.

Environmental Review:

☒ Not subject to review

☐ Negative Declaration

☐ Categorical Exemption, Section

☐ Mitigated Negative Declaration

Public Information:

☒ None

☐ Newsletter article

☐ Notice to property owners within 300 ft.

☐ Notice published in local newspaper

☐ Neighborhood meeting

Attachments:

A. Resolution

Attachment A

RESOLUTION NO. 2017-_____

**RESOLUTION OF THE LEMON GROVE CITY COUNCIL ACCEPTING THE FY 2016-17 CIP
CONCRETE REPAIR AND UPGRADE PROGRAM, VARIOUS LOCATIONS, PROJECT
(CONTRACT NO. 2017-06) AS COMPLETE**

WHEREAS, on December 6, 2016, the City Council awarded the FY 2016-17 CIP Concrete Repair and Upgrade Program, Various Locations, Project (Contract No. 2017-06) to Miramar General Engineering; and

WHEREAS, the contract bid amount was established at \$43,903 and a total project budget not to exceed \$48,293; and

WHEREAS, one change order in the total amount of \$4,368 increased the original contract price from \$43,903 to \$48,271; and

WHEREAS, the final project cost of \$48,271 was allocated for this project from TransNet funds; and

WHEREAS, on March 23, 2017, Miramar General Engineering completed the scope of work as defined by the original contract and change orders; and

WHEREAS, City staff inspected all of the improvements and determined that Miramar General Engineering fulfilled its contractual obligations. |

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

1. Accepts the work for the FY 2016-17 CIP Concrete Repair and Upgrade Program, Various Locations, Project (Contract No. 2017-06) as complete; and
2. Authorizes the City Manager or designee to file a notice of completion with the County of San Diego; and
3. Authorizes city staff to release the retention no sooner than thirty (30) days after the notice of completion is filed. |

/////
/////

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.H
Mtg. Date April 4, 2017
Dept. Development Services

Item Title: Third Amendment to Option Agreement Between City of Lemon Grove and the San Diego Community Land Trust for 8084 Lemon Grove Way

Staff Contact: David De Vries, Development Services Director

Recommendation:

Adopt a resolution amending the Option Agreement to provide a third six month time extension.

Item Summary:

In September 2014, the City and San Diego Community Land Trust (SDCLT) entered into a Purchase Option Agreement for the eventual sale of 8084 Lemon Grove Way which is Lemon Grove Housing Authority owned land. The Purchase Option Agreement required SDCLT to complete certain milestones by specified dates. These milestones ensure that SDCLT has progressed towards the purchase of 8084 Lemon Grove Way. The fourth milestone—securing building and site improvement permits and securing, as to form, the 99-year ground lease proposed to be used as the conveyance of Affordable Unit interests—was to be completed by May 19, 2016 and the Second Option Amendment extended this date to April 19, 2017. The applicant is working with City staff and other agencies to achieve this milestone; however, they will be unable to meet the specified deadline. Also, the original letter of intent for construction financing has expired and three months is recommended to complete. City staff recommends that the City Council adopt a resolution amending the Option Agreement to provide a third time extension.

Fiscal Impact:

None.

Environmental Review:

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

Public Information:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> None
<input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Newsletter article
<input type="checkbox"/> Neighborhood meeting | <input type="checkbox"/> Notice to property owners within 300 ft. |
|--|--|---|

Attachments:

- A. Staff Report
- B. Resolution Amending the Option Agreement
- C. Time Extension Request from SDCLT

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 1.H

Mtg. Date April 4, 2017

Item Title: Third Amendment to Option Agreement Between City of Lemon Grove and the San Diego Community Land Trust for 8084 Lemon Grove Way

Staff Contact: David De Vries, Development Services Director

Discussion:

On September 22, 2014, the City and San Diego Community Land Trust (SDCLT) entered into a Purchase Option Agreement for the eventual sale of 8084 Lemon Grove Way which is owned by the Lemon Grove Housing Authority (City Council Resolution No. 2014-3284 dated September 16, 2014). A nine unit housing development is currently entitled on the subject property based on approvals in 2007 and amendments approved on March 1, 2016. The Purchase Option Agreement allows SDCLT to purchase the property for one dollar in exchange for constructing the units and restricting them to moderate income households included in their 99-year ground lease mechanism. SDCLT is required to achieve certain milestones by specified dates. These milestones ensure that SDCLT has done their due diligence to determine whether the project is feasible.

The first milestone—submission of a business plan—was to be achieved by December 2014. The business plan was submitted on December 1, 2014 and the City Council reviewed the business plan and provided feedback to SDCLT on January 6, 2015.

The second milestone—securing entitlements and construction financing—was to be achieved by September 2, 2015 and October 19, 2015, respectively. Minimal revisions to the approved Tentative Map (TM0052) and Planned Development Permit (PDP06-09) were proposed and amendments to the floor and elevation plans were approved by the City Council on March 1, 2016. Entitlements for both the tentative map and planned development permit have been secured since there has been substantial progress towards the issuance of a final map, grading plan, improvement plan and building permits for the completion of the project. On September 4, 2015, SDCLT submitted a Letter of Intent (LOI) from Torrey Pines Bank that has been signed with the Bank required deposit providing conditional approval for construction financing from Torrey Pines Bank. The LOI has since expired and a new LOI with deposit will be provided by SDCLT to the City within three months (July 19, 2017 specified deadline extension).

The third milestone—submit building and site improvement applications—was to be achieved by April 4, 2016. This milestone requires submittal of development plans and technical studies required for a grading permit, building permit, landscape permit, and a final map. Appropriate plans and reports include building and site construction plans, grading plans, a landscape documentation package, an acoustical analysis, a Storm Water Quality Management Plan and a hydrology report, draft Conditions, Covenants, and Restrictions (CC&Rs), and potentially other necessary reports, studies, and plans in accordance with City Council Resolutions 2694 and 2695, which approved TM0052 and PDP06-09 respectively. A "Hold Harmless" agreement was required for each submittal. In February of 2016, SDCLT submitted the necessary permit applications achieving the third milestone.

Attachment A

The fourth milestone—securing building and site improvement permits and securing approval as to form of the 99-year ground lease proposed to be used as the conveyance of Affordable Unit interests—was to be achieved by May 19, 2016; but is now extended to April 19, 2017. This requires that all permits applied for in the third milestone are secured (permits issued and improvements secured either through a bond or cash deposit). At this time, SDCLT recently submitted their first resubmittal since February 2016 and corrections from the City are either in review or have been provided to the applicant. City staff estimates all of the needed engineering and building permits in the fourth milestone should be able to be issued and secured within three to six months assuming corrections are addressed. City staff recommends that a third six month extension to the Option Agreement be provided in order to allow SDCLT sufficient time to secure the permits.

SDCLT has submitted a draft ground lease for City review and staff is working with SDCLT on an affordable housing regulatory agreement. The City provided feedback to SDCLT in June 2016 that the draft lease must: 1) eliminate provisions that would allow the units to revert to market rate housing in the event of a leasehold mortgage foreclosure, which would eliminate affordable housing restrictions; and 2) that provisions must be added to the lease that restrict the lease payments of the moderate income households (lessees) to be consistent with state law (mortgage payments and related housing costs shall be equal to or less than 35 percent of the gross monthly household income). Similar concerns have been expressed in the draft regulatory agreement. The issues in both documents remain outstanding, but methods to narrow the issues are being explored. A draft of the affordability agreements, regulatory agreement and the 99-year ground lease will be mutually agreed upon by City staff and SDCLT before it is submitted to City Council for consideration and approval at a future meeting.

Should the City Council decide to take no action providing for no amendment to the Option Agreement, then the Option Agreement will terminate on April 19, 2017 since the second and fourth milestones would not have been achieved and, thereafter, the developer would need to renegotiate a new option agreement with the City should they continue to pursue the project. The City Council may pursue other opportunities for the property if this option agreement terminates.

Conclusion:

City staff recommends that the City Council adopt a resolution amending the Option Agreement to provide a third time extension.

Attachment B

RESOLUTION NO. 2017-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA
APPROVING AN AMENDMENT TO AN OPTION AGREEMENT WITH THE SAN DIEGO
COMMUNITY LAND TRUST FOR THE PARCEL IDENTIFIED AS 8084 LEMON GROVE WAY
(APN 475-450-19-00)**

WHEREAS, on June 20, 2006 and June 19, 2007, the former Lemon Grove Community Development Agency and a developer entered into loan agreements for the development of nine townhome units at 8084 Lemon Grove Way; and

WHEREAS, said developer defaulted on the loan agreements, resulting in the parcel identified as 8084 Lemon Grove Way becoming property of the City of Lemon Grove; and

WHEREAS, in 2014, the San Diego Community Land Trust provided a formal offer to purchase 8084 Lemon Grove Way from the City of Lemon Grove; and

WHEREAS, the San Diego Community Land Trust's offer included a commitment to develop and construct a minimum of nine affordable housing units to be ground leased for a 99-year period to households earning from 80 percent to 120 percent of the San Diego Area Median Income at the time of sale or resale; and

WHEREAS, the provision of these affordable units helps meet the City's moderate housing targets established by the Regional Housing Needs Assessment (January 1, 2013 – December 31, 2020); and

WHEREAS, on June 17, 2014, the City Council directed City staff to negotiate purchase agreements with the San Diego Community Land Trust, based on its offer; and

WHEREAS, on September 16, 2014, the City Council approved an Option Agreement and a Real Estate Purchase and Sale Agreement between the City of Lemon Grove and the San Diego Community Land Trust; and

WHEREAS, on May 17, 2016, the City Council approved an amendment to the Option Agreement with the San Diego Community Land Trust extending the expiration date of milestone 7.4 to October 19, 2016 and the option term to March 22, 2017 (both six month extensions) and including an Optionee requirement to execute an Affordable Housing Agreement and Regulatory Agreement and a Notice of Affordability Restrictions on Transfer of Property; and

WHEREAS, the City has negotiated a second amendment to the Option Agreement with the San Diego Community Land Trust further extending the expiration date of milestone 7.4 to April 19, 2017 and the option term to September 22, 2017 (both six month extensions); and

WHEREAS, the City has negotiated a third amendment to the Option Agreement with the San Diego Community Land Trust further extending the expiration date of milestone 7.4 to October 19, 2017 and the option term to March 22, 2018 (both six month extensions) and requiring milestone 7.2 – secure construction financing – to be completed by July 19, 2017; and

WHEREAS, the City Council has reviewed said amendment; and

WHEREAS, the City Council finds it in the best interest of the City of Lemon Grove to approve said amendment; and

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

1. Approves a Third Amendment to the Option Agreement (Exhibit 1) between the City of Lemon Grove and the San Diego Community Land Trust; and

Attachment B

2. Authorizes the City Manager to execute said Amendment and related documents subject to minor modifications. The draft 99-year ground lease and regulatory agreement will be provided to City Council for consideration and approval. |

/////

Attachment B

EXHIBIT 1

THIRD AMENDMENT TO OPTION AGREEMENT

This Third Amendment to Option Agreement ("**Third Amendment**") is entered into as of April __, 2017, by and between and between THE CITY OF LEMON GROVE a public body ("**Optionor**") and THE SAN DIEGO COMMUNITY LAND TRUST a California 501(c)(3) non-profit organization ("**Optionee**"),

RECITALS:

A. Optionor and Optionee entered into that certain Option Agreement dated September 22, 2014 relating the Property commonly known as 8084 Lemon Gove Way, Lemon Grove, CA (APN475-450-19-00), as amended by the First Amendment dated March 18, 2016 and as amended by the Second Amendment dated October 5, 2016 (together the "**Option Agreement**").

B. Optionor and Optionee desire to further amend the Option Agreement set forth herein. All initially capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Option Agreement.

AGREEMENT:

1. Extension of Option Term. Paragraph 4 of the Option Agreement is deleted in its entirety and replaced as follows:

"4. Option Term. The Option may be exercised upon the Effective Date and no later than March 22, 2018 (the "**Option Term**"), unless terminated earlier under the terms of Section 6. If the Option is not exercised in accordance with the provisions and conditions hereof during the Option Term, then the Option shall expire and the parties shall have no further obligations under this Agreement with the exception of any surviving indemnification obligations as provided in this Agreement."

2. Extension of deadline to Secure Construction Financing. Subparagraph 7.2 of the Option Agreement is deleted in its entirety and replaced as follows:

"7.2 No later than September 2, 2015, Optionee to complete project modification and secure entitlement (including approval of a Tentative Subdivision Map and Planned Development Permit in conformance with City of Lemon Grove Resolutions 2694 (attached as Exhibit E) and 2695, as approved by Lemon Grove City Council on February 20, 2017 (attached as Exhibit F). No later than July 19, 2017, Optionee shall present reasonable evidence, as determined in the reasonable discretion of Optionor, that Optionee has secured construction financing."

3. Extension of deadline for Permits and Optionor's Approval. Subparagraph 7.4 of the Option Agreement is deleted in its entirety and replaced as follows:

"7.4 No later than October 19, 2017: (a) Optionee shall have (i) secured Building and Site Improvement Permits (including building, street improvement, and grading plans shall be issued and the final map shall be recorded), (ii) secured Optionor's approval as to form of the 99-year ground lease proposed to be used as the conveyance of Affordable Unit interests; and (b) Optionor shall have approved and prepared for recording on the Closing Date as defined in the Purchase agreement in the records of San Diego County, an Affordable Housing

Attachment B

Agreement and Regulatory Agreement and a Notice of Affordability Restrictions on Transfer of Property (together "Regulatory Agreement"). Optionor and Optionee agree that recordation of said Regulatory Agreement shall be deemed a condition of City's (Optionor's) obligation to transfer the Property to the Developer ("Optionee") under the Purchase Agreement and the Purchase Agreement shall be amended to include said condition prior to execution."

4. Counterparts. This Third Amendment may be signed in multiple counterparts with the same force and effect as if all original signatures appeared on one copy; and in the event this Third Amendment is signed in counterparts, each counterpart shall be deemed an original and all of the counterparts shall be deemed to be one Third Amendment.

5. Effect of Third Amendment. Except as amended hereby, the Option Agreement remains in full force and effect.

IN WITNESS WHEREOF, Optionor and Optionee have executed this Third Amendment as of the date set forth above.

OPTIONOR:

THE CITY OF LEMON GROVE.,

By: _____

Name: _____

Its: _____

Approved as to legal form;

By _____
James P. Lough, City Attorney

OPTIONEE:

THE SAN DIEGO COMMUNITY LAND TRUST,

By: _____

Name: _____

Its: _____



San Diego
COMMUNITY
LAND TRUST

Board of Directors March 23, 2017

Richard Lawrence

Chair

Charles Davis

President

Damon Braden

Vice President

Sochiata Vutthy

Secretary

Tom Scott

CFO

David B. De Vries, AICP

Development Services Director

City of Lemon Grove

Development Services Department

3232 Main St.

Lemon Grove, CA 91945

RE: Request for Option Extension – 8084 Lemon Grove Way

Thomas Cartwright

Elaine Kennedy

Lee Van Ham

Dear David:

The Option Agreement between the City of Lemon Grove and the San Diego Community Land Trust (SDCLT) requires that no later than April 19, 2017 SDCLT has secured building permits and secured the City's approval of the form of ground lease and Regulatory Agreement.

Advisory Committee

Malin Burnham, Chair

Charles Black

Gina Champion-Cain

Wendell French

Robert Ito

Vince Kasperick

Tom Lemmon

Nancy Lytle

Arnulfo Manriquez

David Mulvaney

Sue Reynolds

Susan Riggs

Debbie Ruane

Barry Schultz

Brian Trotier

David Weiland

As you are aware SDCLT has worked diligently with Helix Water, the Fire Marshall, City staff and the City's storm water consultant to find an acceptable solution to the storm water regulations applied to this infill site. Given the severe site constraints it has proven difficult to arrive at an acceptable solution. We have, however, finally found a solution that preserves the 9 units covered by the Tentative Map and revised plans reflecting comments from the initial plan review and the solution to the storm water regulations were submitted earlier this month.

In addition, negotiations regarding the Regulatory Agreement and final approving resolutions are continuing. Due to the unexpected length of the delays, the construction loan approval needs to be updated based on the new plans and updated construction costs.

This has been a problem site for the City for some time, and affordable homeownership opportunities in Lemon Grove have been a significant challenge. We are excited about this project that will provide 9 quality new 3-bedroom ownership homes that will be affordable for moderate income working families in Lemon Grove.

Executive Director

Jean Diaz

We therefore request a 6-month extension to the Option Agreement to allow us to complete the City's plan review process, complete the construction loan approval process and conclude our negotiations regarding the Regulatory Agreement and approving resolution. The delays the project has incurred have had a negative impact on the economics of the transaction and it is important to limit any further delays. We hope that the Regulatory Agreement and final approving resolution can be finalized in the very near future so that we can break ground as soon as plans are approved and the construction loan update has been completed.

All the best,

A handwritten signature in black ink, appearing to be 'JD', written over the printed name 'Executive Director'.

Executive Director

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.1
Mtg. Date April 4, 2017
Dept. City Manager's Office

Item Title: Oppose Assembly Bill 805 (Gonzalez Fletcher)

Staff Contact: Lydia Romero, City Manager

Recommendation:

Adopt a resolution (**Attachment B**) opposing Assembly Bill 805 (Gonzalez Fletcher) related structural changes to San Diego Association of Governments (SANDAG); San Diego Metropolitan Transit System (MTS); and North County Transit Agency (NCTD).

Item Summary:

Assembly Bill 805 introduced by Assembly Member Lorena Gonzalez Fletcher is a measure that would change voting structure and board make up of SANDAG, MTS, and NCTD; create new standing committee for SANDAG and allow both MTS and NCTD to propose and levy future taxes within their district.

The staff report (**Attachment A**) provides an analysis of how these changes would not be beneficial to City of Lemon Grove or its residents. Staff recommends that the City Council oppose this measure by way of resolution (**Attachment B**) as it moves through the legislative process.

Fiscal Impact:

Unknown fiscal impact should the measure pass.

Environmental Review:

☒ Not subject to review

☐ Negative Declaration

☐ Categorical Exemption, Section |

☐ Mitigated Negative Declaration

Public Information:

☒ None

☐ Newsletter article

☐ Notice to property owners within 500 ft.

☐ Notice published in local newspaper

☐ Neighborhood meeting

Attachments:

A. Staff Report

B. Resolution

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 1.1

Mtg. Date April 4, 2017

Item Title: **Oppose Assembly Bill 805 (Gonzalez Fletcher)**

Staff Contact: Lydia Romero, City Manager

Discussion:

Assembly Bill (AB) 805 introduced by Assembly Member Lorena Gonzalez Fletcher is a measure that would change voting structure and board make up of SANDAG, MTS, and NCTD. This measure would create a new standing committee for SANDAG and allow both MTS and NCTD to propose and levy future taxes within their district boundaries. If AB 805 is signed into law, this measure would have a negative impact on small cities like Lemon Grove by essentially making their participation on SANDAG negligible at best. The bill first and foremost would eliminate the current one city one vote rule by creating a weighted voting structure based on population thereby giving the two largest cities, City of San Diego and City of Chula Vista virtual control of the SANDAG board, including allocation of federal and state transportation funds and all TransNet grant monies. This change also includes changing the definition of majority members present to vote on any issue before the SANDAG Board to a quorum based on weighted vote members present.

The other troubling provision contained in AB 805 is only the cities with the largest and second largest population can serve as Chair and Vice Chair of the SANDAG Board. Today, that means only the City of San Diego and City of Chula Vista can hold those positions, therefore eliminating any possibility a smaller city such as Lemon Grove to have its representative board server in a leadership role and be a voice for the smaller cities in the region. Below are the other substantive changes AB 805 makes to SANDAG:

- Deletes the requirement that no city receive more than 40% of the weighted vote.
- Requires SANDAG to hire an independent auditor (who would serve for a term of five years.) The auditor would perform audits of the financial transactions report, expenditure plan, annual budget and revenue forecasts.
- Require the chair and vice chair of SANDAG to be the mayors of the largest city and the second-largest city, who would alternate between serving as chairperson and vice chairperson for four-year terms.
- Requires that the mayor of each city serve on the board of directors, except in the case of the City of San Diego, where the mayor and president of the City Council would serve. This provision also includes MTS board.
- Requires the chairperson of the County Board of Supervisor to serve on the board.
- Requires SANDAG to create an audit committee to direct and oversee the work of the auditor.

Although the bill may be in response to the recent SANDAG forecasting controversy, these proposed changes do nothing to address that issue. These changes would concentrate all control of SANDAG to the City of San Diego and make Lemon Grove's voice insignificant. Lemon Grove deserves equal representation on a regional Board, our residents are just as deserving as those that live in San Diego and Chula Vista.

Attachment A

One provision that is included in the bill that was not discussed above, is the provision to give authority to MTS and NCTD to go to the voters to levy taxes within their district for transit projects. Assembly Member Todd Gloria introduced AB 1324, providing the same authority without changing the structure of SANDAG, its member voting provisions or concerting the power of regional decisions in only two cities.

Conclusion:

Staff recommends that the City Council adopt the resolution (**Attachment B**) opposing AB 805 (Gonzalez Fletcher) as it moves through the legislative process.

Attachment B

RESOLUTION NO. 2017-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA OPPOSING ASSEMBLY BILL 805 (GONZALEZ FLETCHER)

WHEREAS, Assembly Member Lorena Gonzalez Fletcher introduced Assembly Bill 805 changing the structure of San Diego Association of Governments (SANDAG); San Diego Metropolitan Transit System (MTS); and North County Transit Agency (NCDT); and

WHEREAS, AB 805 unfairly puts the SANDAG Board under the control of the two largest cities in the County, City of San Diego and City of Chula Vista, to the detriment of smaller cities like Lemon Grove; and

WHEREAS, AB 805 eliminates the one city one vote rule using a weighted voting system based on population; and

WHEREAS, AB 805 undermines the participation of smaller cities in the decision making process, creating an unfair advantage by focusing on highly populated cities instead of an overall regional view.

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

1. Opposes Assembly Bill 805 (Gonzalez Fletcher) in the 2017 legislative session; and
2. Instructs staff to prepare the necessary letters to be signed by the Mayor that expresses the City of Lemon Grove's opposition to AB 805.

/////
/////

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 2
Mtg. Date April 4, 2017
Dept. Development Services Department

Item Title: **Public Hearing to Consider Planned Development Permit PDP-160-0001 and Tentative Map TM0-000-0063 to Authorize a 13 Unit Single-Family Residential Subdivision with a Private and Public Park on 3.67-Acres at 1993 Dain Drive.**

Staff Contact: Michael Viglione, Assistant Planner
David De Vries, Development Services Director

Recommendation:

- 1) Conduct public hearing; and
- 2) Adopt a Resolution (**Attachment B**) conditionally approving Tentative Map TM-000-0063 and certifying Mitigated Negative Declaration ND17-01; and
- 3) Adopt a Resolution (**Attachment C**) conditionally approving Planned Development Permit PDP160-0001.

Item Summary:

The project is a request for a Tentative Subdivision Map and a Planned Development Permit to authorize 13 single-family residential lots, one private street and one common area private park and swimming pool, and a public parkette on Ildica Street in the Residential Low/Medium Zone. The proposed project is located at 1993 Dain Drive on a 3.67 acre lot developed with one single-family residence which will be demolished. The attached staff report (Attachment A) describes the project in detail. The project, as proposed and conditioned in the Resolutions (Attachment B and C), complies with the Municipal Code.

Fiscal Impact:

The newly developed public park will add an approximate additional \$10,000 per year in maintenance costs once accepted by the City.

Environmental Review:

- | | |
|--|--|
| <input type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorically Exempt | <input checked="" type="checkbox"/> Mitigated Negative Declaration |

Public Information:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Notice published in local newspaper | <input checked="" type="checkbox"/> Notice to property owners within 500 ft. |
| | <input checked="" type="checkbox"/> Neighborhood meeting |

Attachments:

- | | |
|--------------------------------------|---|
| A. Staff Report | E. Mitigated Negative Declaration ND17-01 |
| B. Resolution (TM0-000-0063/ND17-01) | F. Vicinity Map |
| C. Resolution (PDP-160-0001) | G. Exhibit A – Project Plans |
| D. Letter from the Applicant | |

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 2

Mtg. Date April 4, 2017

Item Title: Public Hearing to Consider Planned Development Permit PDP-160-0001 and Tentative Map TM0-000-0063 to Authorize a 13 Lot Single-Family Residential Subdivision with a Private and Public Park on 3.67-Acres at 1993 Dain Drive.

Staff Contact: Michael Viglione, Assistant Planner
David De Vries, Development Services Director

Application Summary:

APPLICANT/OWNER:	Sameer Qasim, 275 E. Green St. #1344, Pasadena, CA 91101
PROPERTY LOCATION:	The site is located at 1993 Dain Drive south of Ildica Street (APN: 577-620-37-00).
PROJECT AREA:	3.67 acres (159,731 square feet) gross and 2.80 acres (121,909 square feet) net
EXISTING ZONE:	Residential Low/Medium (RL/M)
GENERAL PLAN LAND USE DESIGNATION:	Low/Medium Density Residential
SURROUNDING PROPERTIES:	North: Single-family residential South: Single-family residential East: Single-family residential West: Single-family residential
ENVIRONMENTAL IMPACT:	The Initial Environmental Study prepared for this project identified potential impacts with appropriate mitigations associated with: Cultural Resources, Geology and Soils, Noise and Mandatory Findings of Significance. A draft MND was filed with the County Clerk prior to the City Council public hearing. A Mitigated Negative Declaration of (MND) Environmental Impact will be filed subsequent to the adoption and final approval of the proposed project by the City Council.

Attachment A

Background:

The property is an irregularly shaped 159,731 square foot (3.67 gross acre) parcel developed with one 2,853 single-family residence and a two-car garage. The existing single-family dwelling and two (2) accessory structures will be removed. Twenty (20) of 29 mature trees on-site will be removed. The lot is located east and north of Dain Drive and south of Ildica Street, approximately 330 feet west of State Route 125. Single-family residences surround the project to the north, south, east and west.

This staff report provides a description of the proposed project and the conformance to the regulatory framework.

Discussion:

Site and Project Description

The subdivision proposes 13 single-family residential lots ranging in size from 6,001 to 21,517 square feet, a 24,038 square foot lot for a private street and a 15,610 square foot lot providing a common area park and swimming pool area. An approximate 5,000 square foot public parkette immediately adjacent to the north along Ildica Street is also proposed and will be improved by the developer and maintained by the City in lieu of paying a parkland fee. The maximum density for this Residential Low/Medium (RL/M) zoned site is seven (7) dwelling units per net acre. After subtracting the area of the private street and common lot, the net area would be 2.80 acres (3.67 gross acres). Based on the maximum allowable density of the RL/M designation, a maximum of 19 units would be allowed and the project proposes 13 dwelling units at a density of 4.64 dwelling units per acre. All the proposed dwelling units are two-story and have attached two-car garages and two-car driveways.

The private park (Lot B) will be maintained by the HOA and is located along the northern boundary of the site. Park improvements include concrete walking paths through a landscaped area with lawn and trees, barbeque, site lighting, swimming pool, shade structures and site furnishings. The private park is accessed from the interior of the project site via a pedestrian path from the emergency fire access hammerhead turnaround. The emergency access hammerhead is outfitted with a permanent striped outdoor basketball court and permanent hoop thereby increasing functional active recreation space. Additionally, each unit has private open space ranging from 1,200 to 2,255 square feet, for a total of 19,797 square feet (1,500 square feet per unit required). An approximate 5,000 square foot public park with pedestrian path, landscaping, play structure, shade structure and site furnishings is also proposed on the south side of Ildica Street. (Maintenance of the proposed public park is anticipated to cost around \$10,000 per year.)

The proposed private street will take access from Dain Drive. The private street provides five-foot sidewalks on both sides flanked by five-foot private landscape easements providing street lights and street trees. Required guest parking will be provided by a combination of private driveways (26 spaces) and on-street parallel parking (10 spaces). Additionally, each unit has the required two-car garage (26 spaces). A total of 62 spaces, including garaged spaces, are provided exceeding parking requirements by 26 spaces. Ceiling mounts for two bicycles are also provided in each garage. Other improvements include three biofiltration basins at the southwest and northeast corners of the project site, a large canopy storm water treatment street tree well, street trees along the Dain Drive and private street project frontage, landscaping and irrigation throughout and a six-foot high sound wall across the project perimeter.

Attachment A

The State has established Regional Housing Needs Allocation (RHNA) targets for each city in order to ensure adequate housing stock. This project will provide 13 market rate houses targeting above-moderate income levels.

Zoning District Regulations

The Lemon Grove Municipal Code allows applicants to request deviations from development standards through the Planned Development Permit process where it can be found that the project provides equivalent benefits and/or achieves efficiencies in use, structures, transportation and/or utility systems. The applicant proposes a pedestrian and bicycle friendly single-family residential infill development; an enhanced common private park space area that provides opportunities for active and passive recreation by incorporating landscape, walking paths, benches, a barbecue and picnic area, and a swimming pool; and a separate public park along Ildica Street. In order to accomplish this project design, the applicant requests various deviations from the Zoning and Subdivision Codes, including deviations to the setbacks, lot frontage, usable open space, and public street requirements.

The following table describes the development standards of the Residential Low/Medium Zone.

Criteria	Residential Low/Medium (RL/M) Zone	Proposed Development Standard and Deviations
Open Space	1,500 sq. ft. per unit (19,500 sq. ft. total for 13 units) intended for private rear yards	Between 1,200 sq. ft. and 2,255 sq. ft. per unit (24,547 sq. ft. total for 13 units). 4,750 sq. ft. of which is common usable open space. 5,000 sq. ft. public park also proposed on Ildica Street.
Min. Lot Area	6,000 SF	Between 6,001 to 21,517 SF (9,237 SF average)
Min. Lot Width/Depth	60-feet x 90-feet	60 feet minimum width 90 feet minimum depth
Setbacks	25-feet (front) 5-feet (side) 20-feet (rear)	15- to 25-feet (front); min. 20 feet by 20 feet driveways provided per unit 5-feet (side) 20-feet (rear)
Building Height	25-feet maximum	Plan 1: 24'-3" Plan 2: 23'-9"
Max. Building Coverage	None established.	Approximately 15%
Bicycle Parking	Two required.	One common bicycle rack within the private park. One ceiling mounted bicycle rack with a two bicycle capacity per private garage.

Attachment A

Building Design

A total of 13 detached single-family residences are proposed, with two different floor plans, both of which are two-story. Floor Plan One provides 2,565 square feet of living area, including four bedrooms four bathrooms, and a 456 square foot two-car garage. 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.

There are a total of eight different color and materials options for these two floor plans. Both floor plans have A and B variants which differ in roofing materials and architectural elements, and two subordinate color options for each materials variant. The specific details for each architectural plan combination are as follows:

Floor Plan 1 A-1	Mediterranean style with clay tile roofing, brick window sills, wrought iron window treatments and stucco siding in Genoa color (Expo Stucco Color 226).
Floor Plan 1 A-2	Mediterranean style with clay tile roofing, brick window sills, wrought iron window treatments and stucco siding in Tuscan Sun color (Expo Stucco Color 127).
Floor Plan 1 B-1	Craftsman style with gray concrete roof tiles, wood headers, batten siding gable end trim, wood entry posts and stucco siding in Smoke color (Expo Stucco Color 70).
Floor Plan 1 B-2	Craftsman style with gray concrete roof tiles, wood headers, batten siding gable end trim, wood entry posts and stucco siding in Sunrise color (Expo Stucco Color 29).
Floor Plan 2 A-1	Mediterranean style with clay tile roofing, concrete balustrades (column style railings), stone veneers and stucco siding in Toffee color (Expo Stucco Color 524).
Floor Plan 2 A-2	Mediterranean style with clay tile roofing, concrete balustrades, stone veneers and stucco siding in Scottish Moss color (Expo Stucco Color 126).
Floor Plan 2 B-1	Traditional style with brown concrete roof tiles, wood gable trim river rock veneers and stucco siding in Rainforest color (Expo Stucco Color 506).
Floor Plan 2 B-2	Traditional style with brown concrete roof tiles, wood gable trim, river rock veneers and stucco siding in Cobblestone color (Expo Stucco Color 121).

The majority of the surrounding residences bounded by Dain Drive, Ildica Street and State Route 125 are two stories. In general these structures are of varying forms and sizes with contemporary designs. Stucco siding, clay tile roofing and asphalt shingle roofing are all commonly used materials in the project vicinity. Tudor architectural details are also commonly used on the opposite side of Dain Drive south of Ildica Street.

Attachment A

Grading

The existing site peaks atop a small hill or knoll near the center of the property at approximately 392 feet above the Mean Sea Level (MSL) and the existing grades slope away from this peak in all directions to base elevations of approximately 350 feet above MSL on the north side along Ildica Street and on the south side along Dain Drive. The low elevation at the westerly project entrance on Dain Drive is approximately 374 above MSL. Slopes nearest the high point are gentle with gradients of 5:1, while those near the property boundaries are typically steeper. The site peak will be flattened or cut to an average elevation of 379 above MSL for building pads with surrounding 2:1 fill slopes. Proposed earthwork includes 14,000 cubic yards of cut and 14,000 cubic yards of fill. Retaining walls, five feet or less in height, are proposed on the north end of the site, the east property line near the southeast corner, and at the entrance to the site connecting to Dain Drive.

Landscaping

Projects located in residential zones are required to landscape a minimum of 15 percent of the total lot area. The project proposes a total of 37,464 square feet of landscaping or approximately 23 percent of the gross lot area. The landscaping proposed for the 13 residential lots ranges from 15.4 to 49.7 percent per lot. The Landscape will be provided and maintained by the Home Owners Association (HOA) for the private park, common area slopes, private slopes outside the fenced yards, street parkways along the sidewalk and bio-filtration basins. Thirteen (13) street trees are proposed along Dain Drive in the parkway; 29 street trees are proposed along the sides of the private street in the parkway; 13 citrus trees are proposed in front of each dwelling unit in accordance edible plant requirements per dwelling unit; 20 trees are proposed within the open space easement; six (6) trees are proposed within the common private park area; and nine (9) trees are proposed within the public parkette (90 total trees). Additionally, the project will also retain nine (9) existing Eucalyptus trees on the slope north of Dain Drive. Voluntary transplantation of the sensitive plants, Coast Live Oak and San Diego Barrel Cactus, found within the existing residential landscape is also proposed.

Screening and Noise Attenuation

A noise study prepared for this project shows that predicted exterior noise levels in the project range from 58.0 to 70.6 CNEL. A majority of the proposed lots along the private street exceed the conditionally acceptable 60 dB CNEL limit in the Lemon Grove General Plan on their first or second floors. As a mitigation measure, the project proposes sound attenuating noise control walls both around the perimeter of the project and between the individual lots in order to reduce freeway noise from the nearby Highway 125. When bounding residential lots, the six feet noise control wall will be constructed of dual planked wood at least one inch in thickness while a six foot noise wall with the upper portion made of glass or plastic at least 3/8 inch thick is proposed for the common pool area. Noise control walls shall be located in conformance with the Landscape Concept Plan.

Exterior-to-interior noise reduction analyses are also required with each building plan submittal to prove that second stories of the proposed single-family dwellings are compliant with the California Building Code's 45 CNEL interior noise limit for habitable space. A "closed windows" condition requiring mechanical ventilation to provide for the movement of air while windows are closed for long periods of time is also included in the Resolution.

Traffic

The project will generate approximately 130 average daily vehicle trips (ADT) based on a trip generation rate for a single-family residence. According to the San Diego Traffic Engineers' Council (SANTEC) and the Institute of Transportation Engineers (ITE) standards, a Traffic

Attachment A

Impact Study is not required because the project's trip generation is calculated to be less than 1,000 ADT and less than 100 peak hour trips. Moreover, the Trip Generation Analysis determined that the ADT and number of peak hour trips generated by the proposed project does not trigger Caltrans' threshold for a requirement to analyze State highway facilities. The addition of approximately 130 vehicle trips is not found to have a significant impact on adjacent roadway segments and intersections.

Off-Street Parking

Single-family residences within the Residential Low/Medium zone require two garaged parking spaces per dwelling unit and parking on both sides of the street for subdivisions which are nine lots or more. The project proposes two-car garages and a minimum 20-foot wide by 20-foot long two-car driveway for each dwelling unit.

One rack or other secure device for at least one bicycle is required for every 10 required parking spaces. As such two bicycle racks are required for this project. The project proposes a bicycle rack within the private park and a condition of approval requires a ceiling-mounted bicycle rack with a two bicycle capacity within each residential garage. This condition is considered an additional equivalent benefit toward providing a pedestrian and bicycle-friendly infill development.

Undergrounding of Overhead Utility Lines

The City's Municipal Code requires that all overhead utility distribution facilities located within the boundaries of the subdivision or within any half-street width abutting the subdivision are placed underground. There are no overhead utility poles located within the half-street width of Dain Drive abutting the property. A condition is included requiring that the utility connections to the proposed single family dwellings be placed underground and that no new utility poles result from the project.

Sanitation District

The existing project site is within the Lemon Grove Sanitation District and is connected to the City's sewer system. The City requires that all new dwelling units of the proposed subdivision be connected to a sanitary sewer system. The project proposes to connect to the Lemon Grove Sanitation District sewer system. Conditions in the Resolution require that the subdivider obtain a sewer permit prior to the issuance of a building permit for the new residences. The onsite sewer main is required to be private.

Drainage/Water Quality

According to the Drainage Study prepared for the project, the three biofiltration basins and tree well will detain the proposed runoff so that the amount of storm water leaving the site will be less than the amount leaving the site in its pre-development condition. The construction and on-going maintenance of the project's storm water improvements are included as conditions in the Draft Resolution of Approval.

Expiration Date of the Planned Development Permit

The Tentative Map and Planned Development Permits will expire within two (2) years if the final map has not been recorded.

Public Information:

The Notice of Public Hearing was published in the March 9, 2017 edition of the East County Californian and mailed to all property owners within 500 feet of the subject property.

Attachment A

An AB52 and SB18 Native American Tribal Government Consultation was conducted pursuant to Government Code Sections 6540.2, 65092, 65351, 65352.3, 65352.4, 65562.5 et. seq. One tribe requested a consultation and grading may be monitored by a tribal representative if desired by the tribe as a result.

Additionally, the applicant conducted a neighborhood meeting to answer questions of nearby property owners.

The City of Lemon Grove received no comments in response to the Notice of Public Hearing and Environmental Analysis at the time this staff report was prepared. Staff will provide the City Council at the time of the public hearing with any comments.

Conclusion:

Staff recommends that the City Council conduct the public hearing and approve the resolutions (**Attachments B and C**).

Attachment B

RESOLUTION NO. | |

RESOLUTION OF THE LEMON GROVE CITY COUNCIL | APPROVING TENTATIVE MAP TM0-000-0063 AUTHORIZING THE SUBDIVISION OF A 3.67 ACRE PARCEL INTO THIRTEEN RESIDENTIAL LOTS, ONE COMMON LOT FOR A PRIVATE STREET, AND ONE COMMON LOT FOR A PRIVATE PARK ON A SITE DEVELOPED WITH ONE SINGLE-FAMILY RESIDENCE AT 1993 DAIN DRIVE, LEMON GROVE, CALIFORNIA.

WHEREAS, the applicant, Sameer Qasim, filed a complete application for a Tentative Map (TM0-000-0063) on March 2, 2017 to authorize the subdivision of 3.67 acres of land into 13 residential lots, a lot for a private street, and a lot for a common private park as part of an application for a Planned Development Permit (PDP-160-0001); and

WHEREAS, a Mitigated Negative Declaration (MND) of Environmental Impact (ND17-01) will be filed subsequent to its adoption and the approval of the proposed project. The Initial Environmental Study prepared for this project found that the project would have no significant effect on the environment because identified potentially significant impacts associated with Cultural Resources, Geology and Soils, Noise, and Mandatory Findings of Significance will be mitigated to below a level of significance. A notice of intent to adopt a mitigated negative declaration was filed with the County Clerk prior to the City Council public hearing; and

WHEREAS, a public hearing was duly noticed and held by the Lemon Grove City Council on April 4, 2017; and

WHEREAS, the City Council finds that the tentative map is consistent with the Lemon Grove General Plan because it proposes lots for a total of thirteen dwelling units, at a density of 4.80 dwelling units per acre, on a 2.80 net acre parcel of land in the Residential Low/Medium land use designation of the Lemon Grove General Plan which allows a maximum of seven dwelling units per net acre; and

WHEREAS, the City Council finds that the tentative map complies with the findings of fact required to approve this project pursuant to Municipal Code Section 16.16.400 because the project complies with the time limitations of the State Subdivision Map Act; the existing lot is a legal lot; the proposed subdivision creates more than five lots; the proposed subdivision complies with the requirements of the Subdivision Ordinance; the map and design or improvements are consistent with applicable general and specific plans; the site is physically suitable for the type of development; and the site is physically suitable for the proposed density of development; and

WHEREAS, the City Council has considered said Tentative Map and recommendations of the Planning, Building, Engineering, and Fire Departments with respect thereto and has determined that the conditions hereinafter enumerated are necessary to insure that the subdivision and the improvements thereof will conform to all ordinances, plans, rules, and improvement and design standards of the City of Lemon Grove; and

WHEREAS, the City Council has considered Planned Development Permit PDP-160-001 including site, architectural, and landscape plans dated received March 14, 2017 associated with Tentative Map TM0-000-063; and

WHEREAS, the City Council hereby makes the following findings:

1. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or

Attachment B

their habitat because the property has no environmentally protected resources as discussed in the Initial Study Environmental Assessment ND17-01; and

2. The proposed Tentative Subdivision Map (TM0-000-0063) is consistent with the Residential Low/Medium density (up to seven (7) dwelling units per net acre) land use designation of the General Plan; and
3. The site is physically suitable for the proposed density of development because public utilities will be available to serve the proposed density; and
4. The design of the subdivision or the type of improvements will not cause serious public health problems because public services (e.g., sewer, water, gas, and electricity) will be provided to the subdivision; and
5. The design of the subdivision or type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision as defined under Section 66474 of the Government Code, State of California; and
6. The City Council finds that it is impractical in this particular case for the subdivider to conform fully to the requirements of the Subdivision Ordinance and certain provisions therein shall be modified as deemed reasonably necessary in accordance with Section 16.12.280 of the Municipal Code and that the subdivision is consistent with the purpose and spirit of the Subdivision Map Act and Subdivision Ordinance; and
7. The design and improvements of the proposed subdivision map complies with the requirements of the State Subdivision Map Act and the Subdivision Ordinance except as specifically waived or modified for the requested deviations in accordance with Section 16.12.280 and pursuant to the Planned Development Permit process; and

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

SECTION 1. Finds and determines that the facts set forth in the recitals of this Resolution are declared to be true; and

SECTION 2. Certifies the adequacy of the Negative Declaration of Environmental Impact ND17-01; and

SECTION 3. Waives or modifies the following Design Standards in accordance with Section 16.12.220:

1. Section 16.12.230(A) (Offer of Street Dedication Required) to allow a private street in lieu of a public street.
2. Section 16.12.220€ (Lot Frontage Minimum) to allow two lots with less than 33 feet of lot frontage.

SECTION 4. Conditionally approves Tentative Map TM0-000-0063 in association with Planned Development Permit PDP-160-0001 and the grading, site, landscape, and architectural plans dated received March 14, 2017 (incorporated herein by reference as Exhibit A), except as noted herein and as noted in conditions of approval associated with PDP-160-0001. This tentative subdivision map is conditionally approved pursuant to the Subdivision Ordinance (Title 16 of the Municipal Code). Prior to the recordation of a final map, the subdivider shall comply with all applicable provisions of the Subdivision Map Act, the City of Lemon Grove Subdivision Ordinance except as amended herein, and the following conditions of approval:

NO PARCEL SHOWN ON THIS APPROVED TENTATIVE SUBDIVISION MAP SHALL BE

Attachment B

LEASED, SOLD, CONVEYED, OR TRANSFERRED, UNLESS AND UNTIL A SUBDIVISION MAP APPROVED BY THE CITY ENGINEER HAS BEEN FILED IN THE OFFICE OF THE COUNTY RECORDER.

- A. WITHIN FIVE DAYS OF APPROVAL, THE SUBDIVIDER/APPLICANT SHALL COMPLY WITH THE FOLLOWING:
1. Submit the appropriate payment for the CEQA filing fee (Department of Fish and Game Mitigated Negative Declaration (MND) fee) and County Clerk Processing Fee.
 2. Pay all outstanding fees for City permits related to this project.
- B. PRIOR TO ISSUANCE OF A GRADING OR IMPROVEMENT PERMIT AND/OR DURING GRADING ACTIVITY, THE SUBDIVIDER/APPLICANT SHALL COMPLY WITH THE FOLLOWING:
1. All physical elements of the proposed project shown on the approved plans dated March 14, 2017 except as noted herein, shall be located substantially where they are shown and shall be constructed in accordance with applicable Lemon Grove City Codes to the satisfaction of the Development Services Director.
 2. Obtain a grading permit from the City prior to any grading activities. The grading permit shall constitute an authorization to do only that work which is described or illustrated on the application for the permit, or in the plans and specifications approved by the City Engineer.
 3. All grading permit fees and deposits shall be paid and all actions necessary preceding the issuance of the grading permit shall be completed.
 4. Coordinate with Helix Water District for the installation of water facilities and ensure that all of the appropriate permits and easements are obtained.
 5. Obtain an encroachment permit for the installation of private facilities and/or for grading work in/or adjacent to the public right-of-way.
 6. Building permits shall be submitted with the grading plans for the retaining and freestanding walls where required. Except as noted in this condition, building permits shall be termed building permits for post-grading activities in the resolutions approving this project.
 7. Safety fencing shall be required at the top of the retaining walls and slopes and shall be shown on all Grading Plans where appropriate.
 8. A minimum five foot separation shall be provided between buildings and building posts and proposed retaining walls, freestanding walls and fences.
 9. A private Storm Water Facility and Best Management Practice maintenance agreement shall be recorded for the future repair and rehabilitation of the proposed private drainage and storm water treatment facilities. The City will provide a template for the agreement.
 10. As a part of the grading permit submittal, a private improvement, grading, and drainage plan shall be submitted showing all of the proposed and existing on-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system for the proposed development shall be implemented with the design of the grading.

Attachment B

11. A public improvement plan as a part of an improvement plan check, shall be submitted with applicable deposit showing all of the proposed and existing improvements within the public right-of-way. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer.
12. As-built drawings shall be submitted to SDG&E to energize all of the required street lights.
13. Submit the street improvement and grading plans to Helix Water for review and signature.
14. All utilities shall be shown on the grading plan.
15. Prior to the issuance of a grading permit, a deposit shall be paid to cover the City's expenses, costs, and overhead for the field inspection, office engineering, and administration of the work performed, including landscape and irrigation work. The amount of the deposit shall be as determined by the City Engineer.
16. All existing survey monuments shall be shown on the grading plan.
17. Evidence indicating that arrangements have been made for the preservation and/or relocation of existing monuments shall be submitted to the City Engineer prior to the issuance of a grading permit.
18. Grading plans shall be prepared and submitted with the grading permit application in accordance with the city engineering standards, Lemon Grove Municipal Code 18.08, and the requirements of the City Engineer.
19. All grading plans shall be signed by a registered civil engineer and by the soil engineer.
20. The grading plans shall reference the approved final landscape plans.
21. Conditions imposed by the City shall be shown on the grading plans under the heading "General Notes."
22. The subdivider shall execute a Subdivision Improvement Agreement and a Subdivision Improvement Security in accordance with Section 16.12.200. Separate agreements and securities shall be provided for private and public improvements. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping, and retaining and freestanding walls work proposed shall be submitted for the work proposed within the public right-of-way. Templates for these agreements are available from the City. The applicant shall post a security with the City comprised of a cash deposit or a combination of cash deposit and corporate surety bond of a surety authorized to do business in the state. An instrument of credit or other security pledging the performance of the work, may be submitted in lieu of the surety bond to insure installation of the required structures, drains, landscaping, irrigation and other improvements shown on the grading plan. Such funds are trust funds for the purposes of satisfying the cost of correcting any deficiency, hazard or injury created by the work or lack of maintenance thereof. An irrevocable standby letter of credit issued by a financial institution subject to the regulation by the state of federal government may be posted in lieu of surety bond, instrument of credit or other security. The estimated cost of the work shall be determined by the City Engineer after reviewing the civil engineer's estimate. The total amount of the security shall be equal to one hundred and fifty percent of the estimated cost of the grading and street improvement work authorized by the permit plus an additional sum equal to one hundred percent of the estimated cost for the construction of

Attachment B

- drainage structures or facilities and landscape and irrigation, including standard terrace drains, slope planting, irrigation system, erosion control devices, retaining walls and similar facilities authorized by the permit.
23. Three copies of a preliminary soils engineering report shall be submitted with the application of a grading permit. Each report shall be prepared by a soil engineer and contain all information applicable to the project in accordance with generally accepted geotechnical engineering practice. The preliminary soil engineering report shall include, but not be limited to, the requirements outlined within 18.08.120(A). All recommendations outlined in the soils report shall be imbedded into the grading plans. The grading plans shall include site monitoring and inspections to ensure recommendations of the Geotechnical Evaluation are adhered to. Properly designed site drainage is required to reduce erosion damage to the planned improvements. Typical erosion control measures will be required during site grading.
 24. The developer shall submit a letter from the geotechnical engineer stating that the proposed pavement section is capable of fire engine loading of up to 75,000 lbs.
 25. The soil engineer and engineering geologist should refer to the geologic conditions element of the Lemon Grove General Plan in preparing the reports required in 18.08.120.
 26. Recommendations contained within approved reports and technical analyses, including the drainage and biological resources reports and the storm water quality management plan, shall be incorporated into the grading plan and specifications and shall become conditions of the grading permit.
 27. Submit a truck hauling route with a diagram showing streets. This should include the source of borrow and/or disposal and any BMPs tied to the imported material.
 28. The Storm Water Quality Management Plan must comply with the requirements of the City's BMP Design Manual. All comments presented in the February 15, 2017 DMAX Engineering, Inc. letter must be adequately addressed.
 29. Submit a final Hydrology Report and Storm Water Quality Management Plan (SWQMP) to determine and analyze the increased volume of storm water run-off as a result of the proposed design. The SWQMP shall be completed and approved prior to the issuance of any other permits. Grading and site improvements shall be in accordance with the SWQMP for the proposed project. The SWQMP shall specify implementation of BMPs required in 8.48 and 18.08 of the Lemon Grove Municipal Code and the BMP Design Manual. Provide evidence the treatment Best Management Practices (BMPs) are adequately sized for the increase in impervious surfaces.
 30. Plans for an erosion control system shall be prepared and submitted for the review and approval of the City Engineer and Water Quality Coordinator as a part of any application for a construction permit. The erosion control system shall comply with the requirements of the latest state general construction storm water permit and any amendments thereto, the MS4 Permit, and Municipal Code Chapter 8.48, and 18.08.170.
 31. The developer shall submit erosion and sediment control plans with construction Best Management Practices (BMPs) and an irrigation plan for review and approval by the Water Quality Coordinator, which will be required to be abided by during grading activities.

Attachment B

32. An agreement not-to-oppose the formation of a future utility undergrounding district will be required to be submitted prior to issuance of grading or improvement permits.
33. An agreement not-to-oppose the formation of a future street improvement district will be required to be submitted prior to issuance of grading or improvement permits.
34. The applicant shall submit sewer lateral plans with the improvement plans. These sewer lateral plans shall be submitted to the satisfaction of the City Engineer.
35. The structural pavement section shall be based on the soils report prepared by a Geotechnical Engineer to the satisfaction of the City Engineer.
36. Improvements, where applicable, shall conform to the San Diego Regional Standard Drawings unless otherwise specified by the City Engineer.
37. The subdivider shall provide proof that there exists an adequate potable water supply available to each lot or parcel, and that the subdivider install or agree to install water supply pipes of a minimum six inches in diameter, provided that the City Engineer may require such other diameter of water supply pipe as may be recommended by Helix Water District.
38. Sight distance requirements along streets and at all intersections shall conform to the intersectional sight distance criteria as provided by the Caltrans Highway Design Manual.
39. The subdivider shall provide the City Engineer with letters from the serving utility companies stating that arrangements satisfactory to the utility have been made to serve all parcels created.
40. A private Sewer Maintenance Agreement shall be submitted for the future repair and rehabilitation of the proposed private sewer prior to the issuance of grading or improvement permits. The City will provide the template for the agreement.
41. The sewer main for this project shall be designated as private, not public.
42. The street for this project shall be designated as private, not public.
43. The storm water facilities for this project shall be designated as private, not public.
44. The street lighting for this project shall be designated as private, not public.
45. Provide the City with a final Drainage/Hydrology Report indicating that the site design is in accordance with the report and the National Pollutant Discharge Elimination System (NPDES) permit. On-site drainage shall be in compliance with the NPDES permit.
46. Submit a maintenance agreement for the on-going maintenance of the private street and access improvements, private park facilities, parking and other proposed paved areas, fencing, landscape and irrigation, drainage and water quality facilities required by the SWQMP, and recreational and other facilities as specified to be reviewed and approved by the City Engineer and Director of Development Services. This maintenance agreement shall be adhered to by the HOA and incorporated into the CC&Rs to the satisfaction of the Director of Development Services and the City Engineer.
47. All plans and technical studies required to be submitted to the Engineering Department for review and approval shall be prepared by a California Registered Professional Engineer or applicable utility provider.

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48. The permittee shall be responsible to maintain in an obvious and accessible location on the site, a copy of the grading and improvement permit and grading plans bearing the approval of the City Engineer.
49. After grading permit issuance, but prior to any land development work involving grading, brushing or clearing, there shall be a pre-grading meeting. A Jamul Indian Village representative shall also be part of the meeting unless specifically denied by such representative. Prior to pouring curbs and gutters or placement of base materials, there shall be a pre-paving meeting held on the site. The permittee, or his/her agent, shall notify the City Engineer at least two working days prior to the meeting and shall be responsible for notifying all principals responsible for grading and paving related operations. The Storm Water Coordinator shall be part of the meeting. All land development work shall be performed by a contractor licensed by the State of California to perform the types of work required by the permit.
50. The property owner shall pay the City for all costs of placing, repairing, replacing or maintaining a City-owned facility within the public right-of-way when the City facility has been damaged or has failed as a result of the construction or existence of the owner's land development work during the progress of such work. The costs of placing, replacing or maintaining the City-owned facility shall include the cost of obtaining an alternate easement if necessary. The City may withhold certification of the completion of a building or other work where a notice has been issued.
51. The subdivider shall submit record drawings (as-builts) and engineering documentation with applicable fees for all public improvements to the City to the satisfaction of the City Engineer.
52. In accordance with the Municipal Code Sections 12.12.080 and 16.12.240, the property owner(s) shall underground all existing utility distribution facilities, including telecommunications lines, on and along the frontage of the subject property as required by the City Engineer. The property owner(s) shall make the necessary arrangements with each of the serving utilities, including licensed communication operators for the installation or relocation of such facilities. No new overhead poles shall result from undergrounding or other improvement activities. The subdivider shall coordinate with the necessary cable television operators for the installation of such facilities. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other facilities necessarily appurtenant to such underground utilities and street lighting systems may be placed above ground unless directed otherwise by the City Engineer.
53. Submit street improvement plans with roadway cross-sections with rolled curb configuration to the Fire Marshal for review and approval. Minimum 20-foot wide fire lane for emergency access is required.
54. Two temporary on-site signs legible from Ildica Street at the public park location and legible from the Dain Drive entrance to the project shall be posted on the property for the duration of all construction on-site. The signs shall be a minimum of six feet high, six feet wide, and not to exceed 64 square feet total for two sides or 32 square feet for one side. Such sign shall include the permit numbers, property location and APN number, a site plan and description of the project, project name, and the developer's name, address and telephone number. Such sign shall be removed prior to grading permit final. Signs shall be maintained in good condition at all times.

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55. In order to mitigate any impacts that grading may cause to paleontological, archaeological or tribal cultural resources the following conditions shall be complied with:
- a. The subdivider/applicant shall conduct a cultural resources records search through the California Historical Resources Information System (CHRIS) for the area of project effect to determine if there is likelihood for on-site Native American cultural resources. A copy of a letter regarding the records search shall be provided to the Development Services Department prior to issuance of grading or improvement permits. The report shall provide recommendations for further analysis and those recommendations shall be implemented as a part of the mitigation measures.
 - b. A Jamul Indian Village representative shall be present at the pre-grading meeting to consult with the grading and excavation contractors unless specifically denied by such representative.
 - c. A Jamul Indian Village representative shall be present at all times during the original cutting of previously undisturbed sediments unless specifically denied by such representative.
 - d. The Jamul Indian Village representative shall be allowed to temporarily direct, divert or halt grading to allow recovery of fossil and artifact remains unless specifically denied by such representative. If cultural resources are discovered during site preparation and/or grading, then any further work shall cease and programs and procedures shall be initiated as outlined in CEQA guidelines 15064.5.
 - e. Prior to final inspection, a report summarizing the results of the mitigation program and the coordination efforts with the Jamul Indian Village representative shall be prepared and submitted to the Development Services Director. This report will include a discussion of methods employed, fossils and artifacts recovered, geologic context of fossil and artifact remains and the significance of the mitigation program.
56. All fire apparatus access roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions.
57. Grades for driveway and fire apparatus access roads shall not exceed 10 percent. Fire Department approval and additional conditions are required for grades up to 20 percent maximum. Angle of approach and departure for driveways shall not exceed five (5) percent.
58. Fire lane designations shall be required for all fire access roadways as determined by Heartland Fire & Rescue. Posted signs shall be required for all fire access roadways as determined by Heartland Fire & Rescue. Posted signs which state "FIRE LANE, NO PARKING" shall be installed every 50 feet. Curbs shall be painted red and stenciled with white letters indicating the same on the face and top of any curb as directed by Heartland Fire & Rescue. All fire lanes shall be marked and identified prior to Certificate of Occupancy. Fire lane maintenance must be addressed in the CC&R's for the project.

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59. All required fire apparatus access roads, fire lanes, fire department turn-around and entry/exit drives shall have a minimum 28-foot turning radius for fire apparatus depending on size, location, and type of project. Site plans shall provide a fire department turning radius template along the access roadway or within a detail confirming that the radius meets Heartland Fire & Rescue requirements.
60. Roadway design features (speed humps, bumps, speed control dips, etc.) which may interfere or delay emergency apparatus responses shall not be installed or allowed to remain on the emergency access roadways.

C. PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE SUBDIVIDER/APPLICANT SHALL COMPLY WITH THE FOLLOWING:

1. All physical elements of the proposed project shown on the approved plans dated March 14, 2017 except as noted herein, shall be located substantially where they are shown and shall be constructed in accordance with applicable City Codes to the satisfaction of the Development Services Director.
2. Pay all outstanding fees prior to issuance of a building permit(s) for new dwelling units authorized by this tentative map.
3. Per Ordinance 372 a Uniform Transportation Mitigation Fee for each unit must be paid at the time of building permit issuance. The fee is subject to annual increases and the actual fee will be calculated at the time of payment.
4. Submit a written statement signed by the civil engineer reporting that the site is rough graded in conformance with the approved grading plan, as modified or amended by any construction changes approved by the City Engineer, and which specifically states the items which were performed under his/her supervision, and are shown correctly on the as-graded drawings.
5. Prior to issuance of building permits, incorporate best management practices including site design, source control and treatment control, construction and on-going maintenance identified in the SWQMP and Drainage Report into the building plans.
6. Submit for Development Services Director approval, a detailed landscape and irrigation plan for each parcel to be developed. Provide reference sheets for the grading and landscape erosion control plans. The plan shall indicate all surface improvements including, but not limited to, the design and locations of all walls, fences, driveways, walkways, botanical and common names of all plant materials, number, size and location of all plantings; all irrigation lines including valves and back-flow devices; and soil amendments. Said landscape plan shall comply with the requirements of Section 17.24.050(B) and Chapter 18.44 of the Municipal Code. The landscape plan shall be in substantial conformance to the approved landscape concept plan. Tree installations shall be a minimum of 15 gallons. Show the location, height, and materials of all fencing.
7. Street trees on Dain Drive and along the private street shall be a minimum of 24-inch box and shall be installed as provided on Exhibit A and appropriate landscaping shall be installed within the public and private parkways. Maintenance of the street trees and parkway landscape shall be the responsibility of the HOA.
8. All construction shall comply with Title 24 requirements which include the California Building Code, California Residential Code and the California Fire Code.
9. Water supply, access, and fire protection system requirements shall meet City of Lemon Grove Fire Department standards.

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10. All emergency access roadways shall be installed, paved and serviceable prior to construction.
 11. The required fire hydrant shall be installed, tested and accepted and be in service prior to combustible construction.
 12. The design of all structures shall be in substantial conformance with the approved architectural plans dated March 14, 2017 (incorporated herein by reference as Exhibit A) to the satisfaction of the Development Services Director.
 13. All pedestrian paths, including those at both parks, must fully comply with all applicable Title 24 disabled access requirements, including those for slopes, surfacing and widths.
- D. DURING GRADING ACTIVITY AND PRIOR TO GRADING PERMIT FINAL APPROVAL, THE SUBDIVIDER/APPLICANT SHALL COMPLY WITH THE FOLLOWING:
1. All physical elements of the project shown on the approved grading, improvement and related plans shall be located substantially where they are shown and shall be constructed in accordance with appropriate Lemon Grove City Codes.
 2. All trash, debris, and waste materials should be disposed of offsite, in accordance with current local, state, and federal disposal regulations. Any materials containing petroleum residues encountered during property improvements should be evaluated prior to removal and disposal, following proper procedures. Any buried trash/debris encountered should be evaluated by an experienced environmental consultant prior to removal.
 3. For any work within the public right-of-way, the subdivider shall secure an encroachment permit to work within the City right-of-way and place a special deposit with the City to ensure that any damage to the existing roadway or other public improvements is repaired in a timely manner. The subdivider shall be responsible for all unforeseen costs related to work performed in the right-of-way.
 4. The development and preparation of the site shall conform to all recommendations of the approved geotechnical reports submitted to the City.
 5. The drainage structures, bioretention areas, underground storage pipes, and outlet structures identified in the Storm Water Quality Management Plan (SWQMP) shall be installed. Any modifications to the bioretention areas shall require modifications to the SWQMP and review and approval by the City Engineer.
 6. Provide the City with a final drainage/hydrology report/letter indicating that the site design is in accordance with the report and the National Pollutant Discharge Elimination System (NPDES) permit.
 7. The subdivider shall construct or shall cause to be constructed, at his/her own cost, a street lighting system conforming to the City Standards.
 8. Street signs for private and public streets meeting the requirements of the City standards shall be installed at all intersections prior to final occupancy approval.
 9. A street naming request application shall be completed and approved for the proposed private street. Appropriate street signage shall be required to be installed.
 10. The installation of gas, electric, sewer, and water lines and any other below surface utilities is required to take place before the installation of any concrete curbs, gutters,

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sidewalks, and surfacing of the streets (including repair or replacement). Sewer and water lines shall not be laid in the same trench in any part of this subdivision.

11. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
12. The contractor/permittee conducting any earth moving operation shall be responsible for controlling dust created by its grading operation or activities at all times.
13. Reporting for earthwork, asphalt, and concrete testing shall be required and prepared in accordance with the latest version of the "Greenbook" Standard Specifications for Public Works Construction. Reports shall be submitted to the City for review and approval prior to the applicant's request for final inspection on the grading and/or improvement permits. The reports shall be signed and stamped by a California Registered Engineer.
14. Submit a certification letter stating that the grading was done per the approved plan or an as-graded version of the grading plan (as-graded drawings) prepared, signed and dated by the responsible civil engineer which shall include original and "as-graded" ground surface elevations, pad elevations, slope ratios, and elevations and sections of all buttress/stabilization and fills, subdrains and general location and depth of all areas or removal of unusable soil.
15. Submit a final soils engineering report prepared by a soils engineer, including type of field testing performed, compaction reports, final pad elevations and certifications, suitability of utility trench and retaining wall backfill, the maximum allowable soil bearing pressure and the required pavement structural sections, summaries of field laboratory tests and other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the preliminary soils engineering report. Each field density test shall be identified, located on a plan or map, the elevation of the test, and the test method of obtaining the in-place density described.
16. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, required irrigation system installed proactive devices, required planting, and all erosion control measures have been completed in accordance with the final approved grading plan and the as-graded drawing, required reports and statements of compliance consistent with section 18.08.030 and Chapter 18.44 of the Lemon Grove Municipal Code have been submitted.
17. The developer and current and future property owners shall adhere to the recommendations of the requirements of the Storm Water Quality Management Plan (SWQMP) prepared for this project to the satisfaction of the Water Quality Program Coordinator.
18. The exterior boundary of the subdivision and all lot corner shall be monumented with permanent monuments in accordance with Section 16.12.250 to the satisfaction of the City Engineer.

E. PRIOR TO BUILDING FINAL, THE SUBDIVIDER/APPLICANT SHALL COMPLY WITH THE FOLLOWING:

1. All physical elements of the project, including public improvements, survey monumentation, and landscaping, shown on the approved building, landscape, grading, improvement, and related plans shall be located substantially where they are shown and shall be constructed in accordance with appropriate City Codes.

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2. Prior to Fire Department clearance for occupancy, an automatic fire sprinkler system shall be installed. The system shall comply with NFPA #13-D Standard for Automatic Fire Sprinkler Systems-Single Family Dwelling. Three (3) sets of plans, hydraulic calculations, and material specifications sheets for all equipment used in the system shall be submitted by a State of California Licensed C-16 Contractor for review, approval, and permits issued prior to commencing work.
 3. The required emergency access easement shall be marked, and required signage shall be installed prior to occupancy of residential dwellings.
 4. Approved signs or other approved notices or markings that include the words NO PARKING-FIRE LANE shall be provided for fire apparatus access road to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.
 5. Permanent residential three-dimensional street numbers, minimum 4 inches in height, shall be provided on the address side of the building at the highest point and furthest projection of the structure. The address shall be visible from the street and shall not be obstructed in any manner.
 6. Comply with the new "solar ready" requirements in Title 24 (Section 110.10). This includes reserved solar zones on the roof, conduit installation, 200 amp service, etc.
 7. Demonstrate to the satisfaction of the Development Services Director that the required noise barriers/sound walls as shown on Exhibit "A" have been installed and provide noise mitigation at or below the City of Lemon Grove 60 dBA CNEL exterior noise level standards for the outdoor areas as described in the Acoustical Analysis Report (dated August 16, 2016) prepared for this project.
 8. All dwelling units shall comply with the interior noise level requirements of California Code Title 24. Those dwelling units shown to be non-compliant through an exterior-to-interior noise analysis must incorporate all necessary standard noise control measures identified in the acoustical analysis dated August 16, 2016 to achieve compliance.
 9. A closed window condition is required with mechanical ventilation installed to move air within the structure in accordance with the Acoustical Analysis.
 10. The developer/owner shall be required to repair any damaged public improvements fronting the project and within 100 feet to the satisfaction of the City Engineer.
- F. PRIOR TO RECORDATION OF A FINAL MAP, THE SUBDIVIDER/APPLICANT SHALL COMPLY WITH THE FOLLOWING:
1. All physical elements of the project, excepting improvements for buildings, including public street improvements, shown on the approved building, landscape, grading, improvement and related plans shall have obtained final approval or appropriate securities associated with such improvements shall be provided for in accordance with appropriate City Codes.
 2. Submit a copy of the Preliminary Title Report, Subdivision Guarantee and Tax Clearance Certificate no more than 60 days in advance of the recordation of the Final Map to the City Engineer for review.
 3. The subdivider shall provide the City Engineer with one reproducible Mylar copy of the final map for recordation.

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4. Provide proof of the utility easement vacation.
5. Each parcel shall be subject to inclusion into the Lemon Grove Roadway Lighting District which includes an annual assessment.
6. A formal written request to add street lights to the Lemon Grove Lighting District shall be submitted to the City of Lemon Grove Lighting District prior to permanently energizing. If required, a deposit for the initial operation costs expended by the Lighting District for the subject property shall be submitted until the units are placed on the Tax Assessor's yearly statement.
7. Water improvement plans shall be approved by Heartland Fire & Rescue prior to recordation. The developer shall furnish Heartland Fire & Rescue with three (3) copies of the water improvement plans designed by a Registered Engineer and/or Licensed Contractor. On-site fire service mains shall have a minimum of eight (8) inch water mains with six (6) inch laterals and risers. Larger pipes may be required to meet required fire flow requirements. Fire hydrants shall provide one 4-inch port and 2- 2 ½ ports and must be an approved fire hydrant type.
8. Backflow prevention devices for private building sewers shall be required pursuant to Section 710.0 of the CBC (2000 UPC).
9. Pay \$85 for the preparation and recordation of each document as required for the subject permit.
10. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the City Engineer a certification from each public utility and each public entity owning easements within the proposed subdivision stating that: a) they have received from the developer a copy of the proposed final map; b) they object to/do not object to the filing of the map without their signature. In addition, the subdivider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the tentative map.
11. All necessary easements for storm drains shall be obtained and recorded on the final map.
12. The protection of the public interest requires that the subdivider, contractors, builders, lot or parcel owners, and other persons, firms, and corporations concerned with the development of said subdivision conform to the following standards, and all permits required by the City of Lemon Grove will be issued pursuant to such standards:
 - a. All domestic water supplied for this subdivision shall come from Helix Water District.
 - b. All buildings constructed for this subdivision shall be connected to the public sewer system of the Lemon Grove Sanitation District. Appropriate sewer permits shall be obtained with payment of capacity and related fees.
 - c. Sewer and water lines shall not be laid in the same trench in any part of this subdivision.
 - d. The project shall comply with applicable provisions of Title 15 (Buildings and Construction).
 - e. Proper drainage shall be maintained throughout this subdivision as to prevent ponding and/or storage of surface water and shall be in compliance with the

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NPDES permit to the satisfaction of the Water Quality Coordinator and the City Engineer.

13. The final map shall show or provide for the following:
 - a. The design and area of all lots and the design of the final map shall be in substantial conformance to that shown on the approved tentative map to the satisfaction of the Development Services Director.
 - b. The final map shall indicate that this project is a planned development for thirteen (13) dwelling units.
 - c. The final map shall include the signature of the Development Services Director prior to recording and other items required in Title 16.
 - d. The final map shall identify any easements indicated within the Title Report, proposed on the approved Tentative Map, and as required by the Lemon Grove Fire Department or City Engineer.
 - e. The Final Map shall include all easements as shown on Tentative Subdivision Map TM0-000-0063, including but not limited to private sewer, drainage, utility and open space, and public access and emergency access easements.
 - f. A note shall be placed on the final map indicating that domestic water supplied for this project shall come from Helix Water District.
14. The Final Map shall conform to Section 16.12 of the Lemon Grove Municipal Code for a Major Subdivision.
15. An emergency access easement shall be recorded and project Conditions, Covenants and Restrictions shall reflect that the homeowner's association is responsible for maintenance of the easement.
16. Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to the City for review and shall be written to the satisfaction of the Development Services Director and the City Engineer. The CC&Rs shall include the conditions herein to the satisfaction of the Fire Marshal, Water Quality Program Coordinator, City Engineer, and Development Services Director and shall be recorded prior to or concurrent with the final map and shall include but not be limited to the following:
 - a. The Developer, Current and Future Property Owners shall adhere to the CC&Rs approved for this project.
 - b. The formation of a home owner's association (HOA) with maintenance responsibilities is required.
 - c. A Best Management Practices (BMP's) and a Private Driveway and Drainage Maintenance Agreement to the satisfaction of the City Engineer. The maintenance and the preservation of drainage and BMP facilities shall be included.
 - d. The CC&Rs shall identify and implement the BMP's identified in the SWQMP prepared for this project and state that the Developer, Current and Future Property Owners shall comply with the recommendations of the SWQMP prepared for this project to the satisfaction of the Water Quality Program Coordinator and the City Engineer. Funding of the long term maintenance of all facilities required by the SWQMP shall be included in the annual HOA budget.

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- e. A long-term operation and maintenance program (OMP) will be a requirement and the responsibility of HOA to maintain. Funding for the program is required to be accounted for in the annual budget of the HOA.
- f. The CC&Rs shall include on-going maintenance of landscaping and irrigation (private and within public right-of-way) of slopes, parkways, open space and park areas as illustrated on approved landscape and irrigation plans (Exhibit A). This Exhibit A shall be included in the CC&Rs. All landscaping shall be well maintained in a healthy growing condition at all times in substantially the same condition as approved in accordance with the approved landscape and irrigation plans. Immediate removal of graffiti and any other type of offensive debris is required.
- g. Immediate removal of graffiti and any other type of offensive debris is required.
- h. All garage doors shall be automatic roll-up type doors and equipped with remote control devices.
- i. Maintain the drainage facilities and any access easements (where they occur) on the property.
- j. All light fixtures shall be designed, shielded and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises.
- k. The property shall comply with all performance standards relating to the generation of noise, glare, dust, and odor.
- l. If any fire hydrant is taken "OUT OF SERVICE," Heartland Fire & Rescue shall be notified immediately and the hydrant marked, bagged, or otherwise identified as "OUT OF SERVICE" as directed by the Fire Marshal.
- m. Designated fire apparatus streets and turn-arounds shall be maintained accessible and usable by emergency vehicles. Usable conditions include but are not limited to the following:
 - i. An all-weather road surface shall be maintained.
 - ii. Road shall support imposed loads of fire apparatus at 75,000 pounds.
 - iii. No parking-fire lane signs shall be repaired or replaced as needed.
 - iv. Fire lanes shall remain free at all times of any obstruction including but not limited to: vehicles, storage, debris, etc.
 - v. Fire lane or hammerhead turn-around shall maintain an unobstructed width of 20 feet and a minimum 13' 6" vertical clearance.
 - vi. Grades exceeding 12 percent shall be concrete with a deep broom finish perpendicular to the access roadway.
 - vii. Fire Department approval and conditions are required for fire apparatus access roads with grades between 10 percent and 20 percent.
 - viii. All required fire access roads and turn arounds shall have a minimum 28 foot turning radius
- n. Trees shall not grow within five feet of any proposed chimneys.
- o. Safety features including fire sprinklers, ignition resistant construction, smoke and carbon monoxide detectors and fire resistive landscaping shall be

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maintained in accordance with California Fire Code, California Building Code, California Vehicle Code (fire lanes), City Municipal Code and any other applicable codes.

- p. All trash and recycling receptacles are required to be within the individual residences or in the rear yard areas of the proposed planned development at all times, except that one recycling container and one refuse container per dwelling unit is permitted directly outside of the individual dwelling unit's garage within ten hours of the trash pick-up times specified by EDCO waste and recycling company.
 - q. Rooftop mechanical equipment, including but not limited to heating, air conditioning and ventilating equipment, shall be screened so that it may not be seen from the level of adjacent streets and sidewalks.
 - r. The use of barbed wire or razor ribbon on any fences, gates, or walls is prohibited.
 - s. Ongoing maintenance of the onsite private sewer is required.
 - t. The CC&Rs shall clearly establish the responsibilities of the individual home owners and the HOA with regard to the continuing maintenance and preservation of the project.
 - u. The CC&Rs shall specifically limit the number of dwelling units to thirteen (13) on the site.
 - v. The CC&Rs shall give the City the right but not the duty to enter the premises to do maintenance and levy assessments if the home owners fail or refuse to maintain said facilities, and shall forbid amendments to the CC&Rs without express written consent of the City.
 - w. Common areas shall be well maintained at all times (e.g., private street and sidewalks, walkways, bicycle racks, barbeques, tables, landscape, signage, pool, pool area and basketball hoop).
 - x. Street trees along the roadway shall not obstruct the ability of fire apparatus access and fire department aerial operations. Tree height and type should be considered in the ultimate landscape design.
 - y. Other items as determined by the Development Services Director and City Engineer.
- G. The terms and conditions of the Tentative Subdivision Map shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to Planned Development Permit PDP-160-0001 and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts.
- H. A Final Map must be recorded within **two (2) years** (excluding extensions granted by State Law) from the date of approval unless prior to that date, the Development Services Director, or on appeal, the City Council, has granted a one-year time extension for the filing of said Map. The Map expiration date is automatically extended for 60 days upon receipt of a time extension application regardless if the map is expired.
- I. The subdivider shall indemnify, protect, defend, and hold harmless, the City and any agency thereof, and/or any of its officers, employees, and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality

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thereof, or any of its officers, employees, or agents to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project. City shall promptly notify the applicant/subdivider of any claim, action, or proceeding brought within this time period, and City shall further cooperate fully.

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RESOLUTION NO. _____

RESOLUTION OF THE LEMON GROVE CITY COUNCIL APPROVING PLANNED DEVELOPMENT PERMIT PDP-160-0001 AUTHORIZING THE DEVELOPMENT OF A THIRTEEN UNIT SINGLE-FAMILY RESIDENTIAL PROJECT WITH A PRIVATE STREET AND PARK AND OFF-SITE PUBLIC PARK ON A 3.67-ACRE DEVELOPED RESIDENTIAL SITE AT 1993 DAIN DRIVE, LEMON GROVE, CALIFORNIA.

WHEREAS, the applicant, Sameer Qasim, filed a complete application for a Planned Development Permit (PDP-160-0001) and a Tentative Subdivision Map (TM0-000-0063) on March 2, 2017 to authorize development of a 13 unit single-family development and an off-site public park in association with the subdivision of 3.67 acres of land into 13 residential lots, a lot for a private street, and a lot for a common private park at 1993 Dain Drive, Lemon Grove, California; and

WHEREAS, a Mitigated Negative Declaration (MND) of Environmental Impact (ND17-01) will be filed subsequent to its adoption and the approval of the proposed project. The Initial Environmental Study prepared for this project found that the project would have no significant effect on the environment because identified potentially significant impacts associated with Cultural Resources, Geology and Soils, Noise, and Mandatory Findings of Significance will be mitigated to below a level of significance. A notice of intent to adopt a mitigated negative declaration was filed with the County Clerk prior to the City Council public hearing; and

WHEREAS, a public hearing was duly noticed and held by the Lemon Grove City Council on April 4, 2017; and

WHEREAS, the City Council has determined that the following Planned Development Permit findings of fact, as required by Section 17.28.030(C), can be made as follows:

1. That the development is not detrimental to the public interest, health, safety, or general welfare.
 - a. The City Council finds that the design of the proposed project complies, or will be made to comply with all of the applicable requirements of the City Zoning Ordinance relating to public safety and no such detriment should occur.
2. That the development complies with applicable provision of the Zoning Ordinance (Title 17) and/or deviations that comply with applicable provisions in subsection D of the Planned Development Permit regulations (Section 17.28.030).
 - a. The City Council finds that the proposed project complies with, or conditions have been included for this project to require it comply with the Zoning Ordinance requirements relating to off-street parking, screening, and landscaping and waivers or modifications to the minimum front yard setback and usable open space requirements are offset by the provision of additional and enhanced recreational/outdoor amenities for the residents of the subdivision and the public at large.
3. That the development is consistent with general plan policies and standards and other applicable plans or policies adopted by the City Council.
 - a. The City Council finds that the planned development is consistent with the Lemon Grove General Plan policies and standards because the General Plan allows residential development at the form and scale proposed; and

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4. That the development density or intensity does not exceed general plan limitations.
 - a. The City Council finds that the planned development of 13 single-family dwelling units at a density of 4.64 dwelling units per acre in the Low/Medium Density Residential land use designation of the Lemon Grove General Plan, is consistent with the Lemon Grove General Plan which allows a residential development with a maximum of seven dwelling units per net acre.
5. That the existing infrastructure such as utilities, transportation systems, and communications networks adequately serve the development or will be upgraded to efficiently accommodate the additional burdens imposed.
 - a. The City council finds that appropriate public services (e.g., sewer, water, gas, and electricity) exist to the subject property and that improvements proposed for the project allow for safe circulation of pedestrian, bicyclists, and motor vehicles and improve the general welfare of the community; and

WHEREAS, the City Council has determined that the following deviations, waivers, or modifications as permitted by the Planned Development Permit regulations (Section 17.28.030(D)) are adequately offset by the provision of the private and public park space as equivalent benefits:

1. A waiver of Section 17.16.020(E)(3)(a) (Minimum Front Yard Setback) to allow eight lots with front yard setbacks (minimum 25 feet is required, 15 to 20 feet is proposed); and
2. A waiver of Section 17.16.020(E)(5) (Minimum Usable Open Space) to allow reduced private usable open space (minimum 1,500 square feet is required, a minimum of 1,200 square feet is proposed);and

WHEREAS, the City Council has considered Tentative Map TM0-000-0063 dated received March 14, 2017 associated with Planned Development Permit PDP-160-0001; 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 recitals of this Resolution are declared to be true; and

SECTION 2. Waives or modifies the following Development Standards in accordance with Section 17.28.030(D) (Deviations):

1. A modification of Section 17.16.020(E)(3)(a) (Minimum Front Yard Setback) to allow eight lots with front yard setbacks (minimum 25 feet is required, 15 to 20 feet is proposed on eight lots); and
2. A modification of Section 17.16.020(E)(5) (Minimum Usable Open Space) to allow reduced private usable open space (minimum 1,500 square feet is required, a minimum of 1,200 to 1,500 square feet is proposed on seven lots); and

SECTION 3. Conditionally approves Planned Development Permit PDP-160-0001 in conjunction with Tentative Map TM0-000-0063 and the grading, site, landscape, and architectural plans dated received March 14, 2017 (incorporated herein by reference as Exhibit A), except as noted herein. This approval authorizes the development of a 3.67 acre parcel into 13 single-family residential units with associated common area improvements on a developed residential site at 1993 Dain Drive, Lemon Grove, California. Except as amended, the approval of this project shall be subject to the following conditions:

Attachment C

- A. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE CONSTRUCTION AUTHORIZED BY PLANNED DEVELOPMENT PERMIT MODIFICATION PDP06-013M:
1. All physical elements of the proposed project shown on the approved plans dated March 14, 2017 except as noted herein, shall be located substantially where they are shown and shall be constructed in accordance with applicable Lemon Grove City Codes. The Development Services Director has the authority to allow modifications to the approved plans when the modifications are found to be in substantial conformance (minor deviations in colors, roof and siding material acceptable) and in compliance with the Municipal Code and General Plan.
 2. Pay school fees, Helix Water District Capacity fees, Regional Transportation Congestion Improvement Program (RTCIP) fees, sewer connection fees, and other applicable development fees. Parkland fee requirements are waived provided the proposed public park on Ildica Street is fully improved.
 3. Record the Final Map for TM0-000-0063 unless otherwise determined by the Development Services Director.
 4. All garage doors shall be equipped with an automatic roll-up garage door and remote control.
 5. Provide a minimum of one ceiling-mounted bicycle rack within each garage with a capacity of two bicycles.
 6. An 18 foot wide by 19 foot clear space is required within all required two-car garages. Driveways shall be a minimum of 20 feet wide by 20 feet deep if used for parking.
 7. The building plans for the proposed dwelling units shall include a color and materials board consistent with the conceptual drawing on the approved plans dated March 14, 2017 and to the satisfaction of the Development Services Director.
 8. All dwelling units shall comply with the interior noise level requirements of California Code Title 24. Those dwelling units shown to be non-compliant through an exterior-to-interior noise analysis must incorporate all necessary standard noise control measures identified in the acoustical analysis dated August 16, 2016 to achieve compliance.
 9. Sound walls shall be constructed in the locations identified in the Landscape Concept Plan and shall meet the specifications of the acoustical analysis dated August 16, 2016.
 10. All light fixtures shall be designed, shielded and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises.
 11. Vehicular sight distance of all driveway entrances shall be to the satisfaction of the City Engineer.
 12. Each dwelling unit in the development shall be protected with an approved automatic fire suppression sprinkler system to the satisfaction of the Fire Marshal.
 13. The private street is to be designated as a Fire Lane. Fire lanes (20-foot clear with no parking) and fire lane markings shall be provided to the satisfaction of the Lemon Grove Fire Department. The fire lane will be designated per City Fire Department standards and shall be marked and posted "No Parking-Fire Lane" and the curb shall be painted red to the satisfaction of the City of Lemon Grove Fire District. A final inspection by the Fire Department shall be required to confirm compliance with this requirement prior to the construction with combustible materials and final occupancy.

Attachment C

14. All access roadways and driveways shall maintain a minimum vertical clearance of 13'-6" to the satisfaction of the Fire Marshal.
 15. Install only high efficiency appliances, use only high-efficiency watering technologies, and landscape using low-water-use plants as follows:
 - a. Install the following indoor fixtures:
 - i. High-efficiency toilets (1.28 gallons or less per flush);
 - ii. High-efficiency dishwashers (Energy Star, WaterSense or equivalent);
 - iii. High-efficiency clothes washers (3.7 water factor or lower); and
 - iv. Low-flow shower heads (2.0 gallons per minute or less).
 - b. Install dedicated meters for common area outdoor water use. Enroll all new irrigation meters (except those at single-family residences) in the Helix Water Budget Program and provide documentation of irrigated landscape area at the time of meter purchase.
 - c. Install automatic irrigation controllers with a rain sensor that utilize either evapotranspiration (weather-based) or soil moisture data and install high-efficiency, matched-precipitation rate sprinkler nozzles at all residential landscapes and common areas.
 16. The project shall comply with all applicable provisions of the California Fire Code, California Residential Code and the California Building Code.
- B. PRIOR TO FINAL APPROVAL OF A BUILDING PERMIT FOR THE CONSTRUCTION AUTHORIZED BY PLANNED DEVELOPMENT PERMIT PDP-160-0001:
1. All physical elements of the proposed project shown on the approved plans dated March 14, 2017 except as noted herein, shall be located substantially where they are shown and shall be constructed in accordance with applicable Lemon Grove City Codes.
 2. The color palette and materials shall substantially conform with the conceptual drawing on the approved plans dated March 14, 2017 and the color and materials board to the satisfaction of the Development Services Director.
 3. Schedule a Helix Water District inspection for compliance with water efficiency requirements.
 4. E-file FAA Form 7460-2 with the Federal Aviation Administration, Notice of Actual Construction or Alteration within five days of construction reaching peak height.
- C. UPON ESTABLISHMENT OF USE IN RELIANCE WITH TENTATIVE MAP REVISION:
1. Comply with all of the Conditions of this resolution and the requirements of TM0-000-0063, as applicable.
 2. All physical elements of the project shown on the approved grading, improvement, building, landscape, and related plans shall be maintained and located substantially where they are in accordance with appropriate City Codes.
 3. The City approved CC&Rs shall be abided by at all times.
 4. All landscaping shall be well maintained and adequately watered at all times. The landscaping located on the subject property shall be maintained in a healthy and growing condition at all times. All on-site & off-site landscaped areas shall be planted and irrigated by a permanent irrigation system.

Attachment C

5. The proposed facility shall fully comply with the requirements of the California Fire Code to the satisfaction of the Fire Chief.
 6. All fences, screening and walls on the subject property shall be maintained in good condition at all times.
 7. All light fixtures shall be designed, shielded and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises.
 8. All graffiti shall be removed or painted over with a paint that closely matches the color of the exterior of the building within 48 hours of the discovery of the graffiti.
 9. Provide water-use efficiency data upon request to the Helix Water District for six years following installation/development.
 10. Any deviations proposed from the approved plans relating to the construction of facilities and maintenance of improvements shall substantially conform to the approved plans dated March 14, 2017 to the satisfaction of the Development Services Department.
- D. This approval of this Planned Development Permit will expire two years from the date of approval or such longer period as may be extended by State Law (the Planned Development Permit will be extended automatically with any extensions required of Tentative Map TM0-000-0063).
- E. The terms and conditions of the Planned Development Permit shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to this Planned Development Permit and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts. |

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Attachment D

March 27, 2017

Development Services Department
City of Lemon Grove
3232 Main Street
Lemon grove, CA 91945

CITY OF LEMON GROVE
MAR 27 2017
DEVELOPMENT SERVICES

Re: Housing Project

Based on my research and studies, I realized that there was a need for homes in the City of Lemon Grove to meet the demands and the needs of its citizens. So I decided to venture into this project by contributing my funds and efforts to build 13 (thirteen) beautiful homes.

My decision was based on several factors. First: I felt that there was a need for homes in the City of Lemon Grove. Second: was to build nice homes worthy of its owners. Third: was the welcoming reception and support that I received from the officials and staff of the City. Fourth: was that I wanted to be part of the Lemon Grove Community.

The above factors were the motivating reasons that encouraged me to venture into this housing project. I am most appreciative of the support that I received and continue to receive from the staff and the community of the City of Lemon Grove.

I sincerely hope that our joint efforts will contribute to our success in this worthy cause.

Sincerely,

Sameer Qasim



**INITIAL STUDY / ENVIRONMENTAL CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. ND17-01
FOR TENTATIVE MAP TM0-000-0063 &
PLANNED DEVELOPMENT PERMIT PDP-160-0001
LOCATED AT 1993 DAIN DRIVE
APN: 577-620-37-00
LEMON GROVE, CALIFORNIA**

Prepared by:

Lemon Grove Planning Division Staff
3232 Main Street
Lemon Grove, CA 91945
(619) 825-3805

March 9, 2017

Attachment E

City of Lemon Grove Initial Study / Environmental Checklist

This Initial Study / Environmental Checklist has been prepared pursuant to the California Environmental Quality Act (CEQA) [Public Resources Code §21000, et seq.] and the 2016 State CEQA Guidelines [California Code of Regulations §15000, et seq.]. This Initial Study / Environmental Checklist determines that the project will result in no impacts or less than significant impacts (with mitigation) on the environmental resources and issues evaluated herein, and hence would not have a significant impact on the environment.

This document is being made available for a 20-day public review comment period, beginning March 9, 2017 and ending March 29, 2017. Comments regarding this Initial Study/ Environmental Checklist must be made in writing to: Michael Viglione, Assistant Planner, City of Lemon Grove, 3232 Main Street, Lemon Grove, California 91945. Comments must be received by 5:00 P.M. on the last day of the public review period.

- 1. Project Title:** Dain Drive Subdivision
TM0-000-0063; PDP-160-0001, ND17-01
- 2. Lead Agency Name and Address:** City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945
- 3. Contact Person and Phone Number:** Michael Viglione
Assistant Planner
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945
(619) 825-3807
- 4. Project Location and APN:** 1993 Dain Drive
Lemon Grove, CA 91945
APN: 577-620-37-00
- 5. Project Applicant:** Sameer Qasim.
275 E. Green St. #1344
Pasadena CA 91101
- 6. General Plan Designation:** Low/Medium Density Residential (4.1 to 7 dwelling units per acre). The project's proposed density is 4.64 dwelling units per acre.
- 7. Zoning Designation:** Residential Low/Medium (RL/M)

8. Project Description:

The project site is an irregularly shaped lot with an existing single-family dwelling located south of Ildica Street at 1993 Dain Drive in the City of Lemon Grove, California. The proposed project is a request for a Planned Development Permit and Tentative Subdivision Map to authorize a 15-lot subdivision on a 3.67 gross acre parcel, including 13 single-family residential dwelling units, one private street (0.55 acres) and a common area private park and pool area (.36 acres) in the Residential Low/Medium Zone. Total net area excluding the private street is 2.80 acres. The maximum density for the Low/Medium Residential land use designation is 7 dwelling units per acre, or a maximum of 19 dwelling units for this 2.8 net acre site. The project proposes modifications of the Municipal Code regulations as follows: 1) a private street in lieu of a public street, 2) reduced lot frontage, 2) reduced private usable open space and 3) reduced front yard setback requirements. A public park immediately adjacent to the north along Ildica Street with lawn, pedestrian path, play structure, covered picnic area and public street improvements (sidewalk) is also proposed. New street trees and landscape is also proposed along portions of Dain Drive. The proposed private street would take access from Dain Drive south of its intersection with Ildica Street. Required guest parking will be provided by on-street parallel parking. All units include a two-car garage with two-car driveways. Private street improvements include sidewalks on both sides of the street, street lights and street trees. A proposed 70' Hammerhead Turnaround provides appropriate Fire Department access. Three biofiltration basins are proposed to accommodate storm water flows from the project site. Grading is proposed on site including 14,000 cubic yards of cut, 14,000 cubic yards of fill.

9. Setting and Surrounding Land Uses:

The project site is in a developed urban residential area. It is an irregularly shaped lot located west and north of Dain Drive and south of Ildica Street west of State Route 125 in the City of Lemon Grove, California. Single-family residences surround the project to the north, south, east and west and public streets bound the project to the north and south. The County of San Diego community of Spring Valley is immediately east beyond State Route 125.

10. Approvals Required:

Tentative Map TM0-000-0063 and Planned Development Permit PDP-160-0001 and related requests for modifications of regulations for Development Standards in Titles 16 and 17 of the Lemon Grove Municipal Code.

11. Other public agencies whose approvals are required (e.g., permits, financing approval, or participation agreement):

Department of Fish and Game.

Attachment E

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Based upon the initial evaluation presented in the following Initial Study / Environmental Checklist, it is concluded that the Project **would** result in the following potentially significant adverse environmental impacts to the following resource areas:

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

DETERMINATION:

On the basis of this initial evaluation: (To be completed by the Lead Agency)

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur then, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses”, as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration pursuant to Section 15063(c)(3)(D) of the CEQA Guidelines. In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated”, describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

Attachment E

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

Impact Terminology

The following terminology is used to describe the potential level of significance of impacts:

- A finding of ***no impact*** is appropriate if the analysis concludes that the project would not affect the particular resource in any way.
- An impact is considered a ***less than significant impact*** if the analysis concludes that it would not cause substantial adverse change to the environment and requires no mitigation.
- An impact is considered ***less than significant with mitigation incorporated*** if the analysis concludes that it would not cause substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered a ***potentially significant impact*** if the analysis concludes that it could have a substantial adverse effect on the environment and requires mitigation.

I. AESTHETICS

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a: No Impact. The project site is not located within or near a designated scenic vista or a State Scenic highway and no scenic resources or historic buildings exist on-site.

b-d: Less than Significant. The site is located in a developed urbanized area. It is developed with an existing one-story single family residence and accessory structures on the western portion of the property. Vegetation on the subject site consists of grass, shrubs, succulents, rocks and trees. Street trees are proposed along Dain Drive and many existing trees along this southern boundary will also be maintained. Trees and landscaping are also proposed on the fill slope at the property's northeastern corner. A landscaped public park along Ildica Street near the property's northern boundary is also proposed. Night time lighting of new residences may occur as a result of this project. Glare onto adjacent public rights-of-ways is required to be reduced to a level of no impacts. Aesthetic impacts are expected to be less than significant.

Source: 1, 2, 3, 4, 10

Attachment E

II. AGRICULTURAL AND FOREST RESOURCES

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g])?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a–e: No Impact. The project site is located in an existing urbanized area with no agricultural or forest resources within the vicinity. The site was previously developed as a single-family residence with accessory structures, and no agricultural or forestry uses are located on-site. The project site is not zoned for agricultural or forestry purposes; nor is there a Williamson Act Contract associated with the site or vicinity. Therefore, the project would not convert Important Farmland, conflict with agricultural zoning, or otherwise cause the conversion of farmland or

forest land to non-agricultural/non-forest use. The project would have no agricultural resource impact.

Source: 1, 2, 18

III. AIR QUALITY

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a-e: Less Than Significant Impact. No significant impact on air resources is likely to occur. While the proposed project may result in a slight increase in vehicular traffic and a slight increase in air quality impacts to the region, the Master Environmental Impact Report (MEIR) for the City of Lemon Grove's General Plan anticipates vehicular air quality impacts associated with the build out of Lemon Grove but not to a level of significance. The cumulative air quality impacts of buildout of the Lemon Grove General Plan will remain significant and unmitigated. However, this project is not likely to result in a cumulatively considerable net increase of any criteria pollutant. In conformance with the General Plan MEIR, all existing buildings must be tested for asbestos prior to demolition and all necessary treatment implemented if identified. Standard conditions of project approval will require the control of dust during site grading and

Attachment E

construction. During construction, diesel equipment may generate some nuisance odors; however, due to best management practice requirements to control dust and odors, odors associated with project construction would not be significant. As a single-family residential use, the project would not generate objectionable odors. Therefore, odor impacts would be less than significant

Section 15125(d) of the CEQA Guidelines contains specific reference to the need to evaluate any inconsistencies between the proposed project and the applicable air quality management plan, i.e., the San Diego Regional Air Quality Strategy (RAQS). Included in the RAQS are transportation control measures (TCMs). The RAQS and TCM set forth the steps needed to accomplish attainment of state and federal ambient air quality standards. The primary concern for assessing impacts on the RAQS is whether the project is consistent with the growth assumptions used to develop the plan.

San Diego Air Pollution Control District (SDAPCD) relies on land use designations contained in local general plan documents and the San Diego Association of Governments (SANDAG) regional transportation plans to prepare air quality plans. SDAPCD refers to approved general plans to forecast, inventory, and allocate regional emissions from land use and development-related sources. These emissions budgets are used in statewide air quality attainment planning efforts. As such, a project is inherently consistent if it proposes development in conformance with a given General Plan land use designation. Projects that propose development that is greater than anticipated in the growth projections warrant further analysis to determine consistency with RAQS and the State Implementation Plan (SIP).

Source: 1, 2, 4, 11

IV. BIOLOGICAL RESOURCES

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment E

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a-f: No Impact. The subject site is located in a developed urban area surrounded by single-family residential land uses. The site only supports Developed and Disturbed habitat due to the historical development activities associated with the existing single-family dwelling and its accessory structures, which includes habitat clearing, partial grading, improvement construction, irrigation and the ongoing maintenance of the site. No sensitive plant communities or habitats were observed during the site survey. Coast Live Oak and San Diego Barrel Cactus were observed on-site, however because these individuals are artificially maintained with irrigation in a residential landscape, potential impacts would not be significant. Voluntary transplantation of these sensitive plants to the avoided portion of the Property is proposed.

Impacts to nesting birds are prohibited per the Migratory Bird Treaty Act. Impacts to raptors and migratory birds during the nesting season would be mitigated by the limitation of clearing activities from February 1 through August 31 unless pre-construction surveys indicate that no nesting birds are located within 300 to 500 feet of the project impact area.

The MEIR for the City of Lemon Grove's General Plan also conveys there are no known sensitive biological resources, riparian habitat, or wetlands on the subject property.

Source: 1, 2, 4, 12

V. CULTURAL RESOURCES

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code, Section 21074 as either: 1) a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, that is listed or eligible for listing on the California Register of Historical Resources, or on a local register of historical resources as defined in Public Resources Code section 5020.1(k), or 2) a resource determined by a lead agency, in its discretion and supported by substantial evidence, to be significant according to the historical register criteria in Public Resources Code section 5024.1 (c), and considering the significance of the resource to a	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
California Native American tribe.				

Explanation of Checklist:

a-d: No Impact

The subject property is approximately 159,731 square feet and is presently developed on the western portion of the site with one existing single-family residence and accessory structures. Neither the project site nor its contents are listed in any historical register, identified in historical surveys or are determined to be of particular historical import. There are no known cultural resources located on the property. There are no known human remains or those interred outside of formal cemeteries on the subject property or in the surrounding area. The geotechnical investigation reveals the site is underlain by Mesozoic metamorphosed and unmetamorphosed volcanic and sedimentary rocks. Consequently it is anticipated that Mission Valley Formation with its medium to high potential for paleontological resources will not be encountered during site grading.

e: Less than Significant Impact with Mitigation.

Tribal consultation requests resulted in once request for tribal consultation by the Jamul Indian Village. The tribal representative requested additional consultation as the project continues and that their representative be present during grading activities. As such, in order to mitigate any impacts that grading may cause: 1) The project proponent shall conduct a cultural resources records search and a Sacred Lands File search of the project area to determine if there is likelihood for on-site Native American cultural resources. A copy of a letter regarding the records search shall be provided to the Development Services Department prior to issuance of grading or improvement permits. The report shall provide recommendations for further analysis and those recommendations shall be implemented as a part of the mitigation measures. 2) A Jamul Indian Village representative shall be present at the pre-grading meeting to consult with the grading and excavation contractors. 3) A Jamul Indian Village representative shall be present at all times during the original cutting of previously undisturbed sediments. 4) The Jamul Indian Village representative shall be allowed to temporarily direct, divert or halt grading to allow recovery of fossil and artifact remains. 5) Prior to final inspection a report shall be prepared summarizing the results of the mitigation program and the coordination efforts with the Jamul Indian Village representative and submitted to the City of Lemon Grove Development Services Director. This report will include a discussion of methods employed, fossils and artifacts recovered, geologic context of fossil and artifact remains and the significance of the mitigation program. With implementation of the mitigation measures specified above, potential impacts to cultural resources would be less than significant.

Source: 1, 2, 4, 6, 13

VI. GEOLOGY AND SOILS

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a-c: Less than Significant Impact. The site is located within the seismically active southern California region. The Rose Canyon Fault Zone is the nearest active fault system to the project site and lies approximately 8.8 miles to the west. The geotechnical evaluation further indicates that there are no known active faults crossing the site. Given the proximity of the Rose Canyon fault system, a strong earthquake on this fault could produce severe ground shaking at the project site, but would be unlikely to produce ground rupture. Despite the potential of the Rose Canyon fault system to produce severe ground shaking at the project site, impacts to the project would be reduced through adherence to requirements specified in the Alquist–Priolo Act, the Uniform Building Code, Title 24 of the California Building Code, and all development regulations of the City. Compliance with these building standards would minimize impacts associated with seismic hazards.

According to the geotechnical investigation, the site is underlain by Mesozoic metamorphosed and unmetamorphosed volcanic and sedimentary rocks topped by artificial fill at anticipated depths of 1 to 3 feet. The report recommends the removal of unsuitable soils to reveal the underlying metavolcanic/metasedimentary bedrock.

d. Less than Significant Impact with Mitigation. The report indicates medium to high expansive soils are present and recommends that the effect of expansive soil may be minimized by using select, very low expansive backfill within the active zone, behind the wall. This mitigation will be incorporated as a condition of approval as a part of site grading. Incorporation of the recommendations presented in the Geotechnical Investigation into the design and construction considerations of the project would reduce the impact to below a level of significance.

e: No Impact. The project would be served by the City's wastewater system and would not require the use of septic systems. No impact related to septic system soil issues would occur.

Source: 1, 2, 4, 5, 14

VII. GREENHOUSE GAS EMISSIONS

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a–b: Less Than Significant Impact.

The proposal to develop the project site with 13 new single-family homes is below the threshold of significance established by the Californian Air Pollution Control Officers Association (CAPCOA) for greenhouse gas emissions. According to the CAPCOA White Paper published in January 2008, it is presumed that the construction and operational greenhouse gas emissions for single-family projects of less than 50 units would not exceed 900 metric tons of CO₂-equivalent emissions per year, and would therefore have a less-than-cumulatively considerable impact to the environment. Pursuant to California Assembly Bill 32, the State must reduce greenhouse gas emissions by at least 16% in order to roll back the level of emissions for the year 2020 to those levels that existed in 1990. CAPCOA has determined that any project which generates less than 900 metric tons of CO₂-equivalent emissions per year is below the level necessary to achieve the 16% reduction in anticipated state-wide emissions for the year 2020 under the “business as usual” scenario. Therefore, the impact is less than significant.

During grading and project construction, a temporary increase in operational emissions may occur. Operational emissions include mobile source emissions and building emissions. The San Diego Air Pollution Control District Rule 55 requires compliance with standard fugitive dust control best management practices which will be required as a part of normal practices. The impact is expected to be less than significant.

Source: 1, 2, 4, 15

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VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a–h: No Impact. The site is to be further developed as a residential project and will not create a hazardous environment through the use or transport of hazardous materials. There are no known hazardous material sites within the City. The site is not located within an airport land use plan or within two miles of a public airport or public use airport and no such detriment should occur. The proposed project will not impair implementation of or physically interfere with any emergency response plan or evacuation plan because the project design and access has been reviewed and approved by the Fire Department. The project is located within an urbanized area and there are no wildlands located within the vicinity of the subject property.

Source: 1, 2, 4, 16

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IX. HYDROLOGY AND WATER QUALITY

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Contribute to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a-f: Less than Significant Impact. The project does not substantially degrade groundwater supplies or interfere substantially with groundwater recharge. Three biofiltration basins and a large street tree well were selected to manage increase in runoff discharge rates and durations due to the proposed development. All stormwater runoff from impervious areas of the proposed development will be routed to one of either the biofiltration basins or the street tree and well on the subject site. The design of the project has been reviewed by the City of Lemon Grove Engineering Department in order to assess the need for drainage improvements, which have been included into the design of the project.

Drainage patterns will be altered as a result of the project, but not to a level of significance, and the project will be designed and constructed consistent with the conceptual grading plan and drainage study.

g-j: No Impact. The project site is not located within an area prone to flooding. According to Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency, the subject site is located within Zone "X" or outside the 0.2 percent annual chance floodplain. Moreover, the project site is located approximately 9.5 miles from the nearest shoreline of the Pacific Ocean at an elevation of 379 feet above sea level. As such there is no threat to the site from seiche, tsunami, or mudflow.

Source: 1, 2, 4, 6, 7, 8, 19

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X. LAND USE AND PLANNING

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a-b: No Impact. The project will not divide the community. The proposed project is consistent with the Low/Medium Density Residential General Plan land use designation of the subject property.

c: No Impact. There are no habitat conservation plans in effect within the vicinity of the project.

Source: 1, 2, 4

XI. MINERAL RESOURCES

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a-b: No Impact. There are no known mineral resources of significance or categorized as locally important on the project site or within the City nor does the geotechnical investigation identify or reference any mineral resources of significance. As a result, there would be no impact to mineral resources associated with implementation of the project.

Source: 1, 2, 6

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XII. NOISE

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expose persons to or generate excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a: Less Than Significant Impact with Mitigation. The proposed project, which is single-family residential in nature, will not introduce significant noise sources in the vicinity that are inconsistent with the existing residential development of the area. However, State Route 125 is

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a noise source within close proximity of the project. Figure N-2 in the 1996 General Plan indicates that the subject property is within an area encompassing 75 dB CNEL noise levels or less. The MEIR for the General Plan states that projects with existing noise levels below 60 dB CNEL are normally acceptable or satisfactory for the area and no conditions are required and that noise studies are required for projects exceeding 60 dB CNEL. A noise study was conducted for this project and shows that predicted noise levels at the proposed building façades and areas of frequent human use for the outside area of the project site would be between 57.8 and 70.6 dB CNEL. Sound attenuating noise control walls are proposed around the perimeter of the project as mitigation. Specifically, a 6' noise control wall constructed of dual planked wood at least 1 inch in thickness is proposed around the single-family dwellings while a 6' clear noise wall made of glass or plastic at least 3/8 inch thick is proposed for the common pool area. In addition, exterior-to-interior noise reduction analyses are required with each building plan submittal to prove that second stories of single-family dwellings are compliant with the California Building Code's 45 CNEL interior noise limit for habitable space. Conformance with the City's Noise Abatement and Control ordinance (Chapter 9.24 of the Lemon Grove Municipal Code) is required for operation of any single or combination of powered construction equipment at any construction site.

b: Less than Significant Impact. The proposed project which is single-family residential in nature will not expose persons to, or generate, excessive ground borne vibration or ground borne noise levels. Construction activities may create minor ground borne vibrations during the construction process, but any such vibrations would be temporary in nature and less than significant.

c-d: Less than Significant Impact. The proposed project which is single-family residential in nature will not introduce significant noise sources in the vicinity that are inconsistent with the existing residential development of the area.

e-f: No Impact. The project site is not within an airport land use plan, is more than six miles from the nearest airport, and more than nine miles from the nearest private air strip.

Source: 1, 2, 4, 9

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XIII. POPULATION AND HOUSING

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a: Less Than Significant Impact. The proposed development is located in an urbanized, residential area. The project proposes a low/medium density detached residential housing which would assist the City of Lemon Grove in meeting its Regional Housing Needs Assessment (RHNA). The project site is surrounded by existing single-family residential development and takes access from an existing public street, Dain Drive. Further, the surrounding area is already built out and the project would not induce substantial population growth. Thus, the project would not indirectly induce growth. Therefore, impacts would be considered less than significant.

b-c No Impact. Although there is one single-family residence currently on the subject site, its demolition is insignificant as the project will net an additional 12 dwelling units.

Source: 1, 2, 4

XIV. PUBLIC SERVICES

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a(i-v): Less Than Significant Impact. The project is located on an infill site in an urbanized community well served with sewer and water lines, streets, storm drains and other public utilities. In addition, the project site is served by Heartland Fire & Rescue, a joint powers authority delivering fire protection and emergency medical services to the cities of El Cajon, Lemon Grove, and La Mesa. Police protection is provided by the San Diego County Sheriff's office in Lemon Grove.

The proposed project will not result in a significant increase in the demand for public services and facilities. The Fire Department, San Diego Gas & Electric, EDCO disposal service, Helix Water District, the Lemon Grove Sanitation District, School Districts, and the Sheriff's Department have reviewed the proposed project and determined that existing services are adequate to serve the increase in households proposed by the project.

Source: 1, 2, 4

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XV. RECREATION

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a–b: Less Than Significant Impact. The proposed project is unlikely to cause a significant increase in the demand on recreational services in the community. Section 18.36 of the Lemon Grove Municipal Code requires residential development to pay parkland dedication in lieu fees or dedicate park space. In accordance Lemon Grove Municipal Code section 18.36.060.B., the project proposes public and private park space to satisfy the parkland dedication requirements. The provision of public and private park space will abate any accelerated deterioration of existing parks that would otherwise be caused by the project. Thus, recreation impacts would be less than significant.

The proposed private and public parks are not anticipated to have an adverse physical effect on the environment as they are within, or contiguous with, the project site and are thus incorporated into the overall project design. The park locations are also in a previously disturbed and developed urban area.

Source: 1, 2, 4

XVI. TRANSPORTATION / TRAFFIC

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation of Checklist:

a–f: Less Than Significant Impact.

The project is estimated to generate an additional 130 vehicle trips per day. Based on the San Diego Traffic Engineers' Council (SANTEC) and the Institute of Transportation Engineers (ITE) document *SANTEC/ITE Guidelines for Traffic Impact Studies in the San Diego Region*, a Traffic Impact Study is not required because the project's trip generation is calculated to be less than 1,000 ADT and less than 100 peak hour trips. Additionally, the Trip Generation Analysis determined that the ADT and number of peak hour trips generated by the proposed project does not trigger Caltrans' threshold for a requirement to analyze State highway facilities. The addition of approximately 130 vehicle trips is found to not have an impact on adjacent roadway segments and intersections.

A private road taking access from Dain Drive just south of its intersection with Ildica Street is proposed for project. The Fire Department and Engineering Department have determined that access is adequate for emergency vehicles. The proposed project meets the City's parking requirements. The project as designed complies with standard street design requirements. The subject property is not located within the vicinity of a private airstrip or public airport. Transportation and traffic impacts are expected to be less than significant.

Source: 1, 2, 4, 17, 20, 21

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulation related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Explanation of Checklist:

a–g: Less than Significant Impact.

The subject property is served by the City of Lemon Grove Sanitation District. The proposed project will not result in a substantial increase in the demand for sanitary services. Standard conditions of project approval will require that the project obtain sewer permits, pay sewer service and connection fees, and connect to the Sanitation District.

The existing site slopes moderately in all directions from a high point near the western half of the property. Grading will be required to construct the proposed project and will require retaining walls in accordance with Regional Standard Drawings C-1 and C-4 and the geotechnical report in various locations within the project site. Five-foot private storm drain easements are proposed over lots 12 and 13 and lots 5 and 6 for the benefit of the common interest development.

The Storm Water Quality Management Plan (SWQMP) prepared for this project determined that it is a “priority development project”. The total disturbed project area is 159,865 square feet and the total proposed newly created or replaced impervious area is 45,302 square feet. The project is not within the environmentally sensitive areas as defined on the maps in Appendix A of the *County of San Diego Standard Urban Storm Water Mitigation Plan for Land Development and Public Improvement Projects*. Temporary construction Best Management Practices (BMPs) will be implemented during construction of the project. Permanent Structural BMPs, specifically biofiltration basins, will also be constructed to serve the site in perpetuity. The graded slopes will be planted and irrigated and flat areas will be landscaped to help reduce runoff from the site. Standard conditions of approval will require that the project constructs improvements consistent with City Engineering requirements.

The proposed project will not result in a significant increase in demand for domestic water supplies. Standard conditions of project approval will require that the project obtain water service permits, pay the water service and connection fees, and connect to the Helix Water District.

The proposed project will not result in a substantial increase in the generation of solid waste. The project will be required to comply with all federal, state, and local statutes and regulations regarding solid waste. Impacts to utilities and service systems are expected to be less than significant.

Source: 1, 2, 4, 5, 8,

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist:

a: Less Than Significant Impact with Mitigation. The proposed project will not degrade the quality of the environment because it is located in an area that is developed with single-family residential land uses in an urban community on a previously developed site. The redevelopment of the site does not support or influence critical habitat or sensitive vegetation or wildlife and there is no evidence of California history or prehistory on-site.

Attachment E

As discussed throughout the above portions of the Initial Study Checklist, the project would have no impact on biological resources, however, the project may have the potential for significant impacts to tribal cultural resources. Mitigation is required to avoid any such impacts, should such resources be discovered during the grading process. Therefore, conditions of project approval shall include on-site monitoring by a Jamul Indian Village representative during the grading process. Additional conditions shall require that if any cultural resources are discovered at the site, grading shall be discontinued until said resources have been documented, collected, and preserved prior to the continuation of construction activities.

b: Less Than Significant Impact. As discussed above and throughout this checklist, the project will result in less than significant impacts to air quality, greenhouse gas emissions, and traffic. Such impacts are not anticipated to be individually or cumulatively significant because the project is consistent with the growth assumptions of local, regional, and statewide air quality plans, greenhouse gas reduction goals, and traffic management plans.

c: No Impact. The proposed project will not cause a substantial adverse effect on human beings.

XIX. DETERMINATION AND PREPARERS

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FEE DETERMINATION

(Fish and Game Code Section 711.4, Statutes of 2006 – SB 1535)

- ☐ It is hereby found that this project involves no potential for any adverse effect, either individual or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.
- ☒ It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore, fees in accordance with Section 711.4(d) of the Fish and Game Code shall be paid to the County Clerk.

XX. REFERENCES

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data. The documents listed below are hereby incorporated by reference. The pertinent material is summarized throughout this Initial Study / Environmental Checklist where that information is relevant to the analysis of impacts of the Project. The following references were used in the preparation of this Initial Study / Environmental Checklist and are available for review at the City Hall located at 3232 Main Street, in Lemon Grove.

<u>Reference #</u>	<u>Document Title</u>
1.	City of Lemon Grove General Plan
2.	Master Environmental Impact Report for the Lemon Grove General Plan
3.	City of Lemon Grove Municipal Code
4.	TM0-000-063 Application Packet
5.	Preliminary Geotechnical Investigation, by GeoSoils, Inc. (5/5/2016)
6.	Geotechnical Response to City of Lemon Grove Development Services Department, by GeoSoils, Inc. (8/31/2016)
7.	Drainage Study for Dain Drive Tentative Map, by Walsh Engineering & Surveying, Inc. (6/13/2016)
8.	Storm water Quality Management Plan for TM0-000-0063/PDP-160-0001 (2/1/2017)
9.	1993 Dain Drive (Lemon Grove) Subdivision Project Acoustical Analysis Report, by Helix Environmental Planning (8/16/2016)
10.	Caltrans Scenic Highway website: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/
11.	San Diego Air Pollution Control District's Regional Air Quality Standards (RAQS) available at: http://www.sdapcd.org/content/sdc/apcd/en/air-quality-planning.html
12.	Biological Assessment Letter Report, by BLUE Consulting Group (1/11/2017)
13.	Jamul Indian Village Cultural Resource Comment Letter (3/7/17)
14.	Department of Conservation's Alquist-Priolo Earthquake Fault Zoning Map available at: http://www.conservation.ca.gov/egs/rghm/ap
15.	CAPCOA White Paper, published January, 2008.
16.	California Environmental Protection Agency Cortese List Data Resources available at: http://www.calepa.ca.gov/sitecleanup/corteselist/
17.	SANDAG Brief Guide of Vehicular Traffic Generation Rates available at: http://www.sandag.org/uploads/publicationid/publicationid_1140_5044.pdf
18.	Department of Conservation, Farmland Mapping and Monitoring Program website: http://www.conservation.ca.gov/dlrp/fmmp
19.	FEMA Flood Insurance Rate Map Panel No. 06073C1910G May 16, 2012
20.	SANTEC/ITE Guidelines for Traffic Impact Studies in the San Diego Region
21.	Caltrans Guide For The Preparation of Traffic Impact Studies

Individuals and Organizations Consulted

David De Vries, Development Services Director, City of Lemon Grove
Tim Gabrielson, City Engineer, City of Lemon Grove
Eric Craig, Associate Planner, City of Lemon Grove
Jeremiah Harrington, Assistant Engineer, City of Lemon Grove
Chris Jensen, Fire Marshal, Heartland Fire and Rescue

Attachment E

Kurt Culver, President and CEO, Esgil

Lawrence Walsh, Walsh Engineering and Surveying, Inc.

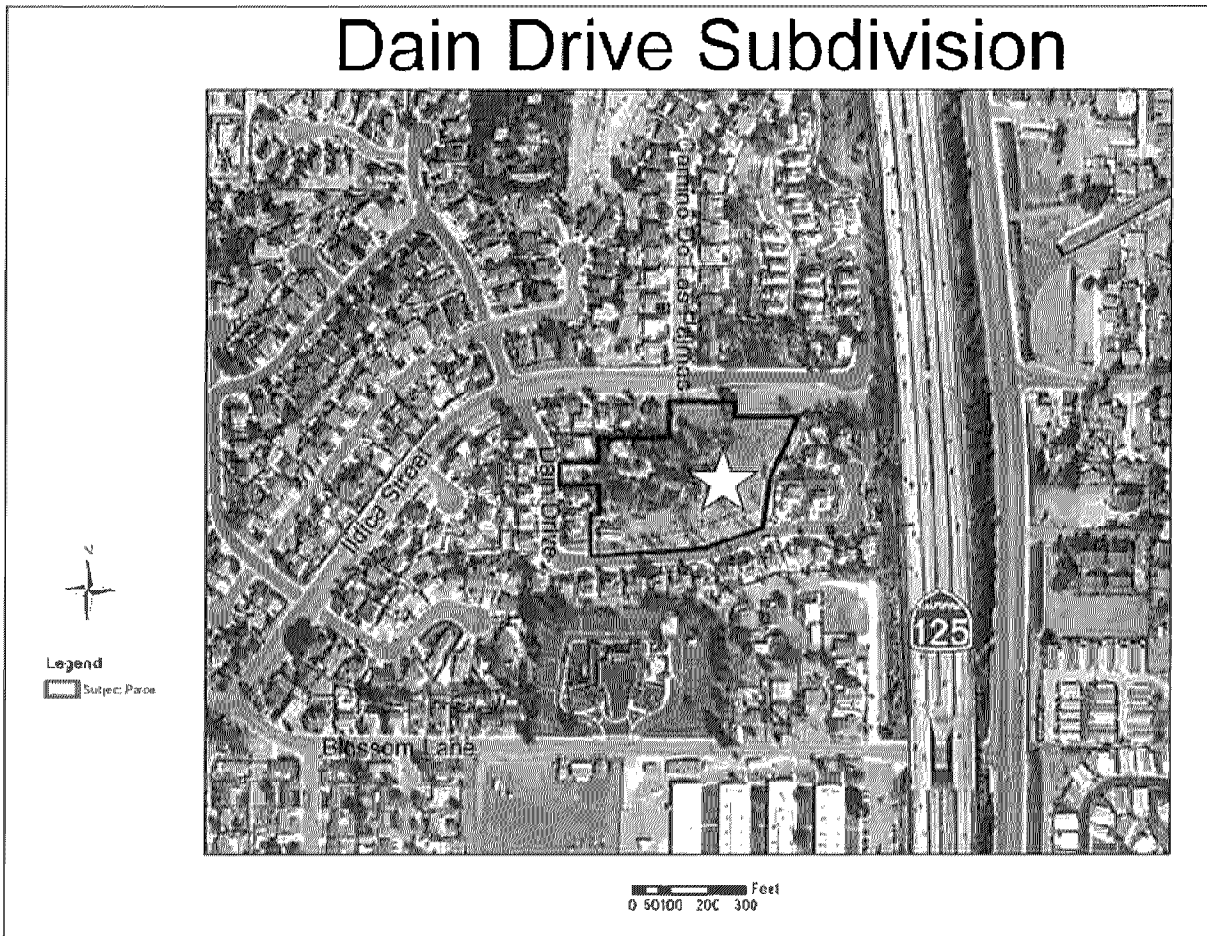
John Draminski, Project Manager, D-MAX Engineering, Inc.

Malik Tamimi, Management Analyst, City of Lemon Grove

Michael Viglione, Assistant Planner, City of Lemon Grove

PROJECT VICINITY MAP

Dain Drive Subdivision



Attachment G

EXHIBIT A – PROJECT PLANS

Not Attached

Enclosed in City Council packet or available at City Hall for Review