

City of Lemon Grove
City Council Regular Meeting Agenda
Tuesday, October 4, 2016, 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

Call to Order

Pledge of Allegiance

Changes to the Agenda

Presentation – New Employee Introduction

Kecia Carrasco, Associate Accountant

Reggie Lawson, Park Ranger

Francisco Rodriguez, Sanitation Tech I

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

September 20, 2016 – Regular Meeting

Members present: Gastil, Jones, Mendoza, and Vasquez

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: Jim 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 only

D. Award a Contract for the FY 2016-2017 Sewer Capital Improvements Project: Sewer Upsizing, Replacement and Maintenance

The Lemon Grove Sanitation District will consider a resolution awarding a construction contract for the FY 2016-2017 Sewer Capital Improvements Project to SC Valley Engineering, Inc., Dokken Engineering, Ninyo and Moore, and D-Max Engineering with the project budget not to exceed \$1,297,015.

Reference: Tim Gabrielson, District Engineer

Recommendation: Adopt Resolution

- E. Second 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 a resolution approving resolution amending the Option Agreement to provide a second six month time extension.

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

2. Public Hearing to Consider Planned Development Permit PDP150-0003, Tentative Map TM0-000-0062, General Plan Amendment GPA-150-0003, and Zoning Amendment ZA1-500-0004 Authorizing a 24-Lot Subdivision and Construction of 20 Dwelling Units on 2.064 Acres at the Southwest Corner of Palm Street and Camino De Las Palmas

The City Council will conduct a public hearing, consider resolutions certifying Mitigated Negative Declaration, conditionally approving Tentative Map TM0-000-0062, conditionally approving Planned Development Permit PDP-150-0003 for 20 residential dwelling units, and Introducing and conducting first reading of Ordinance No. 440 approving a Zoning Amendment.

Reference: Eric Craig, Associate Planner
David De Vries, Development Services Director
Recommendation: Conduct Public Hearing, Adopt Resolutions, Introduce Ordinance

3. Revised General Reserve Policy

The City Council will consider revisions to the City Council's General Fund reserve policy.

Reference: Gilbert Rojas, Interim Finance Director
Recommendation: Adopt Resolution

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)

Adjournment

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

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

September 20, 2016

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

Members present: Mayor Pro Tem George Gastil, Councilmember Jerry Jones, and Councilmember Racquel Vasquez.

Members absent: Mayor Mary Sessom.

City Staff present: Lydia Romero, City Manager, David DeVries, Development Services Director; Daryn Drum, Division Fire Chief; Miranda Evans, Assistant Planner; Tim Gabrielson, City Engineer; James P. Lough, City Attorney; Mike James, Public Works Director; Lt. May, Sheriff's Department; Gilbert Rojas, Interim Finance Director; and Laureen Ryan, Administrative Analyst.

Public Comment

John L. Wood commented on the American flag at the Toyota dealership.

Lani Stacks commented on the Lemon Grove Pet Store and on treatment of animals in pet stores.

1. Consent Calendar

- A. Approval of City Council Minutes**
September 6, 2016 Regular Meeting
- B. Ratification of Payment Demands**
- C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda**
- D. Award a Professional Services Agreement for Landscape Management Services to Aztec Landscaping, Incorporate**
- E. Preparation and Submittal of the Urban Rivers Grant Application**

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

Ayes: Gastil, Jones, Vasquez

Absent: Sessom, Mendoza

Resolution No. 2016-3463: Resolution of the City Council of the City of Lemon Grove, California Awarding a Professional Services Agreement for Landscape Management Services to Aztec Landscaping, Incorporate

Resolution No. 2016-3464: Resolution of the Lemon Grove City Council Approving the Preparation and Submittal of the Urban Rivers Grant Application Under the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1)

Mayor Pro Tem Gastil moved item number 3 to be discussed prior to item number 2.

3. Next Generation Regional Communications System Agreement, First Amendment

Lydia Romero reported that the Regional Communications System partnership agreement was established in 1995. The original agreement expired on March 6, 2010 and was subsequently extended in 2010 and 2013. During the second extension period, a Committee was formed to research the region's communication needs and to work with consultants to develop requirements for the Next Generation Regional Communications System (NextGen RCS). The Committee then developed recommendations for cost apportionment and system governance and drafted the NextGen RCS Agreement.

The Committee included a city manager representative who reported updates at the city manager group's monthly meetings. Sue Willy, RCS Manager, also presented periodic updates at the monthly city manager meetings. The Lemon Grove City Council reviewed and approved the NextGen RCS Agreement in February 3, 2014.

The NextGen RCS 20-year agreement defines the terms and conditions of participation in the new system. The NextGen RCS infrastructure has two components: 1) the shared backbone infrastructure, including the equipment and services to deliver a P25 Trunked Voice Land Mobile Radio System, Microwave Transport Network, and Mutual Aid Conventional Radio System; and 2) the participating agencies' infrastructure, equipment and services to connect to the RCS, including agency-owned or leased connectivity, dispatch center equipment, and subscriber radios and ancillary devices. The NextGen RCS Agreement includes:

- o Board of Directors – the new Agreement specifies that a city manager serves on the board.
- o Cost Apportionment for NextGen System Shared Infrastructure – the new Agreement specifies the methodology used to apportion the shared costs among all parties to the Agreement. The cost apportionment is based on the total number of radios each agency operates on the RCS.
- o Financing – the new Agreement indicates that the County will make available a finance mechanism for parties that choose to finance the infrastructure costs rather than pay the costs upfront. The financing opportunity will allow the City to spread its shared infrastructure costs over an estimated ten-year period.

The First Amendment to the NextGen RCS agreement amends the final system costs from the \$105 million estimated costs to the awarded contract costs of \$70,065,207 million. Also included is the final cost for each participating agency, including the cost to finance the agency's infrastructure costs.

Lemon Grove's share of the NextGen RCS system is \$422,106; the cost to finance the system over a 10-year period is \$48,954 per year. The interest rate to finance the system is 2.79%. If an agency chooses to pay the cost of its system share in full, payment must be made to the County of San Diego by September 30, 2016. Should an agency choose to finance the system, payment is due June 1st of each year. At any time an agency can pay their portion in full to retire the debt early.

The City's share of the NextGen RCS system was not included in the FY 16-17 Budget. At the time of the budget development these costs were unavailable. To remit Lemon Grove's full system cost of \$422,106 by the September 30th date, the City Council would need to allocate money from the reserve funds.

Financing the system allows staff to bring back the cost as a budget amendment after we have closed out the financials for FY 15-16.

Public Speaker(s)

There were no requests from the public to speak.

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

Ayes: Gastil, Jones, Vasquez
Absent: Sessom, Mendoza

Resolution No. 2016-3466: Resolution of the City Council of the City of Lemon Grove, California Authorizing the City of Lemon Grove to Enter into the Next Generation Regional Communications System Agreement, First Amendment and to Finance the System with the County of San Diego

Councilmember Jennifer Mendoza arrived at the meeting.

2. Short Term Concept for Connect Main Street Project from Broadway to Central Avenue And Professional Services Agreement With Michael Baker International For Construction Drawings Of Short Term Concept

David De Vries reported that on August 4, 2015, the City Council accepted the proposed project concept for the Connect Main Street project. During the public hearing, City Council members expressed concerns about closing Main Street at Broadway while the existing businesses on the southwest corner of Broadway and Main Street remained. The accepted short-term concept prohibits vehicular traffic northbound on Main Street to Broadway (buses only) and allows for no pedestrian movements across Main Street on the south side of Broadway.

The accepted mid-term concept prohibits all vehicular traffic north- and southbound on Main Street to Broadway (bus stop is relocated) and allows for shopping center vehicular traffic southbound on Main Street. Since the short- and mid-term concepts restrict vehicular access on Broadway, staff coordinated with KTU+A to revise the short-term plan allowing for vehicular traffic patterns to remain as-is and enhancing crosswalks and sidewalks within the corridor. The revised short term-plan creates a pedestrian bulb-out at the southwest corner Broadway and Main Street and new accessible curb ramps and crosswalks and expanded sidewalks within the corridor. The sidewalks are proposed to be colored an earthen tone to reflect the early pioneer period. No significant changes are proposed to the long-term concept.

If the City Council accepts the revised short-term concept, then staff recommends that the \$279,500 of awarded Housing-Related Parks Program grant funds be used for full construction drawings and improvements of the revised short-term Connect Main Street project plan from Broadway to Central Avenue. Since Michael Baker International completed the 30% construction drawings for the Connect Main Street project, staff recommends that they prepare the full construction drawings for this segment. A request for proposal is not required since they prepared the 30% drawings and are exceedingly familiar with the project. The Municipal Code allows the City Manager to waive the requirements for solicitation of multiple proposals if only one individual or firm can provide the professional services. As such, the total contract proposal amount is \$50,465. This includes design survey, final construction drawings, detailed construction scope and cost estimates for bidding, and detailed landscape, irrigation, lighting, and street amenity plans for the revised short-term concept. This is consistent with the City Council's direction to focus construction efforts within the Connect Main Street project area on basic pedestrian improvements first.

Public Speaker(s)

Michael Summers commented vandalism in other parks and suggested measure are in place to prevent possible vandalism with the project.

Alice Jefferson had comments about the project's process and the finished project design.

Mike Richards commented on project's design and suggested a wooden look for one of the walkways along with lighting that will remain on in case of a power outage.

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

Ayes: Gastil, Jones, Mendoza, Vasquez
Absent: Sessom

Resolution No. 2016-3465: Resolution of the City Council of the City of Lemon Grove Approving the Design Contract for Engineering and Landscape Architecture Services for the Connect Main Street Phase I Improvement Project

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

Councilmember Jones attended City of San Diego Oversight Board meetings.

Councilmember Mendoza attended the League of California Cities monthly meeting.

Mayor Pro Tem Gastil attended a recent MTS meeting.

Mayor Pro Tem Vasquez attended a City/County Reinvestment Task Force meeting.

City Manager and Department Director Reports

Lydia Romero reported that Laureen Ryan, Administrative Analyst, has resigned and accepted a position in the City of Carlsbad.

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 7:08 p.m.

Susan Garcia
Susan Garcia, City Clerk

City of Lemon Grove Demands Summary

Approved as Submitted:

Gilbert Rojas, Interim Finance Director

For Council Meeting: 10/04/16

ACH/AP Checks 09/14/16-09/23/16

268,791 90

Payroll - 09/13/16

124,681 62

Total Demands

393,473.52

Check No	Vendor No	Vendor Name	Check Date	Vendor Name	Check Amount	Check Amount
CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Aug16	Home Depot Credit Services	09/14/2016	Home Depot Purchases - Aug'16	1,111 18	1,111 18
ACH	Sep13-16	Employment Development Department	09/15/2016	State Taxes 9/13/16	7,031 93	7,031 93
ACH	Refill 9/15/16	Pitney Bowes Global Financial Services LLC	09/19/2016	Postage Usage 9/15/16	250 00	250 00
ACH	Sep13-16	US Treasury	09/19/2016	Federal Taxes 9/13/16	30,135 83	30,135 83
ACH	Aug31-Sep13	Calpers Supplemental Income 457 Plan	09/20/2016	457 Plan 8/31/16-9/13/16	4,017 34	4,017 34
ACH	92116	California Public Empl Retirement System	09/21/2016	Special Compensation - Safety Fire	632 94	632 94
ACH	Refill 9/21/16	Pitney Bowes Global Financial Services LLC	09/22/2016	Postage Usage 9/21/16	250 00	250 00
ACH	Refill 9/22/16	Pitney Bowes Global Financial Services LLC	09/23/2016	Postage Usage 9/22/16	250 00	250 00
6382	16-0538	Accurate Video Counts Inc.	09/14/2016	Speed Survey & Traffic Count - LGA Realignment Proj	3,600 00	3,600 00
6383	4508827	Bearcom	09/14/2016	Portable Radios Monthly Contract 8/22/16-9/21/16	150 00	150 00
6384	16439763	Canon Financial Services Inc	09/14/2016	Canon Copier Contract Charge - Sep16 Basement	81 35	81 35
6385	4019991549 4019999101	Canon Solutions America, Inc	09/14/2016	Canon Maintenance-Copier Usage 5/26/16-8/25/16 Basement Canon Maintenance-Copier Usage 5/27/16-8/26/16	109 01 871 24	980 25
6386	18798	City of La Mesa	09/14/2016	Overtime Reimbursement - Baum 7/18/16	1,221 69	1,221 69
6387	17CTOFLGN02	County of San Diego- RCS	09/14/2016	800 MHZ Network - Aug'16	2,887 50	2,887 50
6388	201600628	County of San Diego/Assessor/Recorder	09/14/2016	Recording Services- 8/3/16-8/16/16	10 00	10 00
6389	9/1/2016 8/31/2016 8/31/2016	Cox Communications	09/14/2016	Phone/City Hall- 9/1/16-9/30/16 Internet/Community Ctr- 8/30/16-9/29/16 Peg Circuit Svc - 8/30/16-9/29/16	978 20 75 00 2,939 60	3,992 80
6390	071060560	DAR Contractors	09/14/2016	Animal Disposal- Aug'16	162 00	162 00
6391	6/20-23/16 9/6-8/16	Esgil Corporation	09/14/2016	75% Building Fees- 6/20/16-6/23/16 75% Building Fees- 9/6/16-9/8/16	2,353 28 5,161 77	7,515 05
6392	100710079	Hudson Safe-T- Lite Rentals	09/14/2016	Road Work Speed Limit Signs/Vandal Bolt Tool	232 19	232 19
6393	117111 117112	Knott's Pest Control, Inc	09/14/2016	Monthly Bait Stations- Civic Ctr - Sep'16 Monthly Bait Stations- Sheriff - Sep'16	60 00 45 00	105 00
6394	1691	La Prensa San Diego	09/14/2016	Marijuana Notice in Spanish 8/19/16	132 00	132 00
6395	8121713/14/15 8127012 8132044/45/46	LandCare USA LLC	09/14/2016	Landscape Maintenance - Jul'16 Irrigation Svc - Various Parks Landscape Maintenance - Aug'16	9,479 00 1,260 00 9,479 00	20,218 00
6396	INJ034744 INJ046830 INJ061060	Municipal Emergency Services, Inc	09/14/2016	Hose Assembly Uniform Name Plate - Lopez Cylinder Valve Assembly Repairs	421 20 11 88 52 50	485 58
6397	201302 201304	Ninyo & Moore	09/14/2016	Vernon Ranch Inspection- thru 8/26/16 Starbucks Grading Inspection- thru 8/26/16	741 50 1,641 00	2,382 50
6398	141127 141127	Pacific Sweeping	09/14/2016	Power Washing/Bus Shellers - Jul'16 Street Sweeping - 3232 Main St - 7/23/16	6,655 15 360 00	7,015 15
6399	3100434784	Pitney Bowes Global Financial Services LLC	09/14/2016	Postage Meter Rental 6/30/16-9/29/16	180 75	180 75
6400	17546B(3) 17546B(3) 17546B(3) 17546B(3) 17546B(3)	Rick Engineering Company	09/14/2016	Prof Svc: City Engr Services 7/1/16-7/29/16 Prof Svc: LG Speed Survey 7/1/16-7/29/16 Prof Svc: Sanitation Dist Services 7/1/16-7/29/16 Prof Svc: Realignment Mgmt Services 7/1/16-7/29/16 Prof Svc: Metro Wastewater/WPA 7/1/16-7/29/16	9,781 10 6,935 00 880 00 7,330 36 2,000 00	26,926 46
6401	Jul-Dec16	San Diego County Sheriff's Department	09/14/2016	Cal ID Program Costs - 7/1/16-12/31/16	3,088 00	3,088 00
6402	9412175456	Shred-It USA	09/14/2016	Shredding Services 8/24/16	55 90	55 90
6403	77326718	SiteOne Landscape Supply, LLC	09/14/2016	Playground Mulch - Lemon Grove Park	7,357 42	3,899 90

	77326258 77443762			Playground Mulch - Kunkle Park Irrigation Supplies - Berry St Park	371.06 1,171.42	
6404	186459	State of California- Department of Justice	09/14/2016	Fingerprint Apps - Aug'16	96.00	96.00
6405	45401	The East County Californian	09/14/2016	Notice of Public Hearing 9/8/16	224.00	224.00
6406	Triple B Corp	Triple B Corporation	09/14/2016	Refund/Triple B Corp/Business License Overpayment	26.75	26.75
6407	Sep13 16	Vantage Point Transfer Agents-457	09/14/2016	ICMA Deferred Compensation Pay Period Ending 9/13/16	580.77	580.77
6408	0122893-IN	Vavrinek, Trine, Day & Co., LLP	09/14/2016	Grant/Springbrook Accounting Svc - Mar'16	1,840.00	1,840.00
6409	Ponce-9/13/16	Victor Ponce & Janette Macias	09/14/2016	Claim- Ponce & Macias 7/12/16/GHC0013718- final	380.67	380.67
6410	71212194 71223873	Vulkan Materials	09/14/2016	Asphalt Asphalt	110.89 129.31	240.20
6411	116786	West Coast Arborists, Inc.	09/14/2016	Tree Maintenance - 6/1/16-6/15/16	2,040.00	2,040.00
6412	2	West Coast General Corporation	09/14/2016	LGA Realignment Proj- 8/3/16-8/31/16	28,891.12	28,891.12
6413	22314	Associated Students of SDSU	09/21/2016	LG Youth Day Camp Aquaplex Passes (88)	453.00	453.00
6414	5656451681	AutoZone, Inc.	09/21/2016	Diesel Exhaust Fluid	27.00	27.00
6415	721433-9	BJ's Rentals	09/21/2016	Equipment Rental- Weed Wacker-7700 Blk North Ave- 9/7, 9/8	84.00	84.00
6416	Calbert	Calbert, Kenya	09/21/2016	Refund/Calbert,Kenya/Partial Deposit-LBH-9/10/16	100.00	100.00
6417	Oct 2016	California Dental Network Inc	09/21/2016	California Dental Insurance - Oct'16	324.42	324.42
6418	16486385	Canon Financial Services Inc.	09/21/2016	Canon Copier Contract Charge 10/1/16	642.60	642.60
6419	Cerda	Cerda, Maria Yesica	09/21/2016	Refund/Cerda, Maria Yesica/Partial Deposit- LBH-9/16/16	200.00	200.00
6420	Chavez	Chavez, Mario	09/21/2016	Refund/Chavez, Mario/Partial Deposit- LBH-7/9/16	125.12	125.12
6421	9/1/2016 9/7/2016	Cox Communications	09/21/2016	Main Phone/Fire- 9/1/16-9/30/16 B/U Phone/Fire /7853 Central- 9/7/16-10/6/16	439.95 31.52	471.47
6422	3266	D- Max Engineering Inc	09/21/2016	Center Hilltop Stormwater Inspections thru 7/31/16	949.70	949.70
6423	Derringer	Derringer, Lyanna	09/21/2016	Refund/Derringer,Lyanna/Deposit - LBH-8/5/17	200.00	200.00
6424	24748 24764	Excell Security, Inc.	09/21/2016	Senior Center Security Guard - 9/10/16 Senior Center Security Guard - 9/17/16	216.00 342.00	558.00
6425	House of Auto	House of Automation	09/21/2016	Overpayment of Bus Lic Fee/House of Automation/LP10752	11.50	11.50
6426	Isais	Isais, Carmen	09/21/2016	Refund/Isais, Carmen/Deposit- LBH-9/3/16	200.00	200.00
6427	Sep19 16	Lemon Grove Historical Society	09/21/2016	Refund/LG Historical Society/Deposit - Lee House 9/17/16	200.00	200.00
6428	Aug 16 Aug 16 Aug 16 Aug 16 Aug 16 Aug 16	Lounsberry Ferguson Altona & Peak LLP	09/21/2016	General 01163-00002 - Aug'16 Code Enforcement 01163-00003 - Aug'16 Cost Share Agreement 01163-00023 - Aug'16 Guillen v Valencia Landscape Maint Assoc 01163-00026 Aug'16 7441 Broadway 01163-00028 - Aug'16 1445 Skyline Dr 01163-00029 - Aug'16	7,768.00 451.37 5,780.00 205.10 1,574.15 220.36	21,530.72

	Aug 16			McKechnie, et al v Vu, et al 01163-00030 - Aug'16	3,436 20	
	Aug 16			Johnson Citations 01163-00031 - Aug'16	577 64	
	Aug 16			Taylor-Illegal Dumping 01163-00032 - Aug'16	464 80	
	Aug 16			1440 San Altos Pl 01163-00033 - Aug'16	1,053 10	
6429	4140798	Mallory Safety and Supply, LLC	09/21/2016	Nitrile Gloves, Straw Hats	238 33	238 33
6430	070816-04	MJC Construction	09/21/2016	Repair Water Line - Rec Ctr Parking Lot	4,800 00	4,800 00
6431	200563 200564 200565	Ninyo & Moore	09/21/2016	Valencia Inspections thru 7/29/16 Vernon Ranch Inspection thru 7/29/16 Golden Row Home Inspections thru 7/29/16	2,432 50 2,301 25 614 75	5,348 50
6432	51404	NVS, Inc	09/21/2016	LGA Realignment - Final Design/Amend No5- 7/1/16-7/31/16	18,923 82	18,923 82
6433	122635	Orange Commercial Credit- Best Tire Buy	09/21/2016	Flat Repair - Loader 9/12/16	97 82	97 82
6434	16-0818 16-0835S 16-0867	Pacific HVAC Service	09/21/2016	AC Repair - City Hall 7/12/16 AC Leak Check & Blower Motor Replacement-City Hall 7/19/16 AC Repairs - Fire Stn 7/22/16	360 84 1,439 00 995 77	2,795 61
6435	Ruiz	Ruiz, Theresa	09/21/2016	Refund/Ruiz, Theresa/Deposit- Lee House 9/10/16	200 00	200 00
6436	Sanchez	Sanchez, Carissa	09/21/2016	Refund/Sanchez, Carissa/Deposit-LBH 9/17/16	300 00	300 00
6437	Aug16	SDG&E	09/21/2016	Gas & Electric 7/21/16-8/19/16	42,487 85	42,487 85
6438	1361344 299122419 299122420 299122814 299123697 299123698 299224321 299224322	Sharp Rees-Stealy Medical Centers	09/21/2016	Workers Comp Claim - 7/20/16 Medical Exam - 7/21/16 Medical Exam - 7/21/16 Medical Exam - 7/21/16 Medical Exam - 7/25/16 Medical Exam - 7/25/16 Medical Exam - 7/26/16 Medical Exam - 7/26/16	508 01 45 00 169 00 45 00 58 00 45 00 45 00 58 00	973 01
6439	77521092 77535126 77535126C	SiteOne Landscape Supply, LLC	09/21/2016	Herbicide, Weed Control, Turf Mark Blue Watering System Supplies Credit - Techline CV Drip Tubing	546 34 187 73 -187 50	546 57
6440	045401	The East County Californian	09/21/2016	Public Hearing Notice - Planned Dev Permit 9/8/16	224 00	224 00
6441	Philip Lasiano	Trust Account of the Law Office of Philip L	09/21/2016	Guillen v City of Lemon Grove Settlement	1,666 67	1,666 67
6442	2980087-CA	US HealthWorks Medical Group, PC	09/21/2016	Medical Exam - 8/24/16	125 00	125 00
6443	Verengo	Verengö Sölar	09/21/2016	Refund/Withdrawing Building Permit B16 0420	190 81	190 81
6444	Vo	Vo, Tam Dan	09/21/2016	Refund/Vo, Tam Dan/Deposit-Lee House 9/17/16	300 00	300 00
6445	WE Green	WE Green, Inc	09/21/2016	Refund/Withdraw Building Permit B16-0508	125 58	125 58
6446	092216	San Diego County Clerk	09/22/2016	Filing Fee - ND for Connect Main St/GPA-140-0004	50 00	50 00
					268,791 90	268,791 90

**LEMON GROVE SANITATION DISTRICT
AGENDA ITEM SUMMARY**

Item No. 1.D
Mtg. Date October 4, 2016
Dept. Public Works

Item Title: **Award a Contract for the FY2016-2017 Sewer Capital Improvements Project: Sewer Upsizing, Replacement and Maintenance**

Staff Contact: Tim Gabrielson, District Engineer

Recommendation:

Adopt a resolution (**Attachment B**) awarding a construction contract (**Attachment C**) for the FY 2016-2017 Sewer Capital Improvements Project: Upsizing, Replacement and Maintenance, along with associated construction management services, materials testing and inspection services and Storm Water Inspection services.

Item Summary:

In support of the City's Sanitation Capital Improvement Program, staff advertised a notice inviting bids for FY 2016-2017 Sewer Capital Improvements Project: Upsizing, Replacement and Maintenance (Contract 2016-24) in August 2016. A voluntary pre-bid meeting was held on September 8, 2016. On September 20, 2016, staff received seven sealed bids. Staff determined that of the bids received, SC Valley Engineering was the lowest responsive and responsible bidder at \$1,034,275. In addition to the construction contract, staff requested and received proposals from the City's on-call consultants to provide various construction services to support the City for the construction project. These proposals include: a proposal for construction management/inspection services from Dokken Engineering (**Attachment D – Exhibit 1**), a proposal from Ninyo and Moore for materials testing and inspection services (**Attachment D – Exhibit 2**) and D-Max Engineering for storm water inspection services (**Attachment D – Exhibit 3**).

Staff recommends that Sanitation District Board of Directors adopt a resolution (**Attachment B**) awarding a construction contract (Contract 2016-24) for the FY 2016-2017 Sewer Capital Improvements Project: Upsizing, Replacement and Maintenance to SC Valley Engineering, Inc., and enter into a professional services agreement with Dokken Engineering, Ninyo and Moore and D-Max Engineering while establishing a project budget not to exceed \$1,297,015.

Fiscal Impact:

Sanitation District funds were budgeted for this project as part of the Fiscal Year 2016-2017 budget.

Environmental Review:

- | | |
|--|---|
| ☐ Not subject to review | ☐ Negative Declaration |
| ☒ Categorical Exemption, Section 15301 | ☐ Mitigated Negative Declaration |

Public Information:

- | | | |
|--|---|---|
| ☒ None | ☐ Newsletter article | ☐ Notice to property owners within 300 ft. |
| ☐ Notice published in local newspaper | | ☐ Neighborhood meeting |

Attachments:

- | | |
|-----------------|--|
| A. Staff Report | C. SC Valley Engineering Construction Contract |
| B. Resolution | D. Construction Support Services Proposals |

LEMON GROVE SANITATION DISTRICT STAFF REPORT

Item No. 1.D

Mtg. Date October 4 , 2016

Item Title: Award Contracts for the FY2016-2017 Sewer Capital Improvements Project: Upsizing, Replacement and Maintenance

Staff Contact: Tim Gabrielson, City Engineer

Discussion:

In support of the City's Sanitation District Capital Improvement Program, staff advertised a notice inviting bids for FY 2016-2017 Sewer Capital Improvements Project: Upsizing, Replacement and Maintenance (Contract 2016-24) in August 2016.

The project proposes to upsize sewer mains along Main Street from Burnell Avenue to Grange Street/Davidson Avenue, segments of Noble Street and El Dora Street and segments on Edding Drive. In addition, the project proposes to correct several sewer mains that have "sags", are undersized and to perform "point repairs" and various sewer segments throughout the District.

On August 25, 2016, bid documents for the project (Contract No. 2016-24) were advertised in the East County Californian, online at eBidboard and the City's website. On September 20, 2016, staff received seven sealed bids. Two of those sealed bids were rejected as they did not meet the submittal requirements. After further review, two additional bidders were subsequently classified as unresponsive as they did not meet the qualifications and bid specifications. The name of each qualified bidder, their location, and amount of their bid are listed below:

Bidder's Name	Location	Amount
SC Valley Engineering	El Cajon, CA	\$1,034,750
MJC	Bonita, CA	\$1,089,884
GRFCO, Inc.	Brea, CA	\$1,250,750

The engineer's estimate for this project was \$1,087,075. The low qualified bid was submitted by SC Valley Engineering, Inc. (SC Valley) for \$1,034,275. After staff reviewed SC Valley's project work history, contacted and interviewed listed references, and reviewed its construction license, staff concluded that SC Valley is the lowest responsive and responsible bidder.

Attachment A

Staff recommends the following budget for this project:

Description	Approx. Percentage of Total Project Budget	Amount
Construction Costs	80%	\$1,034,275
Construction Management/Inspection	6%	\$74,440
Material Testing	2.5%	\$32,300
Storm Water Inspection	0.5%	\$6,000
Contingency	11%	\$150,000
Total	100%	\$1,297,015

To facilitate the construction of the project, staff requested Dokken Engineering, one of the City's as-needed engineering consultants submitted a scope of work and fee schedule for construction phase services including engineering review of submittals and construction inspections (**Attachment D – Exhibit 1**). Ninyo & Moore, the City's as-needed geotechnical consultant, will provide geotechnical and material testing services for the project (**Attachment D – Exhibit 2**). D-Max Engineering, the City's as-needed Storm Water consultant, will provide Storm Water Inspection and Compliance (**Attachment D – Exhibit 3**). Staff reviewed the proposals submitted by Dokken Engineering, Ninyo & Moore and D-Max Engineering for the project and deemed it a reasonable cost for the stated services. |

Conclusion:

Staff recommends that Sanitation District Board of Directors adopt a resolution (**Attachment B**) awarding a construction contract (Contract 2016-24) for the FY2016-2017 Sewer Capital Improvements Project: Upsizing, Replacement and Maintenance to SC Valley Engineering Inc., and enter into a professional services agreement with Dokken Engineering, Ninyo and Moore and D-Max Engineering while establishing a project budget not to exceed \$1,297,015.

Attachment B

RESOLUTION NO. 2016-_____

RESOLUTION OF THE LEMON GROVE SANITATION DISTRICT BOARD OF DIRECTORS AWARDING A CONTRACT FOR THE FY2016-2017 SEWER CAPITAL IMPROVEMENT PROJECT: UPSIZING, REPLACEMENT, AND MAINTENANCE (CONTRACT 2016-24)

WHEREAS, on August 25, 2016, bid documents for the FY2016-2017 Sewer Capital Improvements Project: Upsizing, Replacement and Maintenance (project) were advertised in the East County Californian, online at eBidboard and the City's website; and

WHEREAS, on September 8, 2016 a voluntary pre-bid meeting was held and,

WHEREAS, on September 20, 2016, four responsive and responsible bids were received for the project; and

WHEREAS, said bids were opened and the responsive and responsible low bidder was SC Valley Engineering, Inc.; and

WHEREAS, staff determined a project budget not to exceed \$1,297,015 is warranted; and

WHEREAS, the Board of Directors finds it in the public interest that a Contract for said services be awarded.

NOW, THEREFORE, BE IT RESOLVED that the Lemon Grove Sanitation District Board of Directors hereby:

1. Awards a contract in the amount of one million thirty-four thousand two hundred seventy-five dollars (\$1,034,275) to SC Valley Engineering, Inc.; and
2. Award a construction support contract for construction management and inspection in the amount of seventy-four thousand four hundred forty dollars (\$74,440) to Dokken; and
3. Award a construction support contract for material testing in the amount of thirty-two thousand three hundred dollars (\$32,300) to Ninyo and Moore; and
4. Award a construction support contract for stormwater inspection in the amount of six thousand dollars (\$6,000) to D-Max; and
5. Establishes a project budget not to exceed one million two hundred ninety-seven thousand fifteen dollars (\$1,297,015), and
6. Authorizes the City Manager or her designee to execute said contract.

/////
/////

Attachment C

AGREEMENT

FY 2016-17 SEWER CAPITAL IMPROVEMENT PROJECT: UPSIZING, REPLACEMENT AND MAINTENANCE

THIS CONTRACT, made and entered into this _____ day of _____ of 20____ by and between the Lemon Grove Sanitation District, California, herein after designated as the "District", and SC Valley Engineering, Inc., hereinafter designated as the "Contractor".

WITNESSETH: that the parties hereto do mutually agree as follows:

1. For and in consideration of the payments and agreements hereinafter mentioned to be made and performed by the District, the Contractor agrees with the District to furnish all materials and labor for:

FY 2016-17 SEWER CAPITAL IMPROVEMENT PROJECT: UPSIZING, REPLACEMENT AND MAINTENANCE

and to perform and complete in a good and workmanlike manner all the work pertaining thereto shown on the plans and specifications therefore; to furnish at his own proper cost and expense all tools, equipment, labor and materials necessary therefore; and to do everything required by this agreement and the said plans and specifications.

2. For furnishing all said materials and labor, tools and equipment, and doing all the work contemplated and embraced in this Contract, also for all loss and damage arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties which may arise or be encountered in the prosecution of the work until its acceptance by the District and for all risks of every description connected with the work; also, for all expenses incurred by or in consequence of the suspension or discontinuance of work, except such as in said specifications are expressly stipulated to be borne by the District and for well and faithfully completing the work and the whole thereof, in the manner shown and described in the said plans and specifications, the District will pay and the Contractor shall receive in full compensation therefore the sum of one million thirty four thousand two hundred seventy five dollars and no cents (\$1,034,275.00).

3. The District hereby promises and agrees to employ, and does hereby employ said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to for the price aforesaid and hereby conditions set forth in the specification; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

4. The Notice Inviting Bids, Instructions To Bidders, Bid Forms, Agreement and Bond Forms, Construction Administration Forms, Completion of the Project Forms, General Requirements and General Provisions, Drawings, Plans and Specifications, Addenda, Allowances, and all amendments thereof, are hereby incorporated in and made part of this Contract.

5. The District, the District's representative, District Consultants and authorized volunteers shall not be answerable or accountable in any manner for any loss or damage that may happen to the work or any part thereof, or for any of the materials or other things used or employed in performing the work, or for injury or damage to any person or persons, either workers, employees of Contractor or its subcontractors or the public, or for damage to adjoining or other property, from any cause whatsoever arising out of or in connection with the performance of the work. The Contractor shall be responsible for any damage or injury to any person or property resulting from defects or obstructions or from any cause whatsoever arising out of or in connection with the performance of the work, provided, however, that the Contractor shall not be liable for the sole established negligence, willful misconduct or active negligence of the District, its representatives, employees, agents and authorized volunteers who are directly responsible to the District.

a. Contractor shall indemnify the District, District Board, District officials, District employees, District representatives, and authorized volunteers against and will hold and save them and each of them harmless from any and all actions, claims, damages to persons or property, penalties, obligations or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivision or other organization arising out of or in connection with the work, operation or activities of Contractor, its agents, employees, subcontractors or invitees, provided for herein, whether or not there is concurrent passive or active negligence on the part of the District, District Board, District officials, District employees, District representatives, and authorized volunteers, but excluding such actions, claims, damages to persons or property penalties, obligations or liabilities arising from the sole established negligence, willful misconduct or active negligence of the District, District Board, District officials, District employees, District representatives, authorized volunteers, or those who are directly responsible to them; and in connection therewith:

I) Contractor will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations or liabilities and will pay all costs and expenses, including attorney's fees incurred in connection therewith.

II) Contractor will promptly pay any judgment rendered against Contractor, the District, District Board, District officials, District employees, District representatives, and authorized volunteers covering such claims, damages, penalties, obligations and liabilities arising out of or in connection with such work, operations, or activities of Contractor hereunder and Contractor agrees to save and hold the District, District Board, District officials, District employees, District representatives, and authorized volunteers harmless there from

III) In the event the District, District Board, District officials, District employees, District representatives, and authorized volunteers are made a party to any action or proceeding filed or prosecuted against Contractor for such damages or other claims arising out of or in connection with the Work, or operation or activities of Contractor hereunder, Contractor agrees to pay to the District, District Board, District officials, District employees, District representatives, and authorized

Attachment C

volunteers any and all costs and expenses incurred by the District, District Board, District officials, District employees, District representatives, and authorized volunteers in such action or proceeding together with reasonable attorney's fees.

IV) The District may retain, to the extent it deems necessary, the money due to the Contractor under and by virtue of the Contract Documents until disposition has been made of such actions or claims for damages as specified herein above.

6. Claims, disputes and other matters in question between the parties to this Contract, arising out of or relating to this Contract or the breach thereof, may be decided by arbitration if both parties to this Contract consent in accordance with the rules of the American Arbitration Association then obtaining unless the parties mutually agree otherwise. No arbitration arising out of or relating to this Contract, shall include, by consolidation, joinder or in any other manner, any additional person not a party to this Contract except by written consent containing a specific reference to this Contract and signed by CONTRACTOR, DISTRICT, and any other person sought to be joined. (Any Consent to arbitration involving an additional person or persons shall not constitute consent of any dispute not described therein or with any person not named or described therein.) This agreement to arbitrate and any agreement to arbitrate with an additional person or persons duly consented to by the parties to this Contract shall be specifically enforceable under the prevailing arbitration law.

Notice of the demand for arbitration is to be filed in writing with the other party to this Contract and with the American Arbitration Association. The demand is to be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event is the demand for arbitration to be made after the date when institution of legal or equitable proceedings based on such claim; dispute or other matter in question would be barred by the applicable statute of limitations. The award rendered by the arbitrators shall be final and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

7. The Contractor agrees to comply with all Local, State and Federal regulations and with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act of 1970 (42 U.S.C. 1857 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) as amended.

8. If any party brings a suit or action against the other party arising from any breach of any of the covenants or agreements or any inaccuracies in any of the representations and warranties on the part of the other party arising out of this Agreement, then in that event, the prevailing party in such action or dispute, whether by final judgment or out-of-court settlement, shall be entitled to have and recover of and from the other party all costs and expenses of suit, including attorney's fees.

9. Each and every provision of law and clause required to be inserted in this Contract shall be deemed to be inserted herein and this Contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted or is not inserted correctly, then upon application of either party the Contract shall forthwith be physically amended to make such insertion or correction

Attachment C

10. In accordance with Government Code, Section 8546.7, records of both the District and the Contractor shall be subject to examination and audit for a period of three (3) years after final payment.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed in three counterparts, each of which shall be deemed an original the day and year first above written.

CONTRACTOR:

By: _____

Title: _____

By: _____

Title: _____

Federal ID. No. _____

DISTRICT:

By: _____

Title: Lydia Romero, Executive Director

ATTEST:

By: _____

Title: Susan Garcia, District Clerk

(Notaries acknowledgement of execution by all PRINCIPALS OF CONTRACTOR shall be attached.)

Attachment D – Exhibit 1



May 12, 2016

Jeremiah J. Harrington
Assistant Engineer
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

Reference: Proposal to Perform Engineering Construction Support Services and Construction Management and Inspection Services for the City of Lemon Grove – Bid Set II – Sewer Upsizing Project

Dear Mr. Harrington:

It has been our pleasure to assist the City of Lemon Grove with the Sewer Improvement Project. This letter provides a scope of services and fee for additional services to provide the City with construction support services and construction management and inspection services for the above referenced phase of the project.

The services requested under this amendment supplement, and do not overlap with, services authorized under the original scope. The following scope of work is proposed.

SCOPE OF SERVICES:

Presented below is IEC's proposed Detailed Scope of Work to be provided based on our understanding of the project requirements. IEC has assembled a comprehensive scope of work to accomplish the City's project objectives for a complete and well-coordinated construction management program that results in a project that is delivered on time and within budget.

Task 1 – Construction Phase Services

Task 1.1 – Reports and Communications (Document Control)

A. Project Document Control

Maintain field memoranda, transmittals, updated schedules, logs of shop drawings and other submittals, logs of requests for information, change orders, progress payment requests, progress meeting reports, compaction reports, daily inspection reports, and any additional relevant project correspondence. Project documentation will be kept digitally as well as hard copies, and files will be organized in a logical manner as approved by the City.



DOKKEN ENGINEERING

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Task 1.2 – Construction Administration

A. Construction Progress Meetings

IEC will schedule and conduct bi-weekly construction progress meetings with the contractor(s) and the City, provide meeting agendas and discuss the schedule, near term activities, clarifications and problems which need resolution, coordination with other contractors, status of change orders, and safety issues, prepare minutes of the meetings with identified action items, distribute the minutes to the attendees. IEC has included scope for Ms. Fagnant to attend up to one (1) progress/field meetings and two (2) hours of coordination for Mr. Weber in regards to issues arising from progress/field meetings.

B. Project Coordination

Provide coordination between the Contractor, Agencies, Public Outreach Consultant, Private Properties and the City as needed to facilitate the construction process. IEC will ensure that the parties have up to date necessary information and documents such as shop drawings, submittals, plan revisions, by-pass plans, and traffic control plan. A documentation tracking procedure will be used to track the distribution of these documents.

C. Shop Drawings and Submittal Reviews

Coordinate submittal review and approval. IEC will be responsible for processing and monitoring the status of submittals. IEC's field staff will provide cursory review of the contractor's submittals for general conformance with the contract document requirements prior to sending the submittals to the design staff. IEC has included scope to review up to two (2) submittals by design staff. Submittals of a general nature will be reviewed and processed by the CM team at the City's request.

D. Plans and Specifications Interpretation (RFI Processing)

IEC's construction management team will review and respond to contractor RFIs of a general nature. Technical RFIs will be submitted to the project design engineer for response. Maintain a log of RFIs and in order to ensure that written clarifications are provided to the contractor in a timely manner. Responses to requests for changes to the design will be submitted to the City's Project Manager and the design team for response and approval. IEC has included scope to review up to two (2) RFIs by design staff.

E. Respond to Change Order Requests

Identify, prepare log, and monitor contractor or City initiated claims, changes, extra work, and change orders. Negotiate claims to an agreed Contractor/Consultant/City conclusion. Provide written recommendations to the City regarding the resolution of change orders and submit change orders to the City for approval. Prepare a report providing statement of claim, extra work, or change; background leading to the issue; resolution recommendation for action by the City. Prepare written justification and cost estimates for each change order that require design

Attachment D – Exhibit 1



modifications or clarifications, including revisions to the drawing, details, and specifications. Resolve claims, extra work, and change orders for changes to the work and obtain City approval.

F. Progress Payment Reviews

Prepare project related invoices and progress payments. Submit invoices to the City's project manager with a recommendation stating the proper amount for payment using the Schedule of Values and actual quantities as a basis to prepare payment requests. Progress Payment review will also include evaluation of the monthly updated construction schedule and review of the project as-builts to verify that the contractor is up to date. In addition, review of monthly progress payments will include review of the Contractor's required inspections, testing, and reports as required by the project SWPPP and the Construction General Permit.

Task 1.3 – Construction Inspection Services

A. Daily Construction Monitoring

Provide inspection and specialty inspection to observe and document that the contractor's work is in compliance with the contract documents. Prepare daily reports of the construction activities including weather conditions, contractor's equipment and manpower, work performed, materials used, site visitors, note delays in work and reasons for the delays, and deficiencies. Prepare daily reports of deviations and non-conformance to specifications and provide a timely response. Perform technical inspection at the job site as required of materials and workmanship, and discuss with the contractor appropriate revisions to the methods and procedures used in performing the work. Provide photo documentation of daily site conditions and daily construction activities. Observe and record all material deliveries to the site. Material certificates shall be verified and documented for compliance with plans, specifications, and approved shop drawings. Prepare a detailed daily report summarizing observations and work performed on site each day/shift. Maintain on a daily basis a set of as-built drawings as verification and redundancy to the Contractors.

Task 2 – Post-Construction Phase Services

Task 2.1 – Project Closeout

Prepare detailed project punch item lists at closeout of the project. Upon correction of deficiencies, schedule, coordinate, and conduct a final walk through prior to acceptance of work with the City. Verify work, testing, cleanup and demobilization is complete. Check and submit final payment requests after final walk through. Review and certify that the contractor's project record drawings are complete and accurate.

Task 2.2 – Final Project Documents

Within 30 days of filing of the notice of completion, provide a Construction Documentation notebook and electronic copy comprised of all approved shop drawings, material test reports, certifications, daily

Attachment D – Exhibit 1



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inspection reports, meeting minutes, conversation logs, and photo documentation. Also provide and submit one set of redlined as-built drawings.

FEE:

IEC is pleased to present this estimated fee for Construction Support and Inspection Services for the Bid Set II-Sewer Upsizing Project. Our estimated not to exceed fee for the proposed scope of work is \$74,440.00 (Seventy Four Thousand, Four Hundred, Forty Dollars). IEC has developed the estimated hours for these services through conversations with City staff and our experience on similar projects. We have budgeted for five (5) hours of field inspection time on a 120 calendar day construction schedule. We have also included a breakdown of anticipated hours by staff type, with corresponding hourly rates, that we feel will be dedicated to each task outlined in our scope.

**Fee Estimate for City of Lemon Grove
Construction Support and Inspection Services
Bid Set II-Sewer Upsizing**

Task Item	Hourly Rates				
	Project Engineer	Const. Engineer	Qual. Contr. Design	Const. Inspector	Const. Assistant
Hourly Rates	\$ 150.00	\$ 140.00	\$ 120.00	\$ 100.00	\$ 135.00
1.0 Construction Services					
1.1 Reports and Communication (Document Control)					
A. Project Document Control				10	
1.2 Construction Administration					
A. Construction Program Meetings	1	4		10	
B. Project Coordination					
C. Shop Drawing and Submittal Review	1	4		20	
D. Plans and Specifications Interpretation (RFI Processing)	2	8	12	20	
E. Response to Change Orders				20	
F. Progress Payment Review				10	
1.3 Construction Inspection Services					
A. Daily Construction Monitoring					400
2.0 Post Construction Services					
2.1 Project Closeout				8	
2.2 Final Project Documentation				2	
Total Hours	4	14	22	100	400

Footnotes

1. Field personnel rates are inclusive of vehicle, mileage, phone, computer, etc. Inspection rates shown are for prevailing wage projects.

The fee for this project will be billed on a "Time and Materials" basis, however the initial agreed on budget will not be exceeded without prior negotiation with Dokken and the City. Should the construction schedule be extended, or should IEC be requested to provide additional services, IEC will request additional budget from Dokken and the City

Attachment D – Exhibit 1



DOKKEN ENGINEERING

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We sincerely appreciate the opportunity to provide this proposal and assist the City with this project. Please contact me at (858) 413-2400 should you have any questions or need further information.

Sincerely,

Robert S. Weber, PE
Senior Project Manager
Infrastructure Engineering Corporation

Scott Adamson, PE
Construction Services Manager
Infrastructure Engineering Corporation

John Klemunes, PE
Regional Manager
Dokken Engineering

Attachment D – Exhibit 2



August 5, 2016
Proposal No. 106355046

Mr. Jeremiah Harrington
City of Lemon Grove
3232 Main Street
Lemon Grove, California 91945

Subject: Revised Scope and Fee Estimate for Geotechnical and Material Testing Services
Sewer Capital Improvement Project Bid Set II – Sewer Upsizing
Lemon Grove, California

Dear Mr. Harrington:

In accordance with your request, we have prepared this revised Scope and Fee Estimate for providing geotechnical and material testing services on the subject project. We understand the project is to include the removal of 6-inch to 10-inch sewer lines and replacement of them with 8-inch and 12-inch sewer lines at various locations in the City of Lemon Grove. The construction will include a total of approximately 4000 lineal feet of pipelines, as well as the construction of new manholes, cleanouts, and flatwork. Our services will be needed for observation of the bottom of the trench and pipe bedding. We will also provide observations and testing of trench backfill, subgrade, aggregate base, and asphalt concrete. Additional services are anticipated for the sampling of concrete utilized in the construction of manhole risers and concrete sidewalk replacement.

No construction schedule was available at the time of this proposal, and approximately 200 hours of on-call materials testing services has been requested as an initial budget. We anticipate providing the following services at your request:

- Observation by our field technician of trench bottoms. Observation and testing by our field technician of trench backfill, subgrade, aggregate base, and asphalt concrete. In-place density tests will be conducted in general accordance with nuclear gauge methods (ASTM International [ASTM] D 6938). The technician will prepare daily field reports describing the work performed and summarizing the results of the tests conducted.
- Sampling and testing of concrete placement by our ACI-credentialed technician. Our technician will measure the concrete for temperature and slump and cast specimens for compressive strength

Very truly yours,

Ninyo & Moore
48442

Attachment D – Exhibit 2

Sewer Capital Improvement Project Bid Set II – Sewer Upsizing
Lemon Grove, California

August 5, 2016
Proposal No. 106355046

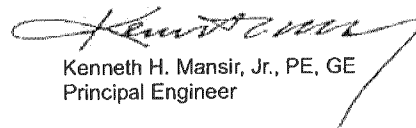
- Laboratory testing of the materials used for bedding, backfill, aggregate base, asphalt pavement, and concrete. The tests performed are anticipated to include Proctor density/optimum moisture content (ASTM D 1557), sand equivalent, sieve analysis, Hveem density (D1188), and compressive strength (C39). Other tests will be performed, as requested.
- Preparation of a summary report presenting the results of our testing and our opinion of the conformance of the work with the project specifications.

The fee for our services will be invoiced on a time-and-materials basis in accordance with our Lemon Grove As-Needed Agreement No. 2015-11. Based on the project duration and our anticipated involvement, the estimated fee for the services described herein is approximately \$32,300 (Thirty-Two Thousand Three Hundred Dollars). A breakdown of the estimated fee is attached as Table 1. If this proposal meets with your approval, please forward your Task Order. We appreciate the opportunity to work with you on this project.

Respectfully submitted,
NINYO & MOORE



Brian T. Matusek
Senior Staff Geologist



Kenneth H. Mansir, Jr., PE, GE
Principal Engineer

BTM/KHM/gg

Attachment: Table 1 – Breakdown of Estimated Fee

Distribution: (1) Addressee

Attachment D – Exhibit 2

Sewer Capital Improvement Project Bid Set II – Sewer Upsizing
Lemon Grove, California

August 5, 2016
Proposal No. 106355046

TABLE 1 – BREAKDOWN OF ESTIMATED FEE

UTILITY TRENCH BACKFILL OBSERVATION AND TESTING			
Senior Staff Engineer/Geologist	6 hours @ \$ 141.00 /hour	\$	846.00
Senior Field/Laboratory Technician	200 hours @ \$ 87.00 /hour	\$	17,400.00
Field Vehicle Usage	200 hours @ \$ 12.00 /hour	\$	2,400.00
Sand Equivalent, D 2419, CT 217	2 tests @ \$ 90.00 /test	\$	180.00
Sieve Analysis, D 422, CT 202	2 tests @ \$ 120.00 /test	\$	240.00
Proctor Density - D 1557 or D 698	8 tests @ \$ 200.00 /test	\$	1,600.00
Subtotal			\$ 22,666.00

PAVEMENT SECTION OBSERVATION AND TESTING			
Senior Staff Engineer/Geologist	4 hours @ \$ 141.00 /hour	\$	564.00
Senior Field/Laboratory Technician	20 hours @ \$ 87.00 /hour	\$	1,740.00
Field Vehicle Usage	20 hours @ \$ 12.00 /hour	\$	240.00
Hveem Stability and Unit Weight CTM or ASTM, CT 366	4 tests @ \$ 215.00 /test	\$	860.00
Extraction, % Asphalt, including Gradation, D 2172, CT 310	4 tests @ \$ 240.00 /test	\$	960.00
Subtotal			\$ 4,364.00

CONCRETE SAMPLING AND TESTING			
ACI Concrete Technician	8 hours @ \$ 87.00 /hour	\$	696.00
Field Vehicle Usage	8 hours @ \$ 12.00 /hour	\$	96.00
Compression Tests, 6x12 Cylinder, C 39	12 tests @ \$ 25.00 /test	\$	300.00
Subtotal			\$ 1,092.00

PROJECT MANAGEMENT AND REPORT PREPARATION			
Principal Engineer/Geologist	8 hours @ \$ 168.00 /hour	\$	1,344.00
Senior Staff Engineer/Geologist	20 hours @ \$ 141.00 /hour	\$	2,820.00
Subtotal			\$ 4,164.00

TOTAL ESTIMATED FEE			\$ 32,286.00
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Attachment D – Exhibit 3

D-MAX Engineering, Inc.

Consultants in Water & Environmental Sciences



September 15, 2016

Mr. Malik Tamimi
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945

Subject: Storm Water Construction Inspections at the FY 2016-17 Sewer Upsizing Capital Improvement Project

Dear Mr. Tamimi:

Per your request, D-MAX Engineering, Inc. (D-MAX) is pleased to submit this proposal to provide storm water construction inspection services for the City of Lemon Grove (City). All work will be completed in accordance with the City's Jurisdictional Runoff Management Program (JRMP); San Diego Regional Water Quality Control Board (Regional Board) Order No R9-2013-0001, as amended by Order Nos. R9-2015-0001 and R9-2015-0100; and the City's grading, storm water, and post-construction BMP ordinances.

Scope of Services

We will provide the following services at the "FY 2016-17 Sewer Upsizing Capital Improvement Project":

- Conduct regular, routine inspections based on the site prioritization assigned via the process included in the JRMP.
 - During the wet season, high priority sites are inspected twice per month, medium priority sites are inspected monthly, and low priority sites are inspected as needed.
 - During site inspections, we will walk the site with the responsible person and discuss the condition of the sites and potential corrective actions during the inspection where possible. We expect that the first inspection may be longer than subsequent inspections. During all inspections after the first inspection, our inspector will document the extent to which deficiencies noted during the preceding inspections have been resolved.
 - We will document inspection results and required corrective actions on a City of Lemon Grove construction inspection form. The form will clearly identify instances of non-compliance and our recommendations for resolving the non-compliance. We will include photos, marked up schematics, or other figures as necessary to illustrate places where correction needs to be made. Inspection documentation will be delivered through email and, if necessary, by fax.
 - For efficiency, routine inspections will be scheduled to occur on days where D-MAX will also be conducting storm water construction inspections at private construction projects in the City.

7120 Trade Street ■ Suite 119 ■ San Diego, CA 92121 ■ (858) 586-6600 ■ Fax (858) 586-6644

Attachment D – Exhibit 3

Malik Tanini
City of Lemon Grove
September 15, 2016
Page 2



- Conduct as-needed follow-up or pre- and post-rain event inspections.
 - Additional follow-up inspections may be necessary to verify corrections required during routine inspections have been made. Often follow-up inspections are completed prior to rain to verify corrections have been made before a storm and/or after a storm to verify that BMPs performed adequately. In some cases, emailed photos demonstrating that required corrections have been made may be accepted in lieu of an onsite follow-up inspection.
- Attend pre-construction meeting to describe storm water requirements, if requested.
 - If requested by the City, we will review the requirements as presented on the erosion control plan, focusing on key actions necessary to maintain compliance. The importance of erosion control BMPs, which have been the subject of multiple recent enforcement actions by the Regional Board, will also be stressed. The goal of the storm water discussion during the pre-construction meeting is to establish clear expectations for the contractor as a proactive step to minimize future risk of noncompliance.
- Collected runoff samples as needed
 - Runoff samples will be collected as needed to assess BMP effectiveness. Samples are collected from storm runoff and are typically analyzed for turbidity and pH. Additional analyses can also be completed when necessary.
- Enforcement documentation assistance
 - If enforcement action beyond providing written correction notices based on inspections becomes necessary, we will provide the City with a written description of violation(s) noted and necessary supporting documentation to support preparation of other enforcement actions, such as notices of violation, administrative citations, and stop work orders.
 - We understand that City staff will notify the Regional Board in the event that escalated enforcement action is taken.

Deliverables for each inspected project will include the following:

- Attendance at pre-construction meetings
- A completed inspection form and associated photos for each inspection
- A memo summarizing results of storm water runoff sampling for each sampling event

We will also maintain a list of dates inspections have been completed for reference by City staff

Cost Estimate

We will complete the tasks described above on a time and materials basis in accordance with the attached fee schedule, not to exceed \$6,000. We expect that the per inspection cost, including reporting and recordkeeping, will typically be about \$250 to \$400 per inspection, with the amount depending on the extent of deficiencies noted at the sites, and the amount of follow-

Attachment D – Exhibit 3

Malik Tamimi
City of Lemon Grove
September 15, 2016
Page 3



up correspondence necessary following each inspection. This estimation is based on project construction period of 12 months. Extra services will be charged separately.

Should you have any questions regarding the above comments, please call me at (858) 586-6600, extension 22.

Sincerely,
D-MAX Engineering, Inc.

A handwritten signature in black ink, reading "Arsalan Dadkhah". The signature is written in a cursive, flowing style.

Arsalan Dadkhah, Ph.D., P.E.
Principal

Attachment D – Exhibit 3



SCHEDULE OF FEES

City of Lemon Grove Construction and Development Storm Water Services

January 1, 2016

LABOR

<u>Classification</u>	<u>Hourly Rate</u>
Word Processor	65
Drafter	75
Technician	75
Senior Technician	85
Staff Scientist/Engineer I	95
Staff Scientist/Engineer II	110
Assistant Project Scientist/Engineer	120
Project Scientist/Engineer	135
Senior Scientist/Engineer	155
Principal Scientist/Engineer	175

Field and hourly services will be charged portal to portal from our office, with a two-hour minimum.

Appearance as expert witnesses at court trials, mediation, arbitration hearings and depositions will be charged at \$200/hour. Time spent preparing for such appearances will be charged at the above standard hourly rates.

OTHER CHARGES

Subcontracted services, such as sub consultants, outside testing, drilling, and surveyors, will be charged at cost plus 15%. Other project-specific costs, such as rentals, expendable or special supplies, special project insurance, permits and licenses, shipping, subsistence, tolls and parking, outside copying/printing, etc., will be charged at cost plus 15%. Mileage will be charged at the current IRS rate. Meals, lodging, and travel expenses, when pre-approved by the City, will be charged at cost or at standard per diem rates, as applicable.

Client will be responsible for any applicable taxes in addition to the fees due for Services.

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 1.E
Mtg. Date October 4, 2016
Dept. Development Services

Item Title: **Second 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 second 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, Lemon Grove Housing Authority owned land. The Purchase Option Agreement required SDCLT to complete certain milestones by specified dates. 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 first Option Amendment extended this date to October 19, 2016. These milestones ensure that SDCLT has progressed towards the purchase of 8084 Lemon Grove Way. The applicant is working with City staff and other agencies to achieve this milestone; however, they will be unable to meet the specified deadline. The staff report presents an overview of progress towards achieving this milestone. City staff recommends that the City Council adopt a resolution amending the Option Agreement to provide a second six month time extension.

Fiscal Impact:

None.

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. 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.E

Mtg. Date October 4, 2016

Item Title: **Second 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 are in place until February 20, 2017. 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. These actions satisfied the second milestone.

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.

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 October 19, 2016. This

Attachment A

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 is responding to the initial corrections provided to them related to the building and engineering permits and the final map application submittals and is working towards removing all storm water detention facilities from the access road and onto the subject property. 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. City staff recommends that a second 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 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). The regulatory agreement will be drafted once concerns with the 99-year ground lease are resolved to ensure consistency with state law and City affordable housing objectives. A draft of the affordability agreements 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 October 19, 2016 since the fourth milestone 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 second six month time extension.

Attachment B

RESOLUTION NO. 2016-_____

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

/////

EXHIBIT 1

SECOND AMENDMENT TO OPTION AGREEMENT

This Second Amendment to Option Agreement ("**Second Amendment**") is entered into as of October __, 2016, 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 (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 September 22, 2017 (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 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 April 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 prepared for recording on the Closing Date as defined in the Purchase agreement in the records of San Diego County, an Affordable Housing 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

3. Counterparts. This Second 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 Second Amendment is signed in counterparts, each counterpart shall be deemed an original and all of the counterparts shall be deemed to be one Second Amendment.

Attachment B

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

IN WITNESS WHEREOF, Optionor and Optionee have executed this Second 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: _____



Board of Directors September 23, 2016

Richard Lawrence
Chair
Charles Davis
President
Sochiata Vutthy
Secretary
Tom Scott
CFO
Damon Braden
Thomas Cartwright
Elaine Kennedy
Lee Van Ham

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

Dear David:

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 Trotter
David Weiland

Clause 2 of the May 18, 2016 First Amendment to Option Agreement between the City of Lemon Grove and the San Diego Community Land Trust (SDCLT) requires that no later than October 19, 2016 SDCLT has secured building permits and secured the City's approval of the form of ground lease and Regulatory Agreement.

As you are aware SDCLT has worked diligently with Helix Water and the Fire Marshall to find an acceptable solution to the storm water regulations applied to this infill site. Unfortunately, no acceptable solution was found that would keep the pervious concrete access road. We have therefore, retained consultants to develop an alternative that would primarily rely on handling the storm water on site. These plans are currently being developed and we anticipate submitting the alternative storm water plan within 4 to 6 weeks.

In addition, we have yet to receive a draft Regulatory Agreement for review.

We therefore request an extension to the Option Agreement to allow us to conclude our development of the alternative storm water plan and review and agree on the form of Regulatory Agreement.

Executive Director

Jean Diaz All the best,


Executive Director

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 2
Mtg. Date October 4, 2016
Dept. Development Services Department

Item Title: Public Hearing to Consider Planned Development Permit PDP150-0003, Tentative Map TM0-000-0062, General Plan Amendment GPA-150-0003, and Zoning Amendment ZA1-500-0004 Authorizing a 24-Lot Subdivision and Construction of 20 Dwelling Units on 2.064 Acres at the Southwest Corner of Palm Street and Camino De Las Palmas

Staff Contact: Eric Craig, Associate Planner
David De Vries, Development Services Director

Recommendation:

- 1) Conduct the public hearing;
- 2) Adopt a resolution (**Attachment B**) approving General Plan Amendment GPA-150-0003 and certifying Mitigated Negative Declaration ND16-04;
- 3) Introduce and conduct first reading of Ordinance No. 440 (**Attachment C**) approving Zoning Amendment (ZA1-500-0004);
- 4) Adopt a resolution (**Attachment D**) conditionally approving Tentative Map TM0-000-0062; and
- 5) Adopt a resolution (**Attachment E**) conditionally approving Planned Development Permit PDP-150-0003.

Item Summary:

The proposed project is located on the southwest corner of Palm Street and Camino De Las Palmas on a 2.064 acre vacant site in the Residential Low and Residential Low/Medium zones. The request is to 1) amend the General Plan land use designation from Transportation to Medium Density Residential (up to 14 dwelling units per acre), 2) amend the Zoning District from Residential Low (RL) and Residential Low/Medium (RL/M) to Residential Medium (RM), 3) approve a Tentative Subdivision Map to authorize a 24-lot subdivision, including 20 residential lots, one private street lot (0.30 acres), and three common area lots, and 4) approve a Planned Development Permit for the development of 14 single-family homes, three twin homes, and two common area parks. The staff report describes the project in detail. The project, as proposed and conditioned, in the resolutions complies with the Municipal Code.

Fiscal Impact:

No fiscal impact.

Environmental Review:

- ☐ Not subject to review
☐ Categorically Exempt

- ☐ Negative Declaration
☒ 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 (GPA-150-0003)~~
C. Ordinance 440 (ZA1-500-0004)
D. Resolution (TM0-000-0062)
E. Resolution (PDP-150-0003)
F. Mitigated Negative Declaration ND16-04
G. Vicinity Map
H. General Plan Tables CD-1 & 2
I. Letter from the Applicant
J. Exhibit "A"—Project Plans

Attachment A

LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 2

Mtg. Date October 4, 2016

Item Title: Public Hearing to Consider Planned Development Permit PDP-150-0003, Tentative Map TM0-000-0062, General Plan Amendment GPA-150-0003, and Zoning Amendment ZA1-500-0004 Authorizing a 24-Lot Subdivision and Construction of 20 Dwelling Units on 2.064 Acres at the Southwest Corner of Palm Street and Camino De Las Palmas

Staff Contact: Eric Craig, Associate Planner
David De Vries, Development Services Director

Application Summary:

APPLICANT/OWNER:	Chris Dahrling, Vista Azul, LLC, 8109 Santaluz Village Green South, San Diego, CA 92127
PROPERTY LOCATION:	The site is located on the southwest corner of Palm Street and Camino De Las Palmas (APN: 503-252-42-00).
PROJECT AREA:	2.064 acres (89,887 square feet) gross and 1.752 acres (76,242 square feet) net
EXISTING ZONE:	Residential Low (RL) & Residential Low/Medium (RL/M)
GENERAL PLAN LAND USE DESIGNATION:	Transportation (Special Treatment Area VII, Troy Street/SR-125 Planning Area)
SURROUNDING PROPERTIES:	North: Single-family residential South: Single-family residential East: Vacant Caltrans property and State Route 125 West: Liberty Charter High School and single-family residential
ENVIRONMENTAL IMPACT:	A Mitigated Negative Declaration (MND) of Environmental Impact will be filed subsequent to the adoption and final approval of the proposed project by the City Council. 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.

Attachment A

Background:

This project was originally considered by the City Council on April 19, 2016. At the April 19th hearing, the City Council reviewed and disapproved the project recommending that it be reevaluated. The project proposed 22 units, 16 of which were in the attached, twin-home configuration, and six of which were single-family residences. The project included one common area park and proposed a two-car garage per unit, four guest parking spaces, and six driveway spaces. No private rear yards were provided. The City Council provided feedback that the project density was excessive and the project design should more closely reflect a single-family residential community and there should be increased parks or open space and parking.

In response, the applicant submitted revised project plans for City Council consideration for a 20 unit project, with 14 detached single-family units and six units in the attached twin-home configuration. An additional common area park replaced a single-family residential lot adjacent to the cul-de-sac. The project now provides a passive view park and an active park on-site. The project now exceeds requirements for usable open space and this deviation is no longer requested. Two garage spaces are provided per unit, 14 driveway spaces (eight additional) and six guest parking spaces (two additional) are provided. Private rear yards are also provided. The new project proposes less environmental impacts and less impacts on City public services.

Discussion:

Site and Project Description

Chris Dahrning, Vista Azul, LLC filed a complete application on September 15, 2016.

The property is a vacant 89,887 square foot (2.064 gross acre) parcel, which is a former Caltrans right-of-way that remained after construction of State Route (SR) 125. The proposed project is a request to 1) amend the General Plan Land Use Designation from Transportation to Medium Density Residential (up to 14 dwelling units per acre), 2) amend the Zoning District from Residential Low (RL) and Residential Low/Medium (RL/M) to Residential Medium (RM), 3) approve a Tentative Subdivision Map to authorize a 24-lot subdivision, including 20 residential lots, one private street lot, and three common area lots, and 4) approve an associated Planned Development Permit for the site improvements. This staff report provides a description of the existing site, the proposed project and the conformance to the regulatory framework.

The project proposes 14 single-family units and three twin-homes (six attached units) for a total of 20 dwelling units. It is designed to provide a common area park and two detached single-family residences located along the Palm Street cul-de-sac compatible with the single-family homes to the south along Camino De Las Palmas. Twelve additional detached single-family residences are located along the perimeter of the project site on top of the hill along Palm Street and Camino De Las Palmas. The remaining six dwelling units are composed of three twin-homes, which are grouped together in the center or interior of the site not visible from the public right-of-way. The subdivision proposes 20 residential lots ranging in size from 1,330 square feet to 11,237 square feet and four additional lots that include a lot for the private street (Lot A), two lots providing a separate active and passive common area park (Lot B and Lot D), and a common private parking lot (Lot C). The two common area parks have a combined area of 8,287 square feet that includes a 1,525 square foot turf area surrounded by a walking path on Lot B; and a 2,020 square foot active use area with a play structure, bench, barbecue grill, shade canopy, and picnic table on Lot D. Total net area of the development (excluding the private street) is 1.752 acres. The maximum density for the proposed Medium Residential land use designation is 14 dwelling units per acre, or a maximum of 24 dwelling units. The proposed density is 11.4 dwelling units per acre, 20 total dwelling units.

Attachment A

The proposed private street will take access from the cul-de-sac portion of Palm Street at two locations. The private street provides sidewalks on both sides with rolled curb and gutters. Required guest parking will be provided by a combination of on-street parallel parking (two spaces) and off-street parking areas (four spaces including one ADA-compliant space). Other improvements for the project include a project monument sign on the cul-de-sac portion of Palm Street, hardscape, landscaping and irrigation, lighting, a detention basin at the southeast corner of the site, a six-foot high sound wall behind the proposed units on Lots 1 through 7 and the common area park (Lot B), and stairs and a walkway that provide access from the project to Palm Street to the north.

The State has established Regional Housing Needs Allocation (RHNA) targets for each city in order to ensure adequate housing stock. RHNA targets create a threshold for cities in order to obtain grant and transportation funding. This project works towards the City's goals of meeting its RHNA allotment for market-rate housing or affordable to above-moderate income households. The project also meets housing policies of the Housing Element as it relates to promoting a mix of housing types and encouraging a balanced mix of housing.

Land Use Designation

The existing General Plan land use designation is Transportation, which provides for transportation facilities and associated rights-of-way. The proposed project includes a General Plan Amendment to re-designate the site from Transportation to Medium Density Residential (up to 14 dwelling units per acre). The General Plan Special Treatment Area overlay acknowledged that a future general plan amendment would be required after Caltrans sold excess right-of-way subsequent to construction of SR-125, and anticipated the same designation as adjacent properties. The residential properties directly across the Palm Street cul-de-sac to the south of the project are designated Low/Medium Density Residential (up to 7 du/ac). The properties across Palm Street to the north have a Transportation land use designation and further north and northwest have a Low Density Residential designation (up to 4 du/ac). The site is conducive to a higher density due to its location, which is on a high trafficked collector street, it is directly adjacent to a school on the west, and it is within a quarter mile of a bus stop which is located at Sweetwater Road and Troy Street. There is vacant Caltrans right-of-way across Camino De Las Palmas to the east and across Palm Street to the north.

Zoning District Amendment and Regulations

The property is currently zoned Residential Low (up to 4 du/ac) and Residential Low-Medium (up to 7 du/ac). The project proposes a Zoning Amendment to Residential Medium (up to 14 du/ac).

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-oriented infill development with a mix of housing types (single-family homes and twin-homes), large setbacks from Palm Street and Camino De Las Palmas, bicycle racks for each residence and sited throughout the development, two enhanced common area parks that provide recreational areas for the project, enhanced landscaping throughout the site, and residences that exceed energy efficiency standards. In order to accomplish this project design, the applicant requests various deviations from the Zoning and Subdivision Codes, including deviations to the building envelope, setbacks, lot size and dimensions, building height, and public street requirements.

Attachment A

The following table describes the development standards of the Residential Medium Zone:

Criteria	Residential Medium (RM) Zone Development Standard	Proposed Development Standard and Deviations
Min. Lot Area	6,000 SF (allows multi-family units on one lot)	Lot size ranges from 1,330 square feet to 11,237 square feet
Min. Lot Width/Depth	60-feet by 90-feet	30-feet by 45-feet minimum provided
Setbacks	25-feet (front) 5-feet (side) 20-feet (rear)	3-feet (front)* 0-feet (side)* 6-feet (rear)* *Minimum provided shown. Setbacks vary per lot.
Building Height	25-feet maximum; height extensions up to 10 feet high allowed if all setback are increased 5 feet	32'-11" maximum; two and three stories. Increased setbacks are not proposed.
Max. Building Coverage	None established	Approximately 24% for entire project site
Bicycle Parking	Five required	Three common bike racks provided: 1 in the common parking area (Lot C) and 1 in each common area park (Lot B and Lot D). Bike racks sufficient for two bicycles are provided in each garage (40 racks total).

Building Design

A total of 14 detached single-family residences are proposed. The single-family residences are proposed around the perimeter of the site. Two different floor plans are provided for the single-family dwellings, which range in size from 1,836 to 2,079 square feet of living area. The two units proposed along the Palm Street frontage are two-story houses (Plan 1) and the remaining detached single-family units are all three story structures (Plan 3). The detached two-story homes include three bedrooms and two and one-half bathrooms. The detached three-story homes include four bedrooms and three and one-half bathrooms.

The six units proposed as twin homes would be located at the center of the project site in three structures. All of the twin-home units are three story structures with three bedrooms and three bathrooms. There are two floor plans in the twin home configuration; both plans have 1,925 square feet of living area.

In total, there are four different floor plans for the 20 units. The project elevations indicate three architectural themes (Spanish Revival, Costal Cottage, and Craftsman) with five different earth-

Attachment A

toned exterior color packages, including variations in roof and siding materials, window treatments, entry doors, and garage doors. All proposed units include an attached two-car garage.

The neighboring properties to the south are single-family residences with varying forms and sizes and largely have stucco siding with asphalt shingle roofing with varying window treatments and siding accents consisting of stone or vertical or horizontal wood siding. The project proposes roof, siding, and window treatments as presented in the table below:

Plan Type (# of units)	Description
1A (1 unit); Spanish Revival	Two-story single-family residence with concrete Spanish style tile roof, stucco siding, and shutter window treatments.
1C (1 unit); Coastal Cottage	Two-story single-family residence with concrete tile roof, stucco siding, decorative rock trim, and shutter window treatments.
2A (2 units in 1 twin home); Spanish Revival	Three-story twin homes with concrete Spanish style tile roof, stucco siding, and shutter window treatments.
2B (4 units in 2 twin homes); Craftsman	Three-story twin homes with concrete tile roof, stucco siding, decorative shingle-board siding, and shutter window treatments.
3A (4 units); Spanish Revival	Three-story single-family residence with concrete Spanish style tile roof, stucco siding, and shutter window treatments.
3B (4 units); Craftsman	Three-story single-family residence with concrete tile roof, stucco siding, decorative shingle-board siding, and shutter window treatments.
3C (4 units); Coastal Cottage	Three-story single-family residence with concrete tile roof, stucco siding, decorative rock trim, and shutter window treatments.

Grading

The site is vacant and consists of a relatively flat pad bounded almost entirely by descending slopes that allows for view lots to be created. The slopes vary in gradient from 2:1 (horizontal to vertical) above Palm Street and Camino De Las Palmas, to gentler slopes at gradients of approximately 3:1 to 4:1 above the southern most frontage of Camino De Las Palmas and along the Palm Street cul-de-sac. Existing slope heights vary up to approximately 30 feet, with the tallest slopes near the intersection of Palm Street and Camino De Las Palmas. The entire site is proposed to be graded to provide lots that step down gradually along Palm Street from west to east and along Camino De Las Palmas from north to south. Two to seven-foot high retaining walls will be provided to accomplish the changes in grade (approximately 22.5 feet change in finished pad elevations).

Attachment A

Landscaping/Screening and Usable Open Space

Projects located in residential zones are required to landscape 15 percent of the total lot area. The project proposes a total of 46,362 square feet of landscaping or approximately 60 percent of the net lot area. Proposed landscaping includes 33 street trees on Palm Street, Camino De Las Palmas, and the cul-de-sac portion of Palm Street. The 17 existing palm trees along the public streets will be retained, with 16 new street trees installed along the three adjoining public streets. An additional 83 trees will be planted on the property including five citrus and plum trees as required by the landscape provisions. All landscaping along the street and on-site will be maintained by a private Home Owners Association (HOA).

A minimum of 11,000 square feet of both private and common area usable open space is required to serve the 20 dwellings proposed. Usable open space are generally considered to be flat areas for active or passive recreational activities. The project provides 3,545 sq. ft. of common usable open space through the two common area parks and provides 12,687 sq. ft. of private open space through the private rear yards in each residence. A total of 16,232 sq. ft. of usable open space is provided and exceeds requirements.

Traffic

The Trip Generation Analysis that was prepared for this project estimates the project will generate approximately 220 average daily trips (ADT) 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.

Approximately 90 percent of the trips generated by the proposed project are expected to be distributed onto Palm Street, with approximately 50 percent heading west into Lemon Grove and 40 percent heading east toward Spring Valley (County of San Diego). Palm Street is designated as a Class II Collector in the Mobility Element of the General Plan, and the addition of approximately 220 vehicle trips is not expected to have any significant traffic impacts.

Off-Street Parking

The off-street parking requirements for projects in the Residential Medium zone are noted in the table below. The project proposes a mix of 14 detached single-family residences and three twin-homes (duplexes, for the purpose of the City's parking requirements). Single-family residences require two parking spaces per dwelling unit, with the spaces required to be garaged. Duplexes of one bedroom or more require two parking spaces per unit, one of which must be covered. Duplexes also require guest parking space at the rate of one space per four dwelling units.

Attachment A

PARKING REQUIREMENTS			
Use (RM Zone Proposed)	Number of Units	Parking Ratio	Spaces Required
Single-Family Residential	14 Single-Family Residences	2/Unit, Garaged	28
Duplex (1+ Bedrooms)	6 Units	2/Unit, One of which must be Covered	12 (6 must be covered)
Guest Parking (Duplex)	6 Units	1/Four Units	1.5
Total Required			42
Parking Provided On-site	20 Units	3/Unit	60

The project proposes two-car garages for all units, plus a total of 20 guest parking spaces, including 14 spaces in private driveways, two parallel spaces on the private street and four spaces within the common parking areas located near the Palm Avenue cul-de-sac. The project is providing 18 more spaces than required. Additionally, eight on-street parking spaces will be along the property's frontage along the north side of the Palm Street cul-de-sac street and 16 on-street parking spaces will be along the Camino De Las Palmas frontage of the subject property (a total of 24 on-street spaces are provided that are not accounted for in the parking table above). A ceiling-mounted bicycle parking space is provided within each garage; and three common area bicycle racks will be provided; one rack in each of the two common area parks and one rack in the private parking area.

Noise

State Route 125 and Palm Street are the primary noise sources within close proximity of the project. A noise study was conducted for this project. It shows that predicted exterior noise levels at the proposed building façades and outdoor of the several lots generally along Camino De Las Palmas would all exceed the maximum 65 dB CNEL. As a mitigation measure, a six-foot sound wall will be constructed adjacent to these lots. In addition, the noise study showed that a "windows open" condition will not provide adequate interior noise mitigations at all units. Therefore, a "closed window" condition is required for all units subject to noise levels above 60 dBA CNEL to reduce interior noise levels to comply with the City of Lemon Grove requirements. The "windows closed" condition requires that mechanical ventilation be installed to move air within the structure. As a mitigation measure, specific construction assemblies and mechanical ventilation are required to ensure that the interior levels are reduced below 45 dBA CNEL. These mitigation measures have been included as conditions in the Draft Resolution of Approval.

Public Street Dedication and Improvement Requirements

There is existing curb, gutter, and sidewalk along the frontages of Palm Street, Camino De Las Palmas and the Palm Street cul-de-sac. Additional street trees and landscape are proposed within the four to five foot wide landscape parkway behind the sidewalk.

Appropriate street dedication is already provided on Palm Street and Camino De Las Palmas. There is an existing 52 foot right-of-way width on the Palm Street cul-de-sac where a 56 foot

Attachment A

right-of-way width could be required. Staff felt the existing street width was adequate to provide on-street parking, sufficient vehicle travel lanes, and sidewalk and landscape parkway to not warrant additional right-of-way dedication, however, this condition requires that the south side of the Palm Street cul-de-sac be designated "no parking." The adjoining property owners have agreed to this condition. The cul-de-sac and north side of the street will remain available for on-street parking and 24 on-street parking spaces are along the subject property's street frontage.

Appropriate requirements have been included in the Draft Resolution of Approval.

Undergrounding of Overhead Utility Lines

Existing overhead utility lines located within the boundaries of the property or within the one-half right-of-way abutting the subject property are required to be placed underground. There is existing power poles located on the property. The service on these poles is to be placed underground, as well as any new services to the project. A condition has been included in the Draft Resolution of Approval requiring the undergrounding of all new services to the proposed project.

Drainage/Water Quality

The applicant prepared a Hydrology Report, a Hydro Modification Management Plan (HMP), and a Storm Water Quality Management Plan (SWQMP) for this project. Low impact design, including permeable pavers in driveways and a detention basin will be used to minimize stormwater impacts and runoff from this project. According to the Hydrology Report prepared for this project, the increase in flow is not anticipated to have significant impacts on the downstream storm drain facilities. The HMP prepared for this project determined that the post-construction hydrologic characteristics of the project simulate the pre-development hydrologic characteristics at the point of compliance as required.

The implementation, construction and on-going maintenance of the project components recommended in these reports 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. This requirement has been included in the Resolution of Approval. The General Plan Amendment will be effective after the initial City Council approval and the Zoning Amendment will be effective after City Council approval and upon second reading of the zoning amendment ordinance.

Public Information:

The Notice of Public Hearing was published in the September 8, 2016 edition of the East County Californian and mailed to all property owners within 500 feet of the subject property.

Assembly Bill 52 and Senate Bill 18 Native American Tribal Government Consultation was conducted pursuant to Government Code Sections 6540.2, 65092, 65351, 65352.3, 65352.4, 65562.5 et. seq.

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

The City 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 submitted after the distribution of the staff report.

Attachment A

Conclusion:

Staff recommends that the City Council conduct the public hearing, introduce and conduct first reading of the Ordinance No. 440 (**Attachment C**) and approve the resolutions (**Attachments B, D, and E**).

Attachment B

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT GPA-150-003 AMENDING THE GENERAL PLAN LAND USE DESIGNATION FROM TRANSPORTATION TO MEDIUM DENSITY RESIDENTIAL FOR A PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PALM STREET AND CAMINO DE LAS PALMS, LEMON GROVE, CALIFORNIA

WHEREAS, the applicant, Chris Dahrning, Vista Azul, LLC, filed a complete application for approval of a General Plan Amendment (GPA-150-0003) and a Zoning Amendment (ZA1-500-0004) on September 15, 2016 to amend the General Plan from Transportation to Medium Density Residential (up to 14 dwelling units per acre) and to amend the Zoning District from Residential Low and Residential Low/Medium to Residential Medium as part of a request for approval of a Tentative Map (TM0062) and Planned Development Permit (PDP150-0003) to authorize the subdivision of 2.064 acres of land into 25 parcels, including 20 residential lots with 20 dwelling units, a lot for a private street, a lot for common parking, and two lots for common open space; and

WHEREAS, on April 19, 2016, a public hearing was duly noticed and held by the Lemon Grove City Council. At the April 19th hearing, the City Council reviewed and disapproved the project which proposed 22 units, 16 of which were in the attached twin-home configuration, and six of which were single-family residences. The City Council provided feedback that the project density was excessive and the project design should more closely reflect a single-family residential community. In response, the applicant submitted final revisions to the project plans on September 15, 2016 for City Council consideration. The revised project proposes 14 detached single-family units and six units in the attached twin-home configuration (20 units total). An additional common area park replaced a single-family residential lot adjacent to the public cul-de-sac. The new project proposes less environmental impacts and less impacts on City public services; and

WHEREAS, a Mitigated Negative Declaration (MND) of Environmental Impact will be filed subsequent to the adoption and final approval of the proposed project by the City Council. 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, on October 4, 2016, a public hearing was duly noticed and held by the Lemon Grove City Council; and

WHEREAS, the City Council finds that the General Plan Amendment is in accordance with Government Code Sections 65350 to 65359 and is consistent with the goals and policies of the General Plan and Chapter 18.40 (General Plan Conformity) of the Municipal Code:

The existing General Plan land use designation is Transportation, which provides for transportation facilities and associated rights-of-way. This site was formerly Caltrans right-of-way which was sold after completion of SR-125. The proposed project includes a General Plan Amendment to redesignate the site from Transportation to Medium Density Residential. The General Plan acknowledged that a future general plan amendment

Attachment B

would be required after Caltrans sold excess right-of-way subsequent to construction of SR-125. The site is conducive to a higher density due to its location, which is on a high trafficked collector street, it is directly adjacent to a school on the west, and it is within a quarter mile of a bus stop; 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. Certifies the adequacy of the Mitigated Negative Declaration of Environmental Impact ND16-04; and

SECTION 3. Approves General Plan Amendment GPA-150-0003 amending the General Plan Land Use Designation from Transportation to Medium Density Residential (up to 14 dwelling units per net acre) for the property located at the southwest corner of Palm Street and Camino De Las Palmas (APN No. 503-252-42-00).

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Attachment C

ORDINANCE NO. 440

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA APPROVING ZONING AMENDMENT ZA1-500-0004 AMENDING THE ZONING DISTRICT FROM RESIDENTIAL LOW (RL) AND RESIDENTIAL LOW/MEDIUM (RL/M) TO RESIDENTIAL MEDIUM (RM) FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PALM STREET AND CAMINO DE LAS PALMAS, LEMON GROVE, CALIFORNIA:

WHEREAS, the applicant, Chris Dahrting, Vista Azul, LLC, filed a complete application for approval of a General Plan Amendment (GPA-150-0003) and a Zoning Amendment (ZA1-500-0004) on September 15, 2016 to amend the General Plan from Transportation to Medium Density Residential and to amend the Zoning District from Residential Low and Residential Low/Medium to Residential Medium as part of a request for approval of a Tentative Map (TM0062) and Planned Development Permit (PDP150-0003) to authorize the subdivision of 2.064 acres of land into 24 parcels, including 20 residential lots with 20 dwelling units, a lot for a private street, a lot for common parking, and two lots for common open space; and

WHEREAS, on April 19, 2016, a public hearing was duly noticed and held by the Lemon Grove City Council. At the April 19th hearing, the City Council reviewed and disapproved the project which proposed 22 units, 16 of which were in the attached twin-home configuration, and six of which were single-family residences. The City Council provided feedback that the project density was excessive and the project design should more closely reflect a single-family residential community. In response, the applicant submitted final revisions to the project plans on September 15, 2016 for City Council consideration. The revised project proposes 14 detached single-family units and six units in the attached twin-home configuration (20 units total). An additional common area park replaced a single-family residential lot adjacent to the public cul-de-sac. The new project proposes less environmental impacts and less impacts on City public services; and

WHEREAS, a Mitigated Negative Declaration (MND) of Environmental Impact will be filed subsequent to the adoption and final approval of the proposed project by the City Council. 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, on October 4, 2016, a public hearing was duly noticed and held by the Lemon Grove City Council; and

WHEREAS, the City Council finds that the following findings required to approve a Zoning Amendment can be made in accordance with Section 17.28.080(B) of the Municipal Code:

1. That the proposed amendment is consistent with the General Plan, in accordance with Government Code Section 65860, as amended

The existing General Plan land use designation is Transportation, which provides for transportation facilities and associated rights-of-way. This site was formerly Caltrans right-of-way which was sold after completion of SR-125. The proposed project includes a General Plan Amendment to redesignate the site from Transportation to

Attachment C

Medium Density Residential. As a part of the Special Treatment Area overlay, the General Plan acknowledged that a future general plan amendment would be required after Caltrans sold excess right-of-way subsequent to construction of SR-125.

2. That the public health, safety, and general welfare benefit from the adoption of the proposed amendment.

The site is conducive to a higher density due to its location, which is on a high trafficked collector street, it is directly adjacent to a school on the west, and it is within a quarter mile of a bus stop.

THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA DOES ORDAIN AS FOLLOWS:

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

SECTION 2. Approves Zoning Amendment ZA1-500-0004 amending the Zoning District from Residential Low and Residential Low/Medium to Residential Medium for property located at the southwest corner of Palm Street and Camino De Las Palmas (APN No. 503-252-42-00).

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Attachment D

RESOLUTION NO.

RESOLUTION OF THE LEMON GROVE CITY COUNCIL APPROVING TENTATIVE SUBDIVISION MAP TM0-000-062 (PLANNED DEVELOPMENT) AUTHORIZING THE SUBDIVISION OF A 2.064 ACRE PARCEL INTO TWENTY RESIDENTIAL LOTS, ONE COMMON LOT FOR A PRIVATE STREET, ONE COMMON LOT FOR PARKING, AND TWO COMMON LOTS FOR OPEN SPACE ON AN UNDEVELOPED SITE AT THE SOUTHWEST CORNER OF PALM STREET AND CAMINO DE LAS PALMAS, LEMON GROVE, CALIFORNIA.

WHEREAS, the applicant, Chris Dahrling, Vista Azul, LLC, filed a complete application for a Tentative Map (TM0-000-062) on September 15, 2016 to authorize the subdivision of 2.064 acres of land into 24 parcels, including 20 residential lots with 20 dwelling units, a lot for a private street, a lot for common parking, and two lots for common open space; as part of an application for a Planned Development Permit (PDP150-0003), a General Plan Amendment (GPA-150-0003) and a Zoning Amendment (ZA1-500-0004); and

WHEREAS, on April 19, 2016, a public hearing was duly noticed and held by the Lemon Grove City Council. At the April 19th hearing, the City Council reviewed and disapproved the project which proposed 22 units, 16 of which were in the attached twin-home configuration, and six of which were single-family residences. The City Council provided feedback that the project density was excessive and the project design should more closely reflect a single-family residential community. In response, the applicant submitted final revisions to the project plans on September 15, 2016 for City Council consideration. The revised project proposes 14 detached single-family units and six units in the attached twin-home configuration (20 units total). An additional common area park replaced a single-family residential lot adjacent to the public cul-de-sac. The new project proposes less environmental impacts and less impacts on City public services; and

WHEREAS, a Mitigated Negative Declaration (MND) of Environmental Impact will be filed subsequent to the adoption and final approval of the proposed project by the City Council. 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 October 4, 2016; and

WHEREAS, the City Council finds that the tentative map is consistent with the Lemon Grove General Plan because it proposes lots for 20 dwelling units at a density of 11.4 dwelling units per acre on a 1 752 net acre parcel of land in the Medium Density Residential land use designation of the Lemon Grove General Plan which allows a maximum of 14 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

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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 Department, City Engineer, and the Lemon Grove Fire Department 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 said Tentative Map and recommendations of the Planning, Engineering, and Stormwater Divisions, and the Heartland Fire District with respect thereto and has determined that the conditions hereinafter enumerated are necessary to ensure 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-150-0003 including site, architectural, and landscape plans dated received September 15, 2016 associated with Tentative Map TM0-000-0062; and

WHEREAS, in accordance with Section 16.12.280, the City Council finds that it is impractical in this particular case for this subdivision to conform fully to the Design Standards of the Subdivision Ordinance because the Subdivision Ordinance does not account for lots sized for planned developments and waivers granted as part of the approval of this project are found to conform to the spirit and purpose of the Subdivision Map Act and of the Subdivision Ordinance of the Municipal Code; 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 their habitat because the property has no environmentally protected resources as discussed in the Mitigated Negative Declaration; and
2. The proposed Tentative Subdivision Map (TM0-000-0062) is consistent with the Medium Density Residential land use designation (up to 14-dwelling units per net acre) of the General Plan; and
3. The site is physically suitable for the proposed density of development because public and private 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 design and improvements of the proposed subdivision map comply 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

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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 Design Standards in accordance with Section 16.12.280:

1. Section 16.12.220B (Minimum Lot Area of 6,000 sq. ft.) to allow 20 planned development lots with areas ranging from 1,330 square feet to 11,237 square feet.
2. Section 16.12.220C (Lots Shall Front on Dedicated Street) to allow 20 planned development lots to not front on a dedicated street.
3. Section 16.12.220D (Minimum Lot Width and Depth of 60 feet by 90 feet) to allow 20 planned development lots with minimum dimensions of less than sixty feet by ninety feet.
4. Section 16.12.220H (The side lines of all lots shall be at right angles or radial to the street upon which the lots front with a maximum deviation of up to ten degrees allowed) to allow planned development lots accommodating for garage access and enhanced pedestrian paths.
5. Section 16.12.220I (Lot depth shall be no greater than three times the average width) to allow slope and open space behind proposed residences to be a part of individual residential lots, but maintained by the Homeowner's Association.

SECTION 3. Conditionally approves Tentative Map TM-000-0062 in association with Planned Development Permit PDP-150-0003 and the grading, site, landscape, and architectural plans dated received September 15, 2016 (incorporated herein by reference as Exhibit "A") pursuant to the City of Lemon Grove Subdivision Ordinance (Title 16 of the Municipal Code) and contingent upon the second reading and final approval of an ordinance approving Zoning Amendment ZA1-500-0004. The approval conditionally authorizes the development of a vacant site with a 20 unit planned development with an associated private street and common area located on the southwest corner of Palm Street and Camino De Las Palmas, Lemon Grove, California (APN No. 503-252-42-00). The subdivider shall comply with all applicable provisions of the Subdivision Map Act, the City of Lemon Grove Subdivision Ordinance, and the following conditions of approval:

NO PARCEL SHOWN ON THIS APPROVED TENTATIVE SUBDIVISION MAP SHALL BE 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 MND 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 SUBDIVIER/APPLICANT SHALL COMPLY WITH THE FOLLOWING:
 1. All physical elements of the proposed project shown on the approved plans dated September 15, 2016 except as noted herein, shall be located substantially where

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- 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 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 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. A minimum four foot separation shall be provided between buildings and building posts and proposed retaining walls, freestanding walls and fences.
 8. Safety fencing shall be required at the top of retaining walls and slopes and shall be shown on all Grading Plans where appropriate.
 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. The City will provide the 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 from the proposed development shall be implemented with the design of the grading.
 11. A public improvement plan as a part of an improvement plan check, shall be submitted with applicable deposit (plan check fee) 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. Striping and word legends for a five-foot wide bike lane shall be provided along the south side of Palm Street for the property frontage per CA-MUTCD Detail 39 and intersection striping per CA-MUTCD Detail 39. The signage is R81 (CA) Palm Street shall be red curbed and marked "No Parking" to the satisfaction of the Development Services Director.
 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 plans.

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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. All grading plans shall be signed by a registered civil engineer and by the soil engineer.
19. Conditions imposed by the City shall be shown on the grading plans under the heading "General Notes."
20. The subdivider shall execute a Subdivision Improvement Agreement and a Subdivision Improvement Security in accordance with Section 16.12.200. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping, and retaining and freestanding walls work proposed shall be submitted with the grading and improvement plans. A separate cost estimate shall be submitted for 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 of 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 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 or federal government may be posted in lieu of the 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 fifty percent of the estimated cost of the grading work authorized by the permit plus an additional sum equal to one hundred percent of the estimated cost for the construction of public street improvements including landscaping and irrigation; and on-site drainage structures or facilities, including standard terrace drains, slope planting, irrigation system, erosion control devices, retaining walls and similar facilities authorized by the permit.
21. 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. The Evaluation recommends that undocumented fill, colluvium and bedrock be removed. Removal depths are estimated at two to seven feet with variation. Properly designed site drainage is required to reduce erosion damage to the planned improvements. Typical erosion control measures will be required during site grading.

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22. 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.
23. Recommendations contained within approved reports and technical analyses shall be incorporated into the grading plan and specifications and shall become conditions of the grading permit.
24. Submit a truck hauling route with diagram showing streets. This should include the source of borrow and/or disposal and any BMPs tied to the imported material.
25. Submit a final Hydrology Report and Storm Water Quality Management Plan (SWQMP) to determine and analyze the increased volume of storm water runoff as a result of the proposed design. Analysis of the downstream onsite detention basin must be based on hydrology calculations. Any modifications must be reflected on the plans. This report should contain calculations and diagrams of pre and post-development conditions. 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 Municipal Code and the BMP Design Manual. Provide evidence that treatment Best Management Practices (BMPs) are adequately sized for the increase in impervious surfaces.
26. 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 stormwater permit and any amendments thereto, the MS4 Permit, Lemon Grove Municipal Code Chapter 8.48, and 18.08.170.
27. A private Stormwater Facilities and Best Management Practices maintenance agreement shall be submitted for the future repair and rehabilitation of the proposed private drainage and stormwater treatment facilities prior to the issuance of a grading or improvement permit.
28. 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.
29. 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.
30. 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.
31. 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.
32. The structural pavement section for the private access located on the subject property shall be based on the soils report prepared by a Geotechnical Engineer to the satisfaction of the City Engineer.
33. Parking spaces shall be of the dimensions outlined in Chapter 17.24.010 of the Lemon Grove Municipal Code unless specified otherwise by the Development Services Director.

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34. Improvements, where applicable, shall conform to the San Diego Regional Standard Drawings unless otherwise specified by the City Engineer.
35. The subdivider shall provide proof satisfactory to the Director of Public Health 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.
36. 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.
37. 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.
38. 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.
39. The Sewer main for this project shall be designated as private, not public.
40. Each dwelling unit of the proposed subdivision shall be connected to a sewer of the Lemon Grove Sanitation District.
41. 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 (NDPES) permit. On-site drainage shall be in compliance with the NDPES permit.
42. Submit a maintenance agreement for the on-going maintenance of the private street and access improvements, parking and other proposed paved areas, fencing, landscape and irrigation (private and within the public right-of-way along the property's frontage), 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 City Engineer.
43. 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.
44. 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.
45. After grading permit issuance, but prior to any land development work involving grading, brushing or clearing, there shall be a pre-grading meeting. 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 or 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 a part of the meeting. A qualified paleontologist, archaeologist, and culturally affiliated Native American with cultural resource

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knowledge shall be present at the pre-grading meeting to consult with the grading and excavation contractors.

46. All land development work shall be performed by a contractor licensed by the state to perform the types of work required by the permit.
47. 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.
48. In accordance with Municipal Code Sections 12.10.080 and 16.12.240, the property owner(s) shall underground all existing utility distribution facilities, including telecommunication 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 activities.
49. Submit private street improvement plans with roadway cross-sections with rolled curb configuration on both sides to the Fire Marshal for review and approval. Minimum 20 foot fire lane for emergency access required. A four to six inch curb is permissible.
50. Prior to combustibles being brought to the site, the developer shall provide written certification from the Water Purveyor, dated within the last thirty days, that:
 - a. All public fire hydrants required of the project have been installed, tested, and approved by the Water Purveyor; and
 - b. Are permanently connected to the public water main system; and
 - c. Are capable of supplying the required fire flow as required by Heartland Fire & Rescue.
51. Group R-3 and U Occupancies: An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdictions. When any portion of the facility or building protected is in excess of 400 feet (122 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required flow shall be provided when required by the Fire Code official. The size of fire hydrant outlets shall be a minimum of one 4 inch and one 2-½ inch NST outlet or greater as required by the Fire Code official.
52. In order to mitigate any impacts that grading may cause to paleontological and archaeological resources the following conditions shall be complied with:
 - a. The subdivider/applicant 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

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recommendations for further analysis and those recommendations shall be implemented as a part of the mitigation measures.

- b. A qualified paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall be present at the pre-grading meeting to consult with the grading and excavation contractors. A qualified paleontologist is defined as an individual with a Bachelor's or higher degree in paleontology or geology experienced in pale ontological techniques and procedures.
 - c. A qualified paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall be present at all times during the original cutting of previously undisturbed sediments of the Mission Valley Formation. These monitors shall inspect an excavation which exposes sediments of the Mission Valley Formation. Said monitors shall salvage remains as they are uncovered.
 - d. A Kumeyaay Cultural Monitor shall be on-site for ground disturbing activities to inform the Viejas Band of Kumeyaay Indians of any new developments such as the inadvertent discovery of cultural artifacts, cremation sites, or human remains.
 - e. The paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall be allowed to temporarily direct, divert or halt grading to allow recovery of fossil and artifact remains. 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.
 - f. The paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall document the stratigraphic and geologic context of salvaged fossil and artifact remains.
 - g. The paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall clean, repair and sort salvaged fossils and artifacts for eventual donation.
 - h. Prior to final inspection, a report shall be prepared summarizing the results of the mitigation program 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.
 - i. Donate all curated fossil and artifact specimens to an institution with a proven history of professional, long term care and storage of paleontological and archaeological collections, such as the San Diego Natural History Museum.
- 53 One temporary on-site sign legible from the major vehicle travel lanes adjacent to the project shall be posted on the property for the duration of all construction on-site. The sign 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.
- 54 Private residential, public residential, commercial and industrial fire access roads shall provide an access roadway with a minimum unobstructed width of 20-feet wide

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and a minimum 13'6" vertical clearance. 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.

55. 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.
 56. 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.
 57. 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.
 58. 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 September 15, 2016 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. 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 increase and the actual fee will be calculated at the time of payment.
 4. Obtain sewer permits and pay capacity fees for 20 dwelling units or as modified by the Lemon Grove Sanitation District prior to the issuance of a building permit. The permit requires a capacity fee plus prorated sewer service fees be paid at the time of permit issuance.
 5. Pay appropriate school, parkland, diversion deposit, and other fees as applicable.
 6. Submit for Development Services Director approval, a detailed landscape and irrigation plan. 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

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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.

7. Water supply, access, and fire protection system requirements shall meet City of Lemon Grove Fire Department standards.
8. An 18 foot wide by 19 foot clear space is required within all required two-car garages. Bike racks for two bicycles shall be installed in each garage. Driveways shall be a minimum of 18 feet wide by 19 feet deep if used for parking.
9. Future development shall comply with all applicable California Building Codes.
10. The project shall comply with applicable provisions of the current California Building and Fire Codes.
11. All new utility distribution facilities, including cable television lines, within the boundaries of any new subdivision or within any half street abutting a new subdivision shall be placed underground. 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. All proposed structures on the subject property shall connect to the utility system via underground system.
12. 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.
13. 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.
14. Provide the City with, upon completion of the grading, a compaction report from the geotechnical firm and a letter from a licensed civil engineer that the grading and elevations of the pad were done in accordance with the approved grading plans and prior to the issuance of building plans.
15. Fire apparatus access roads (all roads in the project) shall be paved and accessible and fire hydrants shall be capable of flowing required GPM and shall be tested and accepted by the Fire Department prior to dropping any lumber for construction.
16. Any gate or barrier across a fire access roadway, whether manual or automatic, must meet the Heartland Fire & Rescue requirements and have specific plans and permits approved prior to installation. Knox brand key-operated electric key switch keyed to Heartland Fire & Rescue specification are required. The Knox switch shall override all gate functions and open the gate. Other access control systems such as Opticom, siren, etc. shall be permitted with the approval of Heartland Fire & Rescue.
17. Provide plans on Auto CAD (any release) for pre-fire planning use by the Fire Department. Information shall include locations of all exits, stairwells, and roof access. Also, gas, electrical, water, fire sprinkler, and standpipe valves and shutoffs, and elevator and electrical equipment rooms, fire alarm panels, remote annunciators, and RTU/HVAC detectors.

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18. All pedestrian paths shall be Title 24 compliant and ADA accessible to persons with disabilities if applicable.
 19. Driveways shall drain into landscape areas.
 20. Provide proof of utility easement vacation.
- 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. Soil sampling and analysis for the presence of organochlorine pesticides in soil shall be performed.
 4. Soil sampling and analysis for the presence of lead in soil shall be performed.
 5. 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.
 6. The development and preparation of the site shall conform to all recommendations of the approved geotechnical reports submitted to the City.
 7. The drainage structures, bio retention areas, underground storage pipes, and outlet structures identified in the Standard Water Quality Management Plan (SWQMP) shall be installed. Any modifications to the bio retention areas shall require modifications to the SWQMP and review and approval by the City Engineer.
 8. 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.
 9. The fire hydrant system shall be tested to ensure adequate fire flow. The required fire hydrant flow shall be 1,500 GPM for a 2-hour duration at 20 PSI residual operating pressure. Documentation is required from the Water Purveyor verifying that the system is capable of meeting the required fire flow prior to building permit issuance. If the system is not capable of meeting the required fire flow documentation shall be provided showing financial arrangements have been made and water system improvement plans have been submitted and approved by Heartland Fire & Rescue and the Water Purveyor to upgrade the existing system prior to release of building permits. 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 this Planned Development Permit and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts. Fire hydrants

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shall be painted per Heartland Fire & Rescue and the local Water Purveyor standards and be maintained free of obstructions. Blue reflective raised pavement markers shall be installed on the pavement at approved locations marking each fire hydrant.

10. Public and private water utility mains must provide the level of reliability/redundancy determined necessary by Heartland Fire & Rescue and the local Water Purveyor Engineer.
11. The subdivider shall construct or shall cause to be constructed, at his/her own cost, a street lighting system conforming to the City standards.
12. Street signs for private and public streets meeting the requirements of the City Engineer standards shall be installed at all intersections prior to final occupancy approval.
13. A street naming request application shall be completed to rename the Palm Street cul-de-sac to Palm Court or another mutually agreed upon name by the effected property owners. An additional request shall be completed for the proposed private street. Appropriate signage shall be required to be installed.
14. 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, 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.
15. 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.
16. The contractor/permittee conducting any earth moving operation shall be responsible for controlling dust created by its grading operation or activities at all times.
17. 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 or improvement permits. The reports shall be signed and stamped by a California registered engineer.
18. All flammable vegetation shall be removed from each building site with slopes less than 15% at a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less to the satisfaction of the Deputy Fire Marshal and Development Services Director.
19. A pad certification and compaction report shall be submitted to the City for review and approval prior to the applicant's request for final inspection on the grading permit.
20. 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.
21. 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 locations of all surface and subsurface drainage facilities, location and scaled

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sections of all buttress/stabilization and fills, subdrains and general location and depth of all areas or removal of unusable soil.

22. Submit a final soils engineering report prepared by a soil engineer, including type of field testing performed, compaction reports, final pad elevations, 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.
 23. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, required irrigation system installed protective 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.
 24. 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.
 25. The exterior boundary of the subdivision and all lot corners 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 street improvements, 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.
 2. 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.
 3. 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.
 4. 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.
 5. 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 65 dBA CNEL exterior noise level standards for the outdoor areas as described in the Noise Evaluation Report (dated November 10, 2015) prepared for this project.

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6. All dwelling units shall comply with the interior noise level requirements of California Code Title 24. Exterior walls and roof assemblies shall have a STC rating of 46 or better in accordance with the acoustical analysis. Exterior doors shall have a minimum STC rating of 28 in accordance with the acoustical analysis. The glass assemblies (windows, fixed windows, and glass doors) of the perimeter units having direct line of sight to State Route 125 shall require a Sound Transmission Class (STC) rating of 31 to reduce the interior noise levels below 45 dBA CNEL in accordance with the acoustical analysis. Other glass assemblies shall be dual-paned with acoustical sealant around the exterior edges to have an STC rating of 26 or higher in accordance with the acoustical analysis.
7. A closed window condition is required with mechanical ventilation installed to move air within the structure in accordance with the acoustical analysis.
8. The developer/owner shall be required to repair and/or replace 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.
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).

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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. 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.
 - c. The project shall comply with applicable provisions of Title 15 (Buildings and Construction).
 - d. 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 NPDES permit to the satisfaction of the Water Quality Coordinator and the City Engineer.
12. 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 twenty (20) 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 TM0-000-0062, 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.
13. 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

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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.
- 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. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The HOA or, its successors or assigns, shall remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer. An Encroachment, Maintenance, and Removal Agreement shall be signed and recorded prior to recordation of the final map or building permitting. The City will provide the template for the agreement.
- 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. All garages shall be available for required off-street parking (18 foot wide by 19 foot deep interior clear space) at all times.
- j. No parking is permitted within the private street, pedestrian pathways, or designated fire lane area at any time. Parking on-site is only permitted within designated parking spaces and within the dwelling units' garages. Parking within driveways less than 19 feet in depth is prohibited.
- k. Maintain the drainage facilities and any access easements (where they occur) on the property

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- l. 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.
- m. The property shall comply with all performance standards relating to the generation of noise, glare, dust, and odor.
- n. 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.
- o. 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
- p. Trees shall not grow within five feet of any proposed chimneys.
- q. Safety features including fire sprinklers, ignition resistant construction, smoke and carbon monoxide detectors and fire resistive landscaping shall be maintained in accordance with California Fire Code, California Building Code, California Vehicle Code (fire lanes), City Municipal Code and any other applicable codes.
- r. All trash and recycling receptacles are required to be within the individual residences 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.
- s. 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.
- t. The use of barbed wire or razor ribbon on any fences, gates, or walls is prohibited.
- u. Ongoing maintenance of the onsite private sewer is required.

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- v. 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.
 - w. The CC&Rs shall specifically limit the number of dwelling units to twenty (20) on the site.
 - x. 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.
 - y. Common open space areas shall be well maintained at all times (e.g., bike racks, barbeques, tables, landscape, signage, and public art features).
 - z. 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.
- 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-150-0003 and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts.
- H. This Tentative Subdivision Map approval expires on October 4, 2018 or such longer period as may be extended by State Law or through time extensions approved by the Development Services Director or City Council. A Final Map must be recorded within **two (2) years** (excluding extensions granted by State Law) from the date of approval unless time extension is granted.
- 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 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-150-0003 AUTHORIZING THE DEVELOPMENT OF A TWENTY UNIT PLANNED DEVELOPMENT ON A 2.064 ACRE UNDEVELOPED SITE AT THE SOUTHWEST CORNER OF PALM STREET AND CAMINO DE LAS PALMAS, LEMON GROVE, CALIFORNIA.

WHEREAS, the applicant, Chris Dahrling, Vista Azul, LLC, filed a complete application for a Planned Development Permit (PDP-150-0003) and a Tentative Subdivision Map (TM0062) on September 15, 2016 to authorize the subdivision of 2.064 acres of land into 24 parcels, including 20 residential lots with 20 dwelling units, a lot for a private street, a lot for common parking, and two lots for common open space; and construction of 20 dwelling units, as part of a request for approval of a General Plan Amendment (GPA-150-0003) and a Zoning Amendment (ZA1-500-0004) to amend the General Plan Land Use Designation from Transportation to Medium Density Residential and to amend the Zoning District from Residential Low and Residential Low/Medium to Residential Medium; and

WHEREAS, on April 19, 2016, a public hearing was duly noticed and held by the Lemon Grove City Council. At the April 19th hearing, the City Council reviewed and disapproved the project which proposed 22 units, 16 of which were in the attached twin-home configuration, and six of which were single-family residences. The City Council provided feedback that the project density was excessive and the project design should more closely reflect a single-family residential community. In response, the applicant submitted final revisions to the project plans on September 15, 2016 for City Council consideration. The revised project proposes 14 detached single-family units and six units in the attached twin-home configuration (20 units total). An additional common area park replaced a single-family residential lot adjacent to the public cul-de-sac. The new project proposes less environmental impacts and less impacts on City public services; and

WHEREAS, a Mitigated Negative Declaration (MND) of Environmental Impact will be filed subsequent to the adoption and final approval of the proposed project by the City Council. 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 October 4, 2016; 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

Attachment E

- 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 lot area, width, and depth, setbacks, and landscape requirements are offset by the provision of enhanced pedestrian and bicycle improvements and recreational/outdoor amenities.
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 General Plan policies and standards because the project includes a General Plan Amendment to Residential Medium which allows the residential development at the form and scale proposed; and
 4. That the development density or intensity does not exceed general plan limitations.
 - a. The City Council finds that the Planned Development is consistent with the Lemon Grove General Plan because it proposes 20 dwelling units at a density of 11.4 dwelling units per acre on a 1.752 net acre parcel of land in the Medium Density Residential land use designation of the Lemon Grove General Plan which allows a residential development with a maximum of 14 dwelling units per net acre; and
 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 as permitted by the Planned Development Permit regulations (Section 17.28.030D) are adequately offset by equivalent benefits associated with enhanced pedestrian, landscape, bicycle, and recreational/outdoor amenities:

1. A deviation of Section 16.16.291A (Residential Lot Design Standards) to allow the reduction of the minimum building envelope (minimum 28' wide by 50' deep is required, 25'-11" wide by 35'-6" is provided); and
2. A deviation of Section 17.16.030D3 (Minimum Yards) to allow reduced setbacks (minimum 25' front, 5' side, and 20' rear is required, minimum 3' front, 0' side, 5' rear is provided); and
3. A deviation of Section 17.16.030D1 (Minimum Site Area) to allow reduced lot size (minimum 6,000 sq. ft. required, minimum 1,338 sq. ft. provided); and
4. A deviation of 17.16.030D2 (Minimum Site Width and Depth) to allow reduced lot dimensions (minimum 60' wide by 90' deep required, minimum 25' wide by 45' deep provided); and
5. Deviations of Section 16.12.220 related to all units fronting on a dedicated public street, where instead a private street is provided with pedestrian paths on both sides as follows:

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- a. Minimum 56' wide public street right-of-way required; 29.5' private street lot width provided; and
 - b. Minimum 5' landscaped parkways required; no landscaped parkways provided; and
 - c. Parking on both sides of street required; no parking on private street provided except one parallel space; and
6. A deviation of Section 17.16030D4a (Maximum Building Height) to allow increase in building height (maximum 25' allowed, maximum 33'-8" provided); and
 7. A deviation of Section 16.12.230E to allow reduced street entrance separation (200' required, 190' provided); and
 8. A deviation of Section 16.12.220I to exceed the maximum depth to width lot ratio (3:1 maximum required, 4.3:1 provided); and
 9. A deviation of Section 17.24.010F to allow a reduced parking aisle (24' required, 22.5' provided); and

WHEREAS, the City Council has considered Tentative Subdivision Map TM-000-0062, associated with Planned Development Permit (PDP150-0003); 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. Approves the following deviations of Development Standards in accordance with Section 17.28.030D (Deviations):

1. A deviation of Section 16.16.291A (Residential Lot Design Standards) to allow the reduction of the minimum building envelope (minimum 28' wide by 50' deep is required, 25'-11" wide by 35'-6" is provided); and
2. A deviation of Section 17.16.030D3 (Minimum Site Width and Depth) to allow reduced setbacks (minimum 25' front, 5' side, and 20' rear is required, minimum 3' front, 0' side, 5' rear is provided); and
3. A deviation of Section 17.16.030D1 (Minimum Site Area) to allow reduced lot size (minimum 6,000 sq. ft. required, minimum 1,367 sq. ft. provided); and
4. A deviation of 17.16.030D2 (Minimum Site Width and Depth) to allow reduced lot dimensions (minimum 60' wide by 90' deep required, minimum 25' wide by 45' deep provided); and
5. Deviations of Section 16.220 related to all units fronting on a dedicated public street, where instead a private street is provided with pedestrian paths on both sides as follows:
 - a. Minimum 56' wide public street right-of-way required; 29.5' private street lot width provided; and
 - b. Minimum 5' landscaped parkways required; no landscaped parkways provided; and
 - c. Parking on both sides of street required; no parking on private street provided except one parallel space; and
6. A deviation of Section 17.16030D4a (Maximum Building Height) to allow increase in building height (maximum 25' allowed, maximum 33'-8" provided); and

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7. A deviation of Section 16.12.230E to allow reduced street entrance separation (200' required, 190' provided); and
8. A deviation of Section 16.12.220I to exceed the maximum depth to width lot ratio (3:1 maximum required, 4.3:1 provided); and
9. A deviation of Section 17.24.010F to allow a reduced parking aisle (24' required, 22.5' provided); and

SECTION 3. Conditionally approves Planned Development Permit PDP-150-0003 in conjunction with Tentative Map TM-000-0062 and the grading, site, landscape, and architectural plans dated September 15, 2016 (incorporated herein by reference as Exhibit A), except as noted herein. This approval authorizes the development of a 2.064 acre parcel into 20 dwelling units with associated common area improvements and a private street on an undeveloped site at the southwest corner of Palm Street and Camino De Las Palmas, Lemon Grove, California (APN No. 503-252-42-00). Except as amended, the approval of this project shall be subject to the following conditions:

- A. **PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE CONSTRUCTION AUTHORIZED BY PLANNED DEVELOPMENT PERMIT PDP-150-0003:**
 1. All physical elements shown on the approved plans shall be located substantially where they are shown and shall be constructed in accordance with the Municipal Code. 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 parkland fees, school fees, Helix Water District Capacity fees, Regional Transportation Congestion Improvement Program (RTCIP) fees, sewer connection fees, and other applicable development fees.
 3. Record the Final Map for TM-000-0062 unless otherwise determined by the Development Services Director.
 4. A two-car garage is required for each single-family residence with appropriate access.
 5. An 18 foot wide by 19 foot clear space is required within all required two-car garages.
 6. All garage doors shall be equipped with an automatic roll-up garage door and remote control.
 7. Show the location, height, and materials of all fencing.
 8. Submit a landscape documentation package for landscape on-site and within the public right-of-way. The documentation package shall include a detailed landscape and irrigation plan for the entire project. 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.
 9. The building plans for the proposed residential units shall include a color and materials board to the satisfaction of the Development Services Director.

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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 driveway 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 along the private vehicular driveway within the project. The fire lane will be designated per City Fire Department standards and shall be marked and posted "No Parking-Fire Lane" every 50 feet and the curb shall be painted red to the satisfaction of the Heartland Fire & Rescue. 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.
14. The south side of the Palm Street cul-de-sac street, not the cul-de-sac portion, shall be marked and posted "No Parking-Fire Lane" every 50 feet 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.
15. All access roadways and driveways shall maintain a minimum vertical clearance of 13'-6" to the satisfaction of the Fire Marshal.
16. 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.
17. The project shall comply with all applicable provisions of the California Fire Code and the California Building Code:--

B. PRIOR TO FINAL APPROVAL OF A BUILDING PERMIT FOR THE CONSTRUCTION AUTHORIZED BY PLANNED DEVELOPMENT PERMIT PDP-150-0003:

1. All physical elements of the project shown on the approved building, landscape, and related plans shall be located substantially where they are shown and shall be

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constructed in accordance with appropriate Lemon Grove City Codes to the satisfaction of the Development Services Director.

2. The color palette shall be consistent with the conceptual drawing on the approved plans dated September 15, 2016 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 to the Federal Aviation Administration, Notice of Actual Construction or Alteration within five days after the construction reaches its greatest height.
- C. UPON ESTABLISHMENT OF USE IN RELIANCE WITH TENTATIVE MAP:
1. Comply with all of the Conditions of this resolution and the requirements of Tentative Map TM-000-0062, 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.
 5. The proposed facility shall fully comply with the requirements of the California Fire Code to the satisfaction of the Fire Chief.
 6. All screening fences/walls and retaining and sound 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 September 15, 2016 to the satisfaction of the Development Services Department.
- D. This approval of this Planned Development Permit will expire two (2) 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 TM-000-0062 in accordance with State Law).
- 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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**INITIAL STUDY / ENVIRONMENTAL CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. ND16-04
FOR THE
VISTA AZUL PROJECT
SOUTHWEST CORNER OF CAMINO DE LAS PALMAS AND PALM
STREET
LEMON GROVE, CALIFORNIA**

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

September 8, 2016

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 Vista Azul 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 September 8, 2016 and ending September 29, 2016. Comments regarding this Initial Study/ Environmental Checklist must be made in writing to: David De Vries, Director of Development Services, City of Lemon Grove, and 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:** Vista Azul; ND16-04
2. **Lead Agency Name and Address:** City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945
3. **Contact Person and Phone Number:** David De Vries
Director of Community Development
City of Lemon Grove
3232 Main Street
Lemon Grove, CA 91945
(619) 825-3800
4. **Project Location:** Southwest corner of Camino De Las Palmas
and Palm Street
APN: Lemon Grove, CA 91945
503-252-42-00
5. **Project Applicant:** Vista Azul, LLC
Attn. Christopher Dahrting
8109 Santa Luz Village Green
San Diego, CA 92127
6. **General Plan Designation:** Transportation Land Use Designation and
Special Treatment Area (STA) VII, Palm
Street/SR-125 Planning Area.
7. **Zoning Designation:** Residential Low (RL) and Residential
Low/Medium (RL/M)
8. **Project Description:**
The project site is former Caltrans right-of-way from the State Route (SR) 125. The proposed project is a request to amend the General Plan Land Use Designation from Transportation to Medium Density Residential; to amend the Zoning District from Residential Low (RL) and Residential Low-Medium (RLM) to Residential Medium (RM); a Tentative Subdivision Map to authorize a 24-lot subdivision on an 89,887 square foot (2.064 gross acre) parcel, including 20 residential lots, one private street lot (0.30 acres),

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and three common area lots; and a Planned Development Permit. Total net area excluding the private street is 1.757 acres. The maximum density for the Medium Residential land use designation is 14 dwelling units per acre, or a maximum of 24 dwelling units for this 1.757 net acre site. The project proposes a total of 20 dwelling units, including 14 single-family units and six twin-homes, and two common open space lots with a turf area, walking path, play structure, and benches. The proposed private street would take access from the cul-de-sac portion of Palm Street at two locations. Required guest parking will be provided by on-street parallel parking and a common parking area. Private street improvements include sidewalks on both sides of the street, rolled curb and gutter, and decorative street lights. A detention basin is proposed at the southeast corner of the site. A total of 13,620 cubic yard of grading is proposed, including 3,850 cubic yards of fill and 9,770 cubic yards of export. Proposed landscaping includes street trees on Palm Street and Camino De Las Palmas; landscaping on the project's perimeter slope areas, and internal landscaping on all private Home Owners Association areas. Enhanced landscaping is proposed on the corner of Palm Street and Camino De Las Palmas.

9. Setting and Surrounding Land Uses:

The project site is in a developed urban residential area. It is a roughly triangular-shaped undeveloped lot located on the southwest corner of the intersection of Palm Street and Camino De Las Palmas, west of State Route 125 (SR-125). Properties to the south and north are developed with single-family residences; property to the east is vacant Caltrans right-of-way; and property southwest of the site is a school (Liberty Charter High School).

10. Approvals Required:

Planned Development Permit No. PDP-150-0003, Tentative Subdivision Map No. TM0-000-0062, General Plan Amendment No. GPA-150-0003, and Zoning Amendment No. ZA1-500-004

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

None.

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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:

- ☐ Aesthetics
- ☐ Agriculture & Forestry Resources
- ☐ Air Quality
- ☐ Biological Resources
- ☒ Cultural Resources
- ☒ Geology and Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards and Hazardous Materials
- ☐ Hydrology and Water Quality
- ☐ Land Use and Planning
- ☐ Mineral Resources
- ☒ Noise
- ☐ Population and Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation / Traffic
- ☐ Utilities and Service Systems
- ☒ Mandatory Findings of Significance

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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.

Prepared by David De Vries, Development Services Director, AICP, September 8, 2016

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.

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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.
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.

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

Explanation of Checklist:

a-b: No Impact. The project site is not located within or near a designated scenic vista or a State Scenic highway.

c-d: Less than Significant. The site is located in a developed urbanized area. It is undeveloped and previously graded, with a few shrubs on a portion of the south property line that will be removed. Landscaping is proposed on the project's perimeter slope areas, and internal landscaping will be provided on all private Home Owners Association areas. Enhanced landscaping is proposed on the corner of Palm Street and Camino De Las Palmas. The project will be required to comply with the City's landscape requirements. The two existing overhead utility distribution lines are required to be placed underground prior to approval of the final map. The project proposes construction of 20 two- and three-stories residences, which, since the site is currently vacant, will change the look of the property. 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 by municipal code requirements. Aesthetic impacts are expected to be less than significant.

Source: 1, 2, 3, 4, 5

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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?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g])?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

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 graded, 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, 3, 4, 5, 6

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

Explanation of Checklist:

a-e: Less Than Significant Impact. Section 15125(B) 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, projects that propose development that is equal to or less than population growth projections and land use intensity are inherently consistent. 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).

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The proposed project would allow for medium density residential development within the proposed Residential Medium Zone. The existing Transportation land use designation and zoning would permit development of the site with a park and ride lot, or with transportation-compatible retail commercial uses.

The proposed change from a land use designation that permits transportation and commercial uses, to one that permits residential uses, would result in less intensive land uses, which generate fewer daily vehicle trips than those currently anticipated by the air quality plans. Thus, project emissions would be less than emissions accounted for in regional plans, including RAQS and the SIP. Impacts would be less than significant.

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 air quality impacts associated with the build out of Lemon Grove but not to a level of significance. The cumulative air quality impacts will remain significant and unmitigated. However, this project is not considered to result in a cumulatively considerable net increase of any criteria pollutant. Standard conditions of project approval will require the control of dust during site grading and construction.

During construction, diesel equipment may generate some nuisance odors; however, due to the distance of sensitive receptors from the project site, 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.

Source: 1, 2, 4, 7

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)?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	☐	☐	☐	☒

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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?	☐	☐	☐	☒

Explanation of Checklist:

a-f: No Impact. The subject is located in a developed urban area surrounded by single-family residential and school land uses. This site is a former Caltrans right-of-way and the entire site was previously graded as part of construction of SR-125. The MEIR for the City of Lemon Grove's General Plan confirms there are no known sensitive biological resources, riparian habitat, or wetlands on the subject property.

Source: 1, 2, 4, 5

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?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d. Disturb human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐
e. Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code, Section 21074	☐	☒	☐	☐

Explanation of Checklist:

a-e: Less than Significant Impact with Mitigation.

The subject property is currently vacant. 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. Two prehistoric sites were recorded by Caltrans within STA VII during the evaluation of the "Area of Potential Effect" for the proposed SR-125. Neither site was determined to be eligible for inclusion on the National Register of Historic Places. The presence of prehistoric resources within a portion of this STA indicates there may be the potential for additional resources. In addition, the site is underlain by Tertiary (Eocene)-age sedimentary bedrock, belonging to the Mission Valley formation, which has a medium to high potential to contain paleontologic resources. This formation typically contains a rich middle Eocene molluscan fauna. The geotechnical investigation prepared for this project determined that grading and trenching of the project site is expected to impact the Mission Valley formation. In order to mitigate any impacts that grading may cause to paleontologic and archaeological resources the following conditions will be included in the project approval requiring: 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

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provide recommendations for further analysis and those recommendations shall be implemented as a part of the mitigation measures. 2) A qualified paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall be present at the pre-grading meeting to consult with the grading and excavation contractors. A qualified paleontologist is defined as an individual with a Bachelor's or higher degree in paleontology or geology experienced in paleontological techniques and procedures. 3) A qualified paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall be present at all times during the original cutting of previously undisturbed sediments of the Mission Valley Formation. These monitors shall inspect an excavation which exposes sediments of the Mission Valley Formation. Said monitors shall salvage remains as they are uncovered. 4) The paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall be allowed to temporarily direct, divert or halt grading to allow recovery of fossil and artifact remains. 5) The paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall document the stratigraphic and geologic context of salvaged fossil and artifact remains. 6) The paleontologist, archaeologist, and culturally affiliated Native American with cultural resource knowledge shall clean, repair and sort salvaged fossils and artifacts for eventual donation. 7) Prior to final inspection a report shall be prepared summarizing the results of the mitigation program 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. 8) Donate all curated fossil and artifact specimens to an institution with a proven history of professional, long term care and storage of paleontological and archaeological collections, such as the San Diego Natural History Museum. With implementation of the mitigation measures specified above, potential impacts to cultural resources would be less than significant. 9) A Kumeyaay Cultural Monitor must be on site for ground disturbing activities to inform the Viejas Band of Kumeyaay Indians of any new developments such as the inadvertent discovery of cultural artifacts, cremation sites, or human remains.

Source: 1, 2, 4, 8

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.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☒	☐	☐

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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?	☐	☐	☐	☒

Explanation of Checklist:

a: 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 7.5 miles to the west. 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.

b–d: Less than Significant With Mitigation. There are no known unstable soils in the area of the subject property. According to the Geotechnical Evaluation, the site appears to be underlain with Eocene-age sedimentary bedrock, consisting of interbedded sandstone and claystone belonging to the Mission Valley Formation. Thin, surficial deposits of colluvium and undocumented fill overlie bedrock locally, within the southern and southwestern portions of the site. Due to the relatively compressible nature of undocumented fill, colluvium, and weathered bedrock, these materials are considered unsuitable for the support of the settlement-sensitive improvements (i.e., residential foundations, concrete slab-on-grade floors, site walls, exterior hardscape, etc.) and/or engineered fill in their existing state. As such, the Geotechnical Evaluation recommends that these materials be removed (removal depths are estimated at two to seven feet, with variation), moisture conditioned, and re-compacted prior to foundation and improvements. According to the Geotechnical Evaluation, site soils are considered erosive. Thus, properly designed site drainage is necessary in reducing erosion damage to the planned improvements. Typical erosion control measures will be required during site grading. The subject project will be required to be connected to the Lemon Grove municipal sewer system. Incorporation of the recommendations presented in the Geotechnical Evaluation into the design and construction considerations of the project would reduce the mitigation 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, 8, 9

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?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Explanation of Checklist:

a–b: Less Than Significant Impact.

The proposal to develop the project site with 20 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, 10

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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?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

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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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Explanation of Checklist:

a–h: No Impact. The site is to be 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

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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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐

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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?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
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?	☐	☐	☐	☒
j. Contribute to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Explanation of Checklist:

a-f: Less than Significant Impact. The project does not substantially degrade groundwater supplies or interfere substantially with groundwater recharge. Low impact design, including permeable pavers in driveways and a detention basin will be used to minimize new stormwater created from this project by proposed impervious roof surfaces. According to the Hydrology Report prepared for this project, under conditions proposed by the project, the increase in flow is not anticipated to have significant impacts on the downstream storm drain facilities. 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. The subject property is not located within a flood zone and is not subject to flooding.

The Major Stormwater Management Plan (Major SWMP) concluded that the project does not pose an "exceptional threat to water quality" and is not required to use Advanced Treatment BMPs. The Hydromodification Plan prepared for this project determined that the post-construction hydrologic characteristics of the project simulate the pre-development hydrologic characteristics at the point of compliance, and the project is not required to manage Hydromodification impacts. The Major SWMP determined that it is a "priority development project" and requires a standard urban storm water mitigation plan (SUSMP). Standard best management practices will be adhered to.

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

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g-j: No Impact. The project site is not located within an area prone to flooding. Moreover, the project site is located more than 7.3 miles from the coast at an elevation of 490 feet above sea level. As such there is no threat to the site from seiche, tsunami, or mudflow.

Source: 1, 2, 4, 8, 11, 12, 13, 14

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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Explanation of Checklist:

a: No Impact. The project proposes development of an existing vacant parcel that is bordered on three sides by public streets and is surrounded by residential uses and a school. As such, it will not divide the community.

b: Less than Significant. The existing General Plan designation for this property is Transportation, which provides for rights-of-way for transportation facilities. This site was formerly Caltrans right-of-way which was sold after completion of SR-125. The proposed project includes a General Plan Amendment to re-designate the site from Transportation to Medium Density Residential. The General Plan acknowledged that a future general plan amendment would be required after Caltrans sold excess right-of-way subsequent to construction of SR-125, and anticipated the same designation as the designation of adjacent properties. The project proposes a residential land use designation of Residential Medium (up to 14 du/ac). The residential properties directly across Palm Street to the south of the project are designated Residential Low-Medium (up to 7 du/ac). The properties across Palm Street have a Transportation land use designation and Residential Low designation (up to 4 du/ac). The project is adjacent to a school, within a quarter mile of a bus stop and is adjacent to a high trafficked collector street; factors which are more conducive to higher density residential development. The project is designed to provide detached single-family residences along Palm Street cul-de-sac across from the existing single-family residences to the south, and three additional detached single-family residences at the northwest end of the project site across from the single-family residences on the north side of Palm Street. The remaining 16 dwelling units

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are composed of eight twin-homes, which are located along the remainder of Palm Street, along Camino De Las Palmas, and in the center of the site. Impact is expected to be less than significant.

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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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. As a result, there would be no impact to mineral resources associated with implementation of the project.

Source: 1, 2, 8

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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?	☐	☒	☐	☐
b. Expose persons to or generate excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Explanation of Checklist:

a: Less Than Significant Impact with Mitigation. State Route 125 and Palm Street are the primary noise sources within close proximity of the project. Figure N-2 (2015 Noise Contours) in the General Plan indicates that the subject property is located within an area of 70 dB CNEL or less noise levels. 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

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required, but that noise studies are required for projects exceeding 60 dB CNEL. A noise study was conducted for this project. It shows that predicted exterior noise levels at the proposed building façades and outdoor of the units adjacent to Palm Street and Camino De Las Palmas would be between 64 and 68 dB CNEL. Proposed lots 1 through 6, which are adjacent to Camino De Las Palmas and directly parallel to Sr-125, Lot B, which is an open/recreational space, and Lot 7, which has frontage on Palm Street just west of the intersection of Palm Street and Camino De Las Palmas, all exceed the maximum 65 dB CNEL. As a mitigation measure, a six-foot sound wall will be constructed adjacent to these lots. The noise study showed that a "windows open" condition will not provide adequate interior noise mitigations at all units. Therefore, a "closed window" condition is required for all units above 60 dBA CNEL to reduce interior noise levels to comply with CCR Title 24 and the City of Lemon Grove requirements. The "windows closed" condition requires that mechanical ventilation be installed to move air within the structure. As a mitigation measure, the noise study determined that a Sound Transmission Class (STC) rating of 31 will be needed for the glass assemblies (windows, fixed windows, and glass doors) of the perimeter units having direct line of sight to SR 125 to reduce the interior noise levels below 45 dBA CNEL. The remainder of the proposed units will have noise levels that are 5 dBA CNEL lower and STC ratings of 28 for those glass assemblies would reduce the noise levels below the 45 dBA CNEL threshold. 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. With implementation of the mitigation measures specified above, potential noise impacts would be less than significant.

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, 15

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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)?	☐	☐	☒	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Explanation of Checklist:

a: Less Than Significant Impact. The proposed development is located in an urbanized, residential area. The project proposes a medium density detached residential housing project which would assist the City of Lemon Grove in meeting its Regional Housing Needs Assessment (RHNA). The project site already has roadway access and would not require the extension of infrastructure to serve the project site. 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. The proposed project would, however, result in a minor population increase, which would not be considered substantial. Therefore, impacts would be considered less than significant.

b-c No Impact. The project site does not contain housing; thus, the project would not displace existing housing or people.

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?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

Explanation of Checklist:

a(i-v): Less Than Significant Impact. The project is located on an infill site in a highly 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

Attachment F

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?	☐	☐	☒	☐
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Explanation of Checklist:

a–b: Less Than Significant Impact. The proposed project will not likely cause a significant increase in the demand on recreational services in the community. Standard conditions of approval require the developer to pay a Parkland dedication in lieu fee for each proposed dwelling unit. In addition, the project proposes an on-site common open space with play equipment and seating areas.

The project proposes 20 residential units with small private yards, common open space, and park areas. More specifically, the project park areas include a 5,085 square foot turf play area surrounded by a pedestrian path, and a 3,256 square foot playground with playground equipment, a shade structure, a picnic table, and a bicycle rack. In addition, the project site includes enhanced landscaping around the project perimeter that contributes additional open space.

The closest existing public parks, Goodland Acres Park and Lemon Grove Park, are approximately 0.5 and 0.4 miles respectively from the project site. While the project would be residential, it would include adequate parkland to serve the development. The project would not significantly increase the use of existing parks such that deterioration would accelerate; nor would it require the addition or expansion of park facilities. Thus, recreation impacts would be less than significant.

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?	☐	☐	☒	☐
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e. Result in inadequate emergency access?	☐	☐	☒	☐

Attachment F

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?	☐	☐	☒	☐

Explanation of Checklist:

a–f: Less Than Significant Impact.

The Trip Generation Analysis that was prepared for this project estimates it would generate approximately 220 average daily trips (ADT) 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.

Approximately 90 percent of the trips generated by the proposed project are expected to be distributed onto Palm Street/Troy Street, with approximately 50 percent heading west on Palm Street into Lemon Grove and 40 percent heading east on Troy Street toward Spring Valley (County of San Diego). Palm Street/Troy Street is designated as a Class II Collector in the Mobility Element of the General Plan and is forecasted to carry 9,000-10,000 trips per day. The addition of approximately 220 vehicle trips is found to not have an impact on adjacent roadway segments and intersections.

Project access is proposed from two private driveways on the southerly cul-de-sac segment of Palm Street. 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 private street design requirements as it relates to the travel lanes. A sight distance analysis was provided and indicates there are no potential sight distance issues that will result from project improvements. 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, 16

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

Attachment F

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 is a dirt pad with steep areas sloping down toward the existing streets. A larger pad will be graded to construct the proposed project which will require retaining walls in various locations within the project site. The proposed dwelling units will drain onto the proposed permeable paver driveway (the private internal street), where the runoff will be conveyed via curb and gutter on both sides of the street and will enter an on-site storm drain system. The storm drain will discharge into the proposed on-site detention basin with an outlet structure, which is connected via storm drain to the existing curb inlet on the corner of Palm Street and Camino De Las Palmas where it enters the existing storm drain system. Runoff from the rooftops will be directed to the landscaped areas before being conveyed onto the permeable paver driveway. The graded slopes will be planted and irrigated and flat areas will be landscaped to help reduce runoff from the site. The Major SWMP prepared for this project determined that it is a "priority development project" and requires a standard urban storm water mitigation plan (SUSMP). 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. 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, 8, 12, 13, 14

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

Explanation of Checklist:

a: Less Than Significant Impact with Mitigation. 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 cultural and fossil 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 qualified paleontologist, archaeologist, and culturally affiliated Native

Attachment F

American with cultural resource knowledge during the grading process. Additional conditions shall require that if any cultural, pre-historic, or historic 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: Less Than Significant Impact with Mitigation. As discussed above in Section XII (Noise), the project has the potential to have significant noise impacts to future residents because of the project site's proximity to State Route 125. However, project conditions of approval will require mitigation in the form of sound walls and sound attenuating construction methods which will reduce noise to levels below the thresholds of significance.

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.	PDP-150-0003/TM0-000-0062/GPA-150-0003/ZA1-500-004 Application Packet
5.	Site inspections conducted by staff from the City of Lemon Gove
6.	Department of Conservation, Farmland Mapping and Monitoring Program website: http://www.conservation.ca.gov/dlrp/fmmp
7.	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
8.	Geotechnical Evaluation, by GeoSoils, Inc. (10/2/2015)
9.	Department of Conservation's Alquist-Priolo Earthquake Fault Zoning Map available at: http://www.conservation.ca.gov/cgs/rghm/ap
10.	CAPCOA White Paper, published January, 2008.
11.	FEMA Flood Insurance Rate Map Panel No. 06073C1910G May 16, 2012
12.	Hydrology Report, by Landmark Consulting (09/23/2015)
13.	Major Stormwater Management Plan, prepared by Landmark Consulting (02/04/2015)
14.	Hydro Modification Plan (HMP), prepared by Landmark Consulting (09/18/2015)
15.	Exterior and Interior Noise Evaluation, by LDn Consulting, Inc. (11/10/2015)
16.	SANTEC/ITE Guidelines for Traffic Impact Studies in the San Diego Region

Individuals and Organizations Consulted

David De Vries, Development Services Director, City of Lemon Grove
Jeremiah Harrington, Assistant Engineer, City of Lemon Grove
Chris Jensen, Fire Marshal, Heartland Fire and Rescue
Kurt Culver, President and CEO, Esgil
Patricia Bluman, City Place Planning
Eric Craig, Associate Planner, City of Lemon Grove
Malik Tamimi, Management Analyst, City of Lemon Grove

VICINITY MAP AND AERIAL PHOTOGRAPH



**TABLE CD-1
PROPOSED LAND USE CATEGORIES AND DENSITIES/INTENSITIES**

Land Use Categories	Maximum Development Per Net Acre (a, b, c)	Expected Development Per Net Acre (d)	Land Use Category Description
Low Density Residential	4 DUs/acre	3 DUs/acre	Detached houses. Typical uses include uses such as accessory dwelling units, churches, day care, open space, public facilities, home businesses and others which are compatible with the surrounding neighborhood.
Low/Medium Density Residential	7 DUs/acre	5.25 DUs/acre	Detached houses. Typical uses include uses such as accessory dwelling units, churches, day care, open space, public facilities, home businesses and others which are compatible with the surrounding neighborhood.
Medium Density Residential	14 DUs/acre	14 DUs/acre	Detached and attached houses, including duplexes and town houses, and limited condominiums and apartments. Typical uses include uses such as accessory dwelling units, churches, day care, open space, public facilities, home businesses and others which are compatible with the surrounding neighborhood.
Medium/High Density Residential	29 DUs/acre	24.5 DUs/acre	Duplexes, town houses, condominiums and apartments. Typical uses include uses such as accessory dwelling units, churches, day care, open space, public facilities, home businesses and others which are compatible with the surrounding neighborhood.
Mixed Use	43 DUs/acre and 2.0:1 FAR	20 DUs/acre; 1.25:1 FAR	Mix of residential (condominiums and apartments), retail and office uses within the same building, lot or area, with the intent of creating lively pedestrian-oriented villages near the trolley stations. Retail includes entertainment and neighborhood-serving businesses. Where mixes of uses occur within the same building, locate retail uses on the street level.
Retail Commercial	1.0:1 FAR	0.5:1 FAR	Retail operations providing a broad range of goods and services, catering to both local and regional customers. Includes shopping centers, department stores, grocery stores, professional services and other compatible retail businesses that are auto-oriented.
General Business	1.2:1 FAR	0.6:1 FAR	Professional office, wholesale businesses, research and development, high technology production, and sales. Includes commercial uses that support business uses.

Attachment H

Land Use Categories	Maximum Development Per Net Acre (a, b, c)	Expected Development Per Net Acre (d)	Land Use Category Description
Industrial	0.7:1 FAR	0.5:1 FAR	Mixture of manufacturing, processing, warehousing and storage uses that do not generate appreciable air and water pollutants, noise, hazardous materials and odors that might be offensive to residents and other businesses.
Public/Institutional Facilities	1.0:1 FAR	0.4:1 FAR	Public uses and service facilities, such as government offices and facilities, schools, public utilities, post office, libraries, fire and law enforcement stations, social service facilities and churches.
Parks/Recreation	0.5:1 FAR	0.1:1 FAR	Community and neighborhood parks, public recreation and community centers.
Transportation	N/A (e)	N/A	Streets, freeway and trolley corridors and stations, bus facilities, "park-and-ride" lots and associated rights-of-ways. If Caltrans permits development within the right-of-way after SR-125 freeway is constructed, the development must conform to the following designations: east and west of SR-125 - Retail Commercial, and south of the Broadway commercial corridor - same designation as the designation of adjacent properties.
Special Treatment Areas - Overlays I Downtown Village II Massachusetts Station III Regional Commercial IV Western Central Avenue Residential V Federal Boulevard Automobile Sales District VI Central Lemon Grove Avenue VII Troy Street/SR-125 Planning Area VIII Eastern Central Avenue Residential			

- (a) The density of residential development is expressed in dwelling units per acre (DUs/acre). The intensity of non-residential development is expressed in floor area ratio (FAR), which is the ratio of building floor area to the land area.
- (b) The maximum development represents the greatest level of development that can occur on individual parcels of land.
- (c) The maximum density within the residential categories may be exceeded for projects providing affordable housing, in accordance with the density bonus provisions of Section 65915 of the California Government Code.
- (d) The expected development reflects the fact that the development which has occurred to date has not reached the maximum allowed density or intensity, and future development is also expected to be less dense/intense than the permitted maximum. The expected development provides a more realistic picture of future development within the land use categories, and is therefore used to project population and buildout data.
- (e) In general, development will not occur within transportation rights-of-way. Through negotiations with Caltrans, development may occur in the future SR-125 freeway right-of-way, near the SR-94 freeway. Such development will be subject to Caltrans lease requirements, and must be consistent with the Lemon Grove General Plan.

CD-20

**TABLE CD-2
LAND USE PLAN DEVELOPMENT POTENTIAL**

LAND USE CATEGORY	ACRES	MAXIMUM DEVELOPMENT (a)	EXPECTED DEVELOPMENT (a)	DWELLING UNITS	THOUSAND SQUARE FEET	POPULATION (b)
<i>Low Density Residential</i>	146.9	Up to 4 du/ac	3 du/ac	442		1,224
<i>Low/Medium Density Residential</i>	1,160.8	4.1 - 7 du/ac	5.25 du/ac	6,094		16,881
<i>Medium Density Residential</i>	67.6	7.1 - 14 du/ac	12 du/ac	812		2,248
<i>Medium/High Density Residential</i>	75.0	14.1-29 du/ac	25 du/ac	1,875		5,194
<i>Mixed Use</i>	27.7	43 du/ac, 2.0:1 FAR	20 du/ac, 1.25:1 FAR	554	1,508.3	1,535
<i>Retail Commercial</i>	130.2	1.0:1 FAR	0.5:1 FAR		2,835.8	
<i>General Business</i>	46.4	1.2:1 FAR	0.6:1 FAR		1,212.7	
<i>Industrial</i>	32.2	0.7:1 FAR	0.6:1 FAR		841.1	
<i>Public/Institutional</i>	146.0	1.0:1 FAR	0.4:1 FAR		2543.9	965
<i>Parks/Recreation</i>	36.6	0.5:1 FAR	0.1:1 FAR		159.6	
<i>Transportation</i>	636.5	N/A	N/A			
TOTAL	2,506.0			9,777	9,101.3	28,046
(a) The maximum development and expected development is based on net acres.						
(b) Population estimates are based on 2.77 persons per unit for the residential uses based on 1995 population data published by the California Department of Finance.						
For the institutional uses, the population estimate is based on the group quarters estimate for 2015 from SANDAG Series 8.						

VISTA AZUL PROJECT LETTER TO CITY COUNCIL AUGUST 30, 2016

Our development group, Vista Azul, LLC, has been working closely with David DeVries and Lydia Romero over the past 18 months to develop our proposed Vista Azul project located at the intersection of Palm Street and Camino de las Palmas. Vista Azul is a pedestrian oriented community clustering a total of 20 homes with beautiful views of Mt. Miguel and the hills of South Bay. This project will promote resident interaction within the community as well as resident connectivity outside the community. The combination of single family detached homes (14) and twin-homes (6) will be designed with front porches, covered stoops, patios, balconies and decks. A pleasant and expanded sidewalk will sweep along both sides of the internal road connecting the homes along that roadway.

There will be two (2) dedicated common area green spaces. The active open space area will be situated along the Palm Street cul de sac between Lots 14 and 20. This open space includes a play structure, a shade sail, benches, BBQ and picnic tables. The passive open space area will be situated between Lots 6 and 7 and will include benches, turf, and panoramic views out to the south and east. Bike racks will be located at the active open space area, the passive open area and adjacent to the parking area near Lot 13.

The community will have broader setbacks from the public streets with enhanced landscaping. The setbacks will vary to create a more interesting building edge along the public streets, including over thirty street trees and landscaped slope areas. In addition, there will be a sidewalk that connects the current Palm Street cul de sac to Palm Street along the western boundary adjacent to the Liberty Charter School.

The homes will have articulated elevations with appropriate and consistent details that reflect the varied design styles of the elevations on all sides of the homes. These details include shutters, siding, out-lookers, knee braces and glass balcony guardrails.

The homes will have three (3) different elevation styles, including Spanish Revival, Craftsman and Coastal Cottage -- each with varying materials and five (5) distinct color schemes. The roofs are varied with both flat and barrel tile. The intent is to have our new community blend into the existing fabric of the surrounding neighborhood, yet with a fresh and updated appeal.

The building elevations also have varying heights, from two stories at 24 feet and three stories at 33 feet. These heights are in concert with the expanded street setbacks and are offset from many of the building planes. In addition, the homes have an abundance of covered front porches, patios, covered and uncovered decks and balconies that create additional outdoor living space for the homeowners to enjoy.

Attachment I

To accommodate additional bicycle storage, each home will be equipped with bicycle racks or hooks in the private two car garages. To keep the neighborhood common area free from large, unsightly trash dumpsters, all of the trash and recycling bins will have a storage space within the confines of each garage.

The homes will exceed the minimum green standards with energy efficient materials such as windows, roof materials and insulation. The heating and air-conditioning units will be high efficiency, meeting or exceeding the Title 24 requirements. High efficiency plumbing fixtures, fittings and tank-less water heaters will be standard. Energy Star appliances and LED lighting fixtures will be included as standard features for resource conservation.

The landscape is designed with drought tolerant plants and trees with efficient irrigation systems. The streetscape will be enhanced along the three (3) public streets abutting the community with a significant number of tree canopies.

There are a total of five (5) Equivalent Benefits per Code 17.28.030 and four (4) Additional and Enhanced Benefits included with in our project submittal. Most of these benefits have been articulated in this narrative. A complete list is located on the front page of the Tentative Map.

In addition, three (3) significant power poles and approximately 400 feet of overhead electric lines will be undergrounded as a part of the overall project design enhancing the view for all the residents in this area of the City.

We look forward to the Vista Azul project being approved by the Lemon Grove City Council and becoming a beautiful addition to the Palm Street and Camino de las Palmas neighborhoods. Thank you.

Sincerely,



Chris Dahrting
Vista Azul, LLC
Member

EXHIBIT "A" – PROJECT PLANS

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 3
Mtg. Date October 4, 2016
Dept. Finance Office

Item Title: Revised General Fund Reserve Policy

Staff Contact: Gilbert Rojas, Interim Finance Director

Recommendation:

Adopt the attached revising the General Fund Reserve Policy.
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Item Summary:

On June 5, 2012, the City Council adopted Resolution No. 3111 which approved a General Reserve Policy. This policy was to ensure that the City maintained an appropriate reserve fund. The reserve was set at a goal of 25% of General Fund operating expenditures. However in recent years one time purchases have routinely been budgeted from the reserve fund. During FY 16-17 budget adoption staff recommended that the reserve policy be updated to allow for the reserve fund to be used only for an economic emergency or a catastrophic event. One time expenditures will be budgeted each year in the non-departmental fund.

The revised policy will only allow transfers from the Reserve Fund by City Council Resolution that address repayment of the funds (if under the 25% threshold). The policy revision will assist the City Council and the public in identifying the reserve funds.

Fiscal Impact:

No fiscal impact with the revision of the reserve policy.

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:

Resolution

Attachment A

RESOLUTION NO. 2016 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA APPROVING THE REVISED GENERAL FUND RESERVE POLICY

WHEREAS, the City Council of the City of Lemon Grove recognizes the fiscal prudence of protecting reserve funds for the general operation of the City in the event of a natural disaster, an economic crisis or an unforeseen capital expenditure; and

WHEREAS, an established General Fund Reserve Policy will help ensure that the City maintains an appropriate reserve; and

WHEREAS, the City Council adopted the General Fund Reserve Policy on June 5, 2012; and

WHEREAS, the revised policy eliminates the operating reserve fund that funds one time expenditures.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California hereby approves the revised General Fund Reserve Policy (Exhibit 1.)

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Exhibit 1

CITY OF LEMON GROVE GENERAL RESERVE POLICY

Background

The Government Finance Officers Association (GFOA), an organization that promotes the professional financial management of governments for the public interest, recommends that local governments establish a reserve and maintain this reserve by adopting a formal policy for administration.

Purpose

To maintain the City's credit rating and meet seasonal cash flow shortfalls, economic downturns or a local disaster, the City Council shall establish a contingency reserve equal to 25% or more of the General Fund adopted operating budget.

The contingency reserve may be used at the discretion of the City Council to:

- Provide temporary resources in the event of an economic downturn while expenditure reductions are implemented.
- Provide resources to meet emergency expenditures in case of flood, fire, earthquake or other disasters.
- Provide resources for an unforeseen capital expenditure.

Administration

The City will establish a separate Fund (06) within the City's internal books to account for this Reserve Fund. All disbursements and replenishments will be accomplished as Inter-fund transfers. The Reserve fund will be combined with the General Fund for Financial Statements. It is important to clearly demonstrate the actual Reserve amount to the general public.

Year End

General Fund surpluses at Fiscal Year-end will be divided in half. Half will be transferred to the Reserve Fund, with the remaining half to be used at City Council discretion for one-time expenditures. The Pension Liability Fund (04) and/or Capital Reserve (32) are two possible uses for one-time expenditures.

Transfers

The use of the reserves shall be accomplished only by City Council Resolution. The City Resolution will direct which City Fund (entity) will receive an inter-fund transfer from the Reserve Fund. The Resolution will also include information regarding the plan and timeframe for replenishment of the Reserve provided the Reserve is below the minimum requirement.

Adopted June 5, 2012

Amended October 4, 2016