



Wednesday Dec. 16, 2020

3 p.m.

Per State of California Executive Order N-29-20, and in the interest of public health and safety, we are temporarily taking actions to prevent and mitigate the effects of the COVID-19 pandemic by holding Planning Commission meetings electronically or by teleconferencing.

The Planning Commission meeting will be accessible electronically to all members of the public seeking to observe and address the Planning Commission.

The Planning Commission meeting can be watched via livestream or replayed on the city website at www.carlsbadca.gov

You can participate in the meeting by e-mailing your comments to the Planning Division at planning@carlsbadca.gov at any time prior to commencement of the agenda item. Your comments will be transmitted to the Planning Commission upon receipt but no later than at the start of the agenda item.

If you desire to have your comment read into the record at the Planning Commission Meeting, please indicate so in the first line of your e-mail and limit your e-mail to 500 words or less.

These procedures shall remain in place during the period in which state or local health officials have imposed or recommended social distancing measures.

In the event a quorum of the Planning Commission loses electrical power or suffers an internet connection outage that is not corrected within 15 minutes, the meeting will automatically be adjourned. Any items noticed as public hearings will be continued to the next regularly scheduled meeting of the Planning Commission. Any other agenda items the Planning Commission has not taken action on will be placed on a future agenda.

NOTICE TO THE PUBLIC:

It is the Planning Commission's Policy to adjourn the meeting no later than 7 p.m.
Meetings are divided into categories shown below.

WATCH ONLINE: Watch the livestream and replay past meetings on the city website, www.carlsbadca.gov

PUBLIC COMMENT: If you desire to comment about an item not listed on the agenda, please e-mail your comments to the Planning Division at planning@carlsbadca.gov prior to the commencement of the public comment portion of the agenda. A total of 15 minutes is provided for the Public Comment portion of the Agenda. Commentors are limited to three (3) minutes each, unless the Chair changes the time. In conformance with the Brown Act, no action can occur on items presented during Public Comment. Planning staff will read comments as requested.

PUBLIC HEARING ITEMS: For each item on the agenda, the planning staff will present a report to the Planning Commission. On items for public hearing, the public will be asked for comment. If you desire to comment about a "public hearing" item, please e-mail your comments to the Planning Division at planning@carlsbadca.gov **BEFORE the item is announced.** A time limit of three (3) minutes is allotted to each commentor. You may not give your time to another person. Groups can select a single commentor/representative as long as three (3) other members of your group are identified. Group representatives have ten (10) minutes unless that time is changed by the Chair. After all comments are received, the applicant is allowed a rebuttal.

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WRITTEN MATERIALS: Written materials related to the agenda that are submitted to the Planning Commission after the agenda packet has been published will be available for review prior to the meeting on the city website.

VISUAL MATERIALS: Visual materials should be submitted to the Planning Division at planning@carlsbadca.gov no later than noon on the day of a Regular Planning Commission Meeting. Digital materials will be placed on a computer for display during the meeting. Please label all materials with the agenda item number you are representing. Items submitted for viewing, including presentations/digital materials, will be included in the time limit maximum for commenters/speakers. All materials exhibited to the Planning Commission during the meeting (slides, maps, photos, etc.) are part of the public record and must be kept by the Planning Division for at least 60 days after final action on the matter. Your materials will be returned upon written request. **Video clips cannot be accommodated.**

REASONABLE ACCOMMODATIONS: Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990 by contacting the City Manager's office at 760-434-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Friday preceding the meeting. All persons requiring reasonable accommodations or auxiliary aids in order to effectively participate in the meeting may contact the City Manager's office by noon on the Friday preceding the meeting to make such arrangements.

FILING AN APPEAL: Certain Planning Commission decisions are final, but may be appealed to the City Council. An appeal may be filed with the City Clerk at City Hall within 10 calendar days of the decision. The cost of filing an appeal is \$876 for all matters. If anyone wishes to question a Planning Commission decision, they may contact the Planning Division at 760-602-4600 or at planning@carlsbadca.gov, between the hours of 7:30 a.m. and 5:30 p.m., Monday through Thursday, and 8 a.m. to 5 p.m. on Friday.

CALL TO ORDER:

ROLL CALL:

APPROVAL OF MINUTES:

Nov. 18, 2020

PUBLIC COMMENT: *In conformance with the Brown Act, no Planning Commission action can occur on items presented during Public Comment. A total of fifteen (15) minutes is provided so members of the public can address the Commission on items that are not listed on the Agenda. Speakers are limited to three (3) minutes each.*

PUBLIC HEARINGS:

1. **CDP 2020-0026/V 2020-0004 (DEV2020-0134) – BEGONIA COURT RETAINING WALL** - Request for a Coastal Development Permit and a Variance to allow an unpermitted retaining wall system that exceeds standards on a manufactured uphill perimeter slope with a gradient greater than 40 percent and an elevation differential of greater than fifteen feet on property located at 939 Begonia Court within the Mello II Segment of the city's Local Coastal Program and Local Facilities Management Zone 4. The project site is not within the appealable area of the California Coastal Commission. The City Planner has determined pursuant to Sections 15061(b)(4) and 15270 of the state CEQA Guidelines that the project is exempt from CEQA because CEQA does not apply to projects which a public agency rejects or disapproves.

ACTION TYPE: Quasi – judicial

RESOLUTION NO. 7394

STAFF RECOMMENDATION: Deny

PLANNER: Jessica Bui

ENGINEER: David Rick

2. **CT 2018-0002/SDP 2018-0002/CDP 2018-0005/HDP 2018-0001/HMP 2018-0001/EIR 2018-0001 (DEV2017-0033) – AVIARA APARTMENTS** – Request for 1) certification of an Environmental Impact Report (EIR 2018-0001), including the approval of Candidate Findings of Fact and a Mitigation Monitoring and Reporting Program; and 2) approval of a Tentative Tract Map, Site Development Plan, Coastal Development Permit, Hillside Development Permit and Habitat Management Plan Permit to demolish an agricultural packaging warehouse and construct 329 apartments (81 affordable units and 1 manager’s unit), including development standards modifications, on an existing parcel that is bisected by Aviara Parkway, north of Laurel Tree Lane, currently addressed as 1205 Aviara Parkway, within the Mello II Segment of the Local Coastal Program and within Local Facilities Management Zone 5. This project is located within the appeal area of the California Coastal Commission.

ACTION TYPE: Quasi – judicial

RESOLUTION NO. 7398 and 7399

STAFF RECOMMENDATION: Approval

PLANNER: Chris Garcia

ENGINEER: Allison McLaughlin

3. **ELECTION OF OFFICERS**

PLANNING COMMISSION MEMBER REPORTS:

CITY PLANNER REPORT:

CITY ATTORNEY REPORT:

ADJOURNMENT:

PLANNING COMMISSION PROCEDURE

For those in the audience who are not familiar with the operation of a Planning Commission, the following is a summary of the procedure:

For each item on the agenda, the planning staff will present a report to the Planning Commission. On items for public hearing, the audience will be asked for comment. Those wishing to comment are asked to e-mail written comments to the Planning Division at planning@carlsbadca.gov prior to commencement of the agenda item. Comments are transmitted to the Planning Commission for review and discussion. After public comments are considered, the applicant is allowed a rebuttal.

Certain Planning Commission decisions are final, but may be appealed to the City Council. An appeal may be filed with the City Clerk at City Hall within 10 calendar days of the decision. The cost of filing an appeal is \$876 for all matters. If anyone wishes to question a Planning Commission decision, they may contact the Planning Division at 760-602-4600 or at planning@carlsbadca.gov, between the hours of 7:30 a.m. and 5:30 p.m., Monday through Thursday, and 8 a.m. to 5 p.m. on Friday.



Nov. 18, 2020

CALL TO ORDER: 3:00 p.m.

ROLL CALL: Anderson, Geldner, Lafferty, Luna, Meenes, and Stine
Commissioner Merz absent

APPROVAL OF MINUTES:

Motion by Commissioner Geldner, seconded by Commissioner Meenes to table the minutes to the next scheduled meeting of Dec. 2, 2020. Motion carried 6/0/1 (Commissioner Merz).

PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA:

None

PLANNING COMMISSION PUBLIC HEARING:

Chair Anderson directed everyone's attention to the slide on the screen to review the procedures the Commission would be following for that evening's public hearing.

Chair Anderson opened the public hearing for Item 1.

1. **AMEND 2017-0012/CT 2017-0003/PUD 2017-0004/SDP 2018-0018 (DEV2017-0178) – LA COSTA TOWN SQUARE PARCEL 3 RESIDENTIAL** – A recommendation for approval of a Master Plan Amendment, Tentative Tract Map, Planned Development Permit and Site Development Plan to allow for the subdivision of a 7.2 acre parcel into two lots, one with 76 townhomes and one with 19 affordable condominiums, including development standards modifications, on property generally located north of the intersection of Calle Timiteo and La Costa Avenue, within the La Costa Master Plan, Neighborhood SE-13B, in the Southeast Quadrant of the city and Local Facilities Management Zone 11. The City Planner has determined that the potential environmental effects of the project were adequately analyzed by the previously certified Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP) for the construction of La Costa Town Square (EIR 01-02).

City Planner Neu introduced Agenda Item 1 and stated Senior Planner Goff would make the staff presentation (on file in the Planning Division).

DISCLOSURES:

Commissioner Meenes, Luna, Anderson and Stine, disclosed they visited and walked the site.

Commissioner Lafferty disclosed she visited and walked the site and reviewed the Geotechnical and Environmental Impact reports.

Commissioner Geldner disclosed she visited the site, walked the site, reviewed the EIR, looked at the site on google earth, and reviewed CEQA for the law on addendums and supplemental EIRs.

Carlos Palofox, representative of TRC, the applicant and owners of the property, gave a presentation on the project. He stated the team is available to answer any questions.

Chair Anderson asked if there were any members of the public who wished to speak on the project. She opened public testimony at 3:40 p.m.

North County Advocates submitted comments stating that additional park/open space is required, according to the General Plan in the southeast quadrant with the addition of the residential units being proposed.

Steve Linke, resident, submitted comments with concerns about the traffic study published with the original Environmental Impact Report. He stated the Environmental Impact Report is old and used the old Carlsbad level of service methods that have since been abandoned. He stated a new VMT analysis and level of service based Local Mobility Analysis consistent with the new TIA and VMT guidelines should be conducted. He suggested some mitigation measures be explored, such as upgrading the intersection control to a roundabout, installation of a dedicated right turn lane and upgrading amenities at the nearby bus stop.

Chair Anderson asked if there were any additional members of the public who wished to speak on the project. Seeing none, she closed public testimony at 3:45 p.m.

DISCUSSION:

City Planner Neu explained the analysis process for open space/parks and stated the city does have adequate parks acreage for the zone including the demand from the proposed project.

Commissioner Geldner shared concerns about the original EIR and traffic mitigations that have not been completed. She stated the traffic study is from 2005 and at the time the EIR was approved, traffic was found to be significant. She stated she is having a hard time making the findings that the data in the EIR do not support. She is concerned the pedestrian connection is not being implemented that was part of the original approval. She stated that she would like to see something equivalent offered for the mitigation that is not being implemented.

Engineering Manager Geldert explained that two studies were conducted to monitor the need of an additional signal and both deemed that the signal was not needed. The requirement has now expired.

City Planner Neu stated that since the original shopping center was approved, there have been administrative changes approved that permitted the shopping center design to differ from the original approval.

Assistant City Attorney Kemp stated that the city would not require a traffic signal to be installed if it was not warranted.

Commissioner Lafferty shared concerns about losing units on the site and providing affordable housing. She stated concern that the density is not at the higher range. She stated she would like to see a better transition element with the residential area and the commercial area nearby and connectivity within the project site for vehicles. She stated she thinks the plan is outdated.

City Planner Neu explained some aspects of Growth Management, State Housing laws and stated the project meets the standards.

Chair Anderson stated some concerns about safety and the wall that runs along the back of the commercial area down into the proposed residential area. She would like to see the Bougainvillea on the lot be preserved as well.

Commissioner Luna shared concerns about the reduced active recreation areas and the location of the affordable housing.

Commissioners Meenes and Stine agree that projects can always be better, however this project meets the standards and can support the project.

ACTION:

Motion by Commissioner Stine, seconded by Commissioner Meenes, to adopt Resolution No. 7390 and 7391. Motion tied, 3/3/1 (Commissioner Geldner, Lafferty, and Luna no, Commissioner Merz absent).

The item will be considered at the Dec. 2, 2020 meeting.

PLANNING COMMISSION REPORTS/COMMENTS:

None

CITY PLANNER REPORTS:

None

CITY ATTORNEY REPORTS:

None

ADJOURNMENT:

Chair Anderson adjourned the duly noticed meeting at 5:22 p.m.

Minutes Clerk



P.C. AGENDA OF: December 16, 2020

Application complete date:	October 8, 2020
Project Planner:	Jessica Bui
Project Engineer:	David Rick

SUBJECT: CDP 2020-0026/V 2020-0004 (DEV2020-0134) – BEGONIA COURT RETAINING WALL -
 Request for a Coastal Development Permit and a Variance to allow an unpermitted retaining wall system that exceeds standards on a manufactured uphill perimeter slope with a gradient greater than 40 percent and an elevation differential of greater than fifteen feet on property located at 939 Begonia Court within the Mello II Segment of the city’s Local Coastal Program and Local Facilities Management Zone 4. The project site is not within the appealable area of the California Coastal Commission. The City Planner has determined pursuant to Sections 15061(b)(4) and 15270 of the state CEQA Guidelines that the project is exempt from CEQA because CEQA does not apply to projects which a public agency rejects or disapproves.

I. RECOMMENDATION

That the Planning Commission **ADOPT** Planning Commission Resolution No. 7394 **RECOMMENDING** that the City Council **DENY** Coastal Development Permit CDP 2020-0026 and Variance V 2020-0004 based upon the findings and subject to the conditions contained therein.

II. PROJECT DESCRIPTION AND BACKGROUND

Project Site/Setting: The 0.39-acre (17,146 square feet) project site is located at 939 Begonia Court as shown on the attached location map. The site is developed with a two-story, single-family residence. The property slopes from a high point of approximately 204 feet above mean sea level at the rear of the lot to a low point of approximately 166 feet above mean sea level adjacent to the street, Begonia Court. The eastern half of the property, or the backyard area (above 168 feet contour line) is comprised of an uphill slope with a gradient of approximately 55 percent. The lot is surrounded by single-family residences to the north, south, east and west. Table “A” below includes the General Plan designations, zoning and current land uses of the project site and surrounding properties.

TABLE A

Location	General Plan Designation	Zoning	Current Land Use
Site	R – 4 Residential	R – 1 One – Family Residential	Single – Family Residence
North, South, East and West	R – 4	R – 1	Single – Family Residence



Project Background: The existing single-family residence is in the Coastal Zone and is used as a short-term vacation rental (STVR)¹. The property has one open Code Enforcement violation for the existing and unpermitted retaining wall system. The Code Enforcement Division opened a case against the property owner in late 2018 upon discovering unpermitted grading and ongoing construction on the property. Code Enforcement issued a notice of violation against the property owner in February 2019 and a final notice of violation in June 2019. Construction stopped in approximately June 2019 as described below, although the violations have not been corrected to date. Instead, property owner chose to pursue this variance application.

According to its geotechnical report, the property owner began unpermitted grading and construction of the multi-tiered retaining wall system into the uphill slope located in the backyard in March 2016 and continued until approximately June 2019. The city issued a notice of violation to the property owner for violations of Carlsbad Municipal Code (CMC) Section 15.16.050 of the Grading Ordinance because the property owner graded the slope to construct the walls without a grading permit; CMC Section 21.95.140 of the Hillside Development Ordinance for constructing a retaining wall system on a manufactured uphill perimeter slope that exceeds the permitted standards; and CMC Section 21.203.040 for the construction of the wall system without approval of a coastal development permit to ensure compliance with the required provisions in the Coastal Resource Protection Overlay Zone. To ensure the health and safety of STVR guests or other individuals during this review process, the Code Enforcement Division required the area of the unpermitted walls be sectioned off with a gate and caution tape to restrict entering or recreating on the slope that has been structurally compromised, and to disclose the restriction in rental marketing materials.

The Planning Division, Engineering Division, Code Enforcement and City Attorney's Office conferred with the property owner on several occasions since 2018 regarding potential corrective actions. The actions discussed were: A) apply for and obtain a grading permit to remove the unpermitted walls and bring the system into compliance with the Hillside Development Ordinance and restore the slope above to its original condition; or B) apply for a coastal development permit and variance application to request the approval for the unpermitted retaining wall system to remain. Option A may not require a coastal development permit because bringing the wall into compliance with the Hillside Development Ordinance should avail the applicant of the standard exemption for typical improvements associated with a single-family residence outside the Coastal appeal area. However, staff advised the property owner that a recommendation for denial would likely result from Option B, the application for a coastal development permit and variance, because the walls do not meet code requirements of CMC Section 21.203.040 – Coastal Resource Protection Overlay Zone, CMC Section 21.95.140 – Hillside Development Ordinance, and the required findings for CMC Section 21.50 – Variances. A detailed analysis for each zoning code violation is discussed in Section III – Analysis of this staff report.

Project Description: The property owner chose to proceed with option "B." The request for a coastal development permit and variance is to allow an existing and unpermitted retaining wall system to remain on an uphill perimeter slope with a gradient over 40 percent and an elevation differential of greater than fifteen feet ("manufactured uphill perimeter slope") located within the backyard of a single-family residence. The wall system starts at the base of the slope and extends approximately two thirds up the slope toward the rear property line. The wall system is multi-tiered with four levels and is accessed by stairs that start at the toe of the slope, which is adjacent to a swimming pool and spa. The slope has been graded and filled to accommodate the wall system without a required grading permit, and each level

¹ In accordance with CMC Chapter 5.60 – Short-Term Vacation Rentals, property owners in the Coastal Zone may operate a short-term rental with the approval of a STVR permit and a business license.

between the multi-tiered system is flat and designed in a manner that could be used as recreation areas. However, a retaining wall or walls are only permitted within an area that is a maximum height of six feet above the grade elevation at the toe of the slope within a manufactured uphill perimeter slope per Carlsbad Municipal Code (CMC) Section 21.95.140.C.1(a) and the Hillside Development and Design Guidelines Section III.B and Exhibit 9 (see Attachment 5).

Proposed Grading: The grading quantities (cubic yards of cut and the cubic yards of fill) from the unpermitted grading that had occurred to construct the unpermitted retaining wall system is unknown. Estimated grading quantities will be determined by the applicant's licensed engineer's plan to either remove and remediate the slope or to structurally retrofit the existing wall in place.

The CDP and Variance would normally be heard by the Planning Commission as the final decision-maker. However, one aspect of the project's CDP application for deviations to grading of steep slopes within the Coastal Zone requires action by the City Council. Therefore, per CMC Section 21.54.040, Decision-making authority for multiple development permits, both applications require City Council action. The Planning Commission's action on the project will be a recommendation. If the project is denied by the City Council, the walls will be conditioned to be removed and the slope must be restored in accordance with the provisions of CMC Chapter 21.95 – Hillside Development Regulations. The removal of the walls, restoration of the slope, and the retainment or construction of a compliant retaining wall that is a maximum height of six feet tall measured from the grade at the toe of the slope will require the applicant to obtain a grading permit. Furthermore, if the removal and restoration is consistent with the Hillside Development Regulations it will not require a hillside development permit due to the exemption for single family residences. If no impacts are found to coastal resources, a CDP will not be required because improvements normally associated with residences such as this are exempt from the CDP procedures. A CDP may be required if the remediation impacts the property or adjacent properties to an extent that would be considered an impact on coastal resources. The extent of the remediation and CDP requirement would be determined at the time that specific details provided by the applicant's engineer are submitted to the city for review.

III. ANALYSIS

The project is subject to the following regulations and requirements:

- A. Grading and Erosion Control (CMC Chapter 15.16);
- B. Hillside Development Regulations (CMC Chapter 21.95);
- C. Coastal Development Regulations for the Mello II Segment of the Local Coastal Program (CMC Chapter 21.201) and the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203); and
- D. Variances (CMC Chapter 21.50).

The recommendation for denial of this project was developed by analyzing the project's inconsistencies with the applicable city regulations and policies. The project is not in compliance with the applicable regulations and is discussed in detail in the sections below. Furthermore, there is no known alternative design or modifications that can be made to this project that would be compatible with the aforementioned applicable regulations short of the removal of the walls, restoration of the slope, and the retainment or construction of one compliant retaining wall that is a maximum height of six feet tall at the toe of the slope.

A. Grading and Erosion Control (CMC Chapter 15.16)

The Engineering Department determined that the property was in violation of CMC Section 15.16.050 because the hillside was cleared and graded to construct the retaining wall system without the approval of a grading permit. If the project is denied, the applicant will be required to apply for and obtain a grading permit to restore the slope and bring it into compliance with CMC Chapter 21.95 – Hillside Development Regulations

B. Hillside Development Regulations (CMC Chapter 21.95)

The project site has a manufactured uphill perimeter slope as defined in CMC Section 21.95.140.C with a gradient greater than 40 percent and an elevation differential of greater than fifteen feet located in the backyard into which the unpermitted retaining wall system is constructed. CMC Section 21.95.140 contains provisions related to design standards for development of manufactured uphill perimeter slopes, and development is limited to a main building, accessory structure and a retaining wall up to a maximum cut into the slope of six vertical feet measured from the existing grade at the toe of the slope. Stairs are also allowed to be constructed onto the slope in order to access the area for landscape maintenance. In addition, CMC Section 21.95.140 allows the construction of decks on the manufactured uphill perimeter slope up to the required building setback of the zoning designation. Per CMC Section 21.95.040, improvements to single family residences are exempt from having to apply for a hillside development permit (HDP), provided that the development complies with CMC Section 21.95.140 of the Hillside Development Regulations and the city's hillside development and design guidelines. However, walls and retaining walls built beyond the maximum six-foot cut as measured from the toe of the slope such as the project in question are not permitted per those standards and guidelines, so the project would not be exempt from an HDP.

Modifications to the development and design standards of the Hillside Development Ordinance and Hillside Development and Design Guidelines are only permitted outside of the Coastal Zone with the approval of a HDP. Because the subject property is in the Coastal Zone, modifications to the design standards are prohibited unless it is necessary to preserve onsite natural habitat as required by the city's Habitat Management Plan. There is no natural habitat present on the site. Therefore, an application for a HDP to seek design standards and guidelines modifications would not be applicable, and the applicant is instead seeking approval of a variance to deviate from the requirements of the CMC Chapter 21.95 – Hillside Development Regulations.

C. Coastal Development Regulations for the Mello II Segment of the Local Coastal Program and Coastal Resource Protection Overlay Zone (CMC Chapter 21.201 and 21.203)

The project site is located within the Mello II Segment of the Local Coastal Program and is not in the appeal jurisdiction. The site is also located within and subject to the Coastal Resources Protection Overlay Zone. Improvements typically associated with a single-family residence outside the Coastal appeal area, such as retaining walls, are exempt from a coastal development permit (CDP). The exemption assumes the proposed work complies with the rest of the Zoning Ordinance, so a project that does not comply with the Hillside Development Ordinance is not exempt from a CDP. Therefore, the request to allow the unpermitted retaining wall system to remain is subject to a CDP and the regulations in CMC Sections 21.201 and 21.203 as described below:

1. Mello II Segment of the Certified Local Coastal Program and all applicable policies.

The project is located in the Mello II Local Coastal Program Segment. The project consists of the construction of an unpermitted retaining wall system more than six vertical feet above the toe of a manufactured uphill perimeter slope. The proposed retaining wall system is not compatible with the surrounding development of one and two-story single-family structures in that construction of retaining walls extending more than six feet above the toe of the slope is not permitted for manufactured uphill perimeter slopes. The retaining wall system is in an area of known geologic instability that has been created by the applicant due to the unpermitted grading, construction of unengineered retaining walls and filling of the slope. Each finding below must be met in order to support a coastal development permit:

a. **That the proposed development is in conformance with the Certified Local Coastal Program and all applicable policies.**

The proposed development is not in conformance with the Certified Local Coastal Program and all applicable policies in that the site is known for geologic instability due to the unpermitted grading and construction of an unpermitted retaining wall system. A geotechnical evaluation provided by the applicant and prepared by Advanced Geotechnical Solutions, Inc., dated October 9, 2019 (see Attachment 7) confirms the slope stability has been compromised and does not meet minimum safety standards for static or seismic conditions. The geotechnical evaluation offered conceptual options to mitigate the structure; however, the applicant's engineer did not provide adequate technical information to determine if the subject slope area would be stable or if the impacts would be mitigatable for at least seventy-five years or for the life of the structure. The city requested specific structural details related to the retaining walls and retrofitting of the walls. The applicant refused to provide the information and the applicant's engineer stated that the specifics regarding the retrofit would be on a design-build basis (see Attachment 8). A design-build basis implies that the necessary information to demonstrate the feasibility of the retrofit would only be provided after the coastal development permit and variance are approved, but the city does not have the information to rely upon in order to approve the project. Therefore, staff does not have the necessary information to make the determination that the slope would be stable, or if the impacts would be mitigatable for at least seventy-five years or for the life of the structure. In addition, the geotechnical evaluation did not address compliance with the requirements of the Coastal Zone or Zoning Ordinance. Therefore, the project is not consistent with the intent and purpose of the Certified Local Coastal Program in that it does not preserve or protect steep manufactured slopes, nor does the project ensure structural stability of the slope from erosion, geological instability or destruction of the site or surrounding area. The project does not meet this finding.

b. **The proposal is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act.**

This finding is not applicable because the property is not adjacent to the coastal shoreline; and therefore, will not interfere with the public's right to physical access or water-oriented recreational activities.

c. **The project is consistent with the provisions of the Coastal Resource Protection Overlay Zone (Chapter 21.203 of the Zoning Ordinance) in that the project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban runoff, pollutants, and soil erosion. No steep slopes or native vegetation is located on the subject property and**

the site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods, or liquefaction.

The project is not consistent with the provisions of the Coastal Resource Protection Overlay Zone (Chapter 21.203 of the Zoning Ordinance) because the geotechnical evaluation did not provide adequate information for staff to confirm that the project will avoid increased urban runoff, pollutants and soil erosion and there is a steep slope (equal to or greater than 25 percent gradient) of approximately 55 percent located on the subject property. The project does not meet this finding based on the analysis in finding number 1 above.

2. Coastal Resource Protection Overlay Zone

The project is not consistent with the provisions of the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203) in that the subject property includes a steep slope (equal to or greater than 25 percent gradient) and development is proposed on a steep slope. In addition, due to the unpermitted grading of the slope, the site may be prone to landslides, or susceptible to accelerated erosion.

Furthermore, CMC Section 21.203.040(A)3 contains specific development standards that are applied to areas within the coastal resource protection overlay zone related to grading and preservation of steep slopes (equal to or greater than 25 percent gradient) and those standards differ depending on the geographic area within the coastal zone. For the project site, the city council may allow exceptions to grading of the steep slope provided all the following applicable mandatory findings to allow exceptions are made:

- a. **A soils investigation conducted by a licensed soil engineer has determined the subject slope area to be stable and grading and development impacts mitigatable for at least seventy-five years, or life of structure.**

The applicant provided a geotechnical evaluation that was prepared by a licensed engineer who inspected the unpermitted retaining wall system and determined the wall system is structurally faulty because the fill has not been compacted to a minimum percentage that is safe. In addition, the evaluation finds that the slope is not safe for long term stability for static conditions or seismic conditions. The geotechnical evaluation included three options to remediate the wall system to make it structurally sound which are: A) remove the existing walls and undocumented fill and replace it with a new five-foot wall near the toe of the slope with an ascending fill slope located above the wall, and rebuild a new wall system constructed near the top of the fill slope; B) remove the walls and undocumented fill and restore the existing slope; or C) leave the existing walls in place with considerable reinforcement effort, which may require encroachment onto the adjacent properties that will require authorization from the property owners. Although the geotechnical evaluation offered conceptual options to mitigate the structure, the applicant's engineer did not provide adequate technical information to determine if the subject slope area would be stable or if the impacts would be mitigatable for at least seventy-five years or for the life of the structure as described in more detail in Section III(C)(1)(a) of the staff report above. The project does not meet this finding.

- b. **Grading of the slope is essential to the development intent and design.**

The grading of the manufactured uphill perimeter slope is not essential for the development intent and design of a single-family residential property. If it were essential, it would have been done with the original grading of the overall subdivision development. Grading is only necessary to retain the

unpermitted retaining wall system, but the walls are not a permitted structure on a manufactured uphill perimeter slope in accordance with CMC Chapter 21.95 – Hillside Development Regulations. In addition, grading on a manufactured uphill perimeter slope beyond the six-foot limitation is only allowed in the Coastal Zone when it is necessary to preserve onsite natural habitat as required by the city's Habitat Management Plan. The project site is in the Coastal Zone but there is no natural habitat onsite that is required to be preserved; therefore, the grading of the slope is not essential to the development. The project does not meet this finding.

c. Slope disturbance will not result in substantial damage or alteration to major wildlife habitat or native vegetation areas.

This finding is not applicable to the site. The slope disturbance will not result in substantial damage or alteration to major wildlife habitat or native vegetation areas because the site is a previously developed lot with an existing single-family residence and there is no wildlife habitat or native vegetation areas existing onsite.

d. If the area proposed to be disturbed is predominated by steep slopes and is in excess of ten acres, no more than one-third of the total steep slope area shall be subject to major grade changes.

This finding is not applicable to the site. The finding applies to sites greater than 10 acres, and the area proposed to be disturbed is not in excess of ten acres.

e. If the area proposed to be disturbed is predominated by steep slopes and is less than ten acres, complete grading may be allowed only if no interruption of significant wildlife corridors occurs.

The area proposed is less than ten acres and would not interrupt significant wildlife corridors. The project would meet his finding.

f. Because north-facing slopes are generally more prone to stability problems and in many cases contain more extensive natural vegetation, no grading or removal of vegetation from these areas will be permitted unless all environmental impacts have been mitigated. Overriding circumstances are not considered adequate mitigation.

This finding is not applicable to the site. The slope is not north-facing and does not contain more extensive natural vegetation. Moreover, this finding is understood to apply to natural, not manufactured, slopes as manufactured slopes are engineered and not inherently prone to stability problems.

In summary, to comply with CMC Chapters 21.201 and 21.203. Within the Mello II Segment of the Local Coastal Program, all required findings must be made in the affirmative, but finding "a" and "c" cannot be made. Within the Coastal Resource Protection Overlay Zone all mandatory findings must be made to allow grading of a steep slope but finding "a" and "b" cannot be made. Therefore, the coastal development permit cannot be supported, and staff recommends denial of the CDP.

D. Variances (CMC Chapter 21.50)

Variances are granted to resolve practical difficulties or physical hardships that may result from the unique size, shape, topography or dimensions of a property. Variances are not approved which would have the effect of granting a special privilege not shared by other properties in the surrounding area. In order to

support an approval for a variance, all five required findings of fact from CMC Section 21.50.050 must be made. The following five findings with justifications stated by the applicant (see Attachment 9) and staff's analysis are as follows:

1. **That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.**

Applicant's Justification:

The applicant states that the location and size of the existing wall, topography of the area and accessibility make approving the variance and issuing a permit of the current retaining wall with approved retrofitting the optimal alternative in remedying the code violation.

Due to the location of the existing retaining wall as constructed, removing it would not only pose a threat of danger of destabilizing the slope/hill, removing the wall, which spans close to 100 feet long and 21 feet in height also poses extreme challenges regarding access to the wall. Such challenges would not only cause substantial nuisances to the neighborhood but would also require considerable use and intrusion of and onto neighboring lots. The applicant included a petition with some 67 signatures of property owners in the neighborhood that not only support permitting the existing wall and allowing it to remain with retrofitting, but that clearly show that requiring the wall to be removed will cause serious concerns of neighboring residents and could possibly result in litigation (see Attachment 6).

Staff Response:

The applicant's justification does not speak to special circumstances related to the subject property, or loss of privileges enjoyed by other properties, but instead speaks to circumstances the applicant created through the illegal grading and construction of the retaining wall system. There are no special circumstances associated with the property, including size, shape, topography, location or surroundings, such that the strict application of the zoning ordinance would deprive the property of privileges enjoyed by the other homes in the vicinity and in the R-1 Residential zone. The property is of average size (17,146 sq. ft.) in the neighborhood and is a typical pie-shaped lot that is found on a cul-de-sac street. The other lots in the vicinity range in size from about 12,000 to about 19,000 square feet in size. The 55 percent manufactured uphill perimeter slope is characteristic of the adjacent properties and other properties in the vicinity. The strict application of the zoning code does not deprive the property of privileges enjoyed by other property owners because retaining walls that exceed the hillside development standards on a manufactured uphill perimeter slope are unpermitted for all residential properties. The retaining wall system is decorative and does not constitute relief from unique difficulties or hardships associated with the property in question.

In regard to nuisances to the neighborhood, construction that occurs within the city boundary must comply with CMC 8.48.010 – Construction Hours Limitations, which limits any type of construction, including the demolition of a structure or grading between 7:00 a.m. to 6:00 p.m. Monday through Friday, 8:00 a.m. to 6:00 p.m. on Saturdays and is not permitted on Sundays and any federal holiday. Therefore, the removal and remediation of the wall would be subject to the regulations that are imposed on all types of construction, demolition or grading. The removal and remediation work would be temporary, must operate during the permitted days and times, and noise and parking impacts

would be temporary and minimal to the surrounding neighborhood. In addition, the engineer's evaluation also includes possible impacts on adjacent properties as a result of grading and construction which include encroaching onto the adjacent parcels to reinforce the existing walls if the walls were to remain. The property owner will also be required to obtain authorization from the adjacent property owners to reinforce the existing wall if encroachment is necessary.

- 2. That the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located and is subject to any conditions necessary to assure compliance with this finding.**

Applicant's Justification:

The applicant states that granting of the variance would not constitute a grant of special privilege inconsistent with any limitation upon other properties in the vicinity. On the contrary, granting of the variance would be absolutely consistent with the city's explicit or implicit approval of extremely similar retaining walls not only within the City of Carlsbad, but within the very neighborhood of the subject premises. The applicant provided examples of 10 retaining walls within the city limits that appear not to be consistent with CMC Section 21.95.140 (see Attachment 9). The cited retaining walls are on properties including Grand Pacific Palisades Resort/Karl Strauss, Salk Avenue above El Camino Real, Robertson Ranch development, The Crossings Golf Course, and two neighboring single-family residential properties on Azalea Place and Poppy Lane. The applicant states that these walls are evidence that the city has allowed variances to the code and is selectively enforcing the code, so denial of this project would be inconsistent. The applicant further indicates that other homes in the area have retaining walls so approving this project would not prejudice or harm those homeowners. The subject retaining walls not only beautify the subject property but also raise the property values of the property and the surrounding neighborhood. Only one complaint has been filed with the city about the walls since construction began in 2016, more concerned with noise than the wall system. Lastly, the applicant indicates that the wall system does not impede views and states the wall system stabilized the slope and makes the slope more attractive.

Staff Response:

The variance would constitute a grant of special privileges that is inconsistent with the limitations upon other properties in the vicinity and zone. All properties in the vicinity and the R-1 Residential zoning designation in the Coastal Zone are subject to the same Hillside Development Ordinance regulations that are in effect, which prohibit retaining walls from being constructed beyond what is allowed on a manufactured uphill perimeter slope. No other properties in the vicinity have similar, permitted retaining walls on the manufactured uphill perimeter slope. To approve the subject variance would be a grant of special privileges to this property that other properties in the vicinity do not enjoy.

Staff has reviewed the list of walls provided by the applicant. Walls listed by the applicant that are not located within the Coastal Zone are not subject to the same CMC Chapter 21.95 – Hillside Development Regulations as the project site. The majority of the walls listed by the applicant are located on project sites that were part of a master plan or other major discretionary action for complex projects that are not similar to the subject project. Those projects included components that

do not apply to the subject property which were subject to other sections of the code or provisions within a master plan development, including preservation of significant natural habitat as required by the city's Habitat Management Plan or the county Multiple Species Habitat Conservation Plan, were necessary for slope instability corrective work, or were approved as offsets or concessions for the provision of affordable housing. It appears that some of the sites are not subject to the Hillside Development Regulations because the topography of the site does not meet the criteria for the regulations to apply. Some of the properties have retaining walls with no record of permits issued by the city. Lastly, the Hillside Development Regulations were comprehensively updated in 2012, and some of the walls cited by the applicant predate the current code requirements. None of the examples are relevant to the subject request, and do not provide justification to meet this finding.

- 3. That the variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the subject property.**

Applicant's Justification:

The applicant states that granting of the variance does not authorize any use or activity unauthorized by the code. The applicant does not seek a building permit in order to conduct an unauthorized activity or to construct an object that is not there. The subject retaining wall system has already been constructed and the variance seeks to permit the existing wall system after retrofitting. The wall is intended to beautify the subject property, not for any other use or activity and no unauthorized use will be conducted at the property if the project is approved.

Staff Response:

The granting of this variance would authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the subject property. The fact that the retaining wall system is existing because it has been constructed without city approval is not appropriate justification to approve the variance. As designed, the unpermitted retaining wall system is prohibited per CMC Chapter 21.95 – Hillside Development Regulations which governs development on manufactured uphill perimeter slopes. CMC Chapter 21.95 allows for modifications to development on slopes; however, modifications are prohibited in the Coastal Zone unless it is necessary to preserve natural habitat as required by the city's Habitat Management Plan. The subject property is in the Coastal Zone, but there is no native habitat on site and the project is not necessary to preserve natural habitat. Therefore, granting the variance would authorize an activity that is expressly not authorized within the applicable zoning regulations.

- 4. That the variance is consistent with the general purpose and intent of the general plan, and this title and any applicable specific or master plans.**

Applicant's Justification:

The applicant states that granting the variance is consistent with the general purpose and intent of the General Plan as it protects and enhances natural resources. The applicant contends that the retrofitted retaining wall system will protect the integrity of the slope it is built upon, which protects the natural topography of the coastline. The applicant further states that removal of the retaining wall system will not only endanger the integrity of the slope but may cause the slope to become unreflective of its natural state prior to the wall being built. The applicant has added landscape to the slope, and

is open to installing native vegetation and trees , which they state will enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources, pursuant to the Coastal Act.

Staff Response:

The granting of this variance is not consistent with the general purpose and intent of the General Plan. The subject property is designated Residential (R – 4) General Plan Land Use designation and although walls are a typical component of residentially designated areas, the subject retaining wall system is not consistent with the development of single-family lots with a manufactured uphill perimeter slope within the Coastal Zone. The subject retaining wall system also does not promote the Hillside Development Ordinance intent to enhance the aesthetic qualities of manufactured slopes and is not consistent with the Hillside Development and Design Guidelines acknowledgment that manufactured slopes of greater than 40% gradient and greater than 15 feet in height are regarded as important aesthetic, visual resources because they provide visually open, vertical separations between developed pads in hilly areas and between developed pads and roadways. As a result, the project does not preserve the existing neighborhood atmosphere and identity of the existing residential area.

The stability of the slope has already been compromised by the unpermitted grading and construction that has occurred. The existing slope is a manufactured slope and not a natural slope as described by the applicant. The removal of the walls would not endanger the integrity of the slope because the applicant would also be required to restore the slope to bring it into compliance with CMC Chapter 21.95 – Hillside Development Regulations which is consistent with the general goals and purpose of the General Plan. Appropriate landscaping of hillsides is required by the city’s Landscape Manual, including use of native and drought tolerant species when possible.

- 5. In addition, in the coastal zone, that the variance is consistent with the general purpose and intent of the certified local coastal program and does not reduce or in any manner adversely affect the requirements for protection of coastal resources.**

Applicant’s Justification:

The applicant states that the city is to take into consideration what will assure balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of California. The applicant contends the project offers such a balance by retrofitting the existing walls to conserve the coastal zone and add natural resources, while benefitting both the social and economic needs of the community in that the wall brings value to surrounding properties. The applicant raises the previously cited retaining walls and states the city must protect the rights of property owners by allowing similar desirable walls within reason such as the subject retaining walls. The subject wall follows the hillside, it does not reduce or extend it, but was dependent upon its natural state when constructed. The wall merely covers what was there and stabilizes the hillside and will also aid in erosion control. The applicant further contends that approving the retaining wall system will prevent further development on the hillside, minimizing the density of development, and will minimize the opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids and other pollutants from entering the storm water conveyance system through the hillside. In contrast, denying the variance not only poses a risk to the hillside, will be oppressive to the surrounding neighborhood

and a logistical nightmare that some 67 local residents object to. Removal of the wall. The applicant states the hope that the code will not be arbitrarily enforced by the city in a discriminatory and draconian manner that will thwart the city's efforts of coastal protection since the wall system's retrofitting will work to protect the hillside.

Staff Response:

The granting of this variance would not be consistent with the general purpose and intent of the certified local coastal program and does reduce or adversely affect the requirements for protection of coastal resources. One of the purposes of the certified local coastal program is to preserve and protect natural and manufactured slopes in the coastal resource protection overlay zone area and to ensure stability and structural integrity of the slopes from erosion, geologic instability, or destruction of the site. The unpermitted grading that has occurred to construct the unpermitted and unengineered retaining wall system has compromised the stability of the slope. To retain the wall system will require considerable reinforcement and the structural integrity of reinforcing the walls has not been determined since the applicant has refused to provide such information at this time as described in detail previously in this staff report. Therefore, the feasibility of retaining the wall system and stabilizing the slope in accordance with the requirements for protection of the local coastal resources is unknown.

The wall system is not related to density or the city's policies on density or growth management. Allowing the walls to remain will not discourage development on the manufactured slope because housing development is not permitted on this manufactured uphill perimeter slope. Furthermore, because there was not enough information provided by the applicant, it is unknown if there are drainage issues that resulted from the unpermitted grading and construction and if the walls could be retained and retrofitted without drainage issues. The removal and remediation work would not cause impacts to the neighborhood because the work will be temporary and must be completed during the permitted days and times in accordance with city regulations. Noise and parking impacts related to the removal and remediation would be temporary and minimal to the surrounding neighborhood during construction. Furthermore, the code is not being arbitrarily enforced in a discriminatory or draconian manner because the retaining wall system as designed is strictly prohibited and the regulations are applied consistently for all single-family residential property owners in the vicinity and zoning designation. No variances for walls on manufactured uphill perimeter slopes have been approved in the city. Retaining and retrofitting the wall system has not yet been determined to protect the hillside, and retrofitting may require encroaching onto the adjacent neighbor's property, thereby potentially impacting the slopes within the vicinity.

IV. ENVIRONMENTAL REVIEW

If this Coastal Development Permit No. 2020-0026 and Variance No. 2020-0004 is denied, the project is exempt from environmental review pursuant to Sections 15061(b)(4) and 15270 of the State CEQA Guidelines because CEQA does not apply to projects that a public agency rejects or disapproves.

ATTACHMENTS:

1. Planning Commission Resolution No. 7394
2. Location Map
3. Disclosure Form
4. Reduced Exhibits
5. Hillside Development and Design Guidelines Section III.B and Exhibit 9
6. Petition of 67 Signatures
7. Geotechnical Evaluation dated October 9, 2019
8. Geotechnical Addendum – Response to Engineering Comments dated September 10, 2020
9. Applicant’s Justification for Variance
10. Exhibit(s) “A” dated December 16, 2020
11. Public Comments

PLANNING COMMISSION RESOLUTION NO. 7394

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL DENY A COASTAL DEVELOPMENT PERMIT AND VARIANCE TO ALLOW AN UNPERMITTED RETAINING WALL SYSTEM THAT EXCEEDS STANDARDS ON A MANUFACTURED UPHILL PERIMETER SLOPE WITH A GRADIENT GREATER THAN 40 PERCENT AND AN ELEVATION DIFFERENTIAL OF GREATER THAN FIFTEEN FEET LOCATED AT 939 BEGONIA COURT ON PROPERTY LOCATED AT 939 BEGONIA COURT WITHIN THE MELLO II SEGMENT OF THE CITY'S LOCAL COASTAL PROGRAM AND LOCAL FACILITIES MANAGEMENT ZONE 4.

CASE NAME: BEGONIA COURT RETAINING WALL
CASE NO: CDP 2020-0026/V 2020-0004

WHEREAS, **Rene Lichtman**, "Developer/Applicant," has filed a verified application with the City of Carlsbad regarding property owned by **Valerie Lichtman**, "Owner," described as

Lot 138 of Carlsbad Tract No. 73-79, Spinnaker Hill Unit #3, in the City of Carlsbad, County of San Diego, State of California, according to map thereof no. 8453, filed in the Office of the County Recorder of San Diego County on December 29, 1976

("the Property"); and

WHEREAS, said verified application constitutes a request for a Coastal Development Permit and Variance as shown on Exhibit(s) "**A**" dated **December 16, 2020**, attached hereto and on file in the Carlsbad Planning Division, **CDP 2020-0026/V 2020-0004 – BEGONIA COURT RETAINING WALL**, as provided in Chapters 21.201 and 21.50 of the Carlsbad Municipal Code; and

WHEREAS, the Planning Commission did, on **December 16, 2020**, hold a duly noticed public hearing as prescribed by law to consider said request;

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to the Coastal Development Permit and Variance.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad, as follows:

- A) That the above recitations are true and correct.

- B) That based on the evidence presented at the public hearing, the Commission **RECOMMENDS DENIAL** of **CDP 2020-0026/V 2020-0004 – BEGONIA COURT RETAINING WALL**, based on the following findings and subject to the following conditions:

Findings:

Coastal Development Permit (CDP 2020-0026)

1. The proposed development is not in conformance with the Certified Local Coastal Program and all applicable policies in that the site is known for geologic instability due to the unpermitted grading and construction of an unpermitted retaining wall system. A geotechnical evaluation provided by the applicant and prepared by Advanced Geotechnical Solutions, Inc., dated October 9, 2019 (see Attachment 8) confirms the slope stability has been compromised and does not meet minimum safety standards for static or seismic conditions. The geotechnical evaluation offered conceptual options to mitigate the structure; however, the applicant's engineer did not provide adequate technical information to determine if the subject slope area would be stable or if the impacts would be mitigatable for at least seventy-five years or for the life of the structure. The city requested specific structural details related to the retaining walls and retrofitting of the walls. The applicant refused to provide the information and the applicant's engineer stated that the specifics regarding the retrofit would be on a design-build basis (see Attachment 9). A design-build basis implies that the necessary information to demonstrate the feasibility of the retrofit would only be provided after the coastal development permit and variance are approved, but the city does not have the information to rely upon in order to approve the project. Therefore, staff does not have the necessary information to make the determination that the slope would be stable, or if the impacts would be mitigatable for at least seventy-five years or for the life of the structure. In addition, the geotechnical evaluation did not address compliance with the requirements of the Coastal Zone or Zoning Ordinance. Therefore, the project is not consistent with the intent and purpose of the Certified Local Coastal Program in that it does not preserve or protect steep manufactured slopes, nor does the project ensure structural stability of the slope from erosion, geological instability or destruction of the site or surrounding area. The project does not meet this finding.
2. The project is not consistent with the provisions of the Coastal Resource Protection Overlay Zone (Chapter 21.203 of the Zoning Ordinance) because the geotechnical evaluation did not provide adequate information for staff to confirm that the project will avoid increased urban runoff, pollutants and soil erosion and there is a steep slope (equal to or greater than 25 percent gradient) of approximately 55 percent located on the subject property. The project does not meet this finding based on the analysis in finding number 1 above.
 - a. The applicant provided a geotechnical evaluation that was prepared by a licensed engineer who inspected the unpermitted retaining wall system and determined the wall system is structurally faulty because the fill has not been compacted to a minimum percentage that is safe. In addition, the evaluation finds that the slope is not safe for long term stability for static conditions or seismic conditions. The geotechnical evaluation included three options to remediate the wall system to make it structurally sound which are: A) remove the existing walls and undocumented fill and replace it with a new five-foot wall near the toe of the slope with an ascending fill slope located above the wall, and rebuild a new wall system constructed near the top of the fill slope; B) remove the walls and undocumented fill and restore the existing slope; or C) leave the existing walls in place with considerable reinforcement effort, which may require encroachment onto the adjacent properties that will require authorization

from the property owners. Although the geotechnical evaluation offered conceptual options to mitigate the structure, the applicant's engineer did not provide adequate technical information to determine if the subject slope area would be stable or if the impacts would be mitigatable for at least seventy-five years or for the life of the structure as described in more detail in Section III(C)(1)(a) of the staff report above.

- b. The grading of the manufactured uphill perimeter slope is not essential for the development intent and design of a single-family residential property. If it were essential, it would have been done with the original grading of the overall subdivision development. Grading is only necessary to retain the unpermitted retaining wall system, but the walls are not a permitted structure on a manufactured uphill perimeter slope in accordance with CMC Chapter 21.95 – Hillside Development Regulations. In addition, grading on a manufactured uphill perimeter slope beyond the six-foot limitation is only allowed in the Coastal Zone when it is necessary to preserve onsite natural habitat as required by the city's Habitat Management Plan. The project site is in the Coastal Zone but there is no natural habitat onsite that is required to be preserved; therefore, the grading of the slope is not essential to the development. The project does not meet this finding.

Variance (V 2020-0004)

3. The applicant's justification does not speak to special circumstances related to the subject property, or loss of privileges enjoyed by other properties, but instead speaks to circumstances the applicant created through the illegal grading and construction of the retaining wall system. There are no special circumstances associated with the property, including size, shape, topography, location or surroundings, such that the strict application of the zoning ordinance would deprive the property of privileges enjoyed by the other homes in the vicinity and in the R-1 Residential zone. The property is of average size (17,146 sq. ft.) in the neighborhood and is a typical pie-shaped lot that is found on a cul-de-sac street. The other lots in the vicinity range in size from about 12,000 to about 19,000 square feet in size. The 55 percent manufactured uphill perimeter slope is characteristic of the adjacent properties and other properties in the vicinity. The strict application of the zoning code does not deprive the property of privileges enjoyed by other property owners because retaining walls that exceed the hillside development standards on a manufactured uphill perimeter slope are unpermitted for all residential properties. The retaining wall system is decorative and does not constitute relief from unique difficulties or hardships associated with the property in question.
4. The variance would constitute a grant of special privileges that is inconsistent with the limitations upon other properties in the vicinity and zone. All properties in the vicinity and the R-1 Residential zoning designation in the Coastal Zone are subject to the same Hillside Development Ordinance regulations that are in effect, which prohibit retaining walls from being constructed beyond what is allowed on a manufactured uphill perimeter slope. No other properties in the vicinity have similar, permitted retaining walls on the manufactured uphill perimeter slope. To approve the subject variance would be a grant of special privileges to this property that other properties in the vicinity do not enjoy.
5. The granting of this variance would authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the subject property. The fact that the retaining wall system is existing because it has been constructed without city approval is not appropriate justification to approve the variance. As designed, the unpermitted retaining wall system is

prohibited per CMC Chapter 21.95 – Hillside Development Regulations which governs development on manufactured uphill perimeter slopes. CMC Chapter 21.95 allows for modifications to development on slopes; however, modifications are prohibited in the Coastal Zone unless it is necessary to preserve natural habitat as required by the city’s Habitat Management Plan. The subject property is in the Coastal Zone, but there is no native habitat on site and the project is not necessary to preserve natural habitat. Therefore, granting the variance would authorize an activity that is expressly not authorized within the applicable zoning regulations.

6. The granting of this variance is not consistent with the general purpose and intent of the General Plan. The subject property is designated Residential (R – 4) General Plan Land Use designation and although walls are a typical component of residentially designated areas, the subject retaining wall system is not consistent with the development of single-family lots with a manufactured uphill perimeter slope within the Coastal Zone. The subject retaining wall system also does not promote the Hillside Development Ordinance intent to enhance the aesthetic qualities of manufactured slopes and is not consistent with the Hillside Development and Design Guidelines acknowledgment that manufactured slopes of greater than 40% gradient and greater than 15 feet in height are regarded as important aesthetic, visual resources because they provide visually open, vertical separations between developed pads in hilly areas and between developed pads and roadways. As a result, the project does not preserve the existing neighborhood atmosphere and identity of the existing residential area.
7. The granting of this variance would not be consistent with the general purpose and intent of the certified local coastal program and does reduce or adversely affect the requirements for protection of coastal resources. One of the purposes of the certified local coastal program is to preserve and protect natural and manufactured slopes in the coastal resource protection overlay zone area and to ensure stability and structural integrity of the slopes from erosion, geologic instability, or destruction of the site. The unpermitted grading that has occurred to construct the unpermitted and unengineered retaining wall system has compromised the stability of the slope. To retain the wall system will require considerable reinforcement and the structural integrity of reinforcing the walls has not been determined since the applicant has refused to provide such information at this time as described in detail previously in the staff report. Therefore, the feasibility of retaining the wall system and stabilizing the slope in accordance with the requirements for protection of the local coastal resources is unknown.

Condition:

1. Within 60 days from the date of the City Council action, or as otherwise specified in the Code Compliance Agreement and Release for Code Enforcement Case No. CC 2018-0902, the property owner shall apply for the necessary permits such as but not limited to a grading permit and coastal development permit to remove the unpermitted retaining wall system and restore the slope to comply with CMC Section 21.95.140(C)(1)(a)(i).

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad, California, held on **December 16, 2020**, by the following vote, to wit:

AYES:

NOES:

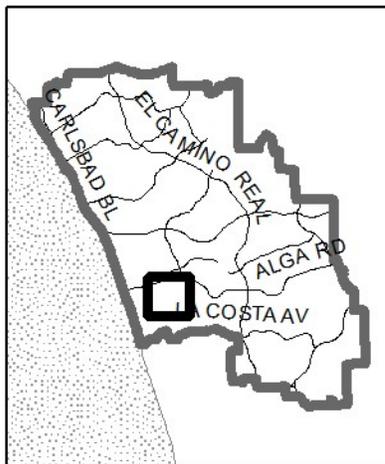
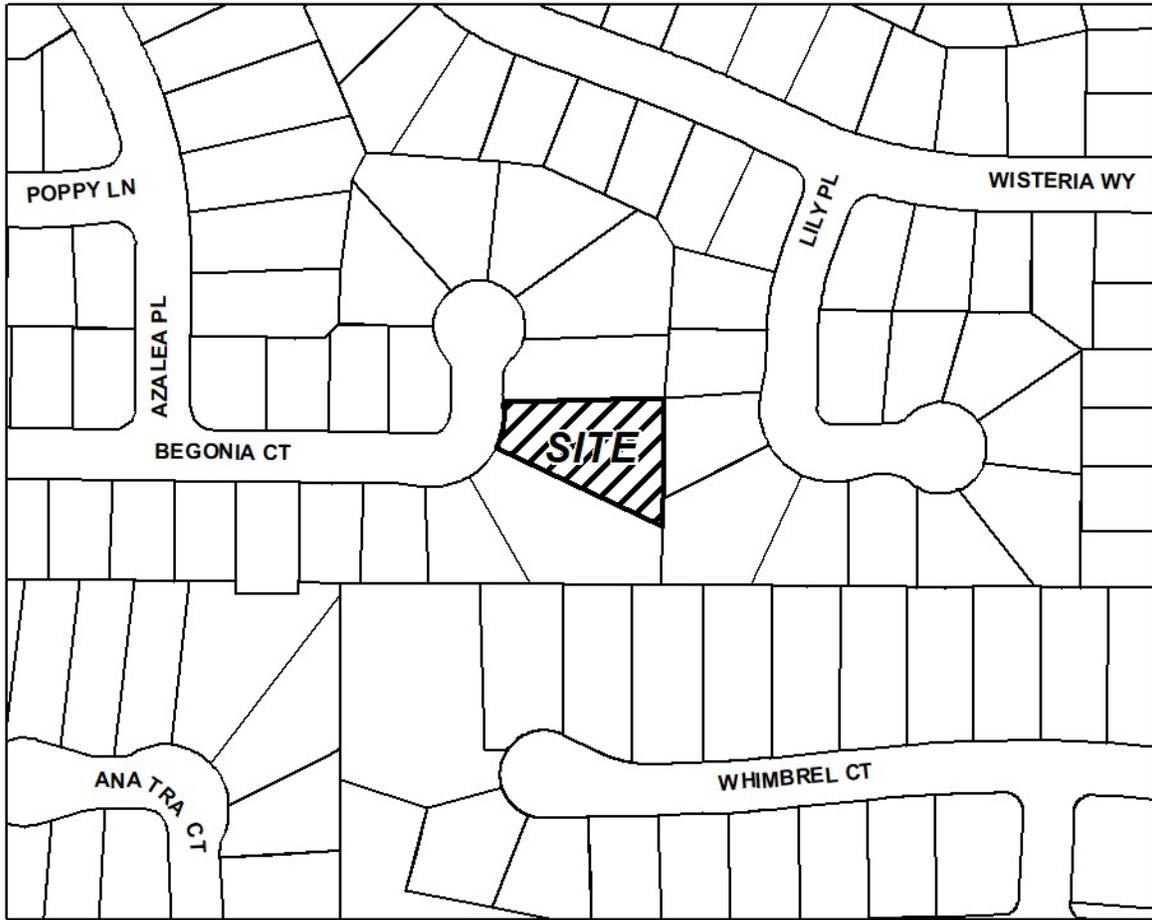
ABSENT:

ABSTAIN:

VELYN ANDERSON, Chair
CARLSBAD PLANNING COMMISSION

ATTEST:

DON NEU
City Planner



SITE MAP



NOT TO SCALE

Begonia Court Retaining Wall CDP 2020-0026/V 2020-0004



DISCLOSURE STATEMENT P- 1(A)

Development Services

Planning Division
1635 Faraday Avenue
(760) 602-4610
www.carlsbadca.gov

Applicant's statement or disclosure of certain ownership interests on all applications which will require discretionary action on the part of the City Council or any appointed Board, Commission or Committee.

The following information **MUST** be disclosed at the time of application submittal. Your project cannot be reviewed until this information is completed. Please print.

Note:

Person is defined as "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, in this and any other county, city and county, city municipality, district or other political subdivision or any other group or combination acting as a unit."

Agents may sign this document; however, the legal name and entity of the applicant and property owner must be provided below.

1. **APPLICANT** (Not the applicant's agent)

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

Person Valerie Lichman Corp/Part _____
 Title Trustee of Valerie Lichman Trust Title _____
 Address 860 Bernard Way, San Bernardino, CA 92404 Address _____

2. **OWNER** (Not the owner's agent)

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having any ownership interest in the property involved. Also, provide the nature of the legal ownership (i.e., partnership, tenants in common, non-profit, corporation, etc.). If the ownership includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

Person Rene Lichtman Corp/Part _____
 Title Agent of Owner and Beneficiary of Trust Title _____
 Address 860 Bernard Way Address _____
San Bernardino, CA 92404 _____

3. **NON-PROFIT ORGANIZATION OR TRUST**

If any person identified pursuant to (1) or (2) above is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the non-profit organization or as trustee or beneficiary of the.

Non Profit/Trust The Valerie Lichtman Revocable Trust
Title Owner
Address 860 Bernard Way
San Bernardino, CA 92404

Non Profit/Trust _____
Title _____
Address _____

4. Have you had more than \$500 worth of business transacted with any member of City staff, Boards, Commissions, Committees and/or Council within the past twelve (12) months?

Yes No If yes, please indicate person(s): _____

NOTE: Attach additional sheets if necessary.

I certify that all the above information is true and correct to the best of my knowledge.

X Valerie Lichtman 3/9/2020
Signature of owner/date

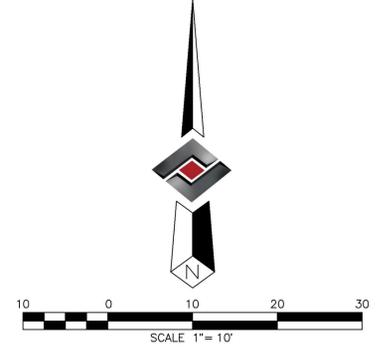
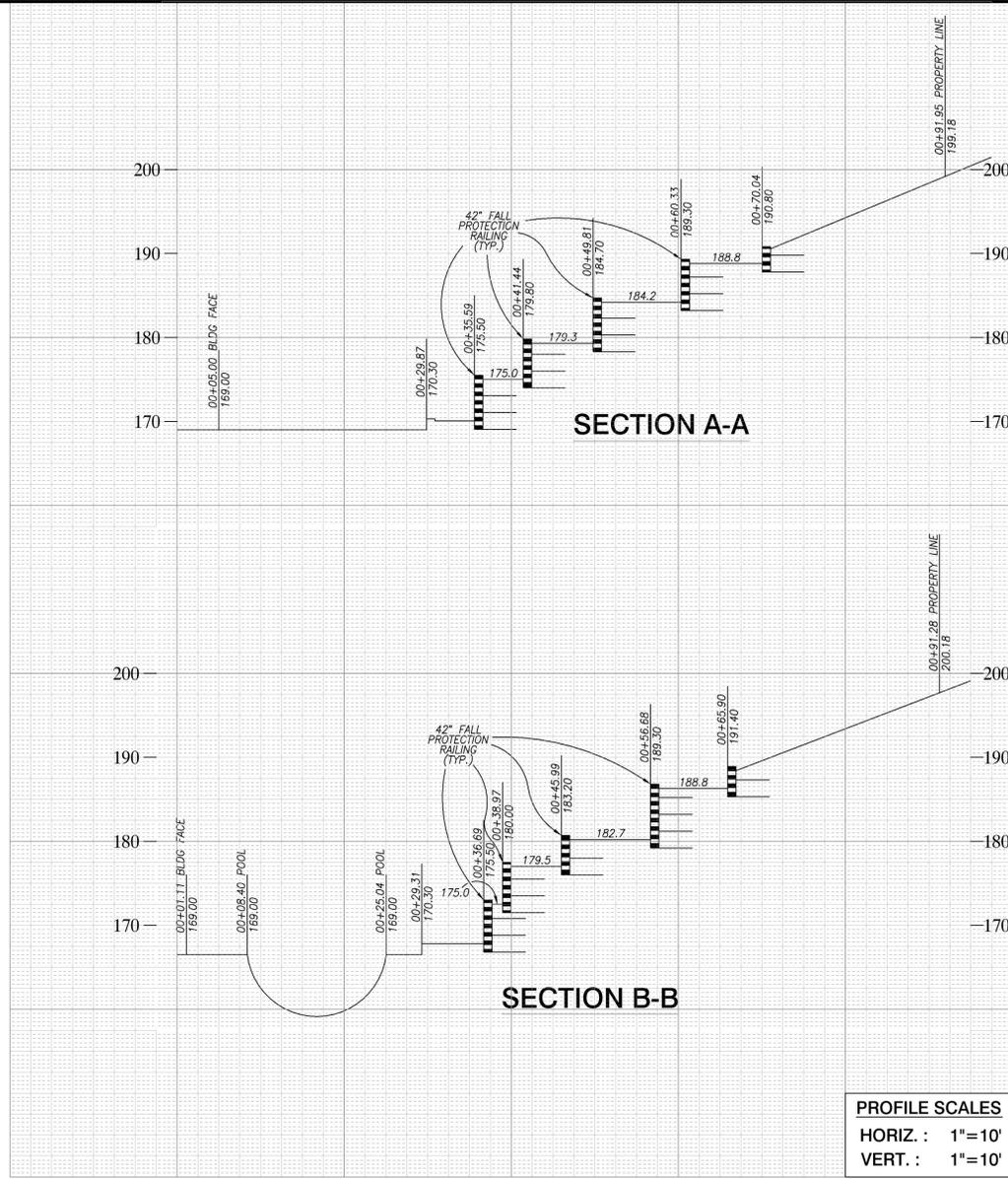
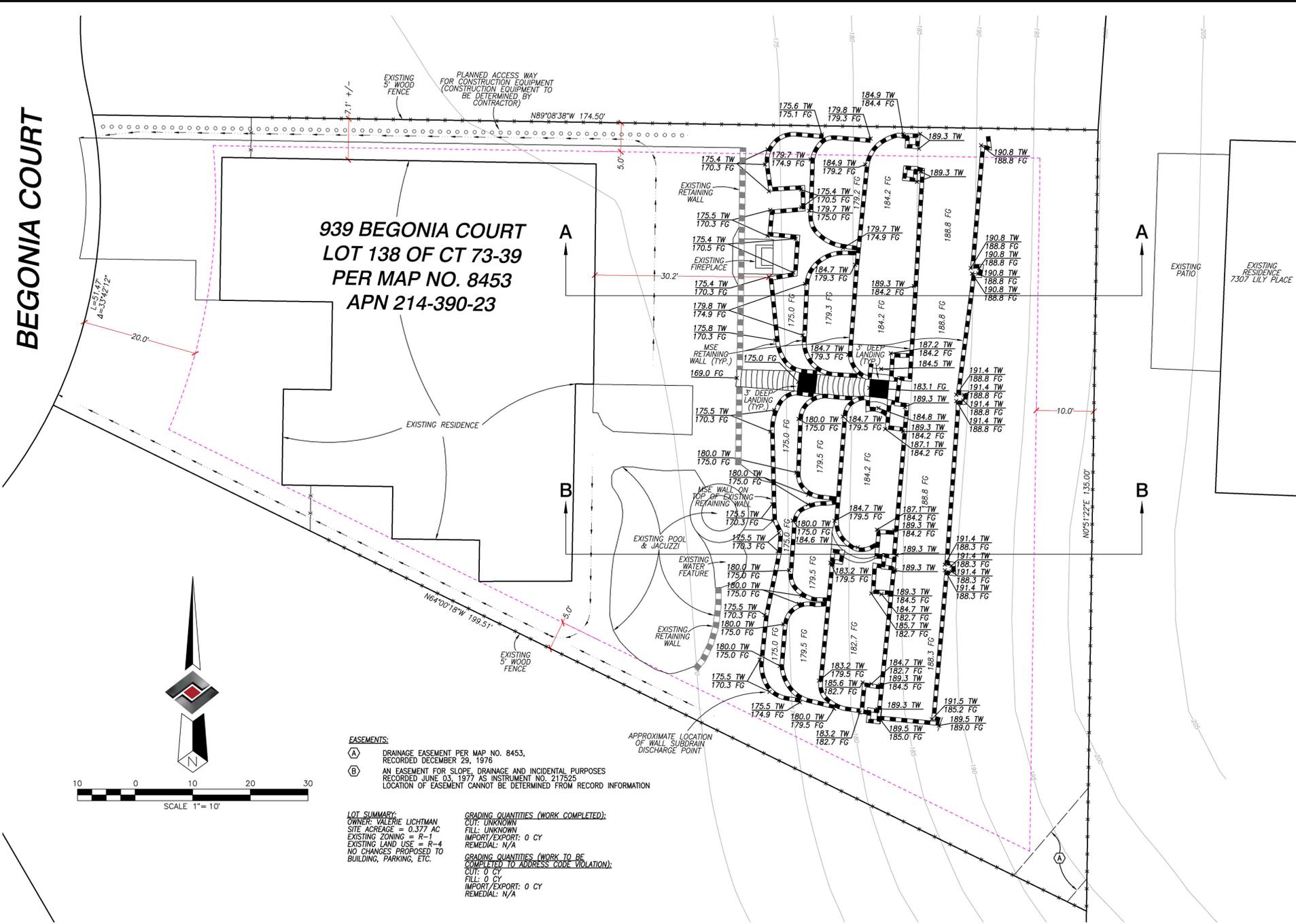
X Rene Licht 3/9/2020
Signature of applicant/date

Valerie Lichtman, Trustee
Print or type name of owner

Rene Lichtman
Print or type name of applicant

X Rene Licht 3/9/2020
Signature of owner/applicant's agent if applicable/date

Rene Lichtman, Agent
Print or type name of owner/applicant's agent

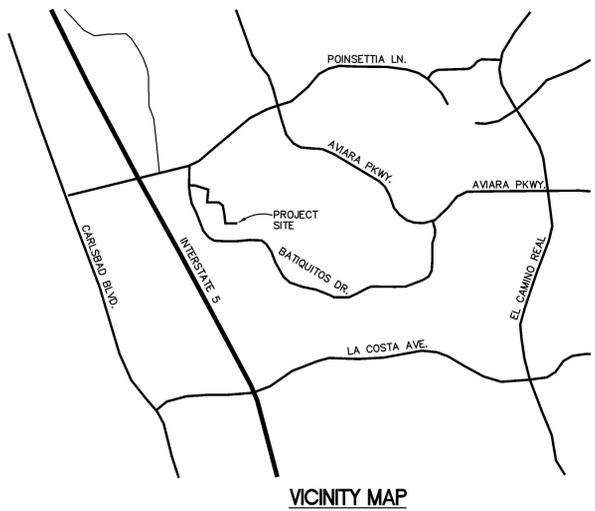


EASEMENTS:
 (A) DRAINAGE EASEMENT PER MAP NO. 8453, RECORDED DECEMBER 29, 1976
 (B) AN EASEMENT FOR SLOPE, DRAINAGE AND INCIDENTAL PURPOSES RECORDED JUNE 03, 1977 AS INSTRUMENT NO. 217525 LOCATION OF EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION

LOT SUMMARY:
 OWNER: VALERIE LICHTMAN
 SITE AREA = 0.377 AC
 EXISTING ZONING = R-1
 EXISTING LAND USE = R-4
 NO CHANGES PROPOSED TO BUILDING, PARKING, ETC.

GRADING QUANTITIES (WORK COMPLETED):
 CUT: UNKNOWN
 FILL: UNKNOWN
 IMPORT/EXPORT: 0 CY
 REMEDIAL: N/A

GRADING QUANTITIES (WORK TO BE COMPLETED TO ADDRESS CODE VIOLATION):
 CUT: 0 CY
 FILL: 0 CY
 IMPORT/EXPORT: 0 CY
 REMEDIAL: N/A



DESIGN AND CONSTRUCTION NOTES:

- EXISTING MSE WALLS TO BE PERMITTED.
- APPROXIMATE CURRENT GEOGRID LENGTH OF 4'.
- RETROFITTING OF WALLS TO BE ACCOMPLISHED BY INSTALLING SOIL NAILS AND CORRESPONDING NEW FACING.
- PROVIDE 42" FALL PROTECTION RAILING.
- PROPOSED WALL ANCHORS (SOIL NAILS) AND/OR GEOGRID SHALL NOT EXTEND BEYOND PROPERTY LINE WITHOUT WRITTEN APPROVAL FROM ADJACENT PROPERTY OWNER.
- REFERENCE GEOTECHNICAL REPORT FOR SOIL SPECIFICATIONS.
- PRECISE DESIGN (INCLUDING NAIL SCHEDULE, WALL DRAINAGE, FACING THICKNESS, GLOBAL STABILITY) TO BE ADDRESSED AT FINAL ENGINEERING.
- CONSTRUCTION MEANS AND METHODS SHALL BE PER CONTRACTOR.



PREPARED BY:



FUSION ENGINEERING & TECHNOLOGY
 4231 BALBOA AVE, #619
 SAN DIEGO, CA 92117
 (619) 736-2800

PRELIMINARY SITE PLAN
LICHTMAN RESIDENCE
939 BEGONIA COURT
 CITY OF CARLSBAD, CALIFORNIA

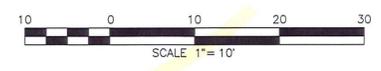
MAP
 1
 OF
 1

BEGONIA COURT

939 BEGONIA COURT
LOT 138 PER MAP NO. 8453
APN 214-390-23

LOT SUMMARY:
SITE ACREAGE = 0.377 AC
EXISTING ZONING = R-1
EXISTING LAND USE = R-4
NO CHANGES PROPOSED TO
BUILDING, PARKING, ETC.

MSE WALL NOTE:
INSTALLED MECHANICALLY
STABILIZED EARTH
RETAINING WALL SYSTEM
TO BE REINFORCED WITH
SOIL NAILS.



PLOT ACCESS WAY FOR EQUIPMENT
AND DIMENSION CLEARANCE
SMALL DIMENSION OF LARGE
EQUIPMENT REQUIRED.

EQUIPMENT PER CONTRACTOR DURING
CONSTRUCTION

CONSTRUCTED RETAINING WALLS TO BE PERMITTED

SECTION A-A

SECTION B-B

NOTE ADDED REFERRING TO FINAL
ENGINEERING DESIGN AND
CONTRACTOR MEANS AND METHODS.

NOTE ADDED PER GEOTECHNICAL
REPORT, CURRENT AND
FORTHCOMING FINAL ENGINEERING.

155 Rev.
6/19/20
J.P. Rice

RECEIVED
MAR 23 2020
CITY OF CARLSBAD
PLANNING DIVISION

Lot Summary
OWNER: VALERIE LIGHTMAN, TRUSTEE OF THE VALERIE

LEGEND
(A) DRAINAGE BASEMENT PER MAP NO. 8453, RECORDED DECEMBER 21, 1976.
(B) AN EASEMENT FOR STAKE, DIMENSION AND INCLOSURE PURPOSES
DATE 03, 1977 AS INSTRUMENT NO. 217523
LOCATION OF EASEMENT CANNOT BE DETERMINED FROM RECORD INSTRUMENTS.

DRAINING QUANTITIES (WORK COMPLETED)

- CUT
- FILL
- EMBLT
- EXHBT
- REINFOR

DRAINING QUANTITIES (WORK TO BE COMPLETED TO ADDRESS CODE VIOLATION)

- CUT
- FILL
- EMBLT
- EXHBT
- REINFOR



PREPARED BY:
 Fusion Eng Tech
4231 Balboa Ave #619
San Diego CA
(619) 736-2800

PRELIMINARY SITE PLAN
LICHTMAN RESIDENCE
939 BEGONIA COURT
CITY OF CARLSBAD, CALIFORNIA

MAP
1
OF
1

- a. The Planning Director to the Planning Commission.
- b. The Planning Commission to the City Council.

II. HILLSIDE MAPPING PROCEDURES

The Hillside Mapping Procedures are found in Section 21.95.110 of the Carlsbad Municipal Code. At least three major items are needed to appropriately map and identify a hillside:

A. Slope Analysis

Exhibit 1 illustrates how to show slope classifications.

B. Slope Profiles:

Exhibits 2 and 3 illustrate examples of slope profiles.

C. Total Area of Grading and Grading Volumes

The grading of hillside lands should be kept to a minimum. Exhibits 4 and 5 illustrate clear ways to show the total area of grading and grading volumes.

D. Assurance of Accurate Hillside Mapping

The assurance of accurate Hillside mapping is to be provided by either a registered landscape architect or civil engineer land surveyor.

III. HILLSIDE DEVELOPMENT AND DESIGN STANDARDS

The Hillside Development and Design standards address the following development concepts.

- A. Coastal Zone Hillside Standards
- B. Development of Manufactured Slopes Greater than 40% Gradient
- C. Contour Grading
- D. Screening Manufactured Slopes
- E. Hillside and Hilltop Architecture

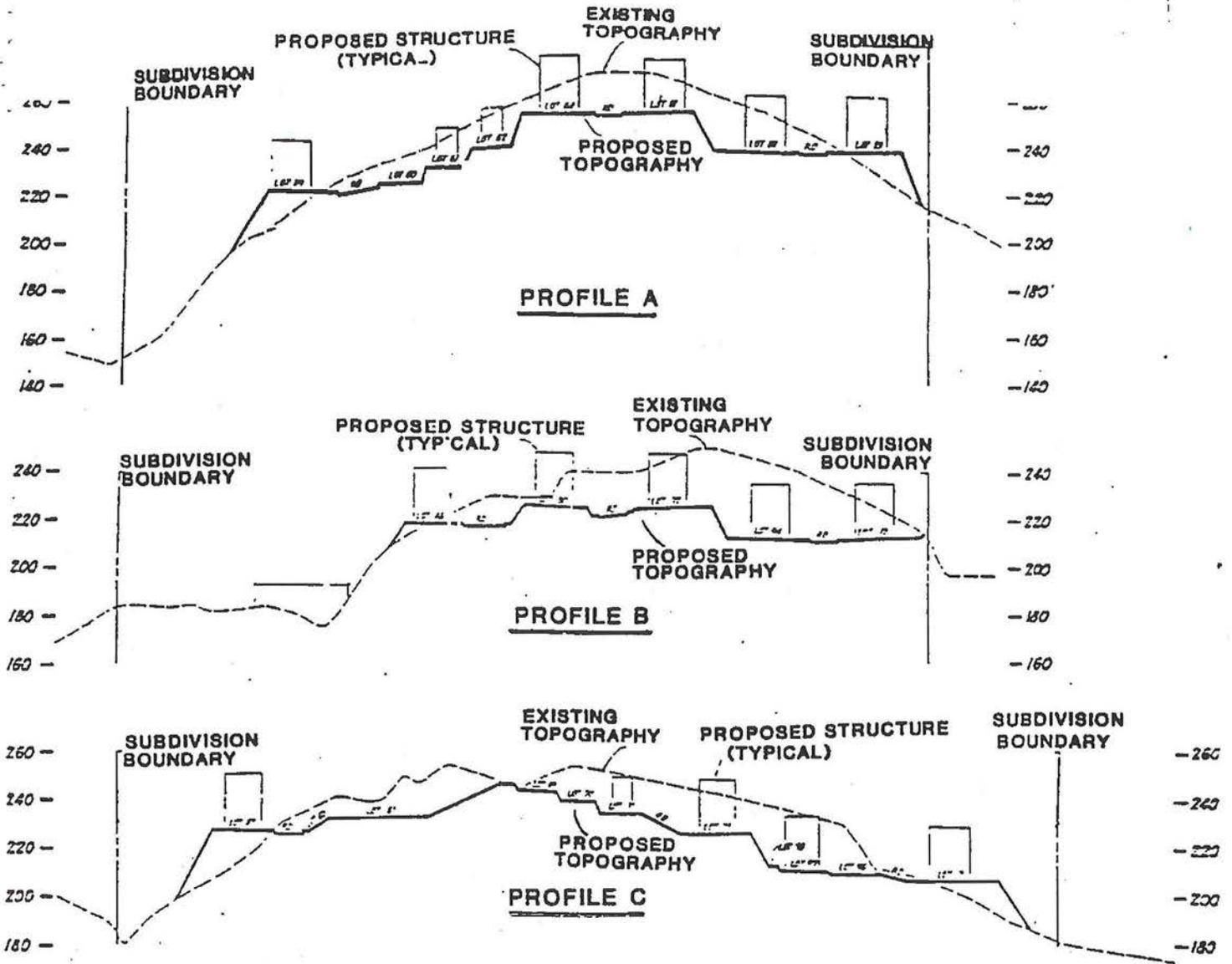
Slope Analysis: The following graphics illustrate ways to show slope classifications.



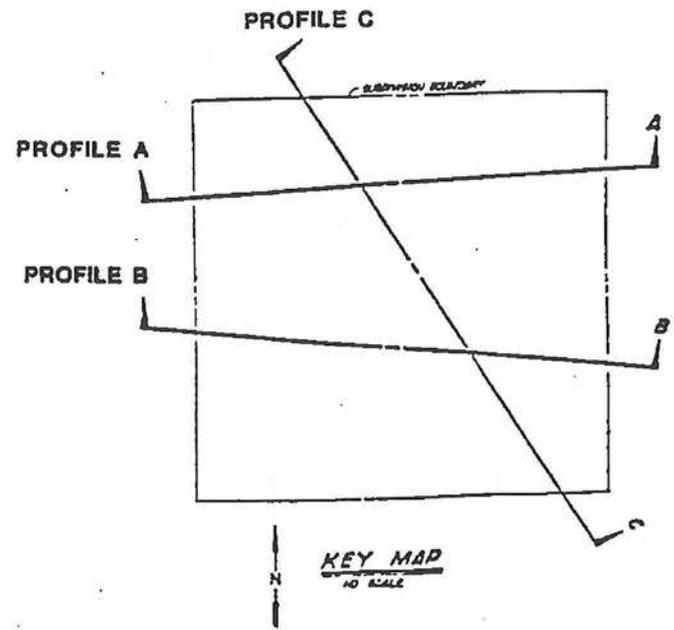
SITE BOUNDARY

SLOPE PERCENTAGE LEGEND

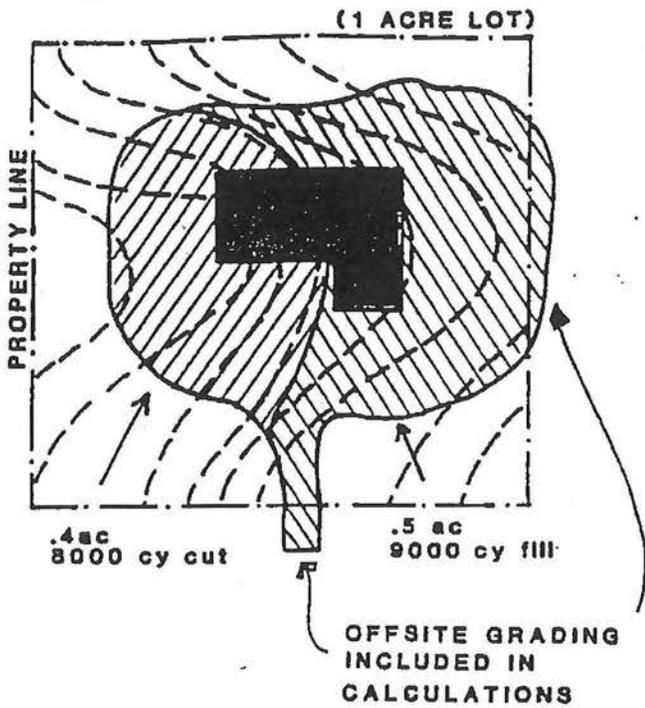
	AREA
○ 0-less than 15%	18.2ac
◐ 15-less than 25%	16.1ac
▨ 25-40%	3.5ac
● greater than 40%	<u>2.7ac</u>
	40.5ac TOTAL SITE



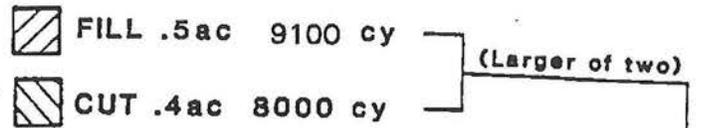
TO BE PREPARED AT SAME SCALE AS TENTATIVE MAP



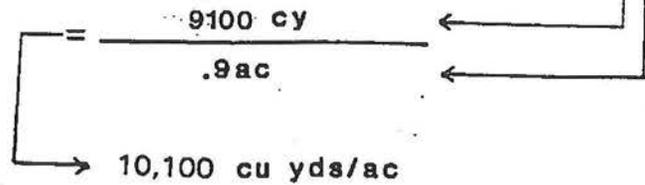
NOT ACCEPTABLE - EXCEEDS 10,000 cy/ac



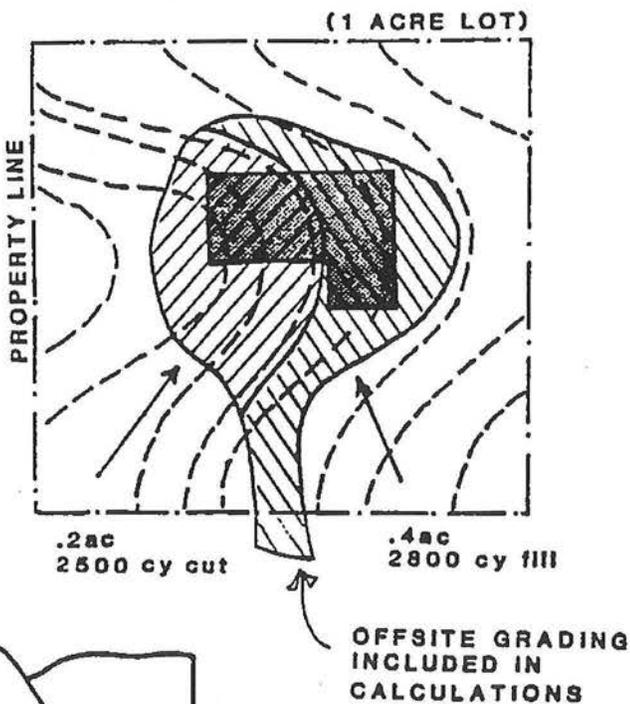
PROPOSED GRADING



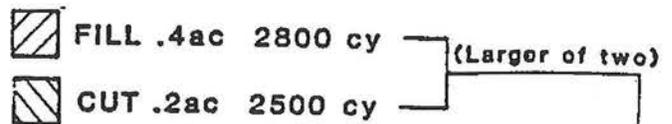
TOTAL SITE AREA: 1ac
TOTAL GRADED AREA .9ac



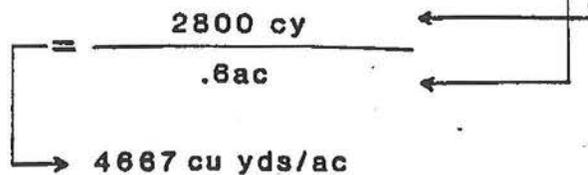
ACCEPTABLE



PROPOSED GRADING



TOTAL SITE AREA 1ac
TOTAL GRADED AREA .6ac



TOTAL AREA
OF GRADING &
GRADING VOLUMES

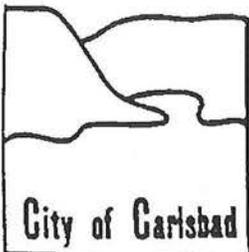
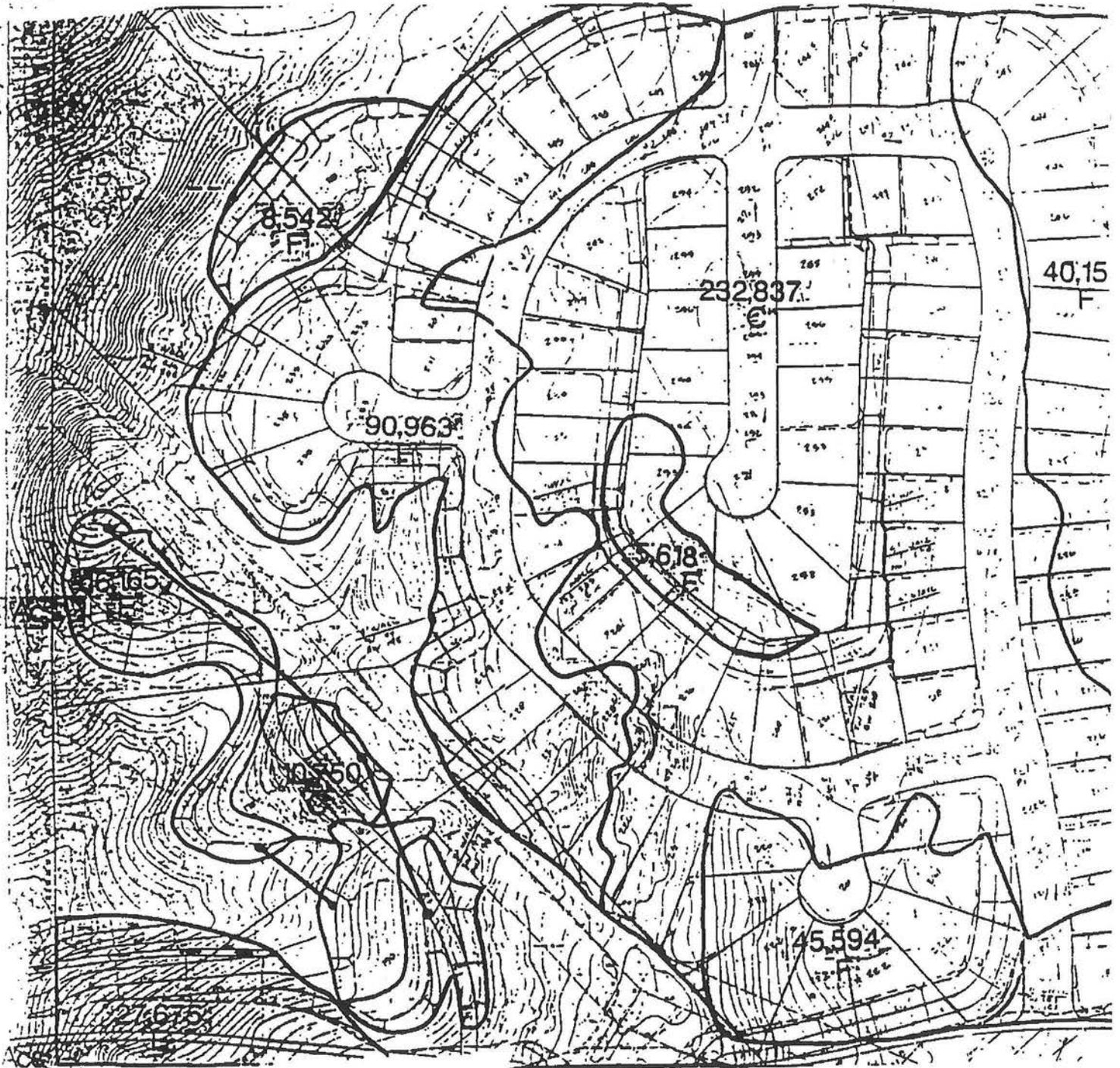
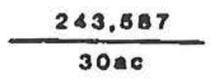


EXHIBIT 5



	<u>CUBIC YDS.</u>	<u>AREA (AC.)</u>
Natural	0	10
Cut	243,587	18
Fill	234,711	12
Export	8,876	40



8119 cuyd/graded ac.

- F. Building Setbacks
- G. Roadway Design
- H. Hillside Drainage

The following exhibits illustrate some of these concepts. These illustrations do not include all potential design solutions for meeting the Hillside Development Regulations, however they do show conceptual designs which fulfill the regulations intent. Land planners, site designers, engineers, and architects are encouraged to explore additional design solutions that fulfill the intent, purpose and specific requirements of Carlsbad's Hillside Development Regulations.

A. Coastal Zone Hillside Standards

Carlsbad's Local Coastal Program (LCP) and Chapters 21.38 and 21.201 - 21.203 of the Carlsbad Municipal Code implements the California Coastal Act. As shown on Exhibit 6, Carlsbad's Local Coastal Program is divided into six segments. Certain segments of Carlsbad's LCP require additional conservation of hillside areas. Wherever LCP hillside restrictions differ from Carlsbad's Hillside Development Regulations, the more restrictive aspect of each regulation shall be met. All segments except the Agua Hedionda segment and the Village Redevelopment segment have the same Hillside Development restrictions. The following regulations are taken directly from Carlsbad's Local Coastal Program.

For Agua Hedionda segment the following special requirements must be met:

Policy 4.4 Recognizing the unique environmental features of the lagoon and its environs and the sensitivity of the area to soil erodibility and sedimentation, development shall be regulated as follows:

- a. Development on existing subdivided lots having all of their area in slopes of 25% or greater shall be permitted, but grading shall be limited to minimal site preparation for pole-type footings. Driveway/parking areas shall be limited in size and shall be restricted to an area adjacent to the local streets. On-site vegetation shall not be disturbed beyond the minimal area needed to be cleared for the construction process, which shall be clearly delineated on approved site plans.
- b. Development, grading and landform alteration in steep slope areas (25%) shall be restricted. Exceptions may include encroachments by roadways and utilities necessary to reach developable area. The maximum allowable density shall be calculated on the total lot area, although this may be modified through setbacks, plan review, or other requirements of this plan and applicable city regulations.
- c. Use of the Planned Development (PD) Ordinance and cluster development shall be required in areas containing environmentally sensitive resources, extensive steep slope areas and significant natural landform features.

There are no Coastal Zone Hillside Standards within the Village Redevelopment Segment.

For all other segments of Carlsbad's LCP the following policy regulates the development of hillsides:

Any development proposal that affects steep slopes (25% inclination or greater) shall be required to prepare a slope map and analysis for the affected slopes. The slope mapping analysis shall be prepared during the CEQA environmental review on a project-by-project basis and shall be required as a condition of a coastal development permit.

1) Slopes Possessing Endangered Species and/or Coastal Sage Scrub and Chaparral Plant Communities:

For those slopes mapped as possessing endangered plant/animal species and/or coastal sage scrub and chaparral plant communities, the following policy language would apply:

- a) Slopes of 25% grade and over shall be preserved in their natural state, unless the application of this policy would preclude any reasonable use of the property, in which case an encroachment not to exceed 10% of the steep slope area over 25% grade may be permitted. For existing legal parcels, with all or nearly all of their area in slope area over 25% grade, encroachment may be permitted; however, any such encroachment shall be limited so that at no time is more than 20% of the entire parcel (including areas under 25% slope) permitted to be disturbed from its natural state. This policy shall not apply to the construction of roads on the City's Circulation Element or the development of utility systems. Uses of slopes over 25% may be made in order to provide access to flatter areas if there is no less environmentally damaging alternative available.
- b) No further subdivisions of land or utilization of Planned Unit Development shall occur on lots that have their total area in excess of 25% slope unless a planned Unit Development is proposed which limits grading and development to not more than 10% of the total site area.
- c) Slopes and areas remaining undisturbed as a result of the hillside review process, shall be placed in a permanent open space easement as a condition of development approval. The purpose of the open space easement shall be to reduce the potential for localized erosion and slide hazards, to prohibit the removal of native vegetation except for creating firebreaks and/or planting fire retardant vegetation and to protect visual resources of importance to the entire community.

2) All other Steep Slope Areas:

For all other steep slope areas, the City Council may allow exceptions to the above grading provisions provided the following mandatory findings to allow exceptions are made:

- a) A soils investigation conducted by a licensed soils engineer has determined the subject slope area to be stable and grading and development impacts mitigatable for at least 75 years, or life of structure.
- b) Grading of the slope is essential to the development intent and design.
- c) Slope disturbance will not result in substantial damage or alteration to major wildlife habitat or native vegetation areas.
- d) If the area proposed to be disturbed is predominated by steep slopes and is in excess of 10 acres, no more than one third of the total steep slope area shall be subject to major grade changes.
- e) If the area proposed to be disturbed is predominated by steep slopes and it less than 10 acres, complete grading may be allowed only if no interruption of significant wildlife corridors occur.
- f) Because north-facing slopes are generally more prone to stability problems and in many cases contain more extensive natural vegetation, no grading or removal of vegetation from these areas will be permitted unless all environmental impacts have been mitigated. Overriding circumstances are not considered adequate mitigation.

3) Required Runoff Control Plan:

No development shall be permitted except pursuant to submittal of a runoff control plan prepared by a licensed engineer qualified in hydrology and hydraulics; such approved plans shall assure that there would be no increase in peak runoff rate from the developed site over the greatest discharge expected from the existing undeveloped site as a result of a 10-year frequency storm. Runoff control shall be accomplished by a variety of measures, including, but not limited to, onsite catchment basins, detention basins, siltation traps, and energy dissipators, and shall not be concentrated in one area.

4) Required Drainage or Erosion Control Facility Maintenance Arrangements:

Development approvals shall include detailed maintenance arrangements for providing the on-going repair and maintenance for all approved drainage or erosion-control facilities.

5) Installation and Timing of Permanent Runoff and Erosion Control Devices:

All permanent run-off control and erosion-control devices shall be developed and installed prior to or concurrent with any onsite grading activities.

6) Required Open Space Easements on Undeveloped Slopes:

All undevelopable slopes shall be placed in open space easements as a condition of development approval.

Items 3-6 may be required of all development that requires grading. Carlsbad's Hillside Development Regulations recognize that the Hillside Conservation Policies of Carlsbad's LCP segments must be met in addition to the requirements of Chapter 21.95.

B. Manufactured Slopes of Greater than 40% Gradient which are Greater than 15 in Height

Manufactured slopes of greater than 40% gradient which are greater than 15 feet in height are regarded as important aesthetic (visual) resources in that they provide vertical open space separation between developed pads and developed pads and roadways (See Exhibit 7). For this reason, the development of buildings upon such downhill manufactured slopes which are visible from roadways or adjoining properties is prohibited. However, for residential and non-residential uses, limited development upon such uphill perimeter manufactured slopes would be permitted and for non-residential uses limited development upon downhill perimeter manufactured slopes would be permitted as shown on Exhibits 8 - 10.

C. Contour Grading

Contour grading creates manufactured slopes in a rounded, undulating pattern that blend into and mimic the surrounding natural hillside. Exhibits 11 and 12 illustrate an acceptable contour grading concept along with an unacceptable manmade slope. The emphasis of the contour grading standard is to create contour graded slopes in areas where they would be visible (i.e., along Circulation Element roadways, collector streets and useable open space areas).

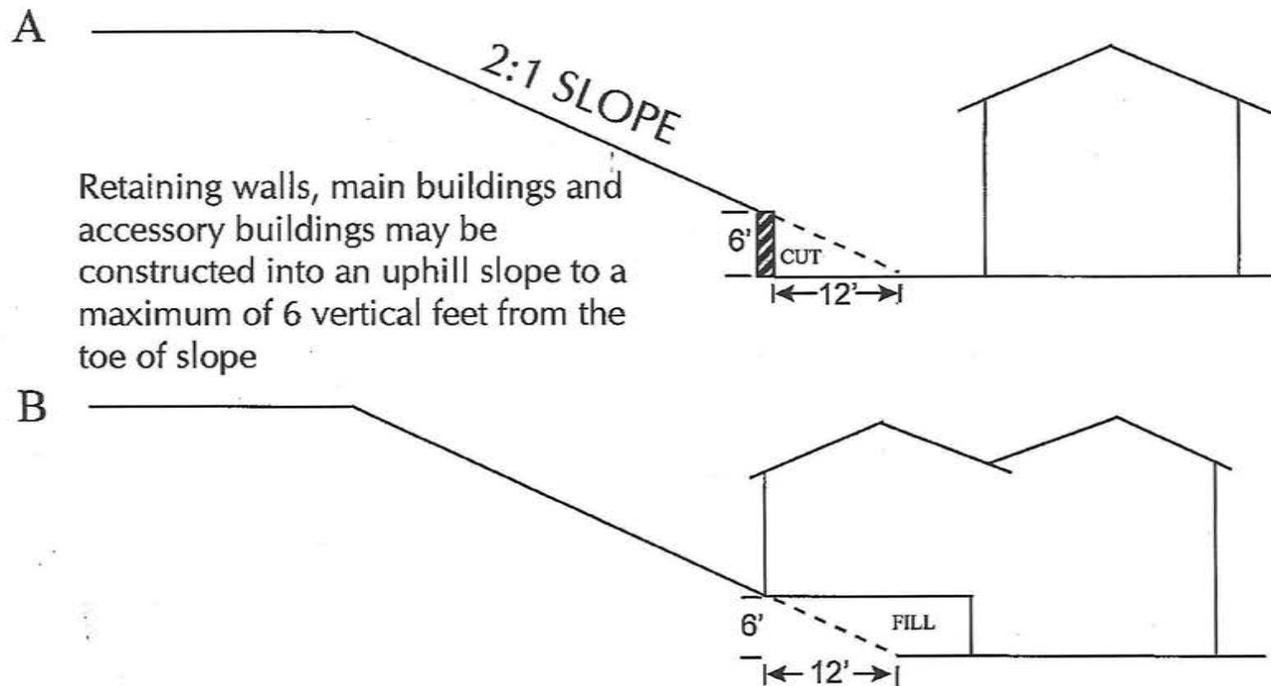
D. Screening Manufactured Slopes

The screening of manufactured slopes is of considerable importance. Exhibits 13 and 14 illustrate the use of a variety of landscape materials to soften the appearance of the manufactured slope. Another way to accomplish this includes using the building itself as a screening devise.

E. Hillside and Hilltop Architecture

Hillside and hilltop architecture should be customized to specific hillside conditions. It is strongly recommended that the project architect begin conceptual design work only after becoming fully aware of both the specific hillside site and the Hillside Development Regulations. A preliminary review by staff of the conceptual design is also recommended before any final design is submitted.

Permitted Residential And Non-Residential Development Of Uphill Perimeter Manufactured Slopes



PETITION REGARDING PERMIT RETAINING WALL IN CITY OF CARLSBAD

ATTACHMENT 6

We, the citizens of the City of Carlsbad, petition the City to allow the permit of the currently existing retaining wall located at the premises located at: 939 Begonia Court, Carlsbad.

We live in the neighborhood where the current retaining wall is located. It enhances the value of our property and does not pose a threat to public safety. It will be over-burdensome and disruptive to our neighborhood if it is forced to be removed by the City. We therefore petition that the wall be permitted.

Allowing the permitting of the existing wall will avoid a lengthy nuisance in our neighborhood in both noise and possible ingress and egress over our properties. In addition, it will avoid heavy machinery and vast amounts of dirt and soil to be moved in and around our streets and properties. It will also avoid the possible instability of the hill on which the retaining wall is situated, if the wall is forced to be removed.

We demand that the Planning and Zoning Commissions allow a permit of the retaining wall at 939 Begonia Court in our neighborhood. We have listed our address below to be notified of any and all Planning and Zoning Commission meetings as well as meetings with the City Counsel regarding this matter.

Name	Address	Signature
Mark Baldwin	7212 Azalea Place Carlsbad CA 92011	M.D. Baldwin
Kathryn Bachman	7212 Azalea Place Carlsbad, CA 92011	Kathryn Bachman
Reagan West	7210 Azalea Place Carlsbad, CA 92011	[Signature]
JAMES STEPP	7107 AZALEA PLACE CARLSBAD 92011	J. Stepp
Sandy Ross	7201 AZALEA PLACE CARLSBAD 92011	Sandra P. Ross
MICHAEL ROSS	7201 AZALEA PL. CARLSBAD CA 92011	Michael Ross
ED SCARPELLI	929 ORCHID WAY CARLSBAD 92011	[Signature]
Laura Scarpelli	929 Orchid Way Carlsbad 92011	Laura Scarpelli

Name	Address	Signature
Deborah K. Heck	915 Poppy Ln 92011	
WILLIAM L. THOMPSON	914 Poppy Ln 92011	
Bill Walsh	910 Poppy Ln 92011	
Tricia Walsh	910 Poppy Ln 92011	
David Walsh	902 Poppy Lane	
BRIAN NORTON	909 POPPY LANE	
SCOTT CLARKE	912 POPPY LN	
STEFAN ASBOCK	923 BEGONIA CT	
AMY ASBOCK	923 BEGONIA CT	
Jon Eyer	7107 Primrose Way	
Lisa Eyer	7107 Primrose Way	
CAITLIN HANLEY	7106 Primrose Way	
Kelly Lewis	7105 Primrose Way	
Jason Lewis	7105 Primrose Way	
Keith Bryan	7104 Primrose Way	
	7102 Primrose Way 92011	Irene Bulmer
Joan Stanley	902 Daisy Ave	
Phil Acosta	906 Daisy Ave	

Name	Address	Signature
John Stewart	930 Begonia Ct	
SAM LEONARD	919 BEGONIA CT	
MIKE KENNEDY	932 Begonia Ct.	
STEVE JAWSON	927 BEGONIA CT.	
K. Rubin	920 BEGONIA CT	K Rubin
Michael Newt	918 Begonia	M. Newt
Lita Minn	907 Poppy Ln	
Clyde Surrrell	909 Begonia Ct	
Angel Ochoa	912 Begonia Ct	
Macy Teichert	914 Begonia Court	
John T. Barnes	7304 Azalea Pl	John Barnes
Ron Kieffe	921 Poppy Lane	Ron Kieffe
Gregg Lund	917 Poppy Lane	M. Lund
Maryj Hull	913 Poppy Lane	Maryj Hull
Brenda Olsen	944 Begonia Ct	Brenda Olsen
KEVIN HARRIS	942 BEGONIA CT	K.H.
SARAH HARRIS	942 Begonia Ct	Sarah Harris
Michael Heck	915 Poppy Ln	

PETITION REGARDING CURRENT RETAINING WALL IN CITY OF CARLSBAD

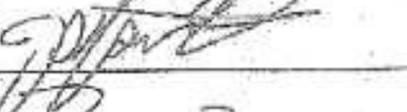
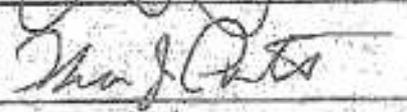
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Name	Address	Signature
JAMES COTHREN	910 BEGONIA COURT	James A. Cothran
Rick LOUGHERY	916 Begonia Ct	
BEATRICE PITA ROSAURD SANCHEZ	943 BEGONIA CT CARLSBAD 92011	Rosaur Sanchez
John Turberville	934 Begonia Ct 92011	
Pearl E Holmes	928 Begonia Ct 92011	Pearl E Holmes
Kevin Connors	921 Begonia Court 92011	
James Miranda	915 Begonia Ct.	
Valerie A Sorrells	909 Begonia Ct 92011	

Name	Address	Signature
Elnora Chambers	914 Daisy Ave, Carlsbad	
Georgia Sutherland	918 Daisy Ave	Carlsbad Ca
Joel Hawthorne	919 Orchid Way ⁹²⁰¹¹	
Poliana Miranda	919 Orchid Way ^{Carlsbad} 92011	
HAL LONAS	908 Orchid Way 92011	
Patrick Reuner	915 Orchid Way	
RYAN OPEKA	910 Oreano Way	
Amelia Hornbaker	909 Orchidway	
Theodore Fortson	906 Orchid Way	
Anndee	902 ORCHID WAY	
KEEL McWINE	901 Orchidway	
KELVIN DEESE	905 ORCHID WAY	

PETITION REGARDING CURRENT RETAINING WALL IN CITY OF CARLSBAD

We, the citizens of the City of Carlsbad, petition the City to allow the permit of the currently existing retaining wall located at the premises located at: 939 Begonia Court, Carlsbad.

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Name	Address	Signature
Linda Kranen	7305 Lily Pl	



AGS

ADVANCED GEOTECHNICAL SOLUTIONS, INC.
485 Corporate Drive, Suite B
Escondido, California 92029
Telephone: (619) 867-0487 Fax: (714) 409-3287

FUSION ENGINEERING & TECHNOLOGY
4231 Balboa Avenue, Suite 619
San Diego, CA 92117

October 9, 2019
P/W 1907-03
Report No. 1907-03-B-3

Attention: John Rivera, PE

Subject: Geotechnical Evaluation of Existing Mechanically Stabilized Earth Walls, 939 Begonia Court, City of Carlsbad, California

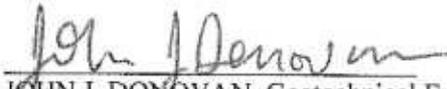
References: See Appendix

Gentlemen,

Pursuant to your request, Geotechnical Solutions, Inc., (AGS) has prepared this letter summarizing the results of our geotechnical evaluation of the existing mechanically stabilized earth (MSE) walls located in the rear yard of the existing single-family residence located at 939 Begonia Court, City of Carlsbad, California. Also provided are recommendations for remediating the current conditions.

AGS appreciates the opportunity to provide you with geotechnical consulting services on this project. If you have questions concerning this report, please do not hesitate to contact the undersigned at (619) 867-0487.

Respectfully Submitted,
Advanced Geotechnical Solutions, Inc.


JOHN J. DONOVAN, Geotechnical Engineer
RCE 65051/BGE 2790, Reg. Exp. 6-30-21


PAUL J. DERISI, Vice President
CEG 2536, Reg. Exp. 5-31-21

Distribution: (1) Addressee (pdf)



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CITY OF CARLSBAD
PLANNING DIVISION

ORANGE AND L.A. COUNTIES
(714) 786-5661

INLAND EMPIRE
(619) 867-0487

SAN DIEGO AND IMPERIAL COUNTIES
(619) 867-0487

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1.0 INTRODUCTION

Advanced Geotechnical Solutions, Inc., (AGS) has prepared this report which presents the results of our subsurface exploration and geotechnical evaluation of existing mechanically stabilized earth (MSE) walls located in the rear yard of the existing single-family residence located at 939 Begonia Court, City of Carlsbad, California.

1.1. Scope of Study

The scope of this study included the following tasks:

- Review of pertinent published and unpublished geologic and geotechnical literature, maps, and aerial photographs (Appendix A, References).
- Geotechnical site reconnaissance to observe site conditions and select exploratory locations.
- Subsurface exploration consisting of four soil borings excavated with a tripod mounted limited access drill rig (Appendix B).
- Geotechnical laboratory testing on selected soil samples (Appendix C).
- Preparation of a plan (utilizing the 10-scale site plan as a base) showing the approximate locations of borings and geologic cross sections (Plate 1);
- Prepare geologic cross sections depicting the existing site conditions and anticipated geologic contacts (Plate 2). The proposed design is also shown;
- Compile and analyze data collected from our site reconnaissance, subsurface evaluation, and laboratory testing. Specifically, our analyses included the following:
 - Evaluation of general subsurface conditions and description of types, distribution, and engineering characteristics of subsurface materials;
 - Perform slope stability analyses of the existing as-graded/as-built condition.
- Provide recommendations on remediating the current conditions.
- Prepare this report describing the work performed, data acquired and our conclusions regarding the global stability of the existing tiered MSE wall system as well as providing recommendations on the repair of the existing slope and wall.

1.2. Geotechnical Study Limitations

The conclusions and recommendations in this report are professional opinions based on information provided by involved parties and the data developed during this investigation. The conclusions presented herein are based on a limited geotechnical investigation. AGS did not provide geotechnical testing or observation services during site grading and wall construction.

The materials immediately adjacent to or beneath those observed may have different characteristics than those observed. No representations are made as the quality or extent of material not observed. Any evaluation regarding the presence or absence of hazardous material is beyond the scope of this firm's services.

2.0 SITE LOCATION AND DESCRIPTION

The subject site is located at 939 Begonia Court, City of Carlsbad, California and currently supports one single-family residence and associated improvements including an in-ground pool and Jacuzzi in the rear yard. The property is bounded on the west by Begonia Court and on the north, south, and east by existing single-family residences. Site topography ranges from flat to very gently sloping to the west in the lower building pad area and moderately sloping up to the east in the rear portion of the property. Elevations across the site range from approximately 165 feet above mean sea level (amsl) at the westerly property boundary to 200 feet amsl at the easterly property boundary.

A majority of the rear slope has been graded to support the subject multi-tiered MSE wall system. Based on available information and review of historic satellite imagery, construction of the subject retaining walls began in 2016 and continued until recent months. The subject MSE walls were constructed with Keystone® Country Manor retaining wall blocks in a tiered manner with a maximum overall height of approximately 21 feet. Individual wall sections are approximately 5 feet in height and are horizontally separated by approximately 1 to 10 feet. Geogrid reinforcement (Miragrid® 2XT) appears to have been placed at 1-foot vertical increments. Length of the geogrid reinforcement is reported to be 4 feet. The walls appear to be generally founded in formational materials with the exception of a portion of the lowest wall adjacent to the pool which is founded upon a pre-existing masonry wall. At the time of our site exploration, the uppermost wall was partially constructed. Groundwater seepage was observed coming through the southerly portion of the uppermost wall.

3.0 SUBSURFACE INVESTIGATION

On July 18, 2019, AGS conducted subsurface exploration at the subject site. Four (4) exploratory borings (B-1 through B-4) were excavated with a tripod drill rig to depths ranging from 5.5 to 16.5 feet below ground surface (bgs). The materials encountered in the borings were logged by our field personnel. The boring logs are presented in Appendix B. Upon completion, the borings were backfilled with soil cuttings. The approximate boring locations are shown on Figure 2, Boring Location Map.

Bulk and relatively undisturbed ring samples of the soils were obtained from the borings at various depths in an effort to evaluate lithologic changes and onsite geology at the study site. Soil samples were transported to AGS' laboratory and tested for in-situ unit weight and moisture content, shear strength, and maximum density and optimum moisture content. Laboratory results are presented in Appendix C.

4.0 ENGINEERING GEOLOGY

4.1. Site Geology

Current published regional geologic maps indicate the site is underlain by Very Old Paralic Deposits (Kennedy, M.P., and Tan, S.S., 2007). The following is a brief description of the geologic units encountered during our geotechnical exploration. A geologic cross section showing approximate distribution of geologic units encountered onsite is presented on Plate 2.

4.1.1. Undocumented Artificial Fill

Undocumented artificial fill materials were encountered extending to depths ranging from 3 feet to 7 feet onsite. These soils appear to be locally derived and generally consist of

light yellow brown, silty sand with gravel and cobbles. The artificial fill is generally in a dry to slightly moist and loose to moderately dense condition.

4.1.2. Very Old Paralic Deposits

Very old paralic deposits were encountered beneath fill soils to the maximum depth explored. As encountered, these soils generally consist of dark yellow brown to orange brown, silty sand with trace clay in a slightly moist to moist and moderately dense to dense condition.

4.2. Groundwater

Groundwater was not encountered during our subsurface investigation. No natural groundwater condition is known to exist at the site. However, seepage was observed coming through the uppermost wall near the southerly property boundary. Based on our observations, the seepage does not appear to be naturally occurring and is most likely related to drainage and/or irrigation water from the easterly superjacent residence. It should be noted that localized perched groundwater may develop at a later date, most likely at or near fill/bedrock contacts, due to fluctuations in precipitation, irrigation practices, or factors not evident at the time of our field explorations.

5.0 GEOTECHNICAL ENGINEERING

Presented herein is a general discussion of the geotechnical properties of the various soil types and the analytic methods used in this report.

5.1. Expansion Potential

Expansive soils are characterized by their ability to undergo significant volume changes (shrink or swell) due to variations in moisture content. Changes in soil moisture content can result from precipitation, landscape irrigation, utility leakage, roof drainage, perched groundwater, drought, or other factors and may result in unacceptable settlement or heave of structures or concrete slabs supported on grade. Based on our laboratory testing, it is anticipated that the expansion potential of the onsite materials will be "Very Low" to "Low".

5.2. Shear Strength

Based on our laboratory test results and previous experience in the area with similar soils, the following shear strengths for undocumented artificial fill, engineered artificial fill, and very old paralic deposits are presented on Table 5.2.

TABLE 5.2			
RECOMMENDED SHEAR STRENGTHS FOR DESIGN			
Material	Cohesion (psf)	Friction Angle (degrees)	Total Unit Weight (pcf)
Artificial Fill, Undocumented (Existing)	50	27	120
Artificial Fill, Engineered (Proposed)	50	30	125
Very Old Paralic Deposits	150	31	125

5.3. Earthwork Adjustments

The following average earthwork adjustment factors are presented for use in evaluating earthwork quantities. These numbers are considered approximate and should be refined during grading when actual conditions are better defined. Contingencies should be made to adjust the earthwork balance during grading if these numbers are adjusted.

TABLE 5.3	
Earthwork Adjustments	
Geologic Unit	Approximate Range
Existing Fill	15 to 25 percent shrinkage
Very Old Paralic Deposits	0 to 10 percent bulk

5.4. Relative Compaction of Artificial Fill Materials

Some of the fill materials were observed to be loose and dry to slightly moist. Test results indicated that some of the artificial fill materials have relative compactions that are less than 90 percent when compared to the maximum dry density (ASTM D1557).

5.5. Slope Stability

Slope stability analyses were performed on representative cross-sections and considered both static and pseudo-static conditions to evaluate global stability. AGS evaluated the global stability of the tiered MSE retaining walls using GSTABL7. Geogrid reinforcement was added at a spacing schedule that the owner provided AGS. Per the owner, Mirafi Miragrid 2XT was placed every 12 inches vertically and extended 48 inches beyond the wall. The Long Term Design Strength was used as provided by the geogrid manufacturer.

Searches were conducted in GSTABL7 to find the critical failure surface with the lowest factor of safety. The factor of safety was calculated using the Bishop method (circular failures).

A pseudo-static analysis was used to evaluate the stability of slopes under seismic loading. A horizontal destabilizing seismic coefficient (kh) of 0.15 was selected for the site. The critical failure surface that was determined for the static analysis was also selected for the pseudo-static analysis, and the factor of safety was calculated using the Bishop method (circular failures).

The results of the global stability analyses are presented in Appendix C. Based on the results of the analysis, the existing MSE retaining wall system has a slope stability Factor of Safety of less than 1.5 for static conditions and less than 1.0 for seismic conditions. The failure surfaces were shallow and indicate a potential for shallow or localized failures. Typically, the standard of practice in southern California, and has been adopted by most agencies, is to show that slopes have a slope stability factor of safety of 1.5 or greater for static conditions and 1.1 or greater for seismic conditions.

AGS also conducted a stability analysis using a proposed design profile consisting of a new toe-of-slope MSE wall, ascending slope and mid-slope MSE wall. This design profile is considered preliminary since the civil engineer has not yet prepared grading plans for the site remediation. The proposed design has factor of safety is greater than 1.5 for static conditions and 1.1 for seismic conditions, which both meet the minimum recommended factors of safety.

6.0 CONCLUSIONS

Based on the information gathered and the analyses performed, it is our professional opinion that the existing tiered MSE wall system will not meet current code standards as adopted by the City of Carlsbad. The following two items will need to be mitigated in order to meet the current standards.

- The fill has not been compacted to a minimum of 90 percent of the relative compaction. Typically, fill should be compacted to a minimum of 90 percent of the relative compaction as determined by ASTM D1557, or as recommended by the geotechnical consultants. If settlement and material strength is not a concern, then perhaps a lesser relative compaction may be permissible. However, the shear strength of fill would expected to improve with increased compaction.
- The tiered wall system does not possess an adequate factor of safety for long term global stability. Typically, a minimum factor of safety of 1.5 is needed for long term stability and 1.1 for seismic stability. Mitigation may be needed to improve the stability of the system and demonstrate that the slope and wall system has an adequate factor of safety. The existing geogrid lengths are not adequate for the overall height of the system.

7.0 EARTHWORK RECOMMENDATIONS

It is recommended that the existing MSE wall system be remediated to meet current code standards. AGS considered three options of remediation, described below.

1. **NEW MSE WALL SYSTEM:** Remove the existing MSE walls and undocumented fill. Replace with a new MSE wall system and slope. A five-foot wall can be constructed at the toe of the slope, with a proposed ascending fill slope located above the wall and a new MSE wall constructed near the top of the fill slope. Detailed recommendations are provided herein on constructing this option.
2. **RESTORE SLOPE WITH REINFORCED SOIL SLOPE:** Remove the existing MSE walls and undocumented fill. Restore the existing slope by constructing a keyway at the bottom and fill slope. Portions of the new slope will need to be steeper than 2:1 (H:V), which is typically the steepest that is recommended without reinforcement. For the portions that are steeper than 2:1,

reinforcement should be added consisting of primary and secondary geogrid layers. Reinforced soil slopes are typically more difficult to construct than unreinforced slopes and are typically much more expensive. Due to the limited space for stockpiling, the reinforced soil slope will need to be constructed in sections. Difficulty should be expected when tying each section together, which will increase construction costs. They reinforced soil slopes should be constructed by an experienced contractor. Repair recommendations are provided herein.

3. **REINFORCEMENT OF EXISTING SYSTEM:** The existing tiered system can be left-in-place with a considerable reinforcement effort. AGS has met with a specialty geotechnical contractor to discuss possible repair options. Such an effort is expected to consist of building a reinforced shotcrete wall in front of each MSE wall. The MSE wall will be cored and a tight spacing of anchors will be drilled through the walls into the formational materials. The MSE walls will need to be cored at each anchor location. The anchor will be connected to the shotcrete wall. The MSE walls will essentially be used as formwork for the shotcrete and anchor wall system. Due to the limited access, constructing the shotcrete wall and drilling will be completed with small equipment and is expected to take a considerable amount of time to complete. This system would need to be designed by a licensed engineer familiar with these systems. It is our understanding that additional information is being gathered by homeowner in regard to this remediation option. If the homeowner opts to remediate the as-built/as-graded condition through reinforcement of the existing wall system, additional geotechnical analyses should be performed and repair recommendations provided in a supplemental report.

A possible configuration of repair option 1 is shown on the attached geologic cross-sections. The civil engineer will need to provide a grading plan if this option is selected. An MSE wall plan with supporting calculations may need to be prepared by a licensed engineer. It is possible that Keystone may have standard wall plans that can be used in lieu of a site-specific design.

7.1. Site Preparation and Removals

All grading shall be accomplished under the observation and testing of the project Geotechnical Consultant in accordance with the recommendations contained herein, the current codes practiced by the City of Carlsbad and this firm's Earthwork Specifications (Appendix E).

Existing vegetation, trash, debris, and other deleterious materials should be removed and wasted from the site prior to commencing removal of unsuitable soils and placement of compacted fill materials. The existing retaining walls on the slope should be removed.

Within the limits of grading, existing undocumented fill materials and highly weathered Very Old Paralic Deposits should be removed until competent Very Old Paralic Deposits are encountered. In general, the removed materials are suitable to be reused as compacted fill provided deleterious materials are removed.

7.2. Remediation Option Recommendations

The following sections provide preliminary recommendations for Options 1 and 2, as discussed in Section 7.0 above, to remediate the existing as-graded/as-built condition. Recommendations for Option 3, if requested, can be provided in a supplemental geotechnical report.

7.2.1. OPTION 1- MSE Wall System

MSE walls can be constructed near the toe of the slope. The wall should not be constructed atop or near the influence of the existing cantilever retaining walls. The lower MSE wall should have geogrid lengths of not less than 8 feet. The limits of the geogrid should be extended to the backcut, even if shorter geogrid lengths are shown on the wall plans. A minimum horizontal fill width of 8 feet should be maintained on the slope. The fill slope can be constructed as described in Section 7.5.6. A minimum of 1 subdrain should be installed at the toe of the slope. A second drain may also be needed behind the upper MSE retaining wall. The MSE retaining walls should be embedded as recommended by the designer, but no less than 12 inches at the toe of the slope. MSE walls installed above descending slope should be embedded so that the daylight distance from the bottom of the wall to the slope face is at least 5 feet.

7.2.2. OPTION 2- Restore Slope with Reinforced Soil Slope

A stabilization keyway should be constructed at the toe of the proposed slope. The limits of this keyway should be based on the final slope design, but should be no less than 12 feet wide. Reinforced soil slopes (RSS) should be constructed on fill slopes steeper than 2:1. The grading contractor should have experience in the construction of a RSS. There are several methods on constructing a RSS, such as using temporary wooden formwork or permanent wire mesh forms (See Figure 7.2.2, below), and the grading contractor should select the most economical method of construction. The construction method should allow for the fill to be compacted out to the slope face without damaging the reinforcement.

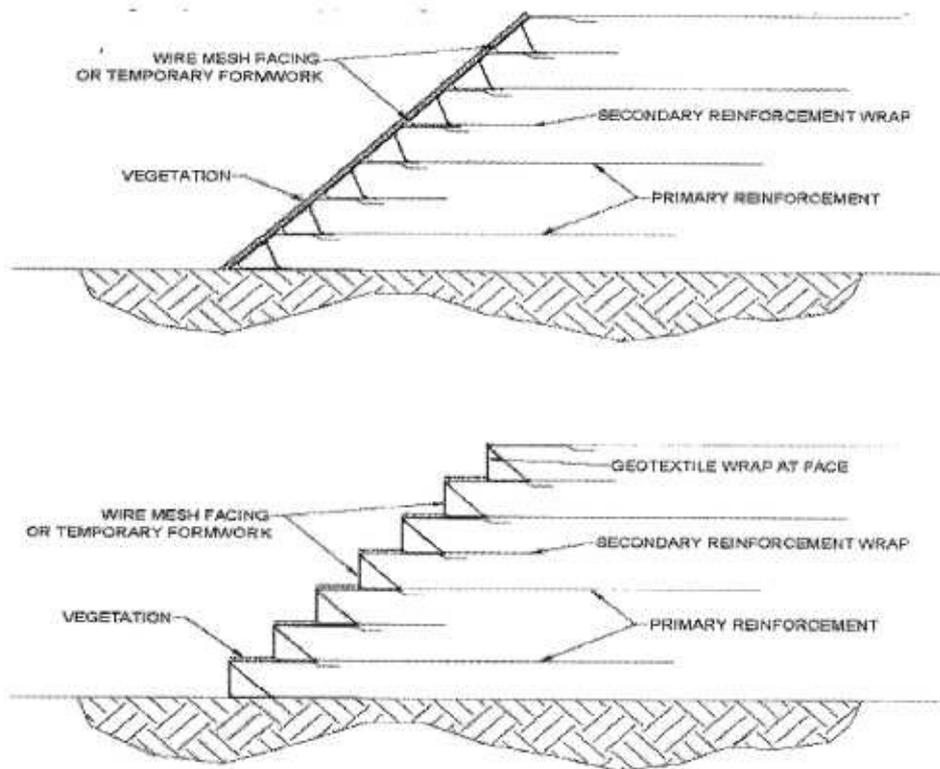


Figure 7.2.2 Alternative Methods of RSS Construction (from TenCate™ 2010a)

The primary reinforcement can include placing layers of Mirafi Miragrid 3XT (or approved equivalent) every 4 feet vertically starting from the bottom of the keyway. The primary geogrid layers should extend from the slope face to the backcut. The primary geogrid should be oriented so that the primary strength is perpendicular to the slope face. Splices in the primary direction should be avoided. A secondary layer of reinforcement consisting of Mirafi Miramesh TR (or approved equivalent) should be wrapped around the slope face and embedded a minimum of 5 feet with a maximum vertical spacing of 18 inches. The Miramesh vertical spacing can be reduced to every 2 to 4 feet if the primary geogrid layer is wrapped on the outside of the Miramesh and the primary geogrid is embedded a minimum of 8 feet as measured from the slope face. Geogrid reinforced slopes are expected to be globally and surficially stable to inclinations up to 1:1 (H:V). Splicing of the secondary layer shall not be conducted.

7.2.3. Temporary Backcut Stability

During grading operations, temporary backcuts will be required to accomplish removals and provide room to place geogrid. Care should be taken during backcut construction and backfill should be placed expeditiously in order to minimize risk of failure. Complete removal of the failed materials will be required should failure occur.

Backcuts exposing competent Very Old Paralic Deposits should be made no steeper than 1:1 to heights of up to 20 feet. Steeper backcuts may be possible for small sections but should be evaluated by AGS. Shallower backcuts are recommended below existing walls or within undocumented fill. Close geologic mapping of the stabilization and buttress key backcuts should be provided to document the exposed conditions. Revised recommendations may be necessary should areas of instability be encountered.

In consideration of the inherent instability created by temporary construction of backcuts, it is imperative that grading schedules be coordinated to minimize the unsupported exposure time of these excavations. Once started these excavations and subsequent fill operations should be maintained to completion without intervening delays imposed by avoidable circumstances. In cases where five-day workweeks comprise a normal schedule, grading should be planned to avoid exposing at-grade or near-grade excavations through a non-work weekend. Where improvements may be affected by temporary instability, either on or offsite, further restrictions such as slot cutting, extending work days, implementing weekend schedules, and/or other requirements considered critical to serving specific circumstances may be imposed.

7.3. Geologic Observation During Grading

All temporary slope excavations, including front, side and backcuts, and all cut slopes should be mapped to verify the geologic conditions that were modeled prior to grading.

7.4. Seepage

Seepage, if encountered during grading, should be evaluated by the Geotechnical Consultant. If seepage is excessive, remedial measures such as horizontal drains or under drains may need to be installed.

7.5. Earthwork Considerations

7.5.1. Compaction Standards

All fills should be compacted at least 90 percent of the maximum dry density as determined by ASTM D1557. All loose and or deleterious soils should be removed to expose firm native soils or bedrock. Prior to the placement of fill, the upper 6 to 8 inches of suitable material should be ripped, moisture conditioned to optimum moisture or slightly above optimum, and compacted to a minimum of 90 percent of the maximum dry density (ASTM D1557). Fill should be placed in thin (6 to 8-inch) lifts, moisture conditioned to optimum moisture or slightly above, and compacted to at least 90 percent of the maximum dry density (ASTM D1557) until the desired grade is achieved.

7.5.2. Benching

Where the natural slope is steeper than 5-horizontal to 1-vertical and where determined by the Geotechnical Consultant, compacted fill material shall be keyed and benched into competent materials.

7.5.3. Mixing and Moisture Control

In order to prevent layering of different soil types and/or different moisture contents, mixing and moisture control of materials will be necessary. The preparation of the earth materials through mixing and moisture control should be accomplished prior to and as part of the compaction of each fill lift. Water trucks or other water delivery means may be necessary for moisture control. Discing may be required when either excessively dry or wet materials are encountered.

7.5.4. Haul Roads

All haul roads, ramp fills, and tailing areas shall be removed prior to engineered fill placement.

7.5.5. Import Soils

Import soils, if required, should consist of clean, structural quality, compactable materials similar to the on-site soils and should be free of trash, debris or other objectionable materials. Import soils should be tested and approved by the Geotechnical Consultant prior to importing. At least three working days should be allowed in order for the geotechnical consultant to sample and test the potential import material.

7.5.6. Fill Slope Construction

Fill slopes may be constructed by preferably overbuilding and cutting back to the compacted core or by back-rolling and compacting the slope face. The following recommendations should be incorporated into construction of the proposed fill slopes.

Care should be taken to avoid spillage of loose materials down the face of any slopes during grading. Spill fill will require complete removal before compaction, shaping and grid rolling.

Seeding and planting of the slopes should follow as soon as practical to inhibit erosion and deterioration of the slope surfaces. Proper moisture control will enhance the long-term stability of the finish slope surface.

7.5.6.1. Overbuilding Fill Slopes

Fill slopes should be overfilled to an extent determined by the contractor, but not less than 2 feet measured perpendicular to the slope face, so that when trimmed back to the compacted core, the compaction of the slope face meets the minimum project requirements for compaction.

Compaction of each lift should extend out to the temporary slope face. The sloped should be back-rolled at fill intervals not exceeding 4 feet in height unless a more extensive overfilling is undertaken.

7.5.6.2. *Compacting the Slope Face*

As an alternative to overbuilding the fill slopes, the slope faces may be back-rolled with a heavy-duty loaded sheepsfoot or vibratory roller at maximum 2-foot fill height intervals. Back-rolling at more frequent intervals may be required. Compaction of each fill should extend to the face of the slope.

7.5.6.3. *Reinforced Soil Slopes*

Reinforced soil slopes should be constructed by an experienced contractor. Compaction of the slope face is often achieved through the use of temporary or permanent forms.

8.0 DESIGN RECOMMENDATIONS

8.1. Mechanically Stabilized Earthen Wall Recommendations

The base of the proposed MSE wall should be founded on compacted fill or on competent formational materials. The wall designer should provide specifications on the materials placed in the retained and reinforced zones. Assuming materials derived from onsite sources are used to backfill the MSE wall, the wall may be designed using the parameters presented in Table 8.1. More stringent criteria may be required by the wall designer. Testing should be conducted during grading to verify that the backfill materials meet the design criteria shown on the retaining wall plans.

TABLE 8.1 MSE WALL DESIGN PARAMETERS¹			
Zone	Moist Unit Weight (pcf)	Shear Strength	
		Cohesion Ultimate (psf)	Friction Angle Ultimate (degrees)
Reinforced and Retained Soil Zones	125	50	30
Foundation Zone	125	50	30

Notes: ¹ Assuming fill is derived from onsite sources

8.1.1. Observation During Construction

During construction of the MSE walls, the geotechnical consultants should observe the following operations:

- Grading to create wall foundation support and to verify competency of foundation materials;
- Block type and size;
- Reinforcement type;
- Placement of geogrid at design elevation, strength direction, and embedment;
- Drain placement;

- Gradation and placement of drainage rock;
- Gradation, shear strength, compaction, and moisture content of reinforced soils.
- Observations of operations not included above (including wall batter, connections, and block placement) are the responsibility of the wall designer and the contractor. The geotechnical consultant's observation of these operations in no way relieves the contractor of his obligation to construct the wall system in accordance with approved plans and specifications.

8.2. Civil Design Recommendations

Final site grading should assure positive drainage away from structures. A concrete swale should be constructed at the top of the slope to capture offsite irrigation and rainfall runoff. Planter areas should be provided with area drains to transmit irrigation and rain water away from structures. The use of gutters and down spouts to carry roof drainage well away from structures is recommended. Raised planters should be provided with a positive means to remove water through the face of the containment wall.

9.0 SLOPE AND LOT MAINTENANCE

Maintenance of improvements is essential to the long-term performance of structures and slopes. Although the design and construction during mass grading created slopes that are considered both grossly and surficially stable, certain factors are beyond the control of the soil engineer and geologist. The homeowners must implement certain maintenance procedures. The following recommendations should be implemented.

9.1. Slope Planting

Slope planting should consist of ground cover, shrubs and trees that possess deep, dense root structures and require a minimum of irrigation. The resident should be advised of their responsibility to maintain such planting.

9.2. Lot Drainage

Roof, pad and lot drainage should be collected and directed away from structures and slopes and toward approved disposal areas. Design fine-grade elevations should be maintained through the life of the structure, or if design fine grade elevations are altered, adequate area drains should be installed in order to provide rapid discharge of water away from structures and slopes. Residents should be made aware that they are responsible for maintenance and cleaning of all drainage terraces, downdrains, and other devices that have been installed to promote structure and slope stability.

9.3. Slope Irrigation

The resident, homeowner and Homeowner Association should be advised of their responsibility to maintain irrigation systems. Leaks should be repaired immediately. Sprinklers should be adjusted to provide maximum uniform coverage with a minimum of water usage and overlap. Overwatering with consequent wasteful run-off and ground saturation should be avoided. If

automatic sprinkler systems are installed, their use must be adjusted to account for natural rainfall conditions.

9.4. Burrowing Animals

Residents or homeowners should undertake a program for the elimination of burrowing animals. This should be an ongoing program in order to maintain slope stability.

10.0

CLOSURE

The findings and recommendations in this report are based on the specific excavations, observations, and tests results as noted herein. The findings are based on the review of the field and laboratory data combined with an interpolation and extrapolation of conditions between and beyond the exploratory excavations. The results reflect an interpretation of the direct evidence obtained. Services performed by AGS have been conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation, either expressed or implied, and no warranty or guarantee is included or intended.

The recommendations presented in this report are based on the assumption that an appropriate level of field review will be provided by geotechnical engineers and engineering geologists who are familiar with the design and site geologic conditions. That field review shall be sufficient to confirm that geotechnical and geologic conditions exposed during grading are consistent with the geologic representations and corresponding recommendations presented in this report. If the project description varies from what is described in this report, AGS must be consulted regarding the applicability of, and the necessity for, any revisions to the recommendations presented herein. AGS should review structural plans to verify whether the recommendations presented herein are incorporated into the design. AGS accepts no liability for any use of its recommendations if the project description or final design varies and AGS is not consulted regarding the changes.

The data, opinions, and recommendations of this report are applicable to the specific design of this project as discussed in this report. They have no applicability to any other project or to any other location, and any and all subsequent users accept any and all liability resulting from any use or reuse of the data, opinions, and recommendations without the prior written consent of AGS.

AGS has no responsibility for construction means, methods, techniques, sequences, or procedures, or for safety precautions or programs in connection with the construction, for the acts or omissions of the CONTRACTOR, or any other person performing any of the construction, or for failure of any of them to carry out the construction in accordance with the final design drawings and specifications.

APPENDIX A

REFERENCES

REFERENCES

- Fusion Engineering and Technology, Preliminary Site Plan for Lichtman Residence, 939 Begonia Court, City of Carlsbad, California, Map 1 of 1, 10-Scale, undated.
- Kennedy, M.P., and Tan, S.S., 2007, Geologic Map of the Oceanside 30' x 60' Quadrangle, California Geological Survey: Scale 1:100,000.

APPENDIX B
BORING LOGS

CLIENT _____	PROJECT NAME <u>Begonia Court</u>
PROJECT NUMBER <u>1907-03</u>	PROJECT LOCATION <u>939 Begonia Ct., Carlsbad</u>
DATE STARTED <u>7/18/19</u> COMPLETED <u>7/18/19</u>	GROUND ELEVATION <u>186 ft</u> HOLE SIZE <u>6</u>
DRILLING CONTRACTOR <u>Native Drilling</u>	GROUND WATER LEVELS:
DRILLING METHOD <u>Tri-Pod</u>	AT TIME OF DRILLING <u>--</u>
LOGGED BY <u>SS</u> CHECKED BY <u>PJD</u>	AT END OF DRILLING <u>--</u>
NOTES _____	AFTER DRILLING <u>--</u>

DEPTH (ft)	GRAPHIC LOG	USCS	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	BLOW COUNTS (N VALUE)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SATURATION (%)	OTHER TESTS	ATTERBERG LIMITS			FINES CONTENT (%)
										LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		SM	Artificial Fill - Undocumented, (afu) SILTY SAND, fine- to coarse-grained, light yellow brown, dry to slightly moist, medium dense; with some sub-rounded gravel to cobble										
		SP	@ 1.5 ft., Poorly graded SAND with trace CLAY, fine- to medium-grained, slightly moist, medium dense	BU MC	4-8-10 (18)	104	7.5	32	Max Shear				
		SM	@ 3.0 ft., SILTY SAND, fine- to coarse-grained, slightly moist to moist	SPT	6-8-9 (17)								
		SC	@ 6.0 ft., CLAYEY SAND, fine- to coarse-grained, yellow brown to orange brown, moist, medium dense	SPT	4-8-7 (15)								
5		SM	Very Old Paralic Deposits, (Qvop) SILTY SAND with trace CLAY, fine- to coarse-grained, red brown to orange brown, moist to very moist, medium dense; micaceous										
				SPT	12-11-12 (23)								
				MC	14-14-12 (26)	94	9.6	33					
				MC	11-16-17 (33)								
10			@ 15.0 ft., dense										
15													
Total Depth = 16.5 feet No groundwater encountered Backfilled with soil cuttings													

AGS BORING LOG V2 - GINT STD US LAB.GDT - 8/5/19 10:35 - Z:\PROJECT FILES\1907-03 BEGONIA CT WALL EVALUATION\1907-03 LOGS AND LAB\1907-04 LOGS.GPJ



CLIENT _____ **PROJECT NAME** Begonia Court
PROJECT NUMBER 1907-03 **PROJECT LOCATION** 939 Begonia Ct., Carlsbad
DATE STARTED 7/18/19 **COMPLETED** 7/18/19 **GROUND ELEVATION** 182 ft **HOLE SIZE** 6
DRILLING CONTRACTOR Native Drilling **GROUND WATER LEVELS:**
DRILLING METHOD Tri-Pod **AT TIME OF DRILLING** --
LOGGED BY SS **CHECKED BY** PJD **AT END OF DRILLING** --
NOTES _____ **AFTER DRILLING** --

DEPTH (ft)	GRAPHIC LOG	USCS	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	BLOW COUNTS (N VALUE)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SATURATION (%)	OTHER TESTS	ATTERBERG LIMITS			FINES CONTENT (%)
										LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		SM	Artificial Fill - Undocumented, (afu) SILTY SAND, fine- to medium-grained, light yellow brown, dry to slightly moist, medium dense; with some sub-rounded gravel to cobble										
3				MC	3-3-3 (6)	81	4.1	10	Shear				
5		SM	Very Old Paralic Deposits, (Qvop) SILTY SAND with trace CLAY, fine- to coarse-grained, dark yellow brown to orange brown, slightly moist to moist, medium dense, micaceous @ 6.0 ft., dense	SPT	4-5-8 (13)								
6				MC	11-16-33 (49)	97	8.8	32	Shear				

Total Depth = 7.5 feet
 No groundwater encountered
 Backfilled with soil cuttings

AGS BORING LOG V2 - GINT STD US LAB.GDT - 8/5/19 10:35 - Z:\PROJECT FILES\1907-03_BEGONIA CT WALL EVALUATION\1907-03 LOGS AND LAB\1907-04 LOGS.GPJ

CLIENT _____	PROJECT NAME <u>Begonia Court</u>
PROJECT NUMBER <u>1907-03</u>	PROJECT LOCATION <u>939 Begonia Ct., Carlsbad</u>
DATE STARTED <u>7/18/19</u> COMPLETED <u>7/18/19</u>	GROUND ELEVATION <u>178 ft</u> HOLE SIZE <u>6</u>
DRILLING CONTRACTOR <u>Native Drilling</u>	GROUND WATER LEVELS:
DRILLING METHOD <u>Tri-Pod</u>	AT TIME OF DRILLING <u>---</u>
LOGGED BY <u>SS</u> CHECKED BY <u>PJD</u>	AT END OF DRILLING <u>---</u>
NOTES _____	AFTER DRILLING <u>---</u>

AGS BORING LOG V2 - GINT STD US LAB.GDT - 8/5/19 10:35 - Z:\PROJECT FILES\1907-03 BEGONIA CT WALL EVALUATION\1907-03 LOGS AND LAB\1907-04 LOGS.GPJ

DEPTH (ft)	GRAPHIC LOG	USCS	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	BLOW COUNTS (N VALUE)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SATURATION (%)	OTHER TESTS	ATTERBERG LIMITS			FINES CONTENT (%)
										LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		SM	Artificial Fill - Undocumented, (afu) SILTY SAND with trace CLAY, fine- to medium-grained, light yellow brown, dry to slightly moist, medium dense; with some sub-rounded gravel to cobble										
5		SM	Very Old Paralic Deposits, (Qvop) SILTY SAND with trace CLAY, fine- to coarse-grained, orange brown, slightly moist to moist, medium dense; micaceous @ 4.5 ft., dense	MC	5-8-8 (16)								
				MC	7-20-20 (40)	101	8.0	32	Shear				

Total Depth = 6.0 feet
 No groundwater encountered
 Backfilled with soil cuttings

CLIENT _____	PROJECT NAME <u>Begonia Court</u>
PROJECT NUMBER <u>1907-03</u>	PROJECT LOCATION <u>939 Begonia Ct., Carlsbad</u>
DATE STARTED <u>7/18/19</u> COMPLETED <u>7/18/19</u>	GROUND ELEVATION <u>174 ft</u> HOLE SIZE <u>6</u>
DRILLING CONTRACTOR <u>Native Drilling</u>	GROUND WATER LEVELS:
DRILLING METHOD <u>Tri-Pod</u>	AT TIME OF DRILLING <u>--</u>
LOGGED BY <u>SS</u> CHECKED BY <u>PJD</u>	AT END OF DRILLING <u>--</u>
NOTES _____	AFTER DRILLING <u>--</u>

DEPTH (ft)	GRAPHIC LOG	USCS	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	BLOW COUNTS (N VALUE)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SATURATION (%)	OTHER TESTS	ATTERBERG LIMITS			FINES CONTENT (%)
										LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0													
		SM	Artificial Fill - Undocumented, (afu) SILTY SAND, fine- to coarse-grained, gray brown, dry to slightly moist, loose; with some sub-rounded gravel										
		SM	Very Old Paralic Deposits, (Qvop) SILTY SAND with trace CLAY, fine- to coarse-grained, orange brown, moist, medium dense; micaceous @ 4.0 ft., dense	MC	3-5-6 (11)		10.5						
5				MC	12-20-25 (45)								

Total Depth = 5.5 feet
No groundwater encountered
Backfilled with soil cuttings

AGS BORING LOG V2 - GINT STD US LAB.GDT - 8/5/19 10:35 - Z:\PROJECT FILES\1907-03.BEGONIA CT WALL EVALUATION\1907-03 LOGS AND LAB\1907-04 LOGS.GPJ

APPENDIX C
LABORATORY TEST RESULTS

ADVANCED GEOTECHNICAL SOLUTIONS, INC.

APPENDIX C LABORATORY TESTING

Classification

Soils were visually and texturally classified in accordance with the Unified Soil Classification System (USCS) in general accordance with ASTM D2488. Soil classifications are indicated on the boring logs in Appendix B.

Modified Proctor Density

The maximum dry density and optimum moisture content of a selected representative soil sample was evaluated using the Modified Proctor method in general accordance with ASTM D1557. The results of these tests are summarized herein.

Direct Shear

Direct shear tests were performed on relatively undisturbed samples in general accordance with ASTM D3080 to evaluate the shear strength characteristics of selected materials. The samples were inundated during shearing to represent adverse field conditions. The results are shown herein.

ADVANCED GEOTECHNICAL SOLUTIONS, INC.

MAXIMUM DENSITY - ASTM D1557

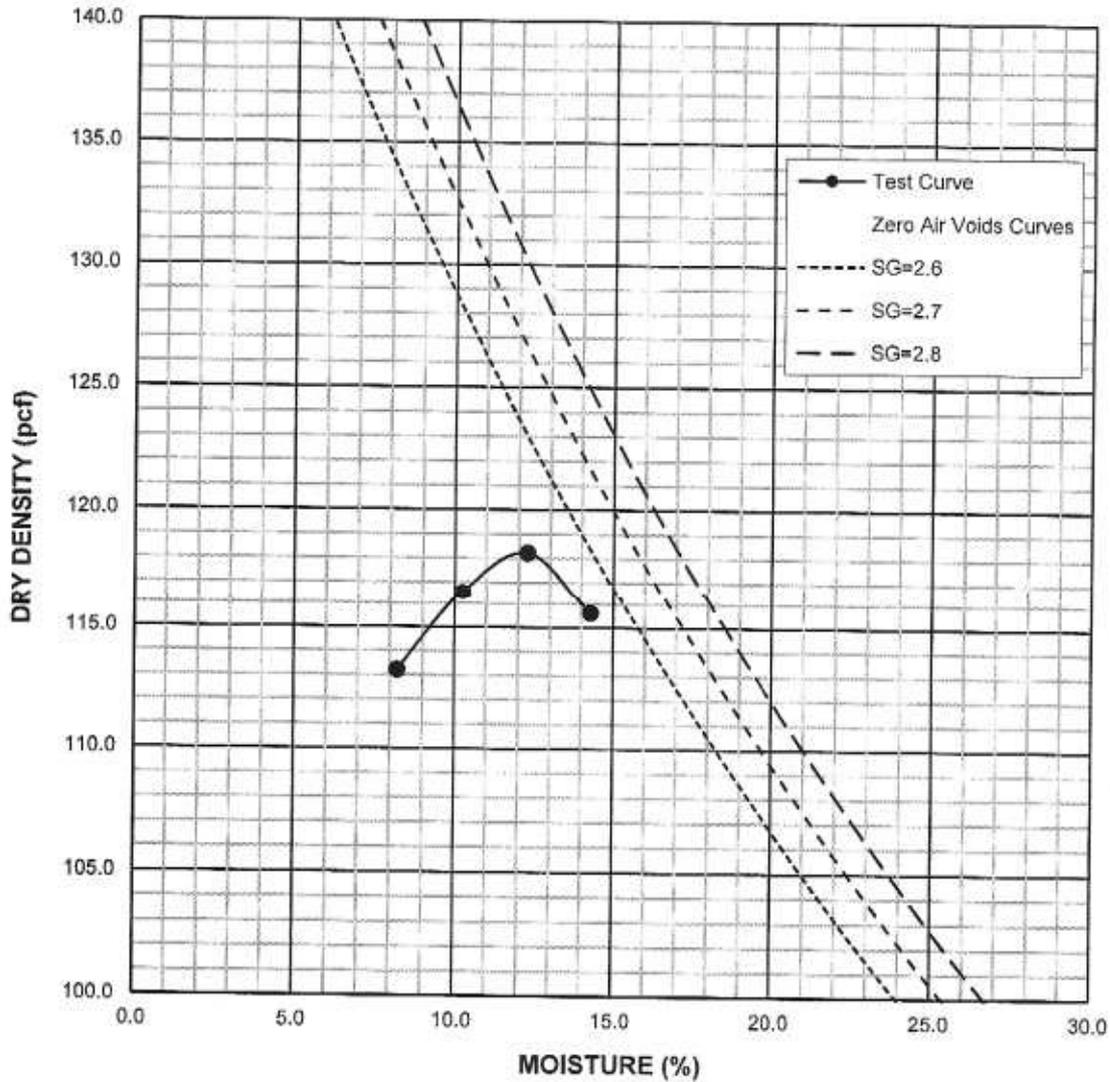
AGS FORM E-8

Project Name: 939 Begonia Ct.
 Location: Carlsbad
 P/W No.: 1907-03
 Date: 7/2/2019

Excavation: B-1
 Depth: 0-3 ft
 Soil Type: afu
 Tested by: FV
 Checked by: PJ

Method:	A		Oversize Retained: 5.3 %	
Point No.	1	2	3	4
Dry Density (pcf)	113.2	116.5	118.2	115.6
Moisture Content (%)	8.2	10.2	12.3	14.3

MAXIMUM DENSITY CURVE



Corrected Max. Dry Density 120.1 pcf Corrected Moisture 11.6 %
 Max. Dry Density 118.2 pcf Optimum Moisture 12.3 %

ADVANCED GEOTECHNICAL SOLUTIONS, INC.

DIRECT SHEAR - ASTM D3080

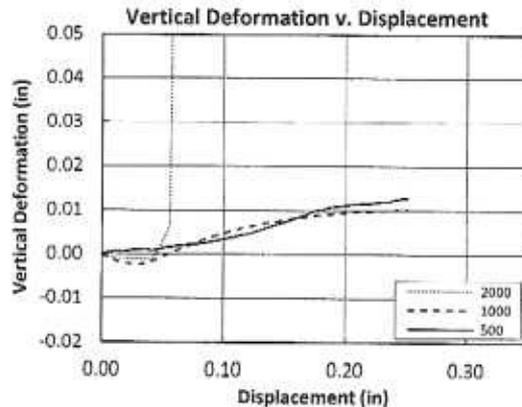
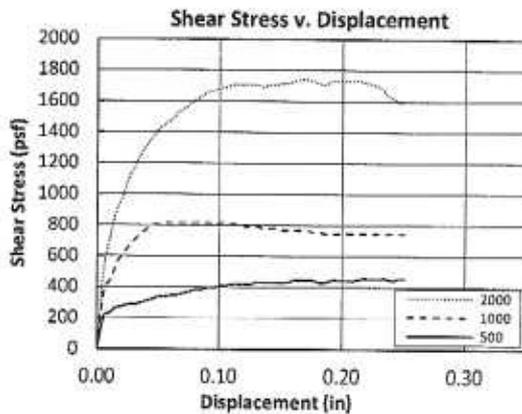
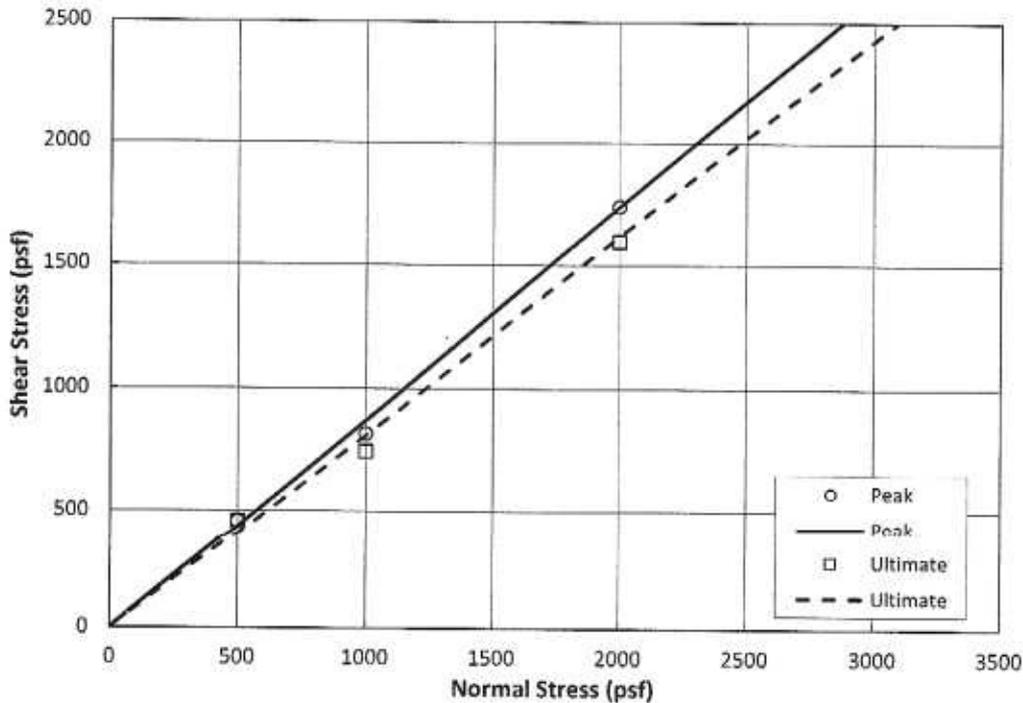
Project Name: 939 Begonia Ct.
 Location: Carlsbad
 Project No.: 1907-03
 Date: 7/23/2019

Excavation: B-1
 Depth: 2.5-3 ft
 Tested by: FV
 Reviewed by: _____

Samples Tested	1	2	3
Initial Moisture (%)	7.5	7.5	7.5
Initial Dry Density (pcf)	104.0	105.7	105.9
Normal Stress (psf)	500	1000	2000
Peak Shear Stress (psf)	456	816	1740
Ult. Shear Stress (psf)	456	744	1596

Soil Type: Yellow SC-SM
 Test: Undisturbed
 Method: Drained
 Consolidation: Yes
 Saturation: Yes
 Shear Rate (ⁱⁿ/min): 0.01

Strength Parameters	Peak	Ultimate
Friction Angle, phi (deg)	41	39
Cohesion (psf)	0	0



ADVANCED GEOTECHNICAL SOLUTIONS, INC.

DIRECT SHEAR - ASTM D3080

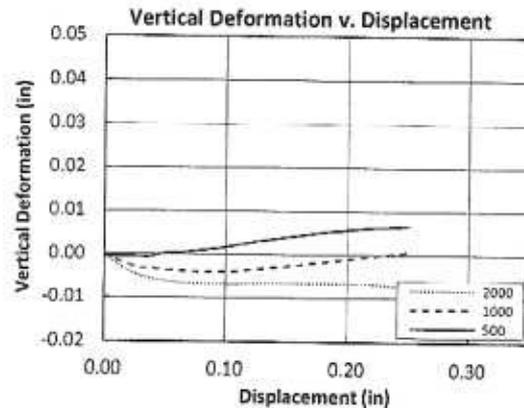
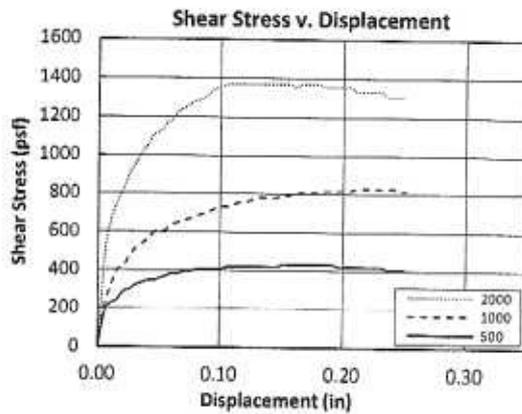
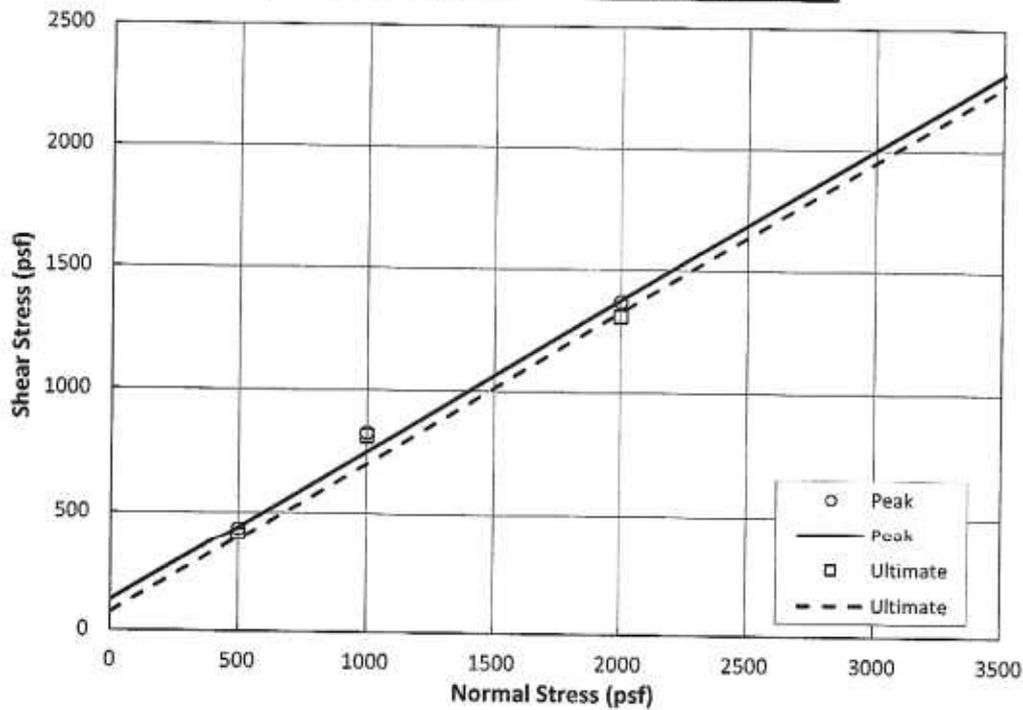
Project Name: 939 Begonia Ct.
 Location: Carlsbad
 Project No.: 1907-03
 Date: 7/23/2019

Excavation: B-2
 Depth: 3-3.5 ft
 Tested by: FV
 Reviewed by: _____

Samples Tested	1	2	3
Initial Moisture (%)	4.1	4.1	4.1
Initial Dry Density (pcf)	80.6	81.7	83.8
Normal Stress (psf)	500	1000	2000
Peak Shear Stress (psf)	432	828	1368
Ult. Shear Stress (psf)	408	816	1308

Soil Type: Light Brn SC
 Test: Undisturbed
 Method: Drained
 Consolidation: Yes
 Saturation: Yes
 Shear Rate (ⁱⁿ/min): 0.01

Strength Parameters	Peak	Ultimate
Friction Angle, phi (deg)	32	32
Cohesion (psf)	125	75



ADVANCED GEOTECHNICAL SOLUTIONS, INC.

DIRECT SHEAR - ASTM D3080

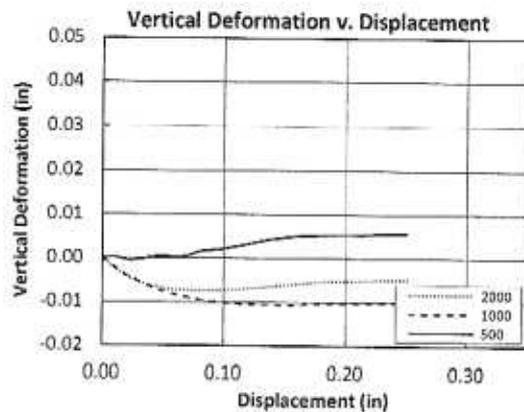
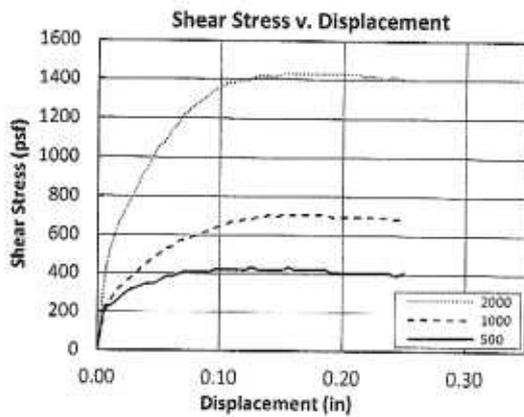
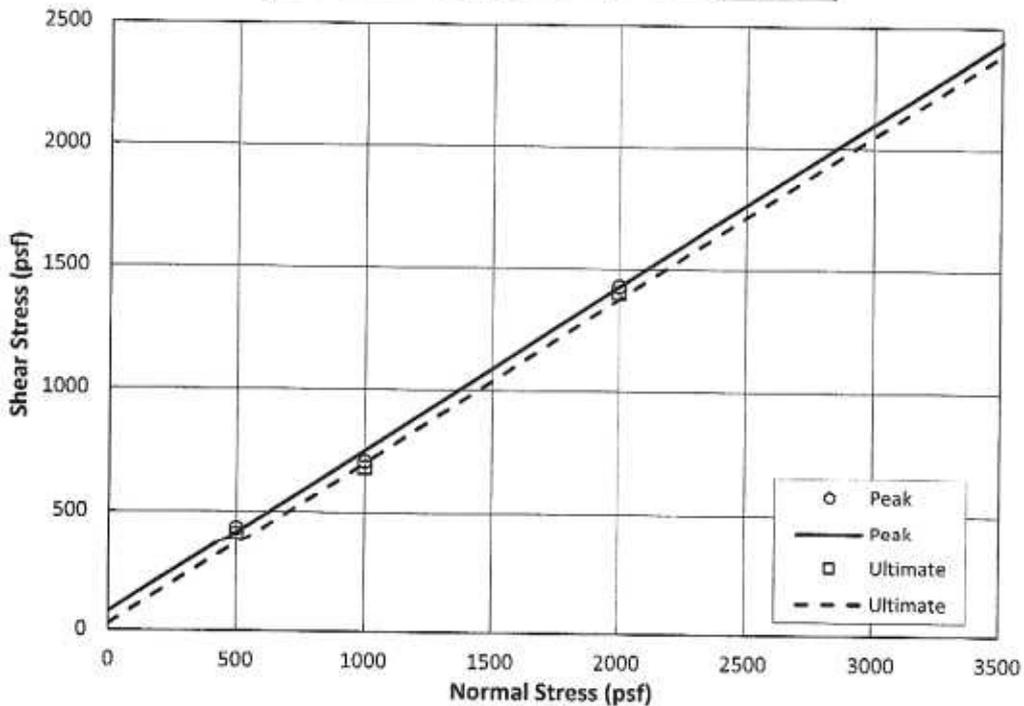
Project Name: 939 Begonia Ct.
 Location: Carlsbad
 Project No.: 1907-03
 Date: 7/25/2019

Excavation: B-2
 Depth: 7-7.5 ft
 Tested by: FV
 Reviewed by: AB

Samples Tested	1	2	3
Initial Moisture (%)	8.8	8.8	8.8
Initial Dry Density (pcf)	99.4	102.0	100.5
Normal Stress (psf)	500	1000	2000
Peak Shear Stress (psf)	432	708	1428
Ult. Shear Stress (psf)	408	684	1404

Soil Type: Reddish Brn. SC-SM
 Test: Undisturbed
 Method: Drained
 Consolidation: Yes
 Saturation: Yes
 Shear Rate (ⁱⁿ/min): 0.01

Strength Parameters	Peak	Ultimate
Friction Angle, phi (deg)	34	34
Cohesion (psf)	75	25



ADVANCED GEOTECHNICAL SOLUTIONS, INC.

DIRECT SHEAR - ASTM D3080

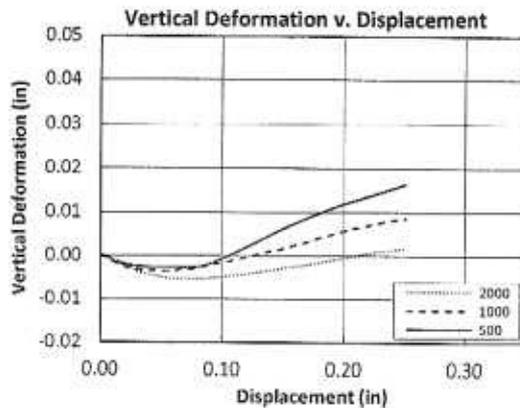
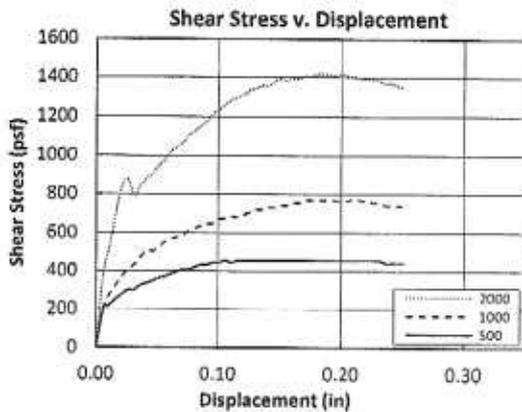
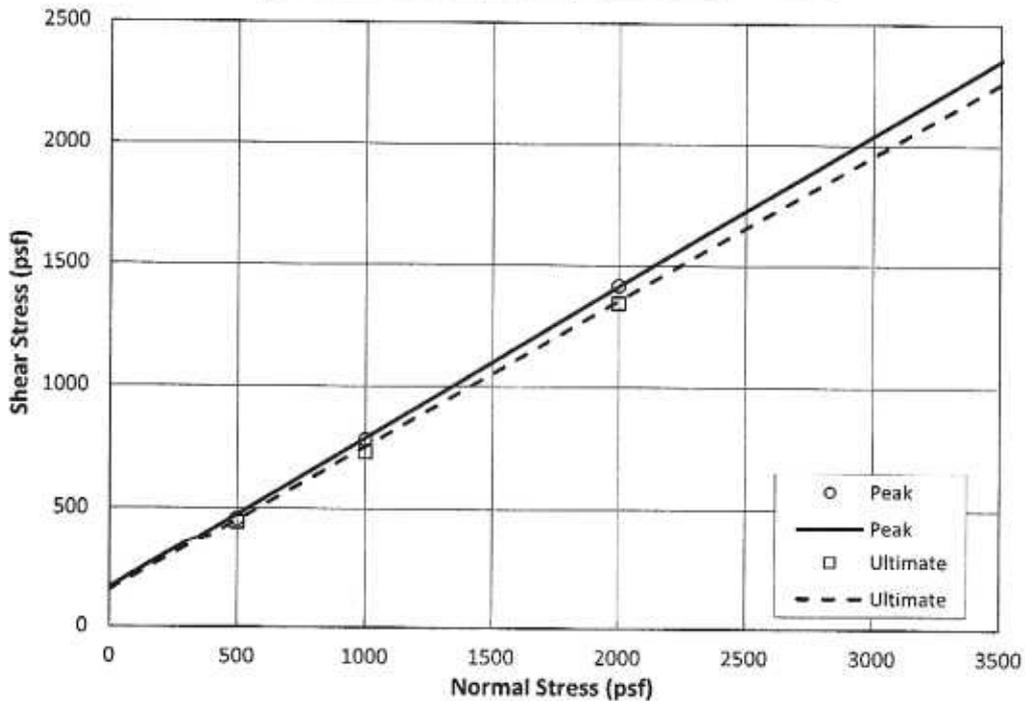
Project Name: 939 Begonia Ct.
 Location: Carlsbad
 Project No.: 1907-03
 Date: 7/25/2019

Excavation: B-3
 Depth: 5-5.6 ft
 Tested by: FV
 Reviewed by: _____

Samples Tested	1	2	3
Initial Moisture (%)	8.0	8.0	8.0
Initial Dry Density (pcf)	103.9	98.0	98.4
Normal Stress (psf)	500	1000	2000
Peak Shear Stress (psf)	456	780	1416
Ult. Shear Stress (psf)	444	732	1344

Soil Type: Reddish Brn. SC-SM
 Test: Undisturbed
 Method: Drained
 Consolidation: Yes
 Saturation: Yes
 Shear Rate (ⁱⁿ/min): 0.01

Strength Parameters	Peak	Ultimate
Friction Angle, phi (deg)	32	31
Cohesion (psf)	160	150

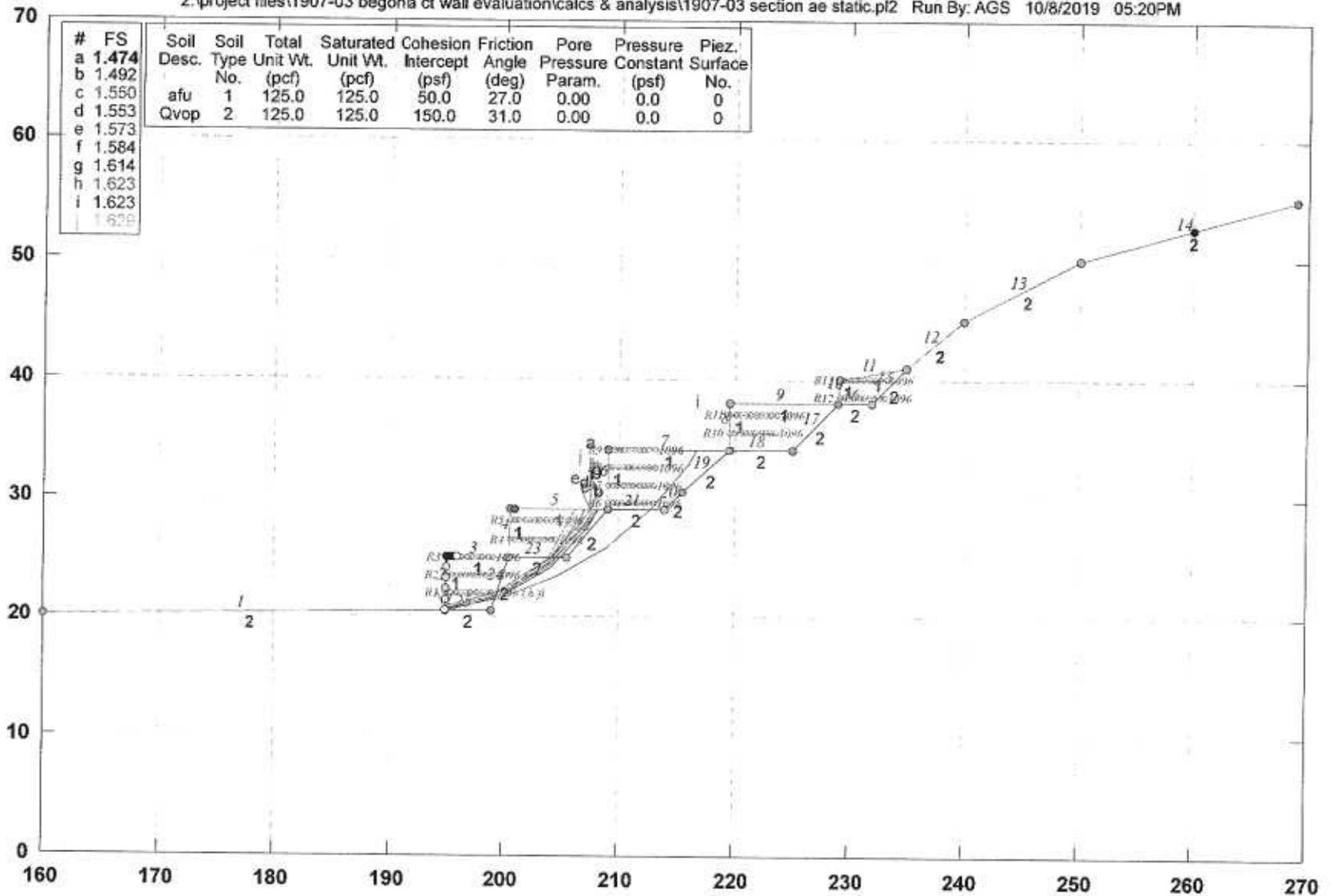


APPENDIX D
SLOPE STABILITY ANALYSIS

ADVANCED GEOTECHNICAL SOLUTIONS, INC.

1907-03 Section Ae-Ae' - Static - Existing

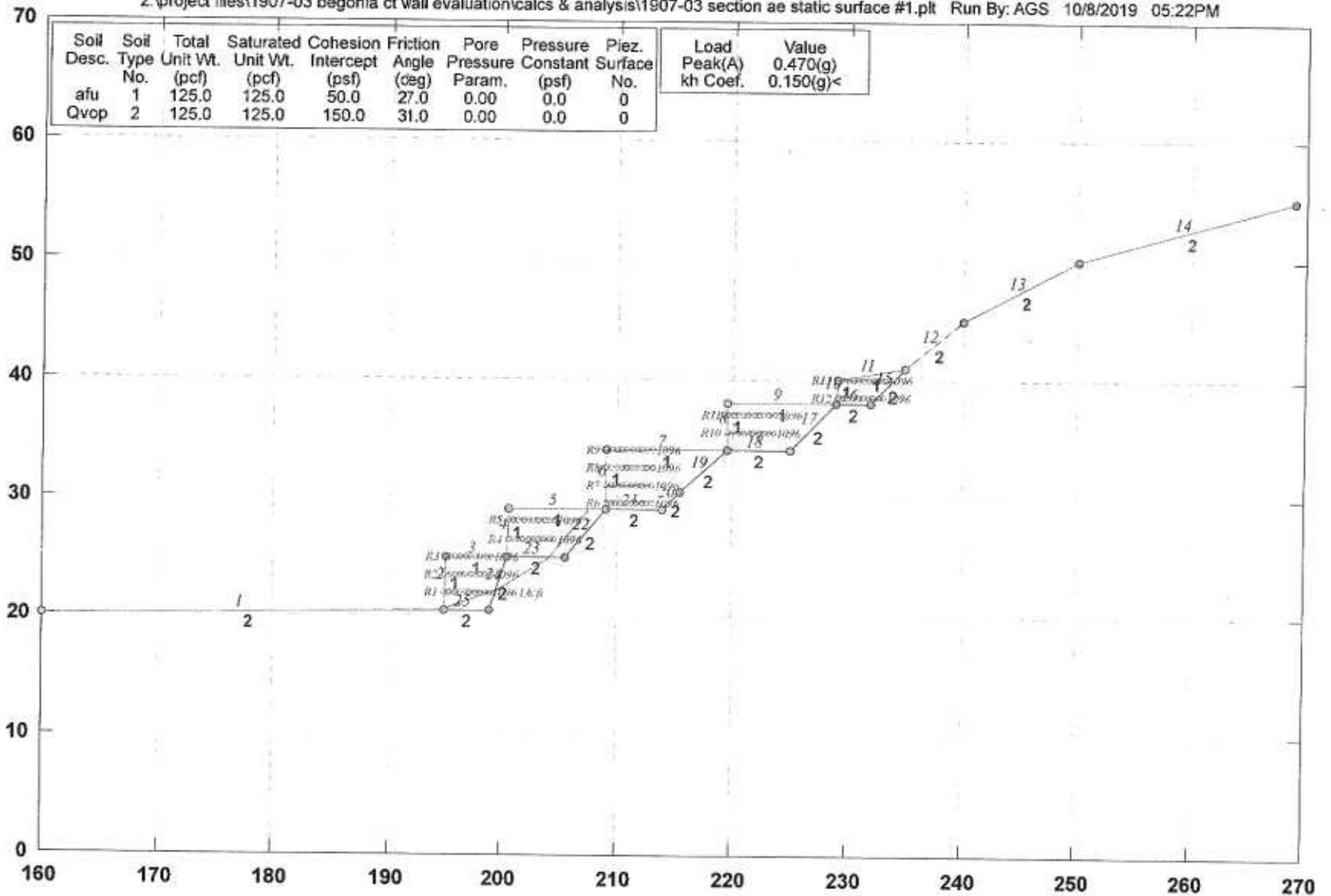
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GSTABL7 v.2 FSmin=1.474
Safety Factors Are Calculated By The Modified Bishop Method

1907-03 Section Ae-Ae' - Pseudostatic - Existing

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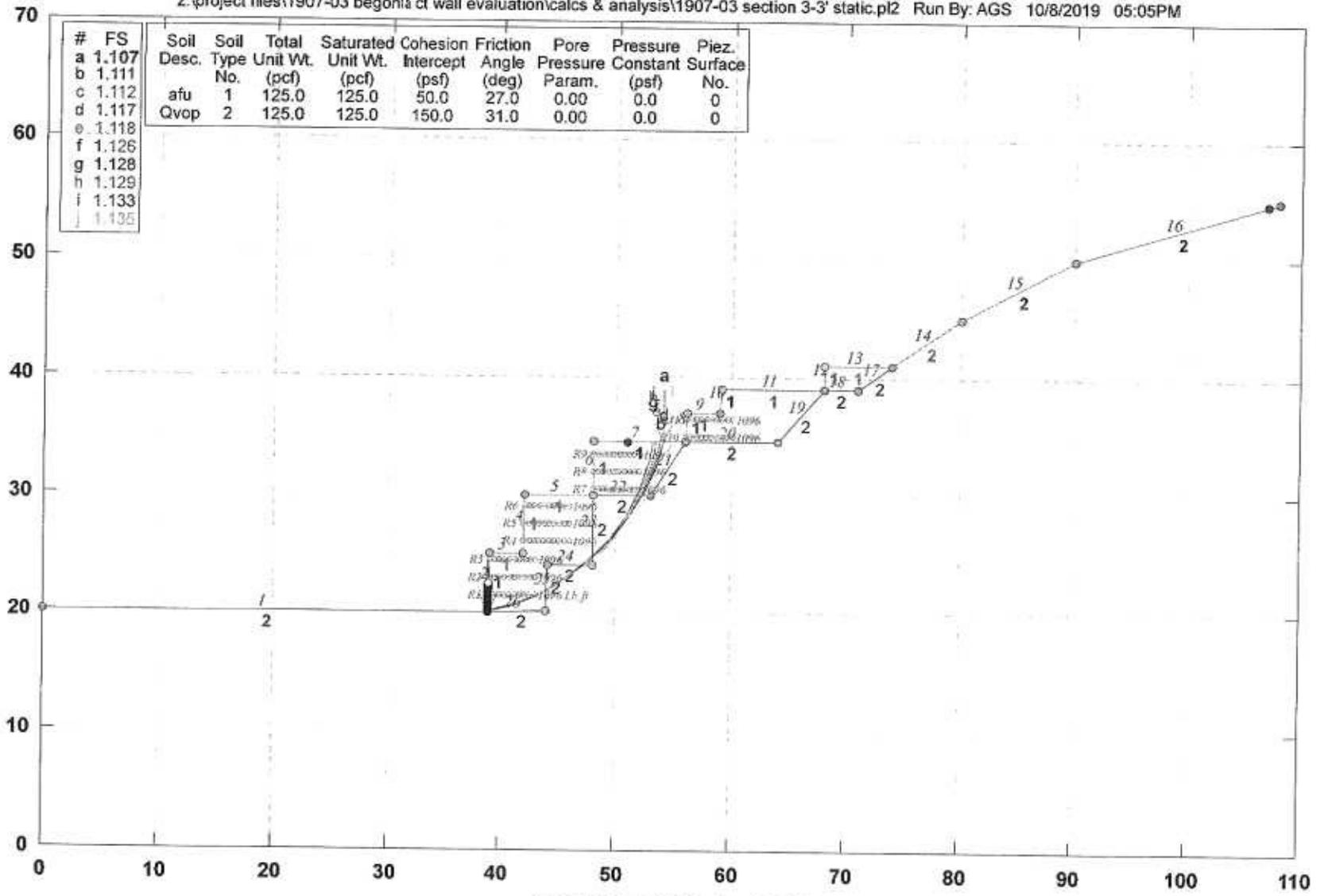


GSTABL7 v.2 FSmin=1.134

Factor Of Safety Is Calculated By The Modified Bishop Method

1907-03 Section Be-Be' - Static - Existing

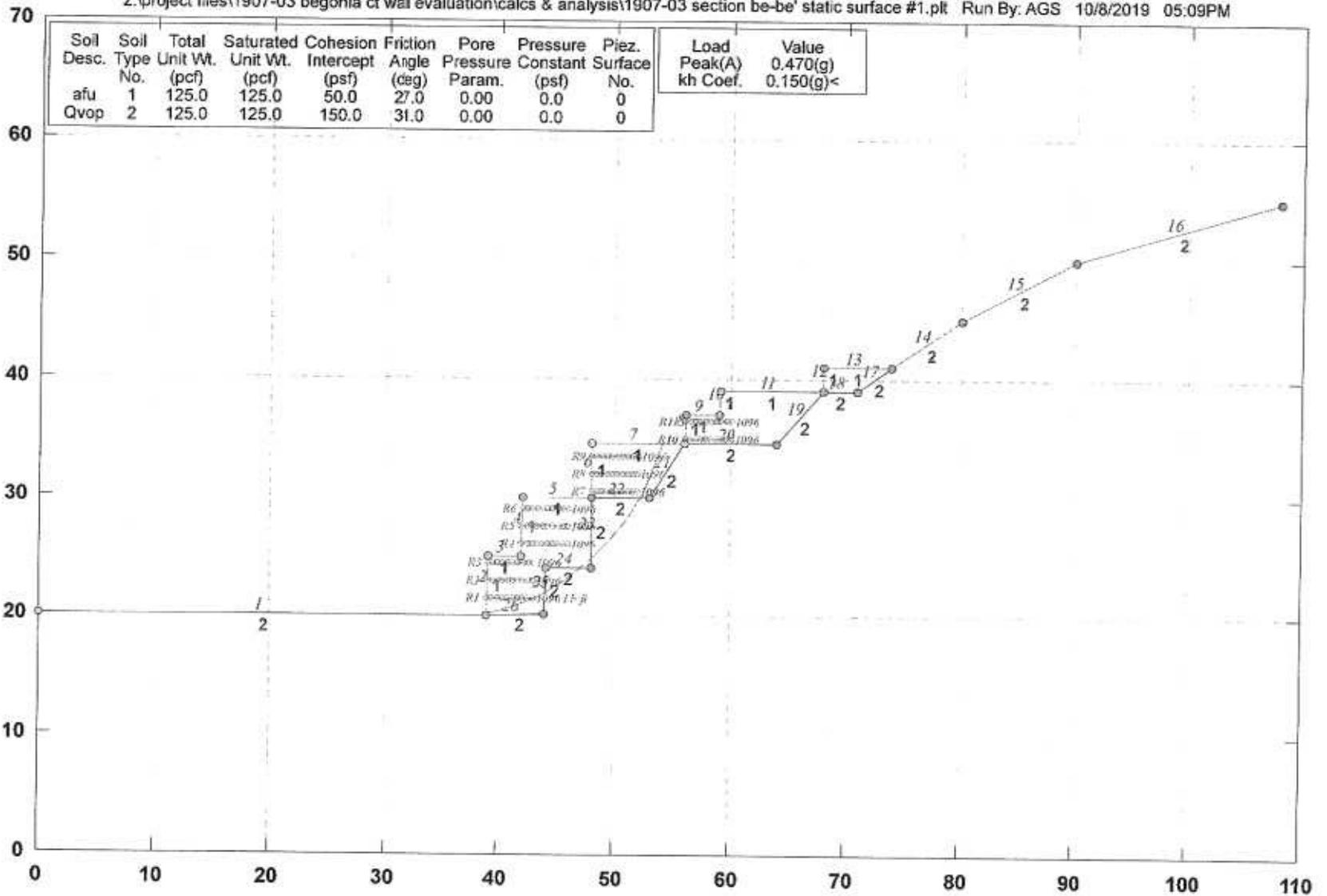
z:\project files\1907-03 begonia ct wall evaluation\calcs & analysis\1907-03 section 3-3' static.pl2 Run By: AGS 10/8/2019 05:05PM



GSTABL7 v.2 FSmin=1.107
 Safety Factors Are Calculated By The Modified Bishop Method

1907-03 Section Be-Be' - Pseudostatic - Existing

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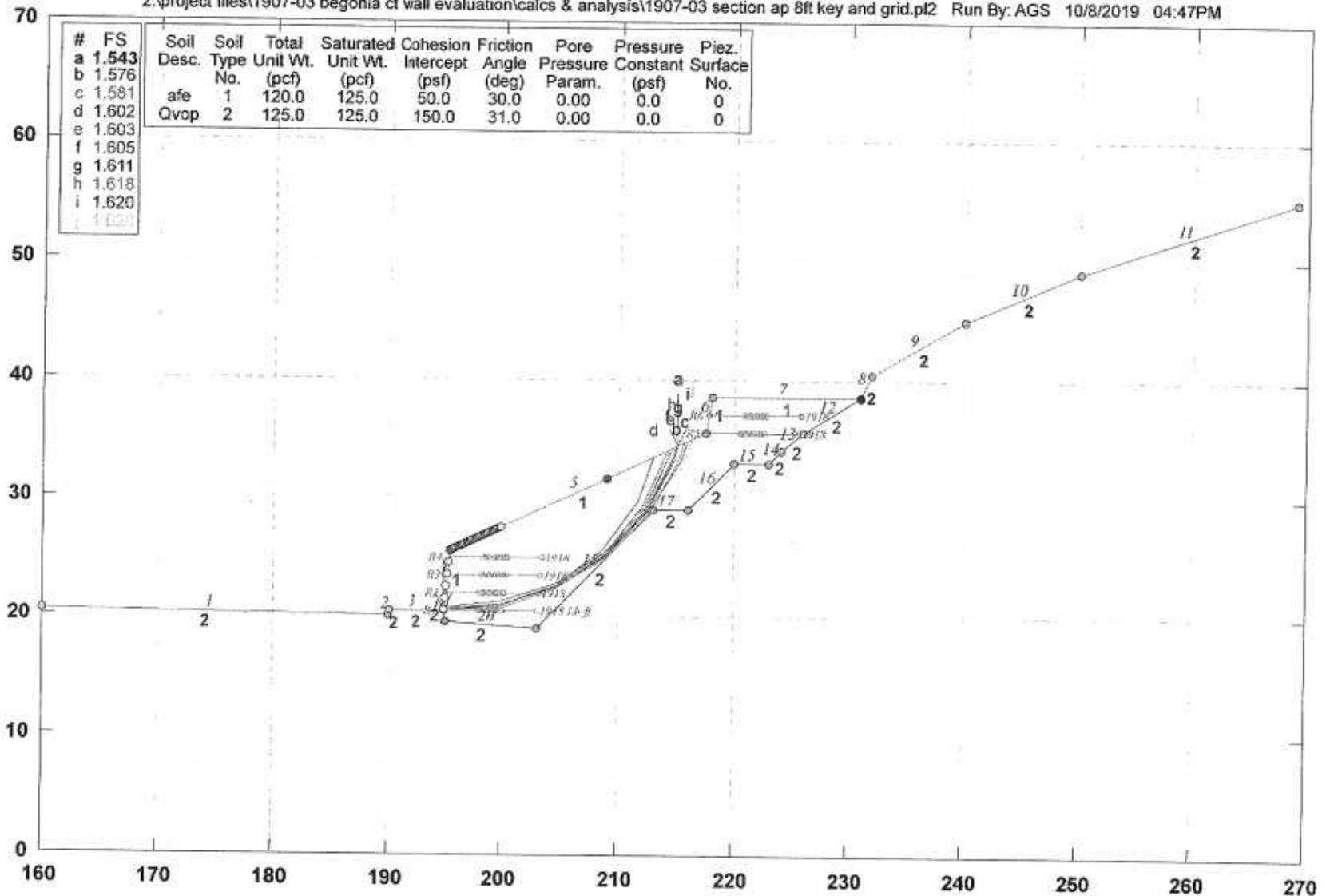


GSTABL7 v.2 FSmin=0.895

Factor Of Safety Is Calculated By The Modified Bishop Method

1907-03 Section Ap-Ap' - Static 8 ft. Key - Proposed

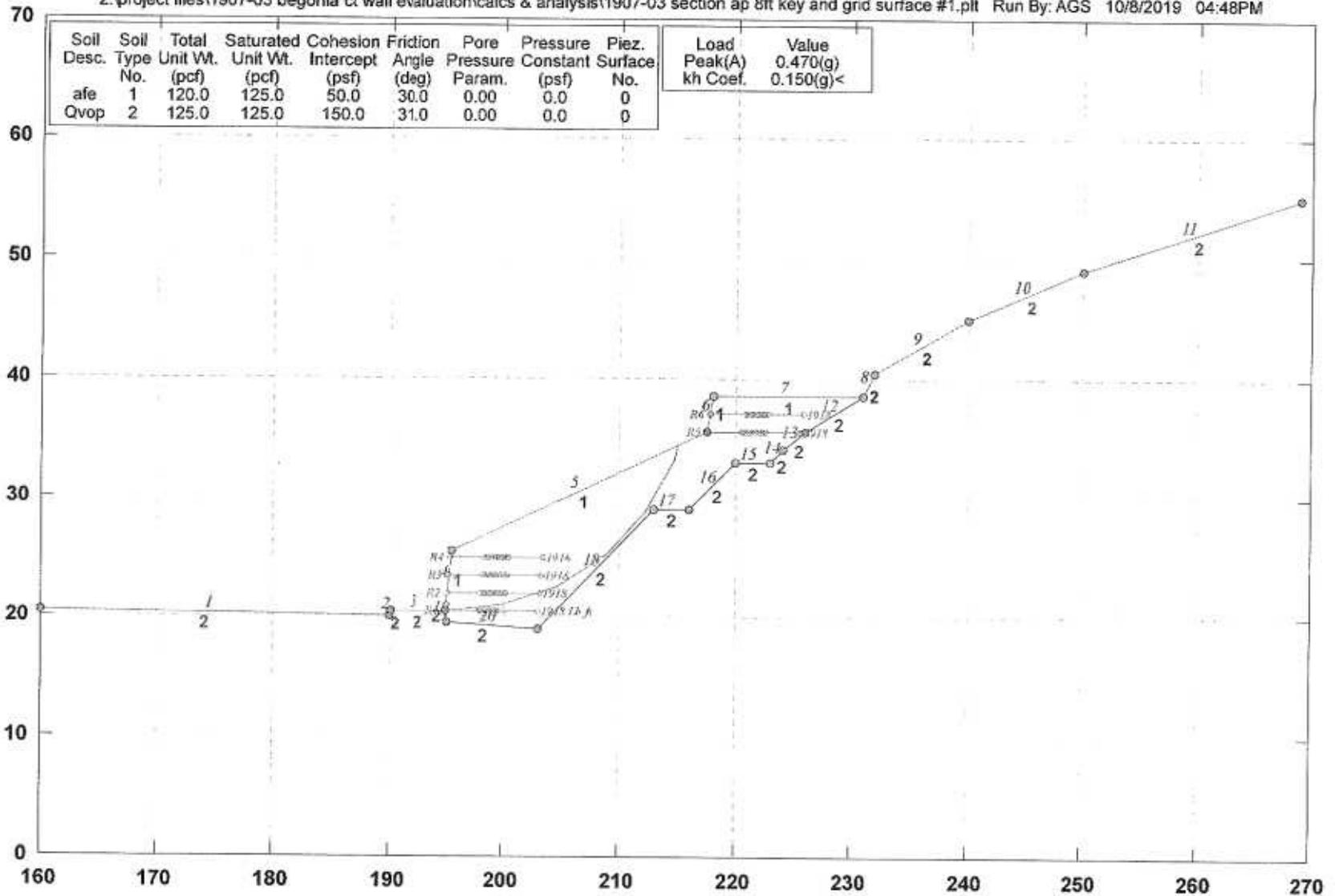
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GSTABL7 v.2 FSmin=1.543
Safety Factors Are Calculated By The Modified Bishop Method

1907-03 Section Ap-Ap' - Pseudostatic 8 ft. Key - Proposed

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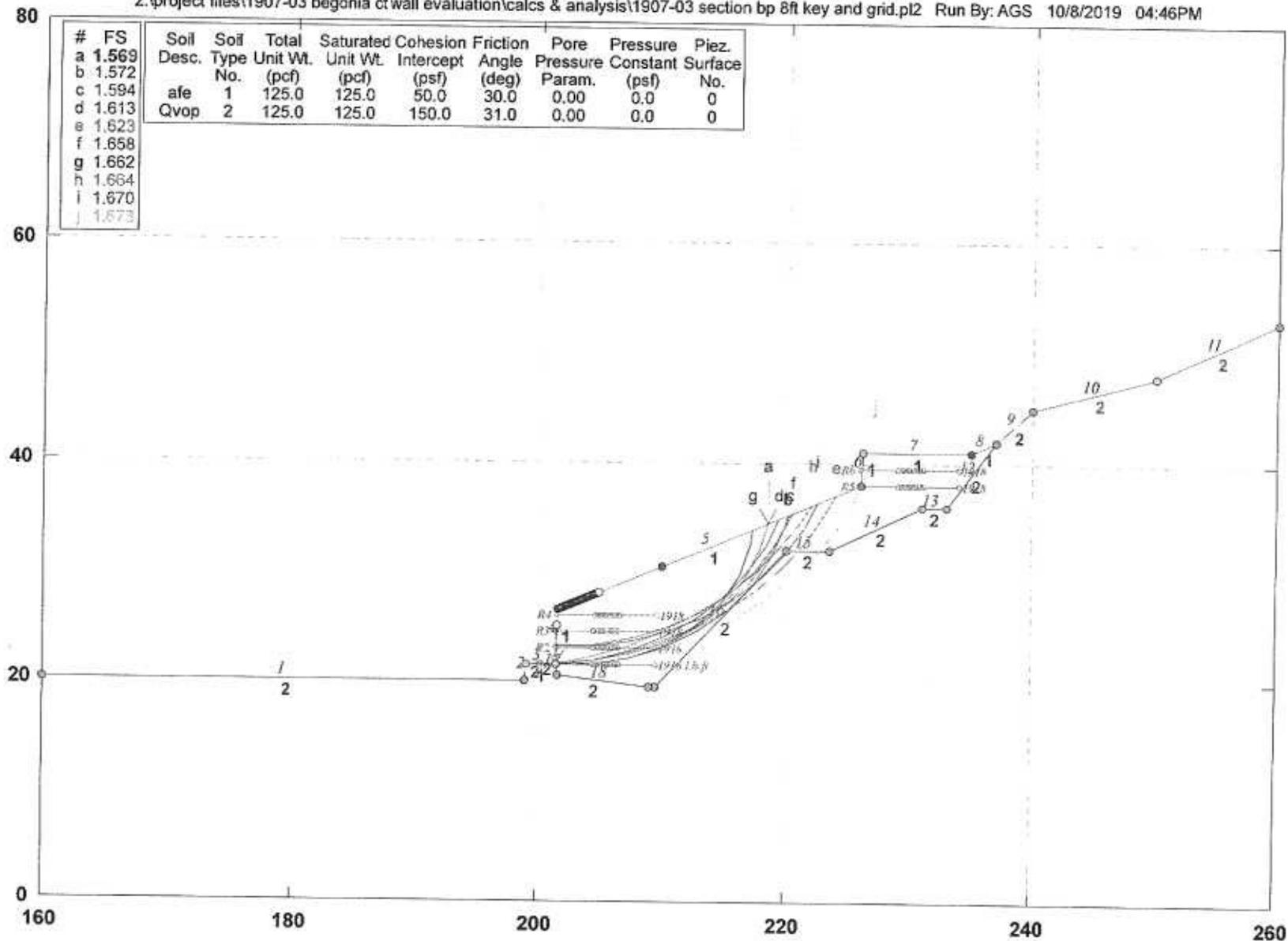


GSTABL7 v.2 FSmin=1.166

Factor Of Safety Is Calculated By The Modified Bishop Method

1907-03 Section Bp-Bp' - Static 8 ft. Key - Proposed

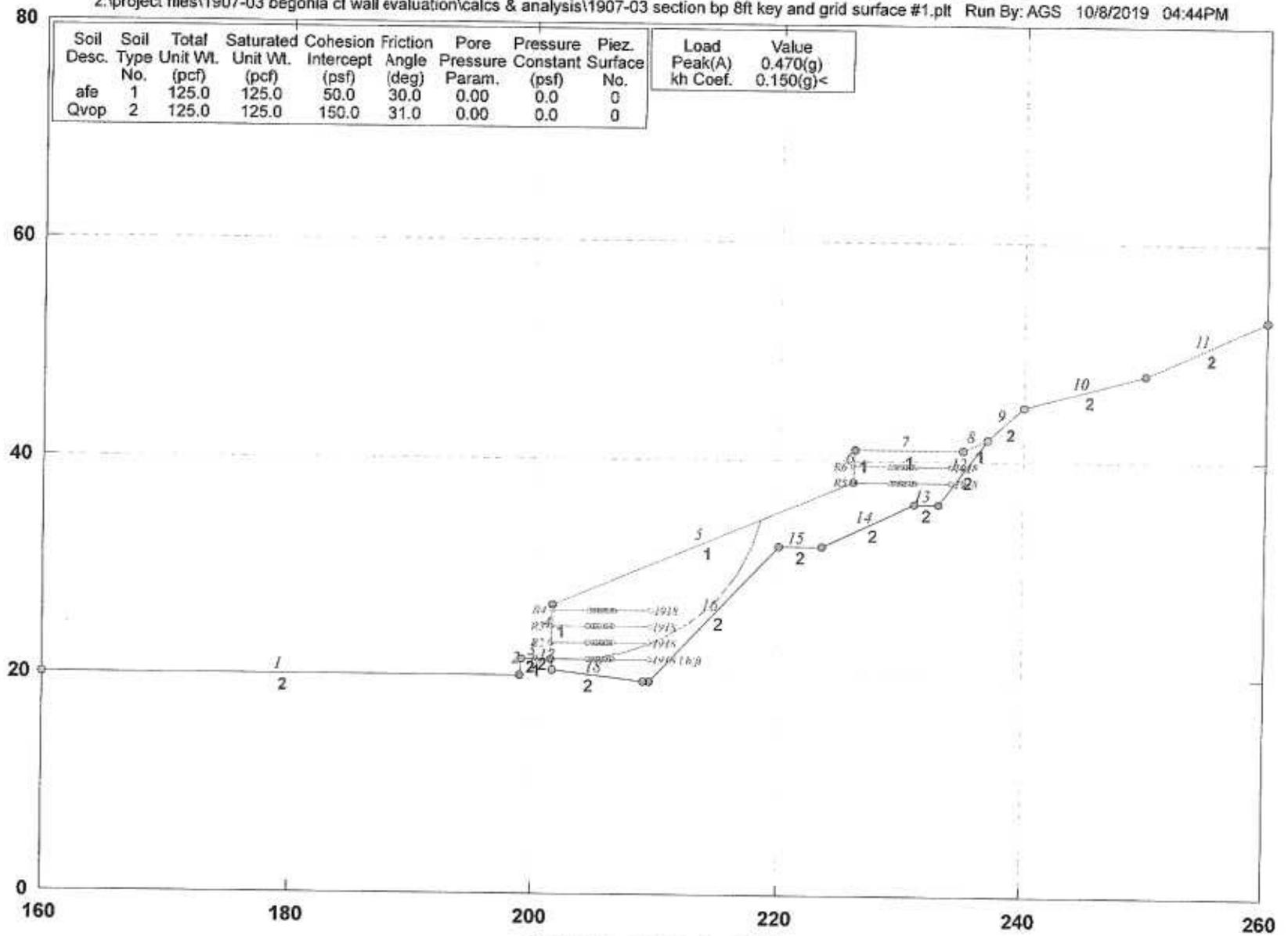
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GSTABL7 v.2 FSmin=1.569
Safety Factors Are Calculated By The Modified Bishop Method

1907-03 Section Bp-Bp' - Pseudostatic 8 ft. Key - Proposed

z:\project files\1907-03 begonia ct wall evaluation\calcs & analysis\1907-03 section bp 8ft key and grid surface #1.plt Run By: AGS 10/8/2019 04:44PM



GSTABL7 v.2 FSmin=1.210

Factor Of Safety Is Calculated By The Modified Bishop Method

APPENDIX E
GENERAL EARTHWORK SPECIFICATIONS AND
GRADING DETAILS

ADVANCED GEOTECHNICAL SOLUTIONS, INC.

GENERAL EARTHWORK SPECIFICATIONS

I. General

A. General procedures and requirements for earthwork and grading are presented herein. The earthwork and grading recommendations provided in the geotechnical report are considered part of these specifications, and where the general specifications provided herein conflict with those provided in the geotechnical report, the recommendations in the geotechnical report shall govern. Recommendations provided herein and in the geotechnical report may need to be modified depending on the conditions encountered during grading.

B. The contractor is responsible for the satisfactory completion of all earthwork in accordance with the project plans, specifications, applicable building codes, and local governing agency requirements. Where these requirements conflict, the stricter requirements shall govern.

C. It is the contractor's responsibility to read and understand the guidelines presented herein and in the geotechnical report as well as the project plans and specifications. Information presented in the geotechnical report is subject to verification during grading. The information presented on the exploration logs depict conditions at the particular time of excavation and at the location of the excavation. Subsurface conditions present at other locations may differ, and the passage of time may result in different subsurface conditions being encountered at the locations of the exploratory excavations. The contractor shall perform an independent investigation and evaluate the nature of the surface and subsurface conditions to be encountered and the procedures and equipment to be used in performing his work.

D. The contractor shall have the responsibility to provide adequate equipment and procedures to accomplish the earthwork in accordance with applicable requirements. When the quality of work is less than that required, the Geotechnical Consultant may reject the work and may recommend that the operations be suspended until the conditions are corrected.

E. Prior to the start of grading, a qualified Geotechnical Consultant should be employed to observe grading procedures and provide testing of the fills for conformance with the project specifications, approved grading plan, and guidelines presented herein. All clearing and grubbing, remedial removals, clean-outs, removal bottoms, keyways, and subdrain installations should be observed and documented by the Geotechnical Consultant prior to placing fill. It is the contractor's responsibility to apprise the Geotechnical Consultant of their schedules and notify the Geotechnical Consultant when those areas are ready for observation.

F. The contractor is responsible for providing a safe environment for the Geotechnical Consultant to observe grading and conduct tests.

II. Site Preparation

A. Clearing and Grubbing: Excessive vegetation and other deleterious material shall be sufficiently removed as required by the Geotechnical Consultant, and such materials shall be

properly disposed of offsite in a method acceptable to the owner and governing agencies. Where applicable, the contractor may obtain permission from the Geotechnical Consultant, owner, and governing agencies to dispose of vegetation and other deleterious materials in designated areas onsite.

B. Unsuitable Soils Removals: Earth materials that are deemed unsuitable for the support of fill shall be removed as necessary to the satisfaction of the Geotechnical Consultant.

C. Any underground structures such as cesspools, cisterns, mining shafts, tunnels, septic tanks, wells, pipelines, other utilities, or other structures located within the limits of grading shall be removed and/or abandoned in accordance with the requirements of the governing agency and to the satisfaction of the Geotechnical Consultant. Environmental evaluation of existing conditions is not the responsibility of the Geotechnical Consultant.

D. Preparation of Areas to Receive Fill: After removals are completed, the exposed surfaces shall be processed or scarified to a depth of approximately 8 inches, watered or dried, as needed, to achieve a generally uniform moisture content that is at or near optimum moisture content. The scarified materials shall then be compacted to the project requirements and tested as specified.

E. All areas receiving fill shall be observed and approved by the Geotechnical Consultant prior to the placement of fill. A licensed surveyor shall provide survey control for determining elevations of processed areas and keyways.

III. Placement of Fill

A. Suitability of fill materials: Any materials, derived onsite or imported, may be utilized as fill provided that the materials have been determined to be suitable by the Geotechnical Consultant. Such materials shall be essentially free of organic matter and other deleterious materials, and be of a gradation, expansion potential, and/or strength that is acceptable to the Geotechnical Consultant. Fill materials shall be tested in a laboratory approved by the Geotechnical Consultant, and import materials shall be tested and approved prior to being imported.

B. Generally, different fill materials shall be thoroughly mixed to provide a relatively uniform blend of materials and prevent abrupt changes in material type. Fill materials derived from benching should be dispersed throughout the fill area instead of placing the materials within only an equipment-width from the cut/fill contact.

C. Oversize Materials: Rocks greater than 12 inches in largest dimension shall be disposed of offsite or be placed in accordance with the recommendations by the Geotechnical Consultant in the areas that are designated as suitable for oversize rock placement. Rocks that are smaller than 8 inches in largest dimension may be utilized in the fill provided that they are not nested and are their quantity and distribution are acceptable to the Geotechnical Consultant and do not inhibit the ability to properly compact fill materials.

D. The fill materials shall be placed in thin, horizontal layers such that, when compacted, shall not exceed 6 inches. Each layer shall be spread evenly and shall be thoroughly mixed to obtain a near uniform moisture content and uniform blend of materials.

E. Moisture Content: Fill materials shall be placed at or above the optimum moisture content or as recommended by the geotechnical report. Where the moisture content of the engineered fill is less than recommended, water shall be added, and the fill materials shall be blended so that a near uniform moisture content is achieved. If the moisture content is above the limits specified by the Geotechnical Consultant, the fill materials shall be aerated by discing, blading, or other methods until the moisture content is acceptable.

F. Each layer of fill shall be compacted to the project standards in accordance to the project specifications and recommendations of the Geotechnical Consultant. Unless otherwise specified by the Geotechnical Consultant, the fill shall be compacted to a minimum of 90 percent of the maximum dry density as determined by ASTM Test Method: D1557.

G. Benching: Where placing fill on a slope exceeding a ratio of 5 to 1 (horizontal to vertical), the ground should be keyed or benched. The keyways and benches shall extend through all unsuitable materials into suitable materials such as firm materials or sound bedrock or as recommended by the Geotechnical Consultant. The minimum keyway width shall be 15 feet and extend into suitable materials, or as recommended by the geotechnical report and approved by the Geotechnical Consultant. The minimum keyway width for fill over cut slopes is also 15 feet, or as recommended by the geotechnical report and approved by the Geotechnical Consultant. As a general rule, unless otherwise recommended by the Geotechnical Consultant, the minimum width of the keyway shall be equal to $\frac{1}{2}$ the height of the fill slope.

H. Slope Face: The specified minimum relative compaction shall be maintained out to the finish face of fill and stabilization fill slopes. Generally, this may be achieved by overbuilding the slope and cutting back to the compacted core. The actual amount of overbuilding may vary as field conditions dictate. Alternately, this may be achieved by backrolling the slope face with suitable equipment or other methods that produce the designated result. Loose soil should not be allowed to build up on the slope face. If present, loose soils shall be trimmed to expose the compacted slope face.

I. Slope Ratio: Unless otherwise approved by the Geotechnical Consultant and governing agencies, permanent fill slopes shall be designed and constructed no steeper than 2 to 1 (horizontal to vertical).

J. Natural Ground and Cut Areas: Design grades that are in natural ground or in cuts should be evaluated by the Geotechnical Consultant to determine whether scarification and processing of the ground and/or overexcavation is needed.

K. Fill materials shall not be placed, spread, or compacted during unfavorable weather conditions. When grading is interrupted by rain, filing operations shall not resume until the Geotechnical Consultant approves the moisture and density of the previously placed compacted fill.

IV. Cut Slopes

- A. The Geotechnical Consultant shall observe all cut slopes, including fill over cut slopes, and shall be notified by the contractor when cut slopes are started.
- B. If adverse or potentially adverse conditions are encountered during grading, the Geotechnical Consultant shall investigate, evaluate, and make recommendations to mitigate the adverse conditions.
- C. Unless otherwise stated in the geotechnical report, cut slopes shall not be excavated higher or steeper than the requirements of the local governing agencies. Short-term stability of the cut slopes and other excavations is the contractor's responsibility.

V. Drainage

- A. Backdrains and Subdrains: Backdrains and subdrains shall be provided in fill as recommended by the Geotechnical Consultant and shall be constructed in accordance with the governing agency and/or recommendations of the Geotechnical Consultant. The location of subdrains, especially outlets, shall be surveyed and recorded by the Civil Engineer.
- B. Top-of-slope Drainage: Positive drainage shall be established away from the top of slope. Site drainage shall not be permitted to flow over the tops of slopes.
- C. Drainage terraces shall be constructed in compliance with the governing agency requirements and/or in accordance with the recommendations of the Civil Engineer.
- D. Non-erodible interceptor swales shall be placed at the top of cut slopes that face the same direction as the prevailing drainage.

VI. Erosion Control

- A. All finish cut and fill slopes shall be protected from erosion and/or planted in accordance with the project specifications and/or landscape architect's recommendations. Such measures to protect the slope face shall be undertaken as soon as practical after completion of grading.
- B. During construction, the contractor shall maintain proper drainage and prevent the ponding of water. The contractor shall take remedial measures to prevent the erosion of graded areas until permanent drainage and erosion control measures have been installed.

VII. Trench Excavation and Backfill

- A. Safety: The contractor shall follow all OSHA requirements for safety of trench excavations. Knowing and following these requirements is the contractor's responsibility. All trench excavations or open cuts in excess of 5 feet in depth shall be shored or laid back. Trench excavations and open cuts exposing adverse geologic conditions may require further evaluation

by the Geotechnical Consultant. If a contractor fails to provide safe access for compaction testing, backfill not tested due to safety concerns may be subject to removal.

B. Bedding: Bedding materials shall be non-expansive and have a Sand Equivalent greater than 30. Where permitted by the Geotechnical Consultant, the bedding materials can be densified by jetting.

C. Backfill: Jetting of backfill materials to achieve compaction is generally not acceptable. Where permitted by the Geotechnical Consultant, the bedding materials can be densified by jetting provided the backfill materials are granular, free-draining and have a Sand Equivalent greater than 30.

VIII. Geotechnical Observation and Testing During Grading

A. Compaction Testing: Fill will be tested and evaluated by the Geotechnical Consultant for evaluation of general compliance with the recommended compaction and moisture conditions. The tests shall be taken in the compacted soils beneath the surface if the surficial materials are disturbed. The contractor shall assist the Geotechnical Consultant by excavating suitable test pits for testing of compacted fill.

B. Where tests indicate that the density of a layer of fill is less than required, or the moisture content is not within specifications, the Geotechnical Consultant shall notify the contractor of the unsatisfactory conditions of the fill. The portions of the fill that are not within specifications shall be reworked until the required density and/or moisture content has been attained. No additional fill shall be placed until the last lift of fill is tested and found to meet the project specifications and approved by the Geotechnical Consultant.

C. If, in the opinion of the Geotechnical Consultant, unsatisfactory conditions, such as adverse weather, excessive rock or deleterious materials being placed in the fill, insufficient equipment, excessive rate of fill placement, results in a quality of work that is unacceptable, the consultant shall notify the contractor, and the contractor shall rectify the conditions, and if necessary, stop work until conditions are satisfactory.

D. Frequency of Compaction Testing: The location and frequency of tests shall be at the Geotechnical Consultant's discretion. Generally, compaction tests shall be taken at intervals approximately two feet in fill height.

E. Compaction Test Locations: The Geotechnical Consultant shall document the approximate elevation and horizontal coordinates of the compaction test locations. The contractor shall coordinate with the surveyor to assure that sufficient grade stakes are established so that the Geotechnical Consultant can determine the test locations. Alternately, the test locations can be surveyed and the results provided to the Geotechnical Consultant.

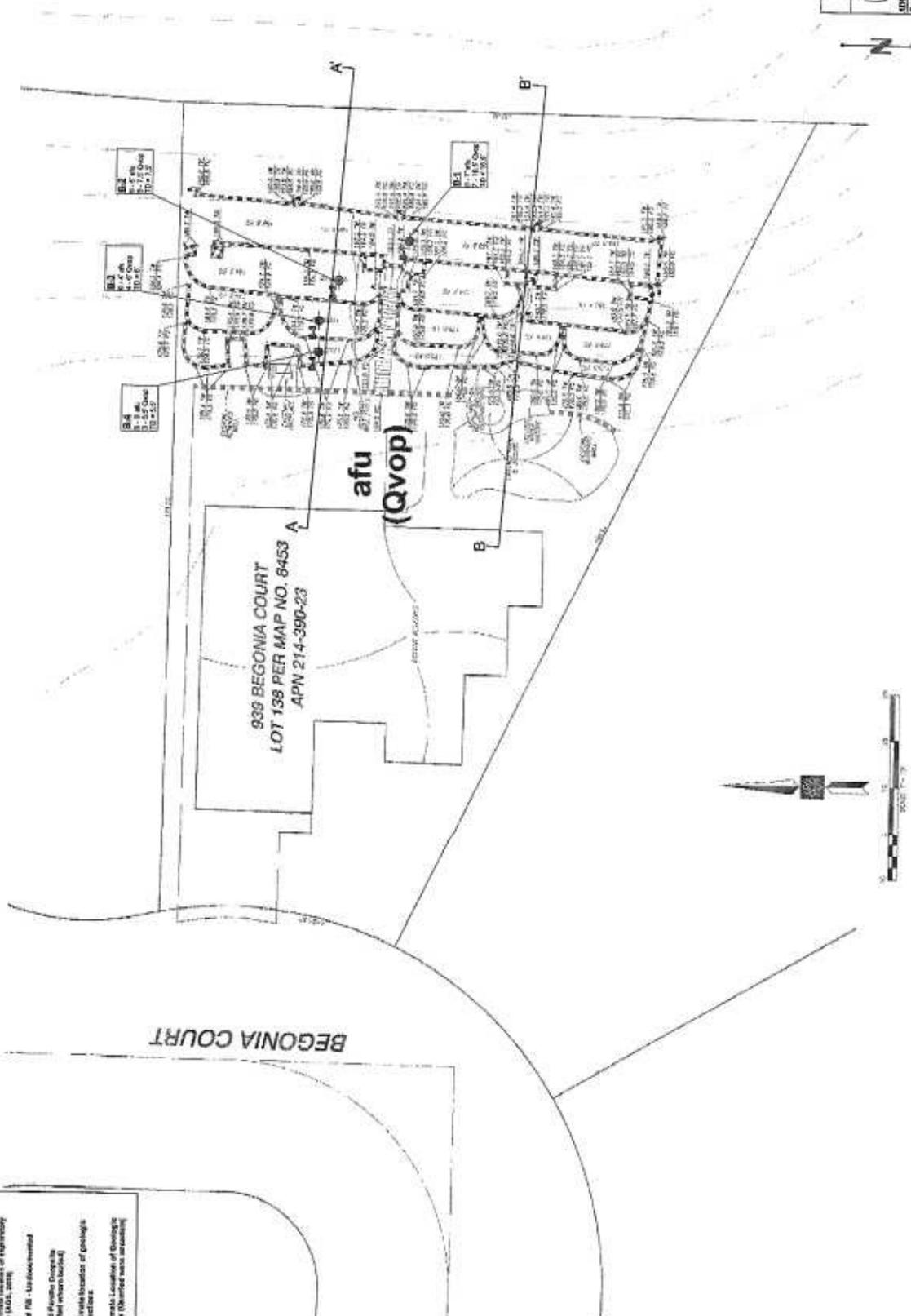
F. Areas of fill that have not been observed or tested by the Geotechnical Consultant may have to be removed and recompacted at the contractor's expense. The depth and extent of removals will be determined by the Geotechnical Consultant.

G. Observation and testing by the Geotechnical Consultant shall be conducted during grading in order for the Geotechnical Consultant to state that, in his opinion, grading has been completed in accordance with the approved geotechnical report and project specifications.

H. Reporting of Test Results: After completion of grading operations, the Geotechnical Consultant shall submit reports documenting their observations during construction and test results. These reports may be subject to review by the local governing agencies.

LEGEND:

-  Approximate location of regulatory agency (AGS, 2018)
-  afu - Unincorporated
-  Qvop - Very Old Public Deposits (structures where local agency jurisdiction applies)
-  Approximate Location of Geographic Context (shaded area on map)



BEGONIA COURT

939 BEGONIA COURT
LOT 138 PER MAP NO. 8453
APN 214-390-23

afu
(Qvop)

PLATE 1
Geologic Map & Exploration Location
Date: _____



AGS
ADVANCED GEOTECHNICAL SOLUTIONS, INC.
Project: _____ Report: _____ Date: _____
P.O. Box 111111 San Diego, CA 92161-0111 (619) 726-8800

PREPARED BY:
Fusion Eng Tech
4207 Babcock Ave #609
San Diego CA
(619) 726-8800

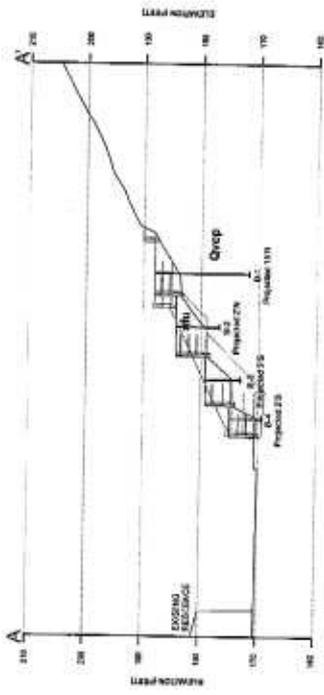


RELINQUISH SEE PLAN
LIGHTMAN RESIDENCE
939 BEGONIA COURT
CITY OF CARLSBAD, CALIFORNIA

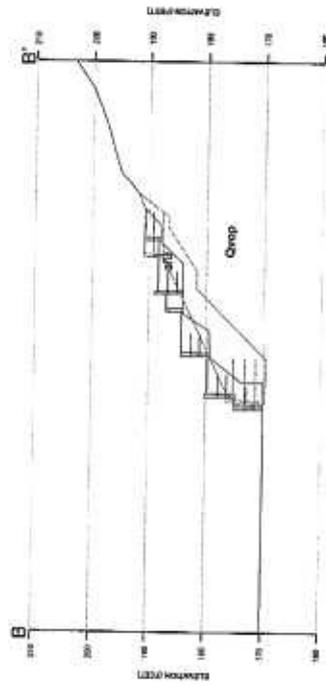


MAP
1
OF
1

- EXISTING CONVENTION
- EXISTING 1/2" BENCH
- PROPOSED CONVENTION
- PROPOSED 1/2" BENCH



CROSS-SECTION A-A'
SCALE 1"=10' HORIZ



CROSS-SECTION B-B'
SCALE 1"=10' HORIZ



AGS

ADVANCED GEOTECHNICAL SOLUTIONS, INC.

485 Corporate Drive, Suite B

Escondido, Ca 92029

Telephone: (619) 867-0487

FUSION ENGINEERING & TECHNOLOGY

4231 Balboa Avenue, Suite 619

San Diego, CA 92117

September 10, 2020

P/W 1907-03

Report No. 1907-03-B-4

Attention: John Rivera, PE
Subject: Geotechnical Addendum, Response to City of Carlsbad Engineering Review Comments, Lichtman Residence, 939 Begonia Court, City of Carlsbad, California.

References: Appendix

Gentlemen:

In accordance with your request and authorization, Advanced Geotechnical Solutions, Inc., has prepared this response to Engineering Review Comments provided by the City of Carlsbad Community Development Department regarding the existing Mechanically Stabilized Earth (MSE) retaining walls in the rear yard of the Lichtman Residence located at 939 Begonia Court, City of Carlsbad, California. More specifically, this letter has been prepared in response to Engineering review comments 1a through 1g from the 1st Review for CDP 2020-0026/V 2020-0004 (DEV 2020-0134) - Begonia Court Retaining Wall dated June 29, 2020 and provided to AGS on September 9, 2020. Unless superseded in the text of this addendum report, the conclusions and recommendations presented in referenced geotechnical report (AGS 2019) remain valid and applicable and should be properly implemented. In preparing this response to cycle review comments we have first presented the review comment followed by our response.

City of Carlsbad- Submit supplemental geotechnical report to the report dated October 9, 2019 by AGS expanding on analysis and recommendations of the third option chosen to reinforce the existing system. Include in the supplemental geotechnical report:

1a – Recommendations for anchor locations, lengths, spacing, etc. and specify which walls shall be anchored.

AGS Response – It is our understanding that stabilization of the existing MSE retaining walls will be performed on a design-build basis. The design-build contractor will provide the locations, lengths, spacing, etc. of the soil nails/tie-backs and determine which walls will be anchored. Any MSE retaining walls not stabilized with a shotcrete and soil nail/tie-back system should be evaluated by AGS and may require reconstruction using the appropriate geogrid type, length, and spacing and the reinforced and retained soils compacted to a minimum of 90 percent of the dry density per ASTM D-1557. The shotcrete with soil nail/tie-back system should be designed by a licensed engineer familiar with these systems. The soil nail/tie-back capacity is dependent on the drilling and grouting methods and should be estimated by the design-build contractor. Testing should be conducted during construction. For preliminary estimating purposes, ultimate anchor capacities in the formational materials (sandstone) can be assumed to be 4,300 pounds per square foot (30 psi). Since the above friction capacities are considered ultimate, an appropriate factor of safety should be incorporated into the design. Soils nails should be embedded a minimum of 10 feet into competent formational

materials. The soil nail/tie-back reinforcement system should be designed to support an active pressure corresponding to an equivalent fluid weight of 40 pcf for level backfill and 60 pcf for sloping backfill, and should also consider the surcharges of the tiered walls. When a design is available, it should be reviewed by AGS and a global stability analysis performed.

***Ib** – Installation methods and procedures.*

AGS Response – Installation methods and procedures should be provided by the design-build contractor. Typically, this type of reinforcement may first include coring through the MSE wall blocks at predetermined locations. Hand drills would be used to advance an inclined hole to the design length. The soil nail would be placed in the hole and possibly tubes for primary and post grouting. Testing of selected soil nails would be completed after grouting. Drain boards may be installed on the outside of the MSE wall blocks and a reinforcement mat may be installed. Bearing plates would be affixed to the end of the nails and possibly tied to the reinforcement mat on the outside of the MSE wall. Shotcrete would then be applied to complete the wall.

***Ic** – Assess overall feasibility of the project.*

AGS Response – Stabilization of the existing MSE retaining wall system with soil nails/tie-back anchors is considered feasible from a geotechnical perspective. Plans for the stabilization of the existing retaining walls should be reviewed by AGS when they are available.

***Id** – Location Map.*

AGS Response – Figure 1- Site Location Plan is included herewith.

***Ie** – Describe impacts on adjacent properties/improvements as a result of site grading and construction.*

AGS Response – It is anticipated that the impacts on adjacent properties/improvements as a result of site grading and construction will be negligible to favorable. It should be noted that depending on the final design length of the soil nails/tie-backs, they may encroach into the superjacent parcel(s) and require permission from the adjacent property owner(s).

***If** – Reference applicable building/grading codes/ordinances.*

AGS Response – Applicable building/grading codes/ordinances should be provided by the design engineer and included on the project plans.

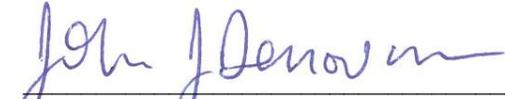
***Ie** – Recompaction requirements as the fill has not been recompacted to a minimum of 90% of relative compaction per the conclusions in Section 6.0 of October 9, 2019 report. Is recompaction of slopes and level areas between wall required for this remediation option? Design engineer shall also estimate remediation quantities for recompaction in their grading quantity assessment.*

AGS Response – AGS is unaware of slopes between walls with the exception of the stairs. Provided that there are no structural or settlement sensitive improvements constructed in the project area and that some settlement of the retained soils is acceptable to the property owner, recompaction of the existing retained fill soils is not required. The recommended design active pressure for the

reinforcement system and the shear strengths provided in the referenced report that should be used for the global stability analysis have considered the current condition of the existing fill.

Advanced Geotechnical Solutions, Inc. appreciates the opportunity to provide you with geotechnical consulting services and professional opinions. Should you have any questions, please contact the undersigned at (619) 867-0487.

Respectfully Submitted,
Advanced Geotechnical Solutions, Inc.



JOHN J. DONOVAN
RCE 65051, RGE 2790, Reg. Exp. 6-30-21



PAUL J. DERISI
CEG 2536, Reg. Exp. 5-31-21

Distribution: (3) Addressee
Attachments: References
Figure 1 – Site Location Map

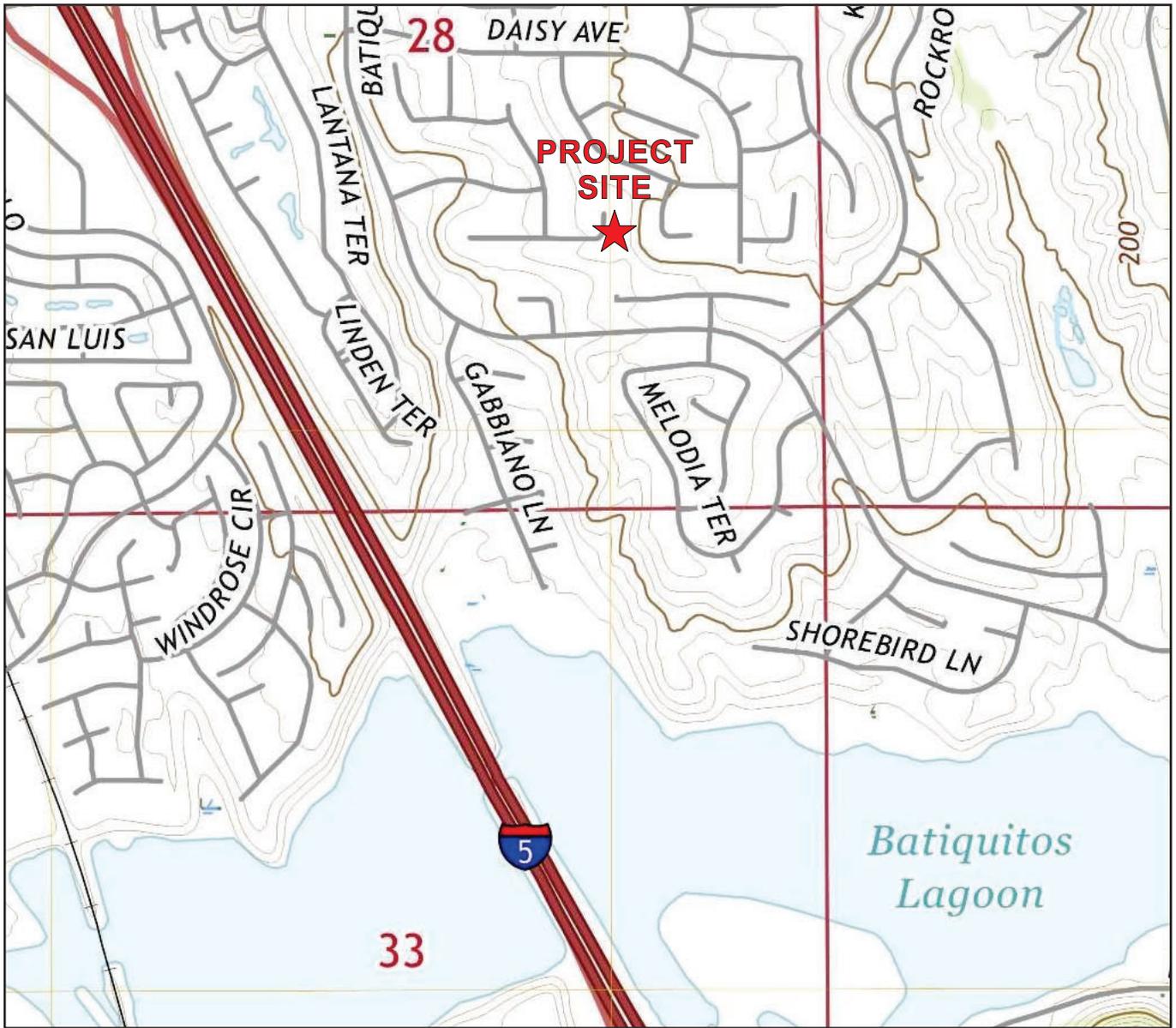


REFERENCES

Advanced Geotechnical Solutions, Inc. (2010). "Geotechnical Evaluation of Existing Mechanically Stabilized Earth Walls, 939 Begonia Court, City of Carlsbad, California," dated October 9, 2019, Report No. 1907-03-B-3.

Fusion Engineering and Technology, Preliminary Site Plan for Lichtman Residence, 939 Begonia Court, City of Carlsbad, California, Map 1 of 1, 10-Scale, undated.

Kennedy, M.P., and Tan, S.S., 2007, Geologic Map of the Oceanside 30' x 60' Quadrangle, California Geological Survey: Scale 1:100,000.



**SITE LOCATION MAP
939 BEGONIA COURT,
CARLSBAD, CALIFORNIA**

P/W 1907-03

FIGURE 1

SOURCE MAP - U.S.G.S. TOPOGRAPHIC MAP OF THE ENCINITAS 7.5 MINUTE QUADRANGLE, SAN DIEGO COUNTY, CALIFORNIA (2018)



AGS

ADVANCED GEOTECHNICAL SOLUTIONS, INC.
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Telephone: (619) 867-0487 Fax: (714) 409-3287

April E. Roberts, Esq.
LAW OFFICE OF ALEC HARSHEY
901 S. State St., Suite 400
Hemet, CA 92543

Addendum to Variances P-4 Justification for Variance:

1. Explain what special circumstances are applicable to the subject property, including size, shape, topography, location or surroundings, whereby the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification:

Special Circumstances: Location and size of the existing wall, topography of the area and accessibility make approving the variance and issuing a permit of the current retaining wall with approved retrofitting the optimal alternative in remedying the code violation.

Due to the location of the existing retaining wall as constructed, removing it would not only pose a threat of danger of destabilizing the slope/hill, removing the wall, which spans close to 100 feet long and 21 feet in height also poses extreme challenges regarding access to the wall.

Such challenges would not only cause substantial nuisance to the neighborhood, but would also require considerable use and intrusion of and onto neighboring lots. Attached hereto is a petition with some 67 signatures of property owners in the neighborhood that not only support permitting the existing wall and allowing it to remain with retro-fitting, but that clearly shows that requiring the wall be removed will cause serious concerns of neighboring residents, and could possibly result in litigation.

2. Explain why the granting of the variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located and is subject to any conditions necessary to assure compliance with this finding:

Granting of the variance would not constitute a grant of special privilege inconsistent any limitation upon other properties in the vicinity. On the contrary, granting of the variance would be absolutely consistent with the City's explicit or implicit approval of extremely similar retaining walls not only within the City of Carlsbad, but within the very neighborhood of the subject premises.

To follow are several examples of retaining walls within the City's limits that do not comport with CMC 21.95.140.

They are as follows:

- The Karl Strauss complex with hotel near the Carlsbad Flower Fields. The combined wall heights are approximately 14 feet, perhaps higher. There are several areas of two walls staggered in a terrace fashion, similar to the walls constructed on my client's premises, each over 6 feet in height at the Karl Strauss complex.

- 4901 El Camino Real, Carlsbad (our closest approximation of address). The walls here are approximately 6 feet in height in areas, perhaps higher, and do not begin at the base of the hill. Here the hillside is quite steep, steeper even than the hill at my client's premises at issue.
- On the corner of Salk Avenue and El Camino Real in Carlsbad at the Scripps Coastal Medical Center is a wall that may be as high as 40 feet.
- At the corner of Kelly Drive and El Camino Real in Carlsbad (across the street from the Oasis Nursery at 4901 El Camino Real, Carlsbad) are walls that are as long as approximately 1000 feet. They are terraced and also do not begin at the base of the hill. The highest wall is approximately 20 feet in height.
- The Robertson Ranch housing development at the beginning of the Robertson Ranch trail head, these load bearing walls are over six feet.
- The Montecito Apartments at Carlsbad also exhibits walls in excess of 6 feet, including a single wall and two staggered terraced retaining walls.
- Across the street from the Montecito Apts. at the El Camino Estates also exhibits a long wall over 6 feet in height, which is load bearing.
- The Crossings at Carlsbad off of Palomar Airport Road contains a wall that may be up to 30 feet in height and is perhaps 500 feet in length.
- 7214 Azalea Place, which is only one block from 939 Begonia Ct., the subject premises. On this wall are stairs following the side of a similar sized hillside as the existing wall of the subject premises. There is also a wooden deck approximately 20 feet up the side of the hill, above the wall.
- 907 Poppy Ln, two blocks from 939 Begonia Ct. At this address, according to its owner, permits were granted for additions to the house and an expansion of the driveway, wherein the hillside was cut away to make room for RV parking. The graded hillside has been cut almost vertically to over 8 ft to 10 ft.

These ten separate examples of hillside development retaining walls within the City of Carlsbad, which do not comport with the municipal code bear evidence to the City's allowance of variances of its Code and its selective enforcement thereof. As such, denying the permit would be inconsistent with the City's enforcement of its Code.

In addition, granting the permit would not prejudice or harm any surrounding homeowners. Some such owners currently have hillside retaining walls of their own. In addition, the retaining wall, as constructed not only beautifies the subject property and substantially raises its property value, it does so for the neighborhood as a whole.

What is more, construction of the wall began sometime in 2016, and the wall was completed some time ago. Applicant is unaware of any complaints to the City regarding the wall, other than one specific disgruntled neighbor, with a history of making false claims, whose unfounded complaint had to do with noise rather than the existence of the wall itself.

The wall, as constructed, does not impede any view of any surrounding property. It is placed upon an existing slope, both stabilizing the slope and making the slope attractive.

3. Explain why the granting of the variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the subject property:

Granting of the variance does not authorize any use or activity unauthorized by the Code. Applicant does not seek a building permit in order to conduct some unauthorized activity, or to construct an object that is not there, the subject retaining wall has been already been constructed. The variance seeks permitting the existing wall after retrofitting.

Further, no use or activity unauthorized by the zone regulations governing the subject property shall be conducted at the subject property if a permit is granted. The wall is to beautify the subject property, it is not for any other use or activity.

4. Explain why the granting of the variance is consistent with the general purpose and intent of the General Plan and any applicable specific or Master Plans:

Granting the variance is consistent with the general purpose and intent of the General Plan as it protects and enhances natural resources. The retrofitted retaining wall will protect the integrity of the slope it is built upon, which protects the natural topography of the coastline.

Forcing the removal of the retaining wall will do just the opposite, and will not only endanger the integrity of the slope but may cause the slope to become unreflective of its natural state prior to the wall being built, it may take away the height, slope, and size of the hillside.

In addition, local vegetation and trees that were not a part of the hillside previously have been placed in and around the retaining wall. As part of granting the variance, Applicant is open to installing, introducing and placing additional natural vegetation and trees in and around the existing wall, which will enhance and restore the overall quality of the Coastal Zone environment and its natural and man-made resources, pursuant to the Coastal Act.

5. If located within the coastal zone, explain why the variance is consistent with and implements the requirements of the certified local coastal program and that the variance does not reduce or in any manner adversely affect the protection of coastal resources.

The City is to take into consideration what will assure balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of the State. Applicant offers such a balance. By retrofitting the existing wall, it shall work to conserve the coastal zone, add natural resources, while benefitting both the social and economic needs of the community in that the wall brings value to surrounding properties.

The City must also protect the rights of property owners. The City has allowed similar retaining walls in size and scope within its limits, giving rise to the argument that such walls are desirable and in certain circumstances allowed by the City. Property owners should be allowed certain items on their property within reason. The scope of the wall, once retrofitted is reasonable and consistent with walls the City has allowed.

If a permit is granted, the City will show its priority for coastal-dependent development over other development on the coast. The subject wall follows the hillside, it does not reduce or extend it, but was dependent upon its natural state when constructed. The wall merely covers what was there and stabilizes the hillside, but is not a development independent of the coast. The current wall also aids in erosion control.

In addition, permitting the existing wall will further the City's policy regarding Maximum Density of Development. If the wall is permitted, its placement will disallow other development, which may not be coastal-dependant, and will create an area where further development cannot occur, minimizing the density of development.

As stated, Applicant is willing to add further natural vegetation and trees, as well as features to slow runoff and maximize onsite infiltration of runoff. What is more, the retaining wall works to minimize the opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids and other pollutants from entering the storm water conveyance system through the hillside.

In all, granting the variance is consistent with the goals and policies of the City regarding its coastal zone and with other variances granted for similar retaining walls in the area. In contrast, denying the variance not only poses a risk to the hillside, but also a logistical nightmare that some 67 local residents object to. Removal of the wall will be oppressive to the surrounding neighborhood.

Applicant has been a resident of the area for some time and is a proponent of coastal protection, and understands the City's interest in consistency and enforcement of its Code. However, Applicant hopes that the Code will not be arbitrarily enforced in a discriminatory and draconian manner that will thwart the City's efforts of coastal protection. Not only will granting the variance not cause harm, the wall's retrofitting shall work to protect the hillside. Applicant is willing to do all practicable to enhance and protect the coast's natural resources. In consideration of the above, allowing the variance shall not only be consistent with the City's enforcement of its Code, but also with the spirit and policies of its Master Plan.

From: [Linda Kranen](#)
To: [Planning](#)
Subject: Begonia Ct retaining wall, CDP 2020-0026/V 2020-0004
Date: Friday, December 4, 2020 1:28:47 PM

Regarding the request for a permit and variance to allow an unpermitted retaining wall system at the site below and to the south of my property according to your map (you didn't provide an address), I see no reason why this request should not be approved, considering that there are a multitude of similar retaining walls throughout the old Spinnaker Hill neighborhood; it's likely that more downhill homes have them than not. Given the prevalence of these walls, I'm guessing that the city's involvement is the result of a complaint from a cantankerous neighbor.

L. Kranen
7305 Lily Pl, Carlsbad

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [g.n](#)
To: [Planning](#)
Subject: Begonia Court Retaining Wall CDP 2020-0026/V 2020-0004
Date: Tuesday, December 8, 2020 1:21:30 PM

This property has been the OUTLAW of the neighborhood ! Non-stop party with blasting music and screaming children! Have you had child protective services there? ! Parties have gone ALL NIGHT on many occasions for over a year.

The MASSIVE TERRACE cuts into the hillside, and from our view, has no rebar, mortar, drainage OR RAILINGS! It's amazing a kid hasn't fallen to his death already!.

We are not using our name but we can see it and we have no doubt these scumbags will take retribution on us . On one weekend, they left a BLARING MEXICAN (in Spanish) RADIO STATION ON! directed to the south, our way...We assumed it was because someone complained.

***CAUTION:** Do not open attachments or click on links unless you recognize the sender and know the content is safe.*



P.C. AGENDA OF: December 16, 2020

Application complete date: September 30, 2019

Project Planner: Chris Garcia

Project Engineer: Allison McLaughlin

SUBJECT: **CT 2018-0002/SDP 2018-0002/CDP 2018-0005/HDP 2018-0001/HMP 2018-0001/EIR 2018-0001 (DEV2017-0033) – AVIARA APARTMENTS** – Request for 1) certification of an Environmental Impact Report (EIR 2018-0001), including the approval of Candidate Findings of Fact and a Mitigation Monitoring and Reporting Program; and 2) approval of a Tentative Tract Map, Site Development Plan, Coastal Development Permit, Hillside Development Permit and Habitat Management Plan Permit to demolish an agricultural packaging warehouse and construct 329 apartments (81 affordable units and 1 manager’s unit), including development standards modifications, on an existing parcel that is bisected by Aviara Parkway, north of Laurel Tree Lane, currently addressed as 1205 Aviara Parkway, within the Mello II Segment of the Local Coastal Program and within Local Facilities Management Zone 5. This project is located within the appeal area of the California Coastal Commission.

I. RECOMMENDATION

That the Planning Commission 1) **ADOPT** Planning Commission Resolution No. 7398 **CERTIFYING** Environmental Impact Report EIR 2018-0001, including the approval of Candidate Findings of Fact and a Mitigation Monitoring and Reporting Program, and 2) **ADOPT** Planning Commission Resolution No. 7399 **APPROVING** Tentative Tract Map CT 2018-0002, Site Development Plan SDP 2018-0002, Coastal Development Permit CDP 2018-0005, Hillside Development Permit HDP 2018-0001 and Habitat Management Plan Permit HMP 2018-0001 based on the findings and subject to the conditions contained therein.

II. PROJECT DESCRIPTION AND BACKGROUND

The project proposes to develop a multi-family apartment community on a 9.2-acre lot that is currently bisected by Aviara Parkway. The applicant is proposing to subdivide the existing lot into five lots with three open space lots and a “West Parcel” and “East Parcel” containing 329 apartments of various sizes.

The West Parcel currently supports an active flower and produce packaging and wholesale operation, which includes a 38,000-square-foot warehouse. All existing structures would be demolished. The West Parcel is bordered on the east, south, and west sides by existing slopes. Elevations on the West Parcel range from approximately 82 feet to 144 feet above mean sea level. Development would include an approximately 477,000-square-foot residential structure with 259 dwelling units, including an incorporated parking structure. The four-story structure is a maximum of 60 feet in height above final grade and would be built in a “wrap” configuration that shields the parking from view of public roads. The West Parcel would contain 247 market-rate and 12 affordable rental units. The proposed project includes 184 one-bedroom and 75 two-bedroom units on the West Parcel. Twelve of the one-bedroom units will be set aside for residents with incomes that do not exceed 90 % of the area median income (AMI) which



is moderate-income affordable housing. The one-bedroom units range from 711 to 785 square feet with the two-bedroom units at 1,009 to 1,135 square feet. Access to the West Parcel is provided at a driveway at the existing signalized intersection of Aviara Parkway and Laurel Tree Lane. A proposed “right-in” only driveway would also provide access to the site further north on Aviara Parkway. Grading on the West Parcel includes 736 cubic yards (c.y.) of cut, 42,178 c.y. of fill, with 44,312 c.y. of import. A grading permit will be required for this portion of the development.

The East Parcel is currently undeveloped vacant land with existing native and non-native vegetation, but the site has previously been graded. Elevations on the East Parcel range between 94 and 111 feet above mean sea level and the site slopes to the northwest at a gentle gradient. The East Parcel would contain 69 affordable rental units, plus one manager’s unit, in an approximately 83,123-square-foot structure. Parking on the East Parcel would be provided at ground level in individual garages and a surface lot. The four-story building on the East Parcel is a maximum of 57 feet in height above final grade. The proposed project includes 14 studios, 23 one-bedroom, 26 two-bedroom and seven three-bedroom units on the East Parcel. Seven units of the 70 units would be set aside as “very low-income” units for residents with incomes that do not exceed 30 % of the AMI, 62 units would be reserved as “low-income” units for residents with incomes that do not exceed 60 % of the AMI, and one unit would be the manager’s unit that is not designated as an affordable unit. Studio units are approximately 450 square feet with one-bedroom units approximately 600 square feet. Two-bedroom units range from 702 to 860 square feet. Three-bedroom units range from 986 to 1,048 square feet. Access to the East Parcel would be provided by a driveway from Laurel Tree Lane. An emergency access driveway is located off Aviara Parkway. Grading on the East Parcel includes 856 cubic yards (c.y.) of cut, 7,767 c.y. of fill, with 110,357 c.y. of import. A grading permit will be required for this portion of the development.

The proposed project provides 37,570 sf of resident amenities. Indoor amenities at the West Parcel would include a multi-purpose/club room, a fitness facility, and a Wi-Fi café. Common open space features on the West Parcel would include an outdoor recreation area and pool courtyard, an outdoor lounge area, two passive courtyards, an arrival yard, entry plaza, and the West Yard. The West Parcel would also include an onsite leasing office. Indoor amenities at the East Parcel would include a multi-purpose/club room. Common open space features on the East Parcel would include an outdoor recreation area, arrival yard and entry plaza.

Surrounding land uses primarily consist of commercial and residential uses and designated open space. To the north of the project site is a 50-foot riparian buffer designated as open space and Encinas Creek, which maintains a Hardline Preserve designation under the city’s Habitat Management Plan. Beyond the open space to the north are commercial developments and associated parking adjacent to Palomar Airport Road. To the east of the project site is an existing gym and an undeveloped hillside. To the south of the West Parcel is an undeveloped hillside and residential uses located on the top of the hillside. To the south of the East Parcel is Laurel Tree Lane and multi-family residential developments. To the west of the project site are undeveloped hillsides designated as open space with single-family residences on top of the undeveloped hillside.

The architecture of the West Parcel development is inspired by the Spanish Colonial Revival style, which is prominent in Carlsbad and also popular among other coastal California neighborhoods having a Mediterranean climate and setting. The architecture features hip roofs with concrete ‘S’ tiles, punctuated with tower elements to emphasize a sense of arrival, exposed rafter tails along the projecting eave overhangs, stucco walls with deep recesses, arches adorned with hand-painted ceramic tiles, trellis structures shading top floor balconies, wrought iron railings, and decorative corbels. The primarily cream-

colored palette lends emphasis and contrast to the darker decorative features. Residents will descend from the higher Aviara Parkway to arrive at an entry court surrounded by landscaped gardens and amenity spaces. The 258 dwelling units are carefully arranged in four stories to create inviting courtyards and outdoor spaces while concealing all parking within a five-level structure. Solar arrays are oriented on the roof to capture the sun and shade the upper level parking.

The East Parcel development is a contemporary Spanish-style rental community inspired by California’s early heritage of adobe structures, as well as the modern movement brought on by Irving Gill and his predecessors. The architecture features a combination of sloped roofs with tight rakes and flat roofs with parapets, bay windows and metal canopies to highlight the main building entrance, stucco walls accented with siding, a chiseled limestone veneer at the base, concrete ‘S’ tile roofing, trellis structures over top floor balconies, metal railings, decorative corbels, and a color palette of neutral shades of tan and brown. The combination of cascading roofs provides a platform for sustainable features, such as solar sun shading. The development on the East Parcel embraces Carlsbad’s climate by incorporating an open-air atrium and courtyard, which welcome daylighting and breezes to filter through. The proposed four-story, v-shaped compact structure upholds the human scale of a lower-density development, which is most apparent at the intersection of Aviara Parkway and Laurel Tree Lane where the building sits an entire story below the adjacent street grades.

Table “A” below includes the General Plan designations, zoning and current land uses of the project site and surrounding properties.

TABLE A – SITE AND SURROUNDING LAND USES

Location	General Plan Designation	Zoning	Current Land Use
Site	R-30 Residential: 23-30 dwelling units per acre (du/ac) with a Growth Management Control Point (GMCP) of 25 du/ac.	Residential Density – Multiple (RD-M) Zone	Agricultural warehouse (west side) / vacant (east side)
North	Office (O) / Open Space (OS)	Office (O) / Open Space (OS)	Office building / vacant
South	R-4 Residential (0-4 du/ac) / R-23 Residential (15-23 du/ac)	One-Family Residential (R-1-10,000 – Q) / RD-M-Q	One- and two-family residential / multi-family affordable apartments
East	OS	OS	Open Space
West	OS / R-8 Residential (4-8 du/ac)	OS / R-1-Q	Open Space / single-family residential

III. ANALYSIS

The project is subject to the following regulations:

- A. R-30 Residential General Plan Land Use designation;
- B. Residential Density – Multiple (RD-M) Zone (CMC Chapter 21.24) and Site Development Plan (CMC Sections 21.06.030 and 21.53.120);
- C. Coastal Development Regulations for the Mello II Segment of the Local Coastal Program (CMC Chapter 21.201) and the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203);
- D. Parking Ordinance (CMC Chapter 21.44);

- E. Hillside Development Ordinance (CMC Chapter 21.95);
- F. Habitat Management Plan (CMC Chapter 21.210);
- G. Subdivision Ordinance (CMC Title 20);
- H. Inclusionary Housing Ordinance (CMC Chapter 21.85);
- I. McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP); and
- J. Growth Management Ordinance (CMC Chapter 21.90) and Zone 5 Local Facilities Management Plan.

The recommendation for approval of this project was developed by analyzing the project’s consistency with the applicable regulations and policies. The project’s compliance with each of the above regulations is discussed in detail in the sections below.

A. R-30 Residential General Plan Land Use Designation

The General Plan Land Use designation for the property is R-30 Residential, which allows residential development at a density range of 23-30 dwelling units per acre (du/ac) with a Growth Management Control Point (GMCP) of 25 du/ac. The project site has a net developable acreage of 8.2 acres. At the GMCP, 205 dwelling units would be permitted on this 8.2-net-developable-acre property. With the city’s last General Plan update, 224 dwelling units were allocated to the project site. Therefore, the proposed 329-unit apartment project will be withdrawing 105 units from the city’s Excess Dwelling Unit Bank because it exceeds the number of dwelling units allocated to the site. Additional information on density and compliance with Growth Management is provided in Section “J” below.

The 329-unit project results in a density of 40 du/ac which exceeds the maximum 30 du/ac of the R-30 Residential General Plan Land Use Designation. However, Program 2.2 of the Housing Element states, “Flexibility in Development Standards of the General Plan describes how the Planning Division may recommend waiving or modifying certain development standards to encourage the development of low-income housing.” The city offers offsets to assist in the development of affordable housing which may include density increases and standards modifications. Since the project is providing affordable housing above and beyond the city’s requirements, a density increase and standards modifications are supported for this project by the city’s Housing Policy Team. Further compliance with the General Plan is outlined in Table “B” below.

TABLE B – GENERAL PLAN COMPLIANCE

ELEMENT	GOAL/POLICY	PROPOSED USES & IMPROVEMENTS	COMPLY
Land Use	<u>Goal 2-G.3</u> Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development intensities supporting a cohesive development pattern.	The General Plan identifies the project site as an "underutilized" site where redevelopment with multi-family uses can help the city meet its Regional Housing Needs Assessment (RHNA) goals. The applicant is proposing to redevelop the residentially designated site with apartments. The project is an appropriate location as it is compatible with existing residential uses to the south and buffered from commercial uses to the north by open space areas. The location of the project site	Yes

ELEMENT	GOAL/POLICY	PROPOSED USES & IMPROVEMENTS	COMPLY
		is located near employment opportunities and public transit.	
Mobility	<p><u>Policy 3-P.5</u> Require developers to construct or pay their fair share toward improvements for all travel modes consistent with the Mobility Element, the Growth Management Plan, and specific impacts associated with their development.</p> <p><u>Goal 3-G.3</u> Provide inviting streetscapes that encourage walking and promote livable streets.</p>	<p>The proposed project has been designed to meet applicable circulation requirements, which include driveway access points from Aviara Parkway and Laurel Tree Lane. In addition, the applicant will be required to pay traffic impact fees prior to issuance of a building permit that will go towards future road improvements.</p> <p>The proposed project will maintain existing sidewalks along Aviara Parkway and will construct a new sidewalk along the project frontage on Laurel Tree Lane. Pedestrian access will be provided to and from the project.</p>	Yes
Public Safety	<p><u>Goal 6-G.1</u> Minimize injury, loss of life, and damage to property resulting from fire, flood, hazardous material release, or seismic disasters.</p> <p><u>Policy 6-P.6</u> Enforce the requirements of Titles 18, 20, and 21 pertaining to drainage and flood control when reviewing applications for building permits and subdivisions.</p> <p><u>Policy 6-P.34</u> Enforce the Uniform Building and Fire codes, adopted by the city, to provide fire protection standards for all existing and proposed structures.</p> <p><u>Policy 6-P.39</u> Ensure all new development complies with all applicable regulations regarding the provision of public utilities and facilities.</p>	<p>The proposed structural improvements are required to be designed in conformance with all seismic design standards. In addition, the proposed project is consistent with all the applicable fire safety requirements.</p> <p>Further, the project has been conditioned to develop and implement a program of “best management practices” for the elimination and reduction of pollutants which enter into and/or are transported within storm drainage facilities.</p>	Yes

ELEMENT	GOAL/POLICY	PROPOSED USES & IMPROVEMENTS	COMPLY
Noise	<p><u>Goal 5-G.2</u> Ensure that new development is compatible with the noise environment, by continuing to use potential noise exposure as a criterion in land use planning.</p> <p><u>Policy 5.P.2</u> Require a noise study analysis be conducted for all discretionary development proposals located where projected noise exposure would be other than “normally acceptable.”</p>	<p>The project consists of 329 apartments located in two buildings. A noise study by Charles M. Salter Associates Inc., dated March 21, 2019, was provided. The windows of each residential unit will need to be closed to meet a 45 dB(a) CNEL interior noise level. Therefore, mechanical ventilation is required. In addition, the project is conditioned to comply with the construction requirements of the aforementioned noise study which includes a minimum STC rating ranging from 28-36 for all exterior windows and doors as shown on Figure 2 and Figure 3 of the study (see Appendix I.1 of the EIR).</p>	Yes
Housing	<p><u>Goal 10-G.3</u> Sufficient new, affordable housing opportunities in all quadrants of the city to meet the needs of current lower and moderate income households and those with special needs, and a fair share proportion of future lower and moderate income households.</p> <p><u>Policy 10-P.19</u> Adhere to City Council Policy Statement 43 when considering allocation of “excess dwelling units” for the purpose of allowing development to exceed the Growth Management Control Point (GMCP) density, as discussed in Section 10.3 (Resources Available). With limited exception, the allocation of excess dwelling units will require provision of housing affordable to lower income households.</p>	<p>The proposed project will provide 81 affordable housing units with income restrictions at extremely low-, low-, and moderate-income levels. Therefore, the proposed project helps achieve the city’s affordable housing goals as set forth in the Housing Element of the General Plan including progress toward meeting the city’s RHNA.</p> <p>The 329-unit project will provide 25% of the housing units available to extremely low-, low- and moderate-income households in addition to market-rate units. Furthermore, the project site is located in an area that is in close proximity to public transit and employment opportunities. Existing North County Transit District (NCTD) bus stops serving NCTD routes 444 and 445 are located on Palomar Airport Road approximately 0.25 miles from the project site.</p>	Yes

B. Residential-Density Multiple Zone (CMC Chapter 21.24) and Site Development Plan (CMC Sections 21.06.020 and 21.53.120)

The proposed project is required to comply with all applicable land use and development standards of the Carlsbad Municipal Code (CMC) including the Residential Density-Multiple Zone (CMC Chapter 21.24) and Site Development Plan (CMC Section 21.53.120).

The 329-unit residential apartment project meets or exceeds the requirements of the RD-M Zone, except building height on both parcels and carport setbacks on the East Parcel, as outlined in Table “C” below.

TABLE C – RD-M COMPLIANCE

RD-M Standards	Required	Proposed	Compliance
Setbacks	Front: 15’ (when landscaped without front facing garages) Interior Sides: 5’ Street Sides: 5’ (when landscaped) Rear: 10’	<u>West</u> Front: 92’ Interior Side (north): 46’ Interior Side (south): 53’ Rear: 44’ <u>East</u> Front: 18’ Interior Side (north): 3.5’ carport / 44’ main building Street Side (south): 8’-4” carport / 48’ main building Rear: 145’	Yes, with the exception of a standards modification requested for reduced setbacks for the carports on the north side of the East Parcel.
Lot Coverage	60% max	<u>West</u> 47% <u>East</u> 41%	Yes
Building Height	35’	<u>West</u> 50’ w/4:12 roof pitch. Projections to 60’ <u>East</u> 50’ w/4:12 roof pitch. Projections to 57’	No (standards modification requested)

As part of the proposed Site Development Plan (SDP), the project applicant is requesting the application of modified development standards, or standards modifications, for multi-family affordable housing projects pursuant to allowances in CMC Section 21.53.120. Per Planning Commission Resolution No. 7114, the project site has an allocation of 224 units from the city’s Excess Dwelling Unit Bank and would be required to provide a minimum of 20% of all units as affordable units, which exceeds the standard 15% requirement of CMC Chapter 21.85. The proposed project would provide 25% affordable units. CMC Section 21.53.120 allows for a density increase and development standards modifications for affordable housing projects that provide affordable housing in excess of the requirements of CMC Chapter 21.85 with the approval of a SDP, subject to certain findings. The proposed project would construct 329 units, which is 105 units beyond the maximum density and the city’s General Plan allocation for the project site. As such, the project applicant’s requested density increase would require an allocation of 105 “excess”

dwelling units from the city's Excess Dwelling Unit Bank. Pursuant to CMC Chapter 21.53.120(B)(1) and the applicant's request for a SDP approval, the proposed project seeks less restrictive development standards than would otherwise be applicable within the RD-M zone and within the R-30 General Plan land use designation.

Specifically, per Section 21.24.030 of the CMC, the maximum building height within the RD-M zone is 35 feet, and the maximum allowable density at the project site per the city's General Plan R-30 designation is 23 to 30 dwelling units per acre. To accommodate the additional proposed dwelling units, the density of the proposed project would increase to 40 dwelling units per acre and the building heights would increase to approximately 50 feet, with some architectural features reaching approximately 60 feet. Additional modifications to the standard development regulations are also requested to accommodate the proposed residential density as described below (as permitted by the SDP process contained in CMC Section 21.53.120(B)(1)):

- Increase residential density from 23–30 dwelling units per acre as permitted in the R-30 General Plan land use designation to 40 dwelling units per acre.
- Increase residential building heights from the 35-foot height maximum as required per the RD-M zoning designation to a 50-foot height maximum with architectural protrusions up to approximately 60 feet.
- Reduce side yard setback requirements contained in CMC Section 21.24 from 5 feet to 3.5 feet to the carports on the East Parcel's north side.
- Reduce the parking requirements found in CMC Section 21.44.020 from 631 spaces required to 533 spaces.
- Request a 3.63-foot reduction in parking lot perimeter landscape border width from 8 feet minimum contained in the city's Landscape Manual to the proposed 4.37 feet minimum on the south side of the East Parcel.
- Request a 5.5-foot reduction in parking lot perimeter landscape border width from 8 feet minimum contained in the city's Landscape Manual to the proposed 2.5 feet minimum on the north side of the East Parcel.
- Request a standards modification from CMC Section 21.46.130 to allow walls and fences to exceed the 6-foot maximum height within the required side and rear yard setback areas.

CMC Section 21.53.120 allows for approval of the standards modifications provided findings can be made that the project is in conformity with the general plan and adopted policies and goals of the city, it would have no detrimental effect on public health, safety and welfare, and for projects in the Coastal Zone, it is consistent with local coastal program provisions, except for density. The project meets all of the required findings as detailed in Planning Commission Resolution No. 7399. With approval of the requested standards modifications, the project complies with the requirements of the RD-M Zone and the Site Development Plan regulations.

C. Coastal Development Regulations for the Mello II Segment of the Local Coastal Program (CMC 21.201) and the Coastal Resource Protection Overlay Zone (CMC 21.203)

1. Mello II Segment of the Certified Local Coastal Program and all applicable policies

The proposed site is in the Mello II Segment of the Local Coastal Program (LCP) and is within the appealable area of the California Coastal Commission. The project site has an LCP Land Use designation of R-30 Residential and Zoning of RD-M, which are consistent with the city's General Plan and Zoning. The project's consistency with the R-30 General Plan Land Use designation is analyzed in Section A, Table "B" above.

The project consists of the demolition of an agriculture warehouse and the construction of 329 apartments located in two buildings. The proposed project is compatible with the surrounding development of residential and non-residential structures. The four-story structures will not obstruct views of the coastline as seen from public lands or the public right-of-way, nor otherwise damage the visual beauty of the Coastal Zone. The property is not subject to the agricultural mitigation program. No agricultural uses currently exist on the previously graded site, nor will the project impact any sensitive resources located on-site. The proposed project is not located in an area of known geologic instability or flood hazard. Since the site does not have frontage along the coastline, no public opportunities for coastal shoreline access are available from the subject site. Furthermore, the residentially designated site is not suited for water-oriented recreation activities.

2. Coastal Resource Protection Overlay Zone

The development is subject to the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203). The Coastal Resource Protection Overlay Zone identifies areas of protection: a) preservation of steep slopes and vegetation; b) drainage, erosion, sedimentation, habitat; c) seismic hazards, landslides and slope instability; and d) floodplain development. The project's compliance with each of these areas of concern is discussed below:

- a. Preservation of Steep Slopes and Vegetation. Slopes greater than 25% and possessing endangered plant/animal species and/or coastal sage scrub and chaparral plant communities are considered "dual criteria" slopes and are protected in the Coastal Zone. The project does not propose development of any "dual criteria" slopes.
- b. *Drainage, Erosion, Sedimentation, Habitat.* Topographic and vegetation mapping and analysis were prepared as part of the project. Riparian boundaries were identified, and a 50-foot buffer area has been provided between the riparian area and the edge of development to buffer sensitive habitat areas from intrusion. Impacts to habitat are minor compared to the proposed preservation and restoration, and will be fully mitigated as described in Section F below. A habitat restoration plan and a preserve management plan are proposed with this project and the project is consistent with the city's adopted Habitat Management Plan. The project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban run-off, pollutants and soil erosion.

- c. *Seismic Hazards, Landslides and Slope Instability.* The Preliminary Geotechnical Investigation (GeoSoils, Inc, July 7, 2016), identifies that ground surface rupture as a result of an earthquake or seismic event is not likely to occur at the site. Geomorphic expressions indicative of past significant mass wasting events (i.e., scarps and hummocky terrain) were not observed during field studies. Further, no adverse geologic structures were encountered during subsurface exploration nor during the review of regional geologic maps. The report concludes, from a geologic and soils engineering point of view, that the site is suitable for the proposed development. By following the recommendations contained within the referenced report, the site is suitable for the proposed project, and will not expose people or structures to geotechnical-related hazards.
- d. *Flood Plain Development.* No structures or fill are being proposed within a one-hundred-year floodplain area as identified by the FEMA Flood Map Service Center.

D. Parking (CMC Chapter 21.44)

The parking requirements for the proposed 329-unit apartment project are shown in Table “D” below. Through the Site Development Plan process, the applicant is requesting a modified development standard for the proposed apartment project to reduce the amount of required parking from 631 spaces to 533 spaces. The proposed standard modification allows for the applicant to maximize the percentage and quantity of affordable housing units provided on-site.

Although a density bonus is not being requested, the parking ratios for housing developments identified in CMC Section 21.86.090, Table E of the Density Bonus ordinance require less parking (437 spaces) than the developer is proposing for this apartment project. The density bonus parking requirements are shown in Table “E” below. The project would qualify for a density bonus if it were to be requested by the developer. Table “F” summarizes the parking proposed for the project. A standards modification for reduced parking is supported by the city’s Housing Policy Team and findings are included in Planning Commission Resolution No. 7399.

TABLE D – PARKING REQUIRED PER CMC CHAPTER 21.44

Unit Type/Number of Unit	Parking Ratio	Spaces Required	Spaces Provided	Comply
East Parcel				No. Project is deficient by 98 parking spaces. A standards modification is requested.
Studio (14)	1.5 spaces/unit	21	-	
1 Bedroom (23)	1.5 spaces/unit	35	-	
2 Bedroom (26)	2 spaces/unit	52	-	
3 Bedroom (7)	2 spaces/unit	14	-	
Guest Parking	0.25 space/unit	18	-	
Total East Parcel		140	105	
West Parcel				
1 Bedroom (184)	1.5 spaces/unit	276	-	
2 Bedroom (75)	2 spaces/unit	150	-	
Guest Parking	0.25 space/unit	65	-	
Total West Parcel		491	428	
Total Project		631	533	

TABLE E – PARKING REQUIRED PER DENSITY BONUS CMC CHAPTER 21.86

Unit Type/Number of Unit	Parking Ratio	Spaces Required	Spaces Provided	Comply
East Parcel				Yes. Project has a surplus of 96 parking spaces. However, applicant has not requested a state density bonus. Table used for comparison purposes to show compliance with state density bonus law if invoked.
Studio (14)	1 space/unit	14	-	
1 Bedroom (23)	1 space/unit	23	-	
2 Bedroom (26)	2 spaces/unit	52	-	
3 Bedroom (7)	2 spaces/unit	14	-	
Guest Parking	N/A	0	-	
Total East Parcel		103	105	
West Parcel				
1 Bedroom (184)	1 space/unit	184	-	
2 Bedroom (75)	2 spaces/unit	150	-	
Guest Parking	N/A	0	-	
Total West Parcel		334	428	
Total Project		437	533	

TABLE F – PARKING PROPOSED

Unit Type/Number of Unit	Parking Ratio	Spaces Required	Spaces Provided	Comply
East Parcel	1.5 spaces/unit	N/A	105	No.*
West Parcel	1.8 spaces/unit	N/A	428	
Total Project	1.6 spaces/unit	N/A	533	

* Project is deficient based on the city's Parking Ordinance requirements but would have a surplus based on the state density bonus parking requirements. Since the applicant is not requesting a state density bonus, a standards modification is requested and supported by staff.

E. Hillside Development Regulations (CMC Chapter 21.95)

The overall project site exhibits a change in grade elevation greater than 15 feet and slopes greater than 15%, and therefore requires a Hillside Development Permit. In addition, development on natural slopes of 25% or greater within the Coastal Zone needs to meet additional requirements. Hillside conditions of the project have been properly identified on the constraints map, which shows existing and proposed conditions and slope percentages. The project complies with the various hillside development standards as discussed below.

Development of Natural Slopes of 25% Gradient in the Coastal Zone (CMC Section 21.95.140(A))

Slopes of 25% grade and over shall be preserved in their natural state, unless the application of this policy would preclude any reasonable use of the property, in which case an encroachment not to exceed 10% of the steep slope area over 25% grade may be permitted. A portion of the project site has slopes over 25% at the southwest corner. Although no building is proposed on these slopes, a retaining wall under six feet in height is proposed at the base of this slope to allow for access around the building. Additional landscaping has been provided in this area to minimize visual impacts and to incorporate fuel modification zones. The project has been designed to accommodate the required riparian buffer from Encinas Creek

which requires the encroachment into the slope of less than 10%. Therefore, the project is permitted to develop this slope as proposed.

Development of Natural Slopes of 40 % Gradient (CMC Section 21.95.140(B))

Development shall not occur on natural slopes which exhibit all of the following characteristics:

- A gradient of greater than 40%; and
- An elevation differential of greater than 15 feet; and
- A minimum area of 10,000 square feet; and
- The slope comprises a prominent land form feature.

No development is proposed on a slope that has a minimum of 10,000 square feet in area, over 40% gradient and has an elevation differential of greater than 15 feet. Some areas of 40% slope on-site are either smaller than 10,000 square feet or have an elevation differential of less than 15 feet. Therefore, the 40% slopes are permitted to be developed. Therefore, the slopes may be developed as proposed.

Grading Volume (CMC Section 21.95.140(D))

The intent of the hillside grading volume standards is to minimize the volume of earth moved for cut and fill on a site. The amount of grading proposed is necessary to remove undocumented fill material and potentially compressible soils that are unsuitable for supporting the project. Additionally, the pads are being raised so that building foundations and underground utilities are less susceptible to expansive soils. This also avoid conflicts with perched groundwater conditions and improves sewage flow rates by increasing the fall of the sewer lines. The proposed grading volume of 5,601 cubic yards per acre (cy/ac) falls within the acceptable level because it is less than 8,000 cy/ac. Furthermore, the project minimizes development into the existing slopes and existing disturbed areas will be planted with native species consistent with the Habitat Management Plan. Therefore, the project is compliant with the grading volumes allowed by the Hillside Development Regulations.

F. Habitat Management Plan (CMC 21.210)

The Habitat Management Plan (HMP) is a comprehensive, citywide program to identify how the City, in cooperation with the federal and state wildlife agencies, can preserve the diversity of habitat and protect sensitive biological resources while allowing for additional development consistent with the General Plan and the Growth Management Plan. In doing so, the HMP is intended to lead to citywide permits and authorization for the incidental take of sensitive species in conjunction with private development projects, public projects, and other activities, which are consistent with the HMP. In addition, Chapter 21.210 of the city's Zoning Ordinance (Habitat Preservation and Management Requirements) implements the HMP, as well as the goals and objectives of the city's Open Space Element of the General Plan. As discussed in the attached Planning Commission Resolution No. 7399, the project does not conflict with any provisions of the HMP or Zoning Ordinance.

In the context of the adopted HMP, the project site is located within Local Facilities Management Zone (LFMZ) 5, with existing HMP Hardline Preserve designations overlaying the Encinas Creek Corridor off-site to the immediate north, and slope areas off-site to the immediate west. The project site is located outside of the HMP Focus Planning Area (i.e., Cores, Linkages, and Special Resource Areas), and is therefore not within a Proposed Hardline or Standards Area. Due to the project site's location outside of a Standards

Area, the project would not be subject to the Local Facilities Management Zone Standards contained in the HMP. The site is also located within the coastal zone, as identified in the certified Carlsbad Local Coastal Program (LCP).

The proposed project maintains conformance with HMP standards including limits on residential development, provisions for habitat connectivity and wildlife movement through the area, avoidance of impacts to wetlands, and implementation of minimum buffer widths. Additionally, the proposed project also incorporates required mitigation from the HMP for significant impacts to sensitive biological resources identified in the preceding sections (on-site habitat conservation, habitat restoration, long-term management, and compliance monitoring and bird breeding season restrictions during construction).

A Biological Resources Letter Report, Preserve Management Plan, and Restoration Plan were prepared for the mitigation by Helix Environmental Planning. Implementation of the proposed project results in the following impacts:

Habitat Group D:

Unoccupied Diegan Coastal Sage Scrub, 0.1 acres

Habitat Group E:

Non-native Grassland, 0.3 acres

Habitat Group F:

Non-native Vegetation, 0.8 acres

Disturbed Habitat, 3.2 acres

Total: 4.0 acres

Impacts to Habitat Group E, 0.15 acres of Non-native Grassland, will be mitigated at a 0.5:1 ratio through the payment of an in-lieu fee. Impacts to Habitat Group F, totaling 0.42 acres, will also be mitigated through the payment of an in-lieu fee at a ratio of 0.1:1.

The project design has avoided and minimized impacts to wildlife habitat and species of concern to the maximum extent practicable. Specifically, only 0.1 acres of HMP Habitat Groups A-D will be impacted by the development. Furthermore, approximately 1.6 acres of the site will be designated as an open space preserve. Additionally, all 0.24 acres of Southern Willow Scrub (Habitat Group A) located on-site will be protected and approximately 1.1 acres of unoccupied Diegan Coastal Sage Scrub (DCSS, Habitat Group D) will be created or restored in areas that are disturbed and characterized by non-native habitat types in the pre-restoration condition. The created habitat will adjoin neighboring stands of existing DCSS that are either off site and/or already located within HMP Hardline.

The HMP findings for the proposed project can be found within Planning Commission Resolution No. 7399. As discussed within the Environmental Impact Report (EIR 2018-0001), with the incorporation of mitigation measures and compliance with the HMP, the Habitat Management Plan Permit can be approved.

G. Subdivision Ordinance (CMC Title 20)

The Land Development Engineering Division has reviewed the proposed Tentative Tract Map and has found that the subdivision complies with all applicable requirements of the Subdivision Map Act and the city's Subdivision Ordinance (Title 20) for Major Subdivisions. The subdivision is considered major because it involves the division of land into five or more lots (five lots proposed). The project has been conditioned to install all infrastructure-related improvements and the necessary easements for these improvements concurrent with the development.

H. Inclusionary Housing (CMC 21.85)

Planning Commission Resolution No. 7114 requires that development on this site provide a minimum of 20 % of all units as affordable units, which exceeds the standard 15% requirement of CMC Chapter 21.85. On the West Parcel, twelve of the one-bedroom units would be set aside for residents with incomes that do not exceed 90 % of the area median income (AMI), which is moderate-income housing. On the East Parcel, seven units would be set aside as "very low-income" units for residents with incomes that do not exceed 30 % of the AMI, and 62 units would be reserved as "low-income" units for residents with incomes that do not exceed 60 % of the AMI. One additional unit would be the manager's unit and would not be designated as affordable. The proposed project provides 25% of the total units or 81 units as affordable units which exceeds the 20 % minimum required by Planning Commission Resolution 7114. Further, because 10 or more affordable units are required, at least 10% of the lower income units shall have three (3) or more bedrooms. The project satisfies this requirement with the inclusion of seven, three-bedroom inclusionary units. The city's Housing Policy Team has reviewed the proposed project and recommends approval of the proposal. The project has been conditioned to require the approval of an Affordable Housing Agreement prior to recordation of the final map.

I. McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP)

The project site is located within the Airport Influence Area (AIA) Review Area 1 of the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP), requiring the project to be consistent with four criteria contained in ALUCP Section 2.4.1. Each criterion involves specific standards to avoid potentially harmful development within the AIA. Each of the four criteria are addressed separately for the construction and operation of an apartment project in the Residential Density – Multiple (RD-M) zone. The project is consistent with the criteria of the ALUCP, as discussed below:

1. Noise: Exposure to aircraft noise.

The airport noise contours are established for the purpose of evaluating the noise compatibility of land use actions in the AIA. Section 3.3.3.(a) of the ALUCP states "the threshold for evaluation is the projected 60dB CNEL contour. This contour defines the noise impact area of the airport. As depicted in Exhibit III-1 of the ALUCP, the proposed project site is located within the 60dB CNEL noise exposure range. Multi-family residential is compatible within the 60dB noise contour if interior noise can be mitigated to 45 dB or less. The project has been conditioned to meet a 45 dB interior noise level by implementing the measures described in the noise study by Charles M. Salter Associates Inc., dated March 21, 2019. Therefore, the project is consistent with the airport noise restrictions of the ALUCP.

2. Safety: Land use that affects safety both for people on the ground and in aircraft.

As described in Section 3.4 of the ALUCP, the purpose of the safety compatibility policies is to minimize risks to people and property in the event of an aircraft accident by setting limits on the proposed land

uses. The safety zones depicted in Exhibit III-2 of the ALUCP divide the airport vicinity into six safety zones, each representing relative risks associated with an aircraft accident.

As shown in Exhibit III-2, the proposed project site is located within Safety Zone 6 (Traffic Pattern Zone). Per ALUCP Policy 3.4.4.(e) and Table III-2, new residential development in Safety Zone 6 is determined to be a compatible land use. Therefore, no safety restrictions apply to the proposed project.

3. Airspace protection: Protection of airport airspace.

Per Policy 2.4.2(C) of the ALUCP, the purpose of airspace protection compatibility policies is to ensure that structures and other uses do not cause hazards to aircraft in flight within the airport vicinity. Hazards to flight include but are not limited to: physical obstructions to the navigable airspace, wildlife hazards such as bird strikes, and land use characteristics that create visual or electronic interference with aircraft navigation or communication.

Exhibit III-3 of the ALUCP reflects the airspace surfaces for McClellan-Palomar Airport as established by the Federal Aviation Administration's (FAA) Federal Aviation Regulations (FAR) Part 77, *Safe Efficient Use and Preservation of the Navigable Airspace*. FAR Part 77 establishes standards and notification requirements for objects affecting navigable airspace. The ALUCP airspace policies are intended to help implement regulations between the FAA and the state of California (ALUCP Policy 3.5.2).

ALUCP Policy 3.5.4(a) indicates that with limited exceptions, no object shall have a height that would result in the penetration of the airspace protection surfaces for McClellan-Palomar Airport. As depicted in Exhibit III-3, the proposed project site underlies the horizontal surface which is a flat surface established 150 feet above the established airport elevation. Based on the airport's elevation of 331 feet above mean sea level (AMSL), the horizontal surface height is 481 feet AMSL. The approximate elevations of the project site range from 82-144 feet AMSL. The building pad for the West Parcel is 89.0 feet AMSL. The tallest elevation of the structures on the West Parcel is 60 feet tall, bringing the project to an elevation of approximately 149 feet AMSL, a difference of about 332 feet and well below the 481-foot horizontal surface. The building pad for the East Parcel is 98.1 feet AMSL. The tallest elevation of the project's structures is 57 feet tall, bringing the project to an elevation of approximately 155.1 feet AMSL, a difference of about 325.9 feet and well below the 481-foot horizontal surface. Therefore, the proposed project would not penetrate the airspace protection surface for the airport, and is in compliance with the Airspace Protection criteria. Furthermore, to thoroughly analyze the project, a FAA Form 7460-1 *Notice of Proposed Construction or Alteration* was submitted and the FAA determined the project posed no hazard to airspace navigation.

4. Overflight – Annoyance and other general concerns related to aircraft overflight.

As previously discussed, the project site is located within the Airport Influence Area (AIA) per Exhibit III-5. According to ALUCP Policy 3.6.3, recordation of an overflight notification is mandated for new residential land use development. The project is conditioned to record an overflight notification document on the property.

J. Growth Management (CMC 21.90)

The Growth Management Chapter of the city’s Zoning Ordinance is intended to ensure that development is consistent with the General Plan and that adequate public facilities are provided concurrent with growth within the city. Pursuant to the city’s Growth Management Program (GMP) and Chapter 21.90 of the Carlsbad Municipal Code, the city is organized into 25 zones; the project is located in Zone 5. The city’s GMP requires the preparation of Local Facilities Management Plans (LFMPs) for each of the 25 management zones. The LFMPs implement the provisions of the city’s GMP by phasing all development and public facility needs in accordance with the GMP performance standards. A Local Facilities Management Plan (LFMP) has been previously prepared for Zone 5 pursuant to the requirements of the Growth Management Ordinance, Chapter 21.90 of the Municipal Code. The project will be in compliance with the required performance standards by satisfying the conditions listed in the LFMP, so no other revisions to the LFMP for Zone 5 are required.

The facility demands of the build out of Local Facilities Management Zone 5 were based on a projection of future development within the zone. Table “G” below summarizes the anticipated development within Zone 5 compared to the proposed project.

TABLE G – EXISTING AND PROPOSED DEVELOPMENT

LAND USE	DEVELOPMENT ASSUMPTION	BUIDOUT PROJECTION	PROPOSED PROJECT	NET CHANGE FROM DEVELOPMENT ASSUMPTION
Industrial	20,870,878 sq. ft.	7,529,997 sq. ft.	0 sq. ft.	0 sq. ft.
Commercial	1,325,421 sq. ft.	2,498,020 sq. ft.	0 sq. ft.	0 sq. ft.
Residential	0 dwelling units (du)	467 du	329 du	+ 329 du

The impacts on public facilities created by the project, and its compliance with the adopted performance standards, are summarized in Table “H” below.

TABLE H – GROWTH MANAGEMENT COMPLIANCE

STANDARD	IMPACTS	COMPLIANCE
City Administration	1,164 square feet	Yes
Library	621 square feet	Yes
Waste Water Treatment	329 EDUs (Equivalent Dwelling Units)	Yes
Parks	2.33 acres	Yes
Drainage	West Parcel: 30.48 CFS, Basin C East Parcel: 1.53 CFS	Yes
Circulation	1,974 ADT	Yes
Fire	Station 4	Yes
Open Space	NA	N/A
Schools	Carlsbad Elementary: 38.49 students Carlsbad Middle: 20.33 students Carlsbad High: 25.96 students	Yes
Sewer Collection System	329 EDU / 72,380 GPD	Yes
Water	82,250 GPD	Yes

The project proposes 329 dwelling units. At the GMCP, 205 dwelling units would be permitted on this 8.2-net-developable-acre property. With the city's last General Plan update, 224 dwelling units were allocated to the project site per Planning Commission Resolution 7114. Therefore, the proposed 329-unit apartment project will be withdrawing 105 units from the city's Excess Dwelling Unit Bank because it exceeds the number of dwelling units allocated to the site. As stated in Planning Commission Resolution No. 7399, per the city's Quadrant Dwelling Unit Report dated November 30, 2020, the Southwest Quadrant has an additional 1,232-unit capacity to accommodate the 105 additional dwelling units not already allocated to the site by the General Plan. Additionally, less any recent allocations, the report identifies 288 dwelling units in the Excess Dwelling Unit Bank available to be allocated to the project. Therefore, the citywide and quadrant dwelling unit limits will not be exceeded as a result of the proposed project.

IV. ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) was prepared for the Aviara Apartments project in accordance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the Environmental Protection Procedures (Title 19) of the CMC. The EIR addresses the environmental impacts associated with all discretionary applications for the proposed project, including development of the project. City staff issued a Notice of Preparation (NOP) on January 17, 2019. The NOP was distributed to all Responsible and Trustee Agencies, as well as other agencies. Staff scheduled a public scoping meeting in order to increase opportunities for public input. The NOP with notice of the scoping meeting was sent to all property owners within a 600-foot radius of the project boundaries and was published in the San Diego Union Tribune. The public scoping meeting took place on January 28, 2019, at the Faraday Center. At the scoping session, the public was invited to comment on the scope and content of the EIR. Written comments received in response to the NOP were taken into consideration prior to developing the detailed scope of the content for the EIR and are summarized in and appended to the EIR.

The Aviara Apartments project EIR analyzed the following areas of potential environmental impact:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise and Vibration
- Population and Housing
- Public Services
- Transportation
- Utilities and Service Systems
- Wildfire

Following consideration of the public and agency comments submitted on the NOP and received during the scoping meeting, it was determined that the proposed project would not result in a significant impact on Agriculture and Forestry Resources, Mineral Resources or Recreation.

Additionally, the EIR includes other sections required by CEQA including an Executive Summary, Project Description, Cumulative Effects, Effects Found Not to Be Significant, Growth Inducing Effects and Alternatives. Three alternatives are considered in the EIR. The alternatives include the "No Project/No Development" alternative, a "No Project, General Plan Allocation" alternative, and a "Density Bonus" alternative. On June 17, 2020, a Draft EIR was released and the city published a Notice of Completion (NOC) and mailed the NOC to interested Responsible and Trustee Agencies and other interested agencies, surrounding owners and occupants, and the interested parties list that staff had developed based on requests from the public during the processing of the project. The NOC commenced a 45-day public review and comment period on the Draft EIR expiring on July 31, 2020. The NOC advised that in accordance with Governor Newsom's Executive Order No. N-54-20 in effect during the COVID-19 public health emergency, the requirement to provide general public access to physical copies of CEQA notices and public review documents had been suspended. Therefore, the Draft EIR was published on the City's website (<http://www.carlsbadca.gov/services/depts/planning/agendas.asp>). Complete hardbound and CD copies were also available with the appendices through the Planning Division. In response to the NOC, six comment letters and emails were submitted prior to the close of the public review period for the Draft EIR.

Responses to all of the comment letters are contained in the Final EIR, and were sent to each commenting individual, organization or agency. The response transmittal letter also provided notice of availability of the Final EIR. The Final EIR includes a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is also attached to Planning Commission Resolution No. 7398 for the EIR. The analysis contained in the EIR concluded that all significant impacts would be mitigated to below a level of significance.

ATTACHMENTS:

1. Planning Commission Resolution No. 7398 (EIR)
2. Planning Commission Resolution No. 7399 (CT et al)
3. Location Map
4. Disclosure Statement
5. Reduced Exhibits
6. Final EIR for Aviara Apartments dated November 2, 2020 (distributed previously to Commissioners; available at the Planning Division and <http://www.carlsbadca.gov/services/depts/planning/agendas.asp>)
7. Full Size Exhibits "A" – "BBBB" dated December 16, 2020

ATTACHMENTS:

1. Planning Commission Resolution No. 7398 (EIR)
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7. Full Size Exhibits “A” – “BBBB” dated December 16, 2020

PLANNING COMMISSION RESOLUTION NO. 7398

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE AVIARA APARTMENTS PROJECT, AND ADOPTING THE CANDIDATE FINDINGS OF FACT AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DEVELOPMENT OF A 329-UNIT APARTMENT PROJECT ON 9.2 ACRES BISECTED BY AVIARA PARKWAY NORTH OF LAUREL TREE LANE, CURRENTLY ADDRESSED AS 1205 AVIARA PARKWAY, WITHIN THE MELLO II SEGMENT OF THE LOCAL COASTAL PROGRAM AND IN LOCAL FACILITIES MANAGEMENT ZONE 5.

CASE NAME: AVIARA APARTMENTS

CASE NO.: EIR 2018-0001 (DEV2017-0033)

WHEREAS, **Summerhill Apartment Communities**, "Developer," has filed a verified application with the City of Carlsbad regarding property owned by **James S. Ukegawa**, "Owner," described as

That certain portion of Lot "G" of Rancho Agua Hedionda, in the City of Carlsbad, County of San Diego, State of California, according to Map No. 823, filed in the Office of the County Recorder of San Diego County, further described in Exhibit A of Preliminary Title Report from Fidelity National Title Company Order No. 997-30006515-1MB

("the Property"); and

WHEREAS, a **Project Environmental Impact Report (EIR 2018-0001)** was prepared in conjunction with said project; and

WHEREAS, the Planning Commission did on **December 16, 2020**, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, examining the **Project EIR, Candidate Findings of Fact, and Mitigation Monitoring and Reporting Program**, analyzing the information submitted by staff, and considering any written comments received, the Planning Commission considered all factors relating to the **Project EIR**.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad as follows:

- A) That the foregoing recitations are true and correct.

- B) That the Final Project Environmental Impact Report **consists of the Final Project Environmental Impact Report, EIR 2018-0001, dated November 2, 2020, appendices, written comments and responses to comments**, as amended to include the comments and documents of those testifying at the public hearing and responses thereto, is hereby found to be in good faith and reason by incorporating a copy of the minutes of said public hearing into the report, **all on file in the Planning Division incorporated by this reference, and collectively referred to as the “Report.”**
- C) That the Environmental Impact Report, **EIR 2018-0001**, as so amended and evaluated, is recommended for acceptance and certification as the final Environmental Impact Report and that the final Environmental Impact Report as recommended is adequate and provides reasonable information on the project and all reasonable and feasible alternatives thereto, including no project.
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby **CERTIFIES** the Environmental Impact Report for the **AVIARA APARTMENTS project, EIR 2018-0001 and ADOPTS the Candidate Findings of Fact (“CEQA Findings”), attached hereto marked as “Exhibit A” and incorporated by this reference and the Mitigation Monitoring and Reporting Program (“Program”), attached hereto marked as “Exhibit B” and incorporated by this reference;** based on the following findings and subject to the following condition.

Findings:

1. The Planning Commission of the City of Carlsbad does hereby find that the **Final Project EIR 2018-0001**, the Candidate Findings of Fact and the Mitigation Monitoring and Reporting Program, have been prepared in accordance with requirements of the California Environmental Quality Act, the State EIR Guidelines, and the Environmental Review Procedures of the City of Carlsbad.
2. The **Planning Commission** of the City of Carlsbad has reviewed, analyzed, and considered **Final Project EIR 2018-0001**, the environmental impacts therein identified for this project; the Candidate Findings of Fact (“Findings” or “CEQA Findings”) attached hereto as **“Exhibit A,”** and the Mitigation Monitoring and Reporting Program (“Program”) attached hereto as **“Exhibit B,”** prior to **APPROVING** the project.
3. The **Planning Commission** finds that **Final EIR 2018-0001** reflects the independent judgment of the City of Carlsbad **Planning Commission**.
4. The **Planning Commission** does accept as its own, incorporate as if set forth in full herein, and make each and every one of the findings contained in the CEQA Findings (**“Exhibit A”**), including feasibility of mitigation measures pursuant to Public Resources Code 21081 and CEQA Guidelines 15091, and infeasibility of project alternatives.
5. The **Planning Commission** hereby finds that the Program (**“Exhibit B”**) is designed to ensure that during project implementation, the Developer and any other responsible parties implement the project components and comply with the feasible mitigation measures identified in the CEQA Findings and the Program.

6. The Record of Proceedings for this project consists of **The Report, CEQA Findings, and Program; all reports, applications, memoranda, maps, letters and other planning documents prepared by the planning consultant, the environmental consultant, and the City of Carlsbad that are before the decision makers as determined by the City Planner; all documents submitted by members of the public and public agencies in connection with the Project EIR; minutes of all public meetings and public hearings; and matters of common knowledge to the City of Carlsbad which they may consider, including but not limited to, the Carlsbad General Plan, Carlsbad Zoning Ordinance, and Local Facilities Management Plan** which may be found at 1635 Faraday Avenue in the custody of the City Planner.

Condition:

1. **The Developer/Owner shall implement the mitigation measures described in “Exhibit B,” the Mitigation Monitoring and Reporting Program, for the mitigation measures and monitoring programs applicable to development of the Aviara Apartments project.**

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad, California, held on **December 16, 2020**, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

VELYN ANDERSON, Chairperson
CARLSBAD PLANNING COMMISSION

ATTEST:

DON NEU
City Planner

FINDINGS OF FACT

Aviara Apartments Project

1.0 Introduction

The Final Environmental Impact Report (Final EIR) has been prepared pursuant to the California Environmental Quality Act (CEQA) to address the potential environmental effects of the proposed Aviara Apartments Project (project), to be considered by the City of Carlsbad (city) in connection with its public consideration of requested approvals for the proposed project.

The proposed project would develop a total of 329 residential units of various sizes on the project site, which includes both the East Parcel and West Parcel due to the bisection of Aviara Parkway through the project site. The East Parcel would include 70 affordable housing units in an approximately 83,223-square-foot building while the West Parcel would include 259 housing units, 12 of which are affordable units, in an approximately 477,000-square-foot building. While the full scope of the proposed project and associated approvals are detailed further in Section 1.1 and Section 1.3, the proposed project would involve a Tentative Map, Site Development Plan, Coastal Development Permit, Hillside Development Permit, and a Habitat Management Plan.

The Final EIR also analyzed the environmental effects of a range of project alternatives. The Final EIR and its technical appendices are incorporated herein by reference as though fully set forth.

1.1 Proposed Project

1.1.1 Project Characteristics

The proposed project consists of 9.5 acres of land located in the northern coast of San Diego County, in the City of Carlsbad. The city is bordered to the north by the City of Oceanside, to the south by the City of Encinitas, and to the east by the cities of Vista, San Marcos, and San Diego County. The project site is Assessor Parcel Number (APN) 212-040-56-00. The project is located east of the I-5, west of El Camino Real, and south of Palomar Airport Road. The project site is bisected by Aviara Parkway and includes two parcels: (1) the East Parcel, which is approximately 2.31 acres; and (2) the West Parcel, which is approximately 7.19 acres.

The proposed project would develop a multi-family apartment community on a centrally located parcel in the City of Carlsbad. Site improvements would include the construction of market-rate and affordable residential units, parking, common open space, resident amenities, landscaping and utilities/roadway improvements, and the dedication of open space.

Residential Development

The proposed project would demolish the existing uses on the project site, including a warehouse, loading dock and shed, and ancillary parking and roads on the West Parcel. The project applicant proposes the development of 329 units at the project site, including 259 units on the West Parcel and 70 units on the East Parcel.

Development on the West Parcel would include a four-story, approximately 477,000-square-foot residential structure with 259 dwelling units, including an incorporated five-level parking structure (including roof parking). The combined structure on the West Parcel would be a maximum of 60 feet in height above final grade and would be built in a “wrap” configuration. The West Parcel would contain 247 market-rate and 12 affordable rental units. The proposed project would include 184 one bedroom and 75 two-bedroom units on the West Parcel. Twelve of the one-bedroom units would be set aside for residents with incomes that do not exceed 90% of the average median income (AMI).

The East Parcel would contain 70 affordable rental units in a four-story approximately 83,123-square-foot structure. Parking on the East Parcel would be provided at ground level in garages and a surface lot. The building on the East Parcel would be a maximum of 57 feet in height above final grades. The proposed project would include 14 studios, 23 one-bedroom, 26 two-bedroom, and 7 three-bedroom units on the East Parcel. Of the 70 units, 7 units would be set aside for residents with incomes that do not exceed 30% of the AMI, 62 units would be reserved for residents with incomes that do not exceed 60% of the AMI, and one unit would be the manager’s unit.

Parking

The proposed project would provide 533 parking spaces across the project site, subject to approval by the city. The East Parcel would provide 105 parking spaces at the ground level in parking garages in addition to surface-level parking. The five-level parking structure on the West Parcel would provide 405 parking spaces in a “wrap” configuration wherein the residential units generally would shield the parking from public view. Surface parking for 23 vehicles is also provided on the West Parcel outside of the parking structure. Included in the total parking is one car share space on the East Parcel and one car share space on the West Parcel. Electric vehicle charging and parking would be provided for 10% of the total parking spaces per the 2019 CalGreen Code.

Open Space and Amenities

The proposed project would provide 37,570 square feet of resident amenities. Indoor amenities at the West Parcel would include a multipurpose/club room, a fitness facility, and a Wi-Fi café. Common open space features on the West Parcel would include an outdoor recreation area and pool courtyard, an outdoor lounge area, two passive courtyards, an arrival yard, entry plaza, and the West Yard. The West Parcel would also include an on-site leasing office. Indoor amenities at the East Parcel would include a multipurpose/club room. Common open space features on the East Parcel would include an outdoor recreation area, arrival yard, and entry plaza.

Circulation Improvements

Access to the West Parcel would be provided on Aviara Parkway via two separate points. Implementation of the proposed project would realign the existing access driveway on the northern half of the West Parcel to converge with a newly created two-way private access road that would wrap the entire perimeter of the West Parcel. An additional one-way point of ingress would be constructed to align with an existing access driveway along Aviara Parkway, closer to Palomar Airport Road, and would also connect to the newly created private access road. The private road would be 26 feet wide and would provide access to the parking structure. Access to the parking structure would also be provided in the north and the south, via 20-foot driveways. On the East Parcel, access would be provided via Laurel Tree Lane and an emergency vehicle only access from Aviara Parkway.

In addition to the on-site circulation improvements, the project would also include several improvements, including:

1. On Laurel Tree Lane, ADA-compliant sidewalk along the north side of Laurel Tree Lane would be provided.
2. On Laurel Tree Lane, Class II bicycle lanes from Aviara Parkway to the cul-de-sac would be striped.
3. For the segment of Aviara Parkway-College Boulevard from the project site to the bus stop 500' north of the intersection with Palomar Airport Road, an ADA accessible pad and bench would be installed.
4. For the segment of Aviara Parkway and Palomar Airport Road from the project site to the bus stop 130' west of the Aviara Parkway-College Boulevard/Palomar Airport Road intersection, a trash can and bench would be installed on the existing ADA accessible pad.
5. For the segment of Aviara Parkway and Palomar Airport Road from the project site to the transit stop 200' east of Aviara Parkway-College Boulevard/Palomar Airport Road intersection, 200' feet of sidewalk from College Boulevard to the existing transit stop would be constructed, per City standards. As well, a trash can, an accessible concrete pad, and a bench would be installed.
6. For the Aviara Parkway-College Boulevard / Palomar Airport Road intersection, a northbound overlap phase would be implemented.
7. For the Aviara Parkway / Laurel Tree Lane intersection, the existing southbound left turn pocket would be extended from 160 feet to 250 feet.
8. A Tier 2 Transportation Demand Management plan would be prepared and implemented.

Utility Improvements

Sewer service would be provided by the City of Carlsbad Public Works Department. A private sewer lift station would be constructed within the West Parcel to connect to the city's sewer system within Aviara Parkway. Water service would be provided by the Carlsbad Municipal Water District. The water system would consist of a private domestic water system and a private fire protection system. In addition, the proposed project would include a 386 kilowatt (kW) PV solar system on the top of the proposed residential buildings.

1.2 Project Objectives

The following statements represent objectives of the project. These objectives also provide a basis for identification of alternatives evaluated in the EIR.

1. Provide a high-density multi-family residential community in compliance with the goals and policies of the Housing Element of the city's General Plan.
2. Use the site's unique elevation and surrounding geography to develop a project that is aesthetically pleasing and is compatible with and complementary to adjacent land uses.
3. Develop a high-density for-rent apartment project that is in compliance with the General Plan and Zoning Code, Local Coastal Program, Climate Action Plan, Habitat Management Plan, and the Zone 5 Local Facilities Management Plan.
4. Increase the city's inventory of housing diversity and accommodate increasing growth in the region by providing market rate and maximizing the amount of affordable for-rent apartments on an underutilized site that is in close proximity to existing employment and commercial opportunities as well as to recreational, public services, and transit options, consistent with city policies related to the development of housing for a range of income levels.
5. Provide affordable rental housing to a wide range of income levels, including extremely-low (30 percent average median income), low (60 percent average median income) and moderate (90 percent average median income), in a location that is adjacent to an existing affordable housing community to create the potential for shared educational opportunities and services that could benefit both communities.
6. Foster development patterns that promote orderly growth and prevent urban sprawl with the intent to reduce greenhouse gas emissions consistent with policies in the Climate Action Plan.
7. Develop a project that minimizes impacts to sensitive biological resources, to the greatest extent feasible, by redeveloping a previously developed and disturbed site.
8. Restore and contribute hardline preserve area to the Encinas Creek Preserve adjacent to the project site and include an adequate buffer between the proposed development and resources in the Encinas Creek Preserve, consistent with the Habitat Management Plan.

1.3 Project Approvals

1.3.1 Actions and Approvals by the City of Carlsbad

The following identifies the legislative and discretionary actions and approvals by the City of Carlsbad for the proposed project.

- **Tentative Map (CT 2018-0002).** The applicant is requesting approval of a Tentative Tract Map required for development of the project site. A tentative tract map is required by the California Subdivision Map Act (Government Code Section 66426 et seq.)
- **Site Development Plan (SDP 2018-0002).** A Site Development Plan (SDP) is required for the approval of multi-family residential development having more than four dwelling units and required for waivers from the CMC.

- **Coastal Development Permit (CDP 2018-0005).** A Coastal Development Permit is required to construct the proposed project. This permit is necessary as the project site is located in the coastal zone within the Mello II Segment of the LCP, and is within the appeal jurisdiction of the California Coastal Commission.
- **Hillside Development Permit (HDP 2018-0001).** Grading of the proposed project site is subject to the city's Hillside Development Ordinance as project areas contain hillside conditions that are defined as slopes greater than 15 feet in height and 15% in slope. The purpose of the Hillside Development Permit is to regulate grading per the city's Hillside Development Ordinance (CMC Chapter 21.95) standards and policies.
- **Habitat Management Plan Permit (HMP 2018-0001).** A HMP Permit is required for projects that impact sensitive biological resources as defined pursuant to the HMP.
- **Final EIR Certification (EIR 2018-001).** After the required public review of the Draft EIR, the city will respond to comments, edit the document, and produce a Final EIR to be certified by the city decision-makers as complete and providing accurate information concerning the environmental impacts from the implementation of the proposed project.

1.3.2 Discretionary Actions and Approvals by other Agencies

Title 14 Code of Federal Regulations Part 77 (14 CFR Part 77) *Safe, Efficient Use and Preservation of the Navigable Airspace* defines the various airport imaginary surfaces that protect the operating environments (airspace) surrounding an airport (FAA, 2010). In addition, 14 CFR Part 77 stipulates the notification requirements for any proposed construction or alterations that could impact the established imaginary surfaces of an airport. These requirements would apply to the proposed project. The Southwest Regional Office of the FAA reviewed project plans and determined the proposed project would not cause a hazard to air navigation in accordance with Title 14 CFR Part 77 (FAA, 2017).

The proposed project would require California Public Utilities Code Section 851 review and approval by the California Public Utilities Commission (CPUC). Section 851 review is required for newly proposed or improved easements, which are an asset paid for by the ratepayers. Section 851 mandates that any encumbrance of such an asset be approved by the CPUC and prohibits additional encumbrances that would reduce the value of any land asset, reduce the integrity (terms and conditions) of the asset, or could result in negatively impacted service and operational reliability unless the encumbrance is specifically approved by the CPUC. Section 851 review and approval begins after a project's EIR is completed and after San Diego Gas & Electric reviews and approves a project's final map.

1.4 Purpose of CEQA Findings

CEQA Findings play an important role in the consideration of projects for which an EIR is prepared. Under Public Resources Code Section 21081 and CEQA Guidelines Section 15091 above, where a final EIR identifies one or more significant environmental effects, a project may not be approved until the public agency makes written findings supported by substantial evidence

in the administrative record as each of the significant effects. In turn, the three possible findings specified in CEQA Guidelines Section 15091(a) are:

- (1) *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- (2) *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- (3) *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

CEQA Guidelines Section 15092(b) provides that no agency shall approve a project for which an EIR was prepared unless either:

1. *The project as approved will not have a significant effect on the environment, or*
2. *The agency has:*
 - a. *Eliminated or substantially lessened all significant effects on the environment where feasible as shown in the findings under Section 15091, and*
 - b. *Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.*

2.0 Findings of Significant Impacts, Required Mitigation Measures and Supporting Facts

The city, having reviewed and considered the information contained in the EIR, finds pursuant to Public Resources Code Section 21081(a)(1) and Guidelines Section 15091(a)(1) that changes or alterations have been required in, or incorporated into, the project which would mitigate, avoid, or substantially lessen to below a level of significance the following potential significant environmental effects identified in the EIR.

2.1 Air Quality

2.1.1 Exposure of Sensitive Receptors to Substantial Pollutant Concentrations

A. Significant Impact. Construction of the proposed project would emit diesel particulate matter, emit carcinogenic materials or toxic air contaminants (TACs) that exceed the maximum incremental increase in cancer risk of ten in one million or an acute or chronic hazard index of 1.0 from the use of off-road and on-road equipment and stationary sources. The proposed project could result in an increased health risk for offsite residential receptors within 1,000 feet of the project and could expose sensitive receptors to substantial pollutant concentrations.

B. Facts in Support of Finding (1). The project’s potential impact associated with exposure of sensitive receptors to substantial pollutant concentrations would be mitigated to a level less than significant with the implementation of Mitigation Measure AQ-1.

C. Mitigation Measure

Mitigation Measure AQ-1

Reduction of Dust Particulate Matter Emissions During Construction. Off-road diesel equipment greater than 50 horsepower used for the project shall meet EPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology for Toxics (T-BACT) devices including a California Air Resources Board certified Level 3 Diesel Particulate Filter or equivalent.

2.2 Biological Resources

2.2.1 Candidate, Sensitive, or Special-Status Species

A. Significant Impact. Construction and operation of the proposed project could result in adverse edge effects such as dust which could disrupt plant vitality in the short-term or construction-related soil erosion and water runoff, and could result in indirect impacts to two special-status plant species, southwestern spiny rush and San Diego marsh-elder.

Although no coastal California gnatcatcher and least Bell’s vireo were observed at the project site, they are known to occur adjacent to the project site; if either of the special-status wildlife species moves onto or adjacent to the site in the future during construction or operation, impacts could occur.

Implementation of the proposed project could result in significant impacts to the yellow-breasted chat, observed on site during 2017 surveys, and the yellow warbler, determined to have a low potential to occur within the Encinas Creek open space areas. Both species are not federally- or State-listed, but are California Species of Special Concern. Potential direct impacts on the species would be avoided because no construction is proposed within the Encinas Creek open space areas. However, construction activities during breeding season could result in impacts.

The project site contains trees, shrubs, and other vegetation that provide suitable nesting habitat for common birds, including sensitive birds and raptors, protected under the Migratory Bird Treaty Act (MBTA) and CDFG Code. Construction of the proposed project could result in the removal or trimming of trees and other vegetation during the general bird nesting season (January 15 through September 15) and, therefore, could result in impacts to nesting birds in violation of the MBTA and CDFG Code. Direct impacts could occur as a result of removal of vegetation supporting an active nest.

B. Facts in Support of Finding (1). The project’s potential direct impacts associated with special-status species would be mitigated to less than significant levels with the implementation of Mitigation Measures BIO-1, BIO-2, BIO-3, and BIO-4.

C. Mitigation Measure

Mitigation Measure BIO-1

Temporary Construction Fencing and Grading. Temporary construction fencing (with silt barriers) shall be installed at the limits of project-related impacts (including construction staging areas and access routes) to prevent sensitive habitat impacts and to prevent the spread of silt from the construction zone into adjacent habitats to be avoided. Fencing shall be installed in a manner that does not impact habitats to be avoided. The applicant shall submit final construction plans to the city for approval at least 30 days prior to initiating any clearing, grubbing, grading, or other construction activities. These final plans shall include the type and location of fencing, including permanent fencing along any urban/wildlands interface to deter unauthorized access (if deemed necessary by the city) and/or temporary fencing to delineate the construction footprint, impact zones within the footprint, protected areas, and no-construction buffer zones.

Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable so as to prevent any runoff from entering adjacent open space and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet from Encinas Creek. The contract shall check equipment for leaks prior to operation and repair, as necessary. “No-fueling zones” shall be designated on construction plans. Fugitive dust will be avoided and minimized through watering and other appropriate measures.

A biological monitor shall be present during all vegetation clearing activities to help ensure that habitat is not cleared beyond established limits and that no native species are harmed.

If work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the city. Any riparian/wetland or upland habitat impacts that occur beyond the approved fence shall be mitigated in accordance with ratios specified in the Carlsbad HMP or as otherwise determined by the city, USFWS, U.S. Army Corp of Engineers, Regional Water Quality Control Board, and/or CDFW. Temporary construction fencing shall be removed upon project completion.

Grading activity shall be prohibited during the rainy season (October 1–April 1). All graded areas shall be landscaped prior to October 1 of each year with either temporary or permanent landscaping materials to reduce erosion potential. Such landscaping shall be maintained and replanted if not well-established by December 1 following the initial planting.

The October 1 grading season deadline may be extended with the approval of the City Engineer subject to implementation by October 1 of special erosion control measures designed to prohibit discharge of sediments off-site during and after the grading operation. Extensions beyond November 15 may be allowed with the approval of the City Engineer in areas of very low risk of impact to sensitive coastal resources and may be approved either as part of the original coastal development permit or as an amendment to an existing coastal development permit.

If any of the responsible resource agencies prohibit grading operations during the summer grading period in order to protect endangered or rare species or sensitive environmental resources, then grading activities may be allowed during the winter by a coastal development permit or permit amendment, provided that appropriate best management practices are adopted, which may include, but are not limited to: silt fencing, gravel bag barriers, fiber rolls, construction road stabilization, dust control, concrete wash out areas, and covering and secondary containment for temporary storage areas and stockpiles.

Mitigation Measure BIO-2

Preservation and Management of Open Space. The project applicant shall record two types of easements: an open space easement that will be recorded on the final map, and a conservation easement or restrictive covenant that will be recorded by the County of San Diego. The easements shall be recorded over those portions of the property identified as proposed on-site preserve in Figure 9 of the approved Biological Resources Letter Report (Appendix C.1 of the EIR).

Prior to recordation of the final map, issuance of a grading permit or clearing of any habitat or vegetation, whichever occurs first, the following items shall be submitted to the city and approved as final by the City Planner or designee: Recordation of Conservation Easement, Restoration Plan, Preserve Management Plan (PMP)/Property Analysis Record (PAR), long-term management funding, and a management agreement (contract) with qualified preserve manager.

Prior to issuance of a grading permit or clearing of vegetation, the project applicant shall prepare a Restoration Plan for the revegetation of the temporary impact areas and proposed creation/substantial restoration areas within the preserve with coastal sage scrub for review and approval by the city or appointed designee. The Restoration Plan shall include 5 years of maintenance and monitoring to ensure the restoration effort is successful.

The project applicant shall prepare a perpetual management, maintenance, and monitoring plan (PMP) according to the standards contained in Section F.2 of the HMP, Volumes 2 and 3 of the Multiple Habitat Conservation Program and the citywide open space management plan for the on-site biological conservation easement or restrictive covenant areas for review and approval by the city or appointed designee. The PMP shall include area-specific management directives for treatment of non-native invasive plant species within the project site's open space, in addition to those required to meet HMP adjacency standards. The initial treatment of non-native invasive plant species shall occur within the first year following issuance of grading permit, and periodically thereafter, according to a schedule approved by the city and as funding allows.

The applicant shall also establish a non-wasting endowment for an amount approved by the city based on a Property Analysis Record (PAR; Center for Natural Lands Management, 2008) or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance, and monitoring of the biological conservation easement area by an agency, non-profit organization, or other entity approved by the city. Upon approval of the draft PMP, the applicant shall submit the final PMP and a contract with the approved land manager to the city or appointed designee, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity.

The project applicant shall install appropriate permanent fencing, such as three-strand smooth-wire fencing, along the boundary of the open space to discourage human access and allow wildlife to move through unobstructed. The project applicant shall also install signage on the fence to educate and inform the public about the open space and to prohibit access. The fencing and signs shall be shown on all final project plans.

Mitigation Measure BIO-3

Coastal California Gnatcatcher Protection. No clearing, grubbing, grading, or other construction activities shall occur within Diegan coastal sage scrub during the breeding season of the coastal California gnatcatcher (February 15 to August 31). All grading permits, improvement plans, and the final map shall state the same. If clearing, grubbing, grading, or other construction activities would occur during the breeding season for the gnatcatcher, a pre-construction survey shall be conducted to determine whether gnatcatchers occur within the impact area(s). The pre-construction survey shall consist of one clearance survey by a permitted biologist no more than 3 days prior to the beginning of clearing, grubbing, grading, or other construction activities. If there are no gnatcatchers nesting (includes nest building or other breeding/nesting behavior) within that area, clearing, grubbing, grading, or other construction activities shall be allowed to proceed. If, however, any gnatcatchers are observed, but no nesting or breeding behaviors are noted, additional surveys for breeding/nesting behaviors shall be conducted weekly. If any gnatcatchers are observed nesting or displaying breeding/nesting behavior during the pre-construction survey or additional weekly surveys within the area, a no-work buffer shall be placed on clearing, grubbing, grading, or other construction activities within 500 feet of the nest location at which birds have been observed. The no-work buffer shall remain in place until all nesting behavior has ceased and all young have successfully fledged the nest, as determined by the qualified biologist, or until August 31, whichever happens first.

Mitigation Measure BIO-4

Nesting Bird and Raptor Avoidance. If construction activities requiring earthwork, clearing, and grubbing of vegetation must occur during the general bird breeding season for migratory birds and raptors (January 15 to September 15), the project applicant shall retain a qualified biologist to perform a preconstruction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds, including raptors and non-listed sensitive birds (e.g., yellow-breasted chat), afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. The pre-construction survey shall be performed no more than three days prior to the commencement of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, a no-work buffer shall be placed on construction activities within 500 feet of any active nest at which birds have been observed. The no-work buffer shall remain in place until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.

2.2.2 Riparian Habitat or Other Sensitive Natural Community

A. Significant Impact. Implementation of the proposed project would result in permanent direct impacts to Carlsbad HMP Habitat Groups A-F.

Direct impacts to special-status vegetation communities include 0.1 acre of Diegan coastal sage scrub (unoccupied; Habitat Group D).

Indirect impacts to special-status upland vegetation communities could result primarily from adverse edge effects. During construction activities, edge effects may include dust, which could disrupt plant vitality in the short-term, or construction related soil erosion and water runoff.

B. Facts in Support of Finding (1). The project's potential impact associated with riparian habitat or other sensitive natural community would be mitigated to a level less than significant with the implementation of Mitigation Measure BIO-5.

C. Mitigation Measure

Mitigation Measure BIO-5

Diegan Coastal Sage Scrub Mitigation. The project applicant shall compensate for the unavoidable impacts to 0.1 acre of unoccupied Diegan coastal sage scrub at a ratio of 2:1 to include substantial restoration and/or creation onsite within the project site's open space. Any mitigation must also be approved by the California Coastal Commission.

The project applicant will submit final habitat restoration plans to the city for review and approval at least 30 days prior to initiating project impacts. The Restoration Plan shall be prepared and implemented consistent with MHCP Volume II, Appendix C (Revegetation Guidelines, pages C-1 to C-2), and Volume III; HMP pp. F-8 to F-11; and Open Space Management Plan Section 3.1.5. The Restoration Plan shall, at a minimum, include an evaluation of restoration suitability specific to proposed habitat types, soil and plant material salvage/translocation, planting and seeding lists, discussion of irrigation, maintenance and monitoring program, and success criteria. All areas shall be monitored for a minimum of 5 years to ensure establishment of intended plant communities.

2.2.3 Federally Protected Wetlands

A. Significant Impact. The project site is an upland area that does not support potential jurisdictional waters or wetlands, including federally-protected wetlands. However, indirect impacts could occur if storm water runoff is not controlled at the site and sediment, toxics, and/or other material is inadvertently discharged into potentially jurisdictional waters or wetlands within the adjacent open space.

B. Facts in Support of Finding (1). The project's potential impacts associated with state or federally protected wetlands would be mitigated to a level less than significant with the implementation of Mitigation Measures BIO-1.

C. Mitigation Measure

Mitigation Measure BIO-1 (as listed above)

2.2.4 Wildlife Corridors

A. Significant Impact. Lighting from operation of the proposed project could result in adverse indirect impacts on wildlife movement if not appropriately shielded and directed downward and away from the Existing Hardline and open space areas. Additionally, the function of the Encinas Creek corridor could degrade over time and during operation of the proposed project if encroachment and other disturbances are not prohibited.

B. Facts in Support of Finding (1). The project's potential impact associated with wildlife corridors would be mitigated to a level less than significant with the implementation of Mitigation Measure BIO-6.

C. Mitigation Measure

Mitigation Measure BIO-6

Project Lighting. All exterior lighting adjacent to Existing Hardline and open space associated with Encinas Creek shall be of the lowest illumination allowed for human safety, selectively placed, shielded, and directed away from preserved habitat to the maximum extent practicable. Any lighting that faces preserved open space shall use low wattage, long wavelength bulbs (560 nanometers or longer; amber to red). The lighting shall be shown on all final project plans and approved by the city.

2.3 Cultural Resources

2.3.1 Historic Resources

A. Significant Impact. Since there are 41 previously recorded cultural resources within one-mile radius of the project site, there is a potential for subsurface cultural material to be discovered at the project site during ground-disturbing activities.

B. Facts in Support of Finding (1). The project's potential impact associated with historic resources would be mitigated to a level less than significant with the implementation of Mitigation Measure CUL-1.

C. Mitigation Measure

Mitigation Measure CUL-1

Mitigation Measure CUL-1: Cultural Resources Monitoring and Recovery Program. Based on the potential for subsurface cultural resources, a cultural resources monitoring program, including participation of Native American groups with interest in the project site, shall be implemented for initial grading and other ground disturbing activities, including removal of pavement and structural foundations associated with the warehouse within the project site. The

following measures are required for the project, consistent with the Tribal, Cultural, and Paleontological Guidelines (City of Carlsbad, 2017a: pp 75-77):

- a. Prior to the commencement of ground disturbing activities, the project developer shall contract with a qualified professional archaeologist and shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a preexcavation agreement) with the San Luis Rey Band of Mission Indians, or another Traditionally and Culturally Affiliated Native American tribe (“TCA Tribe”) for monitoring during ground disturbing activities. The agreement will contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The agreement will outline the roles and powers of the Luiseño Native American monitors and the archaeologist and shall include the provisions below. A copy of said archaeological contract and Tribal Monitoring agreement shall be provided to the City of Carlsbad prior to the issuance of a grading permit.
- b. A Luiseño Native American monitor shall be present during all ground disturbing activities. Ground disturbing activities may include, but are not be limited to, archaeological studies, geotechnical investigations, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities.
- c. The landowner shall relinquish ownership of all cultural resources collected during ground disturbing activities and from any previous archaeological studies or excavations on the project site to the contracted TCA Tribe referenced in CR-1(a) for proper treatment and disposition per the Cultural Resources Treatment and Monitoring Agreement for reburial and treated in accordance with the TCA Tribe’s cultural and spiritual traditions within an appropriate protected location determined in consultation with the TCA Tribe and protected by open space or easement, etc., where the cultural items will not be disturbed in the future, and shall not be curated, unless ordered to do so by a federal agency or a court of competent jurisdiction. When tribal cultural resources are discovered during the project, if the archaeologist collects such resources, a Luiseño Native American monitor must be present during any testing or cataloging of those resources.
- d. All historical cultural resources uncovered by the archaeologist will be collected and treated following the guidelines and regulations set forth under 36 CFR 79, federal regulations for collection of cultural materials.
- e. The archaeologist and Luiseño Native American monitor shall be present at the project’s on-site preconstruction meeting to consult with grading and excavation contractors concerning excavation schedules and safety issues, as well as to consult with the principal archaeologist concerning the proposed archaeologist techniques and/or strategies for the project.
- f. Luiseño Native American monitors and archaeological monitors shall have joint authority to temporarily divert and/or halt construction activities within the immediate vicinity of a find. If archaeological artifact deposits, cultural features or tribal cultural resources are discovered during construction, all earth-moving activity within 100 feet, or otherwise determined as appropriate and necessary by the archaeologist and Luiseño Native American monitor, around the immediate discovery area must be diverted until the Luiseño Native American monitor and the archaeologist can assess the nature and significance of the find.
- g. If a significant tribal cultural resource(s) and/or unique archaeological resource(s) are discovered during ground-disturbing activities for this project, the San Luis Rey Band of Mission Indians and the Rincon Band of Luiseño Indians shall be notified and consulted with by the city regarding the significance of the resources and the respectful and dignified treatment of those resources. All sacred sites, significant tribal cultural resources and/or

unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation, if feasible. If, however, a data recovery plan is authorized by the City as the Lead Agency under CEQA, San Luis Rey Band of Mission Indians, Rincon Band of Luiseño Indians, and the contracted TCA Tribe referenced in CR-1(a) shall be notified and consulted regarding the drafting of any such recovery plan. The recovery plan shall be finalized with the TCA Tribe. For significant artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the Luiseno Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the Luiseno Native American monitor, may at their discretion, collect said resources and provide them to the contracted TCA Tribe referenced in CR-1(a) for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions.

- h. If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5(b) states that no further disturbance shall occur until the San Diego County Medical Examiner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. Suspected Native American remains shall be examined in the field and kept in a secure location at the site. A Luiseño Native American monitor shall be present during the examination of the remains. If the San Diego County Medical Examiner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted by the Medical Examiner within 24 hours. The NAHC must then immediately notify the "Most Likely Descendant" about the discovery. The Most Likely Descendant shall then make recommendations within 48 hours and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.
- i. In the event that fill material is imported into the project area, the fill shall be clean of tribal cultural resources and documented as such. Commercial sources of fill material are already permitted as appropriate and will be culturally sterile. If fill material is to be utilized and/or exported from areas within the project site, then that fill material shall be analyzed and confirmed by an archeologist and Luiseño Native American monitor that such fill material does not contain tribal cultural resources.
- j. No testing, invasive or non-invasive, shall be permitted on any recovered tribal cultural resources without the written permission of the contracted TCA Tribe referenced in CR-1(a).
- k. Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the monitoring program shall be submitted by the archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Carlsbad for approval. Said report shall be subject to confidentiality as an exception to the Public Records Act and will not be available for public distribution.

2.3.2 Archaeological Resources

A. Significant Impact. One archaeological resource (CA-SDI-11022), has been previously recorded within the project site; but is since believed to be destroyed and no additional materials were identified within the project site during survey. However, since there are 41 previously recorded cultural resources within one-mile radius of the project site, there is a potential for

historic-period features or cultural material to be discovered at the project site during ground-disturbing activities.

B. Facts in Support of Finding (1). The project's potential impact associated with archaeological resources would be mitigated to a level less than significant with the implementation of Mitigation Measure CUL-1.

C. Mitigation Measure

Mitigation Measure CUL-1 (as listed above)

2.3.3 Human Remains

A. Significant Impact. Although, the project would not disturb any known human remains, grading and excavation associated with the proposed project would extend into previously undisturbed subsurface areas or other locations where there is some possibility to encounter buried human remains.

B. Facts in Support of Finding (1). The project's potential for discovering human remains would be mitigated to a level less than significant with the implementation of Mitigation Measure CUL-1.

C. Mitigation Measure

Mitigation Measure CUL-1 (as listed above)

2.3.4 Tribal Cultural Resources

A. Significant Impact. Since there are 41 previously recorded cultural resources within one-mile radius of the project site, there is a potential for previously unknown archaeological resources to be identified during ground disturbing activities which could be determined by the Tribes to be a potential Tribal cultural resource. If not treated properly, ground disturbing activities therefore could cause a substantial adverse change in the significance of a known Tribal cultural resource.

B. Facts in Support of Finding (1). The project's potential impact associated with the presence of Tribal cultural resources would be mitigated to a level less than significant with the implementation of Mitigation Measure CUL-1.

C. Mitigation Measure

Mitigation Measure CUL-1 (as listed above)

2.4 Geology and Soils

2.4.1 Paleontological Resources

A. Significant Impact. Implementation of the proposed project would result in a potentially significant paleontological resource impact in association with grading/excavation in previously undisturbed areas of the Santiago Formation (high paleontological potential).

B. Facts in Support of Finding (1). The project's potential impact associated with paleontological resources would be mitigated to a level less than significant with the implementation of Mitigation Measure GEO-1.

C. Mitigation Measure

Mitigation Measure GEO-1

Paleontological Resources – Monitoring, Recovery and Treatment Program. Prior to the commencement of construction, a qualified Principal Paleontologist shall be retained to oversee the mitigation program. The City defines a Principal Paleontologist as a person with a graduate degree in paleontology, geology, or related field, and who has at least one year of prior experience as a principal investigator. In addition, a regional fossil repository shall be designated to receive any discovered fossils. Because the proposed project is in San Diego County, the recommended repository is the San Diego Natural History Museum.

The Principal Paleontologist shall attend the preconstruction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. As well, the Principal Paleontologist shall conduct a paleontological resource contractor awareness training workshop to be attended by earth excavation personnel.

The Principal Paleontologist shall oversee the implementation of required monitoring, recovery, and treatment of resources within both the West Parcel and East Parcel. A paleontological monitor (working under the direction of the Principal Paleontologist) shall be onsite on a full-time basis during all original cutting of previously undisturbed deposits of the Santiago Formation (high paleontological potential) to inspect exposures for unearthed fossils. Site conditions differ slightly between the parcels. Monitoring is required during earthwork within the following areas:

- West Parcel: Earthwork that is 3 feet below existing grade or more and any work with any grade changes to the existing slopes in the southwestern corner of the parcel.
- East Parcel: Earthwork that is 17 feet below existing grade or more.

If fossils are discovered, the Principal Paleontologist (or paleontological monitor) shall recover them. Bulk sedimentary matrix samples may also be collected for stratigraphic horizons that appear likely to contain microvertebrate fossils. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (e.g., a bone bed or a complete large mammal skeleton) may require an extended salvage period. In these instances, the Principal Paleontologist (or paleontological monitor) has the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner.

Fossil remains collected during monitoring and salvage shall be prepared (including washing of sediments to recover microvertebrate fossils), repaired, sorted, and cataloged as part of the mitigation program. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in the designated fossil repository. Donation of the fossils shall be accompanied by financial support for initial specimen storage.

A final summary paleontological mitigation report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, inventory lists of catalogued fossils, and significance of recovered fossils. The final paleontological mitigation report shall be submitted to the city or an appointed designee for review and approval prior to the release of the grading bond.

2.5 Hazards and Hazardous Materials

2.5.1 Hazardous Materials Site

A. Significant Impact. The project site was previously listed as having detections of petroleum hydrocarbons in five areas, likely associated with three former aboveground storage tanks (ASTs) used for fuel storage. The ASTs were removed, and although confirmation soil sampling at the time indicated that no petroleum hydrocarbons remained in the soil above the laboratory detection limit. The Phase II Environmental Site Assessment indicated that recent soil sampling at the site found low levels of TPH in the heavy oil range at the site. Therefore, the possibility remains for previously unidentified contamination to be encountered.

B. Facts in Support of Finding (1). The project's potential impact associated with being located on a hazardous materials site would be mitigated to less than significant levels with the implementation of Mitigation Measure HAZ-1

C. Mitigation Measure

Mitigation Measure HAZ-1

Soil Management Plan. The project applicant shall submit and obtain approval of a Soil Management Plan from the San Diego County DEH HMD prior to initiating any earthwork activities on the project site. The Soil Management Plan shall be prepared for the proposed project by a qualified environmental consultant based on the findings of the Phase I and II Environmental Site Assessments prepared by Arcadis and included in Appendices to this DEIR, and approved by the HMD. During construction, the contractor shall implement the Soil Management Plan and cease any earthwork activities upon discovery of any suspect soils or groundwater (e.g., petroleum odor and/or discoloration). The contractor shall notify the HMD upon discovery of suspect soils or groundwater and retain a qualified environmental firm to collect soil samples to confirm the level of contamination that may be present.

If contamination is found to be present onsite, any further proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a California state licensed professional consistent

with Cal OSHA and Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) requirements. The contractor shall follow all procedural direction given by HMD in accordance with the Soil Management Plan prepared for the site to ensure that suspect soils are isolated, protected from runoff, and disposed of in accordance with transportation laws and the requirements of the licensed receiving facility.

If contaminated soil or groundwater is encountered and identified constituents exceed human health risk levels, the project applicant shall submit documentation to the City to verify that the contamination has been delineated, removed, and disposed of off-site in compliance with the receiving facilities' requirements prior to any ground-disturbing activity on the relevant portion of the project site.

2.5 Noise and Vibration

2.5.1 Temporary Increase in Noise Levels

A. Significant Impact. During construction of the proposed project, construction noise would impact the closest noise-sensitive land uses, which are residences located to the south and west of the project site, approximately 60 feet and 250 feet away, respectively.

B. Facts in Support of Finding (1). Project-related impacts associated with temporary increase of ambient noise levels near sensitive receptors would be less than significant with implementation of Mitigation Measure NOI-1.

C. Mitigation Measure

Mitigation Measure NOI-1

Construction-measures to Reduce Noise Impacts. The following field techniques shall be implemented by the project construction contractor to reduce construction-related noise:

- a. The applicant shall coordinate with contractors and sub-contractors to require that equipment and trucks use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds). The installation of improved mufflers would provide at least 10 dBA noise reduction at all off-site sensitive receptor locations (FHWA, 2017).
- b. Internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition. Engines shall be turned off when not in use. Idling shall be limited to no more than 5 minutes at a time.
- c. Impact tools used for this project shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools.
- d. Impact tools shall use external jackets to reduce noise generation.
- e. Vehicle staging and stockpiling shall be located as far as practical from nearby residences, such as in the northern half of the East Parcel or the northern half or central portions of the West Parcel.

3.0 Effects Found Not to be Significant

The city finds, based on the substantial evidence appearing in Chapter 6 of the EIR, that the following resources would have no impact: Agriculture and Forestry Resources and Mineral Resources. In addition, the following subsections of resources areas would have no impact: Aesthetics, related to scenic resources; Geology related to septic tanks; Hazards and Hazardous Materials related to hazardous waste near schools; Hydrology and Water Quality related to a flood zone, tsunami, or seiche zones; Population and Housing related to displacement of existing people or housing;

Based on the analysis contained in Chapter 4 of the EIR, the following resources would have a less than significant impact, and no mitigation would be required: Aesthetics (Section 4.1), Energy (Section 4.5), Greenhouse Gas Emissions (Section 4.7), Hydrology and Water Quality (Section 4.9), Land Use and Planning (Section 4.10), Population and Housing (Section 4.12), Public Services (Section 4.13), Transportation (Section 4.14), Utilities and Service Systems (Section 4.15) and Wildfire (4.16).

4.0 Findings Regarding Feasible Alternatives

Pursuant to CEQA Guidelines Section 15126.6(a), EIRs must “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

The EIR considers a reasonable range of alternatives. The alternatives to the project are evaluated in Chapter 5 of the EIR in terms of their ability to meet the basic objectives of the project, and eliminate or further reduce its significant environmental effects. Based on these parameters, the following alternatives were considered: (1) No Project, No Development Alternative; (2) No Project, General Plan Allocation Alternative; and (3) Density Bonus Alternative.

4.1 No Project/No Development Alternative

This alternative assumes that the project site would not be redeveloped with multi-family residential housing and the project site would remain in its current developed/disturbed condition with its current uses. The site contains a series of buildings on the West Parcel used for flower-supply packaging and wholesale operations. These existing uses would continue operating under this alternative. The East Parcel would remain undeveloped but historically disturbed.

Under this alternative, air quality, biological resources, cultural resources, geology and soils, and noise and vibration impacts associated with the project would be avoided. This alternative would not result in impacts to the remaining issue areas. However, this alternative is rejected as it would

only meet two of the basic objectives of the proposed project. Specifically, this alternative would not meet these project objectives:

- Provide a high-density multi-family residential community in compliance with the policies of the Housing Element of the Carlsbad General Plan.
- Utilize the site's unique elevation and surrounding geography to develop a project that is aesthetically pleasing and is compatible with and complementary to adjacent land uses.
- Develop a high-density for-rent apartment project that is in compliance with the General Plan and Zoning Code, Local Coastal Plan, Climate Action Plan, Habitat Management Plan, and the Zone 5 Local Facilities Management Plan.
- Increase the city's inventory of housing diversity and accommodate increasing growth in the region by providing market rate and maximizing the amount of affordable for-rent apartments on an underutilized site that is in close proximity to existing employment and commercial opportunities as well as to recreational, public services, and transit options, consistent with city policies related to the development of housing for a range of income levels.
- Provide affordable rental housing to a wide range of income levels, including extremely-low (30% average median income (AMI)), low (60% AMI) and moderate (90% AMI), in a location that is adjacent to an existing affordable housing community to create the potential for shared educational opportunities and services that could benefit both communities.
- Restore and contribute hardline preserve area to the Encinas Creek Preserve adjacent to the project site and include an adequate buffer between the proposed development and resources in the Encinas Creek Preserve, consistent with the Habitat Management Plan.

In fact, this alternative would only meet the following two objectives, and only because no development would occur with this alternative:

- Foster development patterns that promote orderly growth and prevent urban sprawl with the intent to reduce greenhouse gas emissions consistent with policies in the CAP.
- Develop a project that minimizes impacts to sensitive biological resources, to the greatest extent feasible, by redeveloping a previously developed and disturbed site.

This alternative would fail to introduce any residential uses on site, and it would therefore be in direct conflict with the General Plan and Zoning Ordinance, both of which have anticipated high-density residential development on the site.

Ultimately, this alternative would fail to meet any of the City's Housing Element goals and policies, including Housing Element Goal 10-G.2, which seeks to develop new housing with diverse types, prices, tenures, densities, and locations, and in sufficient quantities to meet the demand of anticipated city and regional growth, or Housing Element Goal 10-G.3, which endeavors to provide sufficient new, affordable housing opportunities in all quadrants of the city to meet the needs of current lower and moderate income households and those with special needs, and a fair share proportion of future lower and moderate income households.

Nor would this alternative satisfy the following Land Use Element Goals because a prime infill site would remain in its current, undeveloped state:

- 2-G.1: Maintain a land use program with amount, design and arrangement of varied uses that serve to protect and enhance the character and image of the city as expressed in the Carlsbad Community Vision, and balance development with preservation and enhancement of open space.
- 2-G.2: Promote a diversity of compatible land uses throughout the city, to enable people to live close to job locations, adequate and convenient commercial services, and public support systems such as transit, parks, schools, and utilities.
- 2-G.3: Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development intensities supporting a cohesive development pattern.
- 2-G.4: Provide balanced neighborhoods with a variety of housing types and density ranges to meet the diverse demographic, economic and social needs of residents, while ensuring a cohesive urban form with careful regard for compatibility.

Therefore, the No Project, No Development Alternative is rejected.

4.2 No Project, General Plan Allocation Alternative

Under this alternative, the project would involve the construction of the 224 residential units allocated to the project site in the General Plan update (City of Carlsbad, 2015). The project would be required to comply with the Inclusionary Housing Ordinance and Planning Commission Resolution No. 7114 by providing 20% affordable housing units equating to 45 units. There would be no density bonus or transfer of units from the Excess Dwelling Unit Bank to increase the unit allocation above levels in the General Plan. Under this alternative, the residential density would be 27.3 dwelling units per acre (du/ac), which is above the minimum density of 23 du/ac allowed in the R-30 land use designation. The No Project, General Plan Allocation Alternative would result in a 105-unit reduction from the 329-unit proposed project, including 37 fewer affordable units.

Under this alternative, grading or construction impacts would be lessened, as development would not occur on the East Parcel, however, impacts would not be avoided, as units would still be constructed on the West Parcel. Similar to the proposed project, air quality, biological resources, cultural resources, geology and soils, and noise and vibration would result in significant and mitigated impacts, on a scale less than those of the proposed project. In addition, because the No Project, General Plan Allocation Alternative would allow for residential development that is lower in intensity than the proposed project, the less-than-significant project impacts would still occur but would be substantially less. While this alternative would achieve most of the project objectives, this alternative would not meet these project objectives:

- Provide a high-density multi-family residential community in compliance with the policies of the Housing Element of the Carlsbad General Plan.

- Develop a high-density for-rent apartment project that is in compliance with the General Plan and Zoning Code, Local Coastal Plan, Climate Action Plan, Habitat Management Plan, and the Zone 5 Local Facilities Management Plan.
- Increase the city's inventory of housing diversity and accommodate increasing growth in the region by providing market rate and maximizing the amount of affordable for-rent apartments on an underutilized site that is in close proximity to existing employment and commercial opportunities as well as to recreational, public services, and transit options, consistent with city policies related to the development of housing for a range of income levels.
- Provide affordable rental housing to a wide range of income levels, including extremely-low (30% average median income (AMI)), low (60% AMI) and moderate (90% AMI), in a location that is adjacent to an existing affordable housing community to create the potential for shared educational opportunities and services that could benefit both communities.

This alternative would result in a vacant site (the East Parcel) parcel that is residentially designated but does not have any units allocated from the General Plan, which conflicts with the city's housing goals. Specifically, this alternative would fail to implement the following two Housing Element Goals;

- 10-G.2: New housing developed with diversity of types, prices, tenures, densities, and locations, and in sufficient quantity to meet the demand of anticipated city and regional growth.
- 10-G.3: Sufficient new, affordable housing opportunities in all quadrants of the city to meet the needs of current lower and moderate income households and those with special needs, and a fair share proportion of future lower and moderate income households.

Moreover, by leaving the East Parcel vacant and significantly reducing the number of affordable units constructed onsite, this alternative would limit the city's ability to satisfy Housing Element Policy 10-P.10, which seeks to ensure the availability of sufficient developable acreage in all residential densities to accommodate varied housing types to meet the city's Regional Housing Needs Assessment (RHNA), and Housing Element Policy 10-P.19, which works to ensure the city can satisfy the unmet housing needs of the community through new development and housing that is set aside for lower and moderate income households.

This alternative also would not meet the following Land Use Element Goals since it would not maximize the potential of an underdeveloped, infill site:

- 2-G.1: Maintain a land use program with amount, design and arrangement of varied uses that serve to protect and enhance the character and image of the city as expressed in the Carlsbad Community Vision, and balance development with preservation and enhancement of open space.
- 2-G.2: Promote a diversity of compatible land uses throughout the city, to enable people to live close to job locations, adequate and convenient commercial services, and public support systems such as transit, parks, schools, and utilities.
- 2-G.3: Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development intensities supporting a cohesive development pattern.

- 2-G.4: Provide balanced neighborhoods with a variety of housing types and density ranges to meet the diverse demographic, economic and social needs of residents, while ensuring a cohesive urban form with careful regard for compatibility.

Importantly, this alternative would fail to encourage the provisions of lower and moderate-income housing to meet the objectives of the Housing Element (Land Use Policy 2-P.6) or encourage medium to higher density residential uses located in close proximity to commercial services, employment opportunities and major transportation corridors (Land Use Policy 2-P.13) because 105 total and 37 less affordable units would be constructed under this scenario.

Therefore, the No Project, General Plan Allocation Alternative is rejected.

4.3 Density Bonus Alternative

Under the Density Bonus Alternative, a different methodology for determining how many residential units could be developed on the project site would be used. This alternative would involve using a density bonus approach which would increase the number of residential units on-site as permitted by the city's density bonus law (Chapter 21.86). In general, the density bonus provisions in the CMC allow for a 35% increase in maximum allowable unit count under the General Plan if a project constructs affordable housing.

Under the Density Bonus Alternative, the West Parcel would support up to 263 market-rate apartments, while the East Parcel would be developed with up to 70 affordable apartments. Therefore, the Density Bonus Alternative would result in 16 more market-rate apartments and 12 fewer affordable apartments, for an overall increase of 4 apartments on the project site. All of the affordable units would be located on the East Parcel, as compared to the proposed project wherein 12 units would be integrated with the market-rate rentals on the West Parcel. Because this alternative would increase the maximum residential units allowed under the R-30 designation using the density bonus approach, the applicant would utilize available incentives and waivers pursuant to the city's density bonus law (Chapter 21.86) to allow for the development of the proposed project. With regard to parking, the applicant would be allowed by right to reduce the required parking for this alternative to 434 parking spaces pursuant to CMC Section 21.86.090(g).

Similar to the proposed project, the Density Bonus Alternative would result in significant and mitigated impacts related to air quality, biological resources, cultural resources, geology and soils, and noise and vibration. Grading or construction impacts would not be lessened or avoided under this alternative because the units would be constructed within the same footprint as the project. Because the Density Bonus Alternative would result in a residential development that is similar in intensity to the proposed project, the less-than-significant impacts would still occur and would not be substantially increased because the project would only be greater than the proposed project by four units. This alternative would meet all of the objectives of the project; however, it would not satisfy the following three objectives to quite the same extent as the project since this alternative would increase the number of market-rate units and decrease the number of affordable units onsite:

- Increase the city's inventory of housing diversity and accommodate increasing growth in the region by providing market rate and maximizing the amount of affordable for-rent apartments

on an underutilized site that is in close proximity to existing employment and commercial opportunities as well as to recreational, public services, and transit options, consistent with city policies related to the development of housing for a range of income levels.

- Provide affordable rental housing to a wide range of income levels, including extremely-low (30% average median income (AMI)), low (60% AMI) and moderate (90% AMI), in a location that is adjacent to an existing affordable housing community to create the potential for shared educational opportunities and services that could benefit both communities.
- Foster development patterns that promote orderly growth and prevent urban sprawl with the intent to reduce greenhouse gas emissions consistent with policies in the CAP.

By eliminating 12 affordable dwelling units and clustering all of the remaining affordable dwelling units on the East Parcel, this alternative would not prevent the city from fully utilizing the capacity of an underdeveloped, infill site to achieve the following Housing Element Goals to the maximum extent possible:

- 10-G.2: New housing developed with diversity of types, prices, tenures, densities, and locations, and in sufficient quantity to meet the demand of anticipated city and regional growth.
- 10-G.3: Sufficient new, affordable housing opportunities in all quadrants of the city to meet the needs of current lower and moderate income households and those with special needs, and a fair share proportion of future lower and moderate income households.

With 12 less affordable units onsite, the city's efforts to satisfy Housing Element Policy 10-P.10, which seeks to ensure the availability of sufficient developable acreage in all residential densities to accommodate varied housing types to meet the city's RHNA, and Housing Element Policy 10-P.19, which works to ensure the city can satisfy the unmet housing needs of the community through new development and housing that is set aside for lower and moderate income households, would be impacted.

In fact, this alternative would limit the city's ability to satisfy the following Land Use Element Goals since this alternative would eliminate 12 affordable units from the project:

- 2-G.2: Promote a diversity of compatible land uses throughout the city, to enable people to live close to job locations, adequate and convenient commercial services, and public support systems such as transit, parks, schools, and utilities.
- 2-G.3: Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development intensities supporting a cohesive development pattern.
- 2-G.4: Provide balanced neighborhoods with a variety of housing types and density ranges to meet the diverse demographic, economic and social needs of residents, while ensuring a cohesive urban form with careful regard for compatibility.

Nor would this alternative adequately allow the city to comply with Land Use Policy 2-P.6, which encourages the provision of lower and moderate-income housing to meet the objectives of the Housing Element or Land Use Policy 2-P.13, which encourages medium to higher density residential uses located in close proximity to commercial services, employment opportunities and major transportation corridors, because of the reduction in affordable units onsite.

Finally, since the project is subject to a Site Development Plan (CMC Section 21.53.120), as opposed to state and local Density Bonus Law provisions, the project design allowed for more flexibility and the inclusion of parking above what would otherwise be required for a density bonus project. This alternative would therefore not satisfy Land Use Element Policy 2-P.45 to the same extent as the project, which was designed by the applicant and staff with maximum flexibility and discretion.

In sum, this alternative is rejected because it would result in similar significant and mitigated impacts as compared to the proposed project, and would not reduce or lessen any impacts, but it would also lessen the city's ability to satisfy Housing Element Goals and Policies as well as Land Use Element Goals and Policies.

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SECTION 0.3

Mitigation Monitoring and Reporting Program

Mitigation measures have been identified in the EIR for the Aviara Apartments Project to reduce or eliminate potential environmental impacts associated with the project. The city is required to implement all adopted mitigation measures. In order to ensure compliance, the following Mitigation Monitoring and Reporting Program (MMRP) has been developed. This program consists of a checklist followed by a detailed description of the mitigation measures.

Table 1 summarizes the mitigation measures for the project. Information contained within the checklist clearly identifies the mitigation measure, delineates the monitoring schedule, and defines the conditions required to verify compliance. The following is an explanation of the seven columns that constitute the checklist.

Column 1 **Mitigation Measure:** An inventory of each mitigation measure is provided with a brief description.

Column 2 **Type:** Each mitigation measure is classified as Project Design Mitigation (PD), Project Construction Mitigation (PC), Ongoing Mitigation (OM), or Long-Term Mitigation (LT) in order to identify at what stage in the project development process the mitigation measure can be implemented based upon the following definitions:

- PD - Project Design Mitigation: Mitigation that has been incorporated into the project at the design phase of project development (e.g., traffic control plan, landscape plan);
- PC - Project Construction Mitigation: Mitigation that is to be initiated at the project site prior to and/or during construction to avoid construction related impacts (e.g., dust or noise control measures);
- OM - On-going Mitigation: Mitigation associated with the project over a period of time (e.g., success of revegetation); or
- LT - Long-Term Mitigation: Mitigation that requires monitoring over a greater period of time (e.g., five-year revegetation monitoring program).

Column 3 **Monitor:** Identifies the City department or other public agency that is responsible for determining compliance with the mitigation measure and for informing the Planning Department about compliance.

- Column 4** **Schedule:** The monitoring schedule depends upon the progression of the overall project. Therefore, specific dates are not used within the “Schedule” column. Instead, scheduling describes a logical succession of events (e.g., prior to construction, annual) and if necessary, delineates a follow-up program.
- Column 5** **Compliance Action:** The monitor can easily determine a mitigation measure’s completion by referring to “Compliance Action.” Upon satisfaction of the requirement listed in this column, the mitigation measure is considered complete.
- Column 6** **Verification of Compliance:** The monitor verifies completion of the particular mitigation measure by initialing and dating in this column. Where the “Schedule” column indicates annual or other ongoing mitigation measures, verification of compliance may not occur until completion of the project. Provision of all required signatures within the Verification of Compliance column signifies conclusion of the monitoring program.
- Column 7** **Remarks:** The status of ongoing and cumulative mitigation measures is to be documented during each visit. The space provided for remarks is obviously too small for inclusion of the remarks. It is intended that this space be used to indicate whether there are specific comments pertaining to the status of the mitigation measure. If there are additional comments they are to be attached to the checklist.

This program is to be adopted by the lead and responsible agencies upon formulation of findings in order to comply with the requirements set forth by Assembly Bill 3180 (Public Resources Code Section 21081.6).

**TABLE 0.3-1
AVIARA APARTMENTS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
Air Quality							
AQ-1: Reduction of Dust Particulate Matter Emissions During Construction. Off-road diesel equipment greater than 50 horsepower used for the project shall meet EPA Tier 4 final off-road emission standards or equivalent. Such equipment shall be outfitted with Best Available Control Technology for Toxics (T-BACT) devices including a California Air Resources Board Certified Level 3 Diesel Particulate Filter or equivalent.	PC	City of Carlsbad Community Development Department	Prior to and during construction	Off-road diesel equipment shall meet EPA Tier 4 final off-road emission standards or equivalent. Equipment shall be outfitted with T-BACT devices.			
Biological Resources							
BIO-1: Temporary Construction Fencing and Grading. Temporary construction fencing (with silt barriers) shall be installed at the limits of project-related impacts (including construction staging areas and access routes) to prevent sensitive habitat impacts and to prevent the spread of silt from the construction zone into adjacent habitats to be avoided. Fencing shall be installed in a manner that does not impact habitats to be avoided. The applicant shall submit final construction plans to the city for approval at least 30 days prior to initiating any clearing, grubbing, grading, or other construction activities. These final plans shall include the type and location of fencing, including permanent fencing along any urban/wildlands interface to deter unauthorized access (if deemed necessary by the city) and/or temporary fencing to delineate the construction footprint, impact zones within the footprint, protected areas, and no-construction buffer zones. Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced project footprint. All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable so as to prevent any runoff from entering adjacent open space and shall be shown on the construction plans. Fueling of equipment shall take place within existing paved areas greater than 100 feet	PC	City of Carlsbad Community Development Department	Prior to and during to construction	Temporary construction fencing (with silt barriers) shall be installed at the limits of project-related impacts, and shall incorporate all the measures listed in BIO-1. The applicant shall submit final construction plans to the city for approval at least 30 days prior to initiating any clearing, grubbing, grading, or other construction activities. A biological monitor shall be present during all vegetation clearing activities.			

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>from Encinas Creek. The contract shall check equipment for leaks prior to operation and repair, as necessary. “No-fueling zones” shall be designated on construction plans. Fugitive dust will be avoided and minimized through watering and other appropriate measures.</p> <p>A biological monitor shall be present during all vegetation clearing activities to help ensure that habitat is not cleared beyond established limits and that no native species are harmed.</p> <p>If work occurs beyond the fenced or demarcated limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the city. Any riparian/wetland or upland habitat impacts that occur beyond the approved fence shall be mitigated in accordance with ratios specified in the Carlsbad HMP or as otherwise determined by the city, USFWS, U.S. Army Corp of Engineers, Regional Water Quality Control Board, and/or CDFW. Temporary construction fencing shall be removed upon project completion.</p> <p>Grading activity shall be prohibited during the rainy season (October 1–April 1). All graded areas shall be landscaped prior to October 1 of each year with either temporary or permanent landscaping materials to reduce erosion potential. Such landscaping shall be maintained and replanted if not well established by December 1 following the initial planting.</p> <p>The October 1 grading season deadline may be extended with the approval of the City</p> <p>Engineer subject to implementation by October 1 of special erosion control measures designed to prohibit discharge of sediments off-site during and after the grading operation.</p> <p>Extensions beyond November 15 may be allowed with the approval of the City Engineer in areas of very low risk of impact to sensitive coastal resources and may be approved either as part of the original coastal development permit or as an amendment to an existing coastal development permit.</p>							

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>If any of the responsible resource agencies prohibit grading operations during the summer grading period in order to protect endangered or rare species or sensitive environmental resources, then grading activities may be allowed during the winter by a coastal development permit or permit amendment, provided that appropriate best management practices are adopted, which may include, but are not limited to: silt fencing, gravel bag barriers, fiber rolls, construction road stabilization, dust control, concrete wash out areas, and covering and secondary containment for temporary storage areas and stockpiles.</p>							
<p>BIO-2: Preservation and Management of Open Space. The project applicant shall record two types of easements: an open space easement that will be recorded on the final map, and a conservation easement or restrictive covenant that will be recorded by the County of San Diego. The easements shall be recorded over those portions of the property identified as proposed on-site preserve in Figure 9 of the approved Biological Resources Letter Report (Appendix C.1 of the EIR). Prior to recordation of the final map, issuance of a grading permit or clearing of any habitat or vegetation, whichever occurs first, the following items shall be submitted to the city and approved as final by the City Planner or designee: Recordation of Conservation Easement, Restoration Plan, Preserve Management Plan (PMP)/Property Analysis Record (PAR), long-term management funding, and a management agreement (contract) with qualified preserve manager. Prior to issuance of a grading permit or clearing of vegetation, the project applicant shall prepare a Restoration Plan for the revegetation of the temporary impact areas and proposed creation/substantial restoration areas within the preserve with coastal sage scrub for review and approval by the city or appointed designee. The Restoration Plan shall include 5 years of maintenance and monitoring to ensure the restoration effort is successful.</p>	LT	City of Carlsbad Community Development Department	Prior to construction	The project applicant shall record an open space easement that will be recorded on the final map, and a conservation easement or restrictive covenant that will be recorded by the County of San Diego. The project applicant shall incorporate all measures listed in BIO-2.			

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>The project applicant shall prepare a perpetual management, maintenance, and monitoring plan (PMP) according to the standards contained in Section F.2 of the HMP, Volumes 2 and 3 of the Multiple Habitat Conservation Program and the citywide open space management plan for the on-site biological conservation easement or restrictive covenant areas for review and approval by the city or appointed designee. The PMP shall include area-specific management directives for treatment of non-native invasive plant species within the project site's open space, in addition to those required to meet HMP adjacency standards. The initial treatment of non-native invasive plant species shall occur within the first year following issuance of grading permit, and periodically thereafter, according to a schedule approved by the city and as funding allows.</p> <p>The applicant shall also establish a non-wasting endowment for an amount approved by the city based on a Property Analysis Record (PAR; Center for Natural Lands Management, 2008) or similar cost estimation method to secure the ongoing funding for the perpetual management, maintenance, and monitoring of the biological conservation easement area by an agency, non-profit organization, or other entity approved by the city.</p> <p>Upon approval of the draft PMP, the applicant shall submit the final PMP and a contract with the approved land manager to the city or appointed designee, as well as transfer the funds for the non-wasting endowment to a non-profit conservation entity.</p> <p>The project applicant shall install appropriate permanent fencing, such as three-strand smooth-wire fencing, along the boundary of the open space to discourage human access and allow wildlife to move through unobstructed. The project applicant shall also install signage on the fence to educate and inform the public about the open space and to prohibit access. The fencing and signs shall be shown on all final project plans.</p>							

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>BIO-3: Coastal California Gnatcatcher Protection. No clearing, grubbing, grading, or other construction activities shall occur within Diegan coastal sage scrub during the breeding season of the coastal California gnatcatcher (February 15 to August 31). All grading permits, improvement plans, and the final map shall state the same. If clearing, grubbing, grading, or other construction activities would occur during the breeding season for the gnatcatcher, a pre-construction survey shall be conducted to determine whether gnatcatchers occur within the impact area(s). The pre-construction survey shall consist of one clearance survey by a permitted biologist no more than 3 days prior to the beginning of clearing, grubbing, grading, or other construction activities. If there are no gnatcatchers nesting (includes nest building or other breeding/nesting behavior) within that area, clearing, grubbing, grading, or other construction activities shall be allowed to proceed. If, however, any gnatcatchers are observed, but no nesting or breeding behaviors are noted, additional surveys for breeding/nesting behaviors shall be conducted weekly. If any gnatcatchers are observed nesting or displaying breeding/nesting behavior during the pre-construction survey or additional weekly surveys within the area, a no-work buffer shall be placed on clearing, grubbing, grading, or other construction activities within 500 feet of the nest location at which birds have been observed. The no-work buffer shall remain in place until all nesting behavior has ceased and all young have successfully fledged the nest, as determined by the qualified biologist, or until August 31, whichever happens first.</p>	PC	City of Carlsbad Community Development Department	During construction	No clearing, grubbing, grading, or other construction activities shall occur within Diegan coastal sage scrub during the breeding season of the coastal California gnatcatcher (February 15 to August 31). The construction contractor shall incorporate all measures listed in BIO-3.			

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>BIO-4: Nesting Bird and Raptor Avoidance. If construction activities requiring earthwork, clearing, and grubbing of vegetation must occur during the general bird breeding season for migratory birds and raptors (January 15 to September 15), the project applicant shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds, including raptors and non-listed sensitive birds (e.g., yellow-breasted chat), afforded protection under the Migratory Bird Treaty Act and California Fish and Game Code. The pre-construction survey shall be performed no more than 3 days prior to the commencement of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, a no-work buffer shall be placed on construction activities within 500 feet of any active nest at which birds have been observed. The no-work buffer shall remain in place until the young have fledged the nest and the nest is confirmed to no longer be active, as determined by the qualified biologist.</p>	PC	City of Carlsbad Community Development Department	Prior to and during construction	If construction activities requiring earthwork, clearing, and grubbing of vegetation must occur during the general bird breeding season for migratory birds and raptors (January 15 to September 15), the project applicant shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat. The construction contractor shall incorporate all measures listed in BIO-4.			
<p>BIO-5: Diegan Coastal Sage Scrub Mitigation. The project applicant shall compensate for the unavoidable impacts to 0.1 acre of unoccupied Diegan coastal sage scrub at a ratio of 2:1 to include substantial restoration and/or creation onsite within the project site's open space. Any mitigation must also be approved by the California Coastal Commission.</p> <p>The project applicant will submit final habitat restoration plans to the city for review and approval at least 30 days prior to initiating project impacts. The Restoration Plan shall be prepared and implemented consistent with MHCP Volume II, Appendix C (Revegetation Guidelines, pages C-1 to C-2), and Volume III; HMP pp. F-8 to F-11; and Open Space Management Plan Section 3.1.5. The Restoration Plan shall, at a minimum, include an evaluation of restoration suitability specific to proposed habitat types, soil and plant material salvage/translocation, planting and seeding lists, discussion of irrigation, maintenance and monitoring program, and success criteria. All areas shall be</p>	LT	City of Carlsbad Community Development Department	Prior to, during, and after construction	<p>The project applicant shall compensate for the unavoidable impacts to 0.1 acre of unoccupied Diegan coastal sage scrub at a ratio of 2:1 to include substantial restoration and/or creation onsite within the project site's open space.</p> <p>The project applicant will submit final habitat restoration plans to the city for review and approval at least 30 days prior to initiating project impacts.</p> <p>All areas shall be monitored for a minimum of 5 years to ensure establishment of intended plant communities.</p>			

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
monitored for a minimum of 5 years to ensure establishment of intended plant communities.							
BIO-6: Project Lighting. All exterior lighting adjacent to Existing Hardline and open space associated with Encinas Creek shall be of the lowest illumination allowed for human safety, selectively placed, shielded, and directed away from preserved habitat to the maximum extent practicable. Any lighting that faces preserved open space shall use low wattage, long wavelength bulbs (560 nanometers or longer; amber to red). The lighting shall be shown on all final project plans and approved by the city.	PD	City of Carlsbad Community Development Department	During construction	All exterior lighting adjacent to Existing Hardline and open space associated with Encinas Creek shall be of the lowest illumination allowed for human safety, selectively placed, shielded, and directed away from preserved habitat to the maximum extent practicable. The construction contractor shall incorporate all measures listed in BIO-6.			
Cultural Resources							
CUL-1: Cultural Resources Monitoring and Recovery Program. Based on the potential for subsurface cultural resources, a cultural resources monitoring program, including participation of Native American groups with interest in the project site, shall be implemented for initial grading and other ground-disturbing activities, including removal of pavement and structural foundations associated with the warehouse within the project site. The following measures are required for the project, consistent with the Tribal, Cultural, and Paleontological Guidelines (City of Carlsbad, 2017a: pp 75-77): a. Prior to the commencement of ground-disturbing activities, the project developer shall contract with a qualified professional archaeologist and shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with the San Luis Rey Band of Mission Indians, or another Traditionally and Culturally Affiliated Native American tribe (TCA Tribe) for monitoring during ground-disturbing activities. The agreement will contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The agreement will outline the roles and powers of the Luiseño Native American monitors and the archaeologist and shall include the provisions below. A copy of said archaeological contract and Tribal Monitoring agreement shall be provided to the	PC	City of Carlsbad Community Development Department	Prior to and during construction	A cultural resources monitoring program, including participation of Native American groups with interest in the project site, shall be implemented for initial grading and other ground-disturbing activities, including removal of pavement and structural foundations associated with the warehouse within the project site. The construction contractor shall incorporate all measures listed in CUL-1.			

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>City of Carlsbad prior to the issuance of a grading permit.</p> <p>b. A Luiseño Native American monitor shall be present during all ground-disturbing activities. Ground-disturbing activities may include, but are not be limited to, archaeological studies, geotechnical investigations, clearing, grubbing, trenching, excavation, preparation for utilities and other infrastructure, and grading activities.</p> <p>c. The landowner shall relinquish ownership of all cultural resources collected during ground disturbing activities and from any previous archaeological studies or excavations on the project site to the contracted TCA Tribe referenced in CR-1(a) for proper treatment and disposition per the Cultural Resources Treatment and Monitoring Agreement for reburial and treated in accordance with the TCA Tribe's cultural and spiritual traditions within an appropriate protected location determined in consultation with the TCA Tribe and protected by open space or easement, etc., where the cultural items will not be disturbed in the future, and shall not be curated, unless ordered to do so by a federal agency or a court of competent jurisdiction. When tribal cultural resources are discovered during the project, if the archaeologist collects such resources, a Luiseño Native American monitor must be present during any testing or cataloging of those resources.</p> <p>d. All historical cultural resources uncovered by the archaeologist will be collected and treated following the guidelines and regulations set forth under 36 CFR 79, federal regulations for collection of cultural materials.</p> <p>e. The archaeologist and Luiseño Native American monitor shall be present at the project's onsite preconstruction meeting to consult with grading and excavation contractors concerning excavation schedules and safety issues, as well as to consult with the principal archaeologist concerning the proposed archaeologist techniques and/or strategies for the project.</p>							

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>f. Luiseño Native American monitors and archaeological monitors shall have joint authority to temporarily divert and/or halt construction activities within the immediate vicinity of a find. If archaeological artifact deposits, cultural features or tribal cultural resources are discovered during construction, all earth-moving activity within 100 feet, or otherwise determined as appropriate and necessary by the archaeologist and Luiseño Native American monitor, around the immediate discovery area must be diverted until the Luiseño Native American monitor and the archaeologist can assess the nature and significance of the find.</p> <p>g. If a significant tribal cultural resource(s) and/or unique archaeological resource(s) are discovered during ground-disturbing activities for this project, the San Luis Rey Band of Mission Indians and the Rincon Band of Luiseño Indians shall be notified and consulted with by the city regarding the significance of the resources and the respectful and dignified treatment of those resources. All sacred sites, significant tribal cultural resources and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation, if feasible. If, however, a data recovery plan is authorized by the city as the lead agency under CEQA, San Luis Rey Band of Mission Indians, Rincon Band of Luiseño Indians, and the contracted TCA Tribe referenced in CR-1(a) shall be notified and consulted regarding the drafting of any such recovery plan. The recovery plan shall be finalized with the TCA Tribe. For significant artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the Luiseno Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Luiseno Native</p>							

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>American monitor, may at their discretion, collect said resources and provide them to the contracted TCA Tribe referenced in CR-1(a) for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions.</p> <p>h. If suspected Native American human remains are encountered, California Health and Safety Code Section 7050.5(b) states that no further disturbance shall occur until the San Diego County Medical Examiner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made.</p> <p>Suspected Native American remains shall be examined in the field and kept in a secure location at the site. A Luiseño Native American monitor shall be present during the examination of the remains. If the San Diego County Medical Examiner determines the remains to be Native American, the NAHC must be contacted by the Medical Examiner within 24 hours. The NAHC must then immediately notify the "Most Likely Descendant" about the discovery. The Most Likely Descendant shall then make recommendations within 48 hours and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98.</p> <p>i. In the event that fill material is imported into the project area, the fill shall be clean of tribal cultural resources and documented as such. Commercial sources of fill material are already permitted as appropriate and will be culturally sterile. If fill material is to be utilized and/or exported from areas within the project site, then that fill material shall be analyzed and confirmed by an archeologist and Luiseño Native American monitor that such fill material does not contain tribal cultural resources.</p> <p>j. No testing, invasive or non-invasive, shall be permitted on any recovered tribal cultural resources without the written permission of the contracted TCA Tribe referenced in CR-1(a).</p>							

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
k. Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analysis and conclusions of the monitoring program shall be submitted by the archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City of Carlsbad for approval. Said report shall be subject to confidentiality as an exception to the Public Records Act and will not be available for public distribution.							
Geology and Soils							
<p>GEO-1: Paleontological Resources – Monitoring, Recovery and Treatment Program. Prior to the commencement of construction, a qualified Principal Paleontologist shall be retained to oversee the mitigation program. The city defines a Principal Paleontologist as a person with a graduate degree in paleontology, geology, or related field, and who has at least 1 year of prior experience as a principal investigator. In addition, a regional fossil repository shall be designated to receive any discovered fossils. Because the proposed project is in San Diego County, the recommended repository is the San Diego Natural History Museum.</p> <p>The Principal Paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. As well, the Principal Paleontologist shall conduct a paleontological resource contractor awareness training workshop to be attended by earth excavation personnel.</p> <p>The Principal Paleontologist shall oversee the implementation of required monitoring, recovery, and treatment of resources within both the West Parcel and East Parcel. A paleontological monitor (working under the direction of the Principal Paleontologist) shall be on-site on a full-time basis during all original cutting of previously undisturbed deposits of the Santiago Formation (high paleontological potential) to inspect exposures for unearthed fossils. Site conditions differ slightly between the parcels.</p>	PC	City of Carlsbad Community Development Department	Prior and during to construction	Prior to the commencement of construction, a qualified Principal Paleontologist shall be retained to oversee the mitigation program. The Principal Paleontologist shall oversee the implementation of required monitoring, recovery, and treatment of resources within both the West Parcel and East Parcel. The construction contractor shall incorporate all measures listed in GEO-1.			

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
<p>Monitoring is required during earthwork within the following areas:</p> <ul style="list-style-type: none"> West Parcel: Earthwork that is 3 feet below existing grade or more and any work with any grade changes to the existing slopes in the southwestern corner of the parcel. East Parcel: Earthwork that is 17 feet below existing grade or more. <p>If fossils are discovered, the Principal Paleontologist or paleontological monitor shall recover them. Bulk sedimentary matrix samples may also be collected for stratigraphic horizons that appear likely to contain microvertebrate fossils. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (e.g., a bone bed or a complete large mammal skeleton) may require an extended salvage period. In these instances, the Principal Paleontologist (or paleontological monitor) has the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Fossil remains collected during monitoring and salvage shall be prepared (including washing of sediments to recover microvertebrate fossils), repaired, sorted, and cataloged as part of the mitigation program. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in the designated fossil repository. Donation of the fossils shall be accompanied by financial support for initial specimen storage.</p> <p>A final summary paleontological mitigation report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, inventory lists of catalogued fossils, and significance of recovered fossils. The final paleontological mitigation report shall be submitted to the city or an appointed designee for review and approval prior to the release of the grading bond.</p>							

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
Hazards and Hazardous Materials							
<p>HAZ-1: Soil Management Plan. The project applicant shall submit and obtain approval of a Soil Management Plan from the San Diego County DEH HMD prior to initiating any earthwork activities on the project site. The Soil Management Plan shall be prepared for the proposed project by a qualified environmental consultant based on the findings of the Phase I and II Environmental Site Assessments prepared by Arcadis and included in Appendices to this Draft EIR, and approved by the HMD. During construction, the contractor shall implement the Soil Management Plan and cease any earthwork activities upon discovery of any suspect soils or groundwater (e.g., petroleum odor and/or discoloration). The contractor shall notify the HMD upon discovery of suspect soils or groundwater and retain a qualified environmental firm to collect soil samples to confirm the level of contamination that may be present.</p> <p>If contamination is found to be present on-site, any further proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a California state licensed professional consistent with Cal OSHA and Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) requirements. The contractor shall follow all procedural direction given by HMD in accordance with the Soil Management Plan prepared for the site to ensure that suspect soils are isolated, protected from runoff, and disposed of in accordance with transportation laws and the requirements of the licensed receiving facility.</p> <p>If contaminated soil or groundwater is encountered and identified constituents exceed human health risk levels, the project applicant shall submit documentation to the city to verify that the contamination has been delineated, removed, and disposed of off-site in compliance with the receiving facilities' requirements prior to any ground-disturbing activity on the relevant portion of the project site.</p>	PC	City of Carlsbad Community Development Department and San Diego County DEH HMD	Prior to and during construction	The project applicant shall submit and obtain approval of a Soil Management Plan from the San Diego County DEH HMD prior to initiating any earthwork activities on the project site. The construction contractor shall incorporate all measures listed in HAZ-1.			

Mitigation Measure	Type	Monitor	Schedule	Compliance Action	Verification of Compliance		Remarks
					Initial	Date	
Noise and Vibration							
<p>NOI-1: Construction-measures to Reduce Noise Impacts. The following field techniques shall be implemented by the project construction contractor to reduce construction-related noise:</p> <ul style="list-style-type: none"> a. The applicant shall coordinate with contractors and sub-contractors to require that equipment and trucks use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds). The installation of improved mufflers would provide at least 10 dBA noise reduction at all off-site sensitive receptor locations (FHWA, 2017). b. Internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition. Engines shall be turned off when not in use. Idling shall be limited to no more than 5 minutes at a time. c. Impact tools used for this project shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. d. Impact tools shall use external jackets to reduce noise generation. e. Vehicle staging and stockpiling shall be located as far as practical from nearby residences, such as in the northern half of the East Parcel or the northern half or central portions of the West Parcel. 	PC	City of Carlsbad Community Development Department	Prior to and during construction	The field techniques listed in NOI-1 shall be implemented by the project construction contractor to reduce construction-related noise.			

PLANNING COMMISSION RESOLUTION NO. 7399

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING TENTATIVE TRACT MAP CT 2018-0002, SITE DEVELOPMENT PLAN SDP 2018-0002, COASTAL DEVELOPMENT PERMIT CDP 2018-0005, HILLSIDE DEVELOPMENT PERMIT 2018-0001 AND HABITAT MANAGEMENT PLAN PERMIT HMP 2018-0001 TO DEMOLISH AN AGRICULTURAL PACKAGING WAREHOUSE AND CONSTRUCT 329 APARTMENTS (81 AFFORDABLE UNITS AND 1 MANAGER'S UNIT), INCLUDING DEVELOPMENT STANDARDS MODIFICATIONS, ON AN EXISTING PARCEL THAT IS BISECTED BY AVIARA PARKWAY, NORTH OF LAUREL TREE LANE, CURRENTLY ADDRESSED AS 1205 AVIARA PARKWAY, WITHIN THE MELLO II SEGMENT OF THE LOCAL COASTAL PROGRAM AND WITHIN LOCAL FACILITIES MANAGEMENT ZONE 5.

CASE NAME: AVIARA APARTMENTS

CASE NO.: CT 2018-0002/SDP 2018-0002/CDP 2018-0005/HDP
2018-0001/HMP 2018-0001 (DEV2017-0033)

WHEREAS, **Summerhill Apartment Communities**, "Developer," has filed a verified application with the City of Carlsbad regarding property owned by **James S. Ukegawa**, "Owner," described as

That certain portion of Lot "G" of Rancho Agua Hedionda, in the City of Carlsbad, County of San Diego, State of California, according to Map No. 823, filed in the Office of the County Recorder of San Diego County, further described in Exhibit A of Preliminary Title Report from Fidelity National Title Company Order No. 997-30006515-1MB

("the Property"); and

WHEREAS, said verified application constitutes a request for a Tentative Tract Map, Site Development Plan, Coastal Development Permit, Hillside Development Permit, and Habitat Management Plan Permit as shown on Exhibit(s) "A" – "BBBB" dated **December 16, 2020**, on file in the Planning Division **CT 2018-0002/SDP 2018-0002/CDP 2018-0005/HDP 2018-0001/HMP 2018-0001 – AVIARA APARTMENTS**, as provided by **Chapters 20.12, 21.06, 21.24, 21.53, 21.85, 21.95, 21.203 and 21.210** of the Carlsbad Municipal Code; and

WHEREAS, the Planning Commission did, on **December 16, 2020**, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of persons desiring to be heard, said Commission considered all factors relating to the Tentative Tract Map.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad

as follows:

- A) That the foregoing recitations are true and correct.
- B) That based on the evidence presented at the public hearing, the Commission **APPROVES CT 2018-0002/SDP 2018-0002/CDP 2018-0005/HDP 2018-0001/HMP 2018-0001 – AVIARA APARTMENTS**, based on the following findings and subject to the following conditions:

Findings:

Tentative Tract Map CT 2018-0002

1. That the proposed map and the proposed design and improvement of the subdivision as conditioned, is consistent with and satisfies all requirements of the General Plan, any applicable specific plans, Titles 20 and 21 of the Carlsbad Municipal Code, and the State Subdivision Map Act, and will not cause serious public health problems, in that **the proposed five-lot tentative tract map is consistent with the General Plan and satisfies all the minimum requirements of Title 20 and has been designed to comply with other applicable regulations including the Residential Density – Multiple (RD-M) zone, the Growth Management Ordinance, and the R-30 General Plan Land Use designation.**
2. That the proposed project is compatible with the surrounding future land uses since surrounding properties are designated for **residential, office and open space** development on the General Plan, in that **surrounding properties to the west, south and east are developed with residential uses or open space which is consistent with the proposed residential and open space project. Existing office uses and an undeveloped office site are located to the north of the project site. However, existing open space areas provide a buffer between the proposed residential project and the existing and proposed office uses. Furthermore, the proposed residential project will provide additional open space lots on the north side of the project which will expand the existing open space buffer between the proposed residential project and the existing and future office uses. Given the existing, surrounding development and the existing and proposed open space areas, the residential project is compatible with existing and future land uses.**
3. That the site is physically suitable for the type and density of the development since the site is adequate in size and shape to accommodate residential development at the density proposed, in that **the R-30 Residential General Plan Land Use designation allows residential development at a density range of 23 to 30 dwelling units per acre. The proposed project exceeds 30 dwelling units per acre (40 du/ac) and is requesting standards modifications through the site development plan process as described in the project staff report. Nevertheless, the proposed multiple-family residential project meets the maximum lot coverage of the RD-M zone by proposing smaller building footprints in order to preserve and enhance open space areas and to minimize grading of existing slopes. Therefore, the project site is suitable to accommodate the multiple-family residential development at the density proposed.**
4. That the design of the subdivision or the type of improvements will not conflict with easements of record or easements established by court judgment, or acquired by the public at large, for

access through or use of property within the proposed subdivision, in that **the project has been designed and conditioned such that there are no conflicts with established easements.**

5. That the property is not subject to a contract entered into pursuant to the Land Conservation Act of 1965 (Williamson Act).
6. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, in that structures **have been designed to include operable windows on all elevations in addition to balconies for the majority of the project to maximize exposure of each unit to natural light and ventilation from nearby coastal breezes, if desired.**
7. That the Planning Commission has considered, in connection with the housing proposed by this subdivision, the housing needs of the region, and balanced those housing needs against the public service needs of the city and available fiscal and environmental resources **in that the applicant proposes to designate 81 units as affordable units. An Environmental Impact Report (EIR) was prepared for the project. Mitigation measures have been incorporated into the design of the project and the Mitigation Monitoring and Reporting Program (MMRP) such that all potentially significant impacts will be mitigated to below a level of significance. The city's Housing Policy Team recommended approval of the request. As required by CMC Chapter 21.85, the project has been conditioned to require the approval of an Affordable Housing Agreement prior to issuance of building permits.**
8. That the design of the subdivision and improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat, in that **staff has conducted an Environmental Impact Report (EIR) to determine if the project could have any potentially significant impacts on the environment. The EIR identified potentially significant impacts to Air Quality, Biological Resources, Cultural/Paleontological Resources, Geology/Soils, Hazards/Hazardous Materials, and Noise. Mitigation measures have been incorporated into the design of the project and the Mitigation Monitoring and Reporting Program (MMRP) such that all potentially significant impacts will be mitigated to below a level of significance. Therefore, the project is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.**
9. That the discharge of waste from the subdivision will not result in violation of existing California Regional Water Quality Control Board requirements, in that **the project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban runoff, pollutants, and soil erosion.**

Site Development Plan SDP 2018-0002

10. That the proposed development or use is consistent with the General Plan and any applicable master plan or specific plan, complies with all applicable provisions of Chapter 21.06 of the Carlsbad Municipal Code, and all other applicable provisions of this code, in that **the various goals and objectives of the General Plan will be implemented as the proposed project is consistent with the General Plan, which allows for a mixture of residential uses, including multiple-family residential, within the R-30 Residential Land Use designation. Although the project's density of 40 dwelling units per acre is above the maximum R-30 Residential density of 30 du/ac, the project includes a request for a residential density increase. As discussed in**

the project staff report, the project also includes a standards modification request for increased building height, increased wall and fence height, reduced setbacks, and reduced parking requirements. CMC Section 21.53.120 allows for approval of standards modifications, including increased density, provided the project is in conformity with the general plan and adopted policies and goals of the city and is consistent with the local coastal program provisions except for density. As indicated above and in findings below, the project is consistent with the city's General Plan, policies and goals, and is consistent with the city's local coastal program provisions except for density. Therefore, the 329-unit residential apartment project can be found consistent with the General Plan Land Use Policies as discussed below and in the project staff report, with the standards modifications as requested.

11. That the requested development or use is properly related to the site, surroundings and environmental settings, will not be detrimental to existing development or uses or to development or uses specifically permitted in the area in which the proposed development or use is to be located, and will not adversely impact the site, surroundings or traffic circulation, in that **multiple-family residential is a permitted use within the Residential Density – Multiple (RD-M) Zone and is compatible with the other single-family and multiple-family residential uses surrounding the project site. The site development plan for affordable housing projects may allow increased density and less restrictive development standards than specified in the underlying zone or elsewhere as described above, provided that the project would have no detrimental effect on public health, safety and welfare. The residential project is buffered from existing and future office uses by open space area to the north of the site. The residential apartment project will not adversely impact the site, surroundings, or traffic circulation in that the existing surrounding streets have adequate capacity to accommodate the 1,974 Average Daily Trips (ADT) generated by the project and the residential project has direct access to Aviara Parkway and Laurel Tree Lane. Therefore, the project with the requested standards modifications will not be detrimental to existing permitted development, will not adversely impact the site, surroundings or traffic circulation, and will not have a detrimental effect on public health, safety and welfare.**
12. That the site for the intended development or use is adequate in size and shape to accommodate the use, in that **the 329-unit apartment project is located on a 9.5-acre site that is bisected by Aviara Parkway which creates an east and west parcel. By requesting a standards modification for increased height, increased wall/fence height, reduced setbacks, and reduced parking, the building footprints are reduced and impacts to existing slopes and habitats areas are minimized. The project still meets minimum standards of the Residential-Density Multiple (RD-M) Zone and Carlsbad Municipal Code for some setbacks and lot coverage.**
13. That all yards, setbacks, walls, fences, landscaping, and other features necessary to adjust the requested development or use to existing or permitted future development or use in the neighborhood will be provided and maintained, in that **the project is buffered from existing and future uses by open space areas, Aviara Parkway and Laurel Tree Lane. Landscaping along the outer edges of the property, including the areas along Aviara Parkway and Laurel Tree Lane, will be provided consistent with the requirements of the city's Landscape Manual.**
14. That the street systems serving the proposed development or use is adequate to properly handle all traffic generated by the proposed use, in that **the project will take access off Aviara Parkway and Laurel Tree Lane. The proposed project has been designed with two street**

entries from Aviara Parkway for the West Parcel. The East parcel has been designed with a single entry from Laurel Tree Lane which connects to Aviara Parkway approximately 400 feet to the west. Aviara Parkway between Palomar Airport Road and Poinsettia Lane is identified as an Arterial Street while Laurel Tree Lane is identified as a Local/Neighborhood Street. The streets are designed to adequately handle the 1,974 Average Daily Trips generated by the 329-unit residential apartment project as analyzed by the project Traffic Impact Analysis. The project site is served by one NCTD bus route with stops approximately 1,000 feet north of the site on Palomar Airport Road. In addition, the applicant will be required to pay traffic impact fees prior to issuance of building permits that will go towards future road improvements.

Coastal Development Permit CDP 2018-0005

15. That the proposed development is in conformance with the Certified Local Coastal Program and all applicable policies in that **the four-story buildings will not obstruct views of the coastline as seen from public lands or the public right-of-way since there are no views of the coastline from this segment of Aviara Parkway or Laurel Tree Lane. The project's location along Aviara Parkway and Laurel Tree Lane will not damage the visual beauty of the Coastal Zone. It was determined that the site does not qualify as prime, non-prime or coastal agricultural land required to be preserved pursuant to the Coastal Act when the Coastal Commission approved the General Plan land use changes for the project site. Lastly, the project maintains the required 50-foot riparian buffer from the off-site Encinas Creek to the north.**
16. The proposal is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act in that **the site does not have frontage along the coastline so no public opportunities for coastal shoreline access or water-oriented recreation activities are available from the site.**
17. The project is consistent with the provisions of the Coastal Resource Protection Overlay Zone (Chapter 21.203 of the Zoning Ordinance) in that **the project complies with the areas of concern listed below:**
 - a. *Preservation of Steep Slopes and Vegetation.* Slopes greater than 25 percent and possessing endangered plant/animal species and/or coastal sage scrub and chaparral plant communities are considered "dual criteria" slopes and are protected in the Coastal Zone. The project does not propose development of any "dual criteria" slopes.
 - b. *Drainage, Erosion, Sedimentation, Habitat.* Topographic and vegetation mapping and analysis were prepared as part of the project. Riparian boundaries were identified, and a 50-foot buffer area has been provided between the riparian area and the edge of development to buffer sensitive habitat areas from intrusion. Impacts to habitat are minor compared to the proposed preservation and restoration, and will be fully mitigated. A habitat restoration plan and a preserve management plan are proposed with this project and the project is consistent with the city's adopted Habitat Management Plan. The project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban run-off, pollutants and soil erosion.
 - c. *Seismic Hazards, Landslides and Slope Instability.* The Preliminary Geotechnical Investigation (GeoSoils, Inc, July 7, 2016), identifies that ground surface rupture as a result of an earthquake or seismic event is not likely to occur at the site. Geomorphic expressions

indicative of past significant mass wasting events (i.e., scarps and hummocky terrain) were not observed during field studies. Further, no adverse geologic structures were encountered during subsurface exploration nor during the review of regional geologic maps. The report concludes, from a geologic and soils engineering point of view, that the site is suitable for the proposed development. By following the recommendations contained within the referenced report, the site is suitable for the proposed project, and will not expose people or structures to geotechnical-related hazards.

- d. *Flood Plain Development.* No structures or fill are being proposed within a one-hundred-year floodplain area as identified by the FEMA Flood Map Service Center.

Hillside Development Permit HDP 2018-0001

18. That hillside conditions have been properly identified on the constraints map which show existing and proposed conditions and slope percentages.
19. That the development proposal is consistent with the intent, purpose, and requirements of the Hillside Ordinance, Chapter 21.95, in that:
 - a. **The project implements the goals and objectives of the land use and open space/conservation elements of the Carlsbad General Plan for infill residential development as discussed below.**
 - b. **The existing hillside conditions have been properly identified and addressed in the planning process.**
 - c. **The project design will preserve and enhance the aesthetic qualities of the existing manufactured and natural slopes by incorporating an aesthetically pleasing design that mainly constructs over existing, relatively flat pads, and by using retaining walls less than six feet in height on slopes which have a gradient of fifteen percent or more and an elevation differential greater than fifteen feet. Furthermore, landscaping will be used to reduce the visual impacts on the adjacent properties. Additionally, the proposed grading volume of 5,601 cubic yards per acre (cy/ac) falls within the acceptable level because it is less than 8,000 cy/ac.**
 - d. **The project provides the required 50-foot riparian buffer from development to the offsite Encinas Creek, and biofiltration BMPs to address drainage and water quality, thereby protecting the riparian ecosystem from increased erosion. In accordance with the EIR and mitigation measures prepared for the project, no substantial impacts to natural resource areas, wildlife habitats or native vegetation areas will occur as a result of the project with the required mitigation for removal of 0.1 acres of unoccupied Diegan Coastal Sage Scrub.**
20. That the proposed development or grading will not occur in the undevelopable portions of the site pursuant to provisions of Section 21.53.230 of the Carlsbad Municipal Code, in that:
 - a. **No development is proposed on a slope that has a minimum of 10,000 square feet in area, over 40% gradient and has an elevation differential of greater than 15 feet. Some areas of 40% slope on-site are either smaller than 10,000 square feet or have an elevation differential of less than 15 feet. Therefore, the 40% slopes are permitted to be developed.**

- b. **The site is partially traversed by an SDG&E power transmission easement. Pursuant to CMC Section 21.53.230(c), the location of accessory facilities including but not limited to vehicular access and parking, recreation areas and landscaping, etc., for a residential development may be located on land that is subject to major power transmission easements. No dwelling units or recreation buildings are located within the SDG&E easement.**
21. That the project design substantially conforms to the intent of the concepts illustrated in the Hillside Development Guidelines Manual, in that **there are no proposed downhill perimeter slopes exceeding 40% gradient and an elevation differential of greater than 15 feet; no slope edge building setbacks are required; and no retaining walls exceeding six feet in height are proposed on slopes which have a gradient of fifteen percent or more and an elevation differential greater than fifteen feet.**
22. That the project design and lot configuration minimizes disturbance of hillside lands, in that **the significant slope and sensitive habitat areas are being preserved in open space to the maximum extent practicable.**

Habitat Management Plan Permit HMP 2018-0001

23. That the **Aviara Apartments project parcel** is shown in Figure 28 of the approved HMP as a **“Development Area,” and located adjacent to an “Existing Hardline Conservation Area.”**
24. That authorization to impact sensitive habitats, through the removal of **0.1 acres of unoccupied Diegan Coastal Sage Scrub (Habitat Group D), 0.3 acres of non-native grassland (Habitat Group E), and 4 acres of non-native vegetation and disturbed habitat (Habitat Group F)** is subject to continuous compliance with all provisions of the Habitat Management Plan for Natural Communities in the City of Carlsbad (HMP), the Citywide Incidental Take Permit issued for the HMP, the Implementing Agreement, the Terms and Conditions of the Incidental Take Permit, and the Biological Opinion.
25. That authorization to impact sensitive habitats is subject to continuous compliance with all mitigation measures as stated in the **Mitigation Monitoring and Reporting Program of EIR 2018-0001** and is subject to all conditions contained in Planning Commission Resolutions No. **7398** for those other approvals, including but not limited to recordation of conservation easements over all conserved areas and management and monitoring in perpetuity by a qualified conservation entity.
26. That authorization to impact sensitive habitats {and take of species of concern} is subject to continuous compliance with the provisions of Volumes I, II and III of the Multiple Habitat Conservation Program and the Final Environmental Impact Statement/Environmental Impact Report for Threatened and Endangered Species Due to Urban Growth within the Multiple Habitat Conservation Program Planning Area (SCH No. 93121073).
27. That all impacts to habitat and all take of species will be incidental to otherwise lawful activities related to construction and operation of the **Aviara Apartments** project. **No take of species of concern is proposed or anticipated.**
28. That the project design as approved by the City of Carlsbad has avoided and minimized impacts to wildlife habitat and species of concern to the maximum extent practicable. **Specifically, only**

0.1 acres of HMP Habitat Groups A-D will be impacted by the development. Furthermore, approximately 1.6 acres of the site will be designated as an open space preserve. Additionally, all 0.24 acres of Southern Willow Scrub (Habitat Group A) located on-site will be protected and approximately 1.1 acres of unoccupied Diegan Coastal Sage Scrub (Habitat Group D) will be created or restored in areas that are disturbed and characterized by non-native habitat types in the pre-restoration condition.

29. That adequate funding has been provided to address changed circumstances and adaptive management needs that may be reasonably anticipated in the future, consistent with the HMP Implementing Agreement.
30. That the authorization to impact sensitive habitats {and incidental take of species of concern} as a result of the project will not appreciably reduce the likelihood of survival and recovery of the species in the wild due to compliance with all of the above stated requirements, as well as ongoing monitoring and reporting to the wildlife agencies and the public. **No take of species of concern is proposed or anticipated.**
31. The Planning Commission hereby finds that all development in Carlsbad benefits from the Habitat Management Plan, which is a comprehensive conservation plan and implementation program that will facilitate the preservation of biological diversity and provide for effective protection and conservation of wildlife and plant species while continuing to allow compatible development in accordance with Carlsbad's Growth Management Plan. Preservation of wildlife habitats and sensitive species is required by the Open Space and Conservation Element of the city's General Plan which provides for the realization of the social, economic, aesthetic and environmental benefits from the preservation of open space within an increasingly urban environment. Moreover, each new development will contribute to the need for additional regional infrastructure that, in turn, will adversely impact species and habitats. The In-Lieu Mitigation Fee imposed on all new development within the city is essential to fund implementation of the city's Habitat Management Plan. **Pursuant to the HMP, EIR 2018-0001 mitigation measures require the project to pay habitat in-lieu fees for impacts to 0.15 acres of Group E habitat and 0.42 acres of Group F habitat**

City Council Policy No. 43, Allocation for Excess Dwelling Units

32. **That the City's Housing Policy Team recommended approval of the request for an allocation of 105 units from the EDUB on October 13, 2017.**
33. That the project location and density are compatible with the existing adjacent residential neighborhoods and/or nearby existing or planned uses in that **the project includes a request for an increase in the allowed density from 30 dwelling units per acre to 40 dwelling units per acre pursuant to CMC Chapter 21.53.120. Surrounding land uses include residential development and open space areas to the south and east, including a two-story, 138-unit affordable apartment project across Laurel Tree Lane. Existing office uses and an undeveloped office site are located to the north of the project site. However, existing open space areas provide a buffer between the proposed residential project and the existing and proposed office uses. Furthermore, the proposed residential project will provide additional open space lots on the north side of the project which will expand the existing open space buffer between the proposed residential project and the existing and future office uses. Given the existing, surrounding development and the existing and proposed open space areas, the residential project is compatible with existing and future land uses.**

34. That the project location and density are in accordance with the applicable provisions of the General Plan and any other applicable planning document, in that **a residential apartment project is consistent with the R-30 Residential General Plan Land Use designation and the site is identified in Figure 10-1 of the General Plan as an underutilized site for lower and moderate income housing. The requested increase in allowed density with standards modifications is consistent with the provisions of CMC Chapter 21.53.120.**

35. That the project complies with the findings stated in the General Plan Land Use Element for projects that exceed the growth management control point for the applicable density range in that:
 - a. The project qualifies for and will receive an allocation of “excess” dwelling units, pursuant to City Council Policy No. 43 in that **the project is compatible with surrounding existing and planned neighborhoods and land uses, and the Southwest Quadrant dwelling unit limit will not be exceeded as a result of the proposed project, as further discussed below.**

 - b. There have been sufficient residential projects approved at densities below the GMCP so the citywide and quadrant dwelling unit limits will not be exceeded as a result of the proposed project in that **per the city’s Quadrant Dwelling Unit Report dated November 30, 2020, the Southwest Quadrant has an additional 1,232-unit capacity to accommodate the 105 additional dwelling units not already allocated to the site by the General Plan. Additionally, less any recent allocations, the report identifies 288 dwelling units in the Excess Dwelling Unit Bank available to be allocated to the project. Therefore, the citywide and quadrant dwelling unit limits will not be exceeded as a result of the proposed project.**

 - c. All necessary public facilities required by the Citywide Facilities and Improvements Plan will be constructed, or are guaranteed to be constructed, concurrently with the need for them created by this development and in compliance with adopted city standards in that **the project plans and conditions of approval ensure either financial contribution through required impact fees or actual construction of improvements concurrent with development.**

General

36. The **Planning Commission** finds that the project, as conditioned herein, is in conformance with the Elements of the city’s General Plan based on the facts set forth in the staff report dated **December 16, 2020**, including, but not limited to the following:
 - A. Land Use – **The 329-unit apartment project is consistent with the elements and objectives of the General Plan as discussed in Section “A” of the project staff report. The General Plan Land Use designation for the property is R-30 Residential, which allows residential development at a density range of 23-30 dwelling units per acre (du/ac). The 329-unit project results in a density of 40 du/ac which exceeds the maximum 30 du/ac of the R-30 Residential General Plan Land Use Designation. However, Program 2.2 of the Housing Element states, “Flexibility in Development Standards of the General Plan describes how the Planning Division may recommend waiving or modifying certain development standards to encourage the development of low-income housing.” Furthermore, the General Plan identifies the project site as an “underutilized” site where redevelopment with multi-family uses can help the city meet its Regional Housing Needs Assessment**

(RHNA) goals. The applicant is proposing to redevelop the residentially designated site with apartments. The project is an appropriate location as it is compatible with existing residential uses to the south and buffered from commercial uses to the north by open space areas. The location of the project site is also located near employment opportunities and public transit.

- B. Mobility – The proposed project has been designed to meet applicable circulation requirements, which include driveway access points from Aviara Parkway and Laurel Tree Lane. In addition, the applicant will be required to pay traffic impact fees prior to issuance of a building permit that will go towards future road improvements. The proposed project will maintain existing sidewalks along Aviara Parkway and will construct a new sidewalk along the project frontage on Laurel Tree Lane. Pedestrian access will be provided to and from the project.**
 - C. Public Safety – The proposed structural improvements are required to be designed in conformance with all seismic design standards. In addition, the proposed project is consistent with all the applicable fire safety requirements. Further, the project has been conditioned to develop and implement a program of “best management practices” for the elimination and reduction of pollutants which enter into and/or are transported within storm drainage facilities.**
 - D. Noise – The project consists of 329 apartments located in two buildings. A noise study by Charles M. Salter Associates Inc., dated March 21, 2019, was provided. The windows of each residential unit will need to be closed to meet a 45 dB(a) CNEL interior noise level. Therefore, mechanical ventilation is required. In addition, the project is conditioned to comply with the construction requirements of the aforementioned noise study which includes a minimum STC rating ranging from 28-36 for all exterior windows and doors as shown on Figure 2 and Figure 3 of the study.**
 - E. Housing – The proposed project will provide 81 affordable housing units with income restrictions at extremely low-, low-, and moderate-income levels. Therefore, the proposed project helps achieve the city’s affordable housing goals as set forth in the Housing Element of the General Plan including progress toward meeting the city’s RHNA. The 329-unit project will provide 25% of the housing units available to extremely low-, low- and moderate-income households in addition to market-rate units. Furthermore, the project site is located in an area that is in close proximity to public transit and employment opportunities.**
37. The project is consistent with the Citywide Facilities and Improvements Plan, the Local Facilities Management Plan for Zone 5 and all city public facility policies and ordinances. The project includes elements or has been conditioned to construct or provide funding to ensure that all facilities and improvements regarding sewer collection and treatment; water; drainage; circulation; fire; schools; parks and other recreational facilities; libraries; government administrative facilities; and open space, related to the project will be installed to serve new development prior to or concurrent with need. Specifically,
- A. The project has been conditioned to provide proof from the **Carlsbad Unified** School District that the project has satisfied its obligation for school facilities.

- B. Park-in-lieu fees are required by Carlsbad Municipal Code Chapter 20.44 and will be collected prior to issuance of building permit.
 - C. The Public Facility fee is required to be paid by Council Policy No. 17 and will be collected prior to the issuance of building permit.
 - D. The Local Facilities Management fee for Zone 5 is required by Carlsbad Municipal Code Section 21.90.050 and will be collected prior to issuance of building permit.
38. That all necessary public facilities required by the Growth Management Ordinance will be constructed or are guaranteed to be constructed concurrently with the need for them created by this project and in compliance with adopted city standards.
 39. The project is consistent with the adopted Airport Land Use Compatibility Plan for the McClellan-Palomar Airport (ALUCP), dated December 1, 2011, in that, as conditioned, the applicant shall record a notice concerning aircraft noise. The project is compatible with the projected noise levels of the ALUCP and the land use is compatible with the airport, **in that the project site is located within the 60dB noise contour of the ALUCP and is located within Safety Zone 6. Multi-family residential is a compatible and allowed use within Safety Zone 6. Multi-family residential is compatible within the 60dB noise contour if interior noise can be mitigated to 45 dB or less. The project has been conditioned to meet a 45 dB interior noise level by implementing the measures described in the noise study prepared for the project by Charles M. Salter Associates Inc., dated March 21, 2019.**
 40. That the project is consistent with the city's Landscape Manual and Water Efficient Landscape Ordinance (Carlsbad Municipal Code Chapter 18.50).
 41. The Planning Commission has reviewed each of the exactions imposed on the Developer contained in this resolution, and hereby finds, in this case, that the exactions are imposed to mitigate impacts caused by or reasonably related to the project, and the extent and the degree of the exaction is in rough proportionality to the impact caused by the project.

Conditions:

NOTE: Unless otherwise specified herein, all conditions shall be satisfied prior to **the issuance of a grading or building permit, or recordation of the Final Map, whichever occurs first.**

1. If any of the following conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the city shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. No vested rights are gained by Developer or a successor in interest by the city's approval of this **Tentative Tract Map/Site Development Plan/Coastal Development Permit/Hillside Development Permit/Habitat Management Plan Permit.**
2. Staff is authorized and directed to make, or require the Developer to make, all corrections and modifications to the **Tentative Tract Map/Site Development Plan/Coastal Development**

Permit/Hillside Development Permit/Habitat Management Plan Permit documents, as necessary to make them internally consistent and in conformity with the final action on the project. Development shall occur substantially as shown on the approved Exhibits. Any proposed development, different from this approval, shall require an amendment to this approval.

3. Developer shall comply with all applicable provisions of federal, state, and local laws and regulations in effect at the time of building permit issuance.
4. If any condition for construction of any public improvements or facilities, or the payment of any fees in-lieu thereof, imposed by this approval or imposed by law on this Project are challenged, this approval shall be suspended as provided in Government Code Section 66020. If any such condition is determined to be invalid, this approval shall be invalid unless the City Council determines that the project without the condition complies with all requirements of law.
5. Developer shall implement, or cause the implementation of, the **Aviara Apartments EIR 2018-0001** Project Mitigation Monitoring and Reporting Program.
6. Developer/Operator shall and does hereby agree to indemnify, protect, defend, and hold harmless the City of Carlsbad, its Council members, officers, employees, agents, and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees incurred by the city arising, directly or indirectly, from (a) city's approval and issuance of this **Tentative Tract Map/Site Development Plan/Coastal Development Permit/Hillside Development Permit/Habitat Management Plan Permit**, (b) city's approval or issuance of any permit or action, whether discretionary or nondiscretionary, in connection with the use contemplated herein, and (c) Developer/Operator's installation and operation of the facility permitted hereby, including without limitation, any and all liabilities arising from the emission by the facility of electromagnetic fields or other energy waves or emissions. This obligation survives until all legal proceedings have been concluded and continues even if the city's approval is not validated.
7. Prior to submittal of the building plans, improvement plans, grading plans, or final map, whichever occurs first, developer shall submit to the City Planner, a 24" x 36" copy of the (**Tentative Map/Site Plan or other**), conceptual grading plan and preliminary utility plan reflecting the conditions approved by the final decision making body. The copy shall be submitted to the City Planner, reviewed and, if found acceptable, signed by the city's project planner and project engineer. If no changes were required, the approved exhibits shall fulfill this condition.
8. Prior to the issuance of a building permit, the Developer shall provide proof to the Building Division from the **Carlsbad Unified** School District that this project has satisfied its obligation to provide school facilities.
9. This project shall comply with all conditions and mitigation measures which are required as part of the **Zone 5** Local Facilities Management Plan and any amendments made to that Plan prior to the issuance of building permits.
10. This approval is granted subject to the approval of **EIR 2018-0001** and is subject to all conditions contained in Planning Commission Resolutions No. **7398** for those other approvals incorporated herein by reference.

11. This approval shall become null and void if building permits are not issued for this project within 24 months from the date of project approval **unless a time extension is filed in a timely manner and approved by the City of Carlsbad.**
12. Building permits will not be issued for this project unless the local agency providing water and sewer services to the project provides written certification to the city that adequate water service and sewer facilities, respectively, are available to the project at the time of the application for the building permit, and that water and sewer capacity and facilities will continue to be available until the time of occupancy. **A note to this effect shall be placed on the Final Map.**
13. As a condition of this approval, applicant must comply with the requirements of all regulatory agencies having jurisdiction over the project and any mitigation requirements of the environmental documents for the project. Pursuant to Government Code section 65871 and Carlsbad Municipal Code Title 20, Chapter 20.04, section 20.04.140 applicant shall grant a conservation easement for the conservation, protection, and management of fish, wildlife, native plants and the habitat necessary for biologically sustainable populations of certain species thereof, in accordance with the city's adopted Habitat Management Plan.
14. Prior to final map approval, or issuance of a grading permit or clearing of any habitat, whichever occurs first, the Developer shall take all of the following actions to the satisfaction of the City Planner in relation to the open space lot(s) which are being conserved for natural habitat in conformance with the City's Habitat Management Plan:
 - a. Select a conservation entity, subject to approval by the City, that possesses qualifications to manage the open space lot(s) for conservation purposes.
 - b. Prepare a Property Analysis Record (PAR) or other method acceptable to the City for estimating the costs of management and monitoring of the open space lot(s) in perpetuity in accordance with the requirements of the North County Multiple Habitats Conservation Plan and the City's Open Space Management Plan.
 - c. Based on the results of the PAR, provide a non-wasting endowment or other financial mechanism acceptable to the City Planner and conservation entity, if any, in an amount sufficient for management and monitoring of the open space lot(s) in perpetuity.
 - d. Record a Conservation Easement over the open space lot(s).
 - e. Prepare, and obtain approval of the City Planner, CDFW, USFWS and Coastal Commission staff for, a Preserve Management Plan which will ensure adequate management of the open space lot(s) in perpetuity.
15. This project has been found to result in impacts to wildlife habitat or other lands, such as agricultural land, non-native grassland, and disturbed lands, which provide some benefits to wildlife, as documented in the city's Habitat Management Plan and the environmental analysis for this project. Developer is aware that the city has adopted an In-lieu Mitigation Fee consistent with Section E.6 of the Habitat Management Plan and City Council Resolution No. 2000-223 to fund mitigation for impacts to certain categories of vegetation and animal species. The Developer is further aware that the city has determined that all projects will be required to pay the fee in order to be found consistent with the Habitat Management Plan and the Open Space and Conservation Element of the General Plan. Developer or Developer's successor(s) in interest

shall pay the **habitat in-lieu fees for impacts to 0.15 acres of Group E habitat and 0.42 acres of Group F habitat** prior to recordation of a final map, or issuance of a grading permit or building permit, whichever occurs first. If the In-lieu Mitigation Fee for this project is not paid, this project will not be consistent with the Habitat Management Plan and the General Plan and any and all approvals for this project shall become null and void.

16. Prior to the approval of the final map for any phase of this project, or where a map is not being processed, prior to the issuance of building permits for any lots or units, the Developer shall enter into an Affordable Housing Agreement with the city to provide and deed restrict **81** dwelling units as affordable to lower-income households for 55 years, **earning up to 30% of the area median income (AMI) (7 units), 60% AMI (62 units), and 90% AMI (12 units)**, in accordance with the requirements and process set forth in Chapters 21.85 of the Carlsbad Municipal Code. The draft Affordable Housing Agreement shall be submitted to the City Planner no later than 60 days prior to the request to final the map **and shall be recorded prior to issuance of the first building permit**. The recorded Affordable Housing Agreement shall be binding on all future owners and successors in interest.
17. Developer shall pay the Citywide Public Facilities Fee imposed by City Council Policy #17, the License Tax on new construction imposed by Carlsbad Municipal Code Section 5.09.030, and CFD #1 special tax (if applicable), subject to any credits authorized by Carlsbad Municipal Code Section 5.09.040. Developer shall also pay any applicable Local Facilities Management Plan fee for Zone **5**, pursuant to Chapter 21.90. All such taxes/fees shall be paid at issuance of building permit. If the taxes/fees are not paid, this approval will not be consistent with the General Plan and shall become void.
18. Prior to the issuance of the **building permit**, Developer shall submit to the city a Notice of Restriction executed by the owner of the real property to be developed. Said notice is to be filed in the office of the County Recorder, subject to the satisfaction of the City Planner, notifying all interested parties and successors in interest that the City of Carlsbad has issued a(n) **Tentative Tract Map/Site Development Plan/Coastal Development Permit/Hillside Development Permit/Habitat Management Plan Permit** by Resolution(s) No. **7399** on the property. Said Notice of Restriction shall note the property description, location of the file containing complete project details and all conditions of approval as well as any conditions or restrictions specified for inclusion in the Notice of Restriction. The City Planner has the authority to execute and record an amendment to the notice which modifies or terminates said notice upon a showing of good cause by the Developer or successor in interest.
19. Prior to the recordation of the first final **tract** map or the issuance of building permits, whichever occurs first, the Developer shall prepare and record a Notice that this property is subject to overflight, sight and sound of aircraft operating from McClellan-Palomar Airport, in a form meeting the approval of the City Planner and the City Attorney (see Noise Form #2 on file in the Planning Division).
20. Developer shall make a separate formal landscape construction drawing plan check submittal to the Planning Division and obtain City Planner approval of a Final Landscape and Irrigation Plan showing conformance with the approved Preliminary Landscape Plan and the city's Landscape Manual. Developer shall construct and install all landscaping and irrigation as shown on the approved Final Plans. All landscaping shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris. All irrigation systems shall be maintained to provide the

optimum amount of water to the landscape for plant growth without causing soil erosion and runoff.

21. The first submittal of Final Landscape and Irrigation Plans shall be pursuant to the landscape plancheck process on file in the Planning Division and accompanied by the project's building, improvement, and grading plans.
22. All roof appurtenances, including air conditioners, shall be architecturally integrated and concealed from view and the sound buffered from adjacent properties and streets, in substance as provided in Building Department Policy No. 80-6, to the satisfaction of the Directors of Community Development and Planning.
23. No outdoor storage of materials shall occur onsite unless required by the Fire Chief. When so required, the Developer shall submit and obtain approval of the Fire Chief and the City Planner of an Outdoor Storage Plan, and thereafter comply with the approved plan.
24. **Prior to issuance of a building permit, the developer shall demonstrate that the project will comply with all construction requirements in the project's noise study prepared by Charles M. Salter Associates Inc., dated March 21, 2019, which includes windows and doors with a minimum STC rating ranging from 28-36 as shown on Figure 2 and Figure 3 of the study. These construction requirements shall be shown on the building plans with a qualified acoustician certifying that the measures shown will result in meeting the required 45 dB(a) CNEL interior noise level.**
25. Developer shall submit and obtain City Planner approval of an exterior lighting plan including parking areas prior to the issuance of building permits. All lighting shall be designed to reflect downward and avoid any impacts on adjacent homes or property. **The project shall also comply with the following lighting requirements:**
 - a. **Street lights should provide a safe and desirable level of illumination for both motorists and pedestrians without intruding into residential areas.**
 - b. **Lighting fixtures should relate to the human scale, especially in pedestrian areas.**
 - c. **Lighting and lighting fixtures should complement project design and character.**
 - d. **All lighting shall be pedestrian-oriented and friendly, but shall not be obtrusive or offensive.**
 - e. **All street lighting shall conform to city standards or an approved theme lighting program, and shall be approved by the City Engineer.**
 - f. **Illuminated entries should direct lighting glow to the ground and be limited to only the immediate vicinity of the entry.**
 - g. **Lighted entries should not be distracting or create visual hot spots or glare, etc.**
 - h. **Low-pressure sodium or similar, such as amber LED, downcast/fully shielded temporary (during construction activities if required) and permanent lighting**

associated with development adjacent to the open space shall be included within the project's lighting plan.

26. **Prior to recording of a subdivision map or the commencement of grading or construction activities, developer shall:**
- a. **Receive approval from the California Public Utilities Commission (CPUC) pursuant to Section 851 of the PUC and comply with any conditions imposed by the CPUC for project improvements proposed within the high-power transmission easement.**
 - b. **Record a revocable Consent Agreement for proposed parking, private street improvements, landscaping, curbs and gutters, light standards, and all other improvements within the transmission easement.**
 - c. **Submit to San Diego Gas and Electric (SDG&E) for review the final grading and improvement plans, including permission-to-grade language, and the project landscaping and irrigation plans. Plans should substantially conform to those reviewed during the tentative map stage. The plans must be signed by SDG&E prior to issuance of any construction permits.**

Engineering:

General

27. Prior to hauling dirt or construction materials to or from any proposed construction site within this project, developer shall apply for and obtain approval from, the city engineer for the proposed haul route.
28. This project is approved upon the express condition that building permits will not be issued for the development of the subject property, unless the district engineer has determined that adequate water and sewer facilities are available at the time of permit issuance and will continue to be available until time of occupancy.
29. Developer shall submit to the city engineer an acceptable instrument, via CC&Rs and/or other recorded document, addressing the maintenance, repair, and replacement of shared private improvements within this subdivision, including but not limited to private streets, utilities, street trees, sidewalks, landscaping, street lighting, enhanced paving, water quality treatment measures, low impact development features, storm drain facilities, etc. located therein and to distribute the costs of such maintenance in an equitable manner among the owners of the properties within this subdivision.
30. Developer shall include rain gutters on the building plans subject to the city engineer's review and approval. Developer shall install rain gutters in accordance with said plans.
31. Developer shall prepare submit and process for city engineer approval a final map to subdivide this project. There shall be one Final Map recorded for this project. Developer shall pay the city standard map review plan check fees.
32. Developer shall install sight distance corridors at all street intersections and driveways in accordance with City Engineering Standards. The property owner shall maintain this condition.

33. Developer shall submit to the city engineer written approval from North County Transit District (NCTD) demonstrating mass-transit improvement requirements for this project have been satisfied.
34. **Property owner shall maintain all landscaping (street trees, tree grates, shrubs, groundcover, etc.) and irrigation along the parkway frontage with Aviara Parkway and Laurel Tree Lane as shown on the Tentative Map.**

Fees/Agreements

35. Developer shall cause property owner to execute and submit to the city engineer for recordation, the city's standard form Geologic Failure Hold Harmless Agreement.
36. Developer shall cause property owner to execute and submit to the city engineer for recordation the city's standard form Drainage Hold Harmless Agreement.
37. Developer shall cause property owner to submit an executed copy to the city engineer for recordation a city standard Permanent Stormwater Quality Best Management Practice Maintenance Agreement.
38. Developer shall cause property owner to apply for, execute, and submit, to the city engineer for recordation, an Encroachment Agreement covering private **fire service, fire hydrant, storm drain and access gate** located over existing public right-of-way or easements as shown on the tentative map. Developer shall pay processing fees per the city's latest fee schedule.
39. This project shall be annexed into City of Carlsbad Street Lighting and Landscaping District No. 2 (SL&LD #2). Prior to approval of any grading, building permits or final map for this project, Developer shall cause owner to execute an Agreement to annex the subject property into SL&LD #2. The Agreement shall be in a form approved by the assistant city finance director. Developer shall pay all fees necessary to annex the property into SL&LD #2.
40. Developer shall cause property owner to execute and submit to the city engineer for recordation the city's standard form Street Tree Maintenance Agreement.
41. **Developer shall implement Transportation System Management strategies per the city's Mobility Element policy 3-P.11. Prior to issuance of a grading permit, developer shall pay their fair share for the purchase, installation and timing of new traffic signal controllers at the intersections of Aviara Parkway/Laurel Tree Lane and Aviara Parkway/Palomar Airport Road.**
42. **Developer shall comply with the Mobility Element policy 3-P.11. Prior to building permit issuance, the Developer shall submit a Tier 2 Transportation Demand Management Plan to the satisfaction of the city engineer.**
43. **The Developer shall install the following transportation demand management infrastructure measures, in accordance with the project transportation demand management plan, to the satisfaction of the City Engineer:**
 - a. **Two parking spaces for on-site car share, carpool or van pool shall be installed on the west and east sides of the Project.**

- b. **Provide an on-site business center in a dedicated space on the west side and in a shared multipurpose room space on the east side.**
- c. **Dedicated bicycle storage shall be installed within the enclosed parking structures on the west and east sides of the Project.**

Grading

- 44. Based upon a review of the proposed grading and the grading quantities shown on the tentative map, a grading permit for this project is required. Developer shall prepare and submit plans and technical studies/reports as required by city engineer, post security and pay all applicable grading plan review and permit fees per the city's latest fee schedule.
- 45. This project **may** require off site grading. No grading for private improvements shall occur outside the project unless Developer obtains, records, and submits a recorded copy, to the city engineer, a temporary grading, construction or slope easement or agreement from the owners of the affected properties. If Developer is unable to obtain the temporary grading or slope easement, or agreement, no grading permit will be issued. In that case Developer must either apply for and obtain an amendment of this approval or modify the plans so grading will not occur outside the project and apply for and obtain a finding of substantial conformance and/or consistency determination from both the city engineer and city planner.
- 46. **This project requires grading and improvements within the major SDG&E easements on the west and east sides of the project. No grading for private improvements shall occur within the easement unless the Developer obtains a temporary grading or construction easement or agreement from SDG&E to the satisfaction of the city engineer. If Developer is unable to obtain the temporary grading or construction easement or agreement, no grading permit will be issued. In that case Developer must either apply for and obtain an amendment of this approval or modify the plans so grading will not occur within the SDG&E easement and apply for and obtain a finding of substantial conformance and/or consistency determination from both the city engineer and city planner.**

Storm Water Quality

- 47. Developer shall comply with the city's Stormwater Regulations, latest version, and shall implement best management practices at all times. Best management practices include but are not limited to pollution control practices or devices, erosion control to prevent silt runoff during construction, general housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the discharge of pollutants to stormwater, receiving water or stormwater conveyance system to the maximum extent practicable. Developer shall notify prospective owners and tenants of the above requirements.
- 48. Developer shall submit for city approval a Tier 3 Storm Water Pollution Prevention Plan (TIER 3 SWPPP). The TIER 3 SWPPP shall comply with current requirements and provisions established by the San Diego Regional Water Quality Control Board and City of Carlsbad Requirements. The TIER 3 SWPPP shall identify and incorporate measures to reduce storm water pollutant runoff during construction of the project to the maximum extent practicable. Developer shall pay all applicable SWPPP plan review and inspection fees per the city's latest fee schedule.

49. This project is subject to 'Priority Development Project' requirements. Developer shall prepare and process a Storm Water Quality Management Plan (SWQMP), subject to city engineer approval, to comply with the Carlsbad BMP Design Manual latest version. The final SWQMP required by this condition shall be reviewed and approved by the city engineer with final grading plans. Developer shall pay all applicable SWQMP plan review and inspection fees per the city's latest fee schedule.
50. Developer is responsible to ensure that all final design plans (grading plans, improvement plans, landscape plans, building plans, etc.) incorporate all source control, site design, pollutant control BMP and applicable hydromodification measures.

Dedications/Improvements

51. Developer shall cause owner to dedicate to the city and/or other appropriate entities an easement for public street & public utility purposes as shown on the tentative map. The offer shall be made by a certificate on the final map or separate recorded document. All land so offered shall be free and clear of all liens and encumbrances and without cost to the city. Streets that are already public are not required to be rededicated. Additional easements may be required at final design to the satisfaction of the city engineer.
52. Developer shall design the private streets, as shown on the tentative map to the satisfaction of the city engineer. The structural section of all private streets shall conform to City of Carlsbad Standards based on R-value tests. All private streets shall be inspected by the city. Developer shall pay the standard improvement plan check and inspection fees for private streets.
53. Developer shall design the private drainage systems, as shown on the tentative map to the satisfaction of the city engineer. All private drainage systems (12" diameter storm drain and larger) shall be inspected by the city. Developer shall pay the standard improvement plan check and inspection fees for private drainage systems.
54. Developer shall prepare and process public improvement plans and, prior to city engineer approval of said plans, shall execute a city standard Subdivision Improvement Agreement to install and shall post security in accordance with C.M.C. Section 20.16.070 for public improvements shown on the tentative map. Said improvements shall be installed to city standards to the satisfaction of the city engineer. These improvements include, but are not limited to:
 - a. **Street widening of Laurel Tree Lane including AC pavement, curb and gutter, sidewalk, tree wells, striping, streetlights, driveways and ped ramps.**
 - b. **Median improvements, ped ramps, driveways and striping of Aviara Parkway.**
 - c. **Water services and meters.**
 - d. **Sewer laterals.**
 - e. **Fire services.**
 - f. **Construct ADA-compliant sidewalk along the north side of Laurel Tree Lane.**
 - g. **Stripe Class II bicycle lanes on eastbound and westbound Laurel Tree Lane from Aviara Parkway to the cul-de-sac.**
 - h. **Install an ADA accessible pad and bench to the existing bus stop on northbound College Boulevard 500 feet north of Palomar Airport Road. The improvements shall be coordinated with NCTD and completed to the satisfaction of the city engineer.**

- i. Install a trash can and bench on the existing ADA accessible pad for the bus stop on westbound Palomar Airport Road 130 feet west of College Boulevard. The improvements shall be coordinated with NCTD and completed to the satisfaction of the city engineer.
- j. Construct 200 feet of ADA-compliant sidewalk on the south side of Palomar Airport Road from Aviara Parkway easterly to the existing bus stop. Install a trash can, an ADA accessible pad and bench. The improvements shall be coordinated with NCTD and completed to the satisfaction of the city engineer.
- k. Install a northbound overlap phase at the Aviara Parkway/Palomar Airport Road traffic signal.
- l. Extend the existing southbound Aviara Parkway left turn pocket at Laurel Tree Lane from 160 feet to 250 feet.

Developer shall pay the standard improvement plan check and inspection fees in accordance with the fee schedule. Improvements listed above shall be constructed within 36 months of approval of the subdivision or development improvement agreement or such other time as provided in said agreement.

- 55. Developer shall prepare and process improvement plans and, prior to approval, shall execute a city standard Subdivision Improvement Agreement to **modify**/install and shall post security in accordance with C.M.C. Section 20.16.070 for public signal improvements shown on the tentative map. Said improvements shall be installed to city standards to the satisfaction of the city engineer. More specifically, these signal improvements include but are not limited to constructing a new **traffic signal pole at the northeast corner of Aviara Parkway and Laurel Tree Lane and modifications to the existing** traffic signal including all appurtenances and traffic signal interconnect conduit and cable, at the intersection of **Aviara Parkway and Laurel Tree Lane**. Developer shall install the traffic signal only with written authorization from the city engineer. Developer shall pay the standard improvement plan check and inspection fees. Improvements listed above shall be constructed within 18 months of approval of the subdivision or development improvement agreement or such other time as provided in said agreement.
- 56. Developer shall execute a city standard Traffic Signal Development Improvement Agreement for the design and construction of a traffic signal constructed to the satisfaction of the city engineer. Developer shall submit a construction cost estimate with contingency, subject to city engineer approval, for the design and construction of a new **traffic signal pole at the northeast corner of Aviara Parkway and Laurel Tree Lane and modifications to the existing** traffic signal including all appurtenances and traffic signal interconnect conduit and cable, at the intersection of **Aviara Parkway and Laurel Tree Lane**. Developer shall post security in accordance with C.M.C. Section 20.16.070 for the design and construction of said improvements. Developer shall bear all costs associated with the design and construction of this signal, if warrants are met. The Agreement shall be kept in force and security kept valid for a period of 5-years after the last building permit has been issued within this development. The traffic signal shall be installed only when written approval is received by the city engineer.
- 57. Developer shall design, and obtain approval from the city engineer, the structural section for the access aisles with a traffic index of 5.0 in accordance with city standards due to truck access through the parking area and/or aisles with an ADT greater than 500. Prior to completion of grading, the final structural pavement design of the aisle ways shall be submitted together with required R-value soil test information subject to the review and approval of the city engineer.

58. Developer shall provide all-weather maintenance access roads to the public drainage facilities (e.g.: headwalls, rip-rap field, etc.) for this project to the satisfaction of the city engineer. Where maintenance access roads are not practical and/or permitted, Developer shall incorporate low-maintenance design features to the satisfaction of the city engineer.
59. **Developer is responsible to ensure utility transformers or raised water backflow preventers that serve this development are located outside the right-of-way as shown on the Tentative Map and to the satisfaction of the city engineer. These facilities shall be constructed within the property.**

Non-Mapping Notes

60. Add the following notes to the final map as non-mapping data:
- A. Developer has executed a city standard Subdivision Improvement Agreement and has posted security in accordance with C.M.C. Section 20.16.070 to install public improvements shown on the tentative map. These improvements include, but are not limited to:
- a. **Street widening of Laurel Tree Lane including AC pavement, curb and gutter, sidewalk, tree wells, striping, streetlights, driveways and ped ramps.**
 - b. **Median improvements, ped ramps, driveways and striping of Aviara Parkway.**
 - c. **Water services and meters.**
 - d. **Sewer laterals.**
 - e. **Fire services.**
 - f. **Construct ADA-compliant sidewalk along the north side of Laurel Tree Lane.**
 - g. **Stripe Class II bicycle lanes on eastbound and westbound Laurel Tree Lane from Aviara Parkway to the cul-de-sac.**
 - h. **Install an ADA accessible pad and bench to the existing bus stop on northbound College Boulevard 500 feet north of Palomar Airport Road. The improvements shall be coordinated with NCTD and completed to the satisfaction of the city engineer.**
 - i. **Install a trash can and bench on the existing ADA accessible pad for the bus stop on westbound Palomar Airport Road 130 feet west of College Boulevard. The improvements shall be coordinated with NCTD and completed to the satisfaction of the city engineer.**
 - j. **Construct 200 feet of ADA-compliant sidewalk on the south side of Palomar Airport Road from Aviara Parkway easterly to the existing bus stop. Install a trash can, an ADA accessible pad and bench. The improvements shall be coordinated with NCTD and completed to the satisfaction of the city engineer.**
 - k. **Install a northbound overlap phase at the Aviara Parkway/Palomar Airport Road traffic signal.**
 - l. **Extend the existing southbound Aviara Parkway left turn pocket at Laurel Tree Lane from 160 feet to 250 feet.**
- B. Developer has executed a city standard Subdivision Improvement Agreement and has posted security in accordance with C.M.C. Section 20.16.070 to install public signal improvements shown on the tentative map. These signal improvements include but are not limited to constructing a new traffic signal pole and modifications to the existing traffic signal including all appurtenances and traffic signal interconnect conduit and cable, at the intersection of Aviara Parkway and Laurel Tree Lane.

- C. Building permit will not be issued for development of the subject property unless the appropriate agency determines that sewer and water facilities are available.
- D. Geotechnical Caution
 - 1. Slopes steeper than two parts horizontal to one part vertical exist within the boundaries of this subdivision.
 - 2. The owner of this property on behalf of itself and all of its successors in interest has agreed to hold harmless and indemnify the City of Carlsbad from any action that may arise through any geological failure, ground water seepage or land subsidence and subsequent damage that may occur on, or adjacent to, this subdivision due to its construction, operation or maintenance.
- E. No structure, fence, wall, tree, shrub, sign, or other object may be placed or permitted to encroach within the area identified as a sight distance corridor as defined by City of Carlsbad Engineering Standards or line-of-sight per Caltrans standards.
- F. The owner of this property on behalf of itself and all of its successors in interest has agreed to hold harmless and indemnify the City of Carlsbad from any action that may arise through any diversion of waters, the alteration of the normal flow of surface waters or drainage, or the concentration of surface waters or drainage from the drainage system or other improvements identified in the city approved development plans; or by the design, construction or maintenance of the drainage system or other improvements identified in the city approved development plans.
- G. There are no public park or recreational facilities to be located in whole or in part within this subdivision. The subdivider is therefore obligated to pay park-in-lieu fees in accordance with section 20.44.050 of the Carlsbad Municipal Code and has either paid all of said park-in-lieu fees or agreed to pay all of said park-in-lieu fees in accordance with section 20.16.070 of the Carlsbad Municipal Code.

Utilities

- 61. Developer shall meet with the fire marshal to determine if fire protection measures (fire flows, fire hydrant locations, building sprinklers) are required to serve the project.
- 62. Developer shall design and agree to construct public facilities within public right-of-way or within minimum 20-foot wide easements granted to the district or the City of Carlsbad. At the discretion of the district or city engineer, wider easements may be required for adequate maintenance, access and/or joint utility purposes.
- 63. The Developer shall agree to design landscape and irrigation plans utilizing recycled water as a source and prepare and submit a colored recycled water use map to the Planning Department for processing and approval by the district engineer.
- 64. Developer shall install potable water and/or recycled water services and meters at locations approved by the district engineer. The locations of said services shall be reflected on public improvement plans.
- 65. The Developer shall agree to install sewer laterals and clean-outs at locations approved by the city engineer. The locations of sewer laterals shall be reflected on public improvement plans.

66. The Developer shall design and agree to construct public water, sewer, and recycled water facilities substantially as shown on the tentative map to the satisfaction of the district engineer and city engineer.
67. **The potable water service for this project shall be master metered, which shall be located within a water easement subject to approval by the district engineer. Developer shall install private sub-meters as necessary for all proposed units in the building on the West Parcel. Final meter design, backflow preventer, size, and manufacturer shall be provided to the satisfaction of the district engineer and shown on public improvement plans.**
68. The Developer shall submit a detailed sewer study, prepared by a registered engineer, that identifies the peak flows of the project, required pipe sizes, depth of flow in pipe, velocity in the main lines, and the capacity of the existing infrastructure. Said study shall be submitted concurrently with the improvement plans for the project and the study shall be prepared to the satisfaction of the district engineer.
69. The Developer shall submit a detailed potable water study, prepared by a registered engineer that identifies the peak demands of the project (including fire flow demands). The study shall identify velocity in the main lines, pressure zones, and the required pipe sizes. Said study shall be submitted concurrently with the improvement plans for the project and the study shall be prepared to the satisfaction of the district engineer.

Code Reminders

The project is subject to all applicable provisions of local ordinances, including but not limited to the following:

70. Approval of this request shall not excuse compliance with all applicable sections of the Zoning Ordinance and all other applicable city ordinances in effect at time of building permit issuance, except as otherwise specifically provided herein.
71. Premise identification (addresses) shall be provided consistent with Carlsbad Municipal Code Section 18.04.320.
72. Subdivider shall comply with Section 20.16.040(d) of the Carlsbad Municipal Code regarding the undergrounding of existing overhead utilities.
73. Some improvement shown on the tentative map and/or required by these conditions are located offsite on property which neither the city nor the owner has sufficient title or interest to permit the improvements to be made without acquisition of title or interest. The developer shall immediately initiate negotiations to acquire such property. The developer shall use its best efforts to effectuate negotiated acquisition. If unsuccessful, developer shall demonstrate to the city engineer its best efforts and comply with the requirements of the Carlsbad Municipal Code Section 20.16.095 to notify and enable the city to successfully acquire said property by condemnation.
74. Developer shall pay a landscape plancheck and inspection fee as required by Section 20.08.050 of the Carlsbad Municipal Code.

75. Developer shall pay park-in-lieu fees in accordance with Section 20.44 of the City of Carlsbad Municipal Code to the satisfaction of the City Engineer.
76. Developer shall pay planned local area drainage fees in accordance with Section 15.08.020 of the City of Carlsbad Municipal Code to the satisfaction of the City Engineer.
77. Developer shall pay traffic impact and sewer impact fees based on Section 18.42 and Section 13.10 of the City of Carlsbad Municipal Code, respectively. The Average Daily Trips (ADT) and floor area contained in the staff report and shown on the tentative map are for planning purposes only.
78. Any signs proposed for this development shall at a minimum be designed in conformance with the city's Sign Ordinance and shall require review and approval of the City Planner prior to installation of such signs.
79. Developer acknowledges that the project is required to comply with the city's greenhouse gas (GHG) reduction ordinances and requirements. GHG reduction requirements are in accordance with, but are not limited to, Carlsbad Municipal Code Chapters 18.21, 18.30, and 18.51 in addition to the California Green Building Standards Code (CCR, Title 24, Part 11 – CALGreen), as amended from time to time. GHG reduction requirements may be different than what is proposed on the project plans or in the Climate Action Plan Checklist originally submitted with this project. Developer acknowledges that new GHG reduction requirements related to energy efficiency, photovoltaic, electric vehicle charging, water heating and traffic demand management requirements as set forth in the ordinances and codes may impact, but are not limited to, site design and local building code requirements. If incorporating GHG reduction requirements results in substantial modifications to the project, then prior to issuance of development (grading, building, etc.) permits, Developer may be required to submit and receive approval of a Consistency Determination or Amendment for this project through the Planning Division. Compliance with the applicable GHG reduction requirements must be demonstrated on or with the construction plans prior to issuance of the applicable development permits.

NOTICE TO APPLICANT

An appeal of this decision to the City Council must be filed with the City Clerk at 1200 Carlsbad Village Drive, Carlsbad, California, 92008, within ten (10) calendar days of the date of the Planning Commission's decision. Pursuant to Carlsbad Municipal Code Chapter 21.54, section 21.54.150, the appeal must be in writing and state the reason(s) for the appeal. The City Council must make a determination on the appeal prior to any judicial review.

NOTICE TO APPLICANT

The project site is within the appealable area of the California Coastal Commission. This Coastal Development Permit (CDP) shall not become effective until ten (10) working days have elapsed, without a valid appeal being filed with the Coastal Commission, following the Coastal Commission's receipt of the city's notice of the CDP issuance ("Notice of Final Action"). The filing of a valid appeal with the Coastal Commission within such time limit shall stay the effective date of this CDP until such time as a final decision on the appeal is reached by the Coastal Commission.

NOTICE

Please take NOTICE that approval of your project includes the “imposition” of fees, dedications, reservations, or other exactions hereafter collectively referred to for convenience as “fees/exactions.”

You have 90 days from date of approval to protest imposition of these fees/exactions. If you protest them, you must follow the protest procedure set forth in Government Code Section 66020(a), and file the protest and any other required information with the City Manager for processing in accordance with Carlsbad Municipal Code Section 3.32.030. Failure to timely follow that procedure will bar any subsequent legal action to attack, review, set aside, void, or annul their imposition.

You are hereby FURTHER NOTIFIED that your right to protest the specified fees/exactions DOES NOT APPLY to water and sewer connection fees and capacity charges, nor planning, zoning, grading, or other similar application processing or service fees in connection with this project; NOR DOES IT APPLY to any fees/exactions of which you have previously been given a NOTICE similar to this, or as to which the statute of limitations has previously otherwise expired.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad, California, held on **December 16, 2020**, by the following vote, to wit:

AYES:

NOES:

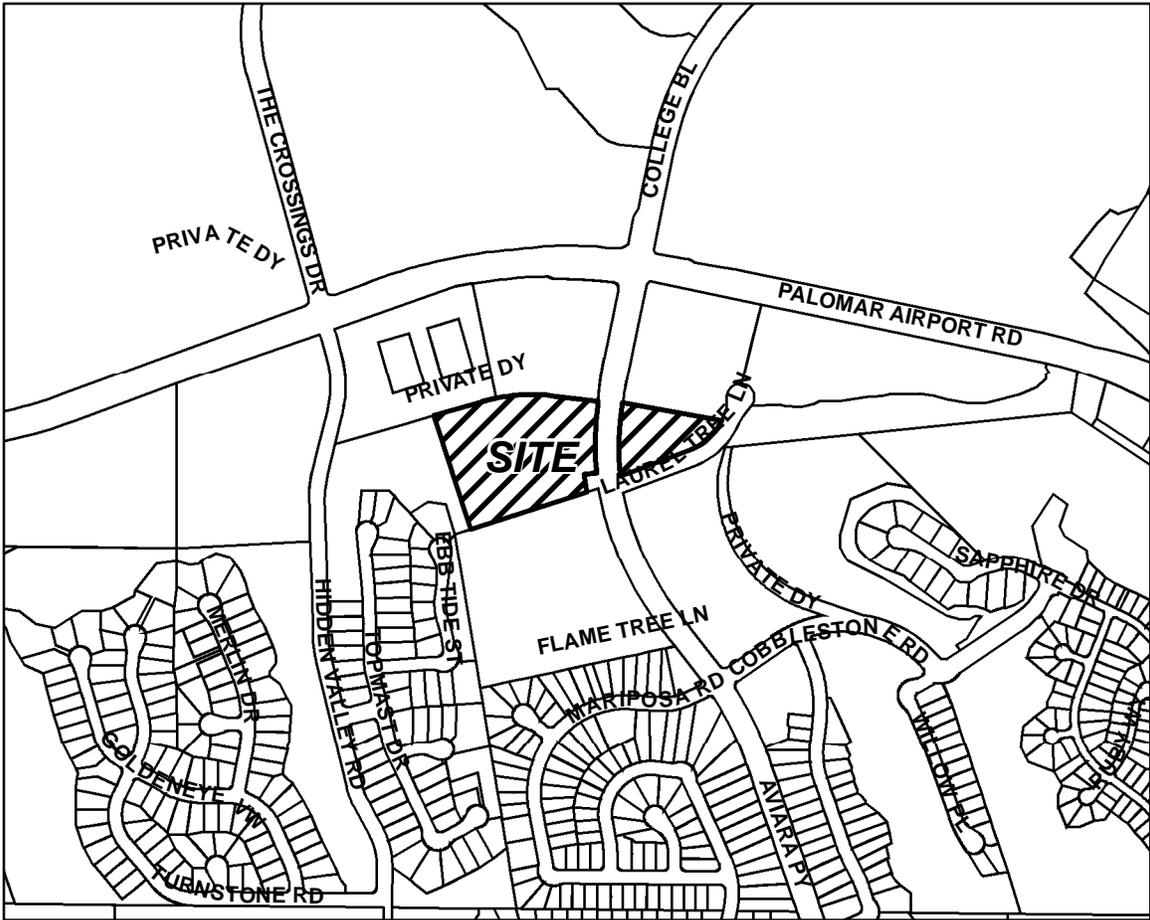
ABSENT:

ABSTAIN:

VELYN ANDERSON, Chairperson
CARLSBAD PLANNING COMMISSION

ATTEST:

DON NEU
City Planner



SITE MAP



NOT TO SCALE

Aviara Apartments

CT 2018-0002 / SDP 2018-0002 / CDP 2018-0005 /
HDP 2018-0001/HMP 2018-0001/EIR 2018-0001 (DEV2017-0033)



**DISCLOSURE STATEMENT
P- 1(A)**

Development Services

Planning Division
1635 Faraday Avenue
(760) 602-4610
www.carlsbadca.gov

RECEIVED

JAN 12 2018

CITY OF CARLSBAD
PLANNING DIVISION

Applicant's statement or disclosure of certain ownership interests on all applications which will require discretionary action on the part of the City Council or any appointed Board, Commission or Committee.

The following information **MUST** be disclosed at the time of application submittal. Your project cannot be reviewed until this information is completed. Please print.

Note:

Person is defined as "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, in this and any other county, city and county, city municipality, district or other political subdivision or any other group or combination acting as a unit."

Agents may sign this document; however, the legal name and entity of the applicant and property owner must be provided below.

1. **APPLICANT (Not the applicant's agent)**

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

Person _____	Corp/Part <u>SummerHill Apartment Communities Investments, LLC</u>
Title _____	Title _____
Address _____	Address <u>2000 Executive Parkway, #450, San Ramon, CA 94583</u>

2. **OWNER (Not the owner's agent)**

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having any ownership interest in the property involved. Also, provide the nature of the legal ownership (i.e., partnership, tenants in common, non-profit, corporation, etc.). If the ownership includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

Person <u>James Ukegawa</u>	Corp/Part _____
Title <u>Owner</u>	Title _____
Address <u>6145 Laurel Tree Lane</u>	Address _____
<u>Carlsbad, CA 92011</u>	_____

3. **NON-PROFIT ORGANIZATION OR TRUST**

If any person identified pursuant to (1) or (2) above is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the non-profit organization or as trustee or beneficiary of the.

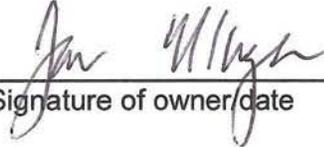
Non Profit/Trust _____	Non Profit/Trust _____
Title _____	Title _____
Address _____	Address _____
_____	_____

4. Have you had more than \$500 worth of business transacted with any member of City staff, Boards, Commissions, Committees and/or Council within the past twelve (12) months?

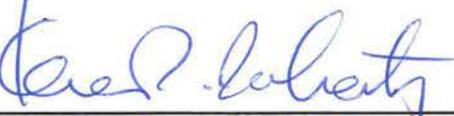
Yes No If yes, please indicate person(s): _____

NOTE: Attach additional sheets if necessary.

I certify that all the above information is true and correct to the best of my knowledge.

 1/12/18	_____
Signature of owner/date	Signature of applicant/date

James Ukegawa	_____
Print or type name of owner	Print or type name of applicant

 1.12.18	_____
Signature of owner/applicant's agent if applicable/date	

Keven Doherty	_____
Print or type name of owner/applicant's agent	

AVIARA APARTMENTS

CARLSBAD, CA

CT 2018-0002/ SDP 2018-0002/ CDP 2018-0005/ HDP 2018-0001/ HMP 2018-0001/ EIR 2018-0001

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Architecture + Planning
12555 West Jefferson Blvd.
Suite 100
Los Angeles, CA 90066
310.394.2623
ktgy.com



4010 Sorrento Valley Blvd.
Suite 200
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gmplandarch.com
T 858 558 8977
**LANDSCAPE
ARCHITECTURE
& PLANNING**



**Civil Engineering • Environmental
Land Surveying**
2442 Second Avenue
San Diego, CA 92101
Consultants, Inc. (619)232-9200 (619)232-9210 Fax



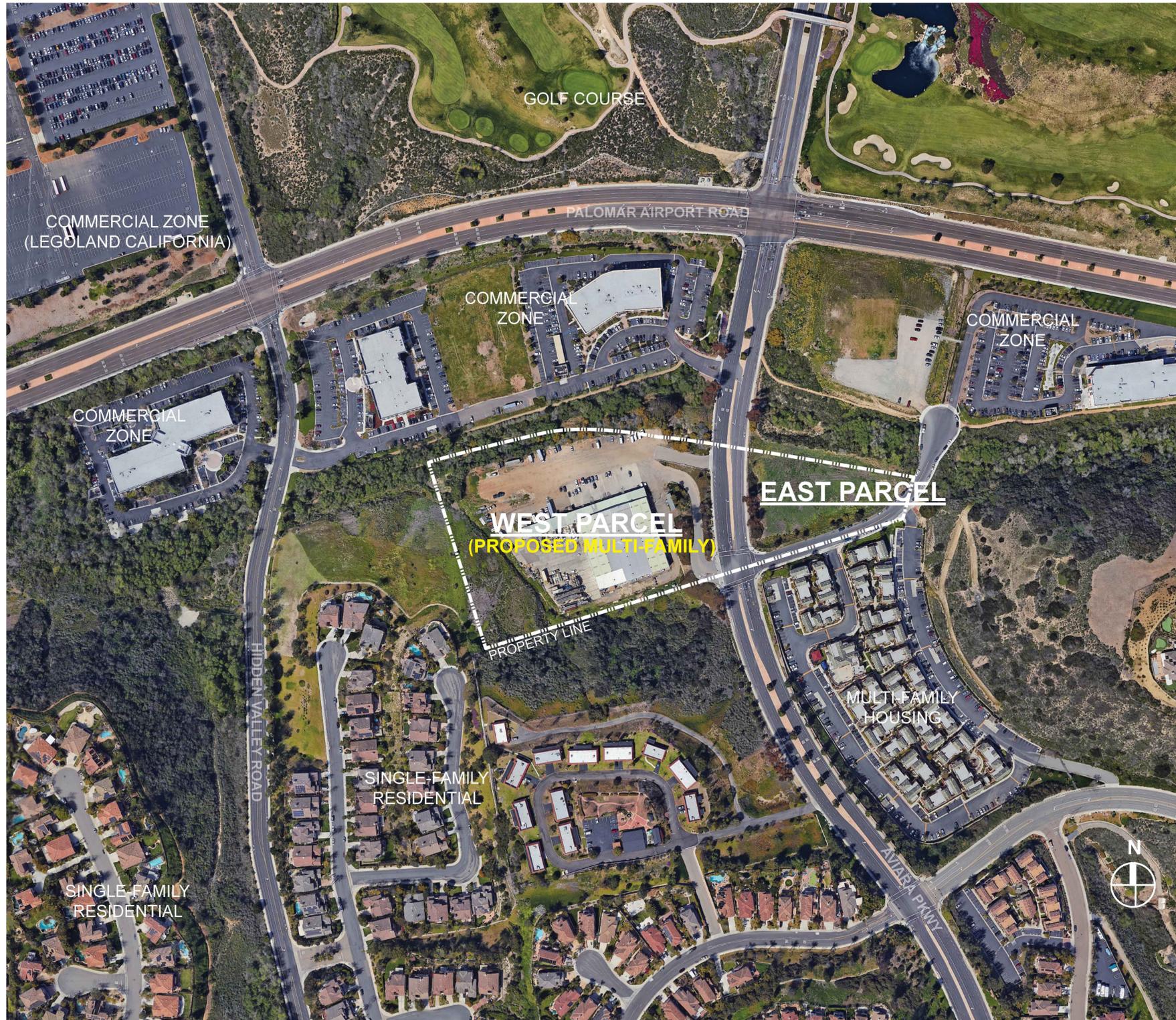
619.231.6300
bridgehousing.com



COMMUNITIES OF DISTINCTION
949.537.3834
shapartments.com

CONCEPTUAL DESIGN

JANUARY 24, 2020



Architecture + Planning
888.456.5849
ktgy.com



619.231.6300
bridgehousing.com



949.537.3834
shapartments.com

Aviara Apartments
CARLSBAD, CA # 160328

CONCEPTUAL DESIGN
JANUARY 24, 2020

EXISTING SITE CONDITIONS

SP.1



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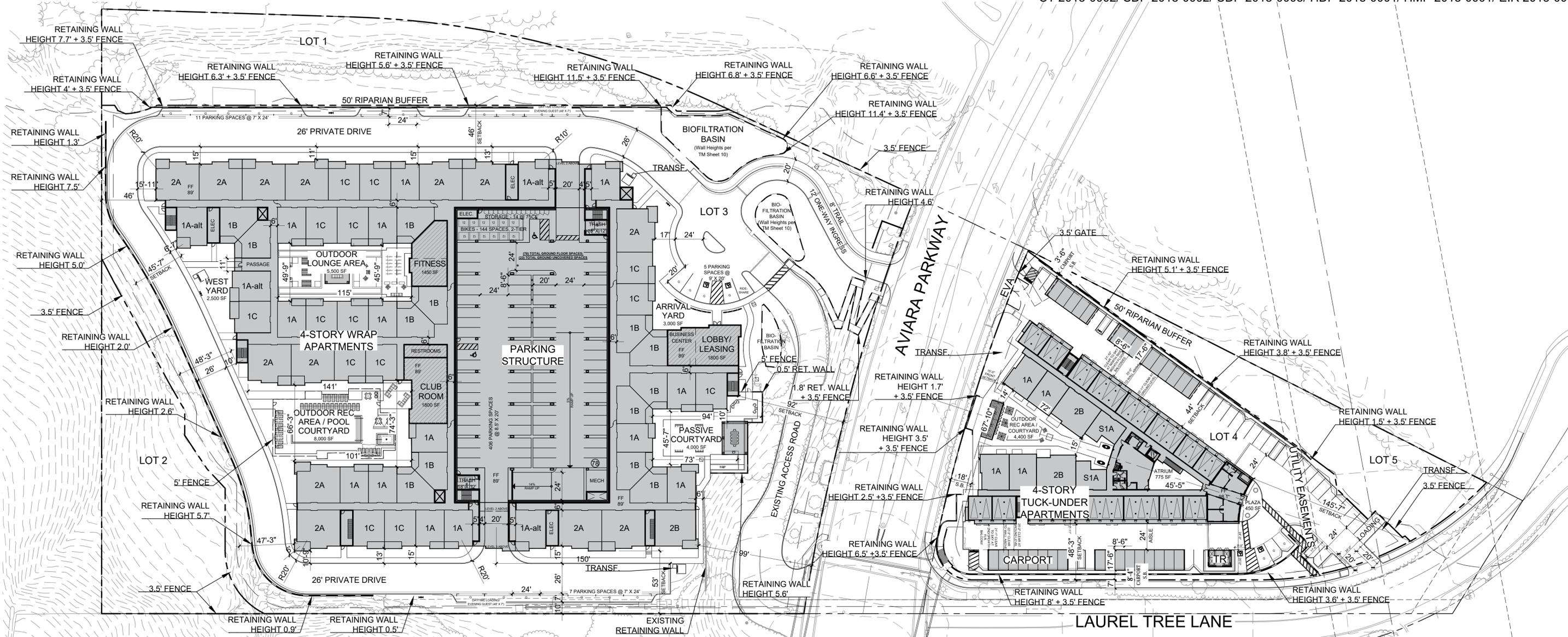


Aviara Apartments
CARLSBAD, CA # 160328

CONCEPTUAL DESIGN
JANUARY 24, 2020

PROPOSED SITE CONDITIONS

SP.2



GENERAL INFORMATION

Owner/Developer SummerHill Homes Attn: Keven Doherty 2 Venture, Suite 360 Irvine, CA 92618 949.537.3834	Architect KTGY Architecture + Planning Attn: Sara Fernandez 12555 W Jefferson Blvd, Ste 100 Los Angeles, CA 90066 310.394.2623
Civil Engineer R.E.C. Civil Engineering Attn: Raab Rydeen 2442 Second Ave San Diego, CA 92121 619.232.9200	Landscape Architect GMP: Gillespie Moody Patterson Attn: John Patterson 4010 Sorrento Valley Blvd., Ste. 200 San Diego, CA 92121 858.558.8977

SITE AREAS - EAST

	sf	ac
Existing East Parcel Area	136,813	3.14
Aviara Parkway right-of-way	36,198	0.83
Laurel Tree Lane dedication	19,744	0.45
Proposed Lot 4 (east site)	65,053	1.49
Proposed Lot 5 (mitigation area)	15,919	0.37

SITE AREAS - WEST

	sf	ac
Existing West Parcel Area	313,120	7.19
Proposed Lot 1 (mitigation area)	33,232	0.76
Proposed Lot 2 (mitigation area)	22,135	0.51
Proposed Lot 3 (west site)	257,752	5.92

SITE INFORMATION

APN	212-040-56
Site Address	6145 Laurel Tree Lane, Carlsbad, CA 92009
Legal Description	Portion of Lot G of Rancho Agua Hedionda in the City of Carlsbad, California
General Plan Designation	R30
Existing Zoning District	RD-M
Existing Land Use	Vacant, Industrial
Proposed Land Use	Multi-Family Residential
Gross Site Area	449,933 sf / 10.3 ac
Undevelopable Site Area	92,642 / 2.1 ac
Developable Site Area	357,292 / 8.22 ac
Unit Yield Proposed	329 DU
Density Proposed	40.1 DU/ac

DEVELOPMENT STANDARDS

REQUIREMENT	REQUIRED	PROPOSED	
		EAST	WEST
Maximum Building Height	35'	50' typ, 57' max	50' typ, 60' max
Maximum Building Coverage	60%	41%	47%
Minimum Setbacks			
Front (per 21.24.040.A.1.)	15'	18'	92'
Interior Side	5'	44' (3'-5' carport)	46'
Street Side	5'	48' (8'-4' carport)	n/a
Rear	10'	145'	44'

AFFORDABILITY SUMMARY

	OVERALL	EAST	WEST
Market Rate Units Provided	247		247
Affordable Units Provided	82	70	12
Total Units Provided	329	70	259
Affordability: Required vs. Provided			
Required Affordable Units			
= 20% x 329 units	66		
Provided Affordable Units	82	70	12
Excess Affordable Units	16		
Affordable Units as a % of Total Units = 82/329	25%		

DEVELOPABLE AREA CALCULATION

	sf	ac
Total Gross Site Area	449,933	10.33
Undevelopable Lands		
Slopes 25% - 40% (50% developable)	14,354	0.33
Public Roads	55,942	1.28
SDG&E Easement	12,327	0.28
Riparian/Floodplain Area	10,019	0.23
Total Undevelopable Lands	92,642	2.13
Developable Land	357,292	8.20

RESIDENTIAL DENSITY CALCULATION

Max Unit Yield @ 30 DU/ac (DU)	246
Max Unit Yield w/ 35% Bonus (DU) **	333
Proposed Unit Yield (DU)	329
Proposed Density (DU/ac)	40.1

** For comparison only; not requesting Density Bonus.

USABLE OPEN SPACE PROVIDED

	EAST	WEST
Indoor Amenities		
Multi-Purpose / Club Room	1,295	1,450
Fitness		1,450
WiFi Café		750
Common Open Space		
Outdoor Rec Area / Pool Courtyard	4,400	8,000
Outdoor Lounge Area		5,500
Passive Courtyard		4,000
Arrival Yard / Entry Plaza	450	3,000
Passive Courtyard		4,000
West Yard		2,500
Atrium	775	
Subtotal East Parcel	6,920	30,650
Total Usable Open Space Provided	37,570	

UNIT MIX - EAST SITE

Unit Type	Unit Area (net sf)	No. Units Per Floor (DU)				Total Units (DU)	Total Area (net sf)	Unit Mix
		Level 1	Level 2	Level 3	Level 4			
Plan S1A	450	2	2	2	2	8	3,600	
Plan S1B	445	0	2	2	2	6	2,670	
Subtotal Studio Units						14		20%
Plan 1A	625	4	4	4	1	13	8,125	
Plan 1B	606	0	4	4	2	10	6,060	
Subtotal 1 Bedroom Units						23		33%
Plan 2A	747		4	4	4	12	8,964	
Plan 2B	860	2	2	2	2	8	6,880	
Plan 2C	702	2	2	2	2	6	4,212	
Subtotal 2 Bedroom Units						26		37%
Plan 3A	986	0	2	2	2	6	5,916	
Plan 3B	1,048	0	0	0	1	1	1,048	
Subtotal 3 Bedroom Units						7		10%
TOTAL		8	22	22	18	70	47,475	

UNIT MIX - WEST SITE

Unit Type	Unit Area (net sf)	No. Units Per Floor (DU)				Total Units (DU)	Total Area (net sf)	Unit Mix
		Level 1	Level 2	Level 3	Level 4			
Plan 1A	711	14	16	17	17	64	45,504	
Plan 1A-alt	785	4				4	3,140	
Plan 1B	720	13	15	16	16	60	43,200	
Plan 1C	774	14	14	14	14	56	43,344	
Subtotal 1 Bedroom Units						184		71%
Plan 2A	1,135	13	18	20	3	54	61,290	
Plan 2A-alt	1,104				17	17	18,768	
Plan 2B	1,026	1	1	1		3	3,078	
Plan 2B-alt	1,009				1	1	1,009	
Subtotal 2 Bedroom Units						75		29%
TOTAL		59	64	68	68	259	219,333	

PARKING SUMMARY

Parking Required, per Zoning Code	Ratio	Spaces	EAST	WEST
Studio Units	1.5	21		21
1 Bedroom Units	1.5	35		276
2 Bedroom Units	2	52		150
3 Bedroom Units	2	14		
Guest Parking	0.25	18		65
Total Spaces Required, Per Zoning Code			140	491

Parking Required, per Density Bonus

	Ratio	Spaces	EAST	WEST
Studio Units	1	14		14
1 Bedroom Units	1	23		184
2 Bedroom Units	2	52		150
3 Bedroom Units	2	14		
Total Spaces Required, Per Density Bonus			103	334

Parking Provided

	Spaces	EAST	WEST
Standard Covered Spaces, Garage, Resident	38		38
Standard Covered Spaces, Carport, Resident	32		32
Standard Covered Spaces, Parking Structure, Resident			363
Standard Covered Spaces, Parking Structure, Guest			42
Standard Uncovered Spaces, Resident	32		32
Standard Uncovered Spaces, Car Share	1		1
Standard Uncovered Spaces, Guest	2		22
Subtotal Resident Parking	102		363
Subtotal Guest Parking	3		65
Total Spaces Provided	105		428

BUILDING INFORMATION

	EAST	WEST
Construction Type, Residential	VA	VA
Construction Type, Parking Structure		IA
Total Gross Floor Area	83,123	477,000
Total Building Coverage	26,700	119,000
	41.0%	46.2%

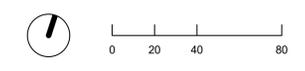


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CARLSBAD, CA # 160328

CONCEPTUAL DESIGN
JANUARY 24, 2020



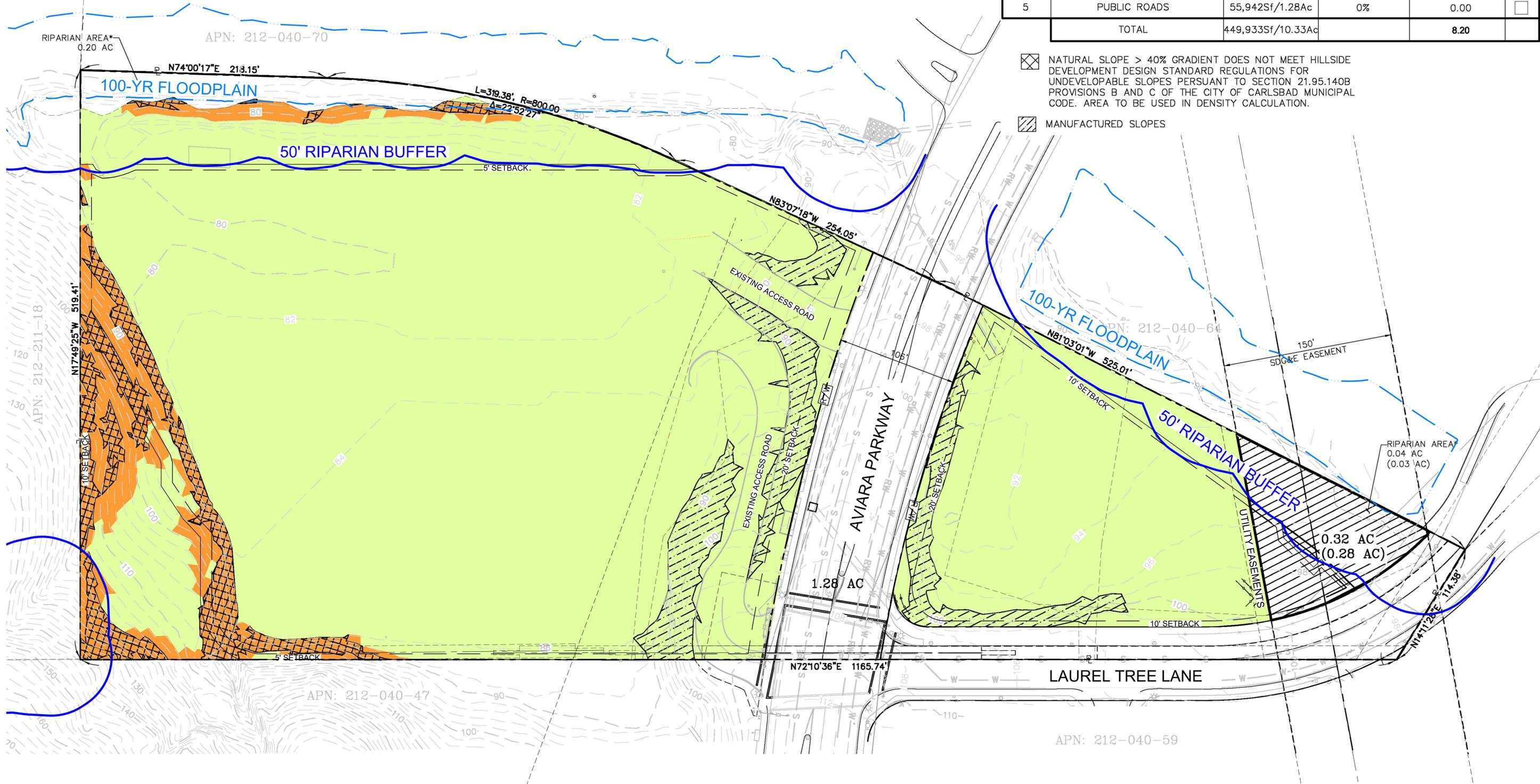
CONCEPTUAL SITE PLAN
AND PROJECT INFORMATION

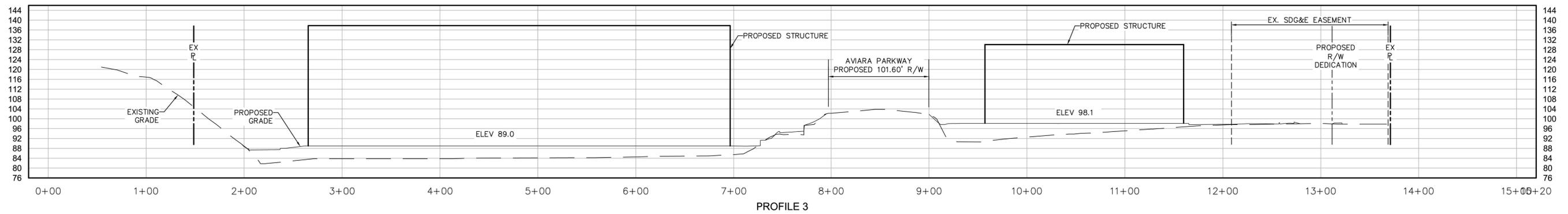
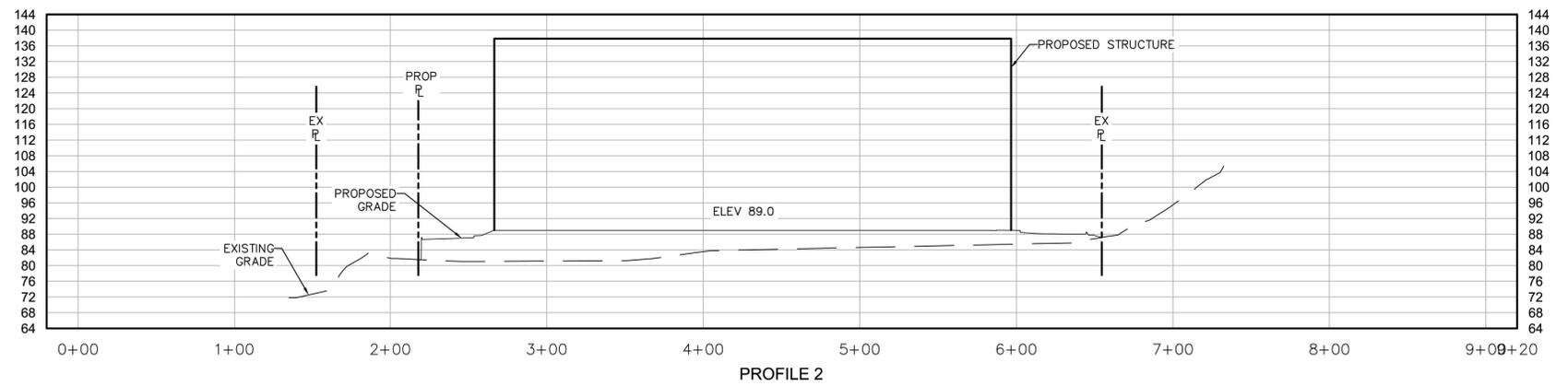
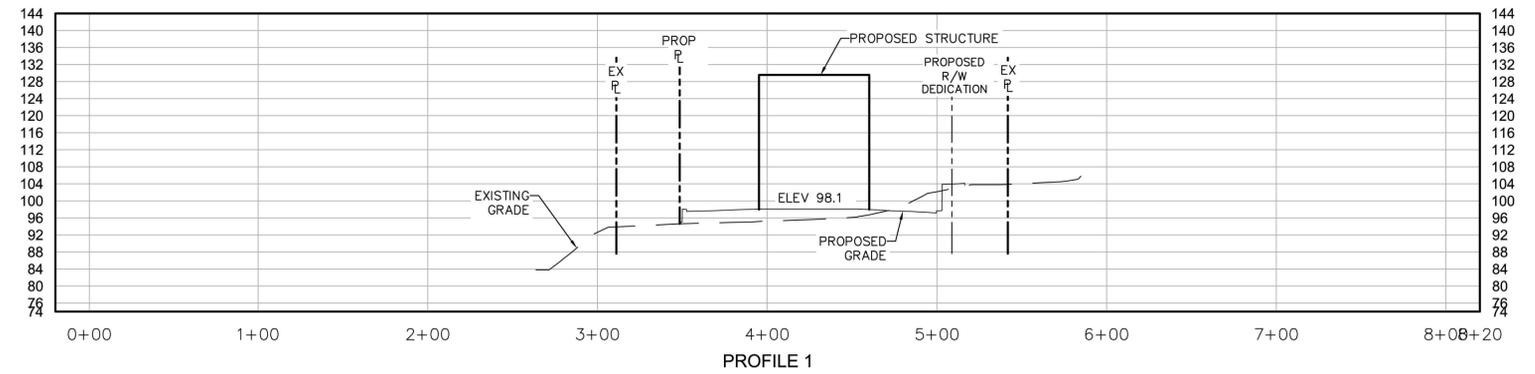
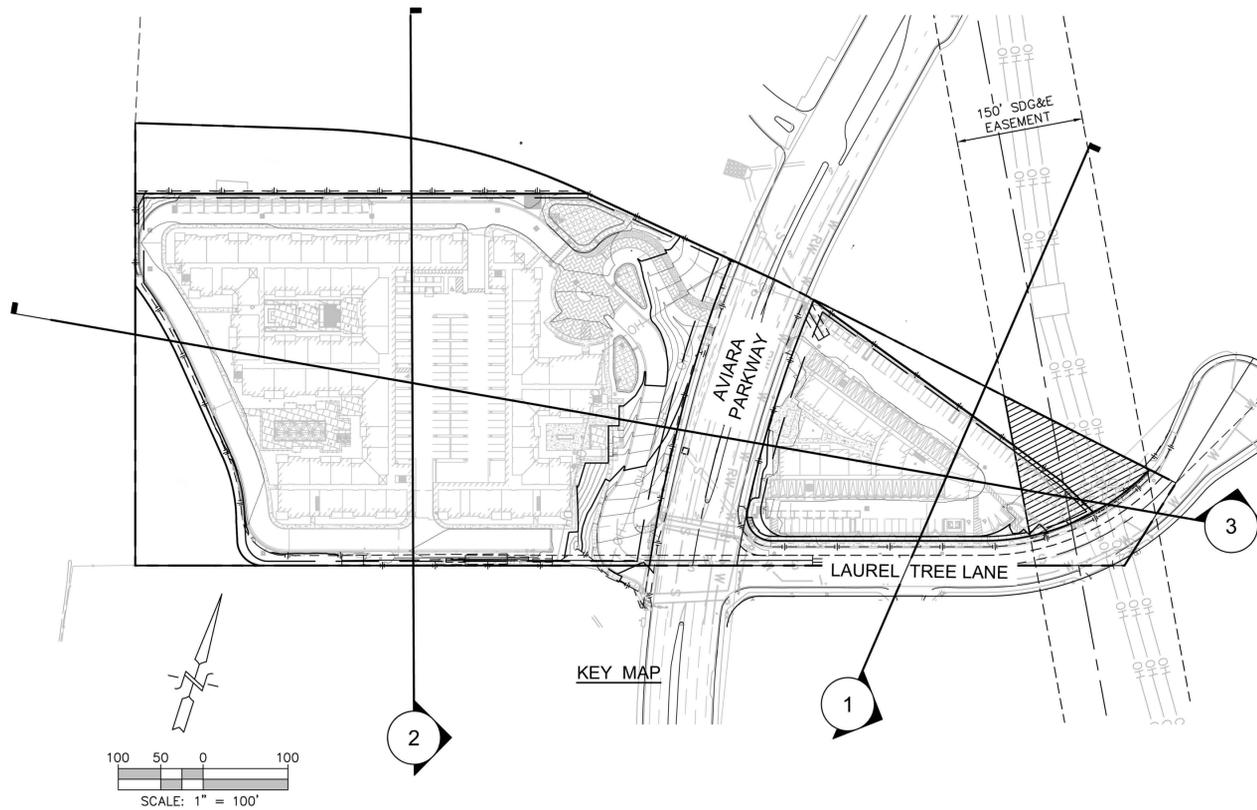
SP.3

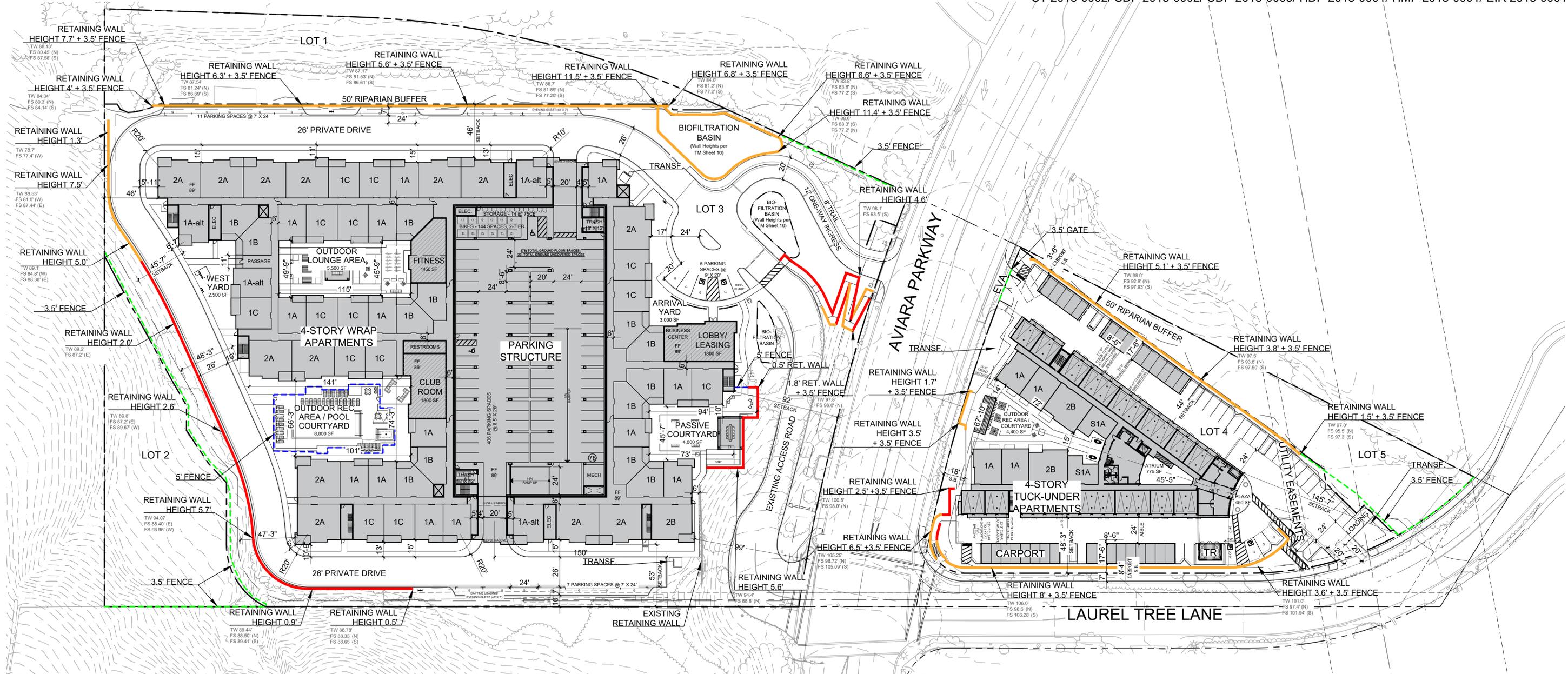
Areas Table						
Number	Minimum Slope	Maximum Slope	Area (SqFt/Ac)	% of Area Used for Density	Allowable Density Area (Ac)	Color
1	0.00%	25.00%	342,938Sf/7.87Ac	100%	7.87	
2	25.00%	40.00%	28,707Sf/0.66Ac	50%	0.33	
3	RIPARIAN/FLOODPLAIN AREA		10,019Sf/0.23Ac	0%	0.00	
4	SDG&E EASEMENT		12,327Sf/0.28Ac	0%	0.00	
5	PUBLIC ROADS		55,942Sf/1.28Ac	0%	0.00	
TOTAL			449,933Sf/10.33Ac		8.20	

NATURAL SLOPE > 40% GRADIENT DOES NOT MEET HILLSIDE DEVELOPMENT DESIGN STANDARD REGULATIONS FOR UNDEVELOPABLE SLOPES PURSUANT TO SECTION 21.95.140B PROVISIONS B AND C OF THE CITY OF CARLSBAD MUNICIPAL CODE. AREA TO BE USED IN DENSITY CALCULATION.

MANUFACTURED SLOPES







LEGEND

- RETAINING WALL
SPLIT FACE BLOCK, WALL HEIGHTS AS SHOWN* (SEE TTM FOR DETAILS)
- RETAINING WALL WITH 42" HIGH FENCE ABOVE
SPLIT FACE BLOCK WITH TUBULAR STEEL FENCE, WALL HEIGHTS AS SHOWN* + 42" FENCE (SEE TTM FOR DETAILS)
- - - 42" HIGH FENCE
TUBULAR STEEL
- - - 60" HIGH FENCE
TUBULAR STEEL

* RETAINING WALL HEIGHTS MEASURED FROM TOP OF WALL (TW) TO LOWEST ADJACENT FINISHED SURFACE (FS)

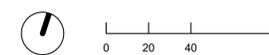


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WALL AND FENCE PLAN

SP.6



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CONCEPTUAL DESIGN
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CONCEPTUAL PERSPECTIVES
EAST PARCEL

A1.0



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CONCEPTUAL DESIGN
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CONCEPTUAL PERSPECTIVES
EAST PARCEL

A1.1



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CONCEPTUAL DESIGN
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CONCEPTUAL PERSPECTIVES
EAST PARCEL

A1.2



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CONCEPTUAL DESIGN
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CONCEPTUAL PERSPECTIVES
EAST PARCEL

A1.3



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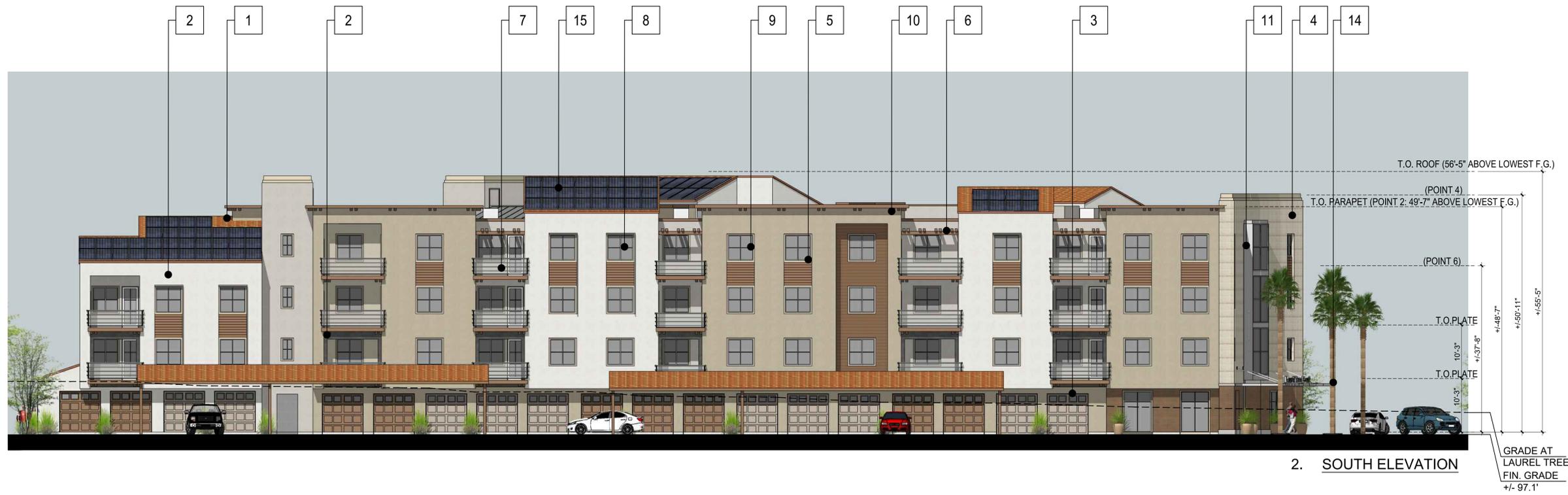
CONCEPTUAL DESIGN
JANUARY 24, 2020

CONCEPTUAL PERSPECTIVES
EAST PARCEL

A1.4

Material Legend

1. Concrete S-Tile Roofing
2. Stucco
3. Garage Doors
4. Masonry Veneer
5. Siding
6. Wood Trellis
7. Metal Railing with Mesh Infill
8. Single Hung Vinyl Windows
9. Stucco Trim
10. Wood Corbel
11. Metal Surround Bay Window
12. --
13. Metal Decorative Element
14. Flat Metal Canopy
15. Solar Panels



2. SOUTH ELEVATION

GRADE AT LAUREL TREE LN.
FIN. GRADE
+/- 97.1'



1. NORTH ELEVATION

FIN. GRADE
+/- 97.1'



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CONCEPTUAL DESIGN
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NORTH & SOUTH ELEVATIONS
EAST PARCEL

A2.0

Material Legend

1. Concrete S-Tile Roofing
2. Stucco
3. Garage Doors
4. Masonry Veneer
5. Siding
6. Wood Trellis
7. Metal Railing with Mesh Infill
8. Single Hung Vinyl Windows
9. Stucco Trim
10. Wood Corbel
11. Metal Surround Bay Window
12. --
13. Metal Decorative Element
14. Flat Metal Canopy
15. Solar Panels



7. SOUTH COURTYARD ELEVATION



6. NORTH COURTYARD ELEVATION



5. WEST ELEVATION (NORTH WING)



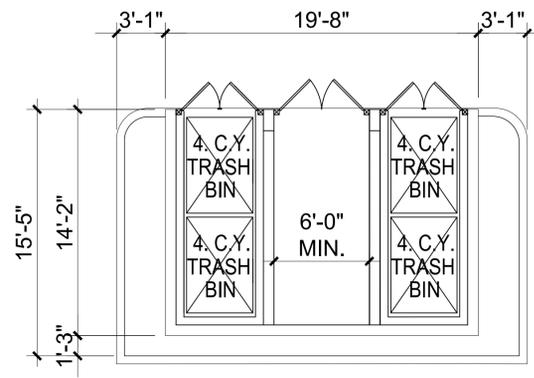
4. WEST ELEVATION (SOUTH WING)



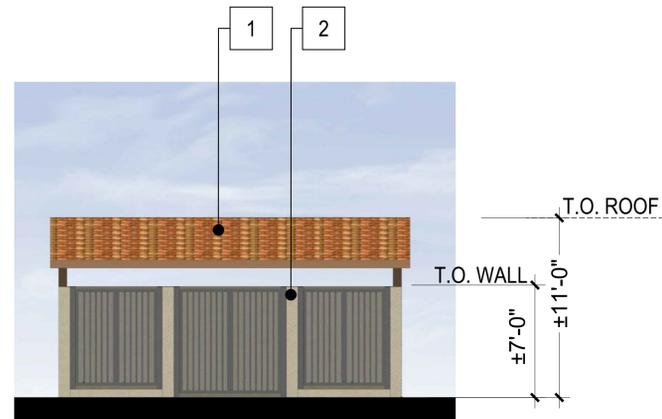
3. EAST ELEVATION

Material Legend

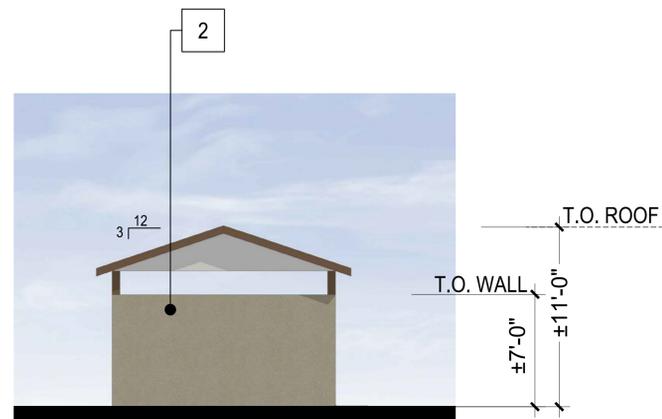
1. Concrete S-Tile Roofing
2. Stucco
3. Garage Doors
4. Masonry Veneer
5. Siding
6. Wood Trellis
7. Metal Railing with Mesh Infill
8. Single Hung Vinyl Windows
9. Stucco Trim
10. Wood Corbel
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12. --
13. Metal Decorative Element
14. Flat Metal Canopy
15. Solar Panels



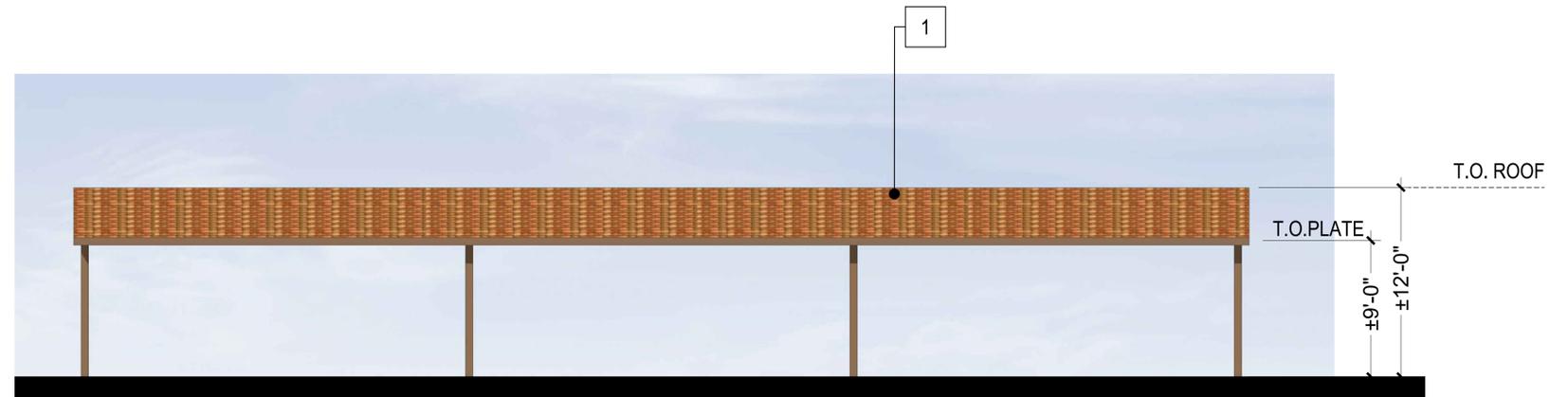
TRASH ENCLOSURE - PLAN
 (MODIFIED PER STANDARD GS-16 TYPE B,
 TRASH BINS ARE 4 C.Y. WITH 6' length, 4'-2" width, 4' height)



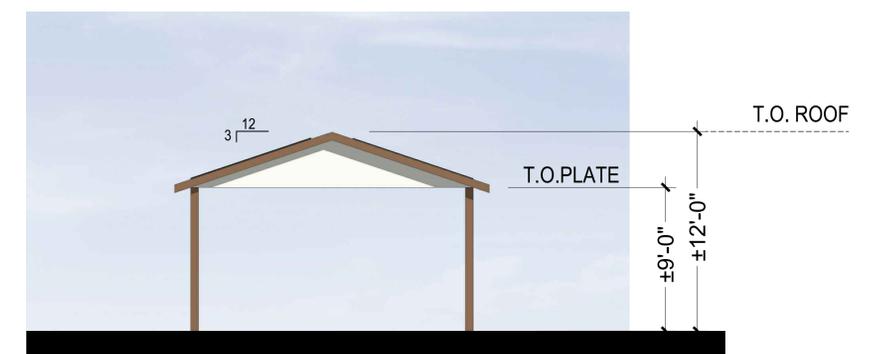
TRASH ENCLOSURE - FRONT ELEVATION



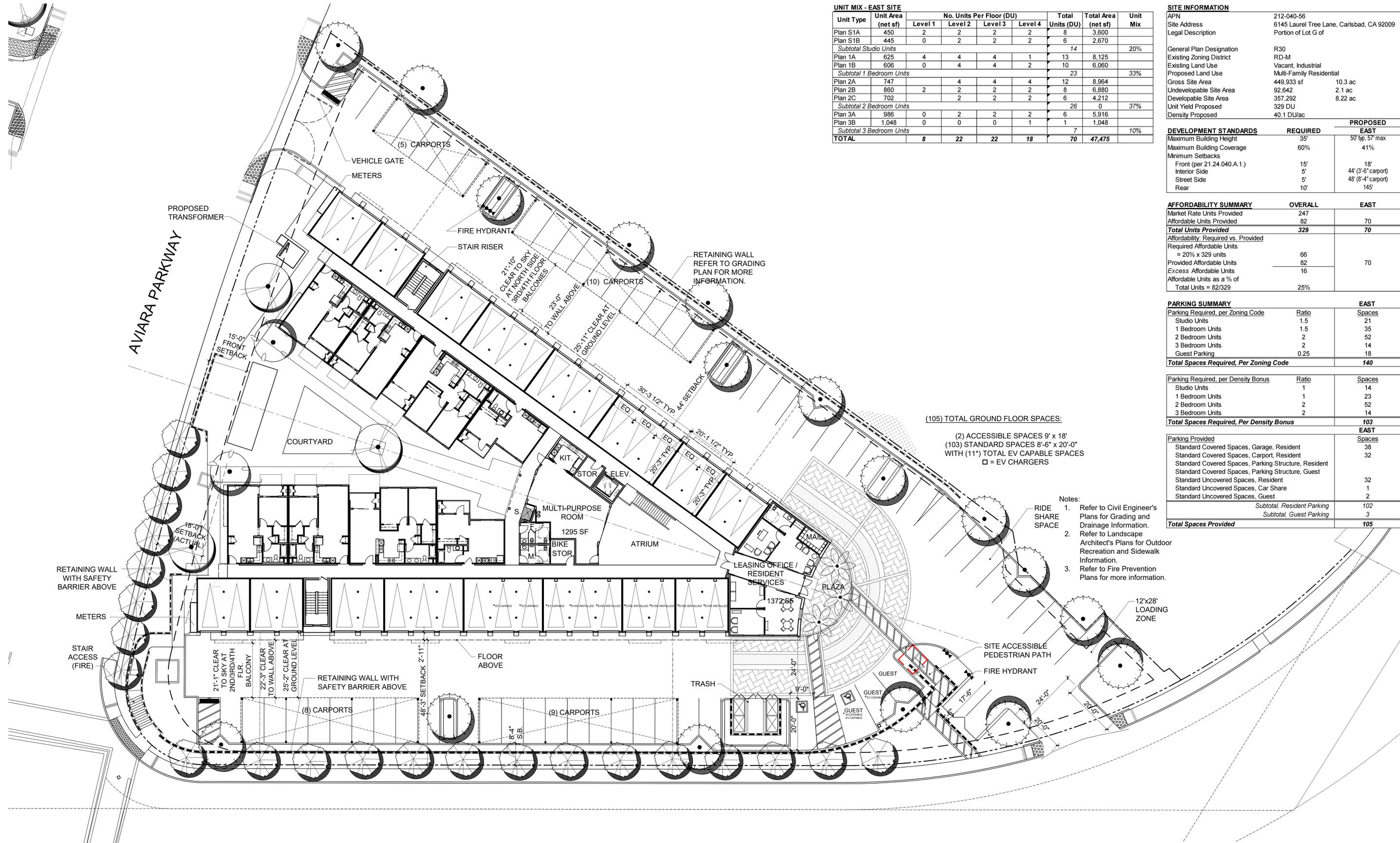
TRASH ENCLOSURE - SIDE ELEVATION



CARPORT - FRONT ELEVATION



CARPORT - FRONT ELEVATION



UNIT MIX - EAST SITE

Unit Type	Unit Area (net sf)	No. Units Per Floor (DU)				Total Units (DU)	Total Area (net sf)	Unit Mix
		Level 1	Level 2	Level 3	Level 4			
Plan S1A	450	2	2	2	2	8	3,600	
Plan S1B	445	0	2	2	2	6	2,670	
Subtotal Studio Units						14		20%
Plan 1A	625	4	4	4	1	13	8,125	
Plan 1B	806	0	4	4	2	10	6,060	
Subtotal 1 Bedroom Units						23		33%
Plan 2A	747		4	4	4	12	8,964	
Plan 2B	860	2	2	2	2	8	6,880	
Plan 2C	702		2	2	2	6	4,212	
Subtotal 2 Bedroom Units						26		37%
Plan 3A	986	0	2	2	2	6	5,916	
Plan 3B	1,048	0	0	0	1	1	1,048	
Subtotal 3 Bedroom Units						7		10%
TOTAL		8	22	22	18	70	47,475	

SITE INFORMATION

APN	212-040-56
Site Address	6145 Laurel Tree Lane, Carlsbad, CA 92009
Legal Description	Portion of Lot G of
General Plan Designation	R30
Existing Zoning District	RD-M
Existing Land Use	Vacant, Industrial
Proposed Land Use	Multi-Family Residential
Gross Site Area	449,933 sf 10.3 ac
Undevelopable Site Area	92,642 2.1 ac
Developable Site Area	357,292 8.22 ac
Unit Yield Proposed	329 DU
Density Proposed	40.1 DU/ac

DEVELOPMENT STANDARDS

	REQUIRED	PROPOSED
Maximum Building Height	35'	50' tp, 57' max
Maximum Building Coverage	60%	41%
Minimum Setbacks		
Front (per 21.24.040.A.1.)	15'	18'
Interior Side	5'	44' (3'-6" carport)
Street Side	5'	48' (8'-4" carport)
Rear	10'	145'

AFFORDABILITY SUMMARY

	OVERALL	EAST
Market Rate Units Provided	247	
Affordable Units Provided	82	70
Total Units Provided	329	70
Affordability: Required vs. Provided		
Required Affordable Units		
= 20% x 329 units	66	
Provided Affordable Units	82	70
Excess Affordable Units	16	
Affordable Units as a % of Total Units = 82/329	25%	

PARKING SUMMARY

Parking Required, per Zoning Code	Ratio	EAST Spaces
Studio Units	1.5	21
1 Bedroom Units	1.5	35
2 Bedroom Units	2	52
3 Bedroom Units	2	14
Guest Parking	0.25	18
Total Spaces Required, Per Zoning Code		140

Parking Required, per Density Bonus

	Ratio	Spaces
Studio Units	1	14
1 Bedroom Units	1	23
2 Bedroom Units	2	52
3 Bedroom Units	2	14
Total Spaces Required, Per Density Bonus		103

Parking Provided

	EAST Spaces
Standard Covered Spaces, Garage, Resident	38
Standard Covered Spaces, Carport, Resident	32
Standard Covered Spaces, Parking Structure, Resident	
Standard Covered Spaces, Parking Structure, Guest	
Standard Uncovered Spaces, Resident	32
Standard Uncovered Spaces, Car Share	1
Standard Uncovered Spaces, Guest	2
Subtotal, Resident Parking	102
Subtotal, Guest Parking	3
Total Spaces Provided	105

(105) TOTAL GROUND FLOOR SPACES:
 (2) ACCESSIBLE SPACES 9' x 18'
 (103) STANDARD SPACES 8'-6" x 20'-0"
 WITH (11") TOTAL EV CAPABLE SPACES
 □ = EV CHARGERS

- Notes:
1. Refer to Civil Engineer's Plans for Grading and Drainage Information.
 2. Refer to Landscape Architect's Plans for Outdoor Recreation and Sidewalk Information.
 3. Refer to Fire Prevention Plans for more information.

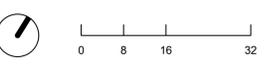


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GROUND FLOOR PLAN / SITE PLAN
4-STORY WOOD FRAMED SLAB ON GRADE - EAST PARCEL

A3.0

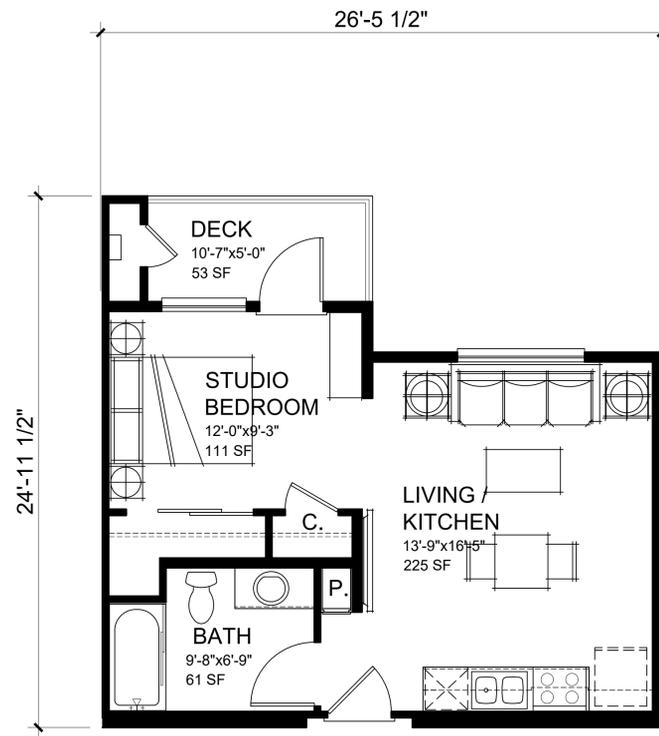


R2 & R3 LEVELS

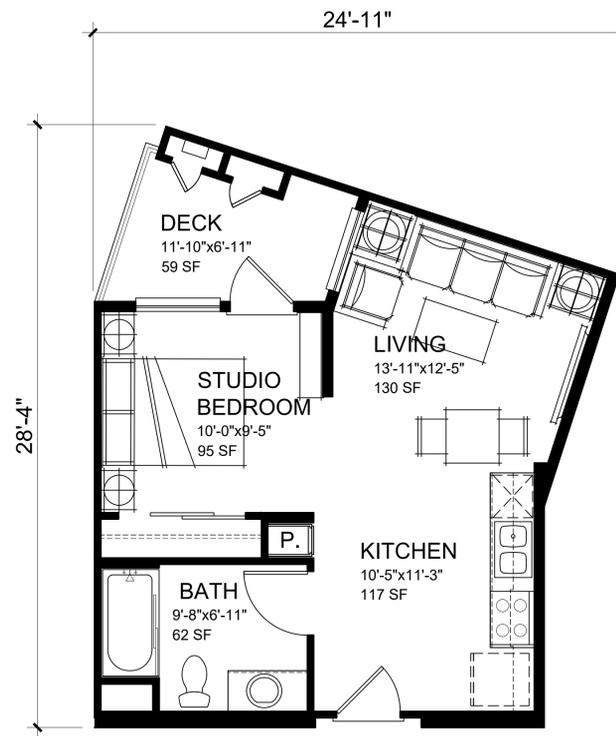


R4 LEVEL

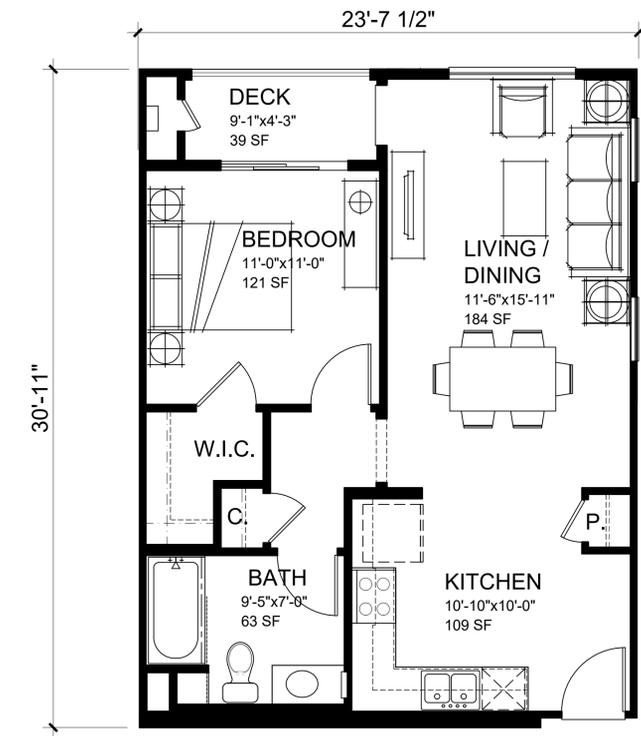




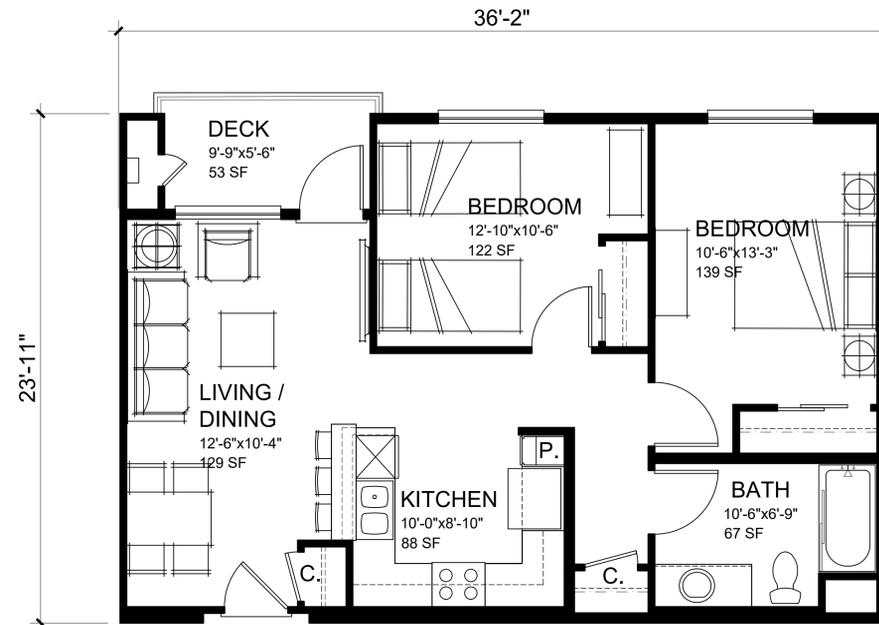
UNIT S1A : STUDIO
450 SQ. FT. NET RENTABLE



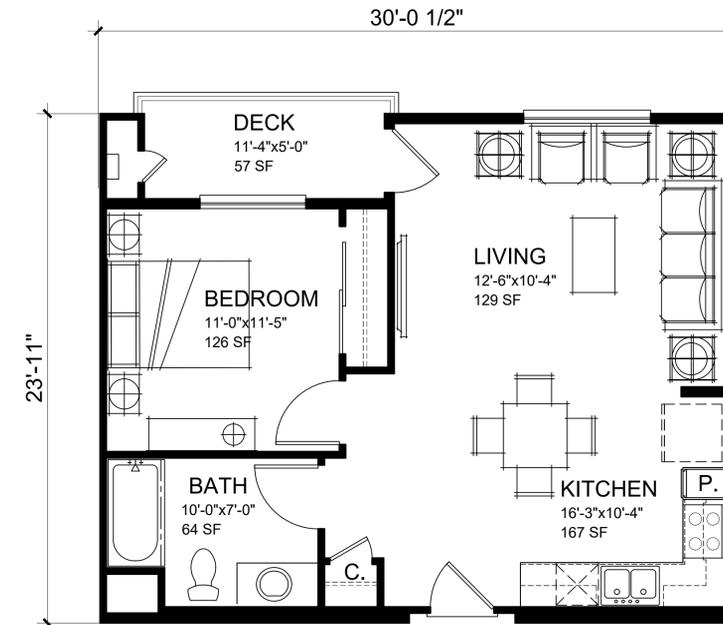
UNIT S1B : STUDIO
445 SQ. FT. NET RENTABLE



UNIT 1A : 1 BEDROOM
625 SQ. FT. NET RENTABLE



UNIT 2A : 2 BEDROOM
747 SQ. FT. NET RENTABLE



UNIT 1B : 1 BEDROOM
606 SQ. FT. NET RENTABLE



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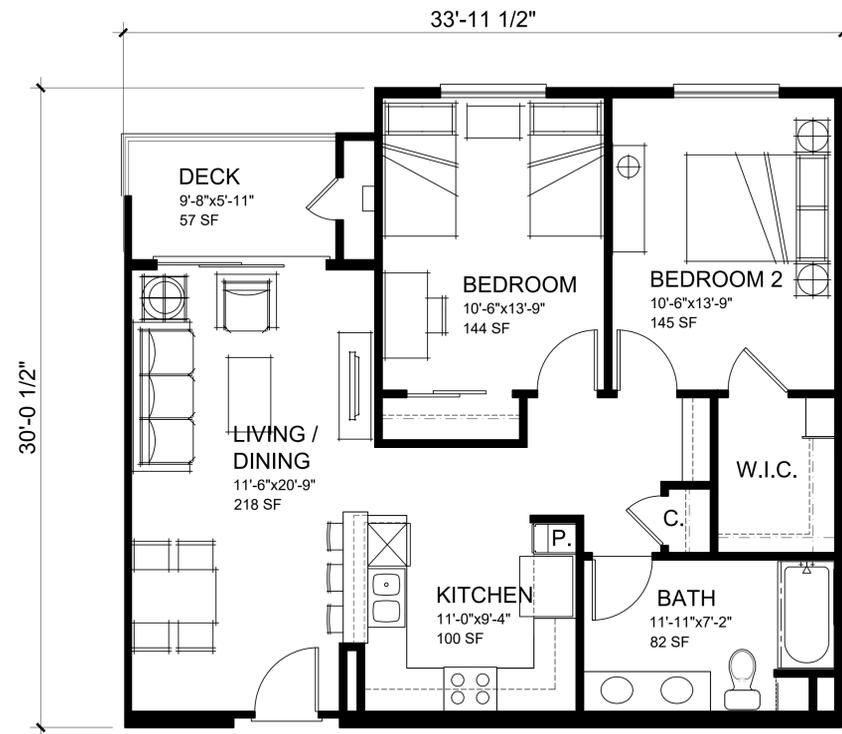
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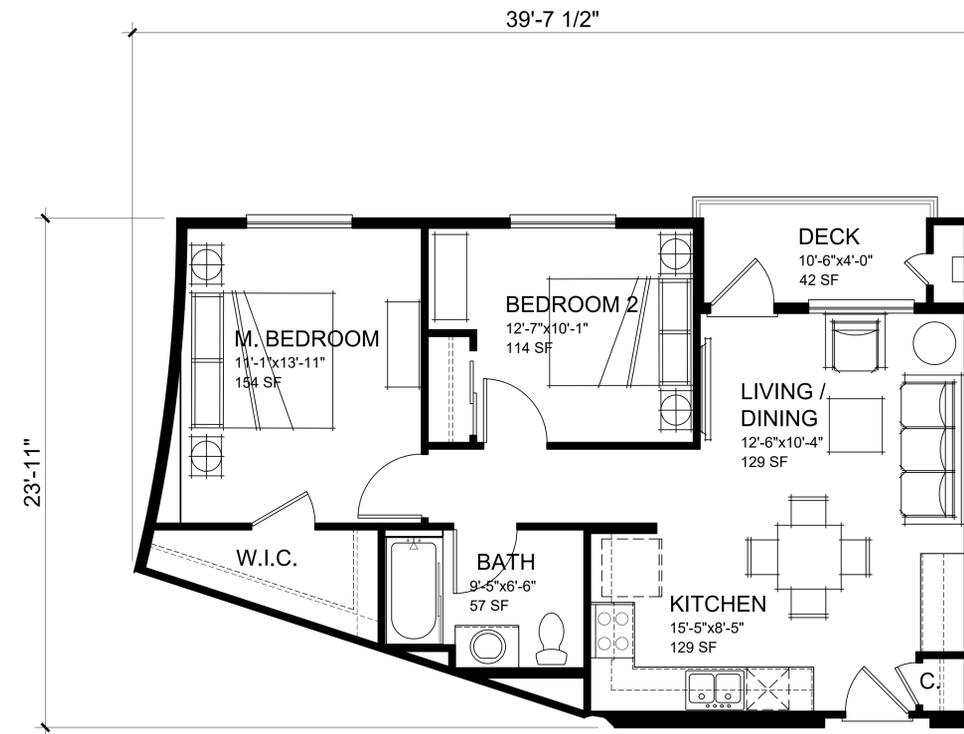
CONCEPTUAL DESIGN
JANUARY 24, 2020

UNIT PLANS
4-STORY WOOD FRAMED SLAB ON GRADE - EAST PARCEL

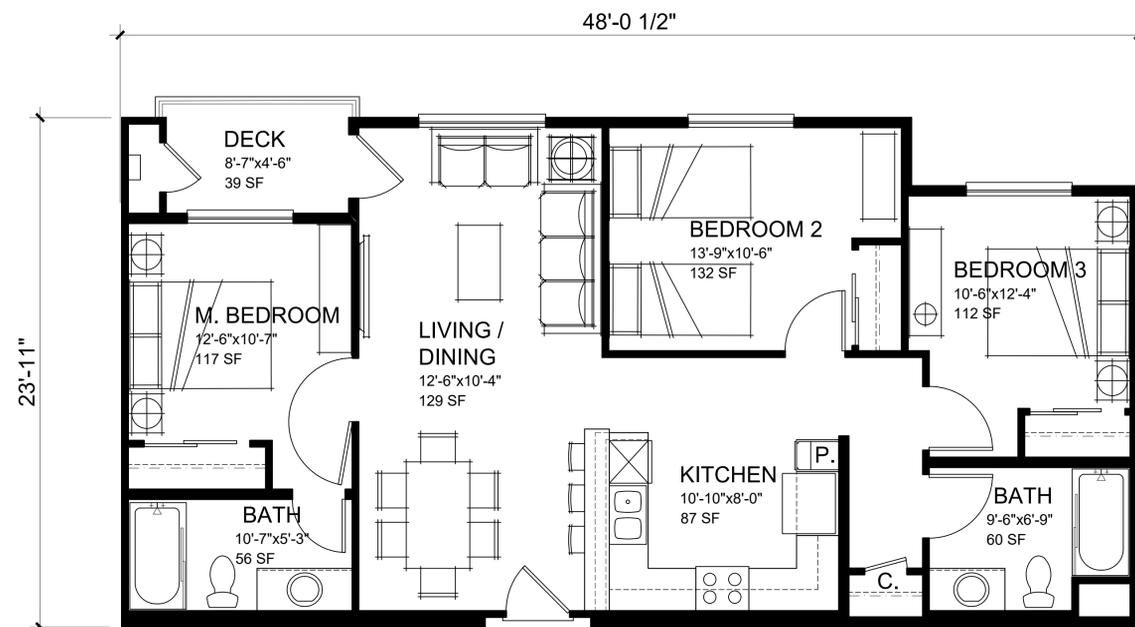
A4.0



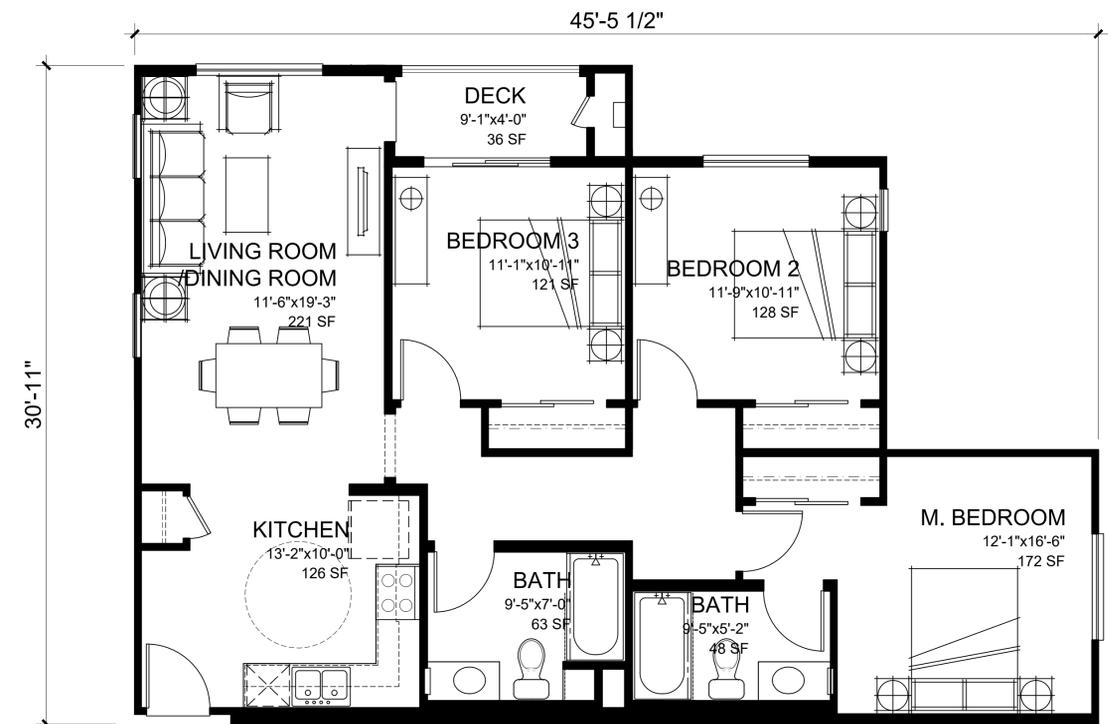
UNIT 2B : 2 BEDROOM
860 SQ. FT. NET RENTABLE



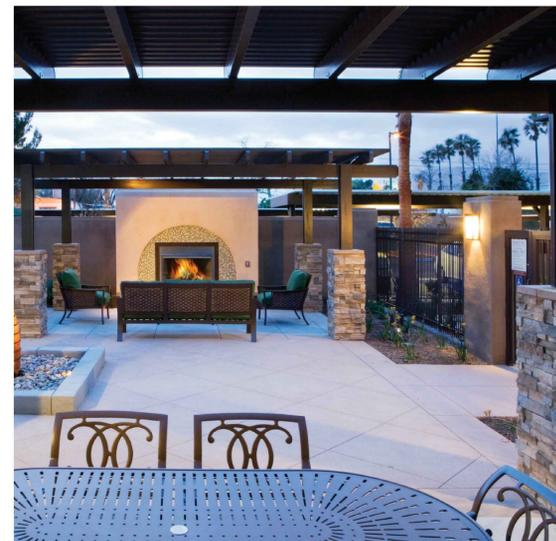
UNIT 2C : 2 BEDROOM
702 SQ. FT. NET RENTABLE



UNIT 3A : 3 BEDROOM
986 SQ. FT. NET RENTABLE



UNIT 3B : 3 BEDROOM
1048 SQ. FT. NET RENTABLE



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ARCHITECTURAL INSPIRATION
WEST PARCEL

A5.0



VIEW FROM PRIMARY ENTRANCE AT AVIARA PARKWAY



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CONCEPTUAL DESIGN
JANUARY 24, 2020

CONCEPTUAL PERSPECTIVE
WEST PARCEL

A5.1



VIEW FROM AVIARA PARKWAY



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CONCEPTUAL PERSPECTIVE
WEST PARCEL

A5.2



VIEW FROM SECONDARY ENTRANCE AT AVIARA PARKWAY



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CONCEPTUAL DESIGN
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CONCEPTUAL PERSPECTIVE
WEST PARCEL

A5.3



VIEW FROM ENTRY COURTYARD



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CONCEPTUAL DESIGN
JANUARY 24, 2020

CONCEPTUAL PERSPECTIVE
WEST PARCEL

A5.4



VIEW FROM ENTRY COURTYARD



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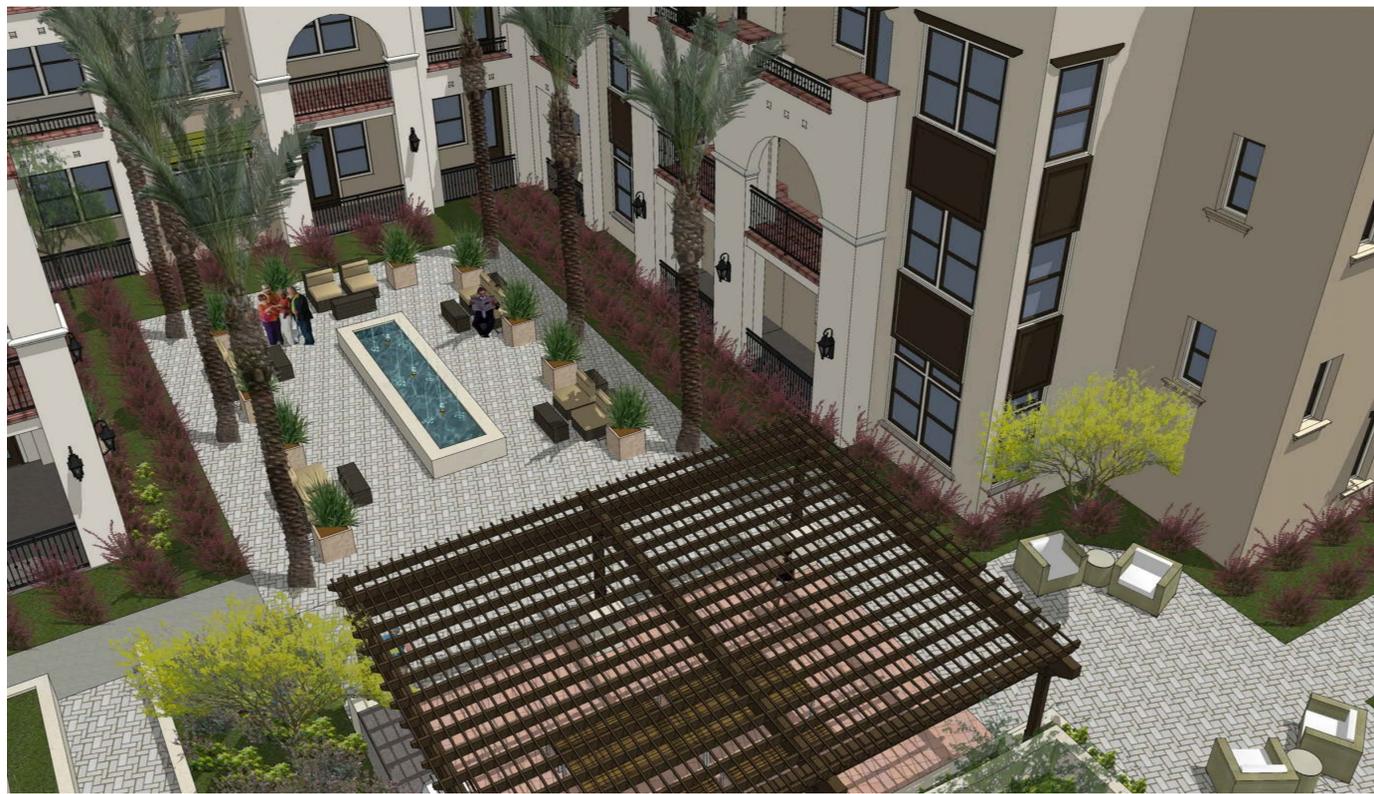
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CONCEPTUAL DESIGN
JANUARY 24, 2020

CONCEPTUAL PERSPECTIVE
WEST PARCEL

A5.5



OPEN SPACES AND LANDSCAPING



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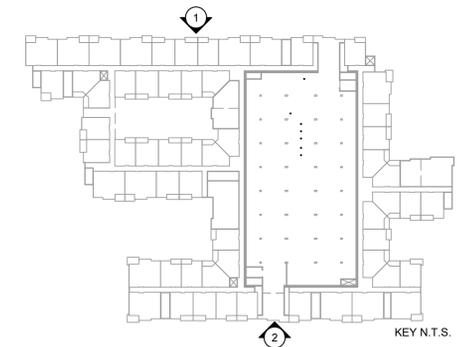
CONCEPTUAL PERSPECTIVES
WEST PARCEL

A5.6



MATERIAL LEGEND

- | | | | | | |
|-------------------------------|--------------------------|-----------------------------|---------------------------|---|-----------------------------|
| 1 STUCCO SAND FINISH: COLOR 1 | 5 FASCIA BOARD | 9 FIBER CEMENT BOARD & TRIM | 13 DECORATIVE STUCCO TRIM | 17 METAL RAILING | 20 SOLAR SHADE OVER PARKING |
| 2 STUCCO SAND FINISH: COLOR 2 | 6 RAFTER TAIL | 10 FIBER CEMENT TRIM | 14 RECESSED STUCCO DETAIL | 18 VINYL WINDOW SYSTEM | 21 PHOTOVOLTAIC PANELS |
| 3 STUCCO SAND FINISH: COLOR 3 | 7 WOOD TRELLIS OVER DECK | 11 CORBEL | 15 DECORATIVE TILE CAP | 19 DECORATIVE TILE WITH STUCCO FINISH TRIM SURROUND | |
| 4 CONCRETE 'S' TILE ROOFING | 8 WOOD POST AND BEAM | 12 STUCCO FINISH CORBEL | 16 EXTERIOR LIGHT FIXTURE | 20 DECORATIVE METAL AWING | |



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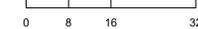
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NORTH & SOUTH ELEVATIONS
WEST PARCEL

A6.1



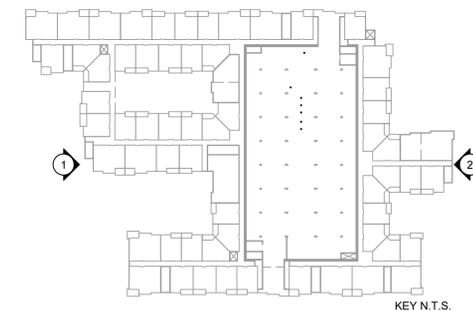
2. EAST ELEVATION



1. WEST ELEVATION

MATERIAL LEGEND

- | | | | | | |
|-------------------------------|--------------------------|-----------------------------|---------------------------|---|-----------------------------|
| 1 STUCCO SAND FINISH: COLOR 1 | 5 FASCIA BOARD | 9 FIBER CEMENT BOARD & TRIM | 13 DECORATIVE STUCCO TRIM | 17 METAL RAILING | 20 SOLAR SHADE OVER PARKING |
| 2 STUCCO SAND FINISH: COLOR 2 | 6 RAFTER TAIL | 10 FIBER CEMENT TRIM | 14 RECESSED STUCCO DETAIL | 18 VINYL WINDOW SYSTEM | 21 PHOTOVOLTAIC PANELS |
| 3 STUCCO SAND FINISH: COLOR 3 | 7 WOOD TRELLIS OVER DECK | 11 CORBEL | 15 DECORATIVE TILE CAP | 19 DECORATIVE TILE WITH STUCCO FINISH TRIM SURROUND | |
| 4 CONCRETE 'S' TILE ROOFING | 8 WOOD POST AND BEAM | 12 STUCCO FINISH CORBEL | 16 EXTERIOR LIGHT FIXTURE | 20 DECORATIVE METAL AWING | |



KEY N.T.S.



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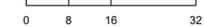
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WEST & EAST ELEVATIONS
WEST PARCEL

A6.2



4. NORTH COURTYARD EAST ELEVATION



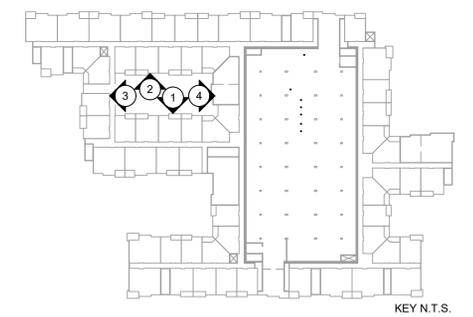
2. NORTH COURTYARD NORTH ELEVATION



3. NORTH COURTYARD WEST ELEVATION



1. NORTH COURTYARD SOUTH ELEVATION



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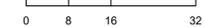
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NORTH COURTYARD ELEVATION
WEST PARCEL

A6.3



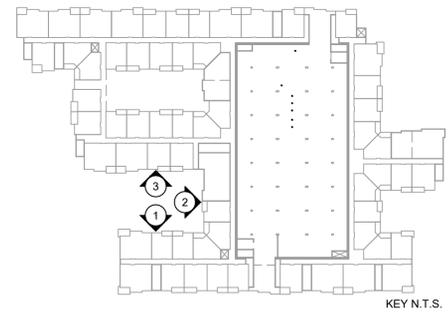
3. SOUTH COURTYARD
NORTH ELEVATION



2. SOUTH COURTYARD
EAST ELEVATION



1. SOUTH COURTYARD
SOUTH ELEVATION



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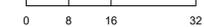
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SOUTH COURTYARD ELEVATION
WEST PARCEL

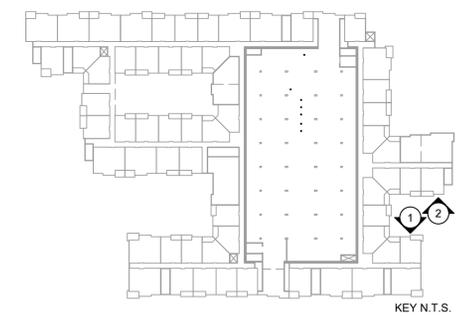
A6.4



2. EAST COURTYARD
NORTH ELEVATION



1. EAST COURTYARD
SOUTH ELEVATION



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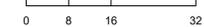
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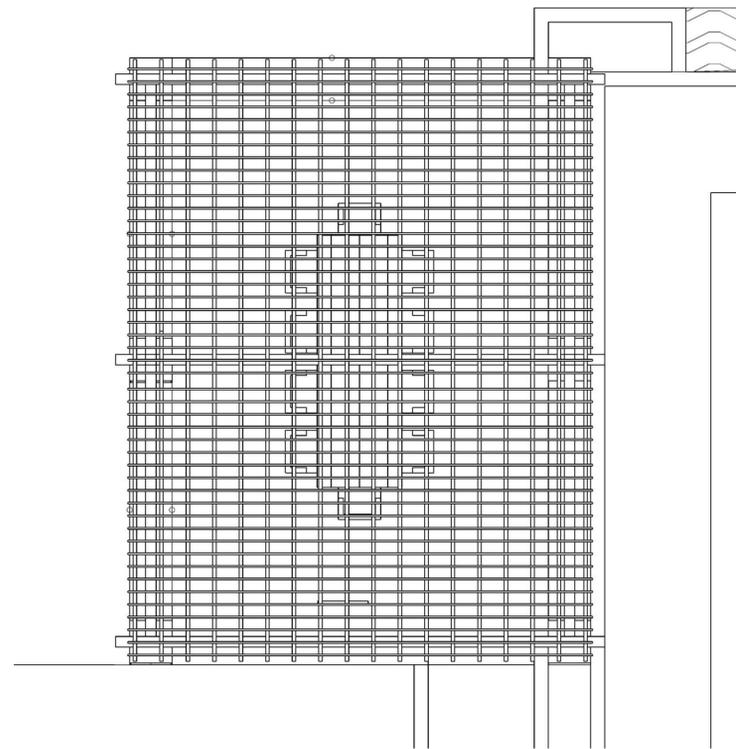
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EAST COURTYARD ELEVATION
WEST PARCEL

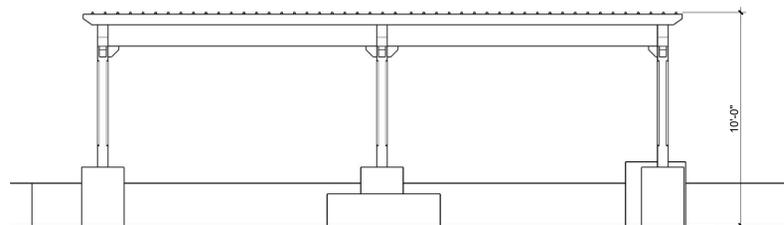
A6.5



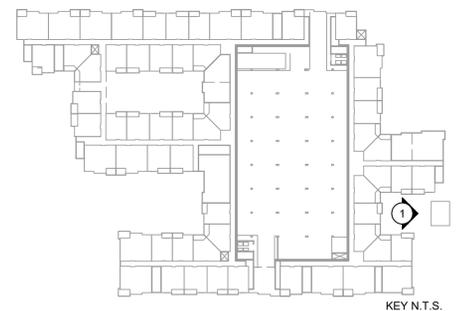
TRELLIS PLAN



TRELLIS PERSPECTIVE N.T.S.



1. TRELLIS EAST ELEVATION



KEY N.T.S.



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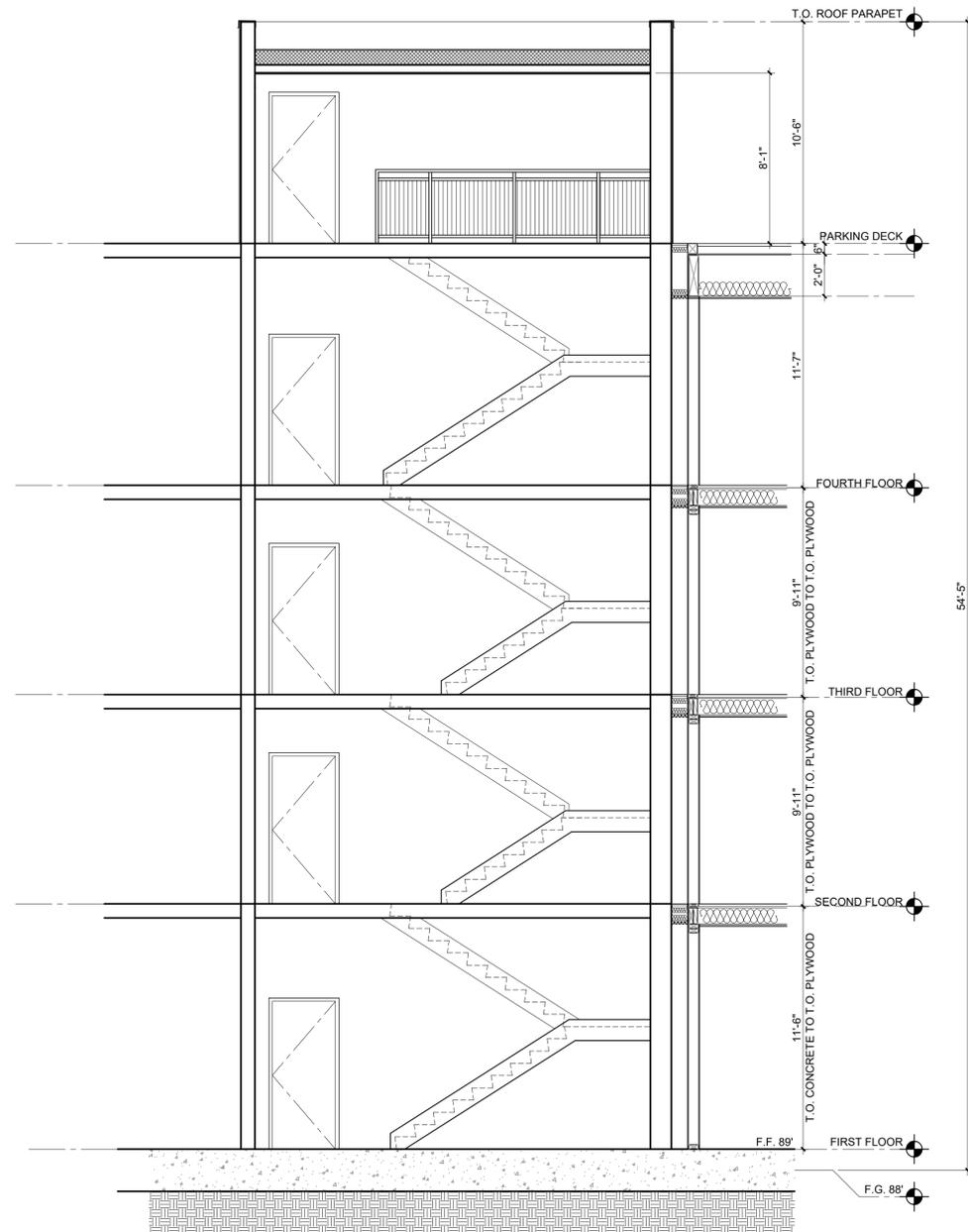
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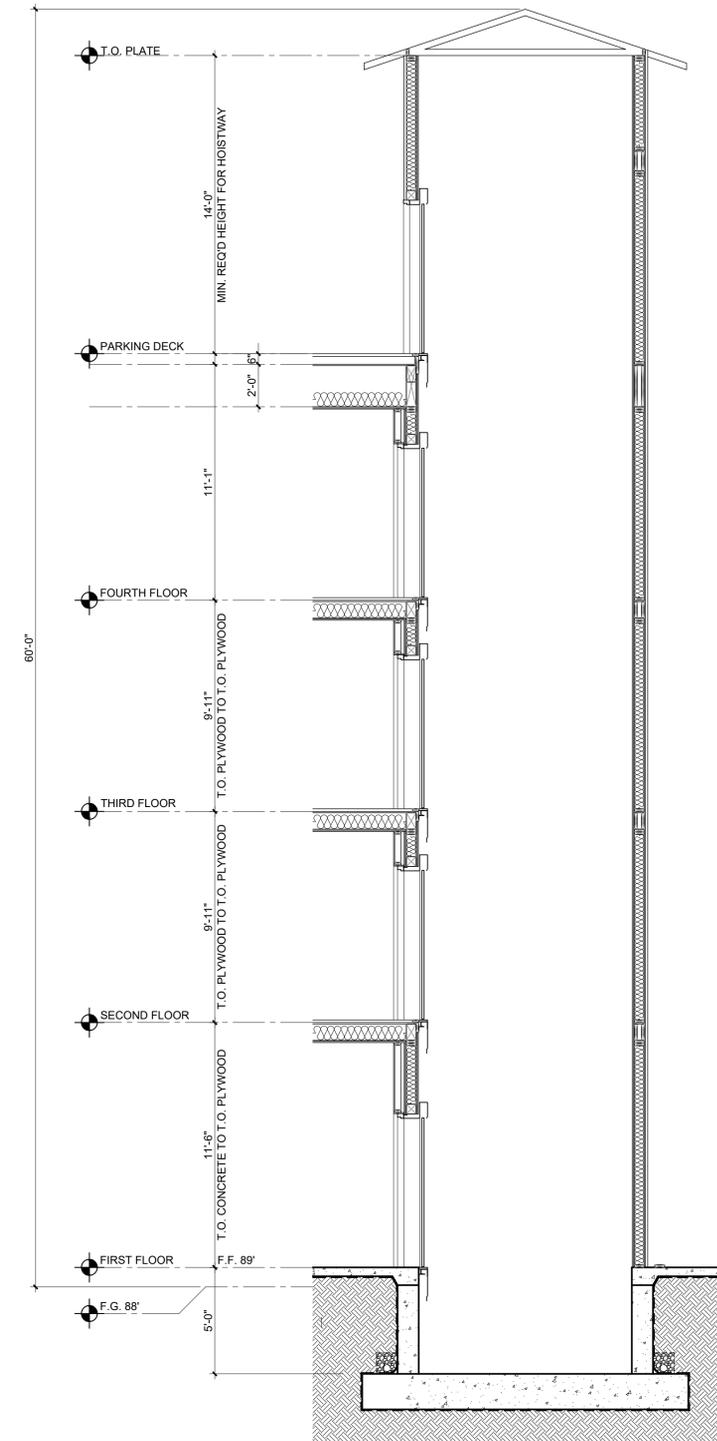


TRELLIS ELEVATION AND PLAN
WEST PARCEL

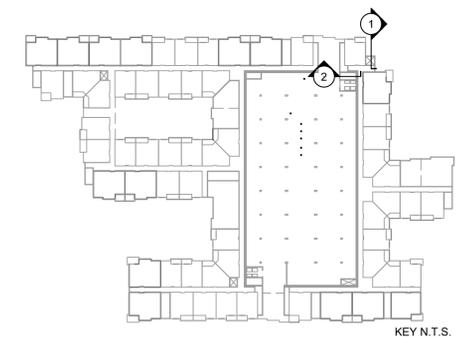
A6.6



2. PARKING STRUCTURE STAIR



1. ELEVATOR TOWER



KEY N.T.S.



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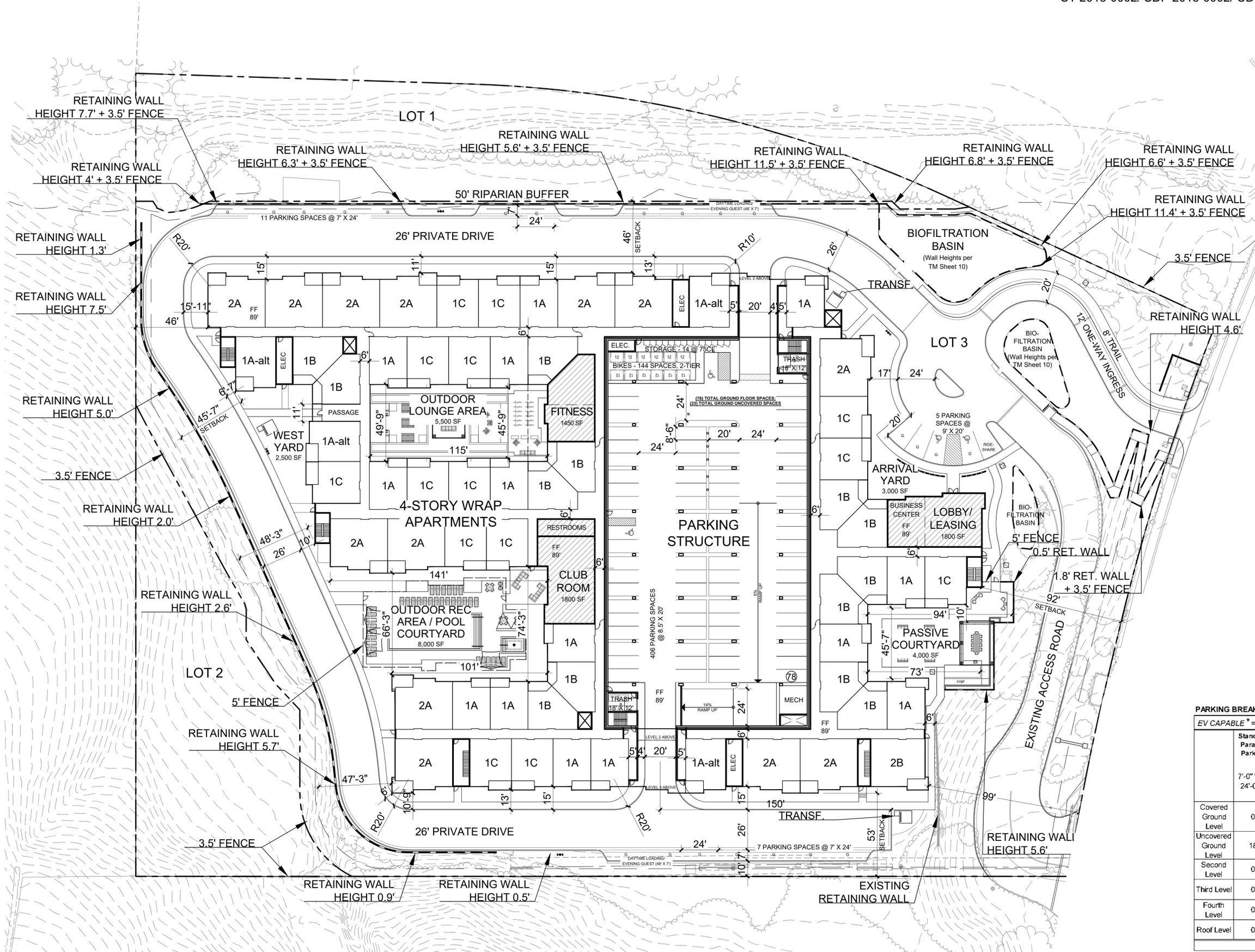
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SECTIONS
WEST PARCEL

A7.0



UNIT MIX - WEST PARCEL

Unit Type	Unit Area (net sf)	No. Units Per Floor (DU)				Total Units (DU)	Total Area (net sf)	Unit Mix
		Level 1	Level 2	Level 3	Level 4			
Plan 1A	711	14	16	17	17	64	45,504	
Plan 1A-alt	785	4				4	3,140	
Plan 1B	720	13	15	16	16	60	43,200	
Plan 1C	774	14	14	14	14	56	43,344	
Subtotal 1 Bedroom Units						184		71%
Plan 2A	1,135	13	18	20	3	54	61,290	
Plan 2A-alt	1,104				17	17	18,768	
Plan 2B	1,026	1	1	1		3	3,078	
Plan 2B-alt	1,009				1	1	1,009	
Subtotal 2 Bedroom Units						75		29%
TOTAL						259	219,333	

PARKING SUMMARY

Parking Required, per Zoning Code	Ratio	WEST Spaces
Studio Units	1.5	
1 Bedroom Units	1.5	276
2 Bedroom Units	2	150
3 Bedroom Units	2	
Guest Parking	0.25	65
Total Spaces Required, Per Zoning Code		491

Parking Required, per Density Bonus

Parking Required, per Density Bonus	Ratio	Spaces
Studio Units	1	
1 Bedroom Units	1	184
2 Bedroom Units	2	150
3 Bedroom Units	2	
Total Spaces Required, Per Density Bonus		334

Parking Provided

Parking Provided	Spaces	
Standard Covered Spaces, Parking Structure, Resident	363	
Standard Covered Spaces, Parking Structure, Guest	42	
Standard Uncovered Spaces, Car Share	1	
Standard Uncovered Spaces, Guest	22	
Subtotal, Resident Parking		363
Subtotal, Guest Parking		65
Total Spaces Provided		428

PARKING BREAKDOWN BY TYPE

EV CAPABLE * = 10% of Total Parking Count Required; 43 Total EVC Parking Spaces Provided (50% shall be installed)

	Standard Parallel Parking	Standard Parking	Standard Covered Parking	EVC Standard Parking *	Accessible Parking	EVC Accessible Parking *	Van Accessible Parking	EVC Van Accessible Parking *	Total
	7'-0" W x 24'-0" L	9'-0" W x 18'-0" L + 2'-0" Overhang	8'-6" W x 20'-0" L	8'-6" W x 20'-0" L	9'-0" W x 20'-0" L + 5'-0" Wide Aisle	9'-0" W x 20'-0" L + 5'-0" Wide Aisle	12'-0" W x 20'-0" L + 5'-0" Wide Aisle	12'-0" W x 20'-0" L + 5'-0" Wide Aisle	
Covered Ground Level	0	0	66	10	1	0	0	1	78
Uncovered Ground Level	18	3	0	0	2	0	0	0	23
Second Level	0	0	73	11	1	1	0	0	86
Third Level	0	0	74	10	2	0	0	0	86
Fourth Level	0	0	74	10	2	0	0	0	86
Roof Level	0	0	69	0	0	0	0	0	69
									41
									1
									1
									428

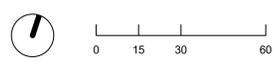


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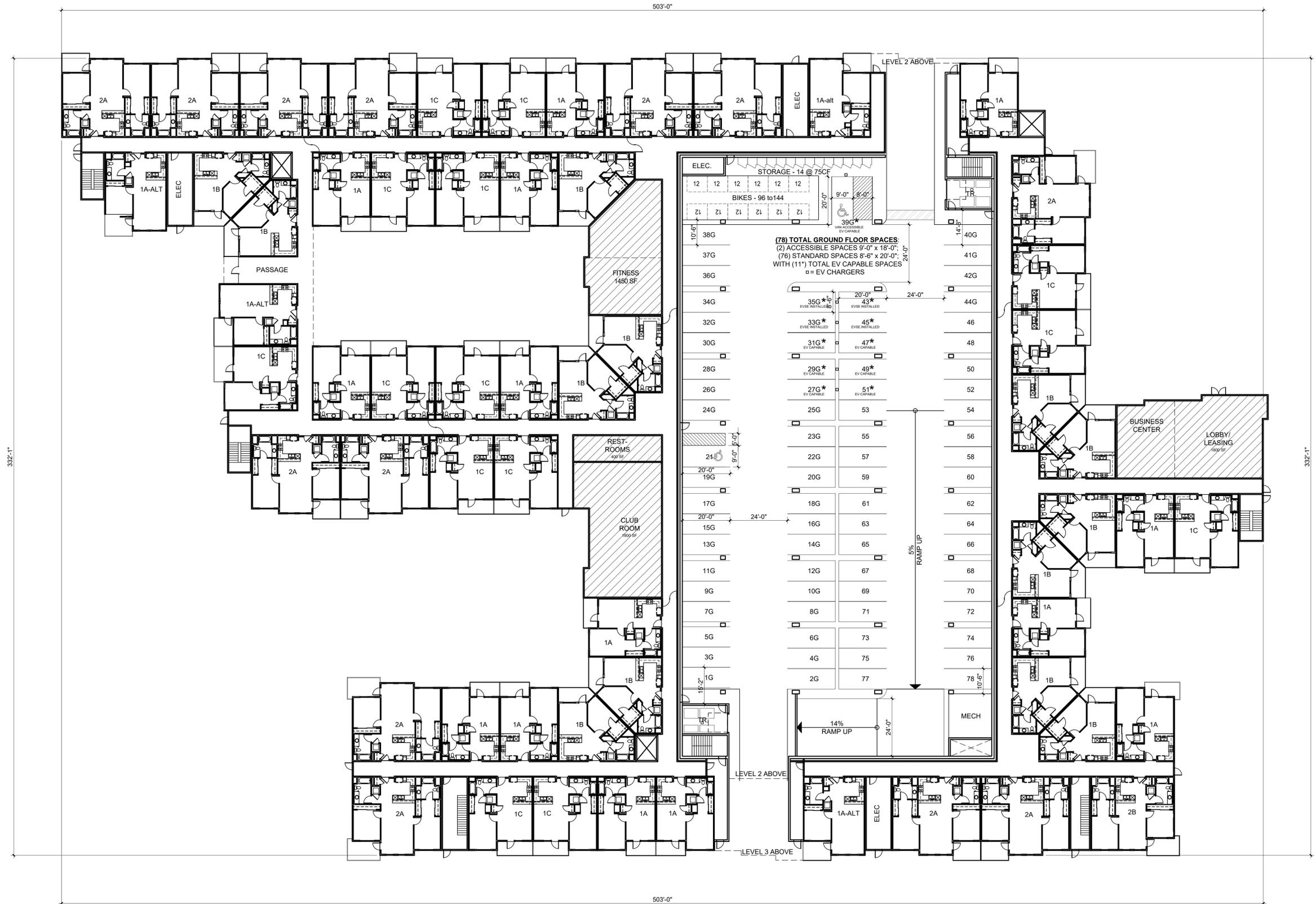
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CONCEPTUAL SITE PLAN
WEST PARCEL

A8.0



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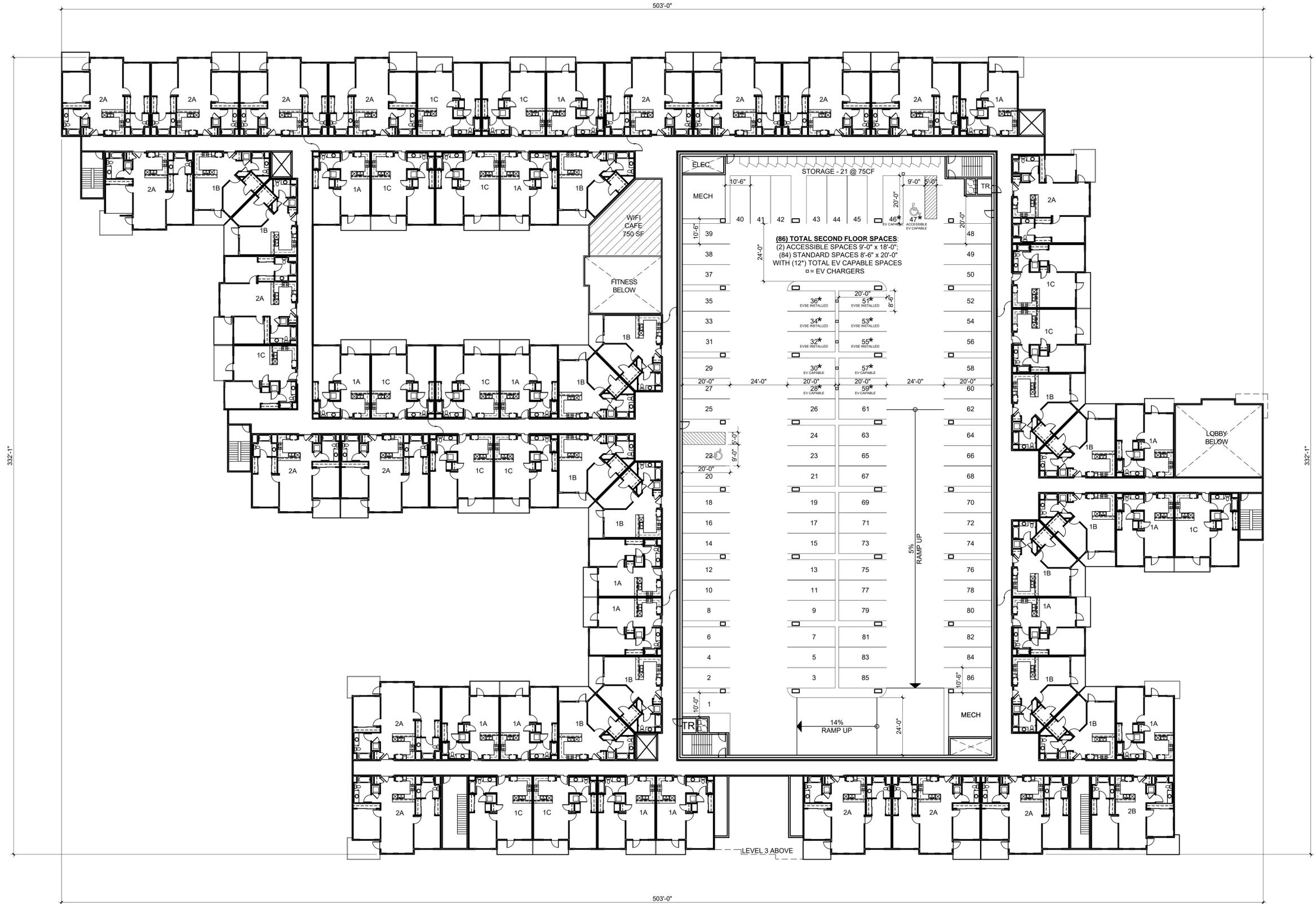
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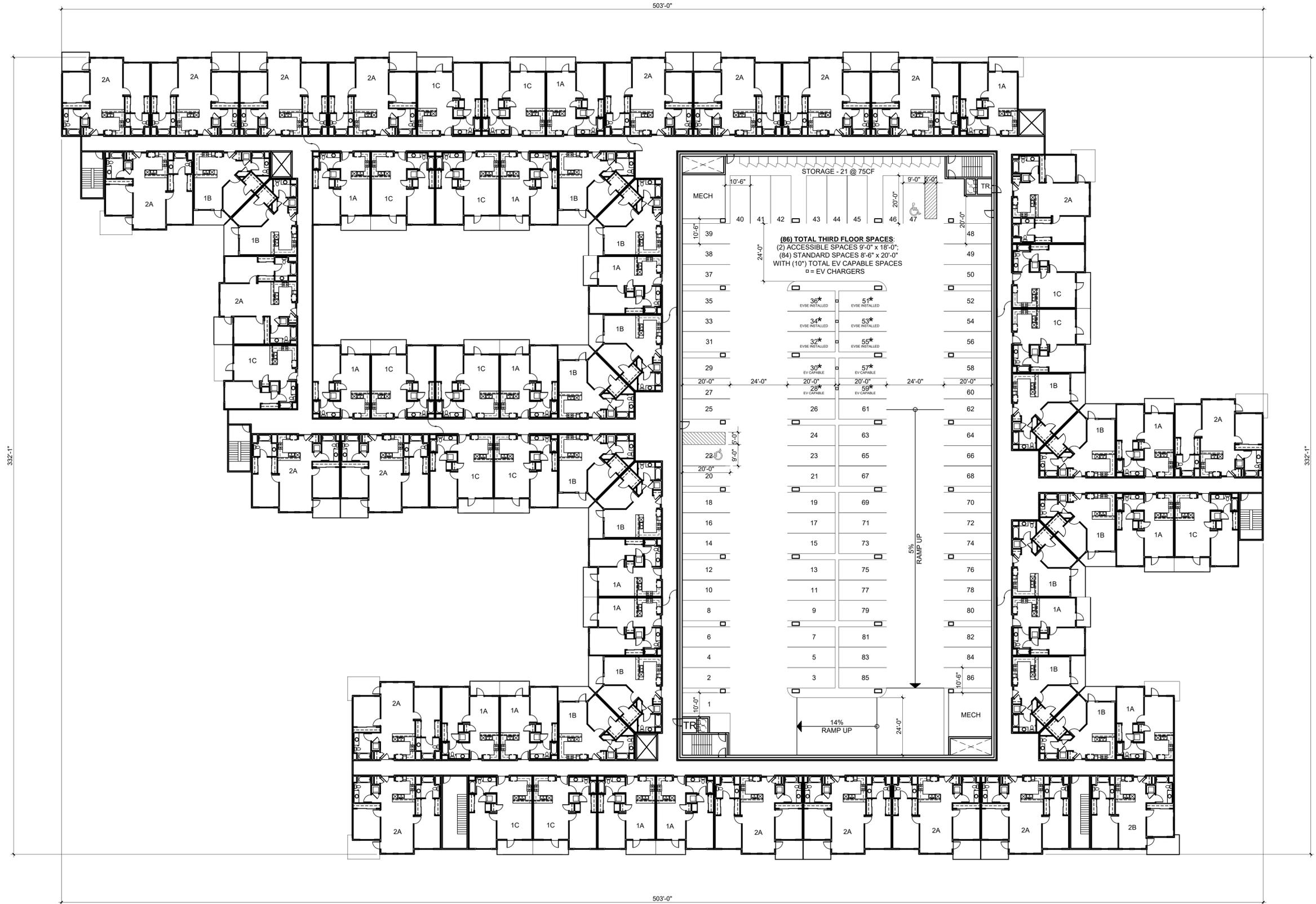
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GROUND FLOOR PLAN
 WEST PARCEL

A8.1





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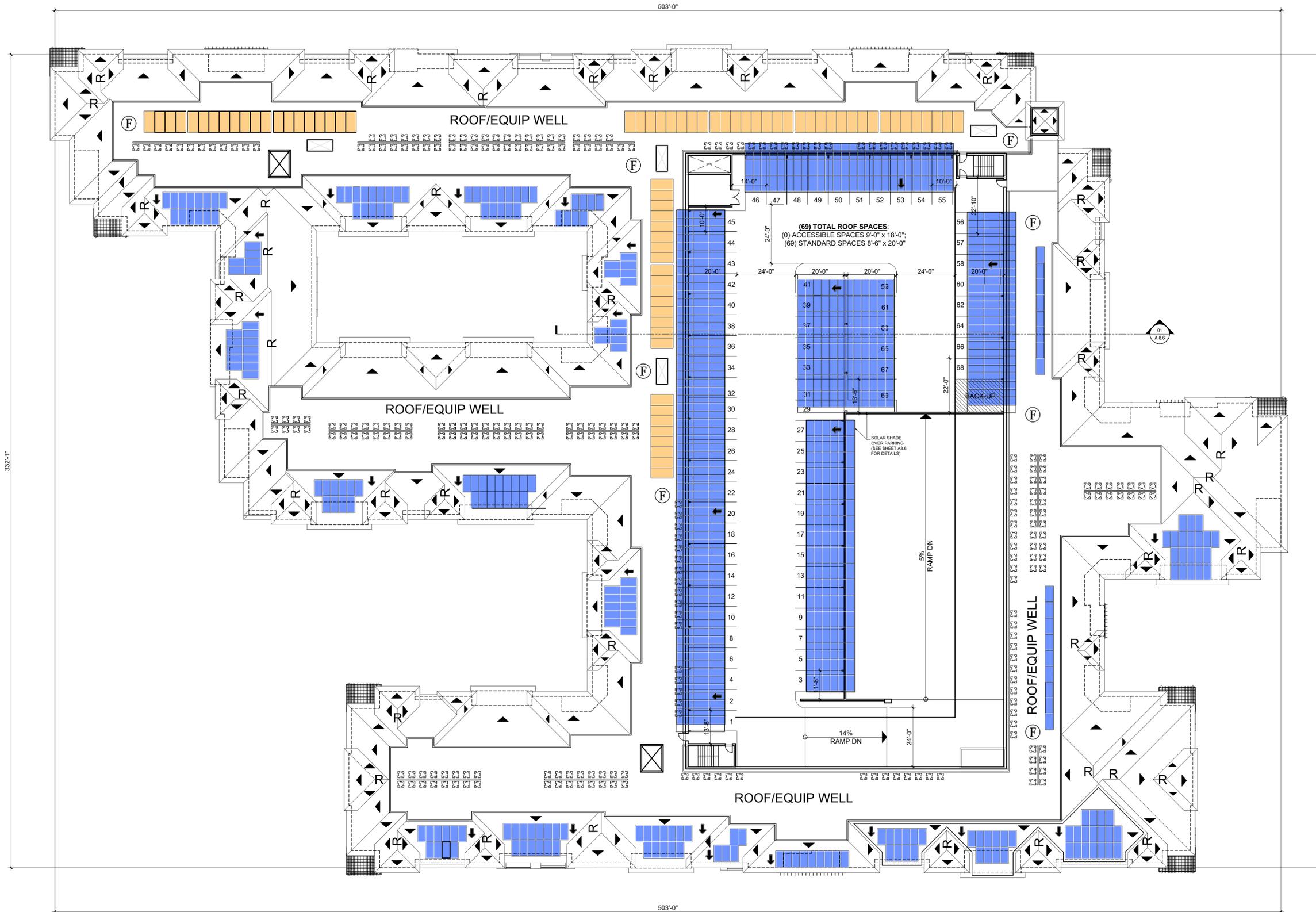
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CONCEPTUAL DESIGN
 JANUARY 24, 2020



THIRD FLOOR PLAN
 WEST PARCEL

A8.3



LEGEND

- PHOTOVOLTAIC PANELS
302 KW MINIMUM
- SOLAR HOT WATER COLLECTORS
40 SF / EACH
- SOLAR HOT WATER TANK 1,225 GALLONS
- WEST FACING SLOPED ROOF
- SOUTH FACING SLOPED ROOF
- F FLAT ROOF
- AIR CONDITIONER CONDENSERS

SOLAR ORIENTATION

SOLAR ROOF ZONE SHALL BE ORIENTED BETWEEN 110° TO 270° OF TRUE NORTH

4:12 ROOF PITCH TYP. U.N.O.

ROOF MOUNTED EQUIPMENT SHALL COMPLY WITH BUILDING DEPARTMENT POLICY 80-6



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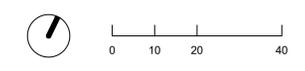
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ROOF PLAN
WEST PARCEL

A8.5

**SOLAR SHADE OVER PARKING:
SINGLE COLUMN, DOUBLE CANTILEVER**

DESIGN CRITERIA

Wind Load: 90 MPH minimum
Ground Snow Load: 30 psf minimum
All Federal, State and Local codes reviewed.

COLUMNS

HSS ASTM A-500 Grade B A-500
Coating Options: Primed or Hot Dip Galvanized

BEAMS

Wide Flange A-992 Grade 50 Steel.
Coating Options: Primed or Hot Dip Galvanized

PURLINS

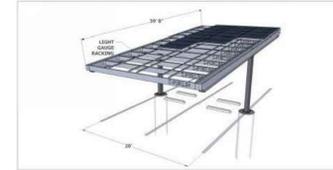
16 GA. Cold Rolled G-90 Galvanized Steel

RACKING

16 GA. Cold Rolled G-90 Galvanized Steel
Cold formed Z or hat shaped section pre-punched to receive solar module.

OPTIONS

Fixed Tilt slope up to 10°
Hot Dip Galvanizing
Site Specific Layout and Configuration
Solar Racking
End Overhangs 1'
Roof Sheeting
Soffit Under Sheeting



**SOLAR SHADE OVER PARKING:
SINGLE COLUMN, SINGLE CANTILEVER**

DESIGN CRITERIA

Wind Load: 90 MPH minimum
Ground Snow Load: 30 psf minimum
All Federal, State and Local codes reviewed.

COLUMNS

HSS ASTM A-500 Grade B A-500
Coating Options: Primed or Hot Dip Galvanized

BEAMS

Wide Flange A-992 Grade 50 Steel.
Coating Options: Primed or Hot Dip Galvanized

PURLINS

16 GA. Cold Rolled G-90 Galvanized Steel

RACKING

16 GA. Cold Rolled G-90 Galvanized Steel
Cold formed Z or hat shaped section pre-punched to receive solar module.

OPTIONS

Fixed Tilt slope up to 10°
Hot Dip Galvanizing
Site Specific Layout and Configuration
Solar Racking
End Overhangs 1'
Roof Sheeting
Soffit Under Sheeting

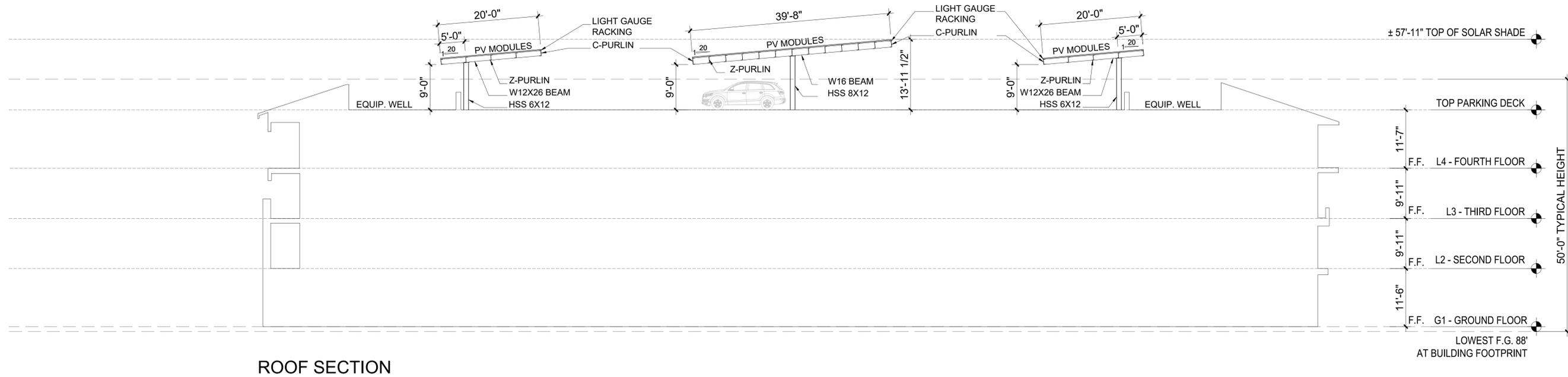


NOTE: TYPICAL SPECIFICATIONS FOR CANTILVERED SOLAR SHADES. ACTUAL PRODUCT SPECIFICATIONS MAY VARY.

**SOLAR SHADE OVER PARKING:
SINGLE COLUMN, SINGLE CANTILEVER**

**SOLAR SHADE OVER PARKING:
SINGLE COLUMN, DOUBLE CANTILEVER**

**SOLAR SHADE OVER PARKING:
SINGLE COLUMN, SINGLE CANTILEVER**



ROOF SECTION



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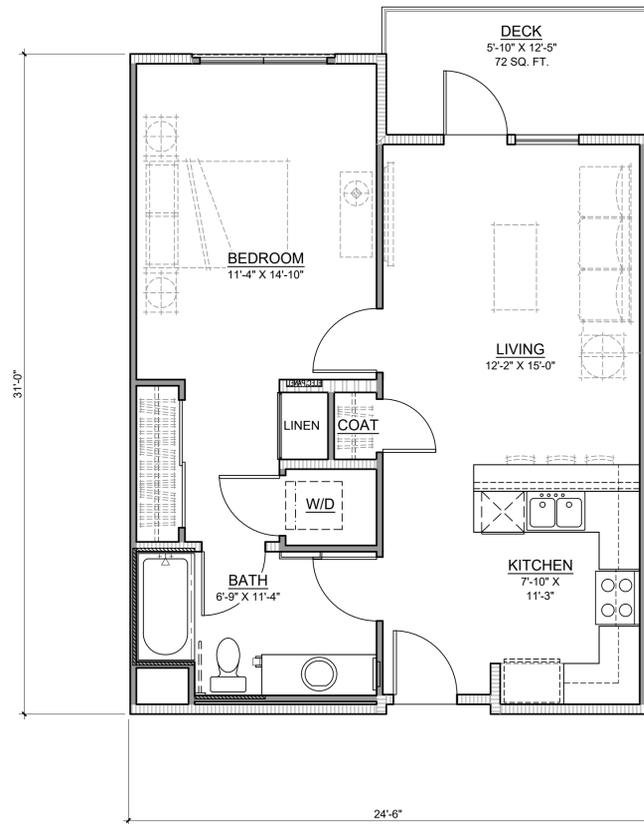
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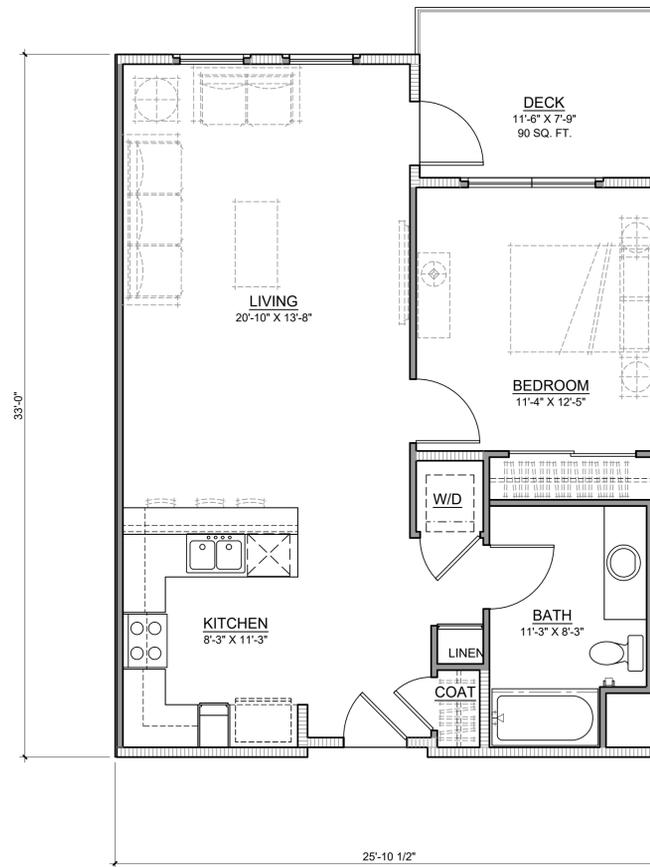


SOLAR SHADE DETAILS
WEST PARCEL

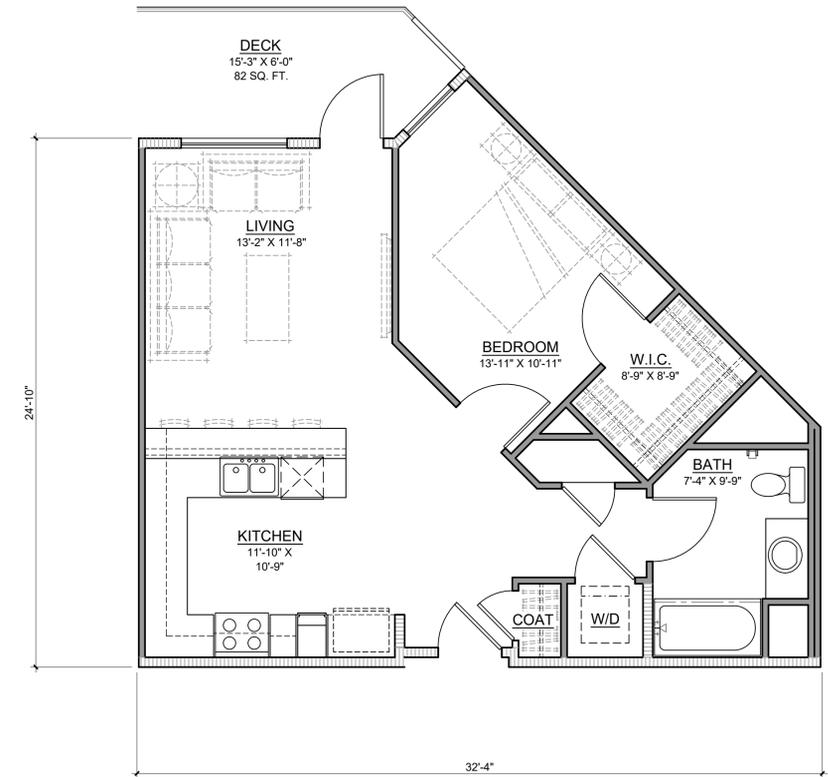
A8.6



UNIT 1A : 1 BEDROOM
711 SQ. FT. NET RENTABLE



UNIT 1A ALT. : 1 BEDROOM
785 SQ. FT. NET RENTABLE



PLAN 1B : 1 BEDROOM
720 SQ. FT. NET RENTABLE



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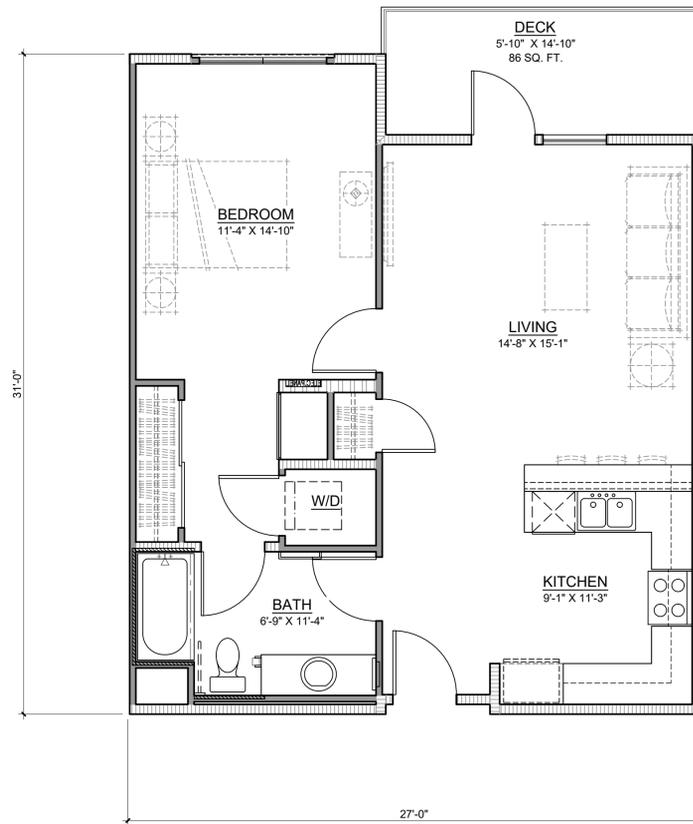
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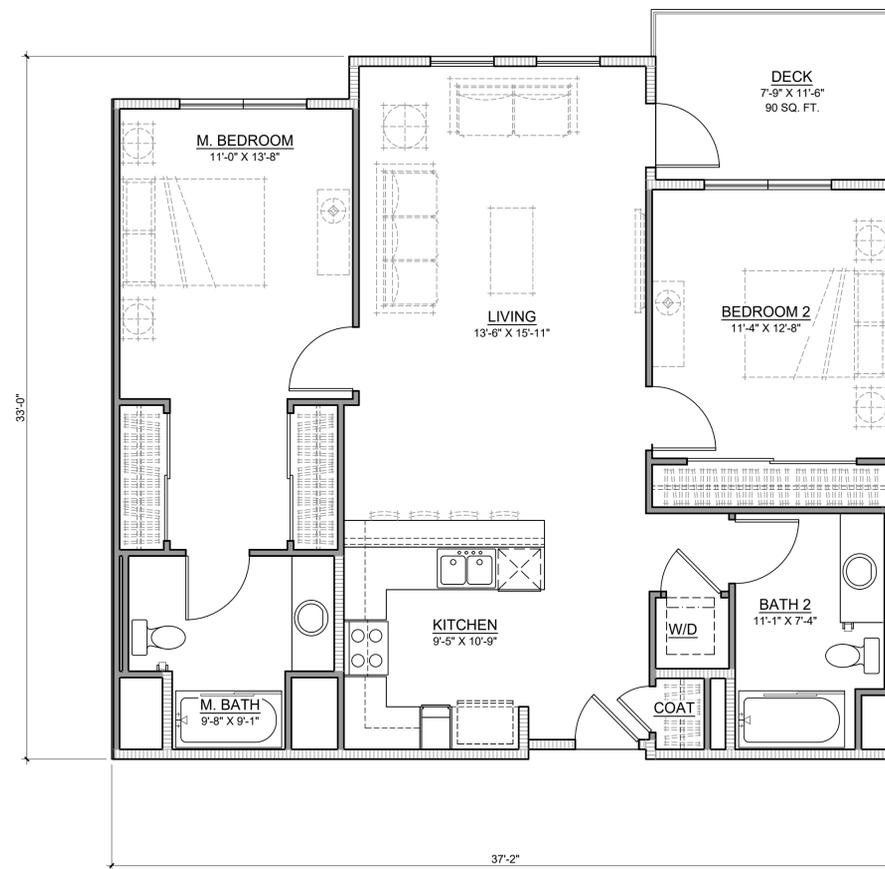


UNIT PLANS 1A, 1A-ALT, 1B
WEST PARCEL

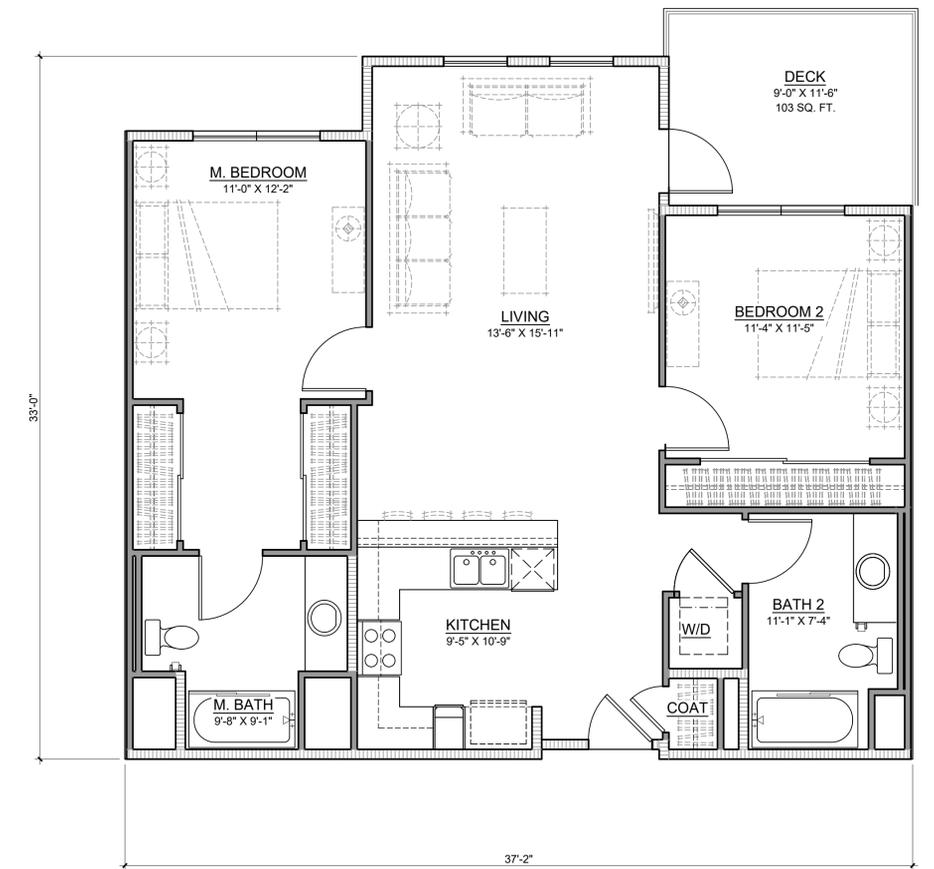
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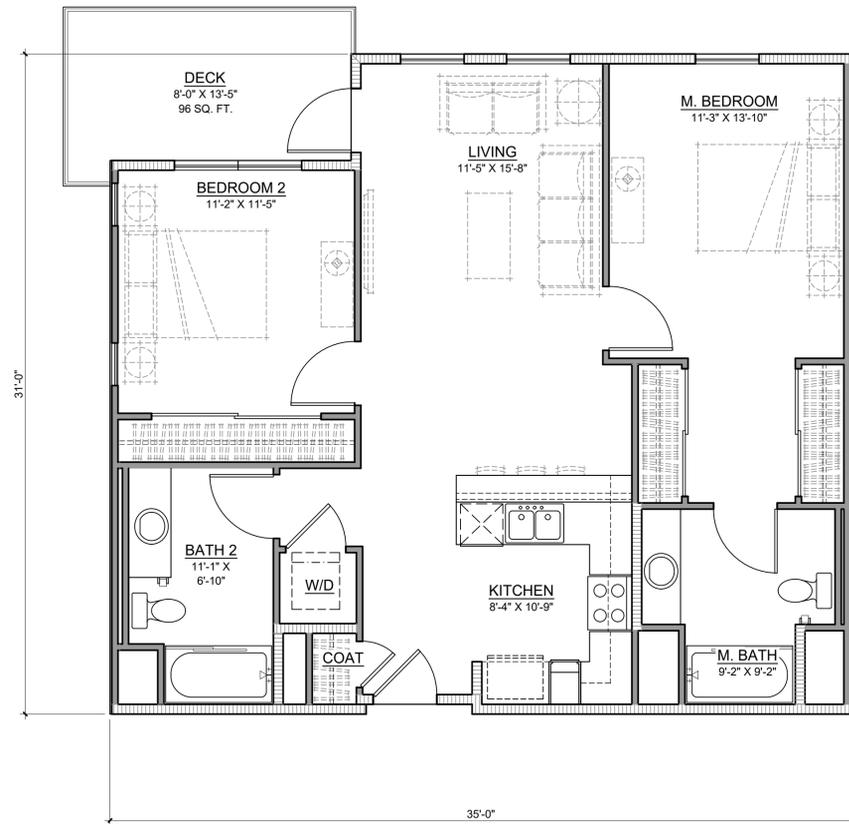
UNIT 1C : 1 BEDROOM
774 SQ. FT. NET RENTABLE



PLAN 2A : 2 BEDROOM
1135 SQ. FT. NET RENTABLE



PLAN 2A-ALT : 2 BEDROOM
1104 SQ. FT. NET RENTABLE



PLAN 2B : 2 BEDROOM
1026 SQ. FT. NET RENTABLE



PLAN 2B-ALT : 2 BEDROOM
1009 SQ. FT. NET RENTABLE



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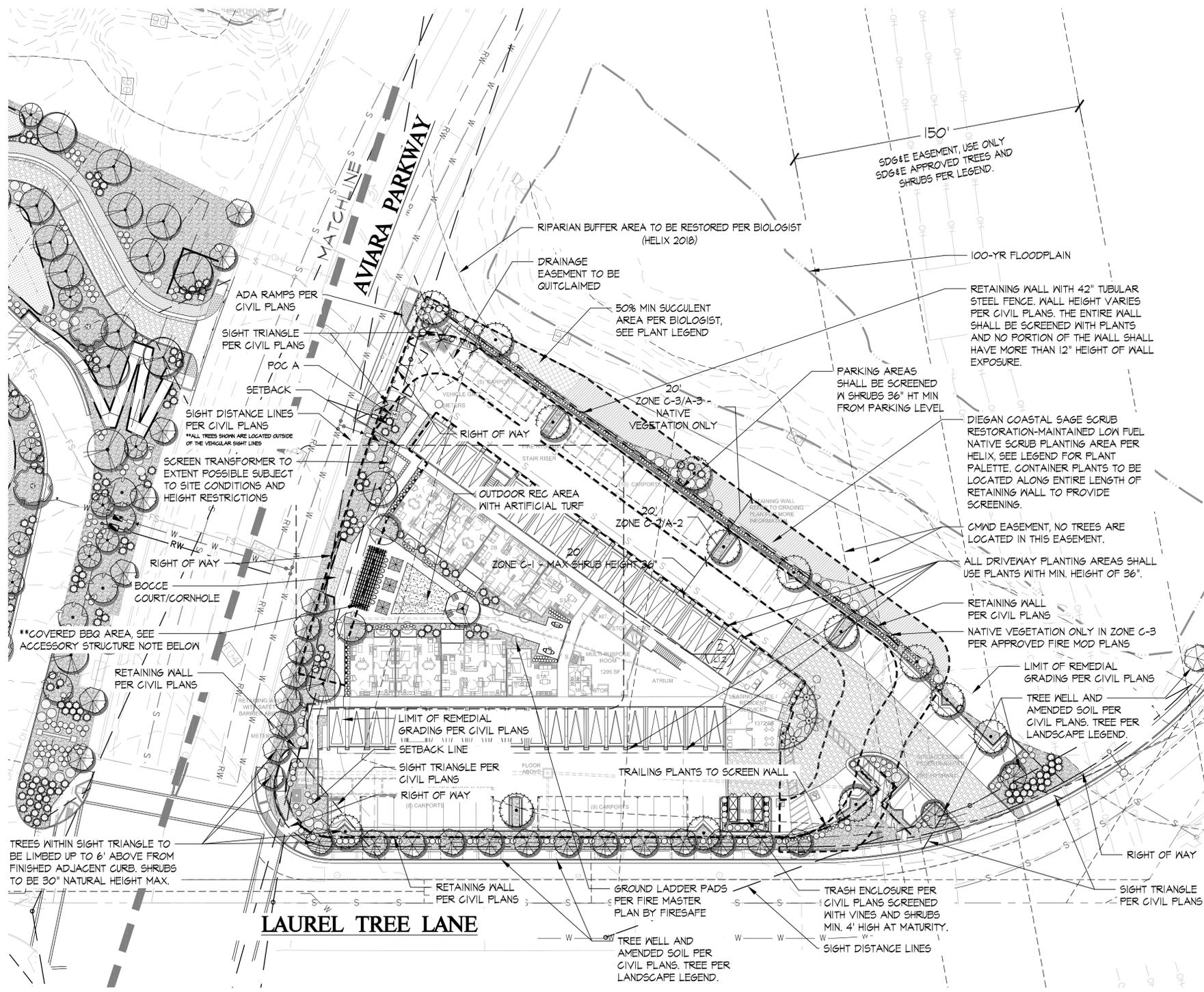
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UNIT PLANS 2B, 2B-ALT
WEST PARCEL

A9.3



PLANTING LEGEND

TREES

SYMBOL	QUANTITY	BOTANICAL	COMMON NAME	SIZE	NICOLS
1	7	LARGE EVERGREEN SITE TREES LOPHODERMIS CONFERTIS **MAGNOLIA GRANDIFLORA METROSIDEROS EXCELSUS	BRISBANE BOX MAGNOLIA GRANDIFLORA NEW ZEALAND CHRISTMAS TREE	24" BOX 24" BOX 24" BOX	M M M
21		MEDIUM EVERGREEN SITE TREE AREBUTUS UNEDO MARINA OLEA EUROPEA SWAN HILL **RHUS INTEGRIFOLIA	STRAWBERRY TREE OLEA EUROPEA SWAN HILL LEMONADE BERRY	24" BOX 24" BOX 15 GAL.	L L L
55		LARGE DECIDUOUS SITE TREES ACARANDA MIMOSIFOLIA **MAGNOLIA STELLATA PLATANUS RACEMOSA	JACARANDA STAR MAGNOLIA GALIFORNIA SYCAMORE	24" BOX 24" BOX 24" BOX	M M M
21		MEDIUM DECIDUOUS SITE TREES **CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GAL.	L
33		DRIVE ASLE AND PARKING LOT TREES **LAGERSTROEMIA I. MESOGEEE AREBUTUS UNEDO MARINA QUERCUS ILEX CINNAMOMUM CAMPHORA	GRAPE MYRTLE STRAWBERRY TREE HOLLY OAK CAMPHOR TREE	24" BOX 24" BOX 24" BOX 24" BOX	M M L M
32		PARKWAY STREET TREE FINIS CANARENSIS (ON AVIARA PKWY) AREBUTUS UNEDO MARINA (ON LAUREL TREE LN)	CANARY ISLAND PINE STRAWBERRY TREE (STANDARD)	24" BOX 24" BOX	L M
7		PALM TREE PHOENIX DACTYLIFERA ** TREES ALLOWED PER SDG&E EASEMENT	DATE PALM	10" BTH	M

NOTE:
- ALL TREES WITHIN 10' OF ANY WALK, CURB, DRIVE, BUILDING, UTILITY OR HARDSCAPE ELEMENT SHALL RECEIVE 10' OF 24" DEEP MIN. ROOT BARRIER UNLESS OTHERWISE INDICATED ON THE PLANS.

SHRUBS

SYMBOL	BOTANICAL	COMMON NAME	SIZE	SPACING
1	LARGE AGAVE PARRYI ESCALLONIA FRADESII HETEROMELES AREUTIFOLIA **RHAPHIOLIPS IMBELLATA PHORMIUM TENAX RHUS INTEGRIFOLIA ARCTOSTAPHYLOS STANFORDIANA BERBERIS NEVENI	PARRY'S CENTURY PLANT ESCALLONIA TOYON DWARF YEW NEW ZEALAND FLAX LEMONADE BERRY STANFORD'S MANZANITA NEVIN BARBERRY	108" - 5 GAL. 308" - 1 GAL.	5' O.C. - 5 GAL. 3' O.C. - 1 GAL.
1	MEDIUM AGAVE VILMORINIANA ALOE ARBORESCENS GISTIS SP. **HESPERALOE PARVIFOLIA LEPTOSPERMUM SP. PROTINIA FRAGERI **YUCCA WHIPPLEI 'REB'	OCTOPUS AGAVE TORCH ALOE ROCK ROSE RED YUCCA TEA TREE PHOTNIA FOOTHILL YUCCA	108" - 5 GAL. 308" - 1 GAL.	5' O.C. - 5 GAL. 3' O.C. - 1 GAL.
1	SMALL LANTANA MONTEVIDENSIS ALOE SP. ANIGOSANTHOS SP. ARCTOSTAPHYLOS HOOKERI MACPADIENA INQUIS-CATI CATS CLAM VINE	LANTANA ALOE KANGAROO PAIN MONTEREY CARPET MANZANITA CATS CLAM VINE	108" - 5 GAL. 308" - 1 GAL. 5 GAL.	5' O.C. - 5 GAL. 3' O.C. - 1 GAL. 8' O.C.

NOTE:
- ALL SHRUB AREAS SHALL RECEIVE 3" LAYER OF BARK MULCH.

GROUND COVER

SYMBOL	BOTANICAL	COMMON NAME	SIZE	NICOLS
1	SLOPE LANDSCAPE AREAS BACCHARIS PILLULARIS PIGEON POINT	DWARF COYOTE BRUSH	FLATS @ 18" O.C.	L
1	FLAT LANDSCAPE AREAS SENECIO MANDRALISCAE	SENECIO	FLATS @ 18" O.C.	L
1	ARTIFICIAL TURF			

DETENTION BASIN

SYMBOL	BOTANICAL	COMMON NAME	SIZE	NICOLS
1	CAREX SUBPUSGA IVA HAYESIANA JUNCUS PATENS	RUSTY SEDGE HAYES IVA CALIFORNIA RUSH	FLATS @ 18" O.C. FLATS @ 18" O.C. FLATS @ 18" O.C.	M M M

DIEGAN COASTAL SAGE SCRUB RESTORATION-MAINTAINED LOW FUEL NATIVE SCRUB

PLANTING AREA PER BIOLOGIST - NATIVE CONTAINER PLANTS AND HYDROSEED MIX

(ALL PLANTING WITHIN THE DIEGAN COASTAL SAGE SCRUB RESTORATION-MAINTAINED LOW FUEL NATIVE SCRUB SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW)

CONTAINER PLANTS

BOTANICAL NAME	COMMON NAME	SPACING (TYP.)	NUMBER PER ACRE	GROUPING SIZE
BACCHARIS PILLULARIS	COYOTE BUSH	5' O.C.	60	5
ISOCOMA MENZIESII	COASTAL GOLDENBUSH	4' O.C.	60	5
ORFOLIA LITTORALIS	COASTAL FRICKLY PEAR	4' O.C.	30	6
PERITOMA (ISOMERIS) ARBOREA	BLADDERPOD	5' O.C.	50	5

NATIVE HYDROSEED

NOTE: ALL DIEGAN COASTAL SAGE SCRUB RESTORATION-MAINTAINED LOW FUEL NATIVE SCRUB AREAS SHALL RECEIVE HYDROSEED APPLICATION WITH THE FOLLOWING DEGREE OF PLANTING WITHIN THE FLOODPLAIN.

BOTANICAL NAME	COMMON NAME	PURITY %	GERMINATION RATE %	BULK APP. RATE (LBS/ACRE)
ACMISPON GLABER	DEER NEED	45	80	2.00
DEINANDRA FASCICULATA	FASCICLED TARPLANT	20	80	3.00
ENCLERIA CALIFORNICA	CALIFORNIA ENCLERIA	40	60	3.00
ERIOPHYLLUM CONFERTIFLORUM	GOLDEN-YARROW	30	10	4.00
ERYCRIPTA CHRYSANTHEMIFOLIA	COMMON ERYCPTA	40	10	2.00
HETEROTHECA GRANDIFLORA	TELEGRAPH WEED	40	50	1.00
STIPA PULCHRA	PURPLE NEEDLE GRASS	40	80	6.00
				BULK 21.00

100% SUCCULENT PLANT PALETTE

PLANTING AREA PER BIOLOGIST - ZONE C-3 100% SUCCULENT PLANTING AREA

(ALL PLANTING WITHIN THE ZONE C-3 100% SUCCULENT PLANTING AREA SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW)

CONTAINER PLANTS

BOTANICAL NAME	COMMON NAME
**AGAVE SHAWII	COASTAL AGAVE
CYLINDROPUNTIA PROLIFERA	COAST CHOLLA
ORFOLIA LITTORALIS	COASTAL FRICKLY PEAR

**** USE FOR SCREENING RETAINING WALL**

50% MIN. SUCCULENT PLANT PALETTE

PLANTING AREA PER BIOLOGIST - ZONE C-3 50% MIN. SUCCULENT PLANTING AREA

(ALL PLANTING WITHIN THE ZONE C-3 50% MIN. SUCCULENT PLANTING AREA SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW)

CONTAINER PLANTS

BOTANICAL NAME	COMMON NAME
BACCHARIS PILLULARIS	COYOTE BUSH
CYLINDROPUNTIA PROLIFERA	COAST CHOLLA
ISOCOMA MENZIESII	COASTAL GOLDENBUSH
ORFOLIA LITTORALIS	COASTAL FRICKLY PEAR
PERITOMA (ISOMERIS) ARBOREA	BLADDERPOD

NATIVE HYDROSEED

NOTE: ALL 50% MIN. SUCCULENT PLANTING AREAS SHALL RECEIVE HYDROSEED APPLICATION WITH THE FOLLOWING DEGREE OF PLANTING WITHIN THE FLOODPLAIN.

BOTANICAL NAME	COMMON NAME	PURITY %	GERMINATION RATE %	BULK APP. RATE (LBS/ACRE)
ACMISPON GLABER	DEER NEED	45	80	2.00
ERIOPHYLLUM CONFERTIFLORUM	GOLDEN-YARROW	30	10	4.00
STIPA PULCHRA	PURPLE NEEDLE GRASS	40	80	6.00
				BULK 12.00

NOTE:
- ALL PROPOSED PLANT MATERIAL SHALL BE REVIEWED AND APPROVED BY THE PROJECT BIOLOGIST. PLANT LIST MAY BE MODIFIED BASED ON RECOMMENDATIONS. FINAL SELECTION SHALL BE PER FUTURE CITY OF CARLSBAD APPROVED CONSTRUCTION DOCUMENTS.
- ALL INVASIVE PLANT SPECIES SHALL BE REMOVED FROM SITE PRIOR TO LANDSCAPE CONSTRUCTION.
- PLANTING IN TRANSITIONAL AREA SHALL CONSIST OF A COMBINATION OF SITE ADAPTIVE AND COMPATIBLE NATIVE AND/OR NON-NATIVE SPECIES, AND SHALL CONFORM TO THE REQUIREMENTS IN SECTION 5 OF THE FIRE PROTECTION REQUIREMENT.

NOTES

- ALL PROPOSED LANDSCAPE AND IRRIGATION SHALL BE IN COMPLIANCE WITH THE CITY OF CARLSBAD DESIGN GUIDELINES.
- ANY PLANTS IDENTIFIED BY THE CALIFORNIA EXOTIC PEST PLAN COUNCIL AS AN INVASIVE RISK IN SOUTHERN CALIFORNIA WILL NOT BE PERMITTED.
- ALL SHRUB AND GROUND COVER AREAS (WITH SLOPES LESS THAN 2:1) AND OVERHEAD SPRAY IRRIGATION SHALL RECEIVE A 3" LAYER OF BARK MULCH. ALL SHRUB AND GROUND COVER AREAS WITH DRIP IRRIGATION SHALL RECEIVE A 3" LAYER OF BARK MULCH. SEE PLANTING SPECIFICATIONS IN LANDSCAPE CONSTRUCTION DOCUMENTS FOR ADDITIONAL INFORMATION.
- ALL TREES PLANTED WITHIN 10' OF PAVEMENT, CURBS, WALLS OR BUILDINGS SHALL BE INSTALLED WITH LINEAR ROOT BARRIERS. ROOT BARRIERS SHALL BE PLACED AT THE EDGE OF THE ADJACENT PAVEMENT, CURB, WALL OR BUILDING AND SHALL EXTEND 5' EACH SIDE OF THE CENTER OF THE TREE. DO NOT ENCIRCLE ROOT BALLS). SEE PLANTING SPECIFICATIONS 4 DETAILS IN LANDSCAPE CONSTRUCTION DOCUMENTS FOR ADDITIONAL INFORMATION.
- CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO THE INSTALLATION OF TREES. ALL TREES SHALL BE PLANTED AT LEAST 5' FROM ANY UNDERGROUND UTILITY SUCH AS SEWER, GAS, STORM DRAIN, ELECTRICAL, CABLE OR TELEPHONE. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICT BETWEEN TREE LOCATIONS AND UNDERGROUND UTILITIES.
- NO PLANT SPECIES ON THE CAL-IPC INVASIVE PLANT INVENTORY LIST SHALL BE INCLUDED IN THESE PROJECT LANDSCAPING PLANS.
- ALL PLANTING AREAS TO HAVE A SURFACE DRAINAGE OF 2% AWAY FROM STRUCTURES AND TERMINATING IN AN APPROVED DRAINAGE SYSTEM.

TREE WELLS AND AMENDED SOILS PER CIVIL ENGINEERING PLANS

****ACCESSORY STRUCTURE NOTE**
ALL ACCESSORY STRUCTURES SHALL MAINTAIN A MINIMUM OF TEN FEET FROM BUILDINGS USED FOR HUMAN HABITATION, SHALL BE LIMITED TO TEN FEET IN HEIGHT OR 14 FEET WITH A MINIMUM 3:12 ROOF PITCH, AND COUNTED IN LOT COVERAGE CALCULATIONS.

EAST SIDE PARKING CALCS

TOTAL PARKING AREA	26,000 SF
TOTAL LANDSCAPE AREA (11%)	2,300 SF

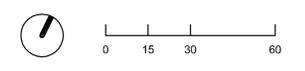
SEE SHEET LI.2 FOR PLANTING LEGEND AND NOTES

FILE NAME: G:\17-PROJECTS\17-044-CO-LANDARCH\CONCEPT\17-044-CONCEPT.DWG

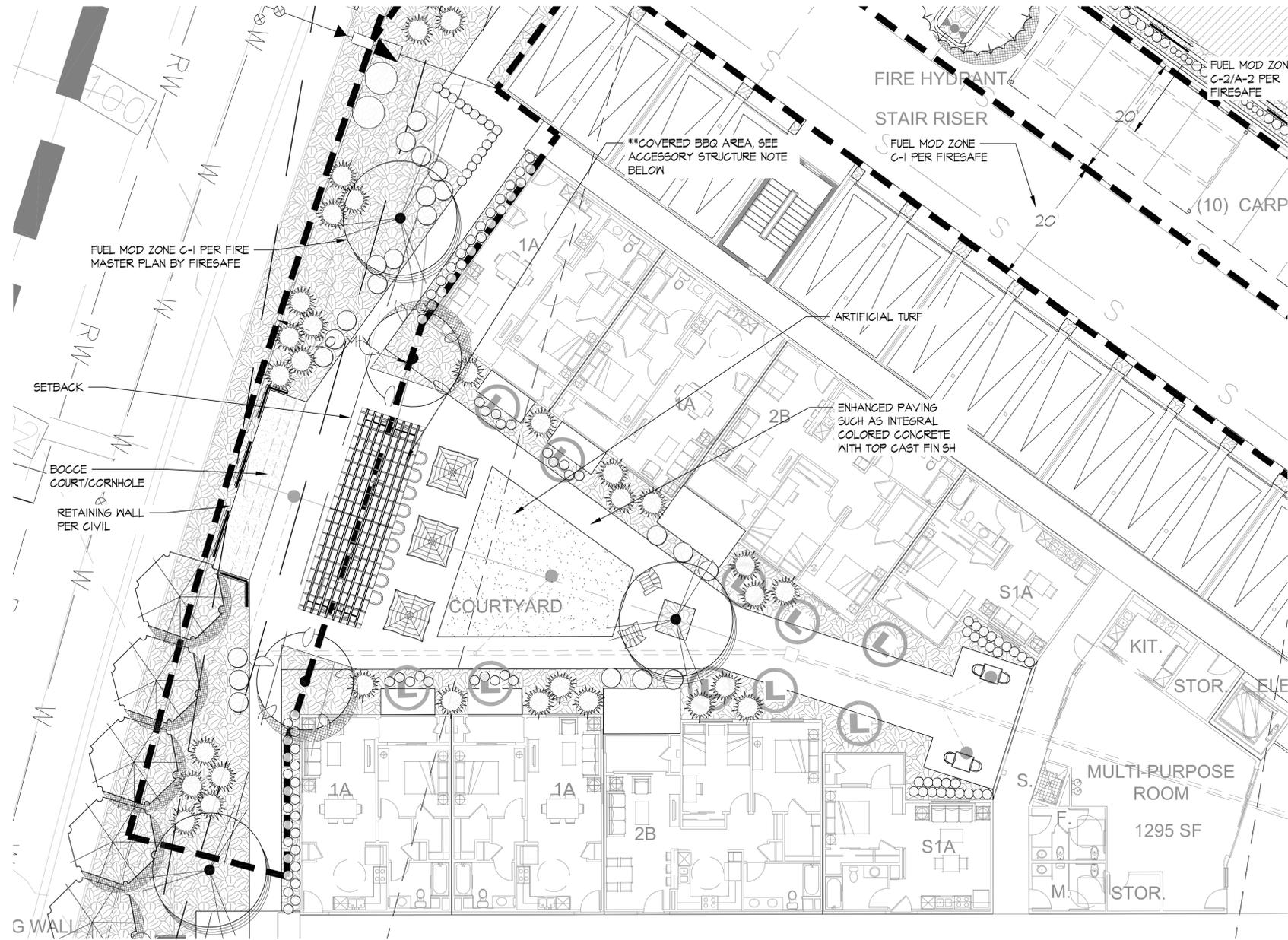


Aviara Apartments
CARLSBAD, CA # 160328

CONCEPTUAL DESIGN
JANUARY 24, 2020



LANDSCAPE PLAN
EAST PARCEL



PLAN VIEW - EAST PARCEL REC AREA

PLANTING LEGEND

TREES

NOTE: ALL TREES LOCATED IN ZONE C-1 AND C-3 SHALL HAVE 20' MIN. OF CLEARANCE BETWEEN ADJACENT TREE CANOPIES

SYMBOL	QUANTITY	BOTANICAL	COMMON NAME	SIZE	MULCH
(Symbol)	1	LARGE EVERGREEN SITE TREES LOPHOSTEMON CONFERTUS ** MAGNOLIA GRANDIFLORA METROSIDEROS EXCELSUS	BRISBANE BOX MAGNOLIA GRANDIFLORA NEW ZEALAND CHRISTMAS TREE	24" BOX 24" BOX 24" BOX	M M M
(Symbol)	21	MEDIUM EVERGREEN SITE TREE ARECATUS UNEDO MARINA OLEA EUROPEA 'SWAN HILL' RUSUS INTEGRIFOLIA	STRAWBERRY TREE OLEA EUROPEA 'SWAN HILL' LEMONADE BERRY	24" BOX 24" BOX 15 GAL.	L L L
(Symbol)	55	LARGE DECIDUOUS SITE TREES JACARANDA MINOSFOLIA ** MAGNOLIA STELLATA PLATANUS RACEMOSA	JACARANDA STAR MAGNOLIA CALIFORNIA SYCAMORE	24" BOX 24" BOX 24" BOX	M M M
(Symbol)	21	MEDIUM DECIDUOUS SITE TREES ** CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GAL.	L
(Symbol)	33	DRIVE AISLE AND PARKING LOT TREES ** LAGERSTROEMIA I. MUSKOGEE ARECATUS UNEDO MARINA QUERCUS LEX GANNONUM CAMPHORA	GRAPE MYRTLE STRAWBERRY TREE HOLLY OAK CAMPHOR TREE	24" BOX 24" BOX 24" BOX 24" BOX	M M L M
(Symbol)	32	PARKWAY STREET TREE FINUS CANARIENSIS (ON AVIARA PKWY) ARECATUS UNEDO MARINA (ON LAUREL TREE LN)	CANARY ISLAND PINE STRAWBERRY TREE (STANDARD)	24" BOX 24" BOX	L M
(Symbol)	1	PALM TREE PHOENIX DACTYLIFERA	DATE PALM	10" BTH	M

** TREES ALLOWED PER 5064E EASEMENT

NOTE:
- ALL TREES WITHIN 10' OF ANY WALK, CURB, DRIVE, BUILDING UTILITY OR HARDSCAPE ELEMENT SHALL RECEIVE 10" OF 24" DEEP MIN. ROOT BARRIER UNLESS OTHERWISE INDICATED ON THE PLANS.

SHRUBS

NOTE: ALL SHRUBS LOCATED IN ZONE C-1 AND C-3 SHALL HAVE 20' MIN. OF CLEARANCE BETWEEN ADJACENT SHRUB CANOPIES

SYMBOL	BOTANICAL	COMMON NAME	SIZE	SPACING
(Symbol)	LARGE AGAVE PARRYI ESCALONIA FRADESII HETEROMELES ARBUTIFOLIA TOYON ** RHAPHIOLEPIS IMBELLATA PHORMIUM TENAX RUSUS INTEGRIFOLIA ARCTOSTAPHYLOS STANFORDIANA BERBERIS NEVENII	FARSEY'S CENTURY PLANT ESCALONIA TOYON DWARF YEW NEW ZEALAND FLAX LEMONADE BERRY STANFORD'S MANZANITA NEVIN BARBERRY	10" - 5 GAL. 30" - 1 GAL.	5' O.C. - 5 GAL. 3' O.C. - 1 GAL.
(Symbol)	MEDIUM AGAVE VILMORINIANA ALOE ARBORESCENS CISTUS SP. ** HESPERALOE PARVIFOLIA LEPTOSPERMUM SP. PHOTINIA FRASERI ** YUCCA WHIPPLEI 'RDB'	OCTOPUS AGAVE TORCH ALOE ROCK ROSE RED YUCCA TEA TREE PHOTINIA FOOTHILL YUCCA	10" - 5 GAL. 30" - 1 GAL.	5' O.C. - 5 GAL. 3' O.C. - 1 GAL.
(Symbol)	SMALL LANTANA MONTEVIDENSIS ALOE SP. ANGOZANTHOS SP. ARCTOSTAPHYLOS HOOKERI MACFADYENA INQUIS-CATI	LANTANA ALOE KANGAROO PAW MONTEREY GARRET MANZANITA CATS CLAW VINE	10" - 5 GAL. 30" - 1 GAL.	5' O.C. - 5 GAL. 3' O.C. - 1 GAL.

** SHRUBS ALLOWED PER 5064E EASEMENT

NOTE:
- ALL SHRUB AREAS SHALL RECEIVE 3" LAYER OF BARK MULCH.

GROUND COVER

SYMBOL	BOTANICAL	COMMON NAME	SIZE	MULCH
(Symbol)	SLOPE LANDSCAPE AREAS BACCHARIS PILLULARIS PIGEON POINT	DWARF COYOTE BRUSH	FLATS @ 18" O.C.	L
(Symbol)	FLAT LANDSCAPE AREAS SENECIO MANDRALISCAE	SENECIO	FLATS @ 18" O.C.	L

DETENTION BASIN

SYMBOL	BOTANICAL	COMMON NAME	SIZE	MULCH
(Symbol)	CAREX SUBPUSCA IVA HAYESIANA JUNCUS PATENS	RUSTY SEDGE HAYES IVA CALIFORNIA RUSH	FLATS @ 18" O.C. FLATS @ 18" O.C. FLATS @ 18" O.C.	M M M

DIEGAN COASTAL SAGE SCRUB RESTORATION-MAINTAINED LOW FUEL NATIVE SCRUB

PLANTING AREA PER BIOLOGIST - NATIVE CONTAINER PLANTS AND HYDROSEED MIX
ALL PLANTINGS WITHIN THE DIEGAN COASTAL SAGE SCRUB RESTORATION-MAINTAINED LOW FUEL NATIVE SCRUB SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW

BOTANICAL NAME	COMMON NAME	SPACING (TYP)	NUMBER PER ACRE	GROUPING SIZE
BACCHARIS PILLULARIS	COYOTE BUSH	5' O.C.	60	5
ISOGOMA MENDICII	COASTAL GOLDENBUSH	4' O.C.	60	5
ORPENTIA LITTORALIS	COASTAL PRICKLY PEAR	4' O.C.	30	6
PERTOMIA (SOMERIS) ARBOREA	BLADDERPOD	5' O.C.	50	5

NATIVE HYDROSEED

BOTANICAL NAME	COMMON NAME	PURITY %	GERMINATION RATE %	BULK APP. RATE (LBS/ACRE)
ACHMIOPON GLABER	DEER WEED	45	80	200
DENANDRA FASCICULATA	FASCICLED TARPAN	20	80	300
ENCYLLIA CALIFORNICA	CALIFORNIA ENCYLLIA	40	60	300
ERIOPHYLLUM CONFERTIFLORUM	GOLDEN-YARROW	30	70	400
EUCRYPTIA CHRYSANTHEMIFOLIA	COMMON EUCRYPTIA	40	70	200
HETEROPTHECA GRANDIFLORA	TELEGRAPH NEED	40	50	100
STIPA PULCHRA	PURPLE NEEDLE GRASS	40	80	600

BULK 2100

100% SUCCULENT PLANT PALETTE

PLANTING AREA PER BIOLOGIST - ZONE C-3 100% SUCCULENT PLANTING AREA
ALL PLANTINGS WITHIN THE ZONE C-3 100% SUCCULENT PLANTING AREA SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW

BOTANICAL NAME	COMMON NAME
** AGAVE SHAWII	COASTAL AGAVE
CYLINDROPUNTIA PROLIFERA	COAST CHolla
ORPENTIA LITTORALIS	COASTAL PRICKLY PEAR

** USE FOR SCREENING RETAINING WALL

50% MIN. SUCCULENT PLANT PALETTE

PLANTING AREA PER BIOLOGIST - ZONE C-3 50% MIN. SUCCULENT PLANTING AREA
ALL PLANTINGS WITHIN THE ZONE C-3 50% MIN. SUCCULENT PLANTING AREA SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW

BOTANICAL NAME	COMMON NAME
BACCHARIS PILLULARIS	COYOTE BUSH
CYLINDROPUNTIA PROLIFERA	COAST CHolla
ISOGOMA MENDICII	COASTAL GOLDENBUSH
ORPENTIA LITTORALIS	COASTAL PRICKLY PEAR
PERTOMIA (SOMERIS) ARBOREA	BLADDERPOD

BOTANICAL NAME	COMMON NAME	PURITY %	GERMINATION RATE %	BULK APP. RATE (LBS/ACRE)
ACHMIOPON GLABER	DEER WEED	45	80	200
ERIOPHYLLUM CONFERTIFLORUM	GOLDEN-YARROW	30	70	400
STIPA PULCHRA	PURPLE NEEDLE GRASS	40	80	600

BULK 1200

NOTE:
- ALL PROPOSED PLANT MATERIAL SHALL BE REVIEWED AND APPROVED BY THE PROJECT BIOLOGIST. PLANT LIST MAY BE MODIFIED BASED ON RECOMMENDATIONS. FINAL SELECTION SHALL BE PER FUTURE CITY OF CARLSBAD APPROVED CONSTRUCTION DOCUMENTS.
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- PLANTING IN TRANSITIONAL AREA SHALL CONSIST OF A COMBINATION OF SITE ADAPTIVE AND COMPATIBLE NATIVE AND/OR NON-NATIVE SPECIES, AND SHALL CONFORM TO THE REQUIREMENTS IN SECTION 5 OF THE FIRE PROTECTION REQUIREMENT.

NOTES

- ALL PROPOSED LANDSCAPE AND IRRIGATION SHALL BE IN COMPLIANCE WITH THE CITY OF CARLSBAD DESIGN GUIDELINES.
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- ALL SHRUB AND GROUND COVER AREAS WITH SLOPES LESS THAN 2:1 AND OVERHEAD SPRAY IRRIGATION SHALL RECEIVE A 3" LAYER OF BARK MULCH. ALL SHRUB AND GROUND COVER AREAS WITH DRIP IRRIGATION SHALL RECEIVE A 3" LAYER OF BARK MULCH. SEE PLANTING SPECIFICATIONS IN LANDSCAPE CONSTRUCTION DOCUMENTS FOR ADDITIONAL INFORMATION.
- ALL TREES PLANTED WITHIN 10' OF PAVEMENT, CURBS, WALLS OR BUILDINGS SHALL BE INSTALLED WITH LINEAR ROOT BARRIERS. ROOT BARRIERS SHALL BE PLACED AT THE EDGE OF THE ADJACENT PAVEMENT, CURB, WALL OR BUILDING AND SHALL EXTEND 5' EACH SIDE OF THE CENTER OF THE TREE. (DO NOT ENGULF ROOT BALLS). SEE PLANTING SPECIFICATIONS 4 DETAILS IN LANDSCAPE CONSTRUCTION DOCUMENTS FOR ADDITIONAL INFORMATION.
- CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO THE INSTALLATION OF TREES. ALL TREES SHALL BE PLANTED AT LEAST 5' FROM ANY UNDERGROUND UTILITY SUCH AS SEWER, GAS, STORM DRAIN, ELECTRICAL, CABLE OR TELEPHONE. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICT BETWEEN TREE LOCATIONS AND UNDERGROUND UTILITIES.
- NO PLANT SPECIES ON THE CAL-IPC INVASIVE PLANT INVENTORY LIST SHALL BE INCLUDED IN THESE PROJECT LANDSCAPING PLANS.
- ALL PLANTINGS ARE TO HAVE A SURFACE DRAINAGE OF 2% AWAY FROM STRUCTURES AND TERMINATING IN AN APPROVED DRAINAGE SYSTEM.

(Symbol) TREE WELLS AND AMENDED SOILS PER CIVIL ENGINEERING PLANS

EXISTING SLOPE LANDSCAPING SHALL BE REFURBISHED, REPLACING ANY DEAD/MISSING PLANTS AS APPROPRIATE TO MEET LANDSCAPE MANUAL REQUIREMENTS.

PLANTING NOTES

- SLOPES 6:1 OR STEEPER REQUIRING EROSION CONTROL MEASURES AS SPECIFIED HEREIN SHALL BE TREATED WITH ONE OR MORE OF THE FOLLOWING PLANTING STANDARDS:
- STANDARD #1 - COVER CROP/REINFORCED STRAIN MATTING.
COVER CROP SHALL BE A SEED MIX TYPICALLY MADE UP OF QUICK GERMINATING AND FAST COVERING GRASSES, CLOVERS, AND/OR WILD FLOWERS. SUBMIT THE SPECIFIC SEED MIX FOR CITY APPROVAL PRIOR TO APPLICATION. THE COVER CROP SHALL BE APPLIED AT A RATE AND MANNER SUFFICIENT TO PROVIDE 90% COVERAGE WITHIN THIRTY (30) DAYS.
TYPE OF REINFORCED STRAIN MATTING SHALL BE AS APPROVED BY THE CITY AND STAKED TO THE SLOPE AS RECOMMENDED BY THE MANUFACTURER.
REINFORCED STRAIN MATTING SHALL BE REQUIRED WHEN PLANTING OCCURS BETWEEN AUGUST 15 AND APRIL 15. THE COVER CROP AND/OR REINFORCED STRAIN MAT SHALL BE USED THE REMAINDER OF THE YEAR.
 - STANDARD #2 - GROUND COVER
ONE HUNDRED (100%) PERCENT OF THE AREA SHALL BE PLANTED WITH A GROUND COVER KNOWN TO HAVE EXCELLENT SOIL BINDING CHARACTERISTICS (PLANTED FROM A MINIMUM SIZE OF FLATTED MATERIAL AND SPACED TO PROVIDE FULL COVERAGE WITHIN ONE YEAR).
 - STANDARD #3 - LOW SHRUBS
LOW SPREADING/WOODY SHRUBS (PLANTED FROM A MINIMUM OF 2-3/4 INCH LINERS) SHALL COVER A MINIMUM OF SEVENTY (70%) PERCENT OF THE SLOPE FACE (AT MATURE SIZE).
 - STANDARD #4 - TREES AND/OR LARGE SHRUBS
TREES AND/OR LARGE SHRUBS SHALL BE PLANTED FROM A MINIMUM OF 1 GALLON CONTAINERS) AT A MINIMUM RATE OF ONE (1) PER TWO HUNDRED (200) SQUARE FEET.

SLOPES 6:1 OR STEEPER AND:
A. 3' OR LESS IN VERTICAL HEIGHT AND ARE ADJACENT TO PUBLIC WALKS OR STREETS REQUIRE AT MINIMUM STANDARD #1.

B. 3' TO 8' IN VERTICAL HEIGHT REQUIRE STANDARDS #1 (EROSION CONTROL MATTING SHALL BE INSTALLED IN LIEU OF A COVER CROP), #2 AND #3.

C. IN EXCESS OF 8' IN VERTICAL HEIGHT REQUIRE STANDARDS #1 (EROSION CONTROL MATTING SHALL BE INSTALLED IN LIEU OF A COVER CROP), #2, #3, AND #4.

AREAS GRADED FLATTER THAN 6:1 REQUIRE STANDARD #1 (COVER CROP) WITH TEMPORARY IRRIGATION WHEN THEY HAVE ONE OR MORE OF THE FOLLOWING CONDITIONS:
A. SHEET GRADED PADS NOT SCHEDULED FOR IMPROVEMENTS WITHIN 6 MONTHS OF COMPLETION OF ROUGH GRADING.
B. A POTENTIAL EROSION PROBLEM AS DETERMINED BY THE CITY.

C. IDENTIFIED BY THE CITY AS HIGHLY VISIBLE AREAS TO THE PUBLIC OR HAVE SPECIAL CONDITIONS THAT WARRANT ADDITIONAL TREATMENT.

****ACCESSORY STRUCTURE NOTE**
ALL ACCESSORY STRUCTURES SHALL MAINTAIN A MINIMUM OF TEN FEET FROM BUILDINGS USED FOR HUMAN HABITATION, SHALL BE LIMITED TO TEN FEET IN HEIGHT OR 14 FEET WITH A MINIMUM 3:12 ROOF PITCH, AND COUNTED IN LOT COVERAGE CALCULATIONS.

FILE NAME: G:\17-PROJECTS\17-044-00-LANDARCH\CONCEPT\17-044_CONCEPT.DWG

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SUMMERHILL APARTMENT COMMUNITIES OF DISTINCTION
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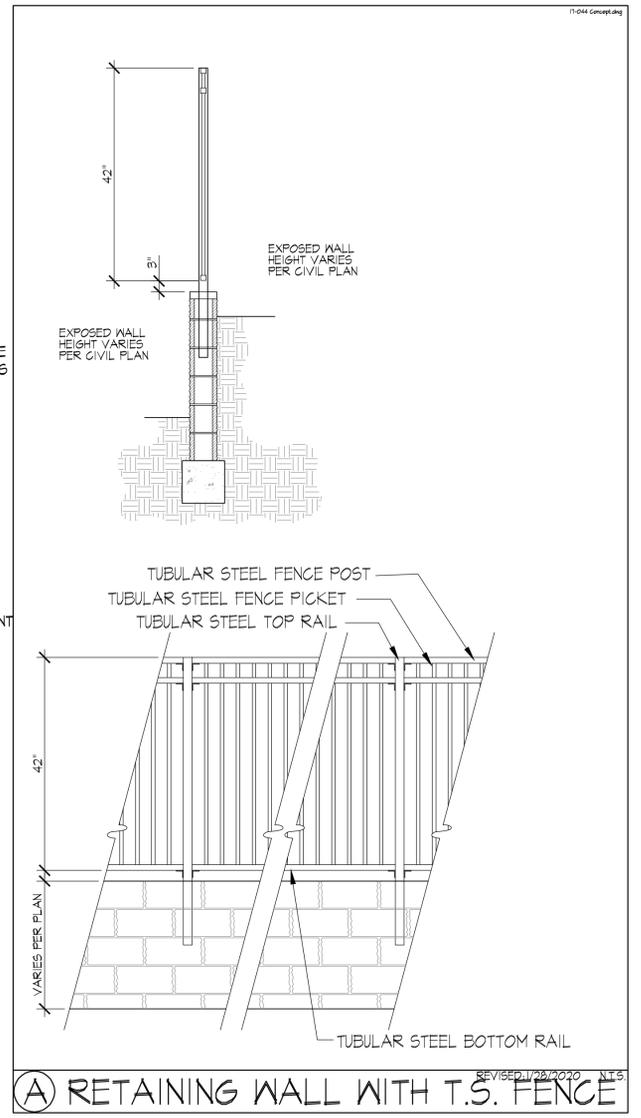
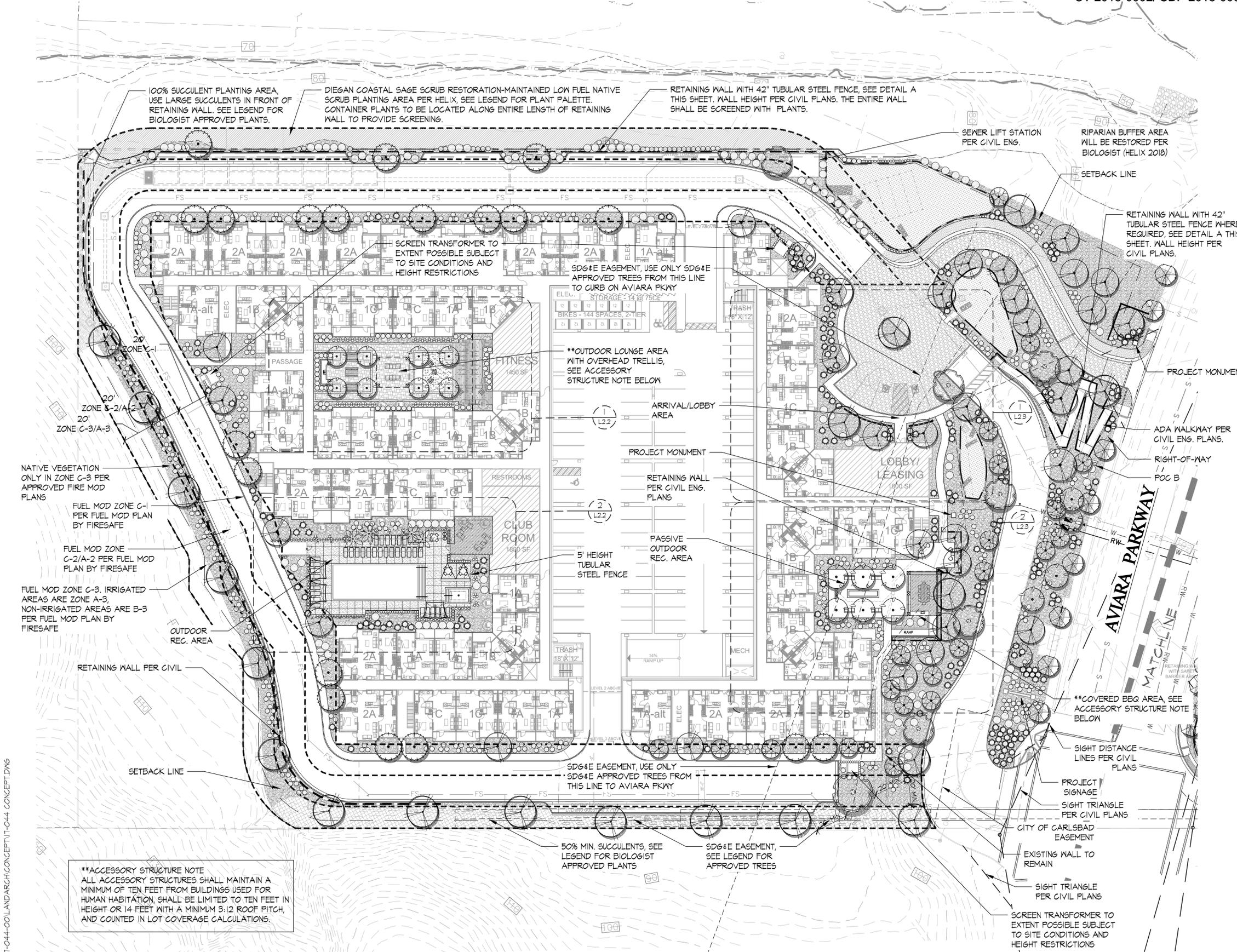
Aviara Apartments
CARLSBAD, CA # 160328

CONCEPTUAL DESIGN
JANUARY 24, 2020



LANDSCAPE PLAN
EAST PARCEL ENLARGEMENT

L1.2



****ACCESSORY STRUCTURE NOTE**
 ALL ACCESSORY STRUCTURES SHALL MAINTAIN A MINIMUM OF TEN FEET FROM BUILDINGS USED FOR HUMAN HABITATION, SHALL BE LIMITED TO TEN FEET IN HEIGHT OR 14 FEET WITH A MINIMUM 3:12 ROOF PITCH, AND COUNTED IN LOT COVERAGE CALCULATIONS.

SEE SHEET L1.2 FOR PLANTING LEGEND AND NOTES

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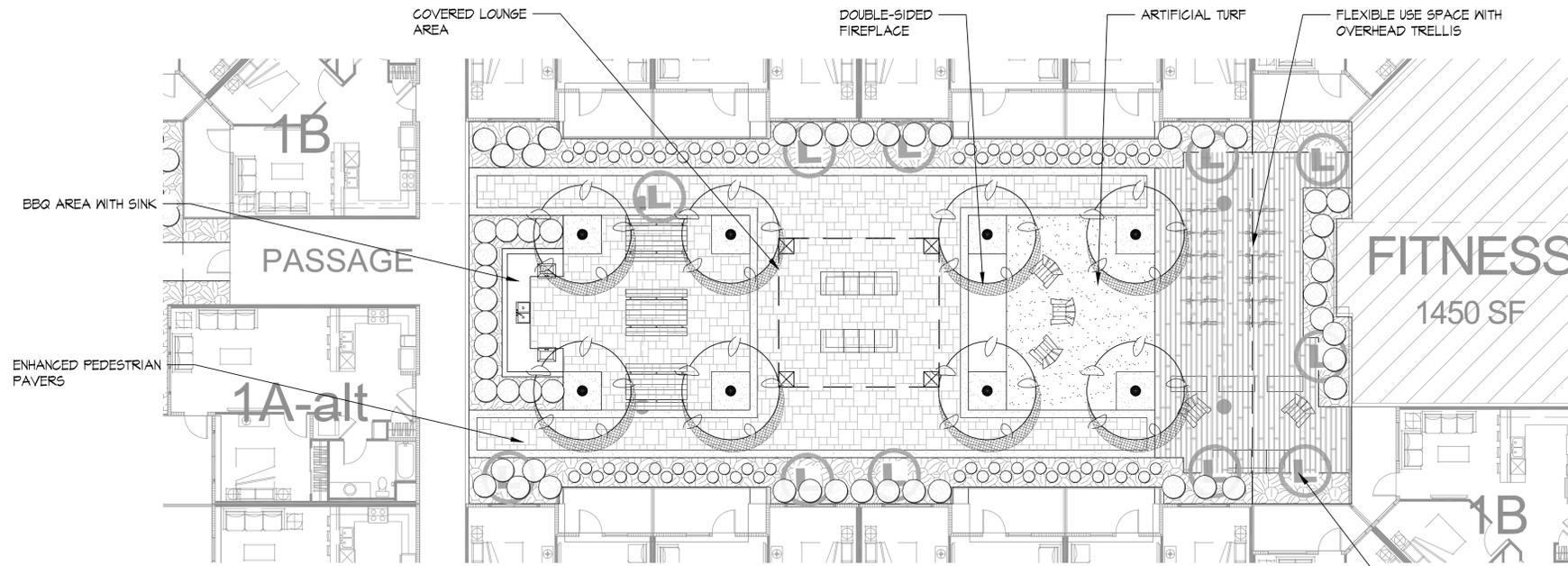
Aviara Apartments
 CARLSBAD, CA # 160328

CONCEPTUAL DESIGN
 JANUARY 24, 2020

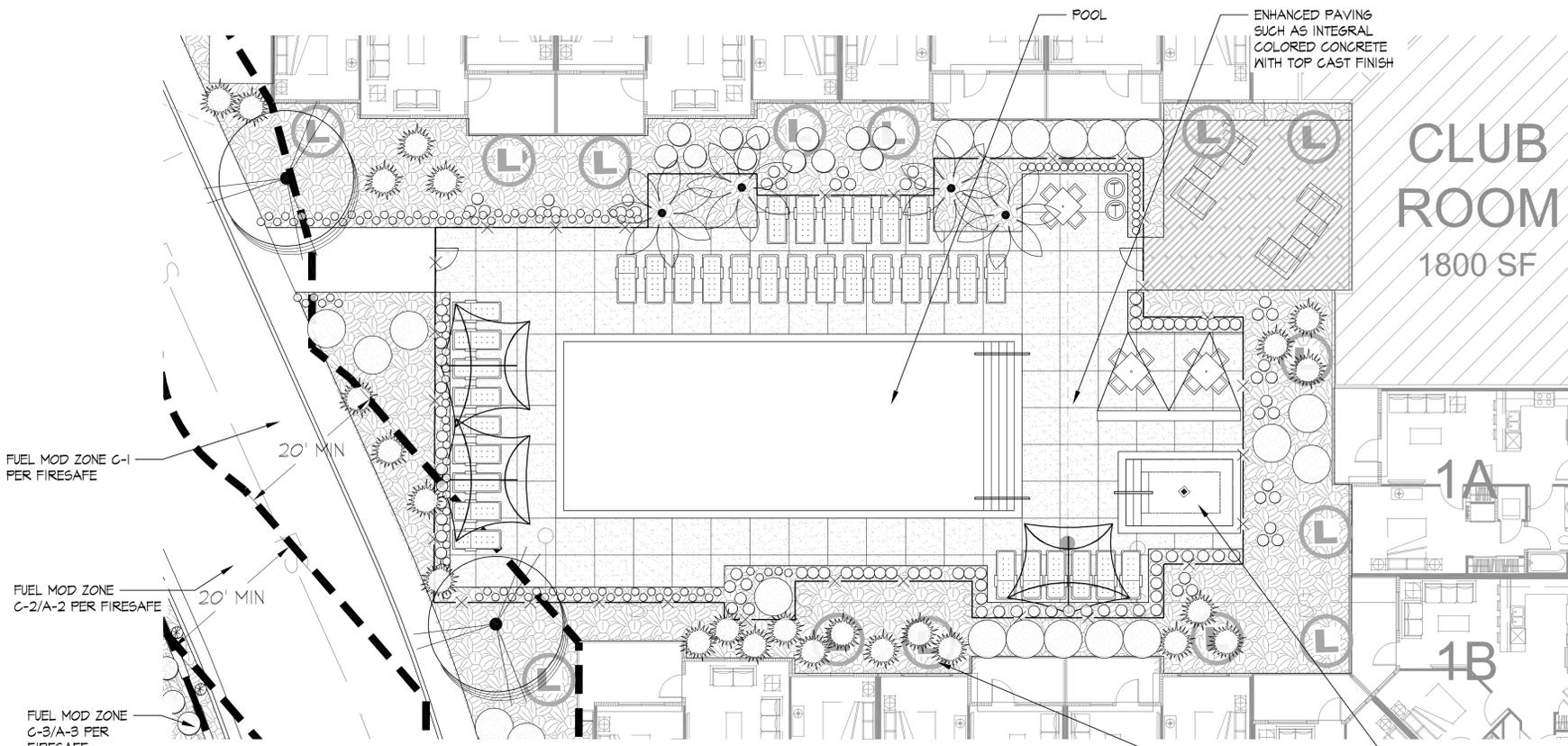


LANDSCAPE PLAN
 WEST PARCEL

L2.1



PLAN VIEW - WEST PARCEL GATHERING AREA



PLAN VIEW - WEST PARCEL REC AREA

PLANTING LEGEND

TREES
NOTE: ALL TREES LOCATED IN ZONE C-3 AND C-4 SHALL HAVE A MINIMUM CLEARANCE BETWEEN ADJACENT TREE CANOPIES.

SYMBOL	QUANTITY	BOTANICAL	COMMON NAME	SIZE	MISCOLS
(Symbol)	1	LARGE EVERGREEN SITE TREES LOROSTEDION CONFERTUS ** MAGNOLIA GRANDIFLORA METROSIDEROS EXCELSUS	BRISBANE BOX MAGNOLIA GRANDIFLORA NEW ZEALAND CHRISTMAS TREE	24" BOX 24" BOX 15 GAL	M M M
(Symbol)	21	MEDIUM EVERGREEN SITE TREE ARBUS USUO MARINA OLEA EUROPEA 'SWAN HILL' ** RHUS INTEGRIFOLIA	STRAWBERRY TREE OLEA EUROPEA 'SWAN HILL' LEMONADE BERRY	24" BOX 24" BOX 15 GAL	L L L
(Symbol)	55	LARGE DECIDUOUS SITE TREES ** LAGERSTROMIA I. MUSKOGEE JACARANDA MIMOSIFOLIA ** MAGNOLIA STELLATA PLATANUS RACEMOSA	JACARANDA STAR MAGNOLIA CALIFORNIA SYCAMORE	24" BOX 24" BOX 24" BOX	M M M
(Symbol)	21	MEDIUM DECIDUOUS SITE TREES ** CERIS OCCIDENTALIS	WESTERN REDBUD	15 GAL	L
(Symbol)	33	DRIVE AISLE AND PARKING LOT TREES ** LAGERSTROMIA I. MUSKOGEE ARBUS USUO MARINA GNERGUS ILEX CINNAMOMUM CAMPHORA	GRAPE MYRTLE STRAWBERRY TREE HOLLY OAK CAMPHOR TREE	24" BOX 24" BOX 24" BOX 24" BOX	M M L M
(Symbol)	32	PARKWAY STREET TREE FINIS CANARIENSIS (ON AVIARA POINT) ARBUS USUO MARINA (ON LAUREL TREE LN)	CANARY ISLAND PINE STRAWBERRY TREE (STANDARD)	24" BOX 24" BOX	L M
(Symbol)	1	PALM TREE PHOENIX DACTYLIFERA	DATE PALM	10' BTH	M

** TREES ALLOWED PER SD64E EASEMENT

NOTE: ALL TREES WITHIN 10' OF ANY WALK, CURB, DRIVE, BUILDING, UTILITY OR HARDSCAPE ELEMENT SHALL RECEIVE 10' OF 24" DEEP MIN. ROOT BARRIER UNLESS OTHERWISE INDICATED ON THE PLANS.

SHRUBS

NOTE: ALL SHRUBS LOCATED IN ZONE C-3 SHALL RECEIVE 3" LAYER OF BARK MULCH. NOTE: ALL SHRUBS LOCATED IN ZONE C-4 SHALL HAVE A MINIMUM CLEARANCE OF 3' FROM THE ADJACENT BUILDING.

SYMBOL	BOTANICAL	COMMON NAME	SIZE	SPACING
(Symbol)	LARGE AGAVE PARRYI ESCALLONIA FRADESII HETEROMELES ARBUTIFOLIA ** RHAPHIOLEPIS UMBELLATA PHORIMM TENAX RHUS INTEGRIFOLIA ARCOTOSTAPHYLOS STANFORDIANA BERBERIS NEVENII	PARRY'S CENTURY PLANT ESCALLONIA TOYON DYWANE YEDDA HAWTHORN NEW ZEALAND FLAX LEMONADE BERRY STANFORD'S MANZANITA NEVIN BARBERRY	108" - 5 GAL 308" - 1 GAL	5' O.C. - 5 GAL 3' O.C. - 1 GAL
(Symbol)	MEDIUM AGAVE VILMORINIANA ALOE AEROCRESCENS CISTUS SP. ** HESPERALOE PARVIFOLIA LEPTOSPERMUM SP. PHOTINIA FRASERI ** YUCCA WHIPPLEI 'RBB'	OCTOPUS AGAVE TORCH ALOE ROCK ROSE RED YUCCA TEA TREE PHOTINIA FOOTHILL YUCCA	108" - 5 GAL 308" - 1 GAL	5' O.C. - 5 GAL 3' O.C. - 1 GAL
(Symbol)	SMALL LANTANA MONTEVIDENSIS ALOE SP. ANGOSTANTHOS SP. ARCOTOSTAPHYLOS HOOKERI MACFADYENA UNGUIS-CATI	LANTANA ALOE KANGAROO PAW MONTEREY CARPET MANZANITA CATS CLAW VINE	108" - 5 GAL 308" - 1 GAL 5 GAL	5' O.C. - 5 GAL 3' O.C. - 1 GAL 8' O.C.

** SHRUBS ALLOWED PER SD64E EASEMENT

NOTE: ALL SHRUB AREAS SHALL RECEIVE 3" LAYER OF BARK MULCH.

GROUND COVER

SYMBOL	BOTANICAL	COMMON NAME	SIZE	MISCOLS
(Symbol)	SLOPE LANDSCAPE AREAS BACCHARIS PILLULARIS PIGEON POINT	DYWARF COYOTE BRUSH	FLATS @ 18" O.C.	L
(Symbol)	FLAT LANDSCAPE AREAS SENECIO MANDRALISCAE	SENECIO	FLATS @ 18" O.C.	L

ARTIFICIAL TURF

DETENTION BASIN

SYMBOL	BOTANICAL	COMMON NAME	SIZE	MISCOLS
(Symbol)	CAREX SUBFUSCA	RUSTY SEDGE	FLATS @ 18" O.C.	M
(Symbol)	IVA HAYESIANA	HAYES IVA	FLATS @ 18" O.C.	M
(Symbol)	JUNCUS FATENS	CALIFORNIA RUSH	FLATS @ 18" O.C.	M

DIEGAN COASTAL SAGE SCRUB RESTORATION-MAINTAINED LOW FUEL NATIVE SCRUB

PLANTING AREA PER BIOLOGIST - NATIVE CONTAINER PLANTS AND HYDROSEED MIX
SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW

(ALL PLANTING WITHIN THE DIEGAN COASTAL SAGE SCRUB RESTORATION-MAINTAINED LOW FUEL NATIVE SCRUB SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW)

CONTAINER PLANTS		SPACING (TYP.)	NUMBER PER ACRE	GROUPING SIZE
BOTANICAL NAME	COMMON NAME			
BACCHARIS PILLULARIS	COYOTE BUSH	5' O.C.	60	5
ISOCOMA MENZIESII	COASTAL GOLDENBUSH	4' O.C.	60	5
ORPENTIA LITTORALIS	COASTAL FRICKLY PEAR	4' O.C.	30	6
PERITOMA (ISOMERS) ARBOREA	BLADDERPOD	5' O.C.	30	5

NATIVE HYDROSEED
NOTE: ALL DIEGAN COASTAL SAGE SCRUB RESTORATION-MAINTAINED LOW FUEL NATIVE SCRUB AREAS SHALL RECEIVE HYDROSEED APPLICATION WITH THE FOLLOWING PERCENT PROPORTION BY WEIGHT.

BOTANICAL NAME	COMMON NAME	PURITY %	GERMINATION RATE %	BULK APP. RATE (LBS/ACRE)
ACMISPON GLABER	DEER NEED	45	80	2.00
DEINANDRA FASCICULATA	FASCICULATED TAPRANT	20	80	3.00
ENCELIA CALIFORNICA	CALIFORNIA ENCELIA	40	60	3.00
EROPHYLLUM CONFERTIFLORUM	GOLDEN-YARROW	30	10	4.00
EUCRYPTIA CHRYSANTHEMIFOLIA	COMMON EUCRYPTIA	40	10	2.00
HELIOTRICHUM GRANDIFLORA	TELEGRAPH WEEB	40	50	1.00
STIPA FILICRA	PURPLE NEEDLE GRASS	40	80	6.00
				BULK 21.00

100% SUCCULENT PLANT PALETTE

PLANTING AREA PER BIOLOGIST - ZONE C-3 100% SUCCULENT PLANTING AREA
(ALL PLANTING WITHIN THE ZONE C-3 100% SUCCULENT PLANTING AREA SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW)

CONTAINER PLANTS	
BOTANICAL NAME	COMMON NAME
**AGAVE SHAWII	COASTAL AGAVE
CYLINDROPUNTIA PROLIFERA	COAST CHOLLA
ORPENTIA LITTORALIS	COASTAL FRICKLY PEAR

** USE FOR SCREENING RETAINING WALL

50% MIN. SUCCULENT PLANT PALETTE

PLANTING AREA PER BIOLOGIST - ZONE C-3 50% MIN. SUCCULENT PLANTING AREA
(ALL PLANTING WITHIN THE ZONE C-3 50% MIN. SUCCULENT PLANTING AREA SHALL BE NATIVE PLANT MATERIAL PER NOTES BELOW)

CONTAINER PLANTS	
BOTANICAL NAME	COMMON NAME
BACCHARIS PILLULARIS	COYOTE BUSH
CYLINDROPUNTIA PROLIFERA	COAST CHOLLA
ISOCOMA MENZIESII	COASTAL GOLDENBUSH
ORPENTIA LITTORALIS	COASTAL FRICKLY PEAR
PERITOMA (ISOMERS) ARBOREA	BLADDERPOD

NATIVE HYDROSEED
NOTE: ALL ZONE C-3 50% MIN. SUCCULENT PLANTING AREAS SHALL RECEIVE HYDROSEED APPLICATION WITH THE FOLLOWING PERCENT PROPORTION BY WEIGHT.

BOTANICAL NAME	COMMON NAME	PURITY %	GERMINATION RATE %	BULK APP. RATE (LBS/ACRE)
ACMISPON GLABER	DEER NEED	45	80	2.00
EROPHYLLUM CONFERTIFLORUM	GOLDEN-YARROW	30	10	4.00
STIPA FILICRA	PURPLE NEEDLE GRASS	40	80	6.00
				BULK 12.00

NOTE:
--ALL PROPOSED PLANT MATERIAL SHALL BE REVIEWED AND APPROVED BY THE PROJECT BIOLOGIST. PLANT LIST MAY BE MODIFIED BASED ON RECOMMENDATIONS. FINAL SELECTION SHALL BE PER FUTURE CITY OF CARLSBAD APPROVED CONSTRUCTION DOCUMENTS.
--ALL INVASIVE PLANT SPECIES SHALL BE REMOVED FROM SITE PRIOR TO LANDSCAPE CONSTRUCTION.
--PLANTING IN TRANSITIONAL AREA SHALL CONSIST OF A COMBINATION OF SITE ADAPTIVE AND COMPATIBLE NATIVE AND/OR NON-NATIVE SPECIES, AND SHALL CONFORM TO THE REQUIREMENTS IN SECTION 5 OF THE FIRE PROTECTION REQUIREMENT.

NOTES

- ALL PROPOSED LANDSCAPE AND IRRIGATION SHALL BE IN COMPLIANCE WITH THE CITY OF CARLSBAD DESIGN GUIDELINES.
 - ANY PLANTS IDENTIFIED BY THE CALIFORNIA EXOTIC PEST PLAN COUNCIL AS AN INVASIVE RISK IN SOUTHERN CALIFORNIA WILL NOT BE PERMITTED.
 - ALL SHRUBS AND GROUND COVER AREAS (WITH SLOPES LESS THAN 2:1) AND OVERHEAD SPRAY IRRIGATION SHALL RECEIVE A 3" LAYER OF BARK MULCH. ALL SHRUB AND GROUND COVER AREAS WITH DRIP IRRIGATION SHALL RECEIVE A 3" LAYER OF BARK MULCH. SEE PLANTING SPECIFICATIONS IN LANDSCAPE CONSTRUCTION DOCUMENTS FOR ADDITIONAL INFORMATION.
 - ALL TREES PLANTED WITHIN 10' OF PAVEMENT, CURBS, WALLS OR BUILDINGS SHALL BE INSTALLED WITH LINEAR ROOT BARRIERS. ROOT BARRIERS SHALL BE PLACED AT THE EDGE OF THE ADJACENT PAVEMENT, CURB, WALL OR BUILDING AND SHALL EXTEND 5' EACH SIDE OF THE CENTER OF THE TREE. (DO NOT ENCIRCLE ROOT BALLS). SEE PLANTING SPECIFICATIONS & DETAILS IN LANDSCAPE CONSTRUCTION DOCUMENTS FOR ADDITIONAL INFORMATION.
 - CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO THE INSTALLATION OF TREES. ALL TREES SHALL BE PLANTED AT LEAST 5' FROM ANY UNDERGROUND UTILITY SUCH AS SEWER, GAS, STORM DRAIN, ELECTRICAL, CABLE OR TELEPHONE. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICT BETWEEN TREE LOCATIONS AND UNDERGROUND UTILITIES.
 - NO PLANT SPECIES ON THE CAL-IPC INVASIVE PLANT INVENTORY LIST SHALL BE INCLUDED IN THESE PROJECT LANDSCAPING PLANS.
 - ALL PLANTING AREAS TO HAVE A SURFACE DRAINAGE OF 2% AWAY FROM STRUCTURES AND TERMINATING IN AN APPROVED DRAINAGE SYSTEM.
- (Symbol) TREE WELLS AND AMENDED SOILS PER CIVIL ENGINEERING PLANS

FILE NAME: G:\17-PROJECTS\17-044-CO-LANDARCH-CONCEPT\17-044-CONCEPT.DWG

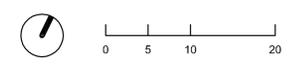
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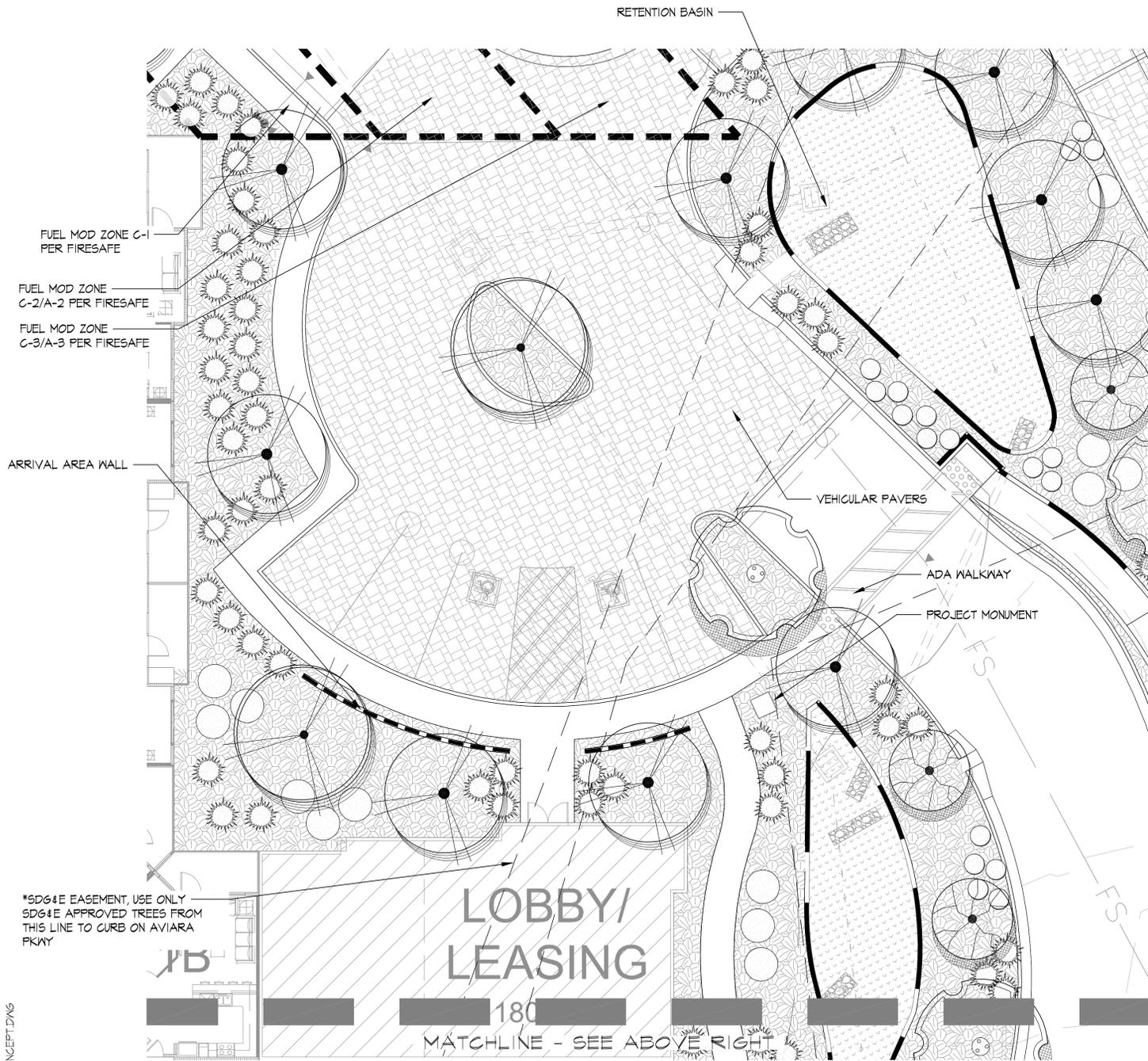
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JANUARY 24, 2020

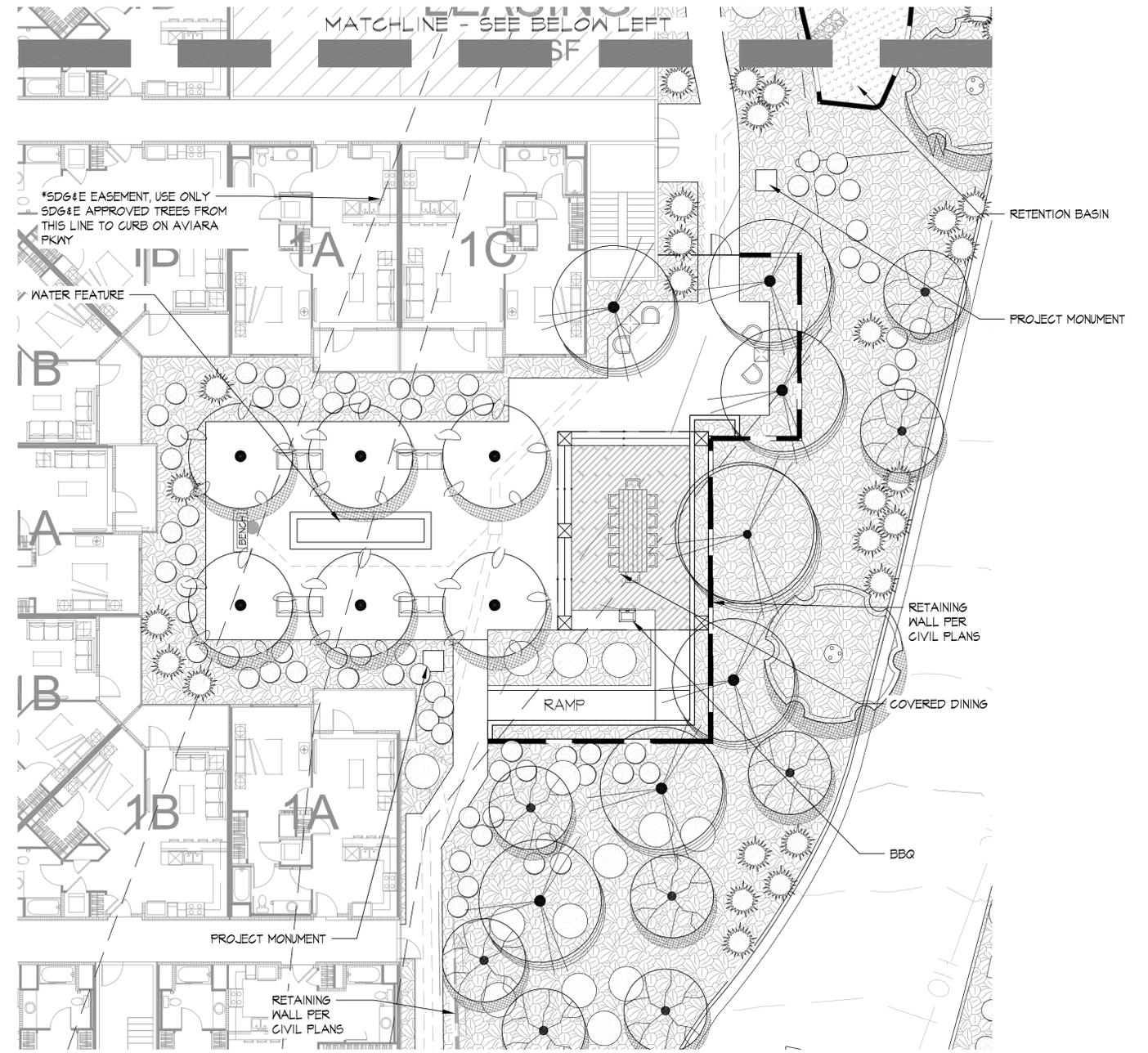


LANDSCAPE PLAN
WEST PARCEL ENLARGEMENT

L2.2



PLAN VIEW - *WEST PARCEL LOBBY REC AREA



PLAN VIEW - *WEST PARCEL PASSIVE REC AREA

***NOTE**
USE ONLY SDG&E APPROVED TREES AND SHRUBS IN THESE AREAS. SEE L1.2 FOR LEGEND.

SEE SHEET L1.2 FOR PLANTING
LEGEND AND NOTES

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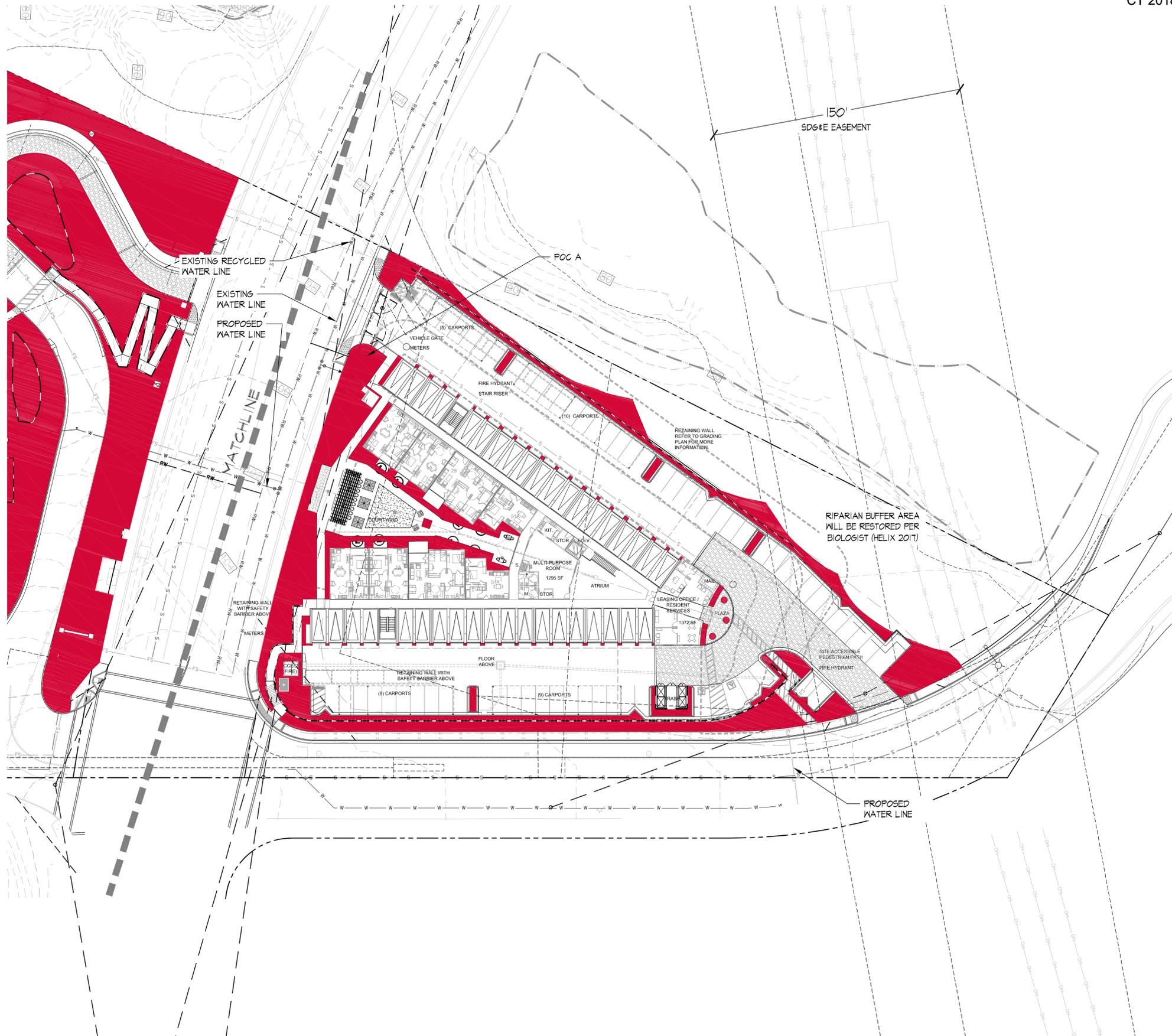
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LANDSCAPE PLAN
WEST PARCEL ENLARGEMENT

L2.3



NOTE
 A DEDICATED WATER SERVICE METER FOR LANDSCAPES SHALL BE INSTALLED FOR ALL NON-RESIDENTIAL IRRIGATED LANDSCAPES OF 1000 SQUARE FEET OR MORE AND RESIDENTIAL IRRIGATED LANDSCAPES OF 5,000 SQUARE FEET OR GREATER.



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RECYCLED WATER USE EXHIBIT
 EAST PARCEL

L3.1

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RIPARIAN BUFFER
AREA WILL BE
RESTORED PER
BIOLOGIST CONCEPT
PLAN (HELIX 2017)



POC B
PROPOSED WATER LINE
PROPOSED RECYCLED WATER LINE

NOTE
A DEDICATED WATER SERVICE METER FOR LANDSCAPES SHALL BE
INSTALLED FOR ALL NON-RESIDENTIAL IRRIGATED LANDSCAPES OF
1000 SQUARE FEET OR MORE AND RESIDENTIAL IRRIGATED
LANDSCAPES OF 5000 SQUARE FEET OR GREATER.

LEGEND
■ AREA SERVED BY RECYCLED WATER ■ AREA SERVED BY POTABLE WATER

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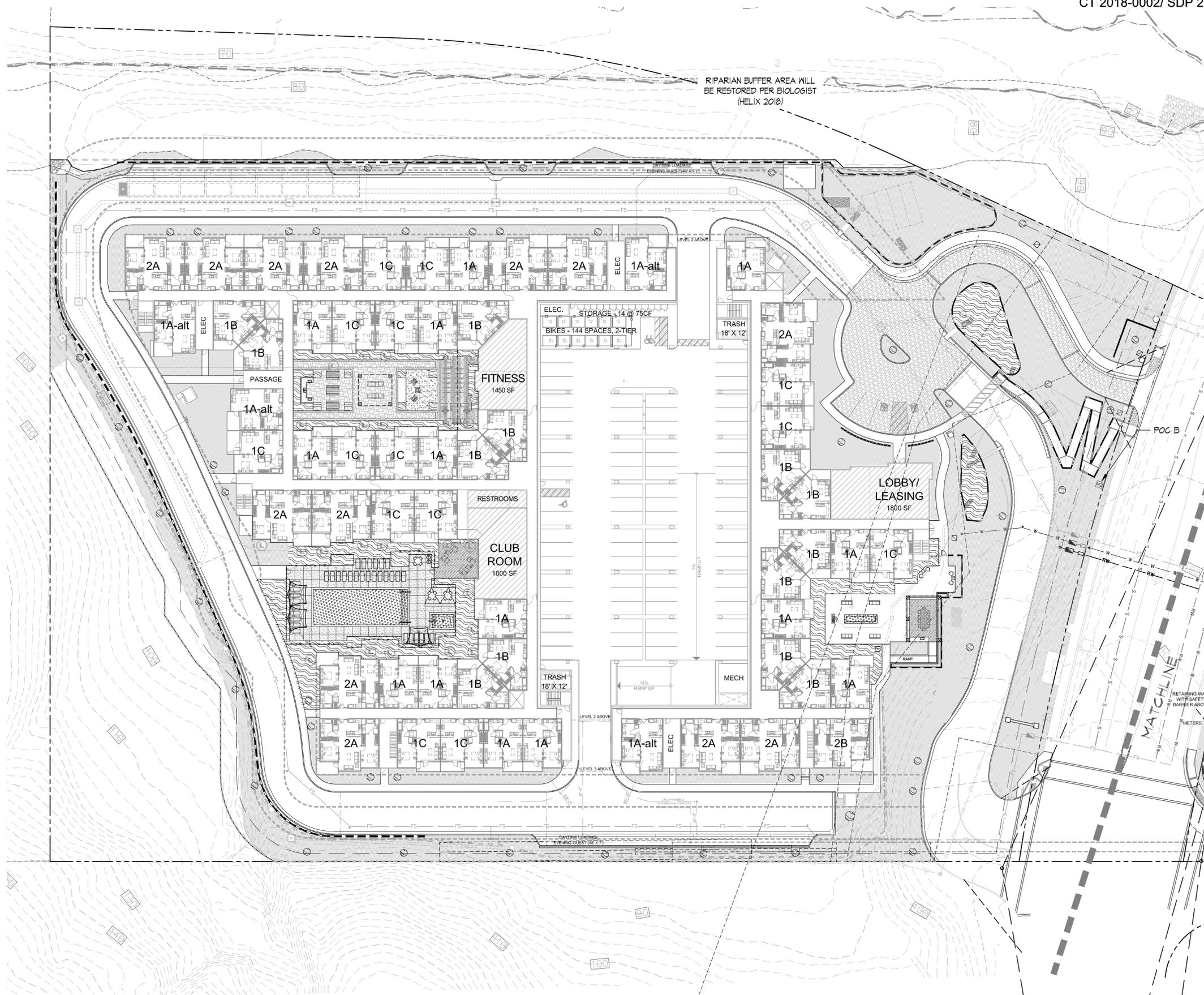
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RECYCLED WATER USE EXHIBIT
WEST PARCEL

L3.2

RIPARIAN BUFFER AREA WILL BE RESTORED PER BIOLOGIST (HELIX 2018)



HYDROZONE LEGEND

	ZONE 1: LOW WATER USE LANDSCAPE LOW WATER USE PLANT MATERIAL OR A COMBINATION OF LOW AND VERY LOW WATER USE PLANTS IS PROPOSED WITHIN LOW WATER USE PLANTING AREAS. NO HIGH WATER USE PLANT MATERIAL.	E: 80 - DRIP	POC A 11,295 SF	POC B 46,028 SF
	ZONE 2: MODERATE WATER USE LANDSCAPE ALL LANDSCAPE AREAS SHALL BE A COMBINATION OF LOW AND MODERATE WATER USE PLANT MATERIAL. MODERATE WATER USE SUBSIDIARY.	E: 80 - DRIP	1,226 SF	11,255
	ZONE 3: HIGH WATER USE LANDSCAPE POOL, SPA, & WATER FEATURES FOR RECREATIONAL AREAS TO BE CALCULATED AS HIGH WATER USE.	E: 55 - POOL AREA (TAKEN FROM SPRAY)	-	15,217 SF

- WATER CONSERVATION NOTES**
1. WATER EFFICIENT LANDSCAPE SHALL NOT EXCEED THE MAXIMUM WATER ALLOWANCE PER THE STATE OF CALIFORNIA WATER CONSERVATION IN LANDSCAPING ACT.
 2. AN AUTOMATIC SMART IRRIGATION CONTROLLER WITH WEATHER ADJUSTING CAPABILITIES SHALL BE UTILIZED.
 3. XERISCAPE PRINCIPLES SHALL BE APPLIED.
 4. PLANTING SHALL BE GROUPED INTO HYDROZONES FOR EFFICIENT DISTRIBUTION OF IRRIGATION WATER.

NOTE
A DEDICATED WATER SERVICE METER FOR LANDSCAPES SHALL BE INSTALLED FOR ALL NON-RESIDENTIAL IRRIGATED LANDSCAPES OF 1000 SQUARE FEET OR MORE AND RESIDENTIAL IRRIGATED LANDSCAPES OF 5000 SQUARE FEET OR GREATER.

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JANUARY 24, 2020



WATER CONSERVATION EXHIBIT
WEST PARCEL

L4.2

COMPLIANCE STATEMENT

I AM FAMILIAR WITH THE REQUIREMENTS FOR LANDSCAPE AND IRRIGATION PLANS CONTAINED IN THE CITY OF CARLSBAD'S LANDSCAPE MANUAL AND WATER EFFICIENT LANDSCAPE REGULATIONS. I HAVE PREPARED THIS PLAN IN COMPLIANCE WITH THOSE REGULATIONS AND THE LANDSCAPE MANUAL. I CERTIFY THAT THE PLAN IMPLEMENTS THOSE REGULATIONS TO PROVIDE EFFICIENT USE OF WATER

SIGNATURE:  DATE: 01/12/2018
 REGISTRATION NO. 3503 EXP. 03-2019

HYDROZONE LEGEND

	ZONE 1: LOW WATER USE LANDSCAPE LOW WATER USE PLANT MATERIAL OR A COMBINATION OF LOW AND VERY LOW WATER USE PLANTS IS PROPOSED WITHIN LOW WATER USE PLANTING AREAS. NO HIGH WATER USE PLANT MATERIAL.	IE: .80 - DRIP	POC A 11,395 SF	POC B 45,028 SF
	ZONE 2: MODERATE WATER USE LANDSCAPE ALL LANDSCAPE AREAS SHALL BE A COMBINATION OF LOW AND MODERATE WATER USE PLANT MATERIAL.	IE: .80 - DRIP	1,726 SF	11,255
	ZONE 3: HIGH WATER USE LANDSCAPE POOL, SPA, & WATER FEATURES FOR RECREATIONAL AREAS TO BE CALCULATED AS HIGH WATER USE.	IE: .55 - POOL AREA (TAKEN FROM SPRAY)	-	1,521 SF

THE SEVEN PRINCIPLES OF "XERISCAPE" PER CITY OF CARLSBAD MANUAL

- 1: GOOD DESIGN
- 2: THOROUGH SOIL PREPARATION.
- 3: CAREFULLY PLANNED USE OF SHRUB AND LAWN AREAS.
- 4: ADAPTED, LOW WATER DEMAND PLANTS.
- 5: EFFECTIVE AND EFFICIENT WATERING METHODS.
- 6: MULCHED FLOWER AND SHRUB BEDS.
- 7: PROPER LANDSCAPE MAINTENANCE & MANAGEMENT.

NOTE: ALL PLANS SHALL COMPLY WITH THE LANDSCAPE MANUAL SLOPE REVEGETATION / EROSION CONTROL REQUIREMENTS.

PER THE WATER CONSERVATION SECTION OF THE LANDSCAPE DESIGN MANUAL (C.3-4.6), WOODY SHRUBS ARE TO BE PLANTED OVER HERBACEOUS GROUNDCOVER TO COVER 60% OF THE GROUNDCOVER AREA AT MATURITY.

HOW THE LAUREL TREE CONCEPT PLANS UTILIZE THESE PRINCIPLES

- 1: THE DESIGN UTILIZES LOW WATER USE PLANTING PALETTE ON ALL SLOPES, PARKWAYS AND SIDEYARDS.
- 2: SOIL AMENDMENTS AND PREPARATION HAVE BEEN INDICATED IN PLANTING SPECS.
- 3: MINIMIZED THE USE OF LAWN
- 4: NATIVE AND DROUGHT TOLERANT PLANTS HAVE BEEN USED FOR MAJORITY OF SHRUB AREAS AND ALL SLOPE AREAS. SEE PLANT LEGEND- SHEET L1.5
- 5: IRRIGATION WILL BE ON AN AUTOMATIC TIMER AND BE FURNISHED WITH A RAIN SENSOR.
- 6: ALL SHRUB BEDS SHALL BE MULCHED PER PLANTING SPECIFICATIONS.
- 7: LANDSCAPE SHALL BE HOA MAINTAINED.

ALL STREET TREES ARE TO BE LOCATED ACCORDING TO THE FOLLOWING:

- A. INSIDE THE PUBLIC RIGHT-OF-WAY, UNLESS APPROVED OTHERWISE BY THE CITY.
- B. A MIN. OF 5' FROM PAVING.
- C. A MIN. OF 7' FROM ANY SEWER LINE.
- D. NOT IN CONFLICT WITH PUBLIC UTILITIES.
- E. NOT TO BE ALLOWED ON STREET CORNERS WITHIN A TRIANGULAR ZONE

DRAWN FROM TWO POINTS, 25' FROM THE BEGINNING OF CURVES AND END OF CURVES OR WITHIN SIGHT LINES AS DESCRIBED UNDER "SIGHT DISTANCE" IN THE LANDSCAPE DESIGN MANUAL (APPENDIX C.4)

ALL UTILITIES ARE TO BE SCREENED.

NOTE: ONLY SUBSURFACE IRRIGATION SHALL BE USED TO IRRIGATE ANY VEGETATION WITHIN TWENTY-FOUR INCHES OF AN IMPERMEABLE SURFACE UNLESS THE ADJACENT IMPERMEABLE SURFACES ARE DESIGNED AND CONSTRUCTED TO CAUSE WATER TO DRAIN ENTIRELY INTO A LANDSCAPED AREA.

WELO Worksheets

Water Efficient Landscape Worksheet

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

HYDROZONE INFORMATION TABLE

Please complete the hydrozone table(s) for each hydrozone. Use as many tables as necessary to provide the square footage of landscaped area per hydrozone.

Controller #	Hydrozone *	Zone or Valve	Irrigation Method**	Plant Type/Factor *** (PF)	Hydrozone Area (Sq. Ft.)	% of Total Landscaped Area
A	1	1	D	LW	11,395	87%
A	2	2	D	MW	1,726	13%
B	1	1	D	LW	45,028	78%
B	2	2	D	MW	11,255	19%
B	3	3	S	HW	1,527	3%
Total					70,931	100%

* Hydrozone
 VLW - Very Low Water Use Plants
 LW - Low Water Use Plants
 MW - Moderate Water Use Plants
 HW - High Water Use Plants

** Irrigation Method
 MS = Micro-spray
 S = Spray
 R = Rotor
 B = Bubbler
 D = Drip
 O = Other

*** Plant Factor from WUCOLS
 PLW = 0.1
 LW = 0.3
 MW = 0.5
 HW = 0.8

Appendix F
 City of Carlsbad Landscape Manual

POC A

APPENDIX F: WELO WORKSHEETS

Hydrozone Table for Calculating ETWU

Please complete the hydrozone table(s). Use as many tables as necessary.

	Process Step No. (Below)	Hydrozone Number (1 - 5 with SLA Zone Below - use as many tables as necessary to complete all hydrozones)					SLA
		1	2	3	4	5	
Evapotranspiration Rate (ETo)*	1	44					
Conversion Factor	2	0.62					
(Step 1 x Step 2)	3	27.28					
Plant Factor (PF)** (From WUCOLS) (VLW - HW) (0.1 - 0.8)	4	0.3	0.5				
Area of Hydrozone (sq. ft.) (HA)	5	11,395	1,726			0	
(Step 4 x Step 5)	6	3,419	863				
Irrigation Efficiency (IE)***	7	0.8	0.8				
(Step 6 x Step 7)	8	4,274	1,078				
(Total All Step 8 + Total SLA sq. ft. in Step 5)	9	5,352					
(Step 3 x Step 9) Estimated Total Water Use in gallons per year (ETWU) - Total shall not exceed MAWA	10	146,023 GALLONS PER YEAR					

ETo*
 West of I-5 = 40.0
 East of I-5 and West of El Camino Real = 44.0
 East of El Camino Real = 47.0
 Applicant may provide a different ETo if supported by documentation subject to approval by the City Planning Division

***IE
 Micro-spray = .80
 Spray = .72
 Rotor = .75
 MP Rotor = .75
 Bubbler = .75
 Drip = .80

** Plant Factor & Water Use
 0.1 = VLW - Very Low Water Use Plants
 0.3 = LW - Low Water Use Plants
 0.5 = MW - Moderate Water Use Plants
 0.8 = HW - High Water Use Plants

City of Carlsbad Landscape Manual

POC B

APPENDIX F: WELO WORKSHEETS

Hydrozone Table for Calculating ETWU

Please complete the hydrozone table(s). Use as many tables as necessary.

	Process Step No. (Below)	Hydrozone Number (1 - 5 with SLA Zone Below - use as many tables as necessary to complete all hydrozones)					SLA
		1	2	3	4	5	
Evapotranspiration Rate (ETo)*	1	44					
Conversion Factor	2	0.62					
(Step 1 x Step 2)	3	27.28					
Plant Factor (PF)** (From WUCOLS) (VLW - HW) (0.1 - 0.8)	4	0.3	0.5	0.8			
Area of Hydrozone (sq. ft.) (HA)	5	45,028	11,255	1,527		0	
(Step 4 x Step 5)	6	13,508	5,627	1,221			
Irrigation Efficiency (IE)***	7	0.8	0.8	1.0			
(Step 6 x Step 7)	8	16,885	7,033	1,221			
(Total All Step 8 + Total SLA sq. ft. in Step 5)	9	25,139					
(Step 3 x Step 9) Estimated Total Water Use in gallons per year (ETWU) - Total shall not exceed MAWA	10	685,791 GALLONS PER YEAR					

ETo*
 West of I-5 = 40.0
 East of I-5 and West of El Camino Real = 44.0
 East of El Camino Real = 47.0
 Applicant may provide a different ETo if supported by documentation subject to approval by the City Planning Division

***IE
 Micro-spray = .80
 Spray = .72
 Rotor = .75
 MP Rotor = .75
 Bubbler = .75
 Drip = .80

** Plant Factor & Water Use
 0.1 = VLW - Very Low Water Use Plants
 0.3 = LW - Low Water Use Plants
 0.5 = MW - Moderate Water Use Plants
 0.8 = HW - High Water Use Plants

City of Carlsbad Landscape Manual

Maximum Applied Water Allowance

A landscape project subject to the Water Efficient Landscape Ordinance shall include the MAWA for the plans, including the calculations used to determine the MAWA. A landscape project shall not exceed the MAWA. The MAWA for a landscape project shall be determined by the following equation:

Residential: MAWA = (ETo)(0.62)[(0.55 x LA) + (0.45 x SLA)]
 Non-Residential: MAWA = (ETo)(0.62)[(0.45 x LA) + (0.55 x SLA)]

The abbreviations used in the equation have the following meanings:

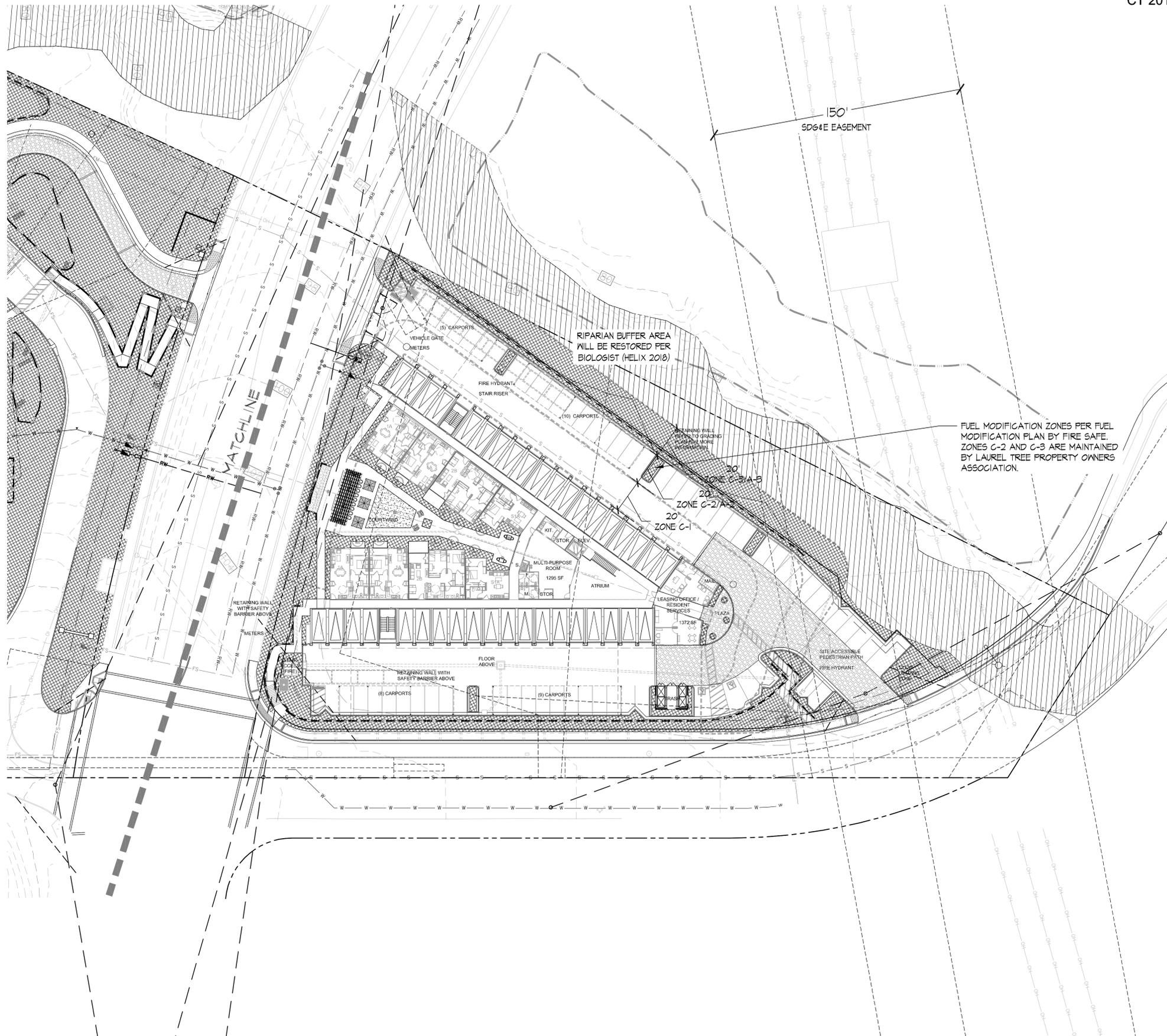
MAWA - Maximum Applied Water Allowance in gallons per year.
 ETo - Evapotranspiration in inches per year.
 0.55 or 0.45 - Conversion factor to gallons per square foot.
 LA - ET adjustment factor (ETAF) for plant factors and irrigation efficiency.
 0.45 or 0.55 - Landscaped area includes special landscaped area in square feet.
 SLA - The additional ET adjustment factor for a special landscaped area (1.0 - 0.55 = 0.45 or 1.0 - 0.45 = 0.55)
 Special landscaped area in square feet.

Show Calculation:

CONTROLLER B MAWA = (44)(0.62)[(0.55 x 57,810)]
 = (44)(0.62)[31,795]
 = 867,381

CONTROLLER A MAWA = (44)(0.62)[(0.55 x 13,121)]
 = (44)(0.62)[7,216]
 = 196,867

Maximum Applied Water Allowance = 1,064,248 gallons per year



MAINTENANCE LEGEND

- LAUREL TREE PROPERTY OWNERS ASSOCIATION MAINTENANCE
- MAINTAINED BY LAND MANAGER, NON-HOA

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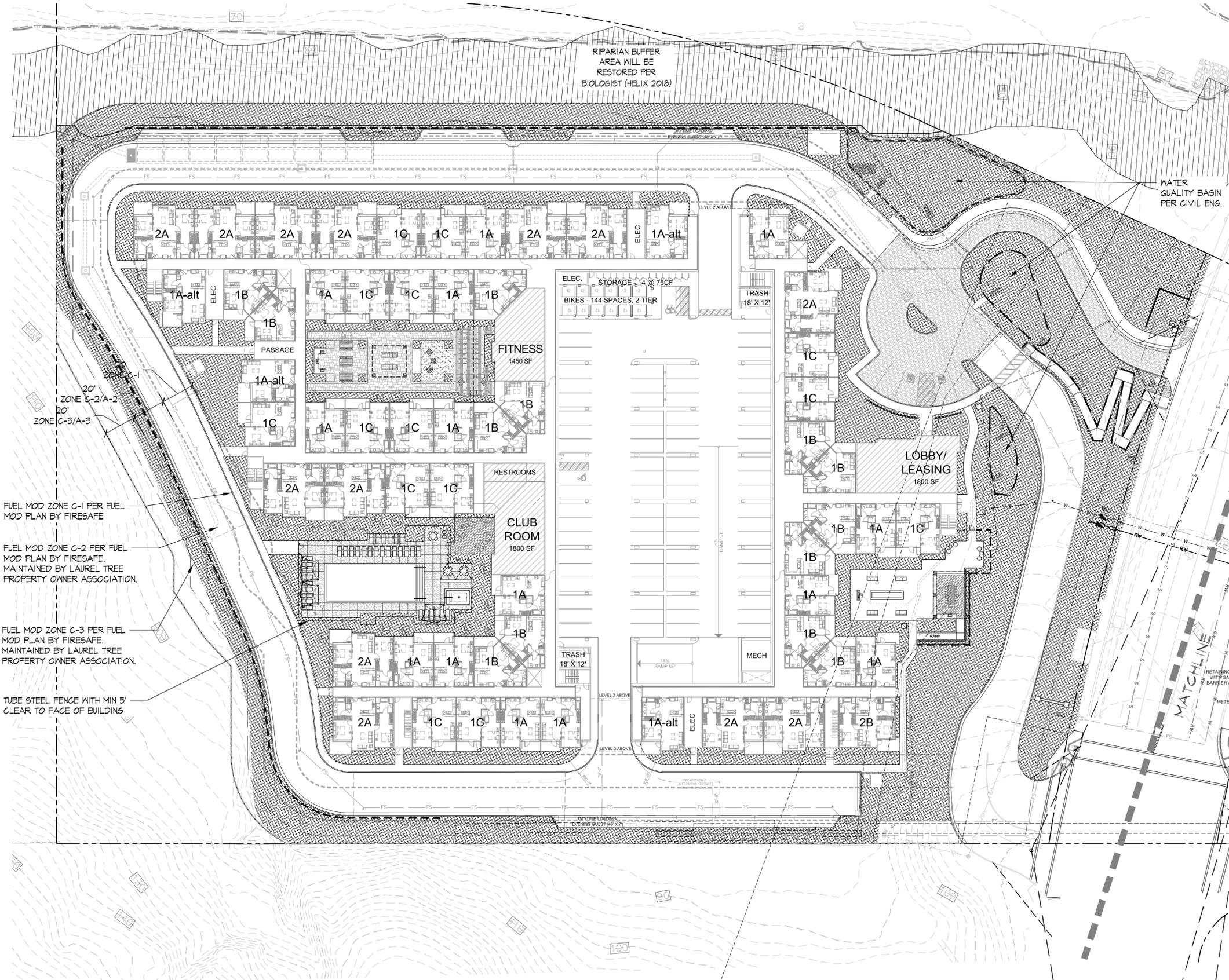
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 JANUARY 24, 2020



MAINTENANCE EXHIBIT
 EAST PARCEL

L5.1



FUEL MOD ZONE C-1 PER FUEL MOD PLAN BY FIRESAFE

FUEL MOD ZONE C-2 PER FUEL MOD PLAN BY FIRESAFE. MAINTAINED BY LAUREL TREE PROPERTY OWNER ASSOCIATION.

FUEL MOD ZONE C-3 PER FUEL MOD PLAN BY FIRESAFE. MAINTAINED BY LAUREL TREE PROPERTY OWNER ASSOCIATION.

TUBE STEEL FENCE WITH MIN 5' CLEAR TO FACE OF BUILDING

RIPARIAN BUFFER AREA WILL BE RESTORED PER BIOLOGIST (HELIX 2018)

WATER QUALITY BASIN PER CIVIL ENG.

MAINTENANCE LEGEND

LAUREL TREE PROPERTY OWNERS ASSOCIATION MAINTENANCE

MAINTAINED BY LAND MANAGER NON-HCA

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Avira Apartments
CARLSBAD, CA # 160328

CONCEPTUAL DESIGN
JANUARY 24, 2020



LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CARLSBAD, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 (ASSESSORS PARCEL NO. 212-040-56-00):

THAT CERTAIN PORTION OF LOT "G" OF RANCHO AGUA HEDIONDA, THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 823, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST EASTERLY CORNER COMMON TO PARCELS "B" AND "C" OF PARCEL MAP NO. 2993, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL "C", NORTH 73°25'32" EAST, 218.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE LEAVING SAID SOUTHERLY LINE, EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°52'27" AN ARC LENGTH OF 319.58 FEET; THENCE TANGENT TO SAID CURVE SOUTH 83°42'01" EAST, 254.06 FEET; THENCE SOUTH 81°37'46" EAST, 525.00 FEET TO A POINT IN THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF PARCEL "D", OF SAID PARCEL MAP NO. 2993; THENCE SOUTHWESTERLY ALONG SAID EXTENSION SOUTH 13°36'43" WEST, 114.38 FEET; THENCE SOUTH 71°35'51" WEST, 1165.74 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "B"; THENCE NORTHWESTERLY ALONG THE NORTHEAST LINE OF SAID PARCEL "B" NORTH 18°24'09" WEST, 519.41 FEET TO THE POINT OF THE BEGINNING.

PURSUANT TO CERTIFICATE OF COMPLIANCE RECORDED SEPTEMBER 27, 1985 AS INSTRUMENT NO. 1985-359769 OF OFFICIAL RECORDS.

PARCEL 2

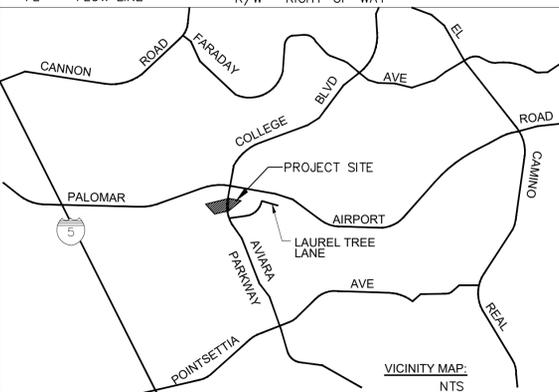
AN EASEMENT AND RIGHT OF WAY FOR ROAD AND PUBLIC UTILITY PURPOSES OVER ALL THAT PORTION OF PARCEL D OF PARCEL MAP 2993 AND A PORTION OF LOT "G" OF RANCHO AGUA HEDIONDA, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 823, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL "D"; THENCE SOUTH 13°36'43" WEST ALONG THE EASTERLY LINE THEREOF, 13.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 13°36'43" WEST ALONG SAID EASTERLY BOUNDARY AND THE SOUTHERLY PROLONGATION THEREOF, 531.99 FEET; THENCE NORTH 81°37'46" WEST 30.13 FEET; THENCE NORTH 13°36'43" EAST, 533.43 FEET TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL MAP; THENCE ALONG SAID NORTHERLY LINE, SOUTH 78°54'09" EAST 30.03 FEET TO THE TRUE POINT OF BEGINNING.

LEGEND

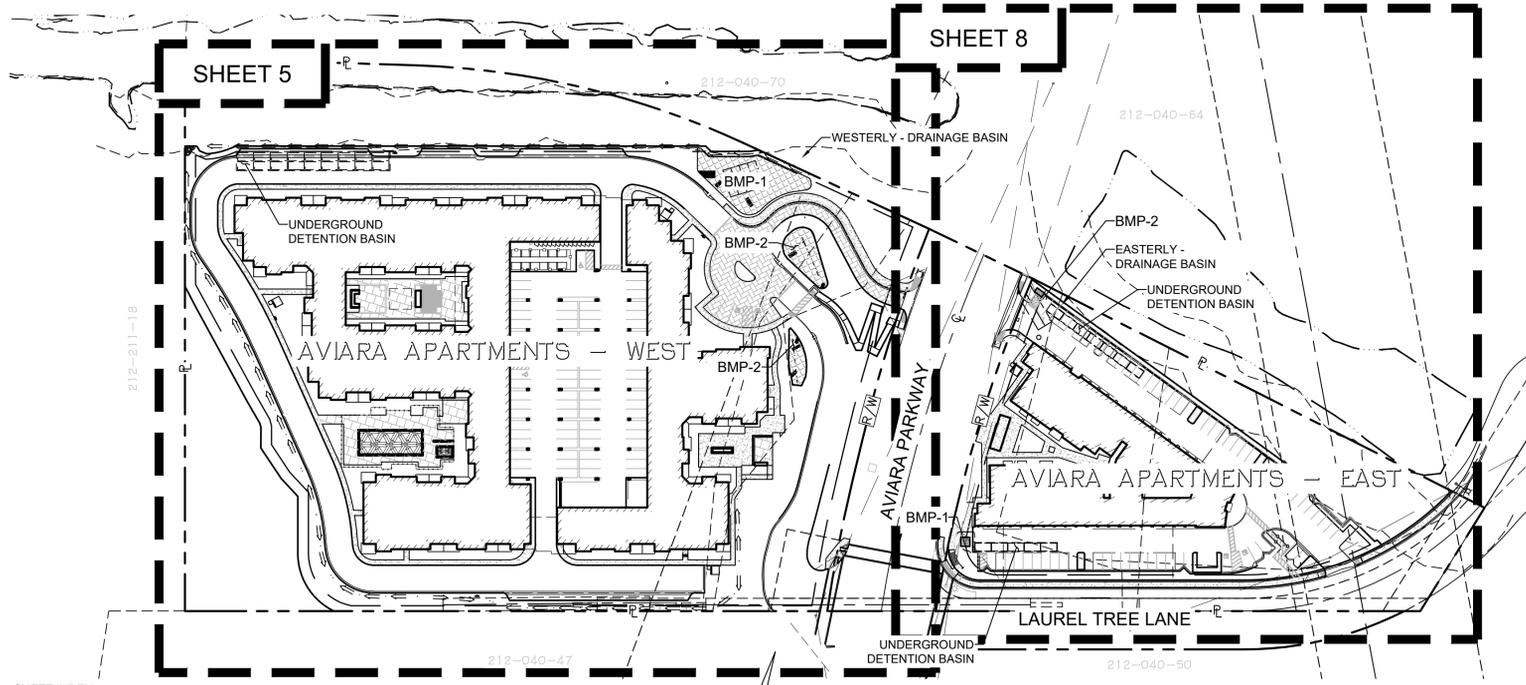
Table with 2 columns: DESCRIPTION and SYMBOL. Lists various engineering symbols for property boundaries, proposed contours, retaining walls, storm drains, sewer mains, fire hydrants, water lines, fire service, daylight, grading limits, inundation, detention basins, driveways, pavers, biofiltration basins, ADA lifts, wetlands, street trees, and power lines.

LEGEND OF ABBREVIATIONS:

Table mapping abbreviations to full names: AC (Asphaltic Concrete), CL (Centerline), DS (Down Spout), EOP (Edge of Pavement), EX (Existing), FH (Fire Hydrant), FL (Flow Line), FS (Finish Surface), HP (High Point), IE (Invert Elevation), LP (Low Point), MH (Manhole), NTS (Not to Scale), PL (Property Line), PP (Power Pole), R/W (Right-of-Way), RCP (Reinforced Concrete Pipe), SD (Storm Drain), ST LT (Street Light), TC (Top of Curb), YL (Yard Light).



TENTATIVE MAP NO. CT2018-0002 FOR AVIARA APARTMENTS



SHEET INDEX

- 1 TITLE SHEET
2 SITE PROPERTY LINE INFORMATION
3 WEST - EASEMENT AND ENCUMBRANCE PLAN
4 WEST - UTILITY & STORM DRAIN PLAN
5 WEST - GRADING PLAN
6 EAST - EASEMENT AND ENCUMBRANCE PLAN
7 EAST - UTILITY & STORM DRAIN PLAN
8 EAST - GRADING PLAN
9 DETAILS
10 DETAILS
11 DETAILS
12 WEST - PROFILES AND SECTIONS
13 LAUREL TREE LANE STRIPING PLAN
14 AVIARA PARKWAY STRIPING PLAN
15 WEST - NORTHERLY RET. WALL PROFILE
16 WEST - PALOMAR AIRPORT ROAD SECTION
17 EAST - NORTHERLY RET. WALL PROFILE
18 EAST - SOUTHERLY RET. WALL PROFILE
19 EAST - SOUTHERLY RET. WALL SECTIONS
20 OVERALL- PARKING EXHIBIT
21 GARAGE PARKING EXHIBIT
22 WEST - TRUCK TURNING MOVEMENTS
23 EAST - TRUCK TURNING MOVEMENTS
24 EAST - VEHICLE TURNING MOVEMENTS

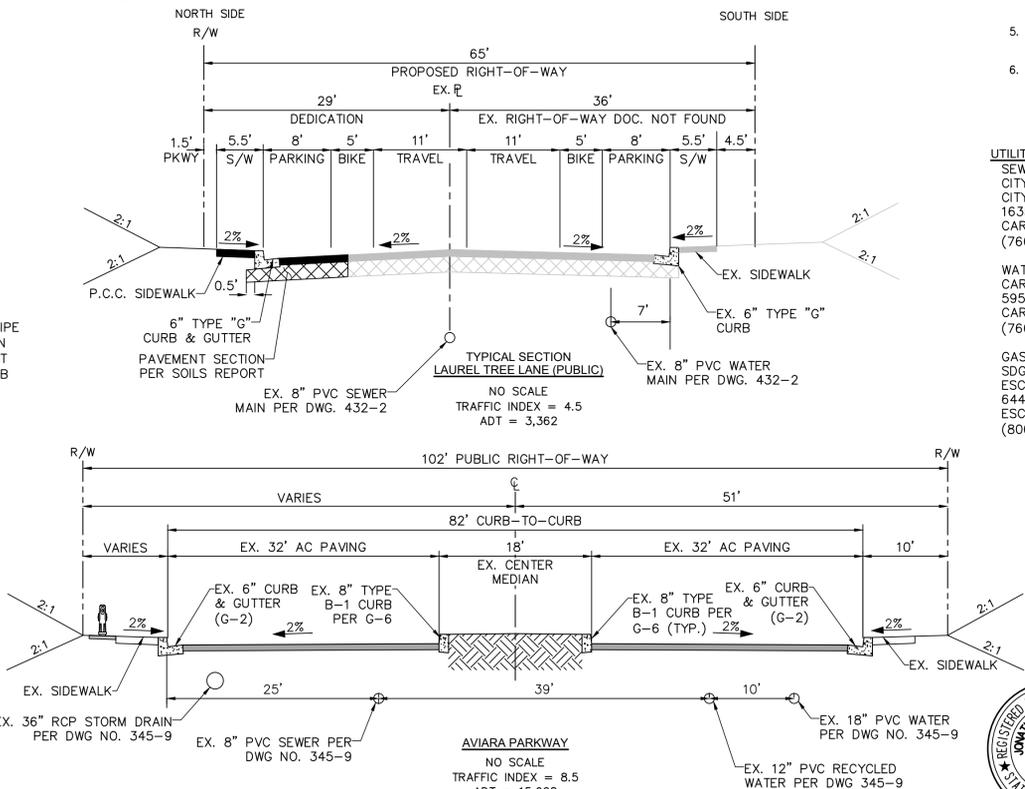
KEY MAP: SCALE: 1" = 80'

STORM WATER QUALITY NOTES:

- 1. SUFFICIENT BMPs MUST BE INSTALLED TO PREVENT SILT, MUD OR OTHER CONSTRUCTION DEBRIS FROM BEING TRACKED ON TO ADJACENT STREET(S) OR STORM WATER CONVEYANCE SYSTEMS...
2. ALL STOCKPILES OF UNCOMPACTED SOIL AND/OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT UNPROTECTED FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE PROVIDED WITH EROSION AND SEDIMENT CONTROLS...
3. A CONCRETE WASH OUT SHALL BE PROVIDED ON ALL PROJECTS, WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS THAT ARE TO BE POURED IN PLACE ON THE SITE.
4. ALL EROSION/SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED IN WORKING ORDER AT ALL TIMES.
5. ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
6. THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS TO THE ENVIRONMENT.

UTILITIES

- SEWER - CITY OF CARLSBAD PUBLIC WORKS
CABLE & TELEPHONE - CITY OF CARLSBAD PUBLIC WORKS
WATER - CARLSBAD MUNICIPAL WATER DISTRICT
GAS & ELECTRIC - ESCONDIDO BRANCH OFFICE



APPROVED stamp with text: THIS IS THE APPROVED TENTATIVE MAP/SITE PLAN FOR PROJECT NO. ... PER CONDITION NO. ... OF PLANNING COMMISSION RESOLUTION NO. ...

DECLARATION OF RESPONSIBLE CHARGE: I HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THAT THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS.



JONATHAN RAAB RYDEEN ~ RCE 64811 EXP 6/30/19

Table with columns: SITE INFORMATION, LOT CLASSIFICATION, WEST, EAST. Lists parcel areas, proposed lot areas, impervious areas, units, density, building coverage, floor area, landscaping, parking spaces, resident/guest spaces, undevelopable area, and average daily traffic.

TITLE REPORTS

TITLE REPORT PREPARED BY FIDELITY NATIONAL TITLE COMPANY ORDER No.: 002-23080013-B-CI

TOPOGRAPHY SOURCE

- 1. AERIAL TOPOGRAPHY PROVIDED BY: SAN - LO AERIAL SURVEYS ON 6/13/16
2. FIELD SURVEYS COMPLETED BY REC CONSULTANTS

REMEDIAL GRADING QUANTITIES

WEST - 38,385 CY EAST - 54,196 CY
DEPTH - 3'-7" DEPTH - 17'-20"
SHRINKAGE - 2,870 CY SHRINKAGE - 3,446 CY
PER GEOSOLS PRELIMINARY GEOTECHNICAL EVALUATION DATED: JULY 7, 2016

GRADING QUANTITIES

AVIARA APARTMENTS - WEST AVIARA APARTMENTS - EAST
CUT: 736 CY CUT: 856 CY
FILL: 42,178 CY FILL: 7,767 CY
SHRINKAGE: 2,870 CY SHRINKAGE: 3,446 CY
IMPORT: 44,312 CY IMPORT: 10,357 CY

DRAINAGE QUANTITIES

PROPOSED FLOW (Q100): WEST: 30.48 CFS EAST: 1.53 CFS
EXISTING FLOW (Q100): WEST: 33.21 CFS EAST: 1.54 CFS
MASTER DRAINAGE BASIN: C

GRADED AREA

WEST: 6.02 AC; 262,231 SF EAST: 1.59 AC; 67,670 SF

ZONING

EXISTING RD-M LAND USE EXISTING R-30 RESIDENTIAL
PROPOSED RD-M PROPOSED R-30 RESIDENTIAL

FEMA ZONE

COMMUNITY: SAN DIEGO COUNTY PANEL: 1035 OF 2375
MAP NO. 06073C10356 REVISION: DATE: MAY 16, 2012
ZONE: X (AREA DETERMINED TO BE OUTSIDE OF 500- YEAR FLOODPLAIN)

BENCH MARK

DESCRIPTION: MONUMENT CLS5-054

LOCATION: 0.4 MI NORTHERLY OF PALOMAR AIRPORT ROAD IN THE CENTER OF BULB AT THE NORTH END OF HIDDEN VALLEY ROAD OPPOSITE ENTRANCE TO WATER TANK.

RECORD FROM: R.O.S. 17271

ELEVATION: 238.92 DATUM: NGVD 29

OWNER:

JAMES S. UKEGAWA
4218 SKYLINE RD.
CARLSBAD, CA 92008
(760) 603-9608

CONSULTANTS

- CIVIL - JONATHAN RAAB RYDEEN
RECONSTRUCTORS - REC CONSULTANTS
SURVEY - ALAN REAM
ARCHITECT - SARA FERNANDEZ
KTOY ARCHITECTURE + PLANNING

OWNER'S CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE RECORD OWNERS OF THE PROPERTY SHOWN ON THE TENTATIVE SUBDIVISION MAP AND THAT SAID MAP SHOWS ALL OUR CONTIGUOUS OWNERSHIP IN WHICH WE HAVE ANY DEED OR TRUST INTEREST. WE UNDERSTAND THAT OUR PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS, OR RAILROAD RIGHT-OF-WAYS. WE WILL COMPLY WITH THE PARK AND LAND DEDICATION ORDINANCE.

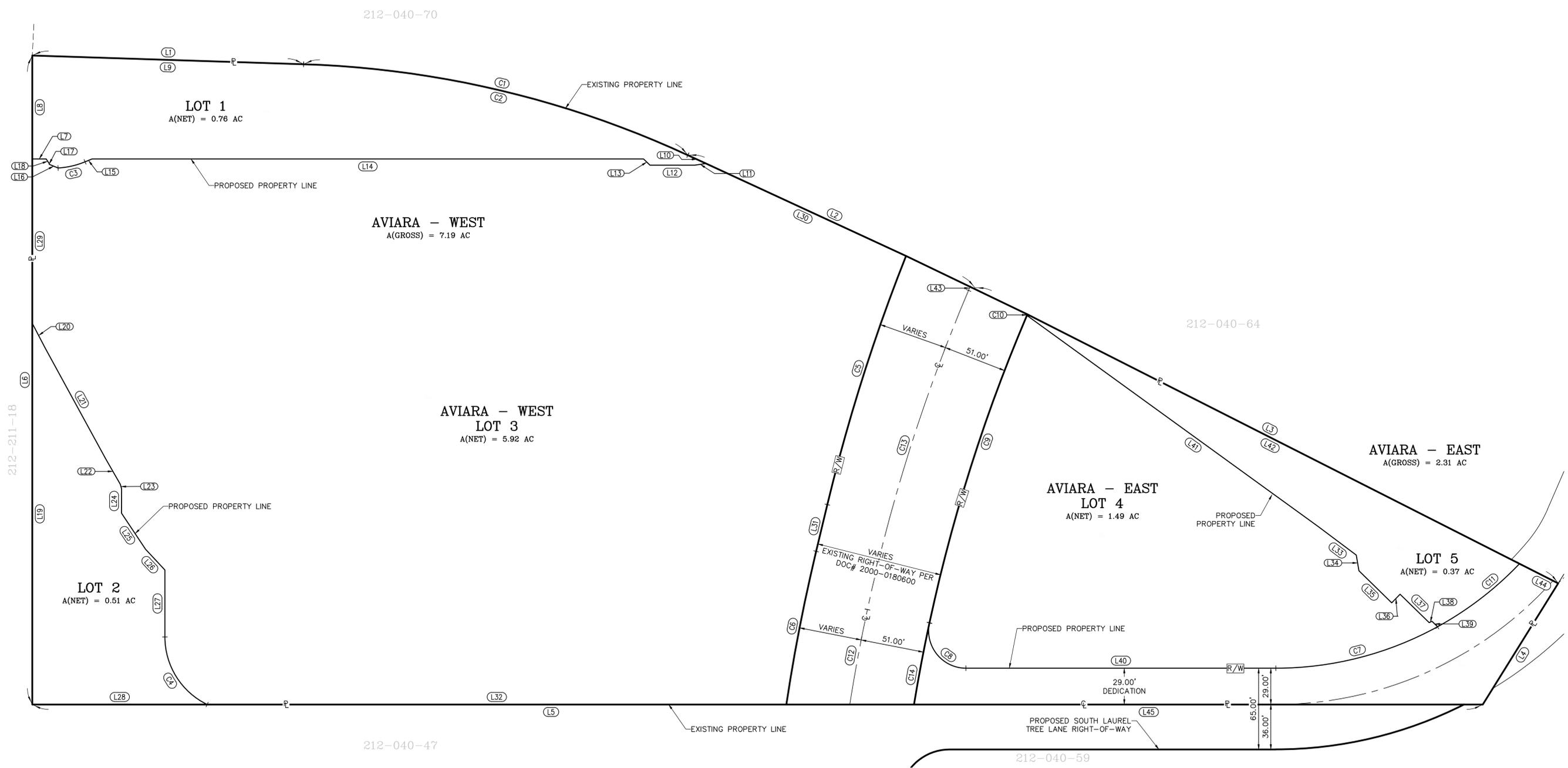
JAMES S. UKEGAWA
4218 SKYLINE RD.
CARLSBAD, CA 92008
(760) 603-9608

BY:

JAMES S. UKEGAWA

DATE

Vertical sidebar containing: REVISIONS table, Civil Engineering - Environmental Land Surveying logo, REC logo, TENTATIVE MAP title, AVIARA APARTMENTS project name, and SHEET 1 OF 24 SHEETS.



EXISTING PARCEL - DATA TABLE

#	BEARING/DELTA	RADIUS	LENGTH
C1	Δ = 22°52'27"	800.00'	319.38'
L1	N 74°00'17" E		218.15'
L2	N 83°07'16" W		254.06'
L3	N 81°03'01" W		525.01'
L4	N 14°11'28" E		114.38'
L5	N 72°10'36" E		1165.74'
L6	N 17°49'24" W		519.41'

LOT 1 - DATA TABLE

#	BEARING/DELTA	RADIUS	LENGTH
C2	Δ = 22°52'27"	800.00'	319.38'
C3	Δ = 19°25'10"	66.00'	22.37'
L7	N 72°10'36" E		11.14'
L8	N 17°49'24" W		82.79'
L9	N 74°00'17" E		218.15'
L10	N 83°07'16" W		16.05'
L11	N 63°54'13" E		9.19'
L12	N 72°10'36" E		35.88'
L13	N 63°57'44" W		7.22'
L14	N 72°10'36" E		443.23'
L15	N 49°40'53" E		6.08'
L16	N 85°20'04" W		7.66'
L17	N 19°15'43" W		0.67'
L18	N 51°36'05" W		4.42'

LOT 2 - DATA TABLE

#	BEARING/DELTA	RADIUS	LENGTH
C4	Δ = 64°14'59"	60.00'	67.28'
L19	N 17°49'24" W		305.03'
L20	N 45°26'05" W		21.95'
L21	N 46°33'49" W		101.31'
L22	N 47°52'21" W		23.63'
L23	N 33°09'20" W		3.91'
L24	N 17°39'02" W		19.41'
L25	N 51°36'46" W		34.68'
L26	N 60°56'36" W		22.83'
L27	N 17°49'12" W		53.57'
L28	N 72°10'36" E		140.52'

LOT 3 - DATA TABLE

#	BEARING/DELTA	RADIUS	LENGTH
C3	Δ = 19°25'10"	66.00'	22.37'
C4	Δ = 64°14'59"	60.00'	67.28'
C5	Δ = 81°11'28"	1462.00'	209.01'
C6	Δ = 4°55'57"	1451.00'	124.92'
L7	N 72°10'36" E		11.14'
L11	N 63°54'13" E		9.19'
L12	N 72°10'36" E		35.88'
L13	N 63°57'44" W		7.22'
L14	N 72°10'36" E		443.23'
L15	N 49°40'53" E		6.08'
L16	N 85°20'04" W		7.66'
L17	N 19°15'43" W		0.67'
L18	N 51°36'05" W		4.42'
L20	N 45°26'05" W		21.95'
L21	N 46°33'49" W		101.31'

LOT 3 - DATA TABLE

#	BEARING/DELTA	RADIUS	LENGTH
L22	N 47°52'21" W		23.63'
L23	N 33°09'20" W		3.91'
L24	N 17°39'02" W		19.41'
L25	N 51°36'46" W		34.68'
L26	N 60°56'36" W		22.83'
L27	N 17°49'12" W		53.57'
L29	N 17°49'24" W		131.59'
L30	N 83°07'16" W		176.99'
L31	N 04°17'42" W		38.46'
L32	N 72°10'36" E		465.51'

LOT 4 - DATA TABLE

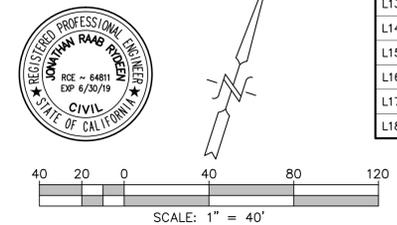
#	BEARING/DELTA	RADIUS	LENGTH
C7	Δ = 28°39'58"	271.00'	135.59'
C8	Δ = 102°09'41"	30.00'	53.49'
C9	Δ = 10°59'00"	1349.00'	258.60'
L33	N 71°02'54" W		38.20'
L34	N 27°33'45" W		12.67'
L35	N 63°31'29" W		36.83'
L36	N 26°33'59" E		9.61'
L37	N 63°38'31" W		32.61'
L38	N 43°35'55" E		2.48'
L39	N 63°24'46" W		6.35'
L40	N 72°10'36" E		249.01'
L41	N 72°00'22" W		288.72'

LOT 5 - DATA TABLE

#	BEARING/DELTA	RADIUS	LENGTH
C10	Δ = 0°02'28"	1349.00'	0.97'
C11	Δ = 17°36'46"	271.00'	83.30'
L33	N 71°02'54" W		38.20'
L34	N 27°33'45" W		12.67'
L35	N 63°31'29" W		36.83'
L36	N 26°33'59" E		9.61'
L37	N 63°38'31" W		32.61'
L38	N 43°35'55" E		2.48'
L39	N 63°24'46" W		6.35'
L41	N 72°00'22" W		288.72'
L42	N 81°03'01" W		443.00'

RIGHT-OF-WAY PARCELS - DATA TABLE

#	BEARING/DELTA	RADIUS	LENGTH
C5	Δ = 81°11'28"	1462.00'	209.01'
C6	Δ = 4°55'57"	1451.00'	124.92'
C7	Δ = 28°39'58"	271.00'	135.59'
C8	Δ = 102°09'41"	30.00'	53.49'
C9	Δ = 10°59'00"	1349.00'	258.60'
C10	Δ = 0°02'28"	1349.00'	0.97'
C11	Δ = 17°36'46"	271.00'	83.30'
C12	Δ = 3°09'51"	1400.00'	77.31'
C13	Δ = 10°59'11"	1400.00'	268.45'
L4	N 14°11'28" E		114.38'
L31	N 04°17'42" W		38.46'
L40	N 72°10'36" E		249.01'
L43	N 05°20'30" E		4.06'
L44	N 81°03'01" W		34.88'
L45	N 72°10'36" E		457.10'



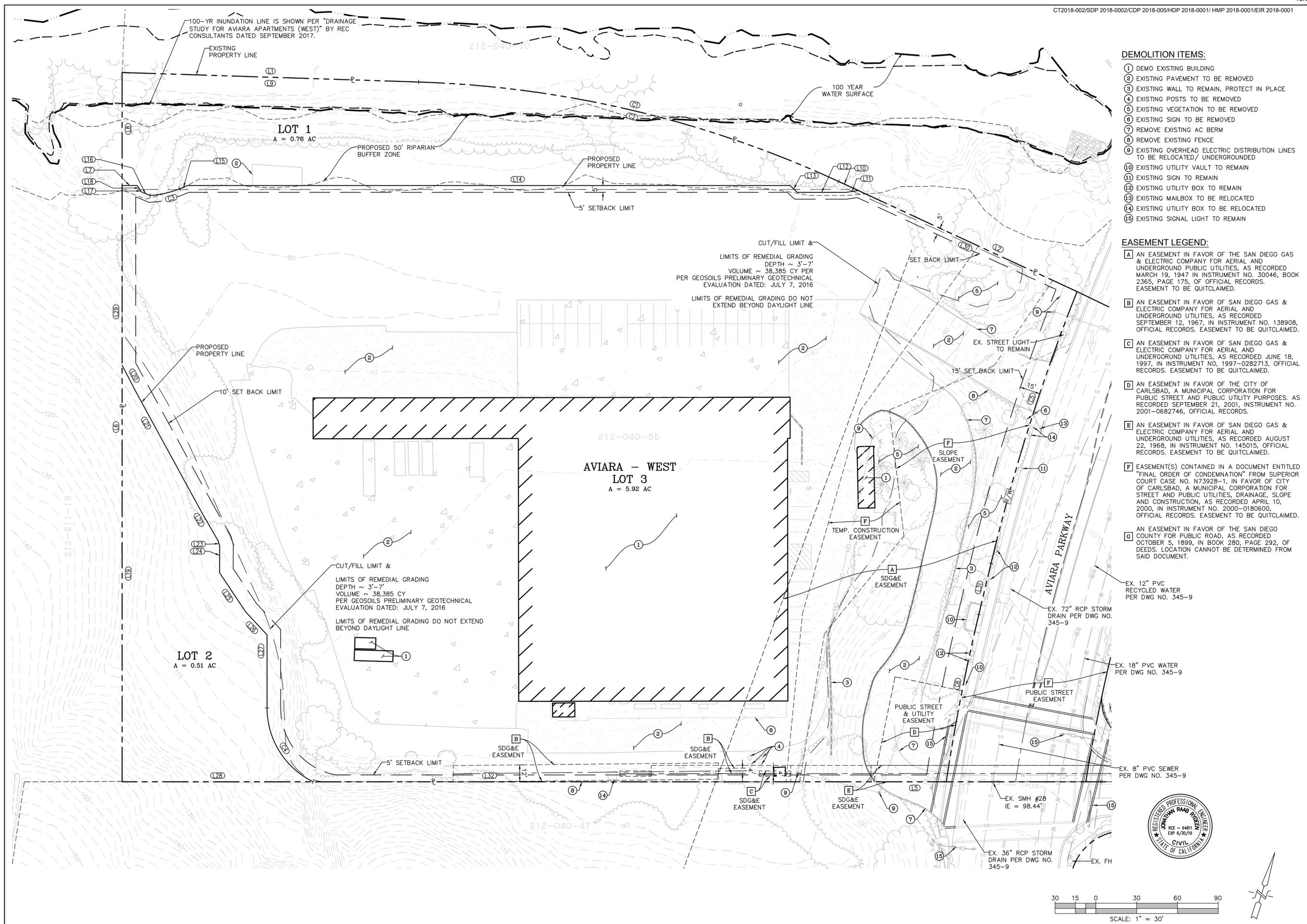
REVISIONS

NO.	DESCRIPTION	DATE	APPD

Civil Engineering - Environmental
Land Surveying
2442 Second Avenue
San Diego, CA 92101
Consultants, Inc. (619)232-9200 (619)232-9210 Fax

DATE: 08/27/19
SCALE: 1" = 40'
DRAWN: A.O.
CHECKED: J.R.R.

SHEET TITLE: SITE PROPERTY LINE INFORMATION
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011
SHEET 2 OF 24 SHEETS



- DEMOLITION ITEMS:**
- 1 DEMO EXISTING BUILDING
 - 2 EXISTING PAVEMENT TO BE REMOVED
 - 3 EXISTING WALL TO REMAIN, PROTECT IN PLACE
 - 4 EXISTING POSTS TO BE REMOVED
 - 5 EXISTING VEGETATION TO BE REMOVED
 - 6 EXISTING SIGN TO BE REMOVED
 - 7 REMOVE EXISTING AC BERM
 - 8 REMOVE EXISTING FENCE
 - 9 EXISTING OVERHEAD ELECTRIC DISTRIBUTION LINES TO BE RELOCATED/ UNDERGROUNDED
 - 10 EXISTING UTILITY VAULT TO REMAIN
 - 11 EXISTING SIGN TO REMAIN
 - 12 EXISTING UTILITY BOX TO REMAIN
 - 13 EXISTING MAILBOX TO BE RELOCATED
 - 14 EXISTING UTILITY BOX TO BE RELOCATED
 - 15 EXISTING SIGNAL LIGHT TO REMAIN

- EASEMENT LEGEND:**
- A** AN EASEMENT IN FAVOR OF THE SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND PUBLIC UTILITIES, AS RECORDED MARCH 19, 1947 IN INSTRUMENT NO. 30046, BOOK 2365, PAGE 175, OF OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.
 - B** AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND UTILITIES, AS RECORDED SEPTEMBER 12, 1967, IN INSTRUMENT NO. 138908, OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.
 - C** AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND UTILITIES, AS RECORDED JUNE 18, 1997, IN INSTRUMENT NO. 1997-0282713, OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.
 - D** AN EASEMENT IN FAVOR OF THE CITY OF CARLSBAD, A MUNICIPAL CORPORATION FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES, AS RECORDED SEPTEMBER 21, 2001, INSTRUMENT NO. 2001-0682746, OFFICIAL RECORDS.
 - E** AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND UTILITIES, AS RECORDED AUGUST 22, 1968, IN INSTRUMENT NO. 145015, OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.
 - F** EASEMENT(S) CONTAINED IN A DOCUMENT ENTITLED "FINAL ORDER OF CONDEMNATION" FROM SUPERIOR COURT CASE NO. N73928-1, IN FAVOR OF CITY OF CARLSBAD, A MUNICIPAL CORPORATION FOR STREET AND PUBLIC UTILITIES, DRAINAGE, SLOPE AND CONSTRUCTION, AS RECORDED APRIL 10, 2000, IN INSTRUMENT NO. 2000-0180600, OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.
 - G** AN EASEMENT IN FAVOR OF THE SAN DIEGO COUNTY FOR PUBLIC ROAD, AS RECORDED OCTOBER 5, 1899, IN BOOK 280, PAGE 292, OF DEEDS. LOCATION CANNOT BE DETERMINED FROM SAID DOCUMENT.

NO.	REVISIONS DESCRIPTION	DATE	APPD

Civil Engineering - Environmental
Land Surveying

2442 Second Avenue
San Diego, CA 92101
(619)232-9200 (619)232-9210 Fax

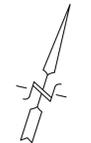
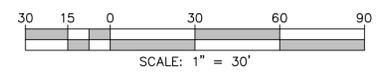
Consultants, Inc.

DATE: 08/27/19
SCALE: 1" = 30'
DRAWN: A.O.
CHECKED: J.R.R.

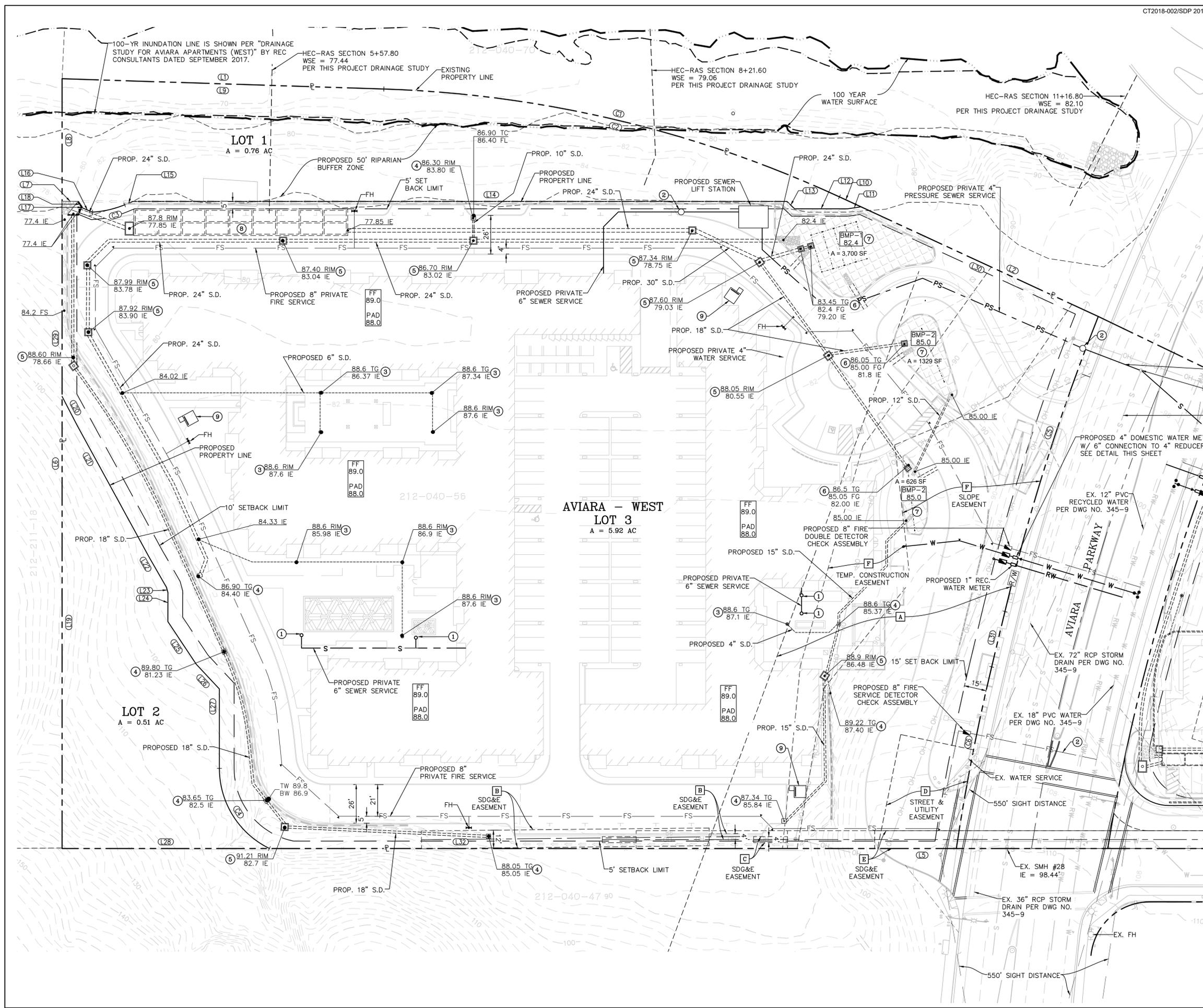
SHEET TITLE
WEST - EASEMENT AND ENCUMBRANCE PLAN

PROJECT
AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011

SHEET **3**
OF 24 SHEETS



SAVE DATE: 8/23/2019 ~ EOL DATE: 8/23/2019 ~ FILE NAME: P:\Acad\1196 Aviara Parkway\Survey\TM - TPA\Tentative Map.dwg



WEST DEVELOPMENT:

***WATER FACILITIES:**
 AVERAGE WATER DEMAND - 45 GPM
 PEAK HOUR WATER DEMAND - 118.4 GPM

RECYCLED WATER FACILITIES:
 ESTIMATED TOTAL WATER USE (ETWU) - 1.18 GPM

***SEWER FACILITIES:**
 AVERAGE SEWER GENERATION - 0.057 MGD
 PEAK SEWER GENERATION - 0.142 MGD

FIRE FLOW:
 FIRE FLOW DEMAND - 3,000 GPM
 FIRE FLOW CAPABILITY - 5,400 GPM
 RESIDUAL PRESSURE AT FIRE HYDRANT - 20.2 PSI

NOTE: FOR FIRE INFORMATION SEE FIRE MASTER PLAN PREPARED BY: FIRESAFE DATED: 01/09/2018

PROPOSED ITEMS: (THIS SHEET ONLY)

- PROPOSED 6" SEWER CLEAN OUT
- PROPOSED SEWER MANHOLE
- PROPOSED AREA DRAIN
- PROPOSED GRATE INLET
- PROPOSED STORM DRAIN CLEANOUT
- PROPOSED OUTLET STRUCTURE
- PROPOSED BIOFILTRATION BASIN
- PROPOSED UNDERGROUND DETENTION VAULT
- PROPOSED SDG&E TRANSFORMER LOCATION

PROPOSED PRIVATE 6" SEWER SERVICE

EX. MH #27
 IE = 88.54'
 PER DWG. NO. 345-9
 EX. 8" PVC SEWER
 PER DWG. NO. 345-9

*FOR WATER & SEWER AVAILABILITY & REQUIREMENTS SEE REPORTS BY DEXTER WILSON DATED: 08/04/17 & 08/01/17 RESPECTIVELY

EASEMENT LEGEND:

A AN EASEMENT IN FAVOR OF THE SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND PUBLIC UTILITIES, AS RECORDED MARCH 19, 1947 IN INSTRUMENT NO. 30046, BOOK 2365, PAGE 175, OF OFFICIAL RECORDS.

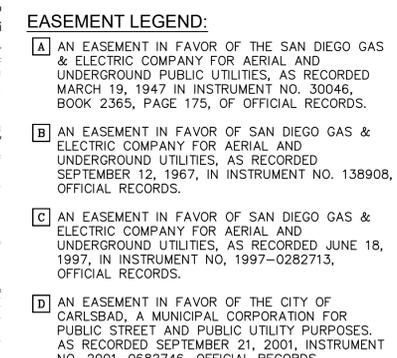
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D AN EASEMENT IN FAVOR OF THE CITY OF CARLSBAD, A MUNICIPAL CORPORATION FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES. AS RECORDED SEPTEMBER 21, 2001, INSTRUMENT NO. 2001-0682746, OFFICIAL RECORDS.

E AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND UTILITIES, AS RECORDED AUGUST 22, 1968, IN INSTRUMENT NO. 145015, OFFICIAL RECORDS.

F EASEMENT(S) CONTAINED IN A DOCUMENT ENTITLED "FINAL ORDER OF CONDEMNATION" FROM SUPERIOR COURT CASE NO. N73928-1, IN FAVOR OF CITY OF CARLSBAD, A MUNICIPAL CORPORATION FOR STREET AND PUBLIC UTILITIES, DRAINAGE, SLOPE AND CONSTRUCTION, AS RECORDED APRIL 10, 2000, IN INSTRUMENT NO. 2000-0180600, OFFICIAL RECORDS.



DATE: 08/27/19
 SCALE: 1" = 30'
 DRAWN: A.O.
 CHECKED: J.R.R.

REGISTERED PROFESSIONAL ENGINEER
STATE OF CALIFORNIA
 CIVIL
 RCE - 648
 EXP 6/30/19

30 15 0 30 60 90
 SCALE: 1" = 30'

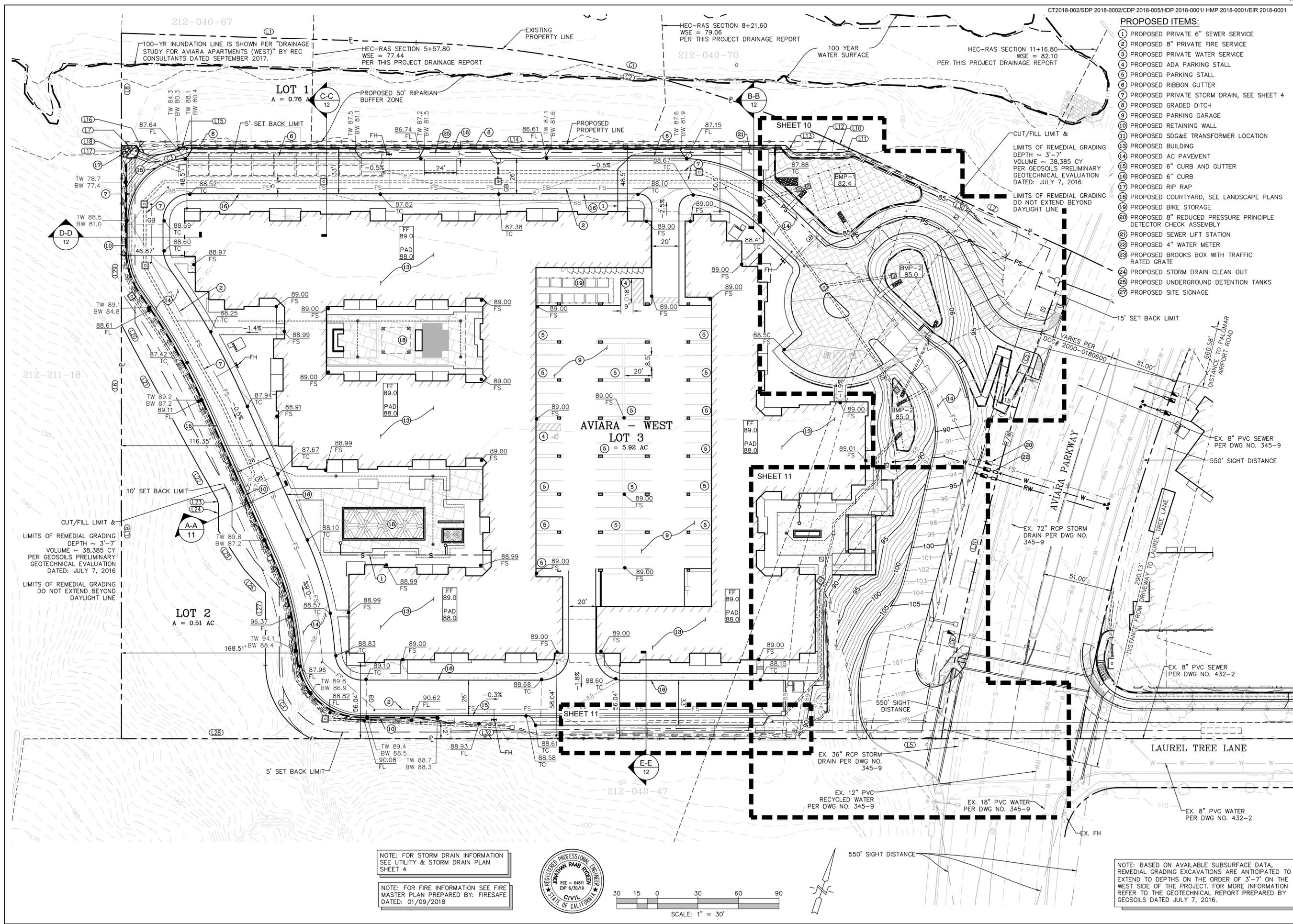
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Civil Engineering - Environmental
 Land Surveying
 2442 Second Avenue
 San Diego, CA 92101
 (619)232-9200 (619)232-9210 Fax

REC
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SHEET TITLE: WEST - UTILITY & STORM DRAIN PLAN
 PROJECT: AVIARA APARTMENTS
 6145 LAUREL TREE ROAD
 CARLSBAD, CA 92011

SHEET 4 OF 24 SHEETS



- PROPOSED ITEMS:**
- 1 PROPOSED PRIVATE 6" SEWER SERVICE
 - 2 PROPOSED 8" PRIVATE FIRE SERVICE
 - 3 PROPOSED PRIVATE WATER SERVICE
 - 4 PROPOSED ADA PARKING STALL
 - 5 PROPOSED PARKING STALL
 - 6 PROPOSED RIBBON GUTTER
 - 7 PROPOSED PRIVATE STORM DRAIN, SEE SHEET 4
 - 8 PROPOSED GRADED DITCH
 - 9 PROPOSED PARKING GARAGE
 - 10 PROPOSED RETAINING WALL
 - 11 PROPOSED SDG&E TRANSFORMER LOCATION
 - 12 PROPOSED BUILDING
 - 13 PROPOSED AC PAVEMENT
 - 14 PROPOSED 6" CURB AND GUTTER
 - 15 PROPOSED 6" CURB
 - 16 PROPOSED RIP RAP
 - 17 PROPOSED COURTYARD, SEE LANDSCAPE PLANS
 - 18 PROPOSED BIKE STORAGE
 - 19 PROPOSED 8" REDUCED PRESSURE PRINCIPLE DETECTOR CHECK ASSEMBLY
 - 20 PROPOSED SEWER LIFT STATION
 - 21 PROPOSED 4" WATER METER
 - 22 PROPOSED BROOKS BOX WITH TRAFFIC RATED GRATE
 - 23 PROPOSED STORM DRAIN CLEAN OUT
 - 24 PROPOSED UNDERGROUND DETENTION TANKS
 - 25 PROPOSED SITE SIGNAGE

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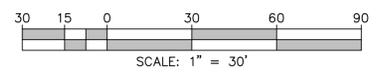
WEST - GRADING PLAN

PROJECT
AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011

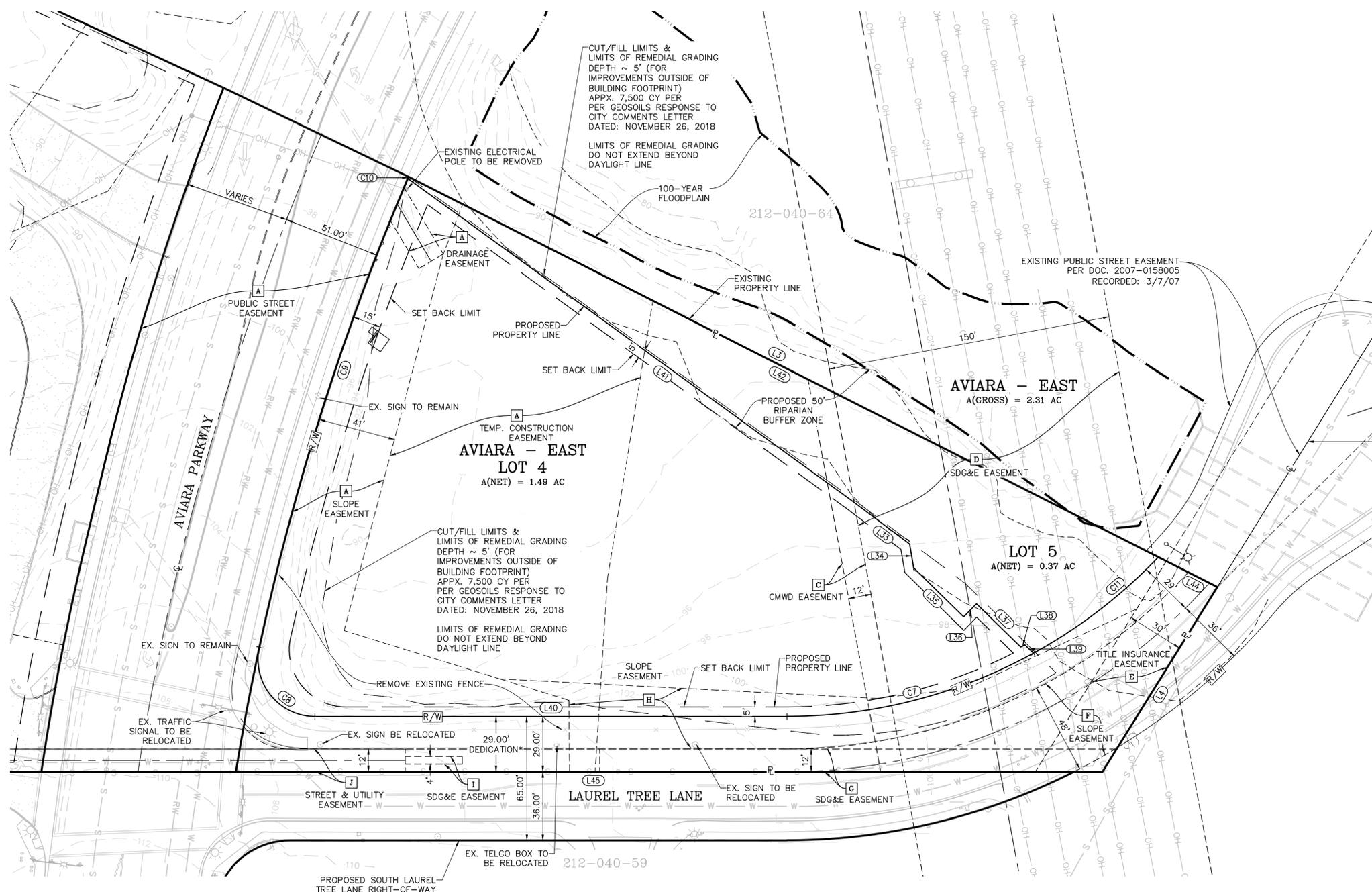
SHEET
5
OF 24 SHEETS

NOTE: FOR STORM DRAIN INFORMATION SEE UTILITY & STORM DRAIN PLAN SHEET 4

NOTE: FOR FIRE INFORMATION SEE FIRE MASTER PLAN PREPARED BY: FIRESAFE DATED: 01/09/2018



NOTE: BASED ON AVAILABLE SUBSURFACE DATA, REMEDIAL GRADING EXCAVATIONS ARE ANTICIPATED TO EXTEND TO DEPTHS ON THE ORDER OF 3'-7" ON THE WEST SIDE OF THE PROJECT. FOR MORE INFORMATION REFER TO THE GEOTECHNICAL REPORT PREPARED BY GEOSOLS DATED JULY 7, 2016.



CUT/FILL LIMITS & LIMITS OF REMEDIAL GRADING DEPTH ~ 5' (FOR IMPROVEMENTS OUTSIDE OF BUILDING FOOTPRINT) APPX. 7,500 CY PER PER GEOSOLS RESPONSE TO CITY COMMENTS LETTER DATED: NOVEMBER 26, 2018
LIMITS OF REMEDIAL GRADING DO NOT EXTEND BEYOND DAYLIGHT LINE

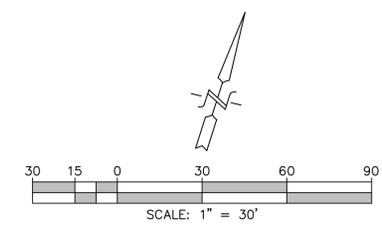
CUT/FILL LIMITS & LIMITS OF REMEDIAL GRADING DEPTH ~ 5' (FOR IMPROVEMENTS OUTSIDE OF BUILDING FOOTPRINT) APPX. 7,500 CY PER PER GEOSOLS RESPONSE TO CITY COMMENTS LETTER DATED: NOVEMBER 26, 2018
LIMITS OF REMEDIAL GRADING DO NOT EXTEND BEYOND DAYLIGHT LINE

NOTE: GROUND IMPROVEMENT BENEATH THE PROPOSED BUILDING TO BE DETERMINED BY VALUE ENGINEERING AT A LATER DATE. ELSEWHERE ON SITE, 5' REMOVAL AND RECOMPACTION TO BE COMPLETED BEFORE IMPORTING TO RAISE GRADE FOR ANOCLARY IMPROVEMENTS. FOR MORE INFORMATION REFER TO THE GEOTECHNICAL RESPONSE TO CITY COMMENTS LETTER PREPARED BY GEOSOLS, INC. DATED NOVEMBER 26, 2018.

EASEMENT LEGEND:

- A** EASEMENT(S) CONTAINED IN A DOCUMENT ENTITLED "FINAL ORDER OF CONDEMNATION" FROM SUPERIOR COURT CASE NO. N73928-1. IN FAVOR OF CITY OF CARLSBAD. A MUNICIPAL CORPORATION FOR STREET AND PUBLIC UTILITIES, DRAINAGE, SLOPE AND CONSTRUCTION, AS RECORDED APRIL 10, 2000, IN INSTRUMENT NO. 2000-0180600, OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.
- B** NOT USED
- C** AN EASEMENT IN FAVOR OF CARLSBAD MUNICIPAL WATER DISTRICT FOR WATER PIPELINE, AS RECORDED DECEMBER 28, 1961, IN INSTRUMENT NO.223207, OFFICIAL RECORDS.
- D** AN EASEMENT IN FAVOR OF THE SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND PUBLIC UTILITIES, AS RECORDED AUGUST 14, 1957, IN INSTRUMENT NO. 122214, BOOK 6706, PAGE 514, OF OFFICIAL RECORDS.
- E** AN EASEMENT RECORDED IN FAVOR OF TITLE INSURANCE AND TRUST COMPANY, ET AL FOR ROADWAY AND UTILITY, AS RECORDED FEBRUARY 2, 1961, IN INSTRUMENT NO. 18947, OFFICIAL RECORDS.
- F** AN EASEMENT IN FAVOR OF CITY OF CARLSBAD, A MUNICIPAL CORPORATION FOR CONSTRUCTION AND MAINTENANCE OF AN EMBANKMENT SLOPE FOR ROADWAY SUPPORT, AS RECORDED MARCH 10, 2000, IN INSTRUMENT NO. 2000-0123723, OFFICIAL RECORDS.
- G** AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND UTILITIES, AS RECORDED AUGUST 22, 1968, IN INSTRUMENT NO. 145015, OFFICIAL RECORDS.
- H** AN EASEMENT IN FAVOR OF CITY OF CARLSBAD, A MUNICIPAL CORPORATION FOR CONSTRUCTION AND MAINTENANCE OF AN EMBANKMENT SLOPE FOR ROADWAY SUPPORT, AS RECORDED MARCH 10, 2000, IN INSTRUMENT NO. 2000-012724, OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.
- I** AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND UTILITIES, AS RECORDED JUNE 18, 1997, IN INSTRUMENT NO. 1997-0282713, OFFICIAL RECORDS.
- J** AN EASEMENT IN FAVOR OF CITY OF CARLSBAD, A MUNICIPAL CORPORATION FOR PUBLIC STREET AND PUBLIC UTILITIES, RECORDED MARCH 10, 2000, IN INSTRUMENT NO. 2000-0123723, OFFICIAL RECORDS.

*0.45 AC DEDICATION



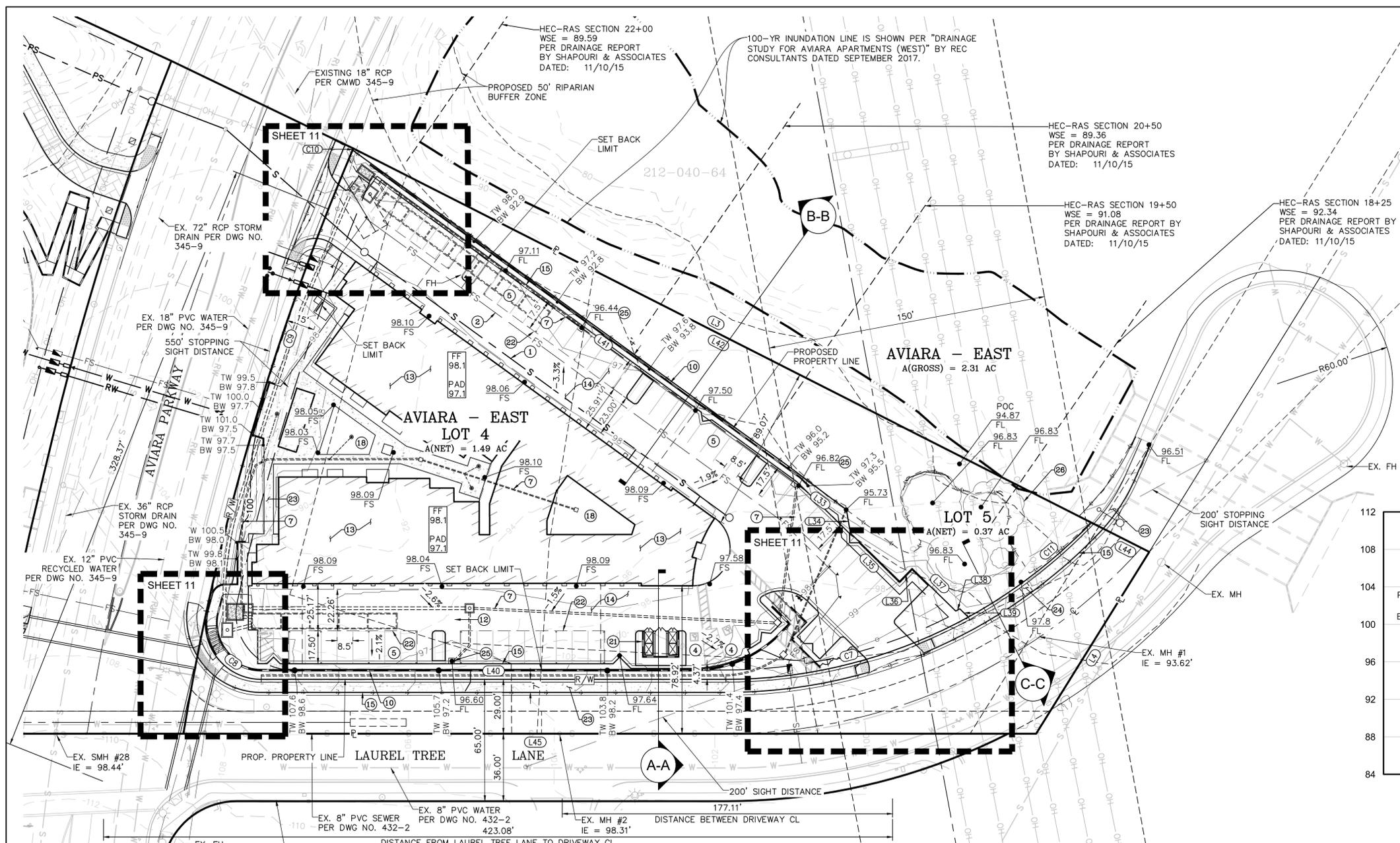
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DATE: 08/27/19
SCALE: 1" = 30'
DRAWN: A.O.
CHECKED: J.R.R.

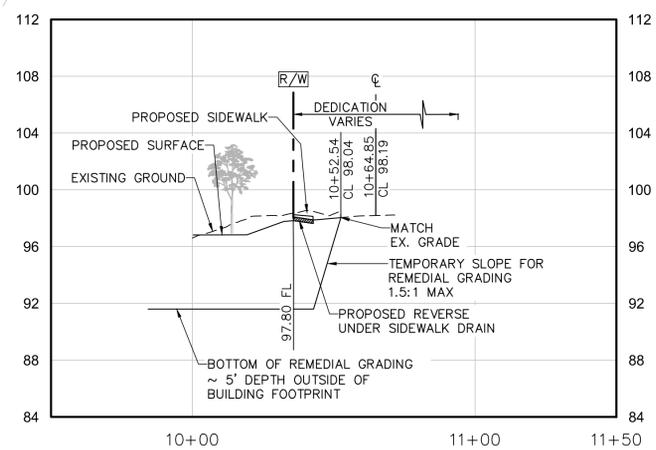
SHEET TITLE: EAST - EASEMENT AND ENCUMBRANCE PLAN
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011

SHEET **6**
OF 24 SHEETS

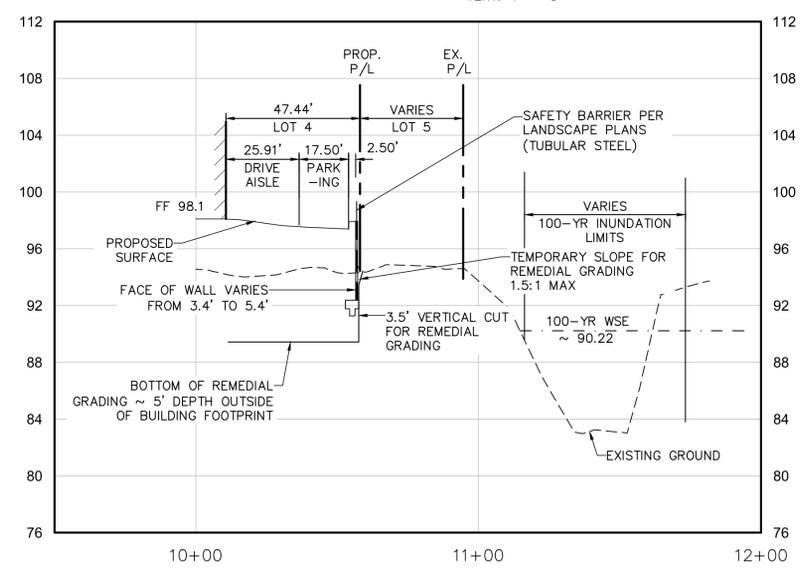


PROPOSED ITEMS:

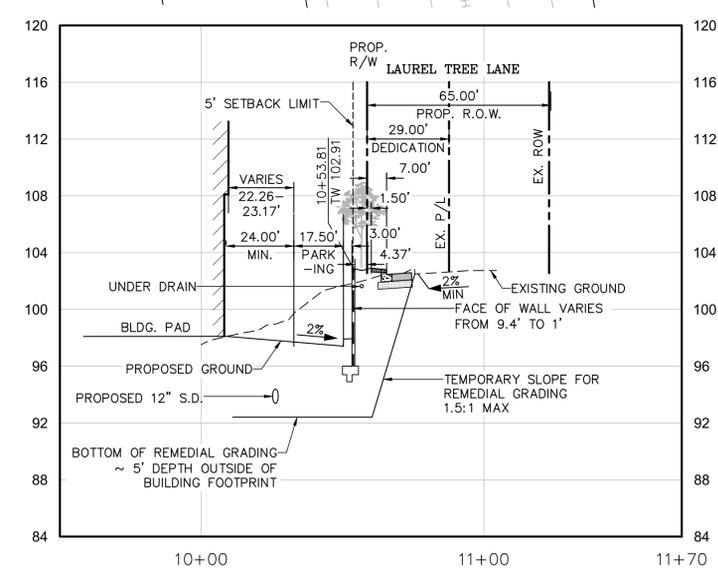
- ① PROPOSED PRIVATE 4" SEWER SERVICE
- ② PROPOSED 8" FIRE SERVICE
- ④ PROPOSED ADA PARKING STALL
- ⑤ PROPOSED PARKING STALL
- ⑦ PROPOSED STORM DRAIN, SEE SHEET 7
- ⑩ PROPOSED RETAINING WALL
- ⑫ PROPOSED UNDERGROUND STORAGE TANKS
- ⑬ PROPOSED MULTI-FAMILY HOMES
- ⑭ PROPOSED AC PAVEMENT
- ⑮ PROPOSED 6" CURB AND GUTTER
- ⑯ PROPOSED 6" CURB
- ⑰ PROPOSED COURTYARD, SEE LANDSCAPE PLANS
- ⑳ PROPOSED TRASH ENCLOSURE
- ㉑ PROPOSED CARPORT
- ㉒ PROPOSED 4" SIDEWALK
- ㉓ PROPOSED REVERSE UNDER SIDEWALK DRAIN (TYP.)
- ㉔ PROPOSED BROOKS BOX WITH TRAFFIC RATED GRATE
- ㉕ PROPOSED TREE WELL (TYP.) PER DETAIL SHEET 9



SECTION C-C
SCALE: HORZ: 1" = 30'
VERT: 1" = 6'



SECTION B-B
SCALE: HORZ: 1" = 30'
VERT: 1" = 6'



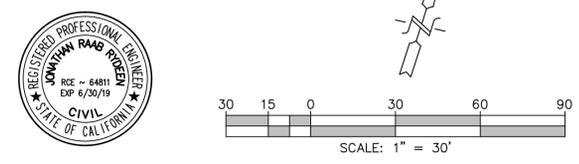
SECTION A-A
SCALE: HORZ: 1" = 30'
VERT: 1" = 6'

NOTE: FOR LIMITS OF REMEDIAL GRADING SEE SHEET 6

NOTE: FOR STORM DRAIN INFORMATION SEE UTILITY & STORM DRAIN PLAN SHEET 7

NOTE: FOR FIRE INFORMATION SEE FIRE MASTER PLAN PREPARED BY: FIRESAFE DATED: 01/09/2018

NOTE: GROUND IMPROVEMENT BENEATH THE PROPOSED BUILDING TO BE DETERMINED BY VALUE ENGINEERING AT A LATER DATE. ELSEWHERE ON SITE, 5' REMOVAL AND RECOMPACTION TO BE COMPLETED BEFORE IMPORTING TO RAISE GRADE FOR ANCILLARY IMPROVEMENTS. FOR MORE INFORMATION REFER TO THE GEOTECHNICAL RESPONSE TO CITY COMMENTS LETTER PREPARED BY GEOSOLS, INC. DATED NOVEMBER 26, 2018.



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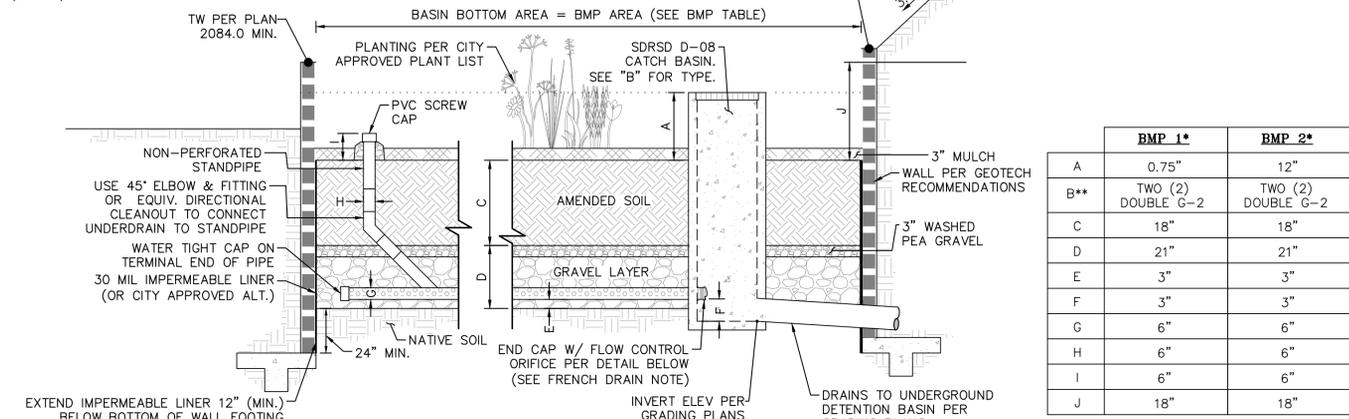
SHEET TITLE
EAST - GRADING PLAN

PROJECT
AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011

SHEET
8
OF 24 SHEETS

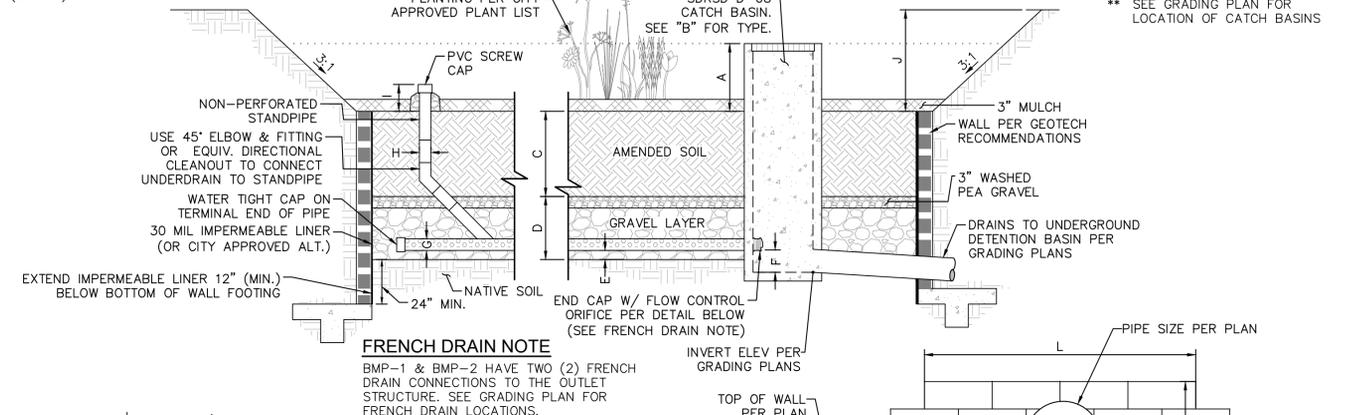
AVIARA WEST

(BMP-1)



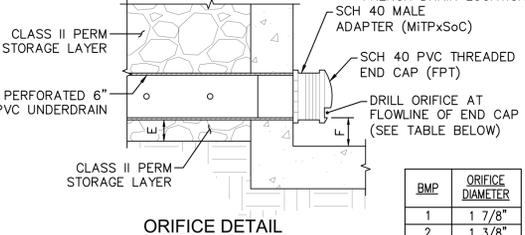
AVIARA WEST

(BMP-2)



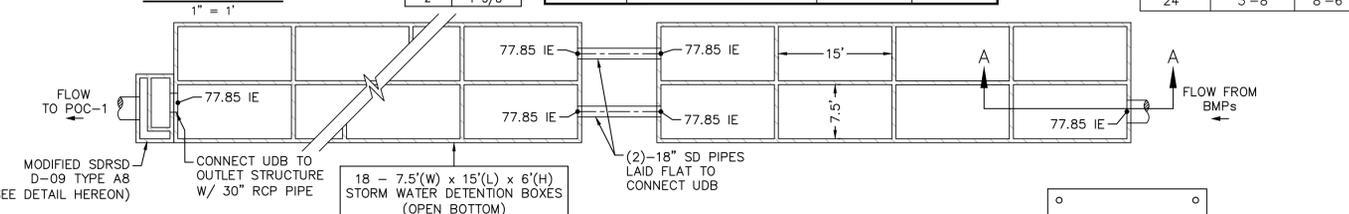
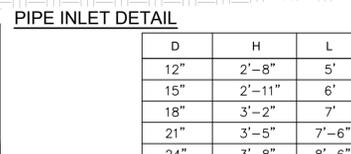
FRENCH DRAIN NOTE

BMP-1 & BMP-2 HAVE TWO (2) FRENCH DRAIN CONNECTIONS TO THE OUTLET STRUCTURE. SEE GRADING PLAN FOR FRENCH DRAIN LOCATIONS.



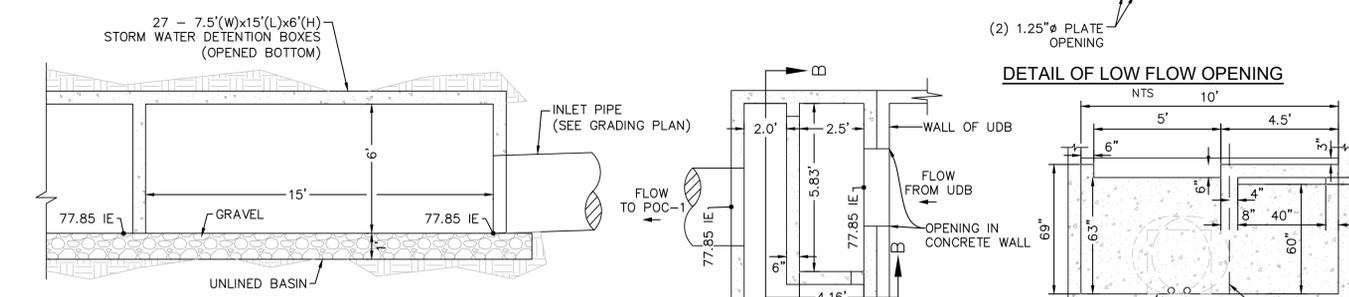
STRUCTURAL (POST-CONSTRUCTION) BMP TABLE

TYPE	DESCRIPTION	OWNERSHIP	BMP AREA (SF)
PR-1	BIOFILTRATION W/ PARTIAL RETENTION (BMP-1)	PROPERTY OWNER	3,700
PR-1	BIOFILTRATION W/ PARTIAL RETENTION (BMP-2)	PROPERTY OWNER	1,955



UNDERGROUND DETENTION BASIN (UDB)

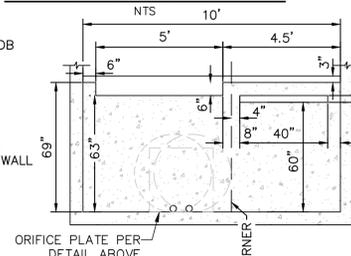
NTS



SECTION A-A: UNDERGROUND DETENTION BASIN

MODIFIED D-09 TYPE A8 SD CLEANOUT

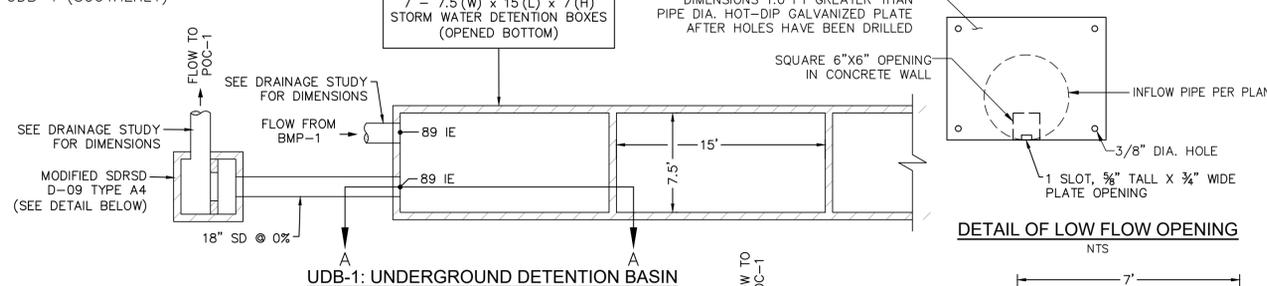
DETAIL OF LOW FLOW OPENING



SECTION B-B: INTERIOR WALL W/ ORIFICES

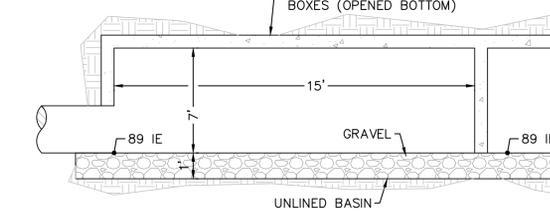
AVIARA EAST

UDB-1 (SOUTHERLY)



UDB-1: UNDERGROUND DETENTION BASIN

NTS



SECTION A-A: UNDERGROUND DETENTION BASIN

NTS

MODIFIED D-09 TYPE A4 SD CLEANOUT

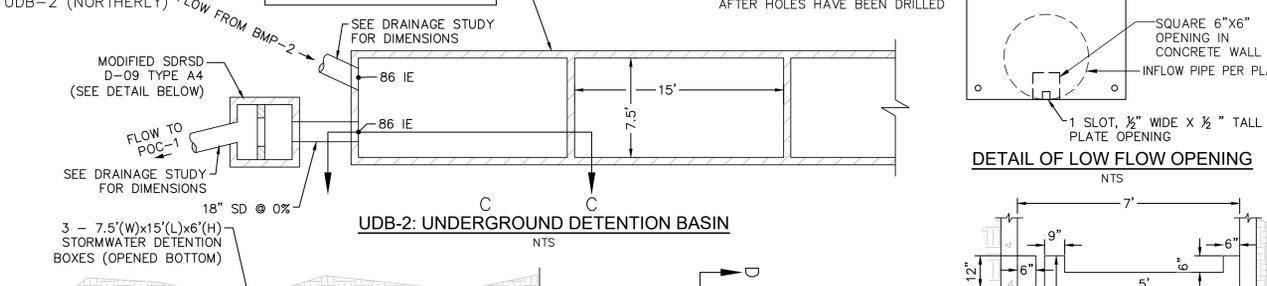
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SECTION B-B: INTERIOR WALL W/ ORIFICES

NTS

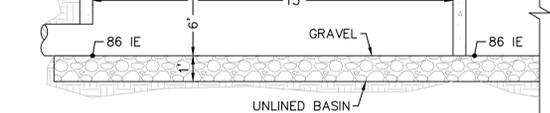
AVIARA EAST

UDB-2 (NORTHERLY)



UDB-2: UNDERGROUND DETENTION BASIN

NTS



SECTION C-C: UNDERGROUND DETENTION BASIN

NTS

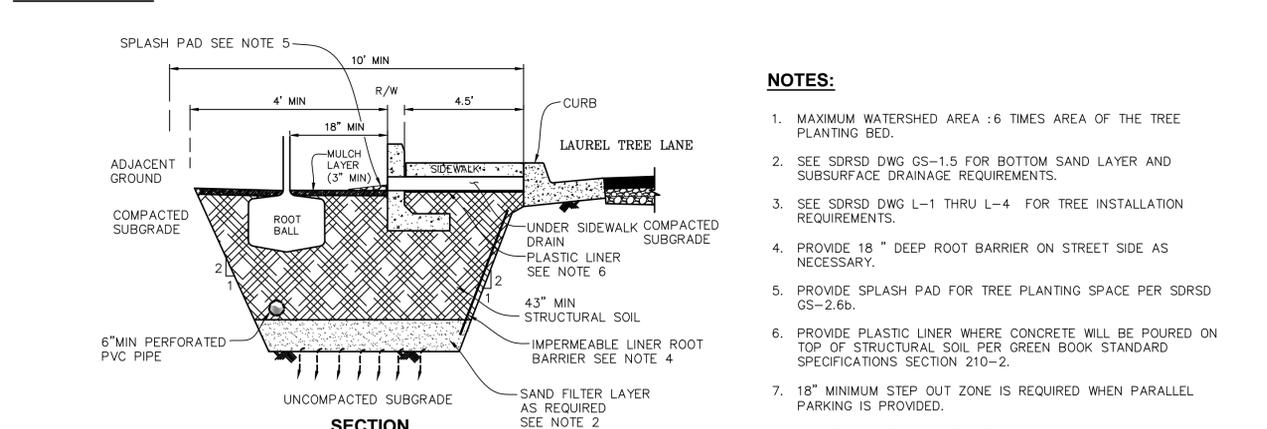
MODIFIED D-09 TYPE A4 SD CLEANOUT

NTS

SECTION D-D: INTERIOR WALL W/ ORIFICES

NTS

AVIARA EAST



SECTION

TREE WELL DETAIL

NTS

NOTES:

1. MAXIMUM WATERSHED AREA : 6 TIMES AREA OF THE TREE PLANTING BED.
2. SEE SDRSD DWG GS-1.5 FOR BOTTOM SAND LAYER AND SUBSURFACE DRAINAGE REQUIREMENTS.
3. SEE SDRSD DWG L-1 THRU L-4 FOR TREE INSTALLATION REQUIREMENTS.
4. PROVIDE 18" DEEP ROOT BARRIER ON STREET SIDE AS NECESSARY.
5. PROVIDE SPLASH PAD FOR TREE PLANTING SPACE PER SDRSD GS-2.6b.
6. PROVIDE PLASTIC LINER WHERE CONCRETE WILL BE POURED ON TOP OF STRUCTURAL SOIL PER GREEN BOOK STANDARD SPECIFICATIONS SECTION 210-2.
7. 18" MINIMUM STEP OUT ZONE IS REQUIRED WHEN PARALLEL PARKING IS PROVIDED.
8. A 3 TO 1 SLOPE MAY BE USED IN LIEU OF THE L-WALL WHERE ADEQUATE SPACE IS AVAILABLE SEE SDRSD GS-3.1b.

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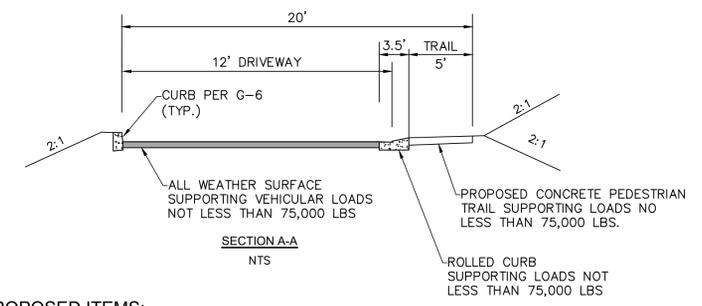
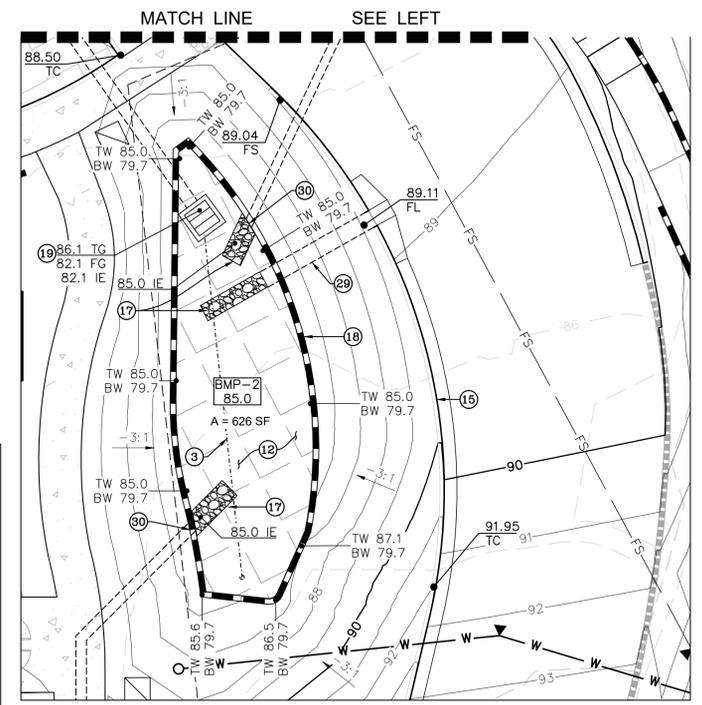
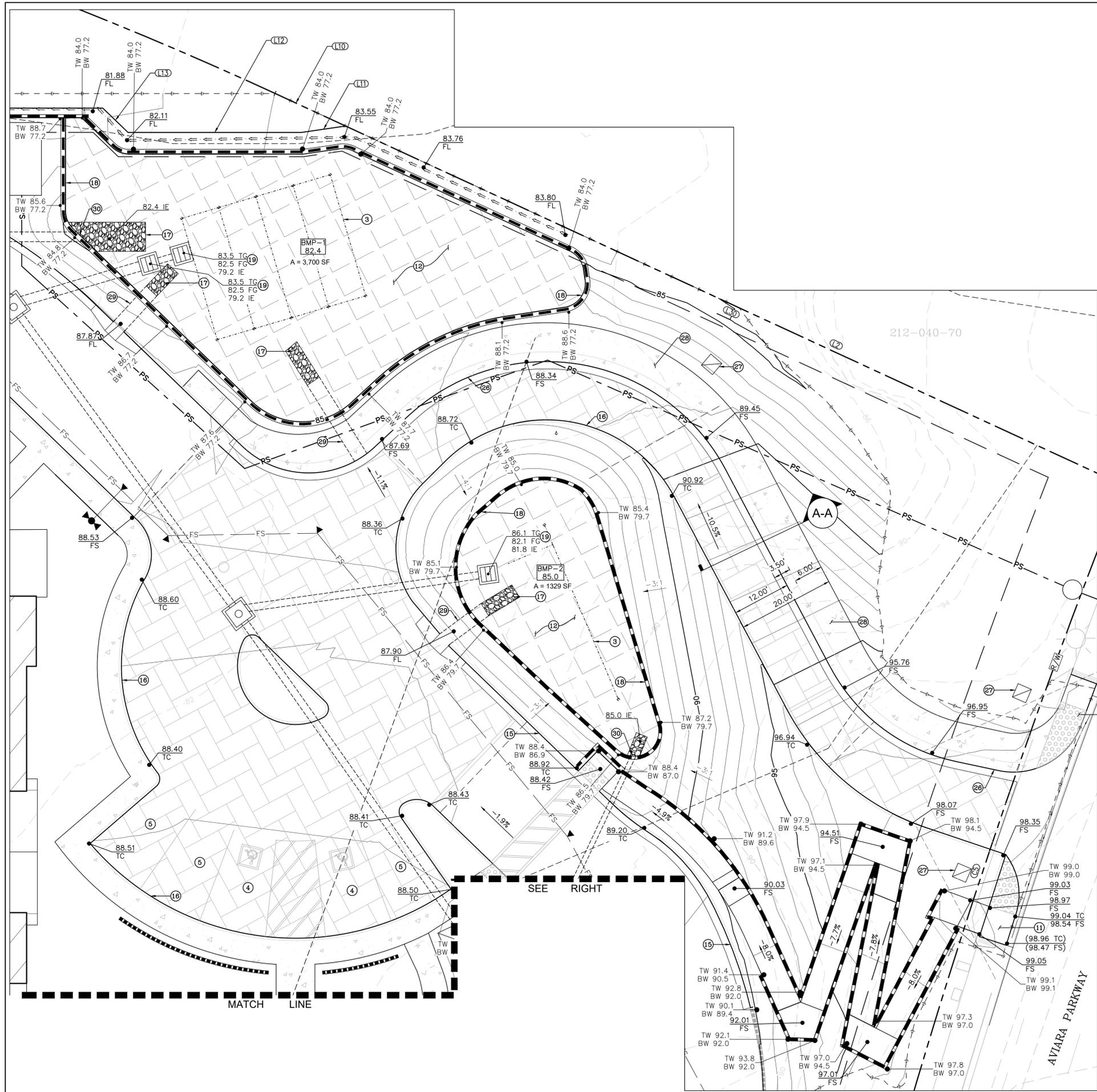
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DETAILS

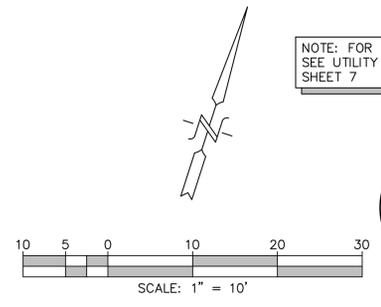
AVIARA APARTMENTS
 6145 LAUREL TREE ROAD
 CARLSBAD, CA 92011

SHEET TITLE: AVIARA APARTMENTS
 PROJECT: 6145 LAUREL TREE ROAD
 SHEET: 9
 OF 24 SHEETS



- PROPOSED ITEMS:**
(THIS SHEET ONLY)
- (3) PROPOSED FRENCH DRAIN
 - (4) PROPOSED ADA PARKING STALL
 - (6) PROPOSED PARKING STALL
 - (11) PROPOSED PEDESTRIAN RAMP
 - (12) PROPOSED BIOFILTRATION BASIN
 - (15) PROPOSED 6" CURB AND GUTTER
 - (16) PROPOSED 6" CURB
 - (17) PROPOSED RIP RAP
 - (18) RETAINING WALL
 - (19) OUTLET STRUCTURE
 - (26) PROPOSED ROLLED CURB
 - (27) PROPOSED SITE SIGNAGE
 - (28) PROPOSED CONCRETE TRAIL
 - (29) PROPOSED CONCRETE DOWN DRAIN
 - (30) PIPE INLET. SEE DETAIL SHEET 9

NOTE: FOR STORM DRAIN INFORMATION
SEE UTILITY & STORM DRAIN PLAN
SHEET 7



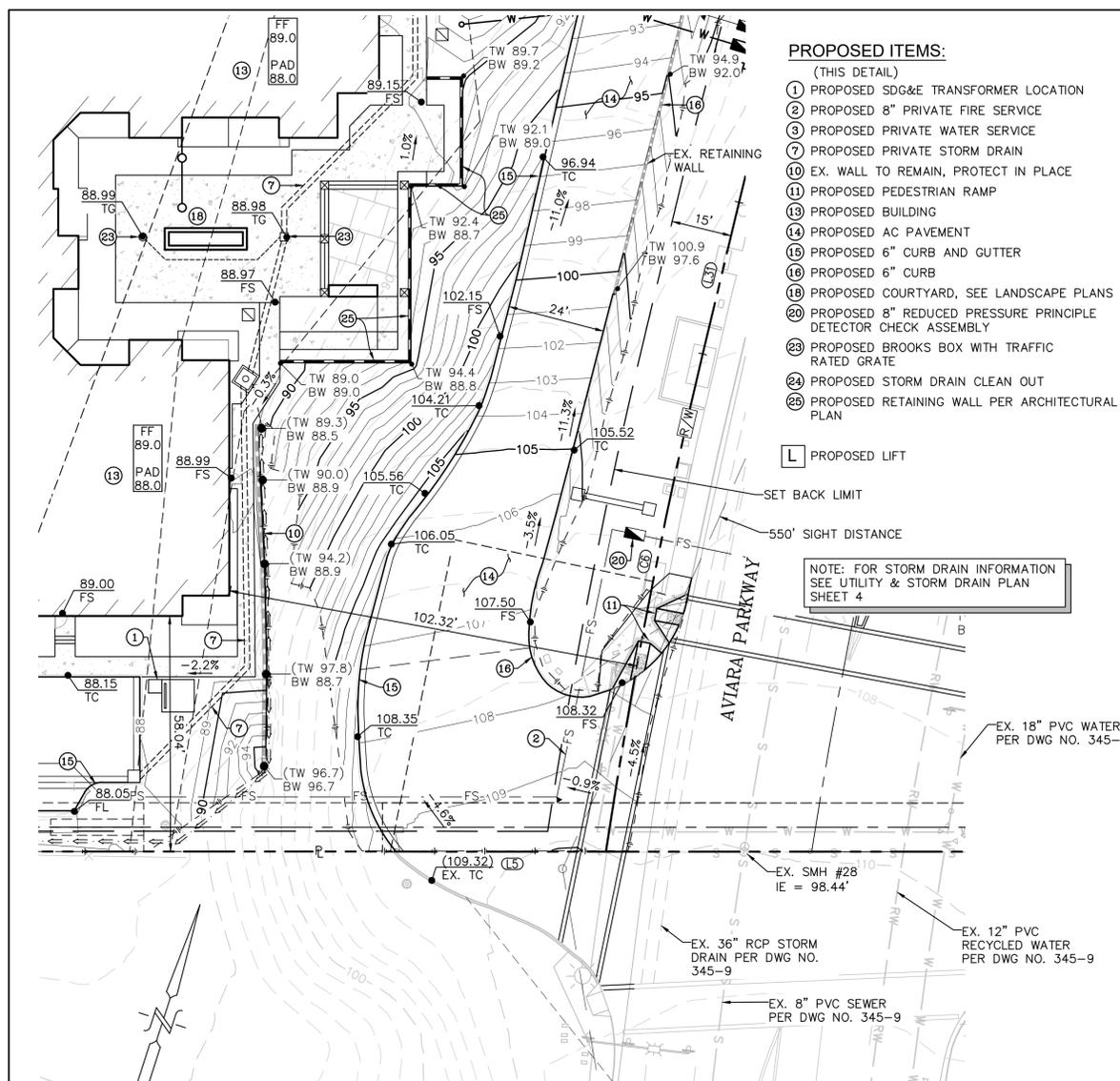
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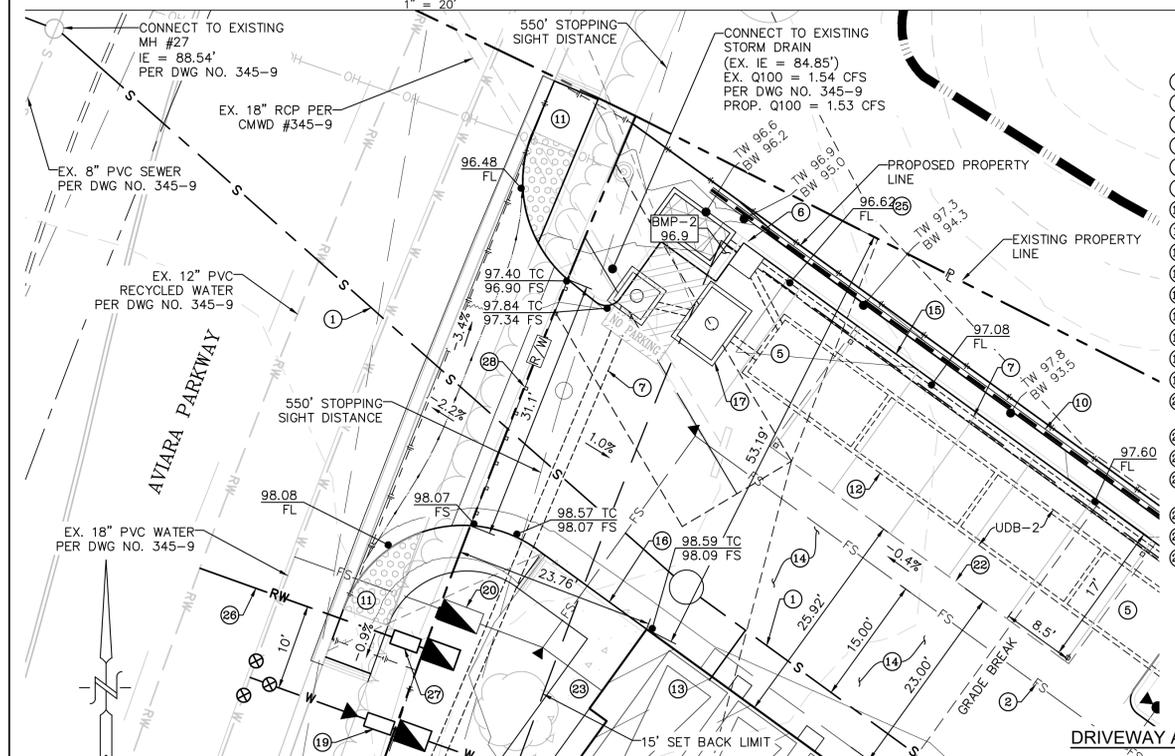
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DETAILS
PROJECT
AVIARA APARTMENTS
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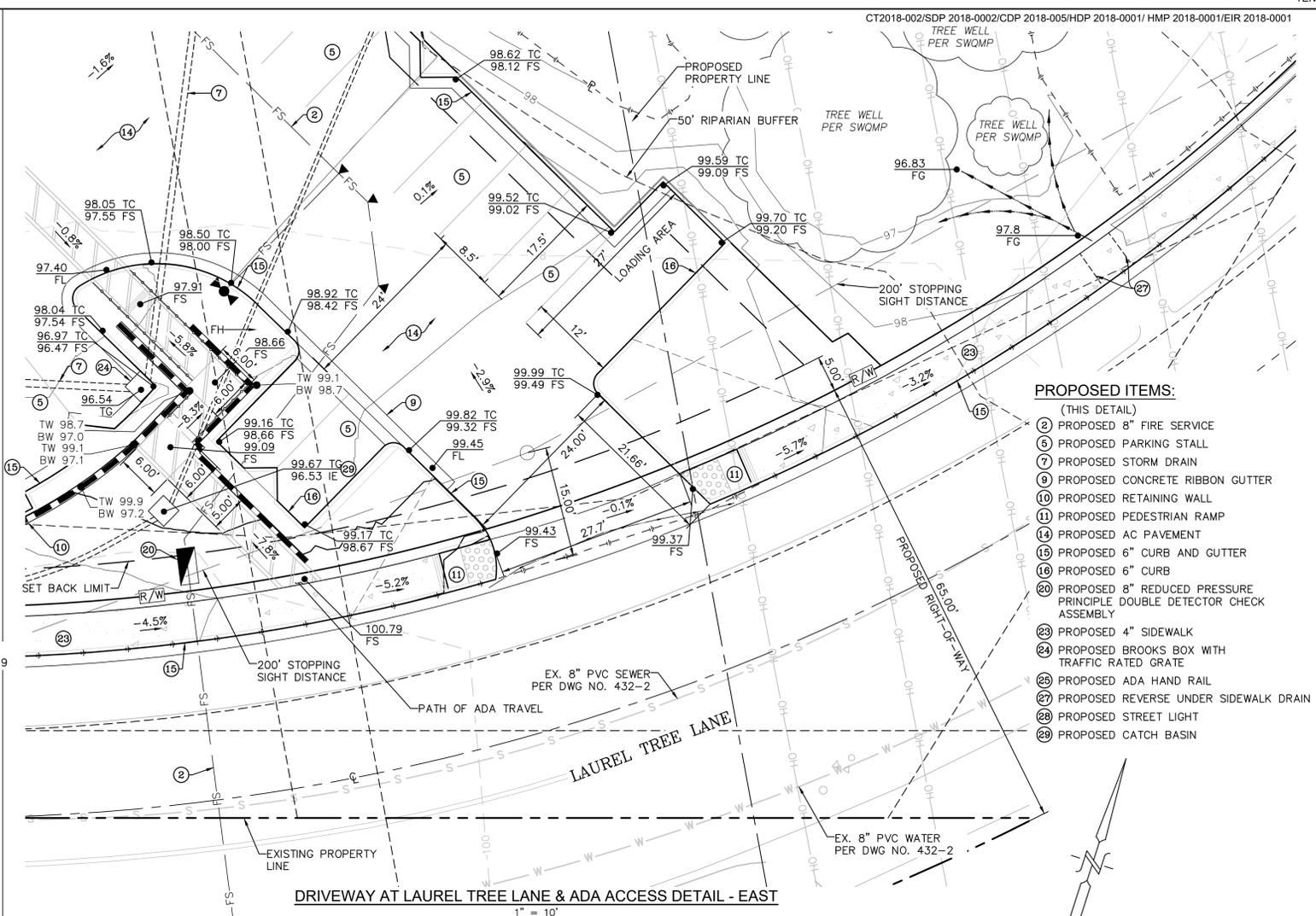
SHEET
10
OF 24 SHEETS



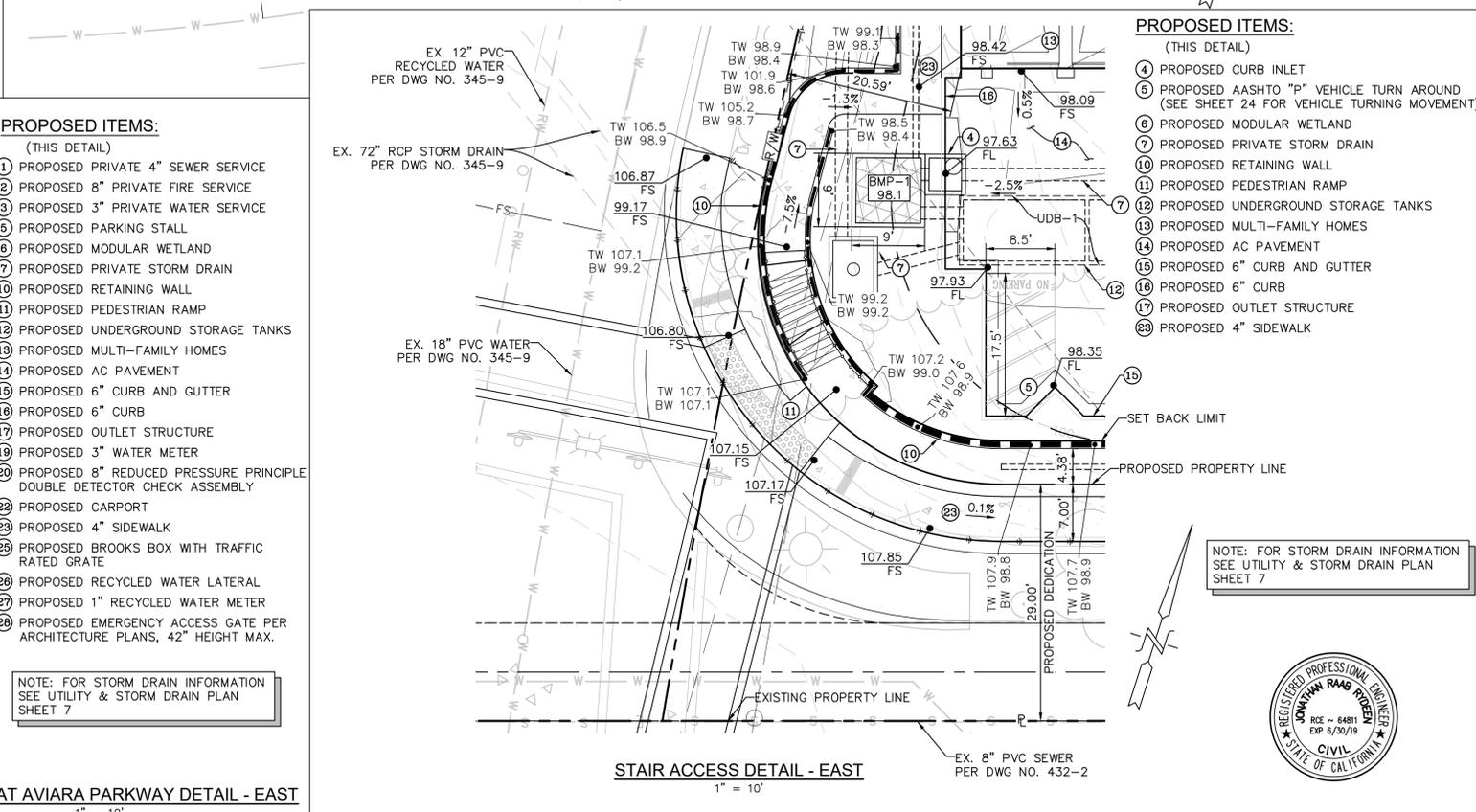
DRIVEWAY & ADA ACCESS DETAIL - WEST
1" = 20'



DRIVEWAY AT AVIARA PARKWAY DETAIL - EAST
1" = 10'



DRIVEWAY AT LAUREL TREE LANE & ADA ACCESS DETAIL - EAST
1" = 10'



STAIR ACCESS DETAIL - EAST
1" = 10'

- PROPOSED ITEMS:**
(THIS DETAIL)
- ① PROPOSED SDG&E TRANSFORMER LOCATION
 - ② PROPOSED 8" PRIVATE FIRE SERVICE
 - ③ PROPOSED PRIVATE WATER SERVICE
 - ⑦ PROPOSED PRIVATE STORM DRAIN
 - ⑩ EX. WALL TO REMAIN, PROTECT IN PLACE
 - ⑪ PROPOSED PEDESTRIAN RAMP
 - ⑬ PROPOSED BUILDING
 - ⑭ PROPOSED AC PAVEMENT
 - ⑮ PROPOSED 6" CURB AND GUTTER
 - ⑯ PROPOSED 6" CURB
 - ⑰ PROPOSED COURTYARD, SEE LANDSCAPE PLANS
 - ⑳ PROPOSED 8" REDUCED PRESSURE PRINCIPLE DETECTOR CHECK ASSEMBLY
 - ㉑ PROPOSED BROOKS BOX WITH TRAFFIC RATED GRATE
 - ㉒ PROPOSED STORM DRAIN CLEAN OUT
 - ㉓ PROPOSED RETAINING WALL PER ARCHITECTURAL PLAN

Ⓛ PROPOSED LIFT

NOTE: FOR STORM DRAIN INFORMATION SEE UTILITY & STORM DRAIN PLAN SHEET 4

- PROPOSED ITEMS:**
(THIS DETAIL)
- ① PROPOSED PRIVATE 4" SEWER SERVICE
 - ② PROPOSED 8" PRIVATE FIRE SERVICE
 - ③ PROPOSED 3" PRIVATE WATER SERVICE
 - ⑤ PROPOSED PARKING STALL
 - ⑥ PROPOSED MODULAR WETLAND
 - ⑦ PROPOSED PRIVATE STORM DRAIN
 - ⑩ PROPOSED RETAINING WALL
 - ⑪ PROPOSED PEDESTRIAN RAMP
 - ⑫ PROPOSED UNDERGROUND STORAGE TANKS
 - ⑬ PROPOSED MULTI-FAMILY HOMES
 - ⑭ PROPOSED AC PAVEMENT
 - ⑮ PROPOSED 6" CURB AND GUTTER
 - ⑯ PROPOSED 6" CURB
 - ⑰ PROPOSED OUTLET STRUCTURE
 - ⑱ PROPOSED 3" WATER METER
 - ⑳ PROPOSED 8" REDUCED PRESSURE PRINCIPLE DOUBLE DETECTOR CHECK ASSEMBLY
 - ㉑ PROPOSED CARPORT
 - ㉒ PROPOSED 4" SIDEWALK
 - ㉓ PROPOSED BROOKS BOX WITH TRAFFIC RATED GRATE
 - ㉔ PROPOSED RECYCLED WATER LATERAL
 - ㉕ PROPOSED 1" RECYCLED WATER METER
 - ㉖ PROPOSED EMERGENCY ACCESS GATE PER ARCHITECTURE PLANS, 42" HEIGHT MAX.

NOTE: FOR STORM DRAIN INFORMATION SEE UTILITY & STORM DRAIN PLAN SHEET 7

- PROPOSED ITEMS:**
(THIS DETAIL)
- ② PROPOSED 8" FIRE SERVICE
 - ⑤ PROPOSED PARKING STALL
 - ⑦ PROPOSED STORM DRAIN
 - ⑨ PROPOSED CONCRETE RIBBON GUTTER
 - ⑩ PROPOSED RETAINING WALL
 - ⑪ PROPOSED PEDESTRIAN RAMP
 - ⑭ PROPOSED AC PAVEMENT
 - ⑮ PROPOSED 6" CURB AND GUTTER
 - ⑯ PROPOSED 6" CURB
 - ⑳ PROPOSED 8" REDUCED PRESSURE PRINCIPLE DOUBLE DETECTOR CHECK ASSEMBLY
 - ㉑ PROPOSED 4" SIDEWALK
 - ㉒ PROPOSED BROOKS BOX WITH TRAFFIC RATED GRATE
 - ㉓ PROPOSED ADA HAND RAIL
 - ㉔ PROPOSED REVERSE UNDER SIDEWALK DRAIN
 - ㉕ PROPOSED STREET LIGHT
 - ㉖ PROPOSED CATCH BASIN

NO.	REVISIONS	DESCRIPTION	DATE	APPD

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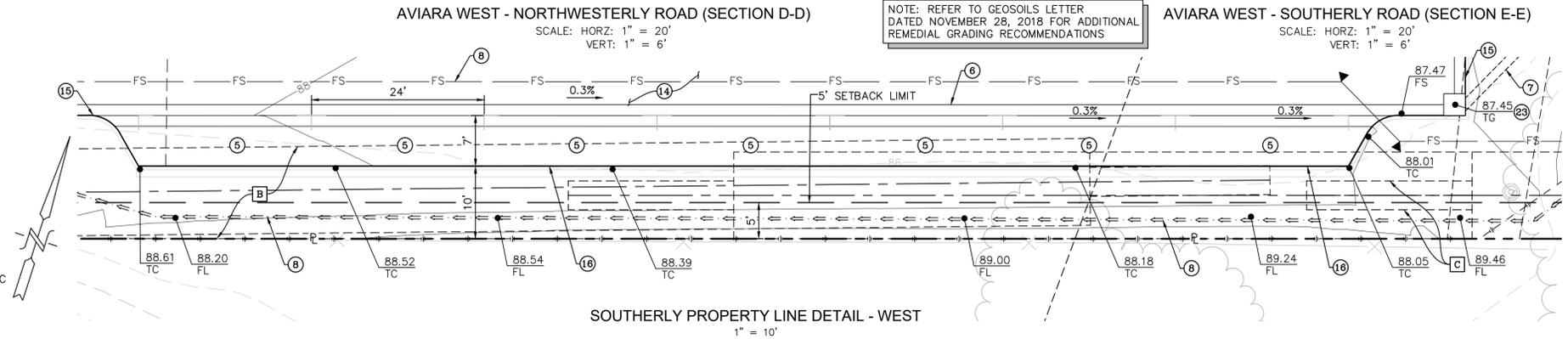
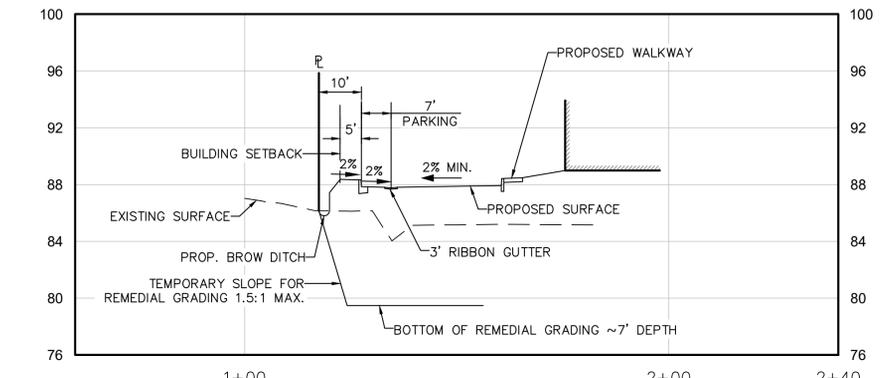
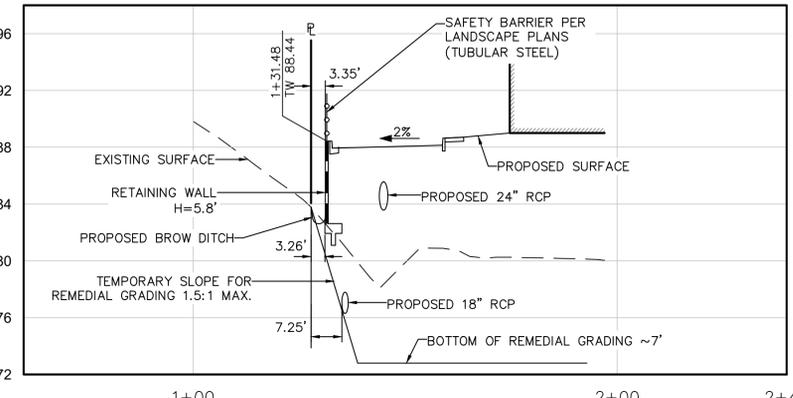
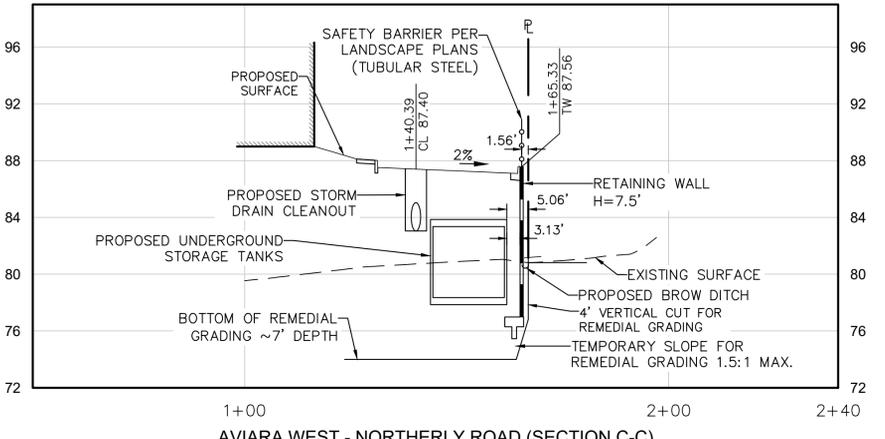
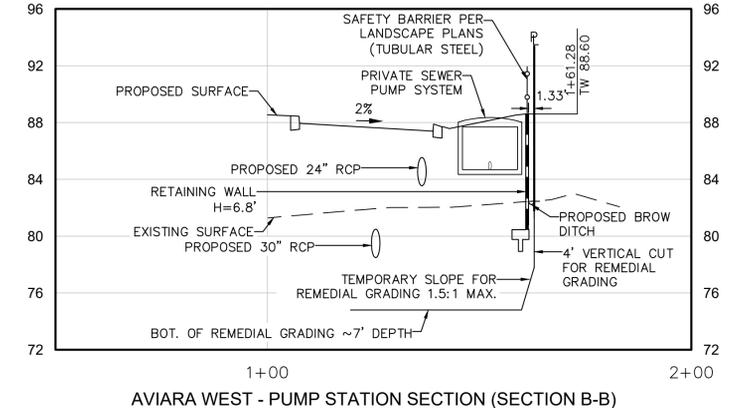
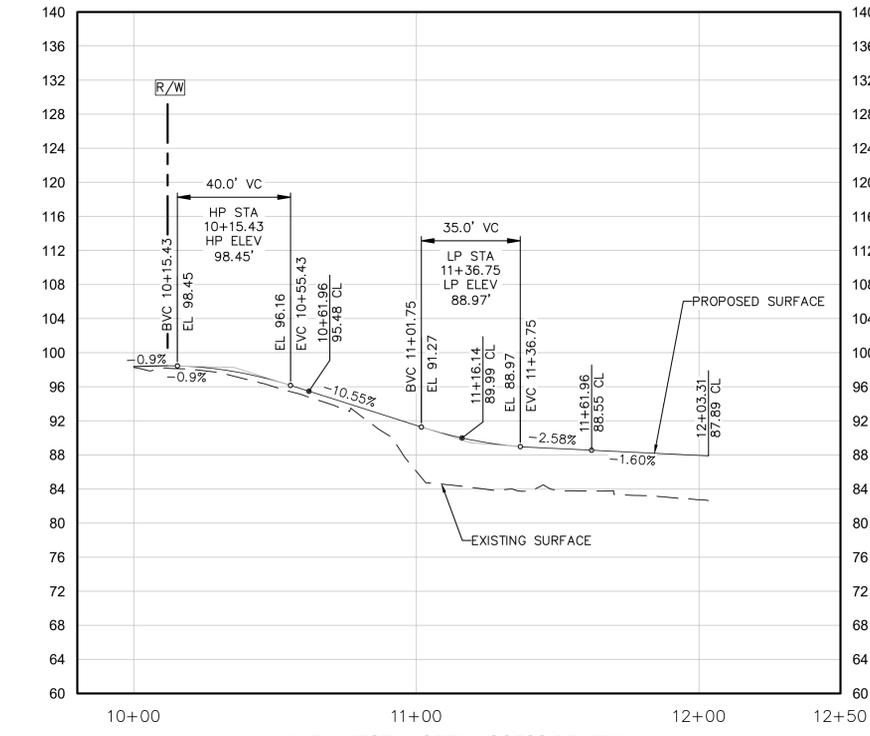
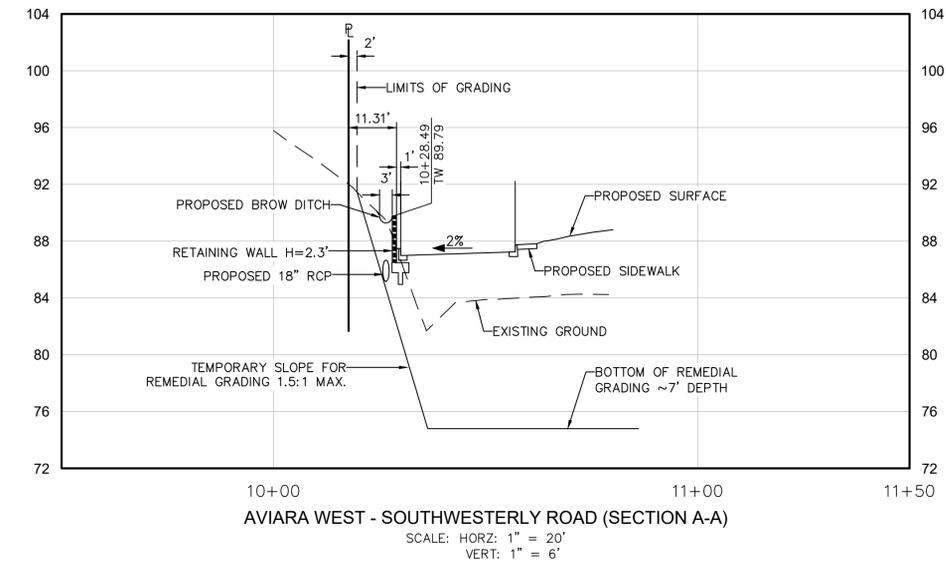
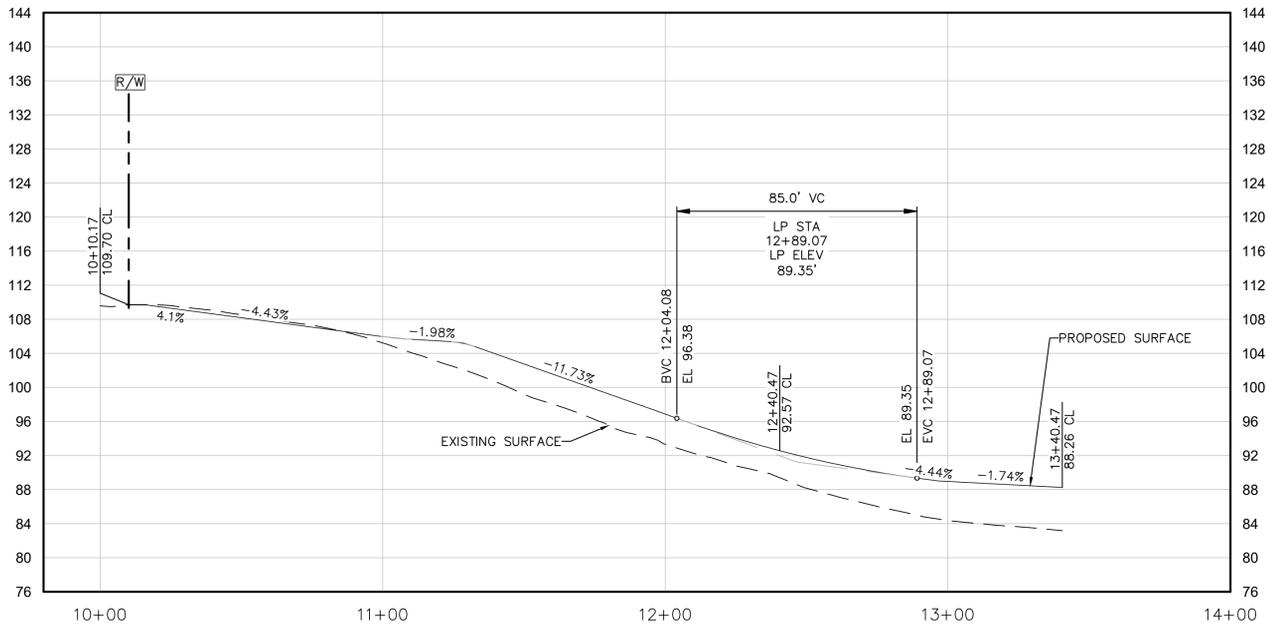


DATE: 08/27/19
SCALE: 1" = 30'
DRAWN: A.O.
CHECKED: J.R.R.

DETAILS
PROJECT
AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011

SHEET
11
OF 24 SHEETS





EASEMENT LEGEND:

B AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND UTILITIES, AS RECORDED SEPTEMBER 12, 1967, IN INSTRUMENT NO. 138908, OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.

C AN EASEMENT IN FAVOR OF SAN DIEGO GAS & ELECTRIC COMPANY FOR AERIAL AND UNDERGROUND UTILITIES, AS RECORDED JUNE 18, 1997, IN INSTRUMENT NO. 1997-0282713, OFFICIAL RECORDS. EASEMENT TO BE QUITCLAIMED.

- PROPOSED ITEMS:**
- ② PROPOSED 8" PRIVATE FIRE SERVICE
 - ⑤ PROPOSED PARKING STALL
 - ⑥ PROPOSED RIBBON GUTTER
 - ⑦ PROPOSED PRIVATE STORM DRAIN
 - ⑧ PROPOSED GRADED DITCH
 - ⑭ PROPOSED AC PAVEMENT
 - ⑮ PROPOSED 6" CURB AND GUTTER
 - ⑯ PROPOSED 6" CURB
 - ⑰ PROPOSED BROOKS BOX WITH TRAFFIC RATED GRATE

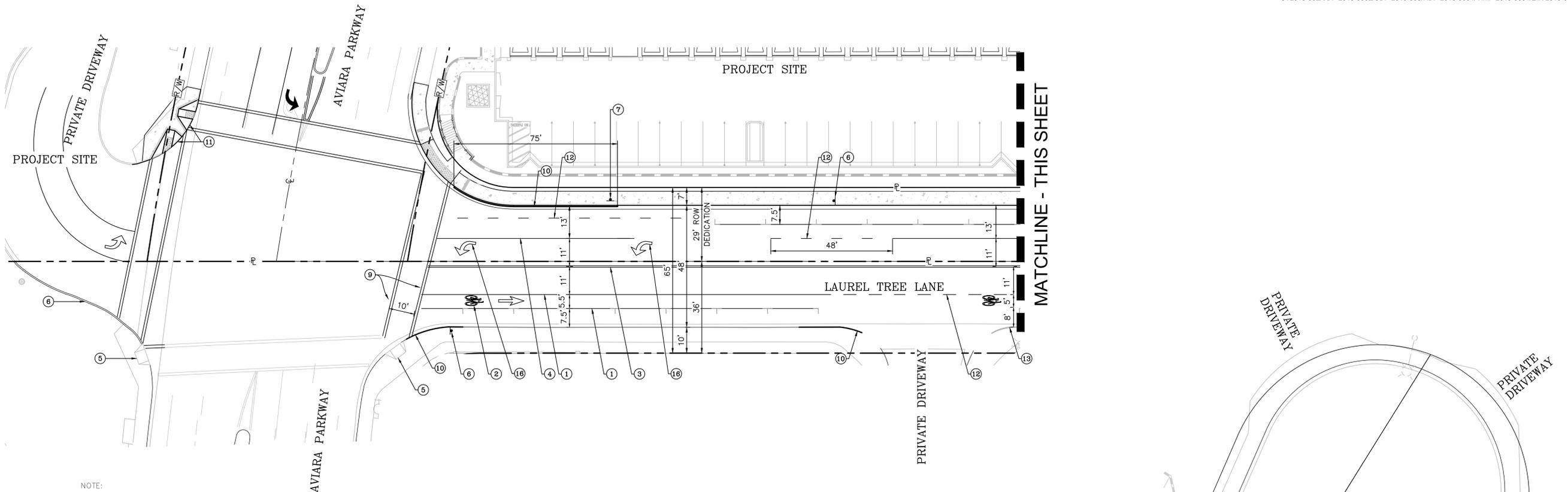
NOTE: REFER TO GEOSOLS LETTER DATED NOVEMBER 28, 2018 FOR ADDITIONAL REMEDIAL GRADING RECOMMENDATIONS



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WEST - PROFILES AND SECTIONS
 DATE: 08/27/19
 SCALE: N/A
 DRAWN: A.O.
 CHECKED: J.R.R.
AVIARA APARTMENTS
 6145 LAUREL TREE ROAD
 CARLSBAD, CA 92011
 SHEET 12 OF 24 SHEETS



NOTE:
THERE IS NO RIGHT-OF-WAY TO THE SOUTH OF THE PROPERTY. A LINE HAS BEEN SHOWN FOR REFERENCE ONLY.

LEGEND

DESCRIPTION	SYMBOL
EXISTING PROPERTY BOUNDARY	---
PROPOSED PROPERTY LINE	- - -
EXISTING RIGHT-OF-WAY	---
PROPOSED CURB AND GUTTER	---

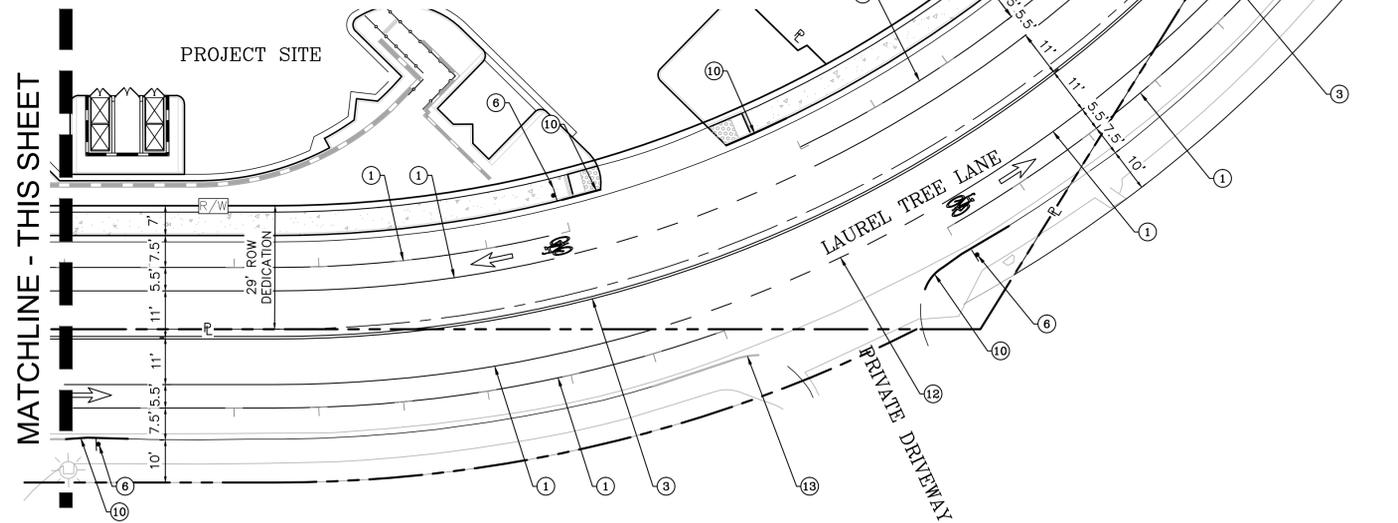
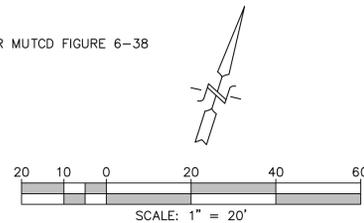
R7-1 - NO PARKING ANY TIME SIGNAGE



R3-17bP - ENDS SIGNAGE



- ① PLACE RIGHT EDGELINE PER MUTCD DETAIL 27B
- ② PLACE BICYCLE LANE MARKING PER MUTCD FIGURE 9C-3
- ③ PLACE DOUBLE YELLOW 4" SOLID STRIPES PER MUTCD DETAIL 21
- ④ PLACE LANE LINE EXTENSION PER MUTCD DETAIL 40
- ⑤ EXISTING PED RAMP TO REMAIN
- ⑥ EX. AC BERM TO REMAIN
- ⑦ INSTALL "NO PARKING ANY TIME" SIGNAGE PER MUTCD R7-1
- ⑧ INSTALL "ENDS" SIGNAGE PER MUTCD R3-17B
- ⑨ INSTALL 24" WIDE SOLID WHITE STOP LINE
- ⑩ INSTALL 4" WIDE RED STRIPING ON PROPOSED CURB
- ⑪ INSTALL PROPOSED PEDESTRIAN RAMPS
- ⑫ PLACE RIGHT EDGE LINE THROUGH INTERSECTION PER MUTCD DETAIL 39A
- ⑬ EXISTING 4" WIDE RED STRIPING TO REMAIN
- ⑭ NOT USED
- ⑮ NOT USED
- ⑯ PLACE TYPE IV (L) ARROW PER MUTCD FIGURE 6-38
- ⑰ NOT USED
- ⑱ PLACE TYPE IV (R) ARROW PER MUTCD FIGURE 6-38
- ⑳ NOT USED
- ㉑ NOT USED
- ㉒ PLACE TYPE II (R) ARROW PER MUTCD FIGURE 6-38



MATCHLINE - THIS SHEET

MATCHLINE - THIS SHEET

NO.	REVISIONS DESCRIPTION	DATE	APP'D

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REC
 Consultants, Inc.

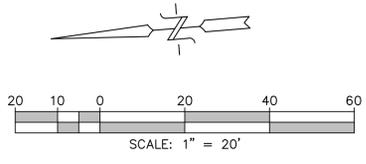
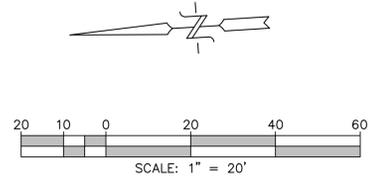
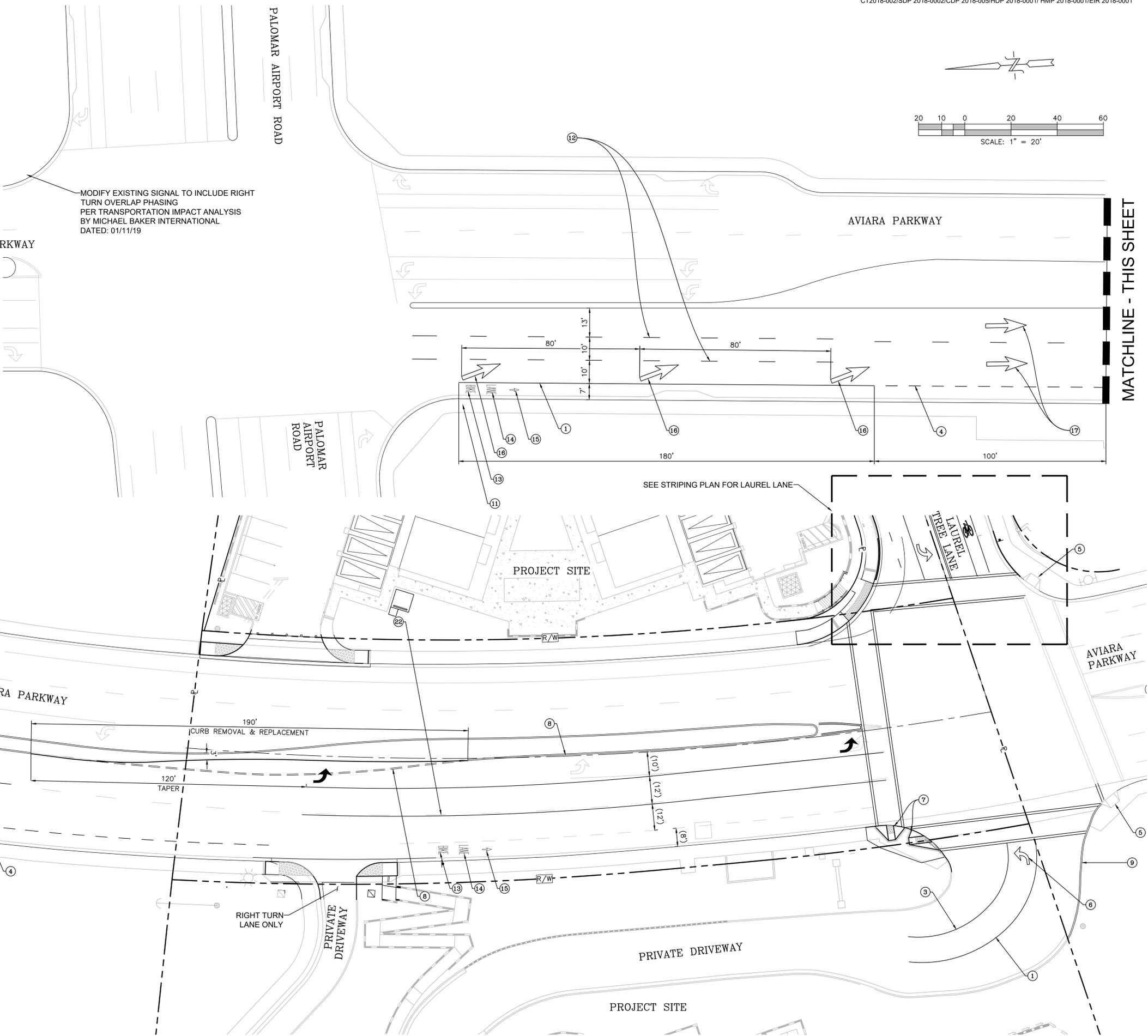
DATE: 08/27/19	SCALE: 1" = 20'
DRAWN: R.J.D.	CHECKED: J.R.R.
SHEET TITLE: LAUREL TREE LANE STRIPING PLAN	
PROJECT: AVIARA APARTMENTS 6145 LAUREL TREE ROAD CARLSBAD, CA 92011	
SHEET	13
OF 24 SHEETS	

LEGEND

DESCRIPTION	SYMBOL
EXISTING PROPERTY BOUNDARY	
PROPOSED PROPERTY LINE	
RIGHT-OF-WAY	
PROPOSED CURB AND GUTTER	
DEMO CURB	
R3-17 - BIKE LANE SIGNAGE	
R6-2R - ONE WAY SIGNAGE	

DETAIL 'A'

- 1 PLACE RIGHT EDGELINE PER MUTCD DETAIL 27B
- 2 PLACE "NO U-TURN AT LAUREL TREE LANE" SIGN PER DETAIL 'A' ABOVE
- 3 PLACE DOUBLE YELLOW 4" SOLID STRIPES PER MUTCD FIGURE 9C-3
- 4 PLACE LANE LINE EXTENSION PER MUTCD DETAIL 40
- 5 EXISTING PED RAMP TO REMAIN
- 6 PLACE INTERSECTION LANE CONTROL ARROW PER R61-32
- 7 INSTALL PROPOSED PEDESTRIAN RAMP
- 8 DEMO EXISTING CURB
- 9 EX. AC BERM TO REMAIN
- 10 NOT USED
- 11 INSTALL "BIKE LANE" SIGNAGE PER MUTCD R3-17
- 12 INSTALL LANELINE PER MUTCD DETAIL 8
- 13 PLACE "BIKE" PAVEMENT MARKING PER MUTCD FIGURE 6-36
- 14 PLACE "LANE" PAVEMENT MARKING PER MUTCD FIGURE 6-36
- 15 PLACE BIKE LANE ARROW MARKING PER MUTCD FIGURE 6-37
- 16 PLACE TYPE VI ARROW PER MUTCD FIGURE 6-38
- 17 PLACE TYPE I ARROW PER MUTCD FIGURE 6-38
- 18 NOT USED
- 19 PRIVATE PARKING ISLAND REFER TO GRADING PLAN FOR DETAILS
- 20 INSTALL "ONE WAY" SIGNAGE PER MUTCD R6-2R
- 21 NOT USED
- 22 PLACE CHANNELIZING LINE PER MUTCD DETAIL 38-A

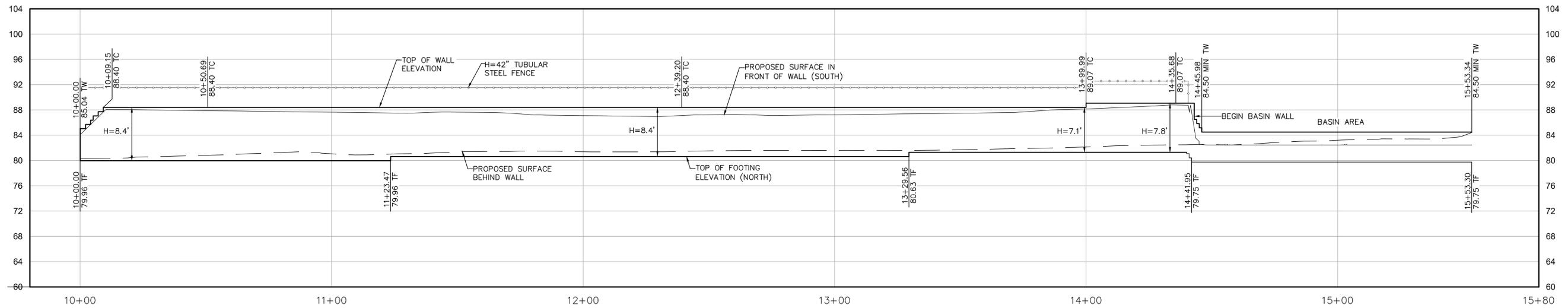


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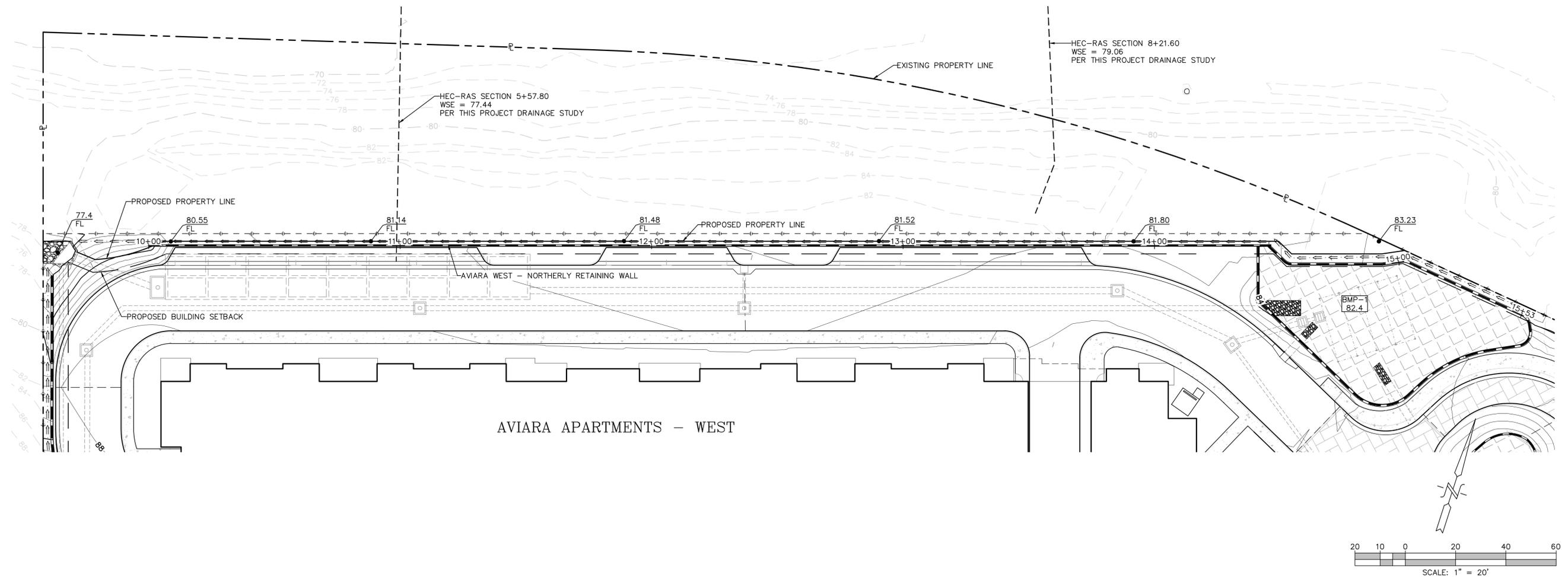
DATE: 08/27/19	SCALE: 1" = 20'
DRAWN: R.J.D.	CHECKED: J.R.R.
SHEET TITLE: AVIARA PARKWAY STRIPING PLAN	
PROJECT: AVIARA APARTMENTS 6145 LAUREL TREE ROAD CARLSBAD, CA 92011	
SHEET 14 OF 24 SHEETS	



AVIARA WEST - NORTHERLY RETAINING WALL - CENTERLINE

SCALE: HORZ: 1" = 20'
VERT: 1" = 8'

NOTES:
ALL WALL WIDTHS ARE 1' UNLESS OTHERWISE NOTED.
WALL HEIGHTS PROVIDED ARE EXPOSED HEIGHTS.
TUBULAR STEEL FENCE PER LANDSCAPE ARCHITECT.



NO.	REVISIONS DESCRIPTION	DATE	APPD

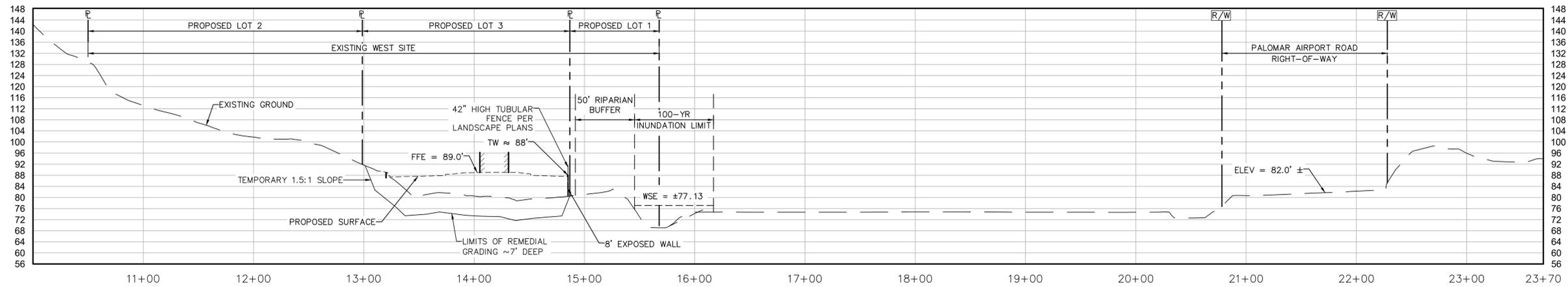
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DATE: 08/27/19
SCALE: 1" = 20'
DRAWN: R.J.D.
CHECKED: J.R.R.

SHEET TITLE: WEST - NORTHERLY RET. WALL PROFILE
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE LANE
CARLSBAD, CA 92011

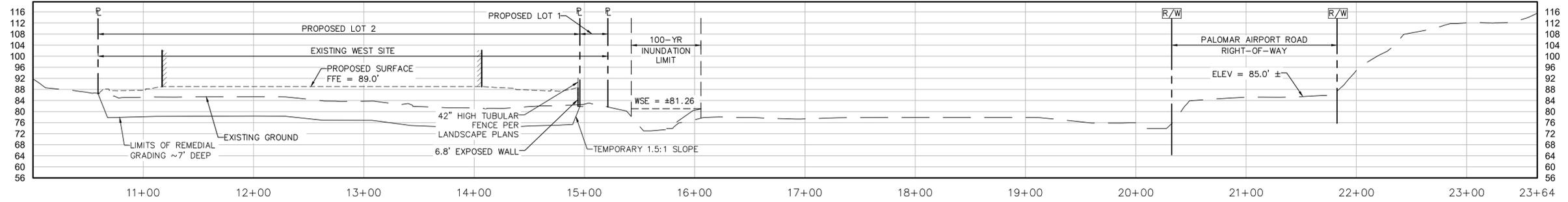
SHEET: 15
OF 24 SHEETS

SAVE DATE: 8/23/2019 ~ EXCL DATE: 8/23/2019 ~ FILE NAME: P:\Acad\1196 - Aviana Parkway\Civil\Exhibits\Retaining Wall Profiles.dwg



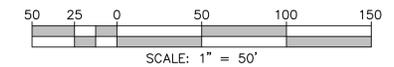
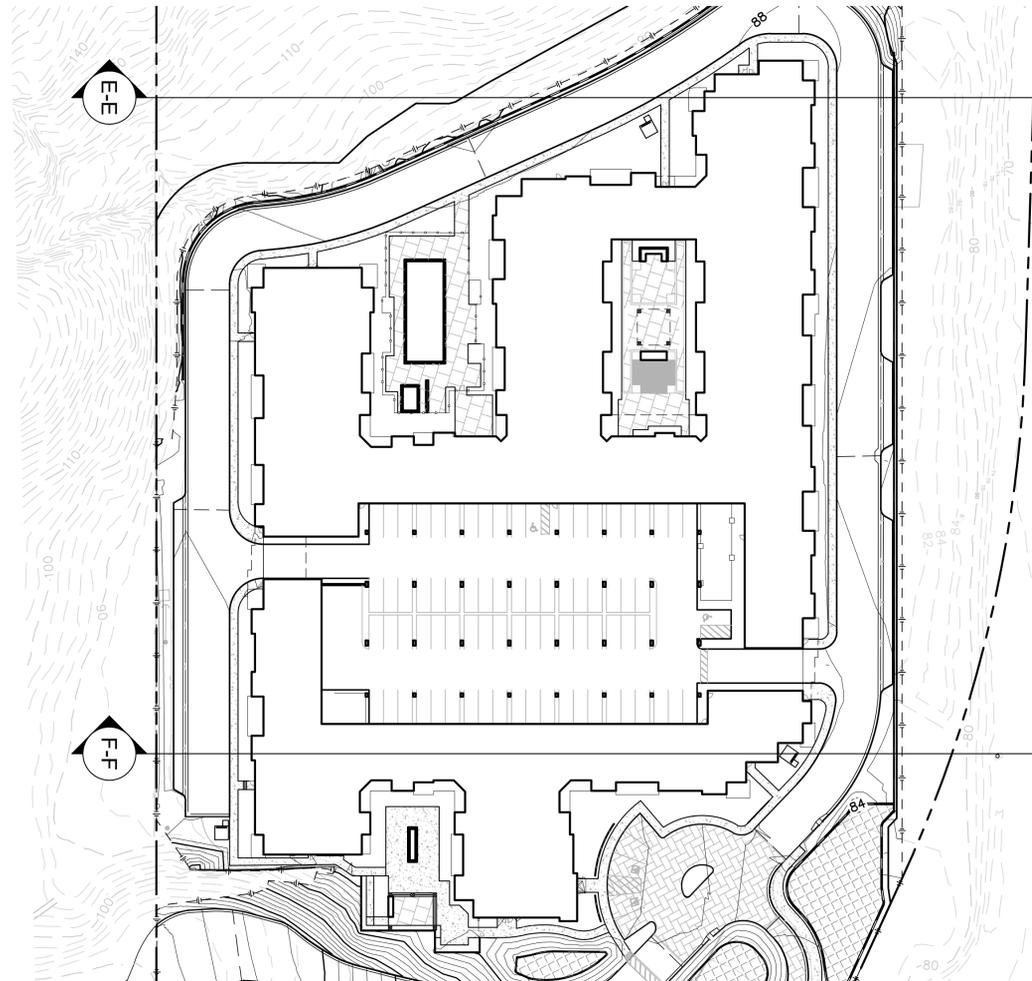
SECTION E-E - CENTERLINE

SCALE: HORIZ: 1" = 50'
VERT: 1" = 20'



SECTION F-F - CENTERLINE

SCALE: HORIZ: 1" = 50'
VERT: 1" = 20'



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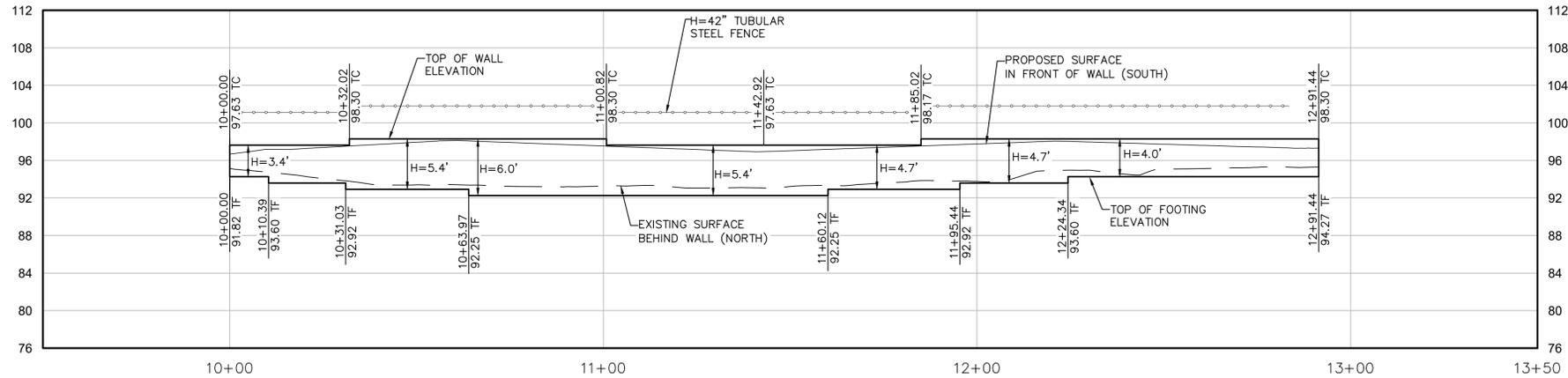
Civil Engineering - Environmental
Land Surveying
2442 Second Avenue
San Diego, CA 92101
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R.E.C.
Consultants, Inc.

DATE: 08/27/19
SCALE: 1" = 20'
DRAWN: A.O.
CHECKED: J.R.R.

SHEET TITLE: WEST - PALOMAR AIRPORT ROAD SECTION
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE LANE
CARLSBAD, CA 92011

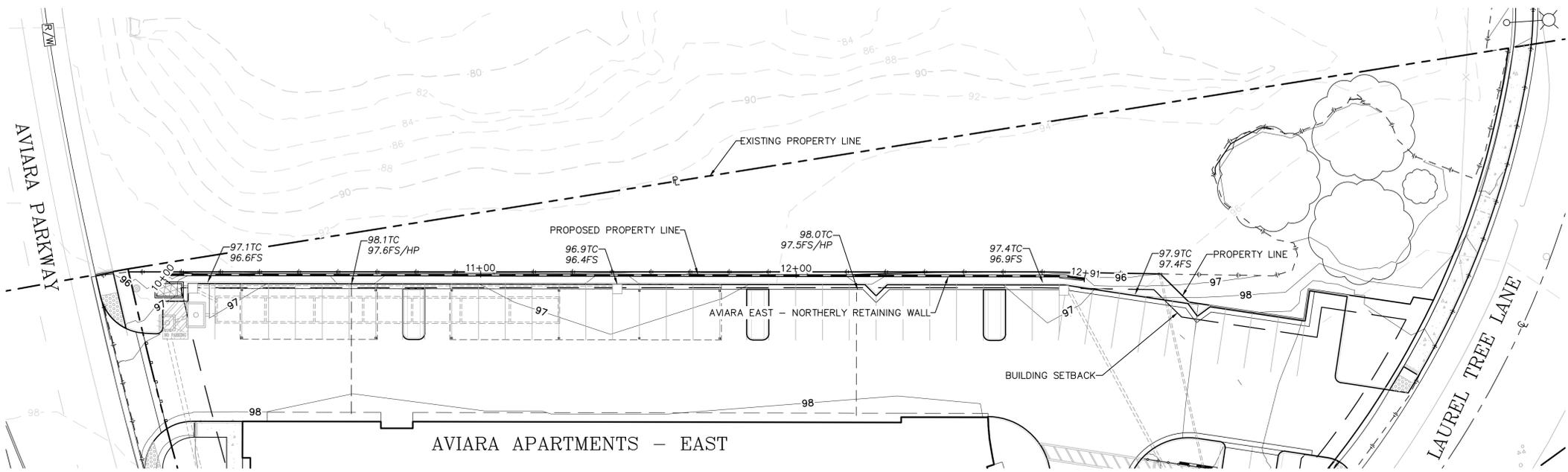
SHEET 16
OF 24 SHEETS

SAVE DATE: 8/23/2019 ~ EXCL DATE: 8/23/2019 ~ FILE NAME: P:\Acad\1196 Aviara Parkway\Civil\Exhibits\Retaining Wall Profiles.dwg

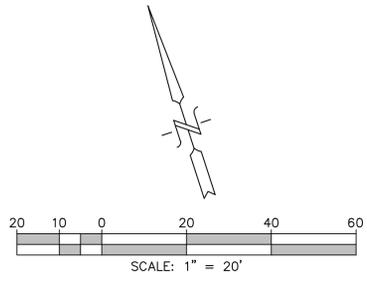


AVIARA EAST - NORTHERLY WALL - CENTERLINE

SCALE: HORZ: 1" = 20'
VERT: 1" = 8'



NOTES:
ALL WALL WIDTHS ARE 1' UNLESS OTHERWISE NOTED.
WALL HEIGHTS PROVIDED ARE EXPOSED HEIGHTS.
TUBULAR STEEL FENCE PER LANDSCAPE ARCHITECT.



NO.	REVISIONS DESCRIPTION	DATE	APPD

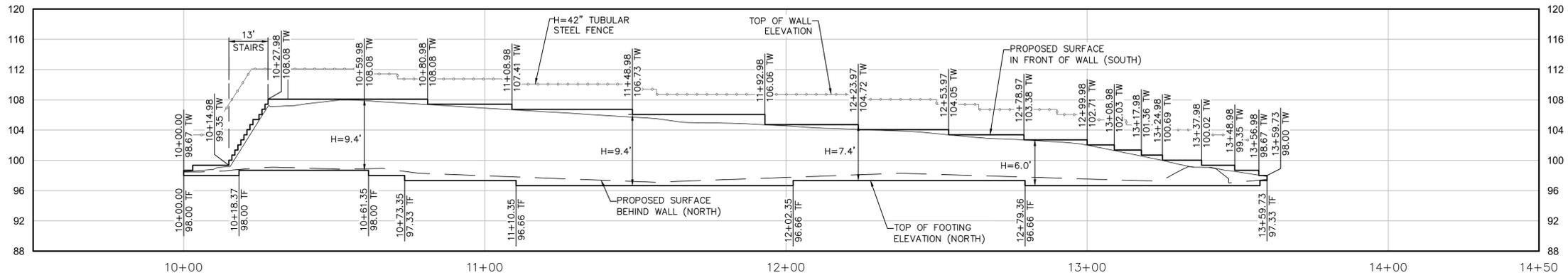
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Consultants, Inc.

SHEET TITLE: EAST - NORTHERLY RET. WALL PROFILE
DATE: 08/27/19
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011
SCALE: 1" = 20'
DRAWN: A.O.
CHECKED: J.R.R.

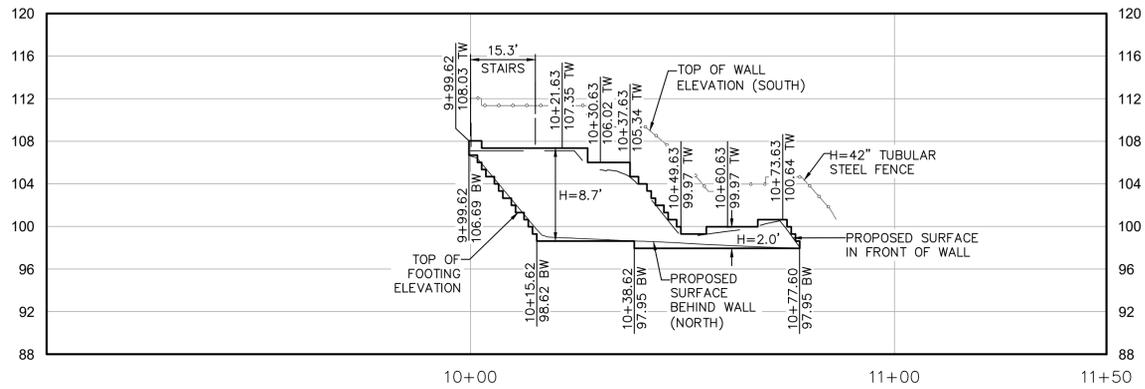
SHEET 17 OF 24 SHEETS

SAVE DATE: 8/23/2019 ~ EOL DATE: 8/23/2019 ~ FILE NAME: P:\Acad\1196_Aviara_Parkway\Civil\Exhibits\Retaining Wall Profiles.dwg



LAUREL TREE LANE WALL ALIGNMENT - CENTERLINE

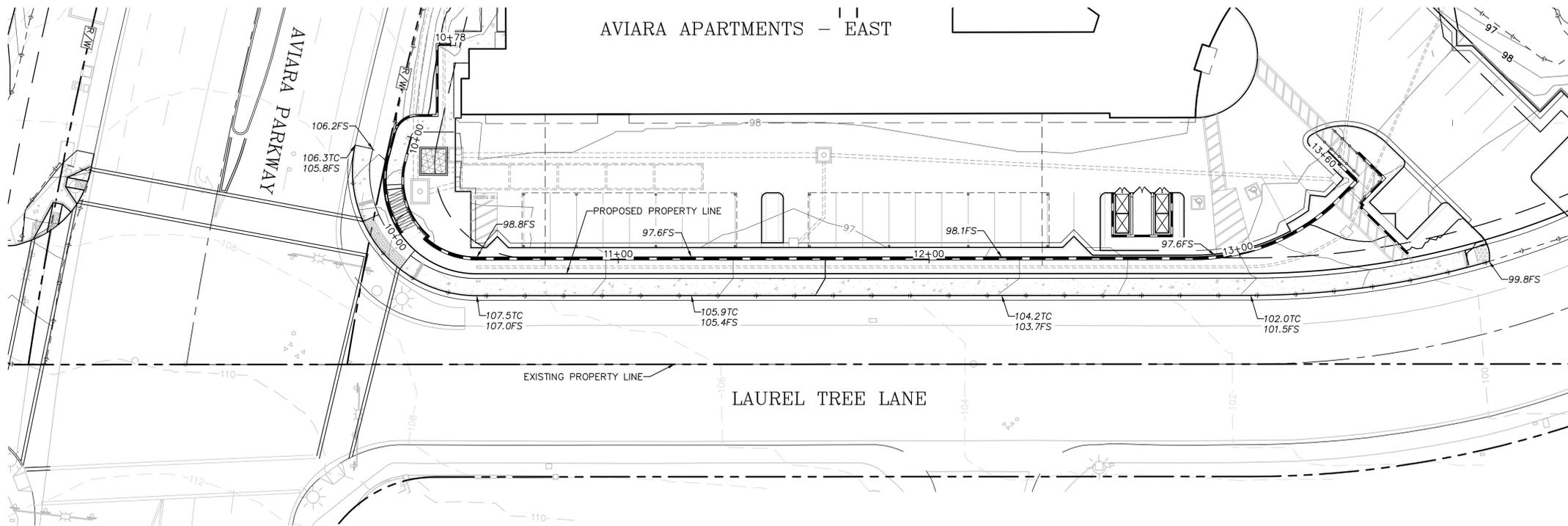
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EAST SIDE STAIRS ALIGNMENT - CENTERLINE

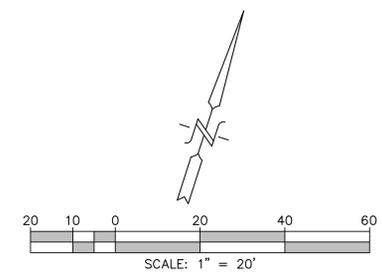
SCALE: HORZ: 1" = 20'
VERT: 1" = 8'

NOTES:
ALL WALL WIDTHS ARE 1' UNLESS OTHERWISE NOTED.
WALL HEIGHTS PROVIDED ARE EXPOSED HEIGHTS.
TUBULAR STEEL FENCE PER LANDSCAPE ARCHITECT.



AVIARA APARTMENTS - EAST

LAUREL TREE LANE

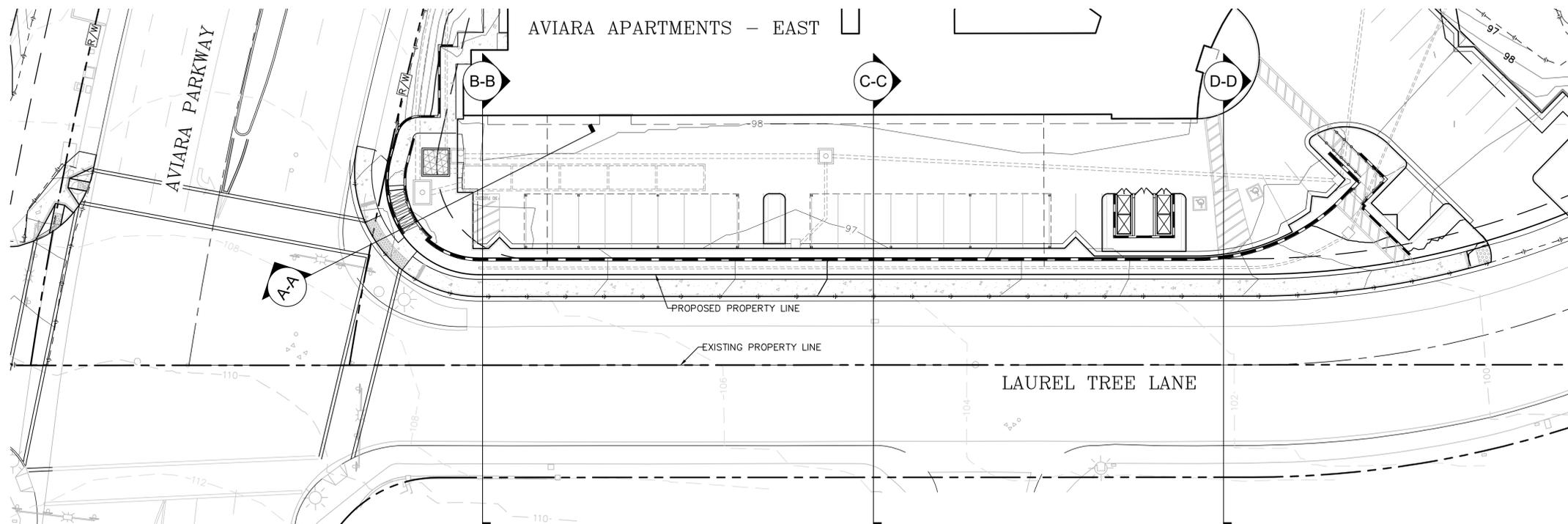
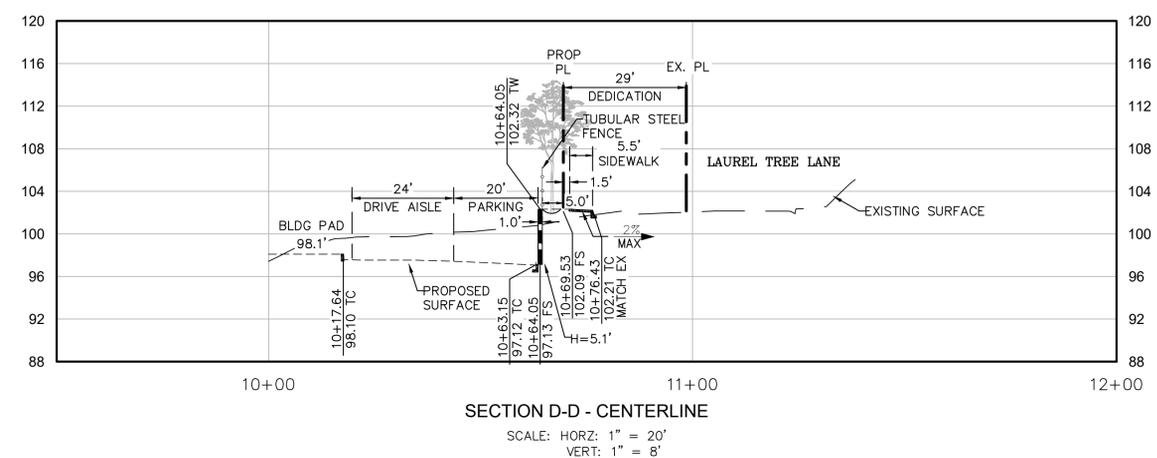
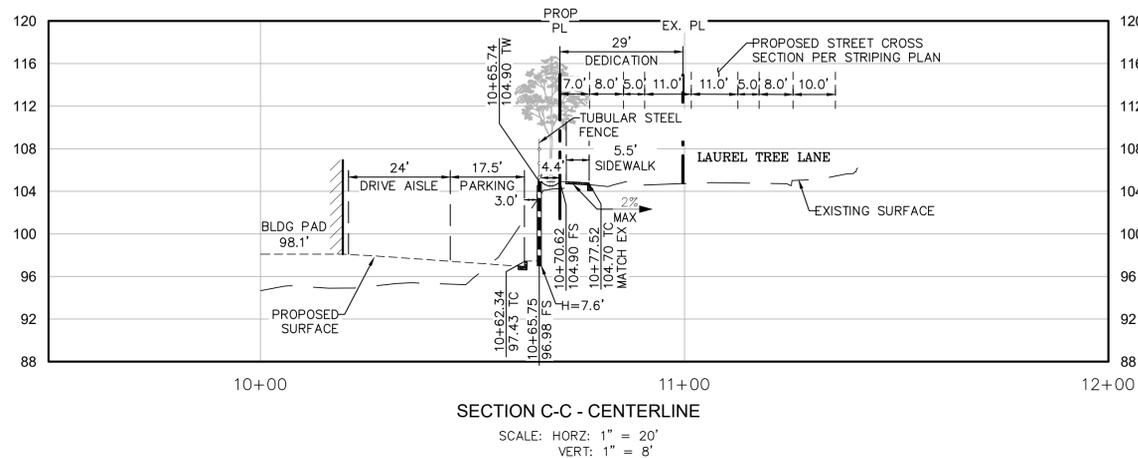
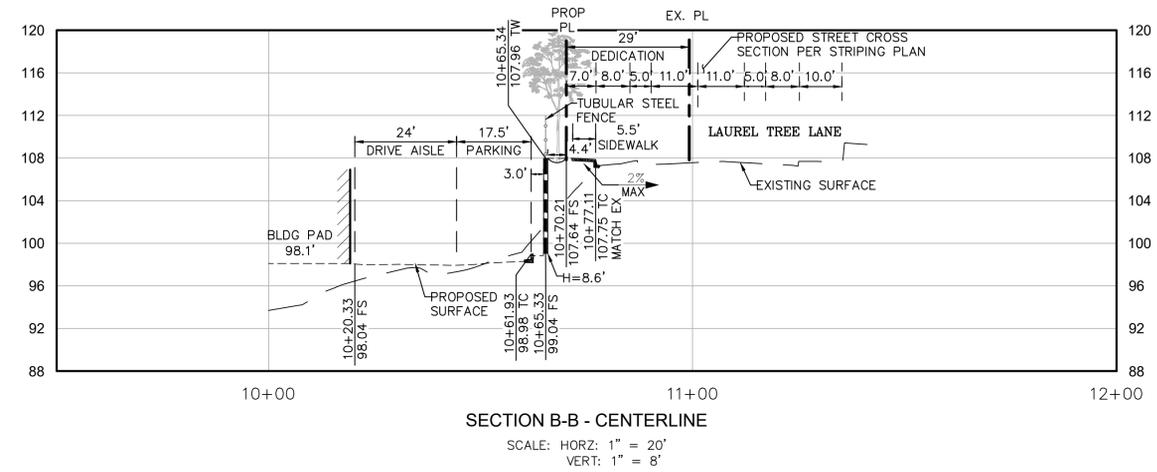
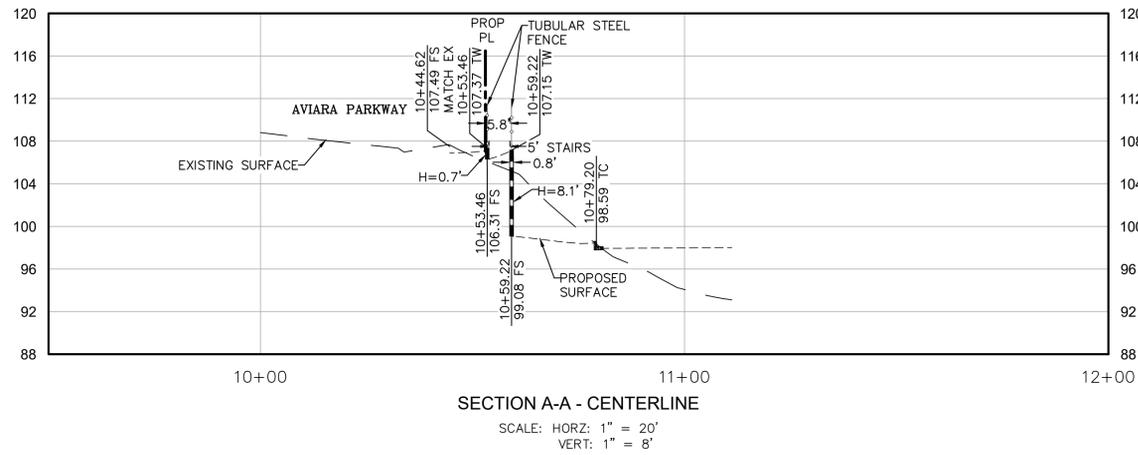


NO.	REVISIONS DESCRIPTION	DATE	APPD

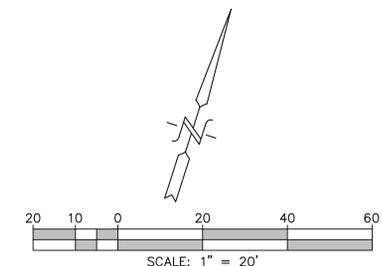
Civil Engineering - Environmental
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(619)232-9200 (619)232-9210 Fax
R.E.C.
Consultants, Inc.

SHEET TITLE: EAST - SOUTHERLY RET. WALL PROFILE
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011
DATE: 08/27/19
SCALE: 1" = 20'
DRAWN: A.O.
CHECKED: J.R.R.
SHEET 18 OF 24 SHEETS

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NOTES:
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WALL HEIGHTS PROVIDED ARE EXPOSED HEIGHTS.
TUBULAR STEEL FENCE PER LANDSCAPE ARCHITECT.



NO.	REVISIONS DESCRIPTION	DATE	APPD

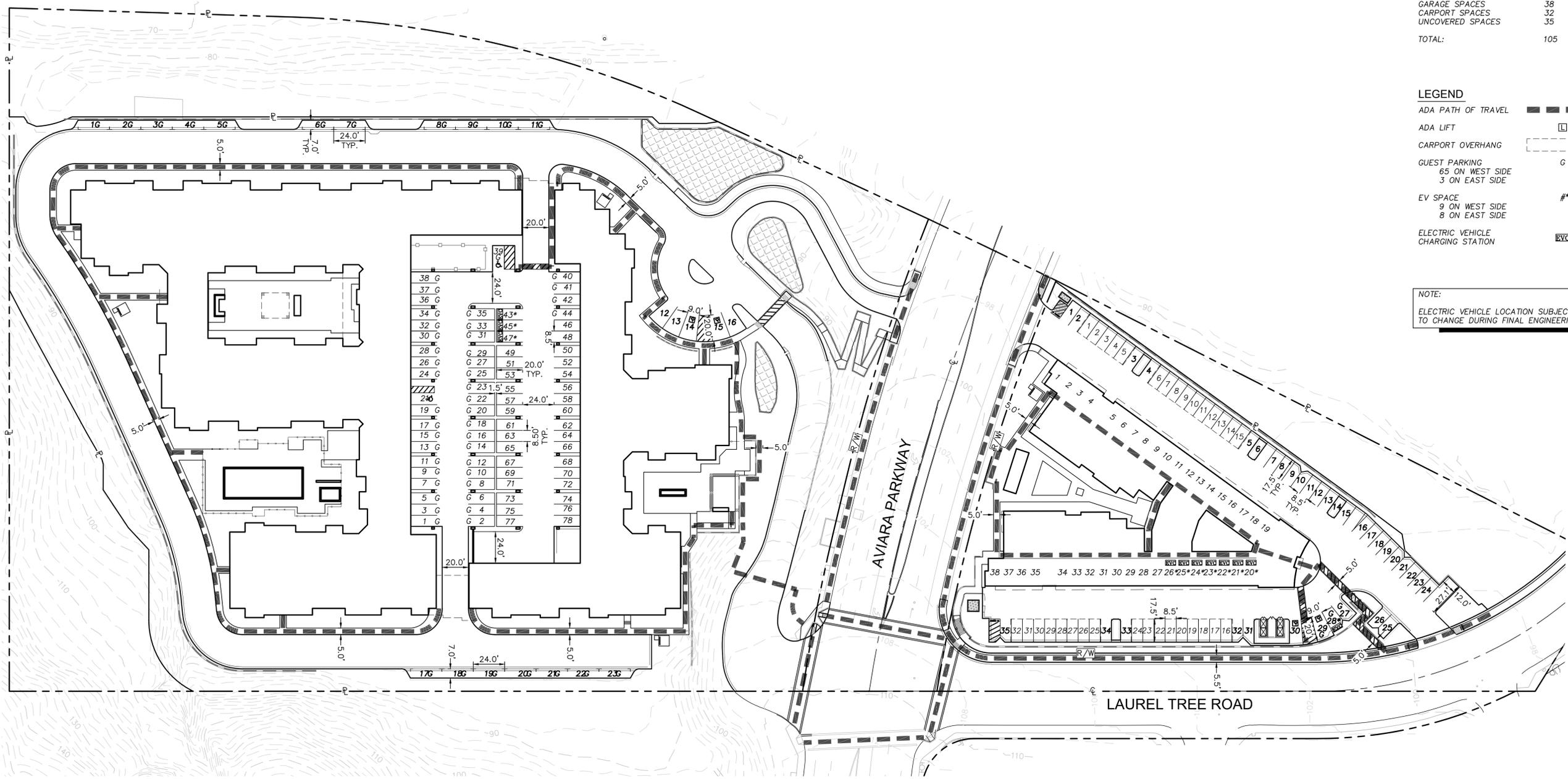
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Land Surveying
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San Diego, CA 92101
(619)232-9200 (619)232-9210 Fax



DATE: 08/27/19
SCALE: 1" = 20'
DRAWN: A.O.
CHECKED: J.R.R.

SHEET TITLE: EAST - SOUTHERLY RET. WALL SECTIONS
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA 92011

SHEET 19 OF 24 SHEETS



PARKING COUNT SUMMARY

WEST SIDE	
COVERED GROUND LEVEL	78
UNCOVERED GROUND LEVEL	23
SECOND LEVEL	86
THIRD LEVEL	86
FOURTH LEVEL	86
ROOF LEVEL	69
TOTAL:	428
EAST SIDE	
GARAGE SPACES	38
CARPORT SPACES	32
UNCOVERED SPACES	35
TOTAL:	105

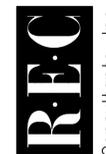
LEGEND

ADA PATH OF TRAVEL	— — — — —
ADA LIFT	□
CARPORT OVERHANG	- - - - -
GUEST PARKING 65 ON WEST SIDE 3 ON EAST SIDE	G
EV SPACE 9 ON WEST SIDE 8 ON EAST SIDE	#
ELECTRIC VEHICLE CHARGING STATION	EVG

NOTE:
ELECTRIC VEHICLE LOCATION SUBJECT TO CHANGE DURING FINAL ENGINEERING.

NO.	REVISIONS DESCRIPTION	DATE	APPD

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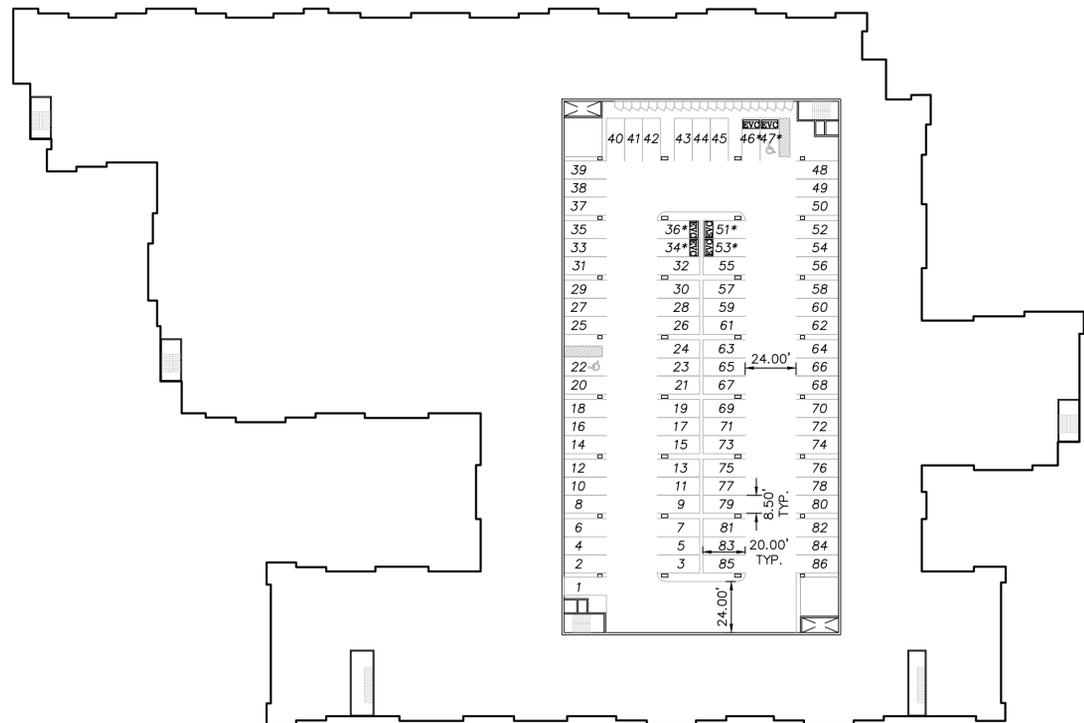
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SCALE: 1" = 40'
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SHEET TITLE: OVERALL - PARKING EXHIBIT
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA

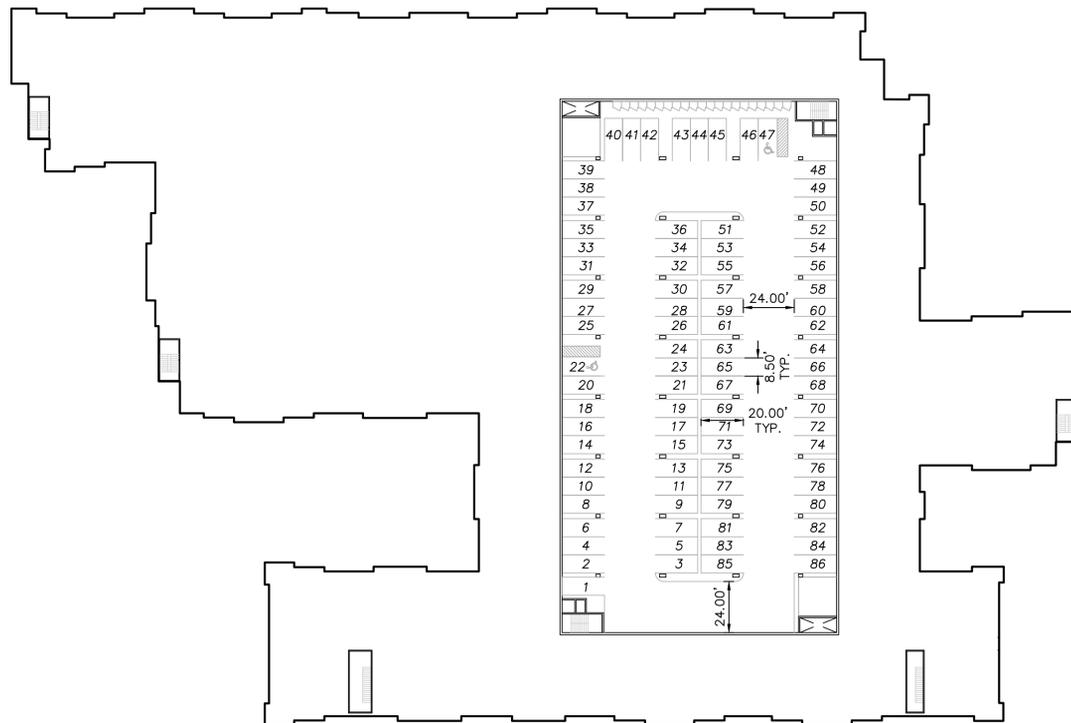
SHEET: 20
OF 24 SHEETS

SAVE DATE: 5/10/2019 -- EXLT DATE: 8/23/2019 -- FILE NAME: P:\Acad\1196 - Aviara Parkway\Civil Exhibits\Parking Exhibit.dwg

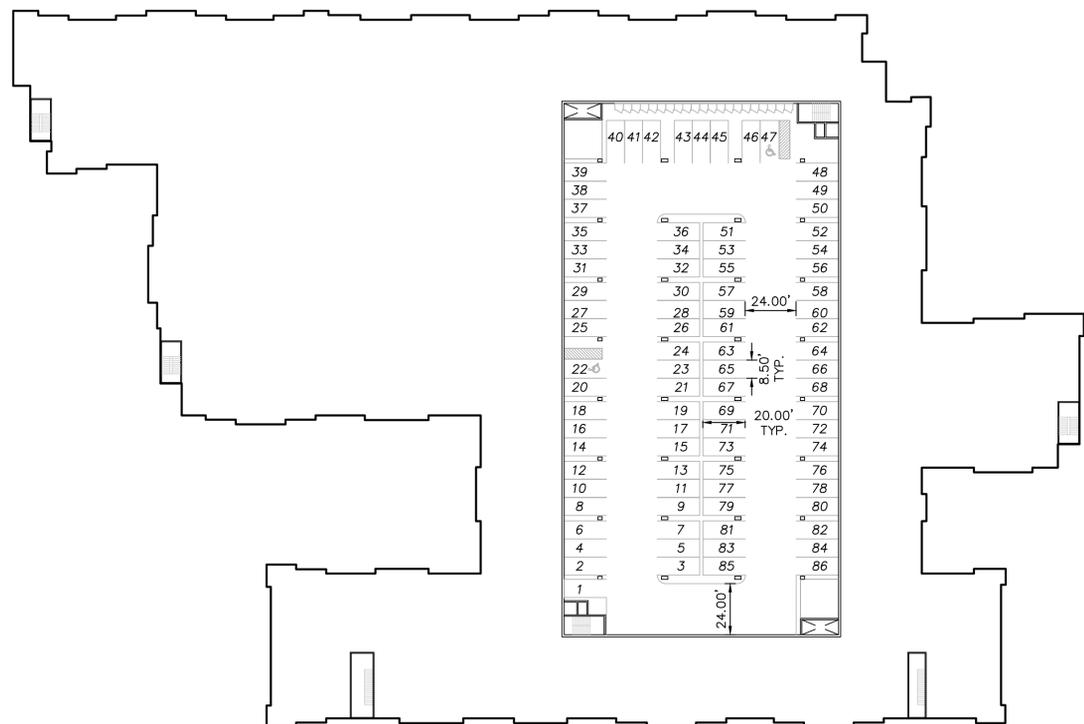
PARKING GARAGE
LEVEL 2



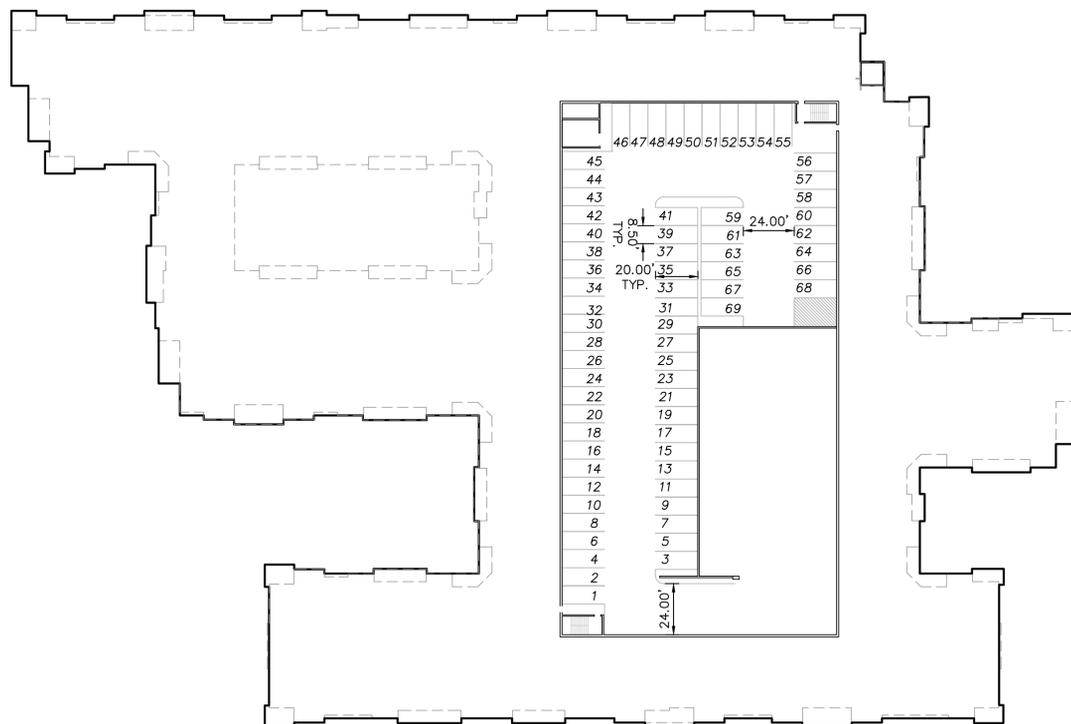
PARKING GARAGE
LEVEL 4



PARKING GARAGE
LEVEL 3



PARKING GARAGE
ROOF LEVEL



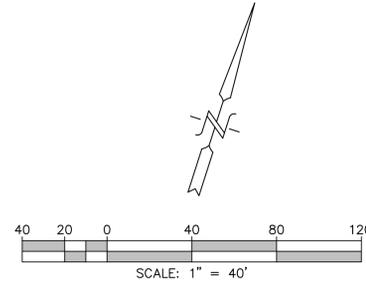
PARKING COUNT SUMMARY

WEST SIDE	
COVERED GROUND LEVEL	78
UNCOVERED GROUND LEVEL	23
SECOND LEVEL	86
THIRD LEVEL	86
FOURTH LEVEL	86
ROOF LEVEL	69
TOTAL:	428
EAST SIDE	
GARAGE SPACES	38
CARPORT SPACES	32
UNCOVERED SPACES	35
TOTAL:	105

LEGEND

- ADA PATH OF TRAVEL
- ADA LIFT
- CARPORT OVERHANG
- GUEST PARKING
65 ON WEST SIDE
3 ON EAST SIDE
- EV SPACE
9 ON WEST SIDE
8 ON EAST SIDE
- ELECTRIC VEHICLE CHARGING STATION

NOTE:
ELECTRIC VEHICLE LOCATION SUBJECT TO CHANGE DURING FINAL ENGINEERING.



NO.	REVISIONS	DESCRIPTION	DATE	APPD

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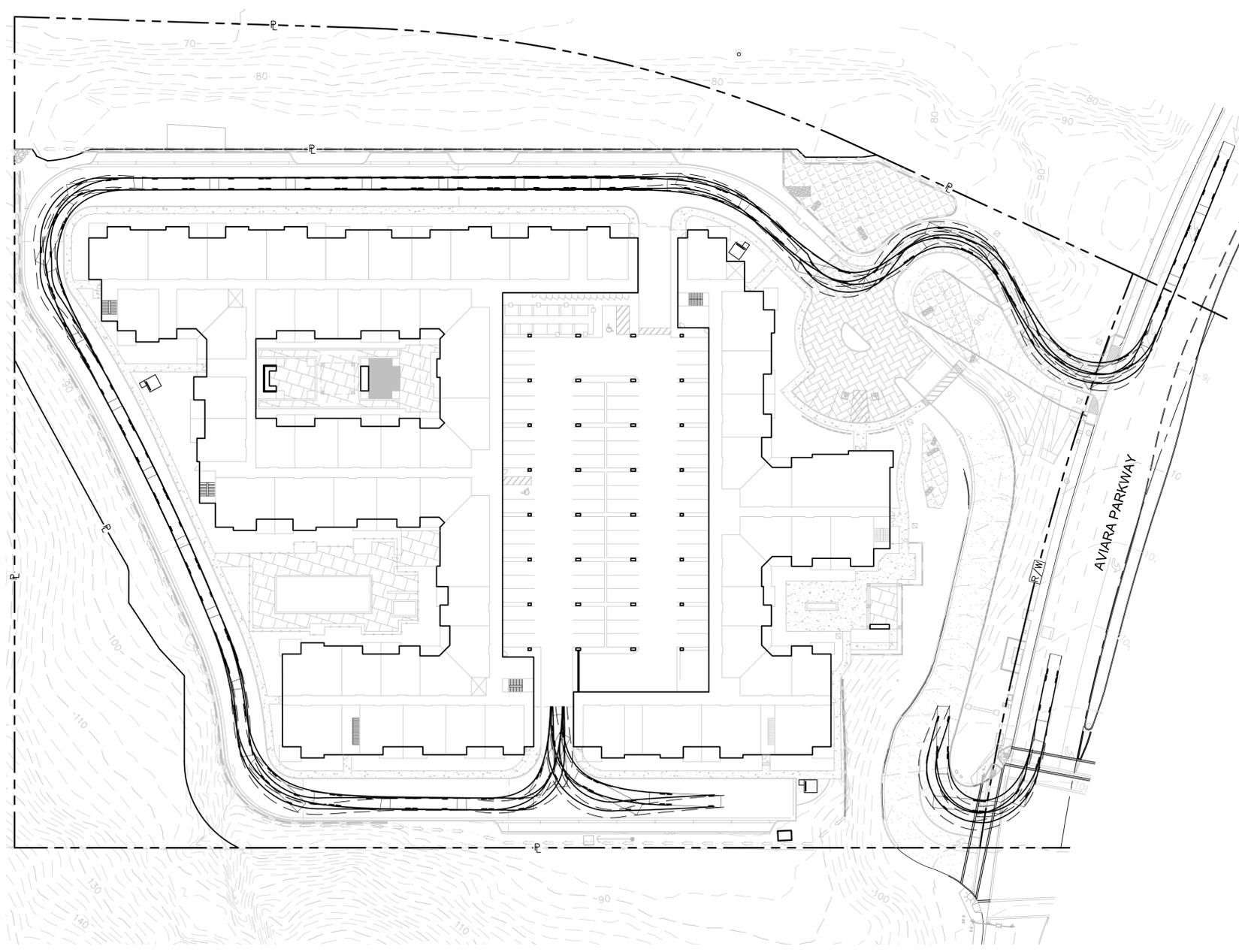


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SCALE: 1" = 40'
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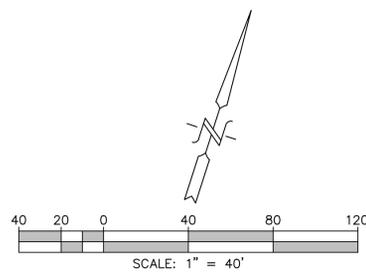
SHEET TITLE: GARAGE - PARKING EXHIBIT
PROJECT: AVIARA APARTMENTS
6145 LAUREL TREE ROAD
CARLSBAD, CA

SHEET 21
OF 24 SHEETS

SAVE DATE: 5/10/2019 -- EXHIBIT DATE: 8/23/2019 -- FILE NAME: P:\Acad\1196 Avira Parkway\Civil Exhibits\Parking Exhibit.dwg

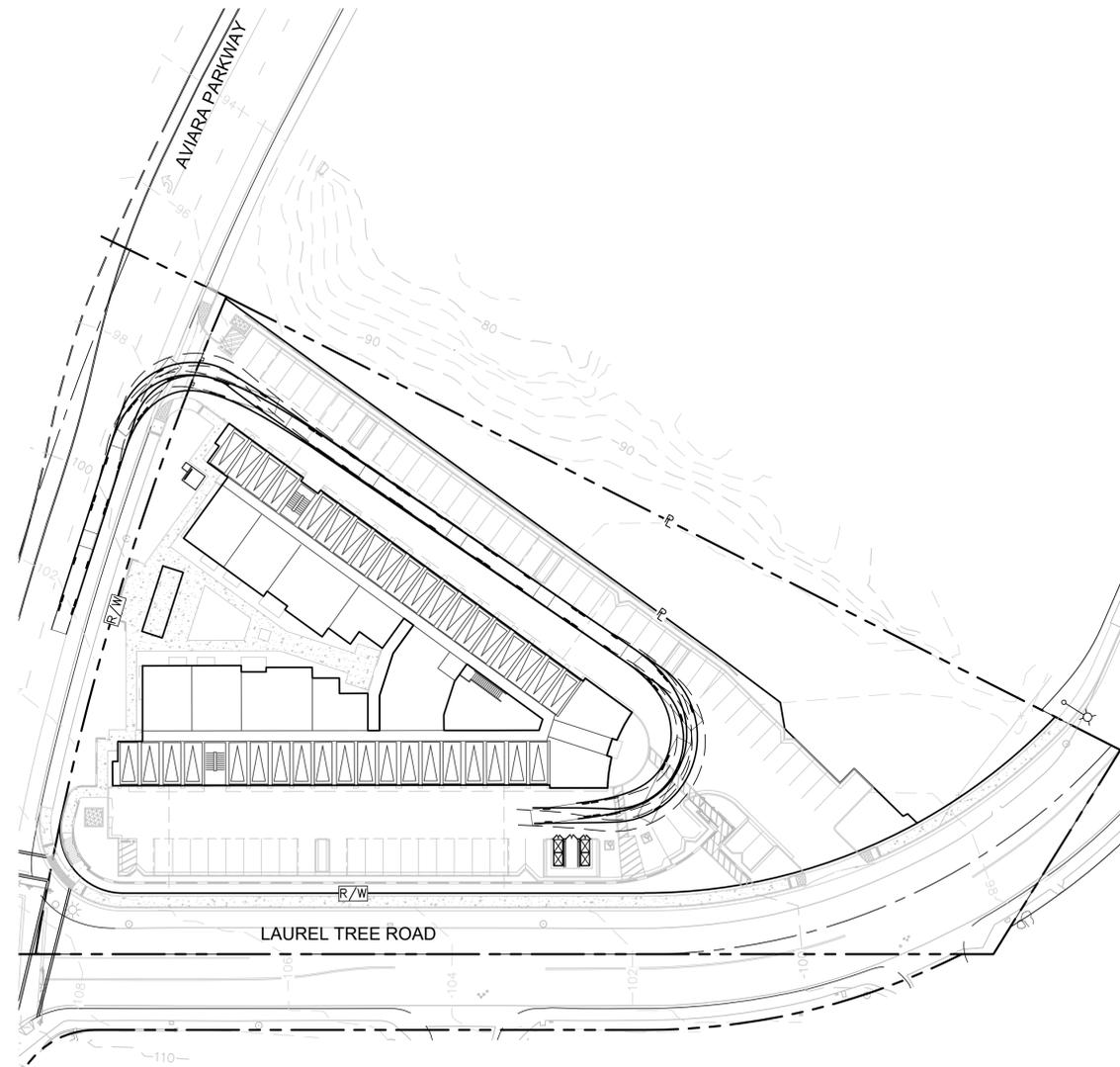


PARKING GARAGE SOUTH ENTRANCE

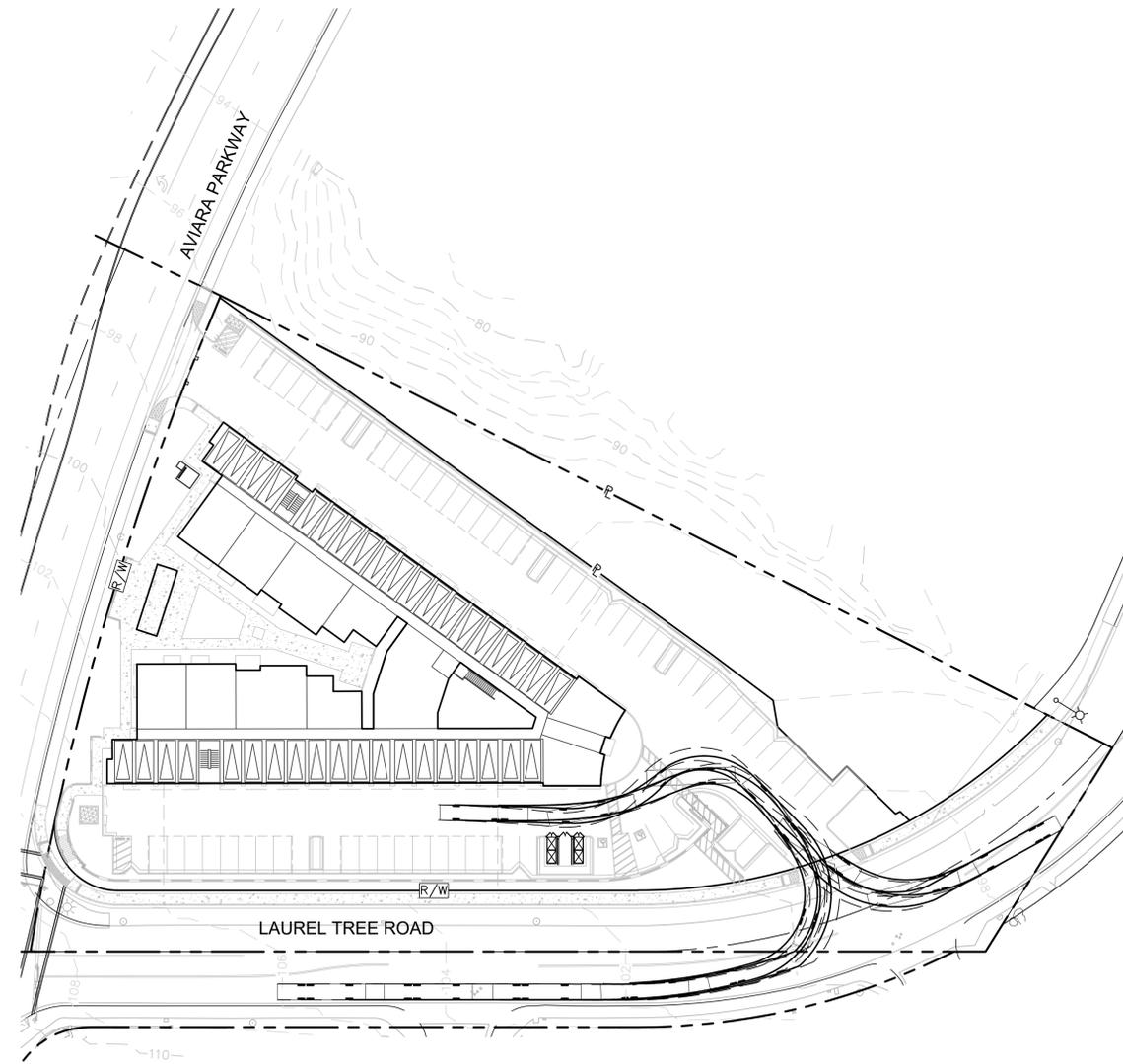


LEGEND	
DESCRIPTION	SYMBOL
CALTRANS TPE 404.5F VEHICLE TURNING RADIUS	
TIRE MOVEMENT	
VEHICLE OVERHANG	

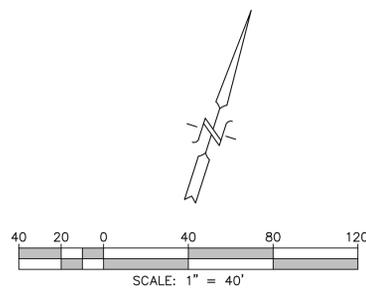
SHEET TITLE WEST - TRUCK TURNING MOVEMENTS	DATE: 08/27/19	REVISIONS NO. DESCRIPTION	DATE APPD
PROJECT AVIARA APARTMENTS 6145 LAUREL TREE ROAD CARLSBAD, CA 92011	SCALE: 1" = 40' DRAWN: A.O. CHECKED: J.R.R.	Civil Engineering - Environmental Land Surveying 2442 Second Avenue San Diego, CA 92101 (619)232-9200 (619)232-9210 Fax R.E.C. Consultants, Inc.	DATE APPD
SHEET 22 OF 24 SHEETS	SAVE DATE: 8/22/2019 ~ EOL DATE: 8/23/2019 ~ FILE NAME: P:\Acad\1196 Aviara Parkway\Civil\Exhibits\Truck Turning.dwg		



AVIARA PARKWAY ENTRANCE



LAUREL TREE LANE ENTRANCE



LEGEND	
DESCRIPTION	SYMBOL
CALTRANS TPE 404.5F VEHICLE TURNING RADIUS	
TIRE MOVEMENT	
VEHICLE OVERHANG	

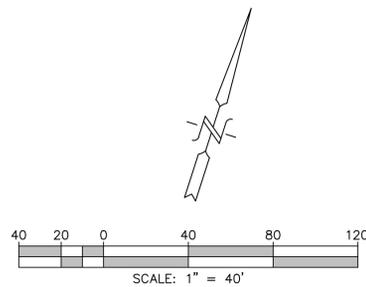
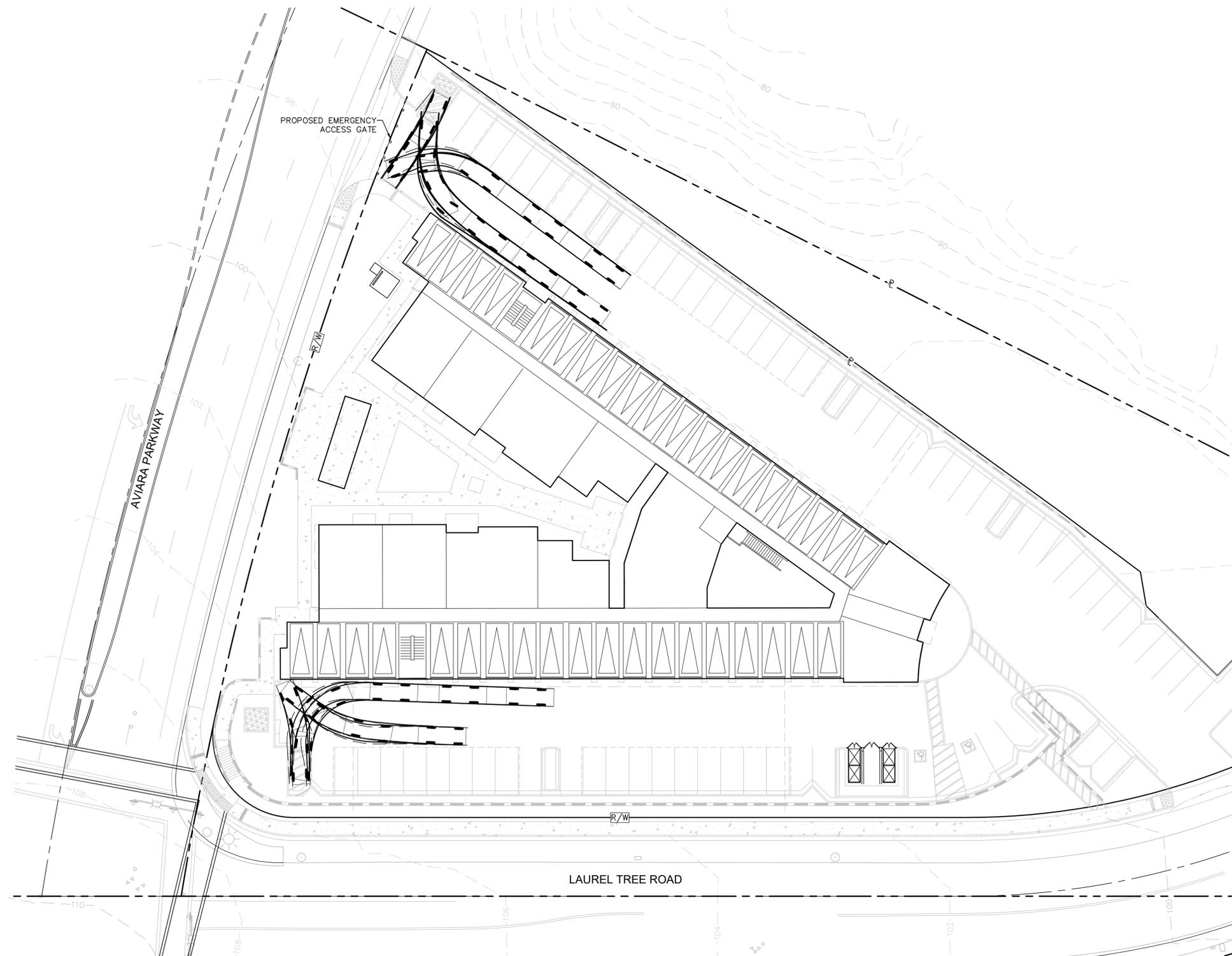
NO.	REVISIONS DESCRIPTION	DATE	APPD

REC
 Civil Engineering - Environmental
 Land Surveying
 2442 Second Avenue
 San Diego, CA 92101
 Consultants, Inc. (619)232-9200 (619)232-9210 Fax

DATE: 08/27/19
 SCALE: 1" = 40'
 DRAWN: A.O.
 CHECKED: J.R.R.

SHEET TITLE: EAST - TRUCK TURNING MOVEMENTS
 PROJECT: AVIARA APARTMENTS
 6145 LAUREL TREE ROAD
 CARLSBAD, CA 92011

SHEET
23
 OF 24 SHEETS



PASSENGER CAR TURN AROUND

LEGEND	
DESCRIPTION	SYMBOL
AASHTO P - LARGE CAR TURNING RADIUS	
TIRE MOVEMENT	
VEHICLE OVERHANG	

DATE: 08/27/19	REVISIONS	DATE	APPD
SCALE: 1" = 20'	DESCRIPTION		
DRAWN: A.O.			
CHECKED: J.R.R.			
<p>R.E.C. Civil Engineering - Environmental Land Surveying 2442 Second Avenue San Diego, CA 92101 (619)232-9200 (619)232-9210 Fax Consultants, Inc.</p>			
<p>SHEET TITLE: EAST - VEHICLE TURNING MOVEMENTS</p>			
<p>PROJECT: AVIARA APARTMENTS 6145 LAUREL TREE ROAD CARLSBAD, CA 92011</p>			
<p>SHEET 24</p>			
<p>OF 24 SHEETS</p>			
<p>SAVE DATE: 8/22/2019 ~ EOL DATE: 8/23/2019 ~ FILE NAME: P:\Acad\1196_Aviara_Parkway\Civil\Exhibits\Truck_Turning.dwg</p>			