

ORDINANCE NO. 2014-1406

AN ORDINANCE OF THE CITY OF SAN MARCOS CITY COUNCIL MODIFYING THE HEART OF THE CITY SPECIFIC PLAN AND APPROVING A SPECIFIC PLAN FOR THE MISSION 316 DEVELOPMENT FOR A MAXIMUM OF 93 SINGLE FAMILY CONDOMINIUM UNITS

CASE NO.: SP 14-001 (P14-0001)

The Norman SM Project Owner, LLC (Mission 316)

WHEREAS, on January 7, 2014, an application was received from The Norman SM Project Owner, LLC requesting a Specific Plan to allow development of a total of 93 attached single family condominiums on approximately 9 acres of land located generally north of Mission Road between Woodward Street and Falcon Place at 316 E. Mission Drive, more particularly described as:

A portion of Lot 3 in Block 52 of the Rancho Los Vallecitos de San Marcos, in the City of San Marcos, County of San Diego, State of California, according to map thereof No. 806, filed in the office of the County Recorder of San Diego County, December 21, 1895, and, Parcel 2 of Parcel Map No. 10177, in the City of San Marcos, County of San Diego, State of California, according to map thereof, filed in the office of the County Recorder of said county June 27, 1980 as instrument No. 80-204014 of official records, and, A portion of Parcel B of certificate of compliance recorded September 15, 1999 as instrument No. 99-0631820, being the westerly 140.00 feet of Lot 4 in Block 52 of the Rancho Los Vallecitos de San Marcos, in the City of San Marcos, County of San Diego, State of California, according to map thereof No. 806, filed in the recorder's office of said county on December 21, 1895. Assessor's Parcel No.: 220-210-10, 41, & 46

WHEREAS, the Development Services Department did study and recommend approval of said request as conditioned herein; and

WHEREAS, the Planning Commission recommended approval to the City Council on November 3, 2014; and

WHEREAS, the required public hearing held on December 9, 2014 was duly advertised and held in the manner prescribed by law; and

WHEREAS, the City Council did consider Negative Declaration ND 14-007 pursuant to CEQA and based on the findings of mitigated environmental impact; and

WHEREAS, the City Council's decision is based upon the following findings and determinations:

1. The Mission 316 Specific Plan will implement the Richland Neighborhood General Plan Goal LU-5, Policy LU-5.6 in that the applicant is required to submit a Specific Plan (Mission 316) which shall establish high quality design standards along with careful placement of building orientation with architectural screening and landscaping to compliment the surrounding neighborhood.
2. The Mission 316 Specific Plan will implement the Richland Neighborhood General Plan Goal LU-5, Policy LU-5.7 in that the applicant has worked with city staff in establishing enhanced architectural styles consisting of Ranch, Spanish & Tuscan with high-end building materials, varied roof lines, and decorative architectural details.
3. The proposed Mission 316 Specific Plan would encourage the orderly development of the area as established by the Richland Neighborhood Use Plan in that the proposed plan is sensitive to the existing hillside area attempting to limit the amount of grading and preserve approximately 5.27 acres of the site as common and landscaped open space.

NOW, THEREFORE, the City Council resolves as follows:

- A. The foregoing recitals are true and correct.
- B. Negative Declaration ND 14-007 is hereby approved.
- C. The proposed Mission 316 Specific Plan text and land plan is approved subject to the following revisions which shall be complied with and resubmitted for Planning Commission review and approval before the Final Map is approved by the City Council and filed with the County Recorder of San Diego County.
 1. Site development shall occur pursuant to the approved Mission 316 Specific Plan, except as modified by the attached errata sheet and conditions contained in all project resolutions, ordinances, prior to issuance of permits.
 2. To the extent permitted by law, applicant/developer shall defend and hold the City of San Marcos ("City"), its agents and employees harmless from liability from: (i) any and all actions, claims damages, injuries, challenges and/or costs of liabilities arising from the City's approval of any and all entitlements or permit arising from the project as defined in the Tentative Subdivision Map; (ii) any damages, liability and/or claims of

any kind for any injury to or death of any person, or damage or injury of any kind to property which may arise from or be related to the direct or indirect operation of applicant/developer or its contractors, subcontractors, agents, employees or other persons acting on applicant/developer's behalf which relate to the project and (iii) any and all damages, liability and/or claims of any kind arising from operation of the project. Applicant/developer further agrees that such indemnification and hold harmless shall include all defense-related fees and costs associated with the defense of City by counsel selected by City. This indemnification shall not terminate upon expiration of the Tentative Subdivision Map, but shall survive in perpetuity.

3. All conditions of Resolution GPA 14-001, R 14-001, MFSDP 14-001, CUP 14-016 are hereby incorporated by reference and shall be complied with.

- D. The developer shall comply with all mitigation measures contained in the Mitigated Negative Declaration 14-007 and Mitigation Monitoring Program.

EFFECTIVE DATE: This ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk shall publish this ordinance or the title hereof as a summary in a newspaper of general circulation in the city as required by law.

INTRODUCED at a regular meeting of the City Council of the City of San Marcos, California, on the 9th day of December 2014.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of San Marcos, California on the 13th day of January 2015 by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

James M. Desmond, Mayor
City of San Marcos

ATTEST:

APPROVED AS TO FORM:

Phillip Scollick, City Clerk
City of San Marcos

Helen Holmes Peak, City Attorney
City of San Marcos

Attachments: Table 1 - Land Use Statistical Summary

Figure 2 – Current & Proposed Land Use Plans

Table 1 Land Use Statistical Summary

District	Type	Intensity	Acres	DU Range
Residential				
Very Low Density Residential	VLDR	SFDR	0.125- 1 du/ac	117 15-117
Estate Residential	ER	SFDR	1-2 du/ac	27 27-54
Single Family Detached	SFDR	SFDR	2-4 du/ac	88 ² 176-352
Single Family Attached	SFAR	SFAR	2-4 du/ac	55 ² 110-220
Low Density Residential	LDR	SFDR	4-8 du/ac	23 126 ¹
Low Medium Density Residential	LMDR	SFDR/SFAR	8-12 du/ac	28 220
Medium Density Multi-Family	MDMFR	MDMFR	12-15 du/ac	31 372-465
High Density Multi-Family	HDMFR	HDMFR	15-20 du/ac	99 ² 1485-1980
Public/Institutional				
Town Center	TC			78
California State University				305
Park	P			68
Open Space	OS			147
Business				
Business Park	BP			17 ²
Commercial-Manufacturing	CM			6
Neighborhood Commercial	NC			16
Commercial	C			16
Office-Professional	OP			10
Hospital Complex	HC		1,335,000 SF	36
Mixed Use (Nonresidential)	MU-4		592,415 SF	18
Specific Plans				
University District	UD			157
Richmar	RM			27
Campus Pointe II	CP			4
Road ROW				125
Totals			1528	2531 353

Notes:

¹ Dwelling units may be transferred between the LDR and LMDR Districts provided that the combined does not exceed 346.

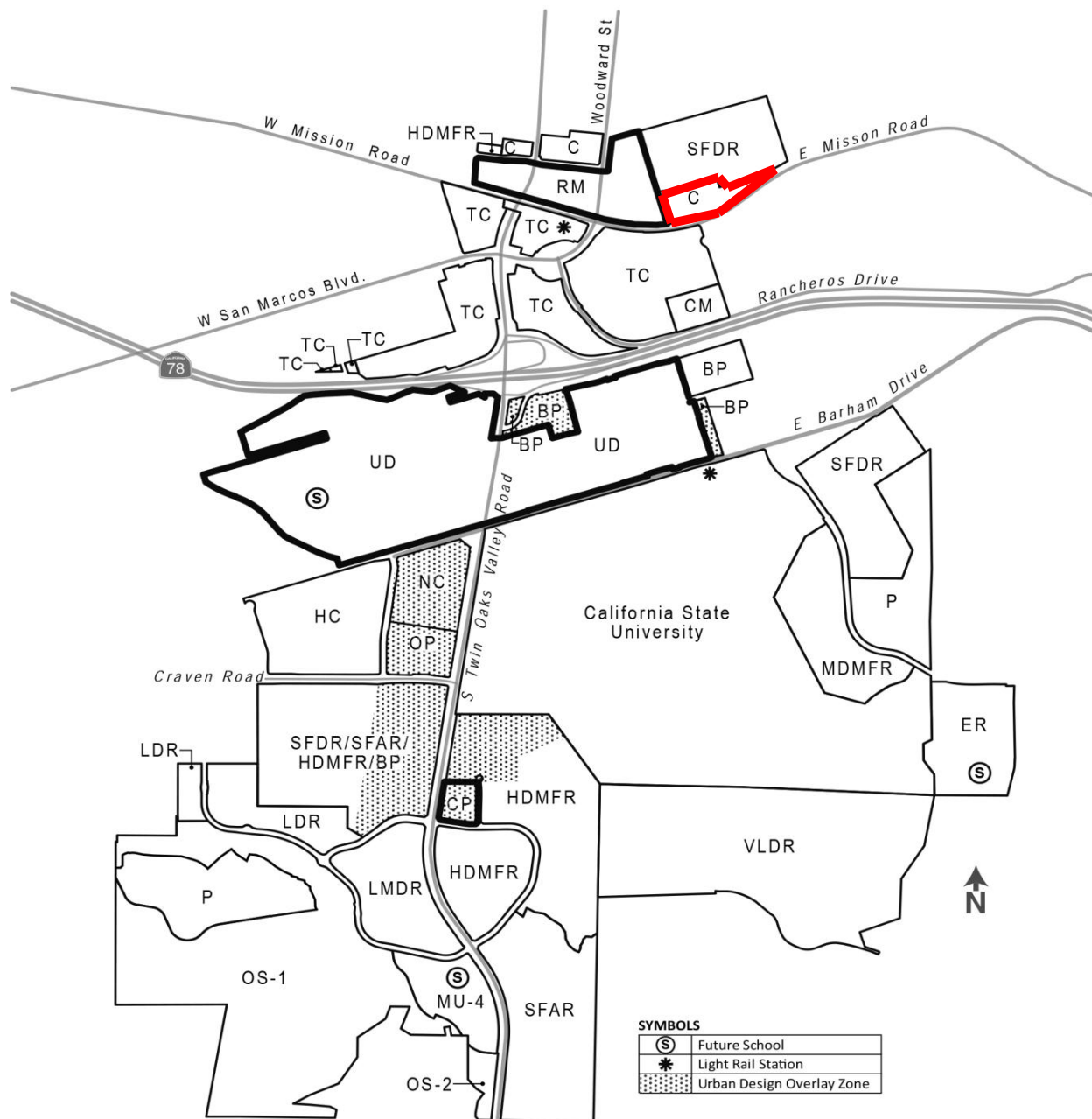
² The acres in the 69-acre SFDR/SFAR/HDMFR/BP District are distributed between the two as-built uses: 15 acres of HDMFR and 54 acres of SFDR.

$$28 + 9 = 37 \text{ ac.}$$

$$220 + 93 \text{ du} = 293 \text{ du}$$

$$16 \text{ ac.} - 9 \text{ ac.} = 7 \text{ ac}$$

$$2531 + 93 \text{ du} = 2624 - 3534 + 93 \text{ du} = 3627 \text{ (2624-3627)}$$

Figure 2. Current Land Use Plan Heart of the City Specific Plan**RESIDENTIAL**

VLDR	Very Low Density (0.125 - 1 du/ac)
ER	Estate (1 - 2 du/ac)
SFDR	Single Family Detached (2 - 4 du/ac)
SFAR	Single Family Attached (2 - 4 du/ac)
LDR	Low Density (4 - 8 du/ac)
LMDR	Low Medium Density (8 - 12 du/ac)
MDMFR	Medium Density Multi-Family (12 - 15 du/ac)
HDMFR	High Density Multi-Family (15 - 20 du/ac)

PUBLIC/INSTITUTIONAL

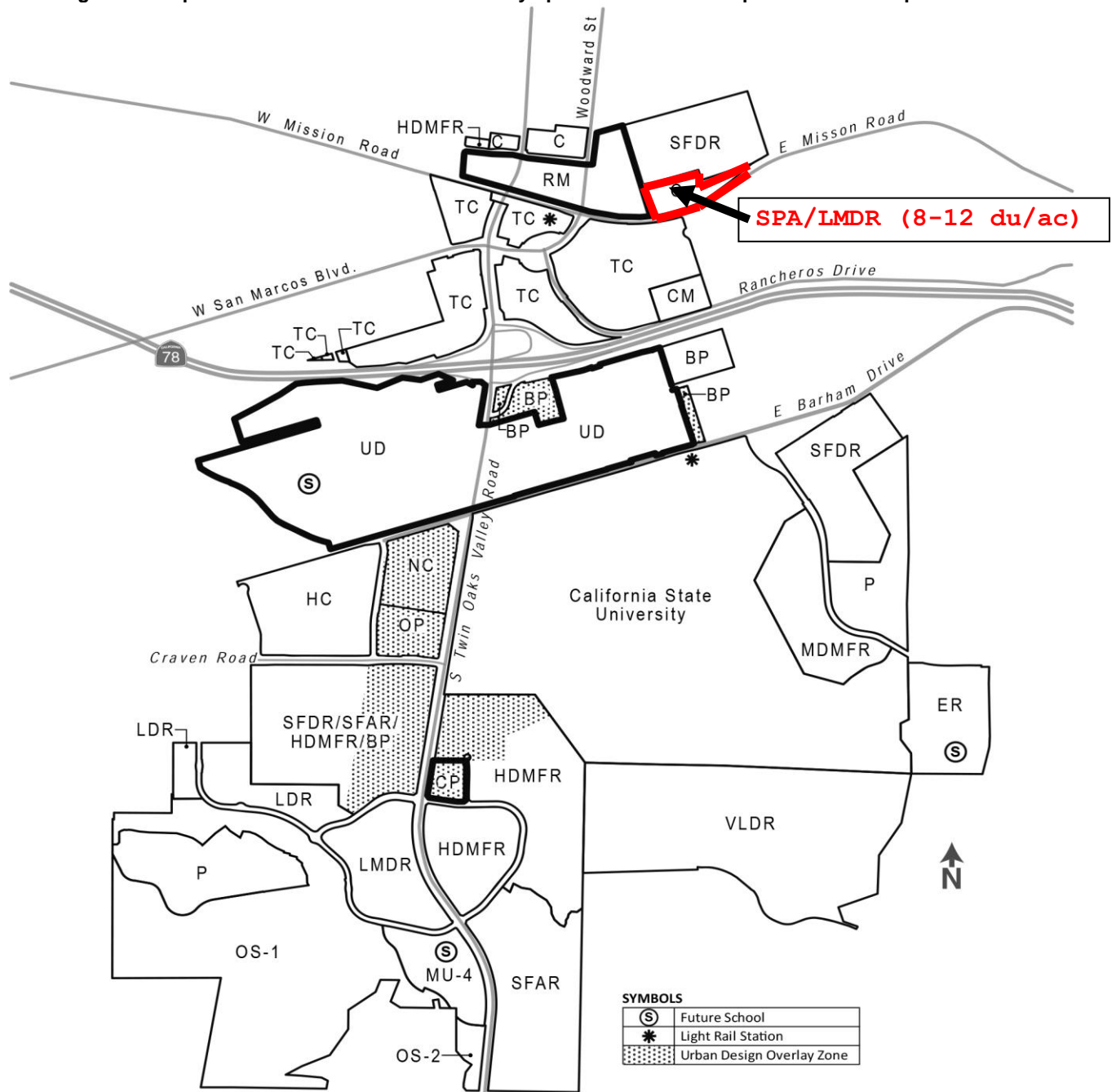
TC	Town Center
P	Park
OS	Open Space

BUSINESS

BP	Business Park
CM	Commercial - Manufacturing
NC	Neighborhood Commercial
C	Commercial
OP	Office - Professional
HC	Hospital Complex
MU-4	Mixed Use

SPECIFIC PLANS

UD	University District
RM	Richmar
CP	Campus Pointe II

Figure 2. Proposed Land Use Plan Heart of the City Specific Plan Revision per Mission 316 Specific Plan**RESIDENTIAL**

VLDR	Very Low Density (0.125 - 1 du/ac)
ER	Estate (1 - 2 du/ac)
SFDR	Single Family Detached (2 - 4 du/ac)
SFAR	Single Family Attached (2 - 4 du/ac)
LDR	Low Density (4 - 8 du/ac)
LMDR	Low Medium Density (8 - 12 du/ac)
MDMFR	Medium Density Multi-Family (12 - 15 du/ac)
HDMFR	High Density Multi-Family (15 - 20 du/ac)

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