

ORDINANCE NO. 2014-1405

AN ORDINANCE OF THE CITY OF SAN MARCOS CITY COUNCIL APPROVING A
ZONE RECLASSIFICATION FROM HEART OF THE CITY SPA/C TO HEART OF THE
CITY /MISSION 316 SPECIFIC PLAN AREA IN THE RICHLAND NEIGHBORHOOD

CASE NO.: R 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 Rezone for the (Mission 316 Specific Plan) site with current zoning designation known as Heart of the City Specific Plan per the adopted San Marcos Zoning Map. Approximately 8.98 acres of the proposed Mission 316 Specific Plan site is currently designated for commercial uses. The Mission 316 Specific Plan proposes a zoning change on 8.98 acres from Heart of the City Specific Plan commercial to the Mission 316 Specific Plan. A Rezone would be required for the approval of the proposed Mission 316 Specific Plan. The proposed project site is located in the City of San Marcos, north of Mission Road between Woodward Street and Falcon Place, 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 the request; 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 a Mitigated Negative Declaration (ND 14-007) pursuant to CEQA; and

WHEREAS, the subject property falls within the Heart of the City Specific Plan with a current zoning designation of SPA/HOA/C and that the rezone will change the zone from commercial to 93 residential condominium units proposed as SPA/Mission 316; and

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

1. The proposed rezone is consistent with the goals and objectives of the Richland Neighborhood in that the land use is the expansion of a residential product which is compatible with surrounding existing land use classifications and existing and future uses.
2. The proposed rezone will not be detrimental to the public health, safety, morals and welfare in that adequate public facilities and infrastructure including fire, police, water, sewer, and road capacity are available to the site from Mission Road with compliance with conditions of approval.
3. The proposed rezone 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.
4. The proposed rezone will implement the Richland Neighborhood General Plan Goal LU-5; Policy LU-5.7 in that the applicant is 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.

NOW, THEREFORE, the City Council resolves as follows:

1. The foregoing recitals are true and correct.
2. A Negative Declaration (ND 14-007) for this project is hereby approved pursuant to the California Environmental Quality Act covering potential impacts of the Rezone.
3. The Rezone is hereby approved.

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: Vicinity Map
Zoning (Current vs. Proposed)

Vicinity Map



