

ORDINANCE NO. 2014-1400

AN ORDINANCE OF THE CITY OF SAN MARCOS CITY COUNCIL CONDITIONALLY APPROVING A SPECIFIC PLAN AMENDMENT CHANGING THE NAME OF "SAN MARCOS STUDIOS SPECIFIC PLAN" TO "LOMA SAN MARCOS SPECIFIC PLAN"

Case No: SP 13-005 (P13-0060)  
Loma San Marcos LLC,  
Questhaven Pacific View LLC and  
La Paz Sunset, Inc.

WHEREAS, the City of San Marcos ("City") has received a request from Loma San Marcos LLC, Questhaven Pacific View LLC and La Paz Sunset, Inc., requesting approval of a Specific Plan Amendment limited to changing the name from "San Marcos Studios Specific Plan" to "Loma San Marcos Specific Plan" located at 1601 San Elijo Road, more particularly described as:

All that portion of the northwest quarter of Section 33, Township 12 south, Range 3 west, San Bernardino base and meridian, in the City of San Marcos and County of San Diego, State of California according to official plat thereof. Assessor's Parcel No. 223-080-41, 223-080-42

WHEREAS, the Project, with a Specific Plan Amendment changing the name from San Marcos Studios Specific Plan to Loma San Marcos Specific Plan would not impact the development of approximately 14.13 acres located within the Questhaven/La Costa Meadows Community area in order to provide a certain amount of entertainment and office rental space, ensure consistency between the General Plan, and the Specific Plan regarding development standards, square footages, and

WHEREAS, a Specific Plan Amendment limited to changing the name from San Marcos Studios Specific Plan to Loma San Marcos Specific Plan, does not change the comprehensive land use and development approach of the Specific Plan; and

WHEREAS, the Development Services Department did study and recommend approval of changing the name from the San Marcos Studios Specific Plan to Loma San Marcos Specific Plan request; and

WHEREAS, the Planning Commission recommended approval to the City Council on December 2, 2013; and

WHEREAS, the required public hearing held on September 23, 2014 was duly advertised and held in the manner prescribed by law; and

WHEREAS, the application is not a project as defined by CEQA; and

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

1. The proposed Specific Plan Amendment limited to changing the name from San Marcos Studios Specific Plan to Loma San Marcos Specific Plan does not affect the orderly re-adaptive use of the site under the provision of the previously adopted Specific Plan.
2. The Specific Plan Amendment limited to changing the name from San Marcos Studios Specific Plan to Loma San Marcos Specific Plan, does not affect the implementation of the goals and objectives of the Questhaven/La Costa Meadows Community Plan.
3. The applicant has not submitted the revised Specific Plan in electronic form as required.

BE IT THEREFORE FURTHER RESOLVED, that based on the information provided and finding stated above, the City Council takes the following action:

1. The foregoing recitals are true and correct.
- 2.. Expressly subject to and conditioned upon Applicant's submission of a revised Specific Plan text consisting of the originally adopted San Marcos Studios Specific Plan (Attachment C) in electronic form which reflects only the name change reflected in Attachment B and which also incorporates the Errata Sheet changes to the originally adopted San Marcos Studios Specific Plan (Attachment C) previously approved by the City Council as reflected in Attachment A, further expressly subject to and conditioned upon the Planning Division Director's reasonable approval of such revised Specific Plan text to ensure conformance with the previous and current approvals, the Specific Plan Amendment (SPA 13-005) is adopted.
3. As this approval is expressly subject to and conditioned on the Planning Division Director's approval of such revised Specific Plan as described in the immediately preceding paragraph 2, this approval shall be effective as of the date of such approval by the Planning Division Director. If the revised Specific Plan is not submitted to the Planning Division Director, or if it does not meet with his reasonable approval as described in the immediately preceding paragraph 2, this approval shall not be effective, shall be rendered null and void, and the Specific Plan will remain unchanged.

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 23rd day of September 2014.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of San Marcos, California on the 14th day of October 2014 by the following roll call vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:

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James M. Desmond, Mayor  
City of San Marcos

ATTEST:

APPROVED AS TO FORM:

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Phillip Scollick, City Clerk  
City of San Marcos

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Helen Holmes Peak, City Attorney  
City of San Marcos

Attachments: "A" - Revisions (Errata) to SP 03-41  
"B" - Loma San Marcos Specific Plan (reflecting name change)  
"C" - San Marcos Studios Specific Plan (SP 03-41 as originally adopted)

**REVISIONS TO SP 03-41  
ATTACHMENT 'A'**

The following changes shall be made to the revised Specific Plan, and submitted to City Staff for review prior to submittal of Building Permits.

PAGE/PARAGRAPH/ SECTION	REVISION/COMMENT
Page 5, Paragraph 3	Indicate specifically that the San Marcos landfill has been closed and that the County is going through post closure requirements including capping and revegetation.
Page 12, Paragraph 1	Change the wording "...without the requirement of a Specific Plan Amendment" with "the requirement for a Director's Use Permit". Change Phase 1 "may include" to "will include the installation of the front entry statement" and change "deferred to Phase 2" to "after the capping of the landfill"
Page 13, Para 3-6 Page 14, Para 1-2	Relative to outdoor uses/filming, use of outdoor explosives/pyrotechnics, night lighting and off-site filming refer to the Implementation Section of the Specific Plan for which permitting process is required.
Page 14, Para 4	Need to indicate need for separate analysis to demonstrate how public access to the Encina site will be assured.
Page 14, Para 5	Indicate that separate material boards and final color selection to be approved by the City. Indicate future structures will be aesthetically pleasing as discussed, shown in the Architectural Guidelines section.
Page 20, Para 2	Indicate that the permitted uses are "limited" only to those provided for in this Specific Plan.
Page 20, Para 1 "Permitted Uses", Intro paragraph	Revise paragraph to indicate the following uses are permitted. Add another category stating that "all related film/video production, entertainment uses not listed but compatible with and harmonious to the permitted uses and intent of the Specific Plan as approved by the City Manager or his designee. Indicate that the permitted uses are considered indoor uses unless otherwise specified.
Page 20 – Outdoor storage paragraph under Permitted Uses.	Add after San Elijo Road or the entry road to the Encina property. Replace screening language with the wording "all outdoor storage shall be screened from San Elijo Road and the entry road into the Encina property and from offsite higher elevation residential viewsheds.
Page 21, § 2: Prohibited Uses	Change prohibited uses from the L-M Zone to "any use not listed as permitted are prohibited except for those uses considered related and ancillary to the permitted uses.
Page 21, § B General Provisions Intro Paragraph	Indicate that the Specific Plan regulates development on-site rather than the City's Municipal Code.

Page 21, § B.4 Boundaries	Add "herein" at end of sentence.
Page 21, § B-6 Development Agreements	Delete – there are no existing Development Agreements currently governing the site.
Page 22, § C – Specific Provisions 2 <sup>nd</sup> paragraph	Change reference to previously established land use guidelines to those land use guidelines as stated in the Specific Plan.
Page 22, § C.1 Open Space	Add "as designated on the final approved plans."
Page 22 § C.3 Community Recreation Facilities	Add to end of sentence "...but will be required to pay the recreational component of the city-wide Public Facilities Fee.
Page 22, § C.4 Specific Plan Area	Add "major" in front of CUP and add "...or changes in uses" at the end of the sentence.
Page 22, § C.5 Outdoor Filming or Production Activities	Add "on site" after activities. Replace "community Development Director" with "City Manager of his designee"
Page 23, § 6 Site Access, first paragraph	Indicate access rights will also be provided to the City of San Marcos Fire Department. Delete "as long as valid easements exist".
Page 24 §A.1 Setbacks	Revise to indicate setbacks are as established by the Specific Plan and not the L-M Zone.
Page 24 §A.3 Parking	Provide back-up for statement the parking ratio exceeds the ratios for other entertainment studios. Include actual parking spaces provided in Development Standards Summary. Add "and" between "office space" in second to last sentence.
Page 24 § A.4 Lighting	This section shall specify use of low pressure sodium exterior lights. Specific Plan shall be revised to include type of lighting fixtures to be used, to be approved by the City.
Page 25 § A.5 Community Design	Add "consistent with the architectural guidelines herein."
Page 25 §A.7 Drainage	Add project SWPP and SUSMP
Page 25 §A.12 Maintenance	Add "in a living and weed-free condition" after vegetation.
Page 25 § B.1 Existing Buildings	Add "high grade" before metal siding. Text shall indicate that replacement of the metal roof shall be of the same high quality material as the existing building. Indicate that final colors to be approved by the City.
Page 26 Office Building	Need to incorporate conceptual elevations for all sides of the future buildings/structures with identification of building materials.

Page 26 Parking Garage	Indicate the more visible sides to have textured concrete and/or landscape planters with trellis on top level. Indicate that the elevator tower and machine penthouse is architecturally integrated into the project building.
Page 26 §2 Building Wall Treatment/Materials-Existing building	Indicate that final color selection shall be approved by the City based upon submittal of a materials board.
Page 26 § Office Building and Entry gate	Incorporate steel construction for the office building. Specify that green glass is not reflective.
Page 26 § 3. Colors	Specify range of colors that are acceptable to the formally approved by the City.
Page 32 § C.2 Entry Statement 2 <sup>nd</sup> paragraph	Add detail of entry statement.
Page 33. § C.5	Indicate type or range of fencing. Should be attractive such as wrought iron.
Page 34, Exhibit 13	Indicate in plain view the particular hardscape to be used as well as the Studio hardscape entry treatment. Revise landscape plan and palette as required by City's Landscape District Supervisor.
Page 35, Exhibit 14	Same as above.
Page 36, Exhibit 15	Indicate materials and colors.
Page 38, §D. sign Criteria	Indicate that a Sign Program shall be submitted for the project for approval. Indicate sign permits shall be required for the entry as part of the overall Sign Program.
Page 38, §D.1 City Sign Ordinance	Change title to Project Sign Program. Replace "Chapter 20.120 of the City of San Marcos Municipal Code" with "The Specific Plan"
Page 38, §D.2 Entry Statement Signage	Add to end of 3 <sup>rd</sup> sentence "as approved in the Sign Program"
Page 38 §D.3 Monument signage	Indicate signs shall be constructed in accordance with the approved Sign Program.
Page 38, §D.4 Wall Signage	Delete "as specified in Section 20.120.030 of the San Marcos Municipal Code"
Page 38 §D. 5 Internal Directory Signage	Details of these directory signs shall be part of the comprehensive Sign Program.
Page 39 VII E. Fire Protection 2 <sup>nd</sup> paragraph	Eliminate "or near"
Page 40 VII.I. Circulation 2 <sup>nd</sup> paragraph	Indicate applicant will pay a fair share contribution to area wide roads benefiting the project as determined by the City Manager or his designee.

**ATTACHMENT "B"**  
**Loma San Marcos Specific Plan**

**ATTACHMENT "C"**  
**San Marcos Studios Specific Plan**