

RESOLUTION PC 16-4507

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT FOR SEVEN LOTS TOTALLING 2.69 ACRES FROM MEDIUM DENSITY RESIDENTIAL 2 (0.67 ACRES) AND SPECIFIC PLAN HEART OF CITY (2.02 ACRES) TO PARKS (P) LOCATED IN THE RICHMAR NEIGHBORHOOD

GPA 15-004
City of San Marcos Public Works
(P15-0057)

WHEREAS, an application was received from the City of San Marcos Public Works Department requesting a General Plan Amendment for 2.69 acres of land area from "Medium Density Residential 2" (.67 acres) and "Specific Plan Heart of the City" (SPA HOC) (2.02 acres) to a "Parks" designation, located at properties within the boundaries east of Firebird Lane, north of Richmar Avenue, and west of Twin Oaks Valley Road in the Richmar Neighborhood, more particularly described:

Being Lots 1 – 6, 17, and Portions of 8 and 9 of City of San Marcos Subdivision, Richland Terrace, in the City of San Marcos, County Of San Diego, State Of California, according to Map thereof No. 5516, filed In the Office of the County Recorder of San Diego County, January 15, 1965.

Assessor's Parcel Numbers: 220-320-08-00, 220-320-09-00, 220-320-10-00, 220-320-11-00, 220-320-12-00, 220-320-13-00, and 220-320-22-00.

WHEREAS, Article 6, Section 65302, of the State Government Code specifies that each planning agency and legislative body of each City and county shall adopt a comprehensive, long-term General Plan for the physical development of the City; and

WHEREAS, Article 5, Section 65302 of the State Government Code specifies the contents for a general plan and a land use element to said plan; and

WHEREAS, Article 6 Section 65358 of the State Government Code allows for yearly updates to local general plans to allow for changes in the market place; and

WHEREAS, the Development Services Department did study and recommends approval of said request; and

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WHEREAS, public workshops were held in January 2010 and August 2015 to solicit input from adjacent residents on park uses to the Conceptual Master Plan alternatives; and

WHEREAS, the City's Community Services Commission approved the Conceptual Park Master Plan on August 19, 2015, and;

WHEREAS, the required public hearing held on January 4, 2016, was duly advertised and held in the manner prescribed by law; and

WHEREAS, the Planning Commission did consider a Mitigated Negative Declaration (ND 15-007) for said request pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission's decision is based on the following findings and determinations:

1. The proposed General Plan Amendment is consistent with the goals and objectives of the Parks, Recreation, Conservation and Open Space Element of the General Plan (Figure 5-1) which identified the site for a future mini-park in the Richmar Neighborhood, is within close proximity to public transit, is adjacent to public institutional and multi-family uses, and thus ensures land use diversity and balanced development that encourages an efficient and responsible relationship between land use, transit, and recreational use.
2. The proposed General Plan Amendment will not be detrimental to the public health, safety, and welfare in that the adequate service levels for all utilities, such as power, water, and sewer, already exist and are available for future Park Plan development. The project is conditioned to provide adequate lighting, landscaping, parking, signage, and infrastructure, including water, sewer, and road improvements, guided by the Public and Institutional Zone standards for City parks.
3. The proposed General Plan Amendment is consistent with Zoning Chapter Section 20.530.010 in that General Plan Amendment will serve public necessity, convenience, and/or the general welfare of the San Marcos community.

NOW, THEREFORE, the Planning Commission resolves as follows:

1. The foregoing recitals are true and correct.
2. The Planning Commission hereby recommends City Council adoption of Mitigated Negative Declaration (ND 15-007) and the Mitigation Monitoring and Reporting Program (MMRP) for the Richmar Park Conceptual Park Master Plan.
3. The General Plan Amendment (GPA 15-004), as shown on the attached "Exhibit A," is hereby recommended to the City Council for approval.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 4th day of January, 2016, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

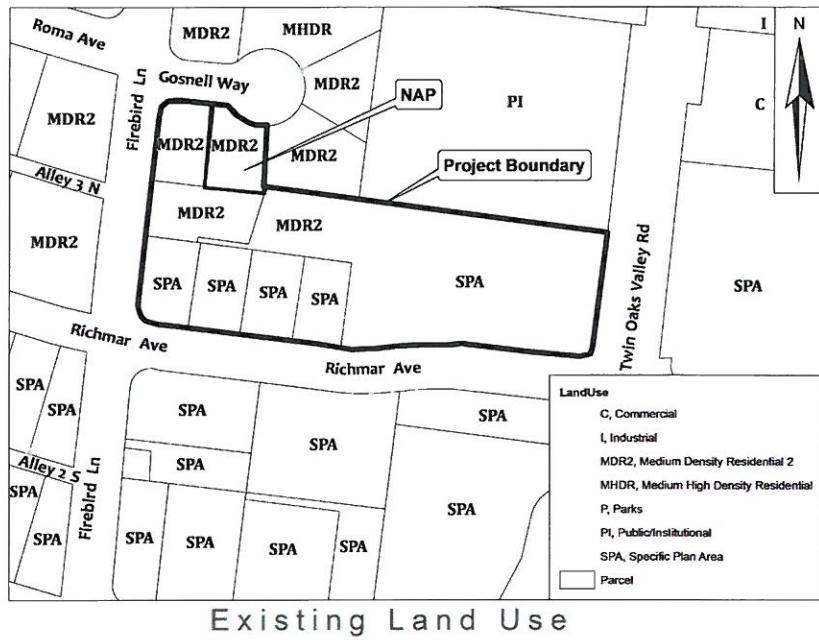
APPROVED:

Eric Flodine, Chairman
SAN MARCOS CITY PLANNING COMMISSION

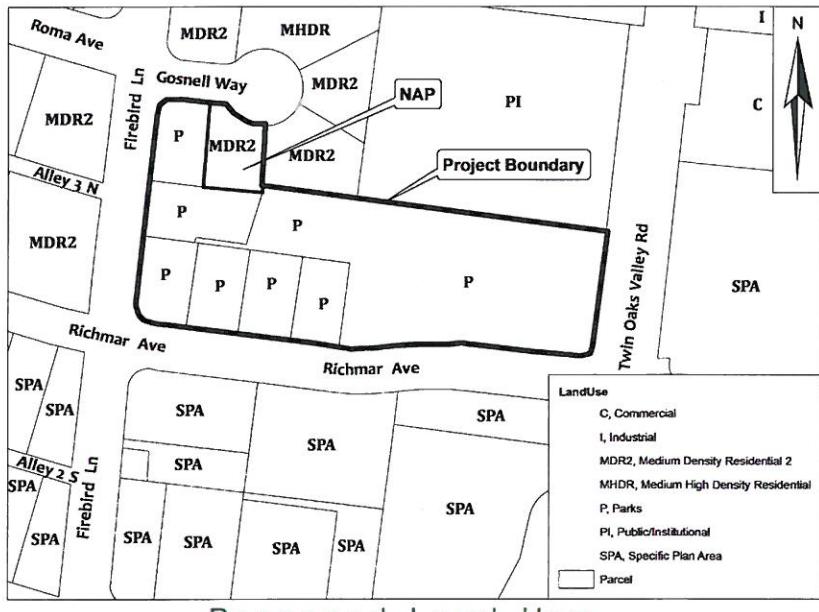
ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS CITY PLANNING COMMISSION

EXHIBIT "A"
PROPOSED GENERAL PLAN AMENDMENT



Existing Land Use



Proposed Land Use

RESOLUTION PC 16-4508

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE RECLASSIFICATION OF 2.69 ACRES FROM "SPECIFIC PLAN HEART OF THE CITY" (2.02 ACRES) AND "RESIDENTIAL R-3-10" (0.67 ACRES) TO PUBLIC AND INSTITUTIONAL (PI) ZONE LOCATED IN THE RICHMAR NEIGHBORHOOD.

R 15-003
City of San Marcos Public Works
(P15-0057)

WHEREAS, an application was received from the City of San Marcos Public Works Department requesting a zone reclassification of 2.69 from "Specific Plan Heart of the City" (2.02 acres) and "Residential R-3-10" (0.67 acres) to Public and Institutional Uses (PI) Zone, in conjunction with a General Plan Amendment (GPA 15-004) and Site Development Plan (SDP 15-012), located at properties within the boundaries of Firebird Lane, north of Richmar Avenue, and west of Twin Oaks Valley Road in the Richmar Neighborhood, more particularly described as:

Currently zoned "Residential R-3-10": Being Lots 5 thru 7 and a portion of Lot 17 of the City of San Marcos Subdivision, Richland Terrace, in the City of San Marcos, County of San Diego, State of California, according to Map thereof No. 5516, filed in the office of the County Recorder of San Diego County, January 15, 1965. Assessor Parcel Numbers: 220-320-08-00, 220-320-09-00, and 220-320-22-00.

Currently zoned "Specific Plan Heart of the City": Being Lots 1 thru 4 and a portion of Lot 17 of the City of San Marcos Subdivision, Richland Terrace, in the City of San Marcos, County of San Diego, State of California, according to Map thereof No. 5516, filed in the office of the County Recorder of San Diego County, January 15, 1965.

Assessor Parcel Numbers: 220-320-10-00, 220-320-11-00, 220-320-12-00, and 220-320-13-00.

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

WHEREAS, public workshops were held in January, 2010 and August, 2015 to solicit public input on the Conceptual Master Plan Alternatives from adjacent residents; and

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WHEREAS, the City Community Services Commission approved the Conceptual Park Master Plan on August 19, 2015, and

WHEREAS, the required public hearing held on January 4, 2016, was duly advertised and held in the manner prescribed by law; and

WHEREAS, the Planning Commission did consider a Mitigated Negative Declaration (ND 15-007) for said request pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission's decision is based on the following findings and determinations:

1. The proposed Rezone would encourage the orderly development of the site as established by the "Public and Institutional" Zone in that the PI zone provides a Zone District for the proposed mini-park site for the harmonious development of a public use, including recreational facilities.
2. The proposed Rezone will not be detrimental to the public health, safety, morals, and welfare in that future park within the Richmar Neighborhood shall be developed in accordance with Chapter 20.240 of the Zoning Ordinance.
3. The proposed Rezone complies with the objectives of the adopted City-wide Land Use Policy Plan in that the Rezone will implement the Parks (P) land use designation of the General Plan, and provide for a mini-park within close proximity to public transit and adjacent to public institutional and multi-family uses, thereby ensuring land use diversity and balanced development that encourages an efficient and responsible relationship between land use, transit, and open space.

NOW, THEREFORE, the Planning Commission resolves as follows:

1. The foregoing recitals are true and correct.
2. The Planning Commission hereby recommends City Council adoption of Mitigated Negative Declaration (ND 15-007) and the Mitigation Monitoring and Reporting Program (MMRP) for the Richmar Park Conceptual Park Master Plan.
3. The Rezone (R 15-003), as shown on the attached "Exhibit A", is hereby recommended to the City Council for approval.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 4th day of January 2016, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

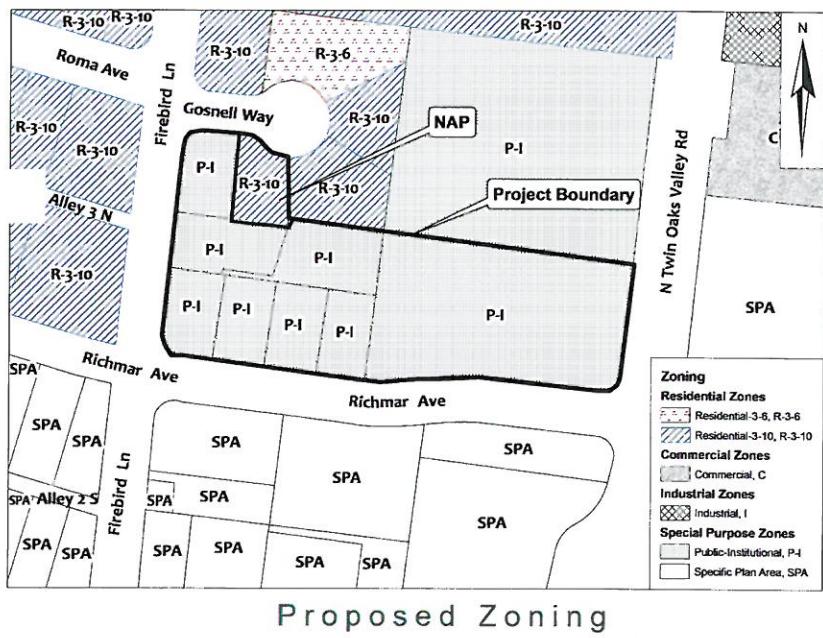
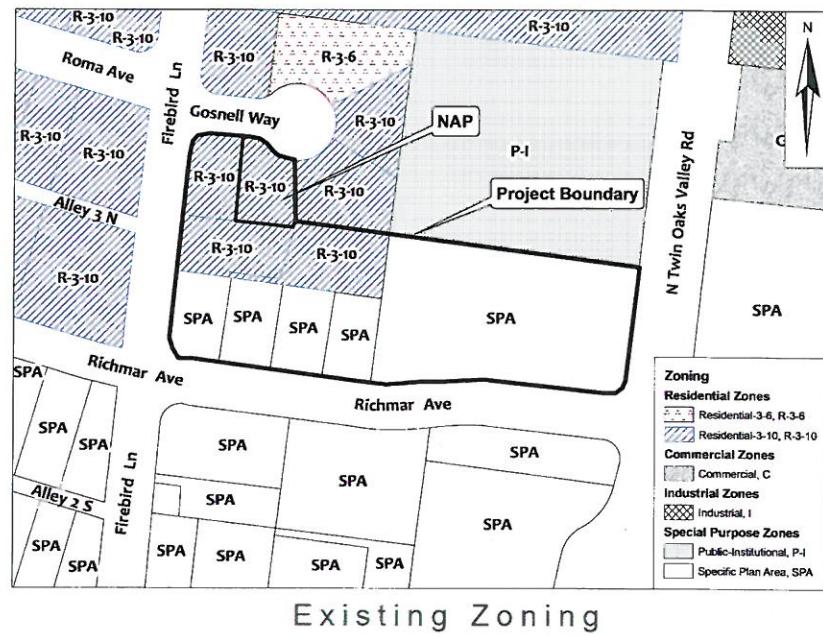
APPROVED:

Eric Flodine, Chairman
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS CITY PLANNING COMMISSION

EXHIBIT "A"
PROPOSED REZONE



RESOLUTION PC 16-4510

A RESOLUTION OF THE SAN MARCOS PLANNING COMMISSION RECOMMENDING APPROVAL TO THE CITY COUNCIL FOR A 2.86 ACRE SITE DEVELOPMENT PLAN TO IMPLEMENT A CONCEPTUAL PARK MASTER PLAN TO CONSTRUCT A MINI-PARK (RICHMAR PARK) WITHIN THE PUBLIC AND INSTITUTIONAL ZONE IN THE RICHMAR NEIGHBORHOOD

SDP 15-012
City of San Marcos Public Works
(P15-0057)

WHEREAS, an application was received from the City of San Marcos Public Works Department requesting a Site Development Plan for the Richmar Park Conceptual Master Plan (the "Plan") to construct a 2.86 acre neighborhood mini-park, located within the boundaries of east of Firebird Lane, north of Richmar Avenue, and west of Twin Oaks Valley Road in the Richmar Neighborhood, more particularly described:

Being Lots 1 – 7, 17, and Portions of 8 and 9 of City of San Marcos Subdivision, Richland Terrace, in the City of San Marcos, County of San Diego, State of California, according to Map thereof No. 5516, filed in the office of the County Recorder of San Diego County, January 15, 1965.

Assessor Parcel Numbers: 220-320-07-00, 220-320-08-00, 220-320-09-00, 220-320-10-00, 220-320-11-00, 220-320-12-00, 220-320-13-00 and 220-320-22-00.

WHEREAS, the Development Services Department did study said request and does recommend approval of the requested use: and

WHEREAS, there were public workshops held in January, 2010 and August, 2015 by the Community Services Department to solicit input from adjacent residents on park use to the Conceptual Master Plan; and

WHEREAS, the City's Community Services Commission approved the Conceptual Park Master Plan design on August 19, 2015, and

WHEREAS, the required public hearing held on January 4, 2016, was duly advertised and held in the manner prescribed by law; and

WHEREAS, the Planning Commission did consider a Mitigated Negative Declaration (ND 15-007) for said application pursuant to CEQA; and

WHEREAS, the Planning Commission's decision is based on the following findings and determinations:

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1. With the proposed conditions, the proposed project will not be detrimental to, impactful upon, or incompatible with surrounding existing land uses, or the public health, safety, or welfare in that the proposed project will comply with all conditions stated in the resolutions approving the SDP 15-012 and all mitigation measures as defined in the Mitigated Negative Declaration (ND 15-007).
2. The Site Development Plan (SDP) will guide the orderly and harmonious development of public facilities to adequately meet the needs of the San Marcos community in accordance with Zoning Ordinance findings section 20.515.060, and to provide civic and open facilities thereby implementing the City's General Plan Parks, Recreation and Community Health Element's goal for the development of a public park and recreational facilities on 2.86 acres.

NOW THEREFORE, the Planning Commission resolves as follows:

- A. The foregoing recitals are true and correct.
- B. The Planning Commission hereby recommends City Council adoption of Mitigated Negative Declaration (ND 15-007) and Mitigation Monitoring and Reporting Program (MMRP) for the Richmar Park Conceptual Park Master Plan.
- C. The Planning Commission recommends City Council approval of the Park Plan and the conceptual landscaping plan, except as modified herein, and subject to compliance with the conditions of approval of this Resolution PC 16-4510.
- D. Applicant shall perform all grading work compliant with SMMC 17.32. Issuance of a grading permit shall be required for grading activities performed outside of the exemptions listed in SMMC 17.32.045.
- E. General Provisions:
 1. Developer/Applicant must comply with all provisions and requirements set forth in the San Marcos Municipal Code, City ordinances, City policies and City resolutions, and with all applicable state and federal regulations, whether or not such provisions or requirements have been specifically set forth in these conditions, all of which are now incorporated herein by reference and fully set forth at this point.
 2. The design of the park must utilize the current adopted materials lists for equipment, hardscape, landscaping and irrigation available from the Public Works Department. Substitution of items on this list will be subject to the approval of the Public Works Director, Community Services Director, and Planning Manager.
 3. The project shall comply with all rules, regulations and design requirements of the respective sewer and water agencies regarding services to the project.
 4. At ultimate build-out the park will contain the following amenities and continue to include these amenities unless updated by the Park Master Plan or other guiding document for the development of Richmar Park.

- a. Picnic Area(s)
- b. Playground for children ages 2 to 12
- c. Half basketball court
- d. Open turf area
- e. Stage/Plaza/Performance area
- f. Restroom
- g. Main promenade with seating
- h. Parking Lot

F. Prior to the issuance of any grading or improvement/landscape permit, the following conditions shall be complied with:

- 1. A detailed grading plan shall be submitted to the City's Engineering Division for review and approval. Grading plans and activities shall be based on a comprehensive investigation of surface and subsurface conditions. Results of this investigation and recommendations arising there from shall be submitted in the form of a report.
- 2. The applicant shall submit plans and specifications for improvement of all streets, rights-of-way (landscaping/irrigation) and drainage facilities to the City of San Marcos ("City") Engineering Division for approval. Plans shall include all off-site improvements as specified by the City Engineer.
- 3. A geologic and soils study shall be conducted for the proposed project. Said study shall give recommendations for cut and fill slopes, compaction and suitability for step foundations on individual lots. Said study shall be prepared by a registered Civil and/or Geotechnical Engineer and approved by the City's Engineering and Building Divisions. Recommendations of the Civil and/or Geotechnical Engineer, City Engineer and Building Official shall be implemented at the time of development of any lot.
- 4. The project shall have specifications prepared in conformance with the Standard Specifications for Public Works Construction ("Greenbook"). When specifications are not provided for within the Greenbook, specifications will be prepared by a design professional for the approval of the Public Works Director.
- 5. Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to City standards, codes, SDRWQCB Municipal Storm Water Permit requirements, and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions.

6. A hydrology report (calculations) shall be prepared for the proposed project to determine the existing and future runoff flow after development for the 100-year storm conditions. Storm drains and drainage structures shall be sized for build-out according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the build-out runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.
7. The applicant/developer shall be responsible for mitigating impacts created by changes in drainage runoff course, concentration, or quantity to the satisfaction of the City Engineer for both on-site and off-site drainage. This may require the applicant/developer to provide all necessary easements and improvements to accommodate drainage and flood control structures extending beyond the boundaries of the project.
8. All storm water design shall be in conformance with the San Diego Regional Water Quality Control Board (“SDRWQCB”) Order No. R9-2013-0001, as amended.
9. The applicant/developer shall submit for City review for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest CASQA SWPPP Preparation Manual, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all BMPs to be implemented year round. Specific Best Management Practice (BMP) implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD).
10. All construction and grading related BMPs shall be shown in detail on the construction plans submitted to the City for review and approval.
11. Landscape legend shall call out all sizes (i.e., height, canopy) of trees and shrubs to ensure all species meet City standard.
12. Plant material and irrigation design shall comply with the San Marcos Municipal Code City’s Water Efficiency Landscape Ordinance of and the State Water Efficiency Ordinance.

13. All permanent BMP's per the approved grading plan shall be shown on the landscape plans. Landscape plans shall be reviewed and signed by the engineer of work stating the proposed landscape design complies with the requirements of the Water Quality Improvement Plan and/or Storm Water Standards Manual.
14. The plans shall include a note stating that prior to installation; the proposed plants shall be inspected and approved by the Planning Division and/or Landscape Supervisor for plant quality and compliance with minimum size requirements. The placement of plants shall be installed in accordance with the approved improvement/landscape plans. Upon completion of installation, all landscaping/irrigation shall be inspected and approved by the Planning Division and/or Public Works Department. The applicant/developer shall be responsible to contact the Planning Division for landscaping inspections.
15. Playground equipment must be approved by the Public Works Director and the Community Services Director.
16. Minimum throat stacking distance for all driveways shall be twenty (20) feet (measured from the ultimate right-of-way line) unless approved by the Planning Director. The entire twenty (20) foot throat distance shall be designated by a raised curb. This minimum shall be increased as deemed necessary by the City Engineer. Radius-type driveways are required per City standards unless otherwise approved by the City Engineer.
17. The applicant/developer applicant shall submit landscape plans with characteristics that maximize infiltration, provide retention, reduce irrigation and storm water runoff, use efficient irrigation, and minimize the use of fertilizers, herbicides and pesticides.
18. Direct disturbance (clearing/grading/vegetation removal) to nesting habitat shall be conducted outside of the nesting season (i.e., between September 1 and January 31) to the greatest extent possible. If direct disturbance is unavoidable during the nesting season, prior to any site disturbance (i.e., mobilization, staging, grading or construction) a qualified biologist shall conduct pre-construction surveys in accordance with the biological mitigation measure included in ND 15-007.
19. The applicant shall enter into a pre-excavation agreement with a Luiseno Band of Mission Indians. The pre-excavation agreement shall include the following: 1) a culturally affiliated Native American monitor during initial grading activities; 2) the return of cultural items that may be found during project construction; and 3) proper treatment and reburial of any remains found.
20. A qualified paleontologist shall review the proposed project area to determine the potential for paleontological resources to be encountered. If there is a potential for paleontological resources to occur, the paleontologist shall identify the area(s) where these resources are expected to be present, and a qualified paleontological monitor shall be retained to monitor the initial cut in any areas that have the potential to contain paleontological resources.

G. During the construction phase, the following conditions shall be complied with:

1. All picnic and shade materials shall be approved by the Planning Division and Community Services staff prior to installation.
2. Impacts to existing parking area shared by the post office (APN 220-320-22-00) will be minimized. Any proposed construction activity that limits the access of customers to the United States Postal Service (“USPS”) shall be authorized in writing in advance of such disruption and be approved by the Postmaster and RPS division of the City.

H. Prior to the issuance of any building permits, the following conditions shall be complied with:

1. The restroom structure design shall be approved by the Planning Division.
2. Issuance of permits for the restroom structure will be subject to the review and approval by the City’s Real Property Services (“RPS”) Division.
3. The security lighting specifications shall be identified on the building plan set for review and approval prior to installation.
4. The applicant/developer shall coordinate with all utility companies to ensure there are no above ground utility facilities or shall be placed in locations to be screened from view to the satisfaction of the Planning Division. Said utility facilities shall be depicted on the grading, improvement, and landscape plans. Any variances from this requirement shall be approved by the Planning Division and City Engineer.
5. Buildings and structures shall be designed to conform to the latest standards adopted by the State of California in the California Building Code, Part 2, Title 24, and California Code of Regulations.
6. Building plans and instruments of service shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
7. The City of San Marcos is located in Seismic Design Category “D”. Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.
8. The storage, use, or handling of hazardous, toxic, or flammable materials shall be clearly indicated on all floor plans submitted for a building permit. Materials shall be identified in accordance with Health and Safety Code Section 25101.

9. An automatic fire extinguishing and standpipe systems is required in accordance with the latest adopted California Building Code and San Marcos Fire Code Ordinance. Fire suppression systems shall be NFPA-13, and conform to the National Fire Protection Association standards.
10. Building address shall be clearly labeled for day and night-time emergency responses. In addition, adequate lighting shall be provided to deter potential criminal activities (i.e.: vehicle burglaries, prowlers, loitering, etc.).
11. The applicant/developer shall contact the Delivery Retail Analyst for the branch of the U.S. Postal Service to determine the type and location of centralized delivery equipment required.
12. The base lift of asphalt on all roads serving the area under construction shall be completed.
13. Unless otherwise approved by the City of San Marcos, six (6) inch high Portland Cement Concrete (PCC) curbing shall be installed separating all paved areas from all landscaped areas. Where curbing may conflict with vehicle turning movements, corner cutoffs or radii shall be provided as required by the Fire Department.
14. All parking and driveway areas shall be surfaced with Asphaltic Concrete (AC) or Portland Cement Concrete (PCC) over a prepared base.

I. Prior to construction of the final phase of the Park Plan, the following conditions shall be complied with:

1. The City shall enter into a shared parking agreement with the Metropolitan Area Advisory Committee on Antipoverty in San Diego County, Inc. for the use of APN 220-320-07.
2. A General Plan Amendment and Rezone from Residential R-3-10 to Public and Institutional Use (PI) use shall be processed and approved by City Council for Assessor Parcel Number 220-320-07-00.
3. A final parking ratio of 29 spaces per acre, including accessible parking spaces for disabled persons, shall be provided at the build-out of the park parking lots.

J. The City will be responsible for ensuring the ongoing long-term maintenance of all post-construction Best Management Practices (“BMP’s”).

K. All exterior lighting shall comply with City standards for low pressure sodium vapor or other energy efficient lighting as approved by the City during the operation of the facility.

L. The use of amplified noise devices on the park site is prohibited, except where permitted by separate special event permit. Under normal operating conditions no loud, annoying or unnecessary noises, will be allowed.

- M. Development of the public park shall comply with all mitigation measures contained in Mitigated Negative Declaration ND 15-007.
- N. To the extent feasible and as permitted by law, developers and contractors are requested to first consider the use of San Marcos businesses for any supplies, materials, services and equipment needed and the hiring of local residents in order to stimulate the San Marcos economy to the greatest extent possible.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 4th day of January, 2016 by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

Eric Flodine, Chairman
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS CITY PLANNING COMMISSION