

AGENDA REPORT

Meeting of the San Marcos Planning Commission

MEETING DATE: December 19, 2016
SUBJECT: National Community Renaissance. Proposed Specific Plan and Multi-Family Site Development Plan for 148 affordable apartment units including a General Plan Amendment and Rezone
CASE: P15-0052: SP 15-004, MFSDP 15-004, GPA 15-003, R 15-002, & ND 16-002
APNs: 220-100-65-00, 220-100-69-00, 220-112-09-00, & 220-112-10-00

Recommendation

Recommend to City Council adoption of a Specific Plan (SP), Multi-Family Site Development Plan (MFSDP), General Plan Amendment to change the land use from "Medium Density Residential 2 (MDR2)" to "Specific Plan Area", Rezone to reclassify the zoning from Multi-Family Residential (R-3-10) to Specific Plan Area (SPA), and Mitigated Negative Declaration (ND) for a 148-unit affordable apartment complex on a 4.06-acre property

Introduction

The existing site is a 4.06-acre property located at 339-340 Marcos Street currently developed as a 136-unit affordable apartment complex known as Villa Serena II. The project proposes to demolish the existing complex and replace it with 148 new affordable apartment units and a parking structure. In addition, the project includes the installation of storm drain pipe in Richmar Avenue; and as required by the Vallecitos Water District (VWD) the upgrade of sections of sewer pipeline between the project site and San Marcos Boulevard. The City conducted two (2) public workshops for the proposal.

Discussion

The site is zoned Multi-Family Residential (R-3-10), and designated with a General Plan land use of "Medium Density Residential 2 (MDR2)" which allows for a density of 15.1 to 20.0 dwelling units per acre (du/ac). The site has been previously developed with a 136-unit affordable apartment complex consisting of twelve (12) multi-family buildings and 145 parking spaces. The existing apartment complex is considered to be a legal non-conforming use in that its density of 33.5 du/ac is inconsistent with the current zone and General Plan designation. The project proposes to demolish the existing development and construct 148 affordable apartments which equates to 36.5 du/ac. Therefore, in



order to allow for the higher density, the project proposes a Rezone (R) of the property from Multi-Family Residential (R-3-10) to Specific Plan Area (SPA), and a General Plan Amendment (GPA) to change the land use designation from "Medium Density Residential 2 (MDR2)" to "Specific Plan Area". The project site is surrounded by existing multi-family residential to the west, existing non-conforming single-family residential to the north and east, and existing mixed-use development to the south across Richmar Avenue.

The project proposes to replace an existing 136-unit affordable apartment complex with a new 148-unit low-income development which will provide further opportunities for affordable housing by extending the life of affordable housing stock and increasing the number of units within the City; and therefore, continue to implement Goal 2 (Protect, Encourage, and Provide Housing Opportunities for Persons of Lower and Moderate Incomes) of the General Plan Housing Element and Implementing Program 2 (Facilitate Affordable Housing Construction) and Program 11 (Conservation of Existing and Future Affordable Units). The proposal is consistent with the goals and objectives of the General Plan Goal 1, Policy 1.2, in that it incorporates Smart growth principals through the redevelopment of a high-density residential project that will continue to provide affordable housing within walking distance to commercial retail, schools, and parks within the Richmar Neighborhood and located near a corridor rail service (Sprinter stations) and bus transit opportunities thereby encouraging the use of transit.

Per Chapter 20.250 of the Zoning Ordinance, a designation of Specific Plan Area (SPA) may be permitted, through approval of a Specific Plan, for property under five (5) acres in size which is adjacent to an existing Specific Plan property. In this case, the subject property is adjacent to the Paseo Del Oro Mixed-Use Specific Plan Area which is located to the south across Richmar Avenue. The proposed Specific Plan identifies development standards such as setbacks, height limits, landscaping, recreational amenities, architectural details, parking, and density. The development is proposed to be constructed in two (2) phases. Phase 1 will be located west of Marcos Street, and consists of two 3-story buildings with 85 apartment units and 148 parking spaces within a 2-story parking structure behind the buildings. Phase 2 will be located east of Marcos Street, and consists of two 3-story buildings with 63 apartment units and 109 parking spaces within a subterranean garage below the buildings and a surface parking lot at the rear of the property. Apartments will range in size from 600 to 1,200 square feet. The Phase 1 apartment units will include eighteen (18) 1-bedrooms, forty-one (41) 2-bedrooms, and twenty-six (26) 3-bedrooms. For Phase 2, twelve (12) 1-bedrooms, thirty (30) 2-bedrooms, and twenty-one (21) 3-bedrooms are proposed. The project will include three (3) tot-lots, outdoor seating and barbecue areas, community room, and management office.

Per the proposed Specific Plan, the project will have a zero-lot line setback along Richmar Avenue to provide a pedestrian-oriented design with walk-up entries for an active urban sidewalk. The Richmar Neighborhood is an area of high pedestrian activity with retail shopping, schools, parks, and light rail



and bus transit within walking distance. The Specific Plan establishes an overall building height of forty-five (45) feet for the proposed apartment buildings, but also allows that the height limit may be increased by a maximum of six (6) feet for towers, elevator penthouses, stair enclosures, and other architectural roof features provided that the features do not exceed five (5) percent of the roof area. Buildings will include varied floor and roof plans, pop outs and wall projections, and enhanced features such as textured/colored walls, stone, angled metal roofs and overhangs, window trims, and cornices. The 2-story parking structure for Phase 1 will be located behind the apartment buildings and constructed partially underground to reduce its visibility from the public street. Landscaping throughout the apartment complex will consist of a mixture of trees, shrubs, and ground cover to enhance the proposed buildings and screen parking areas. City-maintained (CFD) landscaping will be provided along Richmar Avenue with street trees and tree grates. Landscaping will be required to comply with the City and State Landscape Water Efficiency Ordinance (SMMC Chapter 20.330).

The Phase 2 portion of the property currently consists of three (3) parcels (APNs: 220-100-65-00, 220-100-69-00, & 220-112-10-00). In order to consolidate the property into a single parcel, approval of a boundary adjustment or lot merger will be required prior to issuance of grading permit. Phase 1 will be constructed on its own parcel (APN: 220-112-09) which will require additional street dedication for an ultimate right-of-way of twenty-eight (28) from the centerline of Liberty Drive.

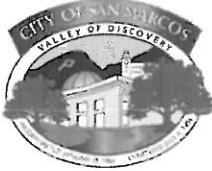
In accordance with State law, local Native American tribes were notified and consulted regarding the proposed project. A cultural resources study was prepared for the project which analyzed potential prehistoric and historic resources on the subject property. The report indicates there are several archaeological sites within a one-mile vicinity, but no sites have been previously recorded on the property. A field survey was also conducted by an archaeologist and Native American monitor. Since the property is developed, the survey concentrated on landscaped and unplanted areas. The survey identified no prehistoric artifacts of significance. The report also investigated the potential for any historic resources on the property, and indicates that the site is primarily developed with apartment buildings constructed in 1972. Two (2) of the buildings (APN: 220-112-10-00), east of Marcos Street, were constructed in 1965 according to a property tax profile. Under CEQA, structures more than 50 years old are eligible for the California Register of Historical Resources (CRHR). The 2-story buildings are four-plexes which are attached by a breezeway on the ground floor. Based on available information, the two (2) buildings are not eligible for inclusion on the CRHR and are not considered significant historical resources under CEQA. The lack of character-defining features and lack of unique materials are factors that do not support architectural significance under CEQA. In addition, no information was found to associate the two (2) buildings with historically significant persons nor notable events. Even though no significant prehistoric or historic cultural resources were found, the site is underlain by undocumented fill which has the potential to contain subsurface resources. Therefore, all ground-disturbing work for the project will be required to be monitored by an archaeologist and Native



American monitor. Prior to beginning project grading or any disturbance of the site, the applicant will be required to enter into a Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a Luiseno Tribe for on-site monitoring.

According to a noise study prepared for the project, the main source of noise at the project site is noise generated from vehicle traffic on Mission Road, Richmar Avenue, Marcos Street, and Liberty Drive. Traffic noise has the potential to impact exterior noise levels of a project. Per the General Plan Noise Element, 65 CNEL is acceptable an exterior noise level for a multi-family residential development. The study analyzed 37 modeled receivers on the project site, and concluded exterior noise levels are not projected to exceed 65 CNEL at the first, second, or third story of any of the proposed buildings or the tot-lot and turf play areas. In addition, the Noise Element specifies interior noise levels not to exceed 45 dBA for multi-family residential uses. Typical building construction as required by the California Building Code will reduce interior noise levels by 25 dB to comply with this standard. Project related noise sources, such as vehicles arriving and leaving, and landscape maintenance machinery, would be consistent with surrounding residential developments. HVAC units for air conditioning of the apartment units are a potential noise source generated on site. The project proposes split-system residential heating, ventilation, and air conditioning (HVAC) units with an interior air handler mounted within the ceiling areas of each dwelling unit and a condenser unit mounted on the roof; however, the brand and model of unit is unknown at this time. For the analysis, a typical residential HVAC unit was assumed by using a Trane split system with a power level of 72 dB(A). The analysis concluded that HVAC noise levels at the property line will not exceed the noise ordinance standard of 65 dB(A) during daytime hours or 55 dB(A) during nighttime hours. It is expected that there will be an incremental impact upon the ambient noise level of the area by the activities associated with the proposed apartment complex. However, the noise generated by the proposed project is expected to generate no more noise than is usually associated with typical neighboring single-family and multi-family developments, and no greater than anticipated noise levels for residential uses per the General Plan. As determined by the noise study, no significant noise impacts are expected to occur as a result of the proposed project.

Based upon the trip generation rate established by San Diego Association of Governments (SANDAG), the existing 136-unit apartment complex generates 816 Average Daily Trips (6 trips per apartment unit). Using the same trip generation rate, the proposed 148-unit project will generate 888 Average Daily Trips. As a result, the proposed project is estimated to generate an additional 72 ADT. The project will contribute toward City-wide traffic resulting in potential cumulative impacts. In order to mitigate for potential cumulative impacts, the proposed project shall financially participate in the Congestion Management Community Facilities District (CFD 2011-01) which will assist in City-wide efforts to reduce traffic congestion and impacts to State Route 78. The project site is located midway between two (2) light rail stations (Civic Center and Palomar College to the east and west, respectively) which provide



convenient light rail transit opportunities for residents of the development, and bus transit service is available along Mission Road which is located a block to the south.

The proposed apartment complex will be accessed by four (4) driveway entries. For Phase 1, the driveways off of Richmar Avenue and Marcos Street will provide access to the lower and upper levels, respectively, of the parking structure behind the buildings. For Phase 2, the subterranean garage will be accessed by a driveway off of Richmar Avenue, and the surface parking lot at the rear of the property will be accessed off of Marcos Street. This driveway also provides access through the parking lot to an existing single-family residence directly to the north of the property. Using a parking ratio consistent with the Off-Street Parking Ordinance (SMMC Chapter 20.340), the Specific Plan proposes 1.7 spaces per affordable apartment unit resulting in a total of 252 parking spaces which are required for the proposed project. The project proposes 255 parking spaces plus two (2) spaces for U.S. Postal deliveries which consists of 148 spaces for Phase 1 and 109 spaces for Phase 2. The proposed parking will be a seventy-seven (77) percent increase from the current 145 spaces at the existing apartment complex. A parking management plan will also be required to regulate tenant parking for the new development, and will be managed by the applicant.

In order to comply with the City's Storm Water Management Regulations, the project proposes low impact site-design Best Management Practices (BMPs) which include natural infiltration into landscape areas (bio-infiltration), including modular wetlands and underground vaults, prior to exiting the site to the City storm drain system. The project includes installation of new storm drain pipe within Richmar Avenue from Phase 1 to an existing 36-inch storm drain pipe in Liberty Drive, and from Phase 2 along Richmar Avenue to an existing catch basin at Pleasant Way. Construction BMPs will be required as well.

Sewer and water services for the proposed project will be provided by the Vallecitos Water District (VWD). A water and sewer study was prepared by VWD which determined that adequate water storage, wastewater treatment/disposal, and land outfall capacities exist at this time. The developer will be required to install or pay a fee toward the upgrading of sections of sewer pipeline or portions thereof as determined by VWD, along the alleyway north of Mission Road between Fitzpatrick Road and Pico Avenue; along Pico Avenue to San Marcos Boulevard; and along San Marcos Boulevard from Pico Avenue approximately 1,422 feet to the west. If sewer improvements related to the commercial project currently under construction at San Marcos Boulevard and Twin Oaks Valley Road are completed and accepted by VWD, then the upgrade of 1,422 feet of sewer line along San Marcos Boulevard will not be required for the subject affordable apartment project

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (ND 16-002) was prepared by the City for the proposed project, and circulated for public review from



November 9, 2016 to November 30, 2016. One comment was received from the Vallecitos Water District (VWD) which is included with the Final MND and a City response.

Public Workshop/Comments

A public workshop was conducted with the surrounding neighbors on August 11th which was attended by approximately twenty (20) neighbors who expressed concerns regarding on-street parking, crime, and trash in the adjacent single-family subdivision on Barnaville Lane and Marcos Street north of the project site. Neighbors indicated these issues were occurring due to the existing affordable apartment complex (Villa Serena II). A signed petition opposing the project was submitted at the workshop, and a copy is included in Attachment E. In response, the existing "no-parking" restriction along Villa Serena's frontage on Richmar Avenue was removed by the City in order to provide more on-street parking for area residents. The City also evaluated other street sections within the area, but it was determined that the removal of parking restrictions was not warranted for traffic safety reasons. In addition, development of the new apartment complex will provide an additional 110 parking spaces on site which will help alleviate the current on-street parking issues where apartment residents may be parking on the adjacent single-family residential streets. In regards to existing conditions in the Richmar Neighborhood related to crime and trash, a second workshop was held on August 31st by the City's Housing and Neighborhood Services and the Sheriff's Department to address these issues. Approximately twenty-five (25) neighbors were in attendance. Crime-prevention information, such as establishment of a neighborhood watch organization and contact information for the Sheriff's liaison, was provided at the workshop. Since the workshops, extra patrols by the Sheriff's Department have occurred resulting in a decrease in crime-related calls in the Richmar Neighborhood. In addition, graffiti has been actively removed by the City within the neighborhood as well as the rest of the City which has had an increase in graffiti incidents as a whole. The management of the existing apartment complex has been very proactive in working with Housing and Neighborhood Services staff and the Sheriff's Department regarding any issues on site, and will continue to do so with the proposed new development. Regarding the concerns about trash (litter) on the public streets, the City's Housing and Neighborhood Services Division is currently coordinating to start street sweeping within the Richmar Neighborhood which includes parking restrictions to allow for sweeping of on-street parking areas at certain times. Since the public workshops, an additional comment was received by the City which is included in Attachment E

Attachment(s)

Adopting Resolutions: PC 16-4584, PC 16-4585, PC 16-4586, and PC 16-4587.

- A- Vicinity Map
- B- Requested Entitlements



- C- Site & Project Characteristics
- D- Negative Declaration (ND 16-002)
- E- Public Comments

Prepared by:

A handwritten signature in blue ink, appearing to read "Norm Pedersen".

Norm Pedersen, Associate Planner

Reviewed by:

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Garth Koller, Principal Planner

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Peter Kuey, Principal Civil Engineer

Approved by:

A handwritten signature in blue ink, appearing to read "Karen Brindley".

Karen Brindley, Planning Division Manager

Submitted by:

A handwritten signature in blue ink, appearing to read "Dahvia Lynch".

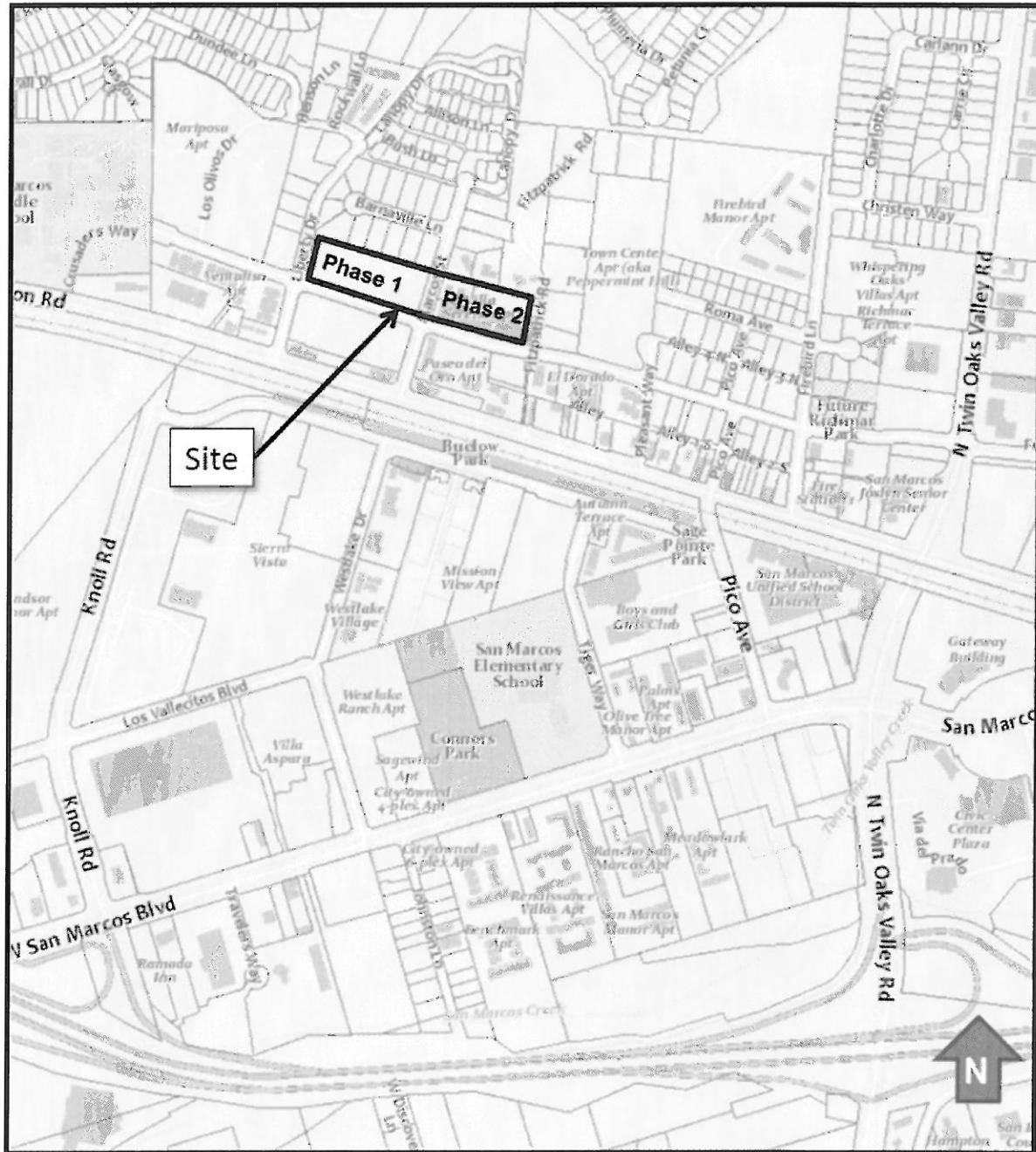
Dahvia Lynch, Development Services Director

AGENDA ITEM NO. _____



ATTACHMENT A

Vicinity Map



AGENDA ITEM NO.

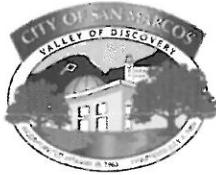


ATTACHMENT B

Requested Entitlements

- A Specific Plan (SP 15-004) and Multi-Family Site Development Plan (MFSDP 15-004) to allow for the development of a 148-unit affordable apartment complex within the Specific Plan Area (SPA) Zone.
- A General Plan Amendment (GPA 15-003) for a change of land use of 4.06 acres from "Medium Density Residential 2" to "Specific Plan Area".
- A Rezone (R 15-002) for a zone reclassification of 4.06 acres from Multi-Family Residential (R-3-10) to Specific Plan Area (SPA).
- Adoption of a Mitigated Negative Declaration (ND 16-002) pursuant to the California Environmental Quality Act (CEQA).

AGENDA ITEM NO. _____



ATTACHMENT C

Site & Project Characteristics

<u>Property Subject</u>	<u>Existing Land use</u>	<u>Zoning</u>	<u>General Plan Designation</u>
	Multi-Family Residential	R-3-10	Medium Density Residential 2 (15-20 du/ac)
North	Single-Family Residential	R-3-10	Medium Density Residential 2 (15-20 du/ac)
South	Mixed-Use	SPA	Specific Plan Area (Paseo del Oro)
East	Single-Family Residential	R-3-10	Medium Density Residential 2 (15-20 du/ac)
West	Multi-Family Residential	R-3-10	Medium Density Residential 2 (15-20 du/ac)

Flood Damage Prevention Overlay Zone	<u> </u> yes <u>x</u> no
Airport Overlay Zone	<u>x</u> yes <u> </u> no
Sewers	<u>x</u> yes <u> </u> no
Septic	<u> </u> yes <u>x</u> no
Water	<u>x</u> yes <u> </u> no
Gen. Plan Conformance	<u>x*</u> yes <u> </u> no
Land Use Compatibility	<u>x**</u> yes <u> </u> no

*with approval of a General Plan Amendment.

**with approval of a Specific Plan.



Development Standards per the Specific Plan:

<u>Setbacks</u>	<u>Required</u>	<u>Proposed</u>
Front (Richmar Avenue)	n/a*	0 ft. from back of sidewalk
Street Side (Liberty Drive & Marcos Street)	n/a*	5 ft. from back of sidewalk
Interior	n/a*	5 ft. from property line
Building Height	n/a*	45 ft./3-story**
Building Separation	n/a*	53 ft.
Parking	n/a*	257 spaces

*Project is proposing zoning of a Specific Plan Area (SPA) which does not have established setbacks or height limits, but is established through the Villa Serena Specific Plan document.

**Height limit may be increased by a maximum of 6 ft. for towers, elevator penthouses, stair enclosures, and other architectural roof features provided that the features do not exceed 5 percent of the roof area.



ATTACHMENT D
Negative Declaration 16-002

AGENDA ITEM NO. _____



ATTACHMENT E

Public Comments

AGENDA ITEM NO. _____

This petition is in protest to the following new and existing development:

Application Number: P15-0052 (GPA 15-003/SP 15-004/MFSDP 15-004)
Applicant: National Community Renaissance of California

by the neighborhood and community surrounding this development.

Our primary areas of concern include, but are not limited to:

Crime: This area currently has one of the highest crime rates in San Marcos. Our community continues to be plagued with violence, drugs, theft, and vandalism. Homeowners within this community have witnessed drug dealing and drug use by apartment residents, have had items stolen from their property, and have had their property vandalized. In addition, in August of 2015 there were gun shots fired and reported at the applicant's property. Visits to the stated property by the Sheriff are a common occurrence.

Parking: The applicant does not provide enough parking for their residence nor do they regulate the number of vehicles that a resident in their facilities are allowed to have. Our community has turned into overflow parking for this facility. Apartment residents park in front of property owner's driveways, across handicapped sidewalk thoroughfares, in front of fire-hydrants, in the business parking spaces, in front of mail boxes making difficult for mail delivery, and move homeowner trash cans to park their vehicles. Homeowners have contacted National Community Renaissance, the San Marcos Parking Office, and the City of San Marcos about these problems multiple times, with little or no effect.

Trash: Residents of this facility are typically transient and have no respect for the community surrounding this complex. They continually throw their trash on the streets and on homeowner's properties. Homeowners continually have to pick up apartment residence trash and filth (including used condoms and under garments) to try and maintain a sense of pride and decency in the neighborhood. The city-based street sweeping vehicles that service this community drive right down the middle of the street due to all of the cars parked on the street; nullifying any potential trash pickup that might be performed by these vehicles and wasting tax-payer dollars. National Community Renaissance employs full-time maintenance people to remove the trash in front of their property; however the surrounding community does not receive the same courtesy.

The City of San Marcos and National Community Renaissance of California have done nothing to improve these conditions, even after multiple complaints have been filed. We the undersigned want resolution to these grievances and feel that the residence of this community are not being provided a safe, secure, and non-violent standard of living that is provided to other residence of the City of San Marcos.

Dora Gray
Name

416 Marcos St
Address

Paul Dershem
Name

416 Marcos St
Address

Cristina Sangerma
Name

Rick Beuth
Name

Debra L.
Name

Debra L.
Name

Maria Arriaga
Name

Jackie Hartley
Name

Juana Kaeding
Name

Andres Molina
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Diane Bohm
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Reiji
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Anna Maria Galan
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548 Barnaville Ln.
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Address

353 Pleasant Way
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353 Pleasant Way
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Gonzalo Hernandez
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GUADALUPE HERNANDEZ
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Leslie Brien
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Zahra Imani
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Imanpour Imani
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Janet Hunt
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411 Marcos St San Marcos
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Jean D. Hunt
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FRANCISCO SOTELO
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Erma Sullivan
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Name

Address

Name

Address

Name

Address

Name

Address

From: Dora [mailto:dgray7904@hotmail.com]
Sent: Friday, December 02, 2016 8:06 AM
To: Swarm, Karl
Cc: Paul Dershem
Subject: Re: Parking

Karl -

We will not be attending the next meeting for the Richmar apartments. We have all come to the concensus that the City of San Marcos does not have our neighborhood's best interest at heart and are only interested in working with contractors to overpopulate and degrade our area to fill their own coffers, so why bother... Every complaint that we have presented the city has basically dismissed - "typical for your area". What does that really mean? Is our area less deserving of the same security and property rights that the rest of San Marcos has? Would you be satisfied if those were the statistics of crime, population density, and parking availability if it were your neighborhood? I highly doubt it.

It was quite obvious in the meetings that you were working for the contractors and just providing residents with lip-service and checking off the boxes required to move the project forward - why bother. . . The one positive step forward was removing red curbs, and even then, the city did the very minimal. We had asked for all curb paintings to be evaluated in the area and all that was done (after almost 2 months time) was the one in front of the apartments - there are still many more in the neighborhood that should not have parking restrictions.

I moved to the suburbs, not to a high-density city or beach area where crowding is inevitable. Why San Marcos is choosing to cram so many people in such a small area is beyond me, especially an area that has a history of high crime rate (our fence was yet again tagged last week - yes I did call the city grafitti service - twice, as the first time they did not respond in their advertised 48 hour window).

Many studies have been done with rats that show when you overpopulate you increase hostility, aggressiveness, and negative behavior, creating horrible living conditions, well guess what, that is exactly what you are doing to this neighborhood - shame on you for not defending this area - if this were happening in your neighborhood, I am sure the outcome would be much different.

Shame on you San Marcos for not taking better care of your residents!