

AGENDA REPORT

Meeting of the San Marcos Planning Commission

MEETING DATE: January 17, 2017
SUBJECT: CR TOVR Associates, LLC. - 118 Unit Townhome Project (aka, "Corner @ 2 Oaks Phase 2")
CASE No: P15-0012: SPA 15-001/TSM 15-002/MFSDP 15-001/ND 15-005
Assessor Parcel Numbers (APNs: 220-190-57-00; 220-190-58-00; 220-190-59-00)

Recommendation

Recommend to City Council adoption of the proposed Heart of the City Specific Plan Amendment (changing the land use designation within the Specific Plan from "Town Center" to "High Density Multi-Family Residential"), a Multifamily Site Development Plan, and a Tentative Subdivision Map to allow the development a 118 unit condominium complex on 6.8 acres on the southern portion (Phase 2) of the Corner@2Oaks site in the southwest corner of the intersection of San Marcos Boulevard and Twin Oaks Valley Road. The recommendation also includes the adoption of Mitigated Negative Declaration (ND15-005) with a Mitigation Monitoring & Reporting Program.

Introduction

The Corner@2Oaks Phase 2 ("Phase 2") is a proposed infill multifamily residential project. Uses in the project vicinity of Phase 2 include the "Corner@2Oaks Phase 1" hotel (currently under construction) and proposed retail, office and restaurant development; Civic Center Plaza (i.e., commercial/retail) to the east; medium high density residential (Meadowlark Apartments) and San Marcos Creek to the west; and Highway 78 to the south.

In 2014, a Site Development Plan (SDP 14-005), Tentative Parcel Map (TPM 14-002), and Conditional Use Permit (CUP 14-008) were approved on the subject site, which at the time consisted of thirteen parcels and a larger site area of 19.26 acres (See Attachment "G"). The Site Development Plan was approved to allow the immediate construction of "Phase 1", consisting of a 39,674 square feet three story Class "A" office building, a 8,031 square feet single story restaurant/retail shops, and a four story 116 room hotel. Phase 1 is located in the north half of the site. Although "Phase 2" was anticipated to be constructed at a later date consisting of 35,000 square feet of standard commercial office, 15,000 square feet of retail shops, and a 5,000 square feet restaurant, it was also disclosed during the application processing that the owner may want to pursue residential development on the Phase 2 portion of the site. Phase 2 is located in the remaining southern half of the site which included an open space conservation easement (the San Marcos Creek) adjacent to

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Phase 2



State Route 78. At that time the project was under one ownership for both Phase 1 & 2. In 2015, a Final Map was recorded, which consolidated the eleven parcels into four new parcels, therefore accommodating Phase 1 development and future Phase 2 development. The overall site plan configuration provided two access points: one on San Marcos Boulevard, and one on Twin Oaks Valley Road. The Twin Oaks Valley Road entrance provides a shared drive aisle that will provide access to Phase 1 commercial uses on the north side and the proposed townhomes on the south side of the driveway. The 2014 Site Development Plan was also approved with shared parking (between Phase 1 and Phase 2) which will still be required and will be discussed later.

Construction has started on a portion of the Phase 1 site per the 2014 approvals, with the hotel almost completed. The Phase 1 owner is also in the process of completing grading and on/off site improvements and landscaping in conjunction with those approvals.

Discussion

In 2015, CR TOVR Associates, LLC, the developer known as ColRich, submitted an application for a Specific Plan Amendment (SPA 15-001), a Multi-Family Site Development Plan (MFSDP 14-005) and Tentative Subdivision Map (TSM 15-0001) to allow construction of 118 three-bedroom townhouse condominiums, each with a three-bath and 2-car garage within the Phase 2 area. The proposed land use modification from the approved town center uses to 118 condominiums requires amendment of the Heart of the City ("HOC") Specific Plan to change the land use designation of the 6.8 acre site from Specific Plan Area, Town Center, to High Density Multi-Family Residential (HDMFR), which allows between 15-20 dwelling units per acre. The proposed density of the project is 17.35 du/ac, which is consistent with the HDMFR designation. The proposed density is also compatible with the Meadowlark apartments to the west. The proposed Specific Plan Amendment also contains specific development standards, including a new Appendix G - Corner@2Oaks Phase 2 (CR Townhouse) Residential Development & Design Standards) which contains architectural design guidelines and a parking management plan. The development of commercial (to the north) and residential uses would create synergy with existing office, civic, and retail uses in the project vicinity. The table below summarizes the "Approved vs Proposed Land Use Changes". The proposed project will complement existing and future development in the area by providing a greater variety of residential density to meet the housing needs for a variety of household sizes and income levels. In addition, the site configuration and geographic location of the townhomes will provide opportunities for pedestrian access throughout the project as well as external connectivity surrounding commercial, restaurant, civic, and office uses that are located in close proximity to the project. Additionally, the SPRINTER light rail station is located within 0.2 miles and provides access to transit. The approved new signalized intersection at the midblock of Twin Oaks Valley Road will also benefit all pedestrians by providing a direct route from Phase 1 & 2 to the Civic Center Plaza and the City Hall complex.

In 2014, the Site Development Plan was approved with a setback reduction along the frontage of both San Marcos Boulevard and Twin Oaks Valley Road reducing the required setbacks from 45 feet to 25 feet



from the public right-of-way for both buildings and parking stalls. Under the Phase 2 proposed site plan (MFSDP 15-001) the applicant is maintaining a minimum 25 foot setback for Buildings 1-7 along Twin Oaks Valley Road.

The proposed project amenities include a central pool complex, tot lot, dog run and interconnected paths, paseos and parking courts. There are twenty-four (24) three-story buildings of tri-plex, four-plex, five-plex, and six-plex models, ranging from 1,184 square feet to 1,386 square feet, each with a large second story deck. All of the site access, water improvements, sewer improvements and mass grading for the Phase 2 site was approved in 2014, and has since been permitted and is under construction. Although there will be additional improvements for Phase 2 such as stormwater management, precise grading and utility services, all approved plans outside of the proposed construction footprint for Phase 2 shall remain as obligations by the developers as conditionally approved.

The southern portion of the site is currently in the mapped FEMA Special Flood Hazard Area (SFHA). However, the applicant has filed a Conditional Letter of Map Revision through FEMA and the site is currently being graded with the Phase I construction. Once the grading is completed, the applicant is required to file a Final Letter of Map Revision that will effectively change the SFHA boundaries. The proposed buildings will not be located within the revised boundaries of the SFHA.

Traffic/Project Access

The site is accessible from two (2) access driveways, one on San Marcos Boulevard and one on Twin Oaks Valley Road. Signal modifications to the intersection of San Marcos Boulevard and Pico Avenue and the installation of a new signal on Twin Oaks Valley Road are currently under construction in conjunction with previously approved entitlements on the project site. Additional analysis was performed based on the land use change and it was determined that the intersections are forecast to operate at an acceptable level of service (LOS), LOS D or better, during the peak hours through the year 2030.

The additional analysis included both this project (Phase 2) and the modification to Phase 1 (SDP 16-004) as both were being processed at the same time. Analysis results (Urban Systems Associates (USA), Inc, 2016, Appendix K of ND 16-005) concluded that the proposed changes in land use for the project would result in a decrease in trip generation and peak hour trips (19% reduction in the AM peak and 27% reduction in the PM peak). Therefore, the proposed project would add fewer trips to the roadway network and overall impacts would be reduced in comparison to the approved 2014 Site Development Plan. Since the proposed project would result in fewer trips than analyzed in the previous traffic impact analysis, no new traffic impacts would occur as a result of project implementation.



Parking

The Heart of the City Specific Plan requires multifamily projects to provide a minimum of two (2) parking spaces per unit and one guest parking space for every third residential unit. The proposed project must provide a minimum of 275 parking spaces. The proposed site plan currently shows 236 garage parking spaces, 48 surface parking spaces, and 3 disabled surface parking spaces and one space dedicated for EV (electric vehicle) charging, for a total of 279 parking spaces. The proposed project exceeds the minimum requirement by four (4) spaces. As mentioned above, the overall site plan for Phase 1 and Phase 2 shows a common driveway access (Twin Oaks Valley Road) that is shared by both developments. It should be noted the Site Development Plan approval in 2014 relied on a shared parking agreement between Phase 1 and Phase 2. The CC&Rs that were recorded in 2015 included a provision for shared parking, maintenance and access. The proposed revision to Phase 1 (SDP 16-004) land uses will still need to rely on a reciprocal parking agreement with Phase 2. Specifically, to support the mixture of hotel and commercial uses on Phase 1, a minimum of twenty one (21) spaces within the northwest portion of the Phase 2 ownership (APN 220-190-57-00) must be reserved for the exclusive use of Phase 1. These 21 spaces are not included in the development's proposed 279 spaces. The existing CC&Rs will need to be modified to address the revised shared parking agreement. The proposed multifamily project will also be required to prepare a Parking Management Plan, which will be reviewed and approved by the City. It will be required for the Management Plan to address how enforcement will be provided in the event residential occupants/guests are using the Phase 1 parking (including the 21 spaces).

Noise Assessment

Due to the project's proximity to SR-78 and Twin Oaks Valley Road, a noise assessment was prepared for this project by LdN Consulting (Appendix G of ND 15-005). Although the ground floor for all 118 townhouses consist of a garage with no habitable space, bedrooms (2nd & 3rd floor) and exterior balconies (2nd floor) for private use are incorporated into the design of the condominium units. The second floor balconies were modeled to determine if shielding or mitigation is required to reduce the exterior noise level thresholds below 65dBA CNEL. Noise modeling identified Buildings #1-7 would experience noise levels above the 65dBA, therefore the affected balconies are required to install four foot barriers (such as plexi-glass or other architecturally compatible solutions) on the balconies along Twin Oaks Valley Road. In regard to the bedrooms on the second and third floors, there is the potential for the interior noise levels to exceed 45 dBA CNEL, however, with conventional building construction methods and providing closed window conditions requiring mechanical ventilation (e.g. air conditioning) would mitigate said impacts. The developer will be required to conduct a final noise assessment prior to issuance of building permits to determine what architectural and building criteria is required to limit the interior noise to not exceed 45 dBA CNEL.



Fuel Protection Plan

The project will implement all the conditions and measures identified in the Fire Protection Plan which was prepared by FIREWISE 2000, Inc. dated November 14, 2016 (Appendix F of ND 16-005). The Fire Protection Plan was prepared since the site is adjacent to the San Marcos Creek (which will be preserved in perpetuity through a conservation easement) and the associated riparian vegetation. The conditions & mitigations address the following topics: water supply, fire department response times, fire access roads, setbacks from property line, building construction criteria, fire protection systems, safety signage, and lighting. Buildings 8, 15, 16, 17, and 18 will require additional enhanced ignition-resistant construction measures due to the proximity to the SM creek vegetation.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), a Negative Declaration was prepared to evaluate environmental impacts resulting from implementation of the Corner@2Oaks Phase 1 (separate application – SDP 16-004) and Phase 2 revised projects. In December 2014, the San Marcos City Council approved the Mitigated Negative Declaration (MND) for SDP 14-005 (which included Phase 1 and Phase 2 commercial/office/restaurant/hotel uses). The previous environmental analysis found that all impacts were either less than significant in relation to the identified significance threshold levels, or were to be mitigated to a level of less than significant through recommended mitigation measures.

The Negative Declaration prepared for the revised projects (Phase 1 and Phase 2) identifies there are potentially significant effects but: 1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and 2) There is no substantial evidence that the project may have a significant effect on the environment. All potential impacts are mitigated below a level of significance.

The Mitigated Negative Declaration was posted for public review from November 22, 2016 to December 13, 2016. During that public review period, the City received comments from Caltrans, the Vallecitos Water District, and the Rincon Band of Luiseno Indians. Responses to comments have been provided in the Final Mitigated Negative Declaration, however, the comments did not result in changing the conclusions/mitigation measures of the draft mitigated negative declaration.

Public Comment

The City received public comments during the public review period for the Negative Declaration, which is noted above. No other public comments were received during the processing of the application.

Attachments

Adopting Resolutions: PC 17-4590, PC 17-4591, and PC 17-4592



- A – Vicinity Map
- B – Aerial
- C – Requested Entitlements
- D – Site & Project Characteristics
- E – Site Plan
- F – Negative Declaration (ND 15-005)
- G – Public Comments
- H – SDP 14-005 Approved Site Plan (reference only)

Prepared by:



Garth Koller, Principal Planner

Reviewed by:



Peter Kuey, Principal Civil Engineer

Approved by:



Karen Brindley, Planning Division Manager

Submitted by:



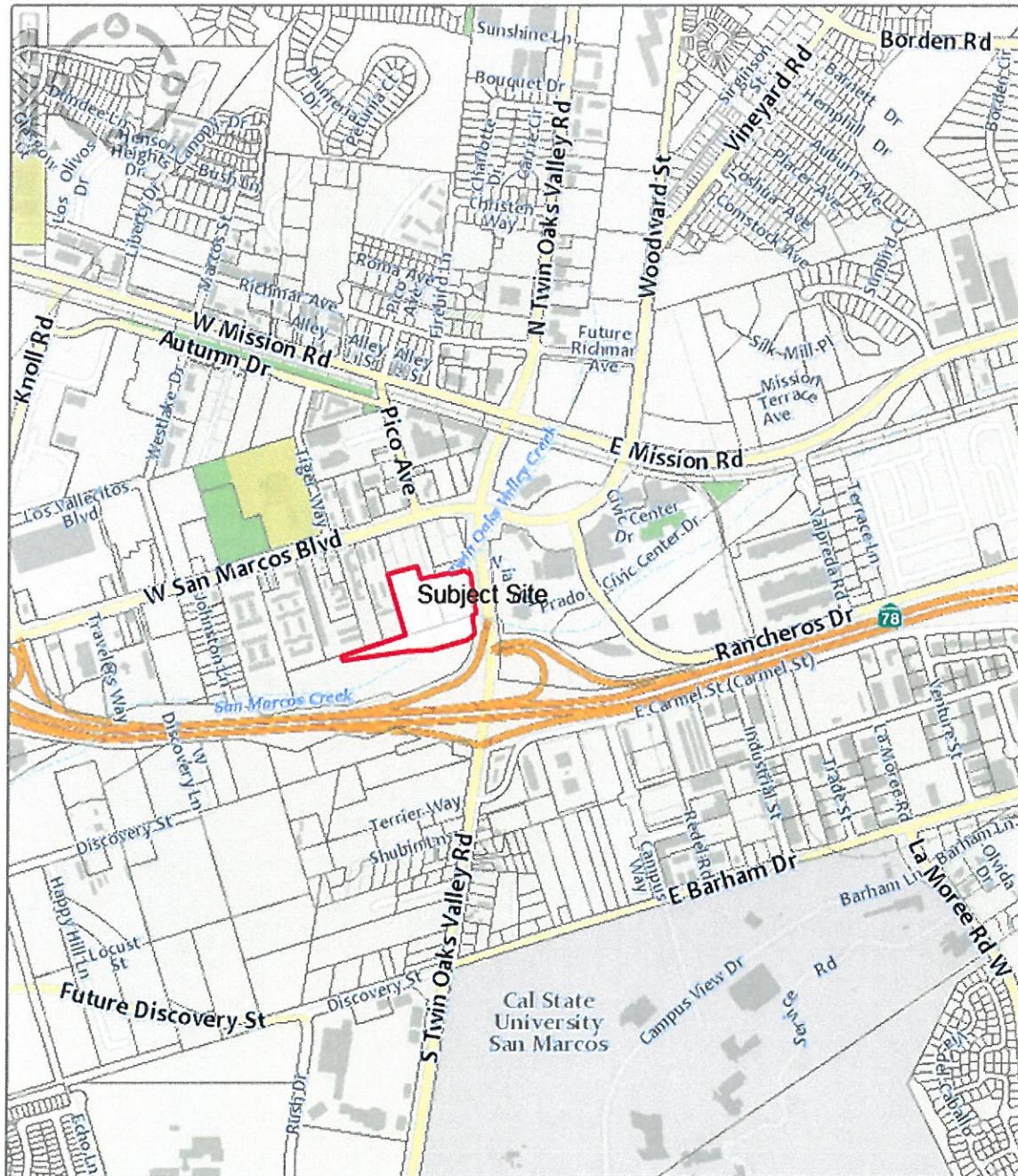
Dahlvia Lynch, Development Services Director

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ATTACHMENT A

Vicinity Map

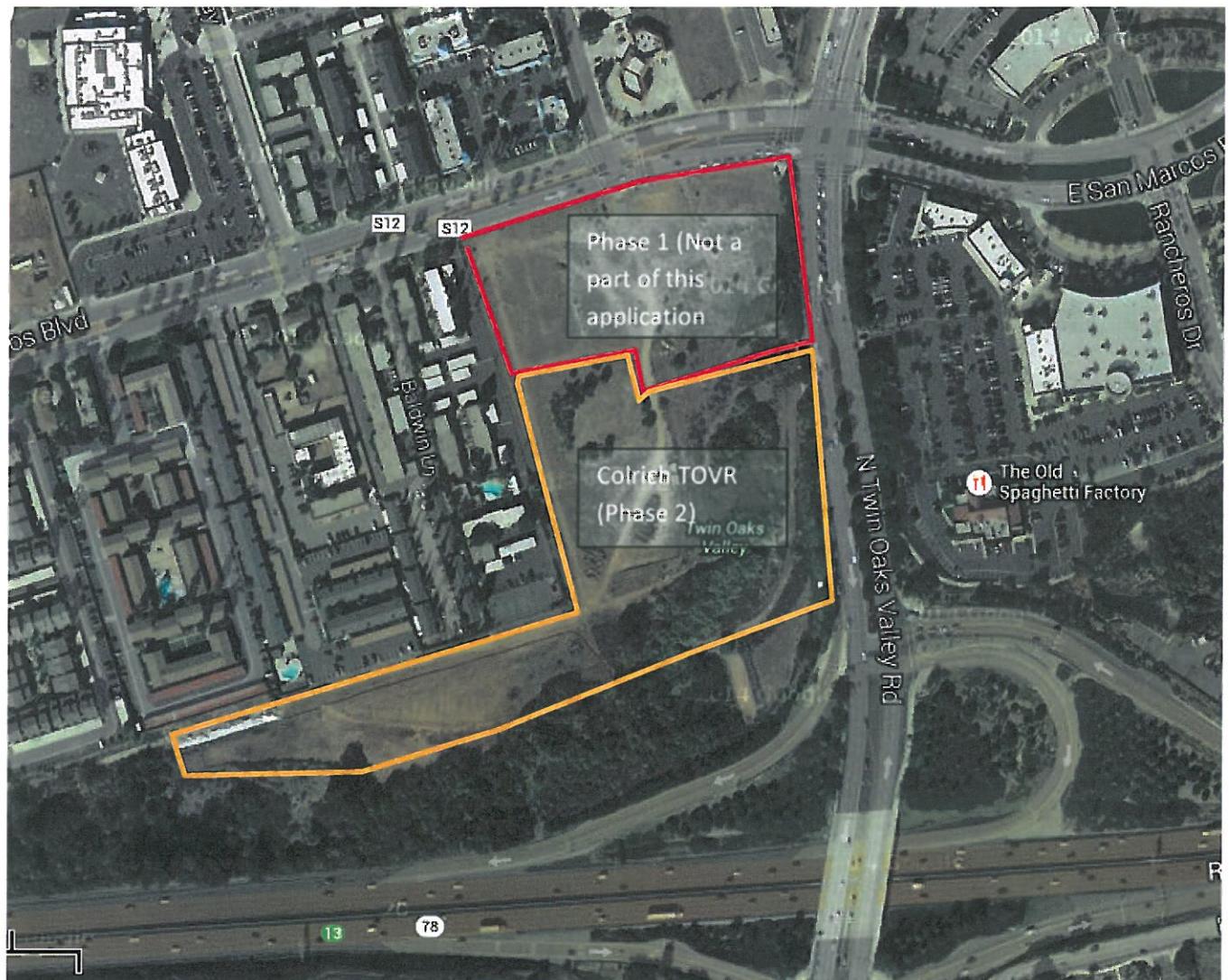


North



ATTACHMENT B

Aerial



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ATTACHMENT C
Requested Entitlements

- Specific Plan Amendment (SP16-001)
- Multi-Family Site Development Plan (MFSDP 15-001)
- Tentative Subdivision Map (TSM 15-002)
- Adoption of a Mitigated Negative Declaration (ND 15-005)



ATTACHMENT D
Site & Project Characteristics

Property Subject	Existing Land use	Zoning	General Plan Designation
Subject	Vacant	SPA-HOC Town Center SPA- HOC HDMFR (proposed)	SPA
North	Gas Station/Mini-mart/ Union Hall/Commercial	SPA-HOC Town Center	SPA
South	SR 78 Freeway/Office & Commercial District	University District Specific Plan/ Office & Commercial District	University District Specific Plan/ Office & Commercial District
East	Commercial Center	SPA-HOC Town Center	SPA
West	Meadowlark Apartments	R-3-6	MHDR (20-30 du/ac)
Flood Hazard Zone	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	
Sewer	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	
Septic	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no	
Water	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	
Gen. Plan Conformance	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	
Land Use Compatibility*	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	

* With approval of SPA for 118 residential Town house units

SPA = Specific Plan Area

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ATTACHMENT E

Site Plan



 Phase 1 Not a Part of this project

 Phase 2 Proposed Project

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ATTACHMENT F

Negative Declaration ND 15-005

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The Corner@2Oaks Phase 1 and Phase 2 Revisions

**Final Initial Study/Mitigated Negative Declaration
ND 15-005**



**City of San Marcos
January 2017**

**AGENDA ITEM
2**

TECHNICAL APPENDICES A – M

**Available on CD, City website
(www.san-marcos.net),
or upon request**

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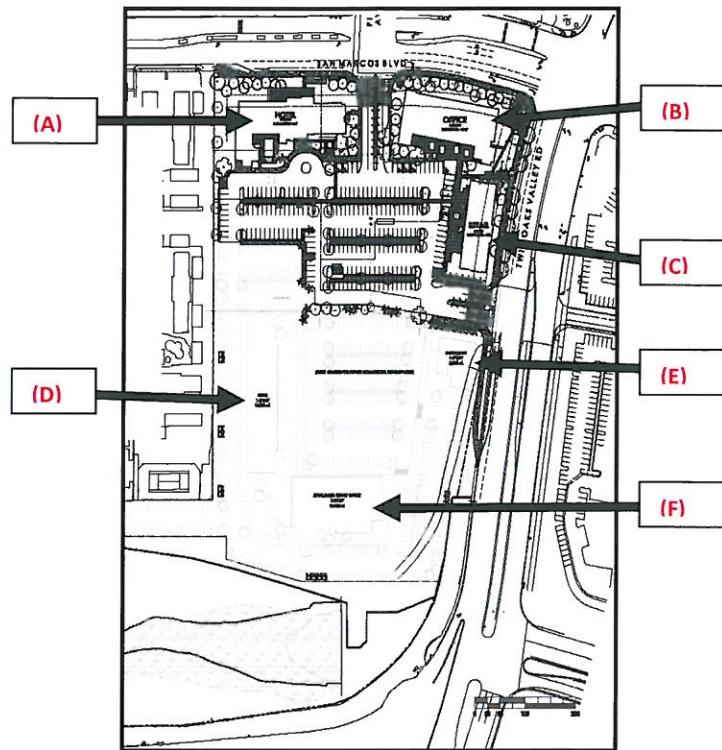
TechnicalAppendices

Name	Size	Modified
AppendixA-2014-MND	--	--
AppendixI-2014-USA-Traffic-Report	--	--
AppendixB-DraftSpecificPlanAmendment.pdf	65.66 MB	6 weeks ago
AppendixC-AirQuality.pdf	1.6 MB	2 months ago
AppendixD-HealthRiskScreening.PDF	1.1 MB	6 weeks ago
AppendixE1-GHG Memo.pdf	100.3 KB	2 months ago
AppendixE2-CAP-Worksheet.pdf	81.16 KB	2 months ago
AppendixF-Fire-Protection-Plan.pdf	2.2 MB	6 weeks ago
AppendixG-Noise.pdf	1.64 MB	2 months ago
AppendixH-Service-Provider-Letters.pdf	1.04 MB	6 weeks ago
AppendixJ-2015-MichaelBaker-Crosswalk-Memo.pdf	2.38 MB	6 weeks ago
AppendixK-2016-USA-Traffic-Memo.pdf	1.27 MB	6 weeks ago
AppendixL-2016-MichaelBaker-TrafficMemo.pdf	1.12 MB	2 months ago
AppendixM1-Water-Sewer-Study.pdf	1.02 MB	6 weeks ago
AppendixM2-Water-1Sewer-Letter.pdf	44.57 KB	6 weeks ago



ATTACHMENT G

SDP 14-005 Approved Site Plan (Phase 1 and Phase 2 reference only)



- Phase One:
 - > (A) 116 room Hotel (60,252 sq. ft.)
 - > (B) 19,837 sq. ft. of office
 - > (B) 19,837 sq. ft. of medical office
 - > (C) 4,015 sq. ft. of retail shops
& 4,015 sq. ft. of restaurant
- Phase Two (*):
 - > (D) 15,000 sq. ft. of retail shops &
 - > (E) 5,000 sq. ft. of restaurant
 - > (F) 35,000 sq. ft. of standard commercial office