

RESOLUTION PC 17-4641

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE A GRADING VARIANCE TO ALLOW MANUFACTURED SLOPES OVER TWENTY FEET IN HEIGHT

CASE NO: GV 17-005(P16-0005)
H.G. Fenton Development Company LLC

WHEREAS, on January 26, 2016 the City of San Marcos received an application from H.G. Fenton Development Company LLC requesting approval of a Grading Variance to allow permanent & temporary manufactured slopes over twenty feet in height located along the northerly edge of Parcels 4 & 5, along the northwest corner of future Grand Avenue, along the southerly edge of future Discovery Street, and along the easterly edge of the future realignment of Craven Road, more particularly described as:

ALL OR PORTIONS OF LOTS 1 AND 2 OF BLOCK 67, AND LOTS 8, 9, 10, 11, 12 AND 13 OF BLOCK 63 OF RANCHO LOS VALLECITOS DE SAN MARCOS, ACCORDING TO MAP THEREOF 806 AND PARCEL A OF MAP NO. 16595
Assessor Parcel Numbers: 221-080-18-00, 221-080-24-00, 221-080-19-00, 221-080-11-00, 221-070-20-00, 221-142-07-00, 221-080-23-00, 221-080-12-00, and 221-070-19-00

WHEREAS, the Developmental Services Department did study said request and does recommend approval of said project; and

WHEREAS, the project is within the scope of the Final Environmental Impact Report (FEIR) for the University District Specific Plan and 2014 Addendum to the FEIR (State Clearinghouse No. 2008101083) for the University District Specific Plan pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, a public workshop held on October 5, 2017; and

WHEREAS, the required public hearing held on February 5, 2018 was duly advertised and held in the manner prescribed by law;

WHEREAS, THE PLANNING COMMISSION'S recommendation is based upon the following findings and determinations:

1. There are exceptional and extraordinary circumstances applicable to the property involved and that complying with the requirements would create an exceptional hardship by requiring substantial grading and export/removal of material in order to reduce the slopes to less than 20 feet. The 20 - plus foot slopes will assist in

reducing impacts and preserving the open space area, San Marcos Creek; will allow the development of Discovery Street, Grand Avenue, and reconfigure connection of Craven Road to Discovery Street consistent with the vision of the Mobility Element in the San Marcos General Plan (See exhibit "A").

2. The variance is necessary for the preservation and enjoyment of a substantial property rights possessed by other properties in the near vicinity that would be denied to the property if the variance is not granted in that other similar developments do not have the same topographic constraints that limit the development of this site. The variance is necessary to develop the property and the project is developing buildable pads for future development, including a street network, which is consistent with the adopted University District Specific Plan.
3. The proposed grading variance will not adversely affect the Barham\Discovery Community Plan, the adopted University District Specific Plan, the City-wide Land Use Policies, development standards, or design guidelines in that all temporary and permanent manufactured slopes shall be safely engineered per the recommendations of the Soil and Geological Investigation and therefore will not be materially detrimental to public health, safety, or welfare, or injurious to the property or improvement in the vicinity.
4. There will be no adverse effect on the General Plan in that the granting of the grading variance will allow the site to be prepared for future developed in accordance with the anticipated land uses adopted under the University District Specific Plan.

NOW, THEREFORE, the Planning Commission resolves as follows:

- A. The foregoing recitals are true and correct.
- B. The project is within the scope of the Final Environmental Impact Report (FEIR) for the University District Specific Plan (UDSP) and 2014 Addendum to the FEIR for the University District Specific Plan (State Clearinghouse No. 2008101083) pursuant to the California Environmental Quality Act (CEQA).
- C. All slopes requiring a grading variance shall be landscaped in conformance with landscape plans included with TSM 16-001.
- D. The Grading Variance is recommended to the City Council for approval subject to compliance with all conditions outlined in TSM 16-001 (Resolution PC 17-4639) and CUP 17-004 (PC Resolution 17-4640).

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 5th day of February 2018, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

, Chairperson
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

Sandra Gallegos, Senior Office Specialist
SAN MARCOS CITY PLANNING COMMISSION

Exhibit "A"

