

PLANNING COMMISSION

Meeting Date: 10/18/21

ADDITIONAL ITEM ADDED AFTER DISTRIBUTION OF PACKET (# 1)

AGENDA ITEM # 3

Applicant/Project Name: Shea Homes LP

Project Number: TSM16-003 & SDP17-006

Brief Description: Adopting Resolution: Resolution PC 21-4948

Date 10/14/21

Time 5:30 p.m.

RESOLUTION PC 21-4948

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN MARCOS RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A MODIFICATION TO CONDITIONS OF APPROVAL FOR RESOLUTION 2018-8471 (TSM 16-003) AND RESOLUTION 2018-8472 (SDP 17-006)

Case No. TSM 16-003 & SDP 17-006 (P16-0037)
Shea Homes LP

WHEREAS, on March 13, 2018 the City Council approved entitlements for Tentative Subdivision Map (TSM) 16-003 and Site Development Plan (SDP) 17-006 to allow residential develop of up to 220 dwelling units on approximately 39 acres of vacant land located north of Craven Road, south of the future Discovery Street, west of Rush Drive, and east of Bent Avenue more particularly described as:

ALL LOTS OF SUBDIVISION MAP 16436, ON FILE IN OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO AS FILE NO. 2020-7000440, RECORDED DECEMBER 21, 2020

Assessor Parcel Numbers: 221-081-01, 221-081-02, 221-081-03, 221-081-04, 221-081-05

WHEREAS, said entitlements contain conditions of approval requiring that the applicant construct certain public improvements prior to the occupancy of any structure; and

WHEREAS, the applicant has requested modifications to the conditions of approval due to delays encountered by the applicant during the construction of the public infrastructure; and

WHEREAS, the applicant has reviewed and agrees to the conditions contained herein which are intended to allow the applicant to continue to diligently pursue construction of required public infrastructure while also providing for the improved enjoyment and enhancement of other public infrastructure; and

WHEREAS, City staff has reviewed the conditions of approval requested for modification and does find that they do not materially depart from the intent of the original development conditions; and

WHEREAS, on October 18, 2021 the Planning Commission held a duly noticed public hearing in the manner prescribed by law to consider said request; and

WHEREAS, the Planning Commission did consider the previously adopted Final Mitigated Negative Declaration (MND 16-001) and determined that no new environmental information or documentation was presented revealing any new unidentified environmental impacts that had not been previously mitigated, and determined that the proposed modifications are within the scope of the impacts identified in MND 16-001.

NOW, THEREFORE, the Planning Commission does hereby resolve as follows:

- A. The foregoing recitals are true and correct, and are hereby incorporated by reference into this Resolution.
- B. The Planning Commission hereby recommends to the City Council approval of modification to conditions of approval for Resolution 2018-8471 (TSM 16-003) and Resolution 2018-8472 (SDP 17-006), as shown on the attached Exhibit A and Exhibit B, incorporated by reference and made a part of this Resolution as though fully set forth herein.
- C. The Planning Commission recommendation to City Council is based upon the following findings and determinations:
 - 1. Modifications to conditions of approval would not result in detrimental impacts to adjacent properties or the character and function of the approved project, in that modifications would not change the requirement to install any required infrastructure.
 - 2. Changes to conditions will not result in any inconsistencies with the goals, policies, and intent of the General Plan, in that the decision would not modify any prior findings or determinations allowing the continued orderly development of the project.
 - 3. All requirements of CEQA would be met and modified conditions would not necessitate additional environmental review, allowing the project to continue to implement the adopted Mitigated Negative Declaration (MND 16-001).
- D. The modification to conditions of approval for Resolution 2018-8471 (TSM 16-003) and Resolution 2018-8472 (SDP 17-006) is within the scope of the Mitigated Negative Declaration (MND16-001) and no new environmental information or documentation was presented revealing any new unidentified environmental impacts that had not been previously mitigated.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of San Marcos, California, at a regular meeting thereof, held on this 18th day of October, 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

APPROVED:

Kevin Norris, Chairman

ATTEST:

Gina Jackson, Senior Office Specialist

Attachment(s):

Exhibit A – Modification of Conditions or Approval TSM 16-003
Exhibit B - Modification of Conditions or Approval SDP 17-006

Exhibit A
Modification to Conditions of Approval
TSM 16-003

- A. The applicant/developer is responsible for compliance with all applicable provisions of Tentative Subdivision Map (TSM) 16-003, Resolution No. 2018-8471, which are incorporated herein by reference, except as follows:

1. Condition of Approval G(5) is hereby modified to read:

A note shall be added to the final map stating that the full width improvement of the extension of Discovery Street from Bent Avenue to Twin Oaks Valley Road, pursuant to the General Plan, shall be completed to the satisfaction of the City Engineer prior to occupancy of the 36th structure.

Exhibit B
Modification to Conditions of Approval
SDP 16-003

- B. The applicant/developer is responsible for compliance with all applicable provisions of Site Development Plan (SDP) 17-006 (Resolution No. 2018-8472), which are incorporated herein by reference, with the following modifications:
1. Condition of Approval L(5) is hereby superseded and replaced as follows:

Full width improvement of Discovery Street from Bent Avenue to Twin Oaks Valley Road shall be completed to the satisfaction of the City Engineer prior to the occupancy of the 36th structure.
 2. Prior to the occupancy of any structure the applicant/developer shall provide a contribution in the amount of \$800,000 towards the improvement of City park infrastructure. Contributions shall not be provided in-lieu or as offset to any other obligation of the applicant/developer.
 3. The applicant/developer shall supply a safe and appropriate access, to the satisfaction of the City Engineer, for any residents occupying the project until such time as residents can take access on Discovery Street.