

PLANNING COMMISSION

ADDITIONAL ITEM ADDED AFTER
DISTRIBUTION OF PACKET

Agenda # 2

• 1188 Borden Rd. + 1200 Venture LLC

Date 11/30/10
Time 4:40 PM



Memorandum

TO: Planning Commission
FROM: Planning Division Director
SUBJECT: TSM 470 PC Agenda Changes (Report, Resolution, Negative Declaration)
DATE: November 30, 2012

Staff is recommending the following changes to the respective documents, which were distributed to the Planning Commission and public.

PC Agenda Staff Report revisions:

Page 2, replace word, "concessions" with "waivers" as shown below:

The 35% density bonus equates to an additional six units above the city's maximum density permitted by the general plan. The two (modified since 2009) concessions requested by the applicant include:

- 1) Private Street
- 2) Ability to construct a combination retaining wall with decorative wood fence along the perimeter of the project (in lieu of a solid retaining wall);

And development standards ~~concessions~~ waivers that include:

- 1) Reduced lot size; Reduced Setbacks; and Lot Depth less than 90'

PC Resolution 12-4324 revisions:

Page 3, Finding 2:

Tentative Subdivision Map complies with current zoning in that the proposed development is consistent with the Zoning Ordinance allowing the proposed development, and provides for adequate lot sizes, frontage, access, and drainage (with modifications), in compliance with State Government Code 65915 et seq. The applicant has requested development concessions and waivers per State Government Code Section 65915(d)(2)(B) to allow access of subdivision lots from a private street (concession of SMMC 19.16.010(c)), and to allow a combination of ~~a~~ retaining walls and with wood fences design along the perimeter of in the



subdivision; and waivers of development standards to allow reduced minimum R-1 zone lot size and setbacks, and reduced minimum lot depth (waivers of SMMC 20.36.030, 20.36.040, 20.36.050; 19.16.010(f)). The project meets the requirements of State Government Code Section 65915 et seq., and therefore the City must grant the two concessions and development standard waivers as requested by the applicant.

Page 4, Condition H.a:

H. The Tentative Subdivision Map shall be revised prior to Final Map to show the following:

- All existing utilities (such as fire hydrants, utility boxes, etc.) shall be identified on the map.

Page 5, Condition H.c:

- ~~Property lines or proposed retaining wall location between lots 1 and 22; 18 and 21; 19 and 20 shall be adjusted to eliminate the slope between the retaining wall and property lines. Access to the slopes in the rear yards of lots 21 & 22 shall be provided in the form of stairs or other method, to be approved by the City Engineer/Public Works Director and Planning Division Director.~~

Page 14, Condition I, "Prior to recordation of the Final Map, the following conditions shall be complied with:"

60. The developer shall submit to the City for review and approval, a Water Quality Improvement Plan ("WQIP") and Operation and Maintenance Plan. The WQTR-WQIP shall be prepared by a registered civil engineer. The WQIP and O&M plan shall be prepared in accordance with the current adopted SUSMP, hydromodification, and SDRWQCB San Diego Municipal Stormwater permit requirements. The WQIP shall be prepared in conformance with the current City of San Marcos Stormwater Standards Manual. Said WQIP shall be to the satisfaction of the City Engineer/Public Works Director.
61. The WQIP shall identify affected receiving water bodies, applicable water-quality objectives (Regional Water Quality Control Board (RWQCB) and San Diego Association of Governments) and pollutants of concern, and shall estimates post-construction discharge rates (will with all BMPs in place) and explains why the projected pollutant loads will not cause a violation of the water quality objectives. The structural treatment controls shall remove project pollutants anticipated to be generated by the project and address downstream impaired water bodies listed by the SWRCB 303(d) listing to the efficiency listed in the Approved City of San Marcos Stormwater Standards Manual.

Page 17 delete and replace condition:

76. The applicant/developer shall submit a detailed fencing and wall plan to the Planning Division for review and approval. The fencing plan shall include provisions for decorative perimeter fencing. Privacy fences shall be provided along side yards, with final design and materials of all walls/fences to be approved by the Planning Division. The fencing/retaining wall plan shall identify a solid block/fence wall located along the perimeter of the subdivision with a decorative design that will be integrated into the proposed retaining walls of Lots 1-4; 5-12; 17 & 22; and along Street "B". It is



~~acceptable to use a combination of the retaining wall and wood fencing to achieve fence height, except along Street B, which shall incorporate a tubular steel design. Fencing around the proposed bioretention basins if warranted shall be tubular steel. Design of wooden fencing shall be decorative and incorporate a cap at the top of the fence; wooden fencing that incorporates a 'dog ear' design is not permitted~~

Replace with:

The applicant/developer shall submit a detailed fencing and wall plan to the Planning Division for review and approval. The fencing plan shall include provisions for decorative perimeter fencing. Privacy fences shall be provided along side and rear yards, with final design and materials of all walls/fences to be approved by the Planning Division. The fencing/retaining wall plan shall identify a decorative, split face/keystone retaining wall with decorative wooden fence located throughout the subdivision where it is necessary to install a combination of retaining wall/wooden fence to ensure privacy between the subdivision boundary or individual lots. Along the western perimeter, however, the applicant shall install decorative pilasters (at the rear of lots 5-12) in conjunction with the combination retaining wall/wooden fence. Along "Street B" and the off-site parcels (APNs 224-040-12 & 13), there shall be a combination retaining wall and tubular steel fencing. Fencing around the proposed bioretention basins if warranted shall be tubular steel. Design of wooden fencing shall be decorative and incorporate a cap at the top of the fence; wooden fencing that incorporates a 'dog ear' design is not permitted.

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84. Prior to issuance of a grading permit, the applicant/developer shall provide a plotting of proposed houses on the precise grading plan and shall submit the proposed architectural elevations to the Planning Division for review and approval. Structures shall comply with all minimum setbacks as approved. There shall be a combination of front entry and side entry garage house plans throughout in the development where feasible.

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

Delete condition 3 and replace with

3. The house plans for the very low income lots shall be the same floor plan, elevations, and interior amenities as the rest of the subdivision. The location of the affordable lots shall be approved by the City of San Marcos. The very low income homes shall be constructed concurrently with the market rate homes and shall not be situated next to each other.
3. There shall be a mixture of single and two story houses within the subdivision, with four (4) single story house plans distributed through the subdivision with at least one (1) single story home located on lots 6-10. The density bonus units (very low income) shall be a minimum of 1,500 square feet, containing 3 bedrooms and 2 bathrooms with an attached 2 car enclosed garage. The exterior



elevations shall be the same as the market rate units (so as not to make the very low income homes appear to be of lesser quality to the single story market rate units in the project). The interior appointments, appearance, amenities, and finishes of the affordable units shall provide the base line products of the market rate units. The location of the affordable lots shall be on lots 3 and 19 as noted on the TSM. The very low income homes shall be constructed concurrently with the market rate homes and shall not be situated next to each other. All elevations shall be approved by the Planning Director.

7. There shall be no ground level encroachment (including eaves, cornices, or fireplaces) within the five (5) foot yard side yard setback.

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L. Prior to occupancy of any structure on the site, the following conditions shall be complied with:

3. All utilities fronting, abutting or within the project shall be undergrounded with the exception of sixty-nine (69) KVA or greater power lines. Undergrounding shall take place prior to surfacing of streets. Undergrounding of overhead utility line running parallel to the northerly property line will not be required if the lines are located north of the subdivision boundary line.

4. The subdivider shall pay for and install all street name signs and traffic control devices fronting and within the project. The developer shall also post "No Parking" signs or painted red curbs as shown on the improvement plans. All traffic control devices will be placed according to a plan prepared by the applicant/developer and approved by the City Engineer/Public Works Director and the Director of Public Works.

Page 26, delete Condition 5 (repeat of condition 4)

5. The subdivider shall pay for and install all street name signs and traffic control devices fronting and within the project. All traffic control devices will be placed according to a plan prepared by the subdivider and approved by the City Engineer/Public Works Director and the Director of Public Works.

Page 27, Condition O:

O. The applicant/developer shall incorporate all mitigation measures as specified in Mitigated Negative Declaration 09-78512-821.

Add new condition at end of Resolution conditions to state: The "Affordable Housing Plan" dated April 26, 2012 submitted by the applicant is not approved.



Mitigated Negative Declaration Corrections:

Pages 4, 23, and in the Mitigation Monitoring Program table, in the “Land Use” Mitigation Measure section, correct reference of Government Code Section from 6565915 to 65915

Pages 5, 23, and in the Mitigation Monitoring Program table, modify the Mitigation Measure as follows: There shall be a minimum of three house plans for the proposed project. The house plans for the very-low income lots shall be the same floor plan and elevations as the rest of the subdivision. There shall be a combination of front entry and side entry garages ~~throughout~~in the development where feasible.

Page 5, in the “Public Services” Mitigation Measures, delete repeated Mitigation Measure of: The applicant/developer shall submit payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district to obtain building permits from the City.

Page 5 in the “Recreation” Mitigation Measure, correct spelling of “City” at the end of the sentence.