

RESOLUTION PC 13-4371

A RESOLUTION OF THE SAN MARCOS CITY PLANNING COMMISSION
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A SPECIFIC PLAN
FOR DAVIA VILLAGE

CASE NO.: SP 12-55
Milano Holdings, Inc. (Davia Village)

WHEREAS, an application was received on March 20th, 2012 from Milano Holdings, Inc. requesting a Specific Plan to allow construction of a mixed use project with 416 residential condominiums, 15,000 square feet of commercial, and 1.26 acre for a city neighborhood community park on 11.789 acres located on at 1001 Armorlite Drive, more particularly described as:

LOTS 5 AND LOT 6, BLOCK NUMBER 85 OF RANCHO LOS VALLECITOS DE
SAN MARCOS, IN THE CITY OF SAN MARCOS, COUNTY OF SAN DIEGO,
STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 806 FILED IN
THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY
APN: 219-163-34

WHEREAS, the Development Services department did study and recommend approval of said request; and

WHEREAS, a Specific Plan is needed to establish a land use plan and development regulations that take advantage of a future Smart Growth areas as shown on the adopted SANDAG Regional Comprehensive Plan to accommodate Smart growth principles.

WHEREAS, a Public Workshop was conducted on May 22, 2013;

WHEREAS, the required public hearing held on November 18th, 2013 was duly advertised and held in the manner prescribed by law and was continued to December 2, 2013; and

WHEREAS, the Planning Commission did review and recommend certification to the City Council of Mitigated negative Declaration (MND 13-003) with a Mitigation Monitoring Plan and Reporting Program pursuant to CEQA;

WHEREAS, The Planning Commission's decision is based upon the following findings and determinations:

1. The proposed Specific Plan would encourage the orderly development of the site area as established by the Business Industrial District Land Use Plan, in that the mixed use project proposes the development of 416 residential units, 15,000 square feet of commercial/retail, & a 1.26 acre city neighborhood park.
2. The proposed Specific Plan would comply with the goals and objectives of the modified Business/Industrial District Land Use Plan, in that the project has been conditioned to implement a complete street traffic design which will add additional lanes and traffic signals providing a safer road system. For the pedestrian, there will be bike lanes, new sidewalks,

landscape, and architecture encouraging pedestrian access/movement throughout the commercial area.

NOW, THEREFORE, the Planning Commission resolves as follows:

1. The foregoing recitals are true and correct.
2. Mitigated Negative Declaration (MND 13-003) with a Mitigation Monitoring Plan and Reporting program is hereby recommended for certification to the City Council.
3. The Specific Plan is recommended to the City Council for approval with the following conditions:
 - A. Site development shall occur pursuant to the approved Specific Plan and map attachments, except as modified by the errata sheet (Attachment "A") and the conditions contained in all project resolutions/ordinances, prior to the issuance of permits. The Davia Village Specific Plan shall be modified per the errata sheet prior to issuance of any permits.
 - B. The developer shall submit prior to any grading or building permits) original mylars reflecting the required modifications to the Specific Plan mentioned above for Davia Village. Any additional modifications required to the site plan, landscape plan, and elevations shall be submitted on original mylar along with a copy of the project's conditions of approval (resolutions) on the title page prior to any permit. The mylar shall indicate that the developer/applicant has read, understands and agrees to the conditions approving this project by signing the mylar.
 - C. A Comprehensive Sign Program shall be submitted by a sign consultant for final review and approval by the Planning Division. The approved Comprehensive Sign Program will become an attachment to the Davia Village Specific Plan text.
 - D. To the extent permitted by law, Applicant/developer shall defend and hold the City of San Marcos ("City"), its agents and employees harmless from liability from: (i) any and all actions, claims damages, injuries, challenges and/or costs of liabilities arising from the City's approval of any and all entitlements or permit arising from the project; (ii) any damages, liability and/or claims of any kind for any injury to or death of any person, or damage or injury of any kind to property which may arise from or be related to the direct or indirect operation of applicant/developer or its contractors, subcontractors, agents, employees or other persons acting on applicant/developer's behalf which relate to the project and (iii) any and all damages, liability and/or claims of any kind arising from operation of the project. Applicant/developer further agrees that such indemnification and hold harmless shall include all defense-related fees and costs associated with the defense of City by counsel selected by City.

This indemnification shall not terminate upon expiration of the Tentative Subdivision Map but shall survive in perpetuity.

E. All conditions as stated in the final Resolutions approving the Tentative Subdivision Map (TSM 481), Multi-Family Site Development Plan (MFSDP 12-52) and Site Development Plan (SDP 12-352) are hereby incorporated by reference and shall be complied with.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 2nd day of December 2013.

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

Dean Nelson, Chairman
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS CITY PLANNING COMMISSION

ATTACHMENT: "A" Errata Sheet

Attachment "A"

ERRATA SHEET FOR DAVIA VILLAGE SPECIFIC PLAN 05-48
(~~delete~~/add)

General correction	Palomar Community College City neighborhood park full basketball court Bingham Drive Armorlite Drive Remove all reference to "flex" retail space. Verify with fire marshal that fire buffer is applicable, its reference throughout this document.
Page 2	Delete paragraph starting with...."Given the project...."
Page 5	Section 1.2 Planning Objectives, second bullet, second line... (one-, two-, and three-bedroom units) and a range of affordable to accommodate. A full spectrum of family demographics and the growing housing needs of the region; Section 1.3 change the logical development to.....the anticipated mixed-use development.
Page 6	Section 1.5.1, 2 paragraph, 1 st sentence, (add) Davia Village is located adjacent to Palomar Station and in... 4 th line, (add) then on Bingham Drive between Armorlite Drive
Page 7	2 nd paragraph, 6 th line, Village an ideal anticipated location....
Page 8	Figure 1-4, insert project boundaries on graphic
Page 9	Figure 1-5, not a good photograph due to sum angle – replace.
Page 12	Under General Location, 2 nd sentence, (delete) The future Palomar Station...
Page 13	1 st paragraph, fourth line, uses in the Plan vicinity include light industrial Fifth line, Plan area is located near the ... Ninth line, with the newer existing... 2nd paragraph, 7 th line, parcels. Structured parking may would... 3 rd paragraph, 5 th line, provide a transition from light industrial to a mixed use. Under land Use, 3 rd paragraph, 5 th line, residential density of 35.2 du/ac, slightly 5.2 du/ac higher... Under Adjacent to Palomar Station Specific Plan, delete second sentence starting with.... The Davia Village Specific Plan
Page 14	Top of page, 7 th line, (delete) accommodate the similarly high a comparable density to the Palomar Station project. Line 8, Village project will add specific amenities Line 11, active sporting opportunities to the public park such as a bocce ball court Line 12 & 13, volleyball court, or basketball court as well as a

	— monument area, which will display public works of art.
Page 15	4 th paragraph, 3 rd line, Complete Widened sidewalks... 7 th line, development, and the north-south pedestrian connection to the...
Page 16	1 st sentence, Pedestrian circulation to Palomar College will....
Page 17	Figure 1-9, In addition to this figure, add a blow-up to the Specific Plan, at scale, that shows sufficient detail of the street concept.
Page 18	Section 1.6, first paragraph, add reference to all applications & spell them out, General Plan Amendment, Rezone, Specific Plan, Multi-family Site Development Plan, & Site Development Plan. Section 1.6.1, last paragraph, need to include reference of GPA & R from MU1 (20 to 30 du/ac) to MU2 30 to 45 du/ac)
Page 19	9 th line, (add) designation from MU1 to MU2 Specific Plan 10 th line, (delete/add) the zoning from LU-1/MU1 to MU2 Specific Plan
Page 19	2 nd paragraph, 5 th line, residential density of 35.2 du/ac, slightly higher.. 5 th paragraph, 1 st line, Armorlite Drive is a key street within this mixed use area that.... 8th & 9 th line, parks, with a high percentage of empty parcels along Armorlite and in the general area. The...
Page 20	2 nd paragraph, 8 th line, supplement these existing destinations supporting those who live, work, and learn go to school within....
Page 21	3 rd paragraph, 3 rd line, mixed use development, aimed at nourishing outdoor... 5 th line, to the vast San Marcos trail system. The project will provide 60,000 square feet 1.37 acres (minus hardscape area for retail area).... 10 th line, access to and within the Plan area will allow citizens with limited mobility....
Page 22	3 rd paragraph, 1 st line, Housing Element – Amid the rapid expansion of North San Diego County. The 4 th paragraph, line 5-7, townhomes. The rents associated with the residential units are at a price range considered obtainable by a broad socio-economic range of the public and thus preclude the project from State and City requirements for inclusionary housing. These critical

	housing additions allow Davia Village to confirm to the City's Housing Element's goals . provide additional housing opportunities although not restricted to affordability requirements due to the project being a rental.
Page 23	Figure 1-10 Insert Final Zoning Map
Page 32	<p>Section 1.6.2, line 4, standards applicable to specific areas and parcels of land under the County's within the city.</p> <p>5th line, jurisdiction. The</p> <p>Goal -2, 3rd column, Davia Village Specific Plan is consistent with Goal – 2. The rents associated with the project are at a price range considered obtainable by a broad socio-economic range of the public and thus preclude the project from State and City requirements for inclusionary housing, although not deed restricted to low or moderate incomes rates.</p>
Page 33	<p>3rd paragraph, 5th line, (delete/add) residential density of 35.2 du/ac, slightly 5.2 du/ac higher...</p> <p>7th & 8th Line, Ordinance. However, the Zoning Ordinance continues to apply all other topics not specifically discussed in the plans. Being a Specific Plan, the Davia Specific Plan to add its own development and zoning regulations affecting the project site.</p> <p>9th line, (add) designation from MU1 to MU2 Specific Plan</p> <p>10th line, (delete/add) the zoning from LU-1/MU1 to MU2 Specific Plan</p>
Page 34	<p>Section 2.1, line 6, reference to minor setback variations....make reference to a table that identifies all approved setbacks per street frontage & property lines.</p> <p>to</p> <p>second paragraph, line 1, (delete) defined urban industrial aesthetics</p> <p>remove all reference to building material and place in separate table per the approved architectural design.</p>
Page 35	Replace Figure 2-1 with approve elevations
Page 33	<p>1st paragraph, 3rd through 5th line, a residential density of 35.2 du/ac, slightly higher than what would be allowed under the current General plan and Zoning Ordinance but well under under the allowable FAR requirements, adoption</p>
Page 34	<p>1st paragraph, 2 line, area is currently a light an industrial complex...</p> <p>6th line, are vibrant and have minor setbacks</p> <p>8th line, streets walls, creating an enclosed and defined urban industrial</p>

	<p>atheistic.</p> <p>2nd paragraph, 1st line, These This new developments will incorporate the harmonize within the surrounding industrial aesthetic of the previous.....</p> <p>2nd line, land use while adding an urban feel to the city. These design items details will....</p> <p>10th & 11 line, site, attracting the public to enjoy the San Marcos system of trails and the active lifestyle the City of San Marcos envisions pedestrian connections.</p> <p>3rd paragraph, 1st bullet, Design the major roadway that as a "Complete Street" which will....</p> <p>2nd bullet, 3rd & 4th line, trails provide opportunities for physical activity to improve fitness and mental health. These....</p>
Page 35	<p>1st bullet, 2nd line, integrating public and private amenities and creating a unique architectural identity.</p> <p>2nd bullet, 2nd line, regular pedestrian use is</p> <p>Figure 2-1. 3-D Rendering View looking South from Armorlite Drive at the Retail/Park area.</p> <p>Section 2.1.1 Land use Plan, 2nd line, mix of commercial, retail,.....</p>
Page 37	Figure 2-2 convert the private parking at entrance on Armorlite to public parking.
Page 38	<p>Setbacks, transfer all information to a table, measurement needs to be established from physical measurable point (i.e. face of curb).</p> <p>Under "Setbacks" note that the furthest projecting building facade along Bingham Drive shall be located no closer than 10 feet measured from face of curb on Bingham Drive.</p> <p>The furthest projection of the retail building shall be no closer than 30 feet from back of curb for street parking along Armorlite Drive per approved complete street design.</p> <p>The furthest projection of the apartment and/or covered parking structure shall be no closer than 10 feet from back of curb for street parking along both Bingham Drive and Armorlite Drive per ultimate street & complete street design .</p> <p>1st line, primary components: (1) the mixed use retail, commercial, and residential...</p>

Page 39	<p>Table 2-2 adds up to 140.4% correct numbers to equal 100%.</p> <p>Need to verify that retail/shared parking at 85 spaces is accurate and only accounts along Davia frontage only and not where parking is designated for Palomar Station's project</p>
Page 37	Figure 2-2 , Remove reference to "Flex Space"
Page 38	<p>Section 2.1.2, 1st paragraph, 2nd line, consisting of 416 residential units, 15,000 square feet of retail, 60,000 square a 1.38 acre (minus retail hardscape area)....</p> <p>3rd line, feet city park and approximately 170,000 square feet of landscape and private amenities in the interior courtyard area.</p> <p>2nd paragraph, 2nd line, space consisting of swimming pool, lounge area, BBQ are, and tot lots</p> <p>3rd line, public amenity park space....</p> <p>4th line, pad, Dog Park, plaza (not counted as part of the City Park Area).</p>
Page 41	3 rd line, delete reference to retail shall be used a private amenity space for Davia, these five suites are to remain as mixed use retail only.
Page 42	Reword.... No balconies shall be built over the commercial retail space to say....non functional/artificial balconies shall be added to the commercial elevations for visual relief.
Page 42	Applicant shall submit a comprehensive Sign program prepared by a sign consultant for review & approval prior to issuance of building permits.
Page 41	<p>Retail and Commercial Space, 1st line, The Davia Village Specific Plan will include 6 15,000 square feet of retail units to.....</p> <p>12 & 13th line, under Chapter 209.225 of the San Marcos Zoning Ordinance or by Planning Director Approval within this Specific Plan.</p>
Page 42	<p>Table 2-4 Delete this table, this should be left to the market to determine retail unit size.</p> <p>Table 2-5, 1st column, delete aluminum grate, 2nd column, delete retail signage, not a building material. Developer will be obligated to provide a material board sample for final review & approval prior to approval of building plans.</p>

	Sign Program, 2 nd line, Specific Plan & prepared by a sign consultant. The....
Page 43	<p>Under Commercial Mixed-Uses, make the following corrections Incorporate as part of the Form Base Code Section for the Specific Plan. Incorporate land use definitions in the Specific Plan before final land uses are approved.</p> <p>Delete the following uses:</p> <p>Financial Institution, with drive through CUP</p> <p>Office, Government P</p> <p>Service Uses (2)</p> <p>General Retail uses (2)</p> <p>Market; specialty (as approved by Planing Director) (no convenience stores)</p> <p>Parking Facility, enclosed freestanding P</p> <p>Laundry P</p> <p>Catering (concerns with number of trucks, based on limited parking) Commercial recreation, indoor</p> <p>Provide a definitions for:</p> <p>Personal Services Commercial Entertainment</p> <p>Provide a site plan that shows locations for review & approval by Planning Director for all outdoor dining areas.</p>
Page 50-57	Figure 2-8 , Revised & enlarge elevations so they can be read with building material callout.
Page 58	<p>Section 2.1.3, 2nd paragraph, 2 line, retail and residential by creating 60,000 square feet (1.26 acres) (minus the retail plaza area) of</p> <p>4th line, include a dog park, picnic area, tot lots, full basketball court, splash pad, plaza area (intended for retail area)...</p> <p>11th line, Additionally, Davia Village offers 143,535 square feet 3.29 acres of....</p>
Page 59	1 st paragraph, 8 th line, and creating a shaded open pedestrian promenade
Page 60	1 st line, The landscape design of Davia Village will combine notable hardscape...
Page 61	<p>Review the suitability's for the proposed trees</p> <ul style="list-style-type: none"> - Remove Platanus Recemos - Southern Magnolia – replace with “Little Gem” - Spathodea has potential frost damage in winter replace with alternative - Podocarpus gracilis is not a screen shrub, this can grow to 60 feet tall by 25 feet wide, replace with alternative. - Ceanothus is drought tolerant but temperamental replace with alternative.

	<ul style="list-style-type: none"> - Review hydrozones – do not mix drought tolerant varieties with water users on same valve. - Replace Salvia with Leucondendron species. <p>Provide one (1) tree for every five (5) parking spaces.</p>
Page 62	<p>Figure 2-17, make all necessary changes to the hardscape plan to reflect the final park improvement as approved by the City.</p> <p>Hardscap Plan shall be revised to show actual hardscape surface treatments to be reviewed and approved by the City.</p> <p>Under Hardscape Material Legend, remove porous concrete & porous asphalt.</p> <p>submit an exhibit that separates CFD from private hardscape areas.</p> <p>Enriched paving at walkways shall consist of integral colors, acid finish, show all details delineated to specific areas to be reviewed and approved by the City.</p>
Page 63	<p>Section 2.2.2., 1st paragraph, 4th line, create a identifying distinctive architecture....</p> <p>2nd paragraph, 3rd line, structures, bbq/picnic areas, recreational</p> <p>5th line, area of the development. These community landmarks or icons features will...</p> <p>3rd paragraph, 3rd line, complement the design of the project. A comprehensive Sign program will be shall be submitted by a sign company and....</p> <p>4th line, submitted to the City of San Marcos for review prior to approval.</p> <p>5th paragraph, 4th line, to the City of San Marcos code for fire resistant plant palettes. Figure 4.2 4-1....</p> <p>6th paragraph, line 3 & 4, shall conform to the City's code for fire resistant plants. Plant material chosen should also be commercially available.</p>
Page 64	<p>Table 2-6 Landscape Palette, 8th line, Accent Tree. 40% - 15 gallon minimum, 60% 100% - 24 inch box minimum</p> <p>Insert into the table the height & canopy spread for all trees.</p>
Page 65	Replace Salvia Species with a leucadendron
Page 66	3 rd paragraph, 3 rd line, City's intersection spacing standards do not apply....

	Need to note restriction on right-in right-out for northerly driveway on Bingham Drive.
Page 69	Figure 3-2 Armolite Drive Improvements, revise plan to show building outlines adjacent to the complete street.
Page 71	Section 3.2.1., 2 nd paragraph, 8th line, private fund contributions and SANDAG grant awarded to Davia Village the city will.... Section 3.2.2 Street Landscaping, line 7, noted in Figure 2-14 on page 52..... wrong figure referenced & page number, need to correct. Section 3.2.2, lines 5-7, enhanced driveway entrances material will be selected by city
Page 72	The Rail Trail – 2 & 3 rd line, an ideal location for residents who want to experience the beauty and breath of the Remove reference to Sante Fe Hills/San Marcos Highlands Trails.
Page 73	Figure 3-5, incorporate the actual illustrative site plans of both Palomar Station & Davia Village and show pedestrian connections.
Page 74	Need title and illustrative site plan for Palomar Station & Davia Village as well as pedestrian connections.
Page 76	Section 3.4, 2-4 th line, friendly community. The Plans location is ideal to take advantage of these aspects of daily life that reduce pollution and inspire healthy physical activity creating a healthy and vibrant community. The
Page 78	Section 4.3.1, 4 th line, and 1.26 acres (minus the retail hardscape plaza) and.... 6 th line, full basketball court, splash pad, plaza area for retail shops, and... 2 nd paragraph (of Sec 4.3.1), 1& 2 nd line, Existing public park and recreation facilities owned and maintained in by the City of San Marcos in...
Page 79	Section 4.4, 1 st & 2nd line, The Davia Village Specific Plan is within the San Marcos City Fire Protection District (SMFD) Department . Remove reference to cul de sacs and fire buffer
Page 81	Section 5.0, This section shall be modified to show that utilities are not placed between buildings and parking areas. All utilities are to be located within utility closets next to parking areas within the building or out of public view.
Page 82	Section 5.3 , 10 th line, Village will increase create an... Section 5.4 , line 1, The Specific Plan area is currently developed with light industrial type buildings....
Page 86	Section 6.4 , line 3, private interior driveways, public parks , 6 th line, maintenance of the pedestrian bridge and the public park .
Page 87	Under "Permitted by Right" – 11 th line, of the Planning Director, he/she may, within fifteen (15) days 13 & 14 th line, to the Planning Commission. The Planning Commission, within forty (40) days of receiving said appeal shall...

	Under "Use Permit"- 7 th line, the Planning Commission, he/she may, within fifteen (15), and upon posting 9 th & 10 th line, writing to the City Council. The City Council, within forty (40) days of receiving said appeal shall affirm,
Page 89	1 st paragraph, 10 th line, allows for minor changes to the specific plan without a discretionary review or Under Minor Modifications , add a new bullet, Name changes to the Specific Plan
Page 91	Under Specific Plan Amendments, 6 & 7 th line, environmental analysis pursuit to Section 15162 of CEQA. the applicant(s) will be responsible for preparing the necessary CEQA documentation.