

# AGENDA REPORT

## Meeting of the San Marcos Planning Commission

**MEETING DATE:** September 2, 2014  
**SUBJECT:** San Marcos 13, LLC. 14-Lot Tentative Subdivision Map with Lot Size Averaging  
**CASE:** P14-0013/TSM 14-003/CUP 14-007/ND 14-005

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### Recommendation

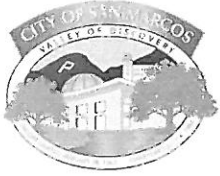
Conditionally approve a Tentative Subdivision Map (TSM) for up to fourteen (14) single-family lots on a 3.95-acre property, Conditional Use Permit (CUP) to allow lot size averaging in the Single-Family Residential (R-1-10) Zone, and adoption of a Mitigated Negative Declaration (ND).

### Introduction

The subject property is a 3.95-acre vacant site consisting of two (2) existing parcels on the south side of Oleander Avenue, west of Smilax Road. The terrain gradually slopes up from Oleander Avenue to the southern property line. The site was previously developed with a single-family residence which was demolished in 2004. A private road easement, with an approximately fifteen (15) foot wide paved surface, runs along the western property line of the site and provides access to several adjacent homes. The adjacent land uses are single-family residential to the south, west, and east, and a plant nursery to the north, across Oleander Avenue, within the jurisdiction of the County. No comments from the public were received.

### Discussion

The subject site is zoned Single-Family Residential (R-1-10), and designated Very Low Density Residential (2.1 to 4.0 dwelling units per acre) per the General Plan. The yield for the proposed project is 3.5 dwelling units per acre which complies with the General Plan density. The site has an average slope of 9.8 percent; therefore, Section 20.215.050 of the Zoning Ordinance (SMMC Title 20) requires a minimum lot size of 10,000 square feet (net) for each lot. The project proposes "lot averaging" to accommodate the fourteen (14) lots with sizes ranging from 7,531 square feet (net) to 20,469 square feet (net). Per Section 20.300.030 of the Zoning Ordinance (SMMC Title 20), lot averaging requires approval of a Conditional Use Permit, and compliance with the following provisions: (1) The smallest proposed lot (7,531sf) will not be less than three-fourths ( $\frac{3}{4}$ ) of the minimum lot size; and (2) The total area (142,664 sf) of the proposed fourteen (14) lots will be greater than or equal to the number of lots



multiplied by the minimum lot size which is 140,000 square feet. The proposal complies with both of these requirements. The net minimum lot size for each lot includes the sidewalk and utility easement along the lot frontages. Surrounding development consists of properties of approximately one-half (1/2) acre lots to the north, west, and south, and a subdivision with minimum 6,000 square foot lots to the east. These surrounding properties were subdivided when the West-City area was located in the County. Under the City General Plan, the surrounding properties have the same land use designation of Very Low Density (2.1 to 4 dwelling units per acre) as the subject property, except for the property to the north which is located within the County.

Architectural elevations are not currently proposed for the project, because the future homes are not proposed to be constructed by the applicant. Therefore, the project is conditioned for the future builder to submit architectural elevations to the Planning Division for review and approval prior to issuance of grading permit. The architecture has been conditioned to include, but is not limited to, the following enhancements: varied floor and roof plans, pop outs and wall projections, and features such as stone, brick, wood, shutters, rafters, window sills, and trims. In addition, front elevations of all the proposed residences and for Lots 1 and 14, the side elevations facing Oleander Avenue and rear elevations, will be required to be enhanced with architectural features.

Future construction of the single-family residences will be required to comply with the development standards of the Zoning Ordinance (SMMC Title 20) for the Single-Family Residential (R-1-10) Zone including building setbacks, height limit, parking, etc. The proposed Tentative Subdivision Map includes a building setback exhibit showing the buildable pad area for each lot. Per Section 20.340.040 of the Zoning Ordinance (SMMC Title 20), each future residence will require a minimum 2-car garage for a residence up to 3,000 square feet in size, and a 3-car garage for a residence above 3,000 square feet. In addition, the project is conditioned to pay affordable housing in-lieu fees prior to issuance of building permits.

As conditioned in the resolution, the manufactured slopes of the subdivision will be landscaped with a mixture of trees, shrubs, and ground cover to beautify the neighborhood, and the proposed retaining walls will be constructed of split-face, keystone, or similar textured block, and earth-tone colored to provide a more natural appearance. In addition, the project is conditioned for installation of a minimum three (3) foot wide landscape planter along the western property line between the easement road and the backyard fencing of Lots 1 through 6 in order to soften the appearance of the fencing as viewed from the adjacent residences to the west. This landscape planter will be conditioned to be maintained by the Home Owners Association (HOA). Landscaping will be required to comply with the City's Water Efficient Landscape Standards (SMMC Chapter 20.330). A final fencing plan, in conjunction with landscape plans, will be required to be submitted for review and approval with a consistent type and style of fencing for the development.

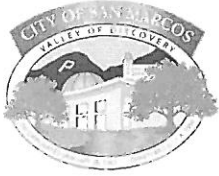


A biology survey was prepared for the subject site to assess potential biological impacts by the proposed 14-lot subdivision. The site has extensively been disturbed by human activity for residential purposes, and is currently overgrown with non-native grassland. Per the report, the site supports 3.89 acres of non-native grassland and 0.08 acres disturbed land. The habitat consists of broad-leaf dominated non-native grassland interspersed with ornamental trees and shrubs. A dirt turn-out and parking area, off the private road easement, along the western property line comprise the 0.08-acre disturbed area on site.

Based on a records search of the California Natural Diversity Database (CNDDB) as part of the biology survey, the site is likely to provide suitable habitat for Thread-Leaved Brodiaea (*Brodiaea filifolia*) which is listed as threatened by the U.S. Endangered Species Act and endangered under the California Endangered Species Act. The potential suitability is due to the grasslands present on site and soils identified as Diablo and Altamont Clays occurring within the area which provide suitable growing conditions. In addition, there is a recorded occurrence of Thread-Leaved Brodiaea 400 feet to the east of the project site. Therefore, a focused survey was conducted to evaluate the site for said species. To ensure the time of year was appropriate for the survey, the biologist verified that Thread-Leaved Brodiaea were blooming at a nearby known site for the species. Based on the results of the focused survey, no Thread-Leaved Brodiaea were detected on site. The survey concluded that even though soils maps identify Diablo Clay for the site and the surrounding area, portions of the property have been previously graded with import of an unknown soil-type fill, and the site has an abundant population of both California Ground Squirrels (*Spermophilus beecheyi*) and Botta's Pocket Gophers (*Thomomys bottae*) which are burrowing rodents that eat the corns of *Brodiaea*. A combination of these two factors is the likely reason the Thread-Leaved Brodiaea is not found on site as indicated in the focused survey. No mitigation is required.

Several mature trees on the site and on the adjacent property to the south may serve as potential nesting habitat for resident songbirds and raptors. Nesting birds may be significantly impacted by the proposed tree removal and construction-related noise. Therefore, prior to grading the site or causing any impact to the site, in order to prevent potential impacts to nesting of any songbirds or raptors, grading and/or construction activities on site must be avoided during the nesting season which extends from February 1<sup>st</sup> to September 15<sup>th</sup>. In order to begin grading or construction activities within the nesting season, a nesting survey from a qualified biologist must be submitted to the Planning Division to verify there are no active nests on the subject site. The resolution is conditioned to require this survey prior to any disturbance or impact of the site.

Based upon the trip generation rate established by the San Diego Association of Governments (SANDAG), the proposed 14-lot subdivision will generate 140 additional Average Daily Trips (14 units x



10 trips per unit = 140 ADT). Due to the size of the development, the increase in ADT for the area is negligible and no greater than anticipated per the General Plan. Oleander Avenue will require right-of-way dedication of nine (9) feet and street improvements constructed to the ultimate half-street width of forty-two (42) feet along the property frontage. Oleander Avenue street improvements will include widening along the property frontage and new striping of a left turn lane for westbound traffic onto the project site. The fourteen (14) future residences will be accessed by "Street A" off of Oleander Avenue that will end with a cul-de-sac which will provide adequate turn-around for emergency vehicles. "Street A" is conditioned to be a private street, but will be designed to public street standards. Access rights to the proposed lots will be required to be relinquished from the existing private road easement along the western property line. Said easement will require dedication of an additional two (2) feet for the section of road along the rear of Lots 1 and 2. The entire length of this road will be required to be improved with a twenty (20) foot wide asphalt paving. Regarding the proposed driveways for Lots 5 through 9, they will be constructed with a grade up to 20%, but will be designed to accommodate an emergency vehicle (ambulance) for adequate vertical clearance.

In order to comply with the City's Storm Water Management Regulations, the project proposes low impact site-design Best Management Practices (BMPs) which include natural infiltration into landscape areas and a bio-retention basin on Lot 1. Construction BMPs will be required as well. In addition, all slopes will be landscaped and irrigated for erosion control purposes and to beautify the development. The Home Owners Association (HOA) will be required to maintain the bio-retention basin along with the landscape planter at the westerly road easement and the internal street improvements (eg: "Street A" paving, curbs, sidewalk, street light, etc.).

Sewer and water services for the proposed subdivision will be provided by Buena Sanitation District and Vista Irrigation District, respectively.

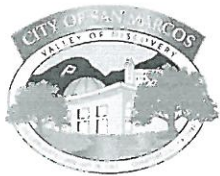
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**Attachment(s)**

Adopting Resolution

- A- Vicinity Map
- B- Requested Entitlement
- C- Site & Project Characteristics
- D- Negative Declaration

**AGENDA ITEM NO. \_\_\_\_\_**



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AGENDA ITEM NO. \_\_\_\_\_

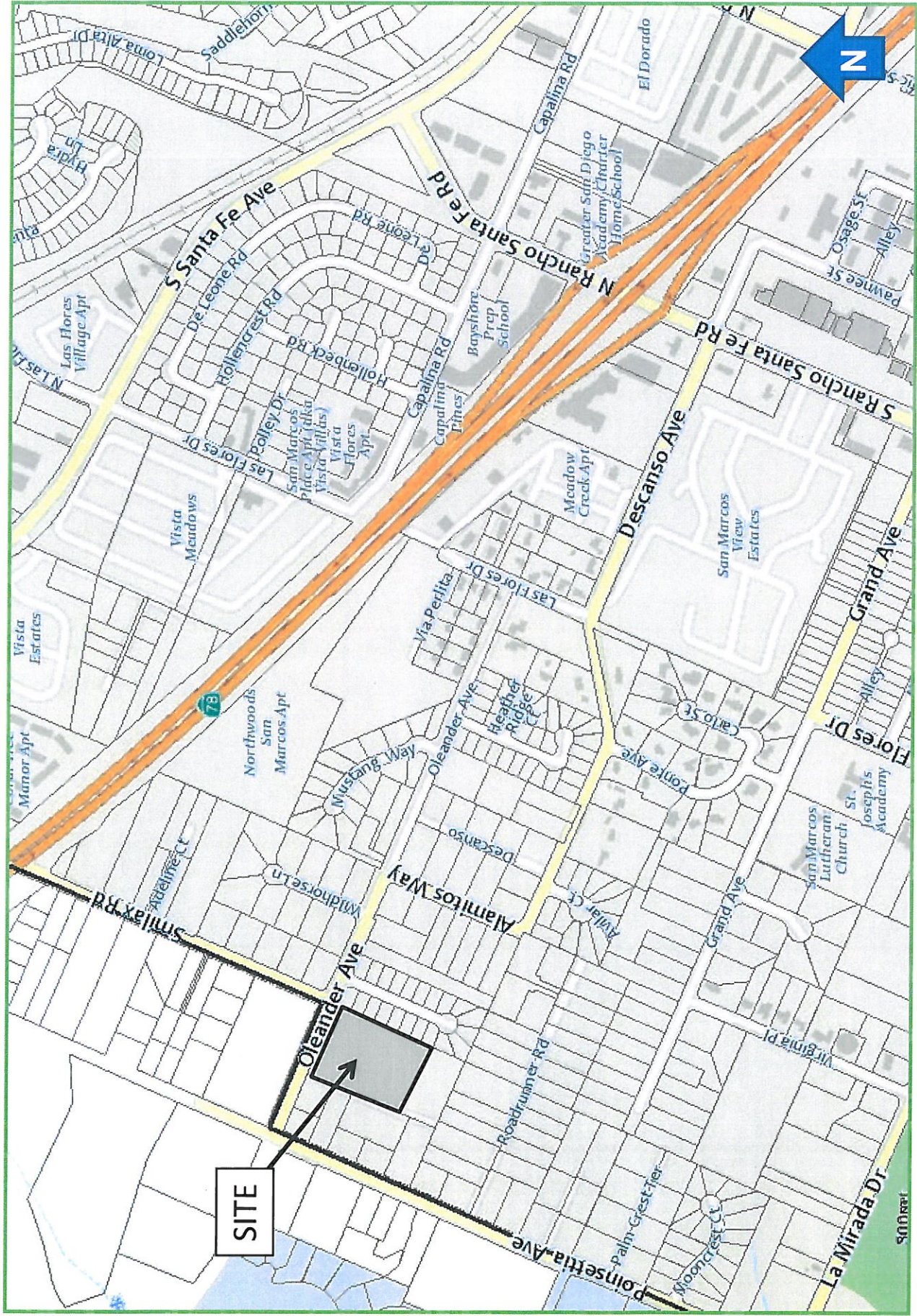


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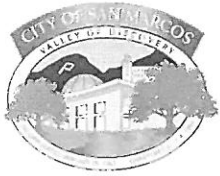
ATTACHMENT A  
Vicinity Map

AGENDA ITEM NO. \_\_\_\_\_





VICINITY MAP



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## ATTACHMENT B

### Requested Entitlements

- A Tentative Subdivision Map (TSM) for up to fourteen (14) single-family lots, in conjunction with Conditional Use Permit (CUP 14-007) to allow for lot averaging, within the Single-Family Residential (R-1-10) Zone, and adoption of Mitigated Negative Declaration (ND 14-005).

**AGENDA ITEM NO. \_\_\_\_\_**





## ATTACHMENT C

### Site & Project Characteristics

<u>Property</u>	<u>Existing Land use</u>	<u>Zoning</u>	<u>General Plan Designation</u>
Subject	Vacant	R-1-10	Very Low Density Residential 2.1-4.0 du/ac
North	Plant Nursery	County VR-2	Village Residential
South	Single-Family Res	R-1-10	Very Low Density Residential 2.1-4.0 du/ac
East	Single-Family Res	R-1-10	Very Low Density Residential 2.1-4.0 du/ac
West	Single-Family Res	R-1-10	Very Low Density Residential 2.1-4.0 du/ac

Flood Hazard Zone                    ☐ yes ☒ no

Resource Conserv. Area            ☐ yes ☒ no

Sewers                                    ☒ yes ☐ no

Septic                                    ☐ yes ☒ no

Water                                    ☒ yes ☐ no

Gen. Plan Conformance            ☒ yes ☐ no

Land Use Compatibility            ☒ yes\* ☐ no

\* with approval of CUP for lot size averaging.

AGENDA ITEM NO. \_\_\_\_\_



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**ATTACHMENT D**  
**Negative Declaration 14-005**

**AGENDA ITEM NO. \_\_\_\_\_**