

RESOLUTION PC 06-3899

A RESOLUTION OF THE SAN MARCOS CITY PLANNING COMMISSION APPROVING A GRADING VARIANCE TO ALLOW MANUFACTURED SLOPES TO EXCEED TWENTY FEET IN HEIGHT WITHIN THE A-1 (AGRICULTURAL) ZONE IN THE TWIN OAKS VALLEY GENERAL PLAN NEIGHBORHOOD

Case No.: GV 06-78
CalWest Development

WHEREAS, an application was received from CalWest Development requesting approval of Grading Variance to allow manufactured slopes over twenty feet in height in the A-1 (Agricultural) Zone on a site located on the west side of Richland Road, south of Twain Court, more particularly described as:

Portion of Lots 2 & 3 in Section 1, Township 12 South, Range 3 West, San Bernardino Base and Meridian, in the City of San Marcos, County of San Diego, State of California
Assessor's Parcel Number: 218-210-12

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

WHEREAS, the Planning Commission did consider a Mitigated Negative Declaration (ND 06-737) pursuant to CEQA; and

WHEREAS, the required public hearing on June 5, 2006 was duly advertised and held in the manner prescribed by law;

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

1. There are exceptional and extraordinary circumstances applicable to the subject property in that the site topography and irregular shape of the subdivision site require a variance in order to install the proposed street with buildable pads. Pad heights on Lots 8 and 9 will be raised to lower the proposed height of slopes on these lots. The site has been designed to provide singular primary access off of Richland Road.
2. The Grading Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity.

There have been other projects with slope heights in excess of 20 feet for residential projects located north of the project, on the westerly side of Mulberry Drive southeasterly of Richland Road; residential development located on Mulberry Drive south of La Cienega Drive; and on another subdivision located on the west side Mulberry Drive across from San Marcos Cemetery.

- 3. The granting of the variance will not be detrimental to the public health, safety, or welfare or injurious to property or improvements in the same vicinity and zone in that the grading plan shall be designed to address existing conditions and all manufactured slopes will be safely engineered per the recommendations of the Soil and Geotechnical Investigation, will be at a 2:1 ratio, and therefore should not pose a detrimental impact upon the public health, safety and/or welfare. The slopes will be required to provide for drainage and landscaping incorporating a combination of trees, shrubs, and ground cover, thus reducing visual impacts from the project and provide for erosion control.
- 4. The granting of the variance will not have an adverse effect on the Richland Neighborhood, Twin Oaks Valley Neighborhood of the General Plan nor adopted City-wide Land Use Goals and Policies in that the project yield is within the allowable density, the lot sizes comply with minimum standards as required by slope density.

NOW THEREFORE, the Planning Commission resolves as follows:

- 1. The foregoing recitals are true and correct.
- 2. The Grading Variance is approved based upon the submitted Tentative Map 462 with required revisions and conditions of approval and subject to compliance with all conditions outlined for TSM 462.
- 3. Detailed Landscape and irrigation plans shall be submitted to the City for review and approval for all slopes. Said landscape plans shall contain a mixture of trees, shrubs and ground cover. A fencing plan for the project shall be included with the landscape plans.

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 June 2006 by the following vote:

AYES:	COMMISSIONERS:	ABBEY, COHEN, HERNANDEZ, KELLER, KILDOO, NELSON, ORLANDO
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

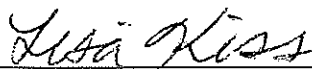
APPROVED:



Dean Nelson, Chairman

SAN MARCOS CITY PLANNING COMMISSION

ATTEST:



Lisa Kiss, Secretary

SAN MARCOS CITY PLANNING COMMISSION