



MINUTES

Regular Meeting of the Planning Commission

TUESDAY, January 17, 2017

City Council Chambers
1 Civic Center Drive, San Marcos, CA 92069

CALL TO ORDER

At 6:31 p.m. Planning Manager Karen Brindley called the meeting to order.

PLEDGE OF ALLEGIANCE

Commissioner Kildoo led the Pledge of Allegiance to the Flag.

SEATING OF NEW COMMISSIONERS

Brindley: Introduced the new/re-appointed commissioners selected by City Council at the 1/10/17 Council meeting, and asked them to be seated at dais: Jeff Oleksy (new member, replaced Maas), Eric Flodine (re-appointed, was a regular), Bill Jacoby (re-appointed, was an Alternate & replaced Jones), and new Alternate, Dimitris Magemeneas (in audience). Opened nominations for election of Chair/Vice Chair.

ELECTION OF CHAIRPERSON

Commissioner Flodine (2016 Chair): Nominations opened for Chairperson. Commissioner Schaible: Nominated Flodine. Commissioner Minnery seconded the Nomination. No other Nominations were made. Carried by a unanimous 7-0 vote. *NEW 2017 CHAIR: Eric Flodine.*

ELECTION OF VICE-CHAIRPERSON

Chairman Flodine: Nominations opened for Vice-Chairperson. Commissioner Schaible: Nominated Kildoo. Commissioner Minnery seconded the Nomination. No other Nominations were made. Carried by a unanimous 7-0 vote. *NEW 2017 VICE-CHAIR: Steve Kildoo.*

ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: FLODINE, JACOBY, KILDOO, MINNERY, NORRIS, OLEKSY, SCHAIBLE

ALTERNATE COMMISSIONERS IN AUDIENCE: MAGEMENEAS

ABSENT: MATTHEWS

Also present were: Planning Manager, Karen Brindley; Principal Civil Engineer, Peter Kuey; Principal Planner, Garth Koller; Deputy City Attorney, Avneet Sidhu; Office Specialist III, Lisa Kiss; Office Specialist I, Susie Neveu; in audience: Development Services Director, Dahvia Lynch; City consultant, Sophia Mitchell.



ORAL AND WRITTEN COMMUNICATIONS

LaLieras Lieras, resident of Mission Grove community off Mulberry Road: Indicated their community has parking issues. They have visitor parking but residents cannot park there. She has called & e-mailed the City and no one is getting back to her. She's not seeing overflow parking in other new developments either. Her 16-year old son starting driving and he must park outside the development. She doesn't want him walking $\frac{1}{4}$ mile or more after dark. They've been getting nasty letters from neighbors, and stickers from HOA put on windshield. She's made some suggestions and wants communication and options for the homeowners from the City.

Norris: Asked how many spaces they have and if they have a garage?

Lieras: Residents get two or three spaces. They have a 2-car garage but own three vehicles now and live in a 3-bedroom. She's explained to neighboring HOA that the streets are public and anyone can park there, but can't find any documentation on City website to show them.

Flodine: Commented that the Commission hasn't had a chance to discuss issue with staff so they're unable to make suggestions. Understands their problem, but would need input from staff.

Minnery: Inquired if they park two cars in their garage?

Lieras: Yes. She called City staff on 12/23/16 regarding options available to them and the overflow parking area, and there's been no response.

Norris: Asked who's using the overflow?

Lieras: Replied that no one is using the 46 spots available for 123 units.

Flodine: 46 spots are not being used?

Lieras: Correct. The HOA is still governed by the Builder and they aren't flexible enough to let them change by-laws. Commented that they had visitors over the holidays, received a ticket and now have to attend a hearing.

Brindley: Advised Ms. Lieras that staff would get back to her to schedule a meeting.

CONSENT CALENDAR

1. APPROVAL OF MINUTES, 12/19/16

Action:

COMMISSIONER JACOBY MOVED TO APPROVE CONSENT CALENDAR AS PRESENTED; SECONDED BY COMMISSIONER SCHIAIBLE AND CARRIED BY A MAJORITY VOTE WITH KILDOO, NORRIS & OLEKSY ABSTAINING.

PUBLIC HEARINGS



2. **Project No:** *Phase 1: P16-0023 (SDP 16-004, MND 15-005)*

Phase 2: P15-0012 (SP15-001, TSM15-002, MFSDP 15-001, MND 15-005)

Applicant: *Phase 1: University District Holdings II, LLC; and Phase 2: CR TOVR Associates, LLC*

Request: *Phase 1: Amend currently approved Site Development Plan (SDP 14-005) addressing proposed changes in SDP 16-004 to the remaining undeveloped portion of Phase 1 (northern portion of project site) proposing up to 13,499 s.f. of office/retail uses and 6,500 s.f. of restaurant uses instead of 19,900 s.f. of commercial office, 19,000 s.f. of medical office, 4,000 s.f. of retail, and a 4,000 s.f. restaurant; and; Phase 2: A Specific Plan Amendment to the Heart of the City reducing 6.8 acres of Town Center (TC) and adding 6.8 acres of High Density Multi-Family Residential (HDMFR), a Multi-Family Site Development Plan allowing the maximum development of 118 townhouse condominium units.*

Environmental Determination: Mitigated Negative Declaration (ND 15-005) with a Mitigation Monitoring and Reporting Program.

Location of Property: *Phase 1: Consists of a commercial/retail center on a 4.66 acre site, located at the southwest corner of Twin Oaks Valley Road & San Marcos Boulevard, more particularly described as: Parcels 1 and 2 of Tentative Parcel Map 659, in the City of San Marcos, County of San Diego, State of California, according to Parcel Map 21286 filed in the Office of the County Recorder October 14, 2015. Assessor's Parcel Numbers: 220-190-54-00, 220-190-55-00 & 220-190-56-00.*

Phase 2: Approximately 6.8 acres located south of San Marcos Boulevard and West of Twin Oaks Valley Road, more particularly described as: Parcel 3 of San Marcos TPM No. 659, in the City of San Marcos, County of San Diego, State of California, according to the Parcel Map thereof No. 21286 filed in the County Recorder's Office on December 14, 2015. Assessor's Parcel Numbers: 220-190-57-00, 220-190-58-00 & 220-190-59-00.

Brindley: Explained that there will be two staff & applicant presentations. The property was split in half and that's why there are two projects under one agenda item/hearing.

Staff Presentation (Garth Koller):

PowerPoint presentation, vicinity map & site plans shown for *Phase 1*. Discussed background: In 2014, SDP 14-005 was approved for a 162,956 s.f. retail center including hotel, and was to be built in two phases. In 2015, the TSM, SP & MFSDP application for residential was submitted, but not brought forward until Phase 1 site plan & architecture was resolved. In 2016, SDP 16-004 was submitted to address Phase 1. Marriott's Fairfield Inn & Suites is currently under construction and not affected by proposed project. Discussed what areas are currently approved and what is to be approved and rescinded. The approved 3-story Class "A" building will be replaced by a single-story 6,500 s.f. restaurant building. The 2-story, 8,039 s.f. retail/restaurant building will be replaced with a 2-story, 13,499 s.f. retail building. Phase 2 portions will be rescinded, with exception of the 21 parking spaces. Discussed land use compatibility and architectural style. Photo's shown. Contemporary, modern style with simple lines, varied roof lines & detail elements. Discussed setbacks. Applicant is maintaining 25 foot setback. In 2014, Phase 1 & 2 was under single ownership. Since 2015, it's owned by two: Marriott & University District Holdings. Discussed parking & updated Parking Analysis. Phase 1 will require shared parking with Phase 2, a minimum of 21 spaces in northwest portion must be reserved for exclusive use of Phase 1 and existing CC&R's will need to be amended. Discussed Traffic. Includes installation of a new signal on Twin Oaks Valley Road, with an east-west crosswalk across the midblock and widening of both road frontages. Additional analysis indicated LOS "D" or better thru 2030, and will result in fewer trips. A Mitigated Negative Declaration (MND) was prepared for public review. Public comments received were from Caltrans, VWD and Rincon Indians with responses included in the Final MND. Staff supports Commission's recommendation for approval to City Council of SDP 16-004 & adoption of MND with Mitigation Monitoring & Reporting Program.



Michael McDonald, Applicant, University District Holdings II, (north half of project): PowerPoint Presentation shown. Discussed history of project: In 2000, Craig Clark assembled 19 acres, with 11 net acres, and under the Heart of the City (HOC) plan, a project that had 180,000 s.f. professional offices & retail with a pharmacy. He struggled for years to lease it and then lost it. They purchased the land, and under HOC plan, submitted for commercial/retail project. Walmart was interested at that time for a smaller neighborhood grocery concept, but when Lowe's vacated, they wanted that building. That didn't work out, and then Walmart decided not to develop. Walgreens was interested, but they rejected it due to location. Applicant always felt a better use of the land was a mixed-use, transit-oriented development. The most common misunderstanding about mixed-use is that it equates to a shop front with housing above. Mixed-use makes for three dimensional, pedestrian-oriented places that layer compatible land uses, public amenities & utilities together at various intensities. It allows people to live, work, shop & play in one place. The project is a unique opportunity for promoting smart growth. Benefits include Sprinter station, bus stop, and easy access off Hwy. 78, employment base of offices, nearby elementary school and parks, and a crosswalk to commercial, entertainment & LA Fitness across street. Retail has changed dramatically in recent years. People are buying on line; typical anchors are not growing or are going out of business. Office is similar, where some people work from home or their car, or share office space. Industrial buildings are being converted to creative work spaces. Currently, the only office building in the area under construction is PIMA. It's a different environment today than when conceived earlier. Hotel is anticipated to open next month. Elevations shown & discussed. Outback Steakhouse is a likely tenant for the project.

Flodine: Commented that he likes the pedestrian connection, but the new architecture doesn't look like the project across the street. He'd like to see the ledge stone brought over from Civic Center Plaza to the corner monument, so there's some compatibility?

McDonald: Sees the logic in that and will look into it.

Flodine: Asked how they can ensure the parking doesn't spill over to the south if the 21 commercial parking spaces are full?

Norris: And, what prevents residential from parking there?

McDonald: There's always the possibility, but there will be signage and the parking analysis shows more than ample parking.

OPEN PUBLIC HEARING

No public comments.

CLOSE PUBLIC HEARING for Phase 1

Action:

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF SDP 16-004 AS SET FORTH IN RESOLUTION PC 17-4593; ALONG WITH THE ASSOCIATED MITIGATED NEGATIVE DECLARATION; SECONDED BY COMMISSIONER JACOBY AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:



AYES: COMMISSIONERS: FLODINE, JACOBY, KILDOO, MINNERY, NORRIS, OLEKSY, SCHIAIBLE
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

Staff Presentation (Garth Koller):

PowerPoint presentation given for *Phase 2*. In 2015, CR TOVR Associates, “ColRich,” submitted application for a Specific Plan, Tentative Subdivision Map and Multi-Family Site Development Plan, to allow 118 townhome condo’s in Phase 2/southern area. Discussed land use change, amendment of the Heart of the City (HOC) SP from Town Center to High Density Multi-Family Residential, 15-20 dwelling units per acre. Proposed site plan shown, 6.8 acres, pool/spa/building, 3 bed, 2 bath layout, tot lot, dog run, common area with fire pit & BBQ and pedestrian pathways. Discussed land use compatibility and amendments: Changed sections are noted in red, plus Errata. Appendix G is the Residential Development & Design Standards manual. Discussed traffic. Site has two access driveways. LOS “D” or better through 2030, with a decrease in trips and overall impacts reduced in comparison to 2014 SDP. Discussed parking. Must provide a minimum of 275 parking spaces. Exceeds minimum by four spaces. The 21 spaces for Phase 1 are not included in proposed 279 spaces. Existing CC&R’s will be amended to address the revised shared parking agreement. The Parking Management Plan will address enforcement. Discussed modern architecture. Ground floors have no habitable space. Noise assessment was prepared. Noise modeling ID’d Buildings #1-7, along Twin Oaks Valley Road, as above 65dBA, so they must install four foot barriers on the balconies. Bedrooms on 2nd & 3rd floor have the potential for interior noise levels to exceed 45 dBA, so closed window conditions requiring mechanical ventilation (AC) would mitigate impacts. The developer will be required to conduct a final noise assessment prior to issuance of building permits to determine what criteria is required to limit interior noise below 45 dBA CNEL. MND posted, received comments from Caltrans, VWD and Rincon Indians. Comments did not result in changes. Staff supports Commission recommending approval to City Council along with Errata’s, Appendix G, and adoption of MND with MM&RP.

Kirk McKinley, Architect: PowerPoint presentation & site plan shown. Discussed connectivity between the phases. There’s a vertical link, a definite demarcation with trees between residential & commercial. Signage will be provided, enhanced paving, tree-lined street and decorative light features. There will be 24 buildings, 118 townhouse units, from 1,200-1,436 s.f., all have oversize 2-car garage opening to alley, with elevated terrace and living areas on 2nd & 3rd floor. This is a brand new version never done before. They took input from buyer profiles & survey’s to find what people want. It’s an urban development. Aerial picture shown. Discussed architecture, color blocking & enhancements. Over-sized terraces are 9x14 and 8x13. Living areas have 10 foot ceilings and are extended out with pack-away door systems to the terrace. Each garage has an additional 135 s.f. for storage and doors have glass for easy monitoring. Floor plans shown.

Kildoo: Asked the price range?

McKinley: \$600,000 plus.

Norris: Inquired if any are handicap accessible?



McKinley: Because they're classified as "carriage" units, they're exempt & not required.

Norris: Concerned about noise.

McKinley: Balconies along Twin Oaks Valley Road will have 4-foot plexi-glass side panel, which will bring noise below 65 dBA.

Koller: The mitigation is a requirement.

Norris: Commission just heard from someone with parking issues. He's concerned with parking and people using the north area for overflow. Indicated he likes the layout, two vehicles & storage, but what happens if they have three cars?

McKinley: That's why they're making sure residents use the garages and also have it over-parked.

Norris: Inquired what the CC&R's will say? Some spots are for guests only, not residents.

Koller: They're conditioned to provide a Parking Management Plan (PMP). Owners will get a copy to understand capacity and size of vehicles that will fit in garage. There will be very specific restrictions, enforced by HOA. The 21 open spaces are critical to the success of the Phase 1 commercial portion.

Brindley: Appendix G addresses PMP. Page 26 addresses prohibiting commercial patrons in residential. Staff feels parking will be adequately addressed and disclosed to future owners.

Norris: Asked if there's anything "affordable" and is the City doing anything for that?

McKinley: Project doesn't include any.

Kildoo: Indicated he thought that was a requirement?

Brindley: There's a condition in the MFSDP resolution that indicates they must comply with City's Inclusionary Housing Ordinance, where 15% of units are set aside as "affordable," or the developer can pay an in-lieu fee. That money is then re-invested in a pot of funds for affordable housing programs throughout the City.

Oleksy: Commented that nearby San Marcos Elementary has 540 students and 535 are socio-economically disadvantaged. Asked how \$600K townhomes fit into that neighborhood?

Graham Gabriel, Co-Chairman of ColRich: Commented that they've developed in San Marcos for over 25 years, with their most recent townhome project in San Elijo Hills. Over five years ago the prices started in high \$200's and now they're mid \$400's. They thought the proposed project would start at high \$400's. They evaluated new home & resale values. There's significant demand in San Marcos. It's a highly desirable community and price points are moving. This project has what everyone wants. Many homes in City are approaching \$800's. Before long, the area will be a \$1M single-family detached community.



Flodine: Inquired why there are three disabled parking spaces?

McKinley: If there's a common use facility, the swimming pool/building, it must be handicap accessible.

Flodine: Asked if the pack away doors are standard?

McKinley: Yes.

Flodine: Commented on architecture, as something he could see in Palm Springs. It looks institutional. Feels the elevations should have cornices and overhangs. Likes the site plan and hopes it sells. Lennar had 3-story in San Elijo Hills that didn't work well and they had to change it to 2-story.

Graham: They hope to start in low \$500's, but it will go up due to momentum. There's a pent up demand.

Norris: Commented that he's nervous about the location. There's a lot of affordable housing near the area and this will be the shining star. The architecture is beautiful. His biggest concern is accessibility, how does someone get in if they break a leg?

McKinley: They felt a storage area in the garage was needed rather than a bedroom.

OPEN PUBLIC HEARING

No public comments.

CLOSE PUBLIC HEARING

Kildoo: Commented that he's glad to see a nice development going in on the long vacant site.

Action:

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF SP 15-001 AS SET FORTH IN RESOLUTION PC 17-4590; ALONG WITH THE ASSOCIATED MITIGATED NEGATIVE DECLARATION; SECONDED BY COMMISSIONER SCHAIBLE AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

AYES:	COMMISSIONERS: FLODINE, JACOBY, KILDOO, MINNERY, NORRIS, SCHAIBLE
NOES:	COMMISSIONERS: OLEKSY
ABSENT:	COMMISSIONERS: NONE
ABSTAIN:	COMMISSIONERS: NONE

Action (ONE MOTION):

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF TSM 15-002 AS SET FORTH IN RESOLUTION PC 17-4591; AND MFSDP 15-001 AS SET FORTH IN RESOLUTION PC 17-4592; ALONG WITH THE ASSOCIATED MITIGATED NEGATIVE DECLARATION; SECONDED BY COMMISSIONER SCHAIBLE AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:



AYES: COMMISSIONERS: FLODINE, JACOBY, KILDOO, MINNERY, NORRIS, SCHABILE
NOES: COMMISSIONERS: OLEKSY
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

PLANNING MANAGER COMMENTS

Brindley: Welcomed new & re-appointed Commissioner's. Introduced City's new Development Services Director, Dahvia Lynch. Dahvia served most recently as Chief of Planning for North County Transit District, and previously at County of San Diego in many capacities. We're looking forward to her leadership.

PLANNING COMMISSIONERS COMMENTS

None.

ADJOURNMENT

At 8:06 p.m. Commissioner Flodine adjourned the meeting.

ERIC FLODINE, CHAIRMAN
CITY OF SAN MARCOS PLANNING COMMISSION

ATTEST:

LISA KISS, OFFICE SPECIALIST III
CITY OF SAN MARCOS PLANNING COMMISSION