



MINUTES

Regular Meeting of the Planning Commission

MONDAY, October 9, 2017

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

CALL TO ORDER

At 6:32 p.m. Planning Commission Chair Flodine called the meeting to order.

PLEDGE OF ALLEGIANCE

Commissioner Kildoo led the Pledge of Allegiance to the Flag.

ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: FLODINE, JACOBY, KILDOO, MATTHEWS, NORRIS, OLEKSY, SCHABILE (Alternate)

ALTERNATE COMMISSIONERS IN AUDIENCE: None

ABSENT: MINNERY, MAGEMENEAS (Alternate)

Also present were: Planning Manager, Karen Brindley; Deputy City Attorney, Avneet Sidhu; Deputy City Attorney, Wendy House; Principal Planner, Joe Farace; Office Specialist I, Susie Neveu

ORAL AND WRITTEN COMMUNICATIONS

None.

CONSENT CALENDAR

1. APPROVAL OF MINUTES - 9/5/17

Action:

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

PUBLIC HEARINGS

3. Project No: TA17-0004, ND17-006

AGENDA ITEM
/

www.san-marcos.net

Applicant: City of San Marcos

Request: Consideration of (i) proposed Ordinance prohibiting commercial cannabis activities, the outdoor cultivation of cannabis, the indoor cultivation of cannabis in excess of what is permitted under the "Medicinal and Adult-Use Cannabis Regulation and Safety Act," and the use and possession of cannabis and cannabis products in public places, places where smoking is prohibited under the San Marcos Municipal Code and otherwise, and within buildings owned, leased or occupied by the City, and (ii) proposed Negative Declaration. The Planning Commission will provide a recommendation to the City Council regarding (i) amendments to Title 20 regulations (Zoning Ordinance) under the proposed Ordinance, and (ii) the proposed Negative Declaration.

Environmental Determination: A Negative Declaration (ND 17-006) was prepared for this project and circulated for public review pursuant to the California Environmental Quality Act (CEQA).

Location of Property: City-wide.

Staff Presentation (Wendy House):

PowerPoint presentation shown. Stated that the purpose of the Text Amendment is to expressly prohibit certain cannabis operations, uses and activities, including commercial cannabis activities, and the outdoor cultivation of cannabis as well as to reasonably regulate the personal indoor cultivation of cannabis consistent with state law. The proposed regulations are within the City's authority under state law and are a valid exercise of the City's powers to continue protecting the health, safety and welfare of City's residents and businesses. Under Federal law since 1970, the possession, sale and distribution of both medicinal and non-medicinal cannabis has been and continues to be prohibited by Federal law under the Controlled Substances Act. Under state law, prior to 2016 when City last updated its cannabis regulations, the state permitted cannabis only for medicinal purposes through a voluntary state authorized program for qualified patients or their primary care givers to possess a medical marijuana ID card. Through the program, the state limited the amount of cannabis an individual could possess, and exempted patients and primary caregivers from criminal prosecution under state law for the use, possession and cultivation of cannabis for medicinal purposes. In November '16, CA voters approved the Control, Regulate and Tax Adult-Use of Marijuana Act, known as Prop 64, to allow those 21+ to smoke, ingest, or otherwise use non-medical marijuana and marijuana products, to purchase, possess, transport, obtain or giveaway without compensation to those 21+ up to 28.5 grams of marijuana or 8 grams of concentrated marijuana or to cultivate or process up to 6 living plants for personal use. In June '17, the governor signed into law the Medicinal and Adult Use Cannabis Regulation & Safety Act, or MAUCRSA, to create a single state regulatory system for medicinal and non-medicinal commercial cannabis businesses. The City has prohibited certain operations, uses and activities since '06 under Chapter 5.54 (SMMC) and under the Zoning Ordinance. Currently, the City prohibits dispensaries, manufacturing and processing but does not prohibit non-medicinal cannabis dispensaries or other commercial cannabis activities, which will soon be licensed by the state and permitted to operate unless prohibited by the City. The City also prohibits commercial cultivation and processing of marijuana but doesn't allow personal cultivation indoors which is now required by state law, or regulate the cannabis cultivation indoors. Prior to and anticipation of the passage of Prop 64, the City Council adopted a temporary moratorium on all cannabis operations, uses and activities authorized



under state law, which they voted to extend through Sept. '18. Discussed the proposed amendments of SMMC Chapter 5.54 and Zoning Ordinance. Discussed Prohibited Uses, Specific Use Standards and new definitions. A Negative Declaration was prepared and circulated for public review. No public comments were received. There were no environmental impacts identified. Staff recommends adoption of Resolution PC17-4660 to recommend approval of TA17-0004 to City Council and adoption of ND 17-006. Regulating cannabis is necessary in preventing the adverse impacts it may have on nearby residents and properties.

Oleksy: Read aloud from a prepared written statement. In his opinion, based on materials given to him and presented, he feels the City has failed in its obligation to provide a fair and fact-based assessment of the potential impacts of cannabis operations in the City. The materials he reviewed provide only anecdotal evidence of negative impacts that don't stand up to scrutiny when viewed in the context of other businesses that operate legally within the City. (Continued to read entire statement). The City must look at overall crime rates in cities that have legal dispensaries and determine if cannabis operations have a statistically significant negative effect on such crime rates. There's a failure to cite any evidence from WA or CO, where recreational cannabis has been legal for several years. The City has had time to study the topic. He cannot support the current proposed ordinance because the City has failed to present sound evidence on the social, financial, environmental and criminal impacts that such operations may have. Inquired what percentage of industrial and light industrial is currently vacant?

Farace: Indicated approximately 6.9%, however that includes a vacant square footage for San Marcos Studio's which equates to a notable percentage. Minus that, it's closer to 4.5% vacancy.

Oleksy: Asked what the lost revenue is to City for the vacant spaces?

Farace: Staff doesn't currently have the information available but could look into it.

Oleksy: Pointed out that noxious fumes and water use was mentioned in the materials. Asked how many businesses in the City operate under regulations by CA EPA for hazardous waste/materials, impacted ground and surface water and toxic releases?

Farace: Replied that County DEH website indicates 427 businesses or uses in San Marcos have DEH issued permits for hazardous materials.

Oleksy: Inquired how many businesses are licensed to serve beer and wine?

Farace: According to ABC website, it's 74.

Oleksy: Asked how many are licensed to serve liquor?

Farace: Per ABC it's 27.

Oleksy: Asked if that's in addition to the 74?

Farace: Indicated 74 for on site beer & wine, plus 27 for liquor.

Oleksy: Inquired how many micro-breweries operate, how many have tasting rooms and their operating hours?

Farace: Currently eight and all have tasting rooms; hours are generally 1 PM – 8 or 9 PM.

Oleksy: Asked how many businesses are licensed to sell alcohol?

Farace: Total is 169 and includes the 74 & 27 mentioned earlier.

Jacoby: Asked about Zoning Ordinance and if Fire Department would be checking the locations growing cannabis? Would consumers be checked by Police if there's access to cannabis where alcohol is served?

Farace: Under the proposed regulations, there wouldn't be a prohibition for commercial cannabis sales within City limits, so those wouldn't be an issue. There is an allowance for personal cultivation growing within a residence. There are provisions in terms of building code compliance and the requirement for a fire extinguisher. It would not be checked, it would be a by-right allowance.

Schaible: Explained that there's violence associated with the dispensaries and other activities because the proprietors can't use banks. There's a lot of cash on hand and it's still illegal federally under the Controlled Substances Act. The City's effort to tighten the ordinance and make it more regulated and safer is a good idea.

House: Indicated that he's correct. The operations are illegal under Federal law and they cannot put their money into banks, which is why there are so many robberies, burglaries and gun crimes.

Matthews: Questioned where the nearest dispensary is for medical cannabis?

House: Santee, La Mesa, Lemon Grove and San Diego and they allow delivery services. The City is maintaining the status quo regarding medical cannabis. Wherever San Marcos residents obtain theirs now is not being changed.

Norris: Asked for confirmation regarding number of plants?

House: Explained that whatever state law permits that the City is not permitted to regulate, they'd continue to allow, as well as indoor cannabis. The ordinance focuses on the commercial aspects of the businesses.

Norris: Asked what happens if the Fed comes in?

House: The existing administration says they won't enforce, but that could change. Anything the state law allows City to prohibit or regulate, we're doing so under the proposed regulations.

Flodine: Indicated he has concerns on the enforcement side, but that isn't under their purview. Planning Commission is land use and some of the items are not land use-related. If City doesn't make own rules & regulations, the state will impose its own.

House: That's correct, effective January 1, 2018, the state will be issuing licenses unless local jurisdictions have an ordinance in place.

Flodine: Acknowledged Oleksy's concerns, but there isn't much time for City to finalize ordinance.

Oleksy: Asked if the emergency ordinance that goes through September '18, does not count as being an ordinance on the books?

House: Stated they adopted the final extension, but they don't feel they need it because they have done an extensive amount of research. They did look into WA and CO studies and reviewed Federal task force studies that show negative impacts, and they've reviewed evidence that refutes that. It's back & forth so they didn't include it in the staff report. They added actual statistics, armed robberies and murders and included the armed robbery of an illegally operating dispensary in San Marcos. Information included legal and illegal dispensaries. They feel they've spent a lot of time researching and are confident there's an increase in crime. The extra tax revenue doesn't make up for the negative costs of enforcement, first responders, traffic accidents, administrative, etc. If not adopted by January 1st, the state can start issuing licenses. Revisions and amendments can be made later.

Oleksy: Inquired if staff was aware Prop 64 passed in City by a margin of 10 points?

House: Responded yes, but pointed out they may not be supporting the commercial component. They may have voted to authorize the personal use and consumption.

Oleksy: Reminded group that this would be a complete ban, including the ability to recoup any revenue from the state or the taxation of these operations.

House: Stated that's consistent with the status quo. They couldn't just impose a tax; it would require a vote of the people. It must pass on a ballot measure in order to collect the revenue.

Oleksy: Doesn't believe that sales tax would require a vote.

House: A tax on marijuana, for local revenue, would require a vote. Whatever the state imposes isn't what the City will receive.

Oleksy: Asked if City would receive some tax benefit from sales tax?

House: She's not aware what portion the City would receive. By prohibiting, the City wouldn't receive grants.

Norris: He read that the state would tax it, and then gives some of the money to the City.

Kildoo: Pointed out the City only gets 7.5% on the dollar in property tax, so probably not a lot.

Norris: Feels it's something to consider.

OPEN PUBLIC HEARING

No requests to speak.

CLOSE PUBLIC HEARING

Jacoby: If City has an ordinance where alcohol facilities are located a certain distance from schools, would restrictions be the same for cannabis growing?

House: For personal indoor growth, it cannot be visible from public right-of-way, so there wouldn't be additional restrictions regarding school locations. City isn't allowed to restrict that component and can only impose reasonable limitations, so long as it complies with state law. Also not sure there would be a way to enforce that.

Norris: Added that someone could brew or make wine in their house and that's not restricted.

Flodine: Inquired about rental units. If anyone violates, is the tenant or property owner responsible?

House: There's a proposed regulation that would put property owner or manager on the hook if it were a business engaging in commercial cannabis activity. As far as a personal residence, they aren't holding the owner accountable, unless the owner knew they were operating a business.

Norris: Asked if the City could regulate a business to grow, but not sale?

House: It's possible, but that would be a policy question for the Council members to decide. The state does license different operations and activities, cultivation and growing, and dispensaries. There is evidence that the dispensaries have a high rate of burglaries and it costs more for enforcement. In some incidents, security guards and customers have been shot and killed. It's something to consider if you want to bring it into your jurisdictions. Explained that the City can watch and see what other cities do, re-evaluate and bring back to Council and make amendments.

Flodine: Feels the item is about local control and not whether they agree on commercial cannabis. If they don't impose some sort of regulations or blue print before January deadline, then Sacramento comes in and tells City how it's run. It's a placeholder to say we have something on the books. It can be

monitored; they'd have more time, maybe get public input, and hold a workshop. There's still more to work out. Some points made in the report regarding negative impacts could probably be found around liquor stores also.

Kildoo: Agreed with Flodine. Feels they need to establish the ground rules and make changes later if needed.

Action:

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF TA17-0004 AS SET FORTH IN RESOLUTION PC 17-4660, AND ADOPTION OF MITIGATED NEGATIVE DECLARATION ND 17-006; SECONDED BY COMMISSIONER SCHAIBLE AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

Oleksy: Indicated he'd now support it as long as it will be monitored and looked at. They don't want the state to do it. Feels there could be potential, perhaps not selling it here but laboratory testing, and research and development. He doesn't want the City to lose out on revenue. It could be good for the City overall compared to other industries that operate here.

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

PLANNING MANAGER COMMENTS

Brindley: Thanked Commissioner's for their dedication and service to the City. There was a recent Volunteer Appreciation event held and City Council provided Certificates of Recognition to the Commissioner's. (Read aloud & passed out). She appreciates their reading the large packets with technical information, coming to meetings prepared, asking valuable questions and making informed decisions.

PLANNING COMMISSIONERS COMMENTS

Norris: Indicated he hadn't heard back about the electrical charging stations discussed at last meeting. Stated he'd miss the next meeting but would like to review packet and provide comments for the hearing?

Sidhu: Indicated she'd get back to him regarding that possibility.

Brindley: Stated there's a boilerplate condition from the Building Division for compliance with CalGreen building code as it relates to parking lots. It varies from bike storage, dedicating space for



car/van pools and clean air vehicles. It's based upon a percentage of the total amount of parking. Staff is mindful of that and taking close consideration upon review of plans.

Kildoo: Spoke about last Sunday's Street Fair and indicated he answered questions about San Marcos Creek District and University District. People overall were very happy with City, except for traffic. There were no inquiries about the Fenton project.

ADJOURNMENT

At 7:30 p.m. Chairman 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



MINUTES

Regular Meeting of the Planning Commission

MONDAY, October 16, 2017

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

CALL TO ORDER

At 6:32 p.m. Planning Commission Chair Flodine called the meeting to order.

PLEDGE OF ALLEGIANCE

Commissioner Kildoo led the Pledge of Allegiance to the Flag.

ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: FLODINE, JACOBY, KILDOO, MATTHEWS, OLEKSY
ALTERNATE COMMISSIONERS IN AUDIENCE: NONE

ABSENT: MINNERY, NORRIS, MAGEMENEAS (Alternate), SCHIAIBLE (Alternate)

Also present were: Planning Manager, Karen Brindley; Deputy City Attorney, Avneet Sidhu; Associate Planner, Art Pinon; Senior Civil Engineer, Lewis Clapp; Office Specialist III, Lisa Kiss

ORAL AND WRITTEN COMMUNICATIONS

None.

CONSENT CALENDAR

No items.

PUBLIC HEARINGS

1. Project No: CUP 17-0005

Applicant: Gary Levitt, Urban Villages San Marcos, LLC

AGENDA ITEM
1

www.san-marcos.net

Request: Approval of a Conditional Use Permit (CUP) to construct a 132,733 square foot California State University San Marcos (CSUSM) Extended Learning Center (ELC) building consisting of 118,496 square feet of classroom, lab, and office space; 14,237 square feet of ground floor commercial space; and a 221,414 square foot parking structure at the northwest corner of Barham Drive and Campus Way in the University District Specific Plan Area.

Environmental Determination: The project is within the scope of the Environmental Impact Report (EIR) for the University District Specific Plan and a 2017 Addendum to the EIR (State Clearinghouse No. 2008101083) was prepared for the project and University District Specific Plan pursuant to the California Environmental Quality Act (CEQA).

Location of Property: Northwest corner of Barham Drive and Campus Way, more particularly described as Portion of Lots 11 through 13, inclusive, in Block 58 of Rancho Los Vallecitos de San Marcos, in the City of San Marcos, County of San Diego, State of California, according to Map No. 806, filed in the Office of the County Recorder of San Diego County, December 21, 1895, of Official Records. Assessor's Parcel No.: 220-202-03-00, 220-202-04-00, 220-202-05-00, 220-202-06, and 221-110-20-00.

Brindley: Acknowledged the public/private partnership between UVSM and CSUSM and their collective efforts with the project. During processing, City staff and consultants worked with both the applicant and University to ensure the project complies with the University District Specific Plan (UDSP) and City's General Plan. The project will further strengthen San Marcos as an academic and educational hub.

Staff Presentation (Art Pinon):

PowerPoint presentation shown. Location and site plan discussed. The Extended Learning Center (ELC) building is located at the NW corner of Campus Way and Barham Drive. The parking structure with 709 spaces and six levels is located to the west of the ELC building. Access is off Future Street "E" and North City Drive. A pedestrian bridge connects the ELC building to the parking structure. To the south of the project site is a second future pedestrian bridge over Barham Drive that would connect ELC to the CSUSM campus. Site is regulated per Form Based Code of the UDSP as Mixed-Use Building Type A and requires a CUP. The facility will offer continuing education programs, college course sampling and employee/employer training programs. Commercial space will be on ground floor. Architecture is a contemporary style. Elevations/renderings shown and discussed. The west end will be most visible from Street E. The ELC requires 266 parking spaces and the remaining 443 spaces will be shared for future development. Applicant is preparing a Parking and Transportation Demand Management Plan which must be reviewed and approved by City. A traffic study was prepared and peer reviewed. Analysis concluded that all immediate adjacent roads will operate at LOS "D" or better. Cumulative PM peak hour trips increase from 728 to 953. Mitigation is required to offset at peak 760 trip threshold. Continued to discuss traffic. Due to assumed improvements not built, additional road segments/intersections were analyzed. Fair share contributions must be made to all intersections and segments being impacted at the 760 trip threshold. An Addendum to UDSP EIR was prepared. The project will not result in any new unmitigated impacts from the '14 EIR. Future roads must be completed prior to occupancy of building. Discussed street design. Sharrow (shared bike/vehicle) lanes have been incorporated. Staff recommends approval with resolution changes as per Memo

distributed earlier and certification that project is within scope of Final EIR & the 2017 Addendum to EIR. Public notification occurred and no comments were received.

Brindley: Reminded Commission to include staff modifications per memo handout in their motion.

Gary Levitt, Urban Villages San Marcos, LLC, Applicant: Thanked staff for their can-do attitude to meet tight deadline. Discussed background: The UDSP was started with Mike McDonald in 2004. The Specific Plan was approved in '09. The recession hit, redevelopment went away and financing was difficult. Several updates occurred in '12-'14. They've made huge strides since then and are delivering something that other cities will be envious of. PowerPoint presentation shown and project updates discussed. The Quad was built in '11-14. Block C opened a 200-unit luxury, market rate apartment complex (not student housing). People are driving from out of the area to visit Urge Restaurant & Bar, bringing tax dollars and more recently Stella opened. PIMA Medical Institute has moved in and is opening next week. He believes the University project will be a catalyst for more development. The entire SP area is 200 acres, with 2/3 on west side of Twin Oaks Valley Road and 1/3 on the east. Video shown, discussed various blocks, what exists and what they're trying to attract; retail, hotel, office and apartments. Future development is conceptual in nature. Form based code allows flexibility. The Quad student housing building won an orchard award. The Taste of San Marcos was the first community event and they hope to have more. The parking structure will be used by CSUSM during school hours.

Scott Maas, Safdie Rabines Architects: Continued with PowerPoint, showing various views of the proposed building.

Neal Hoss, CFO and Vice President for Finance and Administrative Services, CSUSM: Commented that it's been a tremendous partnership with UVSM and the City. All have worked hard to get the project to hearing. The university just celebrated their 28th Anniversary.

Matthews: Inquired about electrical charging stations in parking structure?

Pinon: Replied there are 57 per the plan.

Brindley: Added that the CA Green Building Code requires a percentage of the total required spaces be dedicated to clean air vehicles or carpools and the project has been designed to comply with the code.

Matthews: Commented that 13 bike racks don't seem like enough.

Pinon: Pointed out 13 are for short-term parking. Code requires 5% of the required 266 parking spaces, or 13.

Matthews: She feels there should be more if they're trying to encourage bikes.

Brindley: Added there are an additional 36 long-term bike spaces within the first floor of structure.



Matthews: Expressed that she's very excited and impressed with the project.

Oleksy: Commented the City and developer have done a great job and he's very impressed with what he's seen. Asked where the North City brand came from? It used to be University District.

Levitt: Indicated name came from the developer. City of San Diego has many University District's so they didn't want it confused with those. Their vision is to develop a town center for San Marcos, and the region. They want to attract people from outside the area and create a place or center in North County inland.

Oleksy: Replied that it sounds like north city San Marcos, and as someone who lives north of the 78, it doesn't make sense. North Twin Oaks Valley Road is north city San Marcos. Suggested they may want to rethink it. We're also not Valley of Discovery anymore. Asked difference between short & long-term parking?

Pinon: Intent of short term is for visitors to the building, 200 feet within entrance. Long-term are for employees of building and located inside structure.

Oleksy: Asked if CSUSM students would have classes there?

Mike Trevor, CSUSM: Indicated yes, there are degree programs in ELC. Students will go to both sides. Academic support centers are on the 2nd floor of the building. The School of Engineering will start later in a renovated area once ELC is moved.

Oleksy: He would expect there will be more bikes. UC Davis is very bike friendly and has 100+ bike spots.

Michael Schroder, Dean of Extended Learning & AVP for International Programs, CSUSM: Commented that the university has a strong transportation program and this spring they're going to test loaner bikes on campus. It would also help with student employment as valets in relocating the bikes. Program could dovetail across street if it works well.

Oleksy: City has built a lot of mixed-use recently. Asked how much commercial space exists?

Brindley: Indicated she doesn't have the exact statistic. The City has made an effort to invest in smart growth and mixed-use concepts effective with 2012 General Plan Update. The trend is to try to facilitate a mixture of land uses. University District has the most, but also has civic, hotel and educational uses.

Oleksy: He feels mixed-use is great for high density, and this location is perfect, but is concerned with it in some locations. Some areas don't have the critical mass to support it and he doesn't want to see a lot of empty storefronts. The Traffic Commission used to get a lot of complaints about student parking and affordability of on-campus parking.

Schroder: Commented that it's a valid concern because they're a newer campus and don't have a lot of flat surfaces. Parking structures are three times more expensive to build vs. flat land. There are programs where students can get help, scholarships, grants, plus ride sharing and alternative transportation options.

Brindley: Indicated City staff has been working with CSU's Democracy in Action program which will analyze and evaluate some perceived off-campus parking problems and result in proposed solutions.

Oleksy: Asked staff what the plan is for Discovery Street extension? Many mitigating factors are because of that delay.

Clapp: Explained that it's not currently in CIP program, but is in PFF program to be funded. There's no short term City plan, but there's another development within UDSP proposing that extension as part of their project. They hope to bring it to Planning Commission fairly soon.

Oleksy: Asked if Barham Drive, between W. La Moree to Woodland Parkway is under study for future improvements?

Lewis: Indicated it is part of the CIP program and went through some conceptual designs. City is engaged with Caltrans in a co-op agreement to finish the design and put together a schedule for construction, so hopefully sooner rather than later.

Oleksy: Inquired why they're proposing sharrows as opposed to Class 2 bike lanes?

Lewis: Sharrows are in the Specific Plan. The volumes aren't that high, speeds are slow, and the block runs are short. With on-street parking and pedestrian crossings, sharrows provide more maneuverability and traffic calming.

Oleksy: Asked if they're concerned with potential cut-through traffic at Campus Way/North City? Feels the route will be used to avoid Barham @ Twin Oaks.

Clapp: They didn't look specifically at cut-through but looked at the build-out of the area as part of the traffic study. As part of North City Drive extension, there will be some changes at Carmel with a couple roundabouts so cut-through might not be the best option.

Oleksy: Indicated he's concerned about the angled parking and bikes and asked why it needs to be on Campus Way?

Lewis: Explained the sharrow is 16 feet wide, larger than typical lane going through the corridor. As they build out, on-street parallel parking becomes tight. Angled parking currently exists in front of the Quad building, it was an area where they could get a few more parking spaces and could energize the commercial fronts.

Oleksy: Asked how cars would get to the parking structure?

Lewis: Replied that Future Street E, west of the building will have a signalized intersection.

Oleksy: Inquired about Section M, paragraph 10, traffic mitigation @ San Marcos Blvd., and N. Twin Oaks Valley Road will add a 3rd left turn lane from westbound San Marcos. Asked why?

Lewis: Traffic study and original EIR identified impacts there. It's in part due to this project, but they accelerated a future mitigation to this location.

Oleksy: Continued to discuss traffic at San Marcos Blvd.

Lewis: It overall helps the operation of the intersection.

Oleksy: Questioned why the construction of pedestrian bridge is tied to 1st floor commercial space occupancy and not the learning space?

Brindley: Staff anticipates it would be constructed concurrently with the Learning building. Sometimes there are delays, so it was tied to occupancy of ground floor.

Oleksy: Asked what mixed-use falls under on the facilities fees schedule, and when the next focused traffic study for UDSP would be?

Clapp: Indicated every project in UDSP has to go through a focused traffic study. Applicant has expressed interest in looking at a broader study.

Oleksy: Discussed Table 1, cumulative traffic shows LOS going down?

Clapp: There's an improvement, a 2nd southbound left at the intersection of Barham and Twin Oaks.

Brindley: Replied that fees are accessed as institutional use.

Jacoby: Commented he's been a resident for 20 years and feels the University is going places. Thanked them for great presentation.

Kildoo: Thanked developer for the progress they've made and how they've adapted. CSUSM has made the community a better place. He's very pleased with the project and the answers to the questions.

Flodine: Commented on bike racks, if they're only putting in spaces at 1%, what message does that send? Asked who would be responsible for putting in additional if it's decided later there aren't enough?

Levitt: Replied that the reality is bike use has gone down at the Quad. It's a hilly campus and hard to get around on bikes. They're hoping the bridge will help. They and CSUSM will both manage the building in a Class A manner, and if more bike racks are needed they'll add them. There are also bike racks along sidewalks.

Flodine: As North City evolves, he'd like to see a unifying street front along Barham. Asked if someone can confirm the plant selection along that block is the same as what's along the Quad?

Scott Maas: Confirmed that the trees would be repeated along Campus Way and crape myrtles along Barham. Next phase would also have quite a bit of similar landscaping.

Flodine: Stated there's space on the parking structure for solar shade and asked why there is none? He's thinks they're missing an opportunity especially when it's part of the university.

Levitt: Explained the parking structure is being built for it. The shade structure could be replaced with photo voltaic cells in the future. The desire is there, but there's a very limited budget.

Flodine: He's concerned if it's not a condition, what would be the trigger for applicant to make the choice later?

Mark Norita, AVP for Facilities Development & Management, CSUSM: Explained that it's a budget question right now. CSUSM is one of the most "green" campuses across the nation. They have a system-wide RFP going out for solar panels. If the financials are right, they hope to put them on the main campus by end of summer. They're trying to move the project along; they definitely want to have it and hope to do so in the future.

Flodine: Asked if they'd be okay with a condition requiring it by a certain year?

Norita: Explained that the hard part is that it's intertwined with retail, it's mixed-use. It's not as clear cut as if they had it on their campus.

OPEN PUBLIC HEARING

No requests to speak.

CLOSE PUBLIC HEARING

Action:

COMMISSIONER KILDOO MOVED TO APPROVE CUP 17-0005 AS SET FORTH IN RESOLUTION PC 17-4662, INCLUDING THE CEQA CERTIFICATION FOR EIR FOR UNIVERSITY DISTRICT SPECIFIC PLAN AND 2017 ADDENDUM TO EIR; SECONDED BY COMMISSIONER JACOBY.

Brindley: Asked if Motion includes Staff Memo/handout with revisions?

Action:

COMMISSIONER KILDOO AMENDED HIS MOTION TO ALSO INCLUDE THE STAFF MEMO HANDOUT DATED 10/16/17 WITH REVISIONS TO RESOLUTIONS AS PART OF THE MOTION; SECONDED BY COMMISSIONER JACOBY AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

Flodine: Inquired about CA Green standards and whether energy efficiency measures are discussed in their packet?

Kildoo: Mentioned there will be two future residential projects on both sides of the parking structure. Suggested as the applicant comes forward with those, that could be the trigger for solar?

Brindley: Pointed out conditions on page 7, #N.1., and page 8, #N.7., requires development comply with CA Green Building Code Standards.

Flodine: Stated the future buildings are owned by the applicant so he won't make a new condition for this project. Instead, he asked staff to make a note that when the future residential buildings come forward, they'd like to address solar on top of the parking structure at that time.

Sidhu: Asked for clarification, whether that's an amendment to the motion, or an aside?

Flodine: Replied, an aside. Motion and second remains the same and ready for vote.

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

PLANNING MANAGER COMMENTS

Brindley: Acknowledged the hard work by staff for this project and is very proud of all Development Services staff. Indicated next hearings would be 11/6 and 11/20, and in December.

PLANNING COMMISSIONERS COMMENTS

Kildoo: Commented that he's lived in the city most of his life so it's amazing to watch these steps move forward. Gary and Mike deserve credit. He's very proud that the university is in San Marcos.

Oleksy: Agreed with Kildoo. People are flocking to move here now and he's proud to be part of it.

Jacoby: Pointed out that the previous City Manager, Paul Malone, is in the audience and he was instrumental in this also.



ADJOURNMENT

At 7:50 p.m. Chairman 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