



# MINUTES

## Regular Meeting of the Planning Commission

**MONDAY, November 6, 2017**

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

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### **CALL TO ORDER**

At 6:35 p.m. Planning Commission Chair Flodine called the meeting to order.

### **PLEDGE OF ALLEGIANCE**

Commissioner Norris led the Pledge of Allegiance to the Flag.

### **ROLL CALL**

The Secretary called the roll:

PRESENT: COMMISSIONERS: FLODINE, JACOBY, KILDOO, MATTHEWS, MINNERY, NORRIS, OLEKSY,  
ALTERNATE COMMISSIONERS IN AUDIENCE: MAGEMENEAS, SCHAIBLE

ABSENT: None

Also present were: Planning Manager, Karen Brindley; Deputy City Attorney, Avneet Sidhu; Associate Planner, Art Pinon; Assistant Engineer, Kyle Wright; Office Specialist III, Lisa Kiss; In audience: Development Services Director, Dahvia Lynch; Finance and IT Director, Laura Rocha; Budget & Revenue Officer, Alan Stutler; City consultant, Sophia Mitchell

### **ORAL AND WRITTEN COMMUNICATIONS**

None.

### **CONSENT CALENDAR**

#### **1. APPROVAL OF MINUTES - 10/9/17 and 10/16/17**

*Action:*

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

### **PUBLIC HEARINGS**

2. **Project No.:** P17-0015: SP17-002, GPA17-002, R17-001, TSM17-003, MFS17-002, GV17-003, CUP17-006, ND17-005

**Applicant:** Brookfield Residential Properties (Dave Bartlett)

**Request:** Approval to construct 220 residential condominium units on 23.22 acres located at the southwest corner of South Twin Oaks Valley Road and South Village Drive. In order to move forward with the project, the applicant must obtain approval of a General Plan Amendment to modify the permitted General Plan land use designations onsite from Heart of the City Specific Plan "MU-4 Mixed Use (Nonresidential)" and Park (P) to Heart of the City Specific Plan "Low Medium Density Residential" (8-12 dwelling units per acre); Specific Plan Amendment to modify the permitted specific plan land use designations on 22.94 acres of the project site from Heart of the City Specific Plan "MU-4 Mixed Use (Nonresidential)" to Heart of the City Specific Plan "Low Medium Density Residential" (8-12 dwelling units per acre); Rezone to modify the permitted zoning designation on 0.28 acres of the project site from Public Institutional (P-I) to Heart of the City Specific Plan "Low Medium Density Residential" (8-12 dwelling units per acre); a Tentative Subdivision Map and Multi-Family Site Development Plan to construct 220 residential condominium units; a Conditional Use Permit to allow use of a temporary rock crusher during project construction; and, a Grading Variance to allow for slopes in excess of 20 feet. The project also includes adoption of a Mitigated Negative Declaration (the environmental review document).

**Location of Property:** The project site is located at the southwest corner of South Twin Oaks Valley Road and South Village Drive. Address: 0 Twin Oaks Valley Road, Assessor's Parcel Numbers: 222-170-36-00, 222-170-37-00 & 222-190-02-00.

**Environmental Determination:** A Mitigated Negative Declaration (ND17-005) was prepared for this project and circulated for public review pursuant to the California Environmental Quality Act (CEQA).

**Staff Presentation (Art Pinon):**

PowerPoint presentation shown. Discussed required entitlements needed to construct 220 residential condominiums. The project site is 23.22 acres, currently vacant and rough graded. It was previously part of the Hanson Aggregate mining facility (closed in '08) and in October '15 the site was removed from the Reclamation Plan. Site is designated "MU-4," zoned for business park, office & commercial. Applicant is requesting to modify all of it to Specific Plan (SP) Area Heart of the City, Low Medium Density Residential 8-12 dwelling units (du) per acre. Staff's analysis included traffic, fiscal and economic impacts and land use compatibility. The traffic study concluded that a business park and retail center would generate up to 4,416 average daily trips (ADT's). The proposed project would generate 1,760 ADT's, resulting in a reduction of 2,656 fewer trips than previously analyzed. The Fiscal & Economic Impact Study concluded the current zoning as a potential business park & retail center would result in a general fund surplus annually and generate 608 jobs. With the proposed project, the study indicated the estimated costs were greater than the projected revenues which resulted in a General Fund deficit, however, as pointed out in staff's memo dated 11/6/17, staff identified certain items in the City's annual budget over the past two years were not accurately allocated. A revised allocation lowered the City expenses and results in a surplus. The information would be revised prior to a City Council meeting. The Price Point Analysis concluded that a business park is unlikely to be marketable. Staff feels the proposed land use compatibility is reasonable and would serve as a continuation of existing residential north and east of the site. The project would improve connectivity with the last trail connection completed. Applicant would also provide a 28-stall parking lot for the future South Lake Park. Surrounding land uses, existing and proposed trails shown and discussed. Applicant proposes to divide the site into eight parcels with 2 & 3 story residential condo units, 9.47 du/acre, 28 buildings in 3-unit and 16-unit complexes. Most 3-stories are located below Twin Oaks

Valley Road street grade, hidden from view by the slope. Elevations shown include five architectural styles. Discussed circulation, Future Street "C" with 31 on-street parking spaces added and a secondary access off Santa Barbara Drive. Discussed traffic and cumulative impacts. Fair share contribution is required to mitigate improvements. Project requires 2.33 parking spaces per unit or 513 spaces, and 525 are provided. City received several comments regarding schools. Applicant entered into a Memo of Understanding (MOU) with SMUSD to mitigate impacts to schools. A Grading Variance would be required due to unique topography. Discussed slopes heights. During construction, a rock crusher would be needed for the South Lake parking lot. If noise exceeds 60 decibels, applicant would construct a sound barrier. Staff is recommending adoption of the Mitigated Negative Declaration (MND). It was initially circulated for 21 days, but based on public comments, re-circulated for another 30 days. Public workshops occurred in April and June '17. Concerns included parking, traffic and school capacity. Staff feels the project is in line with the goals of the City. The site would most likely remain vacant if left designated as a business park. Project would provide a wider variety of housing choices. Reminded Commissioners of the staff memo distributed earlier and additional letter from Friends of Discovery.

Sophia Mitchell, Sophia Mitchell & Associates, City CEQA consultant: Commented they've reviewed latest letter and issues were related to aesthetics, air quality, environmental review and GP analysis. 1). Aesthetics. The analysis appropriately described the future development (pages 32-42 of MND), existing conditions, scale & type. It included visual simulations and post development conditions. Portions would be visible from open space areas to the west as noted on page 32. The views from the trails are elevated down to the project and appear as an extension of development and continuation of existing rooftops. Closer street level view visual simulations were prepared and included in MND. The site elevations, proposed landscaping and elevation differences really minimizes the views. The height issue/compatibility was raised, and the MND described existing and future residences which includes 2 & 3 story. A portion of the site is at a lower elevation and the Draft MND adequately analyzed aesthetics and did not identify any significant impacts. 2). Piecemealing, or the baseline that was assumed. The existing conditions under CEQA are the baseline. The mass grading was done previously and was the appropriate baseline. 3). Question whether construction analysis was appropriate. Earthwork activity was described on pages 16-17, and further analyzed in Air Quality, GHG, Traffic and Noise sections. 4). Land use consistency analysis related to the edge of development. The project design took into consideration how it would blend into the open space as discussed on pages 325-326. On the western southern edge, there's a transition area with minimum 20' setback, varying slopes, Street C, and a trail. 5). Loss of employment land. Specific information is in the Fiscal study. Potential space is available a mile away in University District/North City area. 6). Proposed circulation network. The project includes trail components and is described in MND.

Jeremy Loudin, Ldn Consulting: Indicated his company did the air quality, greenhouse gas and noise study and he has reviewed latest letter. Discussed the Regional Air Quality Strategy (RAQS). The City works with and continues to update SANDAG and the San Diego Air Pollution Control District on land use changes and growth projections. This was done during the City's General Plan (GP) update, when the zoning was changed for the proposed site. Under City's GP EIR, it was determined to be consistent with the RAQS. The proposed project is less intense than what GP assumed, so it doesn't conflict with the RAQS because of reduction of intensity.

Pinon: Staff recommends approval of the project and adoption of MND. Public notification occurred and 11 comments were received and are attached to the Staff Report. Applicant is in agreement with conditions.

Dave Bartlett, Executive, Brookfield Residential Properties, (Applicant): PowerPoint presentation shown. Commented he's been involved in community planning for about 30 years and has found they always need to ask four questions. 1). Do they have the right land use for the property? The property was zoned residential for 23 years. It was rezoned in an attempt to create business-park type uses. Since then, the University District has taken off, is more suitable, visible and closer to freeway. Project site is surrounded by residential and would result in fewer trips. 2). Has the planning process been thorough with the public and City staff? They started 20 months ago, had weekly or monthly meetings with staff, whatever was needed to refine. They held four community meetings, property site tours, project mailer, website and one-on-one conversations. They feel their work was in depth and comprehensive. 3). Is it the right project, does it provide community benefits? It's an opportunity for quality home ownership. The medium home price in County is \$550K, or \$3,200/mo. Homes are estimated to be an average of \$450K+/-, or \$2,600/mo. The average rent is \$2,554/mo., so it makes a compelling decision for people to buy. It's important to the younger generation so they can stay in the community. In response to resident's concerns regarding overflow parking from CSUSM into neighborhoods, Brookfield redesigned C Street to include 31 additional parking spaces. Ultimately, it will help relieve parking for the big park and South Lake parking lot. The City added the condition for parking lot/staging area. During previous Council meetings for their other project, it was clear that the City wanted a trail connection. Staff felt the big park was possibly 10 years away, so Brookfield proposed getting it done sooner rather than later. Brookfield advanced park fees, \$2.1M from previous application, and combined with City dollars the construction has now been jump started and is past shovel ready. City can use grant applications, etc., to start a Phase 1. Brookfield has been able to achieve the connection between Discovery & South Lakes, the big park and Double Peak. Traffic would be reduced with residential and they're fully mitigated on schools. In the end, the district has said they'll generate 64 students. 4). Are they the right partner for the City? Brookfield gets involved in community related functions and is here for the long term. They've partnered with Boys and Girls Club, Parks & Recreation and Discovery PTO. CalWest Communities is their partner. Brookfield has tried to do their best to create a plan that is compatible and have a thorough process.

Matthews: Inquired about school fees and where they're applied?

Brindley: Replied that it's up to the school district to allocate funds. Fees are used for facilities purposes and/or future construction of facilities.

Norris: Asked for parking number clarification and if residential until 2012, why was it changed to MU-4?

Brindley: Explained that during the GP update, the City tried to incorporate additional mixed-use and employment areas. During that time, they felt it could accommodate future office/commercial uses. It

was evaluated city-wide and prior to University District. Other sites are visible from SR-78 and the market study indicates this area isn't viable.

Pinon: Pointed out a discrepancy on the architectural plan. The TSM plans are correct showing 513 parking spaces required and 525 would be provided. It doesn't include the 31 spaces on-street.

Norris: Continued to discuss parking.

Wright: Clarified the private garage parking is 428 spaces. On-street open is referring to inside the development. TSM plan is correct, with total number of spaces outside of garages at 97.

Brindley: Added that parking ratio is 2.33 overall. The one-bedroom units have a single-car garage and others are two-car.

Norris: Inquired if there are any accessible units?

Chris Barlow, Architect: Explained the product type is townhomes with living above parking area. Townhomes are required to be accessible at ratio of 10% and it meets requirement. Housing accessibility means it is visitable, with accessible parking & route throughout the first floor.

Flodine: Questioned if any bedrooms were downstairs?

Barlow: Replied no.

Oleksy: Asked if any affordable housing?

Brindley: The applicant has opted to pay in-lieu fee.

#### **OPEN PUBLIC HEARING**

Becky Shipley, resident, representing "Friends of Discovery": Announced that this would not be the last time the City hears from them. Asked commission to do what's necessary to promote and protect the public health, safety and welfare of the City. Their group represents the public and they don't support the project. No one's present that supports project without ties to the applicant and that should tell them something. Feels it runs against several GP policies. Brookfield is for profit and stands to make a lot of money at the cost of the community. The City can't support its current residents, streets & schools are crowded, there are fire safety concerns and possible negative fiscal impacts. Asked why amend GP to accommodate more growth, why not build it where it's zoned, and why rezone in the most crowded part of the City? The interests of the developers are not the Commission's interests. Commission is here to represent and protect the citizens of the City. She urged them to do their job. They're not here to make money for someone else. They're giving up land that could offer jobs. There are many negative impacts.

Mike Hunzaker, resident, representing "Property Owner Defense League": Indicated he's been a member of Citizen Bond Oversight Committees (CBOC) for San Marcos Unified School District and now Fallbrook. He's not pleased with how the school district has performed. They've underestimated growth severely and concentrated most the spending on the Creekside triangle area. Citizens were promised if Prop K passed; it would eliminate overcrowding at Mission Hills. It has not, it's gotten worse. Water is not going to be available. Lake Mead & Powell are being drained so we don't have to declare a shortage. The GP is based on SANDAG projections which assume a 2% growth per year. Growth paused during recession, however, it's taken off and they'll be up to build-out level (2050) in a couple years. That creates havoc with all the infrastructure, schools, water and congestion. City needs a new GP to adjust to new rate of growth. City has eliminated a lot of industrial space, it's now residential. The City needs affordable housing for young families, and the project provides it, but apartments are not really suitable for them. The City won't have infrastructure to support it so it will add to the problems. Asked why SR-78 was not considered in the analysis? Just about every project has to pay extra for that congestion. The school needs citizens on its CBOC board; they don't have a quorum, suggested residents apply so they can hold meetings.

Catalina Aglmer, resident: Expressed that she's very angry about what City is trying to do. The area is becoming less of what they bought and more of what they don't want. They don't want Orange County or LA. Feels they're losing the wilderness. Recommends City fixes current problems. Schools are over capacity, and the latest one built is already full. Classroom sizes are 40-48. Teachers can't teach this many students. The hallways are a fire hazard. More schools need to be built. Create a solution then allow more people in. She feels the project would have more than 64 students and that property values are decreasing due to higher densities.

Elisha Exon, 18 year resident, representing "Friends of Discovery": Stated the project involves a legislative decision; it's not development by right. The commission can make the decision on what's best for the community. Public hearings are to receive public input. The staff report suggests only three issues were raised at workshops and that is an unfair generalization. Many people also stated they didn't want the land rezoned and that was omitted from the report. She feels the workshops weren't set up for dialogue, but for marketing and sales pitch. It was not a neutral and fair city-sponsored public workshop, where input was collected to help define the project. They were talked at rather than listened to.

J. Erin Uda, 15 year resident: Commented that the recently adopted GP was intended to serve as a blueprint for future development. It was ratified by Council and received support from the community as the planning document was based on where to put housing. The project site was a target area of special study during the update, and the community through public workshops supported the industrial zoning. Why then did the applicant purchase the property after? It's been less than four years since the community did all this work. The community got it right; they want smart growth and sustainable development. Current zoning brings employment opportunities to the area. The City's jobs to housing ratio are off balance at .45, the worst in North County. Cities should strive for 1:1 ratio where there's enough jobs to support its citizens. They don't need more housing, there are already areas designated for housing in the adopted GP. Under current zoning, San Marcos is expected to be the

largest growing City over next 20 years. Residential homebuilders should not be targeting business land. The City did their homework and decided they need jobs, which wouldn't impact schools and could support residents.

Marc Uda, 15 year resident, representing "Friends of Discovery": Commented that he has five kids, elementary to high school. He understands the Commission is seeing all the different perspectives, some you can't argue with, but as a citizen, he sees too much development right now. They love the City, want to stay and raise their kids here. There are legitimate concerns, the streets and schools are overcrowded. He feels they should focus on data, facts and logic. The schools are having issues, and boundaries have had to be changed due to Rancho Tesoro. He doesn't support project.

Donna Renteria, 24 year resident: Commented that her family thought they were moving to the middle of nowhere when they moved to San Marcos, and that's what they wanted. It was beautiful and they loved the nature. Since the road opened between Santa Barbara & Village Drive connecting to Twin Oaks, all the traffic is now going through their neighborhood on Iron Horse Drive. Per the traffic study, that's 405 cars a day. Discovery Lake Park is full of families, kids and dogs. This doesn't even include Rancho Tesoro residents. There's no way to get to Discovery School except through their street. Feels it's a dangerous situation; she almost gets hit backing out of her driveway every day. She was told a stop sign would be installed and it has not. It's unacceptable, she's spoken to several City employees and feels she's getting shuffled around and is tired of it.

Deanna Graumann, resident of Rosemont: Her concern is parking and she appreciates they added additional. Suggested if they're going by city code, they should look at Village North by Bellows to see all the on-street parking. CSUSM students told her there are four people living in the condo units and have four cars, so they're forced to find parking elsewhere, primarily on the street or her neighborhood. She's also concerned with the schools and boundary changes.

Steve Grimes: He feels the builder is attempting to build a reasonably affordable project. He has four college graduate children, and his daughter said to him she won't ever be able to afford a house in this community. We have to provide housing for our children. If you look at the housing crisis, and don't make some moves to increase housing stock, our kids will be living somewhere else. We want them to stay here, not up in Riverside County. Need to figure out a way to build housing in the County. There's no Greenfields anymore. It's the reality of the great place we live in. This is a quality developer who wants to build a community that he hopes his children can live in.

Stephanie Rimmer, 15 year resident: Indicated she has four children and appreciates that housing is needed, but it shouldn't be at the expense of our students. We're blessed to have a great school district and must make that a priority. We must accommodate the students. Most people have over .6 children.

Tara Bennett, 17 year resident: Commented she's a mom of five. Vacant residential land at this density is three-five times more valuable than employment land. They have bought substantially under the market value. The developer will get millions just receiving the entitlement without building anything.

The community gets overcrowded schools, visual impacts, more noise, and before this meeting, a \$4,500 per year tab.

Annette Gabriella, 18 year resident: Commented she loves living in the City and has kids in the school system. She wants to discourage Commission from approving the project. The site is a good location for research and development and could be associated with CSUSM. The GP has already designated areas for housing. It's been state certified as already being able to accommodate future growth. She's also concerned with traffic. She disagrees with the traffic counts. Every time she gets on SR-78 she is stuck in a parking lot and it's getting worse. Five hundred more cars there, not counting Rancho Tesoro. She's concerned with school impacts. The site was originally zoned for Double Peak School, but it changed due to high arsenic in the soil. Now they're saying the arsenic is okay for homes, but not a school? It sounds alarming to her. They should find another place for it.

Mike Dutton, not a resident, representing San Marcos Youth Sports Council and Youth Soccer: Distributed handout and gave statistics and details for soccer and sports programs. They have three seasons and use various City parks. They currently turn players away at all levels because they fill up for arena plays in spring and winter, and some at fall. They also run programs for those with special needs and travel/competitive. They serve over 1,750 players annually, or 1,300 families. They use fields at parks, schools and Palomar College. Blending them together, the City schedules this and does a great job but they are limited due to resources. They represent soccer, rugby, flag football, basketball, lacrosse, baseball, softball, and Pop Warner football

Holland Hanson, not a resident, representing San Marcos United Soccer Club: Commented there are a lot of kids, it's congested, they don't have enough space and they need another park. There needs to be growth in this area.

Catalina Aglmer (using Jeanette's time): Stated she's concerned about fires, the difficulty to evacuate, and that it would be a bottleneck. The land could be used for business development. Why not put in restaurants, or places kids/students can go? They don't need any more homes. Brookfield's current development is too dense and not pretty. Couples will buy the condos and will use half the garage for storage. The one unit's will have two cars, where does that car park? She hopes the Commission votes against it, it's not what the community wants.

### **CLOSE PUBLIC HEARING**

Flodine: Reminded audience that the Commissioner's all live in the city, drive the same roads and experience the same school challenges as them. They also don't work for the school district and some conversations should be with them.

Minnery: Inquired how the number of students was determined? It seems low.

Bartlett: Responded that the number was calculated by the school district.

Matthews: Asked staff to comment on the capacity of schools?

Brindley: The school district has identified a capacity shortage. There have been recent agreements with the City Council to establish a subcommittee to identify potential solutions and is an on-going process. The planning of school facilities is under their realm, but it is a critical component of the City and quality of life issue, so it's a concerted effort to work with them.

Matthews: Questioned if the developer paid fees as part of project is for facility development?

Brindley: Explained in accordance with CEQA, new development must meet requirements to mitigate for impacts that could occur to school facilities. The applicant has entered into a funding agreement with SMUSD to serve as mitigation.

Matthews: Inquired if the rezone didn't take place, would they lose the park?

Pinon: Replied that they'd lose out on potential amenities, the trail connection and 28-stall parking lot, but not the park.

Brindley: Added that the trail segment is a component of GP trails network. At some time it would occur, but with the proposed development Brookfield would construct it with the project.

Oleksy: Disclosed that he had an earlier meeting and conservations with Paul Malone who is representing Brookfield, and some of the residents who sent e-mails to the City asking to reach out to Commissioners. Indicated he got responses from several. Asked about South Lake Park and when it would be open with the project?

Wright: Explained that full development is not known but there are components that would be open. CIP Engineering is opening a parking lot further south and includes a dock on the lake. It's scheduled to start spring '18 and complete end of '18. If project is approved, the 28-lot would be built along with development and occupancy of condos.

Oleksy: It's appreciated that they added parking. Asked staff what the City's plan is to really address CSUSM student parking issue? Students are parking in neighborhoods.

Brindley: Commented that the City is partnering with CSUSM, "Democracy in Action" group, to analyze potential perceived parking issues. At the outcome, they'll identify solutions. It's on-going and still young in the process.

Oleksy: Asked what the MOU means in layman terms? How many dollars and where is it going?

Bartlett: Explained the MOU is a school funding agreement set up with SMUSD. It relieves them of paying school fees; in return for paying for all the mitigation, put into a CFD, 111% of what they would have received they would get early on in process, rather than with each building permit. Added that the

district just received \$30M in funds from the State, and it was matching funds so they now have \$60M for facilities.

Norris: Project shows low flow water and reduced trips. Asked if contractor will remediate CO2? How can they lower that? Asked if any solar or electric charging stations? CalGreen code is 6%. What amenities? What are they doing to reduce GHG emissions?

Bartlett: Indicated they'll comply with the CA Green code. All homes are solar ready; it's up to individual homeowner. A lot is Title 24 driven, the state energy code. It's 50% more restrictive than the rest of the country. They're on the leading edge on taking it to the extreme. They'll do whole house fans, enhanced attic insulation, roof radiate barriers. It makes a tighter thermal envelope. They have done solar, but it's not standard here. It's something they could consider.

Norris: Students can't charge their cars in the places they live now. Panels needs to be included.

Bartlett: Agreed.

Norris: Asked how they would prevent mini dorms?

Bartlett: Owners must sign that units are to be owner-occupied but it's difficult to enforce beyond one year.

Norris: Inquired how they got to the 8-10 per acre? It seems like too much.

Pinon: Replied that 8-12 was proposed by applicant and it matches the density at Rancho Tesoro.

Norris: Questioned if that is up for debate?

Pinon: It's not what applicant is proposing.

Brindley: Staff considered density and it's somewhat consistent with other multi-family in HOC area, and to the northeast, which are 15-20 per acre. Anything lower would require a project redesign.

Flodine: Inquired what max height is permitted with MU-4? He likes that the school fees will be accelerated. The MOU is too wishy-washy for him and the language was transferred to the conditions. The MOU doesn't give a time for when the parties intend to enter into a future agreement. Conditions of approval say it's subject to MOU. Asked if he's misunderstanding what Certificate of Compliance means? What does SMUSD need?

Bartlett: Explained the formation of the CFD would be an equivalent of the Certificate of Compliance, and would occur in next 4-5 months. They're taking steps sequentially. If project didn't materialize, then the agreement wouldn't be necessary.

Flodine: Asked if CFD would be formed and funded prior to Certificate of Occupancy?

Bartlett: Yes, school district would sell bonds when it's most beneficial for them. It may not occur until a certain number of homes are occupied. The district will do it to maximize their revenue source.

Flodine: Questioned if it's his understanding that the Certificate of Compliance means the funding agreement is going to be executed?

Bartlett: Replied yes, that's his understanding.

Flodine: He's trying to get fees paid as far in advance as possible.

Brindley: Responded to height question, Title 20 allows up to 54' in height. Any future mixed-use MU-4 development could go up to 120' depending on setback. It would be multi-story with parking. It could exceed what is being proposed.

Flodine: Current max height for proposed project is 36'8". Stated that it bothers him that MFSDP and TSM both state prior to occupancy, construction of parking lot will be complete. Because of additional assumed agency permits, there may be a delay. So it says a portion may be occupied, which is so discretionary. He'd like to propose a maximum of 30% and requested changes to resolutions, #15 on page 18 of MFSDP and #12 on page 18 of TSM. Asked Engineering staff about CFD 2011-01 Congestion Management and what it's used for?

Wright: The project is already annexed into all CFD's including that one. There's a broad description of what it can be used for, will defer to Finance.

Alan Stutler, Budget & Revenue Office, City Finance Department: Congestion Management pays for public transit, future City shuttle, parking strategies, mitigate around City, park once strategies, maintenance of lighting and parking facilities.

Flodine: Asked staff what order for the motion and how to incorporate changes?

Sidhu: Recommended two separate motions. 1). Approve as provided and as amended by staff's memo, and 2). Approve the two others with proposed changes, and include adoption of MND. They are all contingent upon each other. Suggested start with GPA, SP, then Rezone.

Brindley: Reminded group it's a recommendation to City Council.

Flodine/Sidhu/Kildoo: Continued to discuss suggested order of motions.

**Action (#1):**

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF: GPA 17-002 AS SET FORTH IN RESOLUTION PC 17-4653, SP 17-002 AS SET FORTH IN RESOLUTION PC

17-4659, R 17-001 AS SET FORTH IN RESOLUTION PC 17-4658, CUP 17-006 AS SET FORTH IN RESOLUTION PC 17-4656, AND GV 17-003 AS SET FORTH IN RESOLUTION PC 17-4657; ADOPTION OF MITIGATED NEGATIVE DECLARATION MND 17-006; AND MODIFICATIONS AS PER STAFF MEMO DATED 11/1/17 AND 11/6/17;

Sidhu: To clarify, the GPA includes Staff Memo dated 11/1/17? Both motions can be presented and then open for discussion before vote.

Kildoo: Yes.

**Action (#1):**

AND SECONDED BY COMMISSIONER MATTHEWS,

**Action (#2):**

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF: MFSDP 17-002 AS SET FORTH IN RESOLUTION PC 17-4654, WITH MODIFICATIONS: Page 18, #L. 15.

**The construction of the parking lot for South Lake Park shall be completed to the satisfaction of the City Engineer and VWD prior to occupancy of 30% of the project (66<sup>th</sup> production unit).** The construction of the parking lot for South Lake Park as shown on the approved tentative map shall be complete to the satisfaction of the City Engineer and VWD. At the discretion of the Planning Manager, occupancy for a portion of the residential development shall be permitted if the construction of the parking lot cannot be completed within a reasonable time due to the review of the project by the United States Fish and Wildlife Service, United States Army Corps of Engineers and other regulatory agencies.; AND TSM 17-003 AS SET FORTH IN RESOLUTION PC 17-4655, WITH MODIFICATIONS: Page 18, #N. 12. **The construction of the parking lot for South Lake Park shall be completed to the satisfaction of the City Engineer and VWD prior to occupancy of 30% of the project (66<sup>th</sup> production unit).** The construction of the parking lot for South Lake Park as shown on the approved tentative map shall be complete to the satisfaction of the City Engineer and VWD. At the discretion of the Planning Manager, occupancy for a portion of the residential development shall be permitted if the construction of the parking lot cannot be completed within a reasonable time due to the review of the project by the United States Fish and Wildlife Service, United States Army Corps of Engineers and other regulatory agencies.; ADOPTION OF MITIGATED NEGATIVE DECLARATION MND 17-006; AND MODIFICATIONS AS PER STAFF MEMO DATED 11/6/17;

Brindley: Asked if motion includes revisions to Staff Report as per Staff Memo dated 11/6/17?

Kildoo: Yes.

**Action (#2):** AND SECONDED BY COMMISSIONER MATTHEWS,

Oleksy: Commented that traffic will be a lower impact with this project, so the two main issues are parking, which City is working on, and the school issue is number one. The City doesn't control the schools and can't tell them how to use money they'll get. It's unfortunate, but some kids may have to go to San Marcos Elementary. He pulled the records off the internet and in 2015, the ELA literacy showed

only 33% was proficient, and math was 20%. District-wide it's 65% and 50%. It would be a travesty to have to send your kids there. It's a failing school, an embarrassment. He's disgusted no one from the school district is present. San Marcos Middle School showed ELA at 48%, and math 29%. Indicated he's as frustrated as everyone about the school situation and encouraged them to attend school board meetings to discuss. If residents don't get what they want, they should consider charter schools as an alternative.

Unidentified audience members: Feels commission is not listening to them. It's not just the school issue.

Flodine: Acknowledged that the commission hears their issues.

Norris: Commented he sees the traffic issue because SR-78 is often a parking lot. He understands trying to build homes so kids can stay in the City, but these are condos. The site probably shouldn't have been MU-4. If approved for a change, he thinks it should be a lower number of units; he doesn't get the 8-12 du for this site. He also understands the school issue.

Minnery: Agreed with Norris, SR-78 during peak hours is a nightmare and it's a concern to add another large development near it.

Kildoo: Except that SR-78 covers four cities, lots of ramps and people commuting. The City has done more to improve it than any other city along the corridor.

Minnery: His experience is that traffic clears when you're headed west out of Vista and the problem is in San Marcos.

Norris: Added that he commutes and listens to traffic reports every day; SR-78 is always backed up.

Flodine: He thinks traffic numbers were aggressive for MU-4, but the proposal is half the ADT's of what a business park would generate. They could build 50'-100' tall and it almost becomes by-right. Currently, it could be 50' vs. 36', and about 4,000 vs. 2,000 ADT's. There was always something that was going to go there. His kids attend San Elijo schools so he understands their frustration. The site is mass graded, something will be built. He appreciates the acceleration of fees. The school has failed in planning certain pockets of the City, they missed the forecast. The Fire Department has reviewed the project, and he's been through evacuations.

Norris: Pointed out the school didn't plan for 220 units, it was MU-4.

Flodine: Added that it was zoned residential for over 20 years. He feels it's a terrible location for a business park and most would prefer being closer to SR-78.

**Action (#1):**

AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

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

**Action (#2):**

AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

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

**PLANNING MANAGER COMMENTS**

Brindley: Distributed Certificate of Recognition's from Senator Joel Anderson's office to the Commissioner's, recognizing their dedicated service to the City. (Read aloud). Reminded them that some terms are expiring and to contact City Clerk prior to deadline if interested in re-applying.

**PLANNING COMMISSIONERS COMMENTS**

Oleksy: Thanked staff. Feels they did an excellent job in providing materials and reaching out to the community.

**ADJOURNMENT**

At 9:16 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