

# MINUTES

## Regular Meeting of the Planning Commission

**MONDAY, FEBRUARY 5, 2018**

City Council Chambers

1 Civic Center Drive, San Marcos, CA 92069

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### **CALL TO ORDER**

At 6:32 p.m. Commissioner Flodine called the meeting to order.

### **PLEDGE OF ALLEGIANCE**

Led by Commissioner Musgrove.

### **SEATING OF NEW COMMISSIONERS**

**Planning Manager Brindley** welcomed new Planning Commissioner Ed Musgrove and Alternate Planning Commissioner Christopher Carroll. A copy of the Planning Commission Rules and Regulations was given to each Commissioner. The rules and regulations state the Chair can serve a maximum of four consecutive one year terms. Chair Flodine has served the maximum. The rules and regulations also state the elections do not have to occur tonight. The Commission can table the elections to a future meeting or ask staff to look at the language on the term limits. Commissioners decided to elect the Chair and Vice Chair tonight.

### **ELECTION OF CHAIRPERSON**

**COMMISSIONER MINNERY MOVED TO NOMINATE COMMISSIONER NORRIS AS CHAIRPERSON FOR 2018; SECONDED BY FLODINE AND CARRIED BY A UNANIMOUS 7-0 VOTE.**

### **ELECTION OF VICE CHAIRPERSON**

**COMMISSIONER JACOBY MOVED TO NOMINATE COMMISSIONER FLODINE AS VICE CHAIRPERSON FOR 2018; SECONDED BY CHAIRMAN NORRIS AND CARRIED BY A UNANIMOUS 7-0 VOTE.**

### **ROLL CALL**

PRESENT: COMMISSIONERS: FLODINE, JACOBY, MATTHEWS, MINNERY, MUSGROVE, NORRIS, OLEKSY

ALTERNATE COMMISSIONERS IN AUDIENCE: CARROLL, MAGEMENEAS

ALSO PRESENT: Planning Manager Karen Brindley; Deputy City Attorney Avneet Sidhu, Associate Planner Joe Farace; Senior Civil Engineer Lewis Clapp; Senior Office Specialist Sandra Gallegos.

### **ORAL COMMUNICATIONS**

None.

### **CONSENT CALENDAR**

**1. APPROVAL OF MINUTES, 12/4/17**

**COMMISSIONER MATTHEWS MOVED TO APPROVE THE CONSENT CALENDAR; SECONDED BY COMMISSIONER MINNERY AND CARRIED BY A MAJORITY VOTE WITH MUSGROVE ABSTAINING.**

## **PUBLIC HEARINGS**

**2. Project No:** P16-0005: DA16-001, TSM16-001, CUP17-004, GV17-005 (Fenton – Discovery Village North)

**Applicant:** H.G. Fenton Development Co. LLC. **Request:** This action consists of a Development Agreement (DA16-001) to rescind and terminate Development Agreement (DA91-05) associated with the adopted Scripps Heath Care Campus Specific Plan (SHCCSP) located on 80 acres on both sides of the future Discovery Street road alignment. Removal of the Development Agreement is needed in order to proceed with entitlements on the site. Entitlements include; Tentative Subdivision Map (TSM16-001) with the intent to create 12 new lots for future development on 87.46 acre site. The project site would be graded to create building pads on the north side of the future Discovery Street within the University District Specific Plan. Pending the TSM approval, in addition to building pads this site would install drainage infrastructure and build roads. A 15.5 acre portion of the site, consisting of the San Marcos Creek, will remain in open space. A Conditional Use Permit (CUP17-004) is requested to allow the operation of a temporary rock crusher and a Grading Variance (GV17-005) to allow slopes to exceed 20 feet in height. Pending review and approval under a future Site Development Plan, this site could be used for office flats, townhouse flats, freeway commercial, future park site and a potential elementary school per the adopted University District Specific Plan. Discovery Street would be constructed as part of this action from Bent Avenue to Twin Oaks Valley Road.

**Environmental Determination:** The project is within the scope of the Final Environmental Impact Report (FEIR) for the University District Specific Plan and the 2014 and 2017 Addendum to the FEIR for the University District Specific Plan (State Clearinghouse No. 2008101083) pursuant to the California Environmental Quality Act (CEQA). **Location of Property:** The project site is located directly east of Bent Avenue and north of the proposed extension of Discovery Street, more particularly described as All or Portions of Lots 1 and 2 of Block 67, and Lots 8, 9, 10, 11, 12 and 13 of Block 63 of Rancho Los Vallecitos De San Marcos, according to Map Thereof 806 and Parcel A of Map No. 16595. Assessor Parcel Numbers: 221-080-18, 221-080-24, 221-080-19, 221-080-11, 221-070-20, 221-142-07, 221-080-23, 221-080-12, 221-070-19-00.

**Principal Planner Farace** presented the staff report.

**Dave Gatzke, H.G. Fenton Development Co. LLC, representative for Applicant** provided a presentation. Discovery Village is a linked set of proposals to create an integrated master plan for the site encompassing two specific plans. The Discovery Village North realizes the vision of the approved University District Specific Plan and Discovery Village South offers a significantly less intense land use on the south half of the property more compatible with the existing development. Discovery Village will provide critically needed infrastructure and immediate traffic relief by finally completing the extension of Discovery Street. The project will also provide impact fees for schools, roads, parks, SR 78 interchanges and ongoing operations within the city while also providing access to a designated school site. The entire site will be graded simultaneously so that Discovery Street can be advanced. Over 15 acres are dedicated to open space habitat mitigation that transitions and is adjacent to the City's creek restoration project. Also included are bikes and trail connections, parks and portion of the school site. No specific developments are being proposed for Discovery Village North at this time.

**Commissioner Musgrove** disclosed that on January 30<sup>th</sup> he met with Dave Gatzke, Rick Gittings of Hilltop Group and Rob Fury of Groundwork Real Estate Development to go over the general plan which was less detailed than what was presented tonight. With the set aside for the school, he asked if there any room for maneuvering that property to afford more available property on that site for the school if they decided to build.

**Dave Gatzke** replied there is the possibility of reworking the site to find more land available for them to purchase and they have been in discussions with the school district and let them know of a willingness to negotiate on that.

## PUBLIC HEARING OPENED

**Scott Stark**, resident, stated he is having difficulty understanding Discovery Road and how that is going to be worked out. He sees the road going through future Discovery Street and it cuts off and doesn't show it hooking up to Discovery near Ralph's. He is also concerned that Echo Lane might be used as a thru-way.

**Senior Civil Engineer Clapp** stated there is a portion off site that does connect all the way to Twin Oaks Valley Road that is two lanes in each direction. There will be some modifications to the intersection but the extension does go from Bent all the way to Twin Oaks.

**Chris Roesink**, represents a major global manufacturer based in San Marcos, spoke in favor of the project. The biggest advantage they see with the linkage of Discovery Street is that it will improve some circulation north of their facility and give some alternate routes in from the north.

**Julie Robson**, resident, stated this project is an example of a developer delivering a well thought out responsible project which many developers have done in San Marcos.

**Alan Jones**, resident, spoke about the housing crisis in San Diego County. He is in favor of this project.

## PUBLIC HEARING CLOSED

**Commissioner Musgrove** regarding the realignment of Discovery and potential widening, he asked if there is an outline of how that would look from south Twin Oaks now to where it's currently 90 degrees to the south; would there be any major improvements to that area or would it remain as is and just continue to the west.

**Senior Civil Engineer Clapp** responded that the Tentative Map shows a section of about 118 feet from Twin Oaks to Rush moving west and then from Rush to the new intersection at Bent Avenue it is about 105 or 108 feet. It is essentially four lanes total (two lanes in each direction), a median and some buffered bike lanes.

**Commissioner Musgrove** said the intersection then realigns with Discovery and Twin Oaks to conform to a more traditional without the transitional right hand turns northwest southeast.

**Senior Civil Engineer Clapp** replied that is correct. The three right turn lanes on the west side of that intersection would be reconfigured.

**Planning Manager Brindley** responded to the question from Scott Stark about Echo Lane and said there is no plan for a connection to go from Echo Lane into this project.

## PUBLIC HEARING RE-OPENED

**Christopher Carroll**, resident, asked if there is a Community Facility District being formed. There is no identified source of funding for a school site as proposed by the applicant.

**Planning Manager Brindley** replied that at this point and time the proposal for the Tentative Subdivision Map does identify a four acre pad for a potential school site. It is between the school district and the private property owners of this project site as well as the adjacent site whether or not the acquisition would move forward. The obligation for this proposed development is essentially to pay school fees in accordance with state law. That basically fulfills the obligation as required by the government code for school district facility requirements.

**Patrick Walter**, resident, found out about this hearing at 6:00 today through Facebook. He spoke about a recent school board meeting he attended. In three years the school district is going to be facing a major deficit and for them to look at a new school site for an elementary which is desperately needed, they will not have the money for it. He also spoke about the high schools being at capacity. He stated the project proposes a lot of residential and there is going to be a lot more traffic per unit. He lives within a half mile radius of the project.

## **PUBLIC HEARING CLOSED**

**Dave Gatzke** stated they are in communication with the school district and certainly committed to a quality school experience for residents. CFDs are typically formed a little later in the process. They will not have a finalized approved land use until the City Council's action on this item. The expense of doing the engineer study and involving all the lawyers to determine the CFD is a little bit premature but it is certainly an option they will consider and discuss with the school district. He stated that a CFD is not the only funding mechanism and explained other funding options.

**Chairman Norris** stated there was a comment about the notification for this project.

**Planning Manager Brindley** explained there are a number of public notification obligations per the city's municipal code and all of those were fulfilled. Public notices were mailed to owners and occupants within 500 feet of the project, the notice was published in the newspaper 10 days in advance, and a public notice sign was posted at the site.

**Deputy City Attorney Sidhu** recommended there be a separate motion for the Termination of the Development Agreement.

**Chairman Norris** said there would be two motions. One for the Termination of the Development Agreement and the second motion for the adoption of the Tentative Subdivision, Conditional Use Permit, and Grading Variance.

MOTION # 1:

**COMMISSIONER FLODINE MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF TERMINATION OF DEVELOPMENT AGREEMENT (DA16-001) AS SET FORTH IN RESOLUTION PC17-4649; SECONDED BY COMMISSIONER MUSGROVE AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:**

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

MOTION #2:

**COMMISSIONER FLODINE MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF TSM16-001 AS SET FORTH IN RESOLUTION PC17-4639; CUP17-004 AS SET FORTH IN RESOLUTION PC17-4640; GV17-005 AS SET FORTH IN RESOLUTION PC17-4641; STAFF MEMO DATED 2/5/18; AND THE NECESSARY CEQA DOCUMENTATION. SECONDED BY COMMISSIONER JACOBY AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:**

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

**3. Project No:** P16-0037: GPA17-003, SPA16-002, TSM16-003, SDP17-006, GV17-004, MND16-001 (Fenton – Discovery Village South). **Applicant:** H.G. Fenton Development Co LLC. **Request:** Planning Commission recommendation to the City Council to construct up to a maximum of 220 condominium single-family homes on 39 acres within the Scripps Health Care Campus Specific Plan, proposed as Discovery Village South. A General Plan Amendment (GPA 17-003) is required to change the land use from Scripps Health Care Campus Specific Plan to Discovery Village South Specific Plan. A Specific Plan (SP 16-002) and Site Development Plan (SDP 17-006) would be required to establish the development design standards; a Tentative Subdivision Map (TSM 16-003) would be required to establish up to 220 residential condominium lots; and a Grading Variance (GV 17-004) would be required to allow slopes to exceed 20 feet in height. Under the proposed Discovery Village South Specific Plan, the proposed residential development introduces two housing product types. “Type A” is a compact single-family detached home with two stories (35-foot maximum height). “Type B” is a single-family detached home, designed in a motor court configuration with two-stories (35-foot maximum height). The project site would be accessed by two street connections to Discovery Street, an un-built section of the City’s Mobility Element, which would be constructed concurrent with the grading of the proposed project. The extension of Discovery Street was previously approved for development (with a certified Environmental Impact Report (EIR)) under the University District Specific Plan Area, as a part of the Discovery Village North Project (immediately north of the proposed project site). The proposed homes would not be completed until a large portion of the Discovery Street extension is completed. Other uses proposed within the project site include natural open space, recreational space, community amenity space, and associated circulation, which would be dispersed throughout the community. A homeowners’ association (HOA) would maintain these common recreational areas, and proposed private streets. **Environmental Determination:** A Mitigated Negative Declaration (MND16-001) was prepared for this project and circulated for public review pursuant to the California Environmental Quality Act (CEQA). **Location of Property:** The project site is located directly southeast of Bent Avenue and the proposed extension of Discovery Street; it is bounded on the west by Craven Road, the south by the Discovery Meadows development, and to the southeast by the Kaiser Permanente Medical Center, more particularly described as All or Portions Of Lots 1 and 2 of Block 67, and Lots 8, 9, 10, 11, 12 and 13 of Block 63 of Rancho Los Vallecitos De San Marcos, according to Map Thereof 806 and Parcel A of Map No. 16595. Assessor Parcel Numbers: 221-080-18, 221-080-24, 221-080-19, 221-080-11, 221-070-20, 221-142-07, 221-080-23, 221-080-12, 221-070-19-00.

**Principal Planner Joseph Farace** presented the staff report.

**Dave Gatzke, H.G. Fenton Development Co. LLC, representative for Applicant** provided a presentation. He reviewed the proposal planned for Discovery Village South and also talked about the future school site, traffic relief, compatible development, enhanced open space, the rock crusher being located away from homes, certainty and environmental benefits.

**Commissioner Oleksy** said there was a mention of payment of a fair share that would contribute to the cost of the extension of Grand to Discovery Street. He asked if staff have any estimates on what percentage of the total of that project this would cover.

**Senior Civil Engineer Clapp** replied they have been in discussions with the developer about that. Part of the calculation for the fair share will depend on the creek district and other projects. The fair share would be required prior to the building permits being issued.

**Commissioner Matthews** asked about the construction timeline.

**Dave Gatzke** indicated that in a best case scenario they are at least 2 to 3 years away from initiating home construction. He noted that Discovery will be installed and opened before any of the homes or buildings in the project can be occupied.

**Commissioner Matthews** disclosed she took advantage of the on-site visit provided by the applicant. She noted there is no plan for low income housing.

**Dave Gatzke** stated that the City has a fee to support the construction of affordable housing. When those funds are pulled and then loaned to a project by the City, there is an opportunity to leverage federal tax credits on other funding sources. So it can be a way that more affordable housing can be created as a result by paying essentially a fee instead of providing affordable housing.

**Commissioner Musgrove** asked if there is a plan to install solar.

**Dave Gatzke** replied that some developments will be solar and all will be plumbed to be solar ready.

**Commissioner Jacoby** asked about the rate of multi-family dwellings vs parking facilities.

**Dave Gatzke** stated that Discovery Village South is single family detached. Each home will have a two car enclosed garage, a two car driveway for additional parking and guest parking will be provided on the street. The Specific Plan requires one space for every three homes although the proposed site development permitting exceeds that minimum requirement.

## **PUBLIC HEARING OPENED**

**Scott Stark**, resident, stated that the presentation cleared up a lot of concerns he had. He asked when the rock crusher plant will be dismantled. Also, the presentation mentioned a maximum of 220 homes but then he saw 230. He is hoping 230 was the original plan and they are now set on a maximum of 220.

**Chris Roesink**, represents a major global manufacturer based in San Marcos, spoke in favor of the project and stated this is a good use of responsible housing that they as a growing company need for their workforce.

**Alan Jones**, resident, stated this project fits the neighborhood character and is vital for housing in San Diego County.

**Chris Carroll**, resident, asked if the motor court homes will have driveways where the residents can park. He also asked staff if in the future they can provide the developer fees that get paid as part of the building permit process; he wasn't able to find that information for this project in the packet.

**Dave Gatzke** stated he does not have a specific time on when the rock crusher will be dismantled. The rock crusher will be located away from homes, protected by berms and operated only during certain hours in accordance with city ordinances.

**Chairman Norris** asked if there can be notification to those within 500 feet of the project prior to the operation of the rock crusher.

**Planning Manager Brindley** indicated that typically if there is any blasting that is required in accordance to prepare the material so that it can be crushed there is a section in the municipal code that does require notification. There is a full laundry list of requirements that the developer is required to comply with and the Building Division does enforce those requirements.

**Dave Gatzke** regarding the question about 230 vs 220 homes, in accordance with the Specific Plan all that this design was able to fit on the site was 220 homes and unless the site development permit is amended 220 homes will be what is constructed.

**Commissioner Jacoby** asked if there is any allowance for handicap access.

**Dave Gatzke** indicated that all of the public improvements will be built in compliance with the Americans with Disabilities Act which provides certain provisions for parking, sidewalks, public access and access to the homes. Regarding the question from Chris Carroll about the driveways, the motor court homes do have two full driveway spaces in front of the garage and there is an expectation that the residents will park in the garage. One of the conditions of approval of the site development permit is that CC&R language be created that requires the home owners association to monitor and enforce garage parking and it goes even further because of concerns and issues brought up previously that allows the City the right but not the obligation to take enforcement action if the HOA does not.

**Chairman Norris** pointed out that in the civil drawings the main streets show bike lanes on either side of the streets but on the smaller streets inside the development it does not designate bike lanes. He also asked if the streets would be marked with sharrows.

**Diego Velasco**, project planner with MW Steel, indicated there is a bike path on the loop that is internal to the site. It is separated from the street by a planting strip and it goes the continuous length of the internal loop road.

**Dave Gatzke** stated those are low traffic volume residential streets and he hasn't seen sharrows in that application but it was something they could consider.

**Chairman Norris** asked about EV charging.

**Dave Gatzke** stated the intent would be to have the EV charging in the garage. Guests would have to make arrangements with the individual homeowner they are visiting to swap out for garage space.

**Chairman Norris** indicated that code says that when you create x amount of spaces you have to install the infrastructure. This will be discussed further when they apply for their permit.

**Chairman Norris** is concerned people may cut through the north lot to get to their destination rather than taking the roads around. He asked if there is any thought to making some type of pathway for people accessing through that lot.

**Dave Gatzke** stated that the timing of development is uncertain. The property owner will keep the property safe and secure during the interim position. There are future trails per the University District Plan that are to be integrated with that future development and so those will be built at the time of development. For the interim condition it is not the intent or desire to invite public access but the public will have access along Discovery Street.

**Commissioner Flodine** stated that this project proposes the same number of residential units as the Brookfield MU4 project. He was surprised that the group of residents that opposed the Brookfield project are not here tonight. He thinks it's because where this site is located is 500 feet. The public hearing notice is 500 feet. People that got up and spoke so aggressively against the other project are not here tonight because the 500 feet kept the project on the north side of Craven and there is just this one pocket of residential. The issue with that project and the issue with this one are the schools. He thanked Scripps and Fenton for solving a major infrastructure hurdle that they have in the city with the extension of Discovery. He stated the Specific Plan amendment is a complete wholesale change from nonresidential to residential. He would have preferred to have seen a specific plan amendment that had some nonresidential uses remaining. The projects together are helping the school's situation because they haven't proposed any sort of amendment to the University District Specific Plan which locates a school site on the portion of the north. But that's not guaranteed nor is it a gift; the school district has to purchase that from them. The amount of additional residential units that are proposed with Discovery Village South is just fresh on the heels of the other project and the schools are impacted; because of that, he is not in favor of the current proposal.

**COMMISSIONER MATTHEWS MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF GPA17-003 AND MITIGATED NEGATIVE DECLARATION 16-001 AS SET FORTH IN RESOLUTION PC17-4642; SPA16-002 AS SET FORTH IN RESOLUTION PC17-4643; TSM16-003 AS SET FORTH IN RESOLUTION PC17-4644; SDP17-006 AS SET FORTH IN PC17-4646; GV17-004 AS SET FORTH IN RESOLUTION PC17-4645; AND STAFF MEMO DATED 2/5/18. SECONDED BY COMMISSIONER OLEKSY AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:**

AYES:	COMMISSIONERS:	JACOBY, MATTHEWS, MINNERY, MUSGROVE, NORRIS, OLEKSY
NOES:	COMMISSIONERS:	FLODINE

ABSENT: COMMISSIONERS: NONE  
ABSTAIN: COMMISSIONERS: NONE

## **PLANNING MANAGER COMMENTS**

Planning Manager Brindley congratulated the new commissioners as they have been seated. She also congratulated Commissioner Flodine on his Vice Chair election and Commissioner Norris on his Chair election. She acknowledged staff's efforts for this project. Principal Planner Garth Koller retired mid-stream on this project and Principal Planner Farace picked up the project and was able to get a good understanding of the project and complete the Planning Commission packet materials. She recognized Senior Civil Engineer Clapp on his efforts for this project as well.

## **PLANNING COMMISSIONERS COMMENTS**

None.

## **ADJOURNMENT**

Chairman Norris adjourned the meeting at 8:45 p.m.

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KEVIN NORRIS, CHAIRMAN  
CITY OF SAN MARCOS PLANNING COMMISSION

ATTEST:

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SANDRA GALLEGOS, SENIOR OFFICE SPECIALIST  
CITY OF SAN MARCOS PLANNING COMMISSION