

PLANNING COMMISSION

Meeting Date: 03-05-18

ADDITIONAL ITEM ADDED AFTER DISTRIBUTION OF PACKET (# 5)

AGENDA ITEM # 3

Applicant/Project Name: ColRich / Murai Specific Plan

Project #: P15-0068

Brief Description: Staff Memo dated 3-5-18 re: Modifications to Resolution
PC18-4693.

Date 03/05/18

Time 5:30 pm

MEMORANDUM

TO: Planning Commission

FROM: Planning Division

DATE: March 5, 2018

SUBJECT: Planning Commission Meeting March 5, 2018
Agenda Item #3 (Murai Specific Plan)

Modifications to Resolution

Site Development Plan 16-002, Resolution PC 18-4693

Page 24, Condition L24:

The project design shall incorporate on-site photovoltaic solar panels to provide 85% of the total annual power demand of the project. An energy audit or similar report shall be submitted for the project to demonstrate the project's annual energy demand and to show 85% of the annual power demand will be provided by on-site photovoltaic solar panels. **Participation in supplemental alternative programs may be allowed if it is demonstrated that 85% of the annual power demand cannot be supplied through on-site design measures. Said alternative programs shall be subject to approval by the Planning Manager.**

Page 26, Condition L27k:

The water supply system for all fire hydrants ~~shall be looped throughout the development~~ **shall be designed to the satisfaction of the Fire Marshal.** ~~Dead-end hydrants are not allowed.~~ The applicant/developer shall obtain a letter from VWD stating the project will be serviced and adequate fire flow per the Fire Department's requirements can be provided for all hydrants in the project.

Public Comment

After distribution of the packet to the Commission, staff received following correspondence from the members of public. Please see correspondence and staff's references to the EIR related to the issues discussed in the letters:

1. Ms Sandra Farrell – Two letters were received on March 2, 2018 from Ms. Farrell. The letters were transmitted to the Commission electronically and a hard copy is provided tonight.

Reference to comment Letter dated October, 2016: The same comment letter was received by the City in October, 2017 and is included in the EIR as Letter Number 16. Response to each comment is provided on pages 0.3-152 through 0.3-163. Several text lines in the letter submitted in October, 2017 were highlighted and were not legible. The hand delivered letter, submitted to the City on March 2, 2018, has the same lines highlighted, but they are now legible.

The second set of letters submitted is related to progress of the City's Subarea Plan. This is addressed in the EIR in Section 3.3 – Biological Resources, on page 3.3-13. It is also included in Response to Comments section on page 0.3-98 (Response to Letter #11) and page 0.3-158 (Response to Letter #16). As noted in the EIR, the City of San Marcos began preparing a draft of the City Subarea Plan of the MHCP in December 1999 and although the Subarea Plan has not yet been approved by the USFWS and CDFW, the plan is a component of the adopted MHCP, and is currently being used as a guide for open space design and preservation within the City. The intent of the City's Subarea Plan is to identify a citywide preserve system that meets local and regional biological goals while minimizing fiscal and economic impacts to the City and adverse impacts on private property owners (EIR, Page 0.3-98 and page 3.3-13).

2. Ms. Joan Herskowitz – An email was received from Ms. Herskowitz. The email was transmitted to the Commission electronically and a hard copy is provided tonight.

A biological resources report was prepared for the project (Everett & Associates 2017) which is attached to the EIR as Appendix E.1. The biological resources report was also summarized in Section 3.3 (Biological Resources) of the Draft EIR. The biological resources analysis included an assessment of wildlife movement (pages 3.3-22 and 3.3-23). The EIR analysis describes that the only wildlife corridor on the site is the drainage of Agua Hedionda Creek and the creek will be preserved within a biological conservation area. The northern movements area described in this comment would be a habitat linkage and the EIR also describes this preserved CSS habitat linkage in the northern portion of the site which will connect the site with similar habitat in the San Marcos Highlands project to the east.

The Draft EIR notes that indirect impact to habitat linkages and wildlife corridors could occur from edge effects, including intrusion by domestic animals and unauthorized people and spill over lighting, and requires implementation of mitigation measures MM-BIO-5a through MM-BIO-5d to reduce this indirect impact to below a level of significance. MM-BIO-5a would require the Homeowner's Association (HOA) to implement covenants, conditions, and restrictions (CC&Rs) to regulate property usage, including maintenance of on-site restored habitats, indoor cat policy, and protection of adjacent natural areas of the on-site preserve and the creek. MM-BIO-5b requires

implementation of a program of education developed by the American Society for the Prevention of Cruelty to Animals, cat control, and habitat fencing with no gates between the development and the open space, along the backyards of residential lots adjacent to the planned open space. These requirements would be identified in the CC&Rs. MM-BIO-5c restricts the use of invasive exotic plant species in landscaped areas adjacent to or near sensitive vegetation communities. MM-BIO-5d requires all night lighting within the proposed development area, including streets and backyards, be directed away from the habitat areas, including Agua Hedionda Creek, the stepping stone linkage along the project's northern boundary, and the preserved open space east of the development. Project approval requires project design features, such as fencing of back yards along the habitat linkage, to help minimize impacts (EIR, Page 3.3-30).

The EIR states that the project does not preclude the use of SDCWA aqueduct easement as a stepping stone linkage. Both the on-site wildlife corridor (Agua Hedionda Creek) and the on-site habitat linkage (SDCWA aqueduct easement) will be maintained by an approved wildlife manager (EIR, Page 3.3-25).

The Reduce Project Alternative is analyzed in Section 4.3.5 of the EIR.

3. Ms. Jillcene Bachman – An email was received from Ms. Bachman. A hard copy of the email is provided to the Commission tonight.

Ms. Bachman's letter on the Draft EIR is included as Letter #13 in the Final EIR response to comments. The complete comment letter and detailed responses are included on pages 0.3-105 through 0.3-114 of the Final EIR.