



MINUTES

Regular Meeting of the Planning Commission

MONDAY, NOVEMBER 18, 2019

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

CALL TO ORDER

At 6:30 p.m. Planning Commission Chair Norris called the meeting to order.

PLEDGE OF ALLEGIANCE

Commissioner Crain led the Pledge of Allegiance to the Flag.

ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: NUTTALL, MATTHEWS, OLEKSY, NORRIS, FLODINE, CRAIN, CARROLL

ALTERNATE COMMISSIONERS IN AUDIENCE: NONE

ABSENT: MUSGROVE

Also present were: Planning Manager Joe Farace; Planning Manager Karen Brindley, Deputy City Attorney Avneet Sidhu; Principal Engineer Stephanie Kellar; Senior Office Specialist Gina Henderson

ORAL AND WRITTEN COMMUNICATIONS

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES, 10/09/19

PC AGENDA ITEM #1

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Action:

COMMISSIONER CARROLL MOVED TO APPROVE CONSENT CALENDAR ITEM #1 AS PRESENTED WITH SPELLING CORRECTION ON PAGE 9; SECONDED BY COMMISSIONER CRAIN. MOTION CARRIED BY THE FOLLOWING ELECTRONIC VOTE.

AYES: COMMISSIONERS: NUTTALL, OLEKSY, NORRIS, FLODINE, CRAIN, CARROLL
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: MUSGROVE,
ABSTAIN: COMMISSIONERS: MATTHEWS

2. TA19-0003

Applicant: City of San Marcos

Request: The Amendment of San Marcos Municipal Code (Sections 20.425.060 and Table 20.230-2) to allow limited accessory entertainment in Tasting Rooms (breweries, wineries, distilleries, etc.)

Environmental Determination: The project is categorically exempt from the California Environmental Quality Act (CEQA), in accordance with Section 15378 of the CEQA Guidelines because there is no potential to result in a physical change to the environment.

Location of Property: City Wide

Karen Brindley, Planning Manager: Presented PowerPoint presentation and staff report. The City currently allows microbrewery/tasting rooms by right in the Light Industrial (L-I), Industrial (I), and Heavy Industrial (I-2) zones. Tasting rooms are an accessory use to the beer manufacturing that occurs on site, where the sale and sampling of beer produced on site is allowed and the size of the tasting room cannot exceed fifty percent (50%) of the building area. During the last comprehensive update to the Zoning Ordinance in 2012, the City wanted to encourage the microbrewery industry within San Marcos and modified the code to explicitly allow microbreweries with tasting rooms by right in industrial zones to minimize regulation and encourage this component of economic growth within the community. Distilleries, meaderies, and hard cider production were uncommon on 2012, so these types of alcohol production/manufacturing were not defined or assigned land use permissions in the Zoning Ordinance. It was also uncommon for wineries/tasting rooms in San Marcos to be located outside of the Agricultural/Estate Residential zones, whereas today wine production/manufacturing (with tasting rooms) also occurs in the industrial zones. Due to the ongoing evolution of the types of businesses that manufacture/produce alcohol products, staff has interpreted that wineries, meaderies, distilleries, and hard cider production have the same land use permissions within the industrial zones, since the uses involve the manufacturing of product and have similar land use characteristics as microbreweries. The existing Zoning Ordinance does not recognize that entertainment would be allowed as an accessory use within tasting rooms. This proposal will allow for accessory entertainment within tasting rooms with operational standards. Many businesses that operate want to provide additional components/experiences for their customers, including tasting the manufactured product and providing background ambiance in the form of entertainment. The San Marcos Chamber of Commerce approached the City earlier this year and requested the City evaluate the potential of allowing limited accessory entertainment within tasting rooms. Although many jurisdictions require some level of use permit for the microbrewery and/or

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entertainment component, the City has determined that microbreweries are compatible with industrial uses and as such have been allowed by right. Staff has structured the proposed parameters of allowing limited live entertainment within tasting rooms to be consistent with the philosophy of encouraging business growth in the City while establishing operating standards that will mitigate potential impacts to surrounding businesses and residential areas. This includes allowing entertainment which is limited to acoustical performances to occur inside the tasting room/brewery building (i.e., entertainment is not allowed on the patio). It also includes limiting entertainment to Thursday, Friday, and Saturday up to 10:00 PM. As such any potential noise impacts would be reduced to a level below significance. By limiting entertainment to the weekend days this will ensure entertainment remains as an accessory use rather than becoming the primary land use. Staff does not anticipate negative impacts to occur with this regulatory scheme in place.

Planning Commissioner discussions included: Will tasting rooms in Residential/Commercial district, such as Lost Abbey in San Elijo be affected by the change; noticed that the use of a promoter charging a cover charge at the tasting room is prohibited, will they still be able to advertise the entertainment; will there be inspections to ensure the tasting rooms are complying with the ordinance or are we relying on citizen complaints; clarify acoustic performance with a microphone; concerns that someone with a sound system that plays acoustic will be allowed; appreciate City staff working with the San Marcos Chamber of Commerce and the City's local tasting rooms to eliminate barriers and find solutions; this is a good move for our City to be competitive; concern that when you have entertainment while consuming alcohol you tend to linger a little longer and maybe have more alcohol, is there any way to encourage these microbreweries, etc. to have some food to help offset the alcohol consumption; pertaining to Section 20.425.060.D in the second paragraph it indicates Friday, Saturday, and Sunday and you mentioned in your presentation Thursday, Friday, and Saturday, what is the correct text that we will be voting on; clarification on acoustic entertainment, can Legal staff weigh in if an electric keyboard is an amplified music source; why not set a noise limit as opposed to the type of instrument; will this be regulated through a Director's Permit and is there a time frame on that; what happens after the permit is signed off by the Director and there are issues that come up.

Karen Brindley, Planning Manager: The location in San Elijo Hills was regulated by the Specific Plan and this specific Text Amendment is only affecting Industrial Zones. Businesses can advertise their event. The restriction is to ensure the entertainment does not become a concert venue. We would rely upon complaints from the public. The City does not proactively enforce the provisions of the Municipal Code. Most of our Code Enforcement is complaint driven. Acoustic performance is not amplified music. It's understood that an acoustic performance would have a microphone to project the sound. The distinction is that it will be ambiance sound versus a full live amplified performance. We can encourage it, but a part of the future Code update we will be reviewing the potential of having food available at microbreweries and tasting rooms. Staff does recognize it is relative to have food options available to the customers as well. The correct text is for acoustical entertainment is Thursday, Friday, and Saturday. Initially there was a recommendation from staff to do Friday, Saturday, and Sunday. However in discussion with the Chamber as well as some of the business operators Sunday is fairly a slow night and a tendency to shut down other operations by 6 PM. It was requested that instead of Sunday to change to Thursday to allow the three day parameter. The intent here is to allow for acoustical performances and it is difficult for staff to measure

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noise. There is a limit that is identified in the ordinance. It is difficult to have a noise meter and try to go out there and enforce it. The overall intent is to ensure opportunities to have live entertainment but to have it not amplified to where it becomes a potential issue for the surrounding land uses or adjacent suite. Instead of having to go through an Entertainment License procedure, the operational standards will be embedded in the Director's Permit and any potential enforcement action is a process through Code Enforcement where City staff initiates contact and will work with that business owner to get them back in to compliance. If it escalates into additional Code Enforcement activity there is a route for that as well.

Aveneet Sidhu, Deputy City Attorney: I'm not that familiar with music. The question should be whether it meets the goal of the ordinance which is to not exceed a noise level that becomes excessive. But as to whether a keyboard is an acoustic instrument, I do not know the answer to that.

Action:

COMMISSIONER FLODINE MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL CONSENT CALENDAR ITEM #2 TA19-0003; SECONDED BY COMMISSIONER OLEKSY. MOTION CARRIED BY THE FOLLOWING ELECTRONIC VOTE.

AYES:	COMMISSIONERS: NUTTALL, MATTHEWS, OLEKSY, NORRIS, FLODINE, CRAIN, CARROLL
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: MUSGROVE
ABSTAIN:	COMMISSIONERS: NONE

PUBLIC HEARINGS

3. Project No: FEIR19-001, GPA18-0004, SP18-0003, SP18-0005, TSM18-0003, MFSDP18-0003, CUP18-0007, GV18-0002.

Applicant: KB Home Coastal

Request: Request for 67 two and three bedroom multi-family condominium units, distributed in nine different buildings on a 3.7-acre site, which would include 160 total parking spaces and common open space area for passive recreational use by residents. The project would be accessible via a new driveway located on Woodward Street and from an existing driveway connected with the neighboring Mission 316 East development off East Mission Road. The project proposes a General Plan Amendment and Specific Plan Amendments to change the land use designation under the existing Heart of the City Specific Plan from Commercial to Multifamily Residential by adding the 3.7-acre site to the adjacent Mission 316 Specific Planning Area.

Environmental Determination: Environmental Impact Report (FEIR19-0001) was prepared pursuant to the California Environmental Quality Act (CEQA).

Location of Property: 260 East Mission Road (Northwest corner of Woodward Street and East Mission Road).

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Assessor's Parcel Number: 220-210-50-00

Joe Farace, Planning Manager: Presented Staff Report and PowerPoint presentation. The project proposes a 67-unit multifamily condominium project on a 3.7-acre property located at 260 East Mission Road. The project site is currently a combination of undisturbed south facing hillside with diverse terrain including several large granite rock outcrops on portions of the project site situated approximately 20 feet above East Mission Road. The site is located within the Heart of the City Specific Plan and Richmar Specific Plan areas. Adjacent to the site to the north is a vacant parcel designated for single-family residential in the Heart of the City Specific Plan, west is Woodward Street with a vacant parcel designated commercial within the Heart of the City Specific Plan, east is the existing multifamily development within the Mission 316 Specific Plan, and to the south is the San Marcos Civic Center and the Sprinter transit station across East Mission Road from the project site. The proposed project is intended to complement and be consistent with the existing Mission 316 multifamily residential development located east of the project site. The project site would be accessed via a shared driveway on East Mission Road on a second off-site access driveway from Woodward Street. Guest parking is proposed along the north site boundary. A soil-nail type wall ranging in height from 20 to 38 feet, similar in appearance and design to the adjacent Mission 316 project runs parallel to the north property line behind the residential project and screened from East Mission Road. Additional retaining walls are located along the East Mission Road and Woodward Street frontages. A public workshop was held on February 27, 2019 in conjunction with release of the Notice of Preparation for the Draft Environmental Impact Report and public scoping meeting. No members of the public attended the public workshop. The project applicant is requesting approval of a General Plan Amendment, Specific Plan Amendments, Tentative Subdivision Map, Multifamily Site Development Plan, Conditional use Permit, Grading Variance and preparation of an Environmental Impact Report to develop the project site. The site is currently undeveloped and would involve grading to create an approximately 3.1-acre development footprint with common areas and open space for 67 market-rate, two and three-bedroom multifamily residential units. The 67 residential units would provide for a density of approximately 18 dwelling units per acre. The site is also designated Richmar Specific Plan. The designation was placed on the site as part of the 2012 General Plan Update. However, no implementing specific plan document has ever been adopted; therefore, there are no land use designations associated with the Richmar Specific Plan. Consistent with the objectives of the Mission 316 Specific Plan, the proposed project would provide for new higher density residential development in close proximity to transit, civic uses, and employment opportunities. The project site will be regulated under the Mission 316 Specific Plan which allows for multifamily residential development. The project proposes three building floor plan types with floor plan sizes ranging from 1,104 square feet to 1,646 square feet. The proposed attached housing type will provide needed housing at a compatible density range and will contribute to meeting the housing demand of the community. The project proposes a Specific Plan Amendment to the Heart of the City Specific Plan. The General Plan and zoning designate the project site as Specific Plan Area (SPA) under the Heart of the City Specific Plan with a land use designation of Commercial. The Specific Plan Amendment will add the 3.7-acre project site to the Mission 316 Specific Plan Area, which is already within the boundaries of the larger Heart of the City Specific Plan area. The Heart of the City Specific Plan will include text changes to update Table 1 – Land Use Statistical Summary to reflect the reduction of commercial acreage within the Specific Plan Area and to

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show the additional 67 units as part of the Mission 316 Specific Plan. Figure 2 – Land Use Plan will also be updated to show the new boundaries of the Mission 316 Specific Plan. The existing Mission 316 Specific Plan test will be comprehensively amended to reflect the addition of 3.7-acres and 67 multifamily units to the boundaries of the existing 8.98-acre Specific Plan consisting of 93 multifamily residential units. The project site consists of a 3.7-acre parcel which is proposed to be subdivided to create 67 for sale condominiums, drive aisles, provisions for two water quality detention basins, open space and recreation lots. Under the Multifamily Site Development Plan, the project design is reviewed for compliance with the development standards of Mission 316 Specific Plan and other regulatory provisions. The Site Development Plan will address the design of 67 multi-family residential units, associated common open space and residential amenities, and the plotting of floor plans and elevations within the project site. The proposed units will have direct pedestrian access to Woodward Street with a pathway along a portion of the entry driveway. Existing sidewalks are provided on Woodward Street and East Mission Road, with internal pathways above the frontage walls providing east/west access through the site. The project includes 250 square feet of private first floor patio space for the endcap units, which incorporate ground floor living, and 50 square feet of private balcony space for units which do not contain ground floor living space. The project also includes Homeowner Association (HOA) maintained recreational amenities area in the center portion of the site. These amenities include a 645 square foot playground area, 1,905 square foot open turf play area, bocce ball court and a covered picnic area with barbeque grill built into a counter. Two fenced tot lots are located on the north side of the access driveway as well as a dog park area. The proposed project and the existing Mission 316 project will have separate Home Owner Associations (HOAs), and the recreational amenities on each project site will not be shared. Landscaping throughout the project will consist of a mixture of trees, shrubs, and ground cover to enhance the proposed buildings and screen walls consistent with the requirements of the Mission 316 Specific Plan. The Mission 316 Specific Plan parking requirements are consistent with the City Parking Ordinance (SMMC Ch. 20.340) which requires off-street parking to be provided at a ratio of two (2) spaces per unit, plus one (1) space for every three (3) units for guest parking. Garages will be prewired for electric vehicle charging infrastructure. Two additional electric vehicle charging stations will be located within the guest parking area. Garages will also include a window to allow HOA enforcement of garage parking requirements. As part of the grading operations, the developer anticipates the need to rely on a temporary portable rock crusher associated with grading operations on the site. The Grading Variance is to allow vertical manufactured slopes with retaining walls exceeding 20 feet in height. The grading variance would apply to the soil-nail wall located along the northern development boundary which has a maximum height of 38 feet. In accordance with the California Environmental Quality Act (CEQA), a Draft Environmental Impact Report (DEIR) was prepared for the proposed project.

Jason Greminger, CCI – Applicant representative: A quick overview of the Mission 316 West project as Mr. Farace did a great job detailing the project. The project is a 3.7-acre extension of the Mission 316 Specific Plan to the east adding 67 condominium units on the corner of Woodward and Mission. There are two access entries, right turn only on Mission and a full turn access on Woodward. The complex provides recreation and a total of 160 parking spaces, with two EV spaces. The complex is plumbed for EV parking in the garages. There are 37 planned one dwelling units that are 1,100 square feet, 2-bedroom, 1 ½ bath units; 17 plan twos that are 3-bedroom, 2 ½ bath units that are 1339 square feet; and the 13 plan three units are 1646 square feet, 3-bedroom, 2 ½ bath units. The barbeque station will have an electric barbeque instead

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of gas. The project provides attractive housing for the City of San Marcos as the site has been vacant for quite a long time, and provide much needed housing to the City of San Marcos. This is attainable housing which is good for first time homebuyers who want to stay, live and work in the community. The project will blend with the surrounding community. We did a lot of work to try and make this blend with the existing Mission 316 project. This concludes my presentation and I'm open to questions as our whole consulting team is here.

PUBLIC COMMENTS

Julia Widman – resident of San Marcos: My husband and I have lived in San Marcos for 32 years; we also have an adult daughter who uses a wheelchair due to physical abilities. She moved out to attend San Diego state and I convinced her to move back to San Marcos. I'm here to suggest adding at least one wheel chair accessible, single story home in the 316 West development. Several would be better, and I know the plans are fairly far along, however I wasn't aware of this development happening until I started attending the City Council meetings a few months ago. When I drove in to the 316 East development I noticed there were hardly any sidewalks and it all looked multi-level. This location is particularly ideal for a person who uses a wheelchair fulltime because of the local amenities such as the Sprinter station, the library, and it's a very safe neighborhood. I don't know if there will be other developments. My daughter currently lives in one of the affordable housing developments here in San Marcos, which is a wonderful opportunity but has many challenges. I would also like to encourage wide sidewalks.

Planning Commissioners addressing Ms. Widmans comments: What kind of amenities would you like to see?

Julia Widman: I would like to see single story; larger bathrooms with larger bathtubs because they are difficult to move around with a wheelchair; extra storage for items like a wheelchair and walker; larger bedrooms to accommodate a bed bigger than a twin and still be able to move around with a wheelchair.

CLOSED PUBLIC HEARING

Planning Commissioner discussions included: We have ADA units here in the City but not specifically made for what Ms. Widman has addressed here today; the project is a great compliment to our city; it wasn't clear to me where the 67 units are; concerns with the noise from the rock crusher and being so close to the library; need clarification where all the parking spaces are located; I welcome more of this type of housing that is close to transit and businesses; do we have similar type walls in the City that is going in the proposed project; what type of evaluation did the City do to look at the safety of this retaining wall; someone from the City Engineering staff has looked at this and in their professional opinion we are all good to go and feel confident this wall is going to work; is this denser than the East section or are they the same; is the goal for this new property is to be consistent with the existing property as far as paint scheme and design; why have two separate HOAs; are the sites connected by a walking path; who is going

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to own the solar on the roof, the owners of units or a separate entity; has there been a history for this site to be developed into commercial; was the land for both sites owned by one owner and who owns the land behind the site; making sure we are considering everyone's rights; so the parcel behind was owned by the same person who sold it to KB; that is a steep slope and whatever is built in front of it is going to have a huge impact on what can be built behind it; no left hand access from Mission Road; the primary entrance and exit is from Woodward, is that correct; is a traffic light going to be put in based on the trips; will this complex have ADA units; this is across from the Sprinter station and one stop away to the college, do we have mini dorm regulations because this is a spot a college student may want to live in and have additional students live with them; what kind of occupancy limits will be written in the HOAs; disappointed in the lack of a revenue generated project for the City but understand; can we get clarification from staff about a law with a limit of 5 people living in this type of household; based on where SANDAG is and the RHNA formulation and adoption, how will these 67 homes be accounted for; there will be a three story height wall visible on Woodward, can the trees in front of that wall be Evergreen to cover that wall; concerns that there is no left turn off of Mission, does that mean traffic will have to go up to the next light and make a U-turn in order to enter the complex; would prefer to see affordable housing go in, instead of attainable; affordable housing needs to be built throughout the whole City and not just one area of the City; there is very little lighting; photo metrics is below 0.1 and that is no lighting on the entrance off of Mission; what is the City standard for this lighting; concerns of traffic issues at the signal light at Mission coming off of San Marcos Boulevard; are the EV chargers just infrastructure or will the chargers be installed there; the plans didn't show any utility upgrades, was that done in the previous project; concerns with schools being impacted.

Jason Greminger, CCI – applicant representative: This project does have an ADA path of travel from Woodward Street that moves throughout the site. The ADA units are the endcap units that face Mission Road and we provided a path of travel that fronts that area and it comes up to Woodward and down, as well as a path of travel from the endcap units to the recreation space. There are 4 units on the endcaps, on the edge of Woodward and Mission is 5 units, the next two buildings to the right are 15 units total, and next to the central recreation area are 4 units, and to the right of those are 28 units. Noise control from the rock crusher will be a bit of a challenge, the slopes are adding to the difficulty for the placement of the rock crusher. We will do everything in our power to reduce those noise levels down to a level that is not as impactful. The noise will be monitored to make sure we are not exceeding the noise threshold. Each unit has a two car garage; there are visitor parking spaces, ADA parking near the recreation area, and additional spaces on the northern portion of the site, and visitor spaces close to the dog park. Visitor spaces by the tot lots have two EV spaces for visitors to use. In total there are 26 visitor parking spaces. We are really trying to blend the two properties together so that they look like they were built at the same time. The solar will be owned by the individuals who live in the units. Yes, we can plant Evergreen trees in front of that wall. We'll make those changes on the Landscape plans for final review. For this project residents will come in on Mission and make a right into the project. When leaving the site, people wanting to make a left will leave out on Woodward. We'll take a look at the lighting when we are going through our final engineering plans. Currently this is a conceptual plan and we were trying to make it work the best we could, but yes we will take a look at that and make sure we have appropriate lighting throughout the site. The two charging stations in the visitor parking will be installed. The charger plumbing will be installed in the individual units, but we won't be providing the actual charging stations.

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Stephanie Kellar, Principal Engineer: The walls are designed within coordination of the Civil Engineer, a Geo Technical Engineer, and a Structural Engineer. They are reviewing the design for best practices and specific site information. Then it is modeled and calculated to ensure that it's safe. We do feel confident that by the time the engineers have gone through this, this wall is safe. The wall is very tall, but it is also a soil-nail wall that also has support that extends through the face of the wall into the soil behind it, and that's what enables it to be a much stronger design than some other retaining wall designs that can accommodate that height. The face of the wall is designed so you don't see all that is going on in the internal support. A wall similar to that would be the property next door. City staff has reviewed the wall and will review again in excruciating detail before permitting it. The traffic study for the project didn't find that there was going to be a significant increase in the number of trips. Staff can go back and coordinate with the City Traffic Engineers to take another look at that intersection and see if there is anything that we can do to coordinate with NCTD a little bit better or improve the signal timing there.

Joe Farace, Planning Manager: The proposed site is denser than the adjoining property. The adjoining property is a larger site with more units, and the density on that site is 10.36 dwelling units per acre. The density on this site with the 67 units is 18 dwelling units per acre. Together the entirety of the Specific Plan would be 12.6 dwelling units per acre. Yes, on Mission Road it is right in and right out and Woodward is the full turn movement. No traffic lights will be installed as the trips are low based on the volume on that roadway. The units along Mission Road are ADA compliant per the Building Code. Those units have a larger entry, larger bathroom and bedroom on the first floor. There is not a requirement, as the speaker asked, to be one story only. Currently we don't have specific mini dorm regulations in the zoning ordinance. Yes, I'll look into that law and submit clarification to you. When we report our housing numbers to SANDAG, these will be included during that appropriate time. I believe what the RHNA numbers are looking for is the affordable type component and since these will be market rate, that might not affect the RHNA affordability numbers. There is a minimum standard for lighting. I believe its a quarter lumen for the walkways of 0.25 as well as a standard for the parking areas. As part of the final drawings, they do need to submit a final lighting drawing with the photo metrics. We will assure that those lighting gaps are addressed. There is discussion in the EIR talking about the amount of students, types and students, and where they will be going. At a high school level, it does call out the use of Mission Hills High School.

Mike Levin, Excel Engineering: When you do CC&Rs and master documents on this, the DRE (Department of Real Estate) dictates on how you do all of your HOA documents. So after the fact, it is hard to add another component to an existing one. They have to stand on their own for DRE in order for that to occur. With regards to the walking path, there are sidewalks on the west side because we weren't able to make the ADA path of travel work on the existing 316. Because of the grades, there aren't any internal walks from the driveway down to Mission. There are internal walks but nothing that comes to the streets or a walk path that connects the two. You can walk across the driveway if that is somebody's choice to get to the other complex. There is also a requirement that 10 percent of the ground floor be ADA accessible. We do have a number of ADA units and an ADA path from Woodward. As well as a bathroom and living space on that ground floor. Water is on the frontage of Woodward and it's just a service connection to the main line on Woodward. There is a sewer extension. There is not currently a sewer in front of this project,

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so sewer will be coming along Mission being brought from the box culvert across Mission, which is about 200 to 250 feet to the west is where we would be tying in. We'll be bringing our sewer from that location to the site.

Matt Simmons, CCI: The solar will be owned by the individual homeowner and receive the credits by SDG&E Power. There was interest in building a hospital on this site, prior to the Mission 316 East project being built. Since then our firm and the project land owner has not received any more inquiries on commercial building. At one point the parcel behind and the parcel in front were owned by single ownership. Back in 2009 or so the parcel with the existing Mission 316 was purchased by Integral Communities who entitled it with our firm off of the existing Mission 316, and KB Coastal purchased that entitlement project from them and built the existing Mission 316. The property owner that is behind this parcel, sold this front parcel to KB Coastal as well and the City has evaluated in our environmental document the existing zoning that's on the property behind ours and whether or not this was affecting their ability to develop or not. There's an existing cut on Woodward Street and our wall is tying into that cut. It's currently lined with chain link to prevent rock and gravel from falling down. There's another cut beyond our project that would allow a driveway access to come up from our side of the neighboring property and do a larger loop to bring you up to the developed area. That has been considered in our design and that property owner has worked with the same engineer to work on concepts and ideas to make sure that his access is still functional. He also granted us the easement for the access to the project.

The CC&Rs are being produced now and we don't have a completed document yet. The document will be fully reviewed by the City Attorney regarding the occupancy limits for compliance before they are issued. There is no intent to allow any dormitory style living. The parking management plan also will not allow for dormitory style living. We understand your concern with the lack of revenue being generated, however the Fiscal Analysis doesn't go into depth that when new households are living here in the City, those additional households will shop in our City. To clarify, the existing Mission 316 has a cut in the median that allows a left turn. We will not do the same for the new Mission 316 project. If you are coming down San Marcos Boulevard towards Woodward you would make a right into the project. Most likely you will not pass it to make a U-turn to turn in to it, but the option is available if they need to. The intent of the design is for the westbound traffic on Mission make a right into the project. There are quite a bit of lighting on the structures, but we'll make sure on the final drawings that we have addressed and make sure we have the appropriate lumens in all of the accessible areas.

CLOSED PUBLIC HEARING

Planning Commissioner discussions included: Very pleased to see new construction for housing in our City, as we need it; would like to see more affordable housing being built in our City; this project does tie in to the existing project next door and happy to see that; appreciate all the work that has been done to present this project.

Avneet Sidhu, Deputy City Attorney: I recommend that there be three (3) motions. The certification of the EIR is a separate motion. The second motion include the resolution regarding the General Plan

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Amendment and the two (2) Specific Plan Amendments, and the fourth motion include the remainder of the entitlements; the Tentative Subdivision Map, the Multifamily Site Development Plan, the CUP, and the Grading Variance. There were also a couple of comments from Commissioners that may not be clear. Were they recommended changes, for example the landscaping or are they issues in question that you wanted Staff to report back on. That needs to be clarified as part of any of the motions.

OPEN DISCUSSION

Planning Commissioners discussions included: I would like changing the trees to Evergreen trees in front of the Woodward wall be a revision to the condition; reviewing the CC&Rs to ensure that we don't end up with a mini dorm situation, I'm not sure how I would phrase that or to just advise Staff to keep that in mind; my comment for the photo metrics would be a Planning Manager comment to follow through to see if they if they meet the minimum standard for the City.

Avneet Sidhu, Deputy City Attorney: To the extent, there are local state requirements as to how many people can occupy each unit that is already covered. We can't necessarily change those regulations but staff would be looking at if there are any limits in the local ordinance or the Building Code as to how many people can occupy a unit under Health and Safety Code.

Joe Farace, Planning Manager: We can add a condition to use Evergreen trees by the Woodward entrance to adequately screen that wall and would be included in the Multi Site Development Plan Permit. Yes there is already a condition in the MFSDP as part of submittal of a building permit that they submit the photo metric study in the final plans and we'll take a look at it and ensure that those areas with gaps shown on the conceptual plan are addressed.

Action:

COMMISSIONER OLEKSY MOTIONED TO RECOMMEND CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT PC 19-4823. COMMISSIONER CRAIN SECONDED THE MOTION. MOTION CARRIED BY AN ELECTRONIC VOTE.

AYES: COMMISSIONERS: NUTTALL, MATTHEWS, OLEKSY, NORRIS, FLODINE, CRAIN, CARROLL
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: MUSGROVE,
ABSTAIN: COMMISSIONERS: NONE

COMMISSIONER MATTHEWS MOTIONED TO RECOMMEND APPROVAL OF PC 19-4812 GENERAL PLAN AMENDMENT, APPROVE PC 19-4813 MISSION 316 SPECIFIC PLAN, AND APPROVE PC 19-4814 HEART OF THE CITY SPECIFIC PLAN. COMMISSIONER CARROLL SECONDED THE MOTION. MOTION CARRIED BY AN ELECTRONIC VOTE.

AYES: COMMISSIONERS: NUTTALL, MATTHEWS, OLEKSY, NORRIS, FLODINE, CRAIN, CARROLL
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: MUSGROVE,

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ABSTAIN: COMMISSIONERS: NONE

COMMISSIONER FLODINE MOTIONED TO RECOMMEND APPROVAL OF PC 19-4815 TENTATIVE SUBDIVISION MAP, APPROVE PC 19-4816 MULTIFAMILY SITE DEVELOPMENT PLAN WITH THE ADDITION OF CONDITIONS TO PROVIDE EVERGREEN TREES BETWEEN WOODWARD STREET AND SOIL NAIL WALL, APPROVE PC 19-4817 CONDITIONAL USE PERMIT, and APPROVE PC 19-4818 GRADING VARIANCE PLAN. COMMISSIONER NUTTAL SECONDED THE MOTION. MOTION CARRIED BY AN ELECTRONIC VOTE.

AYES: COMMISSIONERS: NUTTALL, MATTHEWS, OLEKSY, NORRIS, FLODINE, CRAIN, CARROLL
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: MUSGROVE,
ABSTAIN: COMMISSIONERS: NONE

PLANNING MANAGER COMMENTS

I wanted to inform the Commission the Jump Ball project which was heard by this Commission several weeks ago was approved at City Council on November 12th. The project site is San Marcos Boulevard and Bent Avenue. I also received an email this morning from Bruce Minnery, and Mr. Minnery has indicated to the Planning Department that he is resigning from the Planning Commission. Mr. Minnery's term was up at the end of the year. I do believe we will have one more meeting in December, so we'll assign an alternate to that meeting for Mr. Minnery. Then in the beginning of the year, we'll have those open seats reappointed by City Council. That concludes my discussion.

PLANNING COMMISSIONERS COMMENTS

None

ADJOURNMENT

At 8:30 p.m. Chair Norris adjourned the meeting.

KEVIN NORRIS, CHAIRMAN
CITY OF SAN MARCOS PLANNING COMMISSION

PC AGENDA ITEM #1



ATTEST:

GINA HENDERSON, SENIOR OFFICE SPECIALIST
CITY OF SAN MARCOS PLANNING COMMISSION

DRAFT

PC AGENDA ITEM #1