



# MINUTES

## Regular Meeting of the Planning Commission

**MONDAY, July 6, 2015**

City Council Chambers

1 Civic Center Drive, San Marcos, CA 92069

### CALL TO ORDER

At 6:30 p.m. Chairman Flodine called the meeting to order.

### PLEDGE OF ALLEGIANCE

Commissioner Minnery led the Pledge of Allegiance to the Flag.

### ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: FLODINE, JACOBY, JONES, MAAS, MINNERY, SCHAIBLE

ALTERNATE COMMISSIONERS IN AUDIENCE: NONE

ABSENT: NORRIS, PENNOCK, KILDOO

Also present were: Principal Planner, Karen Brindley; Assistant Planner, Sean del Solar; Deputy City Attorney, Avneet Sidhu; Office Specialist III, Lisa Kiss;

### ORAL AND WRITTEN COMMUNICATIONS

None.

### CONSENT CALENDAR

1. APPROVAL OF MINUTES, 5/4/15

#### Action:

COMMISSIONER SCHAIBLE MOVED TO APPROVE CONSENT CALENDAR AS PRESENTED; SECONDED BY COMMISSIONER MINNERY AND CARRIED BY A UNANIMOUS VOTE.

### PUBLIC HEARINGS



2. **Case No:** P14-0039: CUP 14-014

**Application of:** Crown Castle

**Request:** A Conditional Use Permit (CUP) for the continued operation of an existing thirty-five (35) foot tall wireless telecommunication facility disguised as a faux tree located on the Twin Oaks Golf Course in the Twin Oaks Valley Ranch Specific Plan Area in the Twin Oaks Valley Neighborhood.

**Location of Property:** 1425 N. Twin Oaks Valley Road, more particularly described as: A portion of Parcel A of Map No. 16247 in the City of San Marcos, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County on October 4, 1990, as Instrument No. 90-544825 of official records. Assessor's Parcel No.: 182-160-12-00.

**Staff Presentation (Sean del Solar):**

PowerPoint presentation shown. Described request and location. Located adjacent to driving range and 9<sup>th</sup> hole fairway. Original project was approved as T Mobile in August '07 with a 5-year term that expired in '12. In 2012, the rights to a number of cell facilities were transferred to Crown Castle who now maintains it. As a result of Code Enforcement action, the current CUP application was submitted in July '14. There are five cell facilities on the golf course, and Crown's is the northern most. Photo's shown. The Twin Oaks Valley Ranch Specific Plan allows wireless facilities with a CUP. Crown must replace two trees used for screening and the term will be 10 years. Some faux tree branches are deteriorating. They are still acceptable; however, the applicant must complete a re-branch within three years of approval. Staff was contacted by a resident on Del Roy Drive with a noise complaint. It was related to weddings/conferences held at the golf course. Staff continues to work with Sheriff's Dept. to monitor noise situation. The resident also expressed dissatisfaction with the number of wireless facilities City-wide and at the golf course. Staff recommends approval based on a Class 1 CEQA Exemption and that it continues to be consistent with the findings of adopted MND 07-752.

Celeste Faber, representing Crown Castle: Crown Castle has agreed to all conditions, but would like to discuss #C.3 regarding re-branching in three years. They'd like to request a compromise to restore the tree to its original condition by replacing only those branches that need replacing. It would be more cost effective and still subject to staff approval. Some inner branches are never exposed to sunlight and would still be in good condition.

**OPEN PUBLIC HEARING**

Bruce Harris: Resident on Concord Place since 2001 on a prime view lot off the golf course. They bought it because of the view and paid a premium for it. Homeowners see a different view than golfers. (Photo shown). They use to have a complete view of the pond and fountain and didn't have to look at the cell trees and "junkyard" of vehicles. No trees in San Diego County resemble the five faux trees. They have to look at it every day; they hate it and would like it removed.

Sharon Harris: Indicated they bought their property for the view and it was exquisite. The limbs are white on the tree to the right. They were surprised when first cell site went up, but felt they could live with one. And then it continued. It has to stop as it's affecting their home value. The first thing visitors notice is the cell trees. They think the one on the right has snow on it. They don't blend in, the color & style is wrong, it's an eyesore and it's depleting their property value.



Flodine: The residents are asking that the tree be removed and not extend the CUP. It's frustrating, but the Commission has been schooled by the City's telecom attorney that the Commission cannot deny a cell tower. The residents say the foliage looks like snow. If it's white it's probably bleached by the sun. It needs to be in the original condition. The stored vehicles appear to be golf course-related.

Bruce Harris: There is also a crane.

Flodine: The golf ball picker is stored down there.

Minnery: Asked what the tree looked like originally?

Sharon Harris: From day one, it had white on the ends of it. Each cell tower is different and they don't blend in with each other.

Minnery: Asked how many have the white shading?

Sharon Harris: Just one. The natural trees are Oak. The storage area looks like a junk yard. Indicated they paid top price for a panoramic view. Perhaps the cell trees could be relocated in a lower home value area or elsewhere?

Flodine: Asked staff if City had a view protection ordinance?

Del Solar: No, with the exception of the Ridgeline Overlay Zone Protection area, but this area is not within Ridgeline.

Flodine: Asked if the two new trees will be in front of the Crown faux tree?

Del Solar: Yes.

Maas: Inquired what type of tree they're supposed to mimic? They look like Magnolia's.

Del Solar: The two originally were broadleaf trees. Since that time, the industry has transitioned to a more pine-tree look that provides better concealment of antennae's.

#### **CLOSE PUBLIC HEARING**

Del Solar: The two trees shown in the center are pine-type broadleaf which provides enhanced concealment.

Jones: Asked if anyone knows what the white is?

(Del Solar handed out leaf samples).

Minnery: Inquired why there's a 3-year period to re-branch instead of now, if there's already apparent damage & discoloration to branches?



Del Solar: The condition of the branches does vary. The Commission can change the number of years.

Flodine: Asked if City would be okay if they re-branch with color tones that are out there today? No tree is monochromatic.

Del Solar: Yes, City could work with applicant regarding the re-branching.

Faber: Crown Castle would like to stick with original condition as is, three years. Could do a full re-branching to satisfy staff, however, it is very costly and the tree is in good condition.

Minnery: It's a 10-year term. Asked what happens after three years?

Faber: It's up to staff. Crown must comply annually and supply compliance letter and photos of the tree.

Brindley: The applicant is required to re-branch within three years or earlier if City determines it's necessary. There is annual compliance required. Staff would make determination at that point in time.

Maas: Asked if that condition existed prior to new CUP?

Del Solar: No.

Maas: At three years it should look new.

Brindley: That's the overall intent of the condition. There's a provision that allows City to work with applicant.

Maas: Commented that he's concerned about staff having to monitor. It could take years to get processed.

Minnery: If there was an annual check, it wouldn't have gotten to this point.

Flodine: Crown Castle inherited the situation. He's inclined to leave #3 as is, but would like to suggest staff add: Re-branching should be of a similar color to adjacent trees.

Brindley: That's acceptable to staff.

**Action:**

COMMISSIONER JACOBY MOVED TO APPROVE CUP 14-014 AS SET FORTH IN RESOLUTION PC 15-4475 WITH MODIFICATIONS: C.3. . . . colors and three (3) dimensional textures}, **which to the extent possible, match the camouflaging materials of the adjacent faux tree wireless telecommunication facilities in the vicinity of the project**) and must enhance the current appearance of the canopy of . . . ;  
SECONDED BY COMMISSIONER MAAS AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

AYES: COMMISSIONERS: FLODINE, JACOBY, JONES, MAAS, MINNERY, SCHAIBLE



NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

**PLANNING STAFF COMMENTS**

None.

**PLANNING COMMISSIONERS COMMENTS**

None.

**ADJOURNMENT**

At 7:12 p.m. Commissioner Flodine adjourned the meeting.

ERIC FLODINE, CHAIR  
CITY OF SAN MARCOS

**ATTEST:**

LISA KISS, OFFICE SPECIALIST III  
SAN MARCOS PLANNING COMMISSION