



# MINUTES

## Regular Meeting of the Planning Commission

**MONDAY, August 21, 2017**

City Council Chambers

1 Civic Center Drive, San Marcos, CA 92069

### CALL TO ORDER

At 6:31 p.m. Planning Commission Chair Flodine called the meeting to order.

### PLEDGE OF ALLEGIANCE

Commissioner Matthews led the Pledge of Allegiance to the Flag.

### ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: FLODINE, KILDOO, MATTHEWS, MINNERY, OLEKSY,

ALTERNATE COMMISSIONERS IN AUDIENCE: NONE

ABSENT: JACOBY, NORRIS, MAGEMENEAS (Alternate), SCHAIBLE (Alternate)

Also present were: Planning Manager, Karen Brindley; Deputy City Attorney, Avneet Sidhu; Principal Civil Engineer, Peter Kuey; Associate Planner, Norm Pedersen; Associate Planner, Sean del Solar; Office Specialist III, Lisa Kiss

### ORAL AND WRITTEN COMMUNICATIONS

None.

### CONSENT CALENDAR

1. APPROVAL OF MINUTES, 7/17/17

#### Action:

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

### PUBLIC HEARINGS

AGENDA ITEM

# 1

**2. Project No:** P14-0031 (CUP14-012 & EX17-023)

**Applicant:** North County Baptist Church

**Request:** A Conditional Use Permit (CUP) to continue to operate an existing church.

**Environmental Determination:** The project has been found to be consistent with a Class 1 Exemption (existing facilities), pursuant to the applicable provisions of CEQA.

**Location of Property:** 842 Nordahl Road, more particularly described as All those portions of Lot 3 and 4, in Block 6 of Rancho Los Vallecitos de San Marcos, in the City of San Marcos, County of San Diego, State of California, according to map thereof No. 806, filed in the office of the County of San Diego County, December 21, 1895. Assessor's Parcel No.: 228-120-46-00.

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

PowerPoint presentation shown. Request a CUP for the continued operation of a place of assembly, an existing church and future 25 student school. Discussed location and background. Site is 4.3 acres and is zoned Richland Hills North Specific Plan Area. It was initially developed as a PAR 3 golf course with a 3,100 s.f. clubhouse. Golf course closed in '02. A Specific Plan Amendment in '03 allowed a place of assembly with a CUP. Renewed in '07 and amended to allow an ancillary school limited to 25 students. Although they have not operated the school, they've requested that the renewal preserve that ability. Staff was contacted by neighboring medical office regarding condition of the landscaping. Issues resulted primarily from failure of a private well and pump used to irrigate site. Upon repair, the applicant obtained a landscape permit and began a project to rehabilitate site. The applicant also experienced some personal setbacks but the landscape restoration is now complete and the City is set to final the landscape permit later this month. The project complies with the previously adopted Mitigated Negative Declaration, and qualifies for a Class 1 categorical exemption. Staff recommends approval as modified with Errata/Memo distributed earlier.

Oleksy: Inquired if landscape is complete and how staff determines school is ancillary?

del Solar: Landscape is complete. An inspection is scheduled next week to close the permit. Indicated the school is limited to the criteria set forth in the resolution. It will continue to be a church, leased by the church; school is supposed to be secondary.

Oleksy: Asked if they maintain a City business license?

del Solar: Yes, explained that the business license for a church is issued at no charge. It creates a record, with ownership, contact and other information. Several City inspections are based off the business license registry.

Minnery: Stated the Commission has heard about landscape complaints and he's driven by and seen it looking less than tidy.

del Solar: Responded that the applicant had a well and pump issue. They were given direction to take care of the landscape issue and it's been restored now.



Matthews: Inquired if the structure is fully used, and whether it's the right building for them?

del Solar: Site was developed as a golf course and club house. The structure has been modified to include an assembly floor area, kitchen, nursery and office.

Pastor Miller, Applicant: Explained that they have never utilized it for a school but there is ample room in auditorium for up to 25 students. They had a K-12 at their prior location.

Flodine: Asked if he has read and approves of the conditions?

Miller: Indicated yes, and apologized for the landscape conditions of the past. It's embarrassing for him and doesn't represent them. When the cell towers were installed, the plumbing was torn up and then the well went out. Indicated he was also very ill for a couple years. He'd like everyone to see nice landscaping when they go by.

Matthews: Asked if there's a process in place so the burden doesn't fall on him?

Miller: They've contracted with a landscape company to bring them up to code and maintain it.

#### **OPEN PUBLIC HEARING**

No public comments.

#### **CLOSE PUBLIC HEARING**

##### **Action:**

COMMISSIONER KILDOO MOVED TO APPROVE CUP 14-012 AS SET FORTH IN RESOLUTION PC 17-4634 WITH AMENDMENTS AS PER STAFF MEMO DATED 8/21/17; SECONDED BY COMMISSIONER MINNERY AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

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

#### **3. Project No: P14-0049 (TSM 14-006 & ND 17-001)**

**Applicant:** Montiel Rd Partners LP

**Request:** A 9-lot Tentative Subdivision Map (TSM) on a 2.7-acre property in the Single-Family Residential (R-1-10) Zone. The existing residence on site will remain and occupy Lot 1 of the proposed subdivision.

**Environmental Determination:** Mitigated Negative Declaration (ND 17-001) was prepared and circulated for public review pursuant to the California Environmental Quality Act (CEQA).

**Location of Property:** 2110 Montiel Road, more particularly described as Portion of Lot 3 of Block 6, Rancho Los Vallecitos de San Marcos, in the City of San Marcos, County of San Diego, State of California, according to

map thereof No. 806, filed in the Office of the County Recorder of San Diego County, December 21, 1895. Assessor's Parcel No.: 228-120-09-00 and 228-120-34-00.

**Staff Presentation (Norm Pedersen):**

PowerPoint presentation shown. Discussed location and background. Project proposes 8 new homes on approx. 10,000 s.f. lots, with an existing single family residence remaining, for a total of 9 lots on 2.7 acres. General Plan allows 2-4 dwelling units (DU) per acre and the project proposes 3.3 DU per acre which is in compliance with density range. Zoned R-1-10. Site is surrounded by SFR and a commercial center to the south across Montiel Road. Improvements include a private street with cul-de-sac. They must pay towards upsizing of sections of the sewer pipelines. Mitigated NegDec was prepared and circulated for public review. There will be an additional 80 ADT's. Traffic study was not required. No sensitive habitat or cultural resources were identified. A Noise study identified impacts to rear yards. They must install sound walls in rear yards to reduce to 60 dB CNEL. Comments were received from San Luis Rey Band of Mission Indians which concur with required cultural mitigation measures. An adjacent neighbor expressed concerns and they are included in the packet along with staff's responses. Staff recommends approval and adoption of MND 17-001.

Jonathan Webster, Applicant: PowerPoint presentation shown. Indicated they have 50+ years combined real estate investing experience and want to build a nice project for the neighborhood. They're not asking for variances for smaller lots and are trying to fit in with neighborhood. The private road that serves the new homes will be widened and a cul-de-sac built to accommodate Fire Dept. trucks which will improve safety. The Ramirez family to the north will benefit from that and they're also annexing them into the sewer district. A street light and fire hydrant will be installed at their expense and they'll improve onsite drainage. Indicated they're improving walkability on Montiel Road by undergrounding utilities, adding curbs and sidewalks. Homes will probably be 4 bedrooms & 3 baths.

Flodine: Asked who owns the existing home?


Webster: Existing home is owned by Montiel Road Partners, is rented and would be remodeled.

**OPEN PUBLIC HEARING**

Allison Ramirez: Commented they live northwest of the site and their home has been there since 1956. They feel the impact to their family would be substantial. She believes Nordahl Road has the worst traffic in the City and she doesn't agree it will only be 80 ADT's. She is not against the project, just the number of houses. They have a septic tank with leach lines. The new construction will be up against their properties leach lines. Inquired how that would be stabilized? Asked where the project will leave the rest of them who have been there over 30 years? Nothing has been done for them. Inquired about sidewalks for others, and how they'll be able to get out of their private driveway?

Barbara Radke: Resident of 42 years, lives near the Ramirez family and agrees with her comments. Her concerns are drainage, traffic and number of houses. When it rains heavy, the water level is very high. The whole area is rock springs and the water doesn't seep away. Number of houses may be consistent





further east, but the existing homes have larger lots. They can't walk on the side of the street to get to school or the bus stop, and it's difficult to cross because of traffic.

### **CLOSE PUBLIC HEARING**

Oleksy: Commented that speed limit is 40 mph on Montiel Road and there's no sidewalk or bike lane on north side. There is a bike lane on south side. He understands that this one development may not contribute significantly, but how does the City manage these small projects, the cumulative effect? There is some dense housing to the east. There are some valid concerns over whether it fits within this community.

Kuey: Explained that cumulative impacts for projects of this size, that don't require a traffic study, are challenging to decide what all will be constructed, sidewalks offsite or improvements to Nordahl? From a General Plan perspective, projects pay PFF/impact fees and funds are used to pay for future circulation improvements. This project would widen Montiel Road with enough width to someday allow Class 2 bike lane. If they can get enough funds, connect the dots, it would allow for it later. Project would construct sidewalk along Montiel Road, but it's challenging to get developers to construct sidewalks and other segments off their property. Usually they wait for future redevelopment to occur to get other segments constructed.

Oleksy: Commented that impact fees aren't earmarked. They are general; maybe they'll get to it, but don't know when. In the meantime, they're directly impacting the lives of those that live there now. He's seen SR-78 especially at Nordahl Road become very bad. It's a parking lot on a Saturday when going to Costco, and SR-78 will get more congested. There have been complaints to Traffic Commission that people are using Knob Hill and Montiel as a cut through. It's unfortunate for those long time residents.

Matthews: Asked staff if there are other similar parcels that could be built the same? Feels that would really compound the traffic issue.

Pedersen: Responded that zoning on north side of Montiel Road does allow 10,000 s.f. lots, 2-4 DU per acre. There are a number of larger lots which could subdivide, so the potential is there. The subdivision to the east has 38-lots that are 10,000 s.f. minimum.

Matthews: Commented that they're packing a lot of people into a small space and Nordahl Road traffic is horrendous.

Flodine: Asked staff about drainage, water table, leach lines and the projects off-site improvements?

Kuey: Discussed drainage, project would construct a concrete ditch. Any flow occurring within the project should be intercepted by a brow ditch and conveyed southward. Water quality has become more stringent, whatever flows onsite can't change after construction, so there would not be an



increase of flow going off site than before. Nothing more would go onto existing properties. It's a City requirement and engineering staff would review this.

Ramirez: Commented she would call him when it rains so he could see the natural springs.

Kuey: Off-site improvements include construction of an off-site sewer main or an option for applicant contributing money in lieu of, along SR-78 frontage, widening, additional asphalt, concrete, curb, gutter and undergrounding power lines along Montiel Road.

Pedersen: Added that it also includes an off-site slope maintained by HOA at the north end of cul-de-sac.

**Action:**

COMMISSIONER KILDOO MOVED TO APPROVE TSM 14-006 AS SET FORTH IN RESOLUTION PC 17-4633, AND ADOPTION OF MITIGATED NEGATIVE DECLARATION ND 17-001; SECONDED BY COMMISSIONER MINNERY.

Kildoo: Commented he doesn't believe the eight homes would noticeably change the traffic patterns in the area. It's a major thoroughfare with a giant shopping center that's been there for 30 years. City has traffic lights in the right places, and it's challenging but it's not worse than other challenging spots in town. He anticipates the City will review slopes and hydrology carefully and the neighbors will be looked after. He hopes some residents may be able to hook up to sewer if they desire. Project would add improvements to Montiel Road and housing that North County needs.

Flodine: Pointed out there would be five homes on one side of a neighborhood and four on the other. The General Plan allows for 10 homes on the property and he finds it compatible with the neighborhood. It's just part of growth and is not out of character.

Oleksy: The difference between 5 and 4 houses is 25%. He can see both sides of the argument. The shopping center is the majority of the traffic. The City probably didn't do a good job at looking more closely at how those businesses would affect traffic. He rejects the notion that they just have to accept growth and feels they can be smarter and more selective about it. He's more inclined to accept a few houses less. He's not convinced it's the right time or development here.

Sidhu: Asked for Motion to be re-stated. No need to re-second.

**Action:**

COMMISSIONER KILDOO RESTATED HIS MOTION TO APPROVE TSM 14-006 AS SET FORTH IN RESOLUTION PC 17-4633, AND ADOPTION OF MITIGATED NEGATIVE DECLARATION ND17-001; AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

AYES: COMMISSIONERS: FLODINE, KILDOO, MATTHEWS, MINNERY,  
NOES: COMMISSIONERS: OLEKSY





ABSENT: COMMISSIONERS: JACOBY, NORRIS  
ABSTAIN: COMMISSIONERS: NONE

**PLANNING MANAGER COMMENTS**

Brindley: Reminded group that the next meeting is Tuesday, 9/5/17.

**PLANNING COMMISSIONERS COMMENTS**

None.

**ADJOURNMENT**

At 7:32 p.m. Chairman Flodine adjourned the meeting.

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ERIC FLODINE, CHAIRMAN  
CITY OF SAN MARCOS PLANNING COMMISSION

**ATTEST:**

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LISA KISS, OFFICE SPECIALIST III  
CITY OF SAN MARCOS PLANNING COMMISSION