



# MINUTES

## Regular Meeting of the Planning Commission

**MONDAY, December 4, 2017**

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

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### **CALL TO ORDER**

At 6:33 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, JACOBY, KILDOO, MATTHEWS, MINNERY, NORRIS, SCHAIBLE  
ALTERNATE COMMISSIONERS IN AUDIENCE: NONE

ABSENT: OLEKSY, MAGEMENEAS (Alternate)

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

### **ORAL AND WRITTEN COMMUNICATIONS**

None.

### **CONSENT CALENDAR**

#### **1. APPROVAL OF MINUTES - 11/6/17**

##### **Action:**

COMMISSIONER KILDOO MOVED TO APPROVE CONSENT CALENDAR AS PRESENTED; SECONDED BY COMMISSIONER JACOBY AND CARRIED BY A MAJORITY VOTE WITH SCHAIBLE ABSTAINING.

### **PUBLIC HEARINGS**

#### **2. Project No: P15-0074: SP 15-010, SDP 15-010, ND 17-003**

**Applicant:** JR Legacy/Global Carte

**Request:** Specific Plan Amendment of the Montiel Corporate Center Specific Plan and Site Development Plan review for a 6-story hotel with 128 guest rooms; a cafe, fitness center, and indoor pool for guests; and 141 parking

spaces (including a parking structure) on a 1.66-acre property in the Montiel Corporate Center Specific Plan Area (SPA).

**Environmental Determination:** Mitigated Negative Declaration (ND 17-003) was prepared and circulated for public review pursuant to the California Environmental Quality Act (CEQA).

**Location of Property:** Southwest corner of Montiel Road and Leora Lane, more particularly described as Parcels 1, 1A, 1B, 1C, and 3, Block 7 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 Recorder of San Diego County, December 21, 1895. Assessor's Parcel No.: 228-370-01-00, 228-370-02-00, 228-370-03-00, 228-370-04-00, and 228-370-38-00.

**Staff Presentation (Norm Pedersen):**

PowerPoint presentation shown. Discussed surrounding land uses. Aerial photo and rendering shown. Proposed hotel would be six stories, with 128 guest rooms, café, fitness room, indoor pool, parking structure and be LEED Certified. Total of 141 parking spaces, 89 at surface and 52 at lower level of partial underground parking structure built against highway. Discussed background. Montiel Corporate Center SPA was adopted in '05, 3.32 acres consisting of Phase 1 and 2. In '05, 24,768 s.f. office building was approved for Phase 1, but was never developed. Amendment will replace current Specific Plan (SP) and change Phase 1 to allow for hotel development, and requires approval of a SDP. Phase 2 area will continue to allow for commercial/office space, which will require a future SP Amendment. Discussed development standards/setbacks that are changing, building height, view from SR-78 and project improvements. Project would re-pave Leora Lane to 24' wide and reconstruct driveway entries for existing residences on Leora Lane. Street trees would be added and sidewalk along property frontage on Montiel Road. Must install or pay toward upsizing of sections of sewer pipeline. MND was prepared and circulated. Discussed traffic. Estimated 896 ADT's. LOS is estimated not to change. Project will contribute to city-wide impact to SR-78, and will annex into Congestion Management CFD. Discussed noise study. Pool will be indoors due to potential traffic noise from SR-78. Project complies with 45 dB CNEL for interior noise levels. Environmental review included Biological and Cultural resources. Public workshop was conducted Dec. '16, and attended by 7 neighbors, who expressed concerns regarding construction traffic, speeding on Montiel Road and code enforcement issues at existing home on Leora Lane. MND comments were received from San Luis Rey Mission Indians and Caltrans. Project will require encroachment permit through Caltrans. A neighbor expressed concern she was not notified. Her property was located just outside the 500' radius and so was added to the notification list. Her concerns were regarding the building height blocking views of the valley. City's Zoning Ordinance does not regulate private views. An adjacent business owner, Coles, contacted staff regarding shadowing of existing solar panels on their building. Applicant did a shadow analysis study and there will be a minimal shadow cast. Applicant is willing to work with them. Staff recommends approval to City Council and adoption of MND 17-003.

Ried Floco, Pierpont Management LLC, representative for Applicant: PowerPoint presentation shown. Site is located along SR-78 on vacant land. The amenities are set up for hotel guests. They aren't looking to run a full-scale restaurant to bring others in. Would serve breakfast in AM, and maybe room service in PM. Their goal is to bring a nice, upscale hotel to the area. Landscaping includes permeable pavers to address storm water and a green screen along highway. They are committed to a LEED Certified building. The Fire Department asked for an exit on the roof, so they concealed that area along with mechanical

equipment. One small corner of the solar on Coles building is impacted around 8 AM and they'll work with them.

Schaible: Asked if 896 ADT's includes food & trash service vehicles?

Kuey: Stated the figure is from SANDAG guidelines. He assumes it includes deliveries as well as patrons and employees.

Schaible: Asked about the proposed sewer line location?

Pedersen: Explained the upgraded sewer line would go along SR-78 right-of-way. Diagrams are included in the VWD prepared study which is in the MND.

Schaible: Inquired if there are any commercial design guidelines similar to multi-family, something that would fit the neighborhood better? He feels six stories are out of place here.

Brindley: Through the Specific Plan process, the development standards are established. Unless it's within a designated SP that established those guidelines, form-based code SP's like Creek District or University District. There is some content that would regulate overall design, but city-wide, the SP guiding document would establish architecture and development standards.

Schaible: Asked if corporate center was approved previously at 2-3 stories?

Brindley: Indicated it was 2-stories and 25,000 s.f. The overall document did allow for structures 60' in height, consistent with city-wide standards in the commercial zone.

Jacoby: Inquired if they'd have solar?

Floco: Part of the LEED certification process goes through a checklist. First it must meet the site and City is okay with it, and then they'll consider.

Jacoby: Asked if there will be an electric vehicle charging/parking area?

Floco: Yes.

Norris: Commented that six percent should be make ready EV and he'd like to add it as a condition.

Floco: Replied that he agrees and would be happy to add condition.

Norris: Asked about conference rooms?

Floco: Indicated they have about 1,200 s.f. of flex space. When analyzed, it's hard to justify a larger area and there can be traffic impacts with larger conference spaces.



Norris: Asked if hotel would be an extended-stay type?

Floco: Indicated they'd have some suites with kitchenettes, but not full kitchens. Hotel would serve a light breakfast.

Norris: Inquired about lighting?

Floco: Lighting will be LED.

Jacoby: Asked how many employees?

Floco: Estimate 20-30 employees.

Minnery: Inquired about average occupancy rate of other established hotels in City?

Floco: The Hampton with 60 rooms is 80%. Others are about 72%. In downtown San Diego they have less than .3 parking per night, or 30 vehicles for 100 rooms. Many people are using Uber now. The one car per room trend is outdated.

Minnery: Asked if there's separate parking for employees?

Floco: No, employees typically use parking during the day when hotel guests are out. This project has 12% more parking than their similar hotels.

Minnery: Asked if maintenance staff is full-time?

Floco: They expect to be a stable property offering full-time employment.

Minnery: If fully occupied, it's hard to see one spot per room available.

Floco: Hotel guests typically park at night when there's less staff.

Matthews: Inquired about the restaurant?

Floco: There would be limited food available in PM, mostly breakfast service for convenience, so not enough to bring people in.

Matthews: Asked staff if there are any Palomar Airport flight issues with six stories?

Pedersen: Explained it's in the overlay zone for the flight path, but the site is at a lower elevation of the City.

Norris: Asked if in Palomar Hospital helicopter flight path?

Brindley: Replied that staff is not aware of an impact and did not evaluate. The airport influence area doesn't specify building height limitations; it primarily addresses over-flight notifications for noise annoyances.

#### **OPEN PUBLIC HEARING**

Mike Hunsaker, resident, representing PODL/TOVPOA: Commented he likes some things about the project, including the architecture. San Marcos is fairly uniform so it's a nice surprise. Commended the developer for preparing the shadow analysis. Coles invested a lot and should be protected. He has some hesitation regarding parking. If there's not enough for employees they could end up in neighboring areas. He likes the location near highway, and feels it's a good overflow type hotel or for families. Asked staff if Traffic Report is a computer supplied program from Sacramento? Two and five-second delays sound reasonable, but it depends on how it's written. If it's spread over too wide an averaged area, not considering the real peak areas, it could severely underestimate the impact of congestion.

Allison Ramirez, resident: Indicated she reviewed the traffic study and the mitigation measures showed nothing required. Asked if the rest of the area was considered, that had LOS D, E and F? They're adding almost 900 vehicles. Inquired why North Coast Church is using the Red Rock parking lot for their shuttle service on weekends? She can't get out of her driveway now. City should consider the shuttle traffic and look at Deodora Lane. Feels hotel should be kept consistent with how the other buildings look. The rest of the area is on septic. Stated she absolutely does not want the hotel in her neighborhood.

#### **CLOSE PUBLIC HEARING**

Flodine: Inquired about traffic analysis methodology?

Kuey: Replied it was a SANDAG model and is a regionally acceptable way to analyze. Explained how it's determined. Conclusions at certain intersections are LOS E and with the project it's also LOS E. It concludes there isn't a significant impact because there wasn't a 2-second increase in delay of intersection. The analysis is typical and has been used by the City and other jurisdictions for many years.

Flodine: Mentioned there's no stop sign on Leora Lane.

Kuey: Pointed out they could ask that a stop sign warrant analysis be done.

Matthews: Commented that traffic was her #1 concern in an already congested area, but it's not 896 cars all at once. Almost half the hotels in City are accessed from two lane roads and they're doing fine.

#### **Action:**

COMMISSIONER KILDOO MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL OF:

SP 15-010 AS SET FORTH IN RESOLUTION PC 17-4676; AND SDP 15-010 AS SET FORTH IN RESOLUTION PC 17-4678 WITH MODIFICATIONS: (New): **H. 26. Six (6) percent of the required parking spaces shall be equipped with electric vehicle charging stations.; INCLUDING ADOPTION OF MITIGATED NEGATIVE DECLARATION ND17-003; SECONDED BY COMMISSIONER NORRIS AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:**

Brindley: Confirmed it's a recommendation for approval to City Council?

Kildoo: Replied yes.

Norris: Seconded.

Flodine: Asked if motion is okay?

Sidhu: Yes.

Schaible: Expressed that in spite of this being allowed by the SP, he doesn't think a six-story building fits the character of the existing commercial development as it moves from Nordahl Road to the east, so he cannot support it.

Flodine: Commented that the area is surrounded by existing two-story commercial and five one-story single family homes and then, there's a 70' structure proposed. There's not adequate tree screening, and he doesn't like the way the rooms are laid out. He won't be voting in favor because of a statement in the resolution which he can't support, it's not in scale and harmonious with the existing and future development within the area. He applauds a hotel at this location, but not the current proposed project. Maybe if it was 3-4 stories? Feels there's a lot of intensity on the site.

**Action:**

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

Flodine: Announced immediately that he obviously meant to vote no and requested a re-vote.

Sidhu: Advised group to vote again on same motion.

**Final Action:**

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

**3. Project No:** CUP17-0004, EX17-024

**Applicant:** Emerald Family Holdings, LLC (Green Gables)

**Request:** Renewal of a Conditional Use Permit to allow for the continued operation of a special events facility for weddings and social gatherings at the Old Richland Schoolhouse in the Mixed-Use 3 (MU-3) Zone.

**Environmental Determination:** Categorically Exempt (EX 17-024) pursuant to Section 15301 Class 1 of the California Code of Regulations (CCR) in that this is an existing facility with no expansion.

**Location of Property:** 134 Woodland Parkway, more particularly described as Lot 11 of Block 22, 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.: 220-240-73-00.

**Staff Presentation (Norm Pedersen):**

PowerPoint presentation shown. Discussed surrounding land uses and background. Originally approved in '95, and Planning Commission has approved several renewals and modifications over past 22 years. In '12, land use and zoning changed from Industrial M-2 to Mixed-Use (MU-3). Site plan shown. They'll continue to operate as a special events facility for weddings and social gatherings. No expansion is proposed and they'll have the same operational standards as '12. Approximately a 4.4 acre site of the Old Richland Schoolhouse. Discussed parking requirements and off-site parking availability. Facility is operating in compliance with Building and Fire. No public comments were received. Staff recommends approval and Categorical Exemption.

Schaible: Asked if they're operating with '16 code? The accessibility code has changed since '12.

Pedersen: Indicated the Fire Department did an inspection earlier this year and there were no violations. Building Official said they are up to date.

Schaible: Inquired if there's accessible parking?

Pedersen: He'd need to verify.

Brindley: Replied that staff can follow up. Typically the trigger for making ADA improvements is consistent with any type of a building permit upgrade to the facility. She's not aware that there were any building permits or site improvements made within past five years that would trigger that requirement. Will defer to applicant.

Schaible: Pointed out his concern is there are a lot of opportunist attorney's out there doing ADA compliance lawsuits. If Commission approves it, it should be compliant so they are covered.

**Rick Gittings, Applicant's representative:** Commented during the '12 update, they moved several parking spots right up to the pavilion. He believes it's probably compliant even with the 2016 criteria, although that was probably not used during '12 inspection.

Flodine: Asked about off-site parking, is there a valet or shuttle and do they avoid Mission Road?

Gittings: Replied that there is and the route is almost always internal. There's less interference than Mission Road and most events are on weekends.

### **OPEN PUBLIC HEARING**

No requests to speak.

### **CLOSE PUBLIC HEARING**

#### **Action:**

COMMISSIONER MATTHEWS MOVED TO APPROVE CUP17-0004 AS SET FORTH IN RESOLUTION PC 17-4637; SECONDED BY COMMISSIONER KILDOO AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE:

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

### **PLANNING MANAGER COMMENTS**

Brindley: Mentioned the various projects presented to Commission in 2017 and gave a brief update on their status. Thanked Commissioners for their hard work, dedication and great questions. Announced that Commissioner Kildoo is concluding his Planning Commission service. Thanked him for serving in various capacities. Commissioner Kildoo's wisdom and experience has served the community well. Also want to recognize Lisa Kiss' dedicated service. For well over a decade, she's served as the Planning Commission Secretary and has really put in a lot of effort, working behind the scenes in keeping everyone on track, packets prepared and delivered on time. In keeping with the City Manager's philosophy of providing opportunities for staff to cross train and have better understandings of overall City functions, Lisa will be moving to the City Manager's office, and Sandra Gallegos will be moving to Development Services. All of Development Services appreciates Lisa's role and she personally wanted to publicly recognize her level of appreciation for Lisa's expertise, diligence and eagle-eyed attention to detail.

### **PLANNING COMMISSIONERS COMMENTS**

Flodine: Inquired if there'd be a December 18<sup>th</sup> meeting?

Brindley: No meeting. Wished everyone a happy holiday.

Flodine: Thanked Commissioner Kildoo for his focus and stability. It's been a pleasure working with him.

Kildoo: Commented it's been pleasure to serve, a rewarding 28 years and wonderful experience. He will continue to serve as Chair of the Creek Task Force. He appreciates the education the City's provided for

him to become knowledgeable enough to make decisions. He feels everyone works as hard as him, and he appreciates this great group. He'll miss the Planning Commission meetings.

Schaible: Asked the status of pedestrian bridge over Mission Road near Palomar College?

Kuey: Commented he isn't sure, would need to get update from CIP and get back to him.

**ADJOURNMENT**

At 7:48 p.m. Chairman Flodine adjourned the meeting.



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