

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY COUNCIL CHAMBERS
1 CIVIC CENTER DRIVE
SAN MARCOS, CALIFORNIA
MONDAY, JANUARY 7, 2013 - 6:30 PM

CALL TO ORDER

At 6:32 p.m. Chairman Nelson 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: KILDOO, MAAS, MINNERY, NELSON,
NORRIS, SCHAIBLE, WEDGE

ALTERNATE COMMISSIONERS IN AUDIENCE: FLODINE, JONES

ABSENT: NONE.

Also present were: Planning Division Director, Jerry Backoff; Principal Civil Engineer, Peter Kuey; Office Specialist III, Lisa Kiss; Deputy City Attorney, Jim Lough, Deputy City Engineer, Maryam Babaki

ORAL AND WRITTEN COMMUNICATIONS

None.

CONSENT CALENDAR

1. APPROVAL OF MINUTES, 12/3/12

Action:

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

PUBLIC HEARINGS

2. **Case No:** P12-0005/ND 12-002

Application of: Sonic Drive-In

Request: A Conditional Use Permit to allow the construction of a 1,795 square-foot drive-in restaurant with 899 square-feet covered outdoor dining area on a 0.9-acre lot within the Commercial (C) Zone.

Location of Property: Southeast corner of Grand Avenue and Via Vera Cruz, more particularly described as: Parcels 2 & 3 of Map 1473. Assessor's Parcel No.: 219-152-58 and 219-152-59.

Staff Presentation (Norm Pedersen):

Described request and location. PowerPoint presentation shown. Proposed 1,795 s.f. drive-in restaurant, with an 899 s.f. covered outdoor dining area. Includes drive-thru lane and customers are serviced by "car-hops" on roller skates. Includes landscaping & water feature. Site plan & architecture shown. Commercial zone. Discussed surrounding uses and architecture. Architecturally compatible with Grand Plaza. There's no dining within building. Discussed traffic. Estimated 1,697 ADT's. Study concluded that the levels of service will not be impacted by the project; however, they'll contribute to a city-wide impact on SR-78 and be annexed into the congestion management CFD. Turning movements were analyzed. They'll be required to extend existing center median about 25 ft. along Via Vera Cruz so only right-in and right-out turns will be allowed. Project will share a driveway access w/veterinary office to the east. Full turning movements will be allowed, but making a left turn out will only be allowed into the left turn lane going to Via Vera Cruz. They must construct a median on Grand Avenue to prevent vehicles from cutting across traffic. Circulation and parking discussed. 24 spaces are comparable to other similar Sonics'. No comments received from public. Since the packet was prepared, staff met w/applicant to discuss conditions. Discussed several changes proposed in staff memo handed out earlier. Most are minor wording for clarification and have also deleted some conditions. Major changes include: D.4. Gives applicant more options to control on-site circulation. D.11. Allows for existing utility cabinets to be screened as opposed to relocating. J.2. Revised real property lien agreement per direction of City Attorney's office. J.13. Allow for in-lieu fee for installation of fiber optic within Grand Ave., to go towards larger capital improvements project. J.14. Traffic signal timing plan. Allow for applicant to put together the plan. J.15. Completion of a Transportation Management Plan is not necessary based upon size of project. J.20. Provides extra clarification when street improvements need to be done. Caltrans will need to review proposed improvements along Grand Avenue. This may take additional time and would allow processing of grading plans. J.61. Allows processing of grading plans if more time is needed for Caltrans review. Staff recommends approval.

Nelson: Asked about J. 13., and how it benefits them paying for fiber optic for lights?

Backoff: It is their fair share. It's part of a larger project that will be done at a later date.

Kildoo: Inquired about D.4. revision and traffic control devices?

Kuey: Staff will work with developer to come up with other methods and more flexibility to prevent movement conflicts (pointed out). It gives them more options.

Kildoo: Asked if staff would approve it?

Kuey: Yes, with grading plans.

Nelson: Inquired why no left on Via Vera Cruz?

Kuey: Concern about potential back up and there's not enough room for a left turn pocket.

Maas: Asked about left turn to Grand.

Backoff: Median designed to channel left-turn into left-turn pocket.

Kildoo: Asked if you can continue west on Grand?

Backoff: No, must go out Via Vera Cruz to the signal to make a left. Staff didn't want traffic crossing over multiple lanes to go west or to the SR-78 right-turn lane.

OPEN PUBLIC HEARING

Darrell Gentry, DWG Consulting, Applicant & Property Owner Representative: Thanked staff. Applicant funded a traffic study which was done by RBF. Indicated they've secured a reciprocal easement with veterinary office. Have read all conditions as well as errata. Applicant supports raised median. Discussed traffic study: Traffic study did not identify any immediate concern with left-turning movements out of access easement driveway or the internal circulation of the project. By 2030, there could be turning movement/traffic issues, so City sought to get immediate relief in place today. They've worked out a solution that allows for some flexibility and they do not object to CFD annexation. Sonics' reps are present. Committed to building by spring.

Kildoo: Asked if they had any other issues?

Gentry: Conditions are not perfect and they'd welcome relief from paying money. Have come up with compromised solutions with staff and are prepared to move forward with project.

Nelson: Asked who's maintaining vet parking lot?

Gentry: Parking lot is being paved for vet. It starts this week as a separate item. It's a part of the agreement with the property owners and vet, not Sonic. Sonic is acting as the construction agent.

Wedge: Commented that she loves Sonic and visits when in TX. Assume that the Vista location is successful?

Sonic representative in audience: Yes, 5th highest sales in Country.

CLOSE PUBLIC HEARING

Kildoo: Indicated he was initially concerned about ingress/egress. It's an awkward, tight corner & intersection. Feels staff and applicant have come up with a good solution and is pleased with final outcome.

Action:

COMMISSIONER WEDGE MOVED TO APPROVE CUP 12-001 (P12-0005) AS SET FORTH IN RESOLUTION PC 13-4327 WITH MODIFICATIONS AS INDICATED IN STAFF MEMO HANDOUT DATED 1/7/13; SECONDED BY COMMISSIONER KILDOO AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE;

AYES: COMMISSIONERS: KILDOO, MAAS, MINNERY, NELSON,
NORRIS, SCHAIBLE, WEDGE

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

Sonic representative: Commented that staff did a wonderful job all through the process and that they have an amazing team.

3. Case No: CUP 12-898

Application of: Crown Castle

Request: A Conditional Use Permit to allow the continued operation of an existing wireless telecommunication facility disguised as a broad-leaf tree on the Twin Oaks Golf Course.

Location of Property: 1441-B N. Twin Oaks Valley Road, more particularly described as: A portion of Parcel "A" of Parcel 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, October 4, 1990 as File/Page 90-544825 of Official Records. Assessor's Parcel No.: 182-160-12.

Staff Presentation (Jerry Backoff):

Described request and location. PowerPoint presentation shown. Aerial photo shown. Located between 9th hole fairway and driving range. Permit will provide additional 10-year term for expired CUP. Up to 5 wireless facilities are allowed on golf course and currently there are four. Applicant must conduct field measurements of RF emissions to confirm compliance with FCC requirements within 90 days of approval. No public comments received. Staff recommends approval.

Nelson: Asked why they must measure emissions if it doesn't do anything?
Commission can't ask about health issues.

Backoff: Want to make sure actual emissions are consistent w/FCC regulations. It's the only proof that we get.

Kildoo: Can't think of a more unobtrusive location. It's needed and has been a good place to put them over the years.

Nelson: Asked why applicant is not a cell phone company? Is this something new?

Backoff: Installation by another vendor, bought by Crown Castle. They allow Sprint to use.

Nelson: Someone else purchases site? Asked if they make more money leasing site?

Crown Castle representative in audience: Indicated yes.

OPEN PUBLIC HEARING

No speakers.

CLOSE PUBLIC HEARING

Action:

COMMISSIONER KILDOO MOVED TO APPROVE CUP 12-898 AS SET FORTH IN RESOLUTION PC 12-4323; SECONDED BY COMMISSIONER MAAS AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE;

AYES: COMMISSIONERS: KILDOO, MAAS, MINNERY, NELSON,
NORRIS, SCHAIBLE, WEDGE

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

PLANNING DIRECTOR COMMENTS

Backoff: Apologized that the parking covers weren't removed prior to meeting. Unfortunately, the Security Guard forgot again. RPS will discuss with the security company.

PLANNING COMMISSIONERS COMMENTS

Nelson: Asked why X-mas lights are still up? We're wasting taxpayer money.

Kildoo: Making good progress on Borden Road bridge. It will be a nice way to get around.

Wedge: Asked when it will be completed?

Babaki: 6 months.

Norris: Indicated he has heard from many people regarding the confusion getting into Walmart. Coming off SR-78 west, cars are cutting over to go to Costco. Has anyone mentioned and are there any plans for change?

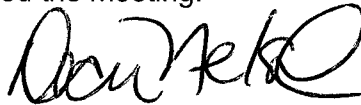
Backoff: Think it's a learning curve.

Babaki: Agreed. It's better than what we started with. We're guiding the drivers with newly installed median and additional signs. We're observing and taking some steps to improve. Shopping center will also be putting in own signage.

Backoff: Reminded Commissioner's that City Council Commission appointments are tomorrow night.

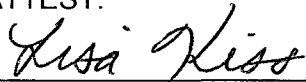
ADJOURNMENT

At 7:09 p.m. Chairman Nelson adjourned the meeting.



Dean Nelson, Chairman
SAN MARCOS PLANNING COMMISSION

ATTEST:



Lisa Kiss, Office Specialist III
SAN MARCOS PLANNING COMMISSION