



# Agenda

## MEETING OF THE PLANNING COMMISSION

**MONDAY, February 7, 2011, 6:30 PM**

Planning Commission Meeting

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

**Cell Phones:** As a courtesy to others, please silence your cell phone or pager during the meeting and engage in conversations outside the Council Chambers.

**Americans with Disabilities Act:** If you need special assistance to participate in this meeting, please contact the City Clerk at (760) 744-1050, ext. 3145. Notification 48 hours in advance will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Assisted listening devices are available for the hearing impaired. Please see the Secretary if you wish to use this device.

**Public Comment:** Please complete a "Request to Speak" form located at the entrance of the Council Chambers in order to address the Planning Commission on any agenda item. Comments are limited to three minutes, unless you have registered your organization with the City Clerk. If you wish to speak on an item not on the agenda, you may do so under "Oral Communications." Please complete a "Request to Speak" form as noted above.

**Meeting Schedule:** Regular Planning Commission meetings are generally held on the first Monday of each month at 6:30 pm in the Council Chambers. The Agenda's are posted on the City website at: [www.san-marcos.net](http://www.san-marcos.net).

**Agendas:** Agenda packets are available for public inspection 72 hours prior to scheduled meetings at the Counter / Development Services Department located on the first floor of City Hall, 1 Civic Center Drive, San Marcos, during normal business hours. Any agenda-related writings or documents provided to a majority of the Planning Commission after distribution of the agenda packet are available for public inspection at the same time at the Counter / Development Services Department located on the first floor of City Hall, 1 Civic Center Drive, San Marcos, during normal business hours.

## AGENDA

Call to Order – 6:30 PM  
Pledge of Allegiance  
Seating of New Commissioners  
Roll Call  
Election of Chairperson  
Election of Vice-Chairperson

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**Oral and Written Communications:** Persons wishing to speak on a matter not on the agenda may be heard at this time; however, no action will be taken until placed on a future agenda. Speakers are limited to five minutes. Please complete a "Request to Speak" form and place in basket provided.

## **CONSENT CALENDAR**

### **1. APPROVAL OF MINUTES – January 3, 2011**

## **PUBLIC HEARINGS**

### **2. Case No: PZ 10-20 / PZ 10-21 / PZ 10-22 / GPA 10-108A / GPA 10-108B / GPA 10-108C / ND 10-807**

**Application of:** City of San Marcos

**Request:** The proposed project consists of the following actions:

1. Prezone of 10.6 acres to Open Space OS in the City of San Marcos.
2. Prezone of 2.8 acres to roadway right-of-way in the City of San Marcos.
3. Prezone of 2.5 acres to Residential Agricultural A-1.
4. Prezone of 1.027 acres from roadway right-of-way in the City of Carlsbad to Light Industrial (LM) in the City of San Marcos.
5. General Plan Amendment to modify .971 acres from Light Industrial, 8.51 acres from Rural Residential (.125-1 du/acre), .375 acres from Hillside Residential (.25-.50) and .75 acres from road right-of-way to open space; a change of 10.6 acres to Open Space (OS).
6. General Plan Amendment to add .675 acres to the City of San Marcos public road right-of-way (previously City of Carlsbad public road right-of-way).
7. General Plan Amendment to change 2.06 acres of City of San Marcos public road right-of-way from Light Industrial and Rural Residential (.125-1 du/acre), respectively (San Elijo Road – 1.82 acre and .24 Rancho Santa Fe Road).
8. General Plan Amendment to add 1.027 acres to a Light Industrial designation in the City of San Marcos (previously public right-of-way in the City of Carlsbad).
9. Resolution recommending City Council approval for an application to the Local Agency Formation Commission to take proceedings for the annexation of a portion of Rancho Santa Fe Road right-of-way, including adjacent property, and a portion of San Elijo Road right-of-way, including adjacent property for the following:
  - a. A 1.702-acre amendment to the City of San Marcos Sphere of Influence;
  - b. A .675-acre detachment of roadway right-of-way from the City of Carlsbad;
  - c. A 1.027 acre detachment of Planned Community designation from the City of Carlsbad;
  - d. A .696-acre amendment to the City of Carlsbad Sphere of Influence;
  - e. A .696-acre detachment of roadway right-of-way from the City of San Marcos;
  - f. A .696-acre detachment from the City of San Marcos Fire Protection District;
  - g. Annexation of .696-acres of roadway right-of-way to the City of Carlsbad;
  - h. A 1.702-acre detachment from the City of Carlsbad;
  - i. A 1.702-acre annexation to the City of San Marcos.

- j. A 3.916-acre detachment from County Service Area No. 83 - San Dieguito Local Parks;
- k. A 3.916-acre detachment from County Service Area No. 107 - Elfin Forest Fire Department;
- l. A 4.64-acre annexation to the City of San Marcos Fire Protection District; and, Annexation of 16.87-acres of unincorporated territory to the City of San Marcos.

A majority of the project areas will not involve any physical change. A portion of Area 1 (2.5 acres) and Area 2 (1.027 acres) may result in future potential for some minor alteration of already disturbed and/or paved project area to use as: 1) 1 to 2 low density single-family residences where a demolished home had previously existed (Area 1) requiring applicable permits and potentially a lot line adjustment to allow a second home; and 2) landscape and/or hardscape (pavement, parking lot, etc.) as accessory to existing light industrial uses located adjacent to the project area resulting from the vacation and boundary change in the City of San Marcos upon annexation of 1.027 acres to four separate parcels (Area 2).

**Location of Property:** The project consists of three project areas located within the western and southwestern areas of the City. The first area (Area 1) is an approximate 11.25 acre property acquired by the City adjacent to Via Allondra to realign Via Allondra as part of the Rancho Santa Fe Road improvements (La Costa Meadows Drive to Island Drive) and provide upland mitigation (8.51 acres) for said project on the east side of Rancho Santa Fe Road south of Via Allonda. The second area (Area 2) is an approximately 2.39 acre area of road right-of-way located along Rancho Santa Fe Road (north of Melrose Drive to south of La Costa Meadows Drive) straddling the boundaries of the cities of San Marcos and Carlsbad. The third area (Area 3) is an approximate 3.92 acre area of area located north of the San Elijo Road realignment, and including the segment of San Elijo Road located in the County, with City segments on each side located on north of San Elijo Road between the Old Creek Ranch Development and San Elijo Hills Development, more particularly described as:

Area 1: PORTIONS OF SW1/4 OF NW1/4 SEC 20, T12S-R3W, SBBM, DESCRIBED AS Par 55 & POR PAR 56, 57 OF ROS 4009, & RIGHT-OF-WAY IN DOC04-41020; TOGETHER WITH A PORTION OF NE1/4 OF SE1/4 SEC 19, T12S-R3W, EAST of RANCHO SANTA FE ROAD (RS454); Assessor Parcel Numbers: 222-042-14, 222-042-17, 222-042-20 and 222-143-29. Area 2: POR OF NEW RANCHO SANTA FE ROAD IN NE 1/4 SEC 30, T12S-R3W, WESTERLY OF EX BOUNDARY COURSE 30 OF LAFCO R082-29; AND THAT PORTION OF LAND FROM THE EXISTING BOUNDARY COURSE 32 OF LAFCO R082-29 TO THE NEW EASTERLY ROW OF SAID STREET IN NW 1/4 SEC 29 T12S-R3W THAT PORTION OF RANCHO SANTA FE ROAD AT SOUTH OF INTERSECTION WITH MELROSE DR, EAST OF COURSE 30, 31 AND FIRST 198.30' OF COURSE 32 OF LAFCO R082-29. Area 3: THOSE PORTIONS OF SW1/4 OF SW1/4 OF SEC 28, NW1/4 OF NW1/4 SEC 33, & NE1/4 OF NE 1/4 SEC 32, T12S-R3W-SBM, IN NORTHERLY OF SAN ELIJO ROAD, INCLUDE RIGHT OF WAY DESCRIBED IN DOC2003-0082675, DOC2003-0670399, AND DOC 2001-505017. Assessor Parcel Numbers: 223-040-05, 223-070-26, 223-070-27, 223-080-01, and 223-080-47.

**Staff Recommendation:** Recommend approval to City Council

**Planning Commission Action:** Recommended approval to City Council

3. **Case No:** CUP 10-821 / ND 10-805

**Application of:** Breen Enterprises, Inc., d.b.a. The Jumping Turtle Bar & Grill

**Request:** A Conditional Use Permit to allow an existing 4,240 square foot restaurant and bar to operate an entertainment venue/nightclub. The project does not propose significant construction or modification to the existing structures at the project site. If approved, the project would allow entertainment and dancing to occur at the project site. The proposed entertainment will include concerts, karaoke, spoken word and other forms of performance art. Entertainment would occur on a stage located within the existing building and include the use of amplified sound, lights and other similar apparatus. In conjunction with entertainment, dancing for minors and adults is also proposed.

**Location of Property:** 1660 Capalina Road, San Marcos, more particularly described as: Parcel 1 of Parcel Map 2003 as recorded in the San Diego County Recorder's Office. Assessor's Parcel No.: 219-115-35.

**Staff Recommendation:** Conditional approval

**Planning Commission Action:** Conditional approval

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**PLANNING DIRECTOR COMMENTS**

**PLANNING COMMISSIONERS COMMENTS**

**ADJOURNMENT**

STATE OF CALIFORNIA      )  
COUNTY OF SAN DIEGO      ) ss.  
CITY OF SAN MARCOS      )

I, Lisa Kiss, Secretary of the Planning Commission of the City of San Marcos, hereby certify that I caused the posting of this agenda in the glass display case at the north entrance of City Hall on February 3, 2011, prior to 5:30 p.m.

Date: February 3, 2011

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**Lisa Kiss, Planning Secretary**