



# MINUTES

## Regular Meeting of the Planning Commission

**MONDAY JULY 15, 2019**

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

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### **CALL TO ORDER**

At 6:30 p.m. Planning Commission Chair Norris called the meeting to order.

### **PLEDGE OF ALLEGIANCE**

Commissioner Flodine led the Pledge of Allegiance to the Flag.

### **ROLL CALL**

The Secretary called the roll:

PRESENT: COMMISSIONERS: MINNERY, MATTHEWS, OLEKSY, NORRIS, FLODINE, MUSGROVE, CARROLL

ALTERNATE COMMISSIONERS IN AUDIENCE: NUTTALL

ABSENT: NONE

Also present were: Planning Manager Joe Farace; Assistant City Attorney Wendy House; Associate Planner Norm Pedersen; Senior Office Specialist Gina Henderson

### **ORAL AND WRITTEN COMMUNICATIONS**

None

### **CONSENT CALENDAR**

#### **1. APPROVAL OF MINUTES, 06/17/19**

#### **Action:**

COMMISSIONER MATTHEWS MOVED TO APPROVE CONSENT CALENDAR ITEM #1 AS PRESENTED; SECONDED BY COMMISSIONER OLEKSY. MOTION CARRIED BY THE FOLLOWING VOICE VOTE.

AYES: COMMISSIONERS: MATTHEWS, OLEKSY, FLODINE, MUSGROVE  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: NONE  
ABSTAIN: COMMISSIONERS: MINNERY, NORRIS, CARROLL

### **PUBLIC HEARINGS**

#### **2. Project No: SP18-0004 / SDP18-0001 / ND19-001**

**Applicant:** Artis Senior Living

**Request:** A Proposed 39,951 square-foot, 64-bedroom residential care facility for Alzheimer's and memory care on a 2.18-acre property in the University Commons (Old Creek Ranch) Specific Plan Area (SPA). The project applicant requests a Specific Plan Amendment to change the existing land use designation of the property from "Light Industrial" to "Senior Residential" and a Site Development Plan for review of the proposed project design.

**Environmental Determination:** The Mitigated Negative Declaration (ND19-001) was prepared pursuant to the California Environmental Quality Act (CEQA).

**Location of Property:** North side of San Elijo Road, east of S. Rancho Santa Fe Road.

**Assessor's Parcel Number:** 223-651-01-00

**Norm Pedersen, Associate Planner:** Presented staff report and PowerPoint presentation to Planning Commission to approve recommendation to City Council the adoption of a Mitigated Negative Declaration (ND19-001); adoption of a Specific Plan Amendment (SP18-0001); and approval of a Site Development Plan (SDP18-0001) for a 39,951 square-foot, 65-bedroom residential care facility for Alzheimer's and memory care within the University Commons Specific Plan Area (SPA) Zone. The project site is currently vacant and was previously rough graded during the mass grading for the 416-acre University Commons development area in 2003. The project will have forty-six (46) parking spaces and landscaping. The project is located adjacent to the San Marcos Creek Residential Area to the north and east which is part of the University Commons Specific Plan Area (SPA) and consists of a trail, private park and the creek. Further north is the La Costa Meadows Industrial Park. Multi-family residential is located to the south, across from San Elijo Road, which is also within the SPA. In addition, a recreational vehicle (RV) storage yard and a preschool are located immediately to the west in the City of Carlsbad. In 1991, the City adopted the University Commons Specific Plan which covers a 416-acre area surrounding La Costa Meadows Industrial Park. The University Commons Specific Plan was amended in 2001, 2002, 2003, and 2004. Under the current Specific Plan, the project site is identified as Planning Area 4 and is designated for Light Industrial development which allows for office, manufacturing, and service uses. The University Commons SPA is now built-out with approximately 1,100 multi-family units, 349 single-family residences, and 8 acres of light

industrial, except for the subject site which is currently vacant. The project proposes an amendment to the University Commons Specific Plan to change the land use designation of the project site from "Light Industrial" to "Senior Residential" to allow for the construction of the proposed project. The amended Specific Plan will also include new development criteria for assisted living facilities such as residential care and extended nursing care as licensed by the State. The project will include a detached 489 square-foot enclosure for an emergency generator and an ADA accessible ramp which will switch back down the existing southern slope from the sidewalk on San Elijo Road to the building entrance. In addition, the project will be required to install a rolled curb access across the median on San Elijo Road to allow for the crossing of east-bound emergency vehicles over the median to the project site. Landscaping throughout the project will consist of a mixture of trees, shrubs, and ground cover to enhance the proposed building and parking area.

**Applicant Representative, Terry Mathew with CCI:** Artis currently has 45 communities and continues to expand throughout California. This proposed two-story facility will be dedicated to only Alzheimer's and Memory Care patients. There will be forty-six (46) parking spaces and two (2) electric vehicle (EV) charging stations. The building will have a 20-foot elevation drop from San Elijo Road, which will leave the 2<sup>nd</sup> story of the building viewable from the street. Artis will have a general store, family area, barber & beauty shop, health center, dining area, and a screened in porch. Exterior fencing will be 8-feet in height and will not have "toe" holes, in order to prevent climbers from getting over the fence to wonder around. All doors are secured with egress alarms; if someone opens the doors the alarm will go off. There will also be keypads requiring security codes to open doors. Artis staffing needs exceed State requirements. There are eight (8) care partners for daytime shift to monitor each resident and tend to their needs. Overnight there are less care partners because the residents are sleeping. Resident profiles and photos are maintained on sight in case there is an emergency, information will be immediately available. We will have a Fall Management Program, which is having the equipment and staff available to assist residents should anyone of them experience a fall, minimizing the call to emergency services for assistance. This project will add forty-five (45) employees, working three (3) shifts; limited visitors; no traffic impact, versus a Light Industrial project will have employees coming and going throughout the day and night. There is no school impact, because the residents will not have children living with them that need to attend school.

**Planning Commissioner discussions included:** How was the \$23,000 deficit calculated, because there are a few numbers presented in the packet that have three (3) different values; Carlsbad fire station is the closest to this proposed project and if they are primarily responding to the calls, who are they billing; What routes are accessible for emergency vehicles; how are emergency assistant costs going to be recovered; Is Paseo Plumo, which is a private road be used as an entrance for the facility; what kind of material is the fencing made of and what will it look like; for the emergency vehicle access the plans show that the driveway will go where the City just installed a new San Marcos monument sign, who will be paying for those costs to remove and replace the sign; how many staff per resident during the day and how many in the evening; how visible the site will be from San Elijo Road; will this facility participate in any State and Federal programs; will there be any photovoltaic (PV) on the roofs; why focus on falls in the facility instead of security if the residents are mentally frail and not physically frail; San Elijo Road and Rancho Santa Fe are busy streets and making sure that a resident doesn't get out and wonder across the street should be the focus, not having a Fall Management program.

**Applicant Representative, Jim Simmons with CCI:** There is a mutual aid agreement with Carlsbad and structured where they take care of San Marcos' needs and San Marcos takes care of Carlsbad's needs. That report in the packet was conducted before the Fall Prevention Program Care and the numbers are showing a worst case scenario.

**Norm Pedersen, Associate Planner:** The material of the 8-foot fencing will be a vinyl material going around the garden area. The exact material type and what the fence will look like is not currently on the plans, however when Grading Plans are submitted, Landscape Plans will also be submitted with that information for review. Emergency vehicle access (EVA) will be determined by the Fire Marshal and Public Works Director.

**Rick Bell, with Artis Senior Living:** Eight (8) caregivers are responsible for the residences well being throughout the day. Our facility is not a physical assistant living care facility. If a resident needs that type of care, they will be required to move out and find a facility devoted to that type of care. There will not be subsidies for the project, as it was not economically feasible. We have private units, which we felt are in the best interest of the residents. State laws also have a limited number of subsidized beds available and are difficult to get.

**Applicant Representative, Terry Mathew with CCI:** There will be eight (8) caregivers devoted to residents during the day, as well as 23 employees to include Directors, Registered Nurses, and Registered Nurse Practitioners working two shifts, from 7 a.m. to 3 p.m. and 3 p.m. to 11 p.m. Five (5) caregivers will be there from 11 p.m. to 7 a.m. The project is 35-feet high and will be 26-feet below elevation. The second floor and roof will be visible from the street. Air conditioning equipment will be screened and not visible. The applicant opted not to have sensors or badges on the residents, but instead the residents will be escorted by a care giver who will have security badges and know the security codes to open the doors. Artis looked at PV options and it was not cost effective to add at this time. The conduit will be placed on the roof if they reconsider. Right now their focus is on the care of the residents.

#### **PUBLIC COMMENTS**

**None**

#### **CLOSED PUBLIC HEARING**

**Planning Commissioner comments included:** The facility is a need in the City and will add value; a big concern with the construction traffic that will be traveling amongst the intersection of San Elijo Road and Rancho Santa Fe, which has high traffic volume from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. and do not want to see the soil import trips during those peak hours; would like to suggest limiting the soil import trips or have City staff come up with different hours of travel for these trucks and any plan for traffic control not including Flagmen; will ask that this be added to the Conditions during motion to approve.

#### **OPEN PUBLIC HEARING**

**Applicant Representative, Jim Simmons with CCI:** In response to the request to limit the soil import trips and stay within our construction timeline we suggest we are allowed to work with City staff to come up with a traffic control plan that will include the time of day the trucks can come and go and how many trucks are allowed to travel during that time.

**CLOSED PUBLIC HEARING**

**Planning Commissioner comments included:** Project has no school impact; enhanced architecture and much better use than what could have been there; something to think about regarding the egress, if the fire department has to respond the facility may get a paramedic unit, an engine or ladder truck or a tiller truck and with all the construction equipment, they could high center on the grain of the egress, and trucks which include delivery trucks may use Rancho Santa Fe more; great project and good location; a condition of approval will be added to the SDP regarding the applicant to work with City staff on a construction traffic control plan for soil import.

**Action:**

COMMISSIONER FLODINE MOVED TO APPROVE RESOLUTION NO. PC 19-4791, TO INCLUDE THE MITIGATED NEGATIVE DECLARATION ND 19-0001 AND SECONDED BY COMMISSIONER MUSGROVE. MOTION CARRIED BY A UNANIMOUS ELECTRONIC VOTE.

AYES: COMMISSIONERS: MINNERY, MATTHEWS, OLEKSY, NORRIS, FLODINE, MUSGROVE, CARROLL  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: NONE  
ABSTAIN: COMMISSIONERS: NONE

COMMISSIONER FLODINE MOVED TO APPROVE RESOLUTION NO. PC 19-4792, TO INCLUDE AN ADDITIONAL CONDITION OF APPROVAL PER STAFF'S WORDING: THE APPLICANT/DEVELOPER SHALL ESTABLISH A SOIL IMPORT SCHEDULE WITH THE CITY SO AS NOT TO IMPACT TRAFFIC DURING PEAK TRAFFIC HOURS. SCHEDULE SHALL BE REVIEWED AND APPROVED BY THE PUBLIC WORKS DIRECTOR AND CITY ENGINEER. SECONDED BY COMMISSIONER MATTHEWS. MOTION CARRIED BY A UNANIMOUS ELECTRONIC VOTE.

AYES: COMMISSIONERS: MINNERY, MATTHEWS, OLEKSY, NORRIS, FLODINE, MUSGROVE, CARROLL  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: NONE  
ABSTAIN: COMMISSIONERS: NONE

### **PLANNING MANAGER COMMENTS**

Artis will be presented to City Council in August or September, depending on staff resources and workload moving forward. When Artis goes to City Council we will explain to them what happened at Planning Commission, and the condition that was added. Council will have the discretion to keep, add, or change that condition. Also, the Mission 24 project which was heard by Planning Commission was presented to City Council on July 9<sup>th</sup> and was approved unanimously 5-0. They were happy that this project is going in to replace the vacant bank property. There is also a tentative Planning Commission meeting scheduled for August 5<sup>th</sup> and that project is a CUP for a preschool. This concludes the Planning Manager comments.

### **PLANNING COMMISSIONERS COMMENTS**

The Commissioners welcomed Assistant City Attorney Wendy House to the Commission.

### **ADJOURNMENT**

At 7:41 p.m. Chair Norris adjourned the meeting.



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KEVIN NORRIS, CHAIRMAN  
CITY OF SAN MARCOS PLANNING COMMISSION

ATTEST:



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GINA HENDERSON, SENIOR OFFICE SPECIALIST  
CITY OF SAN MARCOS PLANNING COMMISSION