



# MINUTES

## Regular Meeting of the Planning Commission

**MONDAY, MAY 04, 2020**

City Council Chambers – Teleconference and Electronic Means  
1 Civic Center Drive, San Marcos, CA 92069

### **CALL TO ORDER**

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

### **Chair Flodine made the following statement:**

Pursuant to Governor Newsom's Executive Order N-29-20 dated March 17, 2020, and Executive Order N 33-20 dated March 19, 2020, issued with respect to COVID-19 pandemic, this Planning Commission meeting will be conducted utilizing teleconferencing and electronic mean. In the interest of reducing the spread of COVID-19, members of the public may only call in to hear the meeting and may not be present in the Council Chamber.

To submit a public comment at this Planning Commission meeting, please email [Ghenderson@san-marcos.net](mailto:Ghenderson@san-marcos.net) and write "Public Comment" in the subject line. In the body of the email, include the item number and/or title of the item as well as your comments. Email comments on matters not on the agenda must be submitted prior to the time the Chair calls the Oral Communications item. Email comments on any agenda item must be submitted prior to the time the Chair closes public comments on the agenda item. Please be advised that all emailed comments are subject to the same rules as would otherwise apply to speaker comments at any Planning Commission meeting, and that electronic comments on agenda items for this meeting may only be submitted by email. Comments via text message and/or social media (Facebook, Twitter, Instagram, etc.) will not be accepted.

The Planning Secretary will read all email comments, provided that the reading will not exceed three (3) minutes, or such other time as the Commissioners may provide, consistent with its ability to set time parameters for public comment at a Planning Commission meeting. If persons submitting their comments do not want their comment read out loud at the meeting (not to exceed three minutes), they should not "Do Not Read Out Loud at Meeting" at the top of the email. All emailed comments that were received by 4:00 p.m. today were provided to the Planning Commission members and included as "Supplemental Information" on the City's website prior to the meeting. Those comments received after 4:00 p.m. and prior to close of public comment on the applicable agenda item will be added to the record and will be shared with the Planning Commission members at the meeting.

Any presentations or materials provided by planning staff or applicants to be shared during this Planning Commission Meeting are available on the City's website.

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[www.san-marcos.net](http://www.san-marcos.net)



### **PLEDGE OF ALLEGIANCE**

Commissioner Musgrove led the Pledge of Allegiance to the Flag.

### **ROLL CALL**

The Secretary called the roll:

PRESENT BY TELECONFERENCE: COMMISSIONERS: NUTTALL, MATTHEWS, NORRIS, FLODINE, OLEKSY, MUSGROVE, CARROLL

ALTERNATE COMMISSIONERS IN AUDIENCE BY TELECONFERENCE: CAVANAUGH

ABSENT: NONE

Also present were: Principal Planner Saima Qureshy; Principal Civil Engineer Stephanie Kellar; Deputy City Attorney Punam Prahalad; Associate Planner Sean del Solar; Senior Office Specialist Gina Henderson

### **ORAL AND WRITTEN COMMUNICATIONS**

None were received by email or telephone prior to 4:00 p.m.

### **CONSENT CALENDAR**

#### **1. APPROVAL OF MINUTES, 03/02/2020**

##### **Action:**

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

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

#### **2. TE20-0002**

**Applicant:** ColRich California LLC

**Request:** Approve Resolution PC 20-4851 (Time Extension 20-0002) granting a 2-year time

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extension for a previously approved Tentative Subdivision Map (TSM15-007) for the mapping of 89 single-family residential lots, 4 private lots, and 3 storm drain access lots on a 91.65 acre site located in the Murai Specific Plan Area (SPA).

**Environmental Determination:** The project is within the scope of the Final Environmental Impact Report (FEIR) for said request (State Clearinghouse No. 2016091054) pursuant to the California Environmental Quality Act (CEQA) and no new environmental information or documentation was presented in the review of the requested time extension revealing any new unidentified environmental impacts that had not been previously mitigated.

**Location of Property:** West of the northern terminus of Las Posas Road within the Murai Specific Plan Area (SPA).

Assessor's Parcel Numbers: 184-241-03-00; 218-011-10-00; 217-050-36-00; and 217-050-38-00.

**Action:**

COMMISSIONER MUSGROVE MOVED TO APPROVE CONSENT CALENDAR ITEM #2 AS PRESENTED; SECONDED BY COMMISSIONER OLEKSY. MOTION CARRIED BY THE FOLLOWING VOTE.

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

**3. Project No.:** PA20-0004

**Applicant:** Scripps Health

**Request:** Approve Resolution PC 20-4867 for the Proposed Vacation of Right-of-Way for portions of Echo Lane and former Discovery Street.

**Environmental Determination:** Categorically Exemption EX20-062 per CEQA Section 15305, Class 5 (Minor Alterations in Land Use Limitations).

**Location of Property:** Echo Lane and Discovery Street, more particularly described as: Portions of lots 1, 2, 3, and 4 of block 67, together with the portion of unnamed street (Echo Lane) lying between blocks 63 and 67, of Rancho Los Vallecitos de San Marcos, according to map thereof 806, and Parcel A of Map No. 16595.

Assessor's Parcel Numbers: 221-142-19-00; 221-142-20-00; 221-142-22-00; and 221-080-18-00.

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**Action:**

COMMISSIONER MUSGROVE MOVED TO APPROVE CONSENT CALENDAR ITEM #3 AS PRESENTED; SECONDED BY COMMISSIONER OLEKSY. MOTION CARRIED BY THE FOLLOWING VOTE.

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

**4. Project No.: PA20-0005**

**Applicant:** El Dorado II, LP

**Request:** Proposed Summary Vacation of Right-of-Way for portions of Mission Road and Pleasant Way within Tentative Parcel Map TMP18-002.

**Environmental Determination:** In accordance with the California Environmental Quality Act (CEQA), the proposed summary vacation is deemed Categorical Exempt (EX20-064) pursuant to Section 15305 Class 5 (Minor Alterations in Land Use Limitations), in that this is a minor realignment of right-of-way.

**Location of Property:** 304 West Mission Road

Assessor's Parcel Numbers: 220-100-08-00; 220-100-09-00; 220-100-10-00; 220-100-12-00; 220-100-14-00; 220-100-29-00; 220-100-56-00; 220-100-59-00; 220-100-62-00; 200-100-63-00; 220-100-64-00; and 220-100-67-00.

**Action:**

COMMISSIONER MUSGROVE MOVED TO APPROVE CONSENT CALENDAR ITEM #4 AS PRESENTED; SECONDED BY COMMISSIONER OLEKSY. MOTION CARRIED BY THE FOLLOWING VOICE RECORDED VOTE.

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

**PUBLIC HEARING**

**5. Project No.: CUP19-0004 and TSM18-003**

**Applicant:** California Allstars Cheerleading, Inc.

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**Request:** A request for a Conditional Use Permit (CUP19-0004) and Tentative Parcel Map (TPM18-0003) to subdivide a vacant 2.14 acre parcel into two (2) parcels and develop an 18,873 square foot industrial office building designed and constructed as a gymnasium (i.e. instructional personal service use) and provide for the future development of an additional 9,060 square foot industrial office building.

**Environmental Determination:** In accordance with the California Environmental Quality Act (CEQA), the City of San Marcos did find the project Categorically Exempt (EX20-056) pursuant to Section 15332 Class 32 of the California Code of Regulations (CCR), in that the project is consistent with the General Plan land use and zoning designation of Industrial; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

**Location of Property:** Vacant lot on the east side of Twin Oaks Valley Road at the intersection with Christen Way, more particularly described as the The West 300 feet of lot 5 in block 51 of Rancho Los Vallecitos de 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: 220-050-44-00.

**Sean del Solar, Associate Planner:** Presented staff report and power point presentation for California Allstars. The project applicant is requesting approval of a Conditional Use Permit and Tentative Parcel Map to develop the site. The proposed project includes a "personal services; instructional" primary land use (cheerleading school). The project site is located within a strip of Industrial (I) and Commercial (C) Zone that borders the east side of Twin Oaks Valley Road, between Borden and Mission Roads. The other industrial lots on the east side of Twin Oaks Valley Road, in the vicinity of the project, have already been developed. East of San Marcos Creek, fronting Woodward Street, there are vacant parcels zoned R-3-10 Multifamily Residential. Across Twin Oaks Valley, west of the project site, is a developed multifamily residential neighborhood zone R-2. The western bank of San Marcos Creek, an ephemeral drainage, runs roughly along the eastern project site property boundary. The floodway and 100-year floodplain extend onto the eastern side of the property. The project will not alter existing land forms, install buildings, or improvements in the floodplain or floodway. In addition, the finished floor heights of the proposed buildings will be located two feet above the base flood elevation, in accordance with the Flood Damage Prevention Overlay Zone requirements. The project site consists of a 2.14 acre parcel, with approximately 330 feet of frontage on N. Twin Oaks Valley Road. The TPM proposes to subdivide the lot into two new parcels. Parcel A would include 1.23 acres and Parcel B would consist of 0.91 acres. Both lots comply with the relevant development standards of the Industrial (I) Zone which includes but is not limited to the 10,000 square foot minimum lot size, the 80 foot minimum lot width, and 0.5 maximum Floor area Ratio (FAR) with the buildings proposed in the CUP. The two-story building on Parcel A (cheerleading school) and one-story office/warehouse building on Parcel B would be the same height of 26', which is less than the allowable 45' maximum height limit of the Industrial (I) Zone. The Buildings are setback 22' from the existing Twin Oaks Valley Road right-of-way, accommodating the 12' IOD and the required 10' front

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setback of the Industrial (I) Zone. A total of 18,336 square feet (19%) of the project site will be landscaped, exceeding the 10% landscape requirement of Industrial (I) Zone. The design of the matching buildings consists of an industrial style architecture, with smooth concrete tilt-up walls, flat roofs and parapet walls to screen mechanical equipment, and architectural enhancements of “Redwood” horizontal siding on building pop-ups at the corner of each building facing Twin Oaks Road and the adjacent building/parking lot. Landscaping of the parkway will be approved by the Public Works Department and onsite private landscaping will consist of 26 flowering accent trees, 7 large scale riparian trees, 18 evergreen accent trees, and complementary shrubbery and ground cover throughout the site and parking lot. All landscaping is required to comply with the City’s Water Efficient Landscape Ordinance. Building A would be the headquarters of the California Allstars cheerleading school and the 18,873 square foot building would primarily consist of a gymnasium, with an office and restrooms on the first floor and a small office space on the second floor. Use of Building A as a personal service; instructional facility has a requirement to provide a total of 78 parking spaces. Building B would be developed in the future and would consist of a 9,060 square foot structure for an office/warehouse use and would require a total of 18 parking spaces. It is important to note that the “drop-off” nature of the cheerleading school, it is not expected to utilize all of the 78 parking spaces and alternative use of both buildings as industrial would only require 40 parking spaces. A Biological Resource Report and CEQA exemption memo were prepared for the project by RECON and included as Attachment D. The report concluded that although southern willow scrub and eucalyptus woodland habitats are present onsite, the design of the project and inclusion of a covenant of open space on the eastern side of the property will avoid any significant impact to sensitive vegetation communities, plant species, and/or wildlife corridors. The City’s implementation of the Migratory Bird Treaty Act requires construction activities to occur outside of the nesting season (February 15 to September 15) or requires a nesting bird and raptor survey to be conducted to ensure no disturbances to the nesting birds will occur. A notice of application was circulated at the time the project application was filed. The City received a small number of inquiries about the project; however, no written comments were received.

**Planning Commissioners discussion included:** Is the current location of the School is going to close and move to the proposed location; the landscaping on the east side of the property above the Creek area, will there be a fence or only vegetation that could allow access from the Creek area; what is the height of the fence on the east side; will the fence prevent people from climbing over and wandering in the parking lot; are there electric vehicle charging stations proposed; will Photovoltaic be installed on the roof; is it a requirement to install Photovoltaic; has the applicant seen any current activities occurring on this site; that site has a road with an unimproved shoulder that has a lot of evening and overnight parking from the adjacent apartment complex, has the applicant had a discussion with the City on how to manage that for availability of their operation; if the applicant or developer improve the shoulder will there be on street parking available or discussed if residents start to use the parking lot of the business; are there any plans to improve the intersection, as this a very busy road; what kind of markings are going to be there, would cars be allowed to make left hand turns out of this driveway; the cheer school class will be starting at 4 p.m. during rush hour, are there any traffic mitigations by the City; there are several businesses in the vicinity of the proposed site and I have not noticed any difficulty during the evening time getting in or out of the complex; will the City require a right turn only out of the proposed site;

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**Sean del Solar, Associate Planner:** There is a fence on the east side. It is a retaining wall and a fence will be placed on top of that wall. The fence is 5-6 feet high; however it will be on a retaining wall that is lower in elevation on the Creek side. The project will be providing five (5) electric vehicle charging stations. The proposed project does not include Photovoltaic at this time; the applicant can clarify more on the subject if they plan on installing when submitting building permits. The street improvements will continue to allow the street parking to occur. There will be a little bit of a loss of street parking in the taper that will occur as the street moves closer to the driveway to allow visibility. The project itself will utilize the 18,000 square foot building. The applicant has notified the City that they intend to develop the 9,000 square foot building at some point in the future and they can describe later what the future building will be. The Conditional Use Permit includes the right to build building, making the applicant eligible to build the smaller 9,000 square foot building in the future providing the entitlement has not expired. Then if they propose to use the building consistent with the Industrial Zone there will be no additional entitlement required, however if another dance school or conditional use wants to go in that building, it will require an additional permit. After looking at the grading plans to clarify, the fence height will be five to six foot high on top of the retaining wall, and that retaining wall height is going to be six feet tall. On the lower side of the project site on the Creek side effectively would have a six foot fence on top of a six foot wall, so there will be a twelve foot drop from the top of the fence.

**Saima Qureshy, Principal Planner:** To confirm it is not a requirement at this time to install Photovoltaic. The on street parking will remain as is. There is no proposal or plan to make any changes to the availability of the parking on the street, and no plan to do any striping to not allow parking on the street.

**Stephanie Kellar, Principal Civil Engineer:** With regards to Twin Oaks and Christen Way, the driveway accessing the cheerleading school does align with Christen Way and staff have not identified a safety concern. The traffic will need to queue on the private property while waiting for a safe time to make the turning movement onto Christen Way. To confirm, there is not a right turn only requirement out of the proposed site.

**Andrew Kjellberg, Architect representing the applicant California Allstars Cheerleading:** The applicant will be moving from their current location. The reason for the move was so they could be owners instead of tenants. There are six locations, so this proposed site will be the corporate office as well. We are preserving the landscaping alongside the Creek and the biological buffer with a retaining wall and fence between ten to twelve feet high. We are planning for six EV locations on site. We have not discussed Photovoltaic and I will bring that up with my client. Regarding additional activities for the site; we are only planning on a parking lot for the school. We are not open to offering our parking lot for evening parking by the adjacent complex. We have discussed with staff a right turn only out of the site. We recognize during rush hour traffic, turning left out of the site would be challenging, and we are open to addressing that issue.

## **PUBLIC COMMENTS**

No public comments were received by email during the 3 minute pause.

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### **CLOSE PUBLIC HEARING**

**Planning Commissioner discussions included:** No additional comments.

### **Action:**

COMMISSIONER MATTHEWS MOVED TO APPROVE CUP19-0004 WITH PC20-4855, APPROVE TPM18-0003 WITH PC20-4856, AND APPROVE CEQA EXEMPTION EX20-064; SECONDED BY COMMISSIONER NORRIS. MOTION CARRIED BY THE FOLLOWING VOTE.

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

### **PLANNING MANAGER COMMENTS**

We will be having our next Planning Commission meeting on May 18<sup>th</sup>.

### **PLANNING COMMISSIONERS COMMENTS**

Commissioner Musgrove thanked the Planning staff for their presentations during these difficult times and that it's good that businesses in San Marcos are staying in town to offer services to our residents and greater area.

### **ADJOURNMENT**

At 7:44 p.m. Chair Flodine adjourned the meeting.

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ERIC FLODINE, CHAIRMAN  
CITY OF SAN MARCOS PLANNING COMMISSION

### **ATTEST:**

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

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