



MINUTES

Regular Meeting of the Planning Commission

MONDAY NOVEMBER 01, 2021

City Council Chambers

1 Civic Center Drive, San Marcos, CA 92069

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Commissioner Cavanaugh led the Pledge of Allegiance to the Flag.

ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: NUTTALL, OLEKSY, FLODINE, NORRIS, CAVANAUGH, CARROLL, CRAIN

ALTERNATE COMMISSIONERS IN AUDIENCE: RIOS

ABSENT COMMISSIONERS: MATTHEWS

Also present were: Planning Manager Joe Farace; Senior Planner Art Piñon; Principal Civil Engineer Stephanie Kellar; Deputy City Attorney Punam Prahalad; Senior Office Specialist Gina Jackson

ORAL AND WRITTEN COMMUNICATIONS

None

CONSENT CALENDAR

1. APPROVAL OF MINUTES, 10/18/2021



Action:

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

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

PUBLIC HEARINGS

2. ITEM HAS BEEN REMOVED FROM AGENDA AND WILL BE CONTINUED TO AN UNDETERMINED FUTURE DATE.

Project No: PA21-0004

Applicant: City of San Marcos

Request: Recommendation of approval of the Trails Master Plan Update to the City Council.

Environmental Determination: The project is categorically exempt from the California Environmental Quality Act (CEQA), Section 15378 of the CEQA Guidelines because there is no potential for it to result in a physical change in the environment, either directly or indirectly. Even if the proposed Trails Master Plan update were to be considered a project subject to CEQA, it would be exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed project would have a significant effect on the environment.

Location of Property: City-Wide

3. Project No: CUP20-0006

Applicant: Namou Group, LLC

Request: The applicant is requesting approval of a Conditional Use Permit to develop and establish an automotive fueling station, car wash, and a convenience store at a vacant 2.5-acre site located at the southeast corner of Twin Oaks Valley Road and Borden Road in the Commercial (C) zone. In accordance with San Marcos Municipal Code (SMMC) Table 20.220-0 (Commercial Zones), establishment of an automotive fueling station in the Commercial (C) zone requires approval of a Conditional Use Permit.

Environmental Determination: Mitigated Negative Declaration (ND21-003) was prepared pursuant to the California Environmental Quality Act (CEQA).

Location of Property: Southeast corner of Twin Oaks Valley Road and Borden Road, more particularly described as Lot 7 of Block 5, of Map No. 806 (Rancho Los Vallecitos de San Marcos) in the City of San Marcos, County of San Diego, State of California, as Filed in the Office of the County Recorder of the County



of San Diego, State of California, on December 21, 1895. Assessor's Parcel No. 220-050-09-00/

Art Piñon, Senior Planner: gave the presentation.

Terry Matthew, CCI – Applicant representative: gave the applicant presentation.

PUBLIC COMMENTS

Michael Glen, resident of San Marcos: Has concerns with the flow of traffic going in and out of the station; what size trees are being planted, and who will be responsible for the care of the trees and landscaping; concerns that the lighting from the signs will be very bright at night.

Applicant response: There is a double turn lane on Twin Oaks and at the northern and southern limit of the driveway will be lines painted on the pavement with the words "Keep Clear", to allow a vehicle to exit or enter the site. We don't currently have the details of our landscape plans, but the City regulates the size of the trees. The City also has a requirement that all lighting face downward and don't leave the site.

Staff response: All trees will be in minimum of 24 inch boxes. The lighting is required to face down and be shielded from off site locations. The City has not yet reviewed the signage to look at the lumination. That will be done through a Building Department permit process. The area just north of the egress and ingress point of the driveway flares toward the center of the street, creating a protected area for the right turn pocket.

CLOSED PUBLIC HEARING

Planning Commissioner discussions included: Ask for confirmation on the gas station operating hours; confirm if the open space vegetation would be visible from Borden Street; is there a projection on the sales tax revenue to the City; if there is a State requirement for EV charging stations for electric vehicles and bicycles; concerns with the egress and ingress at the site as there is only one way for entering and exiting. Concerns with the lighting of all the signs being too bright for surrounding residents at night, runoff from the site going in the creek, and how a 100 year flood event will affect the site. Confirm what work is being done on flood channel to help with a 100 year flood event. Concerns with noise coming from the site, that the middle lane for turning into the site or exiting the site will become congested and cause an accident, and with Green House Gas emissions from fuel spillage and idling vehicles at the site. Confirm that Fire Department and Sheriff's Department reviewed the plans for public safety, and any standard for needing more than one point of access; would like to see Level 3 EV chargers instead of Level 2 EV chargers; looks like a great project for the area, as the City needs a gas station in that area; would like to see a traffic signal in that area; like that a gas station is going in this area so that the tax funds goes to the City to help pave the roads; feel this is not a good location for a gas station; which City department is responsible for monitoring light and noise pollution; concerns that the City App used for complaints does not effectively respond how

PC AGENDA ITEM #1



the complaint was resolved or no contact is made by City staff regarding the resolution. Does the City have flexibility to change the hours of the car wash if the noise level is not in compliance?

Applicant response (Terry Matthew, Matt Simmons): The fuel pump and convenient store hours will be from 4:30 a.m. to midnight, and the carwash hours will be from 8:00 a.m. to 7:00 p.m.; the open space vegetation will be visible from Borden Street. CFDs from the Finance Dept. have not been received to be able to calculate the sales tax revenue to the City; there is not a State requirement for the EV charging stations, but following the City's Climate Action Plan for requiring new construction use 5% of their parking spaces for EV charging; there is not a charging station for bicycles, but racks available for bikes to park at the side of the building. There is a water quality basin cleaning runoff before it goes in the creek; the current drainage channel is being upgraded to prevent flooding to the site, handle a 100 year old flood event, and prevent overflow to the bio filtration base. Other sites were looked at and this site is the best location for the proposed project; the site will be accessible south on Twin Oaks and from Borden on to Twin Oaks; the Arco lighting is a subtle blue. A noise study was conducted to determine noise impacts beyond the site, and 55 decibels goes to Twin Oaks and won't reach the creek area. Traffic fluctuates from heavy to light throughout the day; we are open to other possibilities regarding EV chargers when we get to final engineering. Some lighting will stay on for safety; the pumps shut down at midnight and the canopy lights will stay on for emergency vehicle repairs; some of the convenience store lighting will stay on; the lighting is required to have shields and not spill out to the nearest residential area that is about 200 feet away from the site and has a 10 wall with vegetation to block most of the lighting from the back; the visible lighting will be towards Twin Oaks Valley where there are Industrial and Commercial uses. The landscape plan shows what the plants will look like at a five year maturity state.

Staff response (Art Pinon, Stephanie Kellar): The signage will be approved by staff and is added as a conditional approval by the Planning Division, the project must follow the conditional signage use for automotive fueling stations. Fire Department and Sheriff's Department reviewed plans and neither had concerns with the access; there is no City requirement for more than one point of access for automotive fueling stations; the City's urban street criteria for an arterial street only allows for one point of access when feasible, as the goal is to minimize impacts to traffic safety by minimizing the number of conflict points. Complaints the City receives are referred to Code Enforcement, then Planning would look at the Conditional Use Permit for any violations of the condition; Planning and Code will work with the property owner who will be required to correct those issues. Any traffic collisions caused by traffic congestion are studied by the Traffic Engineer, in which data is gathered by staff or a consultant to supplement the Sheriff's collision data; staff would brainstorm ideas for what could possibly be done. City staff does have the flexibility to make changes to hours of operation for a business if they are not in compliance with the noise requirement.

Sally Schiffman, Rincon Consultants, Inc. for MND response: The Mitigated Negative Declaration used the City's Climate Action Plan checklist for the project's compliance.

Punam Prahalad, Deputy City Attorney response: Commissioners, a Conditional Use Permit is based on findings that the Planning Commission has to make and these are in the proposed resolution. There are three findings that your decision should be based on.



Action:

COMMISSIONER CARROLL MOVED TO ADOPT MITIGATED NEGATIVE DECLARATION 21-003 AND APPROVE CUP20-0006 WITH RESOLUTION PC21-4949; AND SECONDED BY COMMISSIONER CRAIN. MOTION CARRIED BY AN ELECTRONIC VOTE.

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

PLANNING MANAGER COMMENTS: The Breakers Assisted Living on the southeast corner of Richmar and Twin Oaks Valley Rd was approved at the City Council meeting on October 26th. The Mariposa 2 housing project that came to Planning Commission was also approved at City Council on October 26th. Our City Engineer approved a Tentative Parcel Map that was appealed for the Diamond Street Industrial site off Melrose. by neighbors and another group. Per code the appeal does not go to the Planning Commission, it goes to City Council. The Tentative Parcel Map was to change the 13 Industrial lots to two lots. This was also approved at City Council on October 26th. We will have an item before you on November 15th. The General Plan Update has been rebooted and the next workshop is Land Use and Community Design on November 16th at 6 p.m. at the San Elijo Community Center. This concludes my comments.

PLANNING COMMISSIONERS COMMENTS:

Chair Norris inquired about the project at Richland Elementary, and indicated that school traffic becomes congested and that the parents cannot park on the street causing an issue if Emergency Services had to get through that street. Would also like to know about the hospital construction if there are any issues and the date of completion.

Commissioner Crain asked for height requirements for a new project going in, and asked how many stories the building was.

Commissioner Oleksy indicated that Block C has put up some significant sized signage on their buildings advertising apartments for rent that can be seen from the 78. Asked if those signs are consistent with the Specific Plan or permitted separately?

Planning Manager response: I will follow-up with our Construction Inspector for that site and see if we can resolve that issue, and get back to you regarding the hospital.



Staff response: The project is located in the University District Specific Plan Area, approximately 195 acres located south of State Route 78, straddling Twin Oaks Valley Rd. just north of Cal State San Marcos. It is the same area where the Urge is, the Extended Learning Building, and new student-housing going up over there. Instead of setting a total height of the 5 or 6 story buildings there, the primary developer for the area is requesting revisions to the University District Specific Plan, for building height and is requesting 185 feet tall max 12, 14 & 16 story buildings in that area.

The advertising signs that we reviewed are compliant with the San Marcos Municipal Code, but will look into it to see if that sign is compliant. The signs reviewed are covered under the City’s sign ordinance.

Planning Manager response: There is a public workshop taking place next Monday night at 6 p.m. at the Community Center for the proposed University District project. There will be a presentation to cover all aspects of this project by the applicant.

ADJOURNMENT

At 8:33 p.m. Chair Norris adjourned the meeting.

KEVIN NORRIS, CHAIRPERSON
CITY OF SAN MARCOS PLANNING COMMISSION

ATTEST:

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