

# MINUTES

## Regular Meeting of the Planning Commission

**TUESDAY JULY 05, 2022**

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 Vice Chair Crain called the meeting to order.

### **PLEDGE OF ALLEGIANCE**

Commissioner Nuttall led the Pledge of Allegiance to the Flag.

### **ROLL CALL**

The Secretary called the roll:

PRESENT: COMMISSIONERS: NUTTALL, CAVANAUGH, CRAIN, GARCIA, RIOS

ALTERNATE COMMISSIONERS IN AUDIENCE: NONE

ABSENT COMMISSIONERS: NORRIS, FLODINE, CARROLL

Also present were: Planning Division Director Joe Farace; DeNovo Planning Consultant Ashley Brodtkin, Senior Planner Sean del Solar, Assistant Engineer Jonathan Quezada, Deputy City Attorney Punam Prahalad; Senior Office Specialist Gina Jackson

### **ORAL AND WRITTEN COMMUNICATIONS**

None

### **CONSENT CALENDAR**

**1. APPROVAL OF MINUTES, 06/06/2022**

**Action:**

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

AYES: COMMISSIONERS: NUTTALL, CAVANAUGH, CRAIN, RIOS  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: NORRIS, FLODINE, CARROLL  
ABSTAIN: COMMISSIONERS: GARCIA

**PUBLIC HEARINGS**

**2. Project No: TA22-0001**

**Applicant:** City of San Marcos

**Request:** Approve updates to the Zoning Ordinance implementing various Programs contained within the 2021-2029 Housing Element that would remove constraints to a variety of housing types and ensure the City's standards and permitting requirements are consistent with State law.

**Environmental Determination:** The Zoning Ordinance Update will rely on the July 2021 Addendum to the General Plan Final Environmental Impact Report (FEIR), prepared for the 2021-2029 Housing Element, finding that it would result in no new significant impacts that were not analyzed in the General Plan FEIR.

**Location of Property:** The Zoning Ordinance Update is applicable to all properties within City limits.

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

**Joe Farace, Planning Division Director:** gave staff presentation.

**Planning Commissioners discussions included:** clarify the difference between Employee Housing, Agricultural Worker Housing, and Qualified Worker Housing; confirm a City statute of limitations of non-related individuals; locations of Employee Housing; confirm examples of housing for 36 bed units; confirm Adult Residential zoning area; will Adult Residential bypass the Planning Commission;

**DeNovo Planning consultant response:** The housing definitions refer back to the Health and Safety Code, it references Qualified Worker Housing as a specific subsection of Agricultural Worker Housing will be permitted by right and allowed by State code. This is updating the terminology for consistency with State law. Employee Housing is an added definition that is not tied to Agricultural use. The difference would be if a warehouse came in and wanted to provide Employee Housing, they could do that in an area. If it's 6 or less occupants, it will be treated as a single family.

**Deputy City Attorney response:** In the Municipal Code there is a Rooming House ordinance that will not permit more than five non-related individuals in a home. However, State law overrides our Municipal Code.

**Staff response:** There are no specific examples for locations of Employee Housing, and treated as residential housing in any neighborhood. 36 bed units will be placed in Agricultural zones. Adult Residential will be consistent with our Residential Care facility zones. Depending on the permit, Adult Residential will come to Planning Commission if it's a Conditional Use Permit.

#### **PUBLIC COMMENTS**

None

#### **CLOSED PUBLIC HEARING**

**Planning Commissioner discussions included:** None

#### **Action:**

COMMISSIONER NUTTALL MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL RESOLUTION PC 22-4999 FOR TA22-0001; AND SECONDED BY COMMISSIONER CAVANAUGH. MOTION CARRIED BY A ROLL CALL VOTE.

AYES:	COMMISSIONERS: NUTTALL, CAVANAUGH, CRAIN, GARCIA, RIOS
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: NORRIS, FLODINE, CARROLL
ABSTAIN:	COMMISSIONERS: NONE

#### **3. Project No:** CUP20-0008 and ND21-004

**Applicant:** Woodmont Land Company

**Request:** A request for a Conditional Use Permit (CUP) to construct a 2 story 11,430 square foot preschool and outdoor play area on a 1.61 acre vacant parcel located at the northeast corner of Twin Oaks Valley Road & Windy Way. The property is zoned Commercial (C).

**Environmental Determination:** A Mitigated Negative Declaration (ND21-004) was prepared for this project and circulated for a public review period from March 28, 2022 to April 27, 2022.

**Location of Property:** A vacant parcel at the northeast corner of N. Twin Oaks Valley Road and Windy Way, more particularly described as Parcel 1: Parcel a of Parcel Map No. 20935, in the City of San Marcos, County of San Diego, State of California, according to map thereof filed in The Office of the County Recorder of San Diego County December 21, 2011 as file no. 2011-0687506, official records. Parcel 2: an easement for ingress and egress over, within and through the northerly 14.25 feet of the westerly 250.00 feet of parcel 1 of Parcel Map No. 4025, in the City of San Marcos, County of San Diego, State of California, according to map filed in The Office of the San Diego County, recorded on August 20, 1975. Assessor's



Parcel No.: 218-120-30-00.

**Recommendation:** Staff recommends approval

**Sean del Solar, Senior Planner:** gave staff presentation.

**Jonathan Quezada, Assistant Engineer:** gave the Right of Way Improvements presentation.

**Planning Commissioners discussions included:** concerns with preschool traffic flow coinciding with college traffic flow; confirm amount of electric vehicle charging stations; type of curriculum; confirm if there are other day care facilities of this size in the city; access to inside the building when children are there; bus transportation and bus entrance; corporate owned facility or a franchise; total number of employees, and ratio of children to staff member.

**Grant Gary with Woodmont, applicant response:** Kiddie Academy's structure is a staggered pick up and drop off throughout the day, with the hours of 6:30 a.m. to 6:30 p.m. Monday through Friday. During peak times, the needed parking stalls is 25. Access to the vestibule is by key access only that every parent will have. Parents or/and Guardians will not have access past that vestibule, bullet resistant film on the windows, cameras throughout the building and in each classroom, and a viewing corridor in the Director's office. Bus transportation is available for the after-school program. This is a franchise facility and will have 22 employees.

**Michelle Hausman, franchisee response:** We are operators but also foster care parents. We are happy to provide this to the community, as there is probably a wait list for childcare in San Marcos. There will not be busses right now, because we are going to focus on the four and under age groups, which will not have after-school programs. The ratio for infant and toddlers is four to one; two to five years olds is twelve to one.

**Staff response:** The project did not trigger the threshold requirement for a full traffic analysis. Per the Building Code, four electric vehicle-charging stations is required.

**Action:**

COMMISSIONER NUTTALL MOVED TO ADOPT ND21-004 AND APPROVE RESOLUTION PC 22-5001 FOR CUP20-0008; AND SECONDED BY COMMISSIONER GARCIA. MOTION CARRIED BY A ROLL CALL VOTE.

AYES:	COMMISSIONERS: NUTTALL, CAVANAUGH, CRAIN, GARCIA, RIOS
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: NORRIS, FLODINE, CARROLL
ABSTAIN:	COMMISSIONERS: NONE

**PUBLIC COMMENTS**

None

**CLOSED PUBLIC HEARING**

**PLANNING COMMISSIONERS COMMENTS:** None

**PLANNING DIVISION DIRECTOR COMMENTS:** At the last City Council meeting, there were open appointments within all of the Boards and Commissions, and Commissioner Cavanaugh has been appointed a regular member of the Planning Commission, and Marcelo Kim has been appointed as an alternate member of the Planning Commission. University District is scheduled to go to City Council next Tuesday. We won't have any items coming to Planning Commission on the second meeting in July, but we should have items for the meetings in August. This concludes my comments.

**ADJOURNMENT**

At 7:25 p.m. Vice Chair Crain adjourned the meeting.

  
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ERIC FLODINE, CHAIRPERSON  
CITY OF SAN MARCOS PLANNING COMMISSION

**ATTEST:**

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