



## Staff Report

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**File #:** TMP-1883

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**PLANNING COMMISSION MEETING DATE:**  
APRIL 17, 2023

**SUBJECT:**  
Draft 03.20.2023 Planning Commission Minutes

**Recommendation**  
Staff recommends approval of Draft 03.20.2023 Planning Commission Minutes

**Attachment(s)**  
Draft\_03.20.23 Planning Commission Minutes

Prepared by: Gina Jackson, Senior Office Specialist  
Reviewed by: Joe Farace, Planning Division Director  
Submitted by: Gina Jackson, Senior Office Specialist



# MINUTES

## Regular Meeting of the Planning Commission

**MONDAY, MARCH 20, 2023**

City Council Chambers

1 Civic Center Drive, San Marcos, CA 92069

### **CALL TO ORDER**

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

### **PLEDGE OF ALLEGIANCE**

Commissioner Kim led the Pledge of Allegiance to the Flag.

### **ROLL CALL**

The Secretary called the roll:

PRESENT: COMMISSIONERS: KIM, CAVANAUGH, NORRIS, CARROLL, RIOS, FLODINE, CRAIN

ALTERNATE COMMISSIONERS IN AUDIENCE: NONE

ABSENT COMMISSIONERS: NUTTALL

Also present were: Planning Division Director Joe Farace; Sustainability Program Manager Saima Qureshy, Senior Planner Sean del Solar, Assistant Engineer Brad Holder, Deputy City Attorney Punam Prahalad; Senior Office Specialist Gina Jackson

### **ORAL AND WRITTEN COMMUNICATIONS**

**Marlene Walder, resident of San Marcos:** Concerns with all the new construction on Barham, which has created an increase of wild animals in residential areas. Water flow to Barham has increased which has created a pool of water under mobile home. Concerns of all the new housing and industrial buildings coming to the area and taking up the available natural habitats for the animals.

### **CONSENT CALENDAR**

**1. APPROVAL OF MINUTES, 02/22/2023**



**Action:**

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

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

**PRESENTATION**

**Clean Energy Alliance (CEA):** Barbara Boswell (CEO) of Community Energy Alliance gave the informational presentation.

**Planning Commissioners discussions:** Affects to customers with solar or considering solar; appreciate your presentation; current rate being offered by CEA; difference in experience blackouts when switching to CEA; concerns with having enough renewable generation resources to power current and future households; joining at a later time after initially opting out; concerns with the current outreach and encourage utilizing more resources to reach the citizens of San Marcos; concerns with fixed pricing. This program will benefit the citizens and business owners in the City. We should help in reaching out to the citizens about this program.

**CEA:** Customers currently with solar are enrolled in SDG&E net meter reading program, and will be automatically enrolled in CEAs net meter reading program. CEA has the same rates as SDG&E, discounted by an exit rate. Blackouts are grid dependent; the risk of having your electricity shutoff is no different whether with SDG&E or CEA. CEA operates under an Energy Risk Management policy which establishes what our thresholds are in what we need to procure to ensure we have enough energy and what our budget is to purchase the energy. Rejoining depends on when a customer opts out; if opting out now they can rejoin anytime, after June customers opting out are required by SDG&E to stay with them for 12 months before joining CEA again. CEA gets paid based on real time price; if it's more than what we paid then we make money, if it's less then we lose money.

**PUBLIC HEARINGS**

**2. Project No:** GPA21-0001, R21-0001, CUP21-0001, V22-0001, and ND22-010

**Applicant:** Lonnie Tabbaa

**Request:** A General Plan Amendment (GPA21-0001), Rezone (R21-0001), and Conditional Use Permit (CUP21-0001) to modify the General Plan and Zoning designation of the referenced property from Mixed Use-3 (MU-3/Nonresidential) to Commercial (C) and construct a gas station, car wash, 3,800 square foot convenience store, and a 1,200 square foot drive-through restaurant tenant space on the subject property. The applicant has also requested a Variance (V21-0001) because portions of the project site



are closer than 500 feet from an existing gas station.

**Location of Property:** A vacant 1.76 acre property located at the southwest corner of W. Mission and N. Las Posas Roads in San Marcos, California 92069.

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

**Sean del Solar, Senior Planner and Brad Holder, Assistant Engineer:** gave staff presentation.

**PUBLIC COMMENTS:**

**Dan Sullivan, resident of San Marcos:** Concerns with added traffic to an already busy street and of traffic congestion within the short space from railroad stop sign and the proposed business driveway; particularly when a vehicle is leaving property and does not allow enough room for a vehicle entering the driveway.

**Susan Wait, resident of San Marcos:** Concerns with traffic on Las Posas, railroad tracks, and traffic stacking up from vehicles entering the proposed business. Expressed potential hazard for vehicles being hit by a train because vehicles cannot move to be out of way due to traffic stacked up caused by vehicles trying to enter the proposed business. Project should follow the CEQA process.

**Ahmad Ghaderi with A&S Engineering (applicant representative):** gave informal applicant presentation of project.

**Lonnie Tabbaa, applicant:** gave a short presentation of proposed project.

**Planning Commissioners discussions included:** other locations in area; queuing concern and stacking distance; line of site from landscape around driveway; proposed condition along the north property line; concerns that block wall will become a graffiti canvas; propose condition that a vine be grown on the wall to deter graffiti; traffic flow for gas station, car wash, and restaurant; added traffic concerns; concerns of traffic from Ascend Coffee (formerly Old Cal Coffee); would prefer to see housing on that property for the college students; size of driveway for business; fueling tank truck schedule; install DC Fast Chargers; employee parking spaces; person operating business; concerns with lighting from the business; location of closest residential to site.

**Applicant response:** Other locations in L.A. County and Inland Empire. There will be a block wall along the north side of the property line. An active maintenance program will address graffiti. Entrance to the restaurant drive-thru and car wash on the west side of the property with dedicated lanes, to avoid any stacking issues. Extra fueling pumps will be added to prevent stacking (vehicles waiting in line to fuel up). The restaurant is not a traditional sit down facility; it will be very small and have a limited menu to serve patrons quickly. Working with owners of Ascend to reduce their menu and inside of restaurant will only have a few seats available for patrons, nothing close to Old Cal Coffee restaurant. Able to schedule fueling tanker truck for station during the evening or off peak hours. Property has adequate space for tanker fueling truck and will not disrupt queuing. There is approximately 40 feet from the pump to the planter curb,



leaving enough space for vehicles to maneuver around tanker fueling truck. Site has dedicated employee parking. There are three shifts with about 10 employees per shift. Our family develops and operates the businesses. Car wash hours will be 7am to 10pm. Fueling and convenience store will be 24 hours. Ascend hours of operation are unknown. Lighting will be on 24 hours 7 days a week.

**Staff response:** Current landscape plans are conceptual and for entitlement, a full landscape package is required at submittal. City has a robust line of site policy. Analysis prepared by the applicant indicates no additional traffic added from the proposed business site triggering a significant impact. There is a 120 ft. linear queuing distance established behind the menu to allow queuing for the restaurant. The project also has a condition to require all vehicle queuing for the carwash and restaurant shall occur onsite, and at no time exhibit the use of a private driveway for egress and ingress on the site, and/or impact the public right-of-way. Should drive-thru queuing occur off site, the owner/operator shall take corrective action to satisfaction of the City Engineer to remedy such issues. The City has standards for driveway separations and widths. For reference, a traditional commercial driveway is about 24 feet wide; the proposed driveway is 35 feet wide. This is the max allowed in our Urban Street criteria. Conduit will be installed for future EV chargers when gas is phased out. Applicants lighting needs to comply with City standards and lighting ordinance. There is residential at Palomar Station and residential neighborhoods across Mission Rd. down Las Posas Rd.

**Narasimha Prasad w/ LLG Engineers, applicant’s traffic consultant:** The restaurant is part of the development and most people visiting the restaurant will be at the business to fuel up, use the car wash, or visit convenience store. There will not be additional traffic trips just for the restaurant. The trips generated by the restaurant were studied separately and included in the analysis.

**CLOSED PUBLIC HEARING**

**Action:**

COMMISSIONER FLODINE MADE A MOTION TO ADOPT ND22-010, AND SECONDED BY COMMISSIONER CARROLL. CARRIED BY A ROLL CALL VOTE.

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

COMMISSIONER FLODINE MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL PC RESOLUTION 23-5027 FOR GPA21-0001, AND SECONDED BY COMMISSIONER KIM. MOTION CARRIED BY A ROLL CALL VOTE.

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



ABSTAIN: COMMISSIONERS: NONE

COMMISSIONER FLODINE MOVE TO RECOMMEND APPROVAL TO CITY COUNCIL PC RESOLUTION 23-5028 FOR R21-0001, AND SECONDED BY COMMISSIONER CARROLL. MOTION CARRIED BY A ROLL CALL VOTE.

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

COMMISSIONER FLODINE MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL PC RESOLUTION 23-5029 FOR CUP21-0001 WITH REVISIONS B25.I TO ADD PLANTING AND MAINTENANCE OF NORTH WALL, AND REVISIONS TO C6, E8, AND F2 TO ADD MINIMUM OF TWO DUAL DC FAST CHARGERS, AND SECONDED BY COMMISSIONER NORRIS. MOTION CARRIED BY A ROLL CALL VOTE.

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

COMMISSIONER FLODINE MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL PC RESOLUTION 23-5030 FOR V22-0001, AND SECONDED BY COMMISSIONER CARROLL. MOTION CARRIED BY A ROLL CALL VOTE.

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

**PLANNING DIRECTOR COMMENTS:** On February 28<sup>th</sup> the City Council heard and acted on the Sante Fe Las Flores project for the 50-unit apartment complex that had the five affordable units. At the Planning Commission there were four conditions that were modified with added language for a shared driveway, on site security cameras and controlled building access. There was also added language for unit accessibility improvements for the market rate and affordable units, and a condition recommending the five units be restricted to 99 years instead of 55-years. City Council approved the project with 3 or those 4 amended conditions. They did not approve the 99-year amendment and changed back to 55-years. The Council stated that although the intentions were good, current ordinances, codes and past practices of affordable housing agreements have always used the 55-year requirement. State code indicates a minimum of 55-years, and it would be a larger policy change that Council would need to consider further. Next Planning Commission meeting may occur at second meeting in April or the first meeting in May.



**PLANNING COMMISSIONER COMMENTS:** Commissioner Norris indicated that hydrogen fueling stations are next.

**ADJOURNMENT**

At 8:46 p.m. Chair Carroll adjourned the meeting.

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CHRISTOPHER CARROLL, CHAIRPERSON  
CITY OF SAN MARCOS PLANNING COMMISSION

**ATTEST:**

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