

# PLANNING COMMISSION

Meeting Date: 12/4/2023

## ADDITIONAL ITEM ADDED AFTER DISTRIBUTION OF PACKET (2)

### AGENDA ITEM # 2

**Applicant/Project Name:** San Elijo Hills Building F LLC  
**Project Number:** CUP23-0001

**Brief Description:** Public Comment from R. Salpietra

**Date** 11/30/23  
**Time** 9:45 a.m.

RICHARD SALPIETRA, ESQ.  
1474 MISTY SEA WAY  
SAN MARCOS, CA 92078

September 18, 2023

Scott Nightingale  
Principal Planner  
City of San Marcos  
Development Services  
1 Civic Center Drive  
San Marcos, CA 92069  
Via email: [snightingale@san-marcos.net](mailto:snightingale@san-marcos.net)

Re: **Denial of San Elijo Montessori Preschool  
CUP23-0001**

Dear Mr. Nightingale:

I write to you as a longtime homeowner in San Elijo Hills ("SEH"). My family has resided in SEH since 2002. We live just up the hill from School House Way and San Elijo Road. For the foregoing reasons, we strongly believe the above-referenced project must be denied in its planned location because it will create a traffic nightmare for all families and guests in SEH and put the community at significant risk.

The planned school is tantamount to putting a preschool in the median of a highway. I have travelled through the adjacent intersection thousands of times since 2002, and over the years, notwithstanding the Traffic Study prepared by the original SEH developer, the traffic has gotten worse and the congestion in the morning and afternoon is almost intolerable. In 2003, while walking across San Elijo Road South ("SERS") very near the planned preschool site with my 5-year-old daughter, I was narrowly missed, and she was hit by a car that was speeding down the hill and blew through the stop sign (which was the traffic control device at the time) at SERS and School House Way. It was a terrifying incident which led to my daughter being life-flighted to Rady's Children Hospital for treatment. Fortunately, she recovered from the accident; however, no parent wants to experience such a horrifying accident. Placing a preschool in a median of a highway may increase the likelihood of this type of accident happening to someone else.

Furthermore, the Traffic Study prepared for this project is remiss in several ways. Although the drop-off times call for 7am to 9:30am, most of the traffic will be trying to enter the preschool between 8:15am and 8:30am, particularly by parents with other school-aged children. The plan calls for 120 children (most likely in 120 cars) trying to enter and exit the project at that time, particularly since there will be an extra charge to arrive before 8:15am. Also, having 120 parents trying to enter the property, park in the 10 spaces available (plus one handicapped space) and spend less than 6 minutes getting their child to the classroom and leaving the lot (as contemplated by the Traffic Study) is simply *unrealistic*. In addition, the pick-up time in the afternoon will coincide with the middle school and elementary school traffic, not to mention traffic coming over the hill at that time of day from CSUSM and other businesses near Highway 78, which will cause more traffic jams. The photos in the Traffic Report show the traffic on Wednesday afternoon, which is a half-day of classes for the other two neighboring schools, so they do not show a realistic situation for a typical school day. On a typical school day, cars are parked in numerous spots lining SERS, traffic is lined up down the road, and children are walking and e-biking down the hill in droves.

My greatest concern is the expected inability of life-safety vehicles (fire trucks, medics, ambulances, and sheriff's deputies) trying to negotiate up or down the hill in the morning and afternoon. The plans show San Elijo Road North ("SERN") without a turning lane entering the project. Therefore, when traveling up the hill, cars trying to enter the parking lot (which will be filled to capacity in the morning and afternoon) will have to queue down the hill in the left-hand lane. This would block traffic all the way down to the town center traffic lights. In fact, the Traffic Study confirms this at page 8; *"If a parent arrives and there are no parking spaces available, the parent would be forced to stall their vehicle on-site. If enough vehicles are stalled on-site, the queue could extend onto San Elijo Road."* When an emergency vehicle attempts to go up the hill at that time, there will be nowhere for cars to move off the street into the parallel parking spaces on either side of the road since those spaces will be used by the staff of the preschool as explained by the developer. This will leave only **one** lane going up the hill which will most certainly cause significant delays for emergency vehicles. There is no way an emergency vehicle will be able to make it up the hill on SERN at peak traffic times of the preschool. I did not see anything addressing that issue in the Traffic Study by the developer.

Also, when traveling up SERN, cars will only be able to turn left *into* the property and cars leaving to go up SERN will only be able to turn left *out of* the property. It would make sense to direct traffic counter-intuitively at that point. That is, when entering the property, one would stay to his left and when exiting the property, one would stay to *his* left. In this scenario, the entering and exiting traffic do not cross. However, although this makes sense traffic-wise, it is counter-intuitive to normal traffic rules. The gas station at the other end of town tried this traffic pattern for a short time; however, people entering followed the normal traffic rules (driver stays to his right) but people exiting followed the painted traffic symbol (driver was directed to stay to his left). That led to near head-on collisions and traffic stopping in the road. As you can imagine, the gas station re-stripped its exit lanes so that when exiting one goes out the right lane and when entering, one crosses that path of travel and enters to the right. Frankly, it causes a traffic jam every time someone leaves and enters at the gas station at the same time. I did not see this issue addressed in the developer's Traffic Study, either.

In addition, although the Traffic Study shows a turning lane on SERS entering the property, it looks like it will only be able to handle 3 or 4 cars at the most. Considering the traffic jam in the parking lot based on the cars trying to enter and exit the other side of the 10-space parking lot as described above, traffic on this side of the property will most certainly back up to the intersection of San Elijo Road and School House Way. At the planned drop-off and pick-up times for the preschool, this will cause significant traffic congestion at the pedestrian crossing to the middle and elementary schools. Watching that procession of parents, strollers, children on bikes, scooters, skateboards, and crossing guards makes for a circus of people and cars. Adding 120 more cars in a limited time period will put parents and children at an unnecessary risk at that intersection. In addition, the same traffic pattern entering and exiting the property as described above will occur which will put traffic at a standstill while cars are attempting to enter and exit from SERS counter-intuitively. This will impede emergency vehicles trying to get down the hill through traffic putting all of SEH at risk. I did not see this addressed in the developer's Traffic Study, as well.

Moreover, having lived in SEH for over twenty years, my family has experienced *four* evacuations because of wildfires. Each time it has gotten consistently more difficult to leave the community with traffic coming to an absolute halt on SERN and SERS. During the most recent wildfire evacuation, we simply did not leave our house because traffic was so backed up on SERN and SERS. With all the additional homes built in SEH since the last major wildfire evacuation, the problem will only be dramatically exacerbated. Adding 120 more cars to such a situation will not only severely impact emergency vehicles from getting up or down the road, but one can imagine the nightmare of parents not being able to reach their preschool-aged children as the community around them is burning. I did not see this issue addressed in the developer's Traffic Study, either.

Scott Nightingale  
Principal Planner  
Re: **San Elijo Montessori Preschool**  
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Again, putting a pre-school in the median of a highway does not make sense and could create a safety hazard for all SEH residents trying to evacuate. In the 2004 Cocos Fire, all 4 lanes of SERN and SERS from School House Way through SEH were directed as egress lanes so that residents could evacuate faster. However, if 120 parents were needing to drive up to the median to pick up their children from the preschool, this would further delay when sheriff's deputies could shift both SERN and SERS lanes to be egress lanes.

For the foregoing reasons, and in concert with all the other protesting opinions expressed at the community meetings at the Civic Center and the Zoom meeting-- which were almost unanimously in agreement-- this project should not be permitted at its planned location. The traffic issues which will result will not only create egregious traffic jams and significantly reduce the quality of life for the local residents, but also life safety vehicles will not be able to negotiate SERN or SERS during the planned morning and afternoon drop-off and pick-up times. Accordingly, I, as well as many, many residents in our community, respectfully request the City Staff recommend denial of the project at its planned location to the Planning Commission.

Thank you for your consideration of this letter.

Sincerely,



Richard Salpictra, Esq.