



# Report

## MEETING OF THE PLANNING COMMISSION

**MEETING DATE:** December 5, 2011

**SUBJECT:** Urban Villages San Marcos, LLC – CUP 10-833 / ND 11-816  
Temporary Rock Crusher and related grading

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### **Recommendation**

Approval of a Conditional Use Permit (CUP) to allow temporary rock crushing and related grading activities in order to prepare buildable pads for future development in accordance with the University District Specific Plan.

### **Introduction**

The proposed project requires the issuance of a Major Conditional Use Permit (CUP) for a temporary rock crushing operation and related grading in order to prepare the west portion of the University District Specific Plan area for future development. The proposed project includes preparation of a construction access road from Twin Oaks Valley Road to the rock crusher pad, a four-phased grading plan, blasting, rock crushing and export of 1,069,200 cubic yards of material over a two to four year period. The temporary rock crusher would be located approximately 2,300 feet (0.4 mile) from Discovery Meadows and 3,100 feet (0.6 mile) from Discovery Hills, the two major residential developments in the area. There are legal non-conforming single family residences situated within the project area in close proximity to the crusher.

### **Background**

The University District Specific Plan was approved under a Final Environmental Impact Report (FEIR) certified on November 10, 2009 (SCH No. 200810183) by the City. The FEIR assumed a balanced earthwork (no export) between the east and west portions of the University District area as well as rock crushing operations for the western portion of the Specific Plan Area. The change in the grading approach from what was studied in the FEIR is due to the following:

1. Leveling of the grade through the intersections to enable a more pedestrian-comfortable 2-3% slope.
2. Reducing the need to step structures and/or construct walls to support abrupt changes in elevations that would have occurred under the previous concept.
3. Maintaining the tie-in to H.G. Fenton property which creates a more cohesive approach to implementing the University District Specific Plan.
4. To over-excavate future pads by 10-feet to avoid future excavation and blasting for utilities for future projects are built.

### ***Public Workshops***

On September 13, 2010, a public workshop was conducted with the general public to discuss the details of the proposed temporary rock crusher and grading concept. The overall questions raised were: Why is there a need to crush the material? **Response:** The current grading design results in approximately 2,772,700 cubic yards of cut. Approximately 80% of this amount will require crushing due to the density of the rock and the inability for it to be broken down. Can the material be crushed somewhere else? **Response:** The location of the crusher was based on a number of factors, such as: topographical barriers, adjacency of material to be crushed, and minimizing the impacts to adjacent property owners. The selected location does not require moving the crushing equipment. Can there be direct access from the site to State Route 78? **Response:** There is no opportunity for a direct connection to SR 78 due to topographic constraints and the fact that Caltrans would not approved such an access. Concerns raised in regards to monitoring traffic with college traffic in area. Are the roads designed for the weight of the trucks hauling material off site? **Response:** The conditional Traffic Management Plan will require limiting truck trips onto Twin Oaks Valley Road per signal cycle. There will also be monitoring of the traffic to ensure congestion is not caused by truck trips.

On July 7, 2011 a second Public Workshop was held with the Planning Commission to discuss the details of the project. Questions & comments raised were: Can project proceed forward if the developer can't acquire the land? **Response:** Prior to any grading, the developer must either own the land or proceed under an agreement with the property owners before any grading can occur under the approved grading permit. How many trucks will be hauling material? **Response:** It is anticipated that there will be a maximum of 106 loads per day per truck equaling 212 truck trips per day. What is the method of counting trucks? **Response:** Each truck leaving the site that is considered one trip and if the same truck returns that is considered another trip equaling two trips. What is the timing of the CUP? **Response:** The CUP is recommended for a three (3) year term with two-one year extensions that would allow up to a total of five (5) years. Given the heavy traffic on State Route 78 today, how will the additional traffic be dealt with? **Response:** The project is required to provide a Traffic Management Plan that will be reviewed and approved by the City Engineer to control the volume of traffic. Furthermore, the applicant is required to install a new traffic signal and all truck traffic shall be limited to one truck per cycle at the signalized intersection, unless modified by the City Engineer. Why is it necessary to move so much rock? **Response:** The proposed temporary rock crushing and grading operation would allow the installation of underground utilities, creation of road alignment per the Specific Plan and establish buildable pads for future development.

### ***Public Input***

Several e-mails and letters were received from Mr. Blaney who owns property adjacent to the proposed rock crushing operation. Although his inquiries were responded to in the "response to comments," staff met with him on two occasions in an effort to discuss his specific concerns. Mr. Blaney requested that the developer consider moving the crushing operation to the south adjacent to Discovery Street. Mr. Blaney concerns were focused on health and economical impacts to his rental properties. Mr. Blaney's concerns were that his tenants would move out causing an immediate rental income loss. Staff responded to Mr. Blaney's comment as attached to the Mitigated Negative Declaration (MND). Mr. Blaney indicated that his comments in the MND were responded to.

## **Discussion**

### ***Air Quality***

An air analysis was conducted for the project components relating to grading, rock crushing, materials export, and blasting. The project activities included emission sources due to fugitive dust from material handling and rock crushing operations. The project is conditioned to comply with the mitigation measures contained in the MND which includes: apply water at least once a day dependent on wind velocity, restrict construction speed to 15 miles per hour to reduce dust from tires, cover hauling vehicles with tarps and apply misting systems on crusher and conveyor belt systems. The MND concluded that the level of emission from the project with compliance to the required mitigation and conditions will be below the required CEQA significance threshold. The project has been conditioned to obtain an authority to construct permit from the Air Pollution Control District (APCD) prior to grading operations and comply with all conditions which are air compliant by reference within the resolution.

### ***Noise***

A noise impact analysis was prepared for the proposed project focusing on rock crushing activities; trucks, blasting, and grading related noise. Grading the crusher pad 10' below the ultimate future building grades will create stockpiles of material that will be required to be used to mitigate noise associated with the rock crushing equipment. The rock crusher platforms will be required to be lined with a rubberized material to absorb sound. The truck /hauling route will be restricted to a short route to and from the site on Twin Oaks Valley Road to State Route 78 and back. A 15 MPH speed limit will be enforced onsite for trucks and limitation of use of "jake" brakes. The noise associated with hauling material will have a temporary increase to the ambient noise levels in the vicinity, but would not be categorized as a long term substantial increase in noise.

### ***Traffic***

The project construction truck traffic is restricted to access from Twin Oaks Valley Road, near Shubin Lane. A permanent traffic signal has been conditioned to be installed at the Twin Oaks Valley Road/truck access intersection. The new signal will meter the outbound trucks by allowing only one truck to exit the site per cycle length to minimize potential queuing impacts, unless conditions allow more truck queuing. The existing Twin Oaks Valley Road/Carmel Street signal would be eliminated when the new signal is constructed and u-turns would be allowed at the new signalized intersections to allow access back to Carmel Street. The project proposed 1,069,200 cubic yards of export. Based on a capacity of 15 cubic yards per truck, export would result in 106 truck loads per day or up to 212 trips per day. The studied intersections are projected to operate at a level of service (LOS) "C" or better during peak hours as conditioned, therefore no project related traffic impacts were identified with the proposed rock crushing operation. The project will add trips to State Route 78 which currently experiences a LOS "E" condition. The City is working with Caltrans and SANDAG to construct auxiliary lanes from east of the Sprinter Station flyover to Nordahl Road early next year which will improve this Level of Service (LOS). The developer is required to prepare a Transportation Management Plan (TMP) that shall be reviewed and approved by both the City and Caltrans prior to grading. The TMP will monitor traffic conditions at peak hour periods and limit the number of trucks to exit the site per cycle length to minimize traffic impacts.

**Attachment(s)**

Adopting Resolution PC 11-4257

A - Location/Vicinity Map

B - Final MND 11-816 with Technical Appendices A-E

C - Correspondence

D - Site Plans (Grading/Phasing/Etc., Sheets 1-15)

Submitted by:

  
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## **ATTACHMENT "A"**

Location/Vicinity Map

" A "

