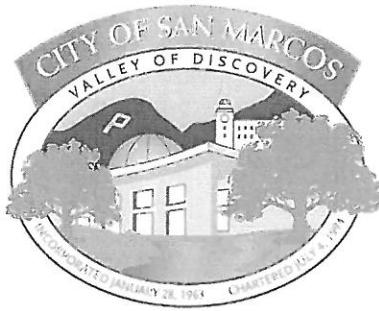


PLANNING COMMISSION

ADDITIONAL ITEM ADDED AFTER
DISTRIBUTION OF PACKET

Agenda # 2
Sonic Drive-Inn

Date 1/7/13
Time 4:30 p.m.



Memorandum

TO: Planning Commission
FROM: Planning Division
DATE: 1/7/13
SUBJECT: P12-0005, Resolution PC 13-4327 (CUP 12-001)
Sonic Drive-In

Revise the following conditions:

Condition D4:

A raised median shall be shown within the parking lot near the Grand Avenue driveway entry in order to ensure safe separation of vehicle leaving and entering the subject site and adjacent property (APN 219-152-57) to the east. Said median shall not hinder emergency vehicle access.

shall be revised to:

~~A raised median~~ Traffic control devices shall be shown within the parking lot near the Grand Avenue driveway entry in order to ensure safe separation of vehicle leaving and entering the subject site and adjacent property (APN 219-152-57) to the east. Said ~~median~~ traffic control devices shall not hinder emergency vehicle access.

Condition D10:

The trash enclosure shall be architecturally compatible in color and texture with the proposed building. The enclosure shall include a curved metal roof to match the building.

shall be revised to:



The trash enclosure shall be architecturally compatible in color and texture with the proposed building. The enclosure shall include a curved metal roof to match the building. Final design shall be approved by the Planning Division Director.

Condition D11:

All utilities (i.e.: cabinets, transformers, back-flow preventer, etc.) shall be shown on the site plan. Above-ground utilities shall be located internal to the site and screened from view by landscaping or screen walls where possible.

shall be revised to:

All utilities (i.e.: cabinets, transformers, back-flow preventer, etc.) shall be shown on the site plan. Above-ground utilities shall be located internal to the site and screened from view by landscaping or screen walls where possible. Upon approval of the Planning Director and City Engineer, existing above-ground utilities may be left in place provided adequate screening is provided.

Condition F2:

On the tower structure of the building, the gable sides of the roof shall be enhanced with corbels, metal rafter ends, or braces as approved by the Planning Division.

shall be revised to:

On the tower structure of the building, the gable sides of the roof shall be enhanced with corbels, metal rafter ends, or braces, or other architectural enhancement as approved by the Planning Division.

Condition F6:

The proposed car canopy design shall be revised to incorporate a curved metal roof to match the tower structure and stone veneer at the base of the columns to match the building.

shall be revised to:



The proposed car canopy design shall be revised to incorporate a curved metal roof to match the tower structure and stone veneer at the base of the columns to match the building. Final design shall be approved by the Planning Division Director.

Condition G1:

The depth of the three (3) column pop-outs on the south side shall be increased to match the columns on the north side.

shall be revised to:

The depth of the three (3) column pop-outs on the south side shall be increased ~~to match the columns on the north side.~~

Delete Condition H17:

~~The applicant/developer shall obtain permission from the adjacent property owner to the south (APN 219-152-60) for installation of landscaping within the area between the southern property line and the driveway entry of said property.~~

Delete Condition J1:

~~A lot consolidation boundary adjustment shall be reviewed, approved, and recorded prior to building permit issuance.~~

Condition J2:

The applicant and/or property owner shall perform or secure performance of the \$256,851.66 fair share street and street light assessment as stated in the Real Property Lien Agreement recorded March 2, 2007 per Document No. 2007-0143280.

shall be revised to:

Applicant acknowledges that the Property is subject to the obligations set forth in the Real Property Lien Agreement ("RPLA") executed on February 20, 2007 between the City and the owners of the Property and, recorded in the official records of the County of San Diego as document number 2007-0143280 on March 2, 2007. Applicant further acknowledges that the obligations in the RPLA include the obligation to pay the Property's fair share street and signal assessment in the agreement amount of \$256,851.66. As an additional condition on



the Project, the obligation to pay the fair share street and signal assessment (\$256,851.66) must be fulfilled prior to the issuance of any grading permit for the Project.

Delete Condition J6:

~~The applicant/developer shall irrevocably offer to dedicate to the City of San Marcos easements or rights of way for all public streets, utilities, drainage facilities and appurtenances thereto, and all other interests in real property required by these conditions and as shown on the site plan. All property or property interests shall be granted to the City free and clear of all liens and encumbrances and without cost to the City and free of environmental hazards, hazardous materials or hazardous wastes.~~

Condition J7:

An irrevocable offer of dedication shall be offered by the applicant/developer along Via Vera Cruz in order to accommodate a future ten (10) feet wide right turn lane. Offer shall include enough area to accommodate the future traffic signal relocation and associated signal cabinets. Said offer shall be to the satisfaction of the City Engineer.

shall be revised to:

An irrevocable offer of dedication shall be offered by the applicant/developer along Via Vera Cruz in order to accommodate a future ten (10) feet wide right turn lane. Offer shall include enough area to accommodate the future traffic signal relocation and associated signal cabinets. Said offer shall be to the satisfaction of the City Engineer. All property or property interests shall be granted to the City free and clear of all liens and encumbrances and without cost to the City and free of environmental hazards, hazardous materials or hazardous wastes.

Condition J13:

In lieu of designing a fiber optic conduit system along the project's two street frontages, the applicant/developer shall be responsible for designing a fiber optic traffic signal interconnect system which will replace the existing copper wire with fiber optic cable within Grand Avenue, between Las Posas and Via Vera Cruz. Furthermore, a design shall be provided for a conduit (no fiber) along the project's Grand Avenue frontage. Pull boxes shall be designed and spaced per the City standards. Said design shall be to the satisfaction of the City Engineer/Public Works Director.



shall be revised to:

In lieu of designing a fiber optic conduit system along the project's two street frontages, the applicant/developer shall pay an in-lieu fee for the design, installation and testing of said system. Said fee shall be based upon a \$74/LF unit cost. be responsible for designing a fiber optic traffic signal interconnect system which will replace the existing copper wire with fiber optic cable within Grand Avenue, between Las Posas and Via Vera Cruz. Furthermore, a design shall be provided for a conduit (no fiber) along the project's Grand Avenue frontage. Pull boxes shall be designed and spaced per the City standards. Said design shall be to the satisfaction of the City Engineer/Public Works Director.

Condition J14:

For any traffic signal modifications, a \$10,000 in-lieu fee will be required for development of a traffic signal timing plan. Said fee shall be to the satisfaction of the City Engineer.

shall be revised to:

For any traffic signal modifications, a \$10,000 in-lieu fee will be required for development of a traffic signal timing plan. Said fee shall be to the satisfaction of the City Engineer, the applicant/developer shall prepare a traffic signal timing plan to the satisfaction of the jurisdictional agencies or reimburse the City's consultant for the preparation of said timing plan. The applicant/developer shall pay for the associated jurisdictional plan reviews and inspections.

Delete Condition J15:

A Transportation Demand Management (TDM) Plan shall be submitted for review by the City Engineer and Planning Division Director. Said TDM plan shall address coordination with local transit districts regarding existing and future bus routes and stops, shuttle service to rail stations and incentives for bus & rail passes. The TDM plan shall also include investigations into staggered work hours, carpools, education and financial incentives. The TDM plan shall be implemented at occupancy. Applicant will be responsible for the submission of an annual report consistent with the TDM goals and general strategies for review by the City Engineer and Planning Director.



Condition J16:

The design of all private drainage systems for this project shall be approved by the City Engineer. All private drainage systems shall be inspected by the City, and the standard plan check fees and inspection fees shall be paid and appropriate bonds shall be posted with the City prior to issuance of any grading for this project.

shall be revised to:

The design of all private drainage systems for this project shall be approved by the City Engineer. All private drainage systems shall be inspected by the City prior to occupancy, and the standard plan check fees and inspection fees shall be paid and appropriate bonds shall be posted with the City prior to issuance of any grading for this project.

Condition J17:

The exact depth of street structural section and subgrade requirement shall be determined based on subgrade "R" value tests and the appropriate Traffic Index for the type of street as described in the City's "Urban Street Design Criteria". All existing streets shall be "core tested" to determine the existing structural section and the extent of overlay or reconstruction necessary to achieve the required structural section described above. Tests shall be taken by a qualified engineer at locations approved by the Director of Public Works.

shall be revised to:

Where applicable, the exact depth of street structural section and subgrade requirement shall be determined based on subgrade "R" value tests and the appropriate Traffic Index for the type of street as described in the City's "Urban Street Design Criteria". Where applicable, all existing streets shall be "core tested" to determine the existing structural section and the extent of overlay or reconstruction necessary to achieve the required structural section described above. Tests shall be taken by a qualified engineer at locations approved by the Director of Public Works.

Delete Condition J18:

~~Improvement plans shall show all existing and proposed drainage facilities including surface and subsurface construction. All drainage channels shall be lined with a suitable material as approved by the City Engineer. All required drainage easements shall be monumented~~



~~along the boundaries as approved by the City Engineer. Access easements shall be provided where necessary and shall be improved, fenced and aligned to the satisfaction of the City Engineer and/or the Director of Public Works.~~

Condition J20:

The applicant/developer shall enter into a Development Improvement Agreement with the City to complete the Via Vera Cruz and Grand Avenue road improvements and all required off-site transitions within 360 days from the issuance of grading permits, or satisfy the City Engineer that said work is in a suitable stage toward completion by the deadline.

shall be revised to:

The applicant/developer shall enter into a Development Improvement Agreement with the City to complete the Via Vera Cruz and Grand Avenue road improvements and all required off-site transitions within 360 days from the issuance of grading permits or prior to occupancy (whichever comes first), or satisfy the City Engineer that said work is in a suitable stage toward completion by the deadline.

Condition J23:

The applicant/developer shall make necessary arrangements with each of the serving utilities, including cable television, for the undergrounding of all utilities fronting, abutting, or within the property with the exception of sixty-nine (69) KVA or greater power lines within the site. Overhead power (less than 69 KVA) and other utility lines currently on 69 KVA transmission poles/towers shall be relocated underground along the subdivision boundary.

shall be revised to:

If applicable, the applicant/developer shall make necessary arrangements with each of the serving utilities, including cable television, for the undergrounding of all utilities fronting, abutting, or within the property with the exception of sixty-nine (69) KVA or greater power lines within the site. Overhead power (less than 69 KVA) and other utility lines currently on 69 KVA transmission poles/towers shall be relocated underground along the subdivision boundary.



Delete Condition J29:

~~For commercial areas that share access and/or parking, an unsubordinated reciprocal access and maintenance parking agreement, in a form satisfactory to the City Attorney, shall be recorded with the Office of the San Diego County Recorder. A copy of the recorded agreement shall be submitted to the City's Planning Division.~~

Condition J(35):

Prior to release of any securities, a digital disk of all as-built drawings and maps is required on a CD. Said files shall be in an Autocad format acceptable to the City of San Marcos. Said drawings shall be on the correct coordinate system. PDF versions of all approved drawings and recorded documents shall be provided. In addition, electronic files of the project reports (i.e.: soils report, drainage study, SWPPP, Water Quality Technical Report, structural calculations, title report and guarantee and etc.) shall be submitted on a CD. Copies of the final as-built drawings shall be submitted on a CD in a format acceptable to the City. A mylar of the map after recordation is also required.

shall be revised to:

Prior to release of any securities, a digital disk of all as-built drawings and maps is required on a CD. Said files shall be in an Autocad format acceptable to the City of San Marcos. Said drawings shall be on the correct coordinate system. PDF versions of all approved drawings and recorded documents shall be provided. In addition, electronic files of the project reports (i.e.: soils report, drainage study, SWPPP, Water Quality Technical Report-Improvement Plan, structural calculations, title report and guarantee and etc.) shall be submitted on a CD. Copies of the final as-built drawings shall be submitted on a CD in a format acceptable to the City. A mylar of the map after recordation is also required.

Delete Condition J39:

~~All permanent manufactured fill slope banks shall be constructed at a gradient no steeper than 2:1 (horizontal to vertical). The Civil and/or Geotechnical Engineer shall verify slope stability for any cut slope greater than 2:1; in no case shall the cut slope exceed 1.5:1. The City Engineer will require support documentation from a licensed Civil and/or Geotechnical Engineer for graded cut slopes greater than 2:1.~~



Condition J51:

The applicant/developer shall submit for City review for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest CASQA SWPPP Preparation Manual, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all Best Management Practices (BMPs) to be implemented year round. Specific BMP implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a registered civil engineer.

shall be revised to:

~~The applicant/developer shall submit for City review for the implementation of a Storm Water Pollution Prevention Plan (SWPPP), per the latest CASQA SWPPP Preparation Manual, to manage storm water and non-storm water discharges from the site at all times. The SWPPP shall satisfy the requirements of the latest State Water Resources Control Board General Construction Permit. The SWPPP shall describe all Best Management Practices (BMPs) to be implemented year round. Specific BMP implementation may be dependent upon wet or dry season operations. The SWPPP shall also emphasize that erosion prevention is the most important measure for keeping sediment on site during construction. The SWPPP shall be prepared by a registered civil engineer.~~

Delete Condition J52:

~~The applicant/developer shall submit proof of coverage under the State Water Resources Control Board General Construction Permit. The Waste Discharge ID number (WDID #) shall be identified on the Title sheet to the Project plans, the grading plans, and the erosion control plans. Coverage under the SWRCB General Construction Permit shall be maintained until the developer has submitted the Notice of Termination (NOT) to the San Diego Regional Water Quality Control Board and received approval of the NOT from the SDRWQCB. The developer shall notify the City Storm Water Program Manager 45 days in advance of submitting the NOT to the SDRWQCB. All required structural treatment controls identified in the approved WQTR shall be installed prior to the submittal of the NOT to the SDRWQCB. A copy of the NOT shall be submitted to the City.~~



Add Condition J61:

Improvement plans for the public street improvements must be approved by the jurisdictional agencies prior to grading permit issuance unless otherwise determined by the City Engineer. City Engineer may extend approval of the improvement plan timeline if additional review time is required by the external reviewing agency.

Add Condition J62:

The applicant/developer shall submit a traffic management plan to the City for review. Said plan shall provide implementation details on how on-site traffic will be managed in order to prevent vehicles from queuing within the public streets. Said management plan shall also address "opening day" peaks and the potential need to have City, Caltrans and/or the County of San Diego Sheriff Department present for traffic control.

Add Condition K24:

A lot consolidation and/or boundary adjustment shall be reviewed, approved, and recorded prior to building permit issuance.

Delete M4:

~~The Transportation Demand Management (TDM) Plan shall be approved by the City prior to building occupancy.~~

Delete M7:

~~The parking lot improvements on the adjacent property (APN 219-152-57) shall be completed to the satisfaction of the property owner and as agreed upon by the two parties. Completion date of improvements may be changed with the written approval of the property owner and Planning Division Director.~~

Delete Condition M8:

~~The applicant/developer shall install a traffic signal fiber optic cable bundle within the existing Grand Avenue copper wire conduit between Las Posas and Via Vera Cruz and install a traffic signal conduit along the project's Grand Avenue frontage. Pull boxes shall be designed and spaced per the City standards. Shall installation shall be to the satisfaction of the City Engineer/Public Works Director.~~



Condition M9:

All utilities fronting, abutting or within the project shall be undergrounded with the exception of sixty-nine (69) KVA or greater power lines. Undergrounding shall take place prior to surfacing of streets.

shall be revised to:

Where applicable, all utilities fronting, abutting or within the project shall be undergrounded with the exception of sixty-nine (69) KVA or greater power lines. Undergrounding shall take place prior to surfacing of streets.

Condition M10:

All existing and proposed above ground utility facilities shall be relocated, or undergrounded, or shall be placed in locations to be screened from view to the satisfaction of the Planning Division Director and Public Works Director.

shall be revised to:

All existing and proposed above ground utility facilities shall be relocated, or undergrounded, or shall be placed in locations to be screened from view, or shall be screened to the satisfaction of the Planning Division Director and Public Works Director.

Delete M16:

~~The applicant/developer shall provide a buffer zone for natural water bodies (as shown on approved plans). The buffer zone (as approved) shall be inspected and approved for compliance by the City.~~