

Agenda

MEETING OF THE PLANNING COMMISSION

MONDAY, November 4, 2013, 6:30 PM

Planning Commission Meeting

**City Council Chambers
1 Civic Center Drive
San Marcos, CA 92069**

Cell Phones: As a courtesy to others, please silence your cell phone or pager during the meeting and engage in conversations outside the Council Chambers.

Americans with Disabilities Act: If you need special assistance to participate in this meeting, please contact the City Clerk at (760) 744-1050, ext. 3145. Notification 48 hours in advance will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Assisted listening devices are available for the hearing impaired. Please see the Secretary if you wish to use this device.

Public Comment: Please complete a "Request to Speak" form located at the entrance of the Council Chambers in order to address the Planning Commission on any agenda item. Comments are limited to three minutes, unless you have registered your organization with the City Clerk. If you wish to speak on an item not on the agenda, you may do so under "Oral Communications." Any member of the public may address the Commission on items on the Consent Calendar. Please complete a "Request to Speak" form as noted above and indicate which item number you wish to address.

Meeting Schedule: Regular Planning Commission meetings are generally held on the first Monday of each month at 6:30 pm in the Council Chambers. The Agenda's are posted on the City website at: www.san-marcos.net.

Agendas: Agenda packets are available for public inspection 72 hours prior to scheduled meetings at the Counter / Development Services Department located on the first floor of City Hall, 1 Civic Center Drive, San Marcos, during normal business hours. Any agenda-related writings or documents provided to a majority of the Planning Commission after distribution of the agenda packet are available for public inspection at the same time at the Counter / Development Services Department located on the first floor of City Hall, 1 Civic Center Drive, San Marcos, during normal business hours.

AGENDA

Call to Order – 6:30 PM

Pledge of Allegiance

Roll Call

Oral and Written Communications: Persons wishing to speak on a matter not on the agenda may be heard at this time; however, no action will be taken until placed on a future agenda. Speakers are limited to three minutes. Please complete a "Request to Speak" form and place in basket provided.

CONSENT CALENDAR

1. **APPROVAL OF MINUTES** – October 7, 2013
2. **San Marcos Unified School District** – Request for Report on Proposed Acquisition of Property for Possible K-8 School Site pursuant to Government Code Section 65402 Request & Public Resources Code Section 21151.2 Request

PUBLIC HEARINGS

PLANNING DIRECTOR COMMENTS


PLANNING COMMISSIONERS COMMENTS

ADJOURNMENT

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF SAN MARCOS)

I, Lisa Kiss, Office Specialist III of the Planning Commission of the City of San Marcos, hereby certify that I caused the posting of this agenda in the glass display case at the north entrance of City Hall on October 31, 2013, prior to 5:30 p.m.

Date: October 31, 2013



Lisa Kiss, Office Specialist III

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY COUNCIL CHAMBERS
1 CIVIC CENTER DRIVE
SAN MARCOS, CALIFORNIA
MONDAY, OCTOBER 7, 2013 - 6:30 PM

CALL TO ORDER

At 6:30 p.m. Chairman Nelson called the meeting to order.

PLEDGE OF ALLEGIANCE

Commissioner Flodine led the Pledge of Allegiance to the Flag.

ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: FLODINE, JONES, MAAS, MINNERY, NELSON,
NORRIS, SCHAIBLE

ALTERNATE COMMISSIONERS IN AUDIENCE: CHINN

ABSENT: KILDOO (Alternate – Present at start of meeting to see if he was needed,
then left before start of hearing item)

Also present were: Planning Division Director, Jerry Backoff; Principal Planner, Karen Brindley; Principal City Engineer, Peter Kuey; Deputy City Attorney, Avneet Sidhu; Office Specialist III, Lisa Kiss

ORAL AND WRITTEN COMMUNICATIONS

None.

CONSENT CALENDAR

1. APPROVAL OF MINUTES, 9/3/13

Action:

COMMISSIONER JONES MOVED TO APPROVE CONSENT CALENDAR AS PRESENTED; SECONDED BY COMMISSIONER NORRIS AND CARRIED BY A UNANIMOUS VOTE.

AGENDA ITEM
/

PUBLIC HEARINGS

2. **Case No:** DP 13-015 / ND 13-008 (P13-0021)

Application of: Pacifica Real Estate Services

Request: A Director's Permit and Mitigated Negative Declaration (the environmental review document) to allow the operation of a 14,000 square foot DMV office within a 20,061 square foot building in the Commercial zone.

Location of Property: 1706 Descanso Avenue, more particularly described as: Parcel 1, 2 and 3 of Parcel Map 8165, filed in the office of the County Recorder of San Diego County, on December 14, 1978. Assessor's Parcel No.: 219-117-44 & 219-117-45.

Staff Presentation (Karen Brindley):

Described request and location. PowerPoint presentation shown. Project was elevated to Planning Commission due to the amount of public interest generated. Discussed surrounding area. The center is shared with Ashley Furniture. The Escondido DMV recently closed. Applicant is proposing the DMV site on an interim basis. Remodel of 14,000 s.f. of a 20,061 s.f. building, operating M-F, 8 AM-5 PM. Typical services include vehicle registrations, license renewals, written driver license tests & in-vehicle driver license tests conducted off-site. There are three driveway access points. The building has been vacant over the past few years with the exception of seasonal sales. Zoned Commercial & Director's Permit is required for Government office. Staff received public input, primarily from residents of San Marcos View Estates Mobile Home Park. Concerns were traffic-related, loss of on-street parking along Descanso, noise & potential impacts to the gated mobile home park driveway. Received an opposition letter from resident on Las Flores Drive, concerned with traffic impacts and safety of school children. A letter of support, signed by 14 mobile home park residents, was also submitted. A study was prepared by LL&G to address traffic & parking impacts. A comparison was done using the El Cajon DMV station because it was similar in size, layout and services provided. School was not in session when traffic counts were initiated, so new counts were taken in September. Estimated 2,240 ADT's per day. Discussed areas analyzed. Study concluded that no significant impacts would occur for surrounding intersections, road, freeway segments or ramps. However, there is an existing deficiency in vehicle storage length, causing traffic back up, along Descanso Ave. @ Rancho Santa Fe Road. Operational improvements will be required there. Proposed traffic improvements shown & discussed: Raised median which will restrict turns out of DMV & gas station, dual east bound left-turn lanes, parking restricted along Descanso Ave., improvements to signal & restriping. This will improve efficiency overall. Staff met with a representative of mobile home park to discuss concerns. They included traffic generation along Descanso & impacts to the existing gated driveway near intersection of Las Flores & Descanso. They requested improvements be made to that intersection that would correct line-of-sight issues. Staff indicated that the MHP driveway is not related to the DMV project. DMV traffic going through Las Flores intersection is estimated to be about 2% or 45 ADT's. It did not warrant improvements as no significant impacts would occur and they'll be mitigated to below a level of significance. Staff explained that the City has not authorized the use of the gated driveway. In 2008, the mobile home park requested use of the driveway. The Traffic Safety Commission (TSC) concluded there is limited sight distance & it must be fully addressed prior to opening to traffic. They were to submit plans to City and take back to

TSC, but have not done so. LLG indicated the street improvements and traffic signal will improve efficiency of intersection movements & operations. This location will not use an outdoor PA system & will not generate noise. There's a reciprocal parking & access agreement w/Ashley Furniture property. Parking is currently under utilized, with furniture business occurring primarily on weekends. There are 283 parking spaces. Amount exceeds City requirement. Staff recommends approval of Directors Permit and adoption of mitigated NegDec.

Nelson: Asked why Oceanside location was not used for comparison?

Brindley: El Cajon is more similar, 13,800 s.f., offer same services, close to highway, with same number of driveways.

OPEN PUBLIC HEARING

Dan Hayden, Civil Engineer w/Pacifica Real Estate Services, Applicant's representative:
Stated he agreed with staff's recommendation and was available to answer questions.

Jay Ancona, resident & Board Director at San Marcos View Estates Mobile Home Park:
Indicated that he understood there is no direct linkage between the proposed use and the mobile home park's usage of ancillary driveway, but wants to address this concern. The current, existing danger caused by the blind curve is well documented by City Traffic Engineers but nothing has been done to mitigate the present danger that has been acknowledged. The City used to own the mobile home park. In 2004, the City submitted a condo plan to the State and the ancillary driveway is shown on the plan, but it does not affirm that the Descanso driveway is to be conditionally used. The driveway was used for many years, then at some point, a gate was installed and locked. Commented that he disagreed with the Staff Report that "use of the driveway has not been authorized by City." When driveway was approved after its construction, by a City Building Inspector, it was authorized for use, unconditionally, with limited sight distance & unmitigated dangers. The only reason the board asked about the driveway's use was because of limited sight distance, in hopes the City would mitigate the blind curve by adding two stop signs to slow traffic at Descanso & Las Flores. When City owned the park they could have: 1). Re-engineered hillside; 2). Added stop signs; or 3). Designated driveway use as conditional. None of these things were done. Common sense dictates the danger of the intersection will increase. He can't understand why City hasn't added a 3-way stop or changed speed limit or something. The driveway was approved and exists. Thought the City would try to help them and not restrict use of driveway that was approved years ago. Feels the City doesn't care about their safety. Indicated he received a voicemail message in August '11 from City's Omar Dayani that he has saved: "Since the driveway is already there, it's your call to use it or not." To continue to turn a blind eye is not a solution. The fastest, most economical solution is two posts, two stop signs and labor to install. You may save a life or prevent injury. Safety is what's at stake here.

Nelson: Asked if they use gate now?

Ancona: Yes, automatic gate opener. Exit & right turn only. The park put up a "blind curve" sign.

Minnery: Asked if driveway has always been accessible?

Kuey: Can't answer whether approved by City. Right now it's currently gated. There is a safety issue with allowing them full access through the blind curve.

Minnery: Inquired if it could be permanently shut?

Backoff: Direction was to take back to TSC with proposals and that has not been done. TSC feels warrants aren't there for stop signs. City doesn't have proof that it was approved. It may have been developed in County before City incorporated.

Darby Sherwood, resident since '75: Opposed to project. Indicated a Union Tribune story said DMV closed Escondido because of parking problems. They were there since '60. Seems parking could have been corrected in 53 years. Asked if understaffing, poor record keeping, illegal funding, fines, state politicians & special interest groups have anything to do with the demise? Asked if the revenue City receives from DMV justify this? Asked why an El Cajon survey was done for San Marcos? Does 2,245+ vehicles at peak hour's sound like no significant impact? Not sure what plans are for improvement. One driveway hasn't been approved. Local insurance company, AAA, provides citizens with jobs & generates income. They provide safe & reliable DMV services without negative impact on community. Much is done on internet now. DMV has proven they are inefficient, unreliable and costly. Intersection has school children & blind corners.

Mike Hunsaker, resident and Chairman of Property Owners Defense League, Inc (PODL):

Nelson: Asked if PODL was a recognized group and active with City?

Hunsaker: 501C3. Indicated he's applied for a renewal for extra speaking time, but it hasn't gone through yet. Opposed to project. Feels it's an inappropriate place at the mouth of an interchange. Traffic lights will have to be changed. Congestion is a quality of life & GHG issue. Concerned with eliminating permanent parking for a temporary office. There's an apartment complex to the west. Today's jobs are part-time. It's essential to have a car to go to two part-time jobs to make a living wage. City is becoming a less amenable place to live for middle class, or those striving to be middle class. Study didn't cover AM peak hour. DMV should go elsewhere.

Nelson: Asked how they're losing parking?

Hunsaker: Installing a median and a larger queue. Larger queue is needed for DMV and the street parking is going to go away. The conditions should state that they'll have to move. There will be spillover in the AM. It's not an ideal location and should go behind Restaurant Row or Fenton property.

Nelson: Escondido had no parking; this location has three times the parking.

Flodine: Asked if proposal is for an interim facility and their maximum term?

Hayden: Indicated the lease is five years, with two being guaranteed. There's an option to leave before five years.

Flodine: Inquired if there would be architectural improvements?

Hayden: Yes, exterior façade modernization, more in line with Ashley building, plus parking lot improvements.

Nelson: Asked if there are plans for the remaining 4,000 s.f.?

Hayden: No.

Norris: Asked about the driving test being off-site?

Hayden: Normal driving tests takes you off the lot and through streets.

Nelson: Inquired if motorcycles would test there?

Hayden: Not at this location.

Nelson: Inquired why they feel it's a good location?

Hayden: Access to freeway & proximity to ramps. If located behind Restaurant Row, the same volume of vehicles would have to navigate through intersections and side streets with more impact to circulation.

Nelson: Asked if DMV wanted freeway access?

Hayden: Yes. Poway and Oceanside are the closest offices and they're impacted with Escondido's closure.

Nelson: Commented that he doesn't see a need to go to DMV as many services are on-line now.

Hayden: There are less vehicles going to DMV's now. Escondido had small office & parking area plus not enough waiting area. Proposed location is larger & designed better.

Nelson: Asked why Escondido was shut down?

Hayden: Impasse with landlord.

Schaible: Asked the timeframe for permanent location?

Hayden: They are looking for a ground up site to build own facility.

Schaible: Inquired what the max occupant load is?

Hayden: Not sure.

Schaible: 2,200 ADT's is a lot of business for a state agency that isn't popular.

Hayden: A retail or commercial use could occupy by right and bring similar traffic. Supermarket was 2,100 ADT's.

Maas: Asked if any input from other nearby commercial businesses?

Hayden: Had dialog with neighbor. Their coordinated efforts include improving parking lot.

CLOSE PUBLIC HEARING

Nelson: Asked to review traffic mitigation slide.

Backoff: Described improvements. Improvements are needed for stacking whether DMV or another commercial use goes in.

Norris: Inquired if improvements would remain if DMV goes away in 2-5 years?

Backoff: Yes, it's a needed, long-term solution.

Jones: Asked if the Traffic Study verified on-street parking, who's using it, do mobile home park residents need it, is it a park & ride, or "for sale" cars?

Backoff: All developments in City are required to have on-site parking.

Flodine: Indicated he went by Ashley Furniture on a Saturday in the afternoon and there were six cars. There's a safety issue coming out because of the parked "for sale" cars.

Norris: Those cars may later go into the parking lot.

Backoff: That's a property owner management issue they'll have to deal with.

Flodine: Conditions #19 & 20 discuss future expansion. Since DP was elevated to Planning Commission & because it's important to residents, he prefers if any future expansion or extension that it be required to come back to Commission.

Backoff: Commission can modify.

Schaible: Pointed out that DMV encourages appointments now, so they are spread out throughout the day.

Maas: Many walk-ins arrive at 7 AM to get in line.

Backoff: Used on-site survey of actual DMV. SANDAG also has generation factor for DMV. Staff felt it was more important to get on-ground analysis so not under-estimating impact.

Nelson: Asked how many ADT's at El Cajon location?

Brindley: 160 ADT per 1,000 s.f.

Minnery: More people are using on-line services every year.

Norris: There are more car dealers in El Cajon.

Schaible: Commented that the traffic engineers did a good job synchronizing signals at Nordahl. Perhaps they can do here.

Flodine: Asked if the Descanso/Las Flores intersection is in City?

Backoff: Yes.

Flodine: Inquired if on CIP, or planned for a stop sign?

Kuey: Indicated there are no warrants for a stop sign at intersection. At TSC in '08, there was discussion about combining the intersection. It's too far apart to do stop sign system that combines driveway and intersection.

Flodine: Suggested it should go back to TSC.

Backoff: Mobile Home Park can request.

Action:

COMMISSIONER NORRIS MOVED TO APPROVE DP 13-015 (P13-0021) AS SET FORTH IN RESOLUTION PC 13-4364 WITH MODIFICATIONS: C.19. Any future expansion or modification shall require a modification to DP 13-015. ~~The Director's Permit application must be submitted for review and approval by the Development Services Department prior to the issuance of any building permits.~~ **The request for an expansion or renewal Modification/renewal of DP 13-015 may be processed as an administrative a Director's Permit and shall be acted on by the Planning Commission.;** SECONDED BY COMMISSIONER JONES AND CARRIED BY THE FOLLOWING ELECTRONIC VOTE;

AYES: COMMISSIONERS: FLODINE, JONES, MAAS, MINNERY, NELSON, NORRIS, SCHAIBLE

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

PLANNING DIRECTOR COMMENTS

None.

PLANNING COMMISSIONERS COMMENTS

None.

ADJOURNMENT

At 7:28 p.m. Commissioner Nelson adjourned the meeting.

Dean Nelson, Chairman
SAN MARCOS PLANNING COMMISSION

ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS PLANNING COMMISSION



AGENDA REPORT

Meeting of the San Marcos Planning Commission

MEETING DATE: November 4, 2013
SUBJECT: CONSENT CALENDAR – San Marcos Unified School District
CASE: General Plan Conformance Report – Proposed K-8 School Site

Recommendation

Find that application P13-0046 (GPA13-005, R13-003, and SP13-003) filed by San Marcos Unified School District ("District") to request a General Plan Amendment, Rezone and Specific Plan Amendment for the purpose of constructing a K-8 school site P13-0046 is consistent with the General Plan.

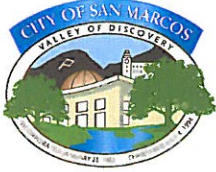
Introduction

The District is pursuing development of a 36.55 acre site located adjacent to San Elijo Road/Twin Oaks Valley Road for construction of K-8 school site. San Elijo Elementary School and San Elijo Middle School are currently at capacity and the new K-8 school would provide capacity needed by the school district for students within the San Elijo Hills Community, and to the northeast of the site, within the Heart of the City Specific Plan Area (Rancho Coronado).

Section 21151.2 of the Public Resources Code requires school facilities to be reviewed by the Planning Commission (PC) prior to acquiring title to property. Section 65402 of the California Government Code also requires that when a general plan has been adopted, that the local jurisdiction shall render a report on the general plan conformity of a school site with the adopted general plan. Pursuant to Public Resources Code Section 21151.2, if the PC Report does not favor the acquisition of the Site for a school, the District Board shall not acquire the site until thirty (30) days after the Report is received.

On September 17, 2013, the District submitted a request for a *Planning Commission Report on the Proposed Acquisition of Property for Possible School Site* pursuant to Government Code Section 65402 and Public Resources Code Section 21151.2 ("Report") concerning the proposed acquisition of a site located adjacent to San Elijo Road for construction of a K-8 school.

The Government Code requires completion of the Report from the planning agency as to conformity of the proposed acquisition and use of the site within the context of General Plan within 40 days (before October 27, 2013) after receipt of the request. The Public Resources Code requires the Planning Commission to investigate the proposed acquisition and use and to submit a report of its investigation and recommendations concerning acquisition of the site within 30 days (before October 17, 2013) of receipt of the notice from the District.



The District submitted an application (P13-0046) on August 8, 2013 to request a General Plan Amendment, Rezone and Specific Plan Amendment to change all of the above listed parcels, or a portion thereof, to Specific Plan/School or Specific Plan/Right-of-Way, in order to accommodate the construction of a K-8 school campus and deceleration lane to serve the school site. The application was deemed incomplete on August 19, 2013 and is still pending. City staff had hoped to have the Planning Commission consider the entitlement application P13-0046 during a public hearing at the same time as the response to the PRC 21151.2 Report response. In an attempt to do so, the City requested an extension from the District to respond to the PRC 21151.2 request.

On October 4, 2013, the District granted an extension to the City from October 27, 2013 to November 5, 2013 to respond to this request so as to allow the City staff adequate time to prepare the requested report for consideration at the November 4, 2013 Planning Commission meeting concurrent with consideration of P13-0046. The City was unable to proceed with both the "Report" response and the public hearing for P13-0046 concurrently as one of the property owner consent letters could not be obtained in time from the District for a November 4, 2013 Planning Commission hearing. In order to comply with the required statutory response time to provide the Report, the City is now proceeding with the requested Report only.

Discussion

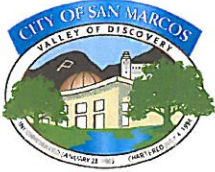
The City of San Marcos General Plan Designation and Zoning for the project parcels as shown on the attached aerial map are as follows:

Assessor Parcel Number	General Plan Designation	Zoning
222-121-23-00	Agricultural/Residential	Agricultural 1, A-1
222-121-24-00	Agricultural/Residential	Agricultural 1, A-1
222-121-25-00	Agricultural/Residential	Agricultural 1, A-1
222-121-26-00	Agricultural/Residential	Agricultural 1, A-1
222-121-04-00	Agricultural/Residential	Agricultural 1, A-1
679-221-16-00	Specific Plan	Specific Plan, SFR
679-221-26-00*	Specific Plan	Specific Plan, OS

*.37 acre of parcel only part of project area

The designations and zones on the project parcels do not currently permit a public use such as a school on the site, and that a General Plan Amendment, Rezone and Specific Plan Amendment requested in P13-0046 must be processed to successful conclusion prior to the processing of such a school campus on the site.

Pursuant to Government Code Section 53094, a governing board of a school district may, by a two-thirds vote, render the zoning ordinance inapplicable to a proposed use of a property if the District meets the requirements of Government Code Section 65352.2 and Public Resources Code Section 21151.2. The



District has advised the City that it may invoke the provisions of Government Code Section 53094 if necessary to complete site acquisition, but that it would continue to process the pending application P13-0046 for the proposed amendments to the General Plan, Zoning Ordinance and Specific Plan.

A Draft Environmental Impact Report (EIR) prepared by the District to evaluate the potential environmental impacts associated with the use of the project site as a K-8 school site and was distributed for public review from August 19, 2013 to October 3, 2013. The District adopted the Final EIR at a District Board public hearing held on October 15, 2013. A third school site was originally included in the San Elijo Specific Plan V2 Area land use options. In 2009 single-family attached condominium homes were approved in Area V2 and a school site option was removed from Area V2 as a potential land use.

SMUSD has considered Area S along with surrounding Agricultural Residential properties as their preferred project site in the Final EIR.

Attachment(s)

Resolution

Letters from SMUSD dated September 17, 2013 and October 4, 2013

Aerial Project Area Map with APN's & Property Legal Descriptions

Prepared by:

A handwritten signature in blue ink, appearing to read "Susan Vandrew Rodriguez".

Susan Vandrew Rodriguez
Associate Planner

Approved by:

A handwritten signature in blue ink, appearing to read "Jerry Backoff".

Jerry Backoff
Planning Division Director

RESOLUTION PC 13-4365

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN MARCOS DETERMINING THE GENERAL PLAN CONFORMANCE FOR APPROXIMATELY 36.55 ACRES OF PROPERTY PROPOSED FOR THE CONSTRUCTION OF A K-8 SCHOOL IN THE QUESTHAVEN/LA COSTA MEADOWS NEIGHBORHOOD.

APPLICANT: San Marcos Unified School District

WHEREAS, the City of San Marcos has received a Public Resources Code 21151.2 request from the San Marcos Unified School District ("District") on September 17, 2013 requesting a determination for General Plan conformity of an approximately 36.55 acre K-8 school site (APN 221-121-23, 221-121-24, 222-121-25, 222-1221-26, 222-121-04, 679-221-16 and 679-221-26) at East Side of San Elijo Road between Ledge Street and Ridgeline Trailhead Staging Area; and

WHEREAS, on August 8, 2013, the District submitted an application (P13-0046) to the City to request a General Plan Amendment, Rezone and Specific Plan Amendment to change all of the above listed parcels, or a portion thereof, to Specific Plan/School or Specific Plan/Right-of-Way, to accommodate the construction of a K-8 school campus and deceleration lane to serve the school site; and

WHEREAS, on October 4, 2013, the District granted an extension to the City from October 27, 2013 to November 5, 2013 to respond to this request so as to allow the City staff adequate time to prepare the requested report for consideration at the November 4, 2013 Planning Commission meeting concurrent with consideration of P13-0046; and

WHEREAS, the City was unable to proceed with both the "Report" response and the public hearing for P13-0046 concurrently as one of the property owner consent letters could not be obtained in time from the District for a November 4, 2013 Planning Commission public hearing; and

WHEREAS, in order to comply with the required statutory response time to provide the "Report", the City is now proceeding with the requested "Report" only; and

WHEREAS, the Development Services Department did study said request; and

WHEREAS, the said request is categorically exempt (Section 15300.4) pursuant to CEQA; and

WHEREAS, the Planning Commission's decision is based upon the following findings and determinations:

AGENDA ITEM
2

- A. The foregoing recitals are true and correct.
- B. San Marcos Unified School District submitted an application on August 8, 2013 for a General Plan Amendment, Rezone and Specific Plan Amendment to change all of the above listed parcels, or a portion thereof, to Specific Plan/School or Specific Plan/Right-of-Way, in order to accommodate the construction of a K-8 school campus and deceleration lane to serve the school site.
- C. The future school facility site does not currently conform to the General Plan, but will conform once the General Plan Amendment, Rezone, and Specific Plan Amendment application is processed to its successful completion.
- D. A General Plan Amendment, Rezone, and Specific Plan Amendment are necessary prior to making a General Plan conformance finding for the school site project area.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 4th day of November, 2013, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

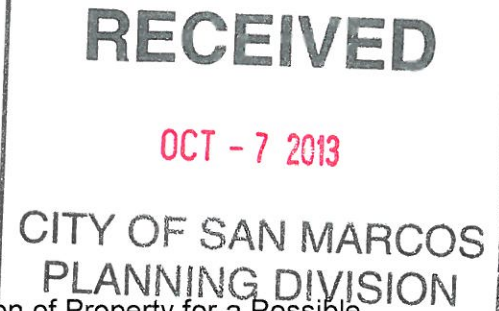
Dean Nelson, Chairperson
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS PLANNING COMMISSION

October 4, 2013

Ms. Susan Vandrew Rodriguez
Associate Planner
City of San Marcos
1 Civic Center Drive
San Marcos, CA 92069



Re: Request for Report on Proposed Acquisition of Property for a Possible
School Site of the San Marcos Unified School District

Dear Susan:

As a follow-up to our telephone conversation, this letter shall serve as a formal acknowledgment of an extension granted by the San Marcos Unified School District to the City of San Marcos regarding the City's responses that are due pursuant to Government Code Section 65402 and Public Resources Code Section 21151.2.

On September 17, 2013, the District submitted correspondence to Linda Kiss, requesting a report on the District's proposed acquisition of property for a potential future K-8 school facility. Our correspondence was submitted under Government Code Section 65402 and Public Resources Code Section 21151.2. Pursuant to Government Code Section 65402, the City has until October 27, 2013, to respond to the District. Pursuant to Public Resources Code 21151.2, the City has until October 17, 2013, to respond to the District.

On October 2, 2013, on behalf of the City of San Marcos, you requested an extension of time to respond to the two statutory requests. The District is willing to grant such request for an extension, provided, that the District receives the required reports no later than November 5, 2013. In addition, I would request that when such report is submitted to the Planning Commission for the November 4, 2013 meeting, that a copy is forwarded to the District.

If you have any questions regarding the foregoing, please do not hesitate to contact me.

Sincerely,



Khary S. Knowles, Executive Director
Facilities Planning & Development

KSK/ntd

Enclosure: Letter Dated September 17, 2013

cc: Jerry Backoff
Gary Hamels
Alexander Bowie
Wendy Wiles

September 17, 2013

VIA E-Mail [planning.commission@san-marcos.net; lkiss@san-marcos.net]
And OVERNITE DELIVERY

Planning Commission
City of San Marcos
Planning Division
1 Civic Center Drive
San Marcos, CA 92069

Attention: Lisa Kiss, Planning Secretary, City of San Marcos Planning Commission

**Re: Request for Report on Proposed Acquisition of Property
for Possible School Site – San Marcos Unified School District
Government Code Section 65402 Request and
Public Resources Code Section 21151.2 Request**

Dear Ms. Kiss:

Subject to compliance with applicable law, including the California Environmental Quality Act ("CEQA") and Education Code Section 17210 and following, the San Marcos Unified School District ("SMUSD"), respectfully requests that the Planning Commission of the City of San Marcos review and provide reports as to the possible acquisition of the property described on the enclosed Exhibit "A," as contemplated by Government Code Section 65402 and Public Resources Code Section 21151.2.

In regard to this request submitted pursuant to Public Resources Code Section 21151.2, response prior to October 14, 2013, is requested.

As previously discussed, a General Plan Amendment and amendment of the applicable Specific Plan, subject to the pending Environmental Review of SMUSD, have been submitted for consideration.

In the event such responses are not received by the respective dates, it will be the understanding of SMUSD that the Planning Commission has no report or recommendations as to the acquisition of such parcels for possible use for a grades K-8 school presently being considered, subject to CEQA and other applicable law, for possibly 1,500 grade K-8 students.

Planning Commission
City of San Marcos
September 17, 2013
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If you have any questions or desire further information, please contact me, Executive Director, Facilities Planning & Development, for SMUSD at (760) 290-2650. My e-mail address is: khary.knowles@smusd.org

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Khary S. Knowles'.

By:

Khary S. Knowles,
San Marcos Unified School District

Enclosures

cc: Gary Hamels, Assistant Superintendent, Business Services
Alexander Bowie – Bowie, Arneson, Wiles & Giannone

Exhibit "A"



Exhibit "A"

APN: 222-121-23,24,25,26 – Atterbury Road LLC, Owner

PARCELS 1, 2, 3 AND 4 OF [PARCEL MAP NO. 12242](#), IN THE CITY OF SAN MARCOS, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, JULY 16, 1982.

APN: 679-221-16 – San Elijo Hills Development Company, LLC, Owner

LOT 6 OF CITY OF SAN MARCOS TRACT NO. 400 PHASE 5 - UNIT NO. 1, IN THE CITY OF SAN MARCOS, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. [15225](#) FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY DECEMBER 27, 2005.

APN: 222-121-04 – Tom B. Pearson, Owner

ALL THAT PORTION OF THE NORTHWEST QUARTER AND OF LOT 2 – THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER – AND LOT 3 – THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER – OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF SAN MARCOS, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 3, ALSO BEING THE MOST EASTERLY CORNER OF LAND DESCRIBED IN DEED TO VENADO GRANDE CORPORATION, RECORDED NOVEMBER 10, 1959 AS INSTRUMENT NO. [232803](#), OFFICIAL RECORDS; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LAND NORTH 27°18'25" WEST 1358.96 FEET TO A POINT IN THE NORTH-SOUTH CENTER LINE OF SAID LOT 3, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE BOUNDARY OF SAID VENADO GRANDE CORPORATION'S LAND NORTH 89°06'26" WEST 905.49 FEET TO AN INTERSECTION WITH THE SOUTHERLY TERMINUS OF THE EASTERLY LINE OF LAND DESCRIBED IN DEED TO CHARLES FRANCIS MCGRATH AND CHARLES H. MCGRATH, RECORDED SEPTEMBER 18, 1959 AS INSTRUMENT NO. [193050](#), OFFICIAL RECORDS; THENCE ALONG THE EASTERLY LINE OF SAID MCGRATH'S LAND AND THE NORTHERLY PROLONGATION THEREOF NORTH 0°16'26" WEST 675.14 FEET; THENCE NORTH 84°43'50" EAST 545.61 FEET TO A POINT "A" OF THIS DESCRIPTION; THENCE SOUTH 60°27'45" EAST 421.72 FEET TO A POINT IN THE NORTH-SOUTH CENTER LINE OF SAID LOT 2 DISTANT NORTH 0°09'27" EAST 531.43 FEET FROM THE POINT OF BEGINNING; THENCE SOUTH 0°09'27" WEST 531.43 FEET TO THE TRUE POINT OF BEGINNING.