

MINUTES
REGULAR PLANNING COMMISSION MEETING
CITY COUNCIL CHAMBERS
1 CIVIC CENTER DRIVE
SAN MARCOS, CALIFORNIA
MONDAY, JUNE 3, 2002 - 6:30 PM

1. CALL TO ORDER

At 6:30 p.m. Chairperson Chinn called the meeting to order.

2. PLEDGE OF ALLEGIANCE

Commissioner Sannella led the Pledge of Allegiance to the Flag.

3. ROLL CALL

The Secretary called the roll:

PRESENT: COMMISSIONERS: Chinn, Clancy, Decena, Burns, Nelson, Sannella, Wedge

ABSENT: COMMISSIONERS: Hernandez

ALTERNATE COMMISSIONERS IN THE AUDIENCE: None

Also present were Planning Director, Jerry Backoff; City Engineer, Alan Schuler; Planning Secretary, Cathy Kazebee; City Attorney, Kevin Sullivan; Extension of staff, Alan Fishman; Environmental Consultant, Sue Lamoureux; Biologist, Dr. Pat Mock

4. ORAL AND WRITTEN COMMUNICATIONS.

None.

CONSENT CALENDAR

(Item 5) COMMISSIONER SANNELLA MOVED TO APPROVE CONSENT CALENDAR AS PRESENTED; SECONDED BY COMMISSIONER DECENA AND CARRIED BY A UNANIMOUS VOTE.

PUBLIC HEARINGS

6. **Case No:** SEIR 90-16/SP 89-16 (01 M)/TSM 408
Application of: San Marcos Highlands Limited
Request: A Supplemental Environmental Impact Report, a Specific Plan Modification and Tentative Subdivision Map for 230 single family detached dwelling units on +/- approximately 203 acres.
Location of Property: North of Santa Fe Hills (previously known as Paloma) along the extension of Las Posas Road

Staff Presentation: (Alan Fishman)

Gave the highlights of the staff report. Described location and summary of project. Project included a SEIR due to concerns of LAFCO, resource agencies and adjacent property owners. Displayed the old project vs. the new project. Discussed the workshops. There are 3 planning areas. Described the lot sizes of each. 60% is residential. 70% of the project is open space, habitat and riparian area. Discussed land use compatibility. Minimum lot size is 4,200 square feet with average of 8,000 square feet. Santa Fe Hills minimum is 3400 square feet. Grading has been reduced from the original plan. Architectural styles will come back for review. Will work closely with the agencies. Discussed the parks. Staff has worked with LAFCO regarding the service agencies. 109 acres will be annexed. Discussed traffic reduction based on reduction in residential density.

Backoff: The northwest corner of the property is out of the sphere of influence and is not a part of the annexation.

Wedge: What is the compatibility on the northwest side.

Backoff: North is large lots of 2-4 acres. There is distance separation on the other sides.

Chinn: If the closest home is 660' what is the vertical off-set.

Fishman: about 100'.

Public Testimony:

John Nabors, 14374 Seabridge Lane San Diego, representing the applicant. Project was previously approved in 1989. This is consistent with the College Area Community Plan. The Specific Plan originally had 270 lots. The Specific Plan did not expire. Entitlements are still in place. The park is east of the pond and is full of trails. 2/3 of the property is open space.

Clancy: The park is now 3 acres. What is going to be in it.

Nabors: It will have a little more open area. It is a secondary park. There is also a 1 acre active park that will connect to the pond. It will be open to the public and maintained by the City.

Henry Palmer, 682 Olive Street, There is some confusion between the Twin Oaks and the County and Twin Oaks and the City. Displayed County base map that shows the development in the area, future projects and existing projects which all comply with the North County Metro. This is a fossil EIR. SEIR is full of inconsistencies. There were ordinances passed that gave this project more opportunity for grading. Need to provide a list of all exactions and mitigation requirements.

Elsa Morris, PO Box 541, San Marcos representing the TOV Property Owners Assn. The area is considered part of the buffer zone between the City and County. The county's policy has not changed. The SEIR does not take into consideration the County area. Must consider existing conditions. Condition P must be deleted if approved. Houses on the north must be eliminated.

Sue Lamoureux, consultant who prepared the SEIR. There was a final EIR in 1990 and this is a supplemental which addresses only the changes. The original analysis addressed the project, county zoning, larger lot alternatives. This SEIR is only for the 230 and refers to the old project. 1/3 of the project is in the City, 1/3 is in the unincorporated area of the County but in the sphere of influence. Have discussed all the options and have addressed the County's comments. Because the City is the lead agency it is their baseline for the SEIR. CEQA will allow staff to change minor occurrences. City staff determines what is major or minor.

Backoff: The property owner has been involved in the project for 15-20 years. He came to the decision that he would process his project through the City rather than the County.

James McKeown, 1947 Robin Hood Road. Live in an area of 4-15 acre lots. Am opposed to the project. Need to look at what surrounds the project. Opposed to the density.

Mary Clarke, 1529 El Paseo Drive, San Marcos, representing Friends of Hedionda Creek Want to preserve the valley. The valley is covered with coastal sage scrub. Highlands project will bisect the open space area. Discussed the north/south wildlife corridor. Developer proposed only a 48" culvert under the streets which is not sufficient for the deer to cross. A solution would be to create a 1000' wildlife corridor from west to east. Would like to ask staff to work with developer to create a more adequate wildlife corridor.

Backoff: Have been working with the wildlife agencies for several months. Project does recommend some culverts. Speed of cars was a consideration. Agencies have required changes to the road which allows crossings in two locations. Dr. Pat Mock has been working with the agencies and applicant.

Pat Mock, URS: Have been working on this project for over 6 years. The County is currently deciding what their future plan is for the 400 acre site to the northwest. Want to maximize the block of habitat. The riparian corridor is where the wildlife movement has been observed. Discussed the focus of wildlife movement. Many studies have shown that wildlife will move through 48" culverts except for deer. This is not a very big development and the number of cars at night is small. 250' wide corridor is the minimum we have recommended in the past. This is acceptable.

Sandra Farrell, 1900 Esplendido Avenue, Santa Fe Hills is very different from Robin Hood Ranch. Rural lands are disappearing. This project does not respect the visual of the area. Will destroy environmental resources. We don't have a clear view of what the project will look like. Review the response to comments. Need to work with adjacent residences.

Rob Peterson, 906 Deer Springs Road, North county is the biggest uncontrolled urban sprawl. Don't want development like this.

Gary Hill, 3777 Robin Hood Lane, Development is based on a plan 20 years ago which was probably very good. Knowledge of development has changed. Value of habitat has changed. County 2020 is proposing 10 acre development. There is no compatibility. Trail segment 27 and 28 are in lot 3A open space area. Need to have all the trails addressed.

Olive Marrical, 360 Buena Creek Road, Discussed the County general plan, spot zoning and urban sprawl.

Sandi Lord, 1901 Esplendido Avenue, live adjacent to the project. Addressed the wildlife, wetlands, etc. Consider the liability to the City if a deer was hit by a car. It should be left as open space for our children.

Tom Byrne, 1388 Corte Badaljo, San Marcos His property looks north to the valley where this will be developed. Opposed to the project.

Dave Shibley, 1923 Bedford Place, Escondido, Involved in the 2020 process. It has not been approved yet. This is not a sprawl project and not a leap frog development. 60% of our growth is from our own children. 40% of the traffic on I15 is from Temecula.

Jack Paxton, 1615 La Tierra, Addressed the MHCP. Need to make sure this project fits in with the MHCP.

Fred Brown, 840 Phoenix Way, Has the city of San Marcos ever said no to a developer. This will be rubber stamped like the rest of them. Opposed to the project.

Lynn Vollgraff, 1617 Robin Hood Road, Vista This was supposed to be 1 acre lots. It is no longer a transition. Concern about the parks. Suggested that a tot lot and basketball courts be developed.

Vaska Tone 733 Via Cafetal, San Marcos, a new owner in the area. Concerned is where will all the children go to school. Don't want it to be urbanized any more.

Rod Green, 3818 Bluebird Canyon Road, Vista, Opposed to the project as it is.

Mary Borevitz, 912 Cassou Road, San Marcos school board member. Concerned that we require developers to pay their fees. Discussed the habitat. Direct staff to work with the county and residents to purchase the property.

Cynthia Skovgard, 815 Grand Ave San Marcos, addressed the coyotes. Need more public hearings on this. Need to respect the general plan of the county.

Gil Jemmot, 269 Solar View Drive, representing the TOV Sponsor Group. Houses are placed adjacent to agricultural uses which can be bad. This is supposed to be a buffer between the City and County densities. In what areas are 4500 s.f. lots considered semi-rural. Responses to SEIR are conclusionary. Sponsor group believes in balancing rights. Addressed the County's letter of opposition. Suggest that the project meet development requirements and be sensitive to the community.

Entered two letters into the record from Humphrey in regard to the wildlife corridor and from Bancells who oppose the project and extension of Las Posas Road.

Entered into the record E-mails from Michael Agliardo, Larry Barker, Carrie Schneider, Diane Smith.

John Nabors: LAFCO has approved the City's Sphere of Influence which includes this property. Have worked with LAFCO on this project which is to resolve all issues with agencies. Is consistent with the General Plan and the Community Plan. Addressed the buffer areas. Is consistent with the MHCP subarea plan. Asked USFWS and CDFG what size culvert and they said 48" is sufficient. USFWS changed staff and that letter addressed the mule deer but they are not a sensitive species. Have complied with all.

Nelson: Are there actually 22 homes to butt up to horse property?

Nabors: The homes sit below the equestrian area. There are no residences close to the property. There will be a landscape buffer. 20-40 feet horizontal and then the backyard.

Public testimony was terminated.

Nelson: When was the Sphere of Influence last updated?

Backoff: Have met with LAFCO on this particular project. They have not indicated an update was needed. The last time was about 7-8 years ago.

Wedge: Feel that the rural communities are an important part of San Marcos. This area does not give any transition from Paloma to Bluebird Canyon. Have concerns about directing wildlife to a road. Are putting people at risk with hitting animals. Cannot support the project. Need more habitat crossings with wider corridor and larger lots.

Clancy: The difference in 1990 and now is the different map. This map is smaller and less dense. There is buffering. 68% is open space. 60 acres is for the actual development. Have a park bigger than it was. There will be development anywhere there is an open area. Maybe we need a wider corridor. Don't see too many issues with this project, except for the habitat.

Sannella: concur with Clancy. 138 acres of open space is significant. Project is encircled with the 138 acres which provides sufficient buffer to the surrounding neighborhoods.

Burns: As a good neighbor we need to transition our land uses better with Santa Fe hills to the north and to the west. Not support this project.

Action:

COMMISSIONER DECENA MOVED TO DIRECT STAFF TO WORK WITH THE COUNTY AND RESIDENTS TO TRANSITION FROM HIGH DENSITY TO THE LARGE ESTATES.

Chinn: requested withdraw motion temporarily.

Commissioner withdrew his motion.

Nelson: think it is a natural extension of Paloma but there needs to be better transition. Concern about the wildlife corridor. Think Las Posas will someday have to go through.

Chinn: Looking at it three dimensionally. It does not concern me as much as some. Will have to defer to the experts on the wildlife. Is an improvement over the one 10 years ago. Have a concern with 4,000 s.f. lots. See the need for some type of transition. Would like to see 6-8,000 s.f. lots.

Backoff: Applicant has tried to address buffers and transitions. Not sure that the agencies would approve large lots.

Chinn: See this as a transition project from Santa Fe Hills to the agricultural area. Not necessarily ½ acre lots but more on the southeast portion of the project with 7,000 s.f. range. Minimum of 5,000 s.f. lots.

Wedge: Larger lots on the bottom give a feeling of a larger neighborhood. The smaller lots are just row after row of small lots. A 5,600 s.f. lot would not still be a transition.

Chinn: Thought was that we will spread out the lots with a larger product type with variation.

Wedge: ½ acre lots might be reasonable.

Burns: The area is too rural area with this density. Too intense.

The hearing was reopened:

Nabors: Displayed the size of the lots. Would agree to a 5,000 s.f. minimum lot in that area. The smallest pad is 5,000 s.f. These are not visually harming the estate lots. The smaller lots are internal to the project.

Lex Williman, Hunsaker and Associates 10179 Huennekens: Las Posas Road elevation difference is 10-11 feet above the lots. Lots are above the road.

The hearing was re-closed.

Chinn: would like to see larger lots along Las Posas and the northern small lots to be increased.

COMMISSIONER DECENA MOVED TO DIRECT STAFF TO WORK WITH THE APPLICANT AND COMMUNITY KEEPING INMIND PROPORTIONAL LOT SIZE FROM 5,000, 7,000 AND 10,000 WITH LARGER LOTS AROUND THE PERIMTER.

MOTION DIED FOR LACK OF SECOND.

COMMISSIONER CLANCY MOVED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF SEIR 90-16 AS SET FORTH IN RESOLUTION PC 02-3521; SECONDED BY COMMISSIONER SANNELLA AND FAILED TO PASS BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: CLANCY, SANNELLA, CHINN

NOES: COMMISSIONERS: DECENA, BURNS, NELSON, WEDGE

ABSENT: COMMISSIONERS: NONE

COMMISSIONER CLANCY MOVED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF SP 89-16 (01MOD) AS SET FORTH IN RESOLUTION PC 02-3518; SECONDED BY COMMISSIONER SANNELLA AND FAILED TO PASS BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: CLANCY, SANNELLA, CHINN

NOES: COMMISSIONERS: DECENA, BURNS, NELSON, WEDGE

ABSENT: COMMISSIONERS: NONE

COMMISSIONER SANNELLA MOVED TO CONTINUE TO NEXT PLANNING COMMISSION MEETING; SECONDED BY COMMISSIONER CHINN.

Discussion:

Sannella: if it takes more time ok.

Wedge: in all fairness to the applicant, we need to let the applicant know what to do in order to gain approval.

Decena: support the continuance.

Nelson: don't think the project is appropriate for the area.

Burns: don't think it is appropriate for the area. Large lots sizes would not do it.

Wedge: enlarging a few lots would not do it.

MOTION FAILED TO PASS BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: DECENA, SANNELLA, CHINN

NOES: COMMISSIONERS: CLANCY, BURNS, NELSON, WEDGE

ABSENT: COMMISSIONERS: NONE

COMMISSIONER WEDGE MOVED TO RECOMMEND DENIAL TO THE CITY COUNCIL OF SEIR 90-16; SECONDED BY COMMISSIONER BURNS AND CARRIED BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: CLANCY, BURNS, NELSON, WEDGE,
CHINN

NOES: COMMISSIONERS: DECENA, SANNELLA

ABSENT: COMMISSIONERS: NONE

COMMISSIONER WEDGE MOVED TO RECOMMEND DENIAL TO THE CITY COUNCIL OF SP 89-16 (01MOD); SECONDED BY COMMISSIONER BURNS AND CARRIED BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: CLANCY, BURNS, NELSON, WEDGE,
CHINN

NOES: COMMISSIONERS: DECENA, SANNELLA

ABSENT: COMMISSIONERS: NONE

COMMISSIONER WEDGE MOVED TO RECOMMEND DENIAL TO THE CITY COUNCIL OF TSM 408; SECONDED BY COMMISSIONER BURNS AND CARRIED BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: CLANCY, BURNS, NELSON, WEDGE,
CHINN

NOES: COMMISSIONERS: DECENA, SANNELLA

ABSENT: COMMISSIONERS: NONE

7. **Case No:** GPA 02-71/Categorical Exemption (class 8)

Application of: City of San Marcos

Request: A General Plan Amendment to amend the Conservation and Open Space Element to adopt/amend policies that address new regulations mandated by the Regional Water Quality Control Board regarding water quality.

Location of Property: City-wide

Staff Presentation:

This amendment will add implementation strategies and policies into the General Plan.

Public Testimony:

None

Action:

COMMISSIONER CLANCY MOVED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF GPA 02-71 AS SET FORTH IN RESOLUTION PC 02-3517; SECONDED BY COMMISSIONER NELSON AND CARRIED BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: CLANCY, DECENA, BURNS, NELSON,
SANNELLA, WEDGE, CHINN

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

8. **Case No:** TA 02-49/ND 02-620

Application of: City of San Marcos

Request: A Text Amendment to Chapter 20.88.110 of the Municipal Code to update and potentially modify the development standards for accessory or secondary dwelling units (otherwise known as granny flats).

Location of Property: City-wide

Staff Presentation:

Request is prompted by a member of the public who wanted to build a granny flat larger than what is currently allowed. The state requirements have changed. Reviewed the changes.

Public Testimony:

None.

Action:

COMMISSIONER CLANCY MOVED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF TA 02-49 AS SET FORTH IN RESOLUTION PC 02-3515; SECONDED BY COMMISSIONER DECENA AND CARRIED BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: CLANCY, DECENA, BURNS, NELSON,
SANNELLA, WEDGE, CHINN

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

9. **Case No:** TA 02-50/Categorical General Exemption

Application of: City of San Marcos

Request: A Text Amendment to Chapter 20.88.130 of the Municipal Code to modify this section to provide appropriate guidelines for processing a Conditional Use Permit (CUP) for telecommunications facilities proposed to be placed within the City, including the City right-of-way. This modification is intended to comply with developing law and authority with respect to the facilities regulations.

Location of Property: City-wide

Staff Presentation:

The request is the outgrowth of a challenge by Sprint to allow facilities on existing utility poles. The courts upheld our requirement for a major CUP.

Public Testimony:

None.

Action:

COMMISSIONER NELSON MOVED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF TA 02-50 AS SET FORTH IN RESOLUTION PC 02-3520; SECONDED BY COMMISSIONER DECENA AND CARRIED BY THE FOLLOWING ROLL CALL VOTE;

AYES: COMMISSIONERS: CLANCY, DECENA, BURNS, NELSON,
SANNELLA, WEDGE, CHINN

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

10. **OLD BUSINESS**

TSM 402 – FRONT YARD SETBACK CLARIFICATION

Backoff: reviewed the request of the applicant. Developer has built model homes that he thought were approved by the PC. Applicant is asking that the reduced setback to be in substantial conformance with the originally approved development standards of 6' for a side entry garages.

Nelson: how many units were built that do not conform

Backoff: one model that shows the 6' but there is interest expressed in them. Have agreed not to put them in the first phase.

Mike Jakels, 5740 Fleet St, Carlsbad: All of them have sold in phase I. Have commitments. It is a second to lowest price home. This one is different looking on the outside.

Nelson: his feeling is that once you buy a set of plans you have to build it.

Keith Keeter, Latitude 33, 4933 Paramount, SD 92123. Came back in 98 with a similar concept that you approved. In 1999 when Ashbrook was the owner asked the PC to approve the 3 set of floor plans. In June of 2000 they resubmitted architectural elevations. Modified the side garage plans and eliminated the fifth plan. Staff reviewed the SDP which clearly showed the 6' setback. Submitted a mylar after the PC action. Went through 3 plan checks by staff. Permit plans were lost on the models. There was a discrepancy from the approved SDP with a 6' setback for a side garage. To them it was always aesthetics. We have 3 choices: eliminate plan 2, build what we can do on plan 2, or develop a new floor plan with a fifth plan.

Backoff: need to make it what the setback is in the specific plan.

Keeter: 38 lots in the development. 97 lots altogether. It will work on 11 lots

Chinn: feel we should let it slip through the cracks and let it go. It is less impactive than a garage.

Wedge: You need to push back them back as far as possible. Need to work with staff to identify each parcel and how it will fit. Can consider it substantial conformance with that. Those that can't are identified.

11. **PLANNING DIVISION DIRECTOR COMMENTS**

None

12. **PLANNING COMMISSIONERS**

None

13. **ADJOURNMENT**

At 10:45 p.m. Commissioner Chinn adjourned the meeting.

Jim Chinn, Chairman
SAN MARCOS PLANNING COMMISSION

ATTEST:

Cathy Kazebee, Secretary
SAN MARCOS PLANNING COMMISSION