



MAY 28 2026

RECEIVED

CITY COUNCIL APPEAL APPLICATION FORM

Appeal of a Prior Planning Commission Decision

APPELLANT INFORMATION

Appellant Name: Elizabeth Santos

Organization/Company (if applicable): _____

Mailing Address: PO BOX 1561, San Marcos, CA 92079

Phone Number: 760-943-9132

Email Address: jesantos1@hotmail.com

PROJECT INFORMATION

Project Name: North City West Tentative Subdivision Map & Public Right-of-Way Vacation

Project Address/Location: Northwest of the intersection of Twin Oaks Valley Road and the Future North City Drive.

Planning Commission Application/File No.: TSM24-0004 & ROW VAC26-0002

Planning Commission Hearing Date: May 18, 2026

Date of Planning Commission Decision: May 18, 2026

Type of Approval/Decision Being Appealed:

- Conditional Use Permit
- Site Development Plan
- Tentative Map



- Variance
- Design Review
- Environmental Determination
- Other: Street Vacation – Resolution PC26-5201 & PC26-5197

BASIS FOR APPEAL

Please clearly state the specific basis for the appeal and the reason(s) the Planning Commission decision should be overturned, modified, or reconsidered. Attach additional sheets if necessary.

While the physical vacation occurs west of Twin Oaks Valley Road. The Applicant is the same entity currently engaged in aggressive land litigation against my family east of Twin Oaks Valley Road.

It is an abuse of discretion for the City to grant this developer the privilege of public road vacation and subdivision while the developers documented site conduct includes physical battery and property damage against neighbors within the same North City project footprint.

SEE ATTACHED LETTER FOR FULL DETAILS

REQUESTED ACTION

Please describe the action you are requesting the City Council take regarding this appeal.

I request that the City Council overturn the approval and deny the map and street vacation until final property lines are established by the court.



SUPPORTING MATERIALS

Please check all materials submitted with this appeal application:

- Written Statement/Letter of Appeal
- Supporting Exhibits/Documents
- Project Plans
- Environmental Information
- Other: _____

APPELLANT CERTIFICATION

I hereby certify that the information provided in this appeal application and any attached materials is true and correct to the best of my knowledge.

Appellant Signature: 

Date: May 28, 2026

CITY USE ONLY

Date Appeal Received: 5/28/26

Appeal Deadline: 5/28/26 @ 5:30 p.m.

Appeal Fee Paid: \$100

Received By: SN 

Appeal Determined Complete: _____

City Council Hearing Date: _____



IMPORTANT INFORMATION

- Appeals must be filed within the time period established by the Municipal Code.
- Appeals submitted after the filing deadline will not be accepted.
- Additional information may be required to process the appeal.
- Filing an appeal may require payment of an appeal fee pursuant to the City's adopted fee schedule.

SUBJECT: ATTACHMENT TO APPEAL FORM – TSM24-0004 & VAC26-0002

DATE: May 28, 2026

APPELLANT: Elizabeth Santos

RESOLUTIONS UNDER APPEAL: Resolution PC 26-5212, PC 26-5201, & PC 26-5197

Pursuant to San Marcos Municipal Code Chapter 20.545, the Planning Commission's approval constitutes an abuse of administrative discretion and a failure to protect the public interest based on the following:

Administrative Abuse and Bad Faith Litigation: The Applicant is the same entity currently using the Superior Court (Case No. 37-2023-00007946-CU-OR-NC) to strip a legacy resident of historic access rights. It is an abuse of discretion for the City to grant this developer the privilege of public infrastructure vacation and subdivision as a right, while that same developer is actively attempting to diminish the private property rights of citizens within the same project footprint.

Documented Evidence of Dangerous Operations: Discretionary approvals require findings that a project will not be detrimental to public safety. The Commission was presented with evidence of a significant site hazard: San Diego Sheriff Dispatch Incident #E10351159, involving a tractor operator striking the appellant in defiance of law enforcement warnings. The Commission's failure to investigate the Applicant's site-safety protocols renders the safety "findings" for this subdivision invalid.

REQUESTED ACTION:

The Appellant respectfully requests that the City Council vacate the approval of Resolutions PC 26-5212, PC 26-5201, and PC 26-5197, or in the alternative, stay all items until the developer demonstrates compliance with law enforcement and the civil litigation is resolved.

SAN DIEGO COUNTY SHERIFF'S OFFICE

"KEEPING THE PEACE SINCE 1850"



INCIDENT #
E10357159

Kelly A. Martinez
SHERIFF

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STATEMENT OF LEGAL NECESSITY

SUBJECT: ATTACHMENT TO APPEAL FORM – TSM24-0004 & VAC26-0002

DATE: May 28, 2026

APPELLANT: Elizabeth Santos (Owner of APN: 221-110-17 & 221-110-18)

RESOLUTIONS UNDER APPEAL: Resolution PC26-5201 & PC26-5197

STATEMENT OF BASIS FOR APPEAL

This appeal is submitted as formal notice of **Administrative Bad Faith** and potential **Administrative Liability**. The City is hereby put on notice that granting discretionary entitlements to the Applicant while the following conditions remain unresolved constitutes a breach of the City's **Duty of Care**.

- **Jurisdictional Conflicts:** The project site is currently subject to active litigation (Case No. 37-2023-00007946-CU-OR-NC). Any administrative action taken by the City prior to a final Court judgment is premature and lacks a legal basis.
- **Documented Site Hazards & Administrative Negligence:** The Applicant has a documented history of safety violations (Sheriff Dispatch Incident #E10351159) confirming physical endangerment of neighbors. Proceeding with the abandonment of public right-of-way without a formal investigation is a direct act of **Administrative Bad Faith**.
- **Integrated Project Review:** This application is inextricably linked to the systemic issues and ownership discrepancies detailed in the concurrent appeal of CSP19-0003. These must be reviewed as a single, problematic project footprint.

DEMAND: The Appellant demands that the City Council grant a **De Novo hearing** and stay all project entitlements, including the abandonment of public right-of-way, until the Superior Court has issued a final order.

Signature: 

Date: 5/28/2026