



Rancho Peñasquitos Planning Board Meeting Minutes

March 2, 2011

Attendees: Jon Becker, Joost Bende, Morri Chowaiki, Thom Clark, Bill Diehl, Bill Dumka, John Keating, Jim LaGrone, Jeanine Politte, Keith Rhodes, Scot Sandstrom, Charles Sellers, Mike Shoecraft, John Spelta, Dennis Spurr

Absent: Dan Barker, Lynn Murphy (Leave of Absence)

Community Members & Guests (Voluntary Sign-in): Dale Politte, Dann Mallec, Suzanne Brooks, Kathy Lippett, Arman Ohanian, Andre Gold

1. The meeting was called to order at 7:50 pm at the Doubletree Golf Resort located at 14455 Peñasquitos Drive, San Diego, California 92129. A Quorum was present.
2. Agenda Modifications: Removed Santa Fe Summit II & III – Street “B” (Info Only) agenda item; discussed in LUC and applicant didn’t see the need for bringing forward to full board.
3. MINUTES: Corrections were recommended.
Motion: To approve the February 2, 2011 Rancho Peñasquitos Planning Board Meeting minutes as corrected. M/S/C - LaGrone/Spurr/Approved 10 in favor – 0 against – 5 abstentions (Spelta, Clark, Chowaiki, Sandstrom, Diehl).
4. Guests:
 - a. No public safety agencies were present.
5. NON-AGENDA, PUBLIC COMMENTS:
 - a. Kathy Lippett, a Public Health Practitioner with San Diegans for Safe Neighborhoods made a brief presentation (with handouts) on Healthy Kids surveys that show alcohol statistics are going down due to changes made over the last few years banning alcohol in specific locations. The Marijuana Dispensary ordinance will be before City Council on March 28th. Heverly will email us more information on proposed policies.
 - b. Arman Ohanian, owner of property on Marianopolis Way will be coming before the RPPB in near future with proposal to split his property into 3 lots and build 2 additional homes on the new lots. He asked the planning group members to be open minded about the split and asked for guidance on what information we wanted to see.
 - i. Bended noted that the property’s previous owner had tried to split the property into 2 lots back in 2004 and was denied by RPPB 11-0, Planning Commission denied and City Council denied appeal in 2006. Politte will email Powerpoint presentation Bende presented at Planning Commission and City Council meetings to A. Ohanian so he can explore concerns expressed for denial of the previous lot split proposal. LUC requested that he come to the LUC meeting in April with details of what he plans to build and he could prepare a list of questions to be addressed at the meeting also.
6. ELECTION - Bende asked if anyone present had not voted for their RPPB representatives; final call to submit your vote.
7. ANNOUNCEMENTS & INFORMATION ITEMS:
 - a. San Diego City Council District 1 Report – Stephen Heverly
 - i. Councilmember Lightner submitted a new comprehensive Policy for a Sustainable Water Supply in San Diego to the Independent Rates Oversight Committee last week, which approved the policy in concept. Then, today Lightner presented the Policy to

- the Natural Resources and Culture Committee where they provided some good feedback. Anticipate bringing the Policy back to the Natural Resources and Culture Committee in a few weeks; meeting with stakeholders to garner their support and develop an implementation plan to bring to City Council in a few months. New policy includes the development of diverse local supplies, collaboration, rate structures that encourage conservation, and increased communication. Heverly will send draft policy to be emailed to RPPB members.
- ii. San Diego Science Festival begins March 19, held in Balboa Park and other locations through San Diego, ending at Petco Park on March 26th. The Festival is a weeklong celebration of education and engineering in education. Lightner is member of Executive Committee. More info: <http://sdsciencefestival.com>
 - iii. Traffic Issues briefly discussed – Peñasquitos Drive; to be discussed later in agenda. District 1 office will support RPPB's recommendations.
 - iv. Rancho Peñasquitos Pump Station – Heverly reported that the Public Utilities Dept. has sent a letter to the Ferrells' for their records stating that cameras are stationary, can't see onto their property and the Dept. will notify them if changes are made to cameras or view direction.
 - Bende asked if the City had accepted the project as complete yet; Heverly stated that District 1 offices have not received notice of acceptance yet, will check into.
 - v. Diehl added that Caltrans was putting purple pipe in along SR-56 between Black Mtn. Rd. and Peñasquitos Dr. He added that puts the piping closer to Views West Park which Park & Rec has been hoping to get connected.
 - Heverly added that the City of San Diego sells their recycled water to Olivenhain Water District, which turns around and sells it to their constituents at a higher rate. San Diego has the capacity to sell their extra recycled water to pay for adding more pipe.
 - Sellers stated that the City needs to tighten up disparities in pricing and what they are reselling it for. Heverly added that he is working with Councilmember Lightner on that and requested other suggestions be sent to District 1 offices.
 - vi. Politte asked if the City is still taking road & flood damage reports; Politte will email Heverly with a couple of issues needing repair.
 - Heverly stated that Paseo Montalban is being put on the priority list for repairs/paving.
 - vii. City Council Redistricting - Sandstrom asked if Lightner had a preference; Heverly stated that Lightner enjoys working for and representing all groups and areas of San Diego.
 - Rancho Peñasquitos Town Council meeting on 3/3/2011 agenda item - discuss redistricting and prepare a recommendation to the redistricting committee.
 - Keating prepared and shared a redistricting map for discussion later in meeting.
 - Sellers added that Mira Mesa may end up being the heart of District 9, but certain we will be cut from District 1.
 - Bende added that it would benefit the I-15 Corridor to have 2 districts on City Council to represent them on future Citywide issues ie. High Speed Rail, etc.
 - Politte asked Shoecraft if the Town Council was accepting recommendations from constituents on the proposed district alignments sent out my email for the meeting tomorrow night; yes and any other suggested realignments. Town Council will be sending a recommendation to the City Council's Redistricting Committee.

- b. San Diego City Planning & Community Investment Report – Michael Prinz, not present

8. BUSINESS.

a. **Santa Luz Long-Term Care Facility (Info Item) – Joe Taylor, Santaluz LLC**

Tentative proposal, CUP, is for a Living/Memory Care Community on 2 lots (approx. 3.2 acres); Black Mtn. Ranch Unit 10A Map No. 14497, Lots 4 & 6. Property is adjacent to the Montessori School and the newly constructed church facility; Via Fiesta at Via Inez intersection. Property is zoned AR-1-1 agricultural zone; originally planned as a recreation facility, but after shopping it around for a few years, have had no proposals to develop the property. Taylor stated the proposed use is consistent with BMR Subarea plan and seniors are underserved in the community. Santaluz LLC has met with community members and had preliminary discussions with DSD staff, but it was noted in LUC meeting that they have not met with all resident groups who would be affected by this development.

Additional information from distributed handout:

The potential complex would be 1 or 2 stories with approx. 80 units; each unit would include a small living area, sleeping area, a small kitchen area with no cooking facility just a microwave, private bathroom with a walk-in shower and arranged for 1 or 2 related or unrelated residents. Two units would be for live-in managers with full cooking facilities. Common areas would include congregate dining rooms, living rooms, activities and recreation areas. Parking for staff and visitors will be provided. Residents in this project would average 80+ years of age and receive 24 hours per day care and licensed by the State of California as a Residential Care Facility for the Elderly.

i. Planning Board Member & Community Member Comments:

- Becker stated that at LUC there seemed to be general acceptance of the project type and opportunity for substantial conformance.
- Sandstrom stated that recreation center use could have been private entity.

b. **FBA / PFFP Prioritization Issues Report (Action Item) – Keith Rhodes, Subcommittee Chair**

Rhodes, Dumka & Spelta recused themselves.

Rhodes spoke on behalf of the committee, requesting guidance on the committee's recommendations and further discussion with City Staff. There are 2 items the committee recommends removing from the FBAs: 1) Torrey Highlands Pedestrian Bridge by Westview High School over Camino del Sur, and 2) Widening of Black Mtn. Rd. between Mercy Rd. and Twin Trails.

1. Torrey Highlands Pedestrian Bridge (T-10, Torrey Highlands FBA/PFFP)

- Rhodes stated that PUSD will not be building the elementary school nearby.
- Diehl added that there was a similar issue near Mt. Carmel H.S., but it was not possible to build over Carmel Mtn. Rd.; and the high school students would not use the bridge. Mira Mesa's Black Mtn. Rd. at Galvin St. Bridge is not used and he is not sure of the status on whether the bridge over SR-56 in Carmel Mtn. Ranch (near Shoal Creek Elementary School) will ever materialize due to funding required to build.
- Becker added that the bridge would have to drop down into public right-of-way and would not work at the site.
- Rhodes stated that the committee recommends removal of this project from the

Torrey Highlands FBA.

- Diehl added, the FBA lists this project to be completed in 2014 for \$4.815 million.
- Sandstrom asked if there was a recommendation from the committee on whether the FBA fees would be reduced or reallocated.
- Rhodes stated that the recommendation was to remove the project with no reallocation.
- Keating asked for clarification that the FBA fees would go down; Sandstrom replied, yes.

Motion: To remove Project T-10 (Torrey Highlands Pedestrian Bridge) from the Torrey Highlands FBA/PFFP. M/S/C – Diehl/Sandstrom/Approved – 11 in favor – 1 against (Sellers) – 0 abstentions – 3 recusals (Rhodes, Dumka & Spelta).

2. Black Mtn. Rd. Widening between Mercy Rd. and Twin Trails Dr. (2D, Rancho Peñasquitos FBA/PFFP)

- Rhodes stated that the committee's recollection on this project was that the community did not want the road widening to take place and thought it had been removed previously.
- Becker stated the justification for removal is that Rancho Peñasquitos is built out and no need for additional lanes.
- Keating stated that original plans were for Black Mtn. Rd. to be 6 lanes with single left turn lanes. We have added double left turns and feels we are better off with existing 4 lanes and double left turns that we have now. We just need to change the Community Plan to recognize the 4 lanes with double left turns as they exist today.
- Bende added that once Camino del Sur connects all the way down to Park Village, traffic will decrease on Black Mtn. Rd. Keating agreed.
- Politte asked if new Mira Mesa apartment project just north of Mira Mesa Blvd. and west of I-15 would affect the need for widening Black Mtn. Rd. or being able to delete it from our FBA? The group did not believe it should affect our FBA.
- Dumka stated that it should be removed from Black Mtn. Ranch FBA/PFFP and RPPB should recommend removal from Pacific Highlands Ranch FBA/PFFP. (Committee has not discussed with PHR/Carmel Valley Planning Group)

Motion: To remove 2D (Widening of Black Mtn. Rd. to 6 lanes between Mercy Rd. and Twin Trails Rd.) from the Rancho Peñasquitos FBA/PFFP and the Black Mtn. Ranch FBA/PFFP, and recommend removal from the Pacific Highlands Ranch FBA/PFFP. M/S/C – Keating/LaGrone/Approved – 12 in favor – 0 against – 0 abstentions – 3 recusals (Rhodes, Dumka & Spelta).

Additional items the committee would like guidance for further study:

1. BMR Community Park Pool – Torrey Highlands FBA/PFFP Project P5 & Black Mtn. Ranch FBA/PFFP Project P3
 - Diehl reported that the City can't staff; all but 1 City pool are shutdown 8 months of the year. We have public use of the high school pools (Mt. Carmel, Westview & Del Norte) as well as the YMCA pool. He added that \$6 million for this project is not a wise use of the money. The committee suggested either remove from the FBA/PFFP, find alternative use for the funds, or give some of it to PUSD with a joint use agreement to assure that community will have use of the pool facilities in

the future. If population based, come up with a reasonable cost for the pool. There is a 10-15 foot deep pond there presently where the pool would go; 3 ponds on the facility.

- Committee recommends: 1) remove from FBA/PFFP; 2) Cost reality – is \$6 million too expensive for pool; or 3) push year out to later timeframe.
 - Sellers stated the committee should look at optional uses/changes for this project in the FBA with related costs.
2. Library for Pacific Highlands Ranch – Project L1 in TH & BMR FBAs/PFFPs
- Rhodes reported that BMR and Torrey Highlands pay into the FBA for this Library. He spoke with Peñasquitos Library staff about use of existing facility in Peñasquitos. Staff stated that the Peñasquitos library is not being impacted by the residents in Torrey Highlands which is approx. 85% built out. Patricia, who lives in BMR, confirmed that Black Mtn. Ranch residents use the 4S Ranch library. Rhodes added that the Committee would prefer that we use the monies in our FBAs to benefit the libraries that our residents will use in our own community.
 - It was noted that Pacific Highlands Ranch needs to be included in the conversation. Rhodes will follow-up with the Carmel Valley Library.
 - Bende stated that in previous conversations, FBA fees can't be used for maintenance, staffing; how we could use the funds to benefit existing libraries.
 - Rhodes added that PUSD has been approached about how we can best utilize school libraries also.
 - Sellers suggested that the conversation was worth pursuing.
 - Suzanne Brooks suggested the committee look into updating technology at the existing libraries.
3. Peñasquitos Village Park (adjacent to Los Peñasquitos Elementary School) – 5 acre park in FBA/PFFP with cost of \$8 million, no funding designated
- City maps show it as open space and in Rancho Peñasquitos Community Plan as a neighborhood park - discrepancy. Another discrepancy is Black Mtn. Neighborhood Park which is in the Community Plan adjacent to Hilltop Park is not in the FBA/PFFP.
 - Bende stated that the residential development that was originally scheduled above Mt. Carmel High School (Montana Mirador) was suppose to pay for 2 parks; property was acquired and added to Black Mountain Open Space Park in the mid 1990s. Diehl confirmed that Montana Mirador was supposed to pay for both parks.
 - Sellers added that the Los Peñasquitos community has been promised this park for decades and it would nice if we could accommodate them by using some of the FBA funds to either improve an existing facility at Los Peñasquitos Elementary School or something else. Diehl added that there is no money identified in the Peñasquitos FBA.
 - Politte suggested that the only additional FBA funds that we could pull from are the additional Cresta Bella units and the Cohen's future redevelopment of the property behind Albertsons. Were the additional FBA fees collected by the City for the 125 additional Cresta Bella units over what was originally there? Brief discussion whether funds collected for additional units would go into FBA or into the City's General Fund. Heverly will check into.
 - Spurr confirmed the need for a local park; recommended that the park stay in the

FBA. Los Peñasquitos Elementary school, like all others, is locked up so the community has no access to play areas or fields. All neighbors presently must go to a distant location for parks.

- Based on the discussion, Rhodes said we should keep the park in the FBA.
- Suzanne Brooks suggested looking at a dog park as an alternate use.
- Sandstrom stated his concern for unfunding a neighboring FBA, prefers communication with those communities prior to talking with City.
- Politte added that the Committee will want to include a member from the Carmel Valley Planning Board in your discussions.

Motion: To direct the committee to continue researching issues and alternatives to FBA/PFFP projects: Library (Project L1 in TH & BMR FBAs/PFFPs) and Community pool (TH FBA/PFFP Project P5 & BMR FBA/PFFP Project P3). M/S/C – Sellers/LaGrone/Approved 11 in favor – 0 against – 1 abstention (Keating) – 3 recusals (Rhodes, Dumka & Spelta).

4. Widening of SR-56 between I-15 & I-5 AND North-bound connectors from SR-56 onto I-5 – TransNet Projects listed in our FBAs/PFFPs
 - Rhodes stated that the issue is the millions of dollars in FBAs with language referencing these regional projects. They are TransNet projects that will be paid for by TransNet funds. Committee does not feel that the communities' FBAs should list funds, whether unidentified or not for these projects. Have seen in the past where community FBAs end up paying for projects when local, state or regional funds dry up.
 - Dumka agrees that the committee needs to explore this issue; adding that theoretically, all the money is in TransNet so why is there any money in the FBA for the projects.
 - Rhodes stated that at the completion of the traffic study and to be able to build out the rest of the residential and all commercial in Torrey Highlands, the City felt it would look better, not because it was required, if they added these two projects as a condition of Phase 5; holding up about 5,000 ADT. We have no control over when and how these projects will be constructed.
 - Dumka added that the widening project is listed in TransNet for year 2036-2040 with a cost of \$220 million.
 - Rhodes stated that the Torrey Highlands Traffic Phasing plan would need these projects assured to get their final ADTs and we have no control over that. The Committee would like to continue studying these so they are not an impediment and to reduce the financial burden on the FBAs.
 - Dumka added Pacific Highlands Ranch and the passage of Prop C (Nov. 2010 ballot) causing change to their traffic phasing plan created an opportunity to review these projects due to similar issues/conditions. PHR's draft position eliminates the north-bound connectors as a constraint.
 - Rhodes added that we need to get the north-bound connectors out of our traffic phasing plan, look at our communities not being liable for the funding of the Widening of SR-56 and look at alternative uses of funds if projects are removed from FBAs/PFFPs. The SR-56 Widening Project is in BMR, TH & Rancho Peñasquitos FBA/PFFPs.

- Sellers asked the Committee to look at potential alternative projects with the suggestion that monies might be used to widen SR-56 between Black Mtn. Rd. and Camino del Sur.

Motion: To continue studying two projects (Widening of SR-56 and North-bound Connectors to I-5) and alternate uses of funds. M/S/C – Sandstrom/Spurr/Discussion.

- Keating added that he will contact Caltrans about restriping SR-56 between Black Mtn. Rd. & Camino del Sur, adding an additional lane by using the shoulder. There is room, bridge wall to bridge wall, over Deer Canyon Bridge for standard lanes like Caltrans did on SR-52 going to Santee.
- Rhodes stated, as a developer, the cost for these projects are in the FBAs and he added that communities may be asked to front the funds to be reimbursed later by TransNet. Would like the FBA to provide an explanation that states that if money is not floated for these specific projects that FBA fees will be reduced. Rhodes prefers that new projects not be created to use these FBA fees.
- Keating stated that if widening of SR-56 was a mitigation measure, the City may not allow us to remove.
- Committee will include in their review.

Call for a vote on the motion.

Motion approved, 12 in favor – 0 against – 0 abstentions – 3 recusals (Rhodes, Dumka, Spelta).

9. REPORTS.

a. Chair Report – Charles Sellers

- Sellers referenced the 92129Magazine article on Andy Berg, Town Council Chair. The article stated that without the intervention of the Town Council, the San Vicente pump station would have ended up at Ridgewood Park. Sellers stated that he was unfamiliar with any work that the Town Council may have done on encouraging the placement of the pump station and the article was inaccurate in stating that RPPB wanted it in the park. RPPB representatives along with many others pushed to get the station at its present location (Mercy Rd at I-15). Diehl added that upon discussing with Berg, he confirmed that he was misquoted.

- City Council Redistricting - In response to the Town Council's 2 proposals that will be discussed on March 3rd, Sellers distributed a straw poll to gather RPPB member's recommendation as a group and gave the results to Shoecraft to submit on RPPB's behalf to the Town Council. RPPB members voted 9 in favor of Alternative #1 (Communities included with Rancho Peñasquitos in proposed district 9: Black Mountain Ranch, Torrey Highlands, Pacific Highland Ranch, Del Mar Mesa, Mira Mesa); and 6 in favor of Alternative #2 (Communities included with Rancho Peñasquitos in proposed district 5: Torrey Highlands, Black Mountain Ranch, Rancho Bernardo, Carmel Mountain Ranch, Sabre Springs, Miramar Ranch North (Scripps-Poway), Scripps Mesa (Scripps Ranch), and San Pasqual). Shoecraft added that the one alternative puts all communities that attend PUSD schools into a single Council District.

b. Vice-Chair Report – Jon Becker, no report

c. Secretary Report – Jeanine Politte, no report

d. Standing Committee Reports:

➤ Land Use (Jon Becker)

- Hamidy property on Alamazon St. – Becker spoke with Hamidy who is working on

acquiring construction financing for his single family home and will continue to maintain all erosion controls, fencing, etc.; he intends to live in the home. He'll know in 30 days if financing comes forward and is aware of the Khouli property coming forward.

- Khouli Project (Almazon St.) may be on the April LUC agenda.
- Telecomm (Charles Sellers)
 - Sellers is aware of 2 projects, but neither has requested to meet with committee.

e. Ad Hoc Committee Reports:

- Elections (Joost Bende)
 - Bende reported that the election has been completed - 17 total votes were cast (13 in District 1). Election Results:
 - District 1 – Jeanine Politte
 - District 3 – Thom Clark
 - District 5 – Charles Sellers
 - District 7 – No candidate
 - District 9 – Bill Diehl
 - District 11 – Jon Becker
 - Torrey Highlands 1 & Black Mtn. Ranch 1 – no candidates.

Motion: To accept the election results as presented. M/S/C – LaGrone/Becker/Approved, 15 in favor – 0 against – 0 recusals - 0 abstentions.

- Sellers declared the following seats vacant and added that the Chair may appoint these seats at the next RPPB Meeting: Rancho Peñasquitos Districts 4, 6, 7 and Renter-At-Large seats as well as Torrey Highlands At-Large 1 and Black Mtn. Ranch At-Large 1 seats. Interested parties should submit their applications to the Secretary. Bende/Politte has Rhodes Commercial At-Large seat application. Sellers added that the Town Council has appointed Mike Shoecraft to continue as their representative and Park & Rec Council will need to submit their letter of appointment.
- FBA/PFFP Prioritization (Keith Rhodes) – previously discussed
- Cresta Bella/Doubletree (Dan Barker)
 - Politte reported that the Doubletree is entertaining offers of purchase. We received a couple of emails from Pacifica Companies stating their interest and that they were not intending to eliminate the golf course, clubhouse or hotel, but they would be looking at alternative uses for the Fitness Center and Tennis Courts. In researching Pacifica Companies, Politte reported that they develop & manage Hotels and Senior residential facilities. Politte added that the facilities were at one time considered a country club for locals and presently residents pay to be members. Politte is not sure what parts of the hotel remodel are completed – they have done the fitness center, pool deck and surface were done a few years ago, but they have not remodeled the restaurant & pub into one facility like they had planned and we do not know if they have completed any of the other upgrades. Politte stated that whether Pacifica purchases or not, it is good to know that the Doubletree's owners are looking to sell. Pacifica's representative said she will keep us informed.
- Our Lady of Mt. Carmel (Joost Bende) – no report

- PPH Community Wellness Campus (Jon Becker)
 - Diehl reported that he found a draft of proposed Rancho Peñasquitos Community Plan changes on the City website. Upon his quick review of the draft, it looks like the changes are related to the addition of the PPH facility and other changes. There is no date posted as to when this might be taken up by City Council. It was noted that RPPB has not received any notice of the proposed changes. Becker will review and contact Prinz and Heverly.
- Santa Fe Summit II & III (Scot Sandstrom) – no report

f. Liaison and Organization Reports:

- Black Mountain Open Space Park (Bill Diehl) – no report
- CPCI Facilities Financing (Bill Diehl) – no report
- MCAS Miramar Community Leaders Forum (Dennis Spurr) – no report
- PQ Fire Safe Council (Dennis Spurr) – no report
- PQ Town Council (Mike Shoecraft)
 - March 3rd meeting - guests include Scott Lewis (Voice of San Diego) and Nathan Fletcher and discussion on City Council Redistricting. Town Council meeting is open to the public and will hear all suggestions on redistricting, they are accepting email and comments on the 2 proposed districts and additional ideas on alignment also.
 - Annual Fiesta will be on May 1st.
- Recreation Council (Jim LaGrone)
 - Rec Council did not meet.
 - Saturday, April 2nd – Spring Egg Hunts at Ridgewood, Rolling Hills, Peñasquitos Creek and South Village Parks from 9-10am. Diehl stated there would be party jumps, a Spring Bunny and face painting.
- Los Pen Canyon Psv CAC (Jon Becker) – no meeting
- Park Village LMAD (Jon Becker)
 - Met with contractor, working on improvements along Rumex.
- Peñasquitos East LMAD (Bill Diehl)
 - Cleared groundcover from island on Black Mtn. Rd. north of Defreitas Ave. turn; City staff felt it was a line of sight issue, causing problems.
- Torrey Highlands LMAD (Morri Chowaiki)
 - No meeting this past month, March 15th meeting will discuss monument signs with City staff.
 - Sandstrom reported that the Bonds have not all been signed off yet, DR Horton is still maintaining the medians.
 - Country Village Estates was sold to Davidson Communities, 85 lots have been cleared for single-family patio homes. Property is opposite Fairbanks Highlands Ranch along Carmel Valley Rd. and east of the apartments by 7-11.
- Prop C Working Group (Keith Rhodes)
 - Rhodes reported that he attended the last meeting, but got the impression that the Prop C working group was not working on the I-5 connector issues as they affect all the communities. According to the chairman, the group is working to help Pardee implement changes to their property. Didn't hear any discussion of Rancho Peñasquitos community impacts. Concerned that we were promised involvement in decision making process.

Rhodes added that if they are removing the connectors from their traffic phasing plan we should have no problems removing it from Black Mtn. Ranch and Torrey Highlands FBAs. Sandstrom stated that it was a fairness request promised to us for our support on Prop C. Rhodes will email concerns to Heverly. Next meeting is this Friday at 12 noon, 1222 1st Avenue, 4th Flr. Training Room at DSD building.

- Transportation Agencies (John Keating)
 - Keating reported that the City had developed plans to place the two v-calm signs along Peñasquitos Drive, but if the community decides that additional stop signs are needed, the placement of one of the v-calms would need to be changed. He has contacted City staff to review recommended placement (handout). The group agreed with Keating's placements of v-calms; will contact City staff to work out v-calm placement details and further action required for stop sign placement.
 - o Politte added that D. Williams who brought this issue forward has put her home on the market and will probably not be leading a petition campaign for stop signs. The PQ-NE Action Group may be called in to get petitions when necessary.
 - Calle de las Rosas residents have requested similar speed calming following accidents that have taken place over the past couple of years. Diehl reported that in May 2008, RPPB voted to put v-calm signs in where these accidents have been happening, but not there yet. One property on the curve also has a hedge that blocks the view through the turn down the hill. Diehl would like flashing slow sign. Keating will follow-up with staff to review alternatives.

The meeting was adjourned at 10:15pm.

Respectfully submitted,
Jeanine Politte, RPPB Secretary

Approved 4/6/2011, 9 in favor – 0 against – 0 recusals – 0 abstentions.

Joe Taylor

SANTALUZ, LLC

Proposed Assisted Living/Memory Care Community

March 2, 2011

Physical Facilities Description

Approximately 80 Assisted Living/Memory Care units would be constructed in a 1 or 2 story building, on a 3 acre site. All resident buildings and areas would be handicapped accessible – both indoor and outdoor and designed consistent with the Community Design Guidelines.

Units would include a small living area, a sleeping area, a small counter/sink, a microwave and a refrigerator. Not included are any cooking facilities (range top or oven). Units would be arranged to accommodate one or more related or unrelated residents. A private bathroom would be included in each unit with a walk-in shower (without curbs), to enable those a) in wheelchairs, b) reliant upon walkers or c) unable to step over a curb, to easily access the showers. Note that 2 Units may include cooking facilities for on-site managers required to be there 24/7.

Commons Areas would include resident congregate dining room(s), living room(s), activities and recreation areas. Food preparation equipment would be provided for use by staff in preparation of meals for residents. Back-of-house support areas would be provided for dry food storage, refrigerated food and frozen food, laundry and housekeeping. An administrative area for business and admission activities will be required, as well as a reception area and restrooms for visitors. A medical records storage area, as well as a locked medications storage area would also be provided.

Site Description

The site is 3.289 acres (Black Mountain Ranch Unit 10A Map No. 14497, Lots 4, 6) and is located adjacent to a recently opened Montessori School and a newly constructed church community center. Across Via Inez, to the North, is a recently opened elementary school. Immediately to the East is a major residential development of single family homes. Beyond, are golf course oriented homes.

The site is essentially flat and requires minimal grading for development. All utilities are available in the street adjacent to the site.

Zoning/Permitting

The property is zoned AR-1-1 agricultural zone of Proposition A Lands. A meeting was held with the City and a determination was made that the class of user falls within the Reasonable Accommodations Regulations of the Municipal Code (131.0466) and confirmed that the proposed use is consistent with the Black Mountain Ranch Subarea Plan. A conditional use permit (CUP) will be processed along with the request for Reasonable Accommodation and Substantial Conformance Review (SCR). Several community meetings have been held and no substantive issues have been discovered which could impede development of the site with the proposed project.

Physical/Mental State of Residents

The average age of residents of the proposed project would be 80+ years. The typical resident will have become physically frail to the point where they will require assistance with at least two activities of daily living (ADLs). Examples of ADLs are bathing, toileting, dressing, eating and walking. Residents would have indications of varying levels of dementia, requiring assistance by staff specially trained in providing personal care and assistance for persons with this condition.

Operations/Services/Staffing

The California Department of Social Services is the regulatory agency having jurisdiction over the proposed project, which would be licensed as a Residential Care Facility for the Elderly (RCFE). Staff would be on duty 24 hours per day/7days per week. Staff provides supervision, personal care and oversight to residents, in a secured environment, including the preparation and serving of 3 meals per day, plus snacks, in a common dining area(s). Staff assists residents with their activities of daily living.

Staff includes licensed practical nurses (LPNs), certified nursing assistants (CNAs), chefs, dietary staff, housekeepers, building engineer, activities coordinator, van driver and groundskeepers. The approximate staffing by work shifts is indicated below.

7:00 AM – 3:00 PM 22-24 staff

3:00 PM – 11:00 PM 13-15 staff

11:00 PM – 7:00 AM 4-5 staff

Parking

To accommodate the needs of employees and visitors, typically a ratio of .35 parking spaces per unit is used.

Request for Reasonable Accommodations
Preliminary Review Issues – Santa Luz Assisted Living #183306

Dan Joyce, Senior Planner

June 22, 2009

Based on the information provided with your preliminary review request the proposed facility would be classified as a nursing facility (institution use - Hospital, Intermediate Care Facilities, and Nursing Facilities). The project would provide assisted living and/or dementia care for seniors generally between the ages of 80 and 90. The facility will include no individual living units, common dining facilities, and onsite care by registered nurses 24 hours/day. The facility will be licensed by the State of California as a Residential Care Facility for the Elderly (RCFE).

The facility is proposed to be located in the AR-1-1 agricultural zone of the non-phase shifted portion of Black Mountain Ranch (Proposition A Lands). Section 141.0413(a) of the Land Development Code specifically prohibits nursing facilities within Proposition A Lands.

Nursing facilities were a conditionally permitted use (CUP) at the time of Proposition A passage (the Growth Management Initiative). The prohibition of nursing facilities within the AR-1-1 agricultural zone of Proposition A Lands was added to the Municipal Code after Proposition A was approved. Therefore, the applicant may request that the Municipal Code be amended to remove the prohibition.

In order to submit the proposed project the applicant will need to include an amendment to the Municipal Code to remove the prohibition of nursing facilities within the AR-1-1 agricultural zone of Proposition A Lands.

The proposed nursing facility will serve as the residence of a senior population that requires 24 hour nursing care. The proposed residents have limited physical abilities and would be deemed a protected class under the Fair Housing Amendments Act (FHAA). As such, the applicant may request Reasonable Accommodations under Municipal Code Section 131.0466.

The Federal Fair Housing Act and the California Fair Employment and Housing Act require that jurisdictions make reasonable accommodations to afford disabled persons the equal opportunity to use and enjoy a dwelling. In consideration of the special need and the potential benefit that can be accomplished with a requested modification, deviations to development regulations and/or waivers to processing requirements necessary to provide housing for protected classes may be approved through Process One.

The applicant objects to the requirement to process an amendment to the Municipal Code to remove the prohibition of Hospitals, Intermediate Care Facilities, and Nursing Facilities in all Proposition A Lands. The applicant seeks a waiver of the requirement to process an amendment to the Municipal Code to remove the prohibition of nursing facilities within the AR-1-1 agricultural zone of Proposition A Lands pursuant to Reasonable Accommodations Regulations of the Municipal Code (§131.0466).

Based on the information provided, Development Services and the City Attorney's Office will support the reasonable accommodations request to allow the processing of a conditional use permit (CUP) for the proposed nursing facility (assisted care facility) at the proposed location in Black Mountain Ranch with the AR-1-1 agricultural zone of Proposition A Lands without requiring a Municipal Code amendment to remove the restriction.

The request for reasonable accommodations submitted with this preliminary review request cannot be signed at this point in time. The Request for Reasonable Accommodations must be submitted as part of the project application so that the determination is based on the actual project submitted for review.