



Rancho Peñasquitos Planning Board Meeting Minutes

June 6, 2012

Attendees: Jon Becker, Suzanne Brooks, Thom Clark, Bill Diehl, Bill Dumka, Steve Gore, John Keating, Ruth Loucks, Darren Parker, Jeanine Politte, Keith Rhodes, Scot Sandstrom, Mike Shoecraft, Dennis Spurr, Ramesses Surban, David Wiesley

Absent: Joost Bende, Charles Sellers

Community Members & Guests (Voluntary Sign-in): Cynthia Macshane, Haven Buchmiller

1. The meeting was called to order at 7:38 pm at the Doubletree Golf Resort located at 14455 Peñasquitos Drive, San Diego, California 92129. A Quorum was present.
2. Agenda Modifications: County Treasurer/Tax Collector, Dan McAllister canceled and Kilroy T-9 Bridge & Reimbursement agreement was removed from agenda.
3. MINUTES:
Motion: To approve the May 2, 2012 Rancho Peñasquitos Planning Board Meeting minutes with corrections. M/S/C - Diehl/Clark/Approved, 11 in favor – 0 against – 2 abstentions (Loucks, Dumka).
4. Guests: No fire/police agency representatives were present.
5. NON-AGENDA, PUBLIC COMMENTS:
 - a. Sandstrom commented about SDG&E staging on Kilroy lot in Torrey Highlands.
 - b. Diehl reported that Flag Day would be celebrated at Hilltop Park on Sunday 6/10/12 from 2-3pm with flag raising and helicopter landing. Local Independence Day celebration and fireworks would be held at Westview High School on July 3rd put on by the Rec Council; gates open at 7pm and fireworks start at dusk.
 - c. Cynthia Macshane introduced herself; she is in process of being appointed to hold the Town Council seat on RPPB (note: appointment letter has not been received to-date from Andy Berg).
6. ANNOUNCEMENTS & INFORMATION ITEMS:
 - a. San Diego City Development Services Dept. Report – Michael Prinz
 - Welcomed new RPPB members and introduced himself.
 - b. San Diego City Council District 1 Report – Stephen Heverly was not present
 - c. San Diego County Board of Supervisors, District 3 Report – Steve Hadley
 - Distributed BOS District newsletter and Live Well Summit flyer. He noted that 2-1-1 has emergency/fire info if not available via a news source; great resource.
 - d. Assembly Member Nathan Fletcher's Office Report – Sterling McHale was not present
7. BUSINESS.
 - a. **City Council Candidate District 5 – Mark Kersey (Information Item)**
 - Becker introduced Mark Kersey; is running unchallenged for City Council District 5 seat which will cover Rancho Bernardo, San Pasqual, north and western portion of Rancho Peñasquitos, Black Mtn. Ranch, Torrey Highlands, Carmel Mtn. Ranch, Sabre Springs, Rancho Encantada and Miramar Ranch North.
 - Kersey, who lives in Rancho Bernardo, noted the water main break on Lomica Drive the previous day as an example of the infrastructure issues San Diego faces. He

intends to focus on fiscal reform to reinvest savings in City infrastructure.

- City of San Diego Council members are sworn into office in December when the new boundaries for City Council Districts take effect (Redistricting).
- Kersey noted that he would begin talking with potential staff in the next few months so that there is a smooth transition in December.
- Becker asked if there would be a concerted effort to eliminate any chance for Brown Outs via budgeting for services? Kersey stated he was in favor of investing in public safety; Fire Station 33 covers 27.5 sq. miles so he is looking at options, possibly adding another fire station.
- Rhodes noted that RPPB's planning area would be in 2 City Council Districts beginning in December and asked if there was going to be any changes in representative(s) attendance. Kersey stated that he and Council Member Zapf would work together on issues for the whole of Rancho Peñasquitos Planning Board's planning area.

b. Santaluz Assisted Living/Memory Care Facility Update – Joe Taylor (Potential Action Item)

Taylor discussed the status to-date and history of the Assisted Living Project. CUP was approved at RPPB & LUC last fall. The site is located in BMR South Village area (Subarea 1). These lots were originally designated to be used for recreation center and senior center. While in process to finalize the CUP, Long Range Planning Dept. was concerned that these sites were designated for specific uses and recommended that the requested changes go through a Community Plan amendment or could be considered without amendment via the support of RPPB. Santaluz, LLC is asking for RPPB support noting that the designated uses and the recreation facilities have been fulfilled through amenities already developed within the subarea by both private entities and the HOA.

- Taylor stated that the Assisted Living Facility would be an accepted use for the senior center component.
- The other components are now located at other sites through the development. HOA has lot for landscaping, staging and offices.
- POA(HOA) has added recreation facilities elsewhere in the subarea: 2 Neighborhood Parks with Tot-Lots, a Dog Park, picnic areas, parking and trails. These facilities are accessible to the public through membership in the Santaluz clubs or home ownership.
- Santaluz Club has a gymnasium, health and fitness component, tennis courts, pool, coffee shop overlooking a 10+ acre park.
- The subarea plan states that a number of the community facilities are to be privately developed, owned and maintained which is the case with the day care center (private school facility – Montessori) and church which has completed their first phase.
- Councilmember Lightner has asked Santaluz to get our formal support stating that the recreation amenities have been met before moving forward.
- Clark reported that the LUC felt Santaluz has met the obligations and voted to approve.
- Politte read the motion approved in LUC.
- Becker restated process for clarification, CUP within Process 4 becomes Process 5 due to the subarea petition.
 - Prinz stated the applicant requires a reasonable accommodations request in order to deviate from the underlying zone to allow for a residential care

facility or nursing facility which is not allowed on Prop A lands under the code. Because seniors that need this type of care are a protected class and the applicant can go through the process without amending the entire municipal code under the state's reasonable accommodations law. The issue was the language for the subarea plan and design guidelines designations; the proposed project was inconsistent with the subarea plan. Due to the inconsistencies, a subarea plan amendment would be needed, however if the applicant could meet specific criteria that shows the project benefits the community, that other recreational facilities have been installed in the subarea that meet the use originally designated for this parcel, the proposed could be allowed. If a Community Plan amendment is required, a City Councilmember could initiate to expedite the process allowing staff to do their analysis. The project would continue on its path and the amendment to the subarea plan would go to City Council for approval. The difference between the routes are the level of reporting and processing.

- Becker stated for clarification; the CUP would go to Planning Commission and then be bundled with the amendment for City Council approval.
- Prinz stated that is the case if the amendment is required. Staff feels they can make the findings to move forward.
- Becker asked about Community Plan update costs; Prinz stated the applicant would pay for expenses.
- Clark asked for clarification on the process moving forward.
 - Prinz stated that City Staff would provide the analysis demonstrating that the project could be approved and the criteria used to make that determination. At that point the Planning Commission could approve as presented or request the amendment to the Community Plan be done.
- Gore asked if the Assisted Living facility was public or private?
 - Taylor said that the parcel is designated as POA owned, Assisted Living Facility could fit the intended Senior Center designation in the Community Plan. He added that 20-25 years ago, churches provided childcare and senior care. The POA would need a parcel to operate. Santaluz LLC kept POA lot, did give the land to POA for rec center.
 - Gore asked if POA would have to maintain this property or if the Assisted Living facility would? Taylor stated the Assisted Living Facility would own and maintain.
- Brooks asked if the CUP would need to be amended also?
 - Prinz stated that if process is to go forward with amendment, the amendment would lead and show the new land use designation in the subarea plan; attached to the CUP. The facility needs CUP regardless of zone. Assisted Living facilities are not uses that can be developed by right.
- Parker asked if amendment would be the cleanest way or is it a timing issue.
- Surban asked for clarification that the original designation of this property was for Senior/Recreation Center? The applicant seeks to use as an Assisted Living Facility and residents pay for the services; was the previous designation a public one.
 - Taylor stated that originally the recreation components were to be developed and maintained by the POA(HOA) which is private.
- Prinz added that he agrees with Taylor's interpretation, staff looks at subarea plan to

make their determination of consistency with land use designation from a long term planning stand point. Because the subarea plan does not contain a lot of detail on this specific lot, staff used the adopted design guidelines make their determination. They can't restrict all use; not population based park.

- Becker stated for clarification, the Club has fulfilled some of those recreational components.

Motion: The recreation elements of the subarea plan have been fulfilled through other amenities including the Santaluz Club, Dog Park, 2 Neighborhood Parks with tot-lots, Trails, Swimming Facilities and a coffee shop so that the Santaluz Assisted Living/Memory Care Facility plan can go to the Planning Commission and if necessary to City Council for approval. M/S/C – Politte/Diehl/Approved, 15 in favor – 0 against – 0 recusals/abstentions.

- Becker asked Taylor about the timeline; Taylor stated they have been moving forward but that this hurdle holds everything up.

c. **Zaslavsky Place to Del Sur Ridge Road Name Change – Bill Dumka (Action Item)**

Dumka recused himself.

Clark reported that Black Mtn. Ranch and PUSD have requested a name change to an existing road between 2 schools (Del Norte High School and the proposed K-8 school) from Zaslavsky Place to Del Sur Ridge Road. Zaslavsky Place name will be retained and moved adjacent to the proposed K-8 school.

Motion: To approve the proposed name change and that Zaslavsky Place is being moved adjacent to the proposed K-8 school site. M/S/C – Sandstom/Surban/Approved, 13 in favor – 0 against – 0 abstentions – 1 Recusal (Dumka).

8. **REPORTS.**

a. **Chair Report – Jon Becker**

- Recycled water project through Peñasquitos Canyon's issues remain. The orange fencing which the community did not like became black fencing and now there is no fencing; CAC agreed to this change. The re-vegetation is still in place around where the fencing was and is now unprotected. There are also irrigation heads begin held in place with rebar which is dangerous. The engineering group is looking at options for the irrigation that would not be as dangerous and the construction company is looking at other options to cut costs.
 - Politte asked about the seed mix which was reported previously as unacceptable, non-natives and resulting fire load; Becker stated that because the mix is down, it is staying. Presently watering by hand as irrigation system isn't active yet.
 - There is ponding at the bridge culverts which are raised above the streambed; Keating added the design was poor and is working to get it resolved. Becker added that contractor is responsible for maintaining until turned over to City.
 - Diehl inquired if rails would be added to the bridge; Becker stated that the issue has not come up again and the CAC has not met to discuss yet.
- Keating reported that a resident is proposing to change Carmel Mtn. Rd. street name to Rancho Peñasquitos Blvd. from the corner where the two streets meet westward to provide consistency.
 - Becker added that 100% of the owners of properties on the road would need to agree to such a change. Future agenda item.
 - Brief discussion of the number of properties with Carmel Mtn. Rd. addresses

- and relationship to the name in the community.
- Keating added that City requires 100% of all abutting properties would need to agree; should get City's requirements clarified.
- Becker reported on items reviewed at the CPC meeting.
 - Andrew Pout from the Chamber of Commerce presented on the proposed Jobs Housing Neighborhood Act which would cause the incoming Mayor to inventory what our local needs are for infrastructure. Proposal was voted down.
 - Also proposed was an audit of the diversity in planning groups; reviewing ethnic, type of seat holders (business v. residents), etc. and restructure the planning groups.
 - Becker noted that the Mission Valley Planning Group's 20 seats consist of 7 resident seats and rest are business. Politte added, now that Mission Valley contains more residential units their Bylaws should be changed to be more inclusive.
 - Discussion of board makeup and representation in RPPB, changes made when Bylaws were renewed.
- b. Vice-Chair Report – Joost Bende, not present
- c. Secretary Report – Jeanine Politte
 - Mr. Carey communicated his concerns about the condition of Rancho Peñasquitos Blvd. maintenance; read his email. Heverly had previously told us that the resurfacing was on the schedule and that contractor had started in the southern portion of the contract area. Becker asked if it was noted in our minutes; Politte will check the minutes and forward to Mr. Carey. It was also noted the CIP project list page on City website is not being kept up-to-date, possibly working through some issues.
 - Becker asked Diehl if the areas Mr. Carey is concerned about (dead trees, debris – photos sent) were in the right-of-way and could be under the LMAD.
 - Diehl sending Politte LMAD contact to see if any is within their area of responsibility.
- d. Standing Committee Reports:
 - Land Use (Thom Clark)
 - Kilroy (T-9 Bridge) – Kilroy wants to move forward with Santa Fe Summit II & III buildings but would not be able to occupy all square footage until the bridge is built per Torrey Highland's phasing plan.
 - Becker stated that Kilroy was suppose to go to LU&H, but Councilmember Lightner sent them back to us as we were never consulted on the proposal. There are a series of ramifications for the community if the proposal is approved. Proposal lifts them from the circulation improvements.
 - Rhodes stated there are no guarantees the bridge will get built even if Kilroy designs.
 - Becker added the bridge is a \$10 million project (today) and Kilroy's expense is \$12 million in development funds for Santa Fe Summit II & III (in today's dollars). Rhodes added that Kilroy's expense would be reduced by 26% with the amendment.
 - Clark added that per Robin Madaffer in LUC, the City has a resolution they are taking. There's a reimbursement agreement between Kilroy's and the City, there's a cooperative agreement between the City and Caltrans to build the bridge and a change to the FBA with a footnote added.

- o Rhodes added that RPPB's FBA/PFFP committee found the footnote and brought it to Lightner's attention.
- o Becker stated that he asked the City why they didn't budget for the design (approx \$1.2 million) if the resources are available to build the bridge; instead asking Kilroy to frontend with the design.
- o Surban asked for clarification, the applicant is claiming there are written assurances, yet we haven't seen them. Can we ask for a performance bond to insure that the bridge is built and when?
 - Becker added the project would need to mesh state and city agencies; can the City lock down a time frame to be built.
- o Rhodes added that Caltrans will not guarantee the bridge will get built or when.
- o Sandstrom added that the bridge is not a Caltrans priority.
- o Rhodes stated that it will create more traffic control issues on SR-56 during construction.
- o Politte asked for clarification on Madaffer's next steps. Rhodes stated that she will be attending the next subcommittee meeting with City staff.
- o Politte expressed her frustration that City Staff would move forward on a proposal of this magnitude without consulting RPPB first. What recourse do we have if they pull something like this in the future and we don't find out about it till after agreements are approved and signed?
- o Rhodes stated that we need to be vigilant in reviewing documents.
- o Becker stated that he invited Facilities Financing to our meeting to represent their position on this issue but they have not.
- o Diehl noted the similarity in the Views West Park funding issue recently.
- o Politte asked if this should be reason to send a letter to the Mayor's Office noting these two incidents within our planning area over the past 6 months and expressing our concern that Facilities Financing might be doing this Citywide. OR send to prospective Mayor (candidates).
- o Rhodes read from Charlette Strong's email stating that Kilroy will still be participating in all remaining projects in the FBA because they still have to pay their FBA fees in order to build their project. But it leaves out the fact that the phasing plan is being changed and Kilroy would no longer have any requirement to have the road south of SR-56 built.
- o Becker added their argument is that the Kilroy project would not use the road south of SR-56.
- o Keating noted that some of the language stated Kilroy could not get occupancy for a portion of their project until the bridge was out to bid. Doesn't guarantee the bridge will get built. Kilroy should be kept on the hook for completion of Camino del Sur to Park Village even though their contribution is minimal.
- o Rhodes & Becker added that it's the completion of the full circulation within the community.
- o Steve Hadley inquired what was RPPB's authority is on this issue - required or requested? Becker stated they are looking to get a resolution at LU&H, Lightner's office asked for our recommendation. Hadley suggested that RPPB be prepared to send representative to meeting if it moves forward without our recommendation.

- o Becker will email Heverly and check in with Lori Zapf on this issue.
 - o Camelot project may be ready for our September agenda.
 - Macshane inquired about the status of Camino del Sur being completed south of SR-56.
 - Becker stated it is multi-phased completion, graded out to 4 lanes with 2 improved initially with additional lanes as time permits.
 - Rhodes stated the CIP projects to the north of Dormouse will be get completed as projects are developed; builder will be reimbursed by FBA.
 - Telecomm (Darren Parker)
 - Westview project should be on the June 27th agenda for review.
- e. Ad Hoc Committee Reports:
- FBA/PFFP Prioritization (Keith Rhodes)
 - No activity for 2.5 months and now invited to June 21st meeting.
 - Cresta Bella/Doubletree (Jeanine Politte)
 - Politte will email Heverly with RPPB's concerns to get an update.
 - Our Lady of Mt. Carmel (Joost Bende) – no report
 - Santa Fe Summit II & III (Scot Sandstrom) – no additional report
- f. Liaison and Organization Reports:
- Black Mountain Open Space Park (Bill Diehl)
 - Letter needed showing approval of the Dedication.
 - Working with ranger to clean up trails.
 - DSD Facilities Financing (Bill Diehl) – no report
 - MCAS Miramar Community Leaders Forum (Dennis Spurr)
 - Last meeting, Kevin Pellum from MCAS Miramar reported on Part 77 of FAR (Federal Aviation Regulations), controlled airspace and their need to have input on construction within that space. If planning groups review significantly tall/large buildings, should ask applicant if they have gone to FAA and do they have approval under Part 77 of FAR to avoid a repeat of the Sunroad building near Montgomery Field. Rancho Peñasquitos is on the edge of FAR area. There's a significant issue on Coronado affecting properties along Ocean Blvd; looking for maximum safety.
 - Becker added the Ospreys are coming in, is there more activity? Spurr stated that the old helos are being phased out and replaced with the Ospreys.
 - PQ Fire Safe Council (Dennis Spurr)
 - Shoecraft reported on the status of the brush management assessments being conducted. There was a local assessments meeting on May 10th; approx. 125 assessments had been completed and about 25 of them were in violation.
 - Spurr stated that we need to remind residents in Rancho Peñasquitos to follow City brush management rules, not County rules or could face severe penalty.
 - PQ Town Council (Mike Shoecraft)
 - Fiesta was successful, had better attendance than prior year. Election of Town Council members received good participation; selection of officers will happen at June 7th meeting.
 - PQ Recreation Council (Steve Gore)
 - Diehl reported, 3 fields at BMR Community Park are being renovated; costs split

between Rec Council & Soccer League (total of \$14,000). Putting in a Cricket ditch at Canyonside this summer.

- Fireworks – July 3rd at Westview High School.
- Los Pen Canyon Prsv CAC (John Keating) – no meeting
- Park Village LMAD (Jon Becker)
 - Reviewing neighborhoods for placement of new street trees and looking at additional monument efforts.
- Peñasquitos East LMAD (Bill Diehl)
 - An Eagle Scout will restore the old monument sign (project) and get it ready for placement at Hilltop Park to be placed adjacent to the Veteran's Memorial and dedicated bench.
- Torrey Highlands LMAD (Steve Gore)
 - Gore reported that the monuments have been approved and in bid process; working on logo approval. Have a logo that has significant historical merit, but new members are wanting something newer and more creative.
- Transportation Agencies (John Keating)
 - Calle de las Rosas – City has the list of approved items; will keep on staff to complete the full list.
 - Camino de la Rosa at Via Fiesta – City in process of researching traffic concerns brought forth by community members.
 - Fairgrove Lane by YMCA – residents asked for more speed enforcement.

Next meeting is scheduled for June 27, 2012; RPPB is dark until September 5, 2012.

Tentative agenda items:

1. Kilroy (T-9 Bridge)
2. Caltrans Update on Transit Stations
3. Westview Telecomm project

The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Jeanine Politte
RPPB Secretary

Approved 9/5/2012; 16 in favor – 0 against – 0 abstentions.