



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: March 26, 2009 **REPORT NO. PC-09-024**

ATTENTION: Planning Commission, Agenda of April 2, 2009

SUBJECT: BLACK MOUNTAIN RANCH NORTH VILLAGE – Project No. 142244.
PROCESS 5.

REFERENCE: Report to the Planning Commission, Report No. PC-07-161

**OWNER/
APPLICANT:** Black Mountain Ranch, LLC (Attachment 23)

SUMMARY

Issue(s) - Should the Planning Commission recommend City Council approve a mixed-use development combining affordable, market-rate and senior housing, community serving commercial retail and office space, parks and a village green, deletion of a resort golf course and hotel site, designation of a Fire station and restored open space on a 967.50 acre site within the Black Mountain Ranch community planning area?

Staff Recommendation:

1. Recommend City Council **Certify** Addendum No. 142244 to EIR No. 96-7902, **Adopt** the Mitigation Monitoring and Reporting Program; **Adopt** the Statements Of Overriding Consideration, and
2. Recommend City Council **Approve** Rezone No. 497491; General Plan and Black Mountain Ranch Subarea Plan Amendment No. 497495; Vesting Tentative Map No. 497492; Public Right-Of-Way Vacation No. 611214 and Easement Abandonment No. 590158; Planned Development Permit No. 497493 and Site Development Permit No. 497494.

Community Planning Group Recommendation - There is no officially recognized community planning group for the Black Mountain Ranch community. For information purposes, plans for the proposed project were forwarded to the adjacent community planning group in Rancho Penasquitos. The Rancho Penasquitos Planning Board voted, on November 5, 2008, 8:0:0 to approve the proposed actions, with two conditions: the

applicant provides two points of access for the Montecito property and the additional access point issue to be resolved within 6 months from November 5, 2008.

Environmental Review - An Addendum No. 142244 to Environmental Impact Report No. 96-7902 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement - No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The proposed project would have a neutral impact on housing. The Black Mountain Ranch Subarea Plan designates a maximum of 5,400 dwelling units in the community. The proposed project would not result in an increase or decrease in the number of dwelling units, and therefore the project is consistent with the community's Subarea Plan. Affordable housing requirements were analyzed when Black Mountain Ranch was first approved in 1998. The Housing Commission has reviewed and confirmed the proposed project will not impact the affordable housing agreement already in place.

BACKGROUND

The site is located in the northern portion of Black Mountain Ranch, north of Lusardi Creek within Black Mountain Ranch, east of Fairbanks Ranch, west of 4S Ranch, and south of the Santa Fe Valley Specific Plan area within the Subarea I planning area within the City of San Diego (Attachment 1). The North Village is located within the portion of the Black Mountain Ranch Subarea Plan referred to as the Del Sur community (Attachment 2). Del Sur is approximately 1,400 acres in size and has recorded final maps or construction occurring on approximately fifty percent of the community. Del Sur is characterized primarily by a large mixed-use village area and residential development that ranges from low- to medium-density.

Planning Commission Report No. PC-07-161 was issued on December 6, 2007 for initiation of an amendment to the General Plan and the Black Mountain Ranch Subarea Plan (Plan Amendment) to modify the street pattern and land uses in an area identified as the North Village, redesignate an area for the community planned for a golf course to open space, allow a continuing care facility on a site designated for a resort uses, and designate a site in the community for a Fire Station.

The project would amend the Black Mountain Ranch Subarea Plan which was originally adopted by the City Council on July 28, 1998 (Attachment 3). Development within Black Mountain Ranch began in 2000. Two communities have emerged, the Santaluz community in the south and the Del Sur community in the north. The 3,100 acre Santaluz community is approximately ninety percent completed. Santaluz is a low density residential community with two golf courses. Of the two golf courses only the southerly course has been constructed. The 1,400 acre

Del Sur community occupies the northern portion of Black Mountain Ranch and has approved final maps or construction occurring within approximately fifty percent of the Del Sur community. The remaining fifty percent of the Del Sur community is the subject of the current application (Attachment 4). The proposed changes to the Subarea Plan occur within the unconstructed portions of the Del Sur community, the un-built northern golf course of the Santaluz community and in the area proposed for the relocation of Fire Station No. 48.

The Plan Amendment was initiated by the Planning Commission on December 13, 2007 to consider the reallocation of land uses, the revision of the circulation system, and an increase to the commercial square footage within the mixed-use urban core. The proposed plan amendment would result in no increases of residential units, no reductions in open space, and no significant increases in the total Average Daily Trips (ADT) volume identified for Black Mountain Ranch as part of the original Subarea Plan approval. In addition, there would be no increase in the total area disturbed by grading. The limits of grading indicated on the previously approved tentative maps would not change should the proposed vesting tentative map be approved.

DISCUSSION

Project Description

The project includes a total of 1,433 residential units; a mixed-use core with approximately 515,000 square feet of employment/office center uses and approximately 225,000 square feet of commercial/retail uses; a 300 room hotel; a middle school site; a transit center; relocation and development of Fire Station No. 48; 277.5 acres of open space; five individual park areas; and other on- and off-site infrastructure improvements on a 967.5 acre site (Attachment 5). Of the 1,433 dwelling units, there would be 564 single family dwelling units and 869 multi-family dwelling units. Of the 869 multi-family units, 604 units would be market rate units and 265 would be affordable units. Of the 604 multi-family units, 304 would have no age restriction while 300 units would be for seniors. Of the 265 affordable units, 165 units would have no age restriction and 100 units would be for seniors. The proposed project would revise a previously approved tentative map by changing the street and development pattern, by deleting a planned hotel and golf course replacing it with open space, by relocating a planned fire station from the North Village to the East Clusters area of Black Mountain Ranch, and by adjusting the Multiple Habitat Preserve Area (MHPA) boundary to allow for the new location of Fire Station No. 48 (Attachment 6).

It is important to note that the proposed application does not include areas already developed or completed; areas for which final maps have been recorded; or areas where final maps are pending. The proposed revised VTM No. 497492 combines two previously approved vesting tentative maps within Black Mountain Ranch: the 2001 North Village at Black Mountain Ranch VTM (VTM 40-0528) and the 1995 Black Mountain Ranch VTM (VTM 95-0173). Specifically, the project area shown on the proposed revised VTM No. 497492 includes the area of the 2001 North Village VTM 40-0528 which is 642 acres combined with the north golf course and hotel site shown on VTM 95-0173. The proposed project includes a revised VTM No. 497492 which includes acreage previously approved in the 1995 Black Mountain Ranch VTM. The proposed project would not include any changes to Units 1-9, 14, 15, 17, or 18 as final maps have been recorded and construction is currently underway. However, the proposed revised VTM

No. 497492 does include revisions to Units 10-13, 16, 19, and 20. These changes involve reconfiguring the development pattern and circulation. It should be noted that the development proposed under the Revised VTM No. 497492 is generally consistent with the 2001 VTM 40-0528 approval and the overall number of dwelling units would not increase.

The proposed project requires a Rezone, Black Mountain Ranch Subarea Plan amendment, Street and Easement Vacation, Vesting Tentative Map, Planned Development Permit, Site Development Permit, and MHPA Boundary Line Adjustment.

Mixed Use Core

The mixed use core has been modified to include: a radial grid street pattern; a shift of unused commercial square footage approved from within the South Village and relocated to the North Village; a shift of commercial development within the North Village; and the relocation of a resort hotel to the town center (Attachment 7). Commercial development had been approved in the South Village, yet was not constructed and would be shifted to the North Village within the mixed use core. The resort hotel previously designated next to the future golf course would move to the mixed use core to add to the mix of uses. The 500 senior residential dwelling units previously proposed within the mixed use core would be reduced to 200 units and the remaining 300 senior units would be relocated to the site previously planned for the resort hotel.

Residential Care Facility/Senior Units

As described above, 300 of the 500 previously approved senior units within the North Village Core would move to the previously designated resort hotel site. The resort hotel site is approximately 33 acres and would be zoned from the existing CV-1-1 Zone to the proposed RM-2-6 Zone (Attachment 8). The remaining 200 senior units would be developed within the mixed use core. Residential senior units or continuing care facilities typically accommodate individuals in the 75-85 year-old range and provide a continuum of care options including independent living, assisted living, skilled nursing, and memory care support. In addition to a continuum of care, these facilities include all the characteristics of a retirement community. On-site accessory activities and facilities are anticipated to accommodate dining, recreation, fitness, spa, beauty salon, arts and crafts, music, convenience market, laundry, health care, and similar services. Transportation service to local destinations, such as commercial centers, would be provided by van, jitney, bus, or comparable vehicle. Any residential care facility and/or senior units would require the review and approval of a Conditional Use Permit (CUP) prior to the site being developed for these uses. The present application does not include a CUP.

Commercial Uses

The Plan Amendment would not increase the commercial intensity within the Subarea, yet would increase the commercial intensity in the North Village by shifting approximately 44,000 square feet of unused square-footage from the South Village to the North Village. Moving the 44,000 square feet of commercial uses to the North Village would increase the allocated commercial square footage within North Village to greater than 100,000 square feet. Previously there was 75,000 square feet designated in the North Village plus the 44,000 square foot of unused square footage from the South Village equals 119,000 square feet. When considering average daily

trips (ADT) for traffic analysis purposes, commercial uses larger than 100,000 square feet generate less traffic on a square-foot basis than smaller commercial centers due to the type of uses they attract. The City's traffic generation rate for the original 75,000 square foot North Village commercial area is 120 ADT per 1000 square-feet of commercial floor area. With the additional 44,000 square feet proposed to be located in the North Village the traffic generation rate for the proposed 119,000 square-foot commercial center would be 70 ADT per 1,000 square feet of commercial floor area. This reduction would result in a decrease of the total trips generated within the North Village circulation system and would allow up to 106,000 square feet of additional commercial square footage to be accommodated within the North Village without exceeding the ADT analyzed in the original EIR. The addition of the 150,000 (106,000 square feet plus 44,000 square feet) to the North Village would result in a total commercial square footage of 225,000 square feet.

Resort Hotel and Open Space

Vesting Tentative Map 95-0173 designated, among other uses, two golf courses and a hotel site. The southern golf course was constructed as part of the Santaluz community; however, the northern golf course and hotel has not been constructed. As shown on the revised VTM No. 497492, the 295 acre golf course and hotel site would be added to the North Village and the land uses would be re-designated in the Plan Amendment from golf course/hotel to resource open space and residential (Attachment 4). The 300-room resort hotel approved adjacent to the golf course would be re-located to a site within the mixed use core. The former hotel location would be re-designated for residential uses, specifically as a continuing care facility and senior units. The area previously approved for the golf course would be graded and improved with drainage features to address the water quality requirements of the Del Sur community. The area would also be re-vegetated to prevent erosion, aid in slope stability and improve aesthetics. This open space area would be designated as "Resource Open Space" in the Black Mountain Ranch Subarea Plan, yet would not be shown as Multi-Habitat Planning Area (MHPA) open space in the Plan Amendment (Attachment 9).

East Clusters

The final component of the Plan Amendment was initiated by the San Diego City Council on July 26, 2004 by Resolution R-299493 to accommodate the relocation of a fire station from the North Village to a site in the eastern portion of Black Mountain Ranch (Attachment 10). The amendment to relocate the fire station is incorporated into this proposed amendment. An MHPA boundary line adjustment is required for the fire station re-location.

Rezone

The application includes rezoning portions of the site to ensure zoning is consistent with the proposed land uses of the amended Subarea Plan, yet retain the existing zoning in the single family areas of Unit 16 and 19. The proposed rezone adjusts the existing zone boundaries within Units 10 through 13 to correspond with the revised circulation and development areas and rezones the previously approved resort hotel site from CC-1-1 (Commercial Community) to RM-2-6 (Residential Multi-Family). Other changes would rezone property from the OR-1-1, RM-1-3, RM-2-6, RX-1-2, RX-2-6, CC-1-1, CC-3-5 and CC-4-5 Zones into the OR-1-1,

RX-1-2, RM-1-3, RM-2-6, CC-3-5 AND CC-4-5. The proposed rezoning is shown in Attachment 8. The existing RS-1-14 zoning applied to lots in Units 16 and 19 would remain.

Grading

The revised VTM No. 497492 includes no new grading impacts (Attachment 11). The initial approved limits of grading activity shown on the previous tentative maps would not be increased. All environmental impacts were considered in the analysis of the 1998 FEIR and the 2001 addendum. All proposed grading was previously analyzed in the 1998 FEIR or the 2001 addendum.

The revised VTM No. 497492 shows that 432 acres of the 967.5-acre site would be graded in order to accomplish the proposed development. This grading would require 5,000,000 cubic yards of excavation and embankment with a balanced earthwork condition. No export of earthwork material would occur. Excavation and embankment slopes are proposed at a maximum of 75 feet and 70 feet, respectively, and would be constructed at a maximum slope ratio of 2:1 or less.

Design and Architecture

The applicant prepared extensive design guidelines for the North Village during the review of the earlier applications. These guidelines were reviewed by City staff and adopted by the decision maker with the approvals of the original proposed projects as The North Village Community Design Guidelines, November 2001. Since their original adoption the guidelines have undergone several minor revisions as the applicant processed Substantial Conformance Reviews for the North Village. With the current application draft The North Village Community Design Guidelines, Nov. '08 – Revised (Design Guidelines)(Attachment 12) have been revised to create compatibility between the document and the Plan Amendment, revised vesting tentative map and other site plans. No other substantive changes have been made to the document. As such, the current application does not include architectural plans, elevations, roof or floor plans. The design guidelines would provide the necessary aesthetic and architectural direction for the preparation of construction drawings as properties are developed. Prior to the issuance of any construction permits the applicant would process a Substantial Conformance Review for the purposes of determining consistency of the proposed construction plans with these guidelines.

Proposed Deviations

The applicant is proposing deviations to the required building setbacks and height restrictions for the development of a limited number of single and multi-family lots. A graphic and summary of these proposed deviations is included as Attachment 13. The front yard setback of sixty-five lots within the RS-1-14 Zone would observe a ten foot setback rather than the required fifteen foot setback. The front yard setback and height limit of 123 lots within the RX-1-2 Zone would observe a five foot setback rather than the required ten foot setback and a maximum height of thirty-five feet rather than the required thirty foot limit. The front and rear yard setback of eleven lots within the RM-2-6 Zone would observe a five foot setback rather than the required fifteen foot setback, a five foot setback rather than the required ten foot setback along the street side yard, and a maximum height of thirty-five feet rather than the required thirty foot limit. The

front and rear yard setback of eight lots within the RM-1-3 Zone would observe a five foot setback rather than the required fifteen foot setback, a five foot setback rather than the required ten foot setback along the street side yard, and a maximum height of forty feet rather than the required thirty foot limit.

Deviations relating to reductions in building setbacks and increases in building heights are supported by staff primarily to achieve consistency with the previous deviations granted to the previously approved Black Mountain Ranch projects developed within the North Village. Staff further supports these deviations as they are consistent with the policy goals related to development within the adopted Black Mountain Ranch Subarea Plan. Reduced street widths and front yard setbacks are encouraged and combined with the goal of providing greater articulations in the horizontal and vertical planes of buildings to promote a more urban character in the community.

Community and General Plan Analysis

Overview

The Black Mountain Ranch community was approved for approximately 5,400 dwelling units, 515,000 square feet of commercial office, 135,000 square feet of commercial retail, and two golf courses. A Community Plan Amendment (Plan Amendment) is proposed which would result in a net increase of 106,000 square feet of commercial retail, relocation of various types of land uses, reconfiguration of the town center street system into a radial grid layout, and the elimination of a golf course which would be converted into open space (Attachment 14). No additional dwelling units or increase in commercial office are being requested with the amendment.

History and Background

In 1979, the City of San Diego adopted a tiered growth management system which classifies the entire City as Urbanized, Planned Urbanizing, or Future Urbanizing. The Future Urbanizing Area in the northern part of the City was the subject of an extensive planning effort by the City of San Diego Planning Department in 1991/1992. Known as the North City Future Urbanizing Area (NCFUA), the 12,000 acre area extended from Interstate 5 (I-5) on the west to the Rancho Peñasquitos community on the east, and from Los Peñasquitos Canyon at the southernmost edge to the Santa Fe Valley in the county of San Diego at the north. The NCFUA planning program culminated in October 1992 when the NCFUA Framework Plan was adopted by the San Diego City Council. The Framework Plan identifies five Subareas in the NCFUA; Subarea I is the planning area known as Black Mountain Ranch. A Subarea Plan was adopted for Black Mountain Ranch and a portion of the community was shifted from Future Urbanizing to Planned Urbanizing in 1998.

Since the adoption of the Subarea Plan, two amendments have been approved. In 2001, an amendment was approved to reallocate land uses, revise the circulation system, and reconfigure an amenity open space corridor, all within the North Village. In 2002, an amendment was approved to reconfigure and reallocate land uses in the portion of the community known as the

South Village. That amendment also allowed for the increase in land area of a site designated for institutional use and the decrease of the property owner's association maintenance yard site.

Community Plan Analysis

The Black Mountain Ranch Subarea Plan is the City's adopted land use plan for the community. The proposed Plan Amendment includes several changes to both the Subarea Plan and the adopted North Village Community Design Guidelines (Design Guidelines), which was originally approved in November 2001. The Design Guidelines are included in the Subarea Plan by reference and provide the additional detail to achieve the physical result envisioned by the Subarea Plan to implement the Plan's urban design provisions. The implementation program for this community also includes previously approved vesting tentative maps, zoning, and various planned development permits.

The proposed changes to the Subarea Plan and Design Guidelines are detailed in strikeout/underline format and provided in Attachments 14 and 12, respectively. The main components of the proposed Plan Amendment include:

- Increasing commercial intensity
- Redesigning the North Village's Town Center street layout
- Shifting land uses within the town center
- Relocating the hotel from the resort site to the town center
- Establishing a residential community care facility at the former resort site
- Eliminating the future golf course and converting the site to Open Space
- Relocating the fire station from the North Village to the southeastern part of the community (refer to discussion later in this report).

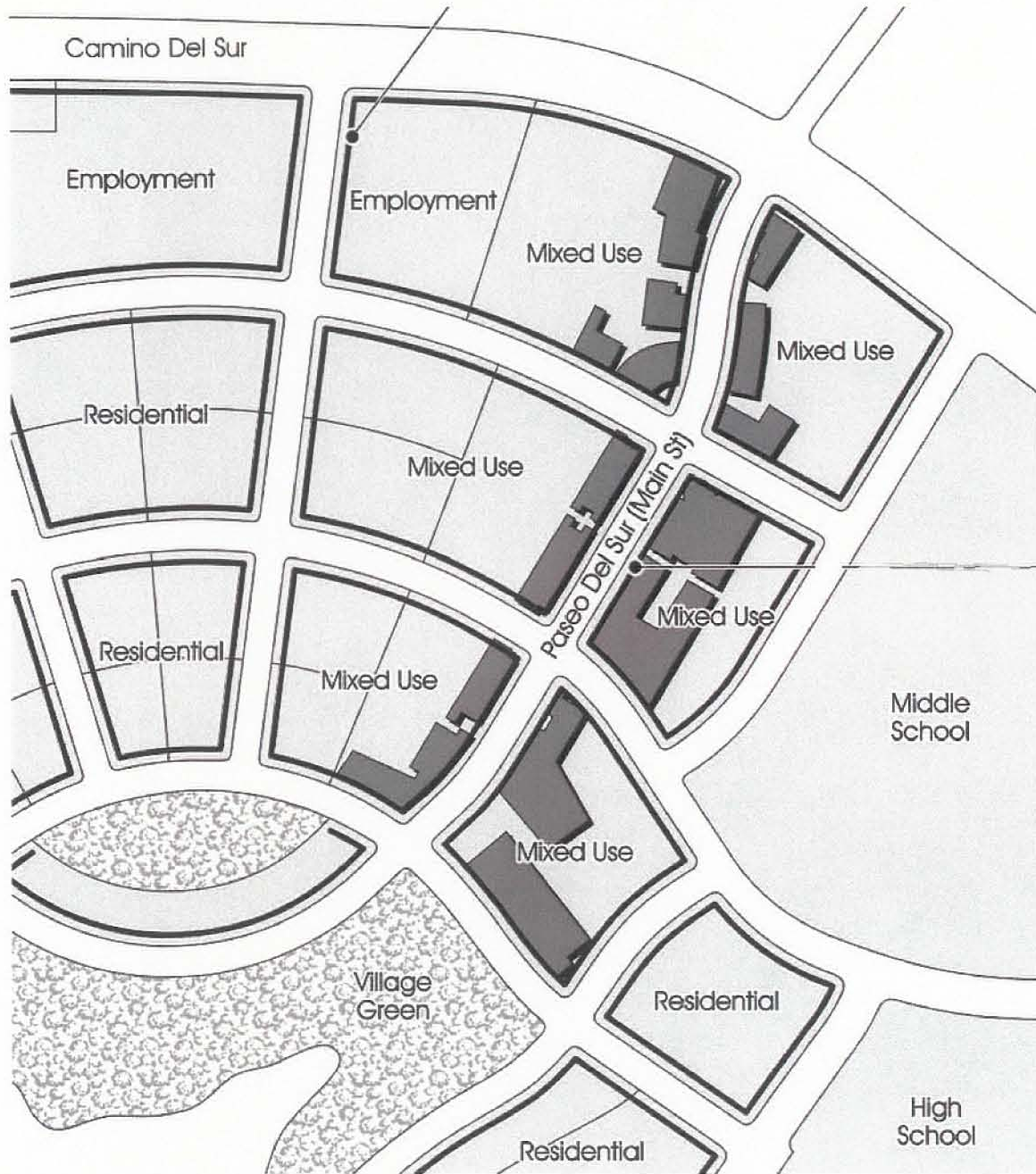
The Plan Amendment was initiated by the Planning Commission on December 13, 2007. At the Planning Commission Initiation, several issues were identified for future analysis. Planning Commission issues and staff responses are included as Attachment 15 to this report. Page 10 of this report contains two figures that show the Existing and Proposed Land Use map. The following page contains figures showing the location of the changes. Discussion of the major proposed Plan Amendment changes, including the analysis and rationale, are provided below:

I. Increase of Commercial Retail Intensity

The proposed Plan Amendment proposes an increase of retail commercial intensity in the North Village from 75,000 to 225,000 square feet. The increase in intensity would be the result of a transfer of development intensity and a re-calculation of the commercial trip generation rates. A thorough discussion is provided in the Transportation & Traffic Analysis section of Addendum to the Environmental Impact Report.

As currently planned, the Subarea Plan's Mixed-Use Core land use designation encompasses several blocks surrounding a village green, and would contain the following mixture of uses: residential, commercial offices, and commercial retail, including restaurants and shops. According to the Subarea Plan, the Mixed-Use Core was originally allocated 75,000 square feet

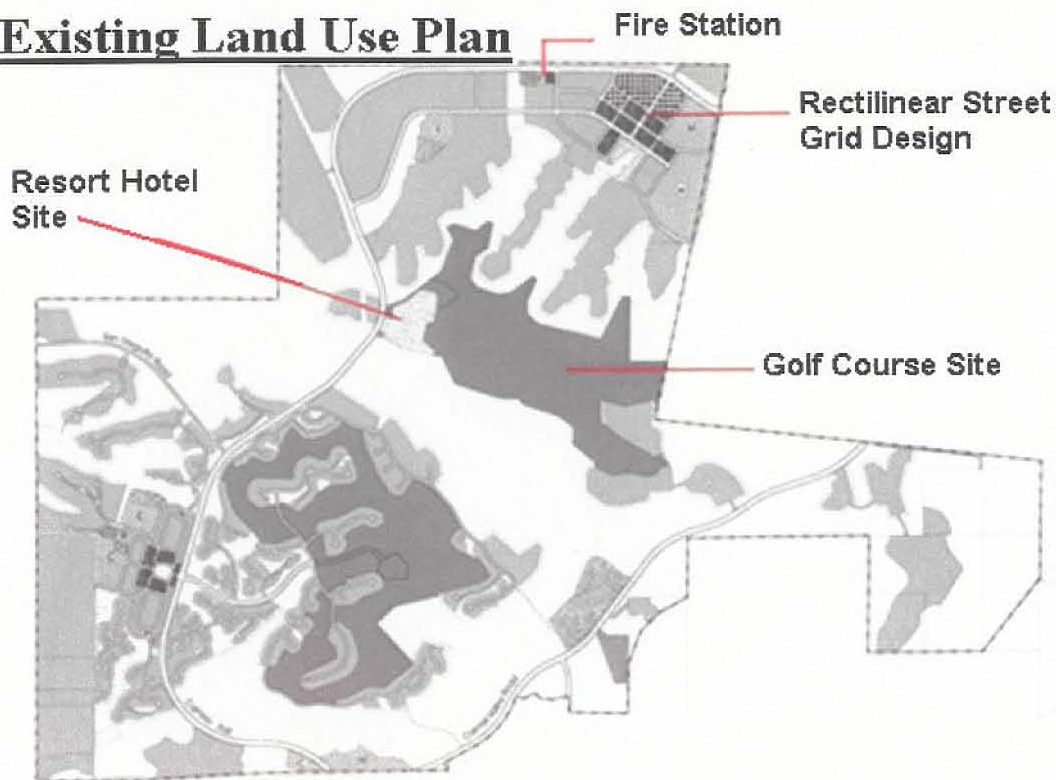
of commercial retail on thirty acres; the proposed Plan Amendment would allocate 225,000 square feet on thirty acres. The proposed increase in commercial retail intensity would be concentrated along Paseo Del Sur.



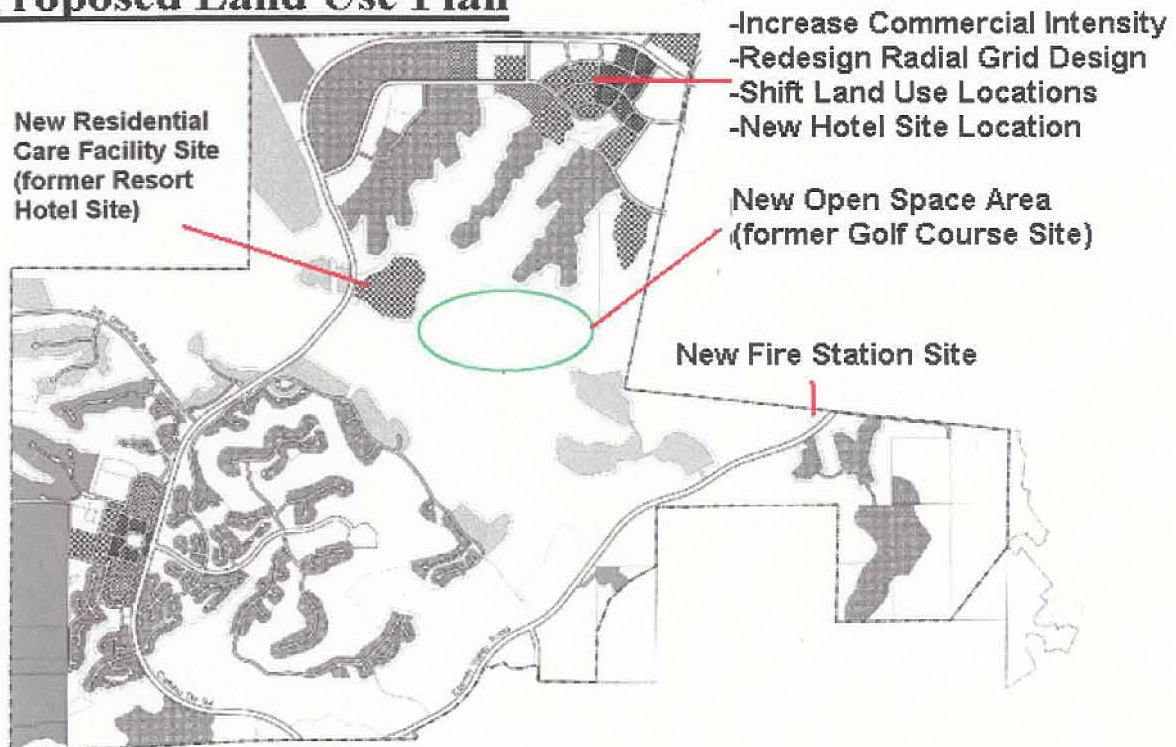
The proposed Plan Amendment would create a "main street" within the core area along Paseo Del Sur from Camino Del Sur south towards the Village Green. The additional retail use in this area would create a more active mixed-use district. One of the founding principles of the Mixed-Use Core is to place retail at the ground level of buildings in this area, while the upper floors would be primarily residential with some office space. A hotel, originally envisioned at the

former resort site, is proposed to be located in the Mix-Use Core and would add to the mixture of uses to enliven the mixed-use district.

Existing Land Use Plan



Proposed Land Use Plan



Per the proposed Plan Amendment, a significant portion of the dwelling units within the North Village would occur in the Mixed-Use Core. The increased intensity is supported as the additional commercial space would reduce dependency on vehicular transportation and would likely provide greater variety. Greater variety would strengthen the viability and function of the Mixed-Use Core as the main activity area of the Black Mountain Ranch community.

II. Redesigning the North Village Street Grid /Shifting Land Uses

One of the main objectives in the Land Use Element of the Subarea Plan is to “create opportunities through a mix of uses and intensity of development to reduce the dependency on private automobiles and encourage alternative forms of transportation such as walking, bicycles, equestrian, and mass transit.” Additionally, the Community Design Element of the Plan recognizes: “the street and block layout should capitalize on the topography and provide maximum view opportunities whenever possible.” The Plan Amendment proposes to redesign the street layout of the Town Center from a rectilinear to a radial organization. The Town Center is situated between a major arterial, Camino Del Sur, to the north and open space canyons to the south. The radial grid design would allow multiple streets to be experienced as view corridors. Residents and visitors would be able to view the nearby canyon landform and landscape.

The most significant shift in land use is the commercial office category which makes up the Employment Center. The commercial office uses would shift slightly north. This would allow the future businesses to have more exposure on Camino Del Sur, yet still be within walking distance to the mixed-use core. There would be no increase in the square footage designated for commercial office uses.

The revised street layout would alter the configuration of the Village Green (Attachment 16). Easily the most dominant landscape feature of the North Village, the street pattern now reinforces this important community amenity. The proposed reconfiguration allows Paseo del Sur to circle the park and provide the pedestrian and motorist an experience of changing, unfolding views. The reconfiguration would also create an oval-shaped pocket park between the residential units. The acreage of the Village Green would not change in the proposed amendment from that of the existing plan.

The Village Green would serve as a place for civic gatherings, and the gateway to an extensive community trail system connecting to other neighborhoods in Black Mountain Ranch (Attachment 17). The trail system would provide access to the natural open space areas.

III. Relocation of Resort Hotel

The future hotel was originally intended to be a resort hotel. In this case the resort hotel was to be associated with a golf course. The previously-planned resort hotel would be relocated to the Mixed-Use Core. A feasibility study, conducted by the applicant, concluded a resort hotel in its original location is not favorable due to five other existing resort hotels within the area, including the recently opened Grand Del Mar.

The applicant would propose a different type of hotel in the new location. The hotel would add another use to the core increasing the vitality and viability of the Mixed-Use Core. The applicant

envisions a “boutique” type of hotel which would fit the town-like setting of the core area. The hotel would complement an active pedestrian environment where multiple destinations are available for visitors on foot. The increased uses in the core area would create greater activity in the district and make the area livelier.

IV. Eliminating the future golf course

The proposed Plan Amendment would convert the 300 acre golf course site to open space. The Plan Amendment would redesignate the golf course site from “Golf Course & Club Houses” to “Open Space.” The golf course site is bordered by designated open space to the north and south. The proposed addition to the open space system would link directly to existing open space and provides a significant amenity to the community. Conservation of this area as natural open space would meet the environmental objectives of the Subarea Plan. The addition of 300 acres to the natural open space system within a wildlife corridor would foster the Subarea Plan’s environmental objectives. The deletion of the golf course and preservation of open space would eliminate related environmental issues of water use, pesticides and fertilizers associated with golf courses.

Prior to submitting the current Plan Amendment, the applicant approached the City to discuss the feasibility of converting the future golf course from a private to a public course. Due to the high costs associated with constructing and maintaining a golf course, the city determined it does not have the resources to operate a new course in the foreseeable future. There is one existing golf course within this community and fifteen other courses within approximately five miles from Black Mountain Ranch, and therefore, the residents of Black Mountain Ranch will have numerous golfing options available should the elimination of the proposed course be approved.

V. Residential Care Facility

The Subarea Plan designates “500 units of housing in the North Village... to serve residents 55 years of age or older.” The proposed amendment would transfer 300 of these units from the North Village to the former resort site with 200 units remaining in the North Village.

The transfer of 300 units would allow for the development of a residential care facility on a twenty-five acre site to move forward only after the approval of a subsequent Conditional Use Permit. The applicant is proposing to designate sites for the development of multi-service residential care facility that would provide residents with three separate levels of care: independent living, assisted living, and skilled nursing care. The twenty-five acre site was originally envisioned for a resort hotel, which was intended to function cohesively with the planned adjacent golf course. However, the resort hotel is no longer viable. Any future applications for Conditional Use Permits for a residential care facility would be reviewed against the policies of the Subarea Plan and would likely be conditioned to provide a recreation center and a small retail component on-site. This would allow residents of the community to remain on-site rather than be required to leave the property for basic necessities. A shuttle service would be required to provide residents access to the Mixed Use Core area.

Staff has analyzed the current proposal after considering other alternatives such as single family and multifamily residential, commercial, and institutional uses, and has determined that the

proposed facility is a suitable alternative use for this site. The Subarea Plan recognizes “the need for...senior housing, congregate care for the elderly, housing for temporary workers, and housing with supportive services.” Both the General Plan and Subarea Plan identify the need to provide a mix of residential development. The applicant’s proposal would not change the total number of age-restricted residences within the community. The proposed residential care facility satisfies the Subarea Plan’s objective for senior housing and congregate care for the elderly.

The General Plan encourages “housing for the elderly and people with disabilities” to be “near public transportation, shopping, medical and other essential support services and facilities.” Residents with minimal or no physical restrictions would benefit from the location in the Mixed-Use Core. However, this type of setting can be a major issue for residents significantly restricted from walking. Because of this, the General Plan allows for flexibility in the siting of age-restricted housing. A key policy identified in the General Plan calls for a “full range of senior housing from active adult to convalescent care in an environment conducive to the specific needs of the senior population.”

The Plan Amendment would require that transportation would be provided between the residential care facility, the commercial core of the North Village, and other off-site services. In addition, the proposed plan amendment would also require that on-site accessory activities and facilities would be provided to accommodate dining, recreation, fitness, spa, beauty salon, arts and crafts, music, convenience market, laundry, health care, and similar services. Staff has determined the proposed Plan Amendment satisfies the intent and complies with these policies as set forth in the General Plan.

VI. Relocating Fire Station No. 48

The fire station was originally proposed at a site situated between a future office building and an existing utility station with direct access onto Camino Del Sur. There are two existing fire stations within two miles of this site, one on Lanza Drive in the South Village and the second on Four Gee Road, in 4S Ranch. The Four Gee Road station is within the County jurisdiction. The proximity of these fire stations led to a reciprocal service agreement between the County and City fire departments. For these reasons, the City’s Fire Department requested Fire Station No. 48 relocate to the southeastern end of the community in the East Clusters (Attachment 10). Staff has determined this site will allow fire crews to better serve the eastern neighborhood of Black Mountain Ranch and surrounding communities.

Community Plan Analysis – Conclusion

Black Mountain Ranch is intended to be a community with a strong neighborhood focus with an emphasis on mixed-use development. According to the Plan, the mixed-uses should consist of a “wide range of commercial, office and residential densities in a compact and efficient form.” The Plan further directs future development to maximize the utility of the natural topography: rolling hills, canyons and vistas.

The proposed Plan Amendment reinforce the original goals and policies of the Plan as it creates a strong balance of land uses, and would locate employment, commercial and residential areas in strategic locations and in direct proximity to each other. The proposed changes create

opportunities to maximize views with a continued emphasis on public spaces and open space.

The Design Guidelines would ensure the principles outlined in the community design element of the Plan. The Design Guidelines would maintain the emphasis of pedestrian orientation and “strong sense of place” through the use of high-quality design.

General Plan Analysis

The project, including the General Plan and Community Plan Amendment, was submitted and deemed complete prior to the updated 2008 General Plan and was therefore primarily reviewed for consistency with the previous Progress Guide and General Plan, including the 2002 Strategic Framework Element. A comprehensive update of the City’s General Plan was adopted on March 10, 2008, and was based on a new planning strategy for the City developed in the 2002 Strategic Framework Element. Known as the City of Villages strategy, the General Plan aims to redirect development away from undeveloped lands into already urbanized areas and/or areas with conditions allowing the integration of housing, employment, civic, and transit uses. While the current application was submitted prior to the adoption of the update to the General Plan, the following analysis is provided in support of those project features consistent with the updated General Plan. Provided below are discussions of how the project is compatible with the City’s recently updated General Plan.

Land Use & Community Planning – The Land Use Element contains policy direction for implementing the City of Villages strategy, provides City-wide land use policies and designations, and establishes community plans as integral components of the General Plan. The North Village is the center of the community and consists of four main land use components: Mix Use Core, Core Residential, Employment Area, and the Village Green. A thorough discussion is presented in the Subarea Plan analysis above.

Mobility - The Mobility Element strives to improve mobility through development of a balanced transportation system that addresses walking, bicycling, transit, and roadways in a manner that strengthens the City of Villages land use vision. Goals of the Mobility Element include creating walk-able communities with pedestrian-friendly street, site, and building design.

The North Village is an area that incorporates housing with employment, commercial services, entertainment, visitor services, and dining opportunities, within walking distance. This in turn encourages pedestrian, bicycle, and transit activity and provides connections within the various neighborhoods of Black Mountain Ranch.

A transit center is anticipated for the North Village and is proposed to be shifted north than previously planned due to the reconfiguration of land uses and streets. The proposed location is an ideal location and would be more convenient to residential neighborhoods, the employment center, and the mixed-use area.

Urban Design – The Urban Design Element establishes a set of design principles from which future physical design decisions can be based. Policies call for respecting San Diego’s natural topography and distinctive neighborhoods; guiding the development of walk-able, transit-oriented communities; providing distinctive public places; and implementing public art.

The Plan Amendment would redesign the North Village streets resulting in a main street mixed-use corridor leading to the Village Green overlooking canyons and vistas. In addition, these changes emphasize public spaces, plazas and open spaces in a region where the climate allows for people to spend more time taking advantage of outdoor community space. The General Plan encourages opportunities for social interaction and creating places where people can interact socially.

The North Village Design Guidelines further reiterate the objectives of the Subarea and General Plans by specifically prohibiting large parking areas and blank walls, and requiring building entrances to be located facing the streets. The North Village Design Guidelines also call for non-contiguous sidewalks along the mixed-use core frontage to help encourage walk-ability. The proposed amendments to the Subarea Plan and North Village Design Guidelines will further encourage design elements consistent with the goals identified in the Urban Design Element of the General Plan.

Economic Prosperity – The Economic Prosperity Element includes policies aimed at supporting an innovative and sustainable local economy, and achieving a rising standard of living for San Diego’s workforce. The Element states: “the lack of housing near employment nodes has led to a strain on the City’s....infrastructure and....affects the quality of life for all San Diegans by increasing the household cost of transportation.” The proposed amendment addresses this major issue. All 3,050 dwellings proposed for the North Village will be within a short distance to the employment center, with a significant number of units within a walk-able quarter-mile or less distance. The proposed design for the North Village further promotes the area as a mixed-use center by strategically placing employment, retail, and housing opportunities in proximity to each other.

In addition, the Element calls for workforce housing to be close to job centers. When completed, the community of Black Mountain Ranch will provide a mixture of market rate and affordable housing in areas within walking distance to both commercial and employment areas, as well as to the transit center.

Public Facilities, Services and Safety – The Public Facilities, Services, and Safety Element includes policies on the prioritization and provision of public facilities and services, evaluation of new growth, guidelines for implementing a financing strategy, and guidelines for the provision of specific facilities. Policies call for new growth to pay its fair share, with the City and community-at-large responsible for remedying existing facilities deficiencies.

Assessment of fees associated with the development of Black Mountain Ranch was analyzed when the project was first approved. Since the Plan Amendment does not call for an increase in the number of residential units, it has been determined there will be no project impacts to library, park and recreation services, or impacts to local schools. Additional fees would be generated as a result of the increase in commercial square feet, and those fees would be included in the update to the community’s facilities financing plan. Those fees would be used towards services such as transportation, fire, and water and sewer.

The project calls for the re-location of a future fire station previously planned along Camino Del Sur. There is an existing County-operated fire station within a 1/2-mile distance from the current planned site, and another existing City-operated station approximately two miles away. The proposal calls for the future station to relocate to the southeast boundary of the community. This would lead to a more-efficient operation of fire-related services, and would evenly distribute fire-related resources throughout the 5,100-acre community. The Fire Department requested this modification and therefore supports the relocation of the fire station.

Recreation – The Recreation Element establishes a population-based park standard of 2.8 acres of population-based parks to be provided for every 1,000 residents; seeks to acquire, develop, operate/maintain, increase and enhance public recreation opportunities and facilities throughout the City; recognizes that park facilities should take a variety of forms in response to the specific needs and desires of the residents served; and while the City’s primary goal is to obtain land for park and recreation facilities, alternative methods of providing recreation facilities need to be available. The proposed project would not result in an increase in the number of residential units, therefore would not place additional demand on park and recreation services.

Conservation – The Conservation Element calls for the City to be a model for sustainable development, to address climate change impacts, and to preserve quality of life in San Diego. It includes policies to: reduce the City’s carbon footprint; promote sustainable development; promote clean technology industries; conserve natural resources; protect unique landforms; preserve and manage open space and canyon systems, beaches and watercourses; and prevent and reduce pollution. Sustainable conservation practices will help ensure that future generations will be able to meet their needs and enjoy a high quality environment.

The Leadership in Energy and Environmental Design Neighborhood Design (LEED ND) rating system is currently under evaluation via a pilot study, and therefore at the current time, specific LEED ND criteria do not exist. However, several sustainable building concepts and practices have been incorporated in the design of the proposed project which would serve to reduce or avoid potentially negative effects associated with consumption of nonrenewable or slowly-renewing resources, water and energy consumption, and urban runoff.

An analysis was done to identify compatibility of the proposed Subarea Plan Amendment to the pilot LEED ND draft criteria, and it was concluded that Black Mountain Ranch would rate very high, and would satisfy most of the items listed under each of LEED ND three principles: smart location and linkage, neighborhood pattern & design, and green construction & technology. Attachment 18 shows a list of design elements the proposed project will include.

It should be noted that the 3,000-square-foot Ranch House, which currently serves as the Welcome Center to the community and will later convert into a community building, is the first private-enterprise, new construction building to achieve Platinum LEED rating in California, and San Diego's first Platinum-rated structure. Also, Black Mountain Ranch was recognized as *Sustainable Community of the Year* by Southern California’s building industry in 2007. Analysis of the proposed Plan Amendment, including an evaluation of sustainable goals and strategies, has determined the community would maintain its reputation as a leader in conservation efforts.

Noise – The Noise Element contains policies addressing compatible land uses and the incorporation of noise abatement measures for new uses to protect people from living and working in an excessive noise environment. It includes a matrix that identifies compatible, conditionally compatible, and incompatible land uses by noise decibel level. When Black Mountain Ranch was first approved in 1998, an Environment Impact Report was completed that included identification of future traffic noise levels. In addition to other technical reports required by the environmental review process, an updated noise analysis was prepared by the applicant's consultants to analyze the new residential care facility and fire station. It was determined through this analysis that noise impacts would not be significant.

Historic Preservation - The Historic Preservation Element strives to guide the preservation, protection, restoration and rehabilitation of historical and cultural resources so that a clear sense of how the City gained its present form and substance can be maintained. As part of the environmental analysis, a records search and field survey identified no prehistoric or historical cultural material on the project site. The environmental evaluation concluded no cultural resources were identified at the proposed Fire Station No. 48 site.

The revised North Village Vesting Tentative Map would have the same limits of grading as the previously approved VTM. The 1998 FEIR found the proposed VTM would have no impacts on cultural resources within the North Village area. Thus, the proposed project is not anticipated to impact cultural resources.

Housing Element – The Housing Element serves as a comprehensive plan with specific measurable goals, policies, and programs to address the City's critical housing needs. The Housing Element was adopted by the City Council under separate cover from the rest of the General Plan on December 5, 2006.

The Plan Amendment would not impact the Affordable Housing agreement required for the project. The project would maintain the number of affordability units in the community, and meet the goals of the Housing Element to ensure diverse and balanced neighborhoods with housing available for households of all income levels.

Environmental Analysis

The following environmental issues were considered during initial review of the proposed project and determined to be potentially significant and required subsequent analysis and or discussion as part of this Addendum: Transportation/Circulation, Biology, Historical Resources (Archaeology), Landform Alteration/Visual Quality, Geology/Soils, Water Quality, Water Supply, Noise, Paleontology, Air Quality, Solid Waste, Human Health and Public Safety, Land Use and Public Services/Utilities.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the Black Mountain Ranch Subarea I Plan, certified in 1998; and the addendum for the North Village at Black Mountain Ranch Amendment to the Subarea I Plan, certified in 2001, identify mitigation measures and design considerations which are to be applied to the Subarea plan area. Based on a review of the project plans, the previous FEIR and subsequent technical study updates, the MMRP identifies measures which specifically apply to the proposed project. The MMRP would

address potential impacts in the following subject areas: Land Form Alteration/Visual Quality, Paleontology and Geology.

There are no new significant impacts identified for the current project. However, the FEIR for the original project identified significant unmitigated impacts relating to land use, traffic, landform alteration/visual quality, and air quality; and cumulative impacts related to land use, traffic, biological resources, hydrology/water quality, landform alteration/visual quality, air quality, and natural resources.

Due to potentially significant unmitigated impacts associated with the original project approval, the decision maker at that time made specific and substantiated CEQA findings which stated that specific economic, social, or other considerations made the mitigation measures or project alternatives identified in the FEIR infeasible. No new CEQA findings are required with this project. To approve the original project the decision maker adopted a Statement of Overriding Considerations finding that the significant impacts were acceptable because of specific overriding considerations. Similarly, the decision maker must go on record and identify whether there is substantial evidence supporting a statement of overriding considerations specifically tied to this project. Adoption of a new Statement of Overriding Considerations is required.

Community Planning Group Recommendation

There is no officially recognized community planning group for the Black Mountain Ranch community. The Rancho Peñasquitos Planning Board voted, on November 5, 2008, 8:0:0 to approve the proposed actions, with two conditions: the applicant would provide two points of access for the Montecito property and the additional access point issue would be resolved within six months from November 5, 2008 (Attachment 19). The access issue is a matter between two private property owners. City staff has no opinion or recommendation regarding private matters between property owners.

Conclusion

Staff has reviewed the proposed project and all issues identified through that review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the project (Attachments 20 and 21), and draft conditions of approval (Attachments 20 and 22). Staff is recommending the Planning Commission recommend City Council approve the project as proposed.

ALTERNATIVES

1. **Approve** Rezone No. 497491, Progress Guide and General Plan and Black Mountain Ranch Community Plan Amendment No. 497495, Vesting Tentative Map No. 497492, Public Right-Of-Way Vacation No. 611214 and Easement Abandonment No. 590158, Planned Development Permit No. 497493 and Site Development Permit No. 497494, **with modifications.**

2. **Deny** Rezone No. 497491, Progress Guide and General Plan and Black Mountain Ranch Community Plan Amendment No. 497495, Vesting Tentative Map No. 497492, Public Right-Of-Way Vacation No. 611214 and Easement Abandonment No. 590158, Planned Development Permit No. 497493 and Site Development Permit No. 497494, **if the findings required to approve the project cannot be affirmed.**

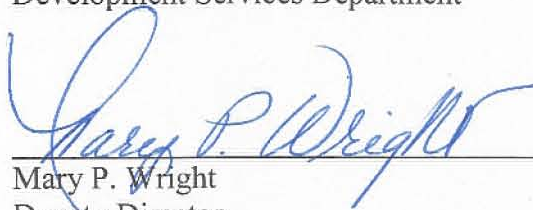
Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



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Development Services Department



Mary P. Wright
Deputy Director
City Planning & Community Investment Department

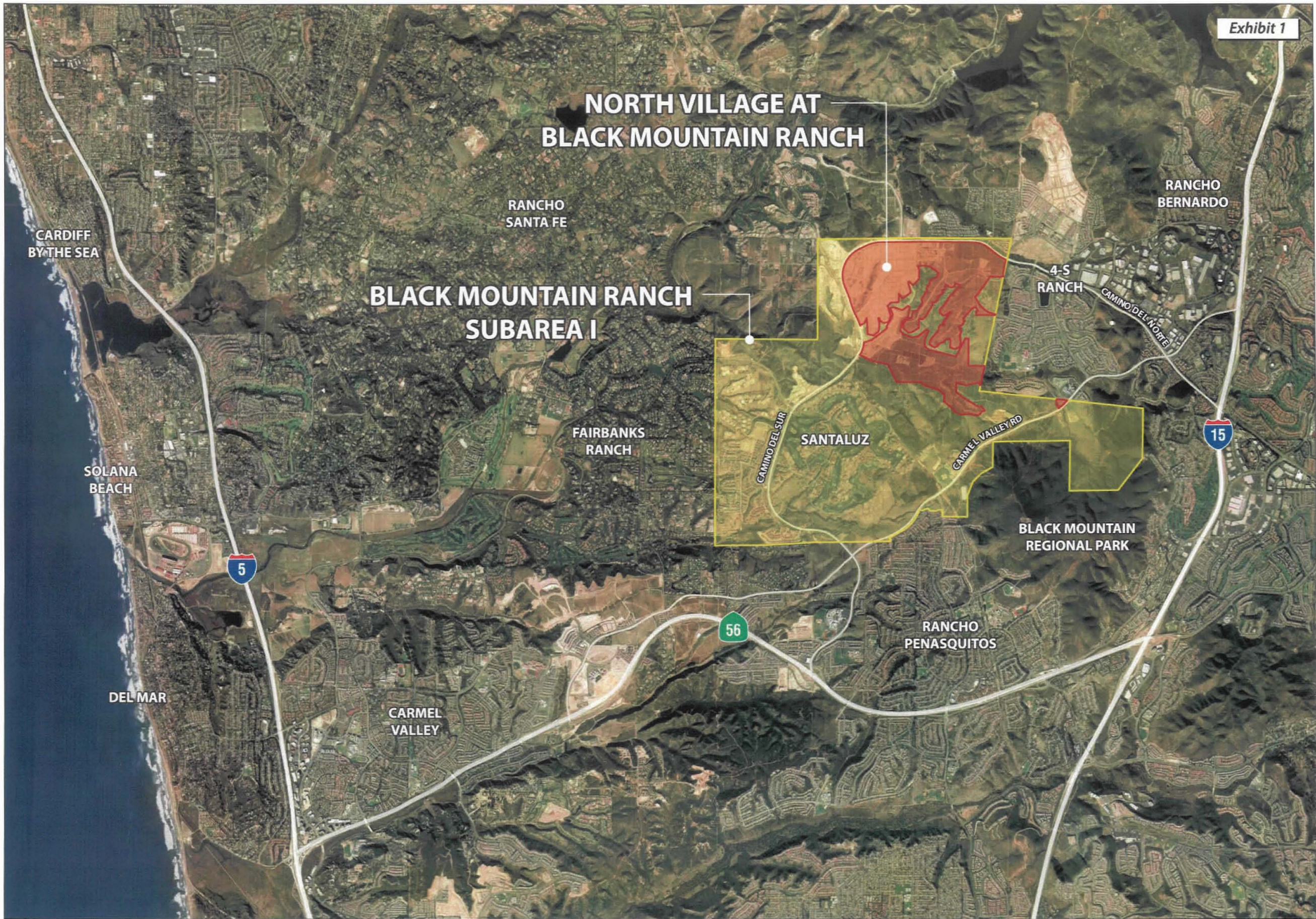
BROUGHTON:JSF

Attachments:

1. Regional Location Map
2. Vicinity Map
3. Existing Black Mountain Ranch Subarea Plan Land Use Map
4. Approved Vesting Tentative Map Land Uses exhibit
5. Proposed Vesting Tentative Map Land Uses exhibit
6. Proposed Vesting Tentative Map; Proposed Changes
7. Approved and Proposed Land Uses
8. Proposed Zoning
9. Parks and Open Space exhibit
10. MHPA Boundary Adjustment
11. Black Mountain Ranch North Village drawings, sheets 1-22 (available under separate cover)
12. The North Village Community Design Guidelines, Nov. '08 – Revised (available under separate cover)
13. Proposed Deviations exhibit
14. Black Mountain Ranch Subarea Plan Amendment (available under separate cover)
15. Planning Commission Plan Amendment Initiation issues and responses
16. The Village Green
17. Landscape Concept Plan and Open Space trail system
18. LEED ND Pilot Criteria – Black Mountain Ranch Estimate

19. Rancho Penasquitos Planning Board letter, dated Nov. 5, '08
20. Draft Vesting Tentative Map Conditions and Subdivision Resolution
21. Draft Permit Resolution with Findings
22. Draft Permit with Conditions
23. Ownership Disclosure Statement
24. Project Data Sheet
25. Project Chronology

Exhibit 1



NORTH VILLAGE AT BLACK MOUNTAIN RANCH

BLACK MOUNTAIN RANCH SUBAREA I

RICK
ENGINEERING COMPANY
Urban Design/Planning Division

Date of Aerial Photo: January 2006
Date of Exhibit: October 2006 - JN 10552A
Scale in Feet
0 750 1500 3000 4000

North

Del Sur

NORTH VILLAGE at BLACK MOUNTAIN RANCH
Regional Location

Exhibit 2



RICK
ENGINEERING COMPANY
Urban Design/Planning Division

Date of Aerial Photo: April 2008
Date of Layout: October 2008 - JN 155524
Scale in Feet
0 200 400 800 1200

North

Del Sur

NORTH VILLAGE at BLACK MOUNTAIN RANCH
Vicinity Map