

96-7902 & Addendums Nos. 95-0173.1/99-1161) was prepared to address the project's consistency with all applicable previously certified documents and incorporates monitoring requirements for paleontological resources consistent with those documents.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid by the applicant through a deposit account.

Code Enforcement Impact: None.

Housing Impact Statement: The project proposes to construct a new 71,584-square-foot nursing home facility for assisted living and memory care patients on a 3.28-acre site in the Black Mountain Ranch Subarea Plan. No residential units are anticipated or proposed. The Black Mountain Ranch Subarea Plan designates the site as Institutional Care-Senior Center/Recreation Center. The underlying zone is AR-1-1, which would allow for the development of up to two single-family dwelling units; one per lot. There are no existing units on site.

BACKGROUND

The project proposes a Community Plan Amendment, Planned Development Permit, and Conditional Use Permit to construct a 71,584-square-foot nursing care facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Black Mountain Ranch Subarea. The project site consists of two vacant lots with the north parcel designated Institutional-Recreation Center and the south parcel designated Institutional-Senior Center. The proposed Community Plan Amendment would re-designate the parcels to Institutional-Nursing Facility which would allow for the development of a nursing facility providing assisted living and/or dementia care for seniors (See discussion below, Amendment to Black Mountain Ranch Subarea Plan).

The subject site is located within the non-phased shifted Proposition A lands and is further governed by Vesting Tentative Map/Planned Residential Development (VTM/PRD) 95-0173 and the Black Mountain Ranch Subarea Plan. Proposition A was the Managed Growth Initiative of 1985 which segregated portions of San Diego to be developed with very low density, residential, open space, natural resource based park or agricultural uses. In 1992, the City Council adopted the North City Future Urbanizing Area (NCFUA) framework plan, which provided a blue print for the development of Proposition A Lands. The project is located in Subarea 1 of the NCFUA. In October 1995, the City Council approved Black Mountain Ranch Vesting Tentative Map/Planned Residential Development (VTM/PRD) No. 95-0173 for the development of 942 single family lots, 179 multi-family units, and a series of subordinate uses including schools, churches, public facilities, and open space areas.

The site has been graded and is flat with an elevation differential of five feet. Surrounding the site is a day care center and single-family homes to the west, single-family and multi-family dwellings to the east, an elementary school and neighborhood park to the north, and multi-family residential to the south.

A Community Plan Amendment is required to re-designate Institutional-Recreation and Institutional-Senior Center to Institutional-Nursing Center land use designations. A Planned

Development Permit is required for deviations to height restrictions and a Conditional Use Permit is required to operate a Nursing Facility within the AR-1-1 zone.

DISCUSSION

Project Description:

The project proposes a two-story, 71,584 square-foot assisted living facility to include 32-units for assisted living tenants and 32-units for memory care tenants. The facility would include staff care seven days a week 24 hours a day regulated by the California Department of Social Services. The nursing facility staff includes registered nurses, chefs, dietary staff, housekeepers, building engineer, activity coordinator, and a groundskeeper. The common areas would include congregate dining rooms, living rooms, activity, and recreation areas. Administrative offices as well as a medical records storage area would be included. Each unit includes a living area, sleeping area, private bathroom with a walk-in shower, a small counter top with sink, and microwave. The facility will provide 44,850 square feet of landscape area incorporating walking paths, turf areas, and patio seating with overhead shade structure.

The design of the facility will emulate a Tuscan farmhouse to minimize mass and scale and create a residential scale. The entire facility will provide one and two story sections and setbacks to offset expanded planes. The use of smaller scale shed roofs will bring the building down to a human scale. The roof has been designed to avoid continuous ridgelines and to screen mechanical equipment (Attachment 13). A total of 44 parking spaces will be provided where 18 of the 44 will be provided for staff and the remainder for residence and visitors.

Community Plan Amendment/Analysis:

The Black Mountain Ranch Subarea Plan includes institutional uses intended to provide public and quasi-public facilities that serve the adjacent residential neighborhoods. The Subarea Plan designates the northern parcel as Institutional-Recreation Center and the southern parcel is designated as Institutional-Seniors Center. The proposed amendment to redesignate the site to Institutional-Nursing Facility would help implement the Subarea Plan's goal of providing "senior housing, congregate care for the elderly ...and housing with supportive services," and would allow for the development of a nursing facility that would provide assisted living and/or dementia care for seniors.

The subject site is located within the non-phase shifted Proposition A lands and is further governed by the VTM/PRD 95-0173 and associated Design Review Guidelines. The VTM/PRD's Design Review Guidelines state that the day care and senior facilities would be developed and managed by the church, and the recreation center would be developed as a Property Owner Association facility. Subsequent to the adoption of the Subarea Plan, the Property Owners Association (POA) determined to not take title to the parcel designated for a recreation center. Instead, the POA opted to build recreational facilities at other locations within the Subarea Plan, including two 1- to 2-acre parks with playgrounds, one 3-acre enclosed dog park, additional areas improved for picnicking and parking, and walking trail enhancements; none of which were originally provided for in the Subarea Plan. The proposed amendment would not adversely affect the goals of the Subarea Plan as recreational facilities are provided throughout the community.

The proposed amendment is consistent with the General Plan Institutional Land Use Designation and would not adversely affect the objectives of Proposition A and the NCFUA Framework Plan. The Proposition A analysis took place at the time of adoption of the VTM in 1995, and again with adoption of the Subarea Plan in 1998. These plans did not envision the site as being suitable for open space or agricultural land. The proposed nursing facility would be located on a site that is graded and surrounded by developed uses and would not result in an increase in residential density. Thus, the proposed project would not adversely affect Proposition A objectives.

The proposed amendment would provide a public benefit to the community by retaining the Institutional uses within the subarea plan. The Institutional land use designation is for public and quasi-public uses that offer public and semi-public services to the community. The Subarea Plan further defines the Institutional uses, and the amendment would change the designation to Institutional -Nursing Facility, retaining the intent of the Subarea Plan for any future development to provide public/semi-public uses on the site. The development of a nursing facility that serves community members would be consistent with the proposed designation.

Environmental Analysis:

An environmental analysis was conducted which determined that the proposed project could have a significant environmental effect to Paleontological Resources due to grading. The project proposes to excavate 3,750 cubic yards of soil triggering the City's significance threshold criteria of 2,000 cubic yards or more. Because of the quantity of grading, mitigation measures require paleontological monitoring during grading and excavation activities. The project now avoids or mitigates the potentially significant environmental effects to paleontological resources in accordance with the California Environmental Quality Act.

Project-Related Issues:

Height Deviation

Pursuant to Land Development Code Chapter 12, Article 6, Division 6, Section 126.0602(b), Development that does not comply with all base zone regulations or all development regulations may submit for a Planned Development Permit as a method to allow the deviation. The project is requesting a deviation from the 30-foot height limit.

The AR-1-1 zone has a height limit of 30 feet. The project was carefully designed to emulate a Tuscan farmhouse as this is an architecture style within the community. Three areas where the structure exceeds the 30-foot height limit include two tower ridges and the entrance tower. The entrance tower is open from the second floor roof to the first floor and serves as an architectural element enhancing the character and visual quality of the project's entrance and is proposed to be 39'-4" in height. The entrance tower element covers the lobby area of the first floor below. The two tower ridges were added to break up the roof lines of the two-story wings and enhance the architectural massing, while keeping true to the Tuscan design of the project. Directly under the tower ridges are two assisted living residences within each wing and a second floor common area. The height of the ridges will be 32'-9". The areas exceeding the height limit will add up to approximately ten percent or less of the building mass making the vast majority of the building

below 30 feet. The height deviation is requested for architectural elements which will enhance the character and visual interest of the buildings resulting in a more desirable design than would be achieved with strict application of the height limit.

Restricting the design to 30 feet would detract from the overall architectural articulation which gives the project more of an identity. The design guidelines of the surrounding Black Mountain Ranch community specify particular design elements to add a higher level of architectural quality within the roof massing and ridgeline detailing. The north wing of the building steps down to one story. At the west and south wings, the second floor plate typically steps back to break the line of the exterior façade and then utilizes smaller scale shed roofs that bring the building down to human scale and avoid a continuous ridgeline. The design breaks the roof into several separate components while also providing roof wells that screen the mechanical equipment. The few areas of the roof line that are above the 30 foot height are intended to break up the long roof lines, further screen other roof areas, add character articulation and allow the building to look more compatible with the surrounding buildings. By removing these few important roof massing components, the roof lines would have a long continuous ridge, detract from the current residential character of the project and create more of an institutional feel and possibly isolating the project from the surrounding residential communities.

The proposed development is consistent with the design standards of the Planned Development Permit Ordinance (PDPO), which requires a comparative analysis of the surrounding developments, open space requirements and conformance to the community plan. Additionally, the PDP Design Criteria requires landscaping to be used to soften the appearance of walls and building edges and to enhance the pedestrian scale of the development. The project proposes to provide landscaping in excess of what is required. This includes 4,500 square feet of landscape area above the minimum requirements. The landscape area and pedestrian element will include an excess amount of plant material, meandering walking paths, seating areas with shade cover, enhanced paving, and fountains. Landscape materials were chosen for the facility to compliment the plant palate previously approved for the communities of Black Mountain Ranch, thus blending the facility with surrounding properties and neighbors.

The Planned Development Permit allows flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project. Staff can support the proposed deviations as the project conforms to the Black Mountain Ranch Subarea Plan recommendations through sensitive design practices. In addition, the project is proposing an infill design that will incorporate architectural elements that were carefully designed to add a human scale to the nursing facility and not conflict with the surrounding neighbors. Although the height deviation is being requested for a small segment of the overall structure for a maximum height of 39'-4" feet in a 30-foot zone, the overall height and massing proposed is generally consistent with the development pattern of the surrounding community. The facility was designed to incorporate all of the authentic architectural guidelines that are an integral part of the Black Mountain Ranch Neighborhood. By adhering to these guidelines, the facility will blend with the surrounding residential quality and will help enhance the overall character of the area. The facility further blends with the surrounding environment by positioning its two story wings nearest to the two story buildings on the east side of Via Fiesta in addition to the two story attached housing further south along Via Fiesta on the other side of the Church property. The building was designed to step down from two stories to one story along the street of Via Inez to preserve the view corridor

down the descending dead end street and to assist with the transition to the school.

The proposed project would provide a public benefit to the community by retaining the institutional use within the subarea plan yet designing a facility which blends with the community character. The project is providing infill development on a remnant, irregularly shaped parcel in the community. A height deviation has been incorporated into the project plan to achieve a quality design by providing exterior wall treatment, roof material and design, color, and the general building form and organization of architectural elements that are consistent with those in the surrounding area. The project has incorporated additional requirements such as excess landscape area with the Planned Development Permit regulations and has been determined to be consistent with the Planned Development Ordinance.

Reasonable Accommodations San Diego Municipal Code section 131.0466 Analysis

The proposed nursing facility is located in the AR-1-1 agricultural zone of the non-phase shifted portion of Black Mountain Ranch (Proposition A Lands). San Diego Municipal Code (SDMC) section 141.0413 (a) of the Land Development Code specifically prohibits nursing facilities within Proposition A Lands. Nursing facilities were a conditionally permitted use through the processing of a Conditional Use Permit (CUP) at the time of Proposition A passage (The Growth Management Initiative). The prohibition of nursing facilities within the AR-1-1 agriculture zone of Proposition A Lands was added to the Municipal Code after Proposition A was approved. Staff consulted on the processing options and concluded the project required an amendment to the Municipal Code to remove the prohibition or, a request for Reasonable Accommodations pursuant to SDMC section 131.0466 could be processed.

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 as a protected class under the Fair Housing Amendments Act (FHAA). As such the applicant may request Reasonable Accommodations under SDMC 131.0466 in lieu of amending SDMC section 141.0413(a).

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 a Process 1.

The applicant has opted not 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 requests a waiver of the requirement to amend the Municipal Code to remove the prohibition of nursing facilities within Proposition A Lands pursuant to Reasonable Accommodations Regulations of SDMC section 131.0466. A request for Reasonable Accommodation may be approved at the staff level as a Process 1 provided certain findings can be made. Staff has reviewed the project and approved the Reasonable Accommodation request to allow the processing of a Conditional Use Permit for the proposed nursing facility without requiring a Municipal Code amendment. Please reference Attachment 11 for an analysis of the Reasonable Accommodation request.

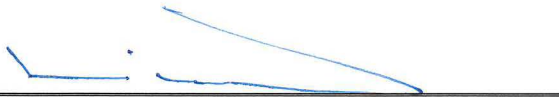
Conclusion:

Staff has reviewed the proposed project and all issues identified through the 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 proposed Planned Development Permit and Conditional Use Permit (Attachment 5). Staff is recommending the Planning Commission recommend approval of the project as proposed.

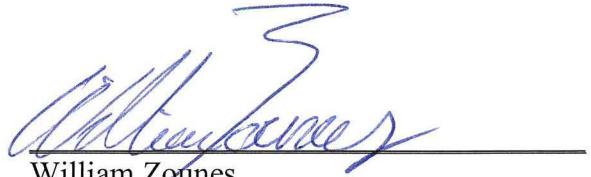
ALTERNATIVES

1. **Recommend Approval** to the City Council project for Community Plan Amendment, Planned Development Permit No. 1029469, and Conditional Use Permit No. 908816 with modifications.
2. **Recommend Denial** to the City Council of the Community Plan Amendment, Planned Development Permit No. 1029469, and Conditional Use Permit No. 908816 if the findings required approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



William Zounes
Project Manager
Development Services Department



Cecilia Gallardo
Deputy Director
Advanced Planning and Engineering

KGB/WZ

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Planned Development Permit/Conditional Use Permit with Conditions

6. Draft Planned Development Permit/Conditional Use Permit Resolution with Findings
7. Draft Environmental Resolution with MMRP for Addendum
8. Community Plan Amendment Initiation Resolution
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Reasonable Accommodation Application
12. Proposed Amendment Site
13. Project Plan(s)

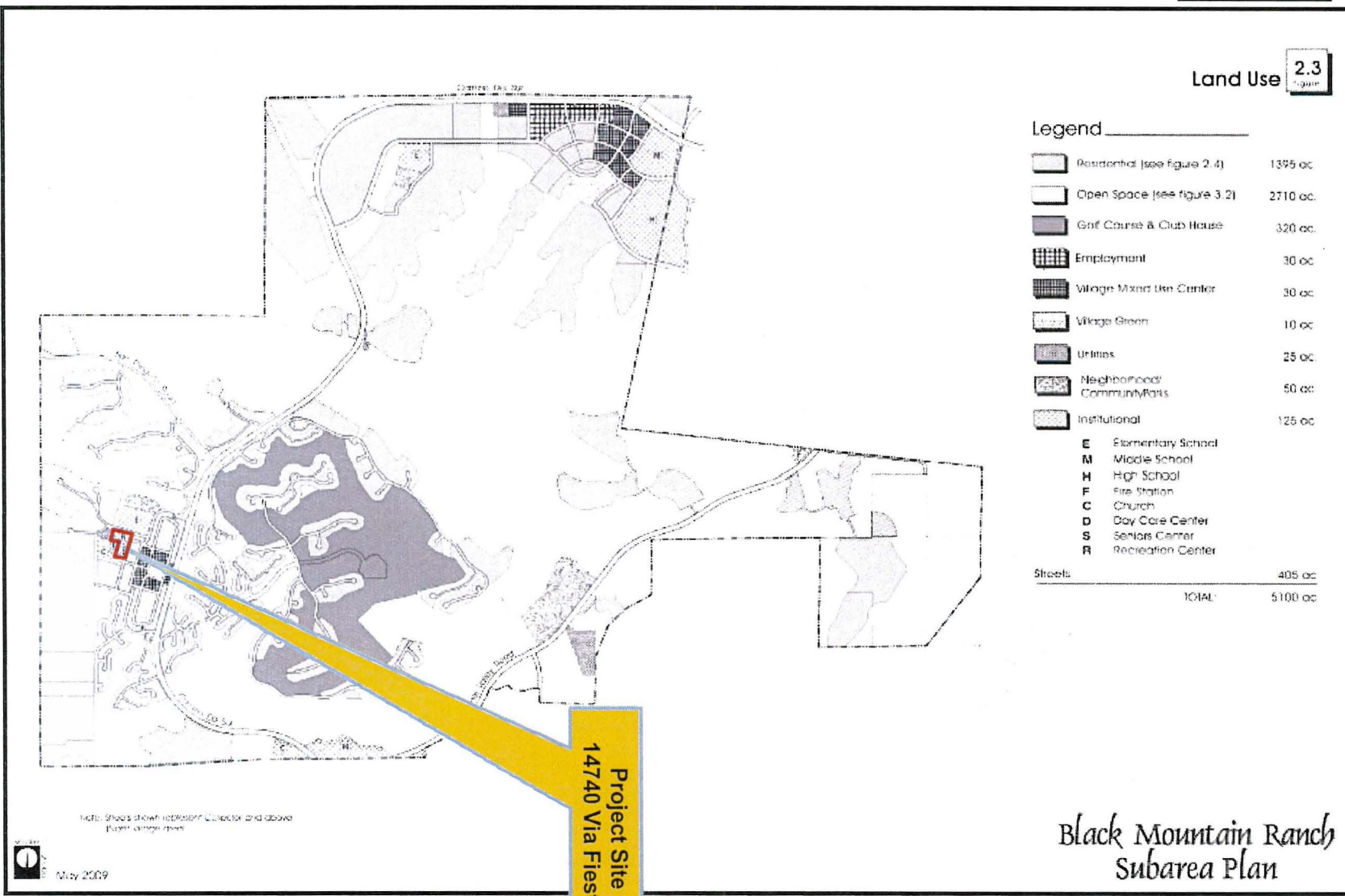


Land Use **2.3**
Figure

Legend

	Residential (see figure 2.4)	1395 ac
	Open Space (see figure 3.2)	2710 ac
	Golf Course & Club House	320 ac
	Employment	30 ac
	Village Mixed Use Center	30 ac
	Village Green	10 ac
	Urinals	25 ac
	Neighborhood/Community Parks	50 ac
	Institutional	125 ac
E	Elementary School	
M	Middle School	
H	High School	
F	Fire Station	
C	Church	
D	Day Care Center	
S	Seniors Center	
R	Recreation Center	
Streets:		405 ac
TOTAL:		5100 ac

Black Mountain Ranch Subarea Plan
Attachment 2

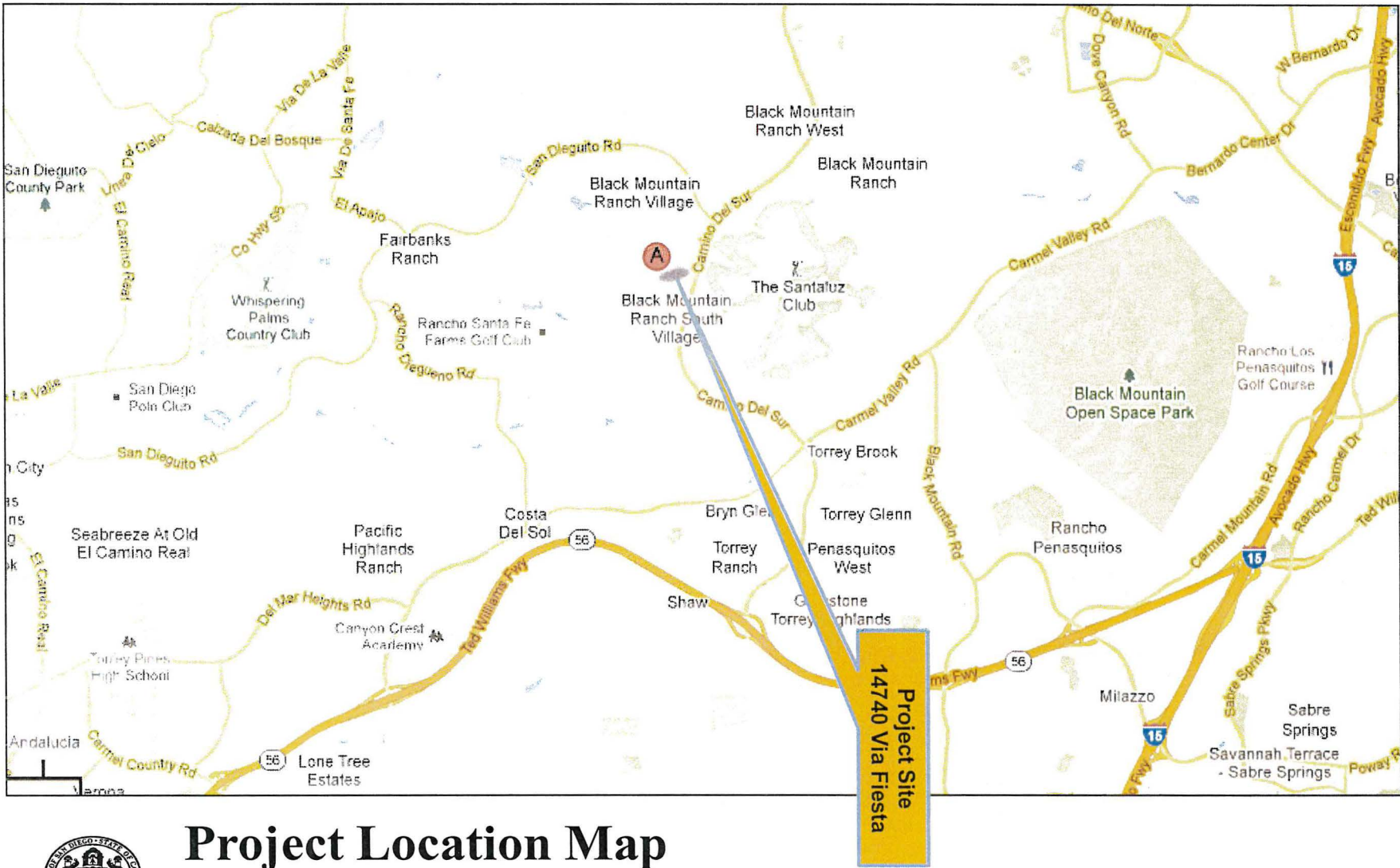


Land Use Plan

Santa Luz Assisted Living - Project No. 257983
 14740 Via Fiesta



May 2009



Attachment 3
Project Location Map



Project Location Map

Santa Luz Assisted Living - Project No. 257983
14740 Via Fiesta

PROJECT DATA SHEET		
PROJECT NAME:	Santa Luz Assisted Living – Project No. 257983	
PROJECT DESCRIPTION:	The project to construct a 71,584-square-foot nursing care facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone.	
COMMUNITY PLAN AREA:	Black Mountain Ranch Subarea Plan	
DISCRETIONARY ACTIONS:	Community Plan Amendment, Planned Development Permit, and Conditional Use Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Institutional-Recreation and Institutional-Senior Center	
ZONING INFORMATION:		
ZONE: AR-1-1		
HEIGHT LIMIT: 30 feet		
LOT SIZE: 3.28-acres		
FLOOR AREA RATIO: applies		
FRONT SETBACK: 25 feet		
SIDE SETBACK: 20 feet		
STREETSIDE SETBACK: N/A		
REAR SETBACK: 25 feet		
PARKING: 43 spaces required		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Institutional;AR-1-1	Elementary school.
SOUTH:	Residential;AR-1-1	Multi-family residential.
EAST:	Employment/Residential; AR-1-1	Single and multi-family homes.
WEST:	Institutional; AR-1-1	daycare, single family homes.
DEVIATIONS OR VARIANCES REQUESTED:	Height deviation.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Rancho Penasquitos Planning Board voted 14-0-1 on September 7, 2011 to recommend approval of the proposed project with no conditions	

Draft Planned Development Permit/Conditional Use Permit with Conditions

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: **24002181**

PLANNED DEVELOPMENT PERMIT NO. 1029469
CONDITIONAL USE PERMIT NO. 908816
SANTA LUZ - PROJECT NO. 257983
CITY COUNCIL

This Conditional Use Permit No. 908816/Planned Development Permit No. 102469 amendment to Planned Development Permit No. 95-0173 is granted by the City Council of the City of San Diego to SANTALUZ, LLC, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 141.0413 and 126.0602. The 3.28-acre site is located at 14740 Via Fiesta in the AR-1-1 zone of the Black Mountain Ranch Planning area. The project site is legally described as: Lots 4 and 6 of Black Mountain Ranch Unit 10A per Map No. 14497;

Subject to the terms and conditions set forth in this Permit, permission is granted to SANTALUZ, LLC Owner/Permittee to construct a 71,584 square-foot nursing facility designed for Assisted Living and Memory Care for senior citizens described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated xxxxxx, on file in the Development Services Department.

The project shall include:

- a. A 64-unit, 71,584 square-foot nursing facility specializing in assisted living and memory care for senior citizens;
- b. Height deviation to include a 39'-4" tower and 32'-9" architectural roof line feature where 30'-0" is the maximum height ;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;

Draft Planned Development Permit/Conditional Use Permit with Conditions

- e. Recreation area, community garden, and common area;
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by xxxxxx
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

Draft Planned Development Permit/Conditional Use Permit with Conditions

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

Draft Planned Development Permit/Conditional Use Permit with Conditions

12. The mitigation measures specified in the MMRP and outlined in Addendum, No. 257983, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Addendum, NO. 257983, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for Paleontological Resources.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

15. The drainage system proposed for this development and outside of the public right-of-way is private, shall be privately maintained and subject to approval by the City Engineer.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.

19. All driveways and curb openings shall comply with City Standard Drawings G-14A G-14B, G-16 and SDG-100.

20. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 2009-009 DWQ and the Municipal Storm Water Permit, Order No. 2009-009(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the

Draft Planned Development Permit/Conditional Use Permit with Conditions

SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 2009-009 DWQ, and any subsequent amendments thereto,

LANDSCAPE REQUIREMENTS:

21. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.
22. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40 sq-ft area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.
23. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'
24. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
25. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.
26. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.
27. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

Draft Planned Development Permit/Conditional Use Permit with Conditions

PLANNING/DESIGN REQUIREMENTS:

28. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
29. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.
30. The assisted living units shall not contain a "kitchen", as defined in the San Diego Municipal Code.

TRANSPORTATION REQUIREMENTS:

31. A minimum of 43 off-street parking spaces (with 44 off-street parking spaces provided) shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the City Manager.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

32. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water and sewer service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
33. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.
34. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.
35. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices.

Draft Planned Development Permit/Conditional Use Permit with Conditions

GEOLOGY REQUIREMENTS:

36. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

37. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services prior to exoneration of the bond and grading permit close-out.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on xxxxxx.

Attachment 5

Draft Planned Development Permit/Conditional Use Permit with Conditions

Permit Type/PTS Approval No.: CUP No. 908816

PDP No. 1029469

Date of Approval: xxxxxx

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

William Zounes
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Owner/Permittee

By _____
SANTALUZ, LLC,

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

Ordinance

(O-1078804)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING PLANNED DEVELOPMENT PERMIT 1029467 AND CONDITIONAL USE PERMIT 998816 FOR THE SANTA LUZ PROJECT, PROJECT NUMBER 257983.

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on evidence presented;

WHEREAS, SANTALUZ, LLC, Owner/Permittee, filed an application with the City of San Diego for a Community Plan Amendment, Planned Development Permit, and Conditional Use Permit to construct a 71,584 square-foot nursing facility designed for Assisted Living and Memory Care for senior citizens known as the Santa Luz Assisted Living project, located at 14740 Via Fiesta, and legally described as Lots 4 and 6 of Black Mountain Ranch Unit 10A per Map No. 14497, in the Black Mountain Ranch Subarea Plan area, in the AR-1-1 zone;

WHEREAS, on January 17, 2013, the Planning Commission of the City of San Diego considered Community Plan Amendment (CPA) No. 1074589, Planned Development Permit (PDP) No. 1029469 and Conditional Use Permit (CUP) No. 908816, and pursuant to Resolution No. xxxxxx-PC voted to recommend approval of CPA No. 1074589, PDP No. 1029469 and CUP No. 908816; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, that it adopts the following findings with respect to Community Plan Amendment No. 1074589, Planned Development Permit No. 1029469, and Conditional Use Permit No. 908816:

A. Planned Development Permit - Section 126.0604

1. The proposed development will not adversely affect the applicable land use plan.

The project proposes a 71,584 square-foot nursing facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Black Mountain Ranch Subarea Plan (Subarea Plan) Proposition A Lands. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. The project proposes a Community Plan Amendment (CPA) to re-designate the site from Institutional-Recreation Center and Institutional-Senior Center to Institutional-Nursing Facility.

The project site is comprised of two parcels where the northern parcel is designated Institutional-Recreation Center and the Southern parcel is designated Institutional-Senior Center. The project is governed by Vesting Tentative Map/Planned Residential Development No. 95-0173 (VTM/PRD) and the Subarea Plan land use document. The Subarea Plan envisions a range and mix of institutional and employment uses that foster appealing and enjoyable neighborhoods and business districts. Institutional uses are intended to provide public and quasi-public facilities that serve the adjacent residential neighborhoods. The plan also calls for a mix of uses and intensity of development to reduce the dependency on private automobiles. The proposed amendment would help implement these goals while providing "senior housing, congregate care for the elderly ...and housing with supportive services."

Subsequent to the adoption of the Subarea Plan, the decision was made by the Property Owners Association (POA) not to take title to the project's parcel designated for a recreation center. Instead, the POA opted to build recreational facilities at other locations within the Subarea Plan, including two 1- to 2-acre parks with playgrounds, one 3-acre enclosed dog park, additional areas improved for picnicking and parking, and walking trail enhancements; none of which were originally provided for in the Subarea Plan. The proposed amendment would not adversely affect the goals of the Subarea Plan as recreational facilities are provided throughout the community. While the Subarea Plan does not provide detailed criteria for the development of a Senior Center, a Senior Center may have included amenities such as a fitness center, assembly room, or similar uses. Therefore, the proposed development will not adversely affect the applicable land use plan, as proposed to be amended.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The project proposes a 71,584 square-foot nursing facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Subarea Plan Proposition A Lands. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. The project proposes a CPA to re-designate the site from Institutional-Recreation Center and Institutional-Senior Center to Institutional-Nursing Facility.

Addendum No. 287983 (Addendum to Environmental Impact Report (EIR) Nos. 95-0173 and 96-7902 & Addendums Nos. 95-0173.1 and 99-1161) was prepared from the project as it was determined that the proposed development could have a significant impact to Paleontological resources. Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates any potentially significant environmental impacts to paleontological resources in accordance with the California Environmental Quality Act. The permit prepared for this project includes various conditions and corresponding exhibits of approvals relevant to achieving compliance with the regulations of the Municipal Code and California Building Codes for minor grading and construction. Conditions required for the project include but are not limited to storm water and general runoff requirements, landscaping, public improvements, private sewer facilities, signage, lighting, and parking. Therefore, the proposed project will not be detrimental to the health, safety and general welfare of persons residing or working in the area.

3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The project proposes a 71,584 square-foot nursing facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Subarea Plan Proposition A Lands. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing.

The AR-1-1 zone has a height limit of 30 feet. The project was carefully designed to emulate a Tuscan farmhouse as this an architecture style within the community. Three areas where the structure exceeds the 30-foot height limit include two tower ridges and the entrance tower. The entrance tower is open from the second floor roof to the first floor and serves as an architectural element enhancing the character and visual quality of the project's entrance and is proposed to be 39'-4" in height. The entrance tower element covers the lobby area of the first floor below. The two tower ridges were added to break up the roof lines of the two-story wings and enhance the architectural massing, while keeping true to the Tuscan design of the project. Directly under the tower ridges are two assisted living residences within each wing and a second floor common area. The height of the ridges will be 32'-9". The areas exceeding the height limit will add up to approximately ten percent or less of the building mass making the vast majority of the building below 30 feet. The height deviation is requested for architectural elements which will enhance

the character and visual interest of the buildings resulting in a desirable design than would be achieved with strict application of the height limit.

Restricting the design to 30 feet would detract from the overall architectural articulation which gives the project more of an identity. The design guidelines of the surrounding Black Mountain Ranch community specify particular design elements to add a higher level of architectural quality within the roof massing and ridgeline detailing. The north wing of the building steps down to one story. At the west and south wings, the second floor plate typically steps back to break the line of the exterior façade and then utilizes smaller scale shed roofs that bring the building down to human scale and avoid a continuous ridgeline. The design breaks the roof into several separate components while also providing roof wells that screen the mechanical equipment. The few areas of the roof line that are above the 30 foot height are intended to break up the long roof lines, further screen other roof areas, add character articulation and allow the building to look more compatible with the surrounding buildings. By removing these few important roof massing components, the roof lines would have a long continuous ridge, detract from the current residential character of the project and create more of an institutional feel and possibly isolating the project from the surrounding residential communities.

The proposed development is consistent with the design standards of the Planned Development Permit Ordinance (PDPO), which requires a comparative analysis of the surrounding developments, open space requirements and conformance to the community plan. Additionally, the PDP Design Criteria requires landscaping to be used to soften the appearance of walls and building edges and to enhance the pedestrian scale of the development. The project proposes to provide landscaping in excess of what is required. This includes 4,500 square feet of landscape area above the minimum requirements. The landscape area and pedestrian element will include an excess amount of plant material, meandering walking paths, seating areas with shade cover, enhanced paving, and fountains. Landscape materials were chosen for the facility to compliment the plant palate previously approved for the communities of Black Mountain Ranch, thus blending the facility with surrounding properties and neighbors.

The Planned Development Permit allows flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project. Staff can support the proposed deviations as the project conforms to the Black Mountain Ranch Subarea Plan recommendations through sensitive design practices. In addition, the project is proposing an infill design that will incorporate architectural elements that were carefully designed to add a human scale to the nursing facility and not conflict with the surrounding neighbors. Although the height deviation is being requested for a small segment of the overall structure for a maximum height of 39'-4" feet in a 30-foot zone, the overall height and massing proposed is generally consistent with the development pattern of the surrounding community. The facility was designed to incorporate all of the authentic architectural guidelines that are an integral part of the Black Mountain Ranch Neighborhood. By adhering to these guidelines, the facility will blend with the surrounding residential quality and will help enhance the overall character of the area. The facility further blends with the surrounding environment by positioning its two story wings nearest to the two story buildings on the east side of Via Fiesta in addition to the two story attached housing further south along Via Fiesta on the other side of the Church property. The building was designed to

step down from two stories to one story along the street of Via Inez to preserve the view corridor down the descending dead end street and to assist with the transition to the school.

The proposed nursing facility is located in the AR-1-1 agricultural zone of the non-phase shifted portion of Black Mountain Ranch (Proposition A Lands). San Diego Municipal Code (SDMC) section 141.0413(a) of the Land Development Code specifically prohibits nursing facilities within Proposition "A" Lands. Nursing facilities were a conditionally permitted use through the processing of a Conditional Use Permit (CUP) at the time of Proposition "A" passage (The Growth Management Initiative). The prohibition of nursing facilities within the AR-1-1 agriculture zone of Proposition "A" Lands was added to the Municipal Code after Proposition A was approved.

The Federal Fair Housing Act (FHAA) and the California Fair Employment and Housing Act (CFEHA) 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 a Process 1 Reasonable Accommodation request. The applicant for the project has submitted a Reasonable Accommodation request in accordance with SDMC section 131.0466 asking the City allow the proposed nursing facilities use on the subject site. City Staff has determined special needs and a potential benefit can be accomplished with the request as the use would afford disabled persons an equal opportunity to use and live on the site. Therefore staff has approved the Reasonable Accommodation request allowing a nursing facility on the subject site.

The proposed project would provide a public benefit to the community by retaining the institutional use within the subarea plan yet designing a facility which blends with the community character. The project is providing infill development on a remnant, irregularly shaped parcel in the community. A height deviation has been incorporated into the project plan to achieve a quality design by providing exterior wall treatment, roof material and design, color, and the general building form and organization of architectural elements that are consistent with those in the surrounding area. Additionally, allowing the nursing facility through the processing of Reasonable Accommodations would afford disabled persons the equal opportunity to use and enjoy a dwelling. The project has incorporated additional requirements and project amenities such as excess landscape area, additional pedestrian elements (meandering walk ways, fountains, etc.), and a recreation area consistent with the Planned Development Ordinance. Therefore, the proposed development is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

B. Findings for Conditional Use Permit Approval – Section §126.0305

1. The proposed development will not adversely affect the applicable land use plan.

The project proposes a 71,584 square-foot nursing facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Black Mountain Ranch Subarea Plan (Subarea

Plan) Proposition A Lands. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. The project requires a Community Plan Amendment (CPA) to re-designate the site from Institutional-Recreation Center and Institutional-Senior Center to Institutional-Nursing Facility.

The project site is comprised of two parcels where the northern parcel is designated Institutional-Recreation Center and the Southern parcel is designated Institutional-Senior Center. The project is governed by Vesting Tentative Map/Planned Residential Development No. 95-0173 (VTM/PRD) and the Subarea Plan land use document. The Subarea Plan envisions a range and mix of institutional and employment uses that foster appealing and enjoyable neighborhoods and business districts. Institutional uses are intended to provide public and quasi-public facilities that serve the adjacent residential neighborhoods. The plan also calls for a mix of uses and intensity of development to reduce the dependency on private automobiles. The proposed amendment would help implement these goals while providing "senior housing, congregate care for the elderly ...and housing with supportive services."

As mentioned above, the proposed amendment site is governed by a previously approved VTM/PRD and associated Design Review Guidelines. The Guidelines state that "community facilities within the Village include uses which, in scale and character, service the needs of the Black Mountain Ranch residents. Specific sites have been identified in the Village for an elementary school, neighborhood park, church, day care center, senior center, recreation center and fire station. It is expected that the day care and senior facilities will be developed and managed by the church. The recreation center is expected to be developed as a Property Owner Association facility.

Subsequent to the adoption of the Subarea Plan, the decision was made by the Property Owners Association (POA) not to take title to the project's parcel designated for a recreation center. Instead, the POA opted to build recreational facilities at other locations within the Subarea Plan, including two 1- to 2-acre parks with playgrounds, one 3-acre enclosed dog park, additional areas improved for picnicking and parking, and walking trail enhancements; none of which were originally provided for in the Subarea Plan. The proposed amendment would not adversely affect the goals of the Subarea Plan as recreational facilities are provided throughout the community. While the Subarea Plan does not provide detailed criteria for the development of a Senior Center, it may have included amenities such as a fitness center, assembly room, or similar uses. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The project proposes a 71,584 square-foot nursing facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Subarea Plan Proposition A Lands. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. The project requires a CPA to re-designate the site from Institutional-Recreation Center and Institutional-Senior Center to Institutional-Nursing Facility.

Addendum No. 287983 (Addendum to Environmental Impact Report (EIR) Nos. 95-0173 and 96-7902 & Addendums Nos. 95-0173.1 and 99-1161) was prepared from the project as it was determined that the proposed development could have a significant impact to Paleontological resources. Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates any potentially significant environmental impacts to paleontological resources in accordance with the California Environmental Quality Act. The permit prepared for this project includes various conditions and corresponding exhibits of approvals relevant to achieving compliance with the regulations of the Municipal Code and California Building Codes for minor grading and construction. Conditions required for the project include but are not limited to storm water and general runoff requirements, landscaping, public improvements, private sewer facilities, signage, lighting, and parking. Therefore, the proposed project will not be detrimental to the health, safety and general welfare of persons residing or working in the area.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project proposes a 71,584 square-foot nursing facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Subarea Plan Proposition A Lands. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing.

The permit prepared for this project includes various conditions and corresponding exhibits of approvals relevant to achieving compliance with the regulations of the Land Development Code and California Building Codes for grading and construction. Conditions required for the project include but are not limited to storm water and general runoff requirements, landscaping, public improvements, private sewer facilities, signage, lighting, and parking. Additionally, the proposed use must meet all Building, Fire, Plumbing, Electrical and Mechanical Code regulations when submitting for construction permits.

The proposed nursing facility is located in the AR-1-1 agricultural zone of the non-phase shifted portion of Black Mountain Ranch (Proposition "A" Lands). San Diego Municipal Code (SDMC) section 141.0413(a) of the Land Development Code specifically prohibits nursing facilities within Proposition "A" Lands. Nursing facilities were a conditionally permitted use through the processing of a Conditional Use Permit (CUP) at the time of Proposition "A" passage (The Growth Management Initiative). The prohibition of nursing facilities within the AR-1-1 agriculture zone of Proposition "A" Lands was added to the Municipal Code after Proposition "A" was approved.

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 as a protected class under the Fair Housing Amendments Act (FHAA).

The Federal Fair Housing Act (FHAA) and the California Fair Employment and Housing Act (CFEHA) 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 a Process 1 Reasonable Accommodation request. The applicant for the project has submitted a Reasonable Accommodation request in accordance with SDMC section 131.0466 asking the City allow the proposed nursing facilities use on the subject site. City Staff has determined special needs and a potential benefit can be accomplished with the request as the use would afford disabled persons an equal opportunity to use and live on the site. Therefore staff has approved the Reasonable Accommodation request allowing a nursing facility on the subject site.

A deviation to exceed the 30-foot height limit is being requested through a Planned Development Permit. Three areas where the development exceeds the 30-foot height limit include two tower ridges and the entrance tower. The entrance tower is open from the second floor roof to the first floor and serves as an architectural element enhancing the character and visual quality of the project entrance and is proposed to be 39'-4" in height. The entrance tower element houses the lobby area of the first floor below. The two tower ridges were added to break up the roof lines of the two-story wings and enhance the architectural massing, while keeping true to the Tuscan design of the project. Directly under the tower ridges are two assisted living residences in each wing and a second floor common area. The height of the ridges will be 32'-9". Staff can support the proposed deviation as the project conforms to the Subarea Plan recommendations through sensitive design practices. In addition, the project is proposing an infill design that will incorporate architectural elements that were carefully designed to add a human scale to the nursing facility and not conflict with the surrounding neighbors.

Therefore, the proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code.

4. The proposed use is appropriate at the proposed location.

The project proposes a 71,584 square-foot nursing facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Subarea Plan Proposition A Lands. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing.

The Subarea Plan envisions a range and mix of institutional and employment uses that foster appealing and enjoyable neighborhoods and business districts. Institutional uses are intended to provide public and quasi-public facilities that serve the adjacent residential neighborhoods. The plan also calls for a mix of uses and intensity of development to reduce the dependency on private automobiles. The proposed amendment would help implement these goals while providing "senior housing, congregate care for the elderly ...and housing with supportive services." Subsequent to the adoption of the Subarea Plan, the decision was made by the Property Owners Association (POA) of the site not to take title to the parcel designated for a recreation center. Instead, the POA opted to build recreational facilities at other locations within the Subarea Plan, including two 1- to 2-acre parks with playgrounds, one 3-acre enclosed dog park, additional areas improved for picnicking and parking, and walking trail enhancements; none of which were originally provided for in the Subarea Plan. The proposed amendment would not adversely affect the goals of the Subarea Plan as recreational facilities are provided throughout the community. While the Subarea Plan does not provide detailed criteria for the

development of a Seniors Center, it included amenities such as a fitness center, assembly room, or similar uses. The site will continue to be designated for Institutional use which includes nursing facilities.

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 as a protected class under the Fair Housing Amendments Act (FHAA). Surrounding the site is a day care center and single-family homes to the west, single-family and multi-family residential to the east, an elementary school and neighborhood park to the north, and multi-family residential to the south. A nursing facility to address the residence of the existing population in the immediate community is compatible with mix of uses within the community. Additionally, the project is proposing an infill design that will incorporate architectural elements that were carefully designed to add a human scale to the nursing facility and not conflict with the surrounding neighbors. Therefore, the proposed use is appropriate at the proposed location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

Section 2. PDP No. 1029469 and CUP No. 908816 is granted to SANTALUZ, LLC,

Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: JAN GOLDSMITH, City Attorney

By _____
Attorney name

Deputy City Attorney

Initials~

Date~

Or.Dept: INSERT~

Case No.INSERT PROJECT NUMBER~

O-INSERT~

Form=inloto.frm(61203wct)

Rev 10-05-09 hmd
document1

RESOLUTION NUMBER XXXXXX

ADOPTED ON xxxxxx

WHEREAS, on XXXXX, SANTA LUZ, LLC submitted an application to Development Services Department for a PLANNED DEVELOPMENT PERMIT NO. 1029469, AND CONDITIONAL USE PERMIT NO. 908816 for a new 71,584-square -foot nursing home facility for assisted living and memory care patients for the Santa Luz Project; and

WHEREAS, the matter was set for a public hearing to be conducted by the Development Services Department of the City of San Diego; and

WHEREAS, the City Council considered the issues discussed in Mitigation Negative Declaration No. 257983 prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Development Services Department finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Development Services Department in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the DEVELOPMENT SERVICES DEPARTMENT, 1222 FIRST AVENUE, SAN DIEGO, CA 92101 or CITY CLERK, 202 C STREET, SAN DIEGO, CA 92101].

BE IT FURTHER RESOLVED, that DEVELOPMENT SERVICES STAFF is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED:

By: WILLIAM ZOUNES
DEVELOPMENT PROJECT MANAGER

Draft Environmental Resolution with MMRP for Addendum

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM
 PLANNED DEVELOPMENT PERMIT NO. 1029469 AND CONDITIONAL USE PERMIT
 NO. 908816
 PROJECT NO. 257983

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

No mitigation is required for any new issue areas associated with this project, in addition, all applicable mitigation measures were completely carried out in association with mass grading allowed by the approvals analyzed in EIR No. 95-0173 except for additional paleontological monitoring that is required for the proposed project. The current City MMRP paleontological mitigation measures required on-site are as follows:

PALEONTOLOGICAL RESOURCES**1. Prior to Permit Issuance**

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

2. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

Draft Environmental Resolution with MMRP for Addendum

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
 2. Identify Areas to be Monitored
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.
- 3. During Construction**
- A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
 2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 3. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
 - B. Discovery Notification Process
 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
 - C. Determination of Significance
 1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-

Draft Environmental Resolution with MMRP for Addendum

significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

4. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Section 3 - During Construction.
 - c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section 3 - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section 3-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

5. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.

Attachment 7
Draft Environmental Resolution with MMRP for Addendum

2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

I:\AI\LDR\EAS\MMRP\PaleoPrivate_100509.doc

PLANNING COMMISSION RESOLUTION NO. 4832-PC

INITIATING AN AMENDMENT TO THE Black Mountain Ranch Subarea Plan AND GENERAL PLAN TO REDESIGNATE TWO SITES - 1) an approximately 0.98-acre site designated Institutional - Seniors Center, and 2) an approximately 2.3-acre site designated Institutional - Recreation Center - to Institutional - Nursing Facility.

WHEREAS, on August 23, 2012, the Planning Commission of the City of San Diego held a public hearing to consider the initiation of an amendment to the Black Mountain Ranch Subarea Plan to redesignate two sites - 1) an approximately 0.98-acre site designated Institutional - Seniors Center, and 2) an approximately 2.3-acre site designated Institutional - Recreation Center - to Institutional - Nursing Facility; and

WHEREAS, the applicant is requesting a Subarea Plan Amendment in anticipation of future development that will allow the development of a nursing facility on the subject property; and

WHEREAS, the Planning Commission of the City of San Diego considered all maps, exhibits, evidence and testimony; NOW, THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby initiates the requested Community Plan Amendment; and

BE IT FURTHER RESOLVED that the Planning Commission directs staff to consider the following issue(s) in addition to all of the issues identified in Report No. PC-12-087:

- Appropriate land use designation and density range for the site;
- Site design considerations for new land use designation;
- Compatibility and integration of new development with adjacent development;
- Impact of potential development on public services and facilities;
- Pedestrian circulation and transit improvements;
- Limited ability of the POA to develop future community facilities and meeting spaces as envisioned in the VTM/PRD;
- Provision of additional benefit to the community;
- Consistency with Proposition A.

BE IT FURTHER RESOLVED, that this initiation does not constitute an endorsement of a project proposal. This action will allow staff analysis to proceed.



Staff
Development Services Department

Initiated: 8/23/2012

By a vote of: 5-0



Rancho Peñasquitos Planning Board Meeting Minutes

June 6, 2012

Attachment 9
Community Planning Group
Recommendation
Page 1 of 4

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

Project Title:

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation [] Limited Liability -or- [X] General) What State? DE Corporate Identification No. 2863978
Partnership []

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property.. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached [] Yes [X] No

Corporate/Partnership Name (type or print): Santaluz, LLC
[X] Owner [] Tenant/Lessee
Street Address: 8105 Irvine Center Drive, Suite 1450
City/State/Zip: Irvine, CA 92618
Phone No: (949)341-1280 Fax No: (949)585-9278
Name of Corporate Officer/Partner (type or print): Philip S. Bodem
Title (type or print): Vice President, Taylor Morrison of California, LLC
Signature: [Signature] Date: 9/21/2011

Corporate/Partnership Name (type or print):
[] Owner [] Tenant/Lessee
Street Address:
City/State/Zip:
Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):
Title (type or print):
Signature : Date:

Corporate/Partnership Name (type or print):
[] Owner [] Tenant/Lessee
Street Address:
City/State/Zip:
Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):
Title (type or print):
Signature : Date:

Corporate/Partnership Name (type or print):
[] Owner [] Tenant/Lessee
Street Address:
City/State/Zip:
Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):
Title (type or print):
Signature : Date:

Corporate/Partnership Name (type or print):
[] Owner [] Tenant/Lessee
Street Address:
City/State/Zip:
Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):
Title (type or print):
Signature : Date:

Corporate/Partnership Name (type or print):
[] Owner [] Tenant/Lessee
Street Address:
City/State/Zip:
Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):
Title (type or print):
Signature : Date:



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Request for Re Accommodations

SEPTEMBER 2009

Application Date: May 21, 2012 Project No.: 257983

The City is required by the Federal Fair Housing Act and the California Fair Employment and Housing Act to provide a process for consideration of reasonable accommodation requests. A deviation process is available to applicants for circumstances where the existing zoning regulations would preclude residential development for persons with disabilities. All requests for accommodation are determined on a case-by-case basis. You will be contacted if additional information is required to determine the reasonableness of the accommodation requested.

Please print legibly or type.

1. Applicant Name:				E-mail:	
Santaluz, LLC				taylorconsulting@cox.net	
Address:		City:	State:	Zip Code:	Telephone:
8105 Irvine Center Dr., Ste 1450		Irvine	CA	92168	(619) 847-1536
2. Property Owner Name:				E-mail:	
Santaluz, LLC				taylorconsulting@cox.net	
Address:		City:	State:	Zip Code:	Telephone:
8105 Irvine Center Dr., Ste 1450		Irvine	CA	92168	(619) 847-1536
3. Site Address where accommodation is requested:					
Address:				Zip Code:	
14740 & 14716 Via Flesta, San Diego/APN #'s 269-241-1100,269-241-1300				92127	

- 4. Process One - Administrative Review**
 Reasonable accommodations (including waiver of regulations, policies, or procedures) to afford persons with disabilities an equal opportunity to use and enjoy a dwelling may be approved through Process One subject to the following:
- (a) The development will be used by a person(s) with a disability;
 - (b) The deviation requested is necessary to make specific housing available to a person with a disability and complies with all applicable development regulations to the maximum extent feasible;
 - (c) The deviation request will not impose an undue financial or administrative burden on the City;
 - (d) The deviation request will not create a fundamental alteration in the implementation of the City's zoning regulations; and
 - (e) For coastal development in the Coastal Overlay Zone, that is not exempt from a Coastal Development Permit pursuant to Section 126.0704, there is no feasible alternative that provides greater consistency with the certified Local Coastal Program.
- 5.** Identify the reasonable accommodations requested and the specific regulations, policy, or procedure from which the deviation or waiver is requested. If the City is unable to approve the specific accommodations requested. The City will work with you to find accommodations that are reasonable.

The applicant requests reasonable accommodation to allow for the proposed Intermediate Care, Nursing Facility within agriculturally-zoned Prop. A Land, as prohibited by Section 141.0413(a) of the Municipal Code. The relief of the code will allow the applicant to pursue a Conditional Use Permit for this use.

- 6.** Give the reason that the reasonable accommodations may be necessary, for you or for another individual(s) with disabilities seeking the specific housing, to use and enjoy the housing. You do not need to tell us the name or extent of your disability or that of the individual(s) seeking the housing:

Attached is the project description detailing the age range and mental ability of residents, and the types of assistance and services required by these individuals.

7. Please attach any documents that you feel are necessary to support your request for reasonable accommodation and would assist us in considering your request, (e.g. medical documentation which supports the need for the accommodation as prescribed under disability law). Please note that all documents submitted will be kept as a record of the decision and will be made available to the public upon request.

8. Owner Declaration: I Joe Taylor, Agent _____, certify, under penalty of perjury under the laws of the State of California, that the information provided above is correct and is being submitted to facilitate a currently anticipated use of the development by a person with a disability.

Signature: Joe Taylor, agent for Sutelco LLC Date: February 21, 2012

A person with disability pursuant the Fair Housing Amendments Act of 1988 means any person who has a physical or mental impairment that substantially limits one or more major life activities; anyone who is regarded as having such impairment; or anyone who has a record of such impairment.

FOR CITY USE ONLY

The following findings have been made to support the reasonable accommodation request:

Yes No

The development will be used by a person with a disability.

The deviation request is necessary to make specific housing available to a person with disability and complies with all applicable development regulations to the maximum extent feasible.

The deviation request will not impose an undue financial or administrative burden on the City of San Diego.

The deviation request will not create a fundamental alteration in the implementation of the City's zoning regulations for the AR-1-1 zone.
(INDICATE ZONE)

N/A

For coastal development in the Coastal Overlay Zone, that is not exempt from a Coastal Development Permit pursuant to Section 126.0704, there is no feasible alternative that provides greater consistency with the certified Local Coastal Program.

Additional Information for the Administrative Record:



Approved



Denied

If requested accommodation is denied provide reason(s) based on required findings:

Staff Name: DANIEL P. NORMANDIN

Staff Title: Senior Planner

Signature: [Handwritten Signature]

Date: 12.17.2012

SANTALUZ, LLC

Proposed Assisted Living/Memory Care Facility Description

May 21, 2012

Physical/Mental State of Residents

Most residents of the proposed project would be Seniors 80-90 years of age and 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.

Physical Facilities Description

Approximately 64 Assisted Living/Memory Care units would be constructed in 2 story buildings, on a 3.29 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 very small counter/sink, a microwave and a refrigerator. Not included are kitchens (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.

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 areas would be provided for staff use. An administrative area for business administration 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.

Recreation Areas would consist of exterior walking areas specifically designed for exercise in a looped system for maximizing interest and physical activity as well as seating and reading areas. The project also includes Community Gardening areas for residents to grow vegetables, flowers and plants for use within the community. Internally, the facility will include areas for physical and mental exercising, crafting, arts, cards, reading partnerships with adjacent elementary school, etc. Recreational facilities and opportunities are key features of the project and are intended to stimulate Seniors both physically and mentally.

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 also adjoins a newly constructed church. Across Via Inez 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 located within the boundaries of the Black Mountain Ranch Subarea Plan and is zoned AR-1-1 agricultural zone of Proposition A Lands. The City has determined that the class of use falls within the Reasonable Accommodations Regulations of the Municipal Code (131.0466). The Reasonable Accommodations Regulations allow for the proposed project to be developed on the property even though the Subarea Plan and AR-1-1 agricultural zone do not specifically identify an Assisted Living/Memory Care facility (Intermediate care, Nursing facility) as an allowed use on the property. A Conditional Use Permit (CUP) for the proposed project will be processed along with the request for Reasonable Accommodation. Please note that several community meetings have been held and no substantive issues have been discovered which could impede development of the site with the proposed project and in fact was unanimously approved 14-0 by the Penasquitos Planning Board.

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, including, but not limited to, bathing, toileting, dressing, eating and walking.

Staff includes registered nurses (RNs), 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	16-18 staff
3:00 PM – 11:00 PM	14-16 staff
11:00 PM – 7:00 AM	4-6 staff

FINDINGS FOR REASONABLE ACCOMMODATIONS

Reasonable accommodations (including waiver of regulations, policies, or procedures) to afford persons with disabilities an equal opportunity to use and enjoy a dwelling may be approved through a Process One subject to the following:

1. The development will be used by a disabled person.

The project proposes a 71,584 square-foot assisted living facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within the Black Mountain Ranch Community Plan. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. The nursing facility will accommodate elderly residents within an age range between 80-90 years requiring assistance with at least two activities of daily living. Many of the residents will require memory care as these residence will be treated for dementia.

2. The deviation request is necessary to make specific housing available to a disabled person and complies with all applicable development regulations to the maximum extent feasible.

The project proposes a 71,584 square-foot assisted living facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within Proposition A Lands, within the Black Mountain Ranch Community Plan. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. San Diego Municipal Code (SDMC) section 141.0413(a) of the Land Development Code specifically prohibits nursing facilities within Proposition A Lands. Nursing facilities are a conditionally permitted use through the processing of a Conditional Use Permit (CUP) outside of Proposition A Lands. The project meets all Land Development Code development regulations, however, a minor deviation for height is being requested through the processing of a Planned Development Permit in order to implement a superior design.

The objective of Proposition A Land was to prevent premature development and guide urbanization, conserve agricultural land, prevent loss of natural resources, and address threat to quality of life from continued urban sprawl. The site is governed by VTM 95-0173 which allowed the grading and development of portions of Proposition A Lands. The project is providing infill development on a remnant, irregularly shaped parcel in the community. The proposed nursing facility would be located on a previously graded site surrounded by development including a day care center and single-family homes to the west, single-family and multi-family residential to the east, an elementary school and neighborhood park to the north, and multi-family residential to the south. Therefore the project would not adversely affect the Proposition A objective and would comply with all applicable development regulations to the maximum extent feasible.

3. The deviation request will not impose an undue financial or administrative burden on the City;

The project proposes a 71,584 square-foot assisted living facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within Proposition A Lands, within the Black Mountain Ranch Community Plan. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. The proposed project is entirely funded by the owner/applicant and will not impose a financial or administrative burden on the City.

4. The deviation request will not create a fundamental alteration in the implementation of the City's zoning regulations.

The project proposes a 71,584 square-foot assisted living facility on a vacant 3.28-acre site located at 14740 Via Fiesta in the AR-1-1 Zone within Proposition A Lands, within the Black Mountain Ranch Community Plan.

The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. San Diego Municipal Code (SDMC) section 141.0413(a) of the Land Development Code specifically prohibits nursing facilities within Proposition A Lands. Nursing facilities are generally a conditionally permitted use through the processing of a Conditional Use Permit (CUP) outside of Proposition A Lands. The project meets all Land Development Code development regulations, however, a minor deviation for height is being requested through the processing of a Planned Development Permit in order to implement a superior design. The intent of the Conditional Use Permit is to establish a review process for development of a use that may be desirable under appropriate circumstances, but are not permitted by right in the applicable zone. The intent of these procedures is to review these uses on a case-by-case basis to determine whether and under what conditions the use may be approved at a given site.

The objective of Proposition A Land was to Prevent premature development, conserve agricultural land, prevent loss of natural resources, and address the threat to quality of life from continued urban sprawl. The site is governed by VTM 95-0173 which allowed the grading of the site and development for portions of Proposition A Lands. Surrounding the graded site exist an elementary school, day care, single and multi-family residential, and a neighborhood park. The project is providing infill development on a remnant, irregularly shaped parcel in the community. The proposed nursing facility would be located on a previously graded site surrounded by development not suitable for open space land or agricultural land as requested in Proposition A land.

The project site is designated Institutional-Recreation Center and Institutional-Senior Center within the Black Mountain Ranch Subarea Plan. The project proposes to re-designate the site from Institutional-Recreation Center and Institutional-Senior Center to Institutional-Nursing Facility through a Community Plan Amendment (CPA). An analysis of the CPA has concluded that the re-designation amendment would be consistent with the goals and policies of the General Plan and Black Mountain Ranch Subarea plan and any community plan specific amendment criteria.

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 a Process 1.

Additionally, 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 as a protected class under the Fair Housing Amendments Act (FHAA). As such the applicant may request Reasonable Accommodations under SDMC 131.0466 in lieu of amending SDMC section 141.0413(a).

Therefore, based on the purpose and intent of the Conditional Use Permit process, the surrounding built out environment, consistency with the Land Use Plan, the underlying AR-1-1 zone, the Federal Fair Housing Act and the California Fair Employment and Housing Act requirement that jurisdictions make reasonable accommodations to afford disabled persons the equal opportunity to use and enjoy a dwelling, the deviation request will not create a fundamental alteration in the implementation of the City's zoning regulations.

5. **For coastal development in the coastal overlay zone, that is not exempt pursuant to Section 126.0704, there is no feasible alternative that provides greater consistency with the certified Local Coastal Program.**

The project is not located within the coastal overlay zone.

Land Use **2.3**
figure



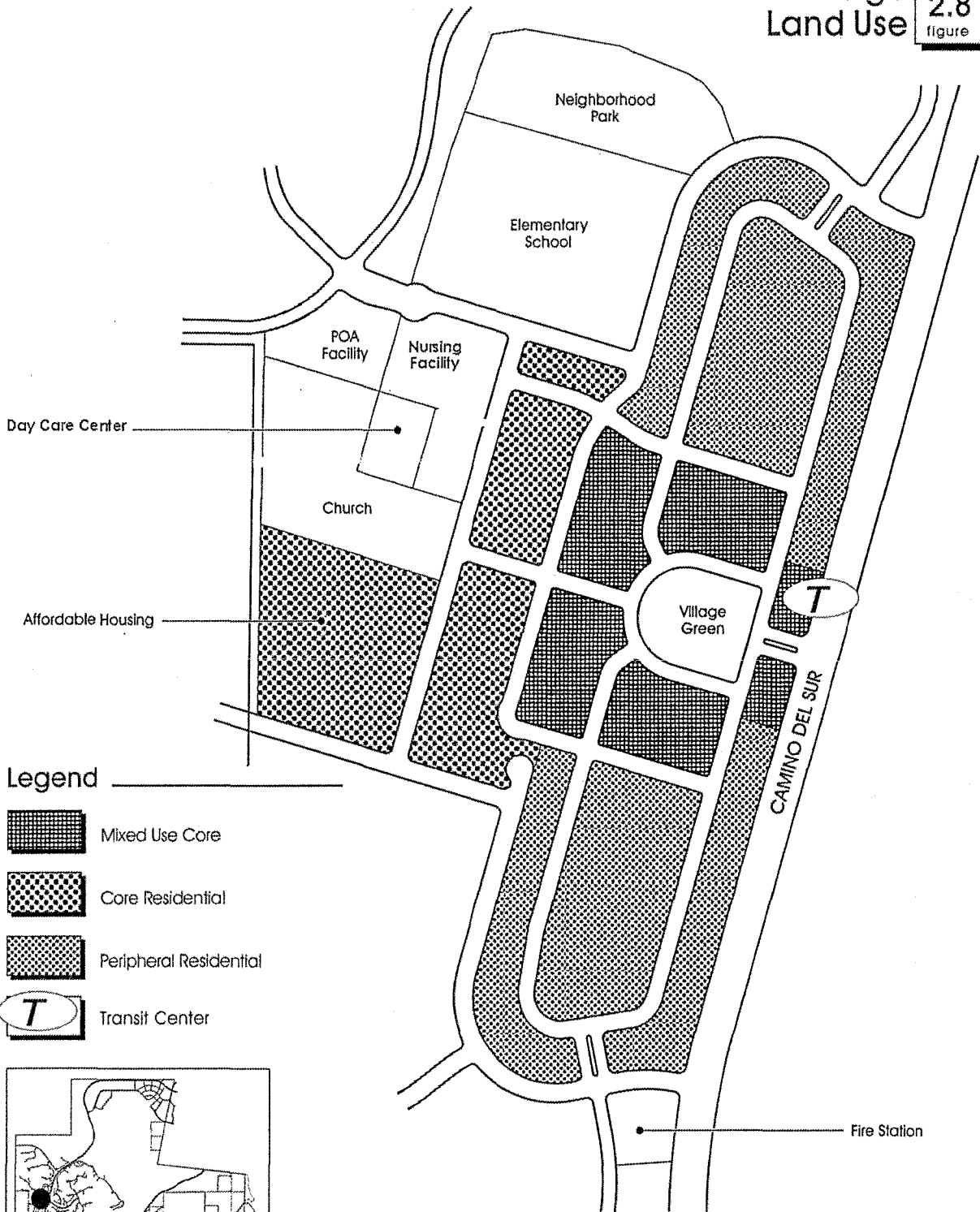
Legend

	Residential (see figure 2.4)	1395 ac.
	Open Space (see figure 3.2)	2710 ac.
	Golf Course & Club House	320 ac.
	Employment	30 ac.
	Village Mixed Use Center	30 ac.
	Village Green	10 ac.
	Utilities	25 ac.
	Neighborhood/ Community Parks	50 ac.
	Institutional	125 ac.
<ul style="list-style-type: none"> E Elementary School M Middle School H High School F Fire Station C Church D Day Care Center S Seniors Center R Recreation Center N Nursing Facility 		
Streets		405 ac.
TOTAL:		5100 ac.


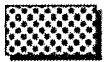


Note: Streets shown represent Collector and above (North Village area)

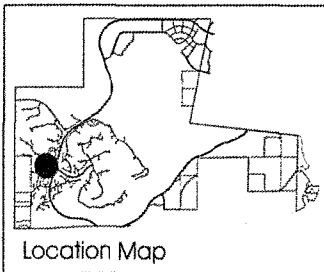
Black Mountain Ranch
Subarea Plan

South Village
Land Use **2.8**
figure

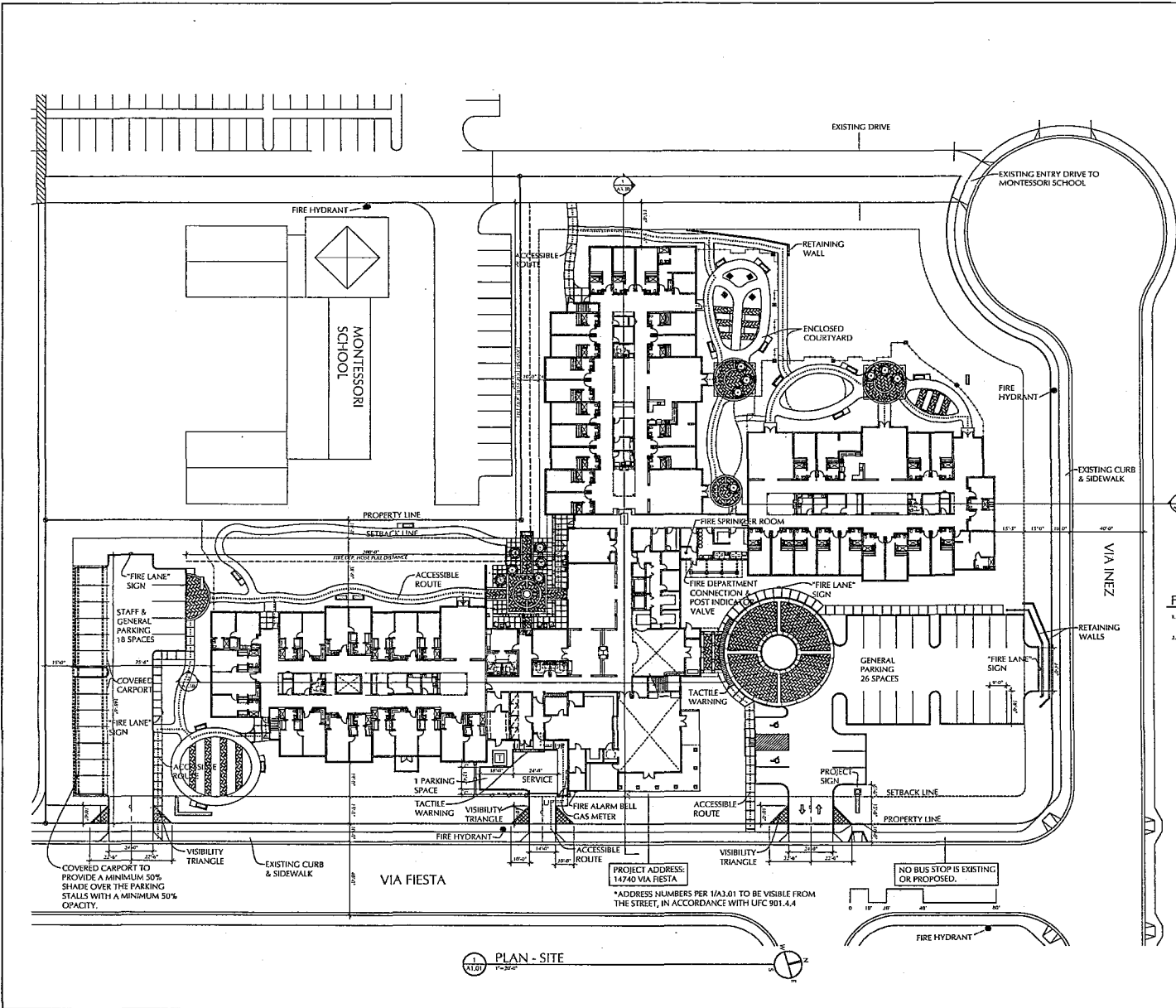


Legend

-  Mixed Use Core
-  Core Residential
-  Peripheral Residential
-  Transit Center



Black Mountain Ranch
Subarea Plan



FIRE DEPARTMENT NOTES:

1. FIRE ACCESS, REENTRY SIGNS AND RED CURBS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
2. POST SIGNATURE WALLS, FIRE DEPARTMENT CONNECTIONS AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS SIDE OF THE BUILDING PER LFC 901.4.

ANKROM MOISAN
ARCHITECTURE INTERIORS PLANNING
PROFESSIONAL ARCHITECTS REGISTERED ARCHITECTS
10150 SAN DIEGO AVENUE, SUITE 100, SAN DIEGO, CA 92121

SANTALUZ - MC AND ALF
14740 VIA FIESTA
SAN DIEGO, CALIFORNIA, 92130
Santaluz, LLC

MARK	DATE	DESCRIPTION
	2012-04-10	DATE
	2/10	FILE
		DESIGN
		CONTRACT

Copyright © Ankrum Moisan Associates Architects 2012

PLAN - SITE
A1.01

BY PROJECT DATA:

OWNER: ANKROM MOISAN ARCHITECTS
14740 VIA FIESTA
SAN DIEGO, CA 92130
TEL: 619-594-7710
WWW.AMKM.COM

DESIGNER: ANKROM MOISAN ARCHITECTS
14740 VIA FIESTA
SAN DIEGO, CA 92130
TEL: 619-594-7710
WWW.AMKM.COM

ARCHITECT: ANKROM MOISAN ARCHITECTS
14740 VIA FIESTA
SAN DIEGO, CA 92130
TEL: 619-594-7710
WWW.AMKM.COM

LANDSCAPE: SLOTT & SLOTT ARCHITECTS
14740 VIA FIESTA
SAN DIEGO, CA 92130
TEL: 619-594-7710
WWW.AMKM.COM

LEGAL DESCRIPTION: LOT 4 AND 8 OF BLACK MOUNTAIN HANCOCK TRACT, PART OF THE 14477 ACRES, SD 8994 (10) 267-233M AS SHOWN

PREPARED BY: ANKROM MOISAN ARCHITECTS
14740 VIA FIESTA
SAN DIEGO, CA 92130
TEL: 619-594-7710
WWW.AMKM.COM

DATE: 02/10/12

PROJECT ADDRESS: 14740 VIA FIESTA
SAN DIEGO, CALIFORNIA 92130

PROJECT NAME: SANTALUZ ASSISTED LIVING AND MEMORY CARE

CITY PROJECT NUMBER: 123-456

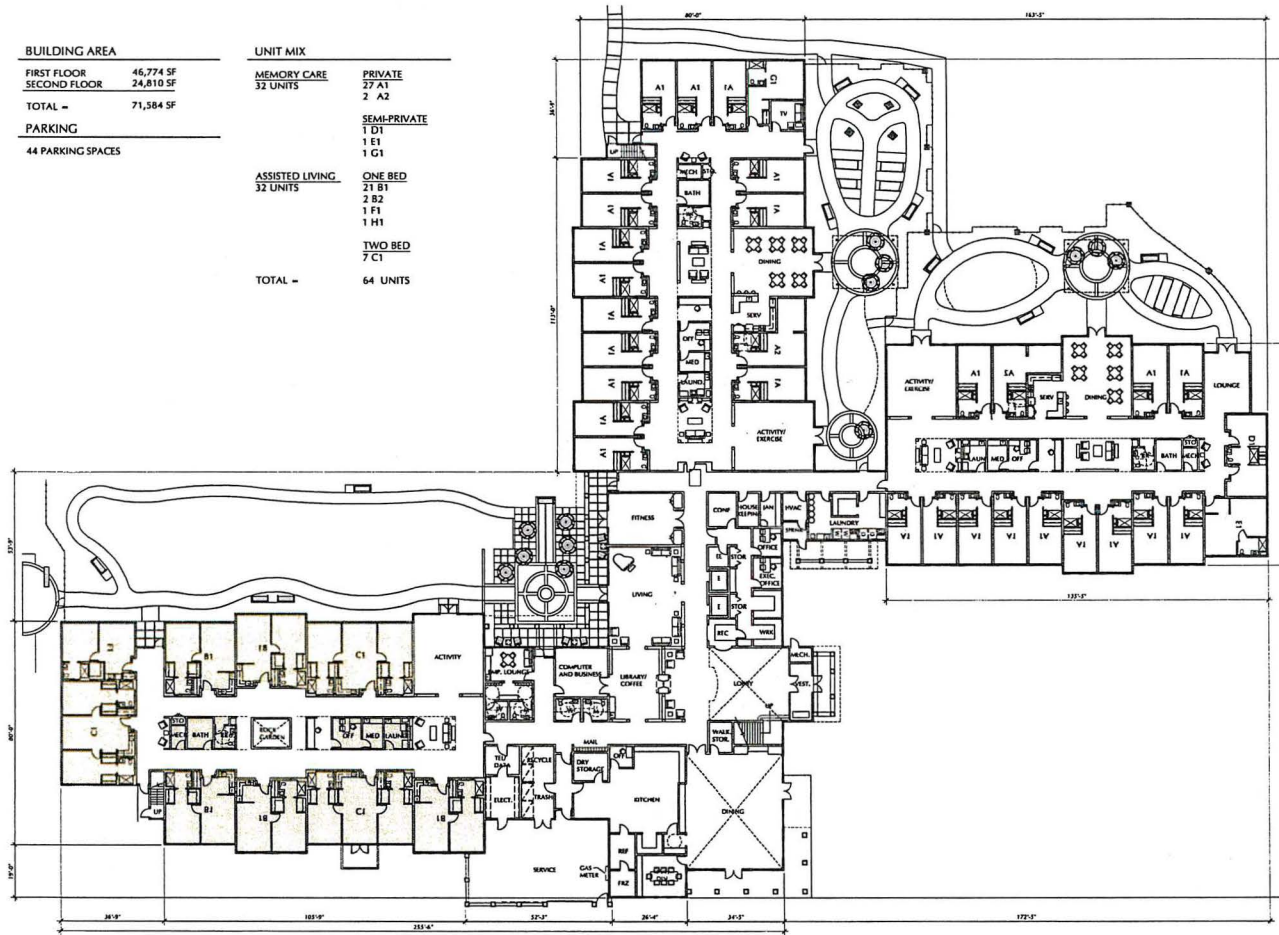
SHEET TITLE: PLAN - SITE

DATE: 02/10/12

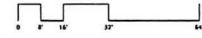
SCALE: 1/8" = 1'-0"

PLAN - SITE

BUILDING AREA		UNIT MIX	
FIRST FLOOR	46,774 SF	MEMORY CARE	PRIVATE
SECOND FLOOR	24,810 SF	32 UNITS	27 A1
TOTAL =	71,584 SF		2 A2
PARKING			SEMI-PRIVATE
44 PARKING SPACES			1 D1
			1 E1
			1 C1
		ASSISTED LIVING	ONE BED
		32 UNITS	21 B1
			2 B2
			1 F1
			1 H1
			TWO BED
			7 C1
		TOTAL =	64 UNITS



1 PLAN - FIRST FLOOR
1/16" = 1'



ANKROM MOISAN
ARCHITECTURE INTERIORS PLANNING
14740 VIA FIESTA
SAN DIEGO, CALIFORNIA 92130
PHONE: 619-594-7100 FAX: 619-594-7101 WWW: AMO.COM

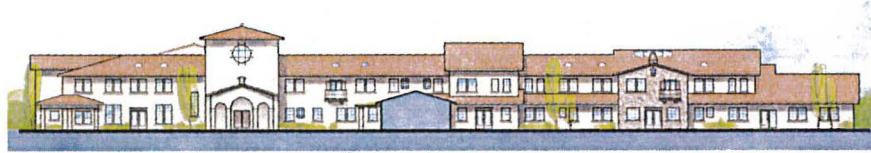
SANTALUZ - MC AND ALF
14740 VIA FIESTA
SAN DIEGO, CALIFORNIA, 92130
Santaluz, LLC

MARK	DATE	DESCRIPTION
DATE	2012-03-16	
JOB	11017b	
FILE	21a	
DRAWN		
CHECKED		
COPYRIGHT © 2012 ANKROM MOISAN ARCHITECTURE INTERIORS PLANNING		

PLAN - FIRST FLOOR

A2.01

SITE PROJECT DATA	SITE AND PROPOSED BUILDING DATA
DESIGN TEAM CIVIL ENGINEERS: RICK ENGINEERING 1700 SLOAN (LOCAL CONTACT) (619) 291-0292 ARCHITECTS: ANKROM MOISAN ARCHITECTS OWEN DANIELS 3021 245-7100 LANDSCAPE: ELLIOTT MOODY PATTERSON, INC. BASIC HOODS (619) 558-8977	EXISTING CONDITIONS THE SITE IS A VACANT LOT WITH NO EXISTING PIECES OF BUILDINGS. PROPOSED USE A NEW 71,584 SF SENIOR HOUSING COMMUNITY PROVIDING ASSISTED LIVING AND MEMORY CARE. OWNER/DEVELOPER SANTALUZ, LLC C/O TAYLOR CONSULTING 4815 GILBERT STREET LA MESA, CA 91941 (619) 661-1238 JOE TAYLOR
LEGAL DESCRIPTION LOTS 4 AND 6 OF BLACK MOUNTAIN RANCH UNY RSM PER MAP NO 14487 ADJACENTS LIBERTY COORDINATES: 302-1721 ROADS COORDINATES: 184-6381 ASSASSIN'S CASTLE NUMBERS 889-291-11 AND 289-241-13	CONTRACT DESCRIPTION EXISTING: AR-1 PROPOSED APPLICATION FOR CONDOMINIUM USE
PREPARED BY: Name: ANKROM MOISAN ARCHITECTS Address: 14740 VIA FIESTA PORTLAND, OR 97219 Phone No: 503-252-7100 WWW: AMO.COM	REVISIONS Revision 1: 12/08/11 Revision 2: 1/16/12 Revision 3: _____ Revision 4: _____ Revision 5: _____ Original Date: 09/27/11 Sheet: 8 of 15 DATE: 02/27/12
SHEET TITLE: A2.01 FIRST FLOOR PLAN	DATE: 02/27/12



1 NORTH ELEVATION
1/8" = 1'-0" KEY



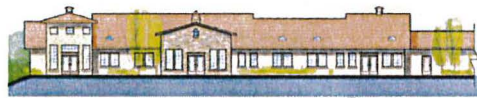
2 EAST ELEVATION
1/8" = 1'-0" KEY



1 EAST ELEVATION OF NORTH WING
1/8" = 1'-0" KEY



4 SOUTH ELEVATION
1/8" = 1'-0" KEY



5 WEST ELEVATION OF NORTH WING
1/8" = 1'-0" KEY



6 WEST ELEVATION
1/8" = 1'-0" KEY

ANKROM MOISAN
ARCHITECTURE INTERIORS PLANNING
14740 VIA FIESTA
SAN DIEGO, CALIFORNIA 92130
TEL: 619.594.2100 FAX: 619.594.2104
WWW.AMKM.COM

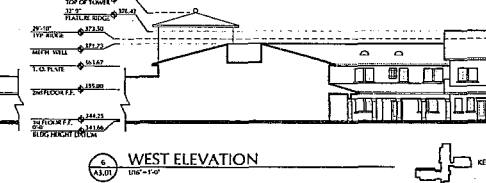
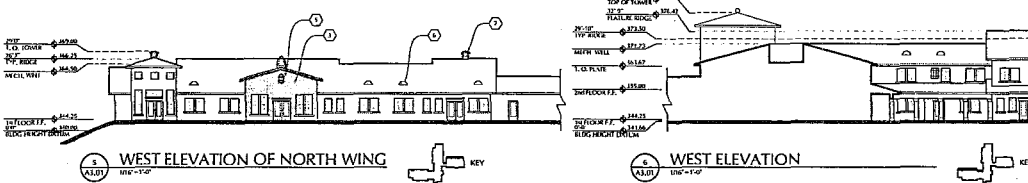
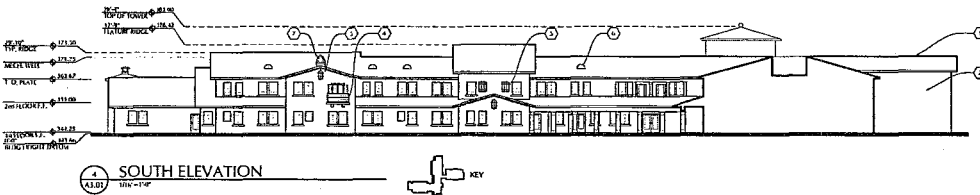
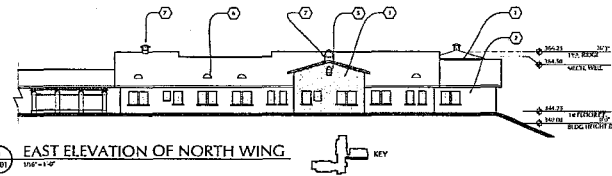
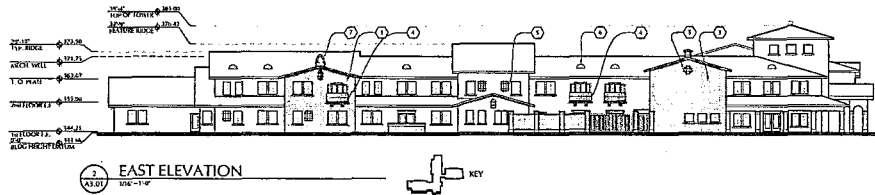
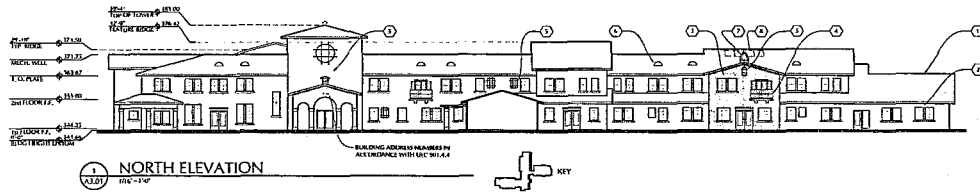
SANTALUZ - MC AND ALF
14740 VIA FIESTA
SAN DIEGO, CALIFORNIA, 92130
Santaluz, LLC

NO.	DATE	DESCRIPTION
1	2013-03-18	DATE
2	110176	JOB
3	2318	FILE
4		DESIGN
5		CHECKED
6		CUSTOMER APPROVAL
7		ARCHITECT APPROVAL

BUILDING ELEVATIONS, COLOR

A3.01B

<p>PREPARED BY: ANKROM MOISAN ARCHITECTS 14740 VIA FIESTA SAN DIEGO, CA 92130 TEL: 619.594.2100 FAX: 619.594.2104 WWW.AMKM.COM</p>	<p>DATE: 2013-03-18 JOB: 110176 FILE: 2318 DESIGN: CHECKED: CUSTOMER APPROVAL: ARCHITECT APPROVAL:</p>
<p>CLIENT: SANTALUZ LLC 14740 VIA FIESTA SAN DIEGO, CA 92130 TEL: 619.594.2100 FAX: 619.594.2104 WWW.AMKM.COM</p>	<p>PROJECT NAME: SANTALUZ ASSISTED LIVING AND MEMORY CARE 14740 VIA FIESTA SAN DIEGO, CALIFORNIA 92130</p>
<p>DATE: 2013-03-18 JOB: 110176 FILE: 2318 DESIGN: CHECKED: CUSTOMER APPROVAL: ARCHITECT APPROVAL:</p>	<p>REVISIONS: Revision 1: 12/05/11 Revision 2: 3/06/12 Revision 3: Revision 4: Revision 5: Revision 6: Revision 7: Revision 8: Revision 9: Original Date: 05/21/11</p>
<p>PREPARED BY: ANKROM MOISAN ARCHITECTS 14740 VIA FIESTA SAN DIEGO, CA 92130 TEL: 619.594.2100 FAX: 619.594.2104 WWW.AMKM.COM</p>	<p>DATE: 2013-03-18 JOB: 110176 FILE: 2318 DESIGN: CHECKED: CUSTOMER APPROVAL: ARCHITECT APPROVAL:</p>



KEYNOTES

PHYSICAL ELEMENTS

- ① THE ROOF
- ② STUCCO EXTERIOR WALLS
- ③ STONE VENEER EXTERIOR WALLS

ARCHITECTURAL DETAILS

- ④ EXTERIOR WINDOW
- ⑤ SPECIAL WINDOW SASH DETAIL AT WINDOWS
- ⑥ BALCONY ROOF VENTS
- ⑦ EXHAUST VENTS
- ⑧ WATERFALL

NOTE:
PLEASE REFER TO COLORED REVISING FOR ADDITIONAL DETAILS.

ANKROM MOISAN
ARCHITECTURE INTERIORS PLANNING
1470 VIA VERDE, SUITE 200, SAN DIEGO, CA 92108
TEL: 619-594-9000
WWW.AMKM.COM

SANTALUZ - MC AND ALF
1470 VIA VERDE
SAN DIEGO, CALIFORNIA, 92130
Santaluz, LLC

NO.	DATE	DESCRIPTION
1	2012-03-16	ISSUED FOR PERMIT
2	11/01/76	
3		
4		
5		
6		
7		
8		
9		
10		

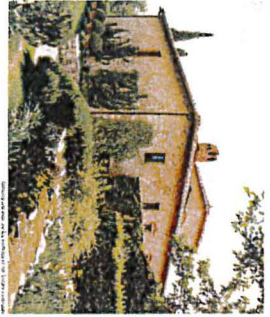
BUILDING ELEVATIONS

A3.01

SITE AND PROPOSED BUILDING DATA		ZONING DESCRIPTION	
GENERAL NOTES:	EXISTING CONDITIONS:	PROPOSED USE:	PROPOSED APPLICATION FOR:
ONE EXISTING 100' CONCRETE AND STEEL JOIST (LOCAL CONTACT) 2010-01-01	NO EXISTING LOT WITH AN EXISTING BUILT UP BUILDING.	100' CONCRETE AND STEEL JOIST	CONDOMINIUM USE
ARCHITECT: ANKROM MOISAN ARCHITECTS 1470 VIA VERDE, SUITE 200, SAN DIEGO, CA 92108	LANDSCAPE: CALIFORNIA LANDSCAPE ARCHITECTURE, INC. 1470 VIA VERDE, SUITE 200, SAN DIEGO, CA 92108	LEGAL DESCRIPTION: LOTS 1 AND 2 OF BLACK MOUNTAIN RANCH UNIT 100 PER MAP NO. 100077	ADDRESS: 1470 VIA VERDE, SUITE 200, SAN DIEGO, CA 92108
PREPARED BY: ANKROM MOISAN ARCHITECTS	PROJECT ADDRESS: 1470 VIA VERDE, SUITE 200, SAN DIEGO, CALIFORNIA 92108	PHONE NO: 619-594-9000	SECTION 1: 12/20/11
PROJECT NUMBER: SANTALUZ ASSISTED HOUSING AND MEMORY CARE	SECTION 2: 3/26/12	SECTION 3: 5/15/12	SECTION 4: 8/15/12
DTF PROJECT NUMBER: 200-200	SECTION 5: 10/15/12	SECTION 6: 12/15/12	SECTION 7: 1/15/13
SHEET TITLE: BUILDING ELEVATIONS	SHEET NO: 11	OF 18	DATE: 05/03/11
	DTF		

SANTALUZ CUSTOM HOME DESIGN GUIDELINES - TUSCANY FARMHOUSE

Author: **SANTALUZ**
 Project: **SANTALUZ**
 Date: **2024**



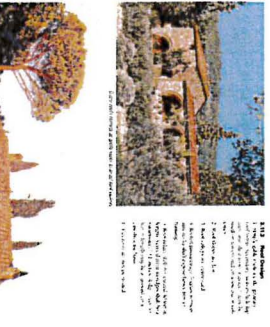
1.11 Exterior Elevation

This elevation shows the main facade of the house, featuring a large central window with a decorative pediment and a prominent chimney on the right side. The roof is finished with traditional terracotta tiles.



1.12 Exterior Elevation

This elevation shows a smaller building, likely a guest house or garage, with a similar architectural style to the main house, including a tiled roof and a small window.



1.13 Exterior Elevation

This elevation shows another view of the main house, highlighting the large tree in the foreground and the overall setting of the property.



1.14 Exterior Elevation

This elevation shows another view of the main house, highlighting the large tree in the foreground and the overall setting of the property.

Author: **SANTALUZ**
 Project: **SANTALUZ**
 Date: **2024**



1.15 Interior Elevation

This interior view shows the dining room, featuring a large wooden table and chairs, and a view of the kitchen area in the background.



1.16 Interior Elevation

This interior view shows the living room, featuring a fireplace, a large window, and a view of the outdoor area.



1.17 Interior Elevation

This interior view shows the kitchen, featuring a wooden island, a tiled backsplash, and a view of the dining area.



1.18 Interior Elevation

This interior view shows a bedroom, featuring a large bed, a window, and a view of the outdoor area.



1.19 Interior Elevation

This interior view shows a bathroom, featuring a bathtub, a window, and a view of the outdoor area.



1.20 Interior Elevation

This interior view shows another bedroom, featuring a large bed, a window, and a view of the outdoor area.

Author: **SANTALUZ**
 Project: **SANTALUZ**
 Date: **2024**

ANKROM MOIS/
 ARCHITECTURE INTENSIONS PLAN
 14740 VIA FIESTA
 SAN DIEGO, CALIFORNIA, 92130
 Santaluz, LLC

DESIGN GUIDELINES
 DC

GENERAL DATA	DESIGNER
PROJECT NAME: SANTALUZ	ANKROM MOIS/ ARCHITECTURE INTENSIONS PLAN
PROJECT ADDRESS: 14740 VIA FIESTA	14740 VIA FIESTA, SAN DIEGO, CA 92130
PROJECT NUMBER: 2024-001	2024-001
DATE: 2024	2024
CLIENT: SANTALUZ	SANTALUZ, LLC
ARCHITECT: ANKROM MOIS/ ARCHITECTURE INTENSIONS PLAN	ANKROM MOIS/ ARCHITECTURE INTENSIONS PLAN
PROJECT NUMBER: 2024-001	2024-001
DATE: 2024	2024
CLIENT: SANTALUZ	SANTALUZ, LLC
ARCHITECT: ANKROM MOIS/ ARCHITECTURE INTENSIONS PLAN	ANKROM MOIS/ ARCHITECTURE INTENSIONS PLAN
PROJECT NUMBER: 2024-001	2024-001
DATE: 2024	2024
CLIENT: SANTALUZ	SANTALUZ, LLC
ARCHITECT: ANKROM MOIS/ ARCHITECTURE INTENSIONS PLAN	ANKROM MOIS/ ARCHITECTURE INTENSIONS PLAN

Planning Commission Plan Amendment Initiation Issues and Responses

The Black Mountain Ranch Subarea Plan Amendment was initiated by the Planning Commission on August 23, 2012. Planning Commission Initiation Report 12-087 identified several issues for future analysis.

Planning Commission issues and staffs responses are provided below.

1. Appropriate land use designation and density range for the site:

The Black Mountain Ranch Subarea Plan includes institutional uses intended to provide public and quasi-public facilities that serve the adjacent residential neighborhoods. The Subarea Plan designates the northern parcel as Institutional-Recreation Center and the southern parcel is designated as Institutional-Seniors Center. The proposed amendment to redesignate the site to Institutional-Nursing Facility would help implement the Subarea Plan's goal of providing "senior housing, congregate care for the elderly ...and housing with supportive services," and would allow for the development of a nursing facility that would provide assisted living and/or dementia care for seniors.

The Institutional-Nursing Facility designation proposed in the amendment is consistent with the General Plan Land Use Designation and would not adversely affect the objectives of Proposition A and the NCFUA Framework Plan. The proposed designation would be located on a site that is graded and surrounded by developed uses and would not result in an increase in residential density. Thus, the proposed amendment would not adversely affect Proposition A objectives.

2. Site design considerations for new land use designation:

The proposed amendment is located on a site adjacent to other institutional uses, including a church, a POA facility, and an Elementary school. The location of the proposed institutional use on a corner lot would not adversely affect the adjacent uses nor the nearby residential developments.

The Community Design Element of the Subarea Plan contains Design Guidelines for the Residential Care Facility site located just north of the proposed project site. The Residential Care Facility includes uses that are similar to the nursing facility proposed by the applicant. As a result, the proposed project should consider implementing appropriate Design Guidelines identified in the Element, including:

- Building façades will be articulated to define scale. In no case will a building façade consist of an unarticulated blank wall or an unbroken series of garage doors.
- Visually prominent buildings will be designed to display importance through siting, careful articulation of massing and careful detailing.

Attachment 14
Community Plan Amendment Response to Issues

3. Compatibility and integration of new development with adjacent development;

The proposed nursing facility has been designed to emulate a Tuscan farmhouse to minimize mass and scale and create a residential scale. The Subarea Plan encourages the physical character of the South Village to be defined by a variety of architectural styles and housing types related to each other, and not by a uniform theme. The proposed design is intended to maintain harmony with the surrounding Mediterranean and Early California/Monterey style buildings that surround the proposed nursing facility. The entire facility will provide one and two story sections and setbacks to offset expanded planes. The use of smaller scale shed roofs will bring the building down to a human scale, consistent with the height, bulk, and scale of the collective buildings in the surrounding institutional and residential uses of the South Village.

4. Impact of potential development on public services and facilities:

All needed public services are available as the Black Mountain Ranch community is an urbanized community. The proposal would not result in any modification to the number of dwelling units currently allowed for in the community plan. The facility would consist of 64 assisted living units with 74 beds and 24 hour staffing. The nursing facility will accommodate elderly residence within an age range between 80-90 years requiring assistance with at least two activities of daily living. Many of the residents will require memory care as these residents will be treated for dementia on site. As a result, the proposed amendment would not adversely affect the surrounding public services and facilities, including the adjacent elementary school and community parks. Nor will the proposed amendment adversely impact the shared community fire stations, police stations, and libraries.

5. Pedestrian circulation and transit improvements;

The proposed amendment location is one of the few remaining vacant parcels within the South Village. As a result, the pedestrian facilities have been developed based on the traditional grid street organization identified in the Subarea Plan. In addition to the pedestrian-friendly facilities already developed, the Subarea Plan identifies a small transit center located on Camino Del Sur with shelter, bike lockers and vehicle parking that will establish a focus for future transit service. The future transit center is located less than half a mile from the proposed amendment location.

6. Limited ability of the Property Owners Association (POA) to develop future community facilities and meeting spaces as envisioned in the VTM/PRD:

Subsequent to the adoption of the Subarea Plan, the decision was made by the POA not to take title to the parcel designated for a recreation center. Instead, the POA opted to build recreational facilities at other locations within the Subarea Plan, including two 1- to 2-acre parks with playgrounds, one 3-acre enclosed dog park, additional areas improved for picnicking and parking, and walking trail enhancements; none of which were originally provided for in the Subarea Plan. The proposed amendment would not adversely affect the goals of the Subarea Plan as recreational facilities are provided throughout the community. In addition to the recreational facilities, the POA still maintains a site adjacent to the proposed nursing facility that could accommodate additional meeting spaces should the need arise in the future.

7. Provision of additional benefit to the community:

The proposed amendment would provide a public benefit to the community by retaining the Institutional uses within the subarea plan. The Institutional land use designation is for public and quasi-public uses that offer public and semi-public services to the community. The Subarea Plan further defines the Institutional uses, and the initiation would change the designation to Institutional -Nursing Facility, retaining the intent of the Subarea Plan for any future development to provide public/semi-public uses on the site. The development of a nursing facility that serves community members would be consistent with the proposed designation.

8. Consistency with Proposition A:

The proposed project is located in the non-phase shifted Proposition A Lands within Subarea I of the North City Future Urbanizing Area (NCFUA). In 1992, City Council adopted the NCFUA Framework Plan, which provided a blueprint for the development of Proposition A Lands. Prior to a Phase Shift, the Framework Plan (and Council Policy 600-29) identified avenues for development within Proposition A Lands, which include:

- development pursuant to the A-1 zone regulations (one dwelling unit per ten acres in most of the plan area);
- rural clustering at the same density;
- conditional uses which are non-urban in character; or
- clustered residential development at a density of one dwelling unit per four acres.

Development consistent with the underlying zoning (including the one dwelling unit per four acres clustering option provided by the PRD ordinance) at a density greater than one dwelling unit per ten acres was allowed to proceed prior to adoption of a subarea plan provided that the property owners do the following:

- Locate public facilities for the subarea and streets necessary to provide access to them as discussed in the Framework Plan;
- Show relationship of these facilities to land use and open space designated in the Framework Plan consistent with the Plan principles;
- Show location of the mixed-use community core and/or local mixed-use center as designated in the Framework Plan and identifies major road access to these areas;
- Adjust open space boundaries if development plans substantially deviate from the environmental tier shown in the Framework Plan;
- Provide a purchase agreement for public facilities sites as described in Policy 8.2c; and,
- Finance public facilities as described in the Plan.

In October of 1995, the City Council approved Vesting Tentative Map/Planned Residential Development (VTM/PRD) 95-0173, which allowed for the development of 942 single family lots, 179 multi-family affordable units, two 18-hole golf courses, and a series of subordinate

Attachment 14
Community Plan Amendment Response to Issues

uses, including the recreation center and senior's center sites. As a result of the 1995 approval, 3,690 acres or approximately 75 percent of Subarea I was approved for use and development under the terms of the VTM/PRD, and its associated resource protection ordinance permit, development agreement, and Environmental Impact Report (DEP No.95-0173), titled "Final Environmental Impact Report for the Black Mountain Ranch Vesting Tentative Map/ Planned Residential Development City of San Diego," which provided an environmental review of the Black Mountain Ranch VTM/PRD 95-0173 and was certified by the San Diego City Council at the time of their action on the VTM/PRD.

The approved VTM/PRD was found to be consistent with the General Plan, the North City Future Urbanizing Area (NCFUA) Framework Plan, and Proposition A. The development allowed through the VTM/PRD did not require a Phase Shift.

In 1998, the Black Mountain Ranch Subarea Plan was adopted to refine and implement the policy objectives of the Framework Plan. The land uses adopted through the VTM/PRD were incorporated into the Subarea Plan.

The proposed amendment is consistent with the General Plan Land Use Designation and would not adversely affect the objectives of Proposition A. The Proposition A analysis took place at the time of adoption of the VTM in 1995, and again with adoption of the Subarea Plan in 1998. These plans did not envision the site as being suitable for open space or agricultural land. The proposed nursing facility would be located on a site that is graded and surrounded by developed uses and would not result in an increase in residential density. Thus, the proposed project would not adversely affect Proposition A objectives.