



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: May 4, 2006 REPORT NO. PC-06-131

ATTENTION: Planning Commission
Agenda of May 11, 2006

SUBJECT: Initiation of an Amendment to the Kearny Mesa Community Plan and Progress Guide and General Plan to Redesignate a 2.77-Acre Site on Aero Drive and Afton Road from Industrial and Business Park to General Commercial. Project No. 66646.

OWNER/
APPLICANT: Soille San Diego Hebrew Day School

SUMMARY

Issue – Should the Planning Commission INITIATE a land use plan amendment to the Progress Guide and General Plan and Kearny Mesa Community Plan, pursuant to Municipal Code Section 122.0103, to redesignate a 2.77-acre site located at Aero Drive and Afton Road from Industrial and Business Park to General Commercial?

Staff Recommendation – INITIATE the amendment process.

Community Planning Group Recommendation – On November 16, 2005, the Kearny Mesa Community Planning Group voted 11-0-0 in favor of initiating the plan amendment (see Attachment 1).

Environmental Impact – If initiated, the proposed plan amendment and future discretionary actions will be subject to environmental review.

Housing Impact – None.

Approval of this initiation request does not constitute an endorsement of the project proposal. A staff recommendation will be developed once the project has been fully analyzed. This action will allow the staff analysis to proceed.

BACKGROUND

The subject site is located on the southwest corner of Aero Drive and Afton Road (see Attachment 2). The site is currently designated in the Kearny Mesa Community Plan for industrial and business park use (see Attachment 3). The applicant is proposing a redesignation of the site from industrial and business park to general commercial to continue the existing school functions on the site (see Attachment 4). While the applicant is proposing a land use change to general commercial, staff will evaluate whether an alternative land use designation, such as institutional, is more appropriate. The subject parcel is currently developed with a day school. The site is one of several parcels located on the south side of Aero Drive that is designated for industrial and business park use. Immediately adjacent to the south of the subject property is a vacant lot and office development. Further to the south is a school. To the southeast of the subject property is single-family residential. To the west of the subject site is another educational site, North City Center. To the north of the subject property across Aero Drive is the Montgomery Field Airport. To the east of the subject site across Afton Road is an office development for the Social Security Administration and Century Design.

The applicant, Soille San Diego Hebrew Day School, has owned and operated their 2.77-acre site as a K-8 school for the last 11 years. The applicant has had a Conditional Use Permit (CUP) for the operation of a school. In 2004, the Soille San Diego Hebrew Day School was granted a five-year CUP by the Planning Commission with the provision that the property be removed from its industrial and business park designation before any further extensions would be considered. The site contains a building that totals 52,525 square feet. Of that total square footage, all of it is used for the day school.

The proposed community plan amendment is located in an area of Kearny Mesa that has been studied for potential land use redesignations. A land use study was conducted for the area south of Aero Drive, east of Kearny Villa Road and within the boundaries of the Kearny Mesa community (see Attachment 5). The study was part of a recent request to redesignate another site, called the Parkview Aero Court project, from industrial and business park to mixed use. The Parkview Aero Court project, located along Aero Drive, was redesignated from industrial and business park to mixed use to accommodate residential and office development. It was presented to the Planning Commission on September 15, 2005, and was approved by the City Council on October 25, 2005.

The land use study that accompanied the Parkview Aero Court project is titled the West Aero Drive Land Use Study (Land Use Study) (see Attachment 6). The purpose of the study was to determine whether this area would be appropriate for collocation and/or conversion to alternative land uses. The Land Use Study area is comprised of approximately 70 acres, with 27 individual parcels. The majority of the land uses within the study area is other than industrial, and includes activities such as private schools, religious facilities, and offices. The Land Use Study summarized that the area in which the subject parcel is located is dominated by nonindustrial uses and is generally avoided by industrial users due to these conflicting uses. The conclusion of the study was that this area is more suited to nonindustrial uses such as office, institutional, and residential (see Attachment 8).

As a result of the study, the Kearny Mesa Community Plan was amended to identify this part of Kearny Mesa as an area in transition. The Land Use Study is now referenced in the Kearny Mesa Community Plan as a resource in reviewing future plan amendments and potentially an update to the community plan. The Kearny Mesa Community Plan acknowledges that much of the area south of Aero Drive is industrially designated, but includes a variety of other uses such as office and various institutional uses. The Kearny Mesa Community Plan states that there may be other more appropriate land use designations for this area.

On April 20, 2006, the Planning Commission initiated a community plan amendment for the Aero Drive mixed-use project, located a short distance to the east of this project, at Aero Drive and Sandrock Road. The request is for a redesignation from industrial and business park to mixed use. A primary concern raised by the Planning Commission at this hearing was the appropriateness of redesignating one parcel within the already established study area. The Planning Commission recommended that staff explore the feasibility of encompassing a larger area for redesignation. Staff is looking at the possibility of designating a larger area along West Aero Drive. The subject site is within this area identified by the Planning Commission which is land west of Sandrock and south of West Aero Drive.

DISCUSSION

Before a community plan amendment can be initiated, Section 122.0104 of the Municipal Code requires that any one of three initial criteria or all four supplemental criteria, specified in the code, must be met. The Planning Department does not believe that any of the following three initial criteria can be met:

- (1) **The amendment is appropriate due to a mapping or textual error or omission made when the original land use plan or local coastal program was adopted or during subsequent amendments;**
- (2) **Denial of initiation would jeopardize the public health, safety or general welfare; or**
- (3) **The amendment is appropriate due to a material change in circumstances since the adoption of a land use plan or local coastal program whereby denial of initiation would result in a hardship to the applicant by denying any reasonable use of the subject real property.**

The Planning Department does, however, believe that all of the following supplemental criteria can be met:

- (1) **The proposed land use plan amendment is consistent with the goals and objectives of the Progress Guide and General Plan and the Kearny Mesa Community Plan.**

The proposed community plan amendment would redesignate 2.77 acres of industrial and business park land to general commercial. The site could be potentially related better to the surroundings south of the site which include single-family residential uses, a park and a school.

The proposed land use amendment is consistent with the Kearny Mesa Community Plan. The community plan designates this site for industrial use and business park. Redesignation of this site to general commercial would provide a more consistent land use designation that would support the school activity. The community plan acknowledges that the subject property is located in an area along West Aero Drive that is in transition and is not suitable for industrial development due to conflicting uses in the area. The community plan states the area could be developed in the future with mixed office, institutional and residential uses. The proposed community plan amendment would redesignate the industrial and business park land uses to general commercial. Staff will evaluate the appropriate land use designation, if initiated, to determine what land use designation is more appropriate.

(2) The proposed land use plan amendment appears to offer a public benefit to the community or City.

This amendment would change the land use designation to one that is more compatible with a school use. The land use amendment would allow the school to continue to operate on site. The school provides educational and religious instruction which is an important supportive use to the community.

(3) Public services appear to be available to serve the proposed increase in density or intensity of use.

All needed public services (water, sewer) are available as the Kearny Mesa community is an urbanized community. Full analysis of public services and facilities will be conducted with the review of the community plan amendment, if initiated. An amendment to the Public Facilities Financing Plan for the Kearny Mesa community will be processed concurrently with the community plan amendment to address facilities' needs generated by the proposed land use change.

(4) City staff is available to process the proposed land use plan amendment without any work being deferred on general fund-supported programs or ongoing plan updates.

Staff is available to process the plan amendment request without delaying general fund programs or ongoing plan updates, as the Planning Department's work program includes staff time for non-general fund development projects. However, delays in processing the plan amendment could occur based on staff levels and workload. The costs associated with processing this amendment will be paid for by the applicant.

As outlined above, the proposed plan amendment meets all of the supplemental initiation criteria as described; therefore, the staff recommends that the amendment to the Kearny Mesa Community Plan and the Progress Guide and General Plan be initiated.

The following land use issues have been identified with the initiation request. If initiated, these issues, as well as others that may be identified, will be analyzed and evaluated through the community plan amendment review process:

- The impact of the changes proposed to the Montgomery Field Airport Land Use Compatibility Plan on the subject property.
- Analysis of the appropriate land use designation for the subject property including identification of alternative land uses for the site, should the school close.
- The impact of the proposed development on surrounding industrial users.
- The loss of 2.77 acres of potential industrial land.
- Traffic impacts resulting from the proposed development along with any associated improvements.
- Development of design guidelines in the community plan that will ensure integration of projects along Aero Drive for connectivity, visual compatibility and architectural fit.
- Opportunities for establishing multi-modal connections to maximize walkability and establish pedestrian linkages to reduce the overall need for auto dependence.
- Expanding the area of redesignation to include other property within the West Aero Drive Study Area.

Although staff believes that the proposed amendment meets the necessary criteria for initiation, staff has not fully reviewed the applicant’s proposal. **Therefore, by initiating this community plan amendment, neither the staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment.**

Respectfully submitted,

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- Attachments:
1. Kearny Mesa Community Planning Group letter from February 10, 2006
 2. Kearny Mesa Community Plan Aerial Map
 3. Kearny Mesa Community Plan Recommended Land Use
 4. Photograph of existing site
 5. West Aero Drive Study Area Location Map
 6. West Aero Drive Land Use Study Map
 7. Ownership Statement
 8. West Aero Drive Land Use Study (Planning Commission only)