

DATE ISSUED: May 19, 2005 **REPORT NO.** PC-05-178

ATTENTION: Planning Commission, Agenda of May 26, 2005

SUBJECT: SAN DIEGO JEWISH ACADEMY - PROJECT NO. 52184
PROCESS 5

REFERENCE: Planning Commission Report No. P-99-160 and Hearing Officer Report
No. HO-04-049

**OWNER/
APPLICANT:** San Diego Jewish Academy, A California Nonprofit Corp. (Attachment 7)

SUMMARY

Issue(s): Should the Planning Commission recommend approval to the City Council of a rezone of 19.16 acres from Agriculture Residential (AR-1-1) to Residential Single Unit (RS-1-14) and Open Space – Conservation (OC-1-1) at 11860 Carmel Creek Road within the Carmel Valley Community Plan area?

Staff Recommendation -

1. Recommend the City Council **Approve** Rezone No. 156452.

Community Planning Group Recommendation - The Carmel Valley Community Planning Board voted, on April 12, 2005, unanimously to recommend approval of the proposed rezone.

Environmental Review - The project is exempt from environmental review pursuant to Section 15060(c)(3) of the California Environmental Quality Act.

Fiscal Impact - No cost to the City. All costs are recovered by payment of a fee funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The rezone is being processed on a site developed with a private school and will not have any immediate housing impact.

BACKGROUND

The 19.16 acre site, within the Carmel Valley Community Plan area (Attachment 1), located at 11860 Carmel Creek Road is south of the Carmel Valley Creek, the Carmel Valley Restoration and Enhancement Project (CVREP) and Shaw Ridge Road (Attachment 2). The property has been developed in accordance with Resource Protection Ordinance, Coastal Development and Conditional Use Permit No. 98-0837(A tachment 3) for the purposes of a private educational academy (Attachment 4). The southerly portion of the site is encumbered by an existing conservation easement, document number 2000-0032738, for the purposes of preservation. The site is currently being used in accordance with the terms and conditions of the original permit.

DISCUSSION

Project Description

The rezone of the 19.16 acres from Agriculture Residential (AR-1-1) to Residential Single Unit (RS-1-14) and Open Space – Conservation (OC-1-1) would not allow any additional development of the site. Development of the site has occurred in conformance with the previous permits issued in 1999. These permits limit and control the development and use of the site. The purpose of the rezone is to place the open space into a current open space zone and to increase the value of the property for financing purposes. Currently the site, zoned as an agricultural zone, has a very low value to financial institutions who review applications for the purpose of lending funds to the academy. Rezoning the site to open space and residential will increase the value of the property in the estimation of the lending institutions and have no effect on the development of the site. The San Diego Jewish Academy would be able to acquire increased financing from lending institutions for the Academy's planned future improvements and program expansions.

No additional entitlements are requested in connection with the rezone application. No additional development rights would be granted by the approval of the rezoning of the site. Development and use of the site is controlled by previously approved permits.

Precise Plan Analysis

The San Diego Jewish Academy (SDJA) is largely located within a residentially designated area of the Carmel Valley Community Plan and the educational use was determined to be consistent with the community plan at the time the Conditional Use Permit No. 98-0837(CUP) was approved. Educational uses and their associated recreation facilities are allowed within residentially designated areas by CUP.

Detailed land uses within Carmel Valley are determined by the precise plan process. The Carmel Valley Community Plan requires preparation of precise plans for each of 10 neighborhood development units within the community. A portion of the SDJA property is located within Carmel Valley Neighborhood 8. A precise plan was adopted for this neighborhood in 1984 and a

large portion of the SDJA is designated and zoned for residential development by the Precise Plan. The remaining natural slopes are designated and zoned Open Space.

The portion of the SDJA property subject to the proposed rezone is not included within a precise plan. The desire to maintain the existing large-lot residential character within a portion of Carmel Valley Neighborhood 8 precluded a neighborhood land development plan for this area. However, a land use plan was approved for Neighborhood 8 as a result of an amendment to achieve consistency with the Multiple Species Conservation Program (MSCP) in 1999. This amendment modified land uses for the portion of Carmel Valley south of SR-56 to incorporate the MSCP preserve into the community's open space system.

The portion of the SDJA not within a precise plan is designated for Very Low Density Residential development and Open Space by the 1999 land use plan (Attachment 2). The area is zoned Agriculture (AR-1-1). The area proposed to be rezoned to Residential (RS-1-14) is within the portion of the ownership designated for residential use. Therefore the rezone from agriculture to residential is consistent with the approved land use plan. The area proposed to be rezoned to Open Space (OC-1-1) is designated residential and open space, although most of this area is conserved by the CUP as open space through an easement. Therefore, the rezone from Agriculture to Open Space is consistent with the land use plan and the CUP.

Project-Related Issues

During the review of this application City staff did not identify any issues with the proposed rezone. Staff analysis has determined the proposed zones are the most appropriate for the existing uses and conservation. There are no unresolved issues regarding this application.

Critical Project Features to Consider During Substantial Conformance Review

As there is no additional development rights granted to the property owner, should the City Council approve the new zoning, there would be no critical project features to consider during a substantial conformance review subsequent to the rezone approval.

CONCLUSION

Staff has determined the rezone is consistent with the Carmel Valley Community Plan and would not create any concerns with the existing approved permits or the continued use of the property as a private academy. Staff recommends approval of the application to rezone the 19.16 acre site from Agriculture Residential (AR-1-1) to Residential Single Unit (RS-1-14) and Open Space – Conservation (OC-1-1).

ALTERNATIVES

1. **Approve** Rezone No. 156452, with modifications.
2. **Deny** Rezone No. 156452.

Respectfully submitted,

Marcela Escobar-Eck
Deputy Director
Customer Support and
Information Division
Development Services Department

John S. Fisher
Development Project Manager
Customer Support and
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Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Draft Ordinance
5. Rezone Sheet B-4218
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Project Chronology

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