



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

DATE ISSUED: December 8, 2005 REPORT NO. PC-05-351

ATTENTION: Planning Commission  
Agenda of December 15, 2005

SUBJECT: Initiation of an amendment to the Torrey Hills Community Plan, Progress Guide and General Plan, and Local Coastal Program to amend the *Land Use by Traffic Analysis Zone* table and revise the commercial and open space boundary to allow development of a commercial project at a higher intensity than currently allowed under the Torrey Hills Community Plan.

OWNER/  
APPLICANT: Sorrento Hills Marketplace 2

### SUMMARY

Issue – Should the Planning Commission INITIATE a land use plan amendment to the Progress Guide and General Plan and the Torrey Hills Community Plan pursuant to Municipal Code Section 122.0103? This amendment has been requested to amend the Average Daily Trips (ADT) and Building Intensity in the *Land Use by Traffic Analysis Zone* table and to revise the commercial and open space boundary for development of a commercial project at a higher intensity than currently allowed under the Torrey Hills Community Plan.

Staff Recommendation – INITIATE the plan amendment process.

Community Planning Group Recommendation – On October 25, 2005, the Torrey Hills Community Planning Board voted unanimously (9-0-0) to recommend approval of the initiation of the community plan amendment process. In addition, the Torrey Hills Community Planning Board submitted a letter dated October 25, 2005 to the Planning Department which identified issues that should be evaluated if the proposed plan amendment is initiated (see Attachment 7).

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

Fiscal Impact – None. Costs associated with processing this application are reimbursed by the applicant.

Housing Impact – None. The land use designation of the subject site is a combination of commercial and open space. No residential densities are associated with these uses and no residential units are proposed.

**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 in the Torrey Hills community planning area. Torrey Hills is a community bounded by Carmel Valley to the north and east, Los Peñasquitos Canyon to the south and Interstate 5 and the Torrey Pines community to the west (see Attachment 1 – Vicinity Map).

The 2.49-acre site is located at the southwest corner of Carmel Mountain Road and East Ocean Air Drive (see Attachment 2 – Aerial Location Map). The parcel is currently vacant and has been previously graded. The site is surrounded on the south and west by slopes that are part of the open space, owned and maintained by the Torrey Hills community association. The proposed plan amendment would also adjust the lot boundary to include a small portion of these slopes as part of the project site. An SDG&E substation is located further to the south. The Torrey Hills shopping center is located to the east across East Ocean Air Drive and residential development is located to the north across Carmel Mountain Road.

The Torrey Hills Community Plan designates the majority of the subject site as commercial. The slopes to the south are designated as open space (see Attachment 3 – Land Use Map). The site is zoned Commercial-Neighborhood, CN 1-2. The commercially designated portion of the site is identified by the Torrey Hills Community Plan as the west portion of the Torrey Hills Neighborhood Commercial Center, which includes the adjacent shopping center site (see Attachment 4 – Commercial Land Use Map). The community plan recommends neighborhood-serving commercial uses within this designation, specifically the possibility for a gas station at this corner. The approximately 13-acre Torrey Hills Neighborhood Commercial Center is also intended to reduce the amount of commercial service oriented external trips made by workers and residents of Torrey Hills.

The proposed plan amendment would allow more commercial square footage than currently allocated in the Torrey Hills Community Plan for the Torrey Hills Neighborhood Commercial Center. The plan amendment would change the ADT and Building Intensity in the *Land Use by Traffic Analysis Zone (TAZ)* table for TAZs 732 and 733 to increase Buildable Intensity within Zone 732. The amendment would also shift the boundary between the commercial and open space designations. The applicant is also proposing to remove the specific recommendation for a gas station and car wash at this site.

### Open Space and Commercial Boundary

The Land Use Map in the Torrey Hills Community Plan indicates that the corner portion of the site is designated commercial without providing parcel level detail or topographic boundaries. The applicant is proposing a lot line adjustment that would reconfigure the existing parcel and

designate the entire parcel commercial (see Attachments 5a and 5b – Parcel Exhibits). The site is graded and framed by slopes at the rear. The intent of the Land Use Map is for an area at the corner of Carmel Mountain Road and East Ocean Air Drive to be graded for commercial development and the slopes to the south to be retained as open space.

Based upon the Land Use Map, staff believes that the commercially designated area is located within the previously graded portion of the corner parcel. However, some of the previously graded areas on the parcel are also designated as open space, particularly along the western portion. The applicant is proposing to include some of these previously graded areas into the landscaped area fronting the two major streets.

The Open Space and Resource Management Element of the Torrey Hills Community Plan discusses the internal and perimeter slopes located throughout the community and states the open space along the south side of Carmel Mountain Road provides a natural backdrop to development. A portion of the open space located on this site has been graded to allow vehicular access to the site from Carmel Mountain Road and does not contribute to the slopes and natural landform along the street. Therefore, the subject site merits further analysis in determining an appropriate boundary between the commercial and open space designated areas, although the proposed land use boundary change has not been quantified. A further analysis of the boundary adjustment including, but not limited to, a slope analysis and biological report are required before a new land use boundary can be determined or supported.

#### Average Daily Trips and Building Intensity

The applicant is requesting to amend Table C-1, *Land Uses by TAZ*, of the Torrey Hills Community Plan (see Attachment 6 – Table C-1 and TAZ map). The entire Torrey Hills Neighborhood Commercial Center is located within TAZs 732 and 733. The subject site is within TAZ 732 while the adjacent commercial shopping center site is within TAZ 733. The adjacent site TAZ 733 was allocated 8,640 ADT in Table C-1 and the subject site allocated 720 ADT for a total of 9,360 ADT for the entire Neighborhood Commercial Center. Upon completion, the adjacent site will utilize 7,511 ADT of their allotment. The applicant proposes to amend the table to shift 606 of the remaining ADT from TAZ 733 to TAZ 732, increasing the allowable ADT from 720 to 1,326. The applicant is not proposing to increase the overall ADT for the aggregate of the two sites.

In addition, the applicant is proposing to increase the Buildable Intensity within TAZ 732. Currently, the plan allows for 10,000 square feet within commercial area of TAZ 732. The applicant is proposing 18,000 square feet of commercial, including retail and office development, be permitted on the corner parcel.

The proposed plan amendment would allow for a re-alignment of land use and zoning and increase the developable intensity through more square footage and ADTs on the subject site. A land use boundary adjustment to designate additional areas of the site from plan designated open space to commercial land use may or may not be determined appropriate following further analysis. The re-designation of areas within the site between open space and commercial would allow for both additional commercial services and greater consistency with the established zone.

## 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 textural 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;**
- (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 Torrey Hills Community Plan.**

The land use boundary change and the increase in ADTs on the subject site will allow for additional building intensity. An increase from 10,000 square feet to 18,000 square feet will allow for the site to be developed with added commercial space that was not originally planned for the site.

The proposed increase to the building intensity allocated to the site is consistent with the intent of the Torrey Hills Community Plan to provide a range of commercial services within the community and to efficiently utilize the remaining undeveloped site within the neighborhood commercial center. The building intensity increase may be accommodated without an increase in total ADT allocated to the neighborhood center because unused trips are available for transfer from the adjacent shopping center development. The ADTs will be increased from 720 to 1,326 on the subject site by shifting an excess of 606 ADTs currently allocated to the adjacent commercial site (TAZ 733). Total ADTs for the Torrey Hills Neighborhood Commercial Center will remain at 9,360.

The land use boundary adjustment between planned open space and commercial land use will not adversely impact the Torrey Hills Community Plan provided the proposed boundary configuration is based on detailed site constraints and any grading within existing slope areas be sensitively designed and screened by proposed structures. Landscape planting of previously graded areas designated as

open space along the two major streets will enhance open space within areas of high public visibility.

The Torrey Hills Community Plan identifies the project area as commercial and open space without providing parcel level detail. The portion of the site designated for development is within a pie-shaped area on the graded portion of the property, starting at the corner of the site radiating back towards the rear slopes. It appears from both aerial photographs and current topography that portions of the graded area of the subject parcel are located outside the commercial designation and are within planned open space. Therefore, it may be possible to allow additional grading onsite and not significantly impact resources intended for preservation as open space based upon a more detailed site constraints analysis.

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

The subject site is part of the Torrey Hills Neighborhood Commercial Center and was originally planned to be developed as a gas station and car wash. The Torrey Hills Neighborhood Commercial Center is one of three commercially designated areas in the Torrey Hills community and is intended to provide neighborhood commercial services to local residents and workers. Increasing the plan recommended square footage and average daily trips for this site would allow for a greater variety of commercial services to be located at the site. Increasing commercial services that support the local community will add convenience for residents and workers and reduce external commercial service oriented trips.

Increasing the intensity of commercial use on the site may provide more commercial opportunities within the Torrey Hills community and efficiently utilize the remaining undeveloped commercial land. There are relatively few commercially designated sites within Torrey Hills and within the portion of the Carmel Valley community south of SR-56. There are 4,577 dwelling units planned for Torrey Hills and Carmel Valley neighborhoods south of SR-56 and only 17 acres of neighborhood commercial use are planned to serve this network of communities. Therefore, there are limited opportunities to increase commercially designated land if it is necessary to provide additional commercial services to the community. The transfer of unused ADTs and increase in building intensity on the subject site will ensure that the additional commercial space is accommodated within the traffic framework established by the Torrey Hills Community Plan.

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

The commercial land use on this site is part of the larger Torrey Hills Neighborhood Commercial Center and is planned for a building intensity of 10,000 square feet with 720 ADTs. The community is largely built out and public services are available to serve the subject site as well as the surrounding area.

Commercial uses also provide services to the community and the relatively small increase in the total commercial building intensity proposed does not appear to pose an impact to public services. However, the adequacy of public services to serve the proposed increase in intensity of use will be examined in more detail if this initiation request is approved.

**(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 this 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 the supplemental initiation criteria; therefore, the Planning Department staff recommends the proposed amendment to the Torrey Hills 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:

1. The appropriate configuration of development area versus open space;
2. Compatibility of the proposed re-designation of open space with the preservation of adjacent slopes per the Torrey Hills Community Plan grading design objectives;
3. Implementation of the Torrey Hills Community Plan design recommendations to provide pedestrian connections to offset the increase in building intensity;
4. Potential traffic impacts to the adjacent intersection associated with the ADTs transferred to this site;
5. Any impact of additional commercial use at this site on public services and facilities; and
6. Rezone the area in accordance with the proposed plan amendment and final lot line adjustment.

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

## ALTERNATIVES

Deny the initiation request and maintain the existing commercial land use and open space designations and ADT and building intensity in the Torrey Hills Community Plan.

Respectfully submitted,

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Acting Program Manager  
Planning Department

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Sara Osborn  
Assistant Planner  
Planning Department

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### Attachments:

1. Vicinity Map
2. Aerial Location Map
3. Land Use Map
4. Commercial Land Use Map
5. a. Proposed Land Use Boundary  
b. Engineering Topographic and Parcel Exhibit
6. Table C-1, *Land Uses by Traffic Analysis Zone* and TAZ Map
7. Torrey Hills Community Planning Board Letter to Staff October 25, 2005
8. Ownership Disclosure Statements