



Rancho Peñasquitos Planning Board Meeting Minutes

December 7, 2011

Attendees: Jon Becker, Joost Bende, Suzanne Brooks, Thom Clark, Bill Diehl, Bill Dumka, John Keating, Ruth Loucks, Dann Mallec, Darren Parker, Jeanine Politte, Keith Rhodes, Mike Shoecraft, John Spelta

Absent: Scot Sandstrom, Charles Sellers, Dennis Spurr, Ramesses Surban

Community Members & Guests (Voluntary Sign-in): Deborah Russell, Marcela Escobar-Eck, Rolf H. Lee, Marc Roland, Jagadish Nayak, Nancy Denen, Kristin Edwards, Gary Seward, Hossein Azar, Geoff Hsu, Will Rogers

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1. The meeting was called to order at 7:35 pm at the Doubletree Golf Resort located at 14455 Peñasquitos Drive, San Diego, California 92129. A Quorum was present.
 2. Agenda Modifications: Bende recommended approval of the 11/7/11 minutes to the end of meeting.
 3. Guests: no Public Safety Agencies were present.
 4. NON-AGENDA, PUBLIC COMMENTS:
 - a. Bende commended Diehl and PQ Park & Rec Council for coordinating a great Winter Wonderland event at Hilltop Park on December 3rd. Diehl noted that as of today, some of the snow had not melted and Park & Rec will discuss for future events ways to prevent hooves marking the sidewalks.
 5. ANNOUNCEMENTS & INFORMATION ITEMS:
 - a. San Diego City Council District 1 Report – Stephen Heverly
 - i. City Council approved a Street Light Replacement Program this fall (2011), where 80% of lights would be replaced with more efficient conduction lighting (more like daylight and bulbs last longer); saves approx. \$2.2M annually and completed next summer.
 - ii. City Council held a night time meeting in November (Regulatory Relief Day) to allow citizens who might not be available for daytime meetings to attend. Open forum covered discussion of ideas to improve government processes by and for small businesses; Council will review ideas to help cut the red tape over the next year.
 - iii. Rancho Peñasquitos traffic and street related issues –
 - 4 pothole crews were doing repairs this past week. Staff drove around the District to identify areas of need and then the crew filled the holes. Over 800 potholes were repaired in all of District 1. Mayor's office was very cooperative with this endeavor.
 - Paseo Montril, at Rancho Peñasquitos Blvd., traffic lanes' dividing line was moved following complaints that when large vehicles were parked in angled parking spots, the adjacent drive lane was too narrow to use without crossing into oncoming traffic. There was no loss of left- turn lane onto Rancho Peñasquitos Blvd.
 - Angled Parking on Salmon River Rd. adjacent to Off-Leash Park is still being reviewed by traffic engineering; looking to make sure there is no loss of left turn lane from Salmon River Rd. onto Fairgrove.

- o Keating noted that RV and large vehicles would need to find a new place to park and the City is hesitant. Speeding is another reason RPPB approved angled parking for this section of Salmon River Rd. along with providing parking for Off-Leash Park users and additional parking for the Library & YMCA users. Keating asked Heverly to go back to Traffic Engineering and tell them we hear them, but we approved the angled parking.
- o Becker noted that the speed limit on Salmon River Rd. has been increased and recommended that angled parking striping and speed limit change order be worked together.
- o Heverly suggested that if the Council Office doesn't get traction from Traffic Engineering, RPPB may need to strengthen our request with an additional vote and letter.
- Copper wire thefts in the community – Besides the park thefts reported last month, street lights on Camino del Sur have also been hit. Loucks noted that NE Police Substation is working on the case. Heverly recommended that citizens report any unusual activity near light poles to nonemergency police phone number 619-531-2000 or call 911 if you see a crime in progress; \$1000s to repair/replace.
 - o Diehl added that the City has only 3 electricians on staff to do repairs City wide and it takes a long time to get repaired.
 - o Becker suggested that while doing the Street Light Replacement program, the access boxes could be checked and made more inaccessible to thieves at that time or at a minimum check the condition and document for future repair.
 - o Heverly added that the Police Dept. is working with the recyclers to gather names of patrons turning in copper.
- Becker thanked Heverly and District 1 staff for working with Traffic Engineering to install the stop signs on Calle de las Rosas; adding that there is another request in Torrey Glens that RPPB will be reviewing in the coming months.
- b. San Diego City Planning & Community Investment Report – Michael Prinz, no report
- c. Assembly Member Nathan Fletcher's Office Report – Sterling McHale, no report

6. BUSINESS.

a. **Sewer Pump Stations 62 & 84 (Project 242235) – Rolf Lee & Hossein Azar (Action Item)**

Lee reported that staff is still working with SDG&E to coordinate demolition of Pump Station #62; will be contacting PUSD Administrative offices to coordinate traffic concerns/scheduling. Becker thanked Lee for contacting Rolling Hills Elementary School's principal per RPPB's request.

- Intent is to build the forced mains from Station 62 to the gravity main before school is out of session. Becker inquired if project has gone to bid (Dec.); yes. Lee said that addendums will contain all additional requirements; must issue all addenda 10 days prior to bid opening. \$8.6 million.
- Politte asked for confirmation that the project would not impact the students and the school year; Lee confirmed. Referencing the Public Notice, Politte inquired if the City Council has approved the project yet; Azar stated, not yet but the project can be advertised prior to approval which gives contractors a chance to review and the bid date could be extended if City approval is delayed. Politte asked if both Pump Stations are being bid on as a joint project? Lee responded, yes.

- Bende asked for clarification; Lee stated the bids are due January 18th now but scheduled to go to City Council for approval in February.
- Bende asked if parcels would be restored to natural habitat? Lee stated that the latest plan was just distributed via email. Becker added that per the plan, the easement would be revegetated with natives using temporary irrigation and the street right-of-way would be returned to appropriate standards once vegetation is established. Lee added there is 120 day plan of establishment and 25 months of maintenance.
- Politte requested that curb cut be removed at Pump Station #62 and a form of barricade be placed to keep vehicle traffic out. Easement path will be wide enough to be driven on by maintenance vehicles which means others could also.
- Bende requested boulders (more natural) or bollards be placed between vegetation and cul-de-sac once vegetation is established and curb cut is removed to deter vehicles from driving through.
- Hsu, resident adjacent to Pump Station #62, requested that the curb apron be removed and was agreeable with either bollards or boulders.
- Politte asked for confirmation on connection of sewer line replacement at Pump Station #62 to gravity main; only to Del Diablo. Existing 8" line will be abandoned in place when new lines are laid. Will this eliminate having the Vactor trucks coming and cleaning the lines? Lee said the Vactor trucks will continue to clean/maintain the lines regularly and two 12" forced mains are being laid for redundancy. For clarification, our sewer waste will go to Station 84 once project is completed and then back through our community in the new forced main along Paymogo, Alamazon St. & Peñasquitos Blvd. to Del Diablo where it will feed into the existing gravity main to Carmel Mtn. Rd. main.
- Lee added that we are not adding additional flow rate to the lines – both areas are built out; just a change of the pumping location and new forced main lines. All waste for these two communities presently goes through our area to the Carmel Mtn. Rd. main.
- Politte inquired if any spills were documented for Pump Station 62 that might need additional mitigation; no spills in last 10 years were documented and no records prior to last 10 years. Hsu added that he hasn't experienced any spills in the last 10 years in his neighborhood.

Motion: To accept the CIP project to upgrade Sewer Pump Station 84 and abandon Station 62 with the following conditions: 1) To remove the curb apron, 2) To place boulders adjacent to sidewalk/curb to deter vehicles from driving onto vegetation/path once vegetation is established. M/S/C – Politte/Bende/Discussion

- Resident inquired on time allowed for completion and requested that forced main be installed during summer months. Lee stated the contract would require completion within 365 days and forced main portion would be completed during school's summer recess.

Politte amended the motion to include additional condition: 3) The contractor will coordinate construction activities with Rolling Hills Elementary and PUSD to not impact operating hours, activities and drop off/pick up of students; Bende agreed to amendment, followed by additional discussion.

- Denen asked if construction would hamper the community's ability to get out in case of an emergency when Peñasquitos Drive is our only entrance into the community.

- Becker stated that the contractor will have traffic control plan mandates; Azar replied that construction would only close down one side of the street.
- Politte asked how much road would be torn up at one time; Becker stated that plates would be placed over the trenches so residents could drive over them when crews were not working. Lee added that trenching would be done in segments.

With no additional questions, Becker called for a vote of the motion.

Motion: To accept the CIP project to upgrade Sewer Pump Station 84 and abandon Pump Station 62 as submitted with the following conditions: 1) To remove the curb apron, 2) To place boulders adjacent to sidewalk once vegetation is established to deter vehicles from driving onto vegetation/path, 3) The contractor will coordinate construction activities with Rolling Hills Elementary and PUSD to not impact operating hours, activities and drop off/pick up of students. M/S/C – Politte/Bende/Approved, 14 in favor – 0 against – 0 recusals/abstentions.

b. **Lifetime Montessori CUP – Gary Seward & Marcela Escobar-Eck (Action Item)**

Escobar-Eck informed RPPB that she has been assisting the Montessori with their project. She noted that the original CUP that was approved in 2006 was not required as the site was approved for this use when the original Black Mtn. Ranch Development Agreement was approved. The Montessori is not asking to rescind the original CUP, chose to amend it as it stands. LUC discussion included the following:

- Add the education facility use to the Montessori via amendment to the CUP.
- Parking requirements are an issue. LUC requested 26 parking spaces on site and replacement of 3 dead trees.
- Montessori administration has agreed to work/communicate with neighbors about traffic issues.
- Bende noted that Ms. Heidelberg, a neighbor of the Montessori, had spoken at the LUC meeting and indicated that she would return for the regular meeting; she was informed that agenda times were approximate but because we were ahead of schedule he asked that we locate her if she is still in the building.
- Bende reported on the LUC meeting and discussion. The previous cycle report required 32 parking spots. The Montessori reported that after reassessing the square footage, by removing accessory use square footage, Montessori representatives determined the required spots would be 23 spots. Bende stated that it is acceptable to reduce square footage/parking requirements by removing ‘accessory use’ areas of a project. The Montessori included the administrative offices as ‘accessory use’ but the LUC discussed/requested that 3 additional spots be included for the administration office staff that would be on site for a total of 26 parking spaces. The LUC motion to approve the project with the following conditions: 1) provide 26 onsite parking spaces and 2) the addition of 3 – 24” boxed shade trees to replace dead trees was approved by LUC 6-1 in favor. There was discussion in LUC that the 3 additional parking spaces could be found by restriping existing spots and if not feasible a shared parking agreement with a neighbor would be required.
- The Montessori was also looking into a shared parking agreement with another adjacent lot that the HOA is using. Seward added that a shared parking agreement with the Muslim Community Center was not possible at this time.
- Diehl asked if parking is presently available for the HOA on the adjacent lot; Dumka stated a landscape company is using as staging yard.

- Keating asked for clarification; the existing building has 23 parking spots and are planning to add 3 classrooms in the new 4,400 sq. ft., 2-story building. Yes.
- Seward stated there are 23 staff members and Kristin Edwards, Director, said there are no volunteers that would need parking.
- Keating added that he would not support temporary parking by using the drop off spots.
- Bende, noting that Heidelberg had not been found onsite or returned for this agenda item, briefly stated her concerns: the lack of landscaping on MCC property, MCC parking is temporary/chalked lines on dirt, traffic/delays on Camino del Sur and widening the road to accommodate traffic. Becker added that if the Montessori had attained a shared parking agreement with MCC, Heidelberg's concerns would have come into play as the MCC parking is not on a paved lot.
- Escobar-Eck stated that the Montessori would look onsite for the additional parking spaces, acknowledging the LUC's desire to have 26 total onsite spaces.
- Clark stated that 'required' and 'need' are different. Bende stated that BMR requires 1 parking space for every 400 sq. ft. of use which would require 32 spaces without using the 'accessory use' reduction. Clark added that real need may be greater. Clark asked how many local students that might be walked in; Edwards said approx. 5% of students live close enough.
- Heverly noted that parking at the MCC is an issue, District 1 office has received numerous complaints, which staff are following up on.

Motion: To approve the Lifetime Montessori CUP amendment with the following conditions: 1) provide 26 parking spaces (1 per 400 sq. ft. less accessory use square footage not to include the administration area which should be designated as primary use), 2) add 3-24" boxed shade trees (species per original CUP approval). Additionally, all parking should be on site and if not possible, a shared parking agreement with an adjacent land owner must be provided. M/S/C – Bende/Mallec/Discussion.

- Bende noted Keating's suggestion of using the other adjacent driveway and sidewalk for the drop off area and use current drop off spaces as the additional parking spaces.
- Keating agreed to support onsite parking over shared parking.
- Brooks asked how many additional students would be accommodated with the additional classrooms; 88 new students. How many cars for daily drop off with additional students; 180 cars approximately. Is the proposed ADT compliant? Escobar-Eck stated the plan does comply with overall master plan; 84 AM / 79 PM additional trips per the traffic analysis completed.
- Diehl asked if this is the final phase for the Montessori School? Seward stated yes they would not be back to request additional; changed the plan to existing to provide required play area.
- Clark asked why LUC requested 3 trees; Becker replied, to replace trees that have died or disappeared with species/size comparable to existing. Edwards added that the Montessori had just replaced one of the dead trees with a quick growing evergreen species similar to the original and the fruit trees will be removed for the additional building.
- Diehl asked if the CUP would expire; Escobar-Eck said there is no expiration date.
- Spelta inquired about start/end times as PUSD's Willow Grove is nearby, also generating traffic; starts/ends later than Montessori.

- Clark asked about parking while waiting to pick up students; Edwards replied, there is no parking problem while waiting to pick up students.
- Following no further discussion, Becker called for vote of the motion as follows:

Motion: To approve the Lifetime Montessori CUP amendment with the following conditions: 1) provide 26 parking spaces (1 per 400 sq. ft. less accessory use square footage not to include the administration area), 2) add 3-24" boxed shade trees (species per original CUP approval). Additionally, all parking should be on site and if not possible, a shared parking agreement with an adjacent land owner must be provided.
M/S/C – Bende/Mallec/Approved, 13 in favor – 1 against (Politte) – 0 recusals/abstentions. Politte voted against the motion because we don't have the actual location of the parking places and City staff has not reviewed the placement.

- Escobar-Eck stated that she will send final approval documents to RPPB before going to hearing.

c. **AT&T Mira Zanja Corte, Project No. 224583 – Monica Moretta & Megan Murphy (Action Item)**

Clark reviewed the Telecomm Committee's recommendations, as follows: 1) max. number of fronds, 2) minimize frond length, 3) screen chain link fence with neutral color mesh or slats, 4) randomize live and dead looking fronds, 5) protect fence along driveway. Recommendations were approved unanimously at Telecomm Committee. Moretta explained this project is a modification of an existing mono-palm at Evergreen Nursery, upgrading to 4G technology. The project will go from 6 to 12 antennae plus the addition of 2 equipment cabinets located at base of facility and relocation of facility. Dead frond design is needed to conceal the added antennae.

- Bende noted the property is agriculturally zoned and asked the distance to the nearest residence; Moretta stated the Nursery structures are approx. 40' and the property line is 100' to the north where residential is located.
- Brooks asked for clarification on proximity to residential units.
- Mallec inquired about Cycle Review feedback. Moretta noted cycle report comments related to the number of fronds, painting antenna green to match fronds and hide antenna behind dead fronds. Engineering notes in regards to BMPs.
- Parker asked if antenna socks were being used; Moretta stated no, palm trees do not usually include socks. Murphy added, the dead fronds are 8' to hide the antenna close to the trunk.
- Bende asked for the distance the mounting arms would extend out from the pole; approx. 3'5" (4' to outside of antenna per handout).
- All adjacent neighbors were mailed notices according to Moretta as well as AT&T posting at the property (Evergreen Nursery).
- Politte noted dislike of dead fronds, look un-kept.
- Bende, referencing page A-1 of plans, noted that upper left diagram shows existing buildings as 'residences'. Moretta believes these buildings are used for nursery workers. Bende requested that the word 'residences' be replaced with 'existing buildings' so as to not set precedent for future projects. Murphy added that the site is commercial use and deemed as a desirable location by the City.
- Keating agreed with Politte on dead fronds and noted that it would be the only telecomm tree at this site with dead fronds; Moretta stated that the dead fronds were provided at the request of City staff to conceal antenna.

- Becker asked if Keating was suggesting that dead fronds be added to other trees. The City is looking for solutions so providers can add antenna to existing trees that are less obnoxious than the giant pineapple.
- Politte noted that other providers will come back with dead frond trees in future renewals/upgrades. Is that what we want?
- Bende referencing sims, the tree to front of ATT does not include the ancillary equipment of upgraded service; good view comparison of two looks.
- Loucks asked how the tree looks to neighboring residences. Moretta noted that there are other real palms and as a nursery, lots of trees that block view.
- Spelta stated that he preferred this design to the giant pineapple that RPPB previously denied.
- Brooks asked about the total radio frequency allowance for all trees together. Moretta stated they turn on all antenna at the same time to read, each provider is required to submit a report individually and cumulative; Murphy confirmed that the City is asking for both reports.

Motion: To approve Project No. 224583 - 14181 Mira Zanja Corte (SD0599) with the following conditions: 1) Maximize the number of fronds, 60 fronds minimum, 2) Minimize the arm length to no more than 4', 3) Screen the chain link fencing with neutral colored mesh or slats, 4) Randomize live and dead fronds, 5) Protect fence along driveway, 6) Site Plan Sheet A1 – change reference “Existing Residential Buildings” to “Existing Buildings” on parcel drawing. M/S/C – Clark/Bende, Approved, 13 in favor – 1 against (Brooks) – 0 abstentions/recusals. Brooks voted against the motion because the site is commercial but surrounded by residential properties.

d. **Khouli Properties, Alamazon St. Lots 205 & 208 (Project 210143) – Will Rogers representing owner Marc Khouli (Potential Action Item)**

Bende reviewed the project at LUC. LUC did not forward any recommendation on the project. Concerns at LUC included: 1) height and size of buildings, 2) architecture didn't seem to fit the neighborhood or community plan.

Rogers described the plans as 2 residences on separate lots, Craftsman style design with stepped roof lines. There are 2 vacant lots between lots 205 & 208. Khouli has opted not to do off site brush management so the plans fortify the buildings from potential fire with glass block windows, fire rated materials and use of sprinklers. One lot has the home stepped into the hillside. The lower level of each home is a 2-car garage and 1 bedroom, 2nd floor is the main living area and the other bedrooms are located on the 3rd floor. Each home has 6 bedrooms and 5½ baths to house multi- generational families. Owner will have to mitigate approx. 1,000 sq. ft. of vegetation because of stepping into hillside.

- Bende noted the lots are approx. 60' wide with 5' side setbacks and 15' - 20' setback on the west side. Bende added the proposal includes rated walls on the exterior because they are choosing not to do brush management.
- Bende also noted his concern for this multigenerational design, in that parking was not adequate with a 2-car garage. Rogers stated it is intended to be grandparents not grown children. Bende stated that driveway and street parking were limited. Rogers said he believes there is no requirement for single family home parking.
- Becker asked if they explored including a 3-car garage; Rogers said it was possible but it was such a narrow site and they could do a tandem garage.

- Politte suggested the lower level bedroom be turned into the tandem garage. There is a closet on the lower level that could be converted into an elevator. Rogers noted that the lower level could be converted into a granny flat.
- Mallec asked if City staff has concerns with parking for this size home; Rogers replied, no.
- Parker noted that one home's driveway was very steep for additional parking and the other is more level. Rogers noted that driveway slopes met City standards and slope was due to tucking homes into hillside.
- Becker asked that design provide more undulation in the architecture to limit the blank façades. Roger's said that homes are tucked into hillside because of steepness.
- Loucks asked about the size of vacant lots in between and houses across the street. Rogers stated the vacant lots are of similar in size and the homes across the street are single story. Politte added that the homes in this neighborhood range in size from approx. 1200 – 2600 sq. ft. homes and the larger sized homes are probably due to additions. Rogers also added that homes across the street could increase in size by adding a second story to the 35' height limitation per zoning. Politte noted that the Community Plan limits height to 30'.
- Clark asked the size of home under construction right now on Alamazon St.; Politte stated that without checking their approved plans, she thought the home was over 2,000 sq. ft. but didn't think it was over 3,000 sq. ft. It has a 3-car garage. Clark noted that it has similar topography to mitigate.
- Spelta asked if the homes are subject to HOA design guidelines; Rogers replied no. Politte added that there are CC&Rs in Peñasquitos Glens which Rogers was not aware of. The color is intended to be deep greens to blend in with the hillside.
- Diehl asked if the project would be coming back for approval. Becker stated that LUC did not provide a motion. Diehl didn't find any problems with the design. In his neighborhood, as homes are updated, the design and look changes.
- Keating stated that the homes were too big for the neighborhood (3-stories and 6 bedrooms); if kept to 2-stories with fewer bedrooms, they might fit better with existing homes and he'd be more in favor of the proposal.
- Bende agreed with Keating.
- Spelta asked if the project meets City requirements; Rogers stated that the plans meet all City code requirements and believed that it met the Peñasquitos Guidelines.
- Bende stated that Craftsman is not a recognized in the Community Plan and that with 6 bedrooms and only 2 car garage spacing is a problem as it puts more cars on the street. A typical 6 bedroom home has a 3 car garage.
- Politte does not like the 3 stories, 6 bedrooms is too large and the Craftsman style is not within the Community Plan Guidelines and did not believe it was acceptable in the CC&Rs. If glass block windows are being required as alternative to brush management, what's to keep owner from replacing with double pane windows down the road? Only remedy is for someone to complain, but they'd need to be aware of that requirement for these particular homes; change windows at their own liability. Rogers stated that once the vacant lots are developed, the glass block requirement goes away.
- Clark added that massing is an issue, articulation is needed, design does not match neighborhood, towers over existing homes.

- Rogers noted the farther they went into the slope increased the impact on the environmentally sensitive land.
- Politte recommended they step the levels and lower the home height.
- Mallec noted that as owners around the community have remodeled, architectural styles have changed from what the community originally envisioned. The graphic depiction doesn't benefit the proposed. Shelter in place with glass block and concrete/stucco is not Craftsman. Rogers added that all decorative wood is 6" timbers and cement board with grain; concrete/stucco is required for shelter in place.
- Shoecraft agreed with previous board member comments; project is too big to fit in the neighborhood.
- Parker stated his only issue was the buildings need more articulation.
- Brooks noting the placement into the hillside, what mitigation will be used to avoid erosion onto vacant lots?
- Becker stated that based on the discussion, it did not seem that RPPB was ready to approve the project as presented. The goal is to have the residences fit into the community. He asked Rogers to take RPPB's comments back to Khouli for consideration adding that our recommendations on previous projects have been consistently upheld by City Council.
- Diehl inquired about size of back yard; Rogers stated there would only be a 16' x 12' patio, no yard or grass area.
- Bende added that during the LUC meeting, concern was expressed about possible blasting needed to excavate into the hillside and the plan is to export a maximum 200 cu.yds. of material per property.
- Becker asked about the status of Cycle issues? Rogers said City Staff has been favorable of the proposed and they are only allowed to impact 25% of the slope.
- Bende restated that the square footage is very large for the neighborhood; suggested the proposed be stepped back into the hillside on each level to reduce the overall massing of the home and that the size of 3,500 sq. ft. is at least 1,000 sq. ft. over sizes in the neighborhood.
- Politte added that the homes would be overpriced for the neighborhood and suggested looking at neighborhood prices.
- Bende ultimately said he preferred they take off a level and suggested the applicant return with something that we can agree to.
- Keating added that zoning for a parcel, referencing Kilroy's Santa Fe Summit properties 10-story height request, doesn't mean it's a good fit for a community.

e. **Rancho Peñasquitos, Torrey Highlands & Black Mtn. Ranch FBA Recommendations – Keith Rhodes, FBA, PFFP Prioritization Ad Hoc Committee (Potential Action Item)**

Rhodes recused himself as he owns property that might benefit from changes.

Dumka recused himself also.

The committee consists of Becker, Diehl, Dumka & Rhodes who have worked together to review potential recommendations to the FBA/PFFP regarding Transportation and Park & Rec. The Committee brought forth recommendations in March; RPPB voted to direct the committee to continue studying the removal of the BMR Community Park Pool and TransNet Projects (Widening of SR-56 and Northbound Connectors) listed in our FBA/PFFP and alternative uses of the funds being collected.

Politte reviewed the motions as recorded in the March 2, 2011 minutes pertaining to further study by the committee.

'Motion: To direct the committee to continue researching issues and alternatives to FBA/PFFP projects: Library (Project L1 in TH & BMR FBAs/PFFPs) and Community pool (TH FBA/PFFP Project P5 and BMR FBA/PFFP Project P3). M/S/C – Sellers/LaGrone/Approved 11 in favor – 0 against – 1 abstention (Keating) – 3 recusals (Rhodes, Dumka & Spelta).'

'Motion: To continue studying two projects (Widening of SR-56 and North-bound Connectors to I-5) and alternative uses of funds. M/S/C – Sandstrom/Spurr/Approved, 12 in favor – 0 against – 0 abstentions – 3 recusals (Rhodes, Dumka & Spelta).'

Politte briefly reviewed the approved motions to remove the following projects:

1. Project T-10 (Torrey Highlands Pedestrian Bridge) from the Torrey Highlands FBA/PFFP.
 2. 2D (Widening of Black Mtn. Rd. to 6 lanes between Mercy Rd. and Twin Trails Rd.) from the Rancho Peñasquitos FBA/PFFP and the Black Mtn. Ranch FBA/PFFP, and recommend removal from the Pacific Highlands Ranch FBA/PFFP.
- Bende stated that Becker asked him to help review the work the committee has done; to clear the committee of any perception of the 'fox watching the hen house' as developers of these properties and commended the committee for their work. The parties are recusing themselves and RPPB needs to do our due diligence to 'sanitize' the process of removing burdens from the FBA that will benefit the developers by reducing their FBA burden on a single family residence from approx. \$120,000 to approx. \$80,000 in the areas that are yet to be built and occupied. It is the committee that is bringing these recommendations before RPPB. What the committee is proposing is to take the Community Pool out of the BMR FBA and remove the Widening of SR-56 to what presently exists because it is a TransNet project.
 - Rhodes noted that the original fee to developers in 1998 was \$16,000 per unit. 75% of Torrey Highlands was built out with an FBA fee of \$45,000 per unit. The fee is now \$120,000 per unit and will go to \$121,000 July 1, 2012. Any developer in the Torrey Highlands not just Rhodes will pay this fee to build Camino del Sur, Carmel Mtn. Rd. and all the other projects left in FBA/PFFP. These are City projects that are paid for by the FBA. Rhodes added that he is getting bids for his property that is a third what he received in 2005.
 - Rhodes added that this needs to be a collaborative effort. His property was enjoined from June 2006 until May 2011 and he couldn't develop.
 - Diehl added that the 2011 Rancho Peñasquitos FBA fee per unit is \$25,800, BMR is \$55,900 per unit versus \$124,000 in Torrey Highlands.
- 1) Recommendation to eliminate the BMR Community Pool from FBAs/PFFPs -**
- Diehl stated that he proposed eliminating the BMR Community Pool which is listed originally at \$6 million in the FBA and undoubtedly will increase in cost. Do we really need another pool? There are 3 public school pools, BMR has 6 neighborhood pools, Rancho Peñasquitos Community Pool shares joint use with

the YMCA. The City only maintains Park pools 3-4 months out of the year and the City only maintains one City pool year round.

- Becker added that contributions for the BMR pool come from multiple community developer FBA fees (TH, BMR, DMM, and PHR). These are population based facilities.
- Bende added that we have the pools needed for the local population. All the City pools are not well attended.
- Diehl passed around a copy of the General Development Plan for the BMR Community Park which shows what should go in there and he'd like to modify the plan to include additional amenities replacing the pool.

Motion: To remove the BMR Community Park Pool from TH FBA/PFFP Project P5 and from BMR FBA/PFFP Project P3. And forward our motion to the PHR and DMM Community Planning Groups requesting they also approve removal in a concerted effort. M/S/C – Diehl/Bende/Discussion.

- Brooks asked how many high density areas that might need a pool compared to how many single family residences might have their own pool. Becker noted that the location of BMR Park is more a standalone location and not within walking distance of high density residential nor is it near PHR or DMM. There are already a number of pools within the community that could be used. These are population based pools, not private so can't compare to private residences.
- Bende noted that looking at maps, high density areas have pools.
- Becker added that high density developers will fulfill the recreation requirements by including pools in their projects.
- Mallec has no problem with removing this from the FBA.
- Clark wondered if we have the perception that the community doesn't need the pool when the community really needs one. A pool in a park is more of a community pool whereas the YMCA pool is not perceived as a community pool even though it is one.
- Politte would like to know what it is being replaced with and include the additions in motion on the table so we are guaranteed that other projects will replace the pool.
- Rhodes stated that the one motion is related to removing a project from the FBA and the other is to add new projects to a GDP.
- Diehl stated that he would like to replace the pool with: add lighting for upper fields, add an off-leash dog area, and fencing around the park. These are currently not in the BMR Community Park GDP.
- \$8 million is designated in FBA for phase II but excludes the Pool & Rec Center. Dumka stated that the FBA is based on an assumption that each acre takes approximately a half million dollars to develop. He noted that the off-leash dog area would save the City money and the lighting/fencing are the only real costs to Diehl's proposed additions to the GDP.
- Bende asked about pool project costs per the FBA; Dumka replied the FBA states \$6 million but he has seen estimates to upwards of \$9 million, but added that it was recently estimated around \$7 million.
- Diehl feels that the \$8 million is enough to cover the costs of the additional amenities he is proposing in addition to the other Phase II improvements. Park &

Rec will be reviewing a bid request from a private entity to install artificial turf at the park and a parking area in return for specific shared use. The City will also need to review the shared use proposal.

BMR Community Park development phases:

I - 4 baseball diamonds, large soccer area and parking lot. COMPLETE

II - Upper fields, a parking lot and tennis courts

III - Recreation Center. Once completed BMR could create their own Rec Council and breakaway from the PQ Rec Council.

IV - Pool

- Dumka added that payment for this pool is in multiple community FBAs and those residents would need to drive there (potentially 4 miles) to use. This will be a way to force the discussion on recommendations for removal with the CVPG Regional Issues Committee, as they weren't previously interested.
- Bende added that this will help move the FBA update forward.
- Diehl added that the \$6 million cost breakdown per community is as follows (noting that present day costs will continue to increase):
 - TH - \$1.125 million
 - BMR - \$2.337 million
 - PHR - \$2.261 million
 - DMM - \$276,000
- Nayak asked what happens to the monies, does it come back to the communities or stay in the FBA. Rhodes stated there are no funds for these projects now.
- Bende quickly reviewed how the FBA is funded. Applicant pulls permit and pays fees to the City based on the type of project which are then placed in the appropriate accounts per the FBA/PFFP. Generally, projects need to be fully funded to move forward.

With no further discussion, Becker called for a vote of the motion as presented.

Motion: To remove the BMR Community Park Pool from TH FBA/PFFP Project P5 and from BMR FBA/PFFP Project P3. And forward our motion to the PHR and DMM Community Planning Groups requesting they also approve removal in a concerted effort. M/S/C – Diehl/Bende/ Approved, 11 in favor – 1 against (Clark) – 0 abstentions – 2 recusals (Rhodes & Dumka).

Motion: To amend the Black Mtn. Ranch Community Park General Development Plan (TH Project P3 & BMR Project P1) with the addition of the following projects: 1) a fenced off leash dog area, 2) fencing to separate upper fields from the canyon, and 3) lighting for the upper fields. M/S/C – Diehl/Spelta/Discussion.

- Bende asked when Phase II is scheduled to be built; currently 2011 and Pool was scheduled to be built in 2014.
- Politte asked for clarification, the lower fields were previously fenced.
- Diehl said that off leash areas are not just for dogs, it is a socialization area for humans considered recreational use.
- Loucks stated that people currently meet there with dogs off leash; Politte added that most parks have that issue.
- Brooks asked if Salmon River Rd. off leash area would disappear when this is completed; Diehl said he envisions 3 areas for dogs so an area can be offline to allow for grass regeneration.

- There is enough money in the existing budget to include these additional projects.
Becker called for a vote of the BMR GDP motion as presented; Approved, 11 in favor – 0 against – 0 abstentions – 0 recusals. It was noted that Rhodes and Dumka did not need to recuse themselves as there is no reduction or addition to FBA fees with the addition of these projects.

2). Widening of SR-56 only (Not North-bound Connectors to I-5)

Dumka and Rhodes recused themselves.

Dumka reported that City Staff has interpreted that Prop C, because TransNet funding is assured, the Transportation Phasing Plan for Subarea 3 has been satisfied (see letter, Kelly Broughton).

- Bende asked when does the latest Transportation Phasing Plan require the widening of SR-56 for our communities.
- Dumka stated that each community has different schedule in their Transportation Phasing Plan which is determined by dwelling units. The units have to be built before plan can move forward. PHR's threshold would need to be met now.
- Bende noted the latest Regional Transportation Plan has the widening scheduled for 2040.
- Becker stated that once these fees are paid, the City holds the money until project is completed before they give it back.
- Dumka stated that the Public Facilities Financing Plans say that these monies are an advance to be reimbursed as other funds are identified. TransNet funds have been identified, is the source of reimbursement for any money the FBAs provide. There is not tool to pay back the developers and we need clarification that the monies won't be held until 2040.
- Rhodes added that in 2002/2004, the FBAs held enough funds to complete the project at scheduled costs. Since then huge increase in administrative costs were added. Unproductive weight on the FBAs.
- City staff is working on a methodology to reimburse these collected developer monies.
- Due to the late hour and complexity of the issue, Bende would like to study the issue. It took a lot of political action to get SR-56 built, but during peak hours there are delays due to congestion. Would like to look at the number of units coming in for which SR-56 should have been widened and connectors already built.
- Becker noted that Broughton's letter references 'fair share contributions'; discussion that we need clarification on impacts and assurance.
- Rhodes added that interpretation is that the City says projects can go forth when assured. Connectors will be assured because they are in TransNet.
- Bende would like to review the Transportation Phasing Plan.
- Rhodes said that only our Phase 5 will be impacted.
- 2050 RTP handout was distributed.
- Brooks asked how much more build out is left, concerned that fair share may not be adequate since more that the local communities are using SR-56.
- Diehl noted that the most recent PFFP lists the costs per planning area as follows: TH \$8.8 million, BMR \$12.1 million, PHR \$11.5 million and DMM \$567,000.

- Rhodes noted that we had that concern previously, wrote a letter to Broughton demonstrating that TransNet is fair share.
- Spelta suggested we focus on the financing issue which is in the FBA. The project is funded by TransNet, should it be in the FBA? Rhodes stated they need a methodology to refund developer monies.
- Bende asked what is the lag time between when the transportation phasing plan identifies that this highway needs to be assured or built for the amount of units to go forward and the time that it actually gets built to service; overburden the system. Since the TPP was written, project costs have skyrocketed and couldn't possibly fund a project of this type.
- Spelta added that if it's assured, when will it get built.

Motion: To modify the BMR & TH FBAs/ PFFPs for the Widening of SR-56 from 4 lanes to 6 lanes (BMR Project T-54.2, TH Project T-1.2B) by reidentifying the funding source solely as TransNet funds per the 2050 Regional Transportation Plan which makes this project assured; no FUA funds would be needed for this project. And forward a copy of our motion to PHR and DMM Planning Groups requesting they approve a similar motion. M/S/C – Bende/Diehl/Discussion.

- Keating would like to wait until next month so we can review further. He'd like to see it completed earlier than 2040. There might be matching money to help get it done sooner. Wants Rhodes project to go forward and maybe we could get staff to explain how.
- Rhodes stated this is a regional facility.
- Dumka added that PHR's need to build their park (moved up from 2035 – 2021) and get amenities in the community was the nexus for Prop C.

Becker called for a vote on the motion as presented.

Motion was approved 9 in favor – 0 against – 0 abstentions – 2 recusals (Rhodes & Dumka).

7. MINUTES:

Motion: To approve the November 2, 2011 Rancho Peñasquitos Planning Board Meeting minutes as presented. M/S/C - Bende/Dumka/Approved 10 in favor – 0 against - 1 abstention (Clark).

8. REPORTS were suspended due to time.

The meeting was adjourned at 11:10pm.

Respectfully submitted,
Jeanine Politte, RPPB Secretary

Approved 2/1/12; 10 in favor – 1 against – 2 abstentions (Spurr & Sandstrom).