

Scripps Ranch Planning Group

MEETING AGENDA

Thursday, June 7, 2007 at 7:00 p.m.

Scripps Ranch Community Library - Community Room
10301 Scripps Lake Drive, San Diego, CA 92131
(858) 538-8158

From Hwy 15 exit Mira Mesa Blvd (east), turn right on Scripps Ranch Blvd, turn left on Scripps Lake Drive, Library on right side approximately 0.25 miles - parking provided but may be limited)

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| I. Welcome! | 7:00 |
| a. Call to order | |
| b. Roll Call | |
| c. Modifications to Agenda | |
| II. Public Comment | 7:05 |
| III. Approval of Minutes | 7:10 |
| IV. Announcements | 7:15 |
| a. Councilman Brian Maienschein (Christine Millay/Megan Ekard) | |
| b. Miramar Ranch North Planning Committee (Dave Berry, Chair) | |
| c. City of San Diego Staff (Dan Monroe / Angela Abeyta) | |
| V. Chairperson's Report | 7:20 |
| a. Middle School Relocation update | |
| b. Pomerado/Miramar Bridge update | |
| c. V-Calm sign update re Semillon | |
| d. Scripps Ranch Blvd. Community Plan Amendment update | |
| e. Scripps Ranch Fire Station "37b" – SDPD Facility update | |
| f. Scripps Cypress Pointe (Renzulli) update | |
| g. Aviary For Sale Vehicles update | |
| h. SRPG Executive Elections | |
| VI. Presentations, Discussion, Liaison, Reports, and/or Action Items | |
| a. San Vicente Pipeline Update (R. Kulis) | 7:30 |
| b. Scripps Trail Stop Sign Request (J. Dunchack) | 7:35 |
| c. Chabad Substantial Conformance Review Action (A. Green) | 7:45 |
| d. MCAS Miramar update (J. Paterniti) | 8:45 |
| h. CPC (T Silverstein) | 8:50 |
| i. SRPG Web site update (T. Phillips) | 8:52 |
| i. Scripps Ranch Community Plan Strategic Update | 8:54 |
| VII. Adjournment | 8:59 |

Scripps Ranch Planning Group

DRAFT MEETING MINUTES

Thursday, May 3, 2007 at 7:00 p.m.

Scripps Ranch Community Library - Community Room
10301 Scripps Lake Drive, San Diego, CA 92131
(858) 538-8158

I.

- a. Call to order: 7:15pm
- b. Roll Call: Bob Ilko, Tamar Silverstein, Mike Page, Gordon Boerner, Julie Ellis, Marina Sragovicz, Natalia Moorhead, John Gardner, James Paterniti, John Lyons, Bob Petering, Peter Wulff, D.Todd Philips, Excused: Mark Brody, Mike Asaro, Linda Scott,
- c. Modifications to Agenda: none

II. Public Comment-none

III. Approval of Minutes

Vote was Unanimous (11-0), correct April07 to reflect G. Boerner as excused absent.

IV. Announcements

- a. Councilman Brian Maienschein and Christine Millay.
 - i. Brian Maienschein announced Lake Miramar Dam has been re-opened! SRPG thanked Brian for his hard work and diligence. The 01Jul07 is the goal to have the dam open (all around the lake). The dam will have an 8ft fence gate, in the event we go on a RED terror alert.
 - ii. SRPG thanked Brian for his help in procuring the bus for Marshall Middle School
 - iii. Christine Millay announced the Installation of V-Calming lights coming soon.
 - iv. The number of complaints about the RVs on Aviary Drive, Atrium, Rookwood and Scripps Ranch Blvd. have risen. RVs must be moved every 72hrs at least 1/10th of a mile.
 - v. Brian will attend the S.R. Community Fair 20may07
 - vi. Brian will announce Marc Sorenson Day on 12June07 & Bob Dingeman Day 19June07
- b. Miramar Ranch North Planning Committee (Dave Berry, Chair) not present.
- c. City of San Diego Staff (Dan Monroe) – present but nothing to report.

V. Chairperson's Report

- a. Middle School Relocation update- classrooms will be turned over to the school any day now. 420 people showed up for the school bus meeting. Bob Ilko was the catalyst which brought all 420 people together to get the bus issue approved. Thank you Bob for doing this for the community!
- b. Pomerado/Miramar Bridge update-draft of drawings to come next meeting or soon.
- c. SRPG Executive Elections-need another Vice Chair-members please consider and inform Bob.
- d. Horizon Church Site update- New Buyers want this site for industrial/office, up to 800K sq.ft. The sale is in escrow now. Horizon Church is back at their old campus. The CUP runs with the land, if not used in 3 yrs it returns to its original state.
- e. Scripps Ranch Blvd. Community Plan Amendment update - Christine says its on hold
- f. Scripps Ranch Fire Station “37b” – SDPD Facility update
The Draft is done and has to go to the Chief Fire Dept. Building Costs are \$6-\$7Million for a new fire station in Scripps Ranch. Proposed sites are unknown at this time, possible sites; Missile Road, Avenida Magnifica, city open space, HRS or Chabad property.

VI. Presentations, Discussion, Liaison, Reports, and/or Action Items

- a. Chabad Substantial Conformance Review update (B.Ilko)
Mr. Marc Steele reviewed the 1967 plan for the USIU site and designed the new buildings would be pulled away from Crown Pointe about 100 ft away. Residential development was moved toward the front

of the site. Bldg along north side are 3-stories with flat roofs, 4 stories bldg are along the back of the site. Construction will be phased. Middle section is the 1st phase, 2nd phase is the front row of student housing, and the front will be last phase of construction. Chabad is unsure of timing or length of phases. It may take up to 2-5 yrs for first phase. As funds become available the buildings will be built. It may be 25 years to complete all phases, because it depends on funding. Mr. Steele showed the view of the buildings from different heights and vantage points but the renderings used heavy foliage in front of each bldg. Landscaping will be completed when the buildings are completed. Chabad showed a secondary access point to its site from the AIU property to the west but could not explain in detail how it was reasonable or feasible because Chabad had not discussed same with AIU. Mr. Steele stated the city wanted to know the impact to the intersection on Pomerado Road found traffic impact was manageable and "still quite good". Additional parking for new buildings, new residential student/faculty have not been addressed in this plan. Chabad did not use the 1967 CUP map in its 1994 application with the City but now wants to use the 1967 map. The original 400 acres was reduced but the usage stayed the same. SRPG wanted to see an amended CUP and not a substantial conformance review. The City legally has to provide Chabad with the option of obtaining a new CUP or permit the new uses under a SCR despite the community's understanding that Chabad agreed with City staff years ago to obtain a new CUP. Chabad voluntarily chose to pursue the SCR instead. The 1995 SRPG letter written by Chair Butler to the Planning Commission regarding Chabad's SCR Yeshiva for 25, no on-site housing, and sent to Chabad was raised. Chabad never communicated an objection to that letter. Chabad said it would submit for its own CUP but after the SCR. No definitive date or timeline was provided. Members questioned whether that is appropriate. Documents from 1967, 1972, and 1978 amendments are missing and the city does not have it. SCR's are compared against the grading footprint in the approved CUP. Chabad did not have a response to why it used a specific map in 1994-5 that was less intensive showing elimination of grading in 25% slope areas but now uses a more intensive map as the basis for the SCR. The City would be reviewing everything that we see tonight which Chabad represents as its complete master plan. Members asked for a breakdown of how many students total for each grade level. Chabad could not provide a number of faculty or staff needed. Chabad provided a portion of its traffic study showing 1,665 more ADT's. A complete copy of the study was requested. HOA of Crown Pointe has not seen the exact plan. The HOA has not taken a position on the plan. The City does not have a recommendation on this plan and is waiting on the 2nd Assessment submittal from Chabad. It may be unlikely the City will have its recommendation within a month. A motion to recommend approval was withdrawn by T Silversteiu – second by P. Wulff. SRPG to schedule a subcommittee meeting with HOA of Crown Pointe, and requested SRPG to take an action next month.

b. Scripps Trail Stop Sign Request - 3 cul-de-sacs and 41 homeowners want a STOP sign on Rue Demis, St.Pierre Way, and Eastglen. They will probably approach the SRPG soon with their requests.

c. Canyon Lake Stop Sign Request- Danger of cars on Pinetree Drive and Canyon Lake Drive City Staff does not think a Stop sign is warranted but the SRPG recommends a stop sign. Motion made to approve stop sign and 2nd : Yes:8 No:3 Abstension:1

d. T-Mobile presentation (Angelique Street)

Mike Morgan presented information application for CUP installation of six antennas and an equipment shelter. Subcommittee recommended approval, Unanimous vote =11Yes

e. Sierra Academy CUP

The CUP is with the city, and the number of students increased to 72, based on the plan, is the cap per the Fire Code. Subcommittee recommended approval, Unanimous vote =11Yes

f. Scripps Cypress Pointe (Renzulli) update

SRPG reviewed the EIR submission, with a 5yr projection and pictures from key locations around the site. The Draft EIR will be submitted next week to the city.

g. Caltrans Pomerado/Miramar Road Bridge Improvement update (C. Binns) No update.

h. MCAS Miramar update (J. Paterniti)

i. The Osprey Helicopters are delayed in arriving to Miramar until 2009-2010 due to production delays. ii. There will be a control burn in East Miramar.

i. Sunrise Power (Bob Ilko) Bob Petering volunteered to work on project of installation of underground power instead of overhead power lines. The PUC staff gave the recommendation to go underground.

j. CPC (T Silverstein)

Discussed the CPC vote of CPGs going under the City Council vs Mayor's Office; Indemnification of CPG; Revision of By Laws Shell; Brown Act implementation

k. SRPG Web site proposal (T. Phillips)

Todd will work with the Civic Association to create a website for SRPG.

l. Scripps Ranch Community Plan Strategic Update (Bob Ilko)

A proposal for SRPG members to hold a meeting to discuss the community planning group, what works and what doesn't work and assign people to tasks to prep the rest of the group, bring in guest speakers, a way to better communicate and how to put things together.

m. Bob Petering volunteered to work with AIU on its C.U.P. for a 40K sq.ft. office type building on Willow Creek, for implementation of a graduate psychology program.

VII. Adjournment 9:50pm

SCRIPPS

Crown Pointe

SCRIPPS RANCH ESTATES
HOMEOWNERS ASSOCIATION

June 4, 2007

Dear Scripps Ranch Planning Group, and City Planning Commission,

On behalf of the Home Owners Association of Scripps Ranch Estates (SRE), aka Scripps Crown Pointe, the board of directors is writing regarding our position on the proposed build out sketch by Friends of Chabad/Chabad Hebrew Academy located at 10785 Pomerado Road, which was received undated in May of 2007 with no revision number. As neighbors we will continue to maintain our established verbal and written agreements with Chabad. In reviewing our past agreements with Chabad, it must be noted that it is **not** in the best interest of SRE to endorse the May 2007 plan. The plot changes proposed by Chabad are so significant that nothing short of a completely new CUP involving the SR community planners should be required due to the impact these proposed plot plan changes will have on the entire Scripps Ranch Community. This position reflects the opinions of a majority of the homeowners within the SRE association. Also, we were led to believe that a new CUP was to be applied for before this expansion, instead Chabad planners appear to be using the old university CUP as the basis for the new construction.

Recently the leaders of Chabad requested an endorsement from the SRE Board on Chabad's newest May 2007 development plan for their property. This is part of an on going planning process, which included previous presentations by Chabad planners and discussions with SRE homeowners. Based on our Board review, we note that the plan disregards our formal agreement on many points. In an effort to include the entire SRE community we provided homeowners with the proposed Chabad plan and ask for their recommendations regarding a SRE endorsement.

The SRE Board has worked with Chabad as good neighbors for nearly 15 years. In our support of the current site operation, we signed a formal agreement on Feb. 9th, 1995 with the Chabad leaders stating our understanding of how the 27 acre plot was to be used including coverage limits for future buildings and the density which was to be compatible with the Scripps Ranch neighborhood. A majority of Crown Pointe homeowners supported this documented position, which we believe is compatible with the overall Scripps Ranch community plans.

The Crown Pointe homeowners are deeply concerned about the impact of the proposed plan on our community of Scripps Ranch, the significant variance between Chabad's plan and the current conditional land use permit (CUP) as an educational zone, and with our 1995 agreement.

A key issue is whether the plan conforms to the City of San Diego's conditional use permit (CUP) for university buildings, which was already amended once to accommodate the current K-12 school, and whether the new plans are in substantial conformance with the CUP. We are not experts as to the interpretation of "substantial conformance", but would like to express our concerns related to this proposed project. In our review of Chabad's latest proposal sketch we identified a number of issues related to conformance with current agreements and language in several signed documents (CUP, SRPG letter and the Chabad-Crown Pointe HOA agreement) that we bring to your attention.

The original intent of the property on the 1974 CUP was for a university campus setting known as the east campus which included the 201 acres which is now SRE and 27 acres now owned by Chabad. All references to the east campus were deleted after the builder purchased the SRE land in 1978. The 27 acres remained with the university as undeveloped land until Chabad's purchase in 1994. Thus, a new CUP is needed that accurately describes how the land would be used and is endorsed by the Scripps Ranch community before any new building is undertaken.

In the Report to the Planning Commission issued January 1995- "the City Council instructed the City Manager to ensure the following considerations to be used in any future finding of Substantial Conformance:"

- The maximum allowed student population is 800 people (K-12 including 25 Yeshiva students)
- Construction permit drawings shall be in substantial conformance to the approved phasing plot plans
- The applicant shall submit a traffic impact study

The Scripps Ranch community and SRE residents supported this educational use as described above and further discussed in the SRPG letter and the Chabad-Crown Pointe HOA agreement.

Now Chabad's proposed update plans call for additional housing of more than 1000 people. The structures could house an estimated 1,058 people assuming double occupancy of 529 rooms or 1365 people assuming the City's Building Code "Occupant Load" allowance for the 273,000 sq. ft. These estimates do not include those already on the campus or other future non-residential support people that would regularly be on the campus. These high population density structures do not conform to the original instructions for substantial conformance where it was understood that the number of residents at the Chabad campus would not exceed the maximum allowed number of students (i.e., non-students, non-faculty living on-campus).

Moreover, in keeping with the K-12 educational agreement, it was our understanding with Chabad that this property would not be occupied for round the clock service in dormitories (7days a week, 24-hour). This is not compatible with the City Council, nor the Chabad -Crown Pointe HOA agreement. Also, university classes seem to be incompatible with a K-12 setting.

It is also important to note the language in the SRPG letter of 1994 stating that "there would be no onsite housing" as part of the agreement for the current school's substantial conformance review. Chabad's May 2007 plan includes over 100,000 square feet of additional multiple housing buildings. Building of dormitories or apartments is not compatible with previously approved CUP plot plans, nor with the Chabad -Crown Pointe HOA agreement.

In order to build the proposed student housing structures (four apartment buildings with up to 4 stories and 280 units totaling 529 units) in accordance with plot plans it is evident that there would be a large amount of grading to be done on the property to allow for the site to be built in the manner proposed for a 15% land use with adequate parking. In our HOA agreement with Chabad and the signed agreement between the City and Chabad the land use fraction for this purpose was originally 9.5%. This new proposal has a massive amount of density as compared to the surrounding areas and is not in keeping with the 9.5 % agreement. This is not compatible with agreements between the City of San Diego and Chabad, nor the SRE HOA board and Chabad.

In keeping with the community plan and the use of Pomerado Road, it is felt that this proposal will have a significant traffic impact on Scripps Ranch residents. We do not feel that a previous traffic impact study has taken into account all of the potential future traffic on Pomerado Road. We request that a new traffic impact study take into account more than 1000 new residents and supporting services.

It has also been stated in CUP- Case no. 133-PC (Resolution) Amend- June 16, 1972 that:

- "Such use under the circumstances of this particular case will not be detrimental to the health, safety and general welfare of persons residing or working in the vicinity or injury to property or improvements in the vicinity because the conditions imposed will insure the **University will be compatible with the surrounding development.**"

We have concerns regarding the density and heights of buildings in this proposal (parking, additional traffic congestion on Pomerado Road). Parking for both the school and dormitories needs reanalysis to ensure adequate parking and to ensure that there is no need for parking along Pomerado Road. This is not compatible with the surrounding development.

We cannot endorse a plan that is in constant change. The plans provided by Chabad have been different and inconsistent, making it hard for the community to follow what the proposal contains. Currently, the proposal presented by Chabad under the university CUP has physical plans for apartments, pools and tennis courts, but no plans for university classroom buildings. We **cannot** endorse a plan for a university setting without university classrooms. Prior to any endorsement we need to see evidence of the services to be provided such as a university

prospectus on fees, student acceptance criteria, class schedules, student body size, faculty size, student rules, study courses, length of stay and degrees. Plans for universities typically have all this spelled out before any plans are set forth regarding buildings, etc.

It should also be noted that the SRPG letter stated- "an expressed concern to the Chabad that their facilities be developed and operated in a manner that does not adversely affect the nearby Crown Pointe residents." We request that a complete survey of the boundaries be established before any grading is started for any phase of what is eventually agreed upon and that specific language be put in writing regarding any land uses, building sizes, locations and services being provided. This has been vague in the past and requires clarification. Our HOA board would like to work with Chabad in the future on their desire to build, while maintaining our agreements in good faith and fair dealing.

This letter does **not** address all issues that may arise, since the sketches provided are in a very preliminary undated format.

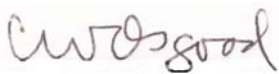
Based on our survey of Scripps Crown Pointe residents and the Board's review of the previous agreements, the SRE HOA board of directors does **not** endorse the proposed May 2007 Chabad plan.

We recommend that Chabad apply for a new CUP that allows the community of Scripps Ranch to be involved in approval of any buildings and services to be added to current site operation. The current CUP is outdated and is perhaps not even applicable. This will clarify the land use issues for Chabad and permit the community to ensure compatibility with the overall master plans for Scripps Ranch. The outdated CUP is open to many different interpretations. If this proposal is allowed to go through without a new CUP, it will set precedent for other builders to do the same.

The Scripps Ranch Community has been told that the proposed expansion/plan would take between 2 and 10 years to complete, as they are able to fund the project. This introduces additional construction and grading traffic and turmoil for an extended period. We recommend that funds for the project be obtained and the expansion be completed on a timely schedule of two years or less to minimize construction disruptions.

Furthermore, we recommend that the Scripps Ranch planning board consider putting the Chabad plan to a vote of the Scripps Ranch community. This has been done in the past for controversial issues such as widening Pomerado Road and keeping Hendricks Pond. This will give both sides of this proposed land use in Scripps Ranch a chance to provide their arguments in the open rather than relying on individual judgments or legal arguments for making concessions and deviations to zoning plans.

Sincerely,



Charles Osgood
President,
Board of Directors, Scripps Ranch Estates Home Owners Association
9709 Caminito Calor
San Diego, CA 02131
cosgood@san.rr.com

Cc: Lee Gordon
Bill Hannaman
Tom Ohrstrom
John Price