



THE CITY OF SAN DIEGO

## Report to the Planning Commission

**DATE ISSUED:** December 10, 2020

**REPORT NO.** PC-20-069

**HEARING DATE:** December 17, 2020

**SUBJECT:** Casa de las Campanas Community Plan Amendment

**Project Number:** 674446

**OWNER/APPLICANT:** Casa de las Campanas, Inc. a Non-Profit Public Benefit Corporation

### **SUMMARY:**

**Issue(s):** Should the Planning Commission INITIATE an amendment to the Rancho Bernardo Community Plan to re-designate two parcels, totaling approximately 10.11 acres, contiguous to the northern and southern areas of the Casa de las Campanas campus (continuing care retirement community) from Open Space to Medium Density Residential at 14-29 dwelling units per acre?

**Staff Recommendation(s):** INITIATE the plan amendment process.

**Community Planning Group Recommendation(s):** The Rancho Bernardo Community Planning Board voted 12-0-1 on November 19, 2020 to recommend approval of the initiation (Attachments 1 and 2).

**Environmental Impact:** This activity is not a "project" under the definition set forth in CEQA Guidelines Section 15378. Should the initiation of the community plan amendment be approved, environmental review would take place at the appropriate time in accordance with CEQA Guidelines Section 15004.

**Fiscal Impact:** No fiscal impact. All processing costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

**Code Enforcement Impact:** None.

**Housing Impact:** The Rancho Bernardo Community Plan designates both the northern parcel (9.7 acres) and southern parcel (0.41 acres), which are currently undeveloped, as Open Space. Under the current AR-1-1 zoning, one dwelling unit would be allowed per lot. If initiated, and subsequently approved, the proposed Community Plan Amendment would revise the land use from Open Space to Medium Density Residential at 14-29 dwelling units per acre and revise the zoning from AR-1-1 to RM-2-5. The 10.11 acres would have development potential of up to 293 dwelling units.

**The initiation of a community plan amendment in no way confers adoption of a community plan amendment, that neither staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment, and that the City Council is not committed to adopt or deny the proposed amendment.**

## **BACKGROUND**

### Site Location

The subject parcels are located to the north and south of the 22.7-acre Casa de las Campanas property, located at 18655 West Bernard Drive in the Rancho Bernardo Community Plan area (Attachment 3). The Casa de las Campanas facility is a not-for-profit continuing care retirement community and provides care and services for over 600 senior residents. Both parcels are contiguous to, but not currently a part of the Casa de las Campanas campus. The 9.7-acre parcel to the north is part of a larger area of City-owned land south of Lake Hodges that is managed by the City's Public Utilities Department. The 0.41-acre parcel is immediately south of the Casa de las Campanas campus and is owned by Casa de las Campanas, Inc., a non-profit public benefit corporation.

### Adjacent Uses

The north parcel is adjacent to the I-15 freeway to the east and West Bernardo Drive to the west. To the north is open space, and to the south is the Casa de las Campanas campus. The south parcel is adjacent to the I-15 freeway to the east, West Bernardo Drive to the west, the Casa de las Campanas surface parking lot to the north and open space/park to the south.

### Multiple Habitat Planning Area

The 9.7-acre parcel to the north is within the City's Multiple Habitat Planning Area (MHPA). The southern 0.41-acre parcel is not within the MHPA.

### Mobility

MTS Bus Routes 20, 945 and 235 serve the area from the Rancho Bernardo Transit Station, located approximately two and one-half miles south of the Casa de las Campanas property. The subject site is not within a transit priority area.

### Public Facilities

School facilities in the vicinity include Westwood Elementary School located two miles south; Turtleback Elementary located four and one-half miles south; Bernardo Heights Middle School located five and one-half miles southeast; Rancho Bernardo High School located six miles southeast;

and Palomar College located two and one-half miles south. Recreational facilities nearby include Rancho Bernardo Community Park located immediately southwest of Casa de las Campanas, Rancho Bernardo Dog Park located south across West Bernardo Road. The San Diego Public Library at 17110 Bernardo Center Drive, located approximately two miles to the south of the site serves the area. The United States Post Office is located approximately two miles south (Attachment 4).

Police services are provided by the City of San Diego Police Department at 13396 Salmon River Road in Rancho Peñasquitos, approximately nine and one-half miles to the south. San Diego Fire Rescue Department Station 33 is located at 16966 Bernardo Center Drive, approximately two miles to the south.

#### Community Plan Designation and Zoning

The Community Plan designates the two parcels as Open Space and zoned AR-1-1. The Casa de las Campanas property is designated Medium Density Residential (14-29 du/ac) and primarily zoned RM-2-5 with the southern portion zoned AR-1-1 (Attachments 5 and 6).

#### Housing & Demographics

As of 2019, SANDAG estimated there were approximately 43,623 people living in the Rancho Bernardo Community Planning Area. This is a 9% increase from the 39,197 people living in the community in 2010 as reported by the US Census. In 2019, the Community had 17,954 housing units with a vacancy rate of 4.3% and a persons-per-household rate of 2.48 per the SANDAG 2019 estimate. In 2010, the Community had 17,775 housing units with a 5% vacancy rate and a persons-per-household rate of 2.29 per 2010 Census data. Between 2010 and 2019 the Community gained 179 housing units, which is a 1% increase over 10 years. Based on the adopted community plan, SANDAG has forecasted the community to have approximately 18,032 units by 2035, which is an increase of 78 housing units.

#### Affordable Housing

According to San Diego Housing Commission data from July 2020, there are currently no deed-restricted affordable units in the Rancho Bernardo community plan area.

#### Other and Past Planning Efforts

Currently, there are no other community plan amendments in process within Rancho Bernardo. A plan amendment was adopted in 2016 to redesignate 10.88 acres at 16061 Avenida Venusto from educational to low density residential land use to allow the Silvergate Rancho Bernardo residential care facility.

### **DISCUSSION**

#### Community Plan Amendment Proposal

The community plan amendment proposes to revise the land use designation of the two parcels from Open Space to Low Medium Density Residential (14-29 du/ac). The amendment would allow the opportunity to consider options on the northern parcel that could include expanding the Casa

de las Campanas campus, accommodate housing units for Casa de las Campanas' employees and possible childcare services, or housing or assisted care for seniors. The amendment could also accommodate opportunities on the southern parcel for additional parking for visiting nursing students and staff. The proposed plan amendment would not place age restrictions on future housing development.

The northern parcel is owned by the City and is part of the Multiple Habitat Planning Area as well as Cornerstone Lands area including 0.65-acres of riparian habitat. City staff from Public Utilities, Planning, and Real Estate Assets departments and state and federal wildlife agencies have been in discussions with representatives from Casa de las Campanas, Inc on a conceptual land exchange, subject to City Council authorization. With the approval from the wildlife agencies, the City would convey the northern parcel adjacent to Casa de las Campanas campus to Casa de las Campanas, Inc in exchange for 19.7-acres of privately-owned property on Lake Drive (Attachment 7).

Based on initial review and discussion with the applicant, state and federal wildlife agencies, and City staff, the Lake Drive property has the potential to support higher priority habitat than the northern parcel owned by the City. The property, located in the San Diego County unincorporated area north of Lake Hodges, has Diegan coastal sage scrub and oak-riparian woodland habitat. The 19.7-acre Lake Drive property would provide a larger open space area that would be connected to existing conserved lands as compared to the isolated habitat of the 9.7 northern acre property. The Lake Drive property would also help to protect runoff into the Lake Hodges Reservoir (Attachment 8). The proposed MHPA boundary line adjustment will need an equivalency analysis to demonstrate the 19.7-acre Lake Drive property being added to the MHPA is equal or better habitat than the 9.7 acres being removed from the Cornerstone Lands.

#### Community Planning Group

The Rancho Bernardo Community Planning Board minutes for November 19, 2020 reflect their support of the initiation (Attachment 1). In a letter to the Planning Department dated November 19, 2020, the Chair identified their main concerns which focused on: 1) the need for appropriate action to be taken to ensure that changing the land use will not result in the loss of land required to implement CIP Number: 52-489.0 (West Bernardo Drive - Andanza Way to I-15 Road Widening), nor should it result in any increases in the cost of implementing this action; 2) elimination of current impacts to the adjacent community park associated with Casa employees parking in community park parking lots and to incorporate language into the Community Plan that addresses the need for adequate site parking to accommodate residents and employees within the Casa development footprint (Attachment 2). Other concerns and comments that were expressed at the Community Planning Group meeting involved inclusion of affordable housing, how mitigation lands would be utilized, and the lack of transit in the area.

#### Community Plan Amendment Criteria

The City is unique among jurisdictions in that the process to amend the General Plan and/or a Community Plan requires either Planning Commission or City Council initiation before the plan amendment process and accompanying project may proceed. Community plans are a component

of the City's General Plan. The proposed amendment is anticipated to result in revisions to the Community Plan and may include changes to the General Plan land use map. A recommendation of approval or denial of the initiation is based upon compliance with all three of the initiation criteria contained in the General Plan:

**(1) The amendment request appears to be consistent with the goals and policies of the General Plan and Rancho Bernardo Community plan and any community plan specific amendment criteria:**

The proposed amendment would be consistent with policies in the Housing and Land Use elements of the General Plan for providing additional housing. Future housing options being considered by the applicant include housing for seniors and employees that work at Casa de las Campanas.

The proposed amendment would implement policies in the Housing and Land Use Element of the Rancho Bernardo Community Plan for a balanced community, providing for a wide variety of housing types, densities, unit sizes and prices, and at the same time optimizing the usable open space within the densities consistent with the Community Plan designations and aesthetically compatible with the surrounding area.

**(2) The proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policy or site design; and**

The proposed amendment would benefit the community by providing an opportunity for additional housing opportunities, particularly during a time at which the City Council has declared a housing state of emergency. It would also provide as mitigation for potential development of the 9.7-acre northern parcel the opportunity to acquire 19.7 acres of high-quality Diegan coastal sage scrub and oak-riparian woodland habitat within the Lake Hodges watershed.

**(3) Public facilities appear to be available to serve the proposed increase in density/intensity, or their provision will be addressed as a component of the amendment process.**

The Rancho Bernardo Community planning area is an urbanized community and all necessary public services appear to be available. However, a full analysis of public facilities would be included as part of the Community Plan Amendment analysis should this request be initiated.

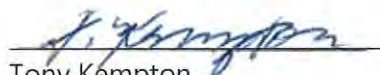
Additional Issues

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:

- Appropriate land use designations and zoning for the entire site including making the zoning consistent with the community plan designation.
- Analysis of traffic and potential effect to West Bernardo Drive associated with additional development
- Confirm that changing the land use designation will not result in the loss of land required to implement CIP Number: 52-489.0 (West Bernardo Drive - Andanza Way to I-15 Road Widening), nor should it result in any increases in the cost of implementing this CIP project.
- Potential for the creation of transportation alternatives to reduce parking demand for employees
- Analysis of bulk and scale simulations in relationship to existing buildings on the site
- Analysis of the Lake Drive property to identify the habitat benefits to support a MHPA boundary line adjustment to remove the northern parcel from the MHPA

Although staff believes that the proposed amendment meets the necessary criteria for initiation, the applicant has not submitted a site-specific development 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, and any associated discretionary permits.

Respectfully submitted,



Tony Kempton  
Associate Planner  
Planning Department



Tom Tomlinson  
Assistant Director  
Planning Department

TK/tg/tt

Attachments:

1. Rancho Bernardo Planning Group Minutes of November 19, 2020
2. Rancho Bernardo Letter to Planning Commission
3. Vicinity Figure
4. Public Facilities
5. Project Location and Adopted Land Use Figure
6. Project Location and Zoning Figure
7. Lake Drive Property Location Figure
8. MHPA Boundary Adjustment Meeting Minutes of October 16, 2020
9. Ownership Disclosure Statement



**Rancho Bernardo Community Planning Board**  
 12463 Rancho Bernardo Road #523, San Diego, CA 92198  
[www.rbplanningboard.com](http://www.rbplanningboard.com)

**November 19, 2020 7:00 PM**  
**Draft Meeting Minutes**  
**Meeting Held Via Zoom**

<b><u>2020 RB PLANNING BOARD</u></b>									
<b>P = present</b>		<b>A = absent</b>		<b>ARC = arrived after roll call</b>					
<b>Robin Kaufman</b>	<b>P</b>	<b>Sonny Googin</b>	<b>P</b>	<b>Joni Edlemen</b>	<b>P</b>				
<b>Patrick Vincent</b>	<b>P</b>	<b>Vicki Touchstone</b>	<b>P</b>	<b>David Wilson</b>	<b>P</b>				
<b>Gary Long</b>	<b>P</b>	<b>Thomas Lettington</b>	<b>P</b>	<b>Terry Norwood</b>	<b>P</b>				
<b>Benjamin Wier</b>	<b>A</b>	<b>Hugh Rothman</b>	<b>P</b>	<b>Dan Grobee</b>	<b>P</b>			<b>Total Seated</b>	<b>14</b>
<b>Mark Huettinger</b>	<b>P</b>	<b>Steve Dow</b>	<b>P</b>					<b>Total in Attendance</b>	<b>13</b>

Others in attendance: Tom Kempton, City Planning Department; Marc Schaefer, Councilman Kersey's Office; Casa Representatives: Craig Brown, Cindy Eldred, Justin Sager; Roberta Mikles.

**ITEM #1 Call to Order/Roll Call:**

Chair, Robin Kaufman, called the meeting to order at 7:00pm.

**ITEM #2 Chair remarks:**

Robin Kaufman commented that meetings held via Zoom have the same procedures as in person meetings and wished everyone a Happy Thanksgiving.

**ITEM #3 Non-agenda public comment (3 minutes per speaker):**

Terry Norwood informed the Board that she had received an email from a resident interested in paying for bench to be installed at the Community Park. Apparently, no new benches are allowed per the Park and Recreation Department. The resident tried to email the Planning Board but the email address did not work. Robin Kaufman said she would talk with Ben Wier about the problem with the email account. She also stated that the resident should contact the Rancho Bernardo Recreation Advisory Group. Hugh Rothman asked if the resident could bring the issue up at the next Recreation Advisory Group meeting to see if they can recommend the bench or perhaps provide a recommendation for some other type of recognition at the park.

**ITEM #4 Government Staff Reports:**

Various government staff has an opportunity to present updates to the Board.

Marc Schaefer from Councilmember Kersey's office gave an update. Marc received the letter from the Community Council related to solar panels at the RB Community Park, but he has not received a response from the appropriate city department. Councilmember Kersey is looking for suggestions for a potential site in the north city for an indoor COVID-19 testing location.

**ITEM #5 Modification and Adoption of Agenda:**

Patrick Vincent - motion to accept the agenda; Tom Lettington seconded. Motion passed 13-0-0.

**ITEM #6 Administrative Items:**

a. Approve October 2020 Meeting Minutes:

Sonny Googin made a motion to accept the minutes as presented. Mark Huettinger seconded. Motion passed 12-0-1 with David Wilson abstaining as he was not present at the October meeting.

b. Approve Treasurer's Report:

Gary Long reported the Board has \$322.95 in checking and \$455.03 of City funding. Zoom was renewed for one year at a cost of 14.99 per month. Gary made a motion to accept the Treasurer's report; Mark Huettinger seconded. Motion passed 13-0-0

**ITEM #7 Casa de las Campanas - Request to Initiate Community Plan Amendment**

Cindy Eldred provided an overview of the proposed request to initiate an amendment to the Community Plan and General Plan for a parcel located immediately to the north of Casa de las Campanas. Specifically, Casa is requesting a community plan amendment for 9.7 acres north of their complex and less than 1/4-acre property south of their complex that are both presently zoned as agricultural-residential AR-1-1, to medium density RM-2-5. This would allow up to 29 units per acre on the 9.7-acre parcel.

Tony Kempton told the Board that the Planning Commission was scheduled to hear the request to initiate the plan amendment on December 17, 2020. He also explained that if initiated, the plan amendment and associated actions would then be reviewed and processed through the City. The requested plan amendment and rezone are process 5 actions, requiring City Council approval.

Vicki Touchstone made a motion to recommend approval of the initiation of the plan amendment and pursuant to the City's General Plan Amendment Manual, requests that the following factors be evaluated and addressed during the processing of the proposed plan amendment: 1) appropriate action should be taken to ensure that changing the land use will not result in the loss of land required to implement CIP Number: 52-489.0 (West Bernardo Drive - Andanza Way to I-15 Road Widening), nor should it result in any increases in the cost of implementing this action; and to eliminate current impacts to the adjacent community park associated with Casa employees parking in community park parking lots, the language be included in the Community Plan as part of the amendment process that requires Casa to provide adequate onsite parking to accommodate residents and employees within the Casa development footprint. Patrick Vincent seconded the motion.

Steve Dow requested information regarding the proposed land swap associated with the project; including who initiated the land swap request, did Casa already own the property proposed to be swapped, who would be responsible for managing the property in Escondido, and could it be developed in the future. Craig Brown responded that the City has expressed a desire to see more senior housing provided in San Diego, but that is was Casa that reached out the City regarding the potential for acquiring the 9.7 acres to the north of the existing Casa facility. There is no specific development plan for the property at present. The property involved in the trade is 19.7 acres of undeveloped land north of Lake Hodges. A housing development was previously proposed for the site, the permits have expired. Casa currently has an option to purchase the land.

The land swap is required because the 9.7 acres to the north of Casa are included within the City's Multiple Habitat Plan Area, and was set aside as part of the City's cornerstone lands to meet the requirements of the San Diego Multiple Species Conservation Program. Any removal of MHPA lands from conservation requires compensation in the form of land with comparable habitat value, which is determined and approved by the Wildlife Agencies (U.S. Fish and Wildlife Service and California



Department of Fish and Wildlife). The City would be responsible for the long term management of the replacement 19.7 acres of conserved land.

Tom Lettington indicated he supported the proposal. Casa is a responsible member of the community. Steve Dow asked if the land swap would require expansion of the City boundary. Cindy Eldred stated no. Roberta Mikles, a resident of RB and former Planning Board member, spoke for herself and others in the community who were unable to participate in the meeting. She stated that Casa is a fantastic senior facility, as is Silvergate and Remington Club, but she is concerned that these facilities do not meet the needs of lower income seniors in the community. Affordable senior housing is needed in Rancho Bernardo, so all seniors have the opportunity to stay within Rancho Bernardo. Perhaps affordability could be achieved by providing small units on the new site. She was also concerned with the effect the land swap could have on the widening of West Bernardo Drive.

Tony Kempton stated that effects on traffic and habitat, as well as other issues would be addressed in an appropriate environmental document in accordance with the Environmental Quality Act.

The motion made at the beginning of the discussion (see above) was approved by a vote of 12-0-1, with Sonny Googin abstaining to avoid the appearance of a conflict because she lives at Casa.

**Item #8 Amendment to the City's Municipal Code Regarding Short Term Rentals.**

Vicki Touchstone provided an overview of the proposed changes to the Municipal Code for Short Term Residential Occupancy (STRO), as well as an overview of the discussion related to this item at the Community Planners Committee. Of note was the lack of community outreach for the proposal. The item went to the Planning Commission without any notification to planning groups. This is a proposal by Council District 2 to amend the Municipal Code to legalize short term rentals through a four-tiered program that requires a license and provides operating regulations. There was no Citywide outreach for this proposal. The costs of enforcement are intended to be covered by license fees. A "good neighbor policy" is to be established. There will be a limit of one license per host – but a host can be an owner or a renter – so it appears that one person could own multiple STRO units.

The cap on the total number of licenses provided only applies to Tiers 3 and 4. There is no limit on the number of Tier 1 and Tier 2 licenses. Parking is not addressed and there is no cap on the number of people who can occupy the unit. Enforcement proposals seem weak – a number is provided of a person to call if noise or other issues arise. The person must call or visit the property within one hour. If that does not happen then it seems neighbors can contact the City.

Four tiers are proposed: Tier 1 – 20 days or less per year – one day or multiple day rentals – the owner does not need to reside on site; Tier 2 – Home sharing if owner or permanent resident resides on site – but the host may be absent during the STRO for up to 90 days per calendar year, one or multiple day rentals and it includes duplexes, accessory dwelling units, and granny flats; Tier 3 – Whole home rental for more than 20 days and owner/host does not need to reside onsite, minimum two day stay – total of 4,050 license could be issued today based on the total number of units available in SD in future cannot exceed .75% of total dwelling units; Tier 4 – applies only to Mission Beach where an additional 1,081 licenses would be available today with a two-night minimum stay.

Compliance and enforcement mechanisms would involve the creation of an Office of STRO with a project manager, fiscal analyst, plan review specialist, and 4 code enforcement officers. No budget has been established and no information is provided regarding the cost of the license.

The Regional Issues Committee reviewed the proposal but decided not to vote on the item but rather take it to the full board for consideration. In the past, the Board has not supported whole house rentals, and instead supported a proposal that required the owner or permanent resident to be onsite.

Vicki Touchstone made a motion to support only Tier 1 of the proposal; Terry Norwood seconded. Tom Lettington supported the motion as it would allow owner to rent out their house, but not result in houses being purchased for commercial use. Hugh Rothman raised concerns about the need for more housing. Granny flats were allowed to provide additional housing opportunities and give owners additional income from the rents, but not to be used for commercial purposes. Sonny Googin supported a proposal that would only include Tier 1, as it would provide appropriate limitations and allow for further evaluation of the effect STRO could have on adjacent residential uses. Under Tier 1 STRO proposal to start slow and see what the effects might be. Joni Edlemen expressed concern for the entire proposal, and stated that she is not in favor of any STRO proposal where the owner is not present on site. The current proposal has no limitations on the total number of individuals who can occupy an STRO unit at any one time, does not address parking, it appears that an owner of multiple STRO units can acquire multiple licenses simply by giving other individuals permission to manage the units; the way in which licenses are allocated is not fully defined; there is no limitation on the number of licenses that can be provided under Tier 1 and Tier 2. There are many current examples of STRO units being used for huge parties that are disruptive to established neighborhoods. Hugh Rothman agreed with the concerns related to parking and no limits on the number people and also raised concern for the lack of a budget to understand the full costs of regulation and enforcement. Sonny Googin also raised concerns about the effect the proposal could have on housing costs, and particularly on its effect on the availability of affordable housing.

The original motion failed with two in favor and eleven opposed. A new motion was made by Vicki Touchstone and seconded by Terry Norwood to recommend to the Planning Commission that no action be taken on the proposal until the range of issues raised by the Board and other communities are more fully addressed. Issues include but are not limited to: limit on number of people; parking; better defined host and owner; budget to cover enforcement actions; and affect on affordable housing. The motion was approved by a vote of 13-0-0.

**Item#9 Complete Communities - (Housing Solutions, Mobility Choices, Play Information Item Everywhere and Infrastructure Now)** Vicki Touchstone reported that the Complete Communities plan (a parks master plan, a mobility choices initiative, a housing solutions plan and facilities financing) was heard by the City Council on November 9. The mobility initiative was approved 7- 2, with council members Mark Kersey and Vivian Moreno opposed; the housing solutions initiative was approved 8-1, with Moreno dissenting. The park master plan was voted down 5-4 so it could be revised.

**ITEM #10 Request Community Members to Identify Themselves To Fill Vacancies.**

Appointment to open vacancies in Districts B (Eastview), E (Seven Oaks), F (Bernardo Heights) and G (High Country West). Residents must first attend one full Board meeting prior to presenting themselves to fill a vacancy. No one identified themselves.

**ITEM #11 Sub-Committee Reports:**

Development Review - Robin Kaufman informed the Board there is a vacancy on the Development Review Committee.

Regional Issues - Vicki Touchstone indicated a meeting in December is unlikely.

Traffic & Transportation - Robin Kaufman informed the Board there is a vacancy on the Traffic & Transportation Committee and addressed the installation of new stop signs. Residents are not always informed when a new stop sign goes up. There is no update on the much anticipated No Stop on Red sign at Rancho Bernardo Road and West Bernardo Drive.

**ITEM #12 Liaison Reports:**

Community Council - Robin Kaufman, report attached to agenda.

Community Planners Committee (CPC) - Vicki Touchstone, addressed with Items 8 and 9 above.

Recreation Advisory Board - Robin Kaufman, report attached to agenda.

SANDAG - Steve Dow, Report attached to agenda. Hugh Rothman thanked Steve for the comprehensive report.

San Dieguito River Park - Terry Norwood, a new director to be hired.

San Pasqual/Lake Hodges Planning Group - David Wilson, no meeting since last report.

**ITEM #13 OLD BUSINESS ITEM:** None

**ITEM #14 NEW BUSINESS:** None

**ADJOURNMENT:** Sonny Goggin made a motion to adjourn the meeting. Terry Norwood seconded. Motion passed 13-0-0. Meeting adjourned at 8:43 pm.

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Rancho Bernardo Community Planning Board  
12463 Rancho Bernardo Road #523, San Diego, CA 92128  
www.RBPlanningBoard.com

City of San Diego, Planning Commission  
202 C Street, 5th Floor  
San Diego, CA 92101

November 19, 2020

Re: Request to Initiate an Amendment to the Rancho Bernardo Community Plan  
(Project 0674446, Casa de las Campanas)

Dear Planning Commissioners:

On November 19, 2020, the Rancho Bernardo Community Planning Board (Planning Board) considered the proposal by Casa de las Campanas (Casa) to request the initiation of an amendment to the Rancho Bernardo Community Plan and the City of San Diego General Plan to re-designate approximately 9.7 acres located to the north of the existing Casa development from open space to medium density residential development. . The proposal would require the transfer of the 9.7 acres from the City of San Diego (City) to Casa. Because the subject parcel is included within the Multiple Habitat Planning Area (MHPA), an associated action would involve the transfer of 19.7 acres located north of Lake Hodges on Lake Drive, owned by Casa, to the City for inclusion in the City's MHPA. Such a transfer would require approval from the Resource Agencies.

After reviewing the proposal and the recommendations of the Planning Board's Development Review Subcommittee, the Board voted 12-0-1 to recommend to the Planning Commission that Community Plan Amendment be initiated. Additionally, pursuant to the City's General Plan Amendment Manual, the Planning Board requests that the following specific factors be evaluated and addressed during the processing of the proposed plan amendment:

- 1.) Appropriate action should be taken to ensure that changing the land use will not result in the loss of land required to implement CIP Number: 52-489.0 (West Bernardo Drive - Andanza Way to I-15 Road Widening), nor should it result in any increases in the cost of implementing this action.
- 2.) To eliminate current impacts to the adjacent community park associated with Casa employees parking in community park parking lots, incorporate language into the Community Plan that addresses the need for adequate site parking to accommodate residents and employees within the Casa development footprint.

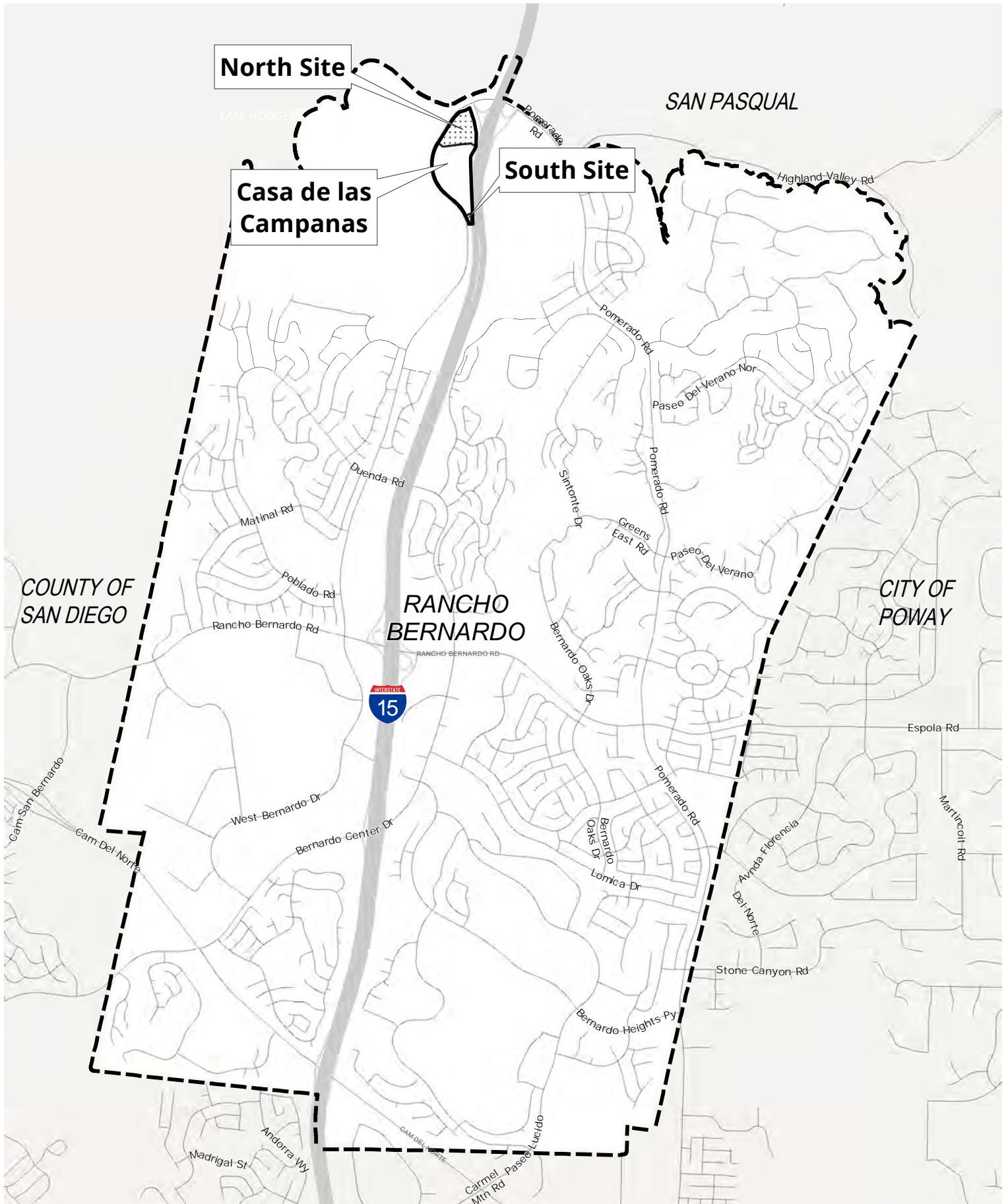
Thank you for the opportunity to review and provide comments and recommendations for this project. If you have any questions, please contact me at [rbpbchair@gmail.com](mailto:rbpbchair@gmail.com).

Sincerely,

*Robin Kaufman*

Robin Kaufman, Chair  
Rancho Bernardo Community Planning Board

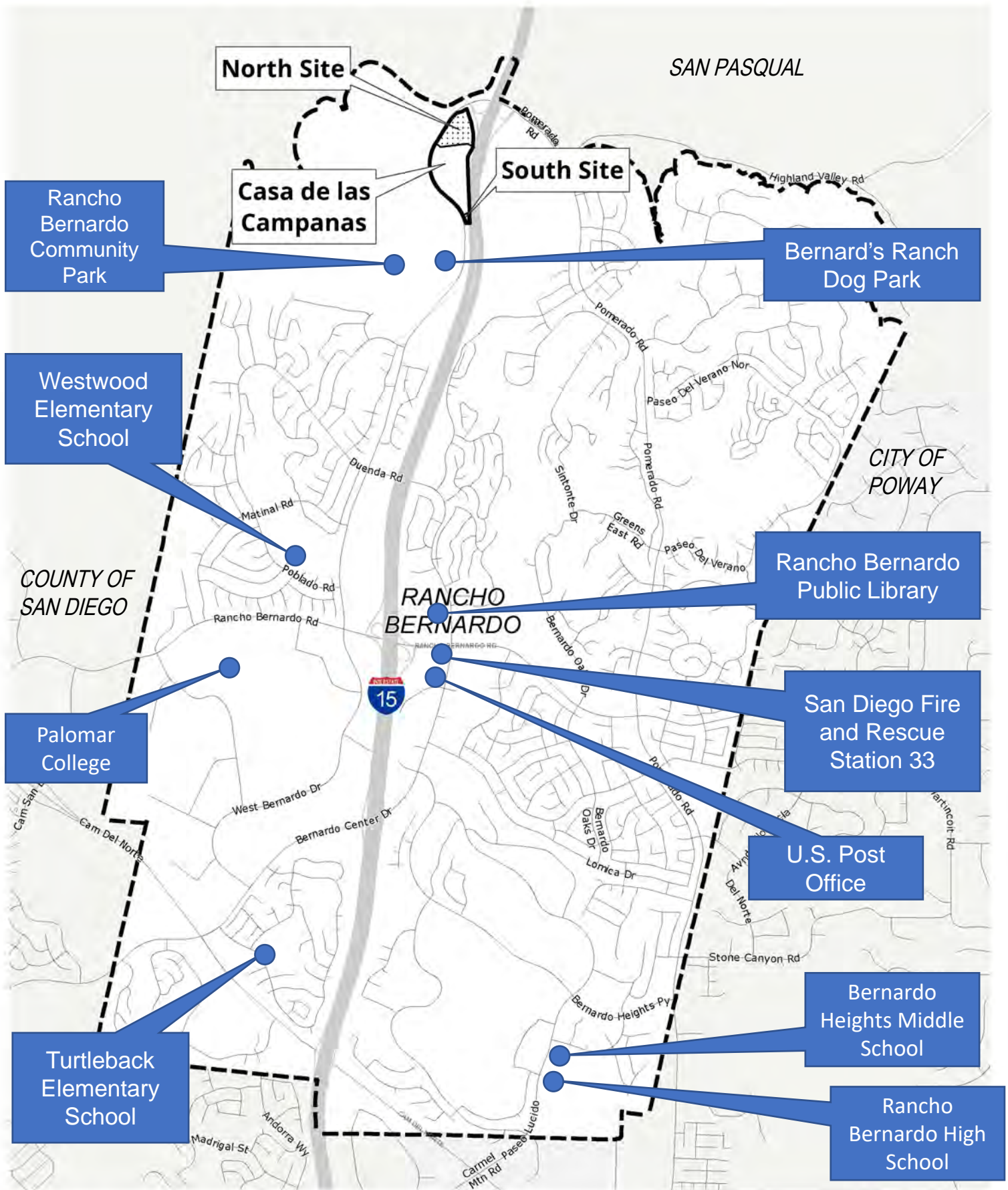
Cc: Craig Brown, Casa de las Campanas  
Justin Sager, Arch Consultants  
Cindy Eldred, Land Attorney for Casa de las Campanas



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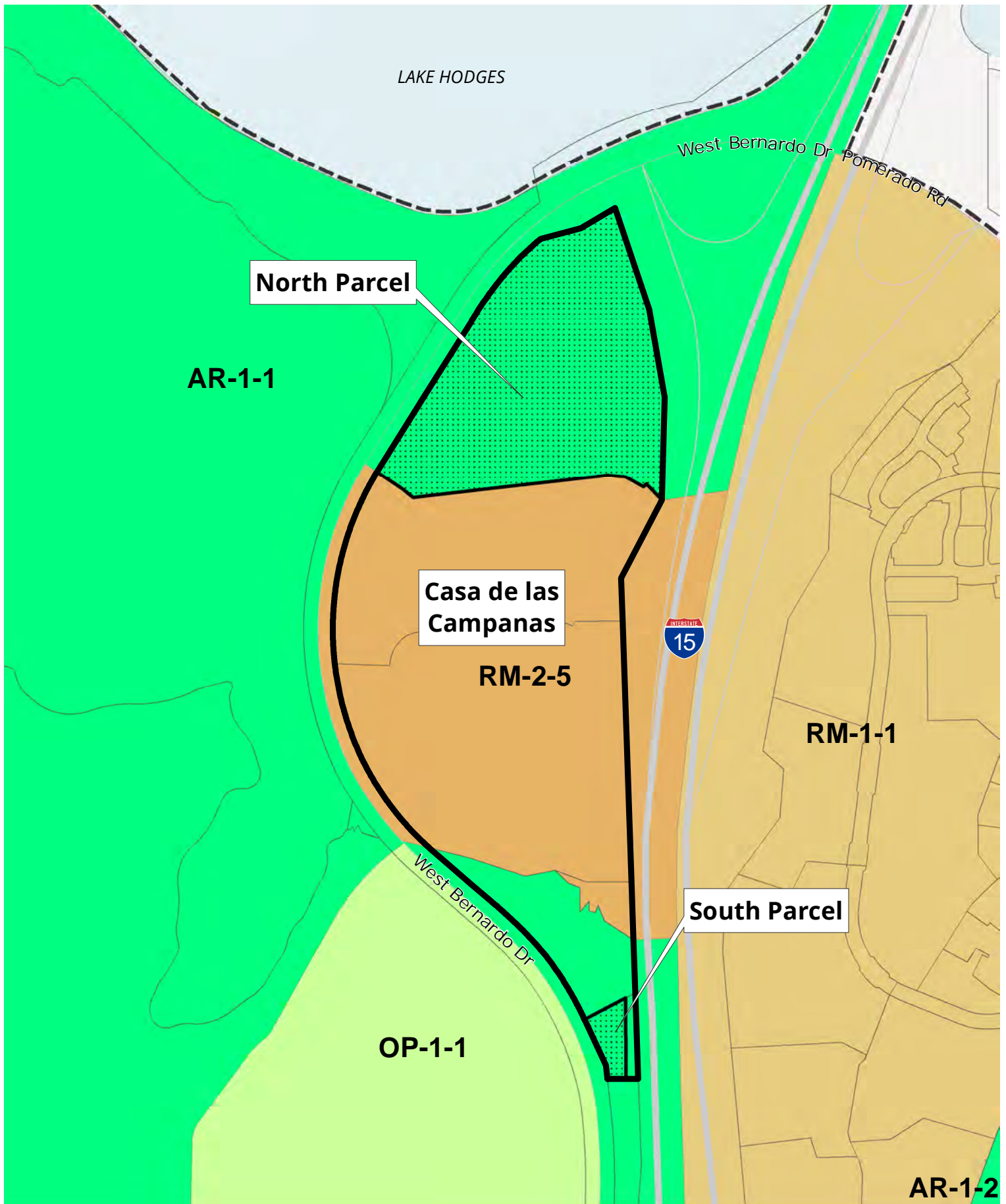
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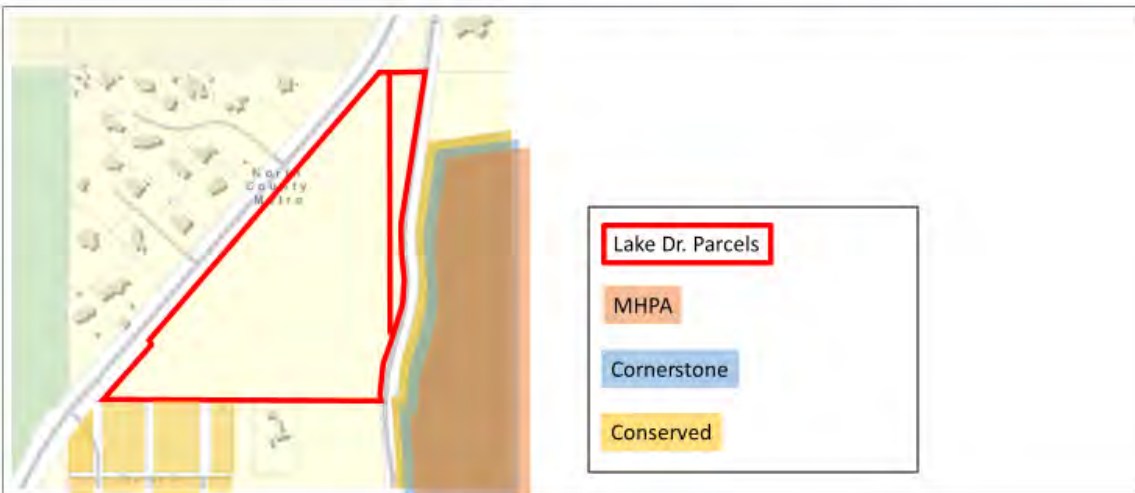
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## Lake Drive Property



## Relationship of Lake Drive Property to Adjacent Lands



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**CITY OF SAN DIEGO MSCP  
MHPA BOUNDARY ADJUSTMENT MEETING**

**October 16, 2020**

**Remote meeting via Teams**

**9am-11AM**

**Minutes**

*Attendees: Kristy Forburger City of San Diego (KF), Dan Monroe City of San Diego (DMM), Anita Eng City of San Diego (AE), Tara Ash-Reynolds City of San Diego (TA), Anna McPherson City of San Diego (AM), Melissa Stepek California Department of Fish and Wildlife (CDFW) (MS), Jennifer Turner CDFW (JT), Karen Drewe CDFW (KD), David Mayer CDFW (DM), David Zoutendyk United States Fish and Wildlife Service USFWS (DZ), Elyse Levy CDFW (EL), Patrick Gower USFWS (PG)*

*Project Participants: ITEM I - Tom Simmons (TS), Ted Shaw (TED), Lindsay Mobely (LM), Jerry Scheib (JS), Paul Lemmons (PL); ITEM II - Craig Brown (CB), Cynthia Eldridge (CE), Justin?; ITEM III - Cynthia Eldridge (CE), Stacey Brenner (SB), Gina Kranz (GK)*

**Pre- Project Discussion (Staff Only)**

- MSCP Annual Workshop – November 6<sup>th</sup>, request for agency participation; focus on management and monitoring; forward topics for itinerary to Tara Ash-Reynolds
- La Median Rd BUOW: (DZ) What is the status of the appraisals for Section 6 for Otay Mesa? (KF) City moving forward for the San Ysidro property; Appraisal for Zimmerman property is just getting started; Otay 50 is moving forward and improvements along frontage of La Media are getting started; (AM) there are several separate projects along La Median who are responsible for improvements, city CIP project is under review and final mitigation is not finalized; (DZ) main goal is to achieve conservation goals for OM; (DM) Has Otay 50 proposed any partnerships with other applicants to coordinate mitigation in lieu of looking to Ramona for mitigation; (AM) applicants are having difficult time finding mitigation parcels within OM; (DZ) Could Section 6 be used for finding properties? – (KF) Section 6 cannot be used for mitigation and timing is problematic to coordinate with other projects/property owners; (DZ) would rather have less acreage in OM to achieve conservation strategy than applicants going to Ramona for mitigation; (KF/AM) that is good information for the city to know when reviewing mitigation proposals; (DM) agreement with (DZ), but must be done on a case-by-case basis and not absolute for every project

**I. Western Burrowing Owl Relocation and Exclusion. BUOW Mitigation Outside City Jurisdiction**

**A. La Media North BUOW mitigation proposal and Sunroad Otay 50 BUOW Exclusion MSCP Staff: Kristy Forburger. Applicant: Majestic Sunroad, 9:20-10:30am, *applicant team in attendance***

(TS) Provided overview of project as described below:

Sunroad Otay 50 Project in Otay Mesa has received grading permit issuance and work has commenced on the eastern portion of an approximately 50-acre site. The eastern portion contains the location of both La Media Road improvements required and entitled as part of the Sunroad Otay 50 project and the La Media North project currently in process.

As required by the Sunroad Otay 50 MMRP, precon surveys for BUOW were conducted. BUOW were present during preconstruction surveys on the eastern portion of the site in the area where forthcoming off-site impacts of La Media Road improvements are located. It is proposed to passively relocate the BUOW at this time of the project and prior to construction of La Media Road improvement.

Additionally, at the direction of the City and WA's, Majestic Sunroad conducted an additional search to acquire land suitable for BUOW conservation and restoration. This search was unsuccessful in finding property within either the City or County that would meet the availability, size or quality criteria.

Finally, Majestic Sunroad requests that the City, CDFW, and USFWS reconsider the pre-approved mitigation credits at Ramona Grasslands.

Discussion on search for properties:

(DM) Question about whether the ratio used in the approved mitigation for Majestic can be looked at again to achieve conservation goal in place of meeting acreage requirement.

(TS) Mitigation ration of 0.5 to 1.0, approx. 9 ac required. WA's preferred meeting the requirement in OM rather than using credits. We searched properties in the range of 5-9 ac and were unable to filling willing or able landowners within the city or county with land that would meet the mitigation requirement. Properties which were undeveloped are being held for prospective development.

(DM) Are there larger properties that have been found that may be able to be utilized by other developers for a combined mitigation property?

(TS) There was an approx. 40ac property that we found but would not be economically feasible. (Marathon property in El Cajon)

(DM) How much time would there be to try and coordinate with other developers to pursue that property for joint mitigation purposes?

(TED) Last issue to be addressed for city is BUOW and NNG mitigation and are at the end of the review process to begin the EIR Addendum preparation.

(DM) Question to city staff: would be possible to proceed with an option clause for mitigation purposes?

(AM) There are times that options have been provided in CEQA documents. City has to ensure that each option fully mitigates the impact.

(TS) There is a concern about knowing the process and timing if a coordinated effort is pursued. No control over other property owners. Hope to achieve concurrence that Ramona is an acceptable option which would require a 2:1 mitigation ratio (17ac).

(DM) Would like to try the coordinated effort to reach goal for OM and not abandon that option.

(DZ) Table provided by applicant identifies a number of properties that are in escrow and what is the status of them? Could they be incorporated into a coordinated mitigation effort?

(TS) We've had conversations with almost all. The development community is under the impression that credits and mitigation banks are available and acceptable. Purchase of land is not being pursued.

(DZ) Wouldn't price negotiation for properties include the cost of mitigation?

(TS) Because credits and mitigation banks are viewed as acceptable, other property owners haven't pursued negotiation of purchase price for property.

(DZ) Question on property #16 – Is the owner a willing seller?

(TS) #16 has a significant amount of challenges; City PW is also looking at the property associated with the La Media Rd Widening project. Property is an economic issue as well as a conflict with ROW acquisition related to the city project. Same issues are related to #30. There is a historically low inventory of properties for sale within OM other than far eastern OM, others have development plans already or are slated for development.

(MS) What is the status of the parcel at Heritage and OM Rd within MHPA?

(TS) It may be State or City property; will have to get back to you.

(DZ) What's the cost per/credit in Ramona?

(TS) \$75K/ac. #46 is taking up the balance of the Lonestar credits so would be unavailable for any future development.

Direction for applicant: Continue to research other property owners/developers that have mitigation requirements for a coordinated mitigation strategy on OM before going to Ramona. There needs to be a timeframe established so that the credits in Ramona are not purchased by other developers if a coordinated effort does not work. Anticipated public hearing in ~ 9 months; WA's and City need to further discuss the option of a coordinated mitigation effort and get back to the applicant.

BUOW Discussion:

(LM) Assuming that owls are present even though they haven't been observed. If owls are found, they can be relocated. Protocols are included in the exclusion plan.

(DM) Not too concerned about the translocation; be sure bio monitors are out to watch for owls.

**II. MHPA Boundary Line Adjustment Information Items**

**A: Casa de las Campanas. MSCP Staff: Kristy Forburger and Dan Monroe. Applicant: Casa de las Campanas. 10:30-11am, applicant team in attendance**

(KF) This is not a MHPA BLA concurrence action. Subsequent Biological Technical Report including MHPA BLA equivalency analysis will be submitted. The project would return for formal consideration and concurrence during the entitlement process in the future.

(CB) Provided an overview of the existing Casa de las Campanas development and focus of the discussion re: the parcel immediately north of existing development.

(CE) Speaking to ppt. presentation. Focus on the north parcel, the south parcel does not involve the MHPA or the corner stone lands but this north parcel is 9.7 acres is immediately contiguous to the existing Casa campus, and it is owned by the City of San Diego, managed by the PUD water fund. The current land use designation is open space and the current zoning is agricultural residential which is AR-1-1; the 9.7 acres is in the MHPA and within corner stone lands. Casa has an option to purchase 19.7 acres of land on Lake Drive and the property is contiguous to MHPA corner stone and conserved lands. The Lake Drive property is more than twice the size of the 9.7 acres; it supports high priority habitat and is connected to existing conserved land as compared to the isolated habitat of the 9.7 acres. The property meets the 5 criteria provided by PUD for a land exchange. (CE/Applicant Attorney) provided an overview of project status and the next step of initiating a community plan amendment at Planning Commission to begin the process.

(DM) The piece that would be added seems to make sense from a City Water Department's perspective that it helps protect any runoff into the reservoir nearby, Lake Hodge's. It seems to check all of the boxes; I can't find any fatal flaws with it.

(PG) Yeah, I think the service agrees with David's assessment, we are not seeing any big red flags come up.

Discussion Summary: Wildlife Agencies provide conceptual support of the approach for the land swap with PUD.

**B:     Salt Bay Design District PTS 527383. MSCP Staff Kristy Forburger.**  
**Applicant: Charles Company. 11-11:30am.**  
*Applicant team in attendance.*

(CE) Project overview and status. MOU between cities is being ratified.

(SB) Over the past several years have been researching how the property was included in the MHPA. Originally thought a BLC would be the way forward; now moving forward with a BLA. Direction from previous batching meetings was to pursue Pond 20 for mitigation. Have been in discussions with the Port re: Pond 20, but the Port has not been very receptive. In discussion with City for alternative mitigation options and want to be transparent with all agencies on identifying mitigation efforts.

(CE) Does anyone have any ideas for consideration?

(DM) There is still a concern re: the buffer to the NWR. Has there been any change re: buffer discussions?

(GK) 100' bio buffer for nesting plovers is still included in project on western edge of project and would implement LUAG's. Proposing 50' wetland buffer on southern edge and anticipate further discussions with CCC.

(DM) I was chased off by snowy plovers.

(GK) Could VP habitat be considered for mitigation?

(DM) Port released draft env document for Pond 20; comment letter will be forwarded to applicant.

(DZ) Comment letter on Pond 20 will be forwarded to applicant.

(GK) Bio Report includes analysis re: DM concern re: buffer to NWR. Would the WA's be open to finding mitigation outside of coastal zone?

(DZ) Nothing outside of coastal zone that would meet the BLA equivalency analysis.

(DM) Have to have better understanding of what the impacts of project would be before considering areas outside of coastal zone for BLA. Pond 20 would be best solution.

(KF) Would acquisition of VPHCP properties be considered?

(DM) Need to see impacts within Bio report first.

(DZ) Agree with DM.

(KF) Once more information is gathered, another mtg will be scheduled.

Meeting Adjourned.

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	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1 style="margin: 0;">Ownership Disclosure Statement</h1>	<b>FORM DS-318</b>  October 2017
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**Approval Type:** Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit  
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance  
☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment ☒ Other Community Plan Amendment Initiation

**Project Title:** Casa de las Campanas CPA Initiation **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** Vacant land north and south of Casa de las Campanas, located at 18655 West Bernardo Drive

**Specify Form of Ownership/Legal Status (please check):**

☒ Corporation ☐ Limited Liability -or- ☐ General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_

☐ Partnership ☐ Individual ☐ The north parcel is owned by the City of San Diego, managed by PUD, see below.

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

**Property Owner**

Name of Individual: Nicole A. McGinnis, City of San Diego ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 525 B Street, MS 906 Public Utilities Department

City: San Diego State: CA Zip: 92101

Phone No.: 619-533-4101 Fax No.: \_\_\_\_\_ Email: nmcginnis@sanidiego.gov

Signature: [Signature] Date: June 21, 2019

Additional pages Attached: ☐ Yes ☒ No ☒ The City owns the North Parcel.

**Applicant**

Name of Individual: Casa de las Campanas, Inc., a non-profit public benefit corp ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 18655 West Bernardo Drive

City: San Diego State: CA Zip: 92127

Phone No.: (858) 592-1810 Fax No.: \_\_\_\_\_ Email: dominy@casadlc.com

Signature: [Signature] Date: Sept 9, 2020

Additional pages Attached: ☐ Yes ☒ No ☒ Casa owns the South Parcel.

**Other Financially Interested Persons**

Name of Individual: \_\_\_\_\_ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional pages Attached: ☐ Yes ☐ No