



Rancho Bernardo Community Planning Board

PO Box 270831, San Diego, CA 92198

www.rbplanningboard.com

May 19, 2016 Meeting Minutes

7:00 PM, @ RB Swim & Tennis Club, Club 21 Room

16955 Bernardo Oaks Drive

<u>2016 RB PLANNING BOARD</u>									
P = present		A = absent		ARC = arrived after roll call					
Sonny Googins	P	Scott Hall	A	Michael Combe	P	Ruth Coddington	P	Mike Lutz	P
Robin Kaufman	P	Bettyann Pernice	P	Sherry Guthrie	P	Jim Denton	P	Vicki Touchstone	P
Rebecca Weide	A	Philip Corn	P	Dan Grobee	P				
								Total Seated	13
								Total in Attendance	11

ITEM #1 CALL TO ORDER/ROLL CALL – REGULAR MEETING: The meeting was called to order at 7:00 PM by Chair, Mike Lutz. A quorum was met with 11 out of 13 members present at roll call.

ITEM #2 NON-AGENDA PUBLIC COMMENT:

Garrett Hager, Community Representative for Rancho Bernardo from Mark Kersey's office updated those present about upcoming scheduled road improvements on Pomerado Road, Montalena neighborhood, and Paseo Lucido Road between Bernardo Heights Parkway from the south end to the north end. Scheduled work described on the City's Street Division website page. The community may contact Councilmember Kersey's office to obtain further information.

Tony Kempton, with the City of San Diego's Development Services Department reminded newly elected and/or appointed Planning Board members they are required to complete the Community Orientation Workshop (COW) within 60 days of being seated on the Board. The City is offering the 4 hour workshop on May 21, 2016 at 9192 Topaz Way in Kearney Mesa between 8 AM and noon, or members may take the workshop online. This workshop is required in order for the City to indemnify the member.

Mr. Kempton also explained the difference between ministerial versus discretionary projects. The Planning Board continues to be concerned with the number of ministerial projects occurring that the Planning Board is not notified about regardless of their status. Currently the City does not provide the Board with information on any ministerial project being done within the Rancho Bernardo community. At the suggestion of Tony Kempton, Mike Lutz will prepare a letter to the City Planning Department to further address this concern and develop a communication process that will keep the Board apprised of ministerial projects planned within the Rancho Bernardo community.

ITEM #3 MODIFICATIONS TO AGENDA / ADOPT DRAFT AGENDA: Motion Jim Denton, second Vicki Touchstone to approve the agenda as presented. Motion passed unanimously 11-0-0.

ITEM #4 ADMINISTRATIVE ITEMS:

Review and approve April 21, 2016 Meeting minutes: Motion Philip Corn, second Vicki Touchstone to approve the minutes as presented. Motion passed unanimously 8-0-3 with Ruth Coddington and Jim

Denton abstaining as they were not present at the April 21, 2016 meeting and Sonny Googins abstaining as she missed part of the April 21, 2016 meeting.

Review and approve April 2016 Treasurer's report: Bettyann Pernice reported \$199.23 is the current checking account balance and \$305.27 remains in the July 2015-June 2016 City Budgeted allocation. Motion Bettyann Pernice, second Ruth Coddington to approve the Treasurer's report as presented. The motion passed unanimously 11-0-0.

ITEM #5

SILVERGATE CARE FACILITY (BERNARDO HEIGHTS) PDP 425893: Proposed Conditional Use Permit, Planned Development Permit, and Community Plan Amendment to develop a 200-unit residential care facility at 16061 Avenida Venusto in Bernardo Heights. A large contingent of members from the community attended in support of the project. David Petree, President of AmeriCare Health Retirement, Inc. provided background since acquiring the property in December 2013 and the process that followed in developing the care facility. He provided handouts describing the environmentally friendly features they are incorporating into the plans for the facility (LEED Certification, Photovoltaic System, Centralized Greywater System, Drought Tolerant Landscaping, Rainwater Catchment System, LED Lighting, Low-Flow Plumbing Fixtures) and Silvergate's support of local community organizations and events. Jim Petree reviewed the displayed project plans showing the layout of the proposed Silvergate community and discussed the amenities as part of the project. The anticipated construction schedule is to break ground the end of 2016 and the one-phase project should be completed within 18 months. The Board thanked the applicant for working with the community and the Planning Board through the application process. The motion presented was based on recommendations by the Development Review Committee.

Motion by Vicki Touchstone, second Jim Denton as follows:

General Plan and Community Plan Amendment: Recommend approval of an amendment to the Rancho Bernardo Community Plan to re-designate the project site from elementary school to low density residential (1-9 units per NRA), with the additional proposed language stating that this site is designated for 200 assisted living units as a State licensed residential care facility.

Site Development Permit: Recommend approval with the following conditions:

- 1) The proposed cut slope to be located adjacent to the property within designated open space be contour graded and revegetated with native plants and/or a hydroseed mix of appropriate native coastal sage scrub species and that the slope be maintained until the vegetation meets the success criteria established by the City. Appropriate erosion control measures shall also be implemented and maintain until the site has been successfully revegetated.
- 2) The existing trees and shrubs on the slope adjacent to Avenida Venusto (along the western property boundary) shall be cleaned up with dead or dying shrubs and fallen trees or branches removed and the area supplemented with new shrubs and/or trees to improve the overall appearance of the slope from the roadway and adjacent sidewalk. In addition, if *Pennisetum setaceum* (Fountain Grass) is planted on the site, as shown on the landscaping plans, the City shall ensure that only the red cultivar, which is sterile, is installed on the site, as fountain grass is characterized by the California Invasive Plant Council as a moderate threat to native habitat.

Planned Development Permit: Recommend approval.

Conditional Use Permit: Through revisions to the project (i.e., signage, curb cuts) that are included on most recent construction plans and with the incorporation of the conditions that follow into the permit, the Rancho Bernardo Community Planning Board believes the required findings for a CUP can be made, and with the conditions outlined below, we recommend approval of the project.

- 1) The proposed access gate to the adjacent open space area shall remain locked until a sustainable trail has been designed, approved by the City, and installed in accordance with the approved trail plan.
- 2) All lighting, particularly at the two main entries, shall be fully shielded and designed to be consistent with existing dark skies policies intended to protect the Palomar Observatory and adjacent residents.
- 3) Prior to commencement of construction, a project information hot line shall be established for the nearby HOAs and the Planning Board Chair in order to facilitate rapid response to any problems associated with construction activities (e.g., construction starting too early, excessive dirt on public streets, inappropriate parking of construction vehicles).
- 4) All employee parking must be accommodated within the project site and employees shall be discouraged from parking on adjacent residential streets.
- 5) Deliveries to the facility shall only occur between 7:00 AM and 7:00 PM to reduce noise impacts related to back up bells and truck travel at the project entry points.

Mitigated Negative Declaration: Letter will include cut slope measure identified in the recommended approval of the Site Development Permit noted above.

The motion passed unanimously 11-0-0.

ITEM #6

DR. GREY VET CLINIC (NUP 470912): Proposed Neighborhood Use Permit and Site Development Permit for a veterinary clinic and boarding and daycare kennel facility within an existing 13,227-sq. ft. office building at 17180 Bernardo Center Drive (located to the west of 24 Fitness). Steve Laub distributed handouts to the Board that included Grant Deed, PSA for the property, plans from the original owner detailing architectural layouts, site layouts, and emails supporting the project from the director at Hilton Gardens and Biomed Realty as well as providing background about the planned project. He indicated the applicant is working with the City to address remaining issues related to noise, traffic, and parking. Dr. Grey and Mr. Laub responded to questions by the Board. The following motion is based on recommendations by the Development Review Committee:

Motion Vicki Touchstone, second Philip Corn as follows:

Recommend approval of the proposed Neighborhood Use Permit for a Veterinary clinic and Boarding Kennel Facility within an existing 13, 227 square-foot office building located at 17180 Bernardo Center Drive provided the following conditions are met:

- a) All potential noise impacts related to the use from within the facility and from the outside play areas are mitigated to the satisfaction of the City through appropriate building materials and 24 hour supervision.
- b) Outdoor dog runs are only provided at the south and west perimeters of the building where they can be accommodated within existing planter areas; the use of these outdoor dog runs is limited to 3 to 5 dogs at any one time, staff is present with the dogs to provide supervision, and dogs are only present in these areas from 10 AM to 4 PM.
- c) Someone is present within the facility 24 hours a day to address barking and other issues.
- d) The southwest corner entrance is designated as the primary entrance to the facility to reduce the potential for dog barking adjacent to other uses on the site.
- e) Barriers are installed around the outdoor dog runs to buffer the sound of barking dogs are visually appealing and will provide the appropriate sound buffering to the satisfaction of the City.
- f) The business signage proposed for the site shall be acceptable to the City and meets the standards established for the overall development area.

If all these conditions are met, the Planning Board believes the findings required by the Rancho Bernardo Community Plan for this site can be made.

The Development Review Committee will continue to monitor the assessment letters from the City and if changes are made to the project that are inconsistent with this action, this recommendation would be subject to reevaluation by the Board.

The motion passed unanimously 11-0-0.

ITEM #7 **SDG&E PIPELINE DOWN POMERADO RD.** Suggestion has been made to hold a town hall meeting with other entities on this issue. Robin Kaufman reported the RBCC Government Relations Committee has been keeping an eye on this project for several months. The project was proposed by SDG&E over 20 years ago but it did not move forward due to local resident concerns. The project is currently going through the PUC and is subject to the California Environmental Quality Act (CEQA). The Planning Board concurs that adjacent communities that will be impacted (Rancho Bernardo, Poway, and Scripps Ranch) jointly address issues relating to this project with SDG&E. Robin Kaufman will coordinate this effort.

ITEM #8 **AMENDMENT TO THE NEIGHBORHOOD PARKING PROTECTION ORDINANCE:** Proposal to amend the San Diego Municipal Code to permanently regulate the parking of oversized, non-motorized, or recreational vehicle on any public street, park road, or parking lot within the City as proposed by the Police Department. The current ordinance expires August 16, 2016. The proposed action clarifies language in the ordinance. Vicki Touchstone noted the Regional Issues Committee reviewed the amendment to the ordinance and concurs with the request for action to the City Council.

Motion Vicki Touchstone, second Jim Denton to prepare and send a letter to the City in support of the amendment to the Neighborhood Parking Protection Ordinance as presented for City Council action. The motion passed unanimously 11-0-0.

ITEM #9 **NEWLY FORMED ZONING ADHOC SUBCOMMITTEE:** The Chair will prepare a letter to the City Planning Department to begin the process for the Adhoc Committee to work with the City developing guidelines and timelines to review commercial and industrial zones within Rancho Bernardo's Community Plan Overlay Zone. Mr. Kempton indicated that utilizing CPIOZ guarantees discretionary review.

ITEM #10 **RB ALIVE UPDATE:** Logistics and Volunteers. A Volunteer sign-up sheet was circulated for members to select when they can participate at the Planning Board's booth during RB Alive. Volunteers are needed to assist at RB Alive (Sunday, June 5).

ITEM #11 **ANY FURTHER ACTION ITEMS ON PALOMAR COMMUNITY COLLEGE:** The Planning Board provided a response to the recirculated EIR based on information provided at their April 2016 meeting. Subsequently it was learned that MTS and the City's Traffic Division had provided opposition to some of the recommendations but these agency's concerns had not been provided to the Board. The Board is concerned that information relevant to recommendations they are making to the City is not available to the Board.

ITEM #12 **APPOINTMENT OF BOARD VACANCIES:** No one presented themselves.

ITEM #13 **APPROVAL OF NON-BOARD MEMBERS TO SUBCOMMITTEES:** Motion Vicki Touchstone, second Dan Grobee to approve the appointment of Rancho Bernardo residents George Leitner on the Development Review and Regional Issues Subcommittee; John Kawalski to the Regional Issues Subcommittee; and Tom Leddington to the Regional Issues Subcommittee. The motion passed unanimously 11-0-0.

ITEM # 14 **COMMITTEE REPORTS**

Development Review..... Vicki Touchstone: None
 Publicity..... Rebecca Weide: None
 Regional Issues..... Vicki Touchstone/Rebecca Weide: None
 Traffic & Transportation..... Robin Kaufman: Next meeting will include reviewing the Westwood parking situation. Westwood residents reached 75% petition participation. Neighbors will be notified of the June 6, 2016 meeting.
 Elections/Nominating.....TBD

ITEM #15

LIAISON REPORTS

Community Council..... Robin Kaufman: (See Attached)
 Community Planners Committee (CPC)..... Mike Lutz: Rancho Bernardo has been moved from #27 to #14 for Community Plan list update. Mike will check with other CPC's to see if they have issues relating to ministerial versus discretionary project review.
 SANDAG..... Robin Kaufman: None
 San Dieguito River Park Philip Corn: None
 San Pasqual/Lake Hodges Planning Group..Open
 Commercial Representative Jim Denton: He learned of the changes occurring at Town Center from Elizabeth Himchak, with Pomerado News. The Board should be receiving this information from the City in some form even if the Board has no authority to review the project(s) as they are ministerial. In researching the RB Inn parking lot modifications, it was learned the eliminated street was an easement—not a City street. Neighbors of RB Inn appear to be happy with the change.

ITEM #16 OLD BUSINESS: None

ITEM #17 NEW BUSINESS: None

ADJOURMENT: Motion Robin Kaufman, second Ruth Coddington to adjourn the meeting at 8:50 PM. Motion passed unanimously 11-0-0.

Respectfully submitted, Sherry G. Guthrie, RBCPB Secretary

STANDING COMMITTEE MEETINGS:

Administrative Committee

6:00 PM - Monday, 10 days prior to Board meeting
 RB Swim & Tennis Club - Ceramics Room

Development Review Committee

6:00 PM – last Tuesday of the month
 RB Swim & Tennis Club – Ceramics Room

Traffic & Transportation Committee

6:00 PM – 1st Monday of month
 RB Swim & Tennis Club – Ceramics Room

Publicity/Election Committee

6:30 PM – Third Thursday
 RB Swim & Tennis Club – Club 21 Room

Regional Issues Committee

7:00 PM – last Tuesday of the month
 RB Swim & Tennis Club – Ceramics Room

Community Council Summary

May 2016

-The Community Council meets the 4th Thursday of the month, 6:30 pm, second floor of the RB library, large meeting room.

- The Government Relations Committee letter pertaining to stricter regulations on E-cigarettes was approved. Four days after submitting the letter, tighter regulations were made on the product, but not all which were discussed in the letter.
- The Government Relations Committee letter pertaining to battery recycling at north county inland county libraries was approved. The county has approved 14 libraries to be collections sights – none of which are in the north county inland area.
- The letter in response to the Palomar Community College District recirculated EIR was approved.
- A new student member was approved.
- A nominating adhoc committee for officers was approved.
- Deadline for filing for elections was April 30th. There is one position opened in Oaks North. All others have received one application each. Therefore, according to the RBCC's bylaws, in uncontested races, the declaration of candidacy is considered to be one vote for the individual. This means the Community Council will not be holding elections at the RB Alive booth this year. Anyone wishing to fill the Oaks North position may present themselves during the second half of the June meeting.
- Due to rain, the 6th annual Chalk It Up art event was canceled. The new date will be Saturday, June 18th.