



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: April 8, 2021 REPORT NO. PC-21-015

HEARING DATE: April 29, 2021

SUBJECT: THE JUNIPERS PROJECT - Process Five Decision

PROJECT NUMBER: [586670](#)

REFERENCE: Initiation of an Amendment to the Rancho Peñasquitos Community Plan to re-designate a 112.3-acre site from Preserve Golf Course Use/Open Space to Single Family Residential, [Planning Commission Report No. PC-17-049](#).

OWNER/APPLICANT: Carmel Land LLC, a Delaware Limited Liability Company

SUMMARY

Issues: Should the Planning Commission recommend to the City Council approval of the Junipers Project ("Project"), an application for the conversion of a closed golf course property into a 536 housing unit, 55+ age-restricted community of attached and detached homes, including 81 affordable homes for low-income senior households, including a 2.87 usable net acres public park and a 2.82-acre "social loop" trail located at Carmel Mountain Road and Peñasquitos Drive in the Rancho Peñasquitos Community Plan area?

Staff Recommendations:

1. Recommend the City Council CERTIFY Environmental Impact Report (EIR) No. 586670/ SCH No. 2018041032 and ADOPT the Mitigation, Monitoring and Reporting Program (MMRP), and ADOPT the CEQA Findings; and
2. Recommend the City Council APPROVE the Amendment to the Rancho Peñasquitos Community Plan; and
3. Recommend the City Council APPROVE Rezone No. 2073792; and
4. Recommend the City Council APPROVE adoption of Ordinance applying the Community Plan Implementation Overlay Zone on the property; and
5. Recommend the City Council APPROVE Planned Development Permit No. 2419770 and Site Development Permit No. 2073790; and

6. Recommend the City Council APPROVE Vesting Tentative Map No. 2073797 with a Public Utility Easement Vacation; and
7. Recommend the City Council RESCIND Conditional Use Permit 87-0346 associated with the closed golf course; and
8. Recommend the City Council APPROVE findings under San Diego Municipal Code (SDMC) Section 142.1308 for an adjustment to the bedroom comparability provisions of the San Diego Housing Commission's administrative regulations for the implementation of the City of San Diego's Inclusionary Housing Ordinance.

Community Planning Group Recommendation: On March 5, 2021, the Rancho Peñasquitos Community Planning Board voted 8-5-2 to recommend approval with the condition that an additional roundabout be constructed at Cuca Street and Peñasquitos Boulevard.

Environmental Review: EIR No. 586670/SCH No. 2018041032, has been prepared for the Project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and will be implemented that will reduce impacts to below a level of significance. The applicant has provided Candidate EIR Findings which will allow the decision makers to adopt the Project and certify the EIR.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Housing Impact Statement: The Project would provide for the development of 536 multi-family attached and detached dwelling units on a site formerly used as a golf course. The project includes a Community Plan Amendment (CPA) that would re-designate a portion of the site from Open Space to Low Medium Density Residential (10-15 dwelling units per acre) resulting in an overall increase of 536 housing units in the Rancho Peñasquitos community. The dwelling units include 455 market-rate and 81 affordable age-qualified (55+) units that would be constructed onsite as part of the development. These units would rent at no more than 30 percent of 60 percent of the Area Median Income (AMI) for a period of 55 years. This equates to 15 percent of the units provided as affordable housing consistent with and in excess of the requirements of the City's affordable housing regulations.

BACKGROUND

Existing Uses:

The Project is in the Glens Neighborhood of the Rancho Peñasquitos Community Plan (Community Plan) area on a former golf course which began operations in 1967 as the Rancho Peñasquitos Golf Course. In 2006, a development company purchased the property and the nearby DoubleTree Hotel and proposed a mixed-use development, including residential and commercial uses, a boutique hotel and a community center with an Olympic-sized pool, tennis courts and a fitness center. This proposal

Land Use:

Zoning:

Topography:

[illegible]

Multiple Species Conservation Program:

The Project site is within the Urban Areas segment of the City's Multiple Species Conservation Program (MSCP) Subarea Plan and is not located within or adjacent to the Multi-Habitat Planning Area (MHPA). The sloping topography within the Project site does not meet the definition of steep hillsides in the Environmentally Sensitive Lands (ESL) regulations. The Project site does not contain protected habitats or sensitive plant or animal species. The existing drainage that crosses the Project site does not meet the City's definition of a wetland and is not subject to the City's ESL Regulations, and the on-site habitats are not subject to the regulations. The Project is not within a coastal beach or bluff area, nor does it contain 100-year floodplains. Therefore, the Project site does not contain ESL.

Required Entitlements:

1. Rescind CUP 87-0346 – This Conditional Use Permit was approved for the previous golf course use and will be rescinded to accommodate the Project.
2. General Plan/Rancho Peñasquitos Community Plan Amendment – The action will designate the Project site from Park, Open Space, and Recreation to Residential in the General Plan and change the land use designation from Open Space/Golf Course to Low Medium Density Residential for most of the site in the Community Plan.
3. Rezone – Change the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 residential zones and OR-1-1 and OP-1-1 open space zones.
4. Community Plan Implementation Overlay Zone – This action will limit the maximum density for the Project site to be equal to the proposed Project density, thereby ensuring that any future proposal to replace the Planned Development Permit for the Project would require discretionary approval.
5. Planned Development Permit (PDP) – The PDP will allow for creative site planning and deviations for the private exterior open space barrier height (for noise control purposes), RM-1-1 setbacks, and length of lot frontage on public streets for the multi-family residential uses.
6. Site Development Permit (SDP) – The SDP is required for development within the Airport Land Use Compatibility Zone proposing development that includes a rezone or land use plan approval.
7. Vesting Tentative Map (VTM) with Easement Vacation – The VTM subdivides the property into 13 lots under the City's Municipal Code and the State Subdivision Map Act. The VTM will also be used to vacate an existing 10-foot wide public utility sewer easement and establish right-of-way and utility easements throughout the Project.
8. Approval of Findings for Adjustment to San Diego Housing Commission's administrative regulations for the implementation of the City of San Diego Inclusionary Housing Ordinance – (Municipal Code Section 142.1308) – Action to allow for an adjustment to the bedroom comparability provisions of the administrative regulations for the implementation of the City's

Inclusionary Housing Ordinance.

DISCUSSION

Project Description and Overview:

The Project site encompasses approximately 112.3 gross acres that front Interstate 15 (I-15) on the east, Peñasquitos Drive on the west and Carmel Mountain Road to the south. The site is made up of approximately 110.46 acres of a former golf course property, and approximately 1.85 acres of former tennis courts and maintenance facilities previously associated with the Hotel Karlan.

The Project would develop the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The Project will construct a public park and a publicly accessible recreational walking trail loop (referred to as the social loop or social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private infrastructure improvements. Residential units would include up to 455 market-rate residential units in single-family detached, townhome/duplex, and six-plex configurations. In addition, 81 for-rent affordable residential units for low-income senior households are proposed for a total of 536 residential units.

The housing units would be configured into single-family detached home, duplexes, and six-plexes. All units have been designed to accommodate seniors at various stages of life. The single-family units would consist of one to two story high homes with floor plans ranging from 1,738 to 2,527 square feet, including three or four bedrooms and two to three bathrooms. The duplex units would range from 1,946 to 2,106 square feet with 3 bedrooms and 2 or 2.5 bathrooms each on 40 feet x 50 feet modules. The six-plex homes are a clustered product type with six units in a "U" shape and organized around a single drive-aisle. The unit sizes range from 1,199 to 2,240 square feet with 2 to 4 bedrooms and 2 to 3 bathrooms each on 160 feet x 125 feet modules. The six-plex one story units would have a maximum height of 20 feet 11 inches, and the two-story units (with the second story occupied by a den or bedroom suite) would reach a maximum of 26 feet 9 inches high. All homes would have two-car garages and the additional community parking would be provided as on-grade, surface spaces. Photovoltaic panels would be installed on all rooftops.

Lot Number*	Lot Acreage	Housing Unit Types and Numbers of Units by Lot			
		50x90 Single Detached Units	Duplexes	Six-Plexes	Totals**
1	12.49	4	86	6	96
2	24.41	129			129
3	19.24			180	180
4	5.71		50		50
Totals	61.85	133	136	186	455

*Note: Lots 1 - 4 are located behind a private gate allowing residents a controlled point of access into the community.

** With approval of the proposed PDP and CPIOZ these totals for each lot may not be exceeded without additional discretionary action and CEQA review.

Affordable Housing Component:

Lot 5 (Juniper Commons) of the Project would be developed with up to 81 income-restricted for-rent affordable housing units, which accounts for 15 percent of the total proposed units on site. The multi-family for-rent affordable housing units are an age qualified (55+) product targeting low and very low-income senior households. The affordable housing units would consist of one and two-bedroom apartment homes. Photovoltaic panels would be included over the surface-grade carports and on the roofs of the three-story affordable apartments.

Recreational Amenities:

There are 14 common open space areas identified throughout the Project site, including a designated public park that would span two parcels near Peñasquitos Drive. A social loop trail is also proposed within the open space buffer areas along the Project edges. The required and provided areas of proposed parks and open space are summarized in the following table:

PROPOSED PARKS AND OPEN SPACE						
Resource	Amount in Square Feet and/or Acres (ac)					
Open Space Type	Market Rate Required	Market Rate Provided	Affordable Required	Affordable Provided	The Junipers Required	The Junipers Provided
Public Park	NA	NA	NA	NA	2.55 ac	125,110 SF (2.87 ac)
Private Trail with Public Easement	NA	NA	NA	NA	NA*	122,664 SF (2.82 ac)
Private Exterior Open Space	60 SF/unit = 27,300 SF 0.63 ac	212,970 SF 4.89 ac	60 SF/unit = 4,860 SF 0.11 ac	5,103 SF 0.12 ac	NA	NA
Common Usable Open Space	NA	184,065 SF 4.23 ac	NA	13,800 SF 0.32 ac	NA	NA
Total Usable Open Space (Private plus Common)	500 SF/unit = 227,500 SF 5.22 ac	398,035 SF 9.14 ac	125 SF/unit = 10,125 SF 0.23 ac	18,903 SF 0.43 ac	NA	416,938 SF 9.57 ac

* Trail is not counted toward park requirement.

The Project's public park will be dedicated and maintained by the City and would provide approximately 2.87 net usable acres of parkland, which exceeds the General Plan's public park requirement of 2.55 acres. The Project also includes an HOA-owned and maintained private park with ball courts and social loop trail that would include public access easements. The 2.75-mile social loop trail would trend around the Project and be open to both Project residents and the general public. A 0.58-acre dog park would also be included in the northernmost portion of the Project site that will be accessible to Project residents and the general public from the social loop trail.

Vehicle Access:

The primary vehicular access to the Project including fire and emergency access would come from a new driveway, connecting to Janal Way at the current intersection of Janal Way and Peñasquitos Drive to form a new four-way intersection designed as a traffic-calming roundabout within the public right-

of-way and a portion of the Project site. An additional Project entrance would provide for right turn in traffic only from Carmel Mountain Road due to proximity to the I-15. The driveway would capture the majority of trips going into the Project from I-15 and areas further east, thereby minimizing additional Project trips onto Peñasquitos Drive.

The Project would also provide emergency-only egress, through an emergency personnel-operated radio frequency gate, and a mountable median with delineators within the Carmel Mountain Road median. Emergency vehicles would be able to turn right or left into or out of the development, and the route could also be opened by emergency personnel in the event of an evacuation. Additional emergency access/egress would be provided through an on-site connection to Del Diablo Street and off-site improvements to Andorra Way/Corte Raposo. All of these improvements would serve the Glens Neighborhood and the Project site.

Transit Access:

Although not within a Transit Priority Area, the Project site is readily accessible by transit. The southern entrance to the Project off Carmel Mountain Road is within approximately 0.15 miles from the Metropolitan Transit System - Route 20 bus stop located at the intersection of Carmel Mountain Road and Peñasquitos Drive, which is within walking distance from the Project site. Route 20 provides service from the Rancho Bernardo Transit Station to Downtown San Diego and operates at an approximately 30-minute frequency. The Project site is also approximately two miles south of the Rancho Bernardo Transit Station and one mile north of the Sabre Springs/Peñasquitos Transit Station (within an approximately 15-minute bicycle ride or a 5-minute drive). Each of these stations provides access to all three major Bus Rapid Transit (BRT) services currently operating from North County with connections to primary destinations in Kearny Mesa, Downtown, and other regional destinations.

GENERAL/COMMUNITY PLAN ANALYSIS:

The Project site is subject to the recommendations of the General Plan and the Rancho Peñasquitos Community Plan (Community Plan). General Plan policies are also addressed through community plan recommendations. The Community Plan contains the community-specific detail, including more detailed land use designations for review of development projects in the community.

The Community Plan designates the majority of the site as "Open Space" consistent with its former use as a golf course. The Community Plan also contains a Neighborhood Planning Element with eleven neighborhoods identified based on natural features as well as their locations with respect to existing and proposed land uses and transportation facilities. The project site is within the Glens Neighborhood, and the neighborhood land use figure for this area designates the site as "Golf Course" and a smaller portion as "Recreational – Swimming and Tennis Club."

The Community Plan's recommendations for the Glens Neighborhood are to preserve the golf course as a unifying open space element and buffer from the freeway, and to maintain the existing quality of development in the area. Additional recommendations include protecting the low-density designated residential areas as single-family neighborhoods, preserving open space within Black Mountain, creating a landscape entry at the freeway, and ensuring a compatible architectural style and color

(Spanish mission or Old West ranch style) when the neighborhood commercial area redevelops.

The Project includes an amendment to the Community Plan (CPA) to align the land uses and density of the Project with the land use designations of the Community Plan and Glens Neighborhood. The CPA would re-designate a portion of the site from “Open Space” to “Low-Medium Density Residential”. The proposed neighborhood park including the Project’s open space amenities would remain designated as “Open Space.” The Glens Neighborhood land use figure and tables would be amended to add the Project’s proposed neighborhood park and 536 dwelling units. Policies related to the preservation of the golf course as open space would be removed. The CPA also includes an amendment to the General Plan Land Use Map to re-designate a portion of the project site from “Park, Open Space and Recreation” to “Residential”.

The proposed CPA would change the site’s planned land use from a golf course to add housing (including affordable housing units), a public park, and private recreational amenities in a setting adjacent to existing bus routes and bike facilities and in proximity to commercial uses. The proposed uses would be consistent with the intent of the General Plan to focus growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide housing diversity (age-qualified and affordable) within a land use plan compatible with the Glens Neighborhood once the loss of the golf course is addressed as a policy consideration.

Although the Project site is not located in a Transit Priority Area, the Project would address Climate Action Plan Greenhouse Gas (GHG) targets through additional sustainability features including installing photovoltaic panels on all of the individual residences and the carport roofs within the affordable apartments, and providing active electric vehicle (EV) charging stations and EV-ready stations exceeding requirements. These features would enable a net decrease in GHG emissions for the overall Project as compared to a golf course use.

General Plan:

The General Plan contains a long-range vision and broad range of citywide policies that provide a framework to guide physical development, provide public services, and maintain San Diego’s defining qualities. As projects and future implementation actions are reviewed, they are to be deemed consistent with the General Plan provided they further its goals and policies (or not obstruct their attainment).

Housing Element

The General Plan’s Housing Element addresses the City’s comprehensive housing needs and promotes the use of affordable housing/density bonus programs to achieve projected residential housing needs over a broader range of income levels.

The Project site has been identified in the Housing Element’s Adequate Sites Inventory for the potential location of new housing. The Project would further Housing Element goals by providing for the future construction of 536 units; providing affordable housing onsite; creating a compact, walkable neighborhood accessible by transit; and increasing housing choice within the Rancho

Peñasquitos community by providing a range of housing unit types.

The conversion of the site to residential uses is supported by the General Plan and Community Plan policies related to the provision of housing and community housing diversity. The project would construct 15 percent of the total 536 residences within the community as affordable to households at 60 to 65 percent of area median income. This would address General Plan and Community Plan policies by providing a diversity of housing choices to households of various incomes. The proposal would also provide housing for San Diego's increasing aging population and affordable age-restricted apartments in Rancho Peñasquitos. The General Plan Housing Element identifies an increasing need for senior housing in an environment conducive to the specific needs of the senior population. The project would provide 81 senior affordable apartment homes with their own dedicated amenities.

Recreation

The General Plan Recreation Element requires the provision of population-based parks at a minimum ratio of 2.8 useable acres per 1,000 residents. The Community Plan also includes a policy to provide as-needed public parks and recreation facilities and preserving and maintaining landscaped and natural open space areas. The project would construct a 2.87-acre public park (to be dedicated to and maintained by the City), which would exceed the project's population-based parkland requirement of 2.55 acres.

The park's design underwent a General Development Plan (GDP) process, as defined by Council Policy 600-33. The GDP process gathered public input and design ideas for this community facility. The plan approved through the process included a dog park, children play areas, picnic and game areas, and a large turf area. The project would also provide two privately owned and maintained recreational amenities that would have public recreation easements and be accessible to the general public. The first is a 2.75-mile social loop trail that includes amenities such as seating, fitness stations, and observation and/or interpretive areas. The project is also proposing a second 0.52-acre privately owned park at the southern portion of the project site adjacent to Carmel Mountain Road. This park would include sports courts and mobility features such as bike racks, day lockers, tethered bike tools, transit and bike route signage, a rideshare pickup/drop-off location and pedestrian paths, benches and shade structures.

Mobility Element

Policy ME-C.2 states to "provide adequate capacity and reduce congestion for all modes of transportation on the street and freeway system." The project would provide various roadway improvements that would increase capacity, as described in this report. However, the FEIR identifies significant impacts to traffic circulation that are not fully mitigated due to multiple factors that preclude full achievement of this policy (see Final Environmental Impact Report).

Land Use Element

Policy LU-D.13 identifies issues that should be addressed prior to a project decision to include the level and diversity of community support; appropriate size and boundary for the amendment site; provision of additional benefit to the community; implementation of major General Plan and community plan goals, especially as related to the vision, values, and City of Villages Strategy; and provision of public facilities.

Community Planning Group and Community Input:

The Project has been presented at several Rancho Peñasquitos Community Planning Board meetings and the Planning Board supports the project with a modification to include a roundabout at Cuca Street (Attachment 20). The Project would provide the additional benefits of exceeding required population-based parkland by constructing a neighborhood park, other on-site recreation amenities, and affordable housing units. There is opposition to the Project that cite various issues including wildfire evacuation, traffic, and loss of the golf course. Staff has provided responses to these issues in the Project's EIR response to comments section.

Proposed Land Use:

The Community Plan currently identifies the Project site as a recreational use and specifically as a golf course. Community Plan policies intend for the preservation of the golf course use. As noted in this Report, the Carmel Highland Golf Course was closed in 2015 due to reduced golf course usage and revenues, and higher water costs. The current owner, Carmel Highlands LLC, purchased the property in 2016 as an in-fill housing development opportunity. Since the site's closure in 2015, the golf course has not served as a recreational resource within the Glens Neighborhood. The site is currently fenced and is not available for golf course use. The southwest portion of the site includes the existing private tennis courts previously associated with the Hotel Karlan, which are also closed.

When operational, the golf course functioned as a privately-owned golf course open to the public but was not a public golf course. The tennis club was also a privately-owned commercial recreation facility open to the public. In terms of an open space use, the golf course is not considered public open space but may be described as semi-public open space and a community amenity. Since the golf course was never a public open space use and the tennis courts were a private use, the project is not proposing to convert existing public open space to another use.

It may not be feasible to preserve the golf course land for use as another commercial recreation facility. Although re-opening the golf course would be consistent with the Community Plan, the site would have to be purchased by a golf course developer/operator or by the City of San Diego and must be completely renovated and updated to reestablish a golf course use. This alternative is addressed in EIR Section 8.0, Alternatives.

The conversion of the golf course to other uses would represent a loss of privately-owned open space within the community. However, the Glens and Village Neighborhoods have other options for public enjoyment of open space. The neighborhoods have a significant proportion of designated open space

associated with Black Mountain Open Space Park, which is open to the general public. The project would provide an open space amenity around the edge of the future development and publicly accessible trails within the area. This would maintain a portion of the site as an open space amenity and provide public access without the commercial use limitation.

The proposed residential development would consist of a mix of detached and attached multi-family housing, public and private parks, and recreational amenities compatible with the existing neighborhood. While the project density is slightly higher than adjacent residential development, the Glens Neighborhood also includes a mix of single-family and multi-family development. The Project includes a landscaped open space corridor along the perimeter of the site that would provide a buffer to the adjacent residences. The closest proposed homes would not exceed two stories in height, and includes single-story, detached units similar in scale to homes in the existing neighborhood. The project would also create a landscaped amenity at the freeway interchange and proposes old west ranch style architecture consistent with the Community Plan design recommendations for the Glens Neighborhood.

Community Plan Implementation Overlay Zone (CPIOZ):

The project proposes a CPIOZ Type B to require the implementation of Community Plan policies with supplemental development regulations. Application of a CPIOZ to the site would ensure that any future development of the site (not analyzed herein) is consistent with the Community Plan. Per SDMC Section 132.1401, a CPIOZ Type B requires a Process Three, Site Development Permit and ensures that development proposals are reviewed for consistency with the supplemental development regulations that have been adopted with the proposed development.

Variance to the Inclusionary Affordable Housing Regulations:

The Project application was deemed complete on December 15, 2017 and is complying with the development regulations at the time of submittal. Similar to current SDMC Sections 142.1304(e)(1) and 142.1311, former SDMC Section 142.1305(b)(1) and the City's Inclusionary Affordable Housing Implementing and Monitoring Procedures ("Affordable Housing Manual") applicable to the Project, generally requires development projects to construct affordable housing units in similar bedroom mix as the market rate units unless a variance is obtained for an alternative comparable bedroom mix in accordance with former SDMC Section 142.1307.

The Affordable Housing Manual recognizes there are special circumstances unique to a project. Therefore, the applicant and the San Diego Housing Commission can enter into an affordable housing agreement with an alternative bedroom mix requirement. The Project's 81 affordable housing dwelling units account for 15 percent of the total proposed units where the regulations requires 10 percent. The units would consist of one- and two-bedroom for-rent dwelling units. Inclusion of the income-restricted units would exceed the Project's affordable housing obligation, which is consistent with the City's Inclusionary Affordable Housing regulations. Therefore, special circumstances justify granting a variance for an alternative bedroom mix requirement.

Deviations:

The Project proposes deviations to the development regulations for street frontage, fence/wall height, front yard setback, side yard setback, and lot width. Staff has reviewed and recommends approval of the following requested deviations for the Project:

Proposed Deviations		
Development Regulation	Required/Allowed	Proposed
Street Frontage Deviation		
For RM-1-1 and 3-7 lots, as per SDMC Table 131.04g, the minimum street frontage.	50 feet (RM 1-1) 70 feet (RM 3-7)	0-foot street frontage. The 0-foot street frontage for Lot H allows ingress and egress from Peñasquitos Drive and Carmel Mountain Road to Lots 1, 2, 3 & 4 (RM-1-1) and Lot 5 (RM 3-7) instead of directly from a public street.
Fence/Wall Height Deviation		
SDMC Section 142.0310 (1c) the height of a solid fence located on the front or street side property line may not exceed 3 feet, except when placed at the setback line where it may be 6 feet high.	3 feet-6 feet	6-foot high fences within the front setback of Buildings 44-47, 55, 61, 62, 71, 72, 87, 88, 113, 114, 135-138, 163-166, 181, 184, 185, 188, 189, 192, 193, 195, 196 (Lot 3)
SDMC Section 142.0310 (4)(d) fences located in required side yards and required rear yards are permitted up to 9 feet in height. Any portion of the fence above 6 feet in height shall be an open fence.	9 feet with up to 6 feet of solid fence and 3 feet of open fence	8-foot high solid fence for Buildings 99, 100, 123, 124, 125, 126, 147, 148, 149, 150, 179, 180 9-foot high solid fencing for Buildings 101, 102, 181, 182
Setback Deviation		
For RM-1-1 lots, SDMC Section 131.0443(d) and Table 131.04g - Up to 50 percent of the front yard setbacks may utilize the minimum yard setback if the other 50 percent utilizes the standard yard setback.	Minimum 15-foot front yard setback and Minimum 20-foot Standard front setback	Lot 2 (RM-1-1) front yard setback; Building No. (requested setback): 259 (10 feet), 260 (10 feet), 265 (10 feet) Lot 3 (RM-1-1) front yard setback; Building No. (requested setback): 181 (10 feet), 184 (10 feet), 185 (10 feet), 188 (10 feet), 189 (13 feet), 192 (11 feet), 193 (12 feet), 196 (14 feet) Lot 4 (RM-1-1) front yard setback; Building No. (requested setback): 54 (13 feet), 62 (13 feet), 71 (18 feet), 72 (14 feet)
For RM-1-1 lots, SDMC Section 131.0443 (d) and Table 131.04g - Up to 50 percent of the length of the building envelope on one side of the premises may observe the minimum 5-foot side yard setback,	Minimum side yard setback of 5 feet; Minimum street yard setback of 10 feet;	Lot 1 (RM-1-1) side yard setback; Building No. (requested setback): 42 (25 feet), 43 (15 feet), 44 (35 feet) Lot 2 (RM-1-1) side yard setback; Building No. (requested setback): 231 (45 feet),

Proposed Deviations		
Development Regulation	Required/Allowed	Proposed
provided the remaining percentage of the building envelope length observes at least the standard side yard setback of 8 feet or 10 percent of the lot width, whichever is greater. 100 percent of the length of the building envelopes on the opposite side may observe the minimum side yard setback of 5 feet.	Standard side yard setback of 10 percent of lot width (see Sheet C5 of engineering drawings for specific lots and setbacks)	310 (45 feet), 232 (10 feet), 233 (10 feet), 234 (25 feet), 235 (25 feet), 236 (25 feet), 237 (20 feet) Lot 3 (RM-1-1) side yard setback; Building No. (requested setback): 196 (17 feet), 195 (17 feet), 166 (20 feet), 165 (16 feet), 164 (22 feet), 163 (18 feet), 138 (15 feet), 137 (15 feet), 136 (20 feet), 135(17 feet), 114 (20 feet), 113 (15 feet), 88 (20 feet), 87 (15 feet) Lot 4 (RM-1-1) side yard setback; Building No. (requested setback): 53 (5 feet), 54 (5 feet)
Lot Width Deviation		
For RM-1-1 lots, SDMC Section 131.0231 minimum lot width	Minimum 200 feet	Lot C – 10-foot minimum Lot D – 20-foot minimum Lot G – 10-foot minimum

Deviation Justifications:

- Fence/Wall Height Deviation:** The sound barrier height deviation allows for taller walls and fences around private exterior use areas for noise attenuation purposes to achieve sound levels of 70 CNEL or less within private outdoor usable spaces. The taller noise attenuation privacy barriers reach up to eight or nine feet in height and are primarily located within the easternmost housing units adjacent to the I-15 freeway. The deviation will result in a more desirable project since increasing the heights of sound walls by two to three feet over the allowable six feet reduces sound impacts from the I-15 freeway thereby protecting the quality of life for residents. The sound walls have no significant adverse visual effect to viewers from the east due to the topographic variation between the site and the I-15 freeway.
- Setback Deviation:** The deviations from the setback requirements for the RM-1-1 Zone allows for placement of the project into the unique shape of the former golf course footprint, allowing for units customized to the living needs of the 55+ age group, and providing for a perimeter open space and walking trail. The deviations are located on the condominium lot and allow for the front of the dwelling units to be closer to the sidewalk, thereby promoting pedestrian interaction. The deviation would also accommodate the desired densities for the one-story homes with no stairs that best serve senior residents.

The deviation will result in a more desirable project since the project implements policies in the Residential Element of the Community Plan that encourages residential development that uses creative and flexible site planning to maximize the preservation of open space and hillside areas. The offset in depth from the front facade to the main massing provides for more variation along the streetscape between the various elevations and is therefore more suitable to the geography

of the site. The additional depth to the living space at the front, along with the side and rear yard setback deviations allows for better internal functionality of the dwelling units. Single-story development is also considered important for senior residents who want to age in place and have internal home spaces that are located at ground level. The additional internal area provided by the reduced setbacks also provides additional rooms per floor plan design to meet the future needs of the senior homeowner.

- **Street Frontage Deviation:** The street frontage deviation addresses the RM-1-1 requirement for dwelling units to have 50 feet of street frontage, and a RM-3-7 requirement for dwelling units to have 70 feet of street frontage (Lot 5). The project proposes condominiums where units do not front on streets and are clustered around a common driveway. The deviation will result in a more desirable project since it would allow for maximum dwelling unit sizes without the need for large front yards. The common driveway would serve as a common entryway, and as a central meeting area for neighbors in each of the residential clusters, thereby promoting social interaction.
- **Lot Width Deviation:** The perimeter of the project is proposed for OR-1-1 zoning to reflect the open space that would be privately owned and maintained by the homeowners association. A deviation from the standard minimum 200-foot lot width requirement is necessary due to the limitations of the unique shape of the project site and the proximity of the adjacent I-15 freeway and residential neighborhood. The deviation will result in a more desirable project since the proposed perimeter open space area includes a social loop trail and associated pedestrian amenities that will be available to the general public and re-establishes a drainage area along the eastern boundary.

Each of the requested deviations has been reviewed as they relate to the Project design, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site and achieves the revitalization and re-use of the former golf course for residential use, while meeting the purpose and intent of the development regulations. The Project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC. The proposed Project will also assist in accomplishing the City goal of providing affordable and market-rate housing opportunities.

Water Supply Assessment (WSA):

In accordance with Senate Bill 610 and Senate Bill 221, the City Public Utilities Department prepared a WSA Report for the proposed Project, which assessed if sufficient water supplies would be available to meet the projected water demands of the Project. The WSA evaluated the City's ability to provide water supplies to the proposed Project during a normal water supply year, a single-dry year, and multiple-dry water years over a 20-year projection period including existing and the planned future water demands of the City. As demonstrated in the WSA, current and future water supplies including actions necessary to develop these supplies have been identified in the water resources planning documents of the City's Public Utilities Department, the County Water Authority, and the Metropolitan Water District to serve the projected demands of the Project, including existing and the planned future water demands of the City.

ENVIRONMENTAL ANALYSIS

An Environmental Impact Report (EIR) was prepared for the Project. The EIR found potentially significant impacts in the areas of transportation, biological resources, historic and tribal resources, and public health and safety. Mitigation has been identified to reduce all of these impacts to below a level of significance, leaving no significant and unmitigated impacts:

Transportation and Circulation:

The Project will create significant direct and cumulative impacts at the Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and the Peñasquitos Drive/Janal Way/Project Access intersections. To mitigate these impacts, the Project will be required to install a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street (Cuca Street/Hotel Karlan Driveway) approaches. The Project will also construct a single-lane roundabout at the Peñasquitos Drive, Janal Way and project access point.

Biological Resources:

The Project results in significant impacts to a man-made drainage feature within the eastern/northeastern portion of the site including impacts to 0.10-acres of USACE and RWQCB jurisdictional non-wetland waters of the U.S. and State of California and 0.15-acres of CDFW jurisdictional streambed. The impacts would be mitigated at a 1:1 ratio through one or a combination of on- and/or off-site re-establishment and/or enhancement of the same type of wetland and non-wetland waters.

Historic and Tribal Resources:

The potential exists for subsurface resources to be recovered on-site. Therefore, mitigation measures to preserve and protect archaeological and fossil resources will be implemented prior and during grading.

Public Health and Safety:

The project would result in potentially significant impacts related to disturbance of soils, slabs, and pavements within two on-site maintenance areas. Residue from the previous handling and storage of hazardous materials within these areas could result in health hazards to workers during construction. A soils management plan will be implemented to identify, segregate and dispose of any impacted soils.

Other Project-Related Issues:

Another issue identified within the community was fire danger and evacuation of existing and new neighborhood residents in the event of a wildfire. Community members noted that the nearby Black Mountain Open Space is considered a Very High Fire Hazard Severity Zone, and that there are limited

egress options for evacuation. In response, the Project developed a Wildland Fire Evacuation Plan for the Glens Neighborhood (Dudek 2020) that addresses the evacuation of existing and new Project residents in the event of a wildfire.

Currently, the only viable route of evacuation for the Glens Neighborhood is Peñasquitos Drive. The Project establishes three new emergency evacuation routes through or from the Project site, including direct access through the site to Janal Way, direct access to Carmel Mountain Road thereby enhancing a southbound evacuation, and a northerly emergency only route from the Project site onto Andorra Way. The Project will also enhance an off-site emergency fire access road between Andorra Way and Paseo Corte Raposo to allow for reliable fire apparatus ingress or Fire-Rescue Department-controlled emergency resident evacuation. Access is not currently possible given the condition of the roadway. Proposed enhancements to this connection include removal of existing inoperable bollards, providing a Knox key switch and Opticom enabling an automatic, remote opening gate meeting Fire-Rescue Department requirements, resurfacing the road, and providing ongoing fuel modification and gate maintenance by the Project homeowners association.

The new road with the proposed upgrades and enhancements would enable managed evacuation to the north for the residents of the Glens Neighborhood and the Project as an alternative to Peñasquitos Drive. The proposed roundabout is also designed for safety and efficiency of all users and will improve response times by eliminating and minimizing stops and delays. The evaluation of fire safety in the EIR found that evacuation times for the existing Glens neighborhood would be reduced with the added features of the Project, compared to an evacuation under the existing condition without the Project improvements.

Conclusion:

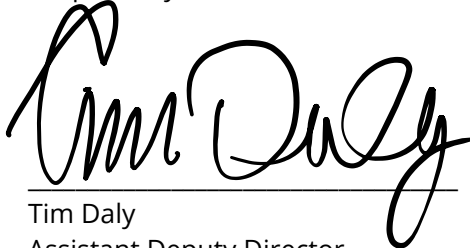
The Project will provide 536 new, age-restricted, market rate and affordable homes, fulfilling the General Plan Housing Element goal of creating a diversity of new housing in every area of the City, matching the goals and objectives of the Rancho Peñasquitos Community Plan, and compliance with the City's Climate Action Plan. The Project is an in-fill location with immediate access to the I-15, bus routes, and commercial areas in Carmel Mountain Ranch. Therefore, City staff recommends that the Planning Commission recommend approval of the Project and certification of the EIR to City Council.

ALTERNATIVES

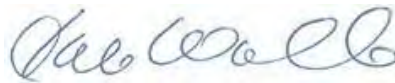
1. Recommend the City Council CERTIFY Environmental Impact Report No. 586670/SCH No. 2018041032, ADOPT the Findings, and ADOPT the Mitigation, Monitoring, and Reporting Program; APPROVE amendments to the Community Plan and General Plan; ADOPT Rezone No. 2073792; ADOPT amendments to Chapter 13, Article 2, Division 14 of the SDMC to amend the Community Plan CPIOZ map; APPROVE Variance to the Inclusionary Affordable Housing Regulations; and APPROVE Site Development Permit No. 2073790, Planned Development Permit No. 2419770, and Vesting Tentative Map No. 2073797, with modifications.

2. Recommend the City Council DO NOT CERTIFY Environmental Impact Report No. 586670/SCH No. 2018041032, DO NOT ADOPT the Findings, and DO NOT ADOPT the Mitigation, Monitoring, and Reporting Program; and DENY amendments to the Community Plan and General Plan; Rezone No. 2073792; amendments to Chapter 13, Article 2, Division 14 of the SDMC to amend the Community Plan CPIOZ map; Variance to the Inclusionary Affordable Housing Regulations; Site Development Permit No. 2073790, Planned Development Permit No. 2419770, and Vesting Tentative Map No. 2073797, if the findings required to approve the project cannot be affirmed and if the Housing Crisis Act of 2019 or Senate Bill 330 written findings to deny can be made.

Respectfully submitted,



Tim Daly
Assistant Deputy Director
Development Services Department



Xavier Del Valle
Development Project Manager
Development Services Department

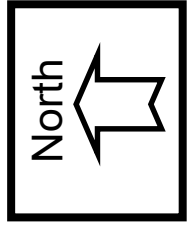


Tait Galloway
Program Manager, Community Planning
Planning Department

Attachments:

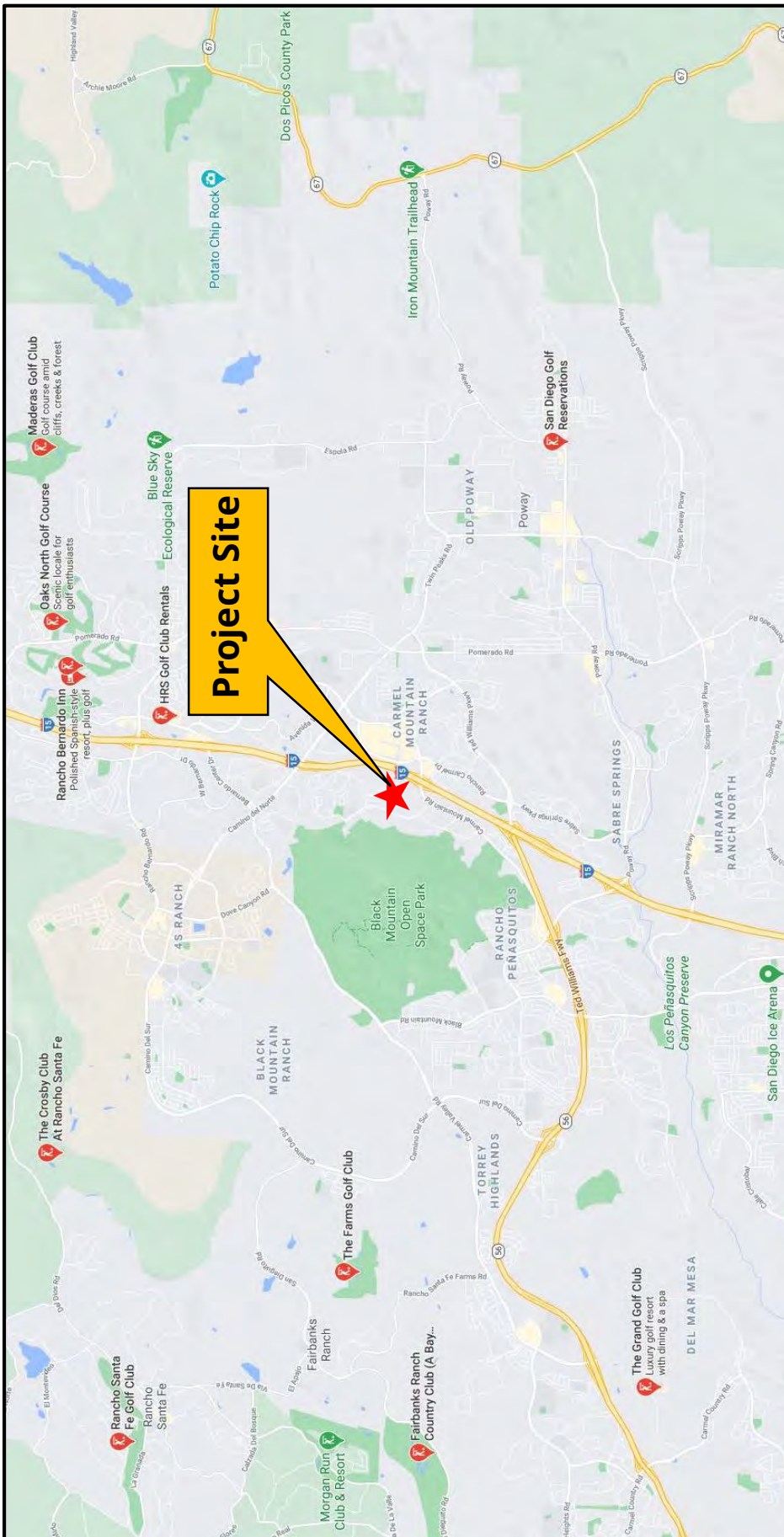
1. Location Map
2. Aerial Photograph
3. Existing Zoning Map
4. Community Plan Land Use Map
5. Site Photographs
6. Planning Commission Initiation Resolution No. 4866-PC
7. Draft Permit Resolution with Findings
8. Draft Permit with conditions
9. Draft VTM Resolution with Findings
10. Draft VTM with conditions
11. Draft Variance to the Inclusionary Affordable Housing Regulations Resolution
12. Draft EIR Environmental Resolution with MMRP
13. Draft General Plan and Community Plan Amendment Resolution

14. Draft General Plan Amendment Strikeout/Underline Exhibit/Map
15. Draft Rezone Ordinance
16. Draft Rezone B-Sheet
17. Draft CPIOZ B-Sheet
18. Draft SDMC Amendment for CPIOZ – Ordinance
19. Draft SDMC Amendment for CPIOZ – Strikeout/Underline Ordinance
20. Community Planning Group Recommendation
21. Ownership Disclosure Statement
22. Tentative Map Exhibit
23. Development Plans Exhibit



Project Location Map

The Junipers Project
Project No. 586670 – Carmel Mountain Road

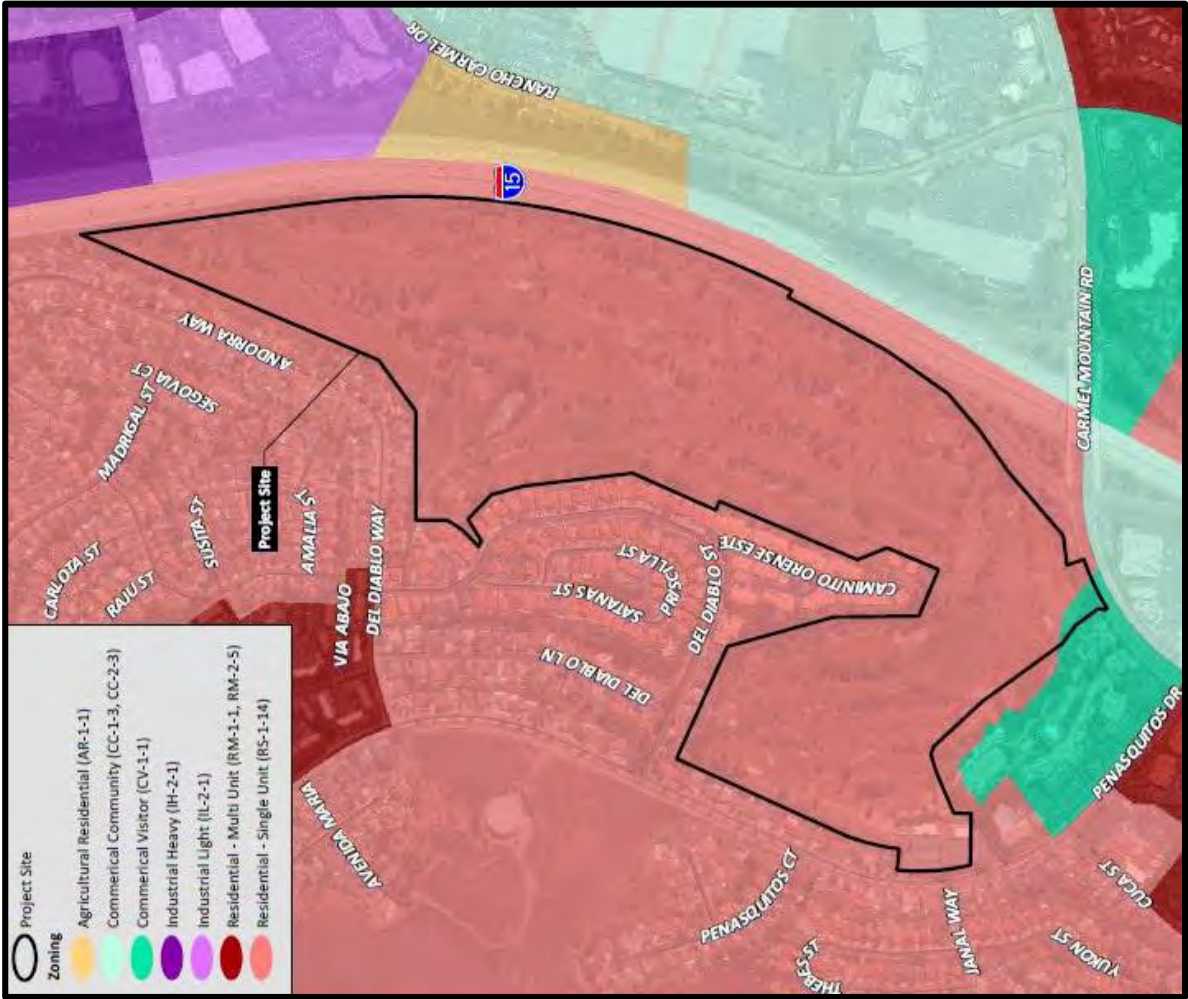
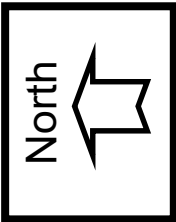




Aerial Photograph

The Junipers Project
Project No. 586670 – Carmel Mountain Road

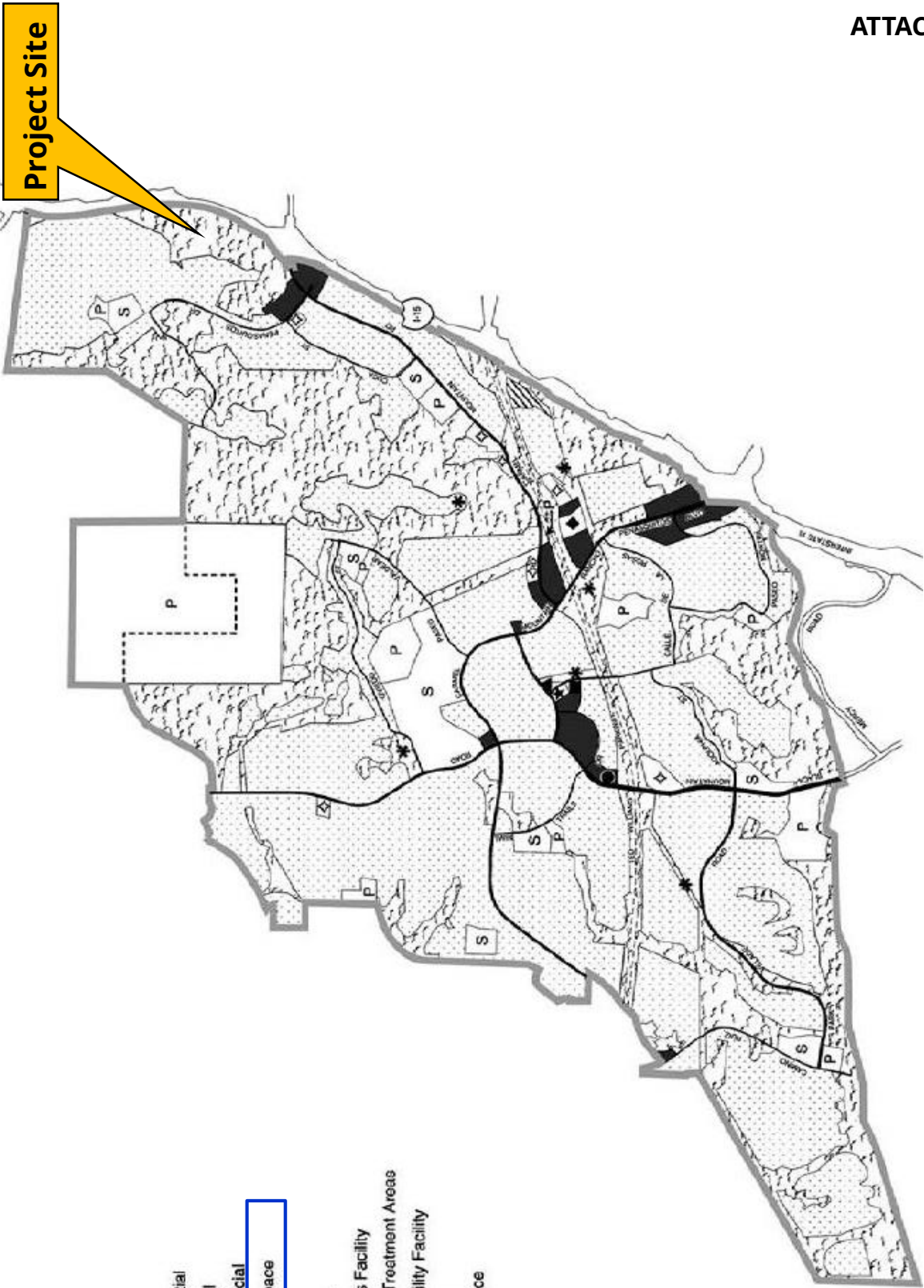
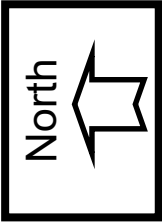




Existing Zoning Map

The Junipers Project
Project No. 586670 – Carmel Mountain Road





Existing Land Use Map

The Junipers Project
Project No. 586670 – Carmel Mountain Road



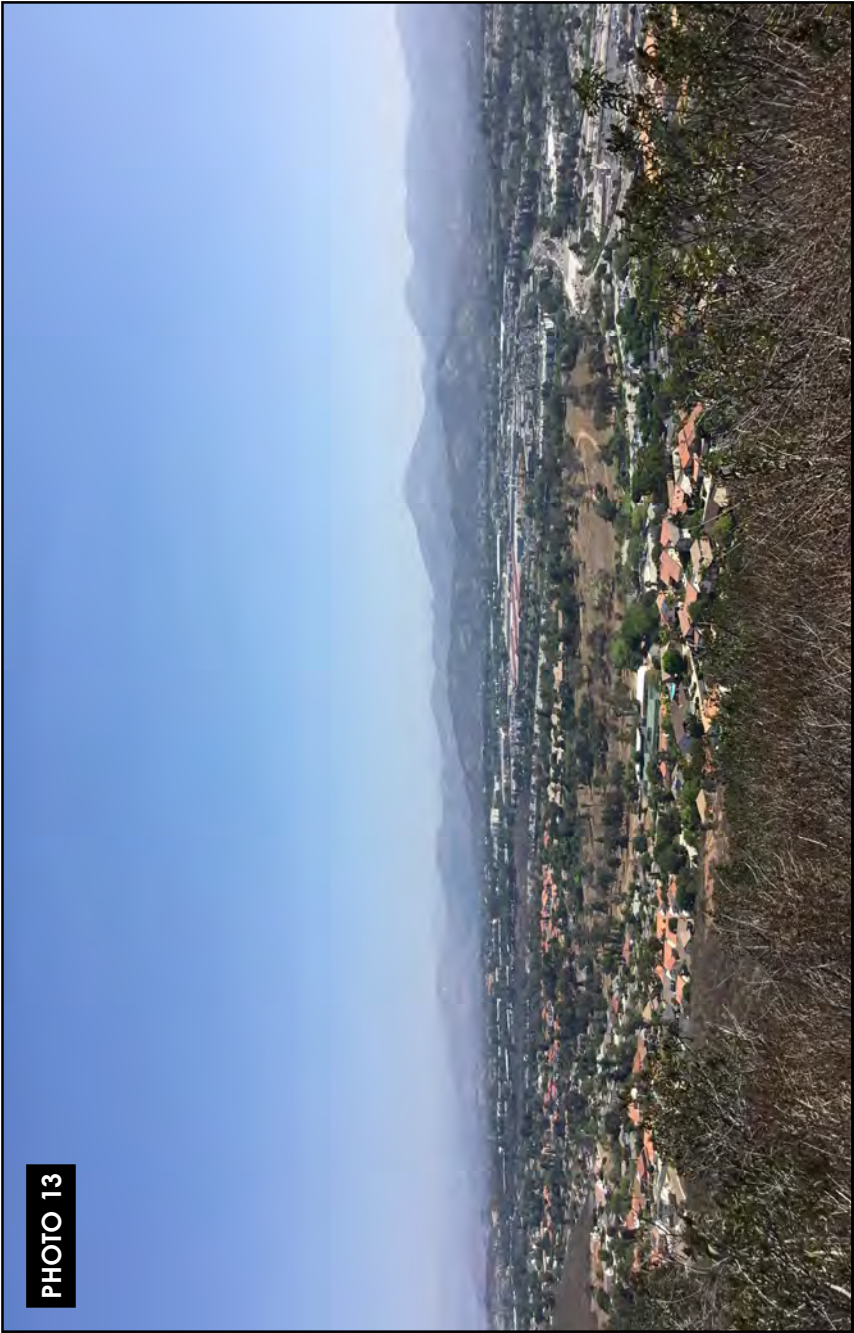


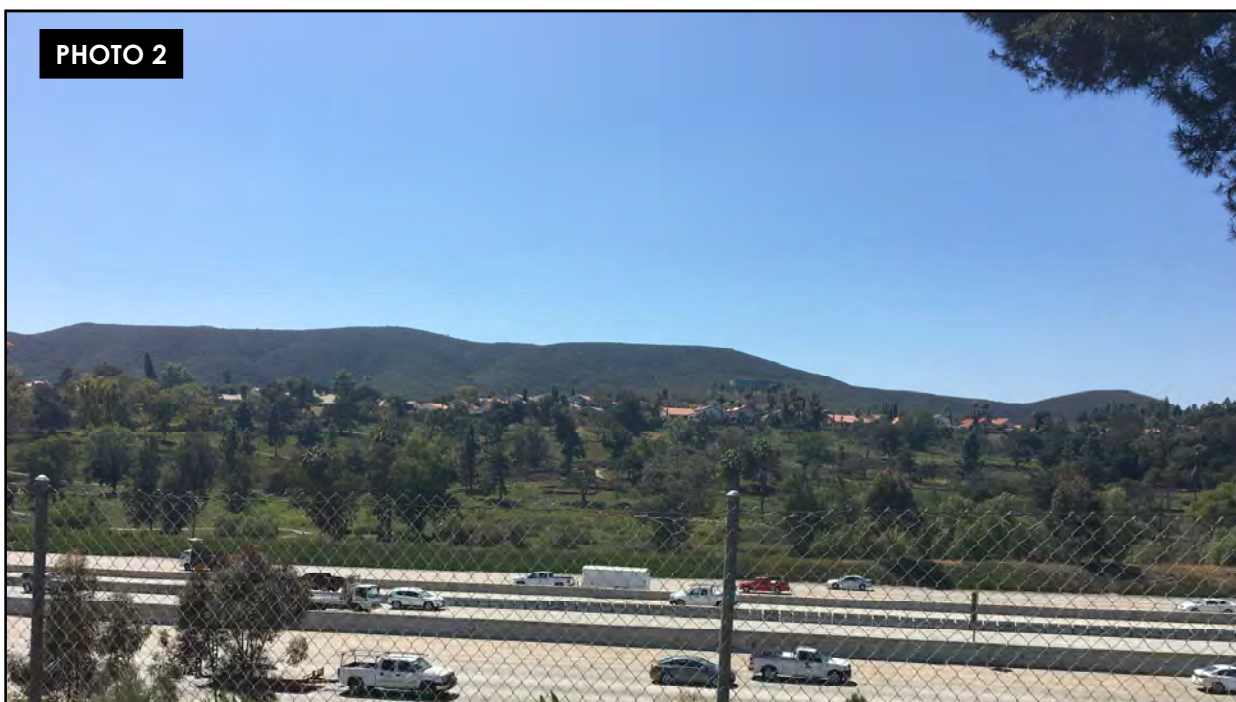
PHOTO 13

Site Photo from Black Mountain Open Space Park

Figure 5.3-2e



I:\PROJECTS\WDC\WDG-01_The Junipers\Map\ER\Fig 5.3-1_Typical Project Conditions.indd LEN-84 1/6/2020 - SAB



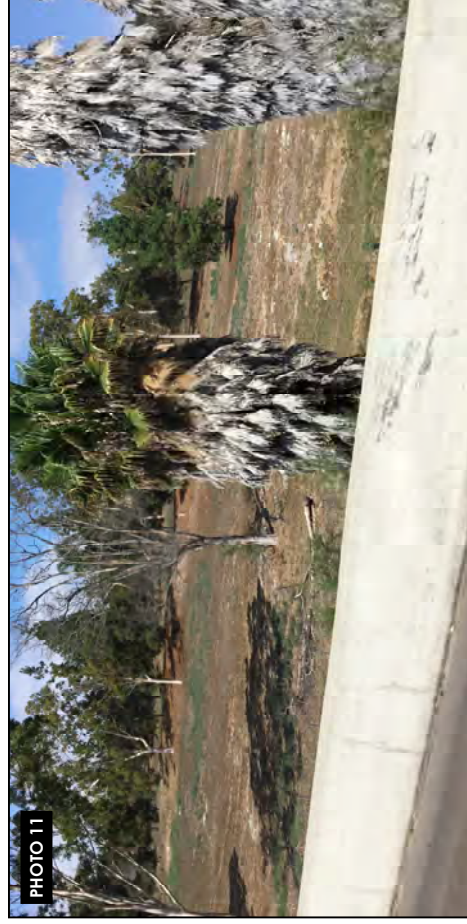
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Source: HEGS 2013



PLANNING COMMISSION RESOLUTION NO. 4866-PC

INITIATING AN AMENDMENT TO THE
RANCHO PENASQUITOS COMMUNITY PLAN TO
REDESIGNATE 114 ACRE SITE FROM PRESERVE GOLF
COURSE/OPEN SPACE TO SINGLE FAMILY RESIDENTIAL

WHEREAS, on June 8, 2017, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering a request to initiate an amendment to the Rancho Penasquitos Community Plan; and

WHEREAS, the proposed amendment would change the land use designation of a 114 acre parcel, from Park/Open Space/Recreation to Low-Density Single-Family Residential; and

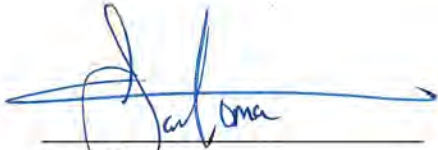
WHEREAS, the Planning Commission of the City of San Diego considered all maps, exhibits, and written documents presented for this project, and had considered the oral presentations given at the public hearing; NOW, THEREFORE:

BE IT RESOLVED by the Planning Commission of the City of San Diego, that the initiation of a plan amendment in no way confers adoption of a plan amendment, that neither staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment, and the City Council is not committed to adopt or deny the proposed amendment; and

BE IT FURTHER RESOLVED that the following issues will be considered as part of the community plan amendment analysis:

- Determine the appropriate land use designation and intensity for the site
- Determine the appropriate density for the site
- Evaluate traffic generation and circulation
- Evaluate the accessibility of transit
- Evaluate the ability of the project to incorporate of sustainable design features
- Determine the appropriate zone to implement the proposed use and provide compatible development regulations
- Evaluate urban design issues within the site with regard to neighborhood interface and pedestrian access and circulation
- Determine appropriate public facilities and include recreational amenities within the site
- Evaluate the provision of pedestrian amenities and streetscape improvements associated with new single-family residential development
- Evaluate the need and ability to provide affordable housing in the community
- Evaluate ingress and egress
- Determine project consistency with Climate Action Plan

A detailed summary of issues discussed by Planning Commission is attached (Planning Commission Detailed discussion Points) to the Resolution.



Sara Toma
Assistant Planner
Planning Department

Approved on June 8, 2017
Vote: 6-0-0
PTS No. 544941

cc. Legislative Recorder, Development Services Department

Rancho Penasquitos Community Plan Amendment Initiation

Planning Commission Detailed Discussion Points – Hearing Date June 8, 2017

Whalen:

- More density
- transit accessibility
- high visibility site – “need to look amazing”
- locate more density near the hotel – the farther south the closer to transit
- rezone the houses on PQ Dr. single row
- Climate Action Plan consistency, area is somewhat flat
- the park needs to be bigger – robust park to match the proposed density

Granowitz:

- Good public outreach
- the parcel is large enough to have its own community character and not be defined by the adjacent community characters – geographic location with different characters
- Don't build old suburban models
- At least medium density
- Smaller shopping stores within the large development to discourage the use of cars for small trips (i.e. coffee stores and mini grocery stores)
- egress and fires - viable issues of concerns
- small commercial nodes

Peerson:

- Good public outreach
- more density
- rezone to develop to the best it can be
- visible site – rooftop issues, current residents view are looking down at the project
- edge conditions
- Public view corridors
- viewpoints from the existing residents looking down at the property now
 - Freeway view
 - the hotel
- product types, smaller units is what older people and younger generations are looking for in housing
- housing typology
- Horizontal integration
- redefine the suburban horizontal building – no cul-de-sac or a lot of curb-cuts

- drainage issues
- connectivity within the development to the adjacent community
 - if the project gets built then sold individually then the development will stay connected
 - multigenerational development
- parks- connect to the community
- Fire – potentiation landscape buffers
 - Green screen
 - walking paths
 - bike routes
- Details will be a key to create the visual appeal and community amenities

Hoffman:

- Good public outreach
- opportunity for more density, however, we need to consider the community that have lived by a golf course for as long as it has been open
- Density is not a panacea for everything
- concept and how you get there will be the challenge
- public facilities will in issue

Otsuji:

- Perimeter of the area (Golf Course) can be incorporated to the design of the project
- topography and grading operation
- finding a balanced design
- 55 + design project – market in its infinity – many projects get started but doesn't get completed
- What is important in these layouts
 - Simple layout
 - recreations facilities provide to the people living there
 - 55 + residents will most likely be baby sitters – keep in mind when creating the design of it
 - Rec centers should be in close proximity to the residents of the development as well as the public to use
- Idea: concepts
 - clustered the units to provide a lot of green space in the perimeter

Haase:

- How can we maintain the 55+ age restricted development?
- neighborhood context
 - commercial is just across the freeway
 - we want to avoid having people get into their cars to cross, maybe provide other means of transportation

- We need to be smart of where we locate density
- Edge effect
- Access to other community
- Active-use not in people's backyards
- Access points
 - High fire zones
- Trees
 - Design a project to salvage the existing trees
 - Topography that is mostly man-made
 - Work within the topography
- Public facilities
 - Deficient in FBA funding to expand the park?
- What is the community lacking that this project can fulfill?

RESOLUTION NUMBER R- _____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
GRANTING PLANNED DEVELOPMENT PERMIT NO. 2419770,
SITE DEVELOPMENT PERMIT NO. 2073790 AND RESCISSION
OF CONDITIONAL USE PERMIT NO. 87-0346 FOR
FOR THE JUNIPERS PROJECT NO. 586670.

WHEREAS, CARMEL PARTNERS LLC, a Delaware Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit No. 2419770, Site Development Permit No. 2073790, and Rescission of Conditional Use Permit No. 87-0346 to subdivide a 112.3-acre site into 13 lots for the construction of an active adult (55+) community that includes 536 residential units and associated public and private improvements at the former Carmel Highland Golf Course located west of I-15, north of Carmel Mountain Road, east of Peñasquitos Drive adjacent to 14455 Peñasquitos Drive, and legally described as Parcel 3 of Parcel Map No. 21621, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County on September 13, 2018 as Instrument No. 2018-7000350 of official records; and

WHEREAS, on April 29, 2021, the Planning Commission of the City of San Diego considered Planned Development Permit No. 2419770 and Site Development Permit No. 2073790 (Permits), and voted to recommend the approval of the Permits; and

WHEREAS, the Owner/Permittee requested the rescission of Conditional Use Permit No. 87-0346 under San Diego Municipal Code (SDMC) section 126.0110, a development permit utilized in accordance with SDMC section 126.0108 and complies with all use and development regulations, shall be herein rescinded as the use is no longer required on the premise; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public

hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on _____, 2021, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 2419770 and Site Development Permit No. 2073790:

1. PLANNED DEVELOPMENT PERMIT [SDMC Section 126.0605]

a. Findings for all Planned Development Permits:

(1) The proposed development will not adversely affect the applicable land use plan.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos Community Plan (Community Plan). The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements, and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS (Residential-Single Unit)-1-14 zone and small area of CV (Commercial-Visitor)-1-1 zone to RM (Residential-Multiple Unit)-1-1 and RM-3-7 zones and OR (Open Space-Residential)-1-1 and OP(Open Space-Park)-1-1 zones. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The proposed uses would be consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types

(age-restricted and affordable) with a land use plan compatible with the Glens neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing, and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community.

The residential development would consist of a mix of detached and attached multi-family housing with public and private parks and recreational amenities compatible with the existing neighborhood. While the project density is slightly higher than adjacent residential development, the Glens neighborhood also includes a mix of single-family and multi-family development. The closest proposed homes would not exceed two stories in height, and would include single-story, detached units similar in scale to the homes in the existing neighborhood.

The low-rise multi-family homes have been designed to meet the needs of older senior households. All homes are designed to include features that accommodate residents as they age, including universal design features such as wider corridors to allow for wheelchair movement, first floor master bedroom suites, and reduced onsite parking. The homes have been designed with small private outdoor spaces to minimize maintenance needs and enhance community open space to emphasize personal interaction and active senior lifestyles. The architecture of the homes is also consistent with the old west ranch style design Community Plan recommendations for the Glens neighborhood.

The project will provide a 2.87-acres of public park, which exceeds the population-based park requirement of 2.55 acres. This design includes a dog park, children play areas, picnic and game areas, and a large turf area. The project also provides two privately owned and maintained recreational amenities that would be accessible to the general public. The amenities consists of a 2.75-mile social loop trail that includes seating, fitness stations, and observation and/or interpretive areas. The other amenity consists of a 0.52-acre park at the southern portion of the site that includes sports courts and mobility features such as bike racks, day lockers, tethered bike tools, transit and bike route signage, a rideshare pickup/drop-off location, pedestrian paths, and benches and shade structures.

The Community Plan also calls for the construction and maintenance of an adequate system for vehicular, bicycle and pedestrian circulation within the community, while providing adequate access to the larger San Diego region. The project provides roadway improvements that would increase capacity, and includes a class II bike lane along the access road to the project and adjacent public park, thereby enhancing connectivity to the area. The project will also install a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street approaches (Cuca Street/Hotel Karlan Driveway). A single-lane roundabout would also be constructed at the Peñasquitos Drive, Janal Way and project access point.

The neighborhood is served by a bus line along Carmel Mountain Road that can be accessed using pedestrian corridors. The site is also approximately two miles south of the Rancho Bernardo Transit Station and one mile north of the Sabre Springs/Peñasquitos Transit Station (within an approximately 15-minute bike ride or a 5-minute drive). Each station provides access to all three major Bus Rapid Transit services operating from North County with connections to primary destinations in Kearny Mesa, Downtown San Diego and other regional destinations.

The project also addresses Climate Action Plan's Greenhouse Gas (GHG) targets through sustainability features that includes photovoltaic panels on all of the individual homes, carport roofs within the affordable apartments, and EV charging stations, thereby resulting in a net decrease in GHG emissions for the overall project as compared to the former golf course. Lastly, the project includes adopting a Community Plan Implementation Overlay Zone to require the implementation of Community Plan policies and regulations to ensure that any future development of the site is consistent with the Community Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

(2) The proposed development will not be detrimental to the public health, safety and welfare.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos Community Plan (Community Plan). The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements, and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project site is in the Urban Areas segment of the City's Multiple Species Conservation Program's Subarea Plan and is not located within or adjacent to the Multi-Habitat Planning Area. The sloping topography within the site does not meet the definition of steep hillsides in the Environmentally Sensitive Lands (ESL) regulations. The site does not contain protected habitats or sensitive plant or animal species. The existing drainage that crosses the site does not meet the City's definition of a wetland and is not subject to the City's ESL Regulations, and the on-site habitats are not subject to the regulations. The project is not within a coastal beach or bluff area, nor does it contain 100-year floodplains.

Primary vehicular access to the project, as well as fire and emergency access, would come from a new driveway connecting to Janal Way at the current intersection of Janal Way and Peñasquitos Drive to form a new four-way intersection designed as a traffic-calming roundabout occurring within the public right-of-way. An additional project entrance will provide right-in traffic only from Carmel Mountain Road due to proximity to the I-15 freeway. The project also provides emergency-only egress, through an emergency personnel-operated radio frequency gate, and a mountable median with delineators within the Carmel Mountain Road median. In the event of an emergency, emergency vehicles would turn right or left in or out of the development, and the route could be opened by emergency personnel in the event of an evacuation. Additional emergency access/egress would be provided through an on-site connection to Del Diablo Street and off-site improvements to Andorra Way/Corte Raposo.

An Environmental Impact Report (EIR) was prepared for the project that identified potentially significant impacts in the areas of transportation, biological resources, historic and tribal resources, and public health and safety. The following mitigation measures have been identified to reduce all impacts to below a level of significance:

Transportation and Circulation: The project will create significant direct and cumulative impacts at the Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and the Peñasquitos Drive/Janal Way/Project Access intersections. To mitigate these impacts, the project will install a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street (Cuca Street/Hotel Karlan Driveway) approaches. The project will also construct a single-lane roundabout at the Peñasquitos Drive, Janal Way and project access point.

Biological Resources: The project results in significant impacts to a man-made drainage feature within the eastern/northeastern portion of the site including impacts to 0.10-acres of United States Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) jurisdictional non-wetland waters of the U.S. and State of California, and 0.15-acres of California Department Fish and Wildlife CDFW jurisdictional streambed. The impacts would be mitigated at a 1:1 ratio through one or a combination of on- and/or off-site re-establishment and/or enhancement of the same type of wetland and non-wetland waters.

Historic and Tribal Resources: The potential exists for subsurface resources to be recovered on-site. Therefore, mitigation measures to preserve and protect archaeological and fossil resources will be implemented prior and during grading.

Public Health and Safety: The project would result in potentially significant impacts related to disturbance of soils, slabs, and pavements within two on-site maintenance areas. Residue from the previous handling and storage of hazardous materials within these areas could result in health hazards to workers

during construction. A soils management plan will be implemented to identify, segregate and dispose of any impacted soils.

A Water Supply Assessment (WSA) Report for the project was prepared to evaluate if sufficient water supplies would be available to meet the projected water demands of the project. The WSA concluded that current and future water supplies to serve the projected demands of the project, as well as the actions necessary to develop these supplies, have been identified in the water resource planning documents of the City's Public Utilities Department, the County Water Authority, and the Metropolitan Water District.

The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include submitting an acoustical analysis report that identifies sound transmission reduction measures for the residences; submitting an updated geotechnical report that addresses the construction plans; obtaining an Encroachment Maintenance Removal Agreement for all private storm drain systems and connections, enhanced pavers, landscape and irrigation located in the public right-of-way; implementing storm water construction best management practices (BMPs) and ongoing permanent BMP maintenance; entering into an indemnification agreement for surface drainage entering into the property from the public right-of-way; paying an in-lieu park fee for recreation center facilities in Rancho Peñasquitos; assure by permit and bond the design and construction of all required public water and sewer facilities; and installation of private back flow prevention devices. Therefore, the project will not be detrimental to the public, health, safety, and welfare.

(3) The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos Community Plan (Community Plan). The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements, and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones.

Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project proposes deviations to the development regulations for street frontage, fence/wall height, front yard setback, side yard setback, and lot width. Staff has reviewed and approved the following requested deviations for the project:

Proposed Deviations		
Development Regulation	Required/Allowed	Proposed
Street Frontage Deviation		
For RM-1-1 and RM-3-7 lots, as per SDMC Table 131.04g, the minimum street frontage.	50 feet (RM 1-1) 70 feet (RM 3-7)	0-foot street frontage. The 0-foot street frontage for Lot H allows ingress and egress from Peñasquitos Drive and Carmel Mountain Road to Lots 1, 2, 3 & 4 (RM-1-1) and Lot 5 (RM 3-7) instead of directly from a public street.
Fence/Wall Height Deviation		
SDMC Section 142.0310 (1)(c) the height of a solid fence located on the front or street side property line may not exceed 3 feet, except when placed at the setback line where it may be 6 feet high.	3 feet - 6 feet	6-foot high fences within the front setback of Buildings 44-47, 55, 61, 62, 71, 72, 87, 88, 113, 114, 135-138, 163-166, 181, 184, 185, 188, 189, 192, 193, 195, 196 (Lot 3)
SDMC Section 142.0310 (4)(d) fences located in required side yards and required rear yards are permitted up to 9 feet in height. Any portion of the fence above 6 feet in height shall be an open fence.	9 feet with up to 6 feet of solid fence and 3 feet of open fence	8-foot high solid fence for Buildings 99, 100, 123, 124, 125, 126, 147, 148, 149, 150, 179, 180 9-foot high solid fencing for Buildings 101, 102, 181, 182
Setback Deviation		
For RM-1-1 lots, SDMC Section 131.0443(d) and Table 131.04g - Up to 50 percent of the front yard setbacks may utilize the minimum yard setback if the other 50 percent utilizes the standard yard setback.	Minimum 15-foot front yard setback and Minimum 20-foot Standard front setback	Lot 2 (RM-1-1) front yard setback; Building No. (requested setback): 259 (10 feet), 260 (10 feet), 265 (10 feet) Lot 3 (RM-1-1) front yard setback; Building No. (requested setback): 181 (10 feet), 184 (10 feet), 185 (10 feet), 188 (10 feet), 189 (13 feet), 192 (11 feet), 193 (12 feet), 196 (14 feet) Lot 4 (RM-1-1) front yard setback; Building No. (requested setback): 54 (13 feet), 62 (13 feet), 71 (18 feet), 72 (14 feet)
For RM-1-1 lots, SDMC Section 131.0443 (d) and Table 131.04g - Up to 50 percent of the length of the building envelope on one side	Minimum side yard setback of 5 feet;	Lot 1 (RM-1-1) side yard setback; Building No. (requested setback): 42 (25 feet), 43 (15 feet), 44 (35 feet)

Proposed Deviations		
Development Regulation	Required/Allowed	Proposed
of the premises may observe the minimum 5-foot side yard setback, provided the remaining percentage of the building envelope length observes at least the standard side yard setback of 8 feet or 10 percent of the lot width, whichever is greater. 100 percent of the length of the building envelopes on the opposite side may observe the minimum side yard setback of 5 feet.	Minimum street yard setback of 10 feet; Standard side yard setback of 10 percent of lot width (see Sheet C5 of engineering drawings for specific lots and setbacks)	Lot 2 (RM-1-1) side yard setback; Building No. (requested setback): 231 (45 feet), 310 (45 feet), 232 (10 feet), 233 (10 feet), 234 (25 feet), 235 (25 feet), 236 (25 feet), 237 (20 feet) Lot 3 (RM-1-1) side yard setback; Building No. (requested setback): 196 (17 feet), 195 (17 feet), 166 (20 feet), 165 (16 feet), 164 (22 feet), 163 (18 feet), 138 (15 feet), 137 (15 feet), 136 (20 feet), 135(17 feet), 114 (20 feet), 113 (15 feet), 88 (20 feet), 87 (15 feet) Lot 4 (RM-1-1) side yard setback; Building No. (requested setback): 53 (5 feet), 54 (5 feet)
Lot Width Deviation		
For RM-1-1 lots, SDMC Section 131.0231 minimum lot width	Minimum 200 feet	Lot C – 10-foot minimum Lot D – 20-foot minimum Lot G – 10-foot minimum

Fence/Wall Height Deviation: The sound barrier height deviation allows for taller walls and fences around private exterior use areas for noise attenuation purposes to achieve sound levels of 70 CNEL or less within private outdoor usable spaces. The taller noise attenuation privacy barriers reach up to eight or nine feet in height and are primarily located within the easternmost housing units adjacent to the I-15 freeway. The deviation will result in a more desirable project since increasing the heights of sound walls by two to three feet over the allowable six feet reduces sound impacts from the I-15 freeway thereby protecting the quality of life for residents. The sound walls have no significant adverse visual effect to viewers from the east due to the topographic variation between the site and the I-15 freeway.

Setback Deviation: The deviations from the setback requirements for the RM-1-1 Zone allows for placement of the project into the unique shape of the former golf course footprint, allowing for units customized to the living needs of the 55+ age group, and providing for a perimeter open space and walking trail. The deviations are located on the condominium lot and allow for the front of the dwelling units to be closer to the sidewalk, thereby promoting pedestrian interaction. The deviation would also accommodate the desired densities for the one-story homes with no stairs that best serve senior residents.

The deviation will result in a more desirable project since the project implements policies in the Residential Element of the Community Plan that encourages residential development that uses creative and flexible site planning to maximize the preservation of open space and hillside areas. The offset in depth from the front facade to the main massing provides for more variation along the

streetscape between the various elevations and is therefore more suitable to the geography of the site. The additional depth to the living space at the front, along with the side and rear yard setback deviations allows for better internal functionality of the dwelling units. Single-story development is also considered important for senior residents who want to age in place and have internal home spaces that are located at ground level. The additional internal area provided by the reduced setbacks also provides additional rooms per floor plan design to meet the future needs of the senior homeowner.

Street Frontage Deviation: The street frontage deviation addresses the RM-1-1 requirement for dwelling units to have 50 feet of street frontage, and a RM 3-7 requirement for dwelling units to have 70 feet of street frontage (Lot 5). The project proposes condominiums where units do not front on streets and are clustered around a common driveway. The deviation will result in a more desirable project since it would allow for maximum dwelling unit sizes without the need for large front yards. The common driveway would serve as a common entryway, and as a central meeting area for neighbors in each of the residential clusters, thereby promoting social interaction.

Lot Width Deviation: The perimeter of the project is proposed for OR-1-1 zoning to reflect the open space that would be privately owned and maintained by the homeowners association. A deviation from the standard minimum 200-foot lot width requirement is necessary due to the limitations of the unique shape of the project site and the proximity of the adjacent I-15 freeway and residential neighborhood. The deviation will result in a more desirable project since the proposed perimeter open space area includes a social loop trail and associated pedestrian amenities that will be available to the general public, and re-establishes a drainage area along the eastern boundary.

Each of the requested deviations has been reviewed as they relate to the project design, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site and achieves the revitalization and re-use of the former golf course for residential use, while meeting the purpose and intent of the development regulations.

The City's Inclusionary Affordable Housing Implementing and Monitoring Procedures (Affordable Housing Manual) requires projects to construct affordable housing units in similar bedroom mix as the market rate units unless a variance is requested for an alternative comparable bedroom mix. The project's 81 affordable housing units accounts for 15 percent of the total proposed housing units, where the regulations requires 10 percent. The inclusion of the affordable housing units exceeds the project's affordable housing obligation. Therefore, granting a variance for an alternative bedroom mix requirement is consistent with the policies of the Affordable Housing Manual.

The project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in

effect for this site per the SDMC. The project will assist in accomplishing of the Community Plan of providing market-rate and affordable housing opportunities. Therefore, the proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

2. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]

b. Findings for all Site Development Permits:

(1) The proposed development will not adversely affect the applicable land use plan.

See Planned Development Permit finding 1.a.(1).

(2) The proposed development will not be detrimental to the public health, safety and welfare.

See Planned Development Permit finding 1.a.(2).

(3) The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

See Planned Development Permit 1.a.(3).

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Planned Development Permit No. 2419770, Site Development Permit No. 2073790, and Recission of Conditional Use Permit No. 87-0346 is granted to CARMEL PARTNERS LLC, a Delaware Limited Liability Company, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Shannon Eckmeyer
Deputy City Attorney

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

INTERNAL ORDER NUMBER: 24007629

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 2419770

SITE DEVELOPMENT PERMIT NO. 2073790

THE JUNIPERS PROJECT NO. 586670 [MMRP]

RESCISSION OF CONDITIONAL USE PERMIT NO. 87-0346

CITY COUNCIL

This Site Development Permit No. 2073790 and Planned Development Permit No. 2419770 and Rescission of Conditional Use Permit No. 87-0346 is granted by the City Council of the City of San Diego to CARMEL PARTNERS LLC, a Delaware Limited Liability Company, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0505 and 126.0605. The 112.3-acre site is the former Carmel Highland Golf Course and is located west of I-15, north of Carmel Mountain Road, and east of Peñasquitos Drive, adjacent to 14455 Peñasquitos Drive, in the community of Rancho Peñasquitos in the City of San Diego in the RS-1-14 (Residential-Single Unit) and CV-1-1 (Commercial-Visitor) zones which are proposed to be rezoned to RM-1-1 (Residential-Multiple Unit), RM-3-7 (Residential-Multiple Unit), OR-1-1 (Open Space-Residential), and OP-1-1 (Open Space-Park), within the of the Rancho Peñasquitos Community Plan. The project site is legally described as: Parcel 3 of Parcel Map No. 21621, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County on September 13, 2018 as Instrument No. 2018-7000350 of official records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a combined total of 536 residential units for those aged 55 and above; described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated _____, on file in the Development Services Department.

The project shall include:

- a. Construction of a residential subdivision with 455 multi-family attached and detached residences (for-sale) and a three-story building with 81 senior affordable multi-family apartments (for-rent) on a vacant property (nonoperational golf course). All of the residential units are for those aged 55 and above;
- b. Deviations to the San Diego Municipal Code (SDMC):
 - 1) Street Frontage- Deviation to SDMC Table 131.04g to allow 0-foot street frontage, where 50 feet and 70 feet is required. Allow street frontage provided by Lot H

(private road) for ingress and egress from Peñasquitos Drive and Carmel Mountain Road to Lots 1, 2, 3 & 4 (RM-1-1) and Lot 5 (RM 3-7) instead of directly on a public street;

- 2) Fence/Wall Height- Deviation to SDMC Section 142.0310 (1)(c) to allow a 6-foot height fences within the front setback of Building No. 44-47, 55, 61, 62, 71, 72, 87, 88, 113, 114, 135-138, 163-166, 181, 184, 185, 188, 189, 192, 193, 195, 196 (Lot 3); where the height of a solid fence located on the front or street side property line may not exceed 3 feet, except when placed at the setback line where it may be 6 feet;
 - 3) Fence/Wall Height- Deviation to SDMC Section 142.0310 (4)(d) to allow 8-foot high solid fence for Building No. 99, 100, 123, 124, 125, 126, 147, 148, 149, 150, 179, 180, and to allow 9-foot high solid fencing for Building No. 101, 102, 181, 182; where fences located in required side yards and required rear yards are permitted up to 9 feet in height. Any portion of the fence above 6 feet in height shall be an open fence;
 - 4) Front Setback - Deviation to SDMC Table 131.04g and Section 131.0443 (d) to allow Lot 2 (RM-1-1) front setback for Building No. 259, 260, and 265 to be 10 feet; Lot 3 (RM-1-1) front setback for Building No. 181, 184, 185, and 188 to be 10 feet, and 189 to be 13 feet, 192 to be 11 feet, 193 to be 12 feet, and 196 to be 14 feet; and Lot 4 (RM-1-1) front setback for Building No.: 54 and 62 to be 13 feet, 71 to be 18 feet, and 72 to be 14 feet; where the front yard setback is 15 feet (Minimum) and 20 feet (Standard);
 - 5) Side Setback - Deviation to SDMC Table 131.04g and Section 131.0443 (d) to allow Lot 1 (RM-1-1) side setback for Building No. 42 to be 25 feet, 43 to be 15 feet, and 44 to be 35 feet; Lot 2 (RM-1-1) side setback for Building No. 231 and 310 to be 45 feet, 232 and 233 to be 10 feet, 234, 235, and 236 to be 25 feet, and 237 to be 20 feet; Lot 3 (RM-1-1) side setback for Building No. 196 and 195 to be 17 feet, 166 to be 20 feet, 165 to be 16 feet, 164 to be 22 feet, 163 to be 18 feet, 138 and 137 to be 15 feet, , 136 to be 20 feet, 135 to be 17 feet, 114 to be 20 feet, 113 to be 15 feet 88 to be 20 feet, and 87 to be 15 feet; and Lot 4 (RM-1-1) side setback for Building No. 53 to be 5 feet, and 54 to be 5 feet; where up to 50-percent of the length of the building envelope on one side of the premises may observe the minimum 5-foot side setback, provided the remaining percentage of the building envelope length observes at least the standard side setback of 8 feet or 10-percent of the lot width, whichever is greater;
 - 6) Lot Width- Deviation to SDMC Section 131.0231 to allow for a 10-minimum lot width for Lot C (OR-1-1), a 20-minimum lot width for Lot D (OR-1-1), and a 10-minimum lot width for Lot G (OR-1-1); where a minimum 200 feet is required;
- c. Landscaping (planting, irrigation and landscape related improvements);
 - d. Off-street parking;
 - e. A 2.87-acre public park, privately owned/publicly accessible 2.75-mile "Social Loop" trail, 0.52-acre privately owned/publicly accessible park with mobility amenities, other private

open space/parks and recreational amenities for project residents' use, and internal streets. Retaining walls around the site perimeter would vary from 3 to 12 feet high. The residential privacy fencing along the eastern edge of the property will be designed to also protect project uses from I-15 noise. The project would be fully landscaped and would incorporate a variety of sustainable design features.; and

- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by _____.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

11. This Permit rescinds Conditional Use Permit No. 87-0346.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

13. The mitigation measures specified in the MMRP and outlined in ENVIRONMENTAL IMPACT REPORT NO. 586670 / SCH NO. 2018041032, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in ENVIRONMENTAL IMPACT REPORT NO. 586670 / SCH NO. 2018041032, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Transportation/Circulation
Biological Resources
Historical Resources,
Tribal Cultural Resources, and
Health and Safety

LAND USE (NOISE - GENERAL PLAN CONSISTENCY) REQUIREMENTS:

15. **Exterior Use Area Noise Barriers.** Prior to the issuance of any construction permit, the Owner/Permittee shall submit an acoustical analysis report that identifies sound transmission reduction measures that shall attenuate exterior noise not to exceed 70 dBA CNEL within private exterior use areas of each residence as identified in the preliminary Acoustical Analysis Report (January 2020) prepared by HELIX Environmental Planning, Inc. as follows:

To achieve an exterior noise reduction level to 70 CNEL or below to comply with City standards the project shall require the following noise reduction measures:

- a. Depicted the location of the noise barriers as depicted on Figure 7 of the Acoustical Analysis Report (August 2019);
- b. Identify the height of the noise barriers (6 feet, 8 feet, and 9 feet) as depicted on Figure 7 of the Acoustical Analysis Report (August 2019);
- c. All such noise barriers shall replace the project's proposed privacy walls to ensure sufficient noise attenuation is achieved; and
- d. The noise barriers must be solid. They can be constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, as long as there are no cracks or gaps, through or below the walls. The walls can be made of composite wood with a solid lower section with a clear glass or plastic upper section to maintain views. Any seams or cracks must be filled or caulked. If wood is used, it can be tongue and groove and must be at least one-inch total thickness or have a density of at least 3½ pounds per square foot. Where architectural or aesthetic factors allow, glass or clear plastic ¾ of an inch thick or thicker may be used on the upper portion, if it is desirable to preserve a view. Sheet metal of 18-gauge (minimum) may be used if it meets the other criteria and is properly supported and stiffened so that it does not rattle or create noise itself from vibration or wind. Any door(s) or gate(s) must be designed with overlapping closures on the bottom and sides and meet the minimum specifications of the wall materials described above. The gate(s) may be of one-inch thick or better wood, solid-sheet metal of at least 18-gauge metal, or an exterior-grade solid-core steel door with prefabricated doorjambs.

16. **The Exterior-to-Interior Analysis.** Prior to the issuance of any construction permit, the Owner/Permittee shall submit an acoustical analysis report that identifies sound transmission reduction measures demonstrating that building structures shall attenuate exterior noise not to exceed a 45 dBA CNEL level within habitable residential space per the preliminary recommendations of the project-specific Acoustical Analysis Report (January 2020) prepared by HELIX Environmental Planning, Inc. as follows:

- a. To achieve interior noise reductions, the exterior-to-interior noise analysis shall be conducted for all proposed residences that are exposed to an exterior noise level of 60 CNEL and shall follow noise reduction measures required in the analysis.
- b. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site residences. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in habitable rooms.
- c. For the second and third-story residences with a direct line-of-sight to I-15 at the affordable multi-family residential units (depicted in the Acoustical Analysis), the following attenuation feature would provide sufficient noise reduction;
 - o Double-paned (dual glazed) windows, with two 1/4-inch thick glass panes separated by a 1/2-inch air gap.
- d. For single detached, duplex, and six-plex units (depicted in the Acoustical Analysis), the following attenuation features would provide sufficient noise reduction:
 - o Dual-glazed windows with a Sound Transmission Class (STC) rating of 37. STC 37 rated windows include the following requirements:
 - 1/4-inch laminated glass
 - 1/2-inch air gap
 - 1/4-inch glass
- e. For all single detached, duplex, and six-plex units exposed to the highest noise levels (depicted in the Acoustical Analysis), the following additional attenuation feature would provide sufficient noise reduction:
 - o Walls with an STC rating of 56. STC 56 rated materials include the following requirements:
 - Two layers of 5/8-inch drywall (interior surface).
 - Fiberglass batt insulation.
 - 1/2-inch OSB shear wall.
 - 7/8-inch cement plaster mix.
 - 2 x 4 offset interlaced (or standard double stud) wood studs 16-inch on center so that the interior panel is disconnected from the exterior panel as a residential multi-family party wall.
- f. Air conditioning or mechanical ventilation systems shall be installed to allow windows and doors to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).

17. Prior to issuance of any construction permit, the Owner/Permittee, shall submit an acoustical analysis report that identifies sound transmission reduction measures that shall attenuate exterior noise to a 70 dBA CNEL within active and passive park use areas as identified in the preliminary Acoustical Analysis Report (January 2020) prepared by HELIX Environmental Planning, Inc. for the public social loop trail.

18. **Final Acoustical Report with Construction Documents.** Prior to issuance of Final Inspection/Occupancy, the Owner/Permittee shall submit two copies of the final acoustical report with construction documents to the Building Inspector, to verify that interior acoustical levels of 45 dBA have been achieved as identified in the approved technical report.

AIR QUALITY REQUIREMENTS:

19. Natural gas fireplaces will be limited to no more than 133 of the single detached units and four (4) additional natural gas fireplaces in and around the Clubhouse. Other fireplaces or hearths shall not be installed.

CLIMATE ACTION PLAN REQUIREMENTS:

20. The Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

AFFORDABLE HOUSING REQUIREMENTS:

21. The applicant has applied for a variance under Section 142.1311 of San Diego Municipal Code from the comparability provisions of San Diego Municipal Code Section 142.1304(e)(2). If approved, the project shall provide 15 percent of the market rate units as an affordable senior housing development with a mix of 80 percent one-bedroom units and 20 percent two-bedroom units. Prior to receiving the first residential building permit, the Owner/Permittee shall demonstrate compliance with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") and the Inclusionary Housing Procedures Manual. The Owner/Permittee shall enter into a Regulatory Agreement and Declaration of Covenants, Conditions, and Restrictions with the City of San Diego, executed by the Owner/Permittee, and secured by a deed of trust which incorporates applicable affordability conditions. The Agreement will specify that the Owner/Permittee shall provide at least 81 units (65 one-bedroom and 16 two-bedroom units) with rents of no more than 30% of 60% of AMI for a period of 55 years. Eight units will be affordable at 50% AMI; seventy-two units will be affordable at 60% AMI; and one manager's unit will be affordable at 65% AMI.

GEOLOGY REQUIREMENTS:

22. Prior to the issuance of any construction permit (either grading or building), the Owner/Permittee shall submit a geotechnical investigation report or update letter prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for

adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

23. The Owner/ Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

ENGINEERING REQUIREMENTS:

24. This Permit shall comply with the conditions of Vesting Tentative Map No. 2073797.

25. Prior to the issuance of any construction permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for all private storm drain systems and connections, enhanced pavers, landscape and irrigation located in the City's right-of-way, satisfactory to the City Engineer.

26. The Owner/Permittee shall obtain a letter of permission for any work within the Caltrans Right-of-Way.

27. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

28. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

29. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

30. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of surface drainage entering into the property from the Right-of-Way.

LANDSCAPE REQUIREMENTS:

31. Prior to the issuance of any grading permit, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

32. Prior to the issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development

Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

33. Prior to the issuance of any construction permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(5).

34. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

35. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

36. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

PLANNING/DESIGN REQUIREMENTS:

37. Prior to the issuance of any construction permit, a Public Access Easement shall be recorded across Lot F and along the Public Loop Trail, as shown on Exhibit "A."

38. Prior to the issuance of any construction permit, the Owner/Permittee shall assure all new structures shall be constructed to ignition-resistant standards that exceed the SDFRD Fire Code, including requirements of the CBC Chapter 7A "Materials and Construction Methods for Exterior Wildfire Exposure," and CFC Chapter 49 "Requirement Wildland-Urban Interface Areas." These requirements shall address roofs, eaves, exterior walls, vents, appendages, windows, and doors, and result in hardened structures that have been proven to perform at high levels (resist ignition) during the typically short duration of exposure to burning vegetation from wildfires.

39. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

40. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

41. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

42. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

43. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of a new 25-foot wide driveway per current City Standards, adjacent to the site on Carmel Mountain Road, satisfactory to the City Engineer.

44. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of a roundabout at Janal Way/Projects Driveway/ Peñasquitos Drive, satisfactory to the City Engineer. The improvement shall be complete and operational prior to first occupancy.

45. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of a traffic signal at Peñasquitos Drive/Cuca Street/ Hotel Karlan Driveway, satisfactory to the City Engineer. The improvement shall be complete and operational prior to first occupancy.

46. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of City standard curb, gutter and sidewalk, adjacent to the site along Peñasquitos Drive and Carmel Mountain Road, satisfactory to the City Engineer.

47. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of a new 24-foot wide driveway per current City Standards, adjacent to the site on Del Diablo Street, for fire/emergency access only, satisfactory to the City Engineer. Driveway to be located approximately 100 feet east of the intersection of Del Diablo Street and Satanas Street.

48. Prior to the issuance of any construction permit, the Owner/Permittee shall assure by permit and bond the construction of an off-site emergency access/egress between Andorra Way and Corte Raposo, satisfactory to the City Engineer.

PARKS AND RECREATION DEPARTMENT REQUIREMENTS:

49. The Owner/Permittee shall provide 2.87 useable (3.23 gross) acres of population-based park land within the project boundaries as follows:

- a. Lots A and B, prior to issuance of the first residential occupancy permit.
- b. Population-based park acres provided on site are in lieu of the park component of the Rancho Peñasquitos Development Impact Fees; reimbursement through park DIF credits shall be provided in accordance with a reimbursement agreement entered into with the City, to the satisfaction of the Planning Director.
- c. The population-based parks shall be designed and constructed in accordance with the City's Park Development Standard Terms and Conditions, on file in the Planning Department.
- d. The population-based parks shall be designed in accordance with City of San Diego Council Policy 600-33, Community Notification and Input for City-Wide Park Development Projects.
- e. All storm water facilities on park land granted to the City shall not impede recreational activities, including the maintenance of such facilities.
- f. The Owner/Permittee shall ensure Park Planning review and approval of construction plans for the public parks prior to implementation.

50. The Owner/Permittee shall provide for population-based parks as identified in the City of San Diego General Plan. Based on General Plan standards, the project's 455 residential units and population of 1,224, would require an ad hoc parks fee for its population-based parks, and for its fair share of the recreation center and the aquatics complex in the Rancho Peñasquitos community. Population-based park acres of 3.6 gross / 2.9 useable acres provided on site are in lieu of the park component of the Rancho Peñasquitos Development Impact Fees, as shown on the draft General Development plan for The Junipers Neighborhood Park.

Reimbursement through park DIF credits shall be provided in accordance with a reimbursement agreement entered into with the City, to the satisfaction of the Planning Director. The Owner/Permittee shall grant to the City of San Diego an irrevocable offer to dedicate (IOD) to the satisfaction of the Parks and Recreation Director.

For its fair share of the recreation center and the aquatics complex in the Rancho Peñasquitos community, the Owner/Permittee shall pay a park in-lieu fee, of \$946,731 to be deposited into the Developer Contributions -CIP Fund, Fund No. #tbd, for recreation center and aquatic complex facilities in the Rancho Peñasquitos community, prior to the issuance of the first residential building permit. This in-lieu fee shall be subject to adjustment (from the effective date of this permit to the date of first residential building permit issuance) according to the Construction Cost Index in Los Angeles as published monthly in the "Engineering New-Record".

51. The Owner/Permittee shall provide a recreation easement for The Social Loop Trail and trail amenities on Lots C, D, F, Private Driveway A and a part of Driveway 'P' on Lot H within the project boundaries as follows:

- a. The Owner/Permittee shall be responsible for all maintenance of the privately-owned facilities with a recreation easement with the City in perpetuity in accordance with a Park Maintenance Agreement. The Owner/Permittee shall enter into the Park Maintenance Agreement with the City, to the satisfaction of the Parks and Recreation Director, prior to the issuance of the first residential occupancy permit.

- b. No credit or reimbursement will be given to Owner/Permittee by the City for this easement.
- c. Title to the property on which recreational facilities are located may be vested in a non-profit corporation or Homeowners' Association, but restrictions must be placed on the land, insuring its continued use for park and recreation purposes.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

52. Prior to the issuance of any construction permit, the Owner/Permittee shall assure, by permit and bond the design and construction of all public water and sewer facilities as required in the accepted water and sewer studies for this project in a manner satisfactory to the Public Utilities Director and the City Engineer. Water and sewer facilities, as shown on the approved Exhibit "A," may require modification based on the accepted water and sewer studies and final engineering.

53. Prior to the issuance of any construction permit, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

54. The Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s)[BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

55. The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

56. The Owner/Permittee shall grant water easement for the proposed above ground water meters as shown on the approved Exhibit "A," in a manner satisfactory to the Public Utilities Director and the City Engineer.

57. The Owner/Permittee shall grant sewer and water easements and access easements as shown on the approved Exhibit "A," satisfactory to the Public Utilities Director and the City Engineer. Easements shall be located entirely within one lot or parcel and adjacent to the property line.

58. The Owner/Permittee shall grant water access easement to maintain the existing 24" transmission pipeline as shown on the approved Exhibit "A," satisfactory to the Public Utilities Director and the City Engineer.

59. Prior to the recordation of the easement vacation the Owner/Permittee shall assure, by permit, bond and As-built completion the abandonment of the sewer main, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

60. No approved improvements or landscaping, including private water facilities, grading and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

61. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

62. The design for the proposed water and sewer mains in the roundabouts for all proposed intersections will be finalized during ministerial review.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on _____ and, pursuant to Resolution Number _____.

Permit Type/PTS Approval No.: Site Development Permit No. 2073790 and
Planned Development Permit No. 2419770
Site Development Permit No. 2073790

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Development Project Manager
Development Services Department

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

CARMEL PARTNERS LLC,
a Delaware Limited Liability Company
Owner/Permittee

By _____

Print Name:

Title:

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

CITY COUNCIL RESOLUTION NUMBER R-_____

VESTING TENTATIVE MAP NO. 2073797
THE JUNIPERS PROJECT NO. 586670 [MMRP]

WHEREAS, CARMEL PARTNERS LLC, a Delaware Limited Liability Company, Subdivider, and Hunsaker and Associates, Engineer, submitted an application to the City of San Diego for Vesting Tentative Map No. 2073797 (Map) and easement vacation for the Junipers Project to develop 536 residential dwelling units. The site is the former Carmel Highland Golf Course located west of I-15, north of Carmel Mountain Road, east of Peñasquitos Drive, adjacent to 14455 Peñasquitos Drive, in the RS-1-14 (Residential-Single Unit) and CV-1-1 (Commercial-Visitor) Zones which are proposed to be rezoned to RM-1-1 (Residential-Multiple Unit), RM-3-7 (Residential-Multiple Unit), OR-1-1 (Open Space-Residential), and OP-1-1 (Open Space-Park), within the of the Rancho Peñasquitos Community Plan area. The property is legally described as Parcel 3 of Parcel Map No. 21621, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County on September 13, 2018 as Instrument No. 2018-7000350 of official records; and

WHEREAS, the Map proposes the Subdivision of a 112.3-acre site into 13 lots; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 455; and

WHEREAS, on April 29, 2021, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 2073797 and Easement Vacation, and pursuant to Resolution No. PC-_____ voted to recommend the Council of the City of San Diego approve the map; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on _____, the Council of the City of San Diego considered Vesting Tentative Map No. 2073797, and Easement Vacation, and pursuant to San Diego Municipal Code section(s) 125.0440, 125.0430, 125.0941, 125.1040 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Council having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 2073797:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The proposed uses would be consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types (age-restricted and affordable) with a land use plan compatible with the Glens neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community.

The residential development would consist of a mix of detached and attached multi-family housing with public and private parks and recreational amenities compatible with the existing neighborhood. While the project density is slightly higher than adjacent residential development, the Glens neighborhood also includes a mix of single-family and multi-family development. The closest proposed homes would not exceed two stories in height, and would include single-story, detached units similar in scale to the homes in the existing neighborhood.

The low-rise multi-family homes have been designed to meet the needs of senior households. All homes are designed to include features that accommodate residents as they age, including universal design features such as wider corridors to allow for wheelchair movement, first floor master bedroom suites, and reduced onsite parking. The homes have been designed with small private outdoor spaces to minimize maintenance needs and enhance community open space to emphasize personal interaction and active senior lifestyles. The architecture of the homes is consistent with the old west ranch style design Community Plan recommendations for the Glens neighborhood.

The project will provide a 2.87-acres of public park, which exceeds the population-based park requirement of 2.55 acres. This design includes a dog park, children play areas, picnic and game areas, and a large turf area. The project also provides two privately owned and maintained recreational amenities that would be accessible to the general public. The amenities consist of a 2.75-mile social loop trail that includes seating, fitness stations, and observation and/or interpretive areas. The other amenity consists of a 0.52-acre park at the southern portion of the site that includes sports courts and mobility features such as bike racks, day lockers, tethered bike tools, transit and bike route signage, a rideshare pickup/drop-off location, pedestrian paths, and benches and shade structures.

The Community Plan also calls for the construction and maintenance of an adequate system for vehicular, bicycle and pedestrian circulation within the community, while providing adequate access to the larger San Diego region. The project provides roadway improvements that would increase capacity and includes a class II bike lane along the access road to the project and adjacent public park, thereby enhancing connectivity to the area. The project will also install a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street approaches (Cuca Street/Hotel Karlan Driveway). A single-lane roundabout would also be constructed at the Peñasquitos Drive, Janal Way and project access point.

The neighborhood is served by a bus line along Carmel Mountain Road that can be accessed using pedestrian corridors. The site is also approximately two miles south of the Rancho Bernardo Transit Station and one mile north of the Sabre Springs/Peñasquitos Transit Station (within an approximately 15-minute bike ride or a 5-minute drive). Each station provides access to all three major Bus Rapid Transit services operating from North County with connections to primary destinations in Kearny Mesa, Downtown San Diego and other regional destinations.

The project also addresses Climate Action Plan Greenhouse Gas (GHG) targets through sustainability features that includes photovoltaic panels on all of the individual homes, carport roofs within the affordable apartments, and electric vehicle (EV) charging stations, thereby resulting in a net decrease in GHG emissions for the overall project as compared to the former golf course. Lastly, the project includes adopting a Community Plan Implementation Overlay Zone to require the implementation of Community Plan policies and regulations to ensure that any future development of the site is consistent with the Community Plan. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and a publicly accessible recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones. Residential units will

ATTACHMENT 9

(R-[Reso Code])

consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project proposes deviations to the development regulations for street frontage, fence/wall height, front yard setback, side yard setback, and lot width. Staff has reviewed and approved the following requested deviations under the San Diego Municipal Code (SDMC) for the project:

Proposed Deviations		
Development Regulation	Required/Allowed	Proposed
Street Frontage Deviation		
For RM-1-1 and 3-7 lots, as per SDMC Table 131.04g, the minimum street frontage.	50 feet (RM 1-1) 70 feet (RM 3-7)	0-foot street frontage. The 0-foot street frontage for Lot H allows ingress and egress from Peñasquitos Drive and Carmel Mountain Road to Lots 1, 2, 3 & 4 (RM-1-1) and Lot 5 (RM 3-7) instead of directly from a public street.
Fence/Wall Height Deviation		
SDMC Section 142.0310 (1c) the height of a solid fence located on the front or street side property line may not exceed 3 feet, except when placed at the setback line where it may be 6 feet high.	3 feet-6 feet	6-foot high fences within the front setback of Buildings 44-47, 55, 61, 62, 71, 72, 87, 88, 113, 114, 135-138, 163-166, 181, 184, 185, 188, 189, 192, 193, 195, 196 (Lot 3)
SDMC Section 142.0310 (4)(d) fences located in required side yards and required rear yards are permitted up to 9 feet in height. Any portion of the fence above 6 feet in height shall be an open fence.	9 feet with up to 6 feet of solid fence and 3 feet of open fence	8-foot high solid fence for Buildings 99, 100, 123, 124, 125, 126, 147, 148, 149, 150, 179, 180 9-foot high solid fencing for Buildings 101, 102, 181, 182
Setback Deviation		
For RM-1-1 lots, SDMC Section 131.0443(d) and Table 131.04g - Up to 50 percent of the front yard setbacks may utilize the minimum yard setback if the other 50 percent utilizes the standard yard setback.	Minimum 15-foot front yard setback and Minimum 20-foot Standard front setback	Lot 2 (RM-1-1) front yard setback; Building No. (requested setback): 259 (10 feet), 260 (10 feet), 265 (10 feet) Lot 3 (RM-1-1) front yard setback; Building No. (requested setback): 181 (10 feet), 184 (10 feet), 185 (10 feet), 188 (10 feet), 189 (13 feet), 192 (11 feet), 193 (12 feet), 196 (14 feet) Lot 4 (RM-1-1) front yard setback; Building No. (requested setback): 54 (13 feet), 62 (13 feet), 71 (18 feet), 72 (14 feet)
For RM-1-1 lots, SDMC Section 131.0443 (d) and Table 131.04g -	Minimum side yard setback of 5 feet;	Lot 1 (RM-1-1) side yard setback; Building No. (requested setback): 42 (25 feet), 43 (15 feet), 44 (35 feet)

Proposed Deviations		
Development Regulation	Required/Allowed	Proposed
Up to 50 percent of the length of the building envelope on one side of the premises may observe the minimum 5-foot side yard setback, provided the remaining percentage of the building envelope length observes at least the standard side yard setback of 8 feet or 10 percent of the lot width, whichever is greater. 100 percent of the length of the building envelopes on the opposite side may observe the minimum side yard setback of 5 feet.	Minimum street yard setback of 10 feet; Standard side yard setback of 10 percent of lot width (see Sheet C5 of engineering drawings for specific lots and setbacks)	Lot 2 (RM-1-1) side yard setback; Building No. (requested setback): 231 (45 feet), 310 (45 feet), 232 (10 feet), 233 (10 feet), 234 (25 feet), 235 (25 feet), 236 (25 feet), 237 (20 feet) Lot 3 (RM-1-1) side yard setback; Building No. (requested setback): 196 (17 feet), 195 (17 feet), 166 (20 feet), 165 (16 feet), 164 (22 feet), 163 (18 feet), 138 (15 feet), 137 (15 feet), 136 (20 feet), 135(17 feet), 114 (20 feet), 113 (15 feet), 88 (20 feet), 87 (15 feet) Lot 4 (RM-1-1) side yard setback; Building No. (requested setback): 53 (5 feet), 54 (5 feet)
Lot Width Deviation		
For RM-1-1 lots, SDMC Section 131.0231 minimum lot width	Minimum 200 feet	Lot C – 10-foot minimum Lot D – 20-foot minimum Lot G – 10-foot minimum

Fence/Wall Height Deviation: The sound barrier height deviation allows for taller walls and fences around private exterior use areas for noise attenuation purposes to achieve sound levels of 70 CNEL or less within private outdoor usable spaces. The taller noise attenuation privacy barriers reach up to eight or nine feet in height and are primarily located within the easternmost housing units adjacent to the I-15 freeway. The deviation will result in a more desirable project since increasing the heights of sound walls by two to three feet over the allowable six feet reduces sound impacts from the I-15 freeway thereby protecting the quality of life for residents. The sound walls have no significant adverse visual effect to viewers from the east due to the topographic variation between the site and the I-15 freeway.

Setback Deviation: The deviations from the setback requirements for the RM-1-1 zone allows for placement of the project into the unique shape of the former golf course footprint, allowing for units customized to the living needs of the 55+ age group, and providing for a perimeter open space and walking trail. The deviations are located on the condominium lot and allow for the front of the dwelling units to be closer to the sidewalk, thereby promoting pedestrian interaction. The deviation would also accommodate the desired densities for the one-story homes with no stairs that best serve senior residents.

The deviation will result in a more desirable project since the project implements policies in the Residential Element of the Community Plan that encourages residential development that uses creative and flexible site planning to maximize the preservation of open space and hillside areas. The offset in depth from the front

facade to the main massing provides for more variation along the streetscape between the various elevations and is therefore more suitable to the geography of the site. The additional depth to the living space at the front along with the side and rear yard setback deviations allows for better internal functionality of the dwelling units. Single-story development is also considered important for senior residents who want to age in place and have internal home spaces that are located at ground level. The additional internal area provided by the reduced setbacks also provides additional rooms per floor plan design to meet the future needs of the senior homeowner.

Street Frontage Deviation: The street frontage deviation addresses the RM-1-1 requirement for dwelling units to have 50 feet of street frontage, and a RM 3-7 requirement for dwelling units to have 70 feet of street frontage (Lot 5). The project proposes condominiums where units do not front on streets and are clustered around a common driveway. The deviation will result in a more desirable project since it would allow for maximum dwelling unit sizes without the need for large front yards. The common driveway would serve as a common entryway, and as a central meeting area for neighbors in each of the residential clusters, thereby promoting social interaction.

Lot Width Deviation: The perimeter of the project is proposed for OR-1-1 zoning to reflect the open space that would be privately owned and maintained by the homeowners association. A deviation from the standard minimum 200-foot lot width requirement is necessary due to the limitations of the unique shape of the project site and the proximity of the adjacent I-15 freeway and residential neighborhood. The deviation will result in a more desirable project since the proposed perimeter open space area includes a social loop trail and associated pedestrian amenities that will be available to the general public, and re-establishes a drainage area along the eastern boundary.

Each of the requested deviations has been reviewed as they relate to the project design, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site and achieves the revitalization and re-use of the former golf course for residential use, while meeting the purpose and intent of the development regulations.

The City's Inclusionary Affordable Housing Implementing and Monitoring Procedures (Affordable Housing Manual) requires projects to construct affordable housing units in similar bedroom mix as the market rate units unless a variance is requested for an alternative comparable bedroom mix. The project's 81 affordable housing units accounts for 15 percent of the total proposed housing units, where the regulations requires 10 percent. The inclusion of the affordable housing units exceeds the project's affordable housing obligation. Therefore, granting a variance for an alternative bedroom mix requirement is consistent with the policies of the Affordable Housing Manual.

The project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC. The project will assist in accomplishing of the Community Plan of providing market-rate and affordable housing opportunities. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

3. The site is physically suitable for the type and density of development

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and a publicly accessible recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project site is in the Urban Areas segment of the City's Multiple Species Conservation Program Subarea Plan and is not located within or adjacent to the Multi-Habitat Planning Area. The sloping topography within the site does not meet the definition of steep hillsides in the Environmentally Sensitive Lands (ESL) regulations. The site does not contain protected habitats or sensitive plant or animal species. The existing drainage that crosses the site does not meet the City's definition of a wetland and is not subject to the City's ESL Regulations, and the on-site habitats are not subject to the regulations. The project is not within a coastal beach or bluff area, nor does it contain 100-year floodplains. Therefore, the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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The project proposes deviations to the development regulations for street frontage, fence/wall height, front yard setback, side yard setback, and lot width. Staff has reviewed and approved the following requested deviations for the project:

Proposed Deviations		
Development Regulation	Required/Allowed	Proposed
Street Frontage Deviation		
For RM-1-1 and 3-7 lots, as per SDMC Table 131.04g, the minimum street frontage.	50 feet (RM 1-1) 70 feet (RM 3-7)	0-foot street frontage. The 0-foot street frontage for Lot H allows ingress and egress from Peñasquitos Drive and Carmel Mountain Road to Lots 1, 2, 3 & 4 (RM-1-1) and Lot 5 (RM 3-7) instead of directly from a public street.
Fence/Wall Height Deviation		
SDMC Section 142.0310 (1c) the height of a solid fence located on the front or street side property line may not exceed 3 feet, except when placed at the setback line where it may be 6 feet high.	3 feet-6 feet	6-foot high fences within the front setback of Buildings 44-47, 55, 61, 62, 71, 72, 87, 88, 113, 114, 135-138, 163-166, 181, 184, 185, 188, 189, 192, 193, 195, 196 (Lot 3)
SDMC Section 142.0310 (4)(d) fences located in required side yards and required rear yards are permitted up to 9 feet in height. Any portion of the fence above 6 feet in height shall be an open fence.	9 feet with up to 6 feet of solid fence and 3 feet of open fence	8-foot high solid fence for Buildings 99, 100, 123, 124, 125, 126, 147, 148, 149, 150, 179, 180 9-foot high solid fencing for Buildings 101, 102, 181, 182
Setback Deviation		
For RM-1-1 lots, SDMC Section 131.0443(d) and Table 131.04g - Up to 50 percent of the front yard setbacks may utilize the minimum yard setback if the other 50 percent utilizes the standard yard setback.	Minimum 15-foot front yard setback and Minimum 20-foot Standard front setback	Lot 2 (RM-1-1) front yard setback; Building No. (requested setback): 259 (10 feet), 260 (10 feet), 265 (10 feet) Lot 3 (RM-1-1) front yard setback; Building No. (requested setback): 181 (10 feet), 184 (10 feet), 185 (10 feet), 188 (10 feet), 189 (13 feet), 192 (11 feet), 193 (12 feet), 196 (14 feet) Lot 4 (RM-1-1) front yard setback; Building No. (requested setback): 54 (13 feet), 62 (13 feet), 71 (18 feet), 72 (14 feet)
For RM-1-1 lots, SDMC Section 131.0443 (d) and Table 131.04g - Up to 50 percent of the length of the building envelope on one side of the premises may observe the minimum 5-foot side yard setback, provided the remaining percentage of the building	Minimum side yard setback of 5 feet; Minimum street yard setback of 10 feet; Standard side yard	Lot 1 (RM-1-1) side yard setback; Building No. (requested setback): 42 (25 feet), 43 (15 feet), 44 (35 feet) Lot 2 (RM-1-1) side yard setback; Building No. (requested setback): 231 (45 feet),

Proposed Deviations		
Development Regulation	Required/Allowed	Proposed
envelope length observes at least the standard side yard setback of 8 feet or 10 percent of the lot width, whichever is greater. 100 percent of the length of the building envelopes on the opposite side may observe the minimum side yard setback of 5 feet.	setback of 10 percent of lot width (see Sheet C5 of engineering drawings for specific lots and setbacks)	310 (45 feet), 232 (10 feet), 233 (10 feet), 234 (25 feet), 235 (25 feet), 236 (25 feet), 237 (20 feet) Lot 3 (RM-1-1) side yard setback; Building No. (requested setback): 196 (17 feet), 195 (17 feet), 166 (20 feet), 165 (16 feet), 164 (22 feet), 163 (18 feet), 138 (15 feet), 137 (15 feet), 136 (20 feet), 135(17 feet), 114 (20 feet), 113 (15 feet), 88 (20 feet), 87 (15 feet) Lot 4 (RM-1-1) side yard setback; Building No. (requested setback): 53 (5 feet), 54 (5 feet)
Lot Width Deviation		
For RM-1-1 lots, SDMC Section 131.0231 minimum lot width	Minimum 200 feet	Lot C – 10-foot minimum Lot D – 20-foot minimum Lot G – 10-foot minimum

Fence/Wall Height Deviation: The sound barrier height deviation allows for taller walls and fences around private exterior use areas for noise attenuation purposes to achieve sound levels of 70 CNEL or less within private outdoor usable spaces. The taller noise attenuation privacy barriers reach up to eight or nine feet in height and are primarily located within the easternmost housing units adjacent to the I-15 freeway. The deviation will result in a more desirable project since increasing the heights of sound walls by two to three feet over the allowable six feet reduces sound impacts from the I-15 freeway thereby protecting the quality of life for residents. The sound walls have no significant adverse visual effect to viewers from the east due to the topographic variation between the site and the I-15 freeway.

Setback Deviation: The deviations from the setback requirements for the RM-1-1 zone allows for placement of the project into the unique shape of the former golf course footprint, allowing for units customized to the living needs of the 55+ age group, and providing for a perimeter open space and walking trail. The deviations are located on the condominium lot and allow for the front of the dwelling units to be closer to the sidewalk, thereby promoting pedestrian interaction. The deviation would also accommodate the desired densities for the one-story homes with no stairs that best serve senior residents.

The deviation will result in a more desirable project since the project implements policies in the Residential Element of the Community Plan that encourages residential development that uses creative and flexible site planning to maximize the preservation of open space and hillside areas. The offset in depth from the front facade to the main massing provides for more variation along the streetscape between the various elevations and is therefore more suitable to the geography of the site. The additional depth to the living space at the front along with the side and

rear yard setback deviations allows for better internal functionality of the dwelling units. Single-story development is also considered important for senior residents who want to age in place and have internal home spaces that are located at ground level. The additional internal area provided by the reduced setbacks also provides additional rooms per floor plan design to meet the future needs of the senior homeowner.

Street Frontage Deviation: The street frontage deviation addresses the RM-1-1 requirement for dwelling units to have 50 feet of street frontage, and a RM 3-7 requirement for dwelling units to have 70 feet of street frontage (Lot 5). The project proposes condominiums where units do not front on streets and are clustered around a common driveway. The deviation will result in a more desirable project since it would allow for maximum dwelling unit sizes without the need for large front yards. The common driveway would serve as a common entryway, and as a central meeting area for neighbors in each of the residential clusters, thereby promoting social interaction.

Lot Width Deviation: The perimeter of the project is proposed for OR-1-1 zoning to reflect the open space that would be privately owned and maintained by the homeowners association. A deviation from the standard minimum 200-foot lot width requirement is necessary due to the limitations of the unique shape of the project site and the proximity of the adjacent I-15 freeway and residential neighborhood. The deviation will result in a more desirable project since the proposed perimeter open space area includes a social loop trail and associated pedestrian amenities that will be available to the general public, and re-establishes a drainage area along the eastern boundary.

Each of the requested deviations has been reviewed as they relate to the project design, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site and achieves the revitalization and re-use of the former golf course for residential use, while meeting the purpose and intent of the development regulations.

The proposed uses would also be consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types (age-restricted and affordable) with a land use plan compatible with the Glens neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community.

The residential development would consist of a mix of detached and attached multi-family housing with public and private parks and recreational amenities compatible with the existing neighborhood. While the project density is slightly higher than adjacent

residential development, the Glens neighborhood also includes a mix of single-family and multi-family development. The closest proposed homes would not exceed two stories in height, and would include single-story, detached units similar in scale to the homes in the existing neighborhood. The architecture of the homes is also consistent with the old west ranch style design Community Plan recommendations for the Glens neighborhood.

The project will provide a 2.87-acres of public park, which exceeds the population-based park requirement of 2.55 acres. This design includes a dog park, children play areas, picnic and game areas, and a large turf area. The project also provides two privately owned and maintained recreational amenities that would be accessible to the general public. The amenities consist of a 2.75-mile social loop trail that includes seating, fitness stations, and observation and/or interpretive areas. The other amenity consists of a 0.52-acre park at the southern portion of the site that includes sports courts and mobility features such as bike racks, day lockers, tethered bike tools, transit and bike route signage, a rideshare pickup/drop-off location, pedestrian paths, and benches and shade structures.

The Community Plan also calls for the construction and maintenance of an adequate system for vehicular, bicycle and pedestrian circulation within the community, while providing adequate access to the larger San Diego region. The project provides roadway improvements that would increase capacity and includes a class II bike lane along the access road to the project and adjacent public park, thereby enhancing connectivity to the area. The project will also install a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street approaches (Cuca Street/Hotel Karlan Driveway). A single-lane roundabout would also be constructed at the Peñasquitos Drive, Janal Way and project access point.

The neighborhood is served by a bus line along Carmel Mountain Road that can be accessed using pedestrian corridors. The site is also approximately two miles south of the Rancho Bernardo Transit Station and one mile north of the Sabre Springs/Peñasquitos Transit Station (within an approximately 15-minute bike ride or a 5-minute drive). Each station provides access to all three major Bus Rapid Transit services currently operating from North County with connections to primary destinations in Kearny Mesa, Downtown San Diego and other regional destinations.

The project also addresses Climate Action Plan Greenhouse Gas (GHG) targets through sustainability features that includes photovoltaic panels on all of the individual homes, carport roofs within the affordable apartments, and EV charging stations, thereby resulting in a net decrease in GHG emissions for the overall project as compared to the former golf course. Therefore, the site is physically suitable for the type and density of development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and a publicly accessible recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project will result in impacts to a man-made drainage feature within the eastern/northeastern portion of the site including impacts to 0.10-acres of United States Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) jurisdictional non-wetland waters of the U.S. and State of California and 0.15-acres of California Department Fish and Wildlife (CDFW) jurisdictional streambed. The impacts will be mitigated at a 1:1 ratio through one or a combination of on- and/or off-site re-establishment and/or enhancement of the same type of wetland and non-wetland waters. The potential also exists for subsurface resources to be recovered on-site. Therefore, mitigation measures to preserve and protect archaeological and fossil resources will be implemented prior and during grading.

The project site is in the Urban Areas segment of the City's Multiple Species Conservation Program Subarea Plan and is not located within or adjacent to the Multi-Habitat Planning Area. The sloping topography within the site does not meet the definition of steep hillsides in the Environmentally Sensitive Lands (ESL) regulations. The site does not contain protected habitats or sensitive plant or animal species. The existing drainage that crosses the site does not meet the City's definition of a wetland and is not subject to the City's ESL Regulations, and the on-site habitats are not subject to the regulations. The project is not within a coastal beach or bluff area, nor does it contain 100-year floodplains. Therefore, the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

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The project site is in the Urban Areas segment of the City's Multiple Species Conservation Program Subarea Plan and is not located within or adjacent to the Multi-Habitat Planning Area. The sloping topography within the site does not meet the definition of steep hillsides in the Environmentally Sensitive Lands (ESL) regulations. The site does not contain protected habitats or sensitive plant or animal species. The existing drainage that crosses the site does not meet the City's definition of a wetland and is not subject to the City's ESL Regulations, and the on-site habitats are not subject to the regulations. The project is not within a coastal beach or bluff area, nor does it contain 100-year floodplains.

Primary vehicular access to the project, as well as fire and emergency access, would come from a new driveway connecting to Janal Way at the current intersection of Janal Way and Peñasquitos Drive to form a new four-way intersection designed as a traffic-calming roundabout occurring within the public right-of-way. An additional project entrance will provide right-in traffic only from Carmel Mountain Road due to proximity to the I-15 freeway. The project also provides emergency-only egress, through an emergency personnel-operated radio frequency gate, and a mountable median with delineators within the Carmel Mountain Road median. In the event of an emergency, emergency vehicles would turn right or left in or out of the development, and the route could be opened by emergency personnel in the event of an evacuation. Additional emergency access/egress would be provided through an on-site connection to Del Diablo Street and off-site improvements to Andorra Way/Corte Raposo.

An Environmental Impact Report (EIR) was prepared for the project that identified potentially significant impacts in the areas of transportation, biological resources, historic and tribal resources, and public health and safety. The following mitigation measures have been identified to reduce all impacts to below a level of significance:

Transportation and Circulation: The project will create significant direct and cumulative impacts at the Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and the Peñasquitos Drive/Janal Way/Project Access intersections. To mitigate these impacts, the project will be required to install a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street (Cuca Street/Hotel Karlan Driveway) approaches. The project will also construct a single-lane roundabout at the Peñasquitos Drive, Janal Way and project access point.

Biological Resources: The project results in significant impacts to a man-made drainage feature within the eastern/northeastern portion of the site including impacts to 0.10-acres of USACE and RWQCB jurisdictional non-wetland waters of the U.S. and State of California and 0.15-acres of CDFW jurisdictional streambed. The impacts would be mitigated at a 1:1 ratio through one or a combination of on- and/or off-site re-establishment and/or enhancement of the same type of wetland and non-wetland waters.

Historic and Tribal Resources: The potential exists for subsurface resources to be recovered on-site. Therefore, mitigation measures to preserve and protect archaeological and fossil resources will be implemented prior and during grading.

Public Health and Safety: The project would result in potentially significant impacts related to disturbance of soils, slabs, and pavements within two on-site maintenance areas. Residue from the previous handling and storage of hazardous materials within these areas could result in health hazards to workers during construction. A soils management plan will be implemented to identify, segregate and dispose of any impacted soils.

A Water Supply Assessment (WSA) Report for the project was prepared to evaluate if sufficient water supplies would be available to meet the projected water demands of the project. The WSA concluded that current and future water supplies to serve the projected demands of the project, as well as the actions necessary to develop these supplies, have been identified in the water resource planning documents of the City's Public Utilities Department, the County Water Authority, and the Metropolitan Water District.

The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include submitting an acoustical analysis report that identifies sound transmission reduction measures for the residences; submitting an updated geotechnical report that addresses the construction plans; obtaining an Encroachment Maintenance Removal Agreement for all private storm drain systems and connections, enhanced pavers, landscape and irrigation located in the public right-of-way; implementing storm water construction best management practices (BMPs) and ongoing permanent BMP maintenance; entering into an indemnification agreement for surface drainage entering into the property from the public right-of-way; paying an in-lieu park fee for recreation center facilities in Rancho Peñasquitos; assure

by permit and bond the design and construction of all required public water and sewer facilities; and installation of private back flow prevention devices.

The Tentative Map for the project was reviewed and determined to be in compliance with the SDMC and California Government Code Section 66400 et. seq. (Subdivision Map) Act. The project must satisfy conditions of approval of Vesting Tentative Map No. 2073797 and Planned Development Permit No. 2419770 to achieve compliance with the regulations of the SDMC. Therefore, the design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The easements to be vacated for the project include an existing 10-foot wide sewer easement (File No. 59386), relocation of easements for gas distribution and regulating facilities, and relocation of easements for underground telecommunication facilities. The project vacates the easements that have been identified as no longer necessary and establishes public right-of-way and utility easements required to implement the project. The project also conditions a public access easement for the HOA-owned and maintained private park and social loop trail.

The project was designed to comply with all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC. The project also implements the Community Plan of creating a compact and walkable neighborhood that is accessible by transit and provide market-rate and affordable housing opportunities within the Rancho Peñasquitos community. Therefore, the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project has been sited and designed to provide natural light to the homes to allow for passive and natural heating and cooling opportunities and access for solar photovoltaic (PV) systems. The project is designed to include rooftop PV systems for a combined total system size of at least 1,396 DC kW. Total electricity generation is estimated at 3,537 mega-watt hours per year, which exceeds the projected electricity demand of the project. The project was also designed with light colored stone pavers to reduce heat absorption. In homes not covered by solar panels, roofing materials will be installed with a minimum three-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under CALGreen Building Standards Code. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is

accessible by transit; and increasing housing choices within the Rancho Peñasquitos community. The project will not adversely impact public resources since the proposed senior residences will be served by existing public facilities, and there is a sufficient water supply to meet the projected water demand. The project permit also requires the development of public and private improvements that will service the neighborhood, and mitigation measures will be implemented to reduce all identified impacts to below a level of significance.

The decision maker has reviewed the administrative record, including the project plans, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region, and determined that the subdivision to 13 lots to construct 536 residential units will result in a more desirable project consistent with the General Plan Housing Element adopted by the City Council in March 2013, and the Regional Housing Needs Allocation goals for the 2010 - 2020. Therefore, the decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The above findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that portions of the sewer easement, located within the project boundaries as shown in Vesting Tentative Map No. 2073797, shall be vacated, contingent upon the recordation of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

9. There is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.1040(a)).

The easements to be vacated include an existing 10-foot wide sewer easement (File No. 59386), relocation of easements for gas distribution and regulating facilities, and relocation of easements for underground telecommunication facilities. The project vacates the easements that have been identified as no longer necessary and establishes public right-of-way and utility easements required to implement the project. The project also conditions a public access easement for the HOA-owned and maintained private park and social loop trail. Therefore, there is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired or for any other public use of a like nature that can be anticipated.

10. The public will benefit from the action through improved utilization of the land made available by the vacation. (San Diego Municipal Code § 125.1040(b)).

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project is consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types (age-restricted and affordable) with a land use plan compatible with the Glens neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community. Therefore, the public will benefit from the action through improved utilization of the land made available by the vacation.

11. The vacation is consistent with any applicable land use plan. (San Diego Municipal Code § 125.1040(c)).

The project is consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types (age-restricted and affordable) with a land use plan compatible with the Glens neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community. Therefore, the vacation is consistent with the applicable land use plan.

12. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists. (San Diego Municipal Code § 125.1040(d)).

The project is located on the former Carmel Highland Golf Course in the Glens neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities

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with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The easements to be vacated include an existing 10-foot wide sewer easement (File No. 59386), relocation of easements for gas distribution and regulating facilities, and relocation of easements for underground telecommunication facilities. The project vacates the easements that have been identified as no longer necessary and establishes public right-of-way and utility easements required to implement the proposed project. The project also conditions a public access easement for the HOA-owned and maintained private park and social loop trail. Therefore, the public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Venting Tentative Map No. 2073797 and Easement, are hereby granted to CARMEL PARTNERS LLC, a Delaware Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: Mara W. Elliott, City Attorney

By _____

Deputy City Attorney

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24007629

CITY COUNCIL
CONDITIONS FOR VESTING TENTATIVE MAP NO. 2073797 AND EASEMENT VACATION NO.
2073795 FOR THE JUNIPERS PROJECT NO.586670 [MMRP]

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Vesting Tentative Map will expire _____.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office and supply proof prior to the recordation of the Final Map.

4. The Vesting Tentative Map shall conform to the provisions of Site Development Permit No. 2073790 and Planned Development Permit No. 2419770.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AFFORDABLE HOUSING

6. The applicant has applied for a variance under Section 142.1311 of San Diego Municipal Code from the comparability provisions of San Diego Municipal Code Section 142.1304(e)(2). If approved, the project shall provide 15 percent of the market rate units as an affordable senior housing development with a mix of 80 percent one-bedroom units and 20 percent two-bedroom units. Prior to receiving the first residential building permit, the Subdivider shall demonstrate compliance with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") and the

Inclusionary Housing Procedures Manual. The Subdivider shall enter into a Regulatory Agreement and Declaration of Covenants, Conditions, and Restrictions with the City of San Diego, executed by the Subdivider, and secured by a deed of trust which incorporates applicable affordability conditions. The Agreement will specify that the Subdivider shall provide at least 81 units (65 one-bedroom and 16 two-bedroom units) with rents of no more than 30% of 60% of AMI for a period of 55 years. Eight units will be affordable at 50% AMI; seventy-two units will be affordable at 60% AMI; and one manager's unit will be affordable at 65% AMI.

ENGINEERING

7. The drainage system proposed for this development, as shown on the approved Vesting Tentative Map, are subject to approval by the City Engineer.
8. The Subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
9. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
10. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.
11. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual and Council Policy 200-18. This includes (but not be limited to) installation of new street lights, upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage, per approved Exhibit 'A', satisfactory to the City Engineer.
12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision, in accordance with the San Diego Municipal Code.
13. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, in a manner satisfactory to the City Engineer.

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14. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

15. Prior to the expiration of the Vesting Tentative Map, a Final Map to subdivide the property within the VTM boundary shall be recorded at the San Diego County Recorder's Office.
16. The Final Map shall be based on a field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.

All survey monuments shall be set prior to the recordation of the Final Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Final Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

17. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
18. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground shall be shown on the map.
19. All private streets and drives shall be shown with bearings and distances with at least the centerline and width of the streets shown on a non-title sheet on the Final Map. The street names shall be submitted to BDR-Street Name Coordinator for approval and published on the Final Map.

PUBLIC UTILITIES

20. The Subdivider shall grant adequate sewer easements, including vehicular access to each appurtenance for all public sewer facilities that are not located within fully improved public right-of-way's, in a manner satisfactory to the Public Utilities Director. Easements shall be located within single lots, when possible, and not split longitudinally. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Public Utilities Director and the City Engineer.
21. The Subdivider shall process encroachment maintenance and removal agreements (EMRA), for all acceptable encroachments into the sewer easement, including but not limited to structures, enhanced paving, or landscaping. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
22. The Subdivider shall provide 10 feet minimum (edge to edge) separation between the water and sewer mains, and provide a 5 feet minimum separation between the water main and face of curb, per the Water and Sewer Design Guide.

GEOLOGY

23. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical investigation report or update letter prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.
24. The Subdivider shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out

PLANNING

25. Prior to the recordation of the Final Map, the Subdivider shall record Public Access Easement shall be recorded across Lot F and along the Public Loop Trail as shown on Exhibit "A."

TRANSPORTATION

26. Prior to the recordation of the first final map, the Subdivider shall an irrevocable offer of dedication for frontage along Carmel Mountain Road, in a manner satisfactory to the City Engineer.
27. Prior to the recordation of the first final map, the Subdivider shall dedicate adequate right-of-way at Cuca Street and Peñasquitos Drive to keep all curb ramps and their landing areas and all equipment related to the traffic signal within public right-of-way, as shown on Exhibit "A," in a manner satisfactory to the City Engineer.

28. Prior to the recordation of the first final map, the Subdivider shall dedicate adequate right-of-way at Janal Way/Projects Driveway/ Peñasquitos Drive to keep all curb ramps and their landing areas within public right-of-way, as shown on Exhibit "A," in a manner satisfactory to the City Engineer.

ENVIRONMENTAL

29. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
30. The mitigation measures specified in the MMRP and outlined in ENVIRONMENTAL IMPACT REPORT NO. 586670 / SCH NO. 2018041032, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
31. The Subdivider shall comply with the MMRP as specified in ENVIRONMENTAL IMPACT REPORT NO. 586670 / SCH NO. 2018041032, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Transportation/Circulation
Biological Resources
Historical Resources,
Tribal Cultural Resources, and
Health and Safety

PARKS AND RECREATION

32. Prior to the recordation of the Final Map, the Subdivider shall dedicate a recreation easement for the Social Loop Trail and trail amenities on Lots C, D, F, Private Driveway A and a part of Driveway 'P' on Lot H in a manner satisfaction to the City Engineer. The recreation easement shall be subject to the conditions set forth in Site Development Permit No. 2073790 and Planned Development Permit No. 2419770.
33. Prior to the recordation of the Final Map, the Subdivider shall dedicate in fee to the City of San Diego, Lots A and B. At time of dedication Lots A and B shall be free and clear and not be encumbered by any deed of trust.
34. Prior to the recordation of the Final Map, the Subdivider shall ensure the review and approval of the Final Map by Parks and Recreation.

INFORMATION:

- The approval of this Vesting Tentative Map by the City Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal

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Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).

- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24007629

(R-2021-)

RESOLUTION NUMBER R-_____

ADOPTED ON _____

A RESOLUTION ADOPTING A VARIANCE TO THE INCLUSIONARY
AFFORDABLE HOUSING REGULATIONS TO ALLOW FOR AN ALTERNATIVE
COMPARABLE BEDROOM MIX, RELATED TO THE JUNIPERS PROJECT NO.
586670

WHEREAS, CARMEL PARTNERS LLC, a Delaware Limited Liability Company, Owner and Permittee, applied for a variance to the Inclusionary Affordable Housing Regulations to allow for an alternative bedroom mix requirement for The Junipers Project located on a 112.3-acre site east of Interstate 15, west of Peñasquitos Drive and south of Carmel Mountain Road;

WHEREAS, the site is legally described as Parcel 3 of Parcel Map No. 21621, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County on September 13, 2018 as Instrument No. 2018-7000350 of official records; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on _____, the Planning Commission of the City of San Diego considered the variance to the Inclusionary Affordable Housing Regulations, and pursuant to Resolution No. _____, voted to recommend approval of the variance; and

WHEREAS, the matter was set for public hearing on _____, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to the variance to the Inclusionary Affordable Housing Regulations;

VARIANCE TO THE INCLUSIONARY AFFORDABLE HOUSING REGULATIONS [San Diego Municipal Code (SDMC) Section 142.1310(a)]

Former SDMC Section 142.1305(b)(1) and the City's Inclusionary Affordable Housing Implementing and Monitoring Procedures ("Affordable Housing Manual") are applicable to the Project due to its vested rights (similar to current San Diego Municipal Code ("SDMC") Sections 142.1304(e)(1) and 142.1311). These procedures generally require development projects to construct affordable housing units in similar bedroom mix as the market rate units unless it obtains a variance for an alternative comparable bedroom mix in accordance with former SDMC Section 142.1307 and SDMC Section 142.1308(a) and currently SDMC Section 142.1311(a)(Findings).

1. Special circumstances unique to that development, justify granting the variance, waiver, adjustment, or reduction.

The Junipers Project (Project) proposes an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. Residential units would include up to 455 market-rate residential units in single-family detached, townhome/duplex, and six-plex configurations that consist of three and four bedrooms. In addition, 81 for-rent affordable residential units for low-income seniors are proposed for a total development of 536 residential units.

The Project proposes an adjustment to the room equivalency provisions of the San Diego Housing Commission's administrative regulations for the implementation of the City of San Diego's Inclusionary Housing Ordinance. The administrative guideline provides that affordable units provided by a project under the Inclusionary Housing Ordinance should provide a comparable bedroom mix as market rate homes in the Project. The Affordable Housing Manual recognizes there are special circumstances unique to a project and the applicant and San Diego Housing Commission can enter into an affordable housing agreement with an alternative bedroom mix requirement.

The Project is an age restricted, 55+ community that will provide housing for active seniors that will allow them to age in place. The low-rise multi-family homes have been designed to meet the needs of older San Diegans. Homes are predominantly one-story and have been designed to include features within the home that accommodate residents as they age, including universal design features such as wider corridors to allow for wheelchair movement. Homes have been designed with small private outdoor spaces to minimize maintenance needs, in favor of additional community open space to emphasize personal interaction and active senior lifestyles. The Project includes a "social loop" community walking trail around the perimeter of the Project to emphasize

activity and promote interaction for Project and community residents. Therefore, the age restricted affordable housing being offered in the Project are consistent with the types of homes being offered in the Project, despite the difference in room equivalency.

According to the San Diego Association of Governments 2050 Growth Forecast, the total population growth in San Diego County will be 29%. However, the number of people aged 65 to 69 is projected to increase by 74% and people aged over 70 will increase by over 100%. The SANDAG 2050 Growth Forecast concludes that, “[b]y 2050 it is expected that nearly 20 percent of the population will be ages 65 and over, compared with just 12 percent today.” The same Growth Forecast also shows that the growth in single-family housing units will be only 9%, while multi-family units will grow by 65%. This shows an aging of the overall population and a movement of that population, among others, to multi-family housing units. Thus, the need for a variety of housing types that allow people to age in place.

The Rancho Peñasquitos Community is made up of young families attracted by the beauty of the community, ample public facilities and highly rated public schools. The Project will provide area residents an opportunity to stay in the area after their children leave their homes. Smaller, affordable homes better designed for older residents will give these seniors an opportunity to age within the community, instead of seeking housing elsewhere. This will include seniors who do not have the incomes necessary to purchase or rent market-rate homes, due to retirement, health expenses, or other financial difficulties. In addition, by moving from the typically larger single-family residences with large backyards in Rancho Peñasquitos to the Project, more homes in the area will be made available to young families who desire these types of homes.

The primary policy of the Residential Element of the Rancho Peñasquitos Community Plan is to “[p]rovide a diversity of housing opportunities for a variety of household types, lifestyles and income levels, while maximizing the health, safety and welfare of the community.” The Project will be conditioned to construct 15% of the total 536 homes within the community as affordable to senior residents at 60-65% of area median income. As a result, 81 senior affordable apartment homes will be incorporated into the design. The provision of this type of housing within the Project area will enhance the area by providing a diversity of housing choices to people of various incomes, and will therefore fulfill the primary, residential land use policy of the Community Plan.

The Project will comply with the Inclusionary Affordable Housing Ordinance through the provision of senior housing units. Seniors are likely to live as singles or couples and no longer have children living at home. Therefore, multiple bedrooms are not necessary to serve this sector of the population. In a July, 2019 letter from the San Diego Housing Commission to the California Tax Credit Allocation Committee (“TCAC”), the Housing Commission noted that the largest number of people on the combined area waiting list with HUD Public Housing, USDA RD and State RHCP as of July 1, 2019, were for one and two-bedroom units. Seniors are even more apt to need one-bedroom units, as their family size, and needs are accommodated better in smaller units. Chelsea Investments, the provider of the Inclusionary Affordable Housing Units in the Project, has developed 16 age-restricted senior projects totaling over 1200 units. These units were developed with a bedroom mix of 80% one-bedroom units and 20% two-bedroom units, consistent with the Senior housing type defined in regulations for the California Tax Credit Allocation Committee for financing purposes. The bedroom mix was determined to be the best way to serve the affordable housing needs of seniors and meet state guidelines. Similar to the letter from TCAC, Chelsea has found the

largest number of people on the waiting list for the affordable senior units that they operate is for one-bedroom units.

Therefore, the City Council finds that providing affordable homes to the growing numbers of citizens in the senior population, and their increasing percentage of the overall population of the City of San Diego, represents a special circumstance, to justify granting an adjustment in the affordable housing regulations for bedroom mix comparability. Senior housing type projects are an acceptable means to satisfy the Inclusionary Affordable Housing requirements in the municipal code, and the City Council finds that the provision of the 80% one-bedroom and 20% two-bedroom mix provided in the Project is an appropriate bedroom mix to serve the senior population.

2. The Project would not be feasible without the modification.

Seniors are more apt to be on fixed incomes than younger people who are still in the workforce. This limits the flexibility of where seniors may locate in housing. As noted above, the primary policy of the Residential Element of the Rancho Peñasquitos Community Plan is to “[p]rovide a diversity of housing opportunities for a variety of household types, lifestyles and income levels, while maximizing the health, safety and welfare of the community.” Without the provision of stable senior, affordable housing the area would lack the stable rents necessary to attract and maintain a significant senior population in the community and therefore the community would fail to achieve the intergenerational diversity that is called for in the Community Plan. As noted above, senior populations favor one- and two-bedroom units which better reflect their stage of life and the number of people in their family. Therefore, the City Council finds that the feasibility of the development and consistency with the Community Plan is dependent on the provision of senior housing.

The Rancho Peñasquitos Community Plan, Residential Element policies also state that, “additional low- and moderate-income housing should be created through the use of all available public and private financing programs or as a requirement of new residential development.” The Project will utilize tax credits to construct the 15% senior, affordable housing units on site. The California Tax Credit Allocation Committee provides specific criteria for the granting of tax credits that can be coupled with developer contributions to construct senior affordable units. The tax credit criteria for affordable senior units (Section 10325(g)(2) of the California Tax Credit Committee Regulations) (“TCAC Regulations”) states that “no more than twenty percent of the Low-Income Units in the project shall be larger than one-bedroom units, unless waived by the Executive Director, when supported by a full market study.” The City Council finds that the use of tax credit financing is critical to the production of these units and that if the affordable units were required to increase the number of multi-bedroom units beyond the 20% maximum, the project would not meet the definition of senior housing under the TCAC Regulations. In the event the project could not secure tax credits, the provision of on-site affordable units would become infeasible.

3. A specific and substantial financial hardship would occur, if the variance, waiver, adjustment, or reduction were not granted.

The City Council’s purpose in adopting the Affordable Inclusionary Housing Ordinance was the construction of housing units for residents earning 60% or less than the area median income. The Ordinance includes an option to pay an in-lieu fee rather than constructing 10% affordable units

on site. Despite the Ordinance's preference for the construction of units, the vast majority of development projects have chosen to pay the in-lieu fee instead of constructing affordable units. According to a Voiceofsandiego.org analysis, "Two-thirds of the 3,265 affordable units produced through the program during its 15-year run have been subsidized by fees developers pay instead of building affordable units themselves." The analysis found that those units subsidized by the in-lieu fee represented only 8% of the affordable units needed in the Regional Housing Needs Assessment for San Diego. And therefore, the construction of units, as opposed to the payment of in-lieu fees was needed to increase the production of actual units.

On-site affordable units are typically constructed in conjunction with an affordable housing development partner that finances the construction of those units using contributions from the Project developer as well as tax credits for affordable housing from the State of California. Together this layered financing strategy enables the actual construction of affordable units. The California Tax Credit Allocation Committee provides specific criteria for the granting of tax credits that can be coupled with developer contributions to construct senior affordable units. The tax credit criteria for affordable senior units (Section 10325(g)(2) of the TCAC Regulations) state that "no more than twenty percent of the Low-Income Units in the project shall be larger than one-bedroom units, unless waived by the Executive Director, when supported by a full market study." The reasoning behind the policy is that seniors are best served by one-bedroom units, which is supported by the number of households on the San Diego Housing Commission's waiting list for one-bedroom affordable units, as noted above. If the affordable units were required to increase the number of multi-bedroom units beyond the 20% maximum, the project would not qualify as senior housing under the TCAC Regulations. In the event the project was not able to secure tax credits, the contemplated affordable senior housing project would therefore be infeasible. The Project contemplates 15% of the units in the Project as affordable, senior housing, and therefore represents a 5% increase in the amount of affordable housing that would be required under the City's Inclusionary Housing Ordinance. Due to the fact that units are being constructed on-site and in greater number than required by the Ordinance, a greater cost burden is being placed on the larger Project, necessitating the use of tax credits and other available financing for senior affordable homes, which require the determined bedroom mix.

In addition, the senior population is one of the largest sectors in need of affordable housing. Seniors often utilize Housing Choice Vouchers to help pay the restricted rents in affordable housing projects constructed under the Inclusionary Affordable Housing Ordinance. A single senior adult with a San Diego Housing Choice Voucher may only utilize the benefits of the Housing Choice Voucher to rent a one-bedroom unit and would not be permitted under the San Diego Housing Choice Voucher program to rent a unit larger than one bedroom unless the senior demonstrated a live-in caregiver is required. Two bedroom and greater units would be beyond the reach of these seniors. The City Council finds that the adjustment in bedroom configuration sought by the Project will allow the Project to comply with the senior housing criteria defined in the TCAC Regulations, allow seniors possessing Housing Choice Vouchers to access more affordable housing opportunities, and allow them to occupy the units built under the Affordable Inclusionary Housing Ordinance.

4. No alternative means of compliance are available that would be more effective in attaining the purposes of this Division than the relief requested.

Alternative means of compliance with the Inclusionary Affordable Housing Ordinance are available, which would be the payment of the in-lieu fee consistent with the Ordinance. The City Council finds that the construction of on-site affordable units for seniors is superior to the payment of the in-lieu fee. The payment of the in-lieu fee would not provide actual units in which seniors could reside. The Project contemplates 15% of the units in the Project as affordable, senior housing, and therefore represents a 5% increase in the amount of affordable housing that would be required under the City's Inclusionary Housing Ordinance. Therefore, the alternative means of compliance would be the payment of the in-lieu fee at the lower 10% affordable rate, which is required by the Ordinance. The applicant has determined that 81 affordable senior housing units can be feasibly built by the Project to achieve the desired 15% affordable set aside. The 15% set-aside exceeds the requirements of the Ordinance by 5%. By providing units rather than in-lieu payments, homes can more rapidly be built and occupied by seniors in need of housing, instead of waiting for in-lieu fees to accumulate in the City's Housing Trust Fund for later financing of affordable units. The City Council finds that the provision of physical affordable, senior units, in excess of the required 10% would be more effective in attaining the purpose of the Inclusionary Affordable Housing Ordinance than the payment of in-lieu fees, and further finds that the optimal bedroom count for those units is one and two bedrooms.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that, based on the findings hereinbefore adopted by the Council of the City of San Diego that the variance to the Inclusionary Affordable Housing Regulations is granted to, CARMEL PARTNERS LLC, a Delaware Limited Liability Company, Owner and Permittee, under the terms and conditions set forth in the Ordinance O-_____, adopting Planned Development Permit No. 2419770 and Site Development Permit No. 2073790 contingent upon final passage of O-_____, adopting the Development Agreement; and

BE IT FURTHER RESOLVED, by the Council of The City of San Diego, that it grants the variance to the Inclusionary Affordable Housing Regulations, a copy of which is on file in the office of the City Clerk as Document No. RR-_____.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____

Attorney name

Deputy City Attorney

Initials~

Date~

Or.Dept: INSERT~

Case No.

R-INSERT~

Form=inloto.frm

RESOLUTION NUMBER R- _____

ADOPTED ON _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
CERTIFYING ENVIRONMENTAL IMPACT REPORT NO.
586670/SCH NO. 2018041032 AND ADOPTING MITIGATION
MONITORING AND REPORTING PROGRAM NO. 586670
[MMRP] FOR THE JUNIPERS PROJECT- PROJECT NO. 586670.

WHEREAS, Carmel Land LLC, a Delaware Limited Liability Company submitted an application to Development Services Department for approval of the Amendment to the Rancho Peñasquitos Community Plan; Rezone No. 2073792; Ordinance applying the Community Plan Implementation Overlay Zone on the property; Planned Development Permit No. 2419770; Site Development Permit No. 2073790; Vesting Tentative Map No. 2073797 including a Public Right-of-Way Easement Vacation; to rescind Conditional Use Permit 87-0346 associated with the closed golf course; and approval of findings under Municipal Code section 142.1308 for an adjustment to the bedroom comparability provisions of the San Diego Housing Commission's administrative regulations for the implementation of the City of San Diego's Inclusionary Housing Ordinance to subdivide a 112.3-acre site into 13 lots for the construction of an active adult (55+) community that includes 536 residential units and associated public and private improvements at the former Carmel Highland Golf Course located west of I-15, north of Carmel Mountain Road, east of Peñasquitos Drive adjacent to 14455 Peñasquitos Drive within the Rancho Peñasquitos Community Plan area (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the City Council of the City of San Diego (Council); and

WHEREAS, under San Diego Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the Council has considered the issues discussed in Environmental Impact Report No. 586670/SCH No. 2018041032 (Report) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Council that it is certified that the Report has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, section 15000 et seq.), that the Report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that pursuant to CEQA section 21081 and State CEQA Guidelines section 15091, the Council hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to CEQA section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that the Report and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: MARA W. ELLIOTT, City Attorney

By: _____
Shannon Eckmeyer
Deputy City Attorney

ATTACHMENT(S): Exhibit A, Findings
 Exhibit B, Mitigation Monitoring and Reporting Program

Exhibit A

**DRAFT CANDIDATE FINDINGS OF FACT REGARDING
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE JUNIPERS PROJECT**

SCH No. 2018041032
Project No. 586670
February 2021

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**DRAFT CANDIDATE FINDINGS OF FACT REGARDING
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE JUNIPERS PROJECT**

SCH No. 2018041032

Project No. 586670

February 2021

SECTION I: INTRODUCTION

I. PROJECT DESCRIPTION

A. Project Background

The Junipers Project ("Project") entails the redevelopment of a 112.3-acre site currently encompassing an inactive golf course and five tennis courts. The Project site is located within the northeast portion of the City of San Diego's Rancho Peñasquitos Community Plan (Community Plan) area, which lies 17 miles north of downtown San Diego and 8 miles south of the City of Escondido. It is covered under an existing Conditional Use Permit (CUP) 87-0346, associated with the prior golf course use. The current Rancho Peñasquitos Community Plan Land Use Map designates the site as Open Space, while the specific map for the site's neighborhood (Glens) identifies the site as "Golf Course." Existing zoning is primarily Residential Single-Unit (RS-1-14.) A small area in the southeast portion of the site is zoned Commercial Visitor (CV-1-1) and was previously associated with the former Hotel Karlan property.

The Project site is immediately west of Interstate 15 (I-15), north of Carmel Mountain Road, and east of Peñasquitos Drive. Surrounding land uses include single- and multi-family residential to the west and north, and a recently closed hotel (Hotel Karlan) to the south. Residential uses are primarily low-density single-family detached to the north and west, with multi-family residences to the northwest and southwest. Farther to the west is the Black Mountain Open Space Park. To the east across I-15 are commercial shopping centers and office buildings. The runway for Marine Corps Air Station (MCAS) Miramar is situated approximately 7 miles south of the Project site along Miramar Road.

The Carmel Highland Golf Course was constructed in the 1960s and began operations in 1967 as the Rancho Peñasquitos Golf Course. The golf course was closed in 2015, due to reduced golf course usage and higher water costs. There is currently no active land use on the site.

Topography on the site ranges from approximately 750 feet above mean sea level (AMSL) at the extreme northern corner of the Project site to approximately 620 feet AMSL at the central eastern portion of the Project site. The site is mapped primarily as ornamental, developed, or disturbed vegetation communities. The site drains into an existing man-made ditch which extends along the northeastern and eastern portions of the Project site. The channel is earthen-bottomed for its northern extent, but transitions to being concrete-lined before connecting to an off-site storm drain system that continues under I-15. All flows are ultimately conveyed into Peñasquitos Creek.

B. Project Objectives

The primary goals and objectives of the Project are to:

1. Address the City's housing supply needs by providing an expanded residential footprint which includes both for-sale market rate and for rent affordable age-qualified (55+) residences.
2. Provide a diversity of housing opportunities and include 15 percent affordable housing rental units on site.
3. Provide compact infill residential uses in proximity to existing neighborhood commercial to support a walkable neighborhood with access to services;
4. Construct and maintain a multimodal circulation system for vehicles, bicycles, and pedestrians to enhance accessibility and support active transportation and public transit use;
5. Provide a new public community-accessible park and provide public access to certain on-site private parks and trails to create a connected trail system for additional public recreational opportunities and to promote general community-wide health and wellness;
6. Reconstruct the on-site drainage as a natural drainage feature with native and wetland species, resulting in a gain in native habitat;
7. Provide solar panels on 100 percent of the Project's for-sale and affordable housing structures;
8. Improve emergency access and enhance egress routes on and off site; and
9. Provide electric vehicle (EV) charging stations and a centralized mobility area to support multi-modal transportation options, ride-sharing, and informational kiosks to support walking, cycling and transit use.

C. Junipers Project Description

The Project would entail the redevelopment of the 112.3-acre site with up to 455 for-sale, age-restricted (55+) residential units and 81 for-rent, affordable, age-restricted housing units (536 units total), a public park, a private park and social loop trail with public recreation easements, and other private parks and usable open space. The proposed vesting tentative map (VTM) and Planned Development Permit (PDP) would subdivide the site into a total of 13 lots: 5 residential lots (including 4 for-sale lots and 1 for-rent affordable lot), 7 park and open space lots, and 1 lot designated for private driveways. The Project would also require a community plan amendment (CPA) to redesignate land use from Open Space - Golf Course to Low-Medium Density Residential and rezone from the existing RS-1-14 and CV-1-1 zones to Residential Multi-Unit (RM)-1-1 (lower density multiple dwelling unit with some characteristics of single dwelling unit for market rate development) and RM-3-7 (medium density multiple dwelling units for affordable housing) residential zones and Open Space-

Residential (OR)-1-1 and Open Space-Park (OP)-1-1 open space zones. A Community Plan Implementation Overlay Zone (CPIOZ) is proposed for the Project site, to limit future development to no more than 536 units. Should a new PDP be processed, new discretionary review would be required. In addition, rescission of existing CUP 87-0346 that covered the prior golf course use is required.

The Project's for-sale residential housing unit types include 133 50x90 single detached units, 136 duplex units, and 186 six-plex units for a total of 455 for-sale residential units. All single detached units would be one to two stories high, with floor plans ranging from 1,738 to 2,527 square feet (SF), including three or four bedrooms and two to three bathrooms. While the proposed zoning would allow for a 30-foot structure height, the maximum height for the single-story units is planned to be 21 feet 6 inches, and the maximum height for the two-story units is planned to be 28 feet 7 inches.

Duplex units would range from 1,946 to 2,106 SF, with 3 bedrooms and 2 or 2.5 bathrooms each. These structures would all incorporate two-story elements. The maximum allowable height is 30 feet. The proposed maximum height is 27 feet 10 inches. The six-plexes would range from 1,199 to 2,240 SF, with 2 to 4 bedrooms and 2 to 3 bathrooms each. Six-plex one-story units would have a maximum height of 20 feet, 11 inches and two-story units would reach a maximum of 26 feet, 9 inches high.

For-rent, affordable housing units account for 15 percent of the total proposed units on the site at 81 units. The units would be one- and two-bedroom apartment homes. The structure is anticipated to be three stories ranging up to just under 40 feet in height (39 feet, 11 inches). The RM-3-7 zone would allow building heights of up to 40 feet. Incorporation of these income-restricted units would exceed the Project's affordable housing obligation, consistent with the City's inclusionary housing policies as required in the San Diego Municipal Code (SDMC) Chapter 14, Article 2, Division 13, the Inclusionary Housing Ordinance. Additionally, a variance from the Inclusionary Affordable Housing Regulations to address comparable bedroom mix requirement between affordable and market rate units is part of the discretionary actions of the Project.

Sustainable design elements implemented throughout the Project include features, techniques, and materials to reduce energy demand, water and resource consumption, and environmental waste, and to generate renewable energy on site. These elements include: water savings through use of native and drought-tolerant plant species, hydrozoning, use of high-efficiency irrigation technology, and fully-automatic, weather-based irrigation controllers; strategic placement of trees to provide shade and cooling and use of light-colored stone pavers to reduce heat absorption; heat-reflective roofing; use of grasscrete, permeable pavers, and other methods to reduce surface runoff; rooftop photovoltaic (PV) solar system; pre-wiring (i.e., cabinets and conduits provided for future wiring) of 37 spaces for the future installation of EV charging stations, with 50 percent of that number (19 spaces) to be active vehicle charging stations consistent with the City Climate Action Plan, and provision of EV-ready pre-wiring in all 455 market-rate residential garages (exceeding requirements by 419 spaces). These elements are implemented to minimize electrical draw and emissions; increase transit accessibility as discussed below; divert between 70 and 90 percent of construction/demolition debris and over 50 percent of operational waste from landfills; reduce electricity consumption through use of energy-conserving lighting; and

restrict number and type of fireplaces (natural gas only, and only in the 133 single detached units with 4 additional natural gas fireplaces in and around the Clubhouse) to lessen impact on timber resources and fire-related emissions.

A Fire Protection Plan (FPP) and Wildland Fire Evacuation Plan have been prepared for the Project, which would become Homeowners Association (HOA) documents. All new structures would be constructed to ignition-resistant standards that exceed the San Diego Fire-Rescue Department (SDFRD) Fire Code, including requirements of the California Building Code (CBC) Chapter 7A "Materials and Construction Methods for Exterior Wildfire Exposure," and California Fire Code (CFC) Chapter 49 "Requirement for Wildland-Urban Interface Areas." These requirements address roofs, eaves, exterior walls, vents, appendages, windows, and doors, and result in hardened structures that have been proven to perform at high levels (resist ignition) during the typically short duration of exposure to burning vegetation from wildfires. In addition, the Project would include fire-resistive landscaping. The Community HOA would oversee enforcement of fire-safe landscaping, ensure continued incorporation and maintenance of fire-resistive building materials, and provide for continued education of residents regarding evacuation plans. Improvements to on- and off-site emergency access/egress options to/from Del Diablo Way, Carmel Mountain Road, and Andorra Way/Corte Raposo would serve the entire Glens community, including the Project.

The Project would construct a public park accessed by Janal Way for use by Project residents and other members of the public. This public park would provide approximately 2.87 net usable acres of parkland. The land set aside for public park would be dedicated to and maintained by the City. The public park includes a dog run area, children's play areas, picnic and game areas, bike racks, and a large turf area. In addition to the proposed public park, the Project includes an HOA-owned and maintained 0.52-acre private park and 2.75-mile social loop trail that would have public access easements. With the easements in place, members of the public and the larger Glens community also would be permitted to access these facilities. The private mobility zone park with a recreation easement would incorporate sport courts and a mobility zone and bicycle hub. These uses would promote bicycling, walking, transit, and carpooling. The mobility zone is proposed to include a drop-off/pickup area for rideshare, carpool and similar purposes; signage regarding transit options and schedule; and shaded seating areas. The bicycle hub is proposed to include bicycle racks (14 spaces), pneumatic air pressure facilities, bike stands with tethered repair tools, outdoor day use lockers and two bike vending kiosks, a staging area for shared scooters and ebikes with posted user information, and posted information regarding local and regional streets and trails showing bike routes.

This would tie directly into off-site multimodal connections. The site is within 2,000 feet of existing east- and west-bound bus stops adjacent to Carmel Mountain Road and is located regionally between the Sabre Springs Transit Center and the Rancho Bernardo Transit Station. The Project also provides a network of on-site trails that connect to Project amenities, as well as providing non-vehicular access routes that connect to off-site bicycle and pedestrian routes. The social loop trail noted above would connect to Peñasquitos Drive, Del Diablo Way (pedestrians may pass through bollards at this emergency access point), and Carmel Mountain Road; and thereby would provide easy access to the loop for residents of the Glens. Project residents would connect to the perimeter trail via internal

private sidewalks or DG pathways. Class II bike lanes are also proposed, connecting Peñasquitos Drive and Carmel Mountain Road through the Project.

Primary vehicular access to the Project, as well as fire and emergency access, would be from a new driveway, connecting to Janal Way at the intersection of Janal Way with Peñasquitos Drive, to form a new four-way intersection designed as a traffic-calming roundabout. A secondary right-in only access point from Carmel Mountain Road would be provided to the southern portion of the Project. Additionally, a traffic signal is proposed by the Project at the intersection of Peñasquitos Drive/Cuca Street/Hotel Karlan driveway. These two intersection designs have been incorporated into the Project design to mitigate the traffic impacts of the Project. A right-turn-in only access to the site from Carmel Mountain Road is also proposed. Internal connections within the Project site would be provided with privately maintained driveways and pathways.

The access point driveway from Carmel Mountain Road would capture the majority of the trips from points east and minimize additional Project trips on Peñasquitos Drive. It also would provide emergency-only egress, through an emergency personnel-operated RF (radio frequency) gate, and a mountable median with delineators in the median center. Emergency vehicles would thus be able to turn right or left, into or out of the development, and this route also could be opened by emergency personnel in the event of an emergency evacuation. The Project also proposes a road widening on Carmel Mountain Road for the deceleration lane, which would result in a 315-foot long deceleration lane plus a 90-foot long bay taper for a total of 405 linear feet. This lane would not extend to the I-15 southbound ramps intersection and would not affect the traffic signal; however, it would be necessary to make improvements in both City and California Department of Transportation (Caltrans) right-of-way (ROW). The Project would provide a Class II buffered bike lane and non-contiguous sidewalk along this section of Carmel Mountain Road.

Two intersection improvements are based on Project mitigation and have been incorporated into Project design. A new four-way intersection designed as a traffic-calming roundabout occurring within the public road right-of-way and a portion of the Project site, would be located at Peñasquitos Drive and Janal Way, as noted above. The roundabout would provide single-lane approaches on all sides with a single circulating lane, consistent with the existing cross-section of Peñasquitos Drive. Bicyclists in the existing buffered bike lanes would merge into the auto lane and navigate the roundabout as would a vehicle, returning to the bike lane thereafter. The radii, width, and hardscape to retain line-of-sight of the roundabout would meet design requirements for emergency vehicle usage. In addition, a traffic signal is proposed at the intersection of Peñasquitos Drive and Cuca Street to mitigate both Project impacts and a currently failing condition. The traffic signal would be consistent with the existing cross-section of Peñasquitos Drive, providing left-turn lanes with protected phasing on Peñasquitos Drive.

An existing man-made ditch trends through the eastern portion of the site. This does not qualify as a City wetland, but is subject to the jurisdiction of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and California Regional Water Quality Control Board as a non-wetland Waters of the U.S./Waters of the State. Impacts to this jurisdictional feature would be mitigated through on-site reestablishment of the drainage, off-site creation or preservation of wetland habitat, and/or purchase of wetland credit within

a mitigation bank, subject to permit approvals by the noted resource agencies (currently under review by the resource agencies, with final issuance requiring completion of the CEQA process through EIR certification). Project plans addressed in the EIR reflect the proposed on-site mitigation currently under resource agencies review. As proposed, the drainage would be reestablished along the eastern perimeter of the site and enhanced with native wetland habitat, such as southern willow scrub, mule fat scrub, and baccharis scrub. Only non-invasive landscape species would be permitted adjacent to this biology mitigation area.

Approximately 12,250 feet of retaining walls are proposed around the site perimeter, with heights of up to 12 feet, to support Project slopes and protect certain utilities in place, including an SDG&E north-to-south gas transmission line and existing underground AT&T distribution line. Other existing utilities on site would be vacated or retained and realigned to occur within Project streets. Approximately 820,000 cubic yards of cut and fill are anticipated during Project grading, and little to no import or export of graded material is anticipated.

The Project would comply with applicable laws and regulations (e.g., the Migratory Bird Treaty Act [MBTA] addressing nesting birds, California Department of Fish and Game Code, the City's MSCP Subarea Plan, landscape water use requirements [Chapter 14, Article 2, Division 4] and the California Model Water Efficient Landscape Ordinance [MWEL0], International Building Code/California Building Code, and Title 24 energy efficiency standards, etc.). It also includes construction traffic control plans (TCPs) as incorporated design features. The TCPs would be reviewed and determined to be satisfactory to the City Engineer prior to construction activities for the Project. Construction activities also would comply with San Diego Municipal Code section 59.5.0404 regarding restricted construction hours.

II. DISCRETIONARY ACTIONS

The Final Environmental Impact Report (FEIR) is intended to provide documentation pursuant to CEQA to cover all local, regional, and state permits and/or approvals that may be needed to implement the Project.

Implementation of the Project would require the following discretionary approvals from the City:

- Vesting Tentative Map (VTM)
- General Plan Amendment (GPA)/ Community Plan Amendment
- Rezone
- Community Plan Implementation Overlay Zone (CPIOZ)
- Planned Development Permit (PDP)
- Site Development Permit (SDP)
- Rescind Conditional Use Permit 87-0346, associated with the prior golf course use.

- Sewer Easement Vacation
- Variance to Bedroom Equivalency Requirements in the City of San Diego Inclusionary Housing Guidelines.

Permits/Discretionary Approvals required by other agencies and entities:

- Streambed Alteration Agreement - California Department of Fish and Wildlife (CDFW)
- Section 404 Nationwide or Individual Permit - U.S. Army Corps of Engineers (USACE)
- Section 401 Certification - Regional Water Quality Control Board (RWQCB)
- National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Permit Compliance - City of San Diego and RWQCB
- NPDES General Construction Activity Permit for Stormwater Discharges Compliance - RWQCB and State Water Resources Control Board (SWRCB)
- MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) Consistency Determination - San Diego County Regional Airport Authority
- ROW Encroachment Permit - Caltrans
- Relocation of SDG&E gas distribution lines and regulating facilities
- Relocation of AT&T underground telecommunication easements

SECTION II: ENVIRONMENTAL REVIEW PROCESS

The City of San Diego (City) is the lead agency conducting environmental review under the California Environmental Quality Act (CEQA; California Public Resources Code sections 21000, *et seq.*, and the Guidelines promulgated thereunder in California Code of Regulations, Title 14, sections 15000, *et seq.* (CEQA Guidelines). The City as lead agency is primarily responsible for carrying out the Project. In compliance with section 15082 of the CEQA Guidelines, the City published an initial Notice of Preparation on April 10, 2018, which began a 30-day period for comments on the appropriate scope of the Project EIR. Consistent with Public Resources Code section 21083.9, the City held a Scoping Meeting on April 18, 2018. The purpose of this meeting was to seek input and concerns from public agencies as well as the general public regarding the environmental issues that may potentially result from the Project.

Pursuant to CEQA Guidelines section 15084(d)(3), HELIX Environmental Planning, Inc. prepared and submitted environmental documents to the City on behalf of the applicant. The City reviewed and approved the Draft EIR (DEIR) for public circulation. The City posted a Notice of Availability of the DEIR pursuant to CEQA Guidelines section 15087. The DEIR was circulated for 45 days for public review and comment beginning on February 19, 2020 and ending on April 6, 2020. After the close of public review, the City prepared the FEIR, which provided responses in writing to all comments received on the DEIR. The FEIR, which was published in January 2021 has been prepared in accordance with CEQA.

The FEIR addresses the environmental effects associated with implementation of the Project. The FEIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the Project. The FEIR addresses the potential significant adverse environmental impacts associated with the Project, and identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts.

The FEIR is the primary reference document for the formulation and implementation of a mitigation monitoring and reporting program (MMRP) for the Project. All Project impacts would be mitigated to less than significant through implementation of the MMRP. No impacts would remain significant and unmitigated.

The City, acting as the Lead Agency, certifies with these Findings that the FEIR reflects the City's own independent judgment and analysis under Public Resources Code section 21082.1(a)-(c) and CEQA Guidelines section 15090(a)(3).

I. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents and other evidence at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the Project;
- All responses to the NOP received by the City;
- The FEIR;
- The DEIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the DEIR;
- All responses to the written comments included in the FEIR;
- All written and oral public testimony presented during a noticed public hearing for the Project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- The reports and technical memoranda included or referenced in any responses to comments in the FEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in, or otherwise relied upon during the preparation of the DEIR and FEIR;
- Matters of common knowledge to the City, including, but not limited to, federal, state, and local laws and regulations;

- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code section 21167.6(e).

The documents and other materials that constitute the record of proceedings on which the City's CEQA findings are based are located at the Office of the City Clerk, 202 C Street, 2nd Floor, San Diego, California 92101. This information is provided in compliance with CEQA Guidelines section 15091(e).

Copies of the document that constitute the record of proceedings are on the City's website and at all relevant times have been available upon request at the offices of the City's DSD. The DEIR was also placed on the City's website at www.sandiego.gov/city-clerk/officialdocs/public-notices, and the FEIR was placed on the City's website at www.sandiego.gov/final. This information is provided in compliance with the Public Resources Code 21081.6(a)(2) and State CEQA Guidelines 15091(e).

SECTION III: FINDINGS

I. INTRODUCTION

CEQA states that no public agency shall approve or carry out a Project which identifies one or more significant environmental impacts of a Project unless the public agency makes one or more written findings for each of those significant effects, and, in the case of impacts that have not been mitigated to less than significant, that findings are accompanied by an overriding justification and rationale for each (no significant and unmitigated impacts would occur for the Project; all significant impacts would be mitigated to less than significant). The possible findings are:

- Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effects on the environment.
- Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the Final FEIR.

(Pub. Res. Code, § 21081; CEQA Guidelines, §15091)

CEQA requires that the lead agency adopt mitigation measures or alternatives where feasible to avoid or lessen significant environmental impacts that would otherwise occur with the implementation of a project. Project mitigation or alternatives are not required, however, when they are infeasible or when the responsibility for modifying a proposed project lies with another agency (CEQA Guidelines, §15091[a][b]). For those significant

impacts that cannot feasibly be reduced to a less than significant level, the lead agency is required to find that specific overriding economic, legal, social, technological, or other benefit of a proposed project outweighs the significant effects on the environment (Pub. Res. Code, §21081[b]; CEQA Guidelines, §15093). If such findings can be made, the CEQA Guidelines state that “the adverse environmental effects may be considered acceptable” (CEQA Guidelines, §15093). As noted, no significant and unmitigated impacts were identified for the Project.

CEQA also requires that the Findings made pursuant to section 15091 be supported by substantial evidence in the record, meaning enough relevant information has been provided, including reasonable inferences that may be made from this information, to support a conclusion, even though other conclusions might also be reached. Substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinion supported by facts. (CEQA Guidelines, § 15384.)

The Findings reported in the following pages incorporate by reference the facts and discussions of the FEIR, and summarize pertinent sections of the Project FEIR and relevant information, including the responses to comments. For each of the significant impacts associated with the Project, the following discussion is provided:

- *Impact or Description of Significant Effects:* The specific impact being addressed by the Finding.
- *Finding:* Specific description of the environmental effects identified in the FEIR, including a conclusion regarding the significance of the impact. One or more of the three specific findings set forth in CEQA Guidelines section 15091.
- *Mitigation Measures:* Identifies feasible mitigation measures in the FEIR or actions, that are required as part of the Project.
- *Rationale:* A summary of the reasons for the Finding(s).
- *Reference:* A notation on the specific section in the FEIR that includes the evidence and discussion of the identified impact.

II. ENVIRONMENTAL EFFECTS FOUND NOT SIGNIFICANT DURING PROJECT SCOPING

The Council of the City of San Diego hereby finds that the Project would not have the potential to cause significant impacts associated with the impact categories outlined below. These findings are based upon initial study environmental review where the City determined that the Project would not have the potential to cause significant impacts associated with the following issue areas:

- Agriculture and Forestry Resources
- Mineral Resources
- Paleontology
- Population and Housing
- Schools

III. ENVIRONMENTAL IMPACTS ANALYZED IN FEIR THAT ARE LESS THAN SIGNIFICANT AND DO NOT REQUIRE MITIGATION

The Council of the City of San Diego hereby finds that direct and cumulative environmental impacts in the following areas would be less than significant. Pursuant to CEQA Guidelines section 15091(a) written findings by the public agency are only required for each of the significant effects identified in the FEIR. For those areas not addressed in Sections IV, V, VI and VII of these Findings, no significant impact was determined in the FEIR. These Findings are based on the analyses conducted for the Project as described in Section 5.0 of the FEIR, which are incorporated by reference herein to these Findings.

The City, as the Lead Agency, prepared an EIR and found no significant impacts would occur in the following areas, with no mitigation required:

- Land Use (inconsistency/conflict with the environmental goals, objectives, or guidelines of the General/Community Plan; deviation or variance resulting in a physical impact on the environment; and incompatibility with the City Noise Element, or an adopted ALUCP)
- Transportation (potential for traffic congestion related to construction, traffic load and capacity of street segments, or traffic added to any congested freeway segment, interchange or ramp; conflict with planned transportation systems; traffic hazards to motor vehicles, bicyclists, or pedestrians; and conflict with adopted policies, plans, or programs supporting alternative transportation modes)
- Visual Effects/Neighborhood Character (blockage of public views to scenic vistas; creation of a negative aesthetic site or project; impacts to neighborhood character relative to incompatibility to surrounding development or substantial alteration to existing or planned character of the area; substantial change to existing landform, and generation of substantial light or glare)
- Noise (exposure to operational or construction noise, creation of a significant permanent increase in ambient noise levels, and vibration)
- Air Quality (Air Quality Management Plan Consistency, criteria pollutant emissions, exposure of sensitive receptors to substantial pollutant concentrations, and exposure to objectionable odors)
- Greenhouse Gas Emissions (generation of GHGs and Climate Action Plan consistency)
- Energy (potential for wasteful energy use)
- Biological Resources (sensitive species and habitats including plant species, City Environmentally Sensitive Lands [ESL] wetlands, sensitive vegetation communities (excludes jurisdictional streambed/non-vegetated wetlands addressed below), raptor foraging, nesting western bluebird and Cooper's hawk, or nesting birds in general)

[including raptors]; wildlife corridors; and conflict with local policies or ordinances protecting biological resources)

- Hydrology/Water Quality (increase in impervious surfaces and runoff, drainage alteration, development within a floodplain/resulting in flood hazard, increase in pollutant discharge and effects on waters quality)
- Geology and Soils (potential for geologic instability, erosion and sedimentation, and geologic hazards)
- Historical and Tribal Cultural Resources (structures)
- Public Utilities (need for construction of new water, sewer or solid waste management systems or substantial alterations to existing utilities resulting in physical impacts)
- Public Services and Facilities (potential for inadequate public service facilities related to police, fire, libraries, and park and recreation facilities)
- Health and Safety (fire risk, emergency response/evacuation, airport hazards)

References: FEIR, § 5.1.2 and 5.1.3, 5.2.2 through 5.2.4, 5.3.2 through 5.3.6, 5.4.2 through 5.4.4, 5.5.2 through 5.5.5, 5.6.2, 5.7.2, 5.8.2 through 5.8.5, 5.9.2 through 5.9.5, 5.10.2 through 5.10.4, 5.11.2, 5.12.2, 5.13.2, and 5.14.3 through 5.14.5.

IV. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The Council of the City of San Diego, having reviewed and considered the information contained in the FEIR, hereby finds pursuant to Public Resources Code section 21081(a)(1) and CEQA Guidelines section 15091(a)(1) that the following potentially significant impacts would be less than significant after implementation of the specified mitigation measures. These findings are based on the discussion of impacts in Sections 5.0 of the FEIR, incorporated by reference herein, and as more fully described below.

The draft FEIR concludes that the Project would result in less than significant environmental impacts with implementation of mitigation measures with regard to:

- Transportation/Circulation (intersection capacity)
- Biological Resources (jurisdictional streambed/unvegetated waters)
- Historical and Tribal Cultural Resources (potential for unknown buried resources)
- Health and Safety (potential for contaminant exposure during construction/operations)

Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effects on the environment.

A. Transportation

Impact: Potential for Traffic Congestion

Issue 1: Would the Project result in an increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?

Issue 2: Would the Project have a substantial impact upon existing or planned transportation systems?

(a) Finding

Significant direct and cumulative impacts would occur at the Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and the Peñasquitos Drive/Janal Way/Project Access intersections under the Existing Conditions Plus Project, Near- Term Plus Project, and Year 2050 Plus Project scenarios.

Changes or alterations have been required in or incorporated into the Project which mitigate or avoid the significant environmental effects on the environment. Following the implementation of mitigation measures TRA1 and TRA2, these impacts would be less than significant.

(b) Mitigation Measures

TRA-1: Traffic Signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway Intersection Prior to issuance of the first building permit, Owner/Permitee shall assure by permit and bond the construction of a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes with protected phasing on Peñasquitos Drive, and permissive phasing on the minor street (Cuca Street/Hotel Karlan Driveway) approaches, satisfactory to the City Engineer. Improvements shall be completed and operational prior to the Project's first occupancy.

TRA-2: Roundabout at Peñasquitos Drive/Janal Way/Project Access Intersection Prior to issuance of the first building permit, Owner/Permitee shall assure by permit and bond the construction of a single-lane roundabout at Peñasquitos Drive/Janal Way/Project Access, satisfactory to the City Engineer. Improvements shall be completed and operational prior to the Project's first occupancy.

(c) Rationale

The trip generation for all 536 proposed housing units was calculated using the City of San Diego Trip Generation Manual (2003) trip generation rate for "Retirement/Senior Citizen Housing." Peak hour rates are not provided by the City's trip generation manual. The SANDAG (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region (2002) was used to calculate the peak hour trip generation.

The Traffic Impact Analysis (TIA) prepared for the FEIR at Appendix B analyzed potential effects to study area intersections under Existing, Near-Term (Opening Day), and Horizon Year conditions, with and without the Project. The Project is forecasted to generate a total of

2,144 average daily traffic (ADT) with 107 trips during the AM peak hour (43 inbound/ 64 outbound) and 150 trips during the PM peak hour (90 inbound/ 60 outbound).

Trip distribution was based on the existing travel patterns in the area, the proximity of the Project land uses to complementary uses, proximity to I-15, the type of housing proposed, and general knowledge of the area. Residents of age-qualified housing include both retirees who would tend to avoid unnecessary peak hour trips and travel to a variety of local and regional destinations, and those still in the workforce whose travel patterns reflect that of a more typical commuter.

Based on the City significance criteria contained in FEIR Table 5.2-3 and the analysis methodologies described in the FEIR evaluation (and discussed in more detail in the Project Traffic Impact Analysis, LLG 2019), the Project would result in significant direct and cumulative impacts at two study area intersections, including Intersection #6, Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway, and Intersection #7, Peñasquitos Drive/Janal Way/Future Project Access. All other impacts would be less than significant and would not require mitigation measures.

The Existing Plus Project condition represents the effect of Project traffic on the existing street network at the time of traffic data collection (February 2018) without assuming either additional reasonably foreseeable development projects or additional road improvements in the baseline condition other than those proposed as part of the Project (i.e., the fourth leg of the Peñasquitos Drive/Janal Way intersection and the right-turn in only access and frontage improvements on Carmel Mountain Road). Anticipated trips associated with buildout of the Project were then distributed throughout the study area to determine the changes in operations for intersections and roadway segments.

Traffic generated by the Project was added to the existing traffic volumes to develop the Existing Plus Project volumes. Without including reasonably foreseeable development, or installation of a traffic signal at the intersection of Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and a roundabout at Peñasquitos Drive/Janal Way/Future Project Access, all intersections are calculated to continue to operate at LOS D or better except for Intersections #6 and #7.

Based on City significance criteria, Project-related increases in delay at Intersection #6 and Intersection #7 would result in significant impacts because both intersections would be degraded from LOS E and B, respectively, to LOS F and E, respectively. Intersection #11 would not be significantly impacted by the Project because the LOS grade would not change, and the allowable delay threshold of 2.0 seconds would not be exceeded.

The Near-Term Opening Day scenario adds traffic anticipated to be generated by three other nearby development projects in the near future, and then adds the traffic generated by the Project to develop the Near-Term Opening Day Plus Project volumes. This scenario assumes existing lane geometrics, except that the Near-Term Plus Project scenario includes additional road improvements as part of the Project (i.e., the fourth leg of the Peñasquitos Drive/Janal Way intersection and the right-turn in only access and frontage improvements on Carmel Mountain Road). The resulting conditions at intersections and roadway segments are shown

on FEIR Table 5.2-7. Intersections #6 and #7 continue to show a significant Project contribution to these cumulative impacts.

The Horizon Year volumes were obtained from the SANDAG Series 12 Year 2050 forecast traffic model to forecast the baseline traffic volumes representing the Horizon Year without Project conditions. The analysis assumes that no improvements to the study area street segments and intersections would occur by the Year 2050 and that the existing on-the-ground conditions would remain.

The net increase in traffic with the Project was added to the baseline Horizon Year traffic volumes to arrive at Horizon Year Plus Project conditions, as demonstrated on FEIR Table 5.2-9. Intersections #6 and #7 would have significant impacts in the Horizon Year Plus Project.

After mitigation measures TRA-1 and TRA-2 are applied, the above stated impacts would be less than significant. FEIR Tables 5.2-12 and 5.2-13 show the delay in both Near Term and Horizon Year scenarios with mitigation applied. Both intersections would operate at LOS A in both the AM and PM peak hours.

Reference: FEIR § 5.2.2

B. Biological Resources

Impact: Sensitive Species and Habitat

Issue 1: Would the Project result in a substantial adverse impact, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies or regulations, or by CDFW or USFWS?

Issue 2: Would the Project result in a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats, as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFG or USFWS?

(a) Finding

Construction of the Project would result in impacts to the man-made drainage feature that occurs within the eastern/northeastern portion of the Project site, which qualifies as a non-wetland Waters of the US/Waters of the State subject to USACE and RWQCB jurisdiction and a streambed habitat subject to CDFW jurisdiction. The Project would be required to notify the regulatory agencies of impacts to jurisdictional resources and would be required to implement any compensatory mitigation determined by those agencies.

Changes or alterations have been required in or incorporated into the Project which mitigate or avoid the significant environmental effects on the environment. Following the implementation of mitigation measures impacts would be less than significant.

(b) Mitigation Measures

BIO-1: Impacts to 0.10 acre of USACE- and RWQCB-jurisdictional non-wetland waters of the U.S./State shall be mitigated at a minimum 1:1 ratio through one or a combination of the following: on- and/or off-site establishment, re-establishment, rehabilitation, and/or enhancement of a minimum of 0.10 acre waters of the U.S./State; and/or off-site purchase of waters of the U.S./State credits at an approved mitigation bank, such as the Brook Forest Conservation/Mitigation Bank, or other location deemed acceptable by the USACE and RWQCB. Impacts to waters of the U.S./State would require notification to the USACE for issuance of a Section 404 CWA permit and notification to the RWQCB for issuances of a Section 401 CWA permit from the RWQCB.

BIO-2: Impacts to 0.15 acre of CDFW-jurisdictional streambed will be mitigated at a minimum 1:1 ratio through one or a combination of the following: on- and/or off-site establishment, reestablishment, rehabilitation, and/or enhancement of a minimum of 0.15 acre riparian and/or stream habitat; and/or off-site purchase of riparian and/or stream credits at an approved mitigation bank, such as the Brook Forest Conservation/Mitigation Bank, or other location deemed acceptable by the CDFW. Impacts to CDFW-jurisdictional resources would require notification to the CDFW for a CFG Section 1602 Streambed Authorization Agreement.

(c) Rationale

A jurisdictional wetland delineation of the Project site was conducted by HELIX on March 9, 2018, and results are included in the FEIR Biological Resources Letter Report (HELIX 2019c) at FEIR Appendix F. The delineation was conducted to identify and map any water and wetland resources potentially subject to USACE, RWQCB, and/or CDFW jurisdiction. The delineation was also conducted to determine the presence or absence of wetlands characterized by the City as Environmentally Sensitive Lands (ESL).

The site supports a single jurisdictional feature in the form of a man-made ditch, which was identified as being subject to USACE, RWQCB, and CDFW jurisdiction. The ditch was created during grading and development of the prior on-site golf course in the 1960s. There are no areas within the Project site that meet the criteria to be considered City ESL wetlands. The on-site ditch is man-made and ephemeral in nature being fed primarily by urban runoff from the adjacent residential development and lacks sufficient hydrology to support significant and self-sustaining stands of wetland dependent vegetation. Despite the lack of native riparian habitat or

vegetation within the ditch, it qualifies as a non-wetland WUS/WS subject to USACE and RWQCB jurisdiction and a streambed subject to CDFW jurisdiction. Unavoidable impacts would occur to non-wetland waters of the U.S./State and CDFW jurisdictional streambed habitat in order to realign and enhance the existing man-made drainage ditch from its current configuration and disturbed condition. The realignment and enhancement activities would require permanent impacts to the existing ditch, including 0.10 acre of USACE/RWQCB-jurisdictional non-wetland waters of the U.S./State and 0.15 acre of CDFW jurisdictional streambed. Project impacts to the man-made ditch are shown in FEIR Figure 5.8-2, Vegetation and Jurisdictional Resources Impacts and quantified in FEIR Table 5.8-4, Jurisdictional Impacts and Mitigation, and incorporated herein by reference.

Reference: FEIR § 5.8.2

C. Historical and Tribal Cultural Resources

Impact: Historical and Tribal Cultural Resources

Issue 1: Would the Project result in an alteration, including the adverse physical or aesthetic effects and/or the destruction of a prehistoric site or historic building (including an architecturally significant building), structure, object, or site?

Issue 2: Would the Project result in the disturbance of any human remains, including those interred outside of formal cemeteries?

Issue 3: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(K); or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1.

(a) Finding

The potential exists for subsurface resources to occur on the subject property. If present and significant in nature, grading associated with the Project would result in a significant impact on these resources.

Changes or alterations have been required in or incorporated into the Project which mitigate or avoid the significant environmental effects on the

environment. Following the implementation of mitigation measures impacts would be less than significant.

(b) Mitigation Measure

Standard Mitigation Measure HIS-1 for Archeological Monitoring has been required and shown at FEIR section 5.11.2.4 and in Table S-1.

(c) Rationale

The Project is primarily located on the site of the former Carmel Highland Golf Course, which was constructed in the 1960s and began operations in 1967 as the Rancho Peñasquitos Golf Course. Substantial fill was placed on the site for the golf course development.

An archival search was completed for this Project at the SCIC in 2016. A total of 15 recorded archaeological/historic sites (sites) and 2 isolated finds not associated with an intact resource deposit (isolates) have been recorded within a 1-mile radius of the Project, none of which is located within the Project site itself. In accordance with AB 52, the City notified the following Tribes who had requested notification for projects in this area: Lipay Nation of Santa Ysabel and Jamul Indian Village. The City provided the archaeological survey report for the Project as an attachment to the letters. In response to these notifications, both Tribes indicated that they concurred with the findings and mitigation identified for the Project, and that no further consultation is required. In addition, the Native American Heritage Commission (NAHC) was contacted for a SLF Check and list of Native American contacts. A Native American Monitor was present during the field survey of the site and the subsequent testing of a potential shell deposit as described below. No Tribal resources were discovered during these investigations. Even though no resources were discovered during the 2018 survey; the potential still exists for such resources to occur on the subject property. Because the Project would include grading that could impact soils where buried resources may occur, there is a possibility that unidentified prehistoric or ethnohistoric resources (including Native American resources and remains) may be impacted.

Reference: FEIR § 5.1.2

D. Health and Safety

Impact: Health Hazards

Issue 1: Would the Project expose people or sensitive receptors to potential health hazards?

(a) Finding

During construction, the Project would result in potentially significant impacts related to disturbance of soils, slabs, and pavements within the two on-site maintenance areas. Residue from the previous handling and storage of hazardous materials within these areas could result in health hazards to workers during construction.

Changes or alterations have been required in or incorporated into the Project which mitigate or avoid the significant environmental effects on the environment. Following the implementation of mitigation measures impacts would be less than significant.

(b) Mitigation Measure

HAZ-1: Soil Management Plan

Prior to the initiation of demolition and construction activities at the site, the Construction Manager and/or Grading Contractor shall submit a soil management plan (SMP) for approval by the City. The SMP shall outline the procedures for the contractor to identify, segregate, and dispose of any impacted soils discovered in the existing/previous maintenance areas of the subject site during the demolition, grubbing, and grading phases of Project construction. The City MMC shall verify implementation of the SMP.

(c) Rationale

The FEIR analysis is based on two Phase I Environmental Site Assessments (ESAs; Hillmann Consulting 2016 and 2018b) and an Asbestos and Lead-Based Paint Investigation (Hillmann Consulting 2018a), constituting FEIR Appendices K1 through K3, respectively, and incorporated herein by reference. The site has a history of containing under- and above-ground storage tanks and potential for asbestos-containing materials in golf course pipes and the on-site sheds (one of which has been removed), as well as handling hazardous materials including fertilizers, pesticides/herbicides, waste and mixed oil, diesel fuel, solvents, and gasoline, during its use as a golf course site. The studies identified the potential for herbicides and pesticides to be present in on-site soils, and pose a health hazard to existing surrounding residents or future Project residents. The studies documented that past violations regarding handling of hazardous materials and petroleum products on the property constitute existing Recognized Environmental Conditions (RECs) that could create a significant hazard to the public or environment as the ground is disturbed and structures/built materials are removed during construction. Therefore, a soil management plan (SMP) (HAZ-1) and mandatory conformance with applicable regulatory/industry standards and codes would be required during construction. Based on compliance with such regulatory requirements, potential impacts from construction related hazardous materials would be

effectively avoided or addressed and the impact would be less than significant.

Reference: FEIR § 5.14.2

V. CUMULATIVE IMPACTS

Section 15130 of the CEQA Guidelines requires that an EIR address cumulative impacts of a project when its incremental effect would be cumulatively considerable. As defined in section 15335, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. Cumulatively considerable means that the incremental effects of an individual project would be considerable when viewed in connection with the effects of past, current, or probable future, projects. According to section 15130 of the State CEQA Guidelines, the discussion of cumulative effects "... need not provide as great detail as is provided of the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness." The evaluation of cumulative impacts is to be based on either:

1. *A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or*
2. *A summary of projections contained in an adopted local, regional, or statewide, planning document...such plans may include a general plan...A summary of projections may also be contained in a adopted or certified prior environmental document which has been adopted or certified, for such a plan. Any such document shall be referenced and made available to the public at a location specified by the Lead Agency.*

For the analysis of cumulative impacts which are localized (e.g., traffic and noise), a list of past, approved, and pending (i.e., active applications) projects within the Project area was identified by City staff based on their ability to contribute to and/or compound impacts with those of the Project. The location of these cumulative projects is illustrated on EIR Figure 6-1, *Cumulative Projects*. For other topics, like air quality, the cumulative setting is the region, and analysis is instead based on regional planning documents. It is the City's practice to determine the list of cumulative projects to be analyzed at the time of the Notice of Preparation ("NOP") for the Project EIR, which was published on April 10, 2018 (any projects initiated after this date are not required to be addressed in the EIR). These projects are shown in EIR Figure 6-1. Based on this analysis, none of the Project effects addressed within EIR Section 5.0 was found to be cumulatively significant. EIR Section 6.2 provides the analyses of the cumulative effects found to be less than significant, with or without mitigation and is incorporated herein by reference. The City Council finds that the Project will have no significant cumulative impacts.

VI. FINDINGS REGARDING PROJECT ALTERNATIVES

A. Alternative Requirement in CEQA

Pursuant to CEQA guidelines section 15126.6 an FEIR shall describe a range of reasonable alternatives to a project or to the location of a project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the

significant effects of the Project and evaluate the comparative merits of the alternative. Project Objectives are stated in Section I.B of these Findings. An FEIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.

B. Alternatives Determined to be Infeasible

An FEIR is not required to consider alternatives which are infeasible. Alternatives considered but rejected from further study for the Project include the Project Location Alternative and Existing Zoning Alternative. There are no significant and unavoidable environmental impacts anticipated from Project implementation; therefore, relocation of the Project would not avoid a significant impact of the Project. However, relocation of the Project to another site could potentially result in a substantial reduction or avoidance of an impact that would be reduced to less than significant, with the incorporation of the mitigation measures that have been identified for the Project. Prior to the purchase of the Project property, the Project applicant considered an infill location for the Project to provide underserved populations in the San Diego region (seniors and low-income) with additional housing opportunities. Primary considerations for selecting the Project location included properties that could accommodate a housing development near existing infrastructure and regional transportation and transit opportunities, and at a site that is previously disturbed or void of substantial natural resources (i.e., biological habitat and animal species). While another infill opportunity exists at a former golf course across I-15 just east of the Project site, it is more fragmented and is surrounded by more residences than the Project site. As this alternative site is generally in the same area and neighborhood, selection of the alternative site would not be expected to substantially reduce impacts associated with the Project. No other feasible alternative locations were identified.

Development in Accordance with the Existing Zoning Alternative (Existing Zoning Alternative) was assumed to correspond with the maximum residential development allowed under the existing Residential – Single Unit (RS-1-14) zoning that applies to most of the Project site. A portion of the site in the very southern-central extent is designated Commercial Visitor (CV-1-1). The site would still be constrained by the Open Space designation in the Rancho Peñasquitos Community Plan, and therefore a Community Plan Amendment would be required and development consistent with zoning would not be ministerial. As a result, this alternative could result in the development of up to 831 residences instead of the 536 age-restricted units associated with the Project. With development of an additional 295 residential units, this alternative would be expected to result in increased adverse effects to transportation/circulation, visual effects/neighborhood character, hydrology/water quality (due to increased impervious surfaces and runoff), geology and historical and tribal cultural resources (due to increased grading/excavation), air quality, GHG, energy, and public services and utilities, when compared with the Project, and for which impacts were identified as less than significant. Therefore, due to the greater impacts, the alternative was determined to be infeasible.

C. Alternatives Reviewed

The Lead Agency is responsible for selecting a range of Project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives.

The following three alternatives were evaluated in the FEIR analysis:

- No Project/No Development Alternative
- No Project/Development Per Community Plan Alternative
- Reduced Intensity Development Alternative

The following rationale was considered when developing this range of alternatives:

The No Project Alternative is required per State CEQA Guidelines section 15126.6(e). It provides a basis for comparing the impacts that would occur if the Project were approved, relative to what would occur if the Project were not approved.

The No Project/Development Per Community Plan Alternative has been prepared to evaluate what could be developed at the site without an amendment to the Community Plan, which designates the site as “Open Space” on the Land Use Map and as “Preserve Golf Course Use” on its Glens neighborhood map.

The Reduced Intensity Development Alternative is included to evaluate whether any impacts would be reduced substantially when compared to the Project.

The City Council finds that these alternatives represent a reasonable range of alternatives, as defined in the State CEQA Guidelines, because they provide feasible alternate development patterns that would reduce (but not eliminate) the significant impacts associated with the Project. The impacts associated with these alternatives are compared to those identified for the Project in the following analysis, and the alternatives are assessed relative to their ability to meet the basic objectives of the Project, with an overview of Project and alternative impacts provided in FEIR Table 8-1, *Comparison of Project and Alternative Impacts*, and incorporated by reference herein.

D. Findings on Project Alternatives

The Council of the City of San Diego hereby finds that the Project alternatives, do not meet or obtain the majority of the Project objectives and are not feasible. The City finds that there are specific economic, legal, social, technological, and other considerations, as well as important matters of public policy, which make infeasible the Project alternatives identified in the FEIR.

As noted earlier, “feasible” is defined in section 15364 of the CEQA Guidelines to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” The City may reject an alternative if it finds that it would be infeasible to implement because of “[s]pecific economic, legal, social, technological, or other considerations, ...” (CEQA

Guidelines, § 15091(a)(3).) An agency may also reject an alternative that does not meet the public policy goals and objectives of the agency.

The following findings are based on the discussion in Section 8.0 of the FEIR.

No Project / No Development Alternative

(a) Alternative Description

Section 15126.6(e) of the State CEQA Guidelines provides that the “No Project” analysis shall discuss the existing conditions at the time the Notice of Preparation is published, as well as what would be reasonably expected to occur in the foreseeable future if a project were not approved, based on current plans and consistent with available infrastructure and community services. The No Project/No Development Alternative assumes that the Project would not be adopted, no new recreational or residential uses would be constructed, and the former golf course site and existing condition described in Section 2.0 of the EIR would remain. Those conditions include a former golf course that is maintained to prevent fire and erosion, with no activity on the site.

(b) Finding

The City finds that specific economic, legal, social, technological, or other considerations including matters of public policy make this alternative infeasible, and rejects the alternative on such grounds.

(c) Rationale

The alternative would not meet the Project objectives or further City policies from the General Plan that encourage future growth and new development to occur away from undeveloped lands and toward existing urbanized areas and/or areas with conditions that allow the integration of housing, employment, civic uses, and transit uses. The City’s General Plan Housing Element also identifies goals to facilitate construction of quality housing (Goal 1) and to provide new affordable housing (Goal 3). The alternative would fail to achieve the Project objectives and would not address the City’s housing goals and supply needs by providing additional housing opportunities. In addition, no affordable housing would be produced on the site, which is contrary to the City’s stated need to produce additional affordable housing. No parks or other recreation infrastructure would be provided for area residents. The benefit of an improved jurisdictional channel would not be realized with this alternative, which would not disturb the existing site. For these reasons, the No Project alternative would not meet the Project objectives and public policy goals and is therefore infeasible.

No Project/Development Per Community Plan Alternative**(a) Alternative Description**

Under the No Project/Development Per Community Plan Alternative, the Project would not be approved, and a reconfigured golf course would be constructed on the former golf course, tennis courts and maintenance area that were associated with the Hotel Karlan. This alternative assumes that the existing vegetation and structures would be removed, the site would involve substantial shallow grading/reconfiguration, and new buildings (e.g., a clubhouse, pro shop, and maintenance buildings, etc.), landscaping, irrigation, roadways/parking facilities and utilities connections would be required to complete the reconfigured golf course. This alternative could also include related golf course uses, such as a restaurant and pro shop.

(b) Finding

The City finds that specific economic, legal, social, technological, or other considerations including matters of public policy make this alternative infeasible, and rejects the alternative on such grounds.

(c) Rationale

The significant but mitigable impacts of the Project with respect to transportation, historical and tribal cultural resources and health/safety would remain significant but mitigable with this alternative and would have the same mitigation requirements, although the transportation and historical and tribal cultural resources impacts would be slightly reduced compared to the Project.

The No Project/Development Per Community Plan Alternative would have the potential to preserve the existing jurisdictional drainage ditch on the Project site, although preservation in place may not be feasible during grading to reconfigure the golf course, and must be weighed against the benefits of the on-site or off-site creation/preservation of a higher quality jurisdictional feature with wetland vegetation.

The No Project/Development Per Community Plan Alternative would not provide a diversity of housing opportunities, including age-qualified homes and 15 percent affordable housing rental units, nor would it provide residential uses in proximity to existing neighborhood commercial to support a walkable neighborhood (Objectives 1 through 3). The alternative would fail to achieve the Project objectives and would not address the City's housing goals and supply needs by providing additional housing opportunities. In addition, no affordable housing would be produced on the site, which is contrary to the City's stated need to produce additional affordable housing. The alternative also would fail to meet City policies from the General Plan that encourage future in-fill growth where new development occurs away

from undeveloped lands and toward existing urbanized areas and/or areas with conditions that allow the integration of housing, employment, civic uses, and transit uses. It also would not increase mobility options by providing improved pedestrian and bicycle linkages between the center and the adjacent neighborhood (Objective 4). If the golf course would be public, then this alternative would provide a public open space (Objective 5). This alternative would either avoid or mitigate impacts to the existing on-site drainage, providing for the creation and/or preservation of on- and/or off-site higher quality wetland habitat using native and wetland species (Objective 6). It would not provide substantial solar energy opportunities but would have a similar GHG emissions profile to that of the Project (Objective 7). The alternative would not provide alternative and additional emergency access across the site and off site for existing residents to the west (Objective 8), nor would it provide publicly accessible mobility features to encourage alternative modes of transportation (Objective 9). Overall, the No Project/Development Per Community Plan Alternative would potentially meet some, but not all, of the basic Project objectives listed above in Section I.B. Therefore, the alternative fails to meet the public policy goals of the City and either does not meet the Project objectives, or meets them to a lesser extent than the Project, and is therefore found to be infeasible.

Reduced Intensity Development Alternative

(a) Description of Alternative

The Reduced Intensity Development Alternative would involve a similar development proposal to the Project, but with a 25 percent reduction in the number of residential units. Specifically, this alternative considers the development of 402 age-restricted homes, including 341 market rate and 61 affordable age-restricted residences. The mobility improvements and community facilities, as well as sustainable design features, proposed as part of the Project also would occur under this alternative, but at a similarly reduced rate, and this alternative is anticipated to involve slightly larger market rate homes.

(b) Finding

The City finds that specific economic, legal, social, technological, or other considerations including matters of public policy make this alternative infeasible, and rejects the alternative on such grounds.

(c) Rationale

There were no feasible residential development alternatives identified that could eliminate any of the impacts associated with the Project. Development necessarily involves removal of the on-site poorly compacted fill material and impacts to the on-site non-wetland, jurisdictional drainage. As calculated in the Trigger Analysis Memo (LLG January, 2020) that is provided in EIR

Appendix B, the need for a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and roundabout at Peñasquitos Drive/Janal Way/Future Project Access is triggered at just 54 and 27 homes, respectively, which represent 10 percent and 5 percent, respectively, of the Project units. Development of 5 or 10 percent of the proposed units would not represent a viable development for the Project applicant. Therefore, an alternative was selected that would reduce but not eliminate Project impacts, and would result in a feasible development for the applicant to implement.

Significant but mitigable traffic and historical and tribal cultural resources impacts would be slightly less than the Project impacts, but the required mitigation would be the same. The Project and this alternative would have essentially the same significant impacts with the same mitigation required to reduce impacts to less than significant levels, for biological resources and health/safety. Less than significant impacts associated with both the Project and this alternative with respect to land use, noise, visual effects/neighborhood character, air quality, GHG, energy, geology, public utilities, and public services and facilities/recreation, would be slightly less for this alternative, while less than significant water quality/hydrology impacts would be approximately the same. The differences are primarily associated with the slightly reduced intensity of development and level of grading required for this alternative.

The Project was originally proposed to be 476 residential units, as described in FEIR Section 4.0. However, it was determined that additional units were necessary to meet the objectives of City policy documents and comments made by the Mayor and City Council members about the housing shortage faced by the City. Information on the shortfall on housing overall, as well as affordable housing is provided under the Growth Inducement discussion below. This growth, however, has outpaced the housing construction necessary to accommodate San Diegans and the proposed Project meets these policy objectives more than this alternative. The total number of Project homes was increased to 536, including 455 age-qualified housing units and 81 affordable age-qualified multi-family apartment-style homes to meet the policy objectives of increasing housing supply while not creating significant new impacts. This increased density would not be realized with the Reduced Intensity Development Alternative and would therefore not meet the policy objectives of the City to increase housing supply throughout the City, especially in in-fill areas.

Relative to Project Objectives, this alternative would provide a diversity of housing opportunities, including age-restricted market-rate housing and affordable for-rent housing, and provide residential uses in proximity to existing neighborhood commercial to support a walkable neighborhood (Objectives 1 through 3), although it is likely that the market rate homes for this alternative would be slightly larger and the development would be less compact (Objective 2). This alternative would increase mobility options by

providing improved pedestrian and bicycle linkages between the shopping center and the adjacent neighborhood (Objective 4) and would likely provide a public open space that would be about 25 percent smaller than the park for the Project (Objective 5). This alternative would mitigate impacts to the existing non-wetland drainage on site through the creation and/or preservation of higher quality wetland habitat either on-site or off-site using native and wetland species (Objective 6), reduce GHG emissions with solar panels on housing structures (Objective 7), improve emergency access through the site and off site (Objective 8). This smaller development would provide fewer publicly accessible mobility features to encourage alternative modes of transportation (Objective 9). Therefore, the City Council has determined that the alternative does not meet the policy objectives of the City and, excluding Objective 6, would meet objectives to a lesser extent than the Project, and therefore finds the alternative infeasible as a matter of public policy.

E. Significant Irreversible Environmental Changes That Will Be Caused By The Project

Section 15126(c) of the CEQA Guidelines requires an FEIR to address any significant irreversible environmental changes that may occur as a result of Project implementation.

As discussed in more detail in EIR Section 7.4, the site was previously developed with a golf course and therefore would not result in significant irreversible impacts to agricultural or forestry lands or mineral resources. Although the Project would impact an existing manmade drainage feature, mitigation for the impacts would generate a net gain in resource quality. Although in the long-term, development would result in irretrievable losses of non-renewable resources such as fuel and energy, the Project contains sustainability elements to minimize such consumption and associated impacts would be less than significant. Paleontological and cultural resources could be disturbed during Project grading, but any resources encountered would be recovered in accordance with City standards. Further, no major environmental accidents or hazards are anticipated to occur as a result of Project implementation, with incorporation of identified mitigation.

Therefore, the Council of the City of San Diego hereby finds that, based on the discussion included in Section 7.4 of the FEIR, implementation of the Project would not result in significant irreversible impacts.

F. Growth Inducing Impacts of The Project

In accordance with section 15126(d) of the State CEQA Guidelines, an FEIR must include an analysis of the growth-inducing impacts of the Project. The growth inducement analysis must address: (1) the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment; and (2) the potential for the Project to encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. The Project would not remove physical barriers to growth and would accommodate existing and projected housing needs.

As described in EIR Sections 7.1.4 and 7.2.3, the population of the region has been increasing at twice the rate of the production of new housing in the San Diego region, and the City is behind in the production of its Regional Housing Needs Assessment (RHNA) allocation for 2010 - 2020 by approximately 50,000 units. The San Diego region's economy grew by roughly 80 percent, and its population increased by 15 percent over the past 15 years. This growth, however, has outpaced the housing construction necessary to accommodate San Diegans. As shown in the 2020 Housing Element, the current (SANDAG 2021 through 2029) City RHNA goal is 108,036 residential units, with 17,311 being low-income units and 19,319 being moderate income units. The proposed development of 455 moderately-priced and 81 affordable age-qualified, multi-family homes (536 total dwelling units) would therefore: (1) help to reduce the existing shortfall in the City's RHNA allocation; (2) provide needed housing in the region, including affordable and age-restricted housing; (3) convert a currently unused golf course to a residential use similar to the surrounding community; and (4) provide housing in proximity to transit opportunities given the Route 20 bus stops within approximately 0.15 mile of the southern Project entrance and site location 1.0 mile from the Sabre Springs/Peñasquitos Transit Station and Parking Structure and provide multimodal infrastructure with a mobility hub and bike and sidewalk connections.

The Project would provide much-needed housing for seniors, including those classified as low income, and would help to accommodate the City's aging population and regional population growth, consistent with the City's RHNA. The Project would not directly or indirectly increase population growth in the region. No significant pressure on local housing supply or demand is expected to result from development of the Project. Proposed residential development would accommodate growth and demand that is already occurring within the region.

VII. CONCLUSION

The Council of the City of San Diego makes and adopts each of the above stated Findings and finds that all Project impacts with mitigation applied will be reduced to below a level of significance.

EXHIBIT B**MITIGATION MONITORING AND REPORTING PROGRAM**

APPROVAL OF THE AMENDMENT TO THE RANCHO PEÑASQUITOS COMMUNITY PLAN; REZONE NO. 2073792; ORDINANCE APPLYING THE COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE ON THE PROPERTY; PLANNED DEVELOPMENT PERMIT NO. 2419770; SITE DEVELOPMENT PERMIT NO. 2073790; VESTING TENTATIVE MAP NO. 2073797 INCLUDING A PUBLIC RIGHT-OF-WAY EASEMENT VACATION; TO RESCIND CONDITIONAL USE PERMIT 87-0346 ASSOCIATED WITH THE CLOSED GOLF COURSE; AND APPROVAL OF FINDINGS UNDER MUNICIPAL CODE SECTION 142.1308 FOR AN ADJUSTMENT TO THE BEDROOM COMPARABILITY PROVISIONS OF THE SAN DIEGO HOUSING COMMISSION'S ADMINISTRATIVE REGULATIONS FOR THE IMPLEMENTATION OF THE CITY OF SAN DIEGO'S INCLUSIONARY HOUSING ORDINANCE PROJECT NO. 586670

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Environmental Impact Report No. 586670/SCH No. 2018041032 shall be made conditions of approval of the Amendment to the Rancho Peñasquitos Community Plan; Rezone No. 2073792; Ordinance applying the Community Plan Implementation Overlay Zone on the property; Planned Development Permit No. 2419770; Site Development Permit No. 2073790; Vesting Tentative Map No. 2073797 including a Public Right-of-Way Easement Vacation; to rescind Conditional Use Permit 87-0346 associated with the closed golf course; and approval of findings under Municipal Code section 142.1308 for an adjustment to the bedroom comparability provisions of the San Diego Housing Commission's administrative regulations for the implementation of the City of San Diego's Inclusionary Housing Ordinance as may be further described below.

A. GENERAL REQUIREMENTS - PART I**Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice to Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD) (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply only to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>.

4. The **TITLE INDEX SHEET** must also show on which pages the “Environmental/Mitigation Requirements” notes are provided.

5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the longterm performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II

Post Plan Check (after permit issuance/prior to start of construction)

1. **Pre construction meeting is required ten (10) working days prior to beginning any work on this project.** The permit holder/owner is responsible to arrange and perform this meeting by contacting the City Resident Engineer (RE) of the Field Engineering Division and City staff from mitigation monitoring coordination (MMC). Attendees must also include the Permit holder’s Representative(s), Job Site Superintendent, and the following consultants:

Qualified Biologist

Qualified Archaeologist

Qualified Native American Monitor

Qualified Paleontological Monitor

Qualified Acoustician

Note: Failure of all responsible Permit Holder’s representatives and consultants to attend shall require an additional meeting with all parties present.

Contact Information:

a. The PRIMARY POINT OF CONTACT is the **RE at the Field Engineering Division – 858-627-3200**

b. For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

2. **MMRP Compliance:** This project, Project Tracking System (PTS) #586670 and/or Environmental Document #2018041032, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD’s Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

Note: Permit Holder’s Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **Other Agency Requirements:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency:

California Department of Fish and Wildlife: California Fish and Game Code Section 1602 Streambed Alteration Agreement

Regional Water Quality Control Board: National Pollutant Discharge Elimination System General Construction Permit, Clean Water Act Section 401 waiver/ certification

U.S. Army Corps of Engineers: Clean Water Act Section 404 authorization

San Diego County Airport Land Use Commission: Consistency Determination

Caltrans: Right-of-Way Encroachment Permit

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the longterm performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist		
Issue Area	Document Submittal	Associated Inspection/ Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Transportation	Transportation Control Plan	Prior to Construction
Noise/Land Use	Acoustical Reports	Noise Mitigation Features (incorporated as conditions of approval) Inspection
Biology	Restoration Plan/Mitigation Plan for On-Site Drainage Feature	Prior to Construction
Biology	Restoration Monitoring for On-Site Drainage Feature	Inspection/Reporting on Restoration Efforts During Construction

Biology	Long-Term Management Plan for Restored Drainage Feature	Five-year Maintenance and Monitoring of Drainage Restoration
Historical/Tribal	Letter of Verification	Prior to Permit Issuance
Historical/Tribal	Draft/Final Monitoring Report	Archaeological/Native American Monitoring During Construction
Health/Safety	Soil Management Plan	Prior to Construction Activities
Paleontology	Verification of compliance with SDMC Section 142.0151	During Construction
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS FROM EIR

TRANSPORTATION/CIRCULATION

TRA-1: Traffic Signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway Intersection

Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the construction of a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway, with dedicated left-turn lanes with protected phasing on Peñasquitos Drive, and permissive phasing on the minor street (Cuca Street /Hotel Karlan Driveway) approaches, satisfactory to the City Engineer. Improvements shall be completed and operational prior to the project's first occupancy.

TRA-2: Roundabout at Peñasquitos Drive/Janal Way/Project Access Intersection

Prior to issuance of the first building permit, Owner/Permittee shall assure by permit and bond the construction of a single lane roundabout at Peñasquitos Drive/Janal Way/Project Access, satisfactory to the City Engineer. Improvements shall be completed and operational prior to project's first occupancy.

BIOLOGICAL RESOURCES

BIO-1 Impacts to 0.10 acre of USACE- and RWQCB-jurisdictional non-wetland waters of the U.S./State shall be mitigated at a minimum 1:1 ratio through one or a combination of the following: on- and/or off-site establishment, re-establishment, rehabilitation, and/or enhancement of a minimum of 0.10 acre waters of the U.S./State; and/or off-site purchase of waters of the U.S./State credits at an approved mitigation bank, such as the Brook Forest Conservation/Mitigation Bank, or other location deemed acceptable by the USACE and RWQCB. Impacts to waters of the U.S./State would require notification to the USACE for issuance of a Section 404 CWA permit and notification to the RWQCB for issuances of a Section 401 CWA permit from the RWQCB.

BIO-2 Impacts to 0.15 acre of CDFW-jurisdictional streambed will be mitigated at a minimum 1:1 ratio through one or a combination of the following: on- and/or off-site establishment, reestablishment, rehabilitation, and/or enhancement of a minimum of 0.15 acre riparian and/or stream habitat; and/or off-site purchase of riparian and/or stream credits at an approved mitigation bank, such as the Brook Forest Conservation/Mitigation Bank, or other location deemed acceptable by the CDFW. Impacts to CDFW-jurisdictional resources

would require notification to the CDFW for a CFG Section 1602 Streambed Authorization Agreement.

Additional Standard City Requirements That Apply:

Biological Resources – RESOURCE PROTECTION PRIOR TO CONSTRUCTION

- A. **Biologist Verification:** The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

- B. **Preconstruction Meeting:** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring and revegetation program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring and restoration/revegetation.

- C. **Biological Documents:** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

- D. **BCME:** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocols), timing of surveys, avian construction avoidance areas/noise buffers/barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/ monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

- E. **Avian Protection Requirements:** To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to

the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

HISTORICAL AND TRIBAL CULTURAL RESOURCES

HIS-1 Archaeological Monitoring

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search (1/4mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was inhouse, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
 1. The Archaeological Monitor shall be present fulltime during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop, and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVr). The CSVrs shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/ monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA section 21083.2 shall not apply.
 - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains ARE determined to be Native American
 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA section 15064.5(e), the California Public Resources and Health & Safety Codes.
 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN
 - c. To protect these sites, the landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement; or
 - (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries: In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries: All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

- c. Potentially Significant Discoveries: If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
- d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation: The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
 - 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 - 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

HEALTH AND SAFETY

HAZ-1: Soil Management Plan

Prior to the initiation of demolition and construction activities at the site, the Construction Manager and/or Grading Contractor shall submit a soil management plan (SMP) for approval by the City. The SMP shall outline the procedures for the contractor to identify, segregate, and dispose of any impacted soils discovered in the existing/previous maintenance areas of the subject site during the demolition, grubbing, and grading phases of project construction. The City MMC shall verify implementation of the SMP.

RESOLUTION

RESOLUTION NUMBER R-_____

ADOPTED ON _____ 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
ADOPTING AN AMENDMENT TO THE GENERAL PLAN AND AN
AMENDMENT TO THE RANCHO PEÑASQUITOS COMMUNITY
PLAN TO REDESIGNATE A 112.3-ACRE SITE LOCATED EAST OF
INTERSTATE 15, WEST OF PEÑASQUITOS DRIVE AND SOUTH OF
CARMEL MOUNTAIN ROAD THE PROJECT SITE AS RESIDENTIAL
IN THE GENERAL PLAN AND FROM OPEN SPACE/GOLF COURSE
TO LOW MEDIUM DENSITY RESIDENTIAL FOR MOST OF THE SITE
IN THE RANCHO PEÑASQUITOS COMMUNITY PLAN

WHEREAS, CARMEL PARTNERS LLC, a Delaware Limited Liability Company, requested an amendment to the General Plan and the Rancho Peñasquitos Community Plan (Community Plan) to redesignate a 112.3-acre former Carmel Highland Golf Course located east of Interstate 15, west of Peñasquitos Drive and south of Carmel Mountain Road as Residential in the General Plan and from Open Space/Golf Course to Low Medium Density Residential for most of the site in the Community Plan; and

WHEREAS, the project site is legally described as Parcel 3 of Parcel Map No. 21621, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County on September 13, 2018 as Instrument No. 2018-7000350 of official records; and

WHEREAS, on June 8, 2017, the Planning Commission of the City of San Diego approved Resolution No. 4866-PC, which authorized initiation of an amendment to the Rancho Peñasquitos Community Plan to re-designate from Preserve Golf Course / Open Space to Single Family Residential; and

WHEREAS, on April 29, 2021, the Planning Commission found the proposed amendment consistent with the General Plan; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on _____, 2021, the Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the Community Plan; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the amendments to the Rancho Peñasquitos Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR - _____.

BE IT FURTHER RESOLVED, that the Council adopts an amendment to the General Plan for the City of San Diego to incorporate the above amended plan.

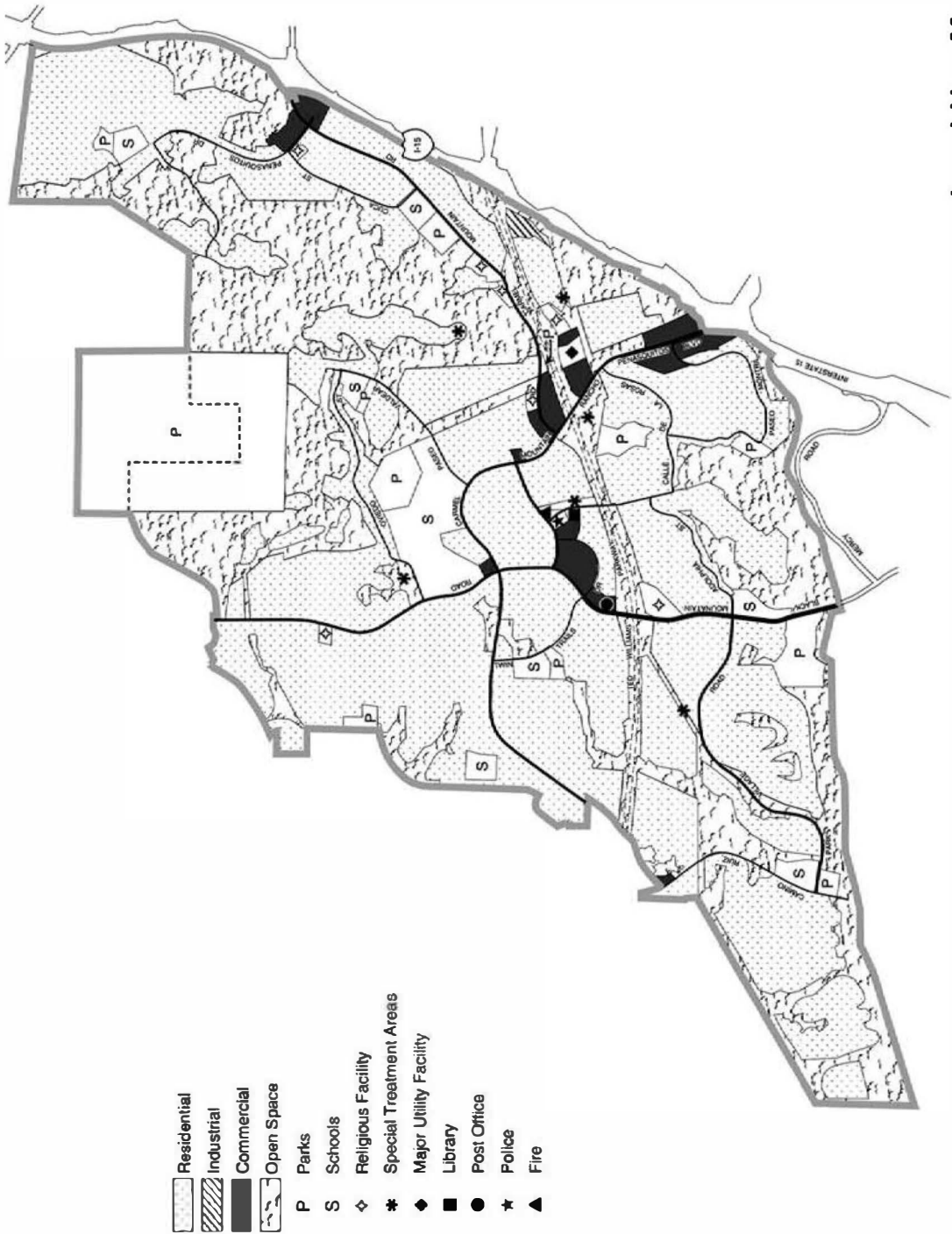
APPROVED: Mara W. Elliott, City Attorney

By _____
Shannon Eckmeyer
Deputy City Attorney

MJL:pev
_____, 2021
Or.Dept:DSD
Doc. No.:

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____2021.

EXISTING



4
FIGURE

Land Use Map
Rancho Peñasquitos Community Plan





4

EXISTING

TABLE 1
RECOMMENDED LAND USE ALLOCATIONS

LAND USE	ACRES	PERCENT
Very Low-Density Residential (0-1*)	175 ±	2.7
Low-Density Residential (1-5**)	2,873 ±	43.9
Low-Medium-Density Residential (5-10**)	150 ±	2.3
Medium-Density Residential (10-22**)	134 ±	2.0
Medium-High Density (22-45**)	8 ±	0.1
SUBTOTAL	3,340	51.3
Neighborhood Commercial	17 ±	0.3
Community Commercial	52 ±	0.8
General Commercial	50 ±	0.8
Commercial Recreation	9 ±	0.1
SUBTOTAL	128 ***	2.0
Industrial (Recreational Vehicle and Mini-Storage)	10 ±	0.1
Neighborhood Parks	57 ±	0.9
Community Parks	53 ±	0.7
Black Mountain Park/Open Space	480 ±	7.4
Small Parks/Special Treatment Areas	12 ±	0.2
Golf Course	121 ±	1.9
Open Space	1,525 ±	23.4
SUBTOTAL	2,258	34.6
Schools	130 ±	2.0
Religious Facility	32 ±	0.5
Civic Buildings	8 ±	0.1
SUBTOTAL	170	2.6
Utilities and Easements	165 ±	2.5
Streets and Other Public Rights-of-Way	450 ±	7.0
SUBTOTAL	615	9.5
TOTAL	6,511 ±	100.0

*DU/ACRE = Dwelling units per acre.

**DU/DA = Dwelling units per developable acre.

***31 acres have been developed residentially.

TABLE 1
RECOMMENDED LAND USE ALLOCATIONS

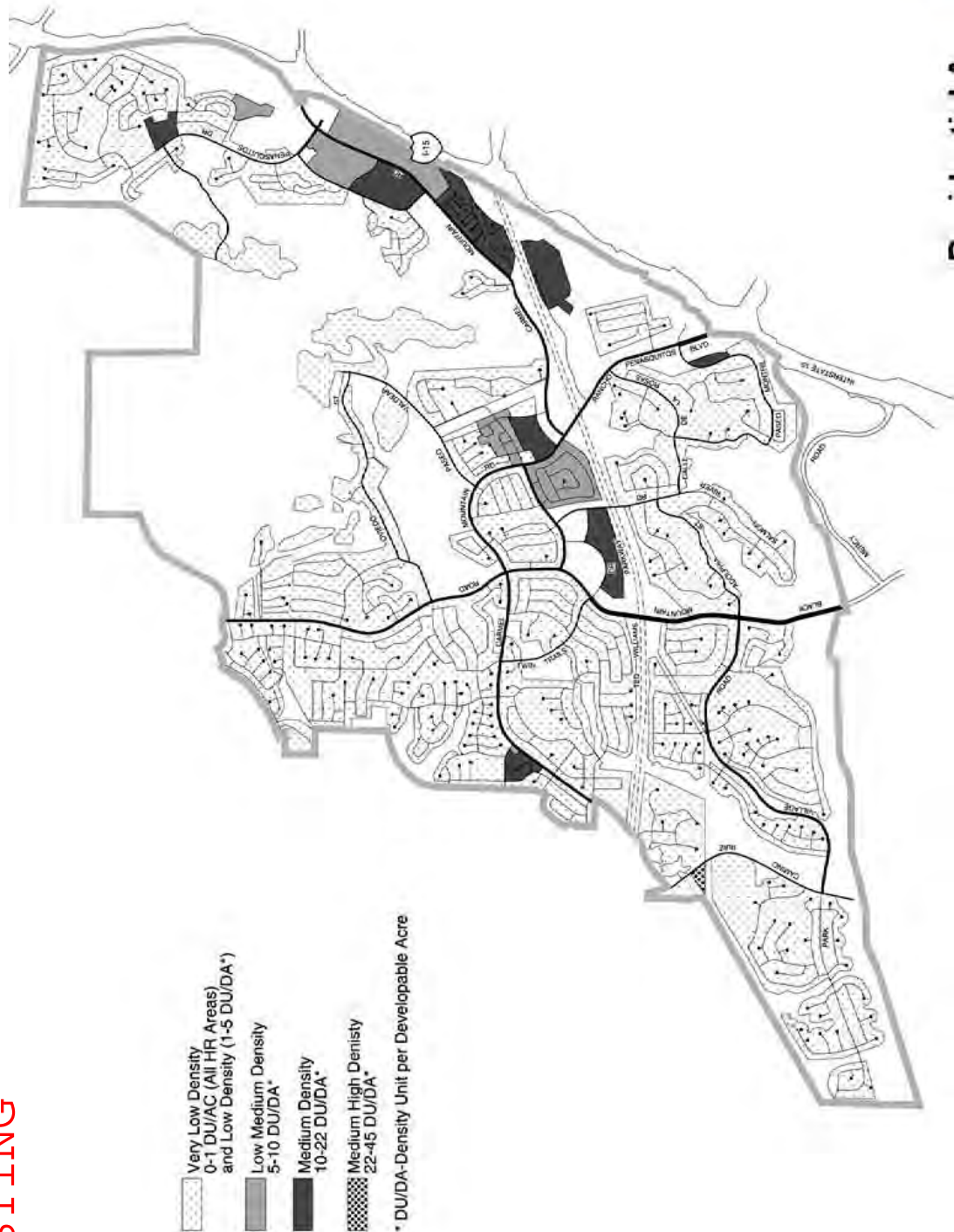
LAND USE	ACRES	PERCENT
Very Low-Density Residential (0-1*)	175 ±	2.7
Low-Density Residential (1-5**)	2,873 ±	44.2 43.9
Low-Medium-Density Residential (5-10**)	214 150 ±	3.3 2.3
Medium-Density Residential (10-22**)	134 ±	2.1 2.0
Medium-High Density (22-45**)	8 ±	0.1
SUBTOTAL	3,404 3,340	52.4 51.3
Neighborhood Commercial	17 ±	0.3
Community Commercial	52 ±	0.8
General Commercial	50 ±	0.8
Commercial Recreation	11 9 ± ****	0.1
SUBTOTAL	130 128 ***	2.0
Industrial (Recreational Vehicle and Mini-Storage)	10 ±	0.1
Neighborhood Parks	60 57 ±	0.9
Community Parks	53 ±	0.8 0.7
Black Mountain Park/Open Space	480 ±	7.4
Small Parks/Special Treatment Areas	12 ±	0.2
Golf Course	-121 ±	1.9
Open Space	1,570 1,525 ±	24.1 23.4
SUBTOTAL	2,185 2,258	33.5 34.6
Schools	130 ±	2.0
Religious Facility	32 ±	0.5
Civic Buildings	8 ±	0.1
SUBTOTAL	170	2.6
Utilities and Easements	165 ±	2.5
Streets and Other Public Rights-of-Way	450 ±	7.0
SUBTOTAL	615	9.5
TOTAL	6504 6,511 ± *****	100.0

*DU/ACRE = Dwelling units per acre.

**DU/DA = Dwelling units per developable acre.

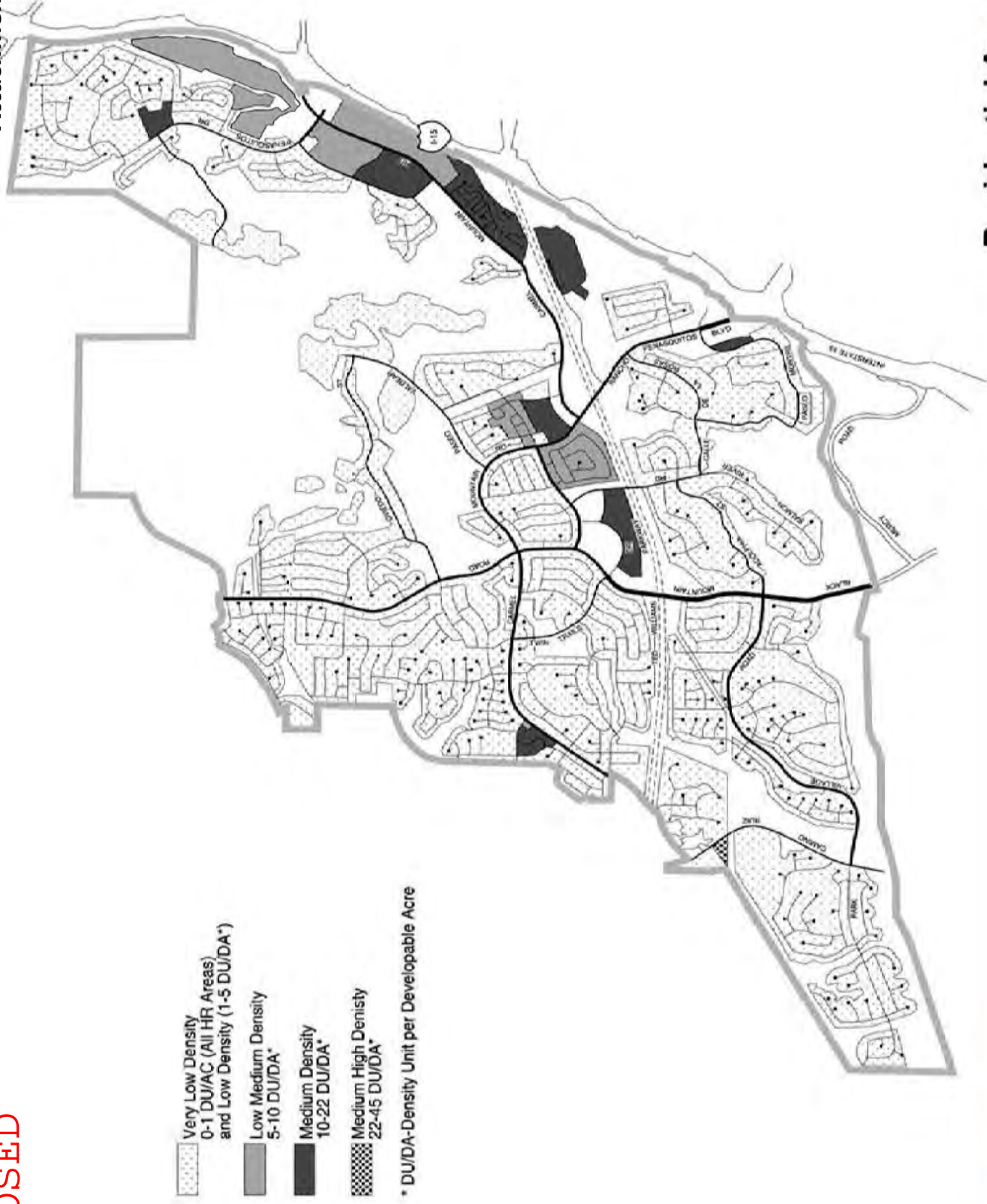
***31 acres have been developed residentially.

**** Total acreages have been updated to reflect more accurate boundaries. The golf course was reported as 121 acres but a more current surveyed showed it was 114 acres. Two acres of the golf course were re-designated to Commercial Recreation as the result of a lot line adjustment, Map No. 21621, recorded Sept. 13, 2018.



Residential Areas
6
FIGURE
Rancho Peñasquitos Community Plan





Residential Areas

6

FIGURE

Rancho Peñasquitos Community Plan



FIGURE 8



Commercial Areas

EXISTING

NEIGHBORHOOD PLANNING ELEMENT

While the community overall should maintain a quiet residential atmosphere, each neighborhood should be developed in a manner appropriate to its particular topography, geology, views and other natural features, as well as its location with respect to existing and proposed land uses. Eleven neighborhoods within the Peñasquitos community have been identified, as shown in **Figure 9**. Generally, these neighborhoods are recommended to contain about 1,200 to 2,000 dwelling units, or 3,500 to 6,500 residents, although smaller neighborhoods have been designated in special cases.

The following provides a summary of the land use, transportation and urban design recommendations for each of the neighborhoods. These recommendations focus on the specific needs of the neighborhoods. This section provides a more detailed analysis of the community based upon a neighborhood specific study.

TABLE 3
NEIGHBORHOOD PLANNING AREAS
RECOMMENDED LAND USE

Neighborhood	Single-family Detached Units	Multifamily Attached Units	Commercial Acreage	Industrial Acreage	Parks	Schools
Glens	1,229	291	19		1	1
Village	116	1,604			1	1
Black Mountain	397	178			3	1
Sunset Hills	633					2
Bluffs	2,177				1	3
Twin Trails	1,330				3	1
Town Center	1,213	657	57		1	1
Views	200	680	24	10		
Ridgewood	1,513	426	26		2	1
Parkview	1,790		2		8	1
Peñasquitos Creek	877	367			13	
TOTAL	11,475	4,203	131	10	33	12

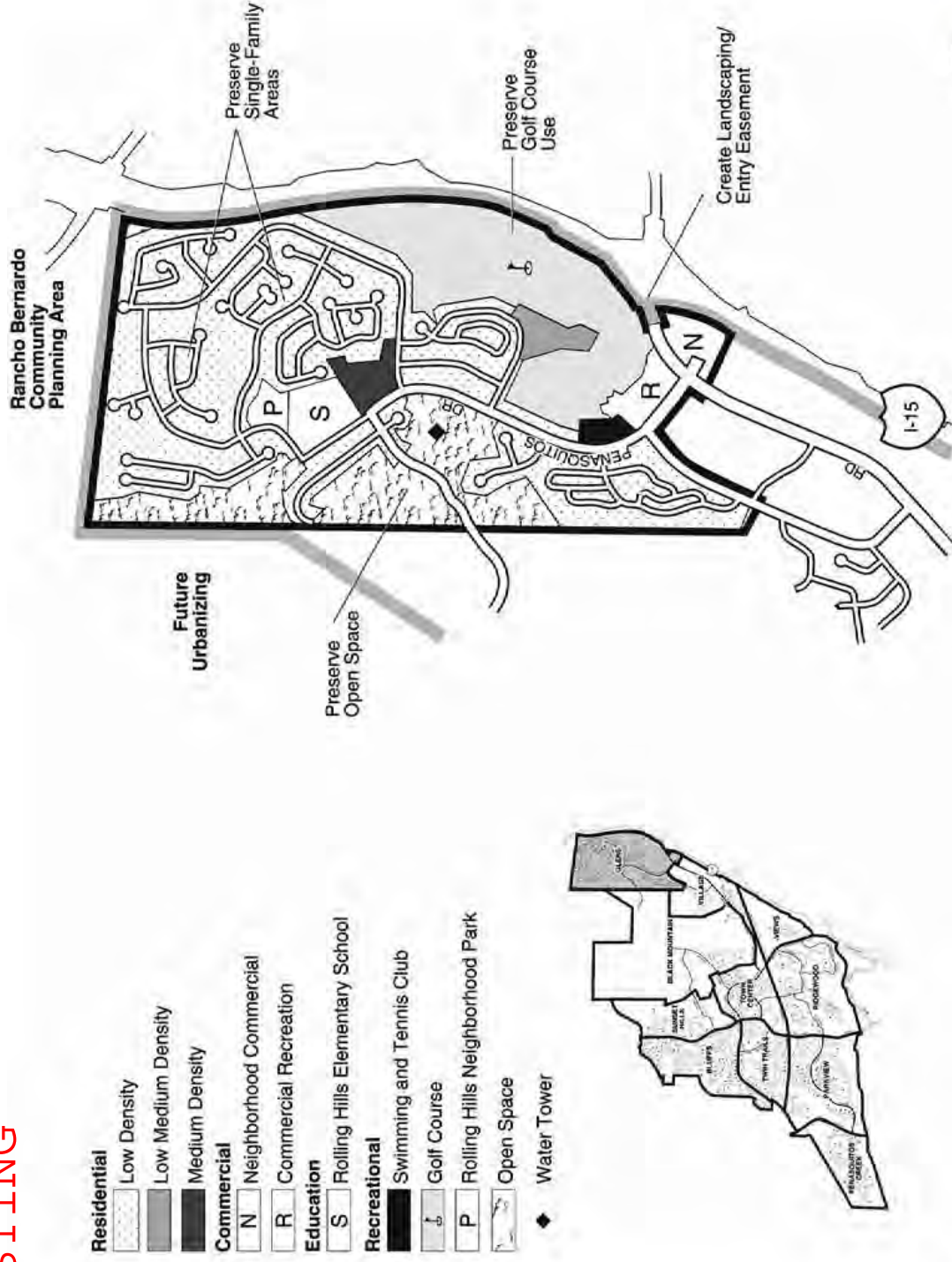
NEIGHBORHOOD PLANNING ELEMENT

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Glens	1,229	827 291	19		2 4	1
Village	116	1,604			1	1
Black Mountain	397	178			3	1
Sunset Hills	633					2
Bluffs	2,177				1	3
Twin Trails	1,330				3	1
Town Center	1,213	657	57		1	1
Views	200	680	24	10		
Ridgewood	1,513	426	26		2	1
Parkview	1,790		2		8	1
Peñasquitos Creek	877	367			13	
TOTAL	11,475	4739 4,203	131	10	34 33	12



Glens **10**
Rancho Peñasquitos Community Plan
FIGURE



Glens **10** **FIGURE**
Rancho Peñasquitos Community Plan

EXISTING

GLENS

The Glens neighborhood is located at the northeast corner of the community. The area fronts on the Peñasquitos Golf Course and I-15 to the east with Rancho Bernardo to the north and rough terrain sloping towards Black Mountain to the west. Access to the neighborhoods is gained by the existing Peñasquitos Drive, which connects into Carmel Mountain Road and the proposed Paseo Valdear extension.

The Glens neighborhood is one of the oldest areas in Rancho Peñasquitos and is fully developed (except for a few lots in the northern portion of the neighborhood). Of the 1,505 dwelling units existing in the Glens neighborhood, 1,214 are single-family, 67 are townhouse units overlooking the golf course and 224 are apartments located near the school/park area.

The neighborhood is predominately single-family in nature. Supportive facilities include an elementary school (Rolling Hills), a neighborhood park (Rolling Hills Park), swim, tennis and golf clubs, community meeting facilities, a gas station, a neighborhood shopping center, a 175-room hotel, restaurant and conference facility, and a senior center.

The terrain is gently rolling, with streets climbing up, down and around hillsides. Quality views are towards the west and northwest and consist primarily of the chaparral covered slopes of Black Mountain. A number of single-family lots include backyard slopes in open space. The predominant architectural styles are Spanish mission and Old West ranch style. Because of the age of the neighborhood, much of the landscaping is mature.

The major recommendations in the Glens neighborhood are to preserve the golf course as a unifying open space element and buffer from the freeway, and to maintain the existing quality of development in the area. When the neighborhood commercial area redevelops, the scale and character of the development should be compatible with the neighborhood in terms of architectural style and color (Spanish mission or Old West ranch style).

GLENS

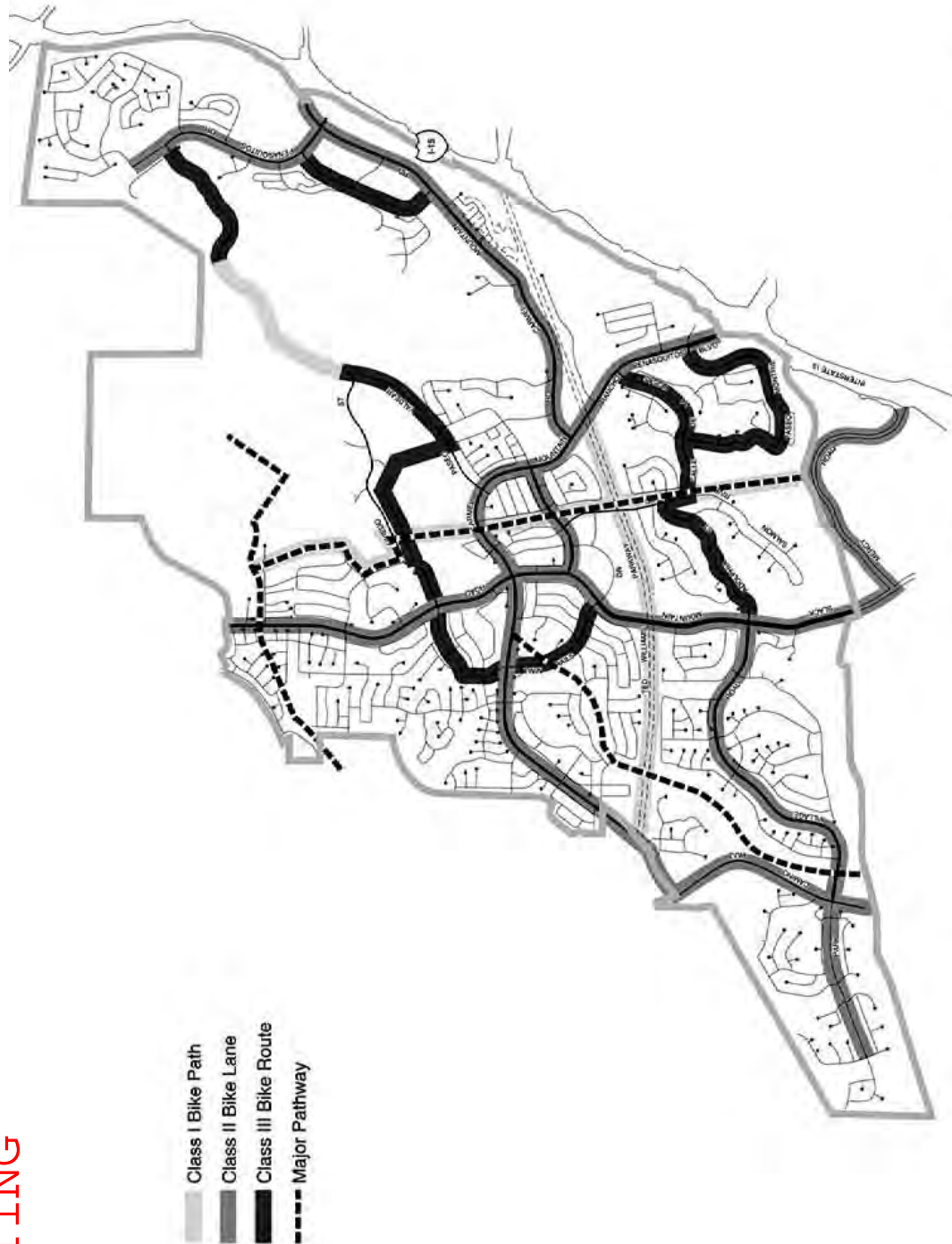
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The Glens neighborhood is one of the oldest areas in Rancho Peñasquitos and is fully developed (except for a few lots in the northern portion of the neighborhood). Of the 2,056 ~~1,505~~ dwelling units existing in the Glens neighborhood, 1229 ~~1,214~~ are single-family, ~~67 are townhouse units overlooking the golf course, and 224 are apartments located near the school/park area~~ and 827 are multi-family homes.

The neighborhood is predominately single-family in nature. Supportive facilities include an elementary school (Rolling Hills), a neighborhood park (Rolling Hills Park), swim, tennis and golf clubs, community meeting facilities, a gas station, a neighborhood shopping center, a 175-room hotel, restaurant and conference facility, and a senior center.

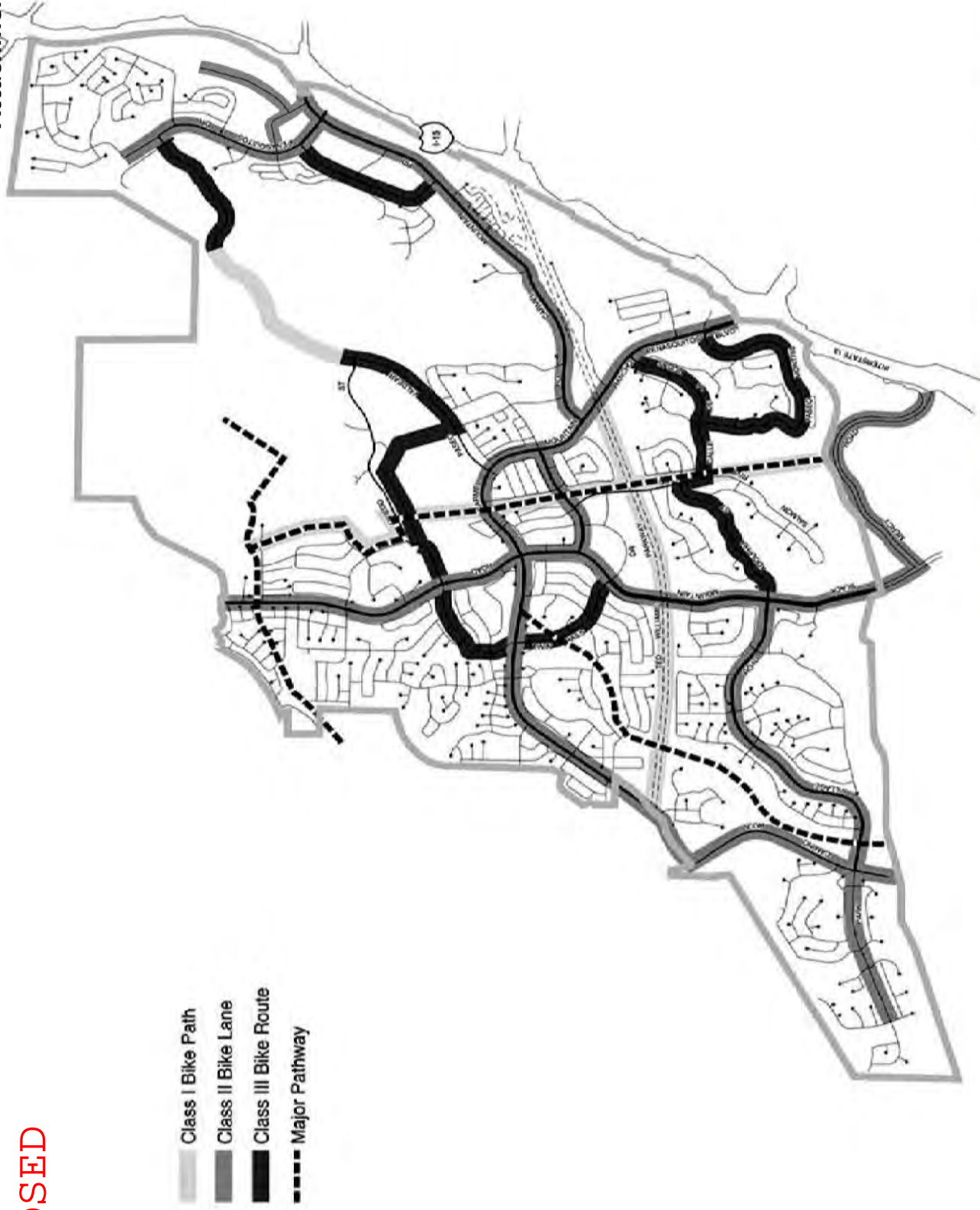
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Bikeways and Pedestrian Circulation
Rancho Peñasquitos Community Plan

30
FIGURE



Bikeways and Pedestrian Circulation

Rancho Peñasquitos Community Plan

30
FIGURE

EXISTING

TABLE 4
RECOMMENDED POPULATION-BASED PARKS IN RANCHO PEÑASQUITOS

Park Name	Usable Acres	Neighborhood	Site Acquired	Site Developed	Scheduled Construction/Expansion
Community Parks					
Village	33	Parkview	Yes	Yes	FY 89
Black Mountain	20	Black Mountain	Yes	No	FY 91/92
Neighborhood Parks					
Peñasquitos Town Center	3	Town Center	Yes	No	FY 91
Rolling Hills	5	Glens	Yes	Yes	FY 98
Twin Trails	7	Twin Trails	Yes	Yes	FY 98
Peñasquitos Village	5	Village	Yes	No	FY 93/94
Peñasquitos Creek	6	Peñasquitos Creek	Yes	Yes	N/A
Ridgewood	7	Ridgewood	Yes	Yes	N/A
Adobe Bluffs	5	Bluffs	Yes	No	FY 95
Black Mountain	5-10	Black Mountain	No	No	N/A
Views West	10	Ridgewood	Yes	No	FY 91/92

Date: May 1991. Source: Park and Recreation Department

The following recommendations apply to specific neighborhood park sites designated in this Plan which have been acquired or developed since May 1991 and the Black Mountain Neighborhood Park.

- **The Town Center Park** is proposed as a linear urban park of three or more acres along the eastern portion of the Town Center development area. The park could provide a continuous pedestrian linkage among the residential, commercial and civic building areas of the development. Various recreational uses should be developed along this linkage, such as sitting and lawn areas, childrens' play areas, small paved plazas, bicycle storage areas, outdoor reading and eating areas, and small court games.

The Town Center Park should help integrate the various uses in the Town Center development area by:

- Providing a major node for pedestrian and bicycle circulation, including a tie to the major north-south pathway running between Black Mountain and Peñasquitos Canyon and a direct connection into a possible mall in the community shopping center.
- Creating an atmosphere for the entire development through the use of special paving materials and compatible signing and street furniture, such as fountains, kiosks, trash containers, light fixtures and benches.
- Generating a central open space corridor, with fingers projecting in and around the buildings surrounding it, all landscaped in a compatible fashion.

TABLE 4
RECOMMENDED POPULATION-BASED PARKS IN RANCHO PEÑASQUITOS

Park Name	Usable Acres	Neighborhood	Site Acquired	Site Developed	Scheduled Construction/Expansion
Community Parks					
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Peñasquitos Creek	6	Peñasquitos Creek	Yes	Yes	N/A
Ridgewood	7	Ridgewood	Yes	Yes	N/A
Adobe Bluffs	5	Bluffs	Yes	No	FY 95
Black Mountain	5-10	Black Mountain	No	No	N/A
Views West	10	Ridgewood	Yes	No	FY 91/92
Glens	3	Glens			

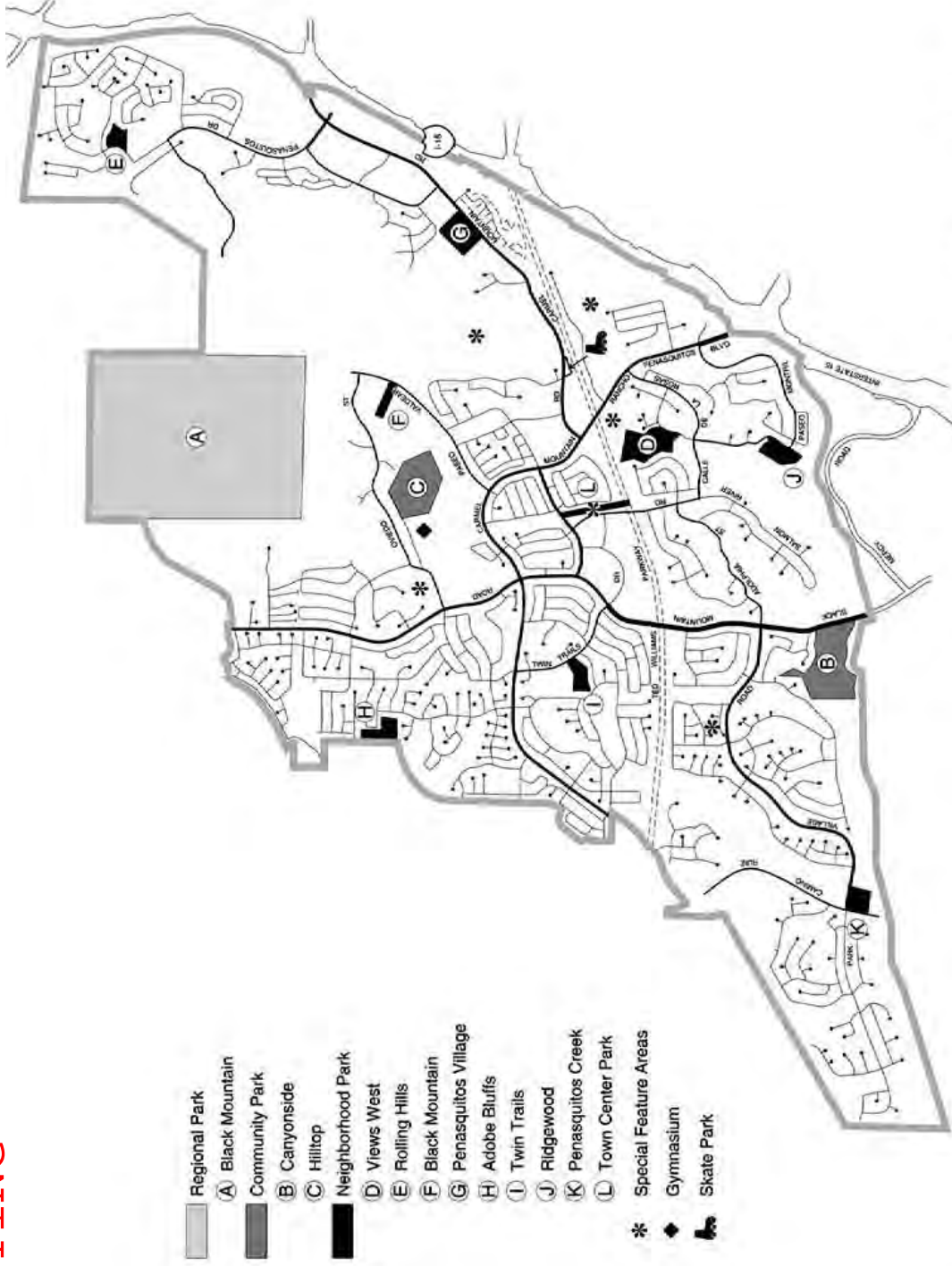
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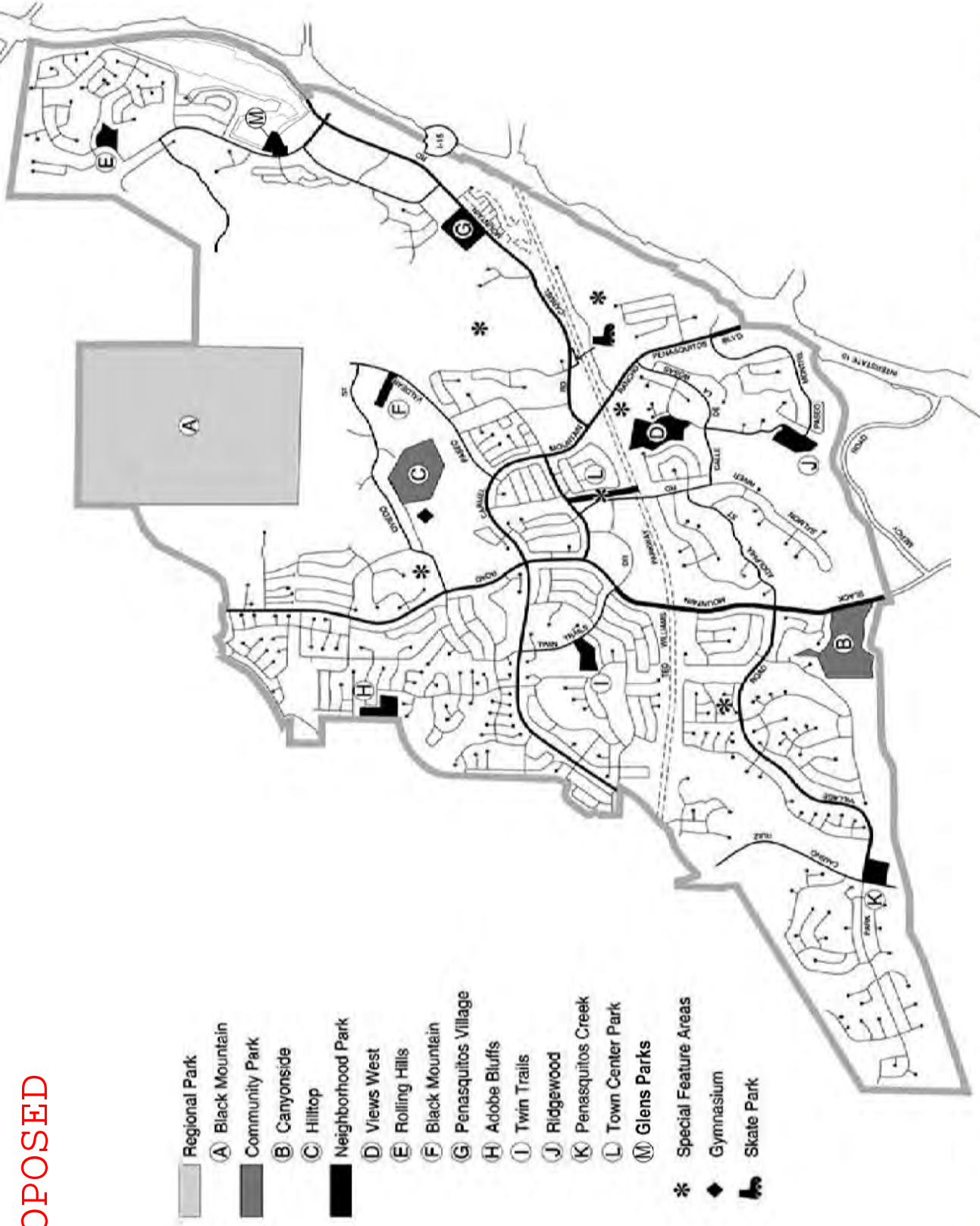
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Park and Recreation Areas
Rancho Peñasquitos Community Plan

32
FIGURE





Park and Recreation Areas
Rancho Peñasquitos Community Plan

EXISTING

active recreation. When developed, Hilltop Community Park could include a recreation building, tennis courts, playing fields, picnic areas, a comfort station and a par course.

Canyonside Community Park is located on the southern border of the community along the westerly side of Black Mountain Road in the Parkview neighborhood. The park contains more than thirty usable acres and is currently developed with ball fields and tennis courts. Additional ball fields and a recreation center were under construction in 1991. Future improvements should include ball field lighting.

Other Recreational Facilities

Private recreation facilities such as swimming pools, in conjunction with multifamily residential developments, are recommended. These facilities meet some of the active recreational needs of residents.

Retention of the existing country club and public golf course is recommended. The golf course should not be developed in the future for any non-recreational use. In addition, the private tennis and swimming club facilities should be retained.

Development of commercial recreational facilities is encouraged in Rancho Peñasquitos. Commercial recreation is appropriate in the Town Center development area. Commercial recreation is also suitable at the Rancho Peñasquitos Boulevard and I-15 interchange. Possible commercial recreation facilities include a skating rink, a bowling alley, court facilities, gymnasiums, health spas, a miniature golf course and driving range. Development guidelines are discussed in the **Commercial Element**.

A joint use community building has been constructed at the Black Mountain Middle School for public and school use. The building was financed jointly with developer-provided City funds and Poway School District funds.

There are numerous recreational facilities within and adjacent to existing and proposed public schools in the community. Where possible, these facilities should be made available for public use when not being used for school purposes.

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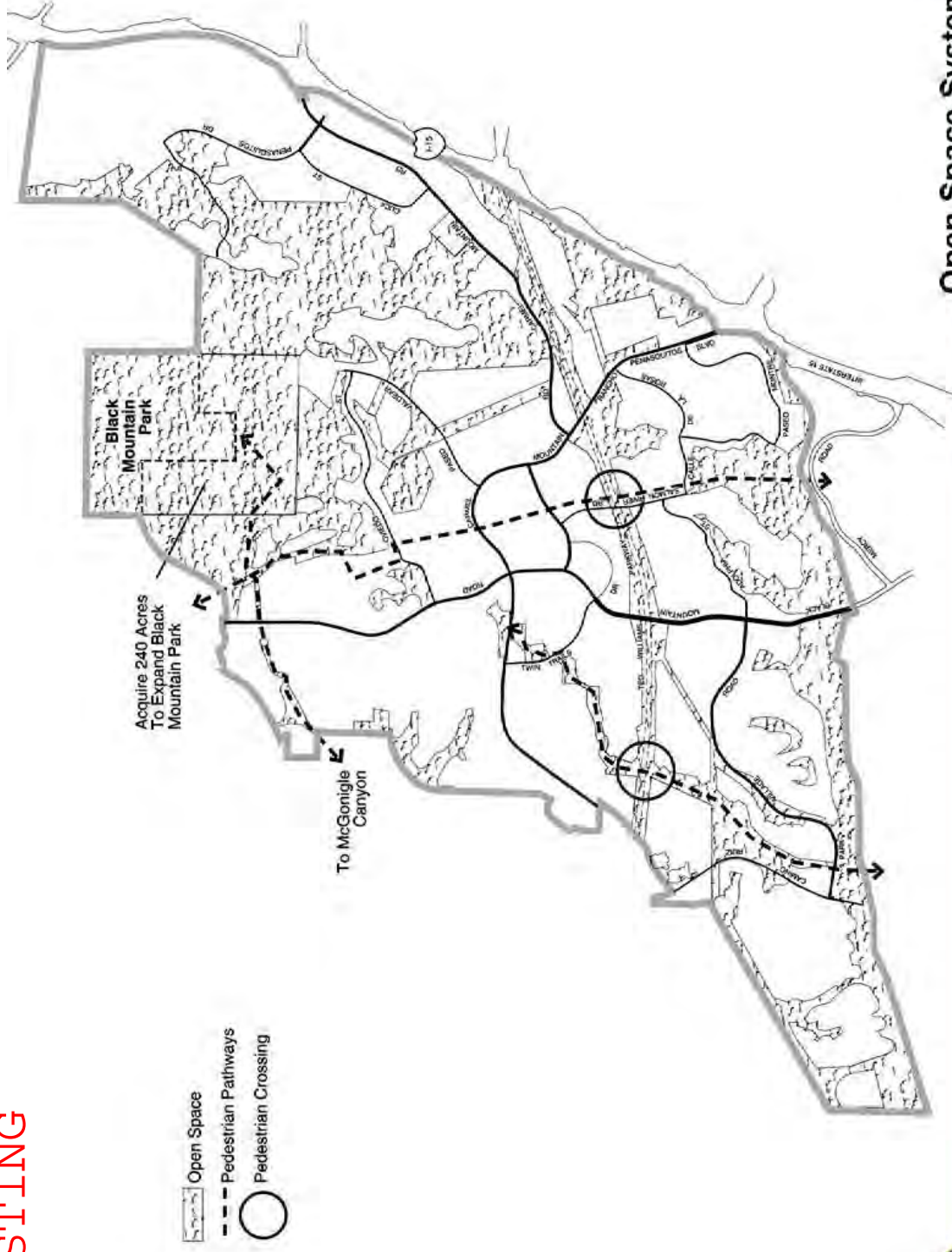
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There are numerous recreational facilities within and adjacent to existing and proposed public schools in the community. Where possible, these facilities should be made available for public use when not being used for school purposes.



Open Space System
Rancho Peñasquitos Community Plan

33
FIGURE



33

FIGURE

(O-2021~XXXX)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING PORTIONS OF A 112.3-ACRE SITE LOCATED EAST OF INTERSTATE 15, WEST OF PEÑASQUITOS DRIVE AND SOUTH OF CARMEL MOUNTAIN ROAD IN THE RANCHO PEÑASQUITOS COMMUNITY PLAN AREA, FROM THE RS-1-14 ZONE (RESIDENTIAL-SINGLE UNIT) TO THE RM-1-1 ZONE (RESIDENTIAL--MULTIPLE UNIT), RM-3-7 ZONE (RESIDENTIAL-MULTIPLE UNIT), OP-1-1 ZONE (OPEN SPACE-PARK) AND OR-1-1 ZONE (OPEN SPACE-RESIDENTIAL) AND THE CV-1-1 ZONE (COMMERICAL- VISTIOR) TO OR-1-1 ZONE AND OP-1-1ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0202, 131.0204,131.0403,131.0406 and 131.0505; ADDED ON DECEMBER 9, 1997 BY O-18451, AND EFFECTIVE JANUARY 1, 2000.

WHEREAS CARMEL PARTNERS LLC, a Delaware Limited Liability Company, requested a rezone of a 112.3-acre site located east of Interstate 15, west of Peñasquitos Drive and south of Carmel Mountain Road, as legally described below, in the Rancho Peñasquitos Community Plan Area to construct 536 age-restricted residential dwelling units; and

WHEREAS, on_____, the Planning Commission of the City of San Diego considered and voted _____to recommend the Council of the City of San Diego (Council) approve this Rezone No. 2073792 of the property from the RS-1-14 Zone (Residential – Single Unit) and CV-1-1 (Commercial- Visitor) to the, RM-1-1 Zone, RM-3-7 Zone (Residential – Multiple Unit), OP-1-1 (Open Space-Park) and OR-1-1 (Open Space-Residential); and

WHEREAS, the matter was set for public hearing on _____, with testimony having been heard, evidence having been submitted, and the Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the Council to act as a quasi-judicial body and where a public hearing

was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on evidence presented; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the 112.3-acre site located east of Interstate 15, west of Peñasquitos Drive and south of Carmel Mountain Road, and legally described as Parcel 3 of Parcel Map No. 21621, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County on September 13, 2018 as Instrument No. 2018-7000350 of official records, in the Rancho Peñasquitos Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4355, filed in the office of the City Clerk as Document No. OO- _____, are rezoned from the RS-1-14 Zone and CV-1-1 Zone to the RM-1-1 Zone, RM-3-7, Zone, OP-1-1 Zone and OR-1-1 Zone, as the zones are described and defined by San Diego Municipal Code Sections 131.0202, 131.0204, 131.0403, 131.0406 and 131.0505. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: Mara W. Elliott, City Attorney

By _____

Deputy City Attorney

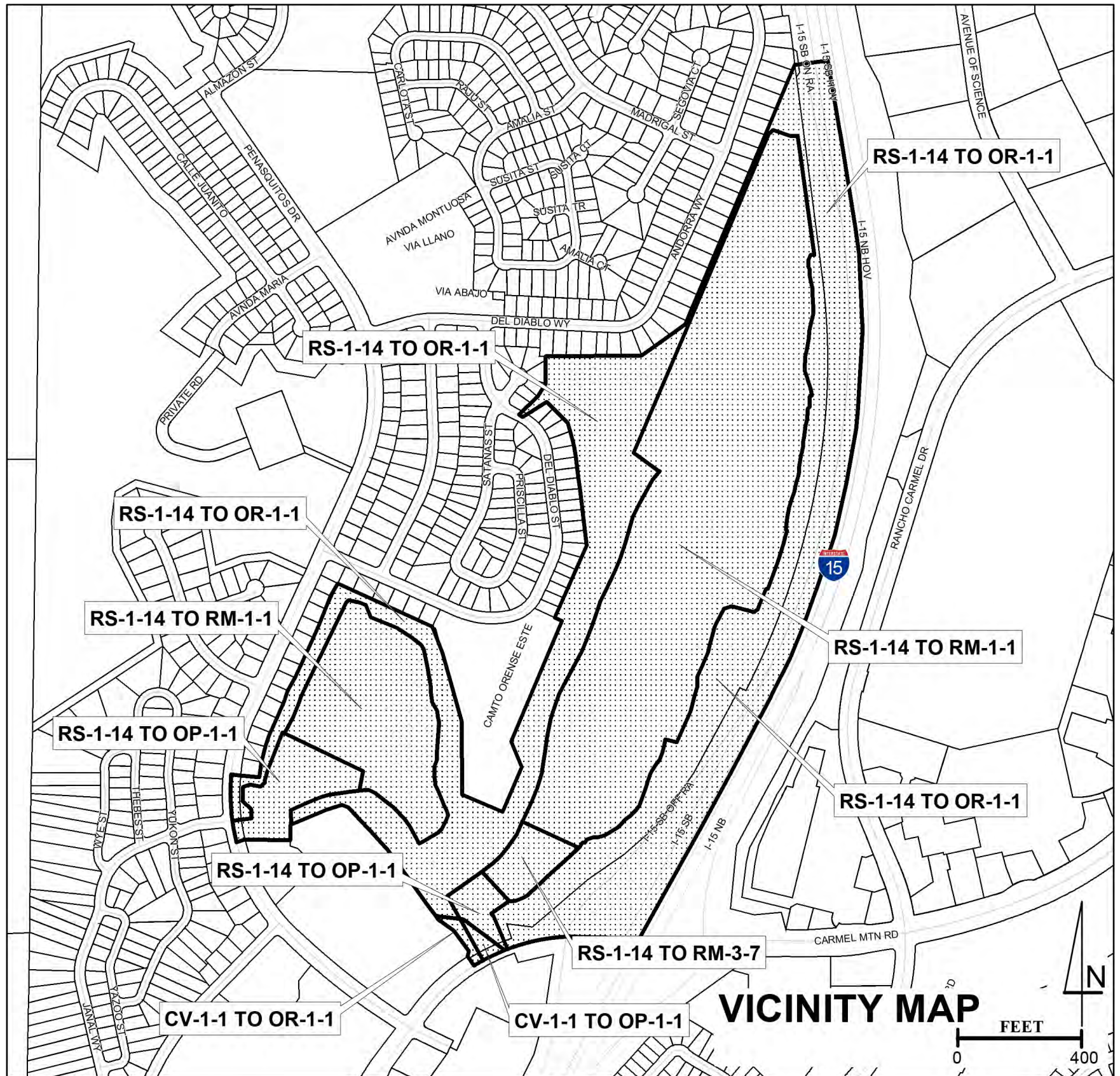
Date:

Or.Dept: DSD

O-XXXXX



PROPOSED REZONING

**PAR 2 & 3 PM21621**

ORDINANCE NO. _____
EFF. DATE ORD. _____
ZONING SUBJ. TO _____
BEFORE DATE _____
EFF. DATE ZONING _____
MAP NAME AND NO. _____

REQUEST RM-1-1, RM-3-7, OR-1-1, OP1-1

PLANNING COMM.
RECOMMENDATIONCITY COUNCIL
ACTION

CASE NO. PTS 586670

DEVELOPMENT SERVICES MANAGER

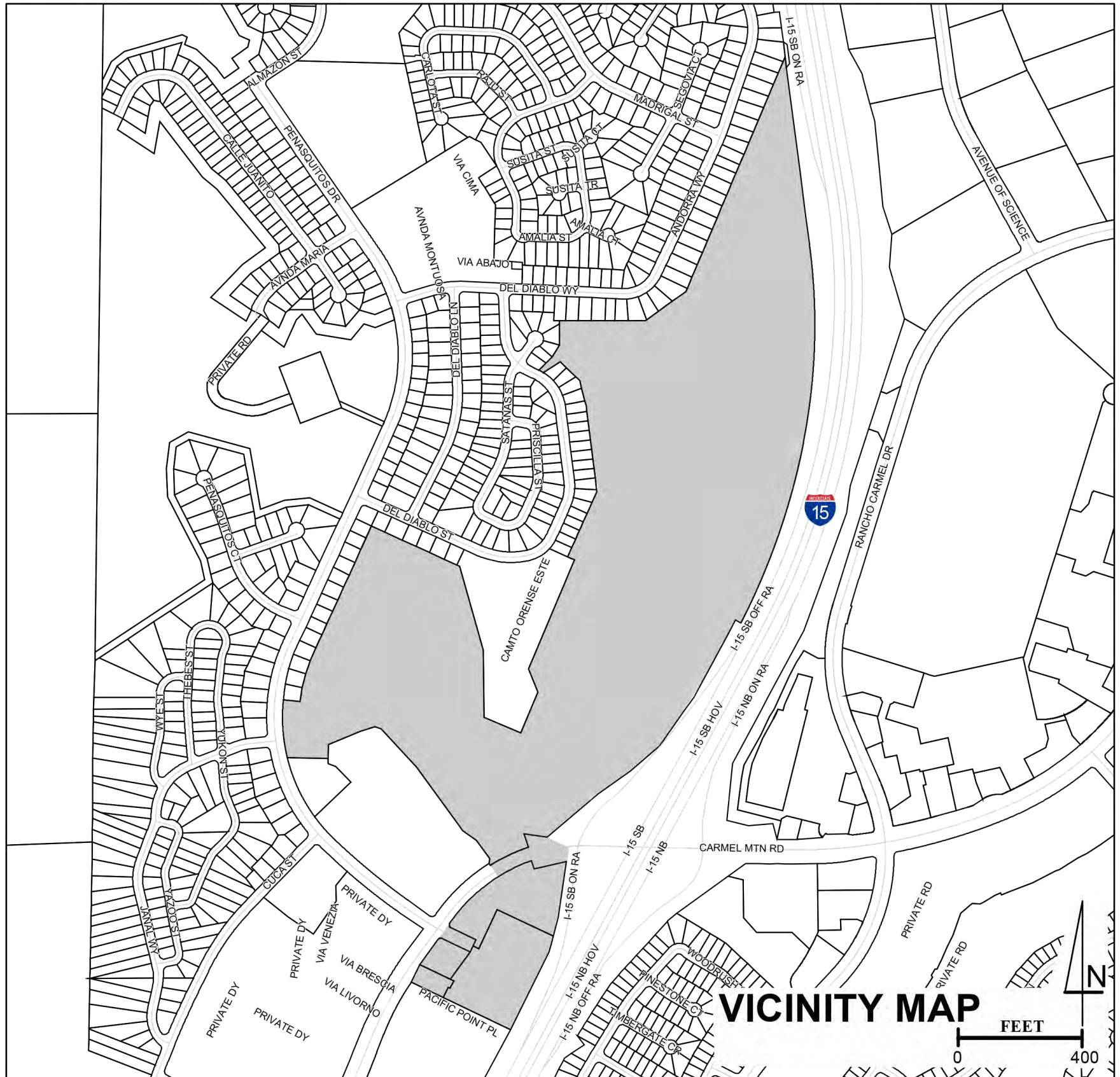
B-4355

APN: 313-011-12

(298-1743) 1-25-21 Idj



PROPOSED REZONING


PAR 2 & 3 PM21621

ORDINANCE NO. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____
 BEFORE DATE _____
 EFF. DATE ZONING _____
 MAP NAME AND NO. _____

REQUEST CPIOZ B

 PLANNING COMM.
 RECOMMENDATION

 CITY COUNCIL
 ACTION

CASE NO. PTS 586670

DEVELOPMENT SERVICES MANAGER

B-4356

APN: 313-011-12

(298-1743) 1-25-21 ldj

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 2, DIVISION 14 OF
THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 132.1403,
RELATING TO THE RANCHO PEÑASQUITOS COMMUNITY PLAN
UPDATE FOR THE JUNIPERS PROJECT

WHEREAS CARMEL PARTNERS LLC, a Delaware Limited Liability Company, filed an application with the City of San Diego for the conversion of a closed golf course property into a 536 unit, 55+ age-restricted community of attached and detached homes, including 81-affordable homes for low-income seniors, as well as a 2.87 usable net acre public park and a 2.82 acre trail known as The Junipers Project (Project); and

WHEREAS, the 112.3-acre Project site located site east of Interstate 15, west of Peñasquitos Drive and south of Carmel Mountain Road is primarily zoned Residential Single-Unit (RS-1-14), a small area in the southeast portion of the site is zoned Commercial Visitor (CV-1-1). The Rancho Peñasquitos Community Plan Land Use Map designates the site as Open Space, while the specific map for the site's Glens neighborhood identifies the site as Golf Course. The Project site is also located with the Airport Land Use Compatibility Overlay Zone and the Airport Influence Area (Review Area 2) for Marine Corps Air Station(MCAS) Miramar; and

WHEREAS, the Project site is legally described as Parcel 3 of Parcel Map No. 21621, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County on September 13, 2018 as Instrument No. 2018-7000350 of official records; and

WHEREAS, Resolution No. _____, which was considered along with this Ordinance, adopts amendments to the Rancho Peñasquitos Community Plan; and

WHEREAS, amending the Rancho Peñasquitos Community Plan requires amendments to the San Diego Municipal Code section relating to the CPIOZ; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego as follows:

Section 1. That Chapter 13, Article 2, Division 14 of the San Diego Municipal Code is amended by amending Sections 132.1403 to read as follows:

§132.1403 Exception to the Community Plan Implementation Overlay Zone

The City Manager may grant an exception to the requirements of this division for proposed *development* that is minor, temporary, or incidental and is consistent with the intent of this division. Exceptions made by the City Manager shall be filed with the office of the City Clerk.

DIAGRAM 132-14A

Clairemont Mesa Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. C-771.1 & B-4344 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14B

Otay Mesa Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. B-4300 & C-956 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14C

Linda Vista Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. C-750 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14D

Midway-Pacific Highway

Community Plan Implementation Overlay Zone

This is a reproduction of Map No. B-4331 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14E

Navajo Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. C-954 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14F

Pacific Beach Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. B-3737.1 & B-3857 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14G

Peninsula Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. C-744 & C-781 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14H

Rancho Bernardo Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-773.1 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14I

Rancho Peñasquitos Community Plan Implementation Overlay Zone

This is a reproduction of Map No. B-4025 for illustration purposes only.

 **CPIOZ**
Community Plan Implementation Overlay Zone
(Type B)

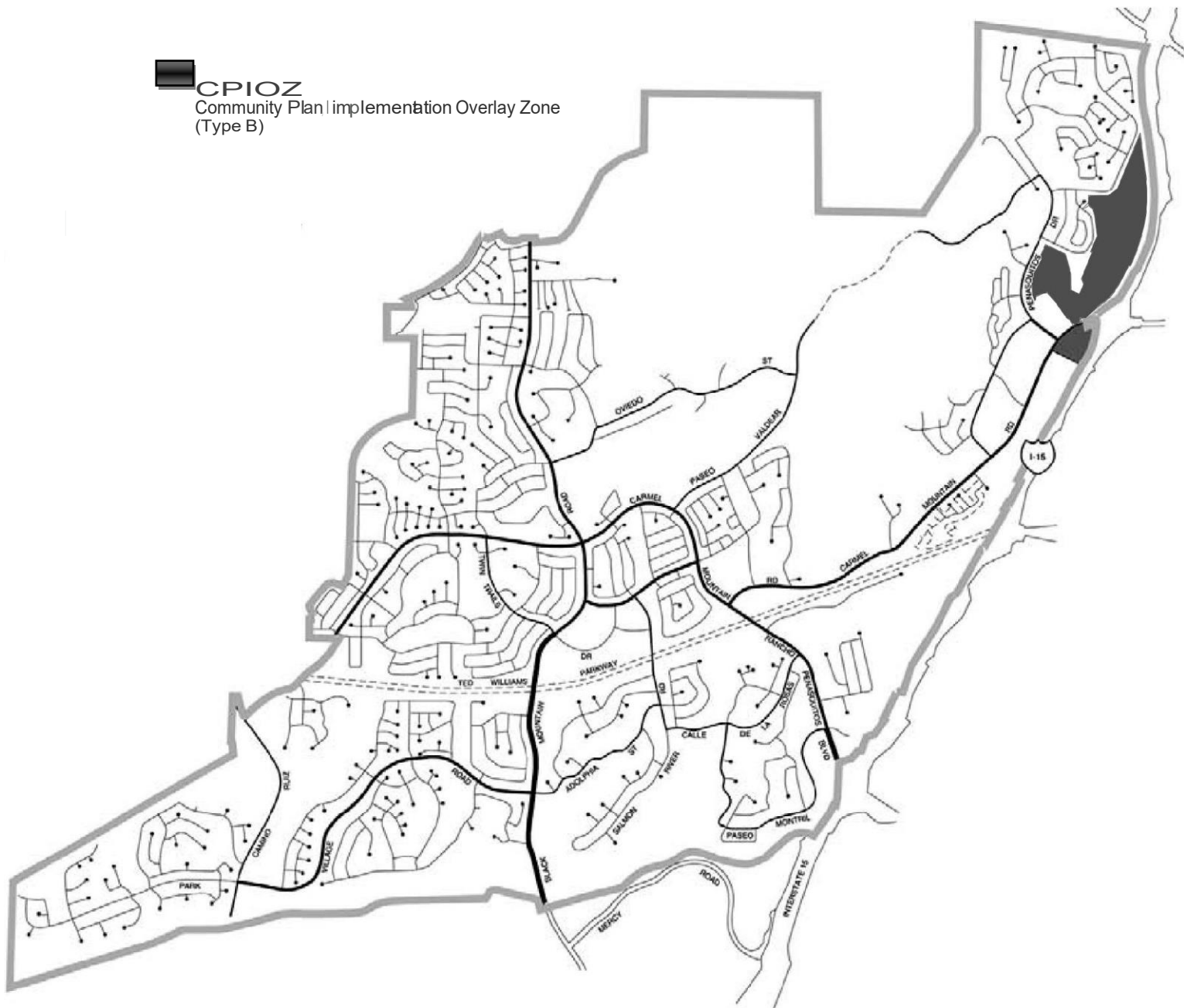


DIAGRAM 132-14j

University Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. C-725 & C-751.2 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14K

Uptown Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-989 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14L

Skyline-Paradise Hills Community Plan Implementation Overlay Zone

This is a reproduction of Map No. V-2 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14M

Sherman Heights and Grant Hill Historic Districts

This is a reproduction of Map No. B-4312 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14N

Mid-City Eastern Area – Chollas Triangle Community Plan Implementation Overlay Zone

This is a reproduction of Map Nos. B-4310 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14O

Encanto Neighborhoods Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-962 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14P

Southeastern San Diego Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-961 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14Q

College Area Community Plan Implementation Overlay Zone

This is a reproduction of Map No. B-4339 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14R

Mission Valley Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-1013 for illustration purposes only.

[No change in text.]

DIAGRAM 132-14S

Kearny Mesa Community Plan Implementation Overlay Zone

This is a reproduction of Map. No. C-1011 for illustration purposes only

[No change in text.]

Section 2. That a full reading of this Ordinance is dispensed with prior to passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 3. That prior to becoming effective, this Ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.

Section 4. That if the SDCRAA finds this Ordinance consistent with the Airport Land Use Compatibility Plans (ALUCP) for San Diego International Airport and Montgomery Field (collectively Airports), this Ordinance shall take effect and be in force on the thirtieth day from and after the finding of consistency, or on the thirtieth day from and after its final passage, or the date that R- _____, adopting amendments to the Rancho Peñasquitos Community Plan becomes effective, or the date that O-_____.

Section 5. That if the SDCRAA determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCPs for the Airports, the Ordinance shall be submitted to the City Council for reconsideration.

Section 6. That if the SDCRAA determines that this Ordinance is conditionally consistent with the ALUCPs for the Airports, but that consistency is subject to proposed modifications, the City Council may amend this Ordinance to accept the proposed modifications, and this Ordinance as

amended shall take effect and be in force on the thirtieth day from and after its final passage, or the date that R- _____, adopting amendments to the Rancho Peñasquitos Community Plan becomes effective, or the date that O-_____.

Section 7. That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to California Public Utilities Code section 21670 and require a two-thirds vote. The proposed decision and findings shall be forwarded to the SDCRAA, the California Department of Transportation, Division of Aeronautics, and the airport operators for the Airports. The City Council shall hold a second hearing not less than 45 days from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and a final decision to overrule a determination of inconsistency shall require a two-thirds vote.

Section 8. That if the City Council makes a final decision to overrule a determination of inconsistency, this Ordinance shall take effect and be in force on the thirtieth day from and after that final decision, or the date that R- _____, adopting amendments to the Rancho Peñasquitos Community Plan becomes effective, or the date that O-_____.

Section 9. No building permits for development inconsistent with the provisions of this Ordinance shall be issued unless complete applications for such permits are submitted to the City prior to the date on which the applicable provisions of this Ordinance become effective, which date is determined in accordance with Sections 3-8, above.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Deputy City Attorney

XXX:xxx
Date
Or.Dept: Planning
Doc. No.:

DRAFT

IMPLEMENTATION AND ACTION PLAN

SUMMARY OF RECOMMENDED ACTIONS

The Rancho Peñasquitos Community Plan presents goals, policies and recommendations for the future development of the community that are consistent with the expressed needs of community residents. However, the Plan will only be effective if its key recommendations are implemented. While many of the recommendations can be implemented soon after the adoption of the Plan, many proposals will require special consideration, refinement and funding. The following is a summary of some of the key recommendations of the Plan:

Residential Land Use and Zoning

The density designation for residential areas located within the HR Overlay Zone should be Very Low-Density Residential (0-1 DU/Acre). The appropriate zone for HR areas where residential development is designated is R-1-40,000. Rezoning to this zone, where applicable, should occur concurrently with approval of development permits.

Areas designated on the Plan as open space should be zoned A-1-10.

The single-family residential areas designated for development at densities of 1-5 DU/Acre, and which are outside of the HR Overlay Zone should be rezoned to R-1-8000 concurrently with approval of development permits.

Commercial and Industrial Land Use

Because of their importance in the community, all commercial and industrial sites should be developed with careful attention to noise and visual screening between land uses, architectural and design considerations, and limitation of uses to predominantly commercial uses. The Zoning Code Update (ZCU) project, currently underway, is expected to result in the creation of new or revised commercial and industrial zones which include use restrictions, development standards and design criteria which address these development issues. However, in order to implement the commercial design and development guidelines outlined in this Plan for three specific sites, two undeveloped neighborhood commercial sites are recommended for development as Planned Commercial Developments (PCDs), and one neighborhood commercial site which may redevelop is recommended for the CPIOZ-Type B. Application of CPIOZ will require either a CPIOZ-Type B or PCD Permit be processed.

Public Facilities

The Public Facilities Financing Plan will be updated periodically with input from the community. The Public Facilities Financing Plan includes a transportation phasing plan.

Parks and Recreation

Construct park and recreation facilities in accordance with the Public Facilities Financing Plan.

IMPLEMENTATION AND ACTION PLAN

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The Rancho Peñasquitos Community Plan presents goals, policies and recommendations for the future development of the community that are consistent with the expressed needs of community residents. However, the Plan will only be effective if its key recommendations are implemented. While many of the recommendations can be implemented soon after the adoption of the Plan, many proposals will require special consideration, refinement and funding. The following is a summary of some of the key recommendations of the Plan:

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The Community Plan Implementation Overlay Zone (CPIOZ) is applied within the boundaries of the area shown on Figure 39 per Chapter 13, Article 2, Division 14 of Municipal Code, to provide supplemental development regulations that are tailored to implement the Community Plan. CPIOZ-Type B Supplemental Development Regulations (SDR) require that development within the CPIOZ B Area shall be developed through the approval of a Planned Development Permit.

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Because of their importance in the community, all commercial and industrial sites should be developed with careful attention to noise and visual screening between land uses, architectural and design considerations, and limitation of uses to predominantly commercial uses. The Zoning Code Update (ZCU) project, currently underway, is expected to result in the creation of new or revised commercial and industrial zones which include use restrictions, development standards and design criteria which address these development issues. However, in order to implement the commercial design and development guidelines outlined in this Plan for three specific sites, two undeveloped neighborhood commercial sites are recommended for development as Planned Commercial Developments (PCDs), and one neighborhood commercial site which may redevelop is recommended for the CPIOZ-Type B. Application of CPIOZ will require either a CPIOZ-Type B or PCD Permit be processed.

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Construct park and recreation facilities in accordance with the Public Facilities Financing Plan.

EXISTING

CPIOZ
Community Plan Implementation Overlay Zone
(Type B)

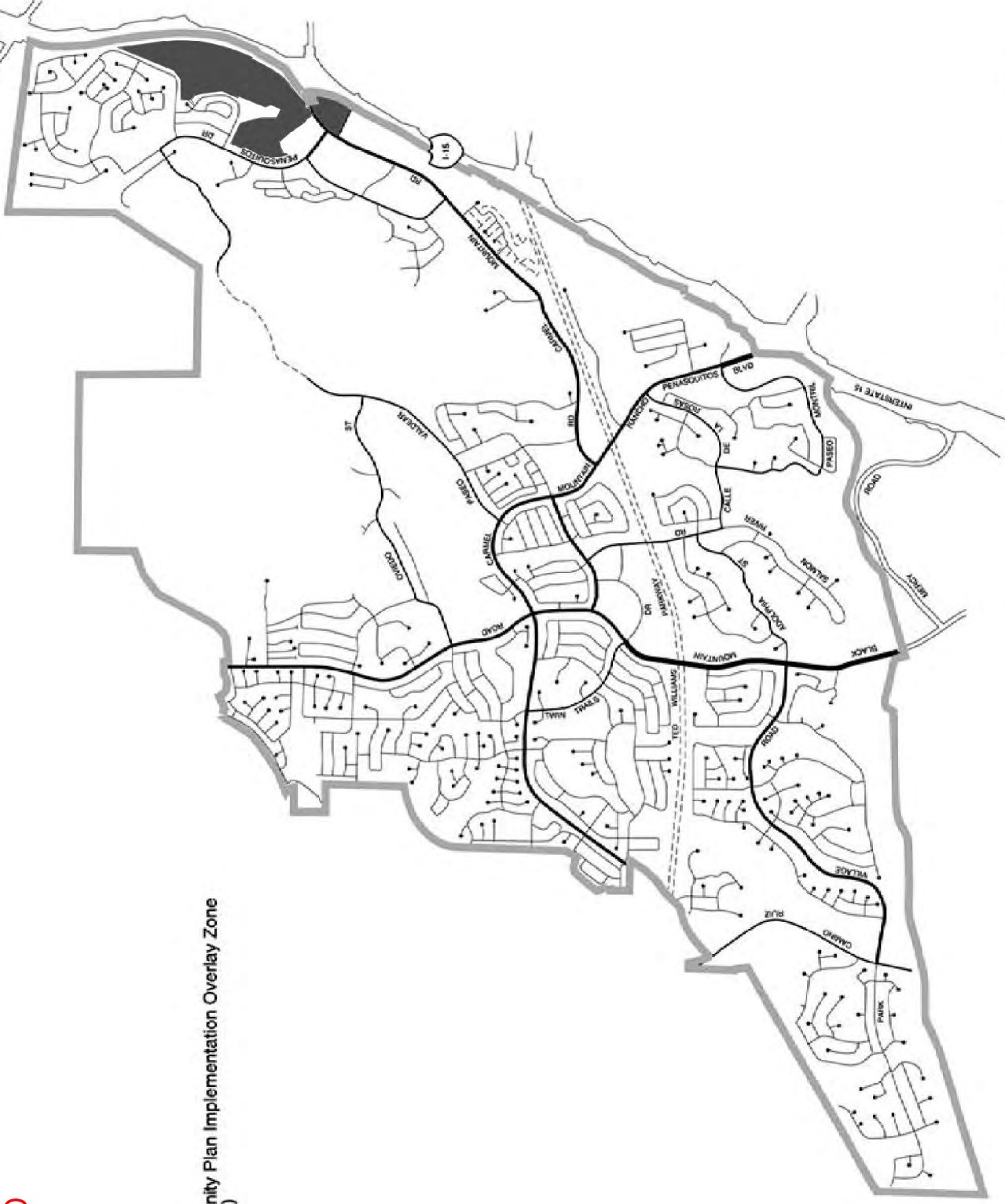


Recommended CPIOZ Overlay Zones

Rancho Peñasquitos Community Plan

39
FIGURE

 CPIOZ
Community Plan Implementation Overlay Zone
(Type B)



Recommended CPIOZ Overlay Zones
Rancho Peñasquitos Community Plan



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form Part 1


Project Name: Junipers Project (CPA/RZ/TM/SDP)		Project Number: #586670	Distribution Date: 2/3/2021
Project Scope/Location: <p>The Junipers project is the redevelopment of a 112.3 acre site currently encompassing and inactive golf course and 5 tennis courts. It is located at Rancho Peñasquitos Blvd. and Carmel Mt. Road. The project proposes up to 455 for sale age-restricted (55+) residential units and 81 for-rent , affordable, age-restricted housing units, a public park, a private park and social loop trail and usable open space.</p>			
Applicant Name: Lennar Homes-Ryan Green		Applicant Phone Number: (858) 618-4933	
Project Manager: Tim Daly	Phone Number: (619) 446-5356	Fax Number: (619) 321-3200	E-mail Address: TDaly@sandiego.gov
Project Issues (To be completed by Community Planning Committee for initial review): <p>The project proposes a round-a-bout at the intersection of Janal Way and Peñasquitos Blvd. and a signalized intersection at Cuca St. and Peñasquitos Blvd. The RPPB discussion was about the a signalized intersection at Cuca St. and Penasquitos Blvd.</p> <p>B. Reschke: Motion: To approve the Junipers Project (CPA/RZ/TM/SDP. PN#586670) as presented with the second round-a-bout; T. Clark; seconds. Comment: G. Patrick: if Lennar did not take the time and effort to put 2nd round about back in, I don't think they will scrap the project. 8-5-2-1; Motion carries.</p>			
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name: Junipers Project (CPA/RZ/TM/SDP)		Project Number: #586670		Distribution Date: 2/3/2021	
Project Scope/Location: <p>The Junipers project is the redevelopment of a 112.3 acre site currently encompassing and inactive golf course and 5 tennis courts. It is located at Rancho Peñasquitos Blvd. and Carmel Mt. Road. The project proposes up to 455 for sale age-restricted (55+) residential units and 81 for-rent, affordable, age-restricted housing units, a public park, a private park and social loop trail and usable open space.</p>					
Applicant Name: Lennar Homes-Ryan Green				Applicant Phone Number: (858) 618-4933	
Project Manager: Tim Daly		Phone Number: (619) 446-5356	Fax Number: (619) 321-3200	E-mail Address: TDaly@sandiego.gov	
Committee Recommendations (To be completed for Initial Review):					
<input type="checkbox"/> Vote to Approve		Members Yes	Members No	Members Abstain	
<input checked="" type="checkbox"/> Vote to Approve With Conditions Listed Below		8	5	2	
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below		Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Deny		Members Yes	Members No	Members Abstain	
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)				<input type="checkbox"/> Continued	
CONDITIONS: <p>To approve the Junipers Project (CPA/RZ/TM/SDP. PN#586670) as presented requesting the second round a-bout at Cuca St. and Peñasquitos Blvd.</p>					
NAME: Jon Becker,			TITLE: Chair		
SIGNATURE:			DATE: 3/5/2021		
Attach Additional Pages 			Digitally signed by Jon Becker DN: C=US, E=jbecker@projectdesign.com, O=Project Design Consultants, CN=Jon Becker Date: 2021.03.05 08:59:04 -0800 Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101		
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.					

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	FORM
			DS-318
			October 2017

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 _____

Project Title: The Junipers **Project No. For City Use Only:** 586670

Project Address: Westerly of I-15 and Northerly of Penasquitos Dr., 313-011-06, 313-011-07, 313-011-10 & 313-060-01

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

☐ Corporation ☒ Limited Liability -or- ☐ General – What State? Delaware Corporate Identification No. 201621410136
☐ Partnership ☐ Individual

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: Carmel Land LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 16465 Via Esprillo, Suite 150
 City: San Diego State: CA Zip: 92127
 Phone No.: 858-618-4910 Fax No.: _____ Email: ryan.green@lennar.com
 Signature: Ryan Green Digitally signed by Ryan Green
Date: 2019.01.08 10:39:53 -0800 Date: 01/08/19
 Additional pages Attached: ☒ Yes ☐ No

Applicant

Name of Individual: Carmel Land LLC ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 16465 Via Esprillo, Suite 150
 City: San Diego State: CA Zip: 92127
 Phone No.: 858-618-4910 Fax No.: _____ Email: ryan.green@lennar.com
 Signature: Ryan Green Digitally signed by Ryan Green
Date: 2019.01.08 10:40:17 -0800 Date: 01/08/19
 Additional pages Attached: ☐ Yes ☒ No

Other Financially Interested Persons

Name of Individual: Lennar Homes of California ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 16465 Via Esprillo, Suite 150
 City: San Diego State: CA Zip: 92127
 Phone No.: 858-618-4910 Fax No.: _____ Email: ryan.green@lennar.com
 Signature: Ryan Green Digitally signed by Ryan Green
Date: 2019.01.08 10:40:23 -0800 Date: 01/08/19
 Additional pages Attached: ☒ Yes ☐ No