



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: January 8, 2015

REPORT NO. PC – 15-001

ATTENTION: Planning Commission
Agenda of January 15, 2015

SUBJECT: Initiation of an Amendment to the Rancho Bernardo Community Plan to redesignate an approximately 10.88-acre site at 16061 Avenida Venusto from an Educational to Residential (Low Density 1-9 du/ac) land use designation.

**OWNER/
APPLICANT:** AmeriCare Health & Retirement, Inc.

SUMMARY:

Issue(s) – Should the Planning Commission INITIATE an amendment to the Rancho Bernardo Community Plan? The amendment has been requested to amend the Rancho Bernardo Community Plan to redesignate an approximately 10.88-acre site at 16061 Avenida Venusto from an Educational to Residential (Low Density 1-9 du/ac) land use designation.

Staff Recommendation(s) – INITIATE the plan amendment process.

Community Planning Group Recommendation – The Rancho Bernardo Community Planning Group voted 11-2-1 on October 16, 2014 to recommend approval of this initiation. Meeting minutes from the October 16, 2014 planning group meeting are included as an attachment to this report (Attachment 3). The community planning group drafted three recommendations for staff to study pertaining to: access, effects of added density on facilities and a design consistent with existing community character, which are included in this report under the issues to be analyzed and evaluated through the community plan amendment review process.

Other Recommendation(s) – The Rancho Bernardo Community Planning Board's Development Review Committee voted 4-3-0 on October 7, 2014 to approve the proposed plan amendment.

Environmental Impact – If initiated, the proposed plan amendment and future discretionary actions will be subject to environmental review.

Fiscal Impact –Processing costs would be paid by the applicant.

Housing Impact – The community plan’s adopted land use designation is currently for a non-residential use. The proposed land use change to Low Density Residential would increase the amount of land available for housing. If the plan amendment is initiated, the applicant intends to propose a state-licensed residential care facility with a blend of assisted living facilities and twenty-two single-family style ‘cottages.’ Residential care facilities provide a form of housing for people with disabilities or special needs. The proposed amendment would support increased housing opportunities for people with disabilities or special needs in the community.

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 that the City Council is not committed to adopt or deny the proposed amendment.

BACKGROUND:

The 10.88-acre site, located at 16061 Avenida Venusto in the Rancho Bernardo Community Plan area, is designated as Educational (Attachment 1). The vacant subject site is bounded by Avenida Venusto and single-family residential to the west and south, open space to the east, multi-family residential to the southeast and private recreation use to the north. The subject site is zoned RS-1-14 and was originally intended for school use. In 2012, the Poway Unified School District determined there was no current or future need to develop the subject site as a school and identified the subject site as surplus property. In 2013, the property was offered for sale. The owner, AmeriCare Health & Retirement, Inc. purchased the property from the PUSD.

The Community Facilities Element of the Rancho Bernardo Community Plan has a policy regarding school sites which states that, any public school site in Rancho Bernardo, not needed for a school, should be considered first for a community park or recreation facility. School sites should be considered for residential housing only if the City determines, after a public hearing, that a particular site is not currently needed and will not, in the foreseeable future, be needed for public use. The City did not purchase the land for park use due to lack of available funds.

The applicant is requesting a proposed site-specific amendment in anticipation of constructing a state-regulated residential care facility. The applicant, AmeriCare, is proposing this project to address both the large senior population identified in the community plan and what they term as an underserved community regarding senior housing/assisted living facilities, based on a market study they commissioned. The plan amendment proposal, if initiated, would be processed concurrently with other required discretionary actions.

The residential designation at a low-density (1-9 du/ac) will ensure future development is compatible with the surrounding neighborhood. Residential care facilities are classified as a residential use category in the Municipal Code, and the redesignation action would also bring the land use into conformity with the site’s current zoning (RS-1-14), meeting a General Plan goal.

There are no other community plan amendments currently being processed in the Rancho Bernardo plan area.

DISCUSSION

The City is unique among jurisdictions in that the process to amend the General Plan and/or a community plan requires either Planning Commission or City Council initiation before the plan amendment process and accompanying project may actually proceed. Community plans are components of the City's General Plan. The proposed amendment is anticipated to result in revisions to the community plan, but would not necessitate text or mapping changes to the General Plan. This initiation request does not constitute an endorsement of the project proposal.

The staff recommendation of approval or denial of the initiation is based upon compliance with all three of the initiation criteria contained in the General Plan. The City Planning Department believes that all of the following initiation criteria can be met:

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

The General Plan Land Use element has goals for balanced communities and equitable development, including: community and neighborhood-specific strategies and implementation measures to achieve equitable development. Among the policies to implement these goals are: promote development of balanced communities that take into account community-wide involvement, participation, and needs; ensure that neighborhood development and redevelopment addresses the needs of older people, particularly those disadvantaged by age, disability, or poverty; provide a full range of senior housing from active adults to convalescent care in an environment conducive to the specific needs of the senior population.

The proposed amendment to redesignate the 10.88-acre site from educational to residential appears consistent with the General Plan's goals for balanced communities and equitable development because the land use plan initiation is the initial step towards the applicant's intent to propose a residential care facility for this site. A residential care facility would represent a key aspect of a full range of senior housing from active adult to convalescent care in an environment conducive to the specific needs of the senior population. The plan amendment process also provides multiple opportunities for community involvement and the officially recognized community planning group supports initiation of the plan amendment and has identified initial issues for evaluation if the proposal is initiated.

The Rancho Bernardo community plan includes the following objectives: to develop a high quality residential environment, to encourage a housing

inventory consisting of a wide variety of housing types and prices, to maintain the existing quality and character of Rancho Bernardo in all new development. The community plan policies for retirement housing state that projects should be compatible with the existing neighborhood and should be evaluated as to height, bulk, scale, setback, open space, landscaping, parking and architectural quality. The community plan also has policies for residential design, including: create street frontages with architectural and landscape interest for both pedestrian and neighboring residents.

The proposed amendment would implement community plan goals because senior housing is specifically supported by the Rancho Bernardo community plan and would contribute to the creation of a wide variety of housing types and prices. Also, the planned enhanced streetscape would implement policies for residential design to create street frontages with architectural interest and landscape design. The applicant has indicated that the proposed community plan amendment and contemplated development project would be processed concurrently. This will allow evaluation of both the proposed land use change and development project for consistency with the community plan's design policies, including those for neighborhood compatibility.

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

The proposed community plan amendment, if initiated, would facilitate the development of a residential care facility that would provide senior living units for senior residents of the Rancho Bernardo community, helping to expand housing choice and fulfill a need to serve what is a large senior population. The existing educational designated property is vacant, has been determined surplus by the Poway Unified School District and cannot fulfill its intended land use function as a school in this mostly built-out community. Therefore, the site provides no functional benefit in terms of community-serving land use. If initiated, the proposal would also include pedestrian amenities that could potentially provide additional opportunities for outdoor recreation/activities and connectivity to adjacent open space. A planned, public pedestrian path around the perimeter of the property could form a connection with designated open space to the east of the subject site.

Development of the site with a use that serves community needs would provide a reasonable public benefit.

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

component of the amendment process.

Rancho Bernardo is an urbanized community and all needed public services are available in the community. If the plan amendment is initiated, analysis of public services and facilities would be conducted with the review of the plan amendment.

The proposed plan amendment meets all of the above criteria as described; therefore, the staff recommends that the amendment to the Rancho Bernardo community plan be initiated.

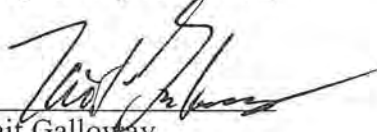
The following land use issues have been identified with the initiation request. If initiated, these issues, as well as others that may be identified, will be analyzed and evaluated through the community plan amendment review process:

- Evaluation of motor vehicle traffic and noise including driveway access, delivery truck traffic, onsite parking for visitors and employees, and emergency vehicles access
- Incorporation of pedestrian and bicycle features that include:
 - Opportunities for establishing pedestrian linkages to and from the site to surrounding development which could include a pedestrian path around the perimeter of the property accessible for public use.
 - Enhancement of the streetscape and pedestrian environment including the installation of pedestrian amenities
- Incorporation of the community facilities or public space.
- Provision of energy and conservation efficient features
- Evaluation of the adjacent slope
- Evaluation of the cumulative effects of the increase in development intensity on existing park deficiencies, emergency responses times at Fire Station 33, roadways and intersection capacity, and sewer capacity (including continued analysis of current sewer odors in the vicinity of the project site)
- Ensure that development on the project site will be compatible with the residential nature of area. Evaluate how increased truck traffic, delivery access, noise from emergency vehicles, parking for employees, visitors, and residents could affect adjacent residents
- Ensure that the design of the future development, including the bulk, scale, density, landscaping, onsite lighting, siting of parking and other public areas does not alter the existing community character, and that the existing character of Avenida Venusto is retained (no on-street parking)

Although staff believes that the proposed amendment meets the necessary criteria for initiation, staff has not fully reviewed the applicant's proposal. Therefore, by initiating this community

plan amendment, neither the staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment.

Respectfully submitted,

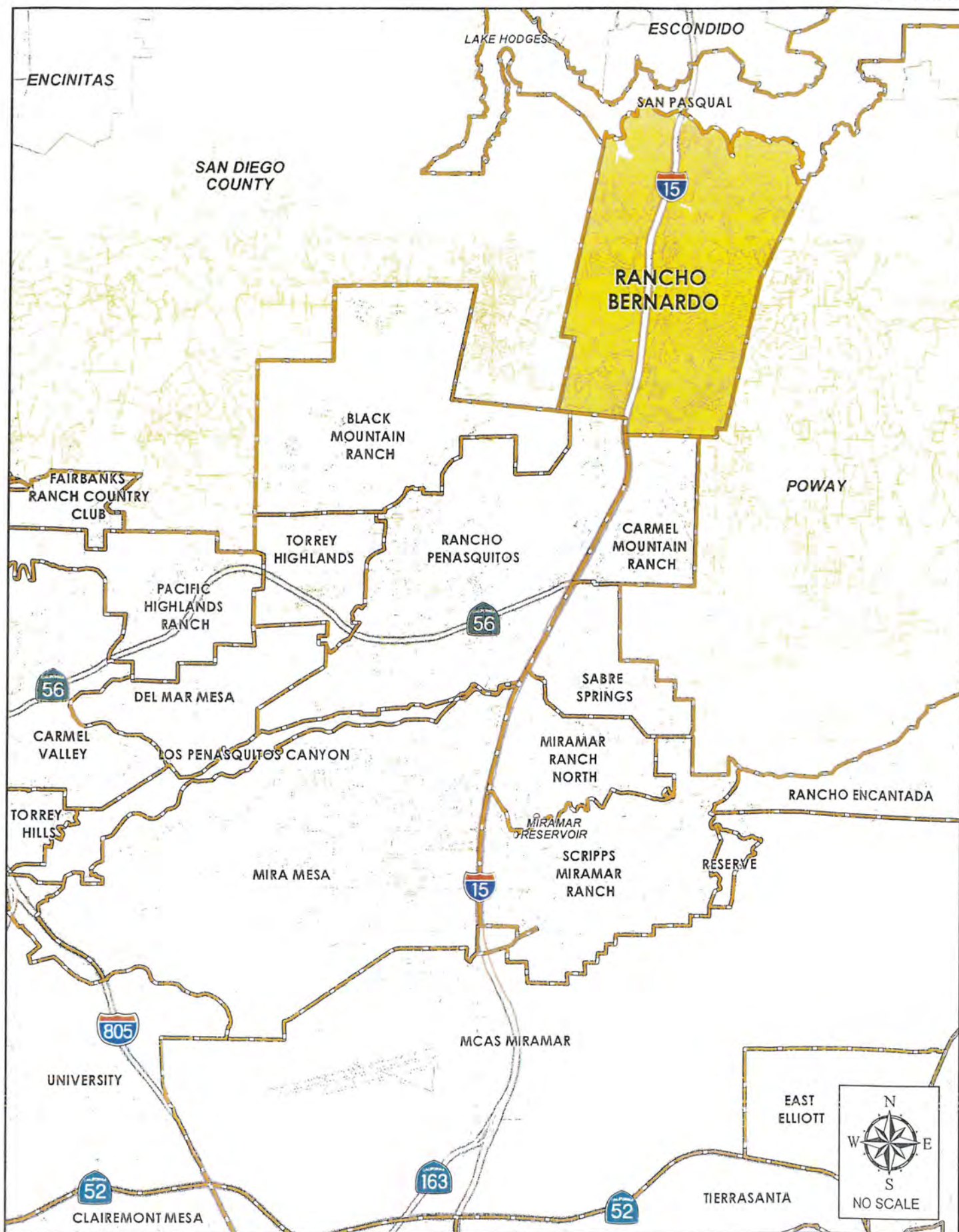

Tait Galloway
Principal Planner
Planning Department


Tony Kempton
Associate Planner
Planning Department

TG/TK

Attachments:

1. Vicinity Map
2. Project Location Map and Land Use
3. Draft Resolution —Planning Commission
4. Rancho Bernardo Planning Group Minutes of October 16, 2014
5. Ownership Disclosure Statement



Document Path: L:\GIS\GISCommunity Planning\Rancho Bernardo\CPA_PROJECT\BranchoBernardo_vicinitymap.mxd



Rancho Bernardo Vicinity Map

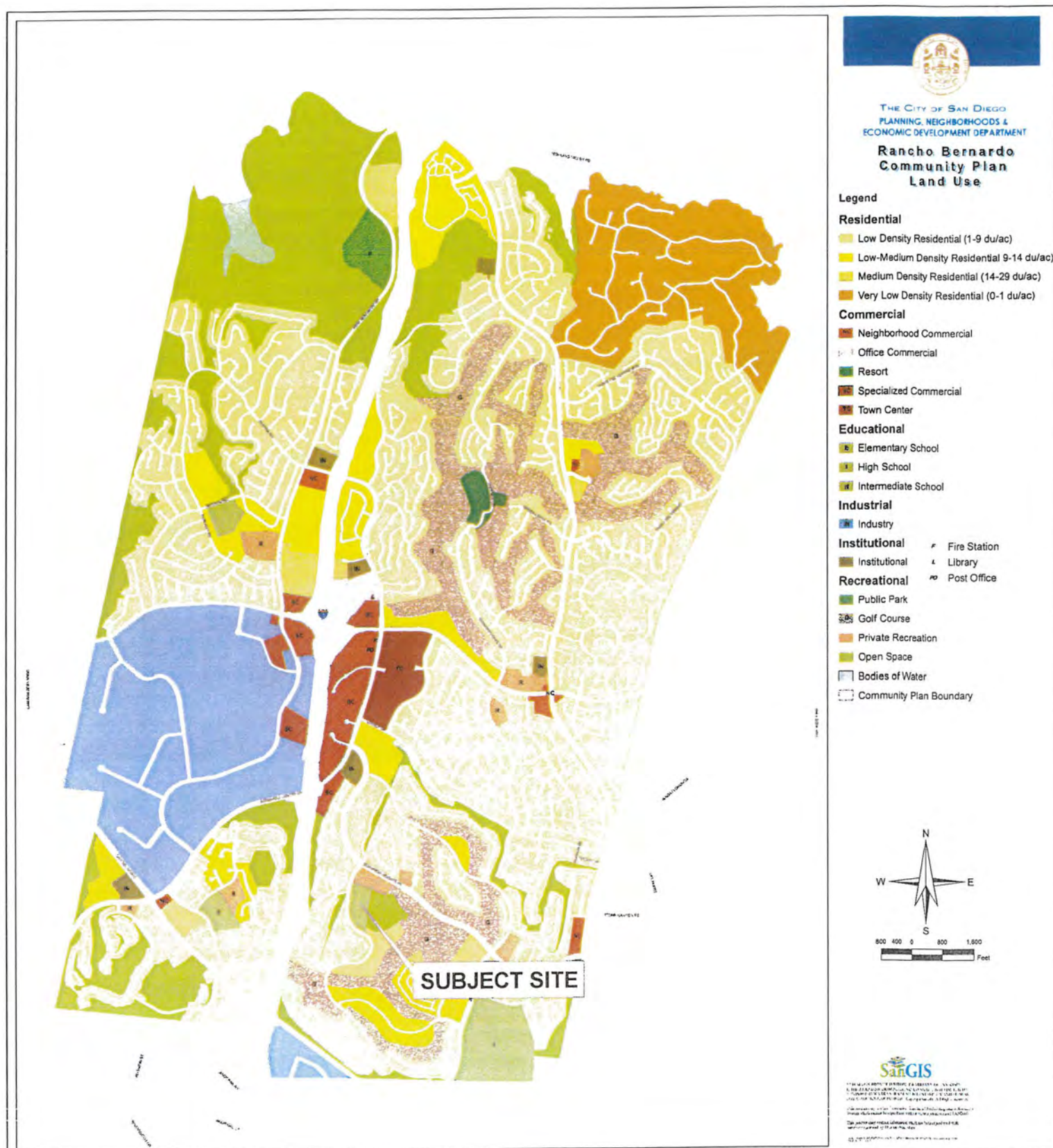
CITY OF SAN DIEGO • PLANNING DEPARTMENT



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The planning map is derived from the SDGIS Regional Information System which includes, but is not limited to, the following data:

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PLANNING COMMISSION RESOLUTION NO. XXXX-PC

INITIATING AN AMENDMENT TO THE 1978 RANCHO BERNARDO COMMUNITY
PLAN TO REDESIGNATE LAND FROM EDUCATIONAL TO RESIDENTIAL

WHEREAS, on January 15, 2015, the Planning Commission of the City of San Diego held a public hearing to consider a request to amend the 1978 Rancho Bernardo Community Plan adopted as Document RR-220568, and including its subsequent amendments to redesignate a 10.88-acre site located 16061 Avenida Venusto from educational to residential; and

WHEREAS the 2008 General Plan will be amended due to the Rancho Bernardo community plan being part of the Land Use Element of the adopted general plan; and

WHEREAS, the Planning Commission considered Report No. PC-15-001 as well as all maps, exhibits, evidence and testimony; NOW, THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby initiates the requested Community Plan and General Plan Amendment based on its compliance with the initiation criteria found in policy LU-D.10 of the Land Use Element of the General Plan and specifically addressed in Report No. PC-15-001; and

BE IT FURTHER RESOLVED that in anticipation of a future concurrent development project that would allow construction of a residential care facility at the 10.88-acre site, the Planning Commission directs staff to consider the following issue(s) in addition to all of the issues identified in Report No. PC-15-001:

- _____
- _____
- _____

BE IT FURTHER RESOLVED, that this initiation does not constitute an endorsement of a project proposal. This action allows the future development project to become a complete submittal and will allow staff analysis to proceed.

Tony Kempton
Staff Planner

Legislative Recorder

Initiated: January 15, 2015
By a vote of: X-X-X



Rancho Bernardo Community Planning Board
PO Box 270831, San Diego, CA 92198
www.rbplanningboard.com

October 16th, 2014 DRAFT Minutes

7:00 PM, @ RB Swim & Tennis Club Club 21 Room
 16955 Bernardo Oaks Drive

<u>2014 RB PLANNING BOARD</u>									
P = present		A = absent		ARC = arrived after roll call					
Lou Dell'Angela	p	Donald Gragg	p	Roberta Mikles	p	Vicki Touchstone	P	Sherry Guthrie	P
John Cochran	p	Scott Hall	p	Matt Stockton	A	Mike Lutz	P	Bernardo Bicas	ARC
Joe Dirks	p	Richard House	p	Kathy Keehan	ARC	John Kowalski	P		
Robin Kaufman	p							Total Seated	15
								Total in Attendance	12 at time of roll call, 14 by 8:06pm

ITEM #1 **CALL TO ORDER/ROLL CALL:** Meeting called to order 7:03 pm. A quorum was met with 12 out of 15 in attendance during roll call.

ITEM #2 **NON-AGENDA PUBLIC COMMENT:** Robin Kaufman commented upon the Rancho Bernardo Community Council's Safety Fair taking place on October 18. Nick Anastasopoulos commented upon the annual Rancho Bernardo Community Foundation Thanksgiving Luncheon in November. Garrett Hager, Councilman Kersey's representative, commented that anyone can reach out to him by calling the office (619)236-6655 if they have any issues. He also commented that Councilman Kersey was at the Ed Brown Center earlier in the day promoting the importance of flu shots. Finally, he informed us that enough signatures were raised on the wage increase issue for City Council to discuss and decide whether to throw out the initiative or place it on the June ballot. Roberta Mikles asked if Garrett had an update on condition of the bike lanes on Pomerado Rd. A resident seriously injured himself several months ago due to the poor conditions of the bike lane.

ITEM #3 **MODIFICATIONS TO AGENDA / ADOPT DRAFT AGENDA-VOTING ITEM:** Motion made Vicki Touchstone/Robin Kaufman to table Items 9 and 10 and present them to the full board at the October 30 special meeting. Motion passed Unanimously (12-0-0). Motion made Roberta Mikles/John Cochran to accept the modified agenda. Motion passed unanimously (12-0-0).

ITEM #4 **ADMINISTRATIVE ITEMS - VOTING ITEMS**

Review and approve September 2014 minutes: Motion made Lou Dell Angela/John Cochran to add Sherry Guthrie to Item #5 (member of PR Committee) and to also remove comments made by Robin Kaufman in item #13. Motion failed: 2-6-4. The two in favor - Lou Dell Angela, Sherry Guthrie. The six not in favor - Mike Lutz, Roberta Mikles, Joe Dirks, Robin Kaufman, Don Gragg, John Kowalski. The four who abstained - Vicki Touchstone, John Cochran, Scott Hall, Richard House. These four abstained as they were not present at the last meeting.

A new motion was then made: Motion made Don Gragg/Mike Lutz to add Sherry Guthrie in item #5. Motion passed 8-0-4. The eight in favor - Lou Dell Angela, Don Gragg, Mike Lutz, Robin Kaufman, Joe Dirks, Roberta Mikles, John Kowalski, Sherry Guthrie. Those who abstained - Vicki Touchstone, John Cochran, Scott Hall, Richard House. These four abstained as they were not present at the last meeting. Another motion was then made by Lou Dell Angela to remove Robin Kaufman's comments from #13. No second was made - motion failed. Motion made Roberta Mikles/Don Gragg to accept the minutes with corrections. Motion passed 8-0-4. The eight in favor - Lou Dell Angela, Don Gragg, Mike Lutz, Robin Kaufman, Joe Dirks, Roberta Mikles, John Kowalski, Sherry Guthrie. Those who abstained - Vicki Touchstone, John Cochran, Scott Hall, Richard House. These four abstained as they were not present at the last meeting.

Review and approve September 2014 Treasurer's report: Treasurer Joe Dirks reported the balance in our checking account has remained the same - \$357.23. Joe reported he just received two separate expenditures (parking reimbursement for attendance at a Planning Commission meeting and printing costs for hand outs at this meeting). Joe also reported each Planning Board is now being allocated \$500.00 per year for operating expenses. Any money not utilized by the end of the fiscal year must be returned.

Reimbursement for expenditures can only be submitted quarterly. Motion made **Don Gragg/Vicki Touchstone** to accept the Treasurer's report. **Motion passed unanimously – 13-0-0. Voting membership number increased as Kathy Keehan arrived 7:37 pm.**

ITEM #5 CHAIR REMARKS: John Kowalski was recognized for being selected on the Citizens Water Academy by the San Diego Water Authority. The Traffic and Transportation Committee will be reviewing a proposed speed increase on Pomerado Rd. between Escala and the freeway entrance. Robin Kaufman commented there seems to be continued issues with the City when it comes to receiving mail on traffic issues. Both emails to the board chair and USPS mail were not received last year from them when it came to the proposed Pomerado Rd. speed increases and USPS mail was not received this time. Lou commented he was informed the letter was mailed back in September. He has now requested emails and USPS mail be sent in the future. The board will review the recommendations from the committee in November. Finally, Lou requested members to obtain club contact information for each district by the next board meeting.

ITEM #6 APPOINTMENT OF BOARD VACANCIES - VOTING ITEM

Laura Benz from Bernardo Heights presented herself to fill one of the vacancies in that district. Laura attended the September board meeting. Motion made **Vicki Touchstone/John Kowalski** to accept Laura as a board member. **Motion passed unanimously, 13-0-0.**

ITEM #7 CHARGING STATIONS FOR ELECTRIC VEHICLES - VOTING ITEM

Proposal by the City of San Diego to Install Charging Stations for Electric Vehicles in the Community Park. Vicki Touchstone Introduced Jacques Chirazi, Program Manager, Cleantech Program, Economic Development Department gave a power point presentation and answered various questions regarding the project. Jacques explained there are a number of these charging stations throughout the City including at the zoo, Balboa Park and Mission Bay. There were two proposed locations at the Community Park. Jacques informed the board this project was already presented to the Recreation Council, who approved the location in one of the parking lots off of West Bernardo Drive (by field 5) earlier in the month. This is a courtesy presentation as the project is at the Community Park, which is overseen by the Recreation Council. This project is being funded by a grant, which required the charging stations to be on City property (ie: parks, libraries). This location was chosen as a pilot program. Vendors charge \$1 per hour, but may switch over to KW charges in the future. The vendor will also be responsible for addressing any sort of vandalism to the charging stations. Motion made **Vicki Touchstone/Robin Kaufman** to support the Economic Development Department's charging station proposals in Rancho Bernardo and elsewhere in the City and encourage the City to continue to implement these types of climate smart and energy smart actions throughout the City. **Motion passed unanimously, 13-0-0.**

ITEM #8 REQUEST TO INITIATE AN AMENDMENT TO THE RB COMMUNITY PLAN AND SAN DIEGO GENERAL PLAN BY AMERICARE HEALTH AND RETIREMENT: VOTING ITEM

Lou Dell Angela presented this item, explaining this is just to discuss and vote on the initiation process and is not an endorsement of this project. Lou invited Matt Petree to give background information on the property and how Americare came to purchase it. Matt reviewed handout material (see attachments) and the benefits of Silvergate in the community. Matt asked the board to approve the initiation of this project.

Vicki Touchstone, Chair of the Development Review Committee (DRC), reported the DRC reviewed the information earlier this month. There were a number of concerns brought up at that meeting, with the approval to move forward being 4-3.

A question as to how many residents the project can accommodate was asked – Matt Petree informed everyone that at this time, the proposed project is for 202 units. There was an inquiry as to cost of the dues to belong to the Bernardo Heights Community Center. Matt Petree commented there are no specific details at this time.

Lou Dell Angela commented he received two letters today – one from the Community Associated of Bernardo Heights (CABH) Stating the 29 HOA Presidents met and were all in favor of the project. The letter was sent by president Nick Anastasopoulos; a second one from one of the 29 HOAs in Bernardo Heights (Master Hills) stating that particular HOA was in favor of the project. The letter was signed by Nick Anastasopoulos.

Audience members were given an opportunity to speak:

-Alessandra Generoso, an employee of Americare, read several emails sent to Americare in support of the project (see attachments).

-Pam Rundle, Marketing Director for Americare, shared several positive comments from residents at other Americare owned facilities.

-Sandi Menderson, a small business owner who relocates seniors to senior living facilities, commented that she has successfully relocated a number of clients to other Americare facilities. All enjoy the facilities.

-Gail Cohn, resident of Rancho Bernardo, commented she looked at a number of facilities in the area to relocate her mother. She would like something like Silvergate in our community.

-George Leitner, resident member of the Development Review Committee, read an email from his wife, who is in favor of the project. He commented that the board is to advise the Planning Commission regarding moving forward with the initiation process and nothing else.

-Joyce Bruun commented she was representing her 83 year old friend who lives in Bernardo Heights and is in favor of the project.

-Nick Anastasopoulos commented on the two letters he submitted today in favor of the project – one as President of CABH, the other as President of his HOA. He discussed how membership fees are set, if new members are accepted and the process for being accepted. Ultimately, CABH board votes on such matters.

-Tony Kempton, City Community Planner, commented he is in the process of drafting a letter informing the Planning Commission

that his department is in favor of the initiation process. His letter will include the final vote from this board on the matter.

-Laura Benz, newly appointed board member and resident of Bernardo Heights commented she is in favor of the project.

-Sydney Kennedy, an elder care consultant, commented she is in favor of the project.

-Debbie Kurth, Treasurer for CABH and President of her HOA submitted letters of support. Debbie also commented her background is with senior living facilities.

-Susan Strachan commented her father lives in the San Marcos Silvergate facility and enjoys it.

-Irene Carlson, Bernardo Heights resident, wants to make sure the sewer issues is addressed prior to the project being built to assure they do not contribute to the problem.

-Vicki Touchstone, board member, disclosed she attended the Bernardo Heights President's meeting the previous night as she is the President of her HOA. She disclosed she did not make comments at the meeting. She commented she had concerns with the letter submitted to the board from CABH as some of the information of what occurred at the meeting is inaccurate - no vote was taken and not all people at the President's meeting were in favor. Vicki (chair of the DRC) went on to say the DRC voted 4-3 on the initiation process.

-Motion made **Vicki Touchstone/Lou Dell Angela** to begin the initiation process. See full wording of motion at end of these minutes.

-Joe Dirks commented the motion that was made to send a letter for initiation included the untrue statement that said the potential for the property use has been eliminated for a school or a public park.

-Robin Kaufman disclosed she, as well as DRC resident member George Leitner, were at the President's meeting the previous evening. Robin stated she refrained from any comments, but that George Leitner made numerous comments in favor of the project, encouraging others to support it. A petition in favor of the project was distributed at the President's meeting - DRC member George Leitner was one of the individuals who signed the petition.

-**Motion passed 11-2-1.** In favor - Vicki Touchstone, Mike Lutz, Sherry Guntrie, Kathy Keehan, Bernardo Bicas, John Cochran, Scott Hall, Roberta Mikles, Lou Dell Angela, John Kowalski, Don Gragg. Not in favor - Joe Dirks, Richard House. Abstained - Robin Kaufman. Lou asked Robin to 'jump into the pool with the rest of the group'. Robin explained she is abstaining as she was contacted to meet with an individual who may have financial gains from the project. The individual wanted to persuade her to change her mind on the matter. While she politely declined the offer, she felt she needed to abstain to assure everyone she had not done anything inappropriate.

ITEM #9 PROPOSED 9TH UPDATE TO THE CITY OF SD CODE

Item tabled to be addressed at the October 30 special meeting (refer to Item #3).

ITEM #10 COUNCIL POLICY 600-24 LETTER

Item tabled to be addressed at the October 30 special meeting (refer to Item #3).

ITEM #11 RBCPB SPECIAL MEETING- INFORMATION ITEM

Lou Dell Angela commented there would be a special Planning Board meeting scheduled for Thursday, October 30th from 7:00 to 9:00 p.m. to consider and discuss the final draft of our amended bylaws proposal being recommended by the Bylaws Ad-Hoc Committee. Robin Kaufman inquired as to when members would receive a copy of the draft for review. Lou commented the committee was meeting again next Tuesday and a draft copy would be mailed out by the end of the week.

ITEM #12 COMMITTEE REPORTS (see attached draft of minutes)

Bylaws Ad-Hoc: Lou Dell Angela reported they will meet on Tuesday to finish up matters.

Development Review: Vicki Touchstone reported draft minutes from the Oct. meeting were sent out.

Publicity/Elections/Nominating: Matt Stockton, not present. No report.

Regional Issues: Vicki Touchstone reported there was no quorum, but hope to meet prior to the Oct. 30 special meeting.

Traffic & Transportation: Robin Kaufman reported they would meet this month to discuss the proposed speed changes.

Web Site Ad-Hoc: John Cochran reported he has obtained all the files from George Cooke. We will need to register a domain and then make changes and set up a site. Mike shared contact information of a website designer with Scott Hall. Sherry Guthrie will join John and Scott on the adhoc committee.

ITEM #13 LIAISON REPORTS (see attached meeting report(s))

Industrial Representative..... Not filled

Commercial Representative..... Not filled

Development Re Representative.....Not filled

Community Council: Robin Kaufman reported again on the Safety Fair this coming Saturday.

Community Planners Committee (CPC): John Cochran commented they discussed the funds each group will receive and the charging station.

SANDAG..... Not Filled

ITEM #14 OLD BUSINESS: none.

ITEM #15

NEW BUSINESS: Roberta Mikles addressed concerns regarding possible conflicts of George Leitner being on the DRC and his comments of promoting the Silvergate project at non-planning board meetings which focus on the project. Roberta asked Tony Kempton, City Community Planner, for clarification. Tony commented George cannot say he is representing the board when he discusses the project. If he's influencing people then there may be a concern. Robin Kaufman asked for clarification on being contacted by anyone who can financially benefit from the project and how to address the issue. Tony also informed us that any discussions by members of this ongoing project should only be done at public opened meetings.

John Cochran disagreed commenting we can talk or meet with people associated with the project to gather more information. Tony reiterated that any discussions by members on any ongoing voting item should only be held at open public meetings. Lou Dell Angela suggested Robin send Tony an email with her exact concern so we can have something in writing from Tony on the matter.

ADJOURNMENT: Meeting adjourned 9:48 pm.

Respectfully submitted by Robin Kaufman, Secretary.

NEXT REGULAR BOARD MEETING:

Thursday November 20th, 2014 @ 7:00 PM
RB Swim & Tennis Club – Club 21 Room

STANDING SUB-COMMITTEE MEETINGS**Administrative Committee**

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

Development Review Committee

6:00 PM - First Tuesday of month
RB Swim & Tennis Club – Ceramics Room

Traffic & Transportation Committee

5:00 PM – 4th Monday of month
RB Swim & Tennis Club – Ceramics Room

Web Site (Ad-Hoc) Committee

...location & time TBD

Publicity/Election Committee

7:30 PM - 4th Tuesday of month
RB Swim & Tennis Club – Ceramics Room

Regional Issues Committee

7:00 PM - First Tuesday of month
RB Swim & Tennis Club – Ceramics Room

By laws (Ad-Hoc) Committee

...location & time TBD

MOTION TO ITEM #8:

The Development Review Committee approved a motion by a vote of 4 to 3 to recommend that the Planning Board recommend to the Planning Commission the initiation of an amendment to the Rancho Bernardo Community Plan and San Diego General Plan, provide our thoughts regarding the three initiation criteria, and present issues that should be addressed by City staff as part of their analysis of the project application.

Based on that motion, I recommend that the Planning Board prepare a letter to the Planning Commission that indicates the Planning Board's recommendation that the Planning Commission initiate an amendment to the Rancho Bernardo Community Plan and San Diego General Plan to redesignate the 10.88-acre site in Bernardo Heights from a school site designation to low density residential development (1 to 9 dwelling units per net residential acre, as described in the Community Plan), consistent with the existing underlying zone of RS-1-14. Initiation of the plan amendment process will enable the applicant to begin processing their development applications, as well as provide the community with the opportunity to evaluate the potential effects (both beneficial and adverse) of the project on the residential neighborhood of Bernardo Heights and the Rancho Bernardo Community as a whole. Our support for the initiation of the plan amendment process in no way signifies support for the associated development proposal, as adequate information is not currently available to make an informed decision on a specific development proposal for this site.

The letter would also provide the Planning Commission with the Board's thoughts regarding the three initiation criteria outlined in the City plan amendment manual, as follows:

- The amendment request appears to be consistent with the goals and policies of the General Plan and community plan and any community plan specific amendment criteria.

Despite the current deficiency of community park land in the Rancho Bernardo Community per General Plan standards and the initial interest by the City to acquire the 10.88 acres for a park, adequate funding was not available to purchase this site. If the site cannot be used for the uses envisioned in the Community Plan, a low density residential designation (1-9 du/net residential acre) would be considered compatible with the surrounding neighborhood.

There is no "retirement facilities housing" use designation within the Community Plan, only a discussion of the current retirement facilities located within the community (page 19). Therefore, we do not support creating a new designation as suggested by the applicant. The proposed use is permitted with a CUP under the existing zoning. Note that Casa de las Campañas is located on land designated for residential use and the Remington Club is located on land designated as commercial – town center.

The Community Plan does state that "Retirement housing projects should be compatible with the existing neighborhood and should be evaluated as to height, bulk, scale, setback, open space, landscaping, parking and architectural quality. Projects that are not compatible and contain structures that overwhelm other buildings, open spaces and natural landforms, block views and/or disrupt the community's character should not be permitted (page 19). Without additional analysis and consideration of the specific development proposal, it is not possible at this time to determine if a retirement development on this site would be consistent with the goals and policies of the Community Plan.

The Rancho Bernardo Community Plan lacks the discussion of amendment criteria that is provided in other community plans because the Rancho Bernardo Community Plan has not been updated since 1988. Since the last update, three site specific amendments to the Community Plan have been processed. In addition, the uses permitted in several underlying zones, including our commercial and industrial zones, have been broadened through city-wide changes to the land development code. It is time for a comprehensive analysis of the changing conditions within and surrounding the community. We encourage the Planning Commission to address the need for a comprehensive community plan update either through this action or a separate action initiated by the City.

- The proposed amendment provides additional public benefit to the community as compared to the existing land use designation, density/intensity range, plan policy or site design.

The site is currently designated as an elementary school site, with language stating that the alternative use should be a public park. Either of these uses would provide a public benefit to the community. The potential for a school use to be developed on the site has been eliminated. However, a public park use, which could serve both the general public and tenants of the assisted living units could be incorporated in a revised final site design. A retirement facility within the community could also represent a benefit to those seniors wishing to live in Rancho Bernardo, but additional analysis is required to ensure that these benefits can be provided without adversely affecting the existing neighborhood.

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

In 2012 and 2013, the Rancho Bernardo Community Planning Board participated in the citywide Capital Improvement Project Needs Assessment process that was facilitated by the Community Planners Committee. Public facility needs were also considered in 2013, when the Rancho Bernardo Public Facilities Financing Plan was updated. As a result of these actions, the Planning Board identified a number of public facilities inadequacies including a deficiency in community park land based on general plan standards, the need for an additional fire station based on published reports regarding service areas and response times, and the need to construct various transportation projects identified in the community plan. A detailed analysis of the current public facilities deficiencies within the community will need to be addressed during the amendment process.

The letter would also request that the Planning Commission direct City staff to ensure that the following issues are evaluated during the amendment process:

- Evaluation of the cumulative effects of the increase in density on existing park deficiencies, emergency response times at Fire Station 33, roadways and intersection capacity, and sewer capacity (including continued analysis of current sewer odors in the vicinity of the project site).
- Ensure that development on the project site will be compatible with the residential nature of area. Evaluate how increased truck traffic, delivery access, noise from emergency vehicles, parking for employees, visitors, and residents could affect adjacent residents.

- Ensure that the design of the future development including the bulk, scale, density, landscaping, onsite lighting, siting of parking and other public areas does not alter the existing community character, and that the existing character of Avenida Venusto is retained (no on street parking).



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

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 CPA Initiation

Project Title

Project No. For City Use Only

Silvergate Rancho Bernardo

Project Address:

16061 Avenida Venusto, San Diego, CA 92128

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, 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) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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.

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

N/A

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title:
Silvergate Rancho Bernardo

Project No. (For City Use Only)

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☒ Corporation ☐ Limited Liability -or- ☐ General What State? _____ Corporate Identification No. _____
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, 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 names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. 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. Additional pages attached ☐ Yes ☒ No

Corporate/Partnership Name (type or print):
AmeriCare Health & Retirement, Inc.

☒ Owner ☐ Tenant/Lessee

Street Address:
140 Lomas Santa Fe Dr., Suite 103

City/State/Zip:
Solana Beach, CA 92075

Phone No: (858) 792-0696 x 104 Fax No: (858) 792-7190

Name of Corporate Officer/Partner (type or print):
David G. Petres

Title (type or print):
President/CEO

Signature:  Date: 9/23/14

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

1/6
RECORDED AT THE REQUEST OF
CHICAGO TITLE COMPANY
SUBDIVISION DEPT.

FLP
250
MK

2013-0730701
DEC 20, 2013 8:00 AM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
Ernest J. Dronenburg, Jr., COUNTY RECORDER
FEES: 18.00
OC: OC TAX: N.D.

RECORDING REQUESTED BY:

AmeriCare Health & Retirement, Inc.

PAGES: 2

WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO:
140 Lomas Santa Fe Drive, Suite 103
Solana Beach, CA 92075-1252

18319-450

GRANT DEED

TITLE ORDER NO.: 00018319-004-RM1

ESCROW NO.: 18319-RM1

APN NO.: 274-840-06

THIS TRANSACTION IS EXEMPT FROM CALIFORNIA DOCUMENTARY TRANSFER TAX
PURSUANT TO SECTION 11922 OF THE CALIFORNIA REVENUE AND TAXATION CODE.
THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION 1603 OF
THE CALIFORNIA GOVERNMENT CODE

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Poway Unified School District, a public school district organized and operating under California law

hereby GRANT(s) to:

AmeriCare Health & Retirement, Inc.

the following described real property in the County of San Diego, State of California:

Lot 5 of Bernardo Heights Unit No. 4, in the City of San Diego, County of San Diego,
State of California, according to map thereof No. 9606 as filed in the Office of the
County Recorder of San Diego County, April 4, 1980 APN.: 274-840-06-00

SELLER

POWAY UNIFIED SCHOOL DISTRICT OF SAN DIEGO COUNTY,
CALIFORNIA

By: Malliga Tholandi

Dated: 12/18/2013

Name: Malliga Tholandi

Title: Associate Superintendent of Business Support Services

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of San Diego

On 12/18/2013 before me, Naomi Lynn Sweet, A Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Malliga Tholandi
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Naomi Lynn Sweet
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Grant Deed Title Order No. 00018319-004-RM1

Document Date: 12/18/2013 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Malliga Tholandi

- ☐ Corporate Officer — Title(s): _____
- ☐ Individual
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
- ☐ Individual
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here