

DATE ISSUED: August 25, 2005 **REPORT NO.** PC-03-247

ATTENTION: Planning Commission, Agenda of September 1, 2005

SUBJECT: **TERRAZZO BOUGAINVILLEA - PROJECT NO. 6023. PROCESS 4**

**OWNER/
APPLICANT:** John Dunn and Marvin Gerst, Owners/
Johnson Communities of Southern California, a Colorado Limited
Liability Company, Applicant (Attachment 15)

SUMMARY

Issue - Should the Planning Commission approve the Terrazzo Bougainvillea project?

Staff Recommendation -

1. State for the record that the information contained in the Project No. 6023/LDR File No. 42-1235 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and the Findings to Master Environmental Impact Report MEIR No. 95-0353 reflects the independent judgment of the City of San Diego as Lead Agency; and Adopt the Mitigation Monitoring and Reporting Program; and
2. Approve Vesting Tentative Map No. 9985, Planned Development Permit No. 9987, Site Development Permit No. 9988, Neighborhood Use Permit No. 142879, Coastal Development Permit No. 220430 and a MHPA Boundary Line Adjustment No. 230079.

Community Planning Group Recommendation - The Del Mar Mesa Community Planning Board, on November 18, 2004, voted 10:0:1 to recommend approval of the project, with conditions. See the Discussion section for a full explanation.

Environmental Review - Findings to Master Environmental Impact Report MEIR

No. 95-0353 have been prepared for the project in accordance with State CEQA Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level below significance, any potential impacts identified by the environmental review process which were not addressed by the MEIR.

Fiscal Impact - All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The proposed project would provide lots for 21 market-rate housing units. The Del Mar Mesa Specific Plan permits density of up to one dwelling unit per gross acre, which would allow up to 32 dwelling units on this site. However, the maximum number of dwelling units cannot be achieved without deviating from the development standards of the Specific Plan because a large portion of the site is designated as open space.

The North City Future Urbanizing Area (NCFUA) Framework Plan and the Del Mar Mesa Specific Plan require new development provide housing to accommodate the needs of low income households, as certified by the San Diego Housing Authority. The applicant has chosen the option of paying an in-lieu fee to the Housing Authority to meet their affordable housing requirement rather than provide dwelling units. The Del Mar Mesa Specific Plan allows an in-lieu fee option in the amount of money equivalent to the cost of achieving affordability levels established for housing programs within the NCFUA.

Water Quality Statement - The project is classified as a priority project as defined by the City Storm Water Standards. The project is required to comply with the State Water Resources Control Board Order No.92-08-DWQ (NPDES General Permit No. CAS0000002). The post development Best Management Practices (BMPs) incorporated into the project consist of site design, source control and treatment.

BACKGROUND

The Terrazzo Bougainvillea project is located along and at the northern terminus of Toyon Mesa Court and along the north side of Rancho Toyon Place in the Del Mar Mesa Precise Plan area (Attachment 1), formerly known as Subarea V, of the North City Future Urbanizing Area. The site is located in the AR-1-2 zone of the Del Mar Mesa Community Plan area (Attachment 2) at the intersection of Toyon Mesa Court and Rancho Toyon Place (Attachment 3). The site is currently undeveloped yet contains public right-of-way for both Toyon Mesa Court and Rancho Toyon Place; an easement recorded in 1966 for road purposes; and a forty foot road dedicated in 1896 as Road Survey 65. The northern section of the property, approximately one third of the site, is located in the Coastal Zone within City Coastal jurisdiction. Approximately one half of

the site is within the Multiple Habitat Planning Area (MHPA) open space and overlooks portions of Deer and McGonigle Canyons. Along the southerly boundary is City-owned open space south of Rancho Toyon Place.

Currently the site is undeveloped yet disturbance has occurred in minor areas. No previous development approvals exist at the project site.

The Terrazzo Bougainvillea project requires the approval of a Street Vacation, Vesting Tentative Map, Planned Development Permit, Site Development Permit, Neighborhood Use Permit, Coastal Development Permit and MHPA Boundary Line Adjustment in accordance with Municipal Code §125.0430, §126.0604, §126.0504, §126.0205, §126.0701 and pursuant to California Government Code section 66434(g). The applicant is proposing to subdivide five contiguous vacant parcels. Existing properties surrounding the project site have been developed with or are designated for Estate Residential and Open Space. The Del Mar Mesa Precise Plan designates these sites for estate residential development and open space.

DISCUSSION

Project Description

The project proposes to subdivide 32.77 acres within Del Mar Mesa into a total of 26 individual lots. Twenty-one single-family residential lots, Lots 1 through 21, two Homeowners' Association lots, Lots A and B, and three open space lots, Lots C, D, and E (Attachment 4). The development also would include a private driveway within Lot B. The project site is currently comprised of five separate legal parcels.

Individual development of each new lot would be according to the standards of the Specific Plan, the discretionary permit, tentative map and the proposed Terrazzo Bougainvillea Design Guidelines (Guidelines). It is anticipated that individual lots would be developed with custom single family structures. The Guidelines address the architectural theme, building scale and massing, building envelopes and setbacks, materials, fencing and wall heights, surface drainage, architectural accents, trash containers, mechanical equipment, accessory structures, lighting, color and material palettes, landscaping, recreational facilities, quest quarters and implementation (Attachment 5). Prior to any applications for building permits may be submitted a required Substantial Conformance Review (SCR), Process Two, must be submitted and approved. The purpose of the SCR is not to make or allow minor modifications to the project, yet is instead to confirm the proposed site development of each lot is consistent with the terms and conditions of the permits, Specific Plan and Guidelines.

The site area totals 32.5 gross acres. Of this area, 16.9 acres would be graded for the proposed development while 13.57 acres would be preserved. The remaining 2.03 acres would include the necessary area for brush management and the protection of structures from wild fires through fuel modification. Of the 16.9 acres to be graded, the Tentative Map indicates the excavation and

embankment would be approximately 70,000 cubic yards each to achieve a balanced earthwork operation with no export or import of material (Attachment 6). The maximum height of embankment slopes would be thirty feet, while the height of excavation slopes would be fourteen feet. All slopes would be constructed at a 2:1 slope ratio with one exception. A embankment slope on Lot 21 would be created at a slope ratio of 4:1 to minimize the height of adjacent retaining walls. Retaining walls used in the design vary in height from zero to seven feet high. The maximum height of any wall would be seven feet. The cumulative length of all walls would be approximately 350 feet. All retaining walls would be of a type able to be planted for screening. All residential structures would be equipped with residential fire sprinkler systems.

The Landscape Development Plan indicates three major categories of focus; Streetscape plantings; Slope Erosion Control and Brush Management (Attachment 7). The Streetscape along Street "A" would be composed of native California tree species; *Cercis occidentalis*, *Platanus racemosa*, *Prunus lyonii* and *Quercus* species, while the streetscape of Rancho Toyon Place and Toyon Mesa Court would be composed of native California and ornamental species from other regions. These species of trees are known to thrive in the region. Understory species would include flowering accent and evergreen shrubs. In areas where both brush management and slope erosion control require a necessary functional response plant materials have been chosen based on their drought tolerance, ability to control erosion, stabilize graded slopes and fire resistance (Attachment 8). Though in areas where fire management is not a concern on proposed slopes, the same plant materials have been chosen for design continuity. All pads created by grading the site would be hydroseeded with a native California seed mix capable of preventing the erosion of soils.

Community Plan Analysis

The Terrazzo Bougainvillea project site is located within Subarea V, the portion of the North City Future Urbanizing Area subject to the land use policies and regulations of the Del Mar Mesa Specific Plan. Subarea V remains part of the future urbanizing area and the allowable development density within the subarea is subject to the provisions of either the AR-1-1 or AR-1-2 agricultural zones. The Del Mar Mesa Specific Plan (Plan) was adopted in 1997 to guide development of Subarea V with the overall goal that development be clustered to preserve the MSCP core resource area within the eastern portion of the community. The Plan also contains community design guidelines and regulations to implement large-lot developments with a semi-rural character. The Plan's Community Design Guidelines are intended to maintain Del Mar Mesa's rural character and include standards for grading, landscaping, fencing, lighting, and lot size, in addition to the development standards of the agricultural zones.

The Plan designates the area within the proposed vesting tentative map for Estate Residential development and Resource-based Open Space (Attachment 1). For parcels designated Estate Residential within the AR-1-2 zone, the Plan establishes the residential density as that permitted by the zone. For the Terrazzo Bougainvillea project, the density allowed by the zone is one dwelling unit per gross acre. The 32.5 acre site could accommodate 32 residential units if developed at the maximum permitted density. The twenty-one units proposed by the project, less

than the maximum density allowed, is supported by City staff in part due to the fact that approximately one-half of the site is designated for conservation as open space within the MHPA. The proposed twenty-one unit subdivision clusters the development to preserve areas designated as open space. In this way the project is consistent with the primary land use objective of the Plan.

The Plan's grading objectives recommend development be sited on the flatter areas of sites to preserve steep slopes and canyons. Generally, large quantities and large areas of grading are to be avoided and special care taken when sites develop to preserve landforms adjacent to open space. Where grading is necessary at the edges of the open space, daylight grading, excavations without manufactured slopes, is preferred. Split pads are encouraged to accommodate outdoor activity. The Plan also recommends new slopes be contoured to blend with natural landforms.

The Plan designates the two ridges on either side of this property for residential development. The canyon in the middle of the site is designated as MHPA open space. Daylight grading adjacent to designated open space is not practical without a significant amount of export from the site. The grading plan proposes to balance the excavation and embankment to achieve the twenty-one development pads. A limited quantity of embankment slopes are proposed adjacent to the open space. These fill slopes range in height from fourteen to thirty feet and would not be visible from public areas within the community. The grading design proposed would be contoured to mimic and replicate the natural landform. The slopes would also be landscaped with native plant species to blend the manufactured and native slopes. Staff has coordinated efforts with the applicant on the proposed design to reduce the height and visibility of proposed fill slopes at the open space boundary by incorporating vertical separation between each lot. The overall grading design proposed utilizes a contoured, landform grading approach that would complement the natural topographic character of the site and meet the grading objectives of the Plan. Except on three lots, all retaining walls have been limited to slopes between side yards and would not be visible from other public areas.

On three lots, retaining walls are located adjacent to the open space and have been designed in a sensitive manner. A retaining wall system is proposed adjacent to open space on lots 16 and 17 and another wall system is proposed on lot 21. While visible immediately after their construction, these walls would not be visible after the enhanced landscaping matures obscuring the view of the walls. Retaining walls proposed on lots 16 and 17 are supported by City staff to create pads of sufficient depth to accommodate a 35 foot brush management setback and allow a structure size on the property similar to other homes in this community. The depth of the buildable pad on these lots varies from 50 to 80 feet. One seven foot high wall is proposed on lot 16 and two walls, six and seven feet high, are proposed at the top of the embankment slope on lot 17. The walls on Lot 17 would be offset five feet horizontally from each other allowing for the planting of landscape materials to screen and reduce their visibility. These walls, at the head of the canyon, would not be visible from trails and other public areas within the community.

The second retaining wall system is proposed on Lot 21. This system includes four low walls separated by eight foot wide level landscape areas. The wall heights would be a maximum of

three and four feet. A low aspect slope with a slope ratio of 4:1 at the rear of Lot 21 has been incorporated into the design to minimize the height of these four walls. Until the extensive landscaping proposed in front and between the walls matures these walls would be visible from public vantage points on Toyon Mesa Court and from elsewhere within the community. After the landscaping matures the walls would not be visible.

The project includes a variety of features consistent with the goals of the Community Design Guidelines and other requirements of the Plan. These features include: A proposed trail along existing Rancho Toyon Place not required by the Specific Plan; lots oriented to existing public streets or with shared driveway access to minimize the need for new streets and reduce curb cuts in the street; native plant species with differing growth patterns proposed on interior slopes and slopes adjacent to open space to soften the appearance of the development and blend it with the natural environment; maximizing the residential density to the greatest extent feasible while protecting the resources located in the MHPA; and a grading design which terraces the lots from the high point of the site towards the lower elevations reflective of the natural topography. In consideration of these features, staff has determined the proposed project is consistent with the land use and community design objectives of the Del Mar Mesa Specific Plan.

Environmental Analysis

In 1995, the San Diego City Council directed the City Manager to assume the lead in the preparation of the Del Mar Mesa Specific Plan (Plan) and accompanying Del Mar Mesa Master Environmental Impact Report (MEIR; LDR No. 95-0535). The Plan was prepared by the City of San Diego Community and Economic Development Department in cooperation with private consultants, residents, concerned citizens, public agencies and other interest groups. The MEIR was finalized on June 6, 1996. On July 30, 1996, the San Diego City Council adopted the Plan and certified the MEIR.

The adopted Plan guides land use and development on approximately 2,042 acres of land in the Del Mar Mesa (Subarea V) by providing land use designations, establishing development regulations, allocating density, providing for community facilities, establishing a circulation system and defining the boundaries of an open space system. The Plan provides for development of 685 dwelling units, a golf course and a 300-room hotel. The MEIR analyzed the impacts that would potentially result from the development described in the Plan.

As part of the overall Plan, the proposed Terrazzo Bougainvillea property was designated for estate residential use. Potential impacts associated with the implementation of the Plan were examined under the MEIR. The Terrazzo Bougainvillea project would include mitigation in the following subject areas to address the potential for impacts to these resources:

Biological Resources
Hydrology/Water Quality
Landform Alteration
Paleontological Resources
Public Facilities and Services

Public Safety
Transportation/Circulation

Impacts to sensitive resources beyond those identified by the MEIR would not occur if the project is implemented as proposed and additional mitigation is not required.

Multiple Habitat Planning Area Boundary Line Adjustment

Of the 32.50 acre site 15.33 acres, or 47% of the site, are located within the City's Multiple Habitat Planning Area (MHPA). Under the City's Multiple Species Conservation Program (MSCP) and Environmentally Sensitive Lands Ordinance, the project would be limited to developing the 17.44 acres currently located outside the MHPA, unless a MHPA boundary line adjustment were approved as part of the project. The applicant has requested a minor MHPA boundary line adjustment in accordance with Section 1.1.1 of the City's MSCP Subarea Plan (March 1997) and Section 5.4.2 of the Final Regional MSCP Plan (August 1998). All MHPA boundary line adjustments require approval from both the U. S. Fish and Wildlife Service and the State Department of Fish and Game.

The proposed project includes an MHPA boundary line adjustment to remove 0.77 acres, consisting of 0.74 acres of southern-mixed chaparral [SMC] and 0.03 acres of scrub oak chaparral [SOC], from the MHPA and add 0.82 acres back to the MHPA. The added area would consist of 0.47 acres on-site, 0.37 acres of SMC, 0.05 coastal sage scrub [CSS] and 0.05 acres of disturbed, and 0.35 acres off-site [SOC] in the same community. The final proposal would exclude adding any potential brush management zone 2 areas to the MHPA. The offsite portion of the MHPA adjustment would be achieved at a 4:1 ratio at the 5-acre Del Mar Mesa conserved parcel (APN# 308-020 10). A 4:1 ratio is required for this site as it is located entirely with the MHPA.

The proposed boundary line adjustment would result in the preservation of MHPA lands with a higher ecological value; a greater connectivity with existing MHPA lands; and would meet the six functional equivalency criteria required for all MHPA adjustments. For additional information regarding the criteria use in this determination see Section 5.4.2 of the Regional MSCP Plan. The wildlife agencies approved the proposed MHPA adjustment in December 2004.

Del Mar Mesa Community Planning Board Recommendation

The Del Mar Mesa Community Planning Board (Board) voted twice on the proposed project. At the June 10, 2004 meeting the Board voted 7:0:2 and on November 18, 2004 voted 10:0:1 to recommend approval of the project, each time with conditions. The motion from each meeting included five different conditions (Attachment 9).

The June 10, 2004 motion to approve included the following conditions:

1. Terrazzo Bougainvillea is a 21 unit single family residential development on 32.5 acres with over 14 acres of land dedicated in fee to the City as permanent open space. The improvements will include a 5 foot wide DG (decomposed granite) path and landscaping on the east side of Toyon Mesa Court.
2. Approve the development as presented.
3. Approval by Board is conditioned on City adopting findings that the project is in compliance with the required environmental regulations, and in conformance with the Specific Plan.
4. Approval by Board is conditioned on development conforming to current wall and fence guidelines as detailed in the Specific Plan and the December 2002 Board actions.
5. If feasible, the Board recommend amending the plan to move Private Driveway "A" to the east so it is located equally on the Johnson properties and the adjacent Nank property.

Staff's response to each suggested condition from the June 10, 2004 motion is as follows:

1. Terrazzo Bougainvillea is a 21 unit single family residential development on 32.5 acres with over 14 acres of land dedicated in fee to the City as permanent open space. The improvements will include a 5 foot wide DG (decomposed granite) path and landscaping on the east side of Toyon Mesa Court.

Toyon Mesa Court is an existing public road developed within a 48 foot right-of-way. The road is 26 feet from curb to curb with a 5 foot asphaltic cement sidewalk on the west side within a 10 foot curb to property line distance. The curb to property line distance on the east side is 12 feet. In keeping with the rural character designated for the community by the Specific Plan maintaining a single sidewalk on one side of the road is preferred rather than a walkway along each side of the road. City staff have not conditioned the applicant to add 5 feet of decomposed granite surface on the east side of the road.

2. Approve the development as presented.
3. Approval by Board is conditioned on City adopting findings that the project is in compliance with the required environmental regulations, and in conformance with the Specific Plan.
4. Approval by Board is conditioned on Development conforming to current wall and fence guidelines as detailed in the Specific Plan and the December 2002 Board actions.

City staff have determined the proposed project is consistent with all relevant regulations in effect for the site and consistent with all relevant adopted City Council policies. Staff agrees with the Board and is recommending approval of the project.

5. If feasible, the Board recommend amending the plan to move Private Driveway "A" to the east so it is located equally on the Johnson properties and the adjacent Nank property.

The applicant has revised their proposed design to site the private driveway equally between the

two properties referenced by the Board. No condition is required.

The November 18, 2004 motion to approve included the following conditions:

1. The lower three walls on Lot 21 shall be no greater than six feet high from finished grade.
2. The top wall (on Lot 21) shall be no greater than three feet high from finished grade.
3. There shall be eight feet of horizontal separation between each wall (on Lot 21).
4. The walls (on Lot 21) shall be landscaped to screen them from view from the properties to the west and northwest. The plan shall be acceptable to, and approved by, the owner of Mesa Verde Estates Lot 44, Lisa Ross.
5. The landscaping shall be maintained in perpetuity by the owner of Lot 21 to screen the walls (on Lot 21) from view. (Parenthetical information added for clarity of meaning)

Staff's response to each suggested condition from the November 18, 2004 motion is as follows:

1. The lower three walls on Lot 21 shall be no greater than six feet high from finished grade.

The plans indicate the three lowest walls on Lot 21 vary from a height at grade level to a maximum height of six feet above grade. With only one exception, these three walls are a maximum of four feet above finish grade. In one location at one end of one wall the height is six feet. No further action is recommended.

2. The top wall (on Lot 21) shall be no greater than three feet high from finished grade.

The plans indicate the top wall on Lot 21 is a maximum of three feet above finish grade. No further action is recommended.

3. There shall be eight feet of horizontal separation between each wall (on Lot 21).

The plans indicate all walls on Lot 21 are separated horizontally by eight feet. No further action is recommended.

4. The walls (on Lot 21) shall be landscaped to screen them from view from the properties to the west and northwest. The plan shall be acceptable to, and approved by, the owner of Mesa Verde Estates Lot 44, Lisa Ross.

The Landscape Development Plan prepared by Howard Associates, Landscape Architects, indicates the proposed retaining walls themselves will be planted and will have a significant amount of plant materials capable of screening the walls planted in front of the walls. All plants in this location are native California species. City staff has determined adding a condition to address this concern is not necessary. Making approval of the plant list by an adjacent property owner is not recommended. All plant species indicated to screen these walls are regionally appropriate. Given the proper installation and care these species will thrive in this location and provide the desired screening effect. No further action is recommended.

5. The landscaping shall be maintained in perpetuity by the owner of Lot 21 to screen the walls (on Lot 21) from view.

All landscaping indicated on the approved plans would be required to be maintained in perpetuity by the applicant and subsequent property owners. Staff has included a condition to address this concern, see condition number 23. No further action is recommended.

Critical Project Features to Consider During Substantial Conformance Review

A Multiple Habitat Preservation Area Boundary Line Adjustment is proposed with the other actions for the decision maker. The limits of grading as defined by the Tentative Map are very important for the maintenance of the Multiple Habitat Preservation Area. No encroachments into the newly adjusted MHPA would be allowed through any Substantial Conformance Review (SCR).

The project proposes to allow Brush Management Zone Two on City-owned Open Space in a small 6,399 square foot area. Park & Recreation Department Open Space Division has agreed to allow the zone two thinning of existing woody shrubs, removal of dead and downed wood, and removal of trash and debris. The area should be closely monitored and no additional work performed on the City property.

The height and location of the proposed retaining walls has been a significant issue for both the City staff as well as the community planning group. The engineer has designed the walls to be the lowest height possible. The walls are also to utilize a system which may be planted to provide an attractive screening. The heights of the walls should not be allowed to increase through a SCR review.

Design Guidelines have been prepared for the project to guide the specific development on each lot. An SCR is required before an application may be filed for a building permit on each lot in the subdivision to assure the standards of the Plan, permit conditions, and Design Guidelines are met by the proposed lot development. These standards should not be altered or reduced.

CONCLUSION

The proposed Terrazzo Bougainvillea project conforms to the land use density, land use designation and community design guidelines specified by the Del Mar Mesa Specific Plan (Plan). The project would provide the required rural character and design features established in the Plan for estate residential development. The project as proposed is compatible with the existing surrounding developments. Findings required to approve the project are included in draft resolutions (Attachments 10 and 11). Draft conditions of approval have been prepared for the project (Attachments 10 and 12).

ALTERNATIVES

1. Approve Vesting Tentative Map No. 9985, Planned Development Permit No. 9987, Site Development Permit No. 9988, Neighborhood Use Permit No. 142879, Coastal Development Permit No. 220430 and a MHPA Boundary Line Adjustment, with modifications.
2. Deny Vesting Tentative Map No. 9985, Planned Development Permit No. 9987, Site Development Permit No. 9988, Neighborhood Use Permit No. 142879, Coastal Development Permit No. 220430 and a MHPA Boundary Line Adjustment, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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Development Services Department

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HALBERT/JSF

Attachments:

1. Del Mar Mesa Specific Plan Land Use Map
2. Aerial Photograph
3. Project Vicinity Map
4. Terrazzo Bougainvillea Vesting Tentative Map, Sheet 1 of 10
5. Terrazzo Bougainvillea Design Guidelines (under separate cover)
6. Grading Design, Sheet 2 of 10
7. Landscape Development Plan, Sheet 8 of 10
8. Landscape Development Plan Brush Management Program, Sheet 9 of 10
9. Community Planning Group Recommendation
10. Draft Map Conditions and Subdivision Resolution
11. Draft Permit Resolution with Findings
12. Draft Permit with Conditions
13. Project Plans, Sheets 3-7 and 10
14. Project Data Sheet
15. Ownership Disclosure Statement
16. Project Chronology