

DATE ISSUED: February 17, 2005

REPORT NO. PC-05-052

ATTENTION: Planning Commission, Agenda of February 24, 2005

SUBJECT: PENASQUITOS WEST - PROJECT NO. 2266
PROCESS NUMBER 5

**OWNER/
APPLICANT:** Pardee Homes (Attachment 12)

SUMMARY

Issue(s):

Should the Planning Commission **RECOMMEND** to the City Council **APPROVAL** of a Rezone, Vesting Tentative Map, Planned Residential Development Permit and a Resource Protection Ordinance Permit to subdivide 30.1 acres into 108 single-family lots, one lot for 21-affordable multi-family units and 8 open space lots? The site is located east of Camino del Sur and west of Calderon Way in the Torrey Highlands (Subarea IV) Plan Area of the North City Future Urbanizing Area (NCFUA).

Staff Recommendation:

1. **RECOMMEND CERTIFICATION** by the City Council of Mitigated Negative Declaration (MND) No. 2266 and **ADOPTION** of the Mitigation Monitoring and Reporting Program (MMRP); and
2. **RECOMMEND APPROVAL** by the City Council of the following actions:

Rezone (No. 8167) the site from A1-10 to R1-5000 (RS-1-14) and R2000 (RM-1-4) (Attachment 11);

Vesting Tentative Map (No. 8165) to subdivide the 30.1-acre parcel into 108 single family lots, one multi-family lot and 8 open space lots (Attachments 6 and 8);

Planned Residential Development Permit (No. 89234) and Resource Protection Ordinance Permit No. (8166) to develop the site with 108 single-family units and 21-affordable multi-family units (Attachments 9 and 10).

Community Planning Group Recommendation: There is no City Council recognized Community Planning Group for Torrey Highlands. As a courtesy, the adjacent Rancho Rancho Peñasquitos Community Planning Board voted 12:0:1 on January 5, 2005 to recommend approval of the project with no conditions (Attachment 14).

Environmental Review: Mitigated Negative Declaration (MND) Project No. 2266 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA). A Mitigation, Monitoring And Reporting Program (MMRP) has been prepared and when implemented will reduce, to a level of insignificance, any potential impacts identified in the environmental review process for historical resources (archeology), noise, traffic/circulation, water, solid waste, fire and schools.

Fiscal Impact Statement: All costs are paid by the applicant.

Housing Impact Statement: The Peñasquitos West project proposes 129 dwelling units on a site designated for Low Density Residential (2-5 dwelling units per acre). The 29 dwelling units proposed is the maximum that can be approved in the Torrey Highlands Subarea without exceeding the voter approved residential unit cap of 2,693 dwelling units (Proposition "H," November 5, 1996). Consistent with the North City Future Urbanizing Area affordable housing requirement, 21 of the units would be set aside as affordable to families earning no more than 65 percent of the area median income.

Code Enforcement Impact: None.

BACKGROUND

The 30.1-acre Peñasquitos West site is within the Torrey Highlands (Subarea IV) Plan area (Attachment 1). The site is undeveloped and was previously in agriculture use (Attachment 2). The site is designated low density residential and is zoned A-1-10. Subarea IV is located in the eastern portion of the NCFUA, generally bounded by the community of Rancho Peñasquitos to the east, and NCFUA Subarea I to the north, Subarea III to the west, and Subarea V to the south. The project site lies in the eastern portion of Subarea IV (Attachment 3).

DISCUSSION

The project was deemed complete prior to January 1, 2000 (the effective date of the Land Development Code) and was, therefore, reviewed under the old zoning regulations. The proposed development would impact an existing wetland area; therefore, a Resource Protection Ordinance Permit is required. A Planned Residential Development Permit is required to construct the proposed single and multi-family development. Existing zoning for the site is A1-10, with proposed rezoning to R1-5000 and R-2000. The zoning is based on the old City code as the project was submitted before the new code was adopted. The R1-5000 and R-2000 zones, respectively, are equal to the new code zones of RS-1-14 for single family units and RM-1-4 for the multi-family development.

Project Description:

The approval for this Planned Residential Development Permit (PRD), Resource Protection Ordinance Permit (RPO) together with the Vesting Tentative Map (VTM) and rezone, will permit the construction of 108 single family units and 21 affordable multi-family housing units and 8 open space lots (Attachments 5 and 6).

Deviations

For the single-family homes a deviation from the required front yard setback of 15-feet to 10-feet is proposed to implement the design standards of the Subarea Plan. Specifically, the residences have been designed to deemphasize the impact of the automobile by siting living spaces to the front of the properties and pushing the garages to the rear of the properties, creating a more pedestrian friendly neighborhood. A deviation from street side setback of 10-feet to 5-feet for Lots 2, 3 and 26 is also requested. All three lots are adjacent to sloped parcels, which are HOA owned and maintained, and structures will therefore be set back 10-feet from the sidewalk. A deviation from the maximum building height of 30-feet to 35-feet is proposed for architectural features, such as chimneys.

Torrey Highlands Subarea Plan Analysis

The site is designated low density residential with an allowable density of 2-5 dwelling units per acre. Consistent with that designation, the proposal would develop 129 dwelling units at a density of 4.3 dwelling units per acre. Of the proposed 129 dwelling units, 21 affordable housing units are proposed to be constructed onsite. The 21 units represent 20 percent of the pre-density bonus market rate units required by the Housing Elements of the Subarea Plan and the North City Future Urbanizing Area Framework Plan.

The proposed project would implement the policies and goals of the Torrey Highlands Subarea Plan. The Open Space Element of the Subarea Plan includes an open space system based on the policies of the North City Future Urbanizing Area Framework Plan as well as the analysis

performed during the development of the Subarea Plan. Based on the policies and analysis, it was concluded that no open space designation would be placed on this parcel.

The proposal reflects the design standards set forth in the Subarea Plan. The project has been designed, and required, to connect with the street and walkway system of the project to the north and to incorporate non-contiguous sidewalks in a loose grid pattern. The proposed residential products have also been designed to implement the design standards of the Subarea Plan. The residences have been designed to deemphasize the impact of the automobile by siting living spaces to the front of the properties and pushing the garages, to varying degrees, to the rear of the properties, creating a more pedestrian friendly neighborhood. Consistent with the trails policies, the project will provide pedestrian/bike connections between the project and Calderon Road to the east, and Entrenken Way to the south. These features will promote a safer environment for

walking between the neighborhoods, to the existing Westview High School and shopping, and the future elementary school and neighborhood park.

Environmental Analysis:

The City's Resource Protection Ordinance requires that impacts to wetlands be avoided or minimized if feasible. The wetlands impacted by project development are located in a small drainage swale in the southern portion of the property (Attachment 7). The wetlands are presently disturbed and there is evidence of off-road vehicular disturbance and illegal dumping. There is relatively low species diversity and several weedy species are present within on-site wetland areas. The wetland is isolated by surrounding development and does not provide any opportunity for wildlife movement from one natural area to another and is not located in the Multiple Habitat Planning Area (MHPA).

A residential project located along the southern boundary has already been issued the necessary permits to impact certain sections of the wetland within Pardee's ownership. The construction of the western half of Camino Ruiz and a new high school immediately west of the site has removed downstream sections of this drainage. Therefore, the existing quality, functions and value of the wetland vegetation on the Penasquitos West property is very low.

A site-specific jurisdictional wetland delineation (GLA 2003) was prepared for the Penasquitos West project directed specifically at impacts to isolated wetlands associated with project implementation. According to the results of the wetland delineation, 0.13 acre under U.S. Army Corps of Engineers jurisdiction, and 1.13 acres under the jurisdiction of California Department of Fish and Game, and 0.03 acre of wetlands as defined by the City of San Diego would be impacted by project development. Mitigation for impacts to wetlands under CDFG jurisdiction are at a 3:1 ratio, as required for a 1603 streambed alteration permit, for a total of 3.39 acres. The mitigation site for wetland impacts is located in the Subarea III (Pacific Highlands Ranch) MHPA at the confluence of McGonigle and Deer Creeks, in the same drainage basin in which impacts will occur. A Wetland Mitigation Plan has been previously approved for this location.

Mitigation was consolidated into a planned Multiple Species Conservation Program (MSCP) Preserve to provide a greater benefit to sensitive resource protection than would have occurred if mitigation was located in the isolated wetland on-site within Penasquitos West. Such consolidation was encouraged in the Subarea IV Plan. Implementation of the Mitigation, Monitoring and Reporting Program, as required for the proposed project, would reduce potential impacts to below a level of significance. Therefore, there are no other feasible measures that can be taken to further minimize the potential adverse effect on environmentally sensitive lands and still avoid conflict with the substantially applicable provisions of City Council policy.

Conclusion:

Staff recommends that the Planning Commission recommend to the City Council approval of the actions requested by the Peñasquitos West project to allow the subdivision and development of 108 single family units, 21 affordable multi-family housing units and 8 open space lots for the following reasons. The proposal is consistent and compatible with the surrounding multi-family residential uses and land use designation. The proposal reflects the design standards set forth in the Subarea Plan by designing the project to connect with the street and walkway system of the project to the north and by incorporating non-contiguous sidewalks in a loose grid pattern. The proposed residential products have also been designed to implement the design standards of the Subarea Plan by deemphasizing the impact of the automobile by siting living spaces to the front of the properties and pushing the garages, to varying degrees, to the rear of the properties, creating a more pedestrian friendly neighborhood. Consistent with the trails policies, the project will provide pedestrian/bike connections between the project and Calderon Road to the east, and Entrenken Way to the south. These features will promote a safer environment for walking between the neighborhoods, to the existing Westview High School and shopping, and the future elementary school and neighborhood park.

ALTERNATIVES

1. **Recommend approval** by the City Council of Rezone (No. 8167), Vesting Tentative Map (No. 8165), Planned Residential Development Permit (No. 89234) and Resource Protection Ordinance Permit No. (8166) with modifications:
2. **Recommend denial** to the City Council of Rezone (No. 8167), Vesting Tentative Map (No. 8165), Planned Residential Development Permit (No. 89234) and Resource Protection Ordinance Permit No. (8166) if the findings required approving the project cannot be affirmed.

Respectfully submitted,

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HALBERT/PXG

Attachments:

1. Community Plan Land Use Map
2. Aerial Photograph
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan
6. Vesting Tentative Map
7. Wetlands
8. Draft Map Conditions and Subdivision Resolution
9. Draft Permit with Conditions
10. Draft Resolution with Findings
11. Rezone - B Sheet
12. Ownership Disclosure Statement
13. Planning Group Recommendation