



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: November 24, 2021 **REPORT NO.** PC 21-051
HEARING DATE: December 2, 2021
SUBJECT: Skyline/Paradise Hills Community Plan Amendment Initiation
(Briarwood)
PROJECT NUMBER: 696842
OWNER/APPLICANT: HHZZ Investments, LLC

SUMMARY

Issue: Should the Planning Commission INITIATE an amendment to the Skyline/Paradise Hills Community Plan to redesignate a 1-acre site located between Alta View Drive, Briarwood Road, and the westbound State Route 54 (SR-54) on-ramp (Attachment 1) from Residential-Low (0-10 du/ac) to Neighborhood Commercial?

Staff Recommendation: INITIATE the community plan amendment process.

Community Planning Group Recommendation: On November 9, 2021, the Skyline/Paradise Hills Planning Group voted 6-1-1 in support of initiating an amendment to the Skyline/Paradise Hills Community Plan (Attachment 2).

Environmental Review: This activity is not a "project" under the definition set forth in CEQA Guidelines Section 15378. Should initiation of the community plan amendment be approved, environmental review would take place at the appropriate time in accordance with CEQA Section 15004.

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

Code Enforcement Impact: None.

Housing Impact Statement: None. The Community Plan designates the 1-acre site for low density (0-10 dwelling unit per net acre), which would allow 10 single-family dwelling units

on the site. However, the site is currently zoned RM-2-5 which would allow 29 dwelling units. The proposed neighborhood commercial designation and associated CN-1-1 zone would still allow up to 29 dwelling units.

The initiation of a community plan amendment in no way confers adoption of a community 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 Skyline/Paradise Hills Community Plan was adopted in 1987. Skyline/Paradise Hills is a predominantly low-density residential community with no large commercial centers. Commercial services are provided by several small neighborhood commercial centers scattered throughout the community and one strip commercial area. Larger commercial centers are in adjacent communities. The planning area is divided into six neighborhoods: Jamacha, Lomita, Skyline, North Bay Terraces, South Bay Terraces and Paradise Hills. The community planning area is approximately 4,500 acres in area of which 3,531 acres are residential and 134 acres are commercial.

Site Location

- The proposed amendment site is a one-acre vacant parcel adjacent to SR-54 on-ramp and Briarwood Road in the South Bay Terraces neighborhood of the community.

Existing Adjacent Land Uses

- SR-54 is to the south.
- Multi-family development is to the west and north.
- Single-family development to the east.

Community Plan Use Designation

- The Skyline/Paradise Hills Community Plan designates the site as Residential-Low (0-10 dwelling units per net acre) (Attachment 3).

Zoning

- The property is currently zoned RM-2-5.
- It allows one dwelling unit per 1,500 square feet of lot area (29 dwelling units per acre) (Attachment 4).

Mobility

Transit:

- The site is not located within a Transit Priority Area (TPA).
- MTS Route 961 runs along Woodman Street west of the site.
- MTS Route 962 runs on Paradise Valley Road north of the site (Attachment 5).

Bicycle:

- Class II along Alta View Drive from Briarwood Road to Woodman.
- Class II along Woodman from Alsacia Street to Alta View Drive (Attachment 6).

Existing Public Facilities and Services

Schools:

- Bell Middle School is located 0.7 miles north of the site.
- Penn Elementary is 1.2 miles northwest of the site.
- Zamorano Elementary is located 0.8 miles west of the site.

Parks:

- Penn Athletic Area is located 0.7 miles northwest of the site.
- Bay Terrace Park and Recreation Center is located 1.2 miles west of the site.

Library:

- Paradise Hills Library is located 2 miles west of the site
- Skyline Branch Library is located 2.2 miles northeast of the site.

Public Safety:

- Police Southeastern Area Substation is located at Skyline Drive and Sychar Road, located 2.3 miles from the site.
- Fire Station 32 is located at Briarwood Road and Paradise Valley Road, 1.4 miles northeast of the site (Attachment 7).

Housing and Demographics

- As of 2020, SANDAG estimated that there were approximately 59,603 people living in the Skyline/Paradise Hills Mesa Community Planning Area.
- This is an 11 percent decrease from the 67,089 people living in the community in 2010 based on SANDAG estimates.
- In 2020 the community had 19,179 dwelling units of which 13,817 were single-family detached, 2,785 were single family attached, and 2,494 were multifamily.
- Between 2010 and 2020 the community added 73 housing units, less that a 1 percent increase from the previous 19,106 dwelling units as shown in Table 1 below.
- The community has a rate of 3.17 persons per household.
- As of 2020, most of the community is Hispanic (41 percent) which Asian and Pacific Islander the next highest population (22 percent) as shown in Table 2 below.

Table 1

Year	Dwelling Units	Population
2010	19,106	67,089
2020	19,179	59,603
Change	+73	-7,486

Source: SANDAG Housing and Population Estimates, 2010 and 2020

Table 2

	<u>Non-Hispanic</u>				
<u>Hispanic</u>	<u>White</u>	<u>Black</u>	<u>American Indian</u>	<u>Asian & Pacific Isl.</u>	<u>All Other</u>
24,660	10,545	9,145	155	13,113	1,985

Source: SANDAG Housing and Population Estimates, 2020

Affordable Housing

- As of July 2020, according to the San Diego Housing Commission, there were 609 deed-restricted affordable dwelling units in the community.

DISCUSSION

Proposed Community Plan Amendment

The applicant is requesting an amendment to the Community Plan to redesignate the property from Residential-Low (0-10 dwelling units per net acre) to Neighborhood Commercial. The proposed designation would allow for the potential development of a neighborhood retail uses which could include coffee shop and gas station/convenience store. The site would be challenging to develop for residential use due to the narrow configuration of the property. Also, given its proximity to SR-54, the site is impact by higher noise levels which makes the site less suitable for a residential use as addressed in the applicant's community plan amendment request letter (Attachment 8).

Initiation Criteria

The City is unique among jurisdictions that the process to amend the General Plan and/or a community plan requires either a Planning Commission or City Council initiation before a plan amendment process and accompanying project may proceed. Community plans are components of the General Plan. 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 Planning Department has provided an overview of how the following initiation criteria are addressed by the proposed amendment.

(a) 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.

The proposed amendment would meet General Plan goals for commercial use including: development which uses land efficiently, offers flexibility to changing resident and business shopping needs, and improves environmental quality; promoting economically healthy neighborhoods and community commercial areas that are easily accessible to residents; and creating new commercial development that contributes positively to the economic vitality of the community and provides opportunities for new business development. The proposed amendment would allow for the development of a narrow irregular size property that is located adjacent to the SR-54 and affected by freeway noise.

The amendment would also meet the primary commercial goal of the community plan of ensuring the availability of adequate commercial facilities offering a variety of goods and services to meet the needs of existing and future residents. A potential commercial use would offer access to convenient commercial goods and services, as the only other commercial area is located one-half mile to the west. The proposal would contribute positively to the economic vitality of the community by providing needed commercial, as well as represent an opportunity for new business development and to ensure the availability of adequate commercial facilities offering a variety of goods and services to meet the needs of existing and future residents-

The proposal would provide additional commercial consistent with a Community Plan goal of increasing commercial use. Currently, only 3.5 percent of the community is zoned and designated for commercial uses. The proposed amendment would also meet the community plan objective for designing commercial areas to best utilize the existing transportation system by allowing for the potential development of auto-oriented commercial use near a freeway on-ramp.

(b) 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 requested amendment would benefit the community by providing an opportunity for additional commercial goods and services on an irregular size property that is located adjacent to a freeway.

(c) 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.

All necessary public services appear to be available. If the amendment to the Community Plan is initiated, an analysis of public services and facilities would be conducted with the review of the amendment.

As outlined above, staff has determined that the proposal can meet all the initiation criteria.

Issues

The following issues have been identified by City staff. If initiated, staff would work with the applicant to address the following issues, as well as others that may be identified, through the community plan amendment review process:

Land Use Designation

- Evaluate the appropriate land use designation and zoning for the site.

Noise

- Evaluate noise levels and identify potential attenuation measures for commercial buildings sited near SR-54.

Site Design

- Incorporate pedestrian amenities, public spaces, and pedestrian-scale elements.
- Incorporate sustainability features in the building and site design.
- Incorporate streetscape elements including street trees to enhance the appearance and function of commercial developments and site as a gateway to the community.

Urban Design

- Evaluate the compatibility of the bulk and scale of the structures with the adjacent residential neighborhood.
- Incorporate architectural features to enhance the appearance and function of commercial developments and site as a gateway to the community.

Mobility

- Evaluate vehicle, bicycle, and pedestrian circulation and access with the introduction of commercial uses adjacent to SR-54

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 staff nor the Planning Commission is committed to recommend in favor or denial of the proposed amendment.

Respectfully submitted,



Tony Kempton
Associate Planner
Planning Department



Tait Galloway
Program Manager
Planning Department

Attachments:

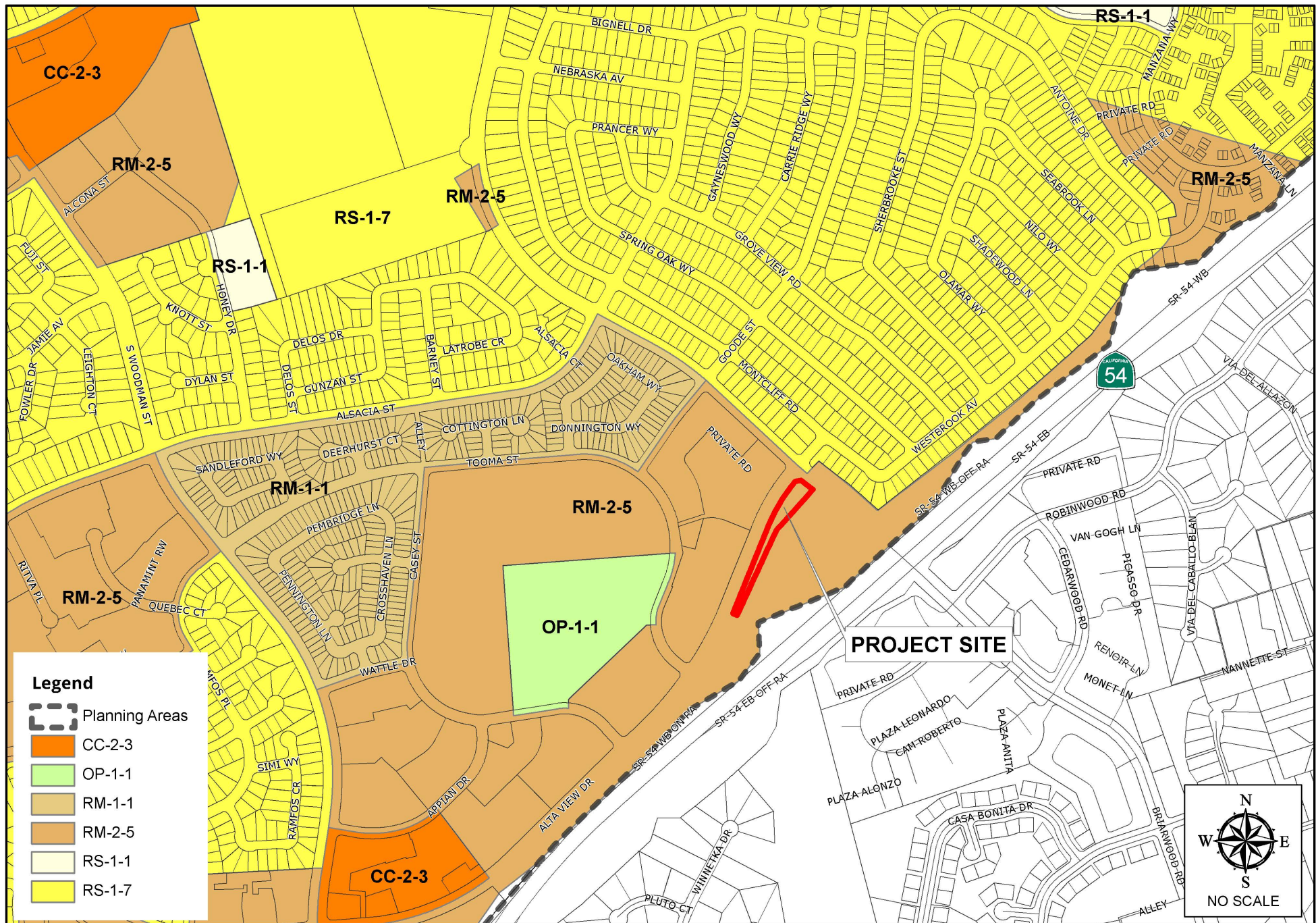
1. Vicinity Map
2. Skyline/Paradise Hills Community Planning Group vote
3. Skyline/Paradise Hills Community Plan Land Use Map
4. Current Zoning Map
5. Transit Route Map
6. Bicycle Network Map
7. Public Facilities Map
8. Applicant's Initiation Request Letter
9. Ownership Disclosure Statement

Mr. Kempton -

The minutes will read:

Recommend re-zone of one acre parcel (APN 589-360-07) between Alta View Drive and the westbound SR-54 onramp, adjacent and west of Briarwood Road from residential to commercial. Motion to approve by H. Bennett, second by S. Kalaney; Yes - 6, No - 1, Abstain - 1, Motion carries.

V/R,
John Mooney
Secretary



Skyline-Paradise Hills Zoning

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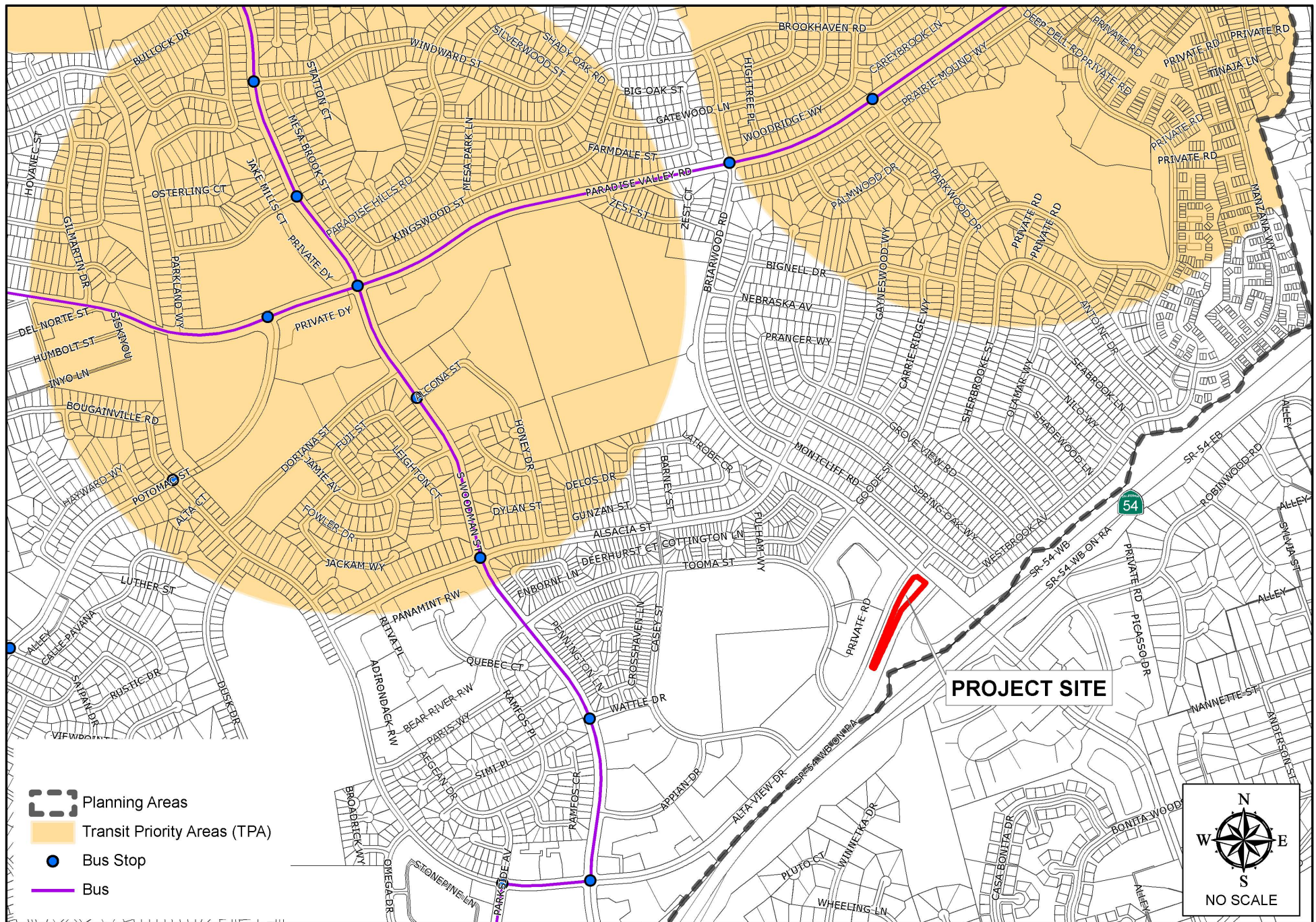
Map Document: L:\GIS\SPGIS\Community Planning\City Mesa\Neighborhood\PROJECTS\lay_out\land_vicinity\map.mxd
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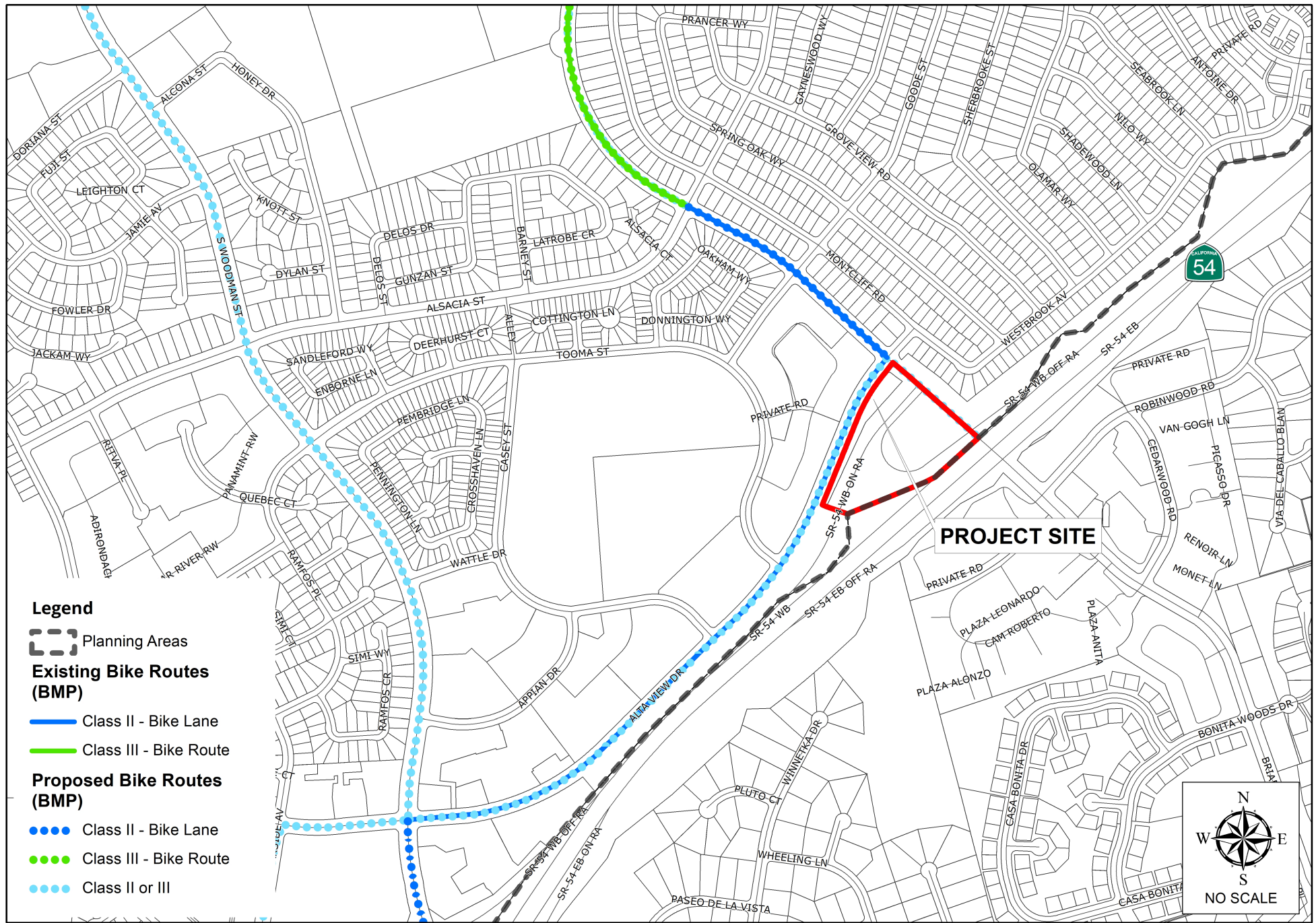


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Skyline-Paradise Hills Bike Routes

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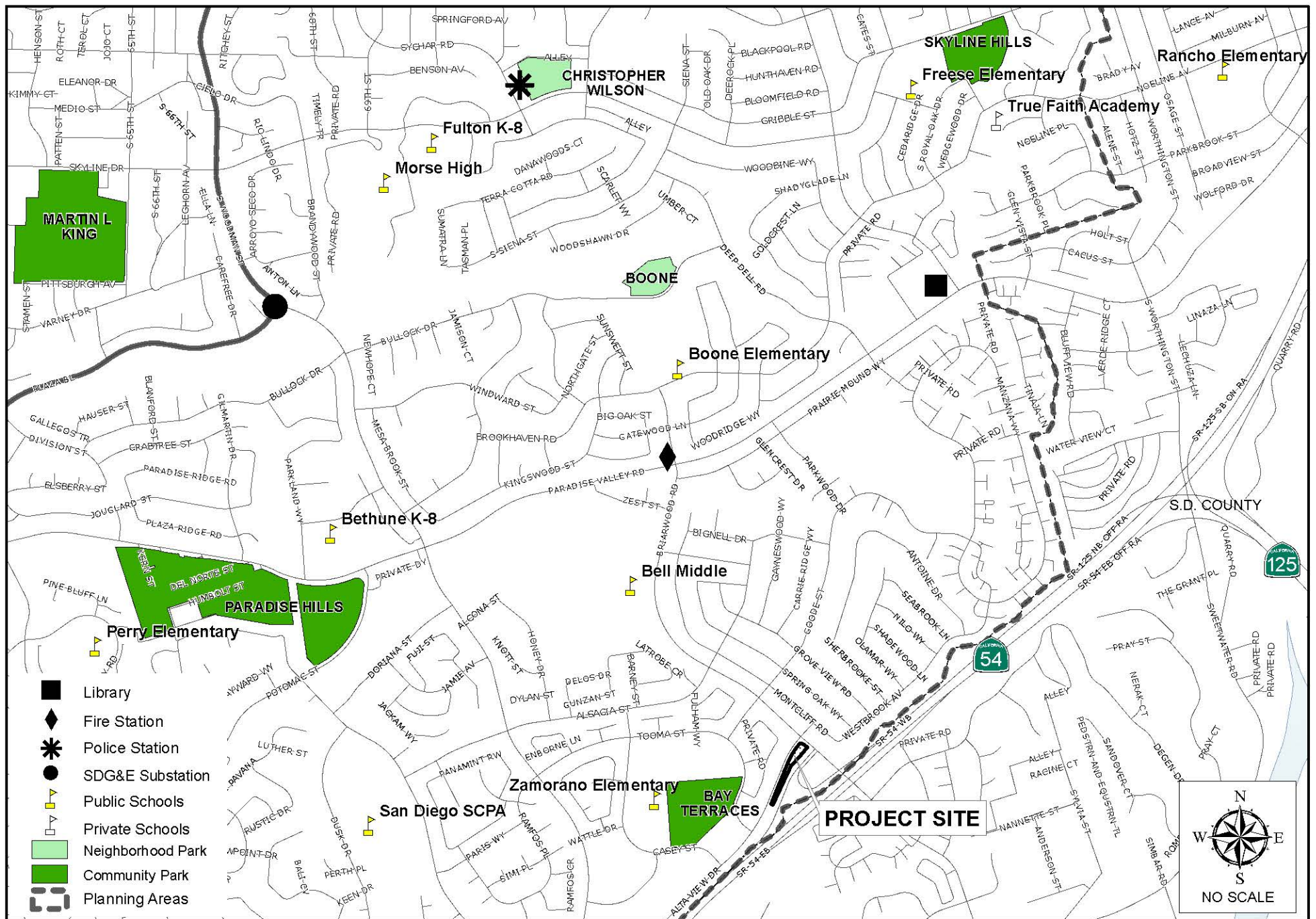
Map Document (L:\GIS\PGIS\Community Planning\City Mesa-Nestor\CPA_PROJECTS\Bike_routes\citymap.mxd)
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Skyline-Paradise Hills Public Facilities

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August 30, 2021

City of San Diego
Planning Commission
1222 First Avenue
San Diego, CA 92101

Subject: Letter of Initiation for a proposed Community Plan Amendment and Rezone for the vacant one acre parcel (APN 589-360-07) between Alta View Drive and the westbound SR-54 onramp, adjacent and west of Briarwood Road

Dear Planning Commissioners:

In accordance with the City of San Diego's Land Development Manual, Section 6, Policy Approvals, this Letter of Initiation is being submitted as the first step in changing this parcel's zoning from residential to commercial.

This sliver parcel was part of the SR-54 right of way until September 12, 2018 when my client acquired it at auction from Caltrans. In what may have seemed like a logical decision at the time by City staff, this property was zoned residential when it came out of the Caltrans ownership; most likely because the adjacent properties are residential. However, the location of this property does not lend itself to residential development in any way. The property is too narrow and literally squeezed between the westbound onramp to SR-54 and Alta View Drive and is adjacent to the busy Briarwood Road. Row houses built at minimum setbacks with a busy public street out your front door and a freeway onramp out your back door and 69-KV power lines overhead is not the residential experience most folks are looking for. From a practical sense, the property will never get developed if the zoning is left residential because of the extremely low quality product that would result, it would never garner the sales price or rents necessary to make the project profitable.

A far better use for this property will be commercial. It is such an obvious no-brainer that we went through the City's Preliminary Review process with a conceptual site plan showing a Starbucks, a gas station and a convenience store to make sure there were no fatal flaws, after which we met with the long range planner Tony Kempton and program manager Tait Galloway to review our proposal. Mr. Kempton and Mr. Galloway supported our concept so they met with Deputy Director Laura Black who reviewed our proposal and also expressed support for the process of initiation (see attached email).

A successful Letter of Initiation needs to demonstrate compliance with 3 important points: 1) *the request must be consistent with the goals and policies of the General Plan and Community Plan*, 2) *the request must provide additional public benefit*, and 3) *the request must demonstrate that public facilities are available to serve the project*.

This proposed community plan amendment is *consistent with the goals and policies of the General Plan* in the following ways:

- *City of Villages strategy: Goal, mixed-use villages located throughout the City and connected by high-quality transit.* The entire local area around this location is monolithic residential. This small sliver right at the freeway onramp is well suited for commercial, and contributes to the general plan goal of mixed-use villages. And the transportation connectivity goal couldn't be more easily met by its location.
- *The City of Villages strategy focuses on long-term economic, environmental, and social health of the City:* a well-designed commercial center at this location will contribute to the long-term economic and social health of the neighborhood by providing jobs, good and services as well as a gathering place to visit.
- *Implementation of the City of Villages strategy is an important component of the City's strategy to reduce local contributions to greenhouse gas emissions, because the strategy makes it possible for larger numbers of people to make fewer and shorter auto trips:* A commercial development at this location such as a gas station, convenience store and a Starbucks for example will allow the neighborhood to engage in these services to and from other trips without having to go out of their way at all, thereby reducing greenhouse gas emissions. And if a separate trip is made from home it can be completed without needing to get on the freeway and go long distances.
- *Community and Neighborhood Village Centers are defined as community and neighborhood oriented areas with local commercial, office, and multifamily residential uses...* this small proposed commercial area together with the larger existing commercial center a half mile to the west, with the residential in between, function as a Village as defined herein.
- *Provide opportunities for the elderly:* by providing gas, convenience store, and coffee with outdoor dining right in the neighborhood provide vital opportunities for the elderly without them having to get on the freeway and travel long distances.

This proposed community plan amendment is *consistent with the Plan Summary goals of the Skyline-Paradise Hills Community Plan* in the following ways:

- *Planning Issue Area of Concern #3: The lack of commercial retail...* The Skyline-Paradise Hills Community Planning area has a lack of commercial areas in general. Developing this small sliver of land with high quality commercial will help the area be more consistent with the community plan goal of building up its commercial portfolio.
- *Planning Issue Area of Concern #10: Sustain the long-term economic, environmental, and social health of the City and the Skyline-Paradise Hills Community...* Developing this area with commercial such as a gas station, convenience store and a Starbucks, for example, will be consistent with all the stated goals of the community plan by providing long-term high quality employment opportunities as well as a community gathering area and outdoor dining areas to provide improvements in social health.

This proposed community plan amendment is *consistent with the Primary Commercial Goal and subsequent Objectives of the Skyline-Paradise Hills Community Plan* in the following ways:

- *Objective #3: Develop a centrally located, community commercial center.* The development of this parcel, coupled with the commercial development a half mile to the west meets this objective by providing, gas, grocery, coffee, retail, school, parks, schools, etc. centrally located in the community.
- *Objective #5: Promote the design of commercial areas so as to best utilize the existing transportation system.* There is no better location for commercial development in this community to better meet this objective since it is located right at a freeway onramp and off ramp.

This proposed community plan amendment is *consistent with the Primary Village Goal and subsequent Objectives of the Skyline-Paradise Hills Community Plan* in the following ways:

- *Objective#1b: relates to increasing uses that are missing in the community.* Due to the lack of commercial in the Skyline-Paradise Hills community plan area it makes sense to develop this area as commercial to better meet the goals of the community plan, i.e. commercial development is missing.
- *Objective #2: Provide opportunities for people to live, work and recreate in the same areas through the integration of mixed residential, commercial and recreational uses.* The implementation of this project will help meet the stated goal by adding missing commercial uses to the nearby residential and recreational uses. The

creation of jobs in this commercial center will allow nearby residents to work in the same area they live, and recreate.

- *Objective #5: Provide opportunities for community-specific mix of uses within the community.* Providing commercial development at the onramp to the downtown area for this community allows this development to be community specific and the perfect mix of uses, i.e. a large residential area with a commercial strip next to the freeway.

This proposed community plan amendment is *consistent with the Primary Urban Goal of the Skyline-Paradise Hills Community Plan: Enhance the community's image through improvements to the visual and physical character of the community*: The property is currently a fenced, graded flat lot full of weeds and trash left over by Caltrans. And it will stay that way if zoned residential because it doesn't pencil to develop the property as residential. The value just isn't there to develop it as residential, yet the cost will still be just as high as anywhere else so it just won't pencil. However, if the property were rezoned to commercial then it could be developed and definitely enhance the community's image.

- *Objective #1: Ensure that new development is compatible with existing neighborhoods in terms of bulk, scale and design, and that it is sensitive to existing topography.* It is very easy for this proposed commercial development to be consistent with this objective because a small commercial development like this is inherently compatible with the surrounding neighborhood especially due to the lack of commercial development in this community. The bulk, scale, and design a small commercial development like this will easily be compatible with the existing neighborhood. And because the existing topography is flat this is very conducive to the proposed commercial development.
- *Objective #4: Orient development to encourage interest at the pedestrian scale in order to stimulate pedestrian circulation.* A commercial development at this location tucked adjacent to high density residential areas oriented properly will encourage pedestrians to utilize the area since the other nearest commercial development is approximately a half mile to the west (further than the average pedestrian would want to walk).

The first sentence of the Commercial Element of the Skyline-Paradise Hills Community Plan states: *A very small percentage of the community is zoned for commercial development, only 3.5%.* It goes on to say that nearly a third of the commercially zoned areas have been developed with multifamily residential. This rezone is a chance to reverse this disturbing trend. There are only 9 commercial areas in the Skyline-Paradise Hills Community Plan. This rezone is a chance to make that number ten!

In the Neighborhood Element of the Skyline-Paradise Hills Community Plan it states: *there is only one commercial center in the South Bay Terraces neighborhood*, which is the neighborhood this proposed commercial center is located. With the addition of another

commercial center the neighborhood will be more balanced providing more commercial opportunities to the residents.

Of the three important points that make a successful Letter of Initiation, the second states the community plan amendment and rezone request *must provide additional public benefit*.

The public benefits from this development are numerous. Traffic and greenhouse gases will be reduced because the residents will no longer have to travel greater distances for their goods and services. The lack of commercial centers in the area will be reduced. Meeting and gathering places will be created with indoor and outdoor dining opportunities. The public will benefit much more from an appealing commercial center than a vacant lot with weeds and trash fenced in chain link. And that's the way it will stay if not rezoned to commercial because a residential development won't pencil.

And the third important point that makes a successful Letter of Initiation: the community plan amendment and rezone request *must demonstrate that public facilities are available to serve the project*.

Very simple: Alta View Drive, a public street with curb, gutter and sidewalk fronts the project and Alta View Drive has sewer, water, gas and electric.

We trust this Letter of Initiation serves to make the case that rezoning this sliver of land adjacent to the freeway onramp from residential to commercial is the right thing to do.

Sincerely,

A handwritten signature in blue ink that reads "Lawrence W. Walsh". The signature is fluid and cursive, with the first name "Lawrence" and last name "Walsh" clearly legible.

Lawrence W. Walsh, President
RCE 46316, PLS 7006

Larry Walsh

Subject: FW: 638282 - Briarwood

From: Kempton, Tony <KemptonT@sandiego.gov>
Sent: Monday, August 12, 2019 1:52 PM
To: Larry Walsh <larry@walsh-engineering.com>
Subject: RE: 638282 - Briarwood

Hi Larry:

FYI our Deputy Dir., Laura Black, reviewed the request and can support the process of initiation of a plan amendment. Thnx.

Tony Kempton
City of San Diego
Planning Department
9485 Aero Dr.
San Diego, CA 92123
619-236-6861
kemptonT@sandiego.gov

 Please consider the environment before printing this e-mail

	<p>City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000</p> <p>Ownership Disclosure Statement</p>	<p>FORM DS-318</p> <p>October 2017</p>
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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: _____ **Project No. For City Use Only:** _____

Project Address: _____

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

☐ Corporation ☐ Limited Liability -or- ☐ General – What State? _____ Corporate Identification No. _____
☐ 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: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature:  Date: 09/03/2021

Additional pages Attached: ☐ Yes ☐ No

Applicant

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature:  Date: _____

Additional pages Attached: ☐ Yes ☐ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: ☐ Yes ☐ No