



RANCHO PEÑASQUITOS PLANNING BOARD

Annual Report
of the Rancho Peñasquitos Planning Group
April 2018 - March 2019 www.rppb.org
May 1, 2019

Section I. Introduction

The following is the Annual Report of the Rancho de Los Peñasquitos Planning Group (RPPG). For the period April 2018 - March 2019, the officers were Thomas Clark, Chair; Jon Becker, Vice-Chair; and Joe Schmelzer, Secretary. The planning group maintained two standing subcommittees: Land Use reviews and Wireless Communications Facilities, and one ad hoc subcommittee: Media/Communications/Website.

Section II. Administrative Matters and Member Summary:

Eleven (11) regular meetings of the full board were held during the twelve months from April 2018 through March 2019. No meetings of the full board were held in July and August of 2017, and two meetings were held in June. In April of 2017 the Election Results were Ratified and appointments to various committees were made. The Bylaws define a differentiation in membership between residents by Districts, Renters, other Community Organizations or Developer related businesses where there are specific seats assigned for these entities.

Section III. Number of Members, Turnover, Elections:

At the end of the April 5, 2018 meeting the Board had 16 seated members, with the following seats being vacant: Districts 6 and 9, Black Mt. Ranch #1 and the Town Council. The Board did experience minor membership turnover and appointments during the April 2018 - March 2019 year.

At the November 7, 2018, Board Meeting an Action Item for the Appointment of the designated Rancho Peñasquitos Town Council Member, Jonathon Palinkas, to Fill the Vacant RP Town Council seat on the Rancho Peñasquitos Planning Board and serve remaining one- year term.

MSC: Brian Reschke / Corey Buckner 16/0/0/0 PASS

At the March 6, 2019 meeting Alix Plishner was voted off the Board due to four absences.

The Rancho de los Peñasquitos Planning Board has been formed and recognized by the San Diego City Council to make recommendations to the City Council, Planning Commission, City staff, and other governmental agencies on land use matters, specifically concerning the preparation of, adoption of, implementation of, or amendment(s) to the General Plan or any land use plan when a plan relates to the Rancho Peñasquitos, Torrey Highlands and Black Mountain Ranch communities' boundaries. The planning group also advises on other land use matters as requested by the City or other governmental agencies.

During the March 6, 2019 meeting, Election Results/Winners were announced for the 2019 RPPB Election as: Peñasquitos: District 1-Stephen Egbert / District 3-Vacant / District 5-Darshana Patel / Renter-at-large-Brian Reschke and Torrey Highlands: District 2-Brooke Whalen.

Also, a Motion by Jon Becker to seat Sabrina Leitner was made. Comments were made by Sabrina Leitner who resided in Torrey Highlands since 2002. Question: Stephen Egbert inquired if this is seat number 1, and the answer was yes. Vote was taken with
MSC: Jon Becker/ Alex Plishner Vote: 12-0-0.

Section IV. Community Plan Preparation and Implementation:

During the period covered by this report, the Rancho Peñasquitos Planning Group requested various opportunities to provide input on the Black Mountain Ranch Public Facilities Financing Plan (PFFP). The City noted the PFFP was not yet prepared/updated and ready to present and discuss.

Section V. Special Projects:

At the April 4, 2018 meeting a discussion requesting the installation of Stop signs at Sparren Ave. and Sparren Way was heard from both members of the public and several Board Members. Conclusion was for the Chair to coordinate with the Council Office in directing the City Traffic Division prepare and install a four way stop signs. Needed to finalize the residential area impacted the most for distributing a City Notice that the City is pursuing the installation of four way stop signs.

At the January 2, 2019 meeting the MAD Budgets (3) were reviewed for approval.

1) Action Item Review and Approve PQ East MAD and the Park Village MAD Budgets – Erika Ferriera, City of San Diego

Budget for FY2020 is mostly the same as previous year except for Landscaping areas which have essentially been raised a bit to reflect the increases in cost from the service providers for the same Service Level Agreement.

Question about how to start a MAD: Answer: San Diego gov website has all the info about how to start a MAD. Phone: Erika Ferriera, 619.685.1325

MSC: Corey Booker/ Mike Shoecraft Vote: 13/0/1/0

Brian Reschke abstain due to missing the discussion period during the budget review.

2) Action Item Review and Approve Black Mountain Ranch South – Erika Ferriera, City of San Diego
Discussion and Q&A around a variety of budget line items. Nothing seemed misaligned or misallocated by the RPPB.

MSC: Geoffrey Patrick / Brian Reschke Vote: 14/0/0/0 PASS

3) Review and Approve Torrey Highlands MAD Budgets – Erika Ferriera, City of San Diego
Discussion and Q&A around a variety of budget line items. Nothing seemed misaligned or misallocated by the RPPB.

The group met December 10, 2018 to discuss priorities. New contract issued to Aztec. Tree services increased to \$40K. Getting bids for landscape architect.

MSC: Pamela Blackwill / Steve Leffler Vote: 14/0/0/0 PASS

Section VI. Summary of Project Review:

September 5, 2018 Meeting: RV /Mini Storage Project

Action Item to Approve the Project: City Project No. 534380 for the RV /Mini Storage Project as per the Community Plan near SR 56 & I-15.

April Tornillo, Pardee, lead the team presentation. Last presentation was at the June (2018) Land Use Committee. The project site is a 10-acre parcel at the SW corner of SR56 and I-15. Pardee stated prior research noted the Rancho Peñasquitos community has a need for an RV Storage facility to keep public streets clear of them, especially where they are prohibited. RV Storage and Mini Storage are appropriate uses for the project site as previously identified. It was also noted RV Storage and Mini Storage facilities are an appropriate near highway.

Consistent as outlined in the Community Plan. Will use dense landscaping and is at a lower grade than the residential property close by. A dedication of 3 acres remain open space. Site has been heavily disturbed. This site has been in the Community Plan for about 20 years. The zoning is to remain residential and process with a planned development permit. Idea is to follow the basic outline of the Community Plan. Provides a “cool roof” (eco-friendly, energy efficient).

MSC: Thom Clark / Corey Buckner: 12/1/0/1 Ramesses Surban opposed Jon Becker recused

Nov. 7, 2018 meeting: Lot Line Adjustment at APN: 312-300-03

Action Item: to approve the Black Mountain Ranch submitted Lot Line Adjustment at APN: 312-300-03 which reduces the dedicated Open Space by 792.9 sq. ft. within Lot “B” of Easement Granted per Map 15923.

MSC: Thom Clark / Ramesses Surban: 14/0/0/1 Alex Plishner recused himself.

Nov. 7, 2018 meeting: Preserve at Torrey Highlands

Action Item: to approve the updated proposed project design for the Preserve at Torrey Highlands addressing their proposed CPA/SDP/Rezone, for Project #442880.

The Project Developer, Cisterra presented their updated proposed project design for the Preserve at Torrey Highlands addressing their proposed CPA/SDP/Rezone, for Project #442880, John Leppert/Leppert Engineering.

John Leppert: Request recommendation from the RPPB to approve the request for Community Plan Amendment (CPA) / Rezone / SDP (Site Development Permit).

Overview of Project presented.

Three buildings considered.

Total of 450,000 square feet in 3 separate Buildings: 1 @ 4 stories, 1 @ 5 stories, and 1 @ 6 stories with a 7-story parking garage, but some below ground level.

Setbacks to 60' from Camino Del Sur Community Benefits described by Project Developer as:

Linking of roadway, Camino Del Sur to Park Village, via FBA funds. Developer stated that a condition for receiving certificate of occupancy (CO) is the completion of the road.

Project will provide cross through access with Merge 56 project.

Project Developer stated they will offer \$100K to the YMCA over a period of 10 years if the project is approved by the RPPB.

Alex Plishner reported from the LUC that the Action Item came before the committee and the motion failed due to lack of second. The Chair asked for an alternative motion and none was offered.

Comment from Geoffrey Patrick: my personal interpretation of the outcome of the LUC's Action Item was indicative of the level of support (lack thereof) for the motion.

Brooke Whalen: Question: "I know that you are required to provide shade in parking lots per the City's requirements, so what is your approach to the parking structure?" The applicant's response was that they were providing solar panels on top of the parking structure which would sit 8' above the finish surface of the top floor of the structure.

Someone in the audience yelled out a clarifying question asking if the parking structure would be taller because of the solar panels. The response was yes. Commentary from public and RPPB about the impact to traffic on the 56. Concern that the traffic study was inaccurate, and the impact was, per the EIR, significant and unavoidable.

Question posed to Project Developer: How much parking? Answer: 1,781 spaces, which includes roadside parking. Approximately 1,400 just in parking garages.

Question posed to Project Developer: Is YMCA donation contingent on approval? Answer: Yes.

Discussion about the EIR. Concerns expressed by the RPPB that the findings describe "significant and unavoidable" impacts to both visual and traffic. Response: Yes, the impacts are "unavoidable."

Question posed to Project Developer: Who are the expected tenants? Answer: Unknown. Developer is expecting the site to become a corporate headquarters for one (or more) corporation(s).

Comment from Jon Becker: Likes the addition landscape provided, however the bulk and scale is a concern.

Major concern over the potential evacuation of Park Village with the 1,800 +/- additional cars plus Merge 56 trips to evacuate the area.

Public Comment: Torrey Highlands (where this project is located) Community Plan designates 34 acres to "Commercial Limited" use. This land is the only commercial limited use designation in the community, so rezoning this would effectively eliminate this category from the community's plan. Request to keep Community Plan as is.

Concerns from RPPB (Darshana Patel) about the scale of the project and proximity to residential properties.

Concern that the traffic study's ADT results do not fairly consider peak usage, and the potential safety impact if an evacuation is required.

Comment from RPPB (Darshana Patel): The commercial needs of the Community Plan have already been met or exceeded, and this project is unnecessary.

Comment from RPPB (Stephen Egbert): Strong concern and disaffection for the conversion of community assets to commercial assets strictly for financial benefit. Community loses

Comment from community: Concerns for the aesthetic impact in the neighborhood. Houses are already in the shadows of some buildings.

Traffic is already a problem during peak hours. Strong opposition to the project.

Comment from community member expressing concern around a potential conflict of interest for our Commercial 1 board member based on being involved with Rhodes Crossing.

Comment from RPPB (Rameses Surban): Confirmed with applicant that, despite applicant's intent to intensify the use of the project site, the project's community benefits would be nearly identical to a project that would conform with the site's existing "Commercial Limited" designation. Thus, applicant failed to support the project's required plan amendment.

Comment from the RPPB (Steve Leffler): Sought input from the community and the consensus was strong opposition.

Motion to approve the updated proposed project design for the Preserve at Torrey Highlands addressing their proposed CPA/SDP/Rezone, for Project #442880.

MSC: Thom Clark / Brian Reschke: 0/12/2/2

Abstention: Alex Plishner, for commercial involvement with John Keating's company. Brian Reschke, based on intention to move for a different resolution

Recusal: Corey Buckner, for commercial involvement with YMCA Pamela Blackwill, for commercial involvement with Rhodes Crossing.

Comment from Pamela Blackwill: There is no connection, financial or otherwise, between me and Rhodes Crossing and the Preserve Project. However, Ms. Blackwill stated her willingness to defer to the Board's recommendation to recuse herself to eliminate any potential concerns over such entanglement by the public, or anyone else.

Motion to approve:

The project design for the Preserve at Torrey Highlands addressing their proposed CPA/SDP/Rezone, for Project #442880, if the project is reduced in size to 360,000 square feet.

MSC: Brian Reschke / Jonathan Palinkas: 3/11/1/2

Abstention: Alex Plishner, for commercial involvement with John Keating's company.

Recusal: Corey Buckner, for commercial involvement with YMCA Pamela Blackwill, at the suggestion of the Board, based on a lack of clear direction, or understanding, on the part of the Board, of what exactly constitutes a "direct financial conflict" and Ms. Blackwill's willingness to defer to the Board's suggestion, on the side of caution.

April 4, 2019 Meeting

Action Item Approval of TelCom Project No. 571207, Crown Castle – Black Mountain Middle School; Neighborhood Use Permit/Neighborhood Development Permit, Process 2 – Jessica Gantzert, MD7, LLC

Discussion and Q&A around the project. David Burnix, Crown Castle, representing.
No issues with the project reported by the Wireless Telecom Committee chair (Joe Schmelzer)
MSC: Corey Buckner / Joe Schmelzer Vote: 13/1/0/0 PASS

Section VII. Planning Group Objectives:

Over the course of the year the Board had various conversations regarding the Planning Board's role in reviewing an applicant's project and address our commitment to the community.

At the May 2, 2018 Board Meeting the Chair initiated a discussion regarding the Planning Board's role within the Community, noting the need for Board Members to become involved as an advocate for the community, not just within our Districts. The Chair noted:

- Several years ago, a Community in PQ didn't like the Planning Board's Vote on a Wireless project and asked the Board [*what our purpose was if we didn't do what they felt was right, and vote as they desired.*](#)
- Last month a member of our Community asked a very similar question: [*What is our function if it isn't to Plan the Community?*](#)

Various thoughts were expressed for all Board Members to think about including:

- Is our task to review and vote on various projects based on their adherence to the General Plan, Community Plan and General Land Use plans, or?
- To do the above plus dictate to the applicant what we think should be done based on good planning principles, i.e., Add/Decrease density, provide more open space, build community infrastructure/amenities, etc.

Board Members participated in a very open discussion regarding their role and how to address the community needs and/or desires while following the various guidelines as outlined in the City of San Diego Council Policy 600-24 and the approved RPPB's Bylaws.

During the June 4, 2018 Board Meeting the Chair asked Board Members what Use/Development provides a Greater Use than currently exists on any given parcel of Land. The issue being the redevelopment of a former golf course into a housing development, The Junipers project.

Board Members addressed the planning issues presented by a currently proposed housing project that was formerly seen as an open space by the community. Design/Planning issues incorporate social issues that are not easily solvable using an analytical thought process. As some projects can be so complex it's hard to even understand the concepts just to say you can't decide on a recommendation.

The Chair presented some concepts regarding "Wicked Problem" and Social Complexity problem solving. There was an open discussion noting this project did not have a linear decision-making process and therefore has complex issues to address. How do we know if our judgements are in the best interests of everyone concerned? The Chair recommended everyone to review some Wicked Problem-Solving materials he made available. Further discussions can follow as the project progresses through the approval process.

At the December 2, 2018 Board Meeting, following a discussion at the November 7, 2018 Board Meeting regarding what dictates a Board Member's need to recuse themselves from participating in a project's approval process. It was noted that the City of San Diego Council Policy 600-24 document provides guidance which is clear:

There must be a direct financial relationship and/or benefit to the Board member to warrant a recusal for conflict of interest.

The Board Member's consensus was that any Board member may engage the Ethics Committee with any questions or concerns in this area.

The Chair clarify his request for Ms. Blackwell's recusal at last month's meeting was based on "erring on the safe side" after Ms. Blackwell stated she would accept the Chair's decision.

Two takeaways for the Board Members to follow in the future:

1. Each member knows, should know, if they have a direct financial relationship with any given project.
2. We follow the Brown Act, and there appears to be some interpretive leeway.

If the proposed MAD(s) for the Rancho Peñasquitos Planning Group are approved by the affected property owners, the planning group will initiate its role as the formal advising body. Thomas Clark Chair, Rancho Peñasquitos Planning Group.

At the October 4, 2018 meeting, Steve Leffler noted that City funds collected by the Recreation Councils were determined to be City funds by the City Attorney. Therefore, the City will be required to take over all Recreation Council funds derived from permit fees and classes. The Park and Recreation Department intends that the funds will stay within the geographical area in which they were collected and will propose a process to City Council for implementing required changes to the financial relationship between the City and the Recreation Councils.

End of Report