

RANCHO BERNARDO COMMUNITY PLANNING BOARD

Regional Issues Committee

Meeting Notes for July Meeting (held June 27, 2006)

Members Present: Vicki Touchstone, Joyce Tavrow, Leatrice Segel, Dick Walker, Martin Cox, Hydee Luthra, Irv Sherman, Dave Kreitzer, Rich Belzer, Martin Cox, Joe Howland, Richard House

DISCUSSION ITEMS:

1. Community Plan Amendment – Bernardo Heights Elementary School Site

Because the Regional Issues Committee is currently addressing the need for a Community Plan update, we chose to discuss the upcoming request to initiate a community plan amendment on the elementary school site in Bernardo Heights. There had been discussion at our previous committee meeting that perhaps the Plan Update could be initiated in association with the proposed plan amendment. Vicki was to discuss this with Brian Schoenfisch.

Vicki summarized her discussion with Brian Schoenfisch regarding the potential for incorporating the plan update into the current amendment request. Brian did not think it would be possible to combine the two projects, because the plan update is a much bigger project, requiring considerably more time to complete than would be the case if the plan amendment was to be processed on its own. Based on this information, the committee determined that pursuing a plan update as part of the initiation would not be advisable. We will however decide to continue to pursue the plan update through the city through an appropriate alternate method.

Because of the interest in the plan update, the Committee decided to consider the merits of the requested plan amendment. The proposal to convert the school site to residential use requires an amendment to the Community Plan. To do that, the applicant must first receive approval from the City, generally the Planning Commission, to initiate the plan amendment. If approved, City staff is then allowed to review the proposal and make recommendations as to whether or not the plan amendment and the project should be approved. The San Diego Municipal Code (Chapter 12 - §122.0104 Criteria for Initiation of Amendments to Land Use Plans) provides the procedures for initiating a community plan amendment. During this analysis, the details of the project, other than the proposed change in land use, are not under consideration. To understand the relationship of the proposal to the initiation requirements, the Committee first considered the criteria for initiating a community plan amendment that is provided in the Municipal Code. These criteria are presented below, with the Committee's comments provided in *italics*.

§122.0104 Criteria for Initiation of Amendments to Land Use Plans

(a) Primary Criteria. An amendment to a *land use plan* may be initiated if any of the following criteria are met:

(1) The amendment is appropriate due to a map or text error or to an omission made when the *land use plan* was adopted or during subsequent amendments; *(The Committee determined that this criterion did not apply, there has been no map error.)*

(2) Denial of initiation would jeopardize the public health, safety, or welfare; or *(The Committee determined that this criterion did not apply as public health, safety, or welfare issues are not applicable to this site.)*

(3) The amendment is appropriate due to a material change in circumstances since the adoption of the *land use plan*, whereby denial of initiation would result in a hardship to the *applicant* by denying any reasonable use of the property. *(The Committee determined that this criterion did not apply because the school district could use the site for school administration purposes but for economic reasons has chosen to sell the property and provide administrative offices elsewhere.)*

The Committee determined that none of the primary criteria can be met, therefore, the supplementation criteria must be considered.

(b) Supplemental Criteria. If none of the primary criteria listed in this section are met, an amendment to a *land use plan* may be initiated if all of the following supplemental criteria are met:

(1) The proposed *land use plan* amendment is consistent with the goals and objectives of the Progress Guide and General Plan *(The Committee determined that if you consider solely the change from a school site to residential use and do not consider any specific density proposal at this time, than this criterion can be met.);*

(2) The proposed *land use plan* amendment appears to offer a public benefit to the community or City *(The Committee was not able to identify a public benefit other than the economic benefit to the school district as a result of selling the property to a developer. Simply providing additional housing in the community does not in and of itself provide a public benefit. If the project were to provide affordable housing or if it were to provide funding for an identified need within the community than this criterion could be met. The applicant has stated that the following benefits are being provided:*

1) additional revenue to the Bernardo Heights Community Association [since the project will generate additional people for the recreation center to support which in turn requires additional funding to cover those costs, it is not clear what the benefit to the Association really is];

2) a development consistent with the surrounding neighborhood residential [an analysis of how the density proposed by the applicant would be compatible with the existing residential uses in the area has not yet been completed and the density proposal, 21 dwelling unit per acre, exceeds the Community Plan recommendation that projects developed under the medium density designation provide an average density of 20 dwelling units per net acre, page 19 of the Community Plan];

3) a reduction in traffic to the neighborhood would occur [traffic patterns in the area would be different for residential versus a school site. Some congestion at the site in the morning and at the end of the school day would likely result if an elementary school were constructed on the site; however, 174 additional units within the Bernardo Heights community would generate between 8 and 10 trips per unit or 1,392 to 1,740 trips per day and somewhere around 100 and 348 additional AM and PM peak hour trips, depending upon how many residents work during normal week day working hours. These additional trips would exacerbate existing congestion at the Bernardo Center Drive and Camino del Norte freeway on-ramps in the morning and at the Camino del Norte and Paseo Lucido, Paseo Lucido and Avenida Venusto, and Paseo Lucido and Bernardo Heights Parkway intersections during evening peak traffic hours.];

4) Economic benefit to Poway Unified School District; and

5) Opportunity to “clean up” a vacant site [there are many ways to “clean up” a vacant site that do not involve developing the property to the density currently under consideration].

(3) Public services are available or are planned to be available to serve the proposed change in *density* or intensity of use; and (*The Committee identified known public services deficiencies within the community that would have to be addressed including a shortage of park land as identified through our ongoing Public Facilities Financing Plan Update; unfunded traffic circulation improvements, particularly in the vicinity of freeway ramps; overcrowding at the existing schools that serve the residents in Bernardo Heights; inadequate parking to accommodate students at the nearby high school; an outdated fire station that is in need of upgrading to meet the needs of the community and the fire staff; and inadequate police response times throughout the community.*)

(4) City staff is available to process the proposed *land use plan* amendment without any work being deferred on General Fund-supported programs or on-

going *land use plan* updates (*The Committee believes that the staff time needed to process this plan amendment could be better spent on an overall Community Plan Update, however, it is up to the Planning Department to determine the effect of this proposal on their workload, as well as to develop update priorities.*)

The process for initiating an amendment to a community plan, as described in the Municipal Code, is provided below.

§122.0103 Initiation of Adoption or Amendment of Land Use Plans

Preparation of a new *land use plan* or amendment of an existing *land use plan* requires initiation by one of the following methods.

(a) The City Council may, by resolution, direct the preparation of a new *land use plan* or an amendment to an applicable *land use plan*.

(b) The City Manager or an *applicant* may request that the Planning Commission initiate an amendment to a *land use plan* by filing an application in accordance with Section 112.0102.

(1) The City Manager may recommend that a larger area than that proposed by the *applicant* be included in the proposed amendment.

(2) The Planning Commission may approve the request to initiate the amendment only if the Planning Commission determines that the application meets the criteria listed in Section 122.0104.

(3) The Planning Commission shall deny the request to initiate the amendment if they determine that the criteria listed in Section 122.0104 have not been met.

The Committee noted that the last time a community plan amendment for Rancho Bernardo was before the Planning Commission for initiation, there was a proposal to change density requirements and unit caps throughout the community (note item b in the procedures provided above). The Committee is concerned that this proposal could resurface as a result of this request. If this were to happen, we would recommend pushing for a plan update as increasing allowable densities throughout the community would have serious implications with respect to traffic circulation and public services.

As part of our discussion, the Committee reviewed the language in the Community Plan that related to residential development. The following statements were considered particularly relevant to this proposal:

Planning Goals (page 11)

Insure a balanced community. Provide for a wide variety of housing types, densities, unit sizes and prices, with densities consistent with the community plan designations and aesthetically compatible with the surrounding neighborhood.

Provide adequate schools, parks and community facilities integrated with a planned open space system.

Housing and Residential Land Use Element

Residential Objectives (page 15)

To maintain the existing quality and character of Rancho Bernardo in all new development

To create and maintain a residential community adequately served by public facilities, commercial and industrial establishments and a balanced transportation system.

Residential Proposals General (page 17)

The proposed land use plan assumes that there will be approximately 17,900 dwelling units in Rancho Bernardo. This represents an increase of about 1,200 dwelling units over the estimate in the 1978 Community Plan Revision.

. . . a letter of school availability [shall] be provided . . . for consideration . . . when deciding zone changes or approval of residential development which generate additional school-age children in a given area.

[the highest density category in Rancho Bernardo is Medium (14-29 dwelling units per net acre)]

Medium Density Development (14-29 DU/NRA) (pages 19 and 20)

An average density of 20 dwelling units per net acre should be maintained.

In order to ensure project designs that are consistent with the quality of development throughout the community and to ensure that the average density in these areas does not exceed 20 dwelling units per net acres, Planned Residential Development permits are recommended for any projects with a density that exceeds 14 dwelling units per net acre.

Multi-family developments should reflect the community character.

Community Facilities Element – School Sites (page 56)

Any public school site in Rancho Bernardo, not needed for a school, should be considered first for a community park or recreational 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. A residential use of a school property should be further conditioned upon a determination that adequate public facilities exist to serve the additional units proposed and that there would be no significant traffic impacts from the proposed development. A Planned Residential Development Permit should be obtained for any residential development proposed on the site currently designated for school use.

The criteria for initiation of a community plan amendment and the language provided in the Community Plan for unneeded school sites, requires additional analysis related to the availability of adequate public facilities and services to serve additional residential development in the community and a determination that this site is not needed for other public facilities.

If it can be demonstrated that adequate facilities are available, the Committee agreed that initiation of community plan amendment to fully analyze the merits of amending the community plan could be supported; however, the initiation should be limited to consideration of changing the land use designation from school site to residential use, with the actual density designation to be determined after additional analysis of compatibility with surrounding development is conducted. The Committee also recommends that a letter sent to the Planning Commission to support initiation include the following requests:

1. The initiation should permit consideration of changing the land use designation from school site to residential use, with no density category specified at this time.
2. The initiation should be limited to this proposal and should not include consideration of changes to other density restrictions within the community.
3. No other proposals to amend the plan should be permitted to “piggy back” onto this amendment proposal.
4. If there are attempts to expand the scope of the initiation, then the initiation should be folded into a full Community Plan Update.
5. As part of the amendment analysis, the applicant should be required to demonstrate that: a) the project complies with all of the proposals for residential development, including compatibility with the surrounding neighborhood, outlined in the Community Plan; b) adequate public services, including schools, police, fire, and parks, are available to serve the ultimate density proposal for the site; c) that additional peak hour traffic generated from the site will not have a significant, unmitigated cumulative impact on the level of service at various intersections and freeway ramps within the community.

2. Community Plan Update

The Committee determined that before we start looking at the details of a plan update, we need to determine what the costs of preparing the update would be and where we may be able to obtain funding to begin the process. This will require further discussion and research between now and the next meeting. We discussed the possibility of finding a facilitator to assist with a community workshop to identify issues and concerns that should be addressed in the update. Once we have completed this “scoping process,” we can begin to determine the extent of the update, such as what should be changed, what should be retained, what new information is required, and what other topics should be added.

3. Facilities Financing Plan Update and Request from MAD

The Maintenance Assessment District (MAD) Committee is seeking funding for the upgrade of 2.5 mile stretch of asphalt medians on Pomerado Road, as well as on a portion of Rancho Bernardo Road in the Westwood area. The MAD Committee requested that these MAD median projects be included in the Facilities Financing Plan as a very high priority.

Brian Schoenfisch talked to the City's Facilities Financing section about the inclusion of these projects in the Rancho Bernardo Facilities Financing Plan. Unfortunately, the two median projects are not eligible to receive Developer Impact Fees (DIF). According to the State guidelines that are followed to disperse DIF funding, the City cannot fund beautification, landscaping, and/or upgrades of previously existing projects. The City did however agree to include both projects in the financing plan, but they will be listed with other projects that will require funding sources other than DIF funds, such as competitive grants.

We are hoping to receive the revised draft Financing Plan for consideration by our next Committee meeting.

4. Airport Relocation Proposal

There was discussion regarding the committee being put together by the Chamber to review the relocation proposal and whether or not we should work jointly with that committee rather than working on a separate track. After much discussion, including some thoughts that perhaps this is not something the Planning Board should take on, we decided to proceed with an evaluation of the proposal on our own and review the potential adverse and beneficial effects of joint use at Miramar. We are interested in participating in future meetings sponsored by the Chamber and if needed to assist the Chamber's committee in putting on these meetings.

At last month's meeting, members agreed to review various aspects of the proposal. Jeff and Martin will provide input related to aircraft operations and safety (compatibility of a civilian and military operation in one location), Jim will review the potential noise issues to Rancho Bernardo, Vick will look at the traffic issues, and Joyce will review the Airport Authority's economic/marketing analysis. We are also interested in understanding who would pay for the required infrastructure needed to support a commercial airport at Miramar, particularly the significant traffic improvements that would have to be implemented. Other issues include how the existing airport site would be used in future under this proposal and what would be the growth inducing effects of placing a commercial airport at Miramar.

Marty presented information on compatibility of military and commercial aircraft and explained the difference between the landing of military aircraft and commercial airliners. There are significant differences in approach speeds and flight control from the ground. From a pilot's perspective, combining military flight training and commercial airline use is unsafe and impracticable.

Dick Walker presented information regarding the military's perspective on the proposal. They consider the two uses incompatible and have additional concerns related to security and impacts (noise, traffic, etc.) to military personnel who live on the base.

The Committee recommends that we invite speakers from both sides to the Planning Board's September meeting. At the August Committee meeting, we will work on questions for the speakers to address.

5. Redirection of Flow Report for Trunk Sewer in Green Valley Creek

There was some confusion about how much time would be available to discuss this project at the June meeting. As a result, the Board did not receive adequate information to make a recommendation on how the trunk sewer line in Green Valley Creek should be handled. The City will provide the Committee with a report, followed by a presentation at the next meeting. Based on this information, the Committee will make a recommendation to the full Board for consideration at the August Planning Board meeting.

6. Topics for Next Month's Meeting

- Redirection of Flow in Green Valley Creek
- Airport Relocation
- City's General Plan Update
- Community Plan Update
- Update on Lake Hodges Pedestrian/Bicycle Bridge (possible item)

**Next Meeting of the Regional Issues Committee
August 1, 2006, 7:00 PM - Rancho Bernardo Swim and Tennis Club**