

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE VESTING TENTATIVE MAP NO. 1451662 FOR THE GLEN AT SCRIPPS RANCH PROJECT – PROJECT NO. 264823.

WHEREAS, Alliant International University, a California not-for-profit corporation, Subdivider, and Brad Sager, Engineer, submitted an application to the City of San Diego for a Vesting Tentative Map No. 1451662 for The Glen at Scripps Ranch. The project site is located south of Pomerado Road, west of Chabad Center Driveway in the RS-1-8 zone in the Scripps Ranch Community Plan area. The property is legally described as Parcel 2 of Parcel Map No. 21237; and

WHEREAS, the Map proposes the Subdivision of a 53.0 acre-site into two lots and one open space lot for the Multi-Habitat Planning Area for development of a continuing care retirement community; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on November 19, 2015, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1451662, and pursuant to Resolution No. 4746-PC, the Planning Commission voted to recommend City Council approval of the map; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a

public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on December 15, 2015, the City Council of the City of San Diego considered Vesting Tentative Map No. 1451662 and pursuant to San Diego Municipal Code section 125.0440 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 1451662:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan. The Glen at Scripps Ranch project (Project) would create a subdivision of three lots. Two lots for development of a continuing care residential community and one lot for MHPA open space. The Project would construct 400 age restricted, non-acute assisted living units, 50 acute assisted living units sixteen of which are memory care units, and 60 skilled nursing beds.

The proposed Project, located within throughout the Scripps Miramar Ranch Community Plan, is designated as “Institutional” land use, along with the City of San Diego’s General Plan. The Project is consistent with the City’s General Plan Land Use Element designation of “Institution and Public and Semi-Public Facilities” and “Park, Open Space, and Recreation.” The continuing care residential community is allowed in the Scripps Miramar Ranch Community Plan with the approval of a Planned Development Permit. Area D in the Community Plan is comprised of 800 acres located in the southeast portion of the planning area. Land in this area is generally characterized by slopes in excess of thirteen percent and/or eucalyptus trees. Because of these factors, density is limited in this area and the maximum preservation of open space is encouraged. The open space located south of Pomerado Road and north of the Project’s grading footprint will be preserved consistent with the goals of the General Plan and Scripps Miramar Ranch Community Plan. In addition to the proposed subdivision, a proposed Multi-Habitat Planning Area boundary line adjustment will result with the approval of the Project. From the Multi-Habitat Planning Area 1.87 acres will be removed from the MHPA and 7.46 acres will be preserved through a Covenant of Easement. As a result of this on-site land exchange, the MHPA land on-site will total 9.90 acres and will achieve an important goal of the Scripps Miramar Ranch Community Plan.

The Project meets a goal of the Scripps Miramar Ranch Community Plan in that the Project will enhance the present living environment while accommodating a continuing care retirement community which is complementary to the existing community. The Project will provide an opportunity to senior’s transitioning from standard residential housing to assisted-living units. The use is designed to be consistent with existing surrounding land uses and will not adversely affect the land use plan. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code. The proposed Project has been designed to comply with the development regulations of the San Diego Municipal Code as it relates to the creation of lots and minimum lot standards in the RS-1-8 zone. Overall, the proposed Project has been designed to be in harmony with the immediately adjacent neighborhood as it relates to the relevant standards for the creation of lots in RS-1-8 zone. Implementation of the Project will not require deviations from the zoning regulations as it relates to the subdivision of land. While the Project complies with the majority of the development regulations of the applicable zone the Project requires four deviations, as allowed by the Planned Development Permit regulations. The Planned Development Permit process is the proper vehicle to request deviations where the topographic constraints and other existing conditions of the site dictate a design response which requires flexibility. The deviations requested are reasonable and will result in a better project in keeping with the purpose and intent of the Planned Development Permit regulations. More specifically the deviations are as follows:

	<u>Deviation</u>	<u>RS-1-8 Zone</u>	<u>Proposed</u>
•	Minimum Street Frontage	100’	None (private driveway)
•	Maximum building height	35’	Varies; 37-50’
•	Monument signs in public right-of-way	None	2 signs
•	Development encroachment into steep hillsides		100% encroachment

The purpose of the Planned Development Permit regulations is to provide flexibility in the application of development regulations for projects where strict application of the base zone development regulations will restrict design options and result in a less desirable project. The intent of the Planned Development Permit regulations is to accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, and community and City benefits. Considered together the deviations will create a more desirable project that is clearly distinguishable from surrounding communities than will be achieved by strict conformance with the development regulations of the applicable zone. As a subdivision in the RS-1-8 zone, the Project complies with the applicable zoning and development regulations of the Land Development Code, as allowed with the approval of a Planned Development Permit.

3. The site is physically suitable for the type and density of development. The Project site is located in an area of hills and drainages on the south side of Carroll Canyon. Land in the area is generally characterized by slopes in excess of thirteen percent slope, found primarily in Carroll Canyon and smaller subsidiary canyons. A large existing ridge runs diagonally across the center of the site from the southeast to northwest. A natural drainage originally ran from the southeast corner of the site diagonally across the property and emptied into Carroll Canyon. Elevation on the site range from approximately 550 to 790 feet above mean sea level. The southern end of the property consists of the north-facing slopes of an off-site westerly trending ridge, and is bisected by two drainages. An area measuring approximately 270 meters by 100 meters in the west-central portion of the site has been extensively excavated and filled in the past. This area was originally a narrow southeast to northwest trending canyon. The sides of the canyon were extensively excavated, and the resulting soil was used to fill the bottom of the canyon. The excavated slopes are up to 60 feet high. The northwestern half of this fill area is now being used as a baseball field, and the southeastern half is a vacant, abandoned softball field.

The Project required the submission of several technical reports prepared by individuals licensed by the state to practice in their technical specialty. These technical reports were reviewed by city staff also licensed by the state to practice in their technical specialty. The applicant submitted a Geotechnical Investigation prepared by Leighton and Associates, Inc., a Steep Slopes Analysis, prepared by Latitude 33 Planning and Engineering, a Conceptual Grading/Drainage Plan Report prepared by Latitude 33 Planning and Engineering, a Water Quality Technical Report prepared by Latitude 33 Planning and Engineering, a preliminary Drainage Study prepared by Latitude 33 Planning and Engineering, a Cultural and Paleontological Resources Survey Report prepared by RECON Environmental, Inc., an Archaeological Resources Report prepared by RECON Environmental, Inc., and a Biological Resources Technical Report prepared by RECON Environmental, Inc. Review of these technical reports when considered in total indicates the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. Therefore, the site is physically suitable for the design and siting of the project and the project will result in minimum disturbance to environmentally sensitive lands.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. As a subdivision in the RS-1-8 zone, the Project complies with the applicable zoning and development regulations of the Land Development Code. The Project site is approximately 53 acres and contains environmentally sensitive lands in the form of biological resources and steep hillsides. The Project is proposing to mitigate all biological impacts. A boundary line adjustment to the MHPA is included with the Project which will result in a no net loss of MHPA area. With the MHPA boundary line adjustment, 1.87 acres will be removed from the MHPA and 7.46 acres will be added to the MHPA through a conservation easement. As a result, the total MHPA land on-site will become 9.90 acres. All MHPA adjacency guidelines have been adhered to for the Project.

The design of the subdivision includes the creation of manufactured slopes all of which will be stabilized and planted with vegetation to prevent erosion through wind or rainfall. The

plant species to be used in erosion control will be selected for their variation of rooting depth to provide additional stability to the manufactured slopes in addition to the engineering practices and standards in the excavation and embankment of earthen works. In light of the adherence to strict engineering construction standards, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare. The design of the subdivision, the Project and its related site improvements will not be detrimental to public health, safety and welfare. The Project will comply with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area in relation to the subdivision of land. Conditions of approval require compliance with several regulations relevant to the subdivision of land. These requirements will assure the continued health, safety and general welfare of persons residing or working in the area in relation to the subdivision of land.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The design of the subdivision, the Project and its related site improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision specifically due to the fact the site contains no easements acquired by the public at large for access through or use of property within the proposed subdivision. In that there are no easements acquired for the public at large, there can be no conflict with something which does not exist.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities. The design of the subdivision, the Project and related site improvements, will provide, to the extent feasible, for future passive or natural heating and cooling opportunities. The proposed subdivision of a 53 acre parcel into 3 lots for a continuing care retirement community will not impede or inhibit any future passive or natural heating and cooling opportunities. Design and construction of the proposed buildings will not impede or inhibit any future passive or natural heating and cooling opportunities. As a result of the design of the proposed subdivision, each structure to be constructed on the site will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources. The design of the subdivision, the Project and its related site improvements will meet a specialized need in the community for a continuing care retirement community. The effects of the proposed subdivision on the housing needs of the region will be to improve the variety of housing types for the elderly population. All public utilities are available to the project site. The project will improve an unimproved property which in turn will increase the tax base in the community and the cost of any needed public services, such as fire and police protection, will be at least partially offset by

the increase to the city's general fund. All environmental resources impacted by the project will be fully mitigated at the appropriate mitigation ratios of the city's Biology Guidelines.

The above findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map No.1451662 is hereby granted to Alliant International University and The Glen at Scripps Ranch CCRC, LLC, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
Shannon M. Thomas
Deputy City Attorney

SMT:als
11/25/2015
Or.Dept:DSD
Doc. No. 1166047

Attachment: Vesting Tentative Map Conditions