

DATE ISSUED: January 9, 2002 REPORT NO. 02-005

ATTENTION: Honorable Mayor and City Council
Docket of January 15, 2002

SUBJECT: Torrey View Estates, Planned Development Permit/site Development Permit/Vesting Tentative Map/Rezone No. 40-0197. District 1. Process 5.

REFERENCE: Report No. P-01-218. ng Report And/or Date of Previous Permit Approval And Brief Description of Approved Project

OWNER: Elizabeth Riis

APPLICANT: Sorrento Sand Company

SUMMARY

Issues - Should the City Council approve an application for a Planned Development Permit, Site Development Permit, Vesting Tentative Map and Rezone from AR-1-1 to AR-1-2 to create eight (8) lots of a minimum one (1) acre size for custom single-family residences in the Carmel Valley Community Plan area?

Manager's Recommendation -

1. CERTIFY Revised Mitigated Negative Declaration LDR. No. 40-0197, and ADOPT the Mitigation, Monitoring and Reporting Program (MMRP), and;
2. APPROVE the requested Planned Development Permit, Site Development Permit, Vesting Tentative Map and Rezone No. 40-0197.

Planning Commission Recommendation - On November 15, 2001, the Planning Commission voted 5-0-0 to recommend approval of the project as proposed and conditioned. The Planning Commission also directed staff to advise the City Council of their concern that the potential public connection from Arroyo Sorrento Road to the open space south of the project site would be lost with approval of this project because there is no mechanism for the City to require the applicant to provide such a connection.

Community Planning Group Recommendation - The Carmel Valley Community Planning Board voted 12-0-0 on February 15, 2001 to submit a letter with their concerns and conditions of approval for the project. The project was redesigned by the applicant and now satisfies most of the Planning Board's concerns. Two issues remain: 1) the Planning Group has requested that pedestrian access be provided through the Torrey View Estates property to allow neighboring residents to access the open space area

immediately south of the project site. The applicant has not proposed such an access, nor is it a requirement of the City Land Development Code or the Carmel Valley Community Plan; and 2) the Planning Board requested that no more than two of the 5 proposed homes along Arroyo Sorrento Road would have "front loaded" garages, facing the street. The project as currently designed and conditioned does not require this, although a maximum 2-car width garage would be allowed along Arroyo Sorrento Road.

Environmental Impact - The City of San Diego as Lead Agency under CEQA has prepared and completed Revised Mitigated Negative Declaration LDR No. 40-0197, dated October 31, 2001, and the Mitigation, Monitoring and Reporting Program (MMRP) covering this activity. The MMRP addresses the issues of Land Use, Hydrology/Water Quality, Paleontological Resources, and Biological Resources.

Fiscal Impact - None with this action.

Code Enforcement Impact - None with this action.

Housing Affordability Impact - The proposed residential project is not required to provide an affordable housing component due to its location within a "planned urbanizing" rather than a "future urbanizing" community. Other issues related to housing affordability such as demolition of rental housing are not applicable to the vacant property and relatively small number of market-rate dwelling units proposed.

Traffic Impact - The Torrey View Estates project is estimated to generate approximately 80 average daily trips (ADT). Twenty (20) of these trips are estimated to occur on Interstate 5 south of State Route 56, which has an estimated near-term volume of 262,020 ADT. Caltrans is planning to widen Interstate 5 to provide 10 additional lanes south of State Route 56 to be completed by 2004. (See Attachment 15)

BACKGROUND

The Torrey View Estates project proposes to subdivide an existing 11.85 acre residential property in the Carmel Valley Community Plan area into eight (8) lots of a minimum one acre each for future development of 8 custom single-family residences. The project site is located at 4049 Arroyo Sorrento Road on the south side of the road between Tierra Del Sur and Arroyo Sorrento Place. The property is currently zoned AR-1-1 (Agricultural-Residential, minimum 10 acre lots) and the project proposes to rezone the property to AR-1-2 (Agricultural-Residential, minimum 1 acre lots) to allow the creation of the 8 proposed lots. On May 1, 1996, Hillside Review and Grading Review Permit No. 94-0277 was issued for the project site to allow development of a 5,000 square-foot, one-story single family home with swimming pool, plus 10,000 square-foot croquet court and garden area with a 750 square-foot gazebo (Attachment 12). Grading has commenced under that permit, and the project site has also been used as a construction staging area for the adjacent project to the east (Torrey Woods Estates). An existing flood water storage easement and desiltation basin and access easement have been developed on site by the developer to the east, Torrey Pines Home Building Company, and shall be maintained by that developer. Other than these improvements, the project site is vacant.

As biological resource mitigation for Hillside Review Permit (HR) No. 94-0277, 4.11 acres of the site were to be dedicated as open space. However, only 3.75 acres were actually dedicated per the recorded easements. The proposed Torrey View Estates project would amend and rededicate a total of 4.11 acres into open space easement for biological resources mitigation on-site, as required.

Surrounding land uses include the residential development (Torrey Woods Estates) to the east, multi-family residential units to the south (Loma Sorrento), a single family home with horse corrals and green house to the west, and vacant land to the north.

The project site contains steep slopes and sensitive habitats. A Site Development Permit is therefore required for the project in accordance with the Environmentally Sensitive Lands Regulations. Access to three of the eight proposed lots would be via a gated private driveway off of Arroyo Sorrento Road. Due to the proposed frontage on the private driveway in lieu of a public right-of-way, a Planned Development Permit is required for the project.

PROJECT DESCRIPTION

The proposed Torrey View Estates project includes a request for a Vesting Tentative Map, Planned Development Permit, Site Development Permit and a Rezone from AR-1-1 to AR-1-2 to create eight (8) custom home lots of a minimum one acre in size each. The eight proposed lots range in size from 1.0 acres to 3.30 acres. Each lot would provide a minimum of four parking spaces on site. The proposed project includes Design Guidelines for development of the custom homes, which would range in size from 2,800 square feet to 6,500 square feet. The lots would be sold and developed separately, and there are no specific development proposals at this time. Design of the custom homes would be in accordance with the Design Guidelines (Attachment 10). Conformance with the Design Guidelines would be determined by staff through a Substantial Conformance Review process prior to issuance of building permits, as required in the draft Permit. The Design Guidelines specify architectural characteristics and styles designed to ensure quality development that is compatible with the surrounding neighborhood and environmentally sensitive. Permitted architectural styles include French Country, Spanish Colonial, English Country, Italian, and Tuscan, as presented in the Design Guidelines.

Vehicular access to three of the eight lots (Lots 6 -8) would be via a gated private driveway off of Arroyo Sorrento Road. The proposed gate is in compliance with Council Policy 600-42 (Attachment 9) for controlled access. Access to Lots 1- 5 would be directly from Arroyo Sorrento Road and would be in conformance with the zone requirements.

Grading is proposed to create the custom home lots, in addition to grading that is already occurring pursuant to HR 94-0277. Currently, approximately 57% of the site has been disturbed by grading. An additional 7% of the site would be graded with the proposed project. Approximately 2,500 cubic yards of cut and 37,000 cubic yards of fill are proposed, with a net import amount of 34,500 cubic yards. Grading has been designed to minimize the impact to natural landforms, and the custom home sites have been located so as to minimize the environmental and visual impact of the future homes. As a condition of the permit, the elevation of the pads along Arroyo Sorrento Road shall not be increased.

The proposed project includes an amendment and rededication to the City's open space preserve. As a condition of the previous HR No. 94-0277, a total of 4.11 acres of undisturbed land was to have been placed into three dedicated open space easements as mitigation for biological impacts of the approved single family project. However, only 3.747 acres of the site were actually dedicated. To correct this situation, the currently proposed project would rededicate the open space easements to achieve the total required amount of 4.11 acres.

DISCUSSION

The proposed Torrey View Estates project is consistent with the policies, goals, and objectives of the Carmel Valley Community Plan (Plan). The Plan designates the subject property as Very Low Density Residential (0-5 DU/acre). The density of the proposed project is 0.675, which is within the allowable density range. Although the proposed project would be at the low end of the density range based on gross site acreage, the environmental constraints of the site, including the steep hillsides, existing open space and drainage easement, and MHPA area, inhibits the creation of additional lots. The development pattern proposed with this project is consistent with the development pattern of the surrounding area which includes custom homes on large lots (minimum one acre) within a rural setting. In accordance with the objectives of the Community Plan, the Torrey View Estates project has been designed to promote the preservation of the natural environment. The proposed custom home pads are located in the areas of the site that have already been disturbed, and the pads do not encroach onto steep slopes. The design is meant to compliment rather than dominate the surrounding topography and environmental features that exist on site. The proposed lot design and compliance with the Design Guidelines will encourage harmony with the rural feel of the Arroyo Sorrento neighborhood.

An Environmental Initial Study was completed for the proposed project and it was determined that the project could have a significant environmental impact on Land Use (MSCP Subarea Plan Compliance), Hydrology/Water Quality, Paleontological Resources, and Biological Resources. A draft Mitigated Negative Declaration was prepared, and a Mitigation, Monitoring and Reporting Program (MMRP) was developed to ensure that the project would not have a significant negative environmental impact. Subsequent to public review of the draft MND, the project design was revised in response to community concerns, and additional mitigation measure were added to the MMRP. A Revised MND was prepared in accordance with CEQA, Implementation of the Mitigation, Monitoring and Reporting Program, as required for the proposed project and briefly described in the following, would reduce potential impacts to below a level of significance:

For Land Use-MSCP Subarea Plan Compliance, the MMRP includes requirements that outdoor lighting be directed away from the MHPA; that 4 foot high fences be installed along the rear of building pads on Lots 6 - 8, and that landscaping in areas adjacent to the MHPA not include invasive species. For Paleontological Resources, the MMRP requires that a qualified paleontologist be retained and specifies the responsibilities of that position.

The MMRP for Hydrology/Water Quality includes both Short Term Mitigation Measures for the construction phase of the project, and Long Term Mitigation Measures for Post-Construction/Operational phase of the project. A Storm Water Pollution Prevention Plan

(SWPPP) and a Monitoring Program Plan is required, as well as Best Management Practices to ensure that runoff from the development will not contribute to erosion or water quality degradation. All surface runoff shall be filtered/treated for removal of sediment and oil/grease prior to leaving the site. Grass-lined swales, detention basins, and rip-rap energy dissipaters shall be constructed to reduce sediment and pollution in storm water prior to entering the public storm drain system.

The MMRP for Biological Resources requires that a qualified project biologist flag the boundaries of Open Space Easements A, B, and C to distinguish them from the Brush Management Zone 2, and requires that the population of the Del Mar Sand Aster in the area to be impacted by construction be propagated by seed and planted in the designated open space area. With implementation of the MMRP in the issue areas of Land Use, Paleontological Resources, Hydrology/Water Quality, and Biological Resources, the proposed Torrey View Estates project would not create a significant negative environmental impact.

On February 15, 2001, the Carmel Valley Community Planning Board voted 12-0-0 to submit a letter with their concerns and conditions of approval for the project (Attachment 13). The project was redesigned by the applicant and now satisfies several of the Planning Board's concerns. Design modifications that were made include reducing the width of the private driveway from 36 feet to 32 feet, reducing the pad elevation for Lot 1, adding water quality mitigation measures, revising the landscape plan, and modifying the Design Guidelines to ensure a development that would be compatible with the neighborhood character. Conditions have been included in the draft permit to ensure that the pad elevations cannot be higher than shown on the Tentative Map, and that no deviation from the approved brush management plan will be allowed. However, as described briefly below, not all of the Group's issues have been satisfactorily addressed by the project as currently proposed, nor have all of their recommended conditions been included. The Planning Board does not support the project as currently proposed.

The Planning Group has requested that pedestrian access through the Torrey View Estates property be provided from Arroyo Sorrento Road to allow neighboring residents to access the open space area immediately south of the project site. The Planning Group suggest this easement as a way to connect to a future trail network on Carmel Mountain, connecting with Los Penasquitos Canyon. The applicant has not proposed such an access, nor is it a requirement of the City Land Development Code or the Carmel Valley Community Plan.

The proposed project has essentially satisfied the Planning Board's concerns regarding open space. The previous HR No. 40-0277 permit required that a total of 4.11 acres of open space be dedicated as mitigation for biological impacts. However, due to an error in the permit, it was reported that 4.11 acres of open space was to be dedicated in the southern area alone of the site, where only 2.72 acres were intended, which led to an erroneous conclusion about the total amount of onsite open space required. To further complicate matters, a total of only 3.747 acres were actually dedicated. The currently proposed project would be required to amend the grant deed and rededicate a total of 4.11 acres open space on-site, broken down as follows: Easement A - 0.83 acres; Easement B - 0.43 acres; Easement C - 2.85 acres .

The Planning Board requested that no more than two of the five homes along Arroyo Sorrento

Road would have "front loaded" garages. The project as currently designed and conditioned does not require this, although a maximum 2-car width garage would be allowed along Arroyo Sorrento Road.

PLANNING COMMISSION HEARING

At the November 15, 2001 Planning Commission hearing the Commission voted 5-0-0 to recommend approval of the project as proposed and conditioned. The Planning Commission also directed staff to advise the City Council of their concern that the potential public connection from Arroyo Sorrento Road to the open space south of the project site would be lost with approval of this project because there is no mechanism for the City to require the applicant to provide such a connection.

Typically, the City may require a subdivision map to provide a trail easement and construction of a trail facility to standards acceptable to the Park and Recreation Department if the trail alignment is provided for in the land use plan for the area. While the 1975 Carmel Valley/North City West Community Plan does not identify specific trail alignments, the community plan recommends that trails be provided within the planned open space network to link the various neighborhoods in the community. The community's open space system is comprised of major natural features (i.e. Carmel and Shaw Valleys), secondary lateral canyons containing steep slopes and open space required within individual planned residential developments where linkages are to be provided between neighborhoods and activity areas.

The Community Plan requires preparation of precise plans for each neighborhood in Carmel Valley. Precise Plans have been adopted for each neighborhood in Carmel Valley except for Neighborhood 8b, which is the neighborhood of the proposed Torrey View Estates project. The precise plans have further refined the designated open space system as well as identified specific trail alignments within the open space with connections to proposed development and activity areas. Neighborhoods 8a and 8b were originally part of Neighborhood 8 and were subsequently separated when the Neighborhood 8 Precise Plan was adopted in 1984. In 1990, the property owners in Arroyo Sorrento opted out of the Neighborhood 8a planning process through filing their own Precise Plan in order to develop a land use plan that preserved the existing rural character of the subarea. The precise planning process for Neighborhood 8b was never completed.

Subsequent adoption of the Neighborhood 8a Precise Plan redesignated the majority of the neighborhood (Carmel Mountain) from residential use to open space. While the Neighborhood 8a precise plan does not specifically locate trail alignments, the plan provides guidelines for future trails in Carmel Mountain open space. The precise plan also encourages a trail at the community's northern boundary adjacent to Neighborhood 8b. This trail would allow either public or private access to Carmel Mountain open space from adjacent private property in Neighborhood 8b.

Staff does not believe there is sufficient basis in the adopted land use policies for this community to require a public trail connection between Arroyo Sorrento Road and Carmel Mountain open space through the project site without a specific trail alignment or designated open space

connection. Additionally, public access consistent with Park and Recreation design standards would require significant right-of-way and a redesign of the proposed project. Dedication of a private easement and trail facility would not be required to meet City standards and can be granted to the adjacent neighborhood at the applicant's option.

SUMMARY

The Torrey View Estates project as currently proposed and conditioned complies with all applicable regulations of the Land Development Code. No variances are requested, and the requested street frontage deviation is permitted by the Planned Development Permit ordinance. Based upon the review of the proposed project and all applicable regulations, staff recommends approval of the Torrey View Estates project as currently proposed and conditioned.

Respectfully submitted,

Tina P. Christiansen, A.I.A.
Development Services Director

Approved: P. Lamont Ewell
Assistant City Manager

CHRISTIANSEN, VLG

Note: Attachment Nos. 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, and 14 are not available in electronic format. A copy is available for review in the Office of the City Clerk.

- Attachments:
1. Community Plan Map
 2. Project Location/Rezone 'B' Sheet
 3. Project Data Sheet
 4. Project site Plans (5 pages)
 - [5. Draft Permit](#)
 - [6. Draft Permit Resolution](#)
 - [7. Draft Tentative Map Resolution](#)
 8. Draft Rezone Ordinance
 9. Council Policy No. 600-42 and draft Findings
 10. Design Guidelines
 11. Project Chronology
 12. Grading and Hillside Review Permit No. 94-0277
 13. Ownership Disclosure
 14. Carmel Valley Community Planning Board, letter dated 2/15/01
 - [15. Project Traffic Information](#)