

**QUAIL MEADOWS PROPERTIES, LLC**  
610 W. ASH STREET, SUITE 1500 | SAN DIEGO, CA 92101

January 21, 2019

Robin Huntley  
Housing Policy Manager, Housing Policy Division  
Housing & Community Development  
2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833

RE: City of Encinitas Draft Housing Element, R-30 Development Standards

Dear Ms. Huntley:

We are the owner and developer of approximately 12 acres of land (Site AD2) approved by the Encinitas City Council to be rezoned to 30 du/ac. I am writing to express our concerns with the development standards for R-30 district adopted by City Council on June 20, 2018. I would like to bring to your attention that certain proposed standards will effectively preclude builders from achieving the target 30 du/ac density and restrict housing production.

We do recognize the City's hard work in updating the Housing Element throughout the past year and praise both the City staff and Council Members for equally engaging the stakeholders on both sides of the issue - the local community and homebuilder professionals. The City has made every effort to involve us in the drafting of the new development regulations, and we commend them for that. However, I believe there are a few remaining concerns that could have a serious negative impact on achieving the Housing Element visions, and we have a unique perspective on these issues as homebuilders. Our firm has been in homebuilding business for 60 years and has constructed more than 20,000 homes throughout Southern California. We pride ourselves on a quality craftsmanship and a commitment to giving back to the communities we build in. Our intent is to help accomplish a set of reasonable development standards that are consistent with the typical construction practices and allow for quality design.

Below I have outlined the specific development standards which will result in limiting the building potential of our property below the R-30 zoning limits.

- 1. Height Measurement from Natural Grade.** Measuring height from the natural grade has the potential to stymie development, especially when it comes to high-density housing. A large pad for a multi-family structure will inevitably have variations in topography and requires areas of cut and fill. The only practical way to measure a multi-family building height is from the finished grade since its existing grade is never flat.

Our property sits at the bottom of a valley and is significantly lower in the elevation than the adjacent roads and residences – the residences to the north and east are between 6 and 40 feet higher than anticipated finished grades on our site, and Quail Gardens Drive (to the west) is up to 22 feet higher. This will allow for a higher density product, with taller buildings, to be located on the site with minimal impact, including visual impact, to these adjacent properties.

To provide our project with ADA-compliant access, sewer flow, and storm water flow, a large amount of soil fill is required, up to 20 feet in height in some areas, to establish residential pads and roadways. If measured from the natural grade, building heights will exceed the limit by as much as 20 feet. Even with substantial technical documentation and recommendations from licensed geotechnical and civil engineers, determination of natural grade would be left to the Planning Commission as a discretionary review item.

This standard can potentially render our entire property undevelopable due to the way height is measured. We ask that HCD requires the City of Encinitas to amend the R-30 zoning such that height is measured from the finished pad.

- 2. 33-Foot Height Limit.** The proposed height limit is unreasonably low. A typical three-story building with a flat roof constructed to industry standards is 36 feet tall. This height is made up of three 10-foot stories (9-foot ceiling height over 1'-3" floor assembly), a 1.5' roof assembly and 4-foot parapet (a typical HVAC unit is 4 feet tall, and code requires a minimum 42" high fall barrier if equipment is on the roof). Requiring nonstandard products and techniques will result in builder's cost overruns and financing complexities causing delays with housing production. Furthermore, considerations must be given to the fact that the finished elevations along the perimeter of structures will vary because of factors like sloping streets, maintaining drainage, and ADA issues. Therefore, it is good to have a little bit of extra height allowance to accommodate these circumstances.

We request that the height limit for R-30 is set at 36 feet for a flat-roof building and 38 feet for a pitched-roof building.

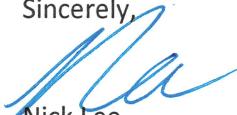
- 3. Net Acreage.** The City's restrictive net acreage calculation requirements reduce our property's developable acreage and subdivision density below 30 du/ac. Specifically, approximately 2.25 acres are deducted for private streets from gross acres reducing our unit yield by 67 units (from 274 to 207).

We request that nondevelopable acreage is limited to public right-of-way, and that net developable area includes private access roads and parking areas.

We hope that HCD finds these comments helpful and the City of Encinitas incorporates our requests in the final development standards.

Please contact us if you need any further clarification or assistance.

Sincerely,



Nick Lee

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