



## Rancho Peñasquitos Planning Board Meeting Minutes

March 4, 2009

Attendees: Dan Barker, Jon Becker, Joost Bende, Morri Chowaiki, Bill Diehl, Bill Dumka, Tuesdee Halperin, Wayne Kaneyuki, John Keating, Jim LaGrone, Lynn Murphy, Jeanine Politte, Keith Rhodes, Scot Sandstrom, Charles Sellers, Mike Shoecraft, John Spelta, Dennis Spurr

Absent: Sudha Garudadri

Community Members & Guests (Voluntary Sign-in): none

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1. The meeting was called to order at 7:50 pm at the Doubletree Golf Resort located at 14455 Peñasquitos Drive, San Diego, California 92129. A Quorum was present.
2. Agenda Modifications: none
3. MINUTES: No corrections.  
Motion to approve the February 4, 2009 Rancho Peñasquitos Planning Board Meeting minutes as presented. M/S/C - Sandstrom/Diehl/Approved 17-0-1 abstention (Dumka).
4. Election Chair Bende called for any last voters who may have been waiting to vote to come up and vote.
5. Guests: No representatives from Fire Stations 40, 42, 44 or 46.
6. NON-AGENDA, PUBLIC COMMENTS: No comments
7. ANNOUNCEMENTS & INFORMATION ITEMS:
  - a. San Diego City Mayoral Office, Stephen Lew – not in attendance
  - b. San Diego City Council District 1 Report – Stephen Heverly
    - Cresta Bella – reported that plan is in review stage, no permits yet. Council District office is looking at how the public can view the plans within the process. Politte added that tenants had been given notice this past weekend to vacate by April 30, 2009.
    - Hilltop Phase II Ribbon Cutting is scheduled for 3/27/09 at 9am. The Mayor was invited & Councilmember Lightner will be in attendance. The flagpole installation plan has been sent back to for review.
    - Council office was able to ascertain who the construction vehicles parked on Camino Del Sur belonged to; Heverly stated that contractor building Del Norte High School were staging their larger vehicles there.
    - Sandstrom inquired about the status of Torrey Brooke II bond release of completion of punch list from TB I. Council District office was asked to follow up that it gets done within the 30-60 days per the developer's commitment to report back.
  - c. San Diego City Planning & Community Investment Report – Tim Nguyen
    - Nguyen reminded the board members of the Recusal Policy as stated in Council Policy 600-24 and as stated in the Bylaws; must disclose financial interest and recuse from discussion/vote participating as a member of the public. Concerns were raised following previous discussions.
      - Sellers noted the act of recusal is to remove yourself from the table and join the audience before the item begins.
  - d. State of California, 75<sup>th</sup> Assembly District - Oscar Urteaga was unavailable to attend.

8. BUSINESS.

a. **Torrey Highlands Public Facilities Financing Plan** (Action Item) –

Rhodes recused and seated himself in the audience.

Sellers & Becker stated that this item was forwarded from the LUC for discussion and action at the regular meeting. Sellers asked for a motion to open discussion.

**Motion** was made by Diehl: To approve the transportation phasing plan with the following changes: 1) Use the January 2009 Draft Plan Fee Structure (Facilities Benefit Assessment Schedule), and 2) Amend Table 7 Torrey Highlands FBA Cash Flow chart to reflect prior year’s figures as either a footnote or a separate column.

Diehl stated there is a discrepancy in the January 2009 & March 2009 plans revenue figures; currently the January plan states there is \$98 million in revenue and the March plan states \$124 million, while the yearly revenue doesn’t change enough to make up the difference.

Motion was seconded by Sandstrom.

Discussion:

- Keith Rhodes would like to show his support for the proposed amendment noting there is a change in the March plan from the January plan, 9a & 9b were used in the Facilities Benefit Assessment Schedule where only 2009 had been included in the January plan. Requested that the plan includes the January fee structure be used with an explanation of what a & b represent. John Tracanna agreed that they can add the explanation in the text.
- Sellers asked Diehl if he wanted to amend his motion. Diehl amended the motion to include the a & b fee structure with the a & b notation using the January plan fee schedule as follows:

<b>Facilities Benefit Assessment Schedule</b>							
<b>Fiscal Year</b>	<b>\$/SFDU</b>	<b>\$/MFDU</b>	<b>\$/LMXU</b>	<b>\$/CO</b>	<b>\$/ CL</b>	<b>\$/ ECTC</b>	<b>\$/ INST</b>
2009a	\$ 98,225	\$ 68,760	\$ 792,676	\$ 592,297	\$ 175,823	\$ 528,322	\$ 147,338
2009b	\$ 105,101	\$ 73,573	\$ 848,165	\$ 633,759	\$ 188,131	\$ 565,306	\$ 157,652
2010	\$ 105,101	\$ 73,573	\$ 848,165	\$ 633,759	\$ 188,131	\$ 565,306	\$ 157,652
2011	\$ 110,356	\$ 77,252	\$ 890,573	\$ 665,447	\$ 197,537	\$ 593,571	\$ 165,534
2012	\$ 115,874	\$ 81,115	\$ 935,103	\$ 698,720	\$ 207,414	\$ 623,251	\$ 173,811
2013	\$ 121,668	\$ 85,171	\$ 981,861	\$ 733,658	\$ 217,786	\$ 654,415	\$ 182,502
2014	\$ 127,751	\$ 89,429	\$ 1,030,951	\$ 770,339	\$ 228,674	\$ 687,134	\$ 191,627

2009a – is the 2009 Facility Benefit Assessment (FBA) Schedule before the 2010 FBA and the amendment to the Traffic Phasing Plan are approved.

2009b – is the 2009 FBA Schedule after the 2010 FBA and the amendment to the Traffic Phasing Plan are approved.

Additional Discussion:

- Sandstrom understands Rhodes concerns of not having enough money to get reimbursed if he builds those projects, that’s why he supports the motion. The effect

- of approving this motion is that \$19 million becomes \$24 million; increasing infrastructure with additional reserves. Asked Tracanna to come back next year to review again, actual revenues, etc. and review annually. Tracanna agreed to return to review regularly.
- Becker asked if the excess of reserves, how does that get awarded back to community. Sandstrom & Diehl stated that a resolution may not happen and the money may stay in the plan for future projects. Tracanna stated that revenue that is left over is supposed to go back to the property owner's record at the time of the excess.
  - Keating noted that B Street Bridge is not in the phasing plan, so how does it get done? It was noted that because it has priority completion it will get done expeditiously as funds become available. The City is ranking future projects, the B Street Bridge was added through an amendment to the plan after the initial PFFP was initiated. Would completing the bridge delay the completion of extension of Camino Del Sur? Sandstrom noted that the planning group could prioritize projects to be completed as funds become available.
  - Spelta requested clarification on what we are approving; Diehl stated the transportation phasing plan and the fee structure and priority of projects. Becker added that meetings have been ongoing to review the plan changes.
  - Kaneyuki inquired as to what we are voting for exactly. Diehl clarified that approving would allow projects north of Hwy 56 to move forward. Rhodes added that the major roads north of Hwy. 56 are in the phasing plan for Subarea 4 and this approval would allow properties north of Hwy. 56 to be build now.

Sellers called for the vote of the motion as amended -Approved 14- in favor – 1 against (Kaneyuki), 2 abstentions (Shoecraft/Spelta), 1 Recusal (Rhodes).

- b. **Hamidy Properties** (Action Item) – Becker reported that the LUC has met and reviewed the project, determining the project is acceptable with conditions for outstanding issues. The project calls for a single family home, 2,500 sq.ft. on Alamazon St. which has grading concerns and the removal of approximately 1,800 cu.yds. and re-landscaping. LUC voted to move the project to the full board, accepting the application pending the City's approval of outstanding issues associated with the steepness of the hillside, to support that it couldn't geo-technically be created at a 1.5:1 slope; pending that, we would just add a few conditions.

**Motion:** To approve the Hamidy Property application (Project# 158005) pending the City's acceptance with the following conditions:

- 1) Pending City's approval of geo-technical concerns for the 1.5:1 slopes versus 2:1 for the environmentally sensitive land areas.
- 2) Rounding of the hillsides to blend into the natural hillsides.
- 3) 6' wall heights.
- 4) Street Trees would be in conformance to the street tree standards. If Mesquite is to be used, it must be the thorn less variety.
- 5) Add irrigation to the cut slope for plant establishment on the highest elevation on the cut slope and assure full plant coverage.

- 6) Bring final application plans back to RPPB as a courtesy upon next submittal to show it reflects these conditions.

M/S/C – Becker/LaGrone/Discussion.

Discussion:

- Kaneyuki inquired about the single drainage channel – is that enough? Becker reported that their geotechnical consultant has determined that the volcanic geology of the hillside can be cut, buttressed, and supported at a 1.5:1 slope. In their documentation, there is a proposal to have drainage vented toward the street, constructed to address health and safety concerns. Becker added that our motion has to reflect that.
- Diehl noted as an FYI that the FBA fees for this property are approx. \$24,500 compared to Torrey Del Mar is \$105,000 – difference is great.

Sellers called for the vote of the motion as presented. Approved 17 in favor-0 against-0 abstentions.

- c. **Leisure Life/Crest Bella** (Action Item) – Barker reviewed the plans he previously reviewed; 1<sup>st</sup> time he reviewed there were 31 buildings containing 10 dwelling units and now there are 32 buildings containing 10 units each, 35 buildings total. Process is ministerial approval. The initial plans changed since application was submitted and the present plans have been unavailable to review, although he has been able to view copies of the Cycle Reviews. Barker is concerned with how much of an impact/threshold before the City allows RPPB members to view the plans – would like to engage in official dialogue with City Staff on the following: 1) how many units/types so we are aware of what's going on with a large project of this type. 2) Developer has proven that he needs to be watched carefully – no pass. This is a very large project and the local residents have concerns that it continues to grow.

Discussion:

- Sellers asked Heverly to ask Councilmember Lightner to invite DSD staff to respond to our concerns, do whatever she can to start the dialogue and make the process transparent.
- Nguyen stated the threshold and unit count are within the allowable.
- Barker stated that traffic should be an issue for a project this size. The Community Plan calls for 307 units on this parcel. The density bonus awarded for this property is based on the City Council approved Density Bonus Amendment that was overturned by a judge. The number of units should come down to the allowable limit. We don't want any surprises, that the city has multiple projects in the works. Asking that City Staff come to us and tell us about the plans for the official record and transparency for this community.
- It was stated that there is no assigned project manager because of ministerial process; who to contact in Mayor's Office. Heverly stated that there is a project manager assigned, Lanie Rumeline.
- Nguyen added that the Housing Commission reviewer would see the plans and attempted contacts have not succeeded.

- Barker stated the plans have increased in number of units and he would like RPPB Members, a small subcommittee, to review the plans and discuss the application of the density bonus. Sellers stated the Density Bonus was struck down.
- Barker stated that the 1<sup>st</sup> time he saw the plans, the Density Bonus amendment had not been approved.
- Housing Commission enforcement of density bonus and compliance with the initial affordable units.
- Keating noted that in the ministerial process, we have an observing role unless there are environmental concerns; the plan could be conforming with no mitigated negative declaration.
- Sandstrom suggested that we appeal to environmental aspect - we as concerned citizens ask for environmental review, request a Neg Dec or EIR.
- Diehl/Sandstrom discussed if there are FBA fees associated with the redevelopment or if it would be a 1 for 1 swap and developer pays for the additional units only?
- Barker suggested that RPPB officially request that City DSD staff attend a meeting and share information on the plan or if we should send a subcommittee to DSD to review plans and ask questions.
- Sandstrom stated that we ask the city to review the level of environmental review (environmental check list) then use to justify taking a formal stance. Can appeal the staffs decision to not request the environmental aspects.
- Dumka stated that a ministerial project doesn't have an environmental process/checklist.
- Kaneyuki inquired whether they can change the street trees, the property owners did remove a number of trees that were impacting their sewer lines.
- Politte added that they have had environmental crews taking samples from the units that are occupied.
- Sellers requested that Nguyen & Heverly help make arrangements for a subcommittee to go/meet with city staff and review the plans. He also asked Barker to write a letter to the Mayor's office on behalf of RPPB stating our concerns about the project and asking for assistance in reviewing the plans. ~ Sellers appointed Barker chair of the Leisure Life/Cresta Bella Ad-Hoc Committee. We have to follow every avenue to get some answers.
- Becker added that Urban Forestry Board of Directors might be another option if the plans remove existing street trees.

## 9. REPORTS.

- a. Chair Report – Charles Sellers
  - Sellers noted that City Council approved an ordinance on High Rise Fire Sprinklers Systems in its 2<sup>nd</sup> reading, noting that Councilmember Young changed his vote to No at the 2<sup>nd</sup> reading. What was the direction given to the Council? Heverly will inquire and bring details to next meeting.
- b. Vice-Chair Report – Jon Becker, no report.
- c. Secretary Report – Jeanine Politte, no report.

## d. Standing Committee Reports:

## ➤ Land Use (Jon Becker) -

Becker reported that the Notice of Draft EIR availability (BMR Sub Area Plan/Community Plan Amendments) has been posted with comments due by March 11<sup>th</sup>. Per our Motion with Condition that additional access point be resolved within 6 months from date of motion's approval.

- Dumka stated the item is tentatively scheduled for Planning Commission, April 2<sup>nd</sup>.
- Sellers stated that RPPB may ask Councilmember Lightner to keep off the docket until our 6 month condition ends.
- Becker stated that there were inconsistencies in the Draft EIR.
- Sellers asked Becker to write letter with comments on the EIR and request time per motion's conditions on behalf of RPPB.
- Politte to email Sellers the adjoining parcel's owner/representatives contact information.

## ➤ Wireless (Lynn Murphy)

Murphy reported that Crown Castle PQ Project (Azuaga St./St. Timothy's Episcopal Church) is tentatively scheduled for Wireless Committee meeting on March 19<sup>th</sup>.

Give applicant deadline to acknowledge attending the meeting by Friday March 13<sup>th</sup>.

\* Sellers added that we need a week's notice if we are using the Doubletree in case we need to cancel a meeting.

➤ \* Politte/Murphy confirmed the April meeting date as April 30<sup>th</sup>.

## e. Ad Hoc Committee Reports:

## ➤ Bylaws/Elections (Joost Bende)

In Bende's absence, Sellers shared the election results. 15 ballots were cast, all incumbents were reelected except Garudadri. Results:

District 1, Daniel Barker – 5 votes

District 3, Sudha Garudadri – 0 votes

District 5, Charles Sellers – 1 vote

District 7, No candidate

District 9, Bill Diehl – 1 vote

District 11, Jon Becker – 2 votes

Business-at-Large, Jeanine Politte – 8 votes

TH1-at-Large, Morri Chowaiki – 2 votes

BMR1-at-Large, Tuesdee Halperin – 2 votes

- Results will be confirmed/approved at the next meeting.

## ➤ Community Funds (Bill Diehl)

Diehl reported that he received a Funds analysis this evening showing a \$1.2 million balance as of January 2009. He also noted that some projects are not listed and numbers don't match up, will review in full and follow-up with City staff.

## ➤ Fire Protection (Dennis Spurr)

Spurr stated that the Council is finalizing a grant request, award of grant in 2010.

Council held its 1<sup>st</sup> Brush Management activity on private property (Wye St.); very successful.

- Becker asked if the Council figured how to bring multiple entities together to complete projects? Still working on it, our model is different than Scripps Ranch.

- Shoecraft added that they are trying to break projects into groups (blocks of homes).
  - Transportation (John Keating)  
Patricia (BMR) stated that she reported the traffic signal delays at Old Course Rd. x Camino del Sur to the City. The City reported back that the timing had been adjusted; she noted that the delay is still an issue and will re-contact the City.
- f. Liaison and Organization Reports:
- Black Mountain Ranch Open Space (Bill Diehl)  
Sellers reported that he received a request from CAC to present next month on Trails for All People.
  - MCAS Miramar Community Leaders Forum (Dennis Spurr)  
Spurr reviewed the comprehensive report on F/A-18 crash in University City. Spurr noted that there had been prior issues with the aircraft's engine and many have been relieved of duty or reprimanded for the handling of the situation.
    - Sellers added that the Marine Corp released all details and took ownership of incident.
    - Group discussion on the accident and report findings.
  - Recreation Council (Jim LaGrone)
    - Diehl reported that the Canyonside lights are in and a final check is ongoing. He has asked for a final accounting of leftover funds from the project and what is left to use for other priorities.
    - Views West Prk upgrades (CIP project) will start late (fall).
    - Skatepark – kids are still using at all hours, access is possibly gained through a broken gate. Policy is to let the kids skate, but throw out those using bikes. City has contacted the contractor who built and working to get repairs made.
    - Linear Park is still not turned over to the City; fencing has been changed, but still no caps on ends of the gates. Gates & Fencing are not black vinyl per contract/plans – spray painted.
    - Canyonside Park fields 6 & 7 (northside) are planned to be graded and looking into adding a parking lot (DG) into hillside.
    - April 11<sup>th</sup> – Egg Hunts are scheduled at Ridgewood, Rolling Hills, South Village and PQ Creek parks.
    - Rec Council paid to get Canyonside Gym floor redone.
    - Rec Council paid for \$17,000 worth of dirt on infields at Canyonside, City is no longer paying.
    - Park & Rec Board is reviewing fee structure changes to take effect next year; haven't changed since 2005.
    - It was reported that South Village Park lights are still not working although restroom lights work and the lady's restroom is really stinky. Diehl will check into getting it done and cleaned up.
    - Sellers stated that he is disappointed that the Skatepark is being mistreated after the community worked to get it approved and RPPB agreed to cough up extra Community funds to get it completed; should be repaired within the month.
    - Sellers asked if the contractor who used the wrong fencing at Linear Park will be held liable for the additional costs incurred? The administrative costs that are paid to the City should make the City more responsible for getting these projects completed to specifications.

- Town Council (Mike Shoecraft)
  - Shoecraft noted that Town Council will have a presentation from 911, San Diego Medical Emergency Services Enterprise, PPH Express Care (Albertson's clinic).
  - Elections for Council will be held at PQ Fiesta in May. Applications are still available on Town Council website; Park Village, Rolling Hills and Deer Canyon districts still have no candidates. Also need help at the Fiesta.
  - Westview Grad Night will be making a presentation to the Grants Committee, Sandstrom supports.
- Park Village LMAD (Jon Becker) – no meeting/report.
- Peñasquitos East LMAD (Bill Diehl) – no meeting/report.
- Torrey Highlands LMAD (Scott Sandstrom)
  - Sandstrom noted that Chowaiki will now be the Rep to RPPB.
  - Chowaiki reported the last meeting was canceled. A walk-through with D.R.Horton along Torrey Santa Fe Rd. testing the sprinkler system found that a section is tied into the city water system which will be changed shortly.

The meeting was adjourned at 9:45pm.

Respectfully submitted,  
Jeanine Politte, RPPB Secretary

Approved 5/6/09, 17 in favor – 0 against – 0 abstentions