

**KENSINGTON TALMADGE PLANNING GROUP**  
**REGULAR MEETING**  
**FEBRUARY 10, 2010**

A regular meeting of Kensington Talmadge Planning Group (KTPG) was called to order by Chair Tom Hebrank on February 10, 2010 at 6:39pm in the Kensington Community Church located at 4773 Marlborough Ave., San Diego, CA 92116.

*Members present:* Tom Adam, Shauna Pribyl, Tom Hoyt, David Moty, Fred Lindahl, Gail Greer, Bob Coffin, Guy Hanford, Daniele Laman (entered at 6:44pm), Frank Doft, Sherry Hopwood, Kevin Kelly, John Garrison, and Tom Hebrank.

*Members absent:* Jeri Dilno.

*Also present:* Dion Akers, Michael Handal, Kerry Santoro, Mastaneh Ashrafzadeh, James Haughey and numerous members of the public.

**MODIFICATIONS TO AND ADOPTION OF AGENDA**

A motion was made by F. Doft, seconded by F. Lindahl and unanimously approved to accept the agenda as proposed.

**MINUTES**

A motion was made by J. Garrison and seconded by F. Doft to approve the December 2009 minutes with modifications. A call for the vote was made and the motion passed by a vote of 13-0-1. T. Hoyt abstained from the vote, as he was not present at the December 2009 meeting.

A motion was made by B. Coffin and seconded by T. Hebrank to approve the January 2010 minutes with modifications. A call for the vote was made and the motion passed by a vote of 11-0-3. K. Kelly, J. Garrison, and S. Hopwood abstained from the vote, as they were not present at the January 2010 meeting.

**TREASURER'S REPORT**

Treasurer S. Hopwood presented the Treasurer report for January 2010. As of January 1, 2010 there was \$451.99 in the KTPG bank account. January deposits consisted of \$19.00 in general donations and a \$30.00 donation from G. Greer toward the signage. Disbursements in the month of January consisted of \$150.00 to Kensington Community Church for use of the church to June 2010. The bank balance as of January 31, 2010 was \$350.99

## PUBLIC COMMUNICATIONS

Various members of the public were present and the following non-agenda comments were made:

T. Hebrank – Announced that Jeri Dilno has resigned from the KTPG.

R. Riebli – His neighbor, Mary Pressure, passed away. She was 102 and was a 70 year resident of Kensington. He and others will miss her historical pictures of Kensington and the gossip.

B. Coffin – He is the community representative on a wireless taskforce established by the city. Please contact him if you have items that you'd like for him to present at the taskforce.

J. Garrison – Reminded those present at the meeting to visit [www.ktpg.org](http://www.ktpg.org) for updated postings.

T. Hebrank – The city will be holding an in-depth training entitled “What to Know When Reviewing Projects” on February 25, 2010 at 6pm.

## CITY/GOVERNMENT INFORMATION ITEMS

- I. **Todd Gloria, City Councilmember District 3** – D. Akers made the following presentation on behalf of the Councilmember's office:
- a. He was glad to see the big turnout at the meeting.
  - b. Earlier in the month the Councilmember held his first State of District address. The Councilmember is excited about his accomplishments for the 1<sup>st</sup> year in office. T. Gloria wants the planning group members and the entire community to feel like they have good representation at City Hall.
  - c. His office is receiving a lot of calls about the water/sewer project. Don Kelly Construction has been contracted to oversee the project and it has received an increase in complaint calls over the last two weeks. D. Akers requested to be contacted as individual situations arise (e.g. serious damage to an owners irrigation system).
  - d. The Aldine Slope project was recently approved for its final stage of funding by city council. The council apologized for any delay. Monies coming from state and local municipalities as well as the project review process have caused delays.
  - e. AT&T has requested to put a cell tower in a residential lot on Norma Drive. Neighbors are concerned about a 100-foot tower in their view. There is a fine balance between community input and the installation of cell tower facilities due to FAA regulations. The community is

encouraged to give feedback to B. Coffin so he can present them to the cell tower taskforce.

- f. The community asked the following questions.
  - i. In regard to the water/sewer project a request was made to receive a construction update from Don Kelly Construction. A concern was voiced about living on temporary non-potable water and it was unknown about when the permanent potable water will be connected. A request was also made to replace the streets in lieu of making repairs and slurry coating them. It was noted that because the community streets are scheduled for dredging in 3-years for the utility undergrounding project it is unlikely that the city will replace the streets at the conclusion of the water/sewer project.
  - ii. A member of the community stated that he believes cell phone towers approach residential neighborhoods because it is cheaper. Engineers don't necessarily have to build 100-foot towers. It was noted that the cell tower taskforce create a long range plan for where cell towers will be placed so that we just don't see them popping up in residential neighborhoods. The community was invited to attend the upcoming Project Review Subcommittee meeting whereby the group will be discussing the Norma Drive Cell Tower request.

- II. **City Planning Office** – Nobody from the City Planner's office was present at the meeting.

#### NON-SUBCOMMITTEE INFORMATION ITEMS

- I. None.

#### NON-SUBCOMMITTEE ACTION ITEMS

- I. None.

#### SUBCOMMITTEE ACTION ITEMS

- I. **Neighborhood Facilities & Historical Resources Subcommittee (NFHRS)** – For the sake of time, the chair for the NFHRS submitted Attachment A in lieu of a verbal report.
- II. **Project Review Subcommittee (PRS)** – On behalf of the PRS, the subcommittee Chair, T. Adam, made the following presentation:
  - a. **Action Items** –
    - i. **Aldine Drive Slope Restoration** – Several speakers were welcomed to the meeting including Michael Handal, Kerry Santoro, and Mastaneh Ashrafzadeh from the City of San Diego

and James Haughey of RBF Consulting. A motion is made by the PRS to grant conditional approval of the Aldine Drive Slope Restoration Project subject to 11 conditions:

1. The road striping plan shall be used to warn eastbound (downhill) traffic of, and guide it away from, the approach of the guardrail, which is planned for the separation of vehicular traffic from the five existing mature trees.
2. Rather than a Jersey Barrier, the project shall leave space for the future inclusion of a sidewalk on the south side of the drive. The Transportation & Engineering is asked to review the assessment letter of October 23, 2009 for the compatibility of the project with the future inclusion of a sidewalk. Page 135 of the Mid-City Community plan cites the Vision and Goal for promoting pedestrian circulation.
3. The drainage from the top of the wall and along its base shall be engineered to keep the water flow on the south (downhill) side of the street only, and not flow across the lanes of traffic.
4. The project shall feature permanent, continuous, safety fencing within the contract's limit of work.
5. The project shall utilize a plant palette, which emulates the native species of the adjacent canyon for re-vegetation of the public and private right-of-way disturbed by the construction of the wall.
6. The city shall ensure that lenders are responsible for landscape watering should an adjacent house become vacant during the initial 25 months of watering before the vegetation becomes established.
7. The project shall use Kensington cobble, not the Sierra Creek cobble cited in the construction documents.
8. The project plan shall include staging equipment in the eastbound (downhill) lane of traffic near the base of the hill where the road is widest.
9. During construction, the westbound (uphill) lane of traffic remain shall open after work hours.
10. The city shall conduct a noise study to assess the noise impact of the wall, especially to houses located on the opposite side of the canyon from the wall.
11. The city shall examine the planned length of the wall to ensure that the wall is long enough and that the scope of the project includes the entire section of slope that needs to be included.

A discussions ensues regarding the eleven conditions and the city (1) shall examine the planned length of the wall to ensure that the

wall is long enough and that the scope of the project includes the entire section of the slope at risk; (2) states there is no space for a sidewalk on Aldine nor does the community plan suggest that a sidewalk will exist; (3) design may aid in prevention of water but won't stop the natural flow; (4) will review the safety fencing at the top of the wall to prevent children from going over the edge or up the backside; (5) will ask the landscape architect to take a look at involving native plants along with vines that will grow down the wall; (6) will water the plants promulgated with the project during the establishment period and regardless of foreclosure; (7) will use Kensington cobble (vs Sierra Creek Cobble) when the city is able; (8) will review the staging plan; (9) is unsure if they'll be able to leave westbound traffic open until after work hours; (10) has been told that the noise is less than 3 decibels because of the proximity of the wall to the vehicles and that the project is exempt from CEQA process; therefore, a sound study is unlikely; (11) the plans will be revisited so that the homeowners and community don't have to go through this again.

A general discussion ensues in the community.

- a. J. Fitzsimmons wants to see a schematic with elevations and plants that are similar to those located on the freeway (Creeping Fig & Boston Ivy). The project timeline includes a start date in late summer and an end date for early 2011.
- b. D. Laman – The cost of construction is \$2.4 to \$2.7 million, \$600,000 in soft costs, and they have spent approximately \$700,000 to date. The city has all of the funds that they need.
- c. D. Moty – Supported the motion in subcommittee but intends to vote “no” to express his general disapproval of the tone and behavior of the representative from RBF Engineering.
- d. F. Lindahl – Felt that the RBF representative was condescending. Aldine Drive is in the heart of the community and he would have appreciated more understanding. He won't be changing his vote, but clarified the conditions remain a part of the motion.
- e. K. Kelly – Thinks that everyone wants the project to move forward. Agrees with the Fred on including conditions in the motion. Appeals to the goodwill of the city that they address the recommendations.
- f. T. Hoyt – Clarification that there is nothing mandating the city to accept and implement all recommendations.

- g. J. Garrison – Noted the lack of city representation at the subcommittee meeting. Would recommend that future projects include a city representative at the subcommittee meetings.

A call for the vote is made and the motion passes by a vote of 11-2-1. D. Moty and D. Laman voted against the motion and B. Coffin recused himself from the vote.

A motion is made by J. Garrison, seconded by D. Laman and passed by a vote of 10-3-0 to extend the meeting time by 30 minutes. S. Pribyl, F. Doft, and T. Hebrank voted against the motion and D. Moty briefly stepped out of the room during the vote.

**b. Information Items –**

- i. Fairmont Ave Slope – Announced that it will be on the February PRS agenda.

- 1. S. Petersen – Believes that the slope behind 44<sup>th</sup> Street along Fairmont and Meade in Talmadge is eroding. Homeowner's back yards along 44<sup>th</sup> street are unusable and his neighbor's father almost fell down the hill due to instability. An excerpt from a December 2002 email from Jason Lour was read aloud where he identifies the instability hillside behind 4480-4470 44<sup>th</sup> Street as the city liability.

**III. Transportation and Safety Subcommittee (TSS)** – The TSS did not meet in January; thus, no presentation was made.

**IV. Membership & Communication Subcommittee (MCS)** – On behalf of the MCS, chair J. Garrison made the following presentation:

**a. Action Items:**

- i. **Request for Expenditure** – Upon a motion made by the MCS, a request for \$40.00 to create an election sign unanimously passed by the KTPG.
- ii. **Notice Requirements** – J. Garrison presents the motion by reading part 1 and summarizing part 2. The following motion is made by the MCS:

KTPG supports increased notification requirements concerning specified local projects and requests that the City of San Diego modify the notice requirement in the Municipal Code

*Part 1 - The KTPG supports improving the effectiveness of public notices*

The Mid-Cities Community Plan includes the concept of a City of Villages. That concept depends upon the community being well-

informed of changes to their community, and upon the community members having a say in those changes.

The KTPG believes that the City of San Diego and all its agencies should strive for openness and communication with community members.

The State of California recognizes that residents, property owners, and business owners are entitled to be notified about public or private projects that may have an impact on their daily lives, property values, and livelihood. This includes reaching out directly to community members in certain circumstances. California requires mailed notices to be sent to all addresses within "...300 feet of the real property that is the subject..." of a hearing.

For projects of a certain scale, notifying community members within a 300-foot radius is an appropriate distance. However, some development projects have more impact than others. Some occupy an entire city block, or even more than one city block. There is no set size for a city block. Common sizes in San Diego range from perhaps 250 feet wide to perhaps 750 feet long. Therefore, a 300-foot notice requirement may not even be notifying all properties within one block in each direction.

Large projects have a bigger impact on the character of the community, as well on the traffic flow and parking. These impacts often affect the community for considerably more than one block away from the project. As such, projects such as this should be required to provide more notice to the community.

The 300-foot Notice Requirement is the minimum requirement set by the State of California. The State does not prohibit individual municipalities from setting stricter requirements and providing more notice to the community. In fact, other cities in California have chosen to require notice to a larger portion of the community. Additionally, these cities also include clauses that allow an even greater radius of notification be required when it is determined to be necessary or desirable.

San Diego, as America's Finest City, should heed the example of communities such as Pasadena, California, who have chosen to go beyond the minimum required by the State of California. KTPG requests the City of San Diego adopt stronger practices for

notifying the community. A specific suggestion is proposed in Part 2 below.

Currently, When the Land Development Code requires a Notice of Application, Notice of Future Decision, Notice of Public Hearing, or other mailed notice, the notice distance is the same (300 feet from the boundary of the development) regardless of the scope or size of the project.

KTPG requests the City of San Diego modify the Notice by Mail requirement to distinguish between two classes of projects. Some projects would continue to have a 300-foot notice requirement, while larger projects would have a 1,000-foot notice requirement. The law would be changed to read as follows (The text in bold shows changes from existing law.):

*Part 2 – Proposed Notice by Mail Requirement*

§112.0302 Notice by Mail

(a) **General Provisions.** When the Land Development Code requires a Notice of Application, Notice of Future Decision, Notice of Public Hearing, or other mailed notice, the notice shall be postage prepaid and addressed to the persons identified in Section 112.0302(b). Notice by mail shall be considered complete at the time of deposit in the United States Mail.

(b) **Persons Entitled to Notice.** Except as provided in Section 112.0302(c), the Notice of Application, Notice of Future Decision, and Notice of Public Hearing shall be mailed to the following:

(1) *The applicant;*

(2) *Nearby addresses;*

*(A) All addresses located within 300 feet of the boundary of the real property that is the subject of the application, including each address within a condominium or apartment complex;*

*(B) If one or more of the following apply then the notice requirement will be expanded to include all addresses located within 1,000 feet of the boundary of the real property that is the subject of the application, including each address within a condominium or apartment complex*

*(i) if the proposed development would increase the cumulative size of existing structures by more than 50%*

*(ii) if the proposed development would increase the cumulative size of existing structures by more than 5,000 square feet*



*(iii) if the proposed development would increase the projected Average Daily Trips on any adjacent street or at any adjacent intersection by more than 10% (within 1000 feet).*

**(3) Owners of Nearby Properties**

*(A) The owners of any real property, as shown on the latest equalized property tax assessment roll of the San Diego County Assessor, located within 300 feet of the boundary of the property that is the subject of the application;*

*(B) If one or more of the following apply then the notice requirement will be expanded to include the owners of any real property, as shown on the latest equalized property tax assessment roll of the San Diego County Assessor, located within 1,000 feet of the boundary of the property that is the subject of the application*

*(i) if the proposed development would increase the cumulative size of existing structures by more than 50%*

*(ii) if the proposed development would increase the cumulative size of existing structures by more than 5,000 square feet*

*(iii) if the proposed development would increase the projected Average Daily Trips on any adjacent street or at any adjacent intersection by more than 10%.*

**(4) The officially recognized community planning group, if any, that represents the area in which the proposed development is located; and**

**(5) Any person who has submitted a written request for notification of the proposed *development* to the City staff person named in the Notice of Future Decision.**

**(A) Alternative to Mailed Notice.** If the number of tenants and owners to whom notice would be mailed in accordance with Section 112.0302(b) is greater than 1,000, notice may be given by placing a display advertisement of at least one-eighth page in a newspaper of general daily circulation within the City in lieu of mailing, unless the noticing is required for a Coastal Development Permit.

**(B) Notice Address**

**(i) A notice to the *applicant* shall be mailed to the address shown on the application or as indicated on a written change of address form filed by the *applicant* with the City.**

**(ii) A notice to each owner of real property located within 300 feet of the property that is the subject of the application shall be mailed to the record owner.**

(iii) A notice mailed to a tenant address shall be addressed "Tenant".

A discussion ensues:

1. T. Hoyt – How did you arrive at the numbers? Many months of debate. What does Pasadena do that is different from San Diego? Pasadena requires notice to 500-feet, which can be extended. Some cities specify a person who decides and others range from 500-1000 feet. There are very few cities who have a 300-foot notice requirement.
2. K. Kelly – What about vacant land? As proposed he reads it to exclude vacant land. The MCS believes that vacant land is included in section 3(B).
3. G. Greer – Explained how the notice requirements motion came to life and that she wasn't given notice of the Kensington Terrace project which is across the ally from her home. She recommends that the group support the MCS motion.
4. D. Akers – Please send a copy of the proposed verbiage to his office.

G. Hanford – Agrees with K. Kelly and offers a friendly amendment to add section 2(B)(iv) and 3(B)(iv) which would both read, "if there are no existing structures on the parcel, and the proposed development project would include 5,000 square feet or more." The friendly amendment is accepted by J. Garrison on behalf of the MCS.

A call for the vote is made and the KTPG unanimously approves the amended motion.

#### V. KMAD

- a. Information items – business wants to be a part of the KMAD and would drop from the Adams Ave Bus District. Also voted to self manage. Next month will be discussing dollars.
  - i. S. Pribyl – Requests that subcommittee bring periodic decisions to the KTPG for more transparency and to take another opportunity to inform the community about the KMAD process.
  - ii. J. Garrison – Agrees with S. Pribyl and believes another perk is time. It will be less time consuming and more productive to bring periodic motions vs bringing a lengthy and overwhelming motion at one time.
  - iii. Guy – Suggests that the updates be given toward the beginning of the meeting.
  - iv. Sean – Generally concurs with the comments that were given.

A motion is made by G. Hanford, seconded by S. Hopwood and unanimously approved to extend the meeting time by 10 minutes.

- VI. Ad Hoc Election Subcommittee** – On behalf of the Elections Subcommittee, chair D. Moty made the following presentation:
- a. **Action Items:** None.
  - b. **Information Item:**
    - i. A request for volunteers was made from those present at the meeting.
    - ii. The subcommittee has two persons who are considering running for the KTPG but no absolute commitments.
    - iii. B. Coffin, J. Garrison, and G. Hanford stated their intention to run.
    - iv. Ballots will be handed out at 6pm.
    - v. The order for speeches will be determined by reverse alphabetical order by the candidate's last name.

#### **KTPG LIAISON COMMITTEE REPORTS**

- I. Talmadge Maintenance Assessment District (TMAD)** – F. Lindahl did not present a report on the recent TMAD meeting.
- II. Community Planners Committee (CPC)** – D. Moty reported that many items on the CPC agenda were tabled and that the CPC will be reviewing the Administrative Guidelines.
- III. City Heights Redevelopment PAC (CHRPAC)** – F. Lindahl reported that at the recent meeting it was determined that \$500,000 will go toward the construction of a 6 acre neighborhood park and street safety improvement on Home Avenue.
- IV. Kensington 100** – No presentation was made.

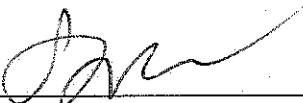
#### **ADJOURNMENT**

- I. Agenda for an upcoming KTPG meeting –**
  - a. Elections
  - b. A representative from Don Kelly Construction.
  - c. The TSS will discuss the Fairmont Avenue slope at its upcoming meeting.
  - d. The MCS will discuss election communications at its upcoming meeting.
  - e. A draft letter regarding community garden permitting process.
  - f. The NFHS will discuss utility box painting at its upcoming meeting.

II. A motion is made by F. Lindhal, seconded by T. Hoyt and unanimously approved to adjourn the KTPG meeting at 8:54pm. The next meeting will be held on Wednesday, March 10, 2010 at 6:30 pm at the Kensington Community Church.

Submitted by, Shauna Pribyl, on March 10, 2010.

I, Shauna Pribyl, am the Secretary of the Kensington Talmadge Planning Group and I hereby certify that that these minutes were approved by the Kensington Talmadge Planning Group on 3-10, 2010.

  
\_\_\_\_\_  
Shauna Pribyl, Secretary

4-14-10  
\_\_\_\_\_  
Date

## ATTACHMENT A

### KTPG Neighborhood Facilities and Historical Resources Subcommittee Meeting

January 2010

#### Subcommittee Chair Report

The subcommittee met as scheduled on Wednesday, January 27<sup>th</sup>.

Six subcommittee members, as well as representatives from the community garden groups, the utility box painting project, and members of the public attended. The subcommittee discussed the following items:

1. Community Garden Issues:
  - a. Spent the majority of the time discussing roles/responsibilities of the city and the planning group regarding the creation and approval of community gardens.
  - b. Decided that a letter of inquiry to the city from the KTPG would be a reasonable course of action to get us started on gathering requirements and direction related to this issue.
  - c. The Chair was tasked with writing the draft letter.
2. Utility box painting project:
  - a. Briefly discussed the status of the utility box painting project. We should have some sketches from the artists by the next subcommittee meeting.

The subcommittee adjourned at 6:30, as scheduled.

Thanks,

Tom Hoyt

Chair, NFHR Subcommittee

