



RANCHO PEÑASQUITOS PLANNING BOARD REGULAR MEETING AGENDA

Wednesday; October 1, 2008 at 7:30 PM
Heritage Ballroom at the DoubleTree Golf Resort
14455 Peñasquitos Drive; San Diego, CA 92129-1603

7:30 pm - Call to Order

7:31 pm - Agenda Modifications

7:35 pm - Approval of Minutes (September 3, 2008)

7:45 pm - San Diego Fire Department (Stations 40, 42 and/or 46)

7:50 pm - Public Forum (Limited to 3 minutes per person and 12 minutes per topic)

8:00 pm - Announcements & Informational Items:

- San Diego City Mayoral Office (Stephen Lew: slew@san diego.gov)
- San Diego City Council District One (Nathan Batchelder: nbatchelder@san diego.gov)
- San Diego City Planning & Community Investment (Tim Nguyen: tnguyen@san diego.gov)

BUSINESS:

8:15 pm – Torrey Del Mar HOA Stop Sign Petitions (Action Item)

8:30 pm – Rancho Peñasquitos Pump Station (Information Item)

8:45 pm – SAY San Diego City Proposition D (Information Item)

9:00 pm – San Diego Unified Port District (Information Item)

9:30 pm – BMR North Village CPA/SPA (Action Item)

10:00 pm - REPORTS:

Chair Report: Charles Sellers (cts.cpa@sdccu.net)

Vice-Chair: Jon Becker (jon.becker@tcb.aecom.com)

Secretary Report: Jeanine Politte (jeanine@jpolitte.com)

Standing Committee Reports:

- Land Use (Jon Becker: jon.becker@tcb.aecom.com)
- Wireless (Lynn Murphy: rp_murphys@sbcglobal.net)

Ad Hoc Committee Reports:

- Bylaws & Elections (Joost Bende)
- Community Funds (Bill Diehl)
- Fire Protection (Dennis Spurr)
- Santa Fe Summit (Jon Becker)
- Transportation (John Keating)

Liaison and Organization Reports:

- Black Mtn Open Space (Pamela Kelly)
- MCAS Miramar CLF (Dennis Spurr)
- Recreation Council (Jim LaGrone)
- Town Council (Mike Shoecraft)
- Park Village MAD (Jon Becker)
- Peñasquitos East MAD (Bill Diehl)
- Torrey Highlands MAD (Scot Sandstrom)

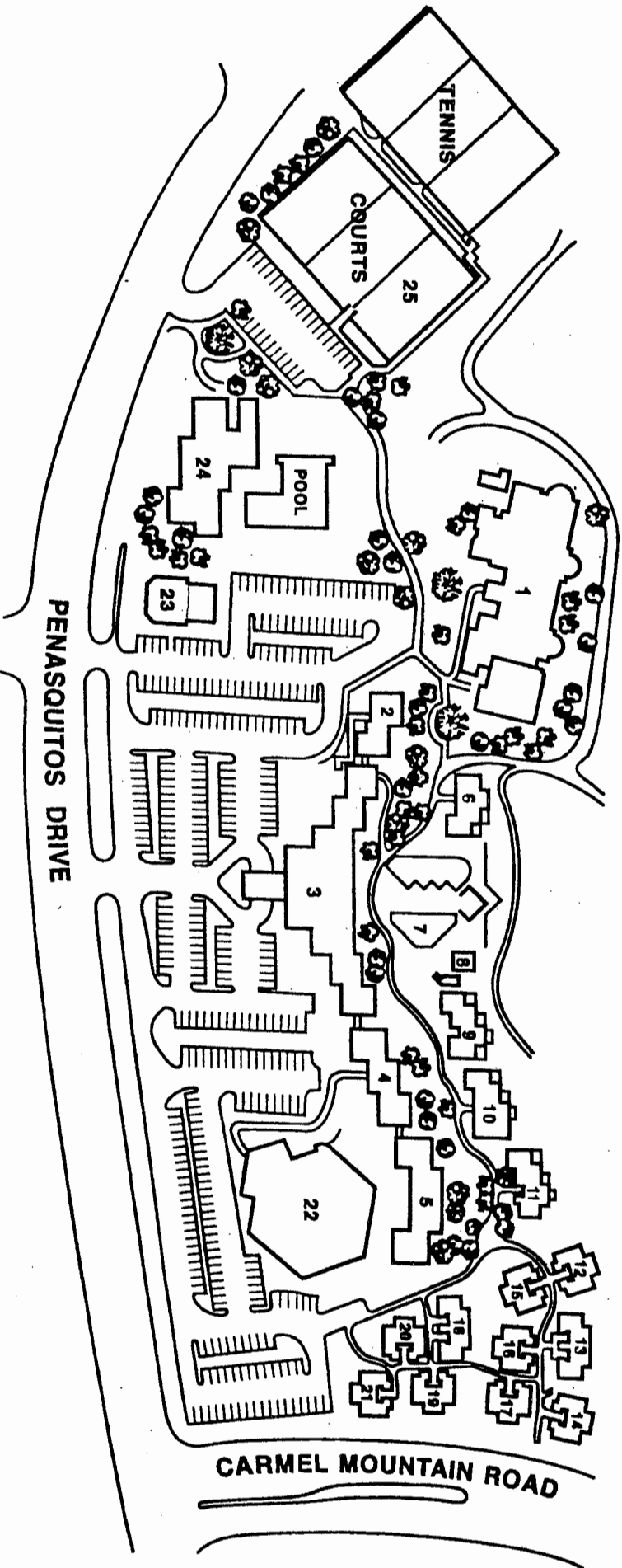
10:30 pm - ADJOURNMENT.

**LAND USE COMMITTEE WILL MEET AT 6:30PM AT THE DOUBLETREE RESORT RE: BMR NORTH VILLAGE CPA/SPA.
WIRELESS COMMITTEE WILL MEET ON WEDNESDAY OCT. 22, 2008 AT 6:30PM IN THE DTR OAKMONT ROOM.
FUTURE RPPB MTGS: 11-5-08; 12-3-08; 1-7-09; 2-4-09; 3-4-09; 4-1-09; 5-6-09; 6-3-09; 7-1-09; 8-5-09; 9-2-09.**



**DOUBLETREE®
GOLF RESORT**
SAN DIEGO

1. Terraces Cafe & Grille
2. Mulligan's Sports Lounge
3. Golf Pro-Shop
4. Riviera Room
5. El Dorado Room
6. Rooms 101-304
7. Rooms 105-321
8. Main Lobby - Ground Level
9. Sales & Catering - Lower Level
10. Oakmont Room - Lower Level
11. Rooms 122-327
12. Rooms 128-335
13. Rooms 401-404
14. Pool Courtyard
15. Deli Bar
16. Rooms 405-408
17. Rooms 409-412
18. Rooms 414-417
19. Rooms 510-512/520-522
20. Rooms 513-516/523-526
21. Rooms 517-519/527-529
22. Rooms 611-613/621-623
23. Rooms 614-616/624-626
24. Rooms 617-619/627-629
25. Rooms 711-714/721-724
26. Rooms 715-717/725-727
27. Rooms 811-813/821-823
28. Rooms 814-816/824-826
29. Heritage Ballroom
30. Pinehurst Room
31. Cypress Room
32. Sandpiper Room
33. Spyglass Room
34. Health Club and Pool
35. Bay Hill Pavillion





Rancho Peñasquitos Planning Board Meeting Minutes

September 3, 2008

Attendees: Dan Barker, Jon Becker, Joost Bende, Bill Diehl, Sudha Garudadri, Wayne Kaneyuki, John Keating, Jim LaGrone, Lynn Murphy, Jeanine Politte, Keith Rhodes, Charles Sellers, Mike Shoecraft, Dennis Spurr

Absent: Pamela Kelly

Community Members & Guests (Voluntary Sign-in): Morri Chowaiki, John Spelta, Tuesdee Halperin, Bill Dumka, Shannon Matwiyoff, Orville Power, Sam Hashizu, Kathy Lippitt, Jay Tillson, Dale Politte, Bill Diehl (Vertical Infill), Tim Nguyen, Michelle Zafiropoulis, Athans Zafiropoulos, Pam Blackwill, Janelle Young.

-
1. The meeting was called to order at 7:45 pm at the Doubletree Golf Resort located at 14455 Peñasquitos Drive, San Diego, California 92129. A Quorum was present.
 2. Agenda Modifications: Remove BMR CPA / SPA – still being reviewed in LUC.
 3. MINUTES: No corrections.
Motion: To approve the August 6, 2008 Rancho Peñasquitos Planning Board Meeting minutes as presented. M/S/C - LaGrone/Diehl/Approved 13-0-1 abstention (Garudadri - not present 8/6/08).
 4. Guests:
 - a. Representatives from SD Fire Stations 40 & 42 not present. Suggestion: to invite Torrey Highlands /Black Mtn. Ranch stations to attend future meetings.
 5. NON-AGENDA, PUBLIC COMMENTS:
 - a. Bill Diehl (RPPB member) – informed meeting attendees that a known sex offender was at a recreational sports team practice at a city park facility.
 - b. Jay Tillson - Torrey Brooke II concerns will be discussed later, on agenda.
 - c. Athans Zafiropoulos, a member of the BMR HOA, thanked RPPB for representation of Torrey Highlands residents. Shared community concerns about traffic & pedestrian safety surrounding the Willow Grove Elementary school which opened this August; issues include blind corners, walkability, increased traffic when religious and retirement facilities open in the future and lack of crosswalks. Keating is asking the city to evaluate. Becker thanked Keating for encouraging city staff to fast track evaluation before school started. Murphy noted that similar issues were reviewed at Sunset Hills Elementary in Rancho Peñasquitos.
 - Shannon Matwiyoff, lives next to the Montessori School in Santaluz, added her concern that initial traffic study may be outdated with new projects proposed; specifically traffic at two intersections Via Azul/Via Inez and Lazanja Dr./Camino de la Rosa.
 - d. Sherri Lightner, Candidate for Council District 1, introduced herself.
 - e. Kathy Lippitt, a Health Specialist consulting on San Diego City Prop D (Keep San Diego Beaches Safe & Clean) made a brief presentation on the alcohol free beach proposition. A *Yes* vote makes ALL city beaches ‘alcohol free’ permanently.
 - RPPB member questions -
 - Rhodes inquired about Over the Line Tournament; OMBAC must have insurance

& get a liquor permit.

- Kaneyuki inquired about beach attendance, group briefly discussed whether lower attendance was caused by the alcohol ban or the economy.

- Keating reported based on experiences of friends as being a very positive change.

6. ANNOUNCEMENTS & INFORMATION ITEMS:

a. San Diego City Mayoral Office, Stephen Lew did not attend.

b. San Diego City Council District 1 Report – In Nathan Batchelder’s absence, Jake O’Neill reported.

- Ridgewood Community Park Tot-Lot Upgrade ribbon cutting, 9/12/08 at 3pm.

- Peñasquitos Drive status - ADA compliance at intersection corners has been completed, repaving should be completed early October.

- Linear Park bid process begun, 2 – 3 week timeline with completion by late November.

- Torrey Pines State Beach Cleanup scheduled for 9/20/08, 8:30am – noon.

- Diehl shared emails he has received concerning Torrey Del Mar Neighborhood Park usage - ‘passive’ classification.

c. San Diego City Planning & Community Investment Report – Tim Nguyen

- Cresta Bella status - no new news, he is working with planner assigned to the Cresta Bella project to keep RPPB updated.

7. BUSINESS.

a. **Rancho Peñasquitos Pump Station (Information item)** – Siavash Haghkhah, City of San Diego, reviewed status of project; distributed handout on overview of project. Ray Fakhoury, lead project designer with Brown & Caldwell reviewed concerns brought forth in August RPPB meeting, specifically:

* Noise – existing pressure reducing station is 20’ from nearest residence, city requirements for new pump station is 45 decibels at the property line; distributed chart of decibels for common sounds and the decibel levels as requested at the August RPPB meeting; they have initiated a noise study and results should be available in October.

Decibel requirements are referenced at the property line, not at the adjacent residences as has sometimes been stated.

* Landscape – Marian Marum, landscape designer noted the 8’ fencing at property line, and reviewed materials to be used. Canyon area will be hydro-seeded, native shrubs along roadway to pad from Talca Ave. Limited ability to plant large trees due to security measures required by city.

* Architecture – construction materials, elevations; 22’ tall building with tile roof, skylights, nearest Talca Avenue residence is 15’ below grade of pump station.

i. Planning Board Member Comments:

- Sellers recommended that all demo should go through Sparren Way entrance and confirmed that maintenance crews will enter property through Sparren Way also. Sparren may be too narrow for dump trucks.

- Kaneyuki inquired if the neighborhood meeting had taken place; Haghkhah & Greg Parks of Katz & Associates, reported that the meeting had taken place, door hanger announcing meeting on August 26, 2008 was distributed to all surrounding homes and RPPB secretary noted that the announcement was emailed to email lists.

- LaGrone inquired if the new pump station could be centered on the property to keep the noise equally distant from residences. Old structure will continue to function during construction of new which is placed so that a large parking area next to the station can be used for the crane that will lift pumps out for placement/replacement.

Fakhoury noted that the waterline runs through the property determining placement of structure.

- Bende noted that the slab surface would create a heat island effect and asked that a more pervious material be looked at as alternative- grasscrete or a combination of asphalt & water pervious surface materials; it is currently grass. Design still does not look like a residential structure as requested by RPPB at previous meetings.

- Keating asked Marian Marum what amount is budgeted for landscaping; landscape maintenance; use of natives. Marum reviewed types of plants she is recommending, water will only be used as necessary to keep plantscape alive.

- Becker asked if fencing material could be more ornamental if it can't be screened for security reasons. Marum noted that she is sharing optional ideas with the city. It was suggested that more ornamentals be planted adjacent to fencing on the neighbors properties that they would then maintain.

- Rhodes inquired if planners are looking forward in that global warming legislation might require change in regards to asphalt/concrete pad for crane. Marum added that most of the trucks who will access the structure are regular maintenance trucks (typically sized).

- Keating feels that the fencing along the north property line isn't necessary, inquiring why security measures can't just encompass the actual pad & structure area.

Fakhoury stated the city wants full perimeter security, liability is also an issue.

ii. Public Questions & Comment:

- Doug & Jody Ferrell who live on Talca Ave. are concerned about the 8' high fence with barbed wire next to their property, restoration to their property upon completion of project. Contractor stated that all staging of equipment, portable toilets, etc. would be on the city property and not parked on adjacent streets. Fire hazard with native materials is a concern. New fencing will close in their property and obstruct their existing view.

- Sheri Lightner asked how long the pumps/values should last (30-40 years), then why is there a need to have a 20' x 25' permanent pad for a crane? Contractor stated they can request changes now, although city standards could be the challenge. Keating added the challenge is the expansive hardscape. Bende added that the project needs to fit within the community guidelines.

- b. **T-Mobile WCF at BMMS Project #6749 (Action Item)** – Sellers noted that our appeals of the three BMMS wireless projects were given an extension to the September 11th at 9am Planning Commission meeting. In reviewing the City staff report, staff felt that our original recommendation was invalid due to not being noticed on the meeting agenda. It was noted that the applicant was present for both the discussion and the vote and then stormed out of the meeting. Members briefly discussed our options.

Motion: To reconsider RPPB's denial of approval for the T-Mobile Wireless Project #6749 on May 3, 2006. M/S/C – Bende/Rhodes/ Approved 10 for – 0 against – 3 abstentions (Barker, Garudadri, & Shoecraft, reason: not members of RPPB on that date).

It was noted that, due to a computer crash, formal minutes from the May 2006 meeting are not available. However, the actual motion which was read into the record at the time of that vote is readily available and has been given to both City staff and the applicants.

Motion: RPPB moves to deny T-Mobile Wireless Communications Facility Project #6749 as noticed in this agenda. M/S/C – Murphy/Kaneyuki/ Approved 9 for – 0 against – 4 abstentions (Barker, Garudadri, Shoecraft & Politte, reason: not members of RPPB).

- c. **Torrey Brooke II (Action Item)** – Scot Sandstrom reported that he has been working with the community/neighbors and developer to work through concerns brought forth by neighbors. Plan modifications include spacing of buildings, lower pad elevations, landscape buffers, buildings limited to 2-stories with height condition of 28', as was recommended by RPPB's previous motion, no 3 story elements - no lofts, no belvederes, no mezzanines, etc. Changes will be presented to the Planning Commission. Roger Bhatia reported they have addressed the concerns of the homeowners - lowered the pads, modified driveway grades, lowered height of buildings - removed 3rd-story. Sandstrom thanked Paul Metcalf, consultant hired by the neighbors, for bringing forth ideas that were acceptable to the developer.
- Keating requested clarification on project - the project is for 2 detached homes to be built on 3.12 acres.
 - Karen Clemes, representing the neighbors of TB II, feel that they have compromised on the site plan, architectural plans, did get the 28' height limit and only 2-stories – will not oppose or endorse the project at this time. Feel they are going to have to watch the progress of the development – cautious about the outcome. HOA recommendation, which was previous condition of RPPB's motion, is still at issue.
 - Sellers – issue not yet resolved. Jay Tillson, secretary of the Villaggio Firenze HOA asked RPPB to consider asking the developer to satisfy the outstanding bonds with regards to TBI before being allowed to proceed with TBII. Outstanding punchlists includes sidewalks, street completions, trails, landscaping, fireplugs, etc. have not been completed to the city's satisfaction.
 - Sellers reiterated RPPB's recommendation that these 2 homes join the Torrey Brooke I HOA.
 - Bende expressed his concerns, why would we trust a developer who hasn't completed his obligations to the community/city with another project.
 - Tillson stated the HOA would like the punchlist completed before their HOA would consider accepting these 2 homes into their HOA.
 - Russell DePhillips noted that they did not receive notice of this agenda item, found out at 4pm today.
 - DePhillip stated that they have not received a response from the HOA about the request to be included in the HOA. Developer is disputing the outstanding punchlist. DePhillips stated that he felt it was inappropriate for this board to condition approval of a separate project upon the inclusion in a certain HOA or satisfaction of disputed items from an earlier project. Developer contacted HOA lawyer's office over 2 years ago about outstanding issues and haven't received anything. Sellers – both parties have spent monies trying to accommodate.
 - Bende clarified that developer is same for TB I & TB II.
 - DePhillips recapped the issue on the punchlist that city engineer responsible for sign off left the city's employ and his notes disappeared. TB I Certificate of Occupancies were issued over 2 years ago. New city engineer came on and requested additional information.
 - Rhodes asked how they intend to satisfy the outstanding punchlist.
 - DePhillips, after accommodating the neighbors and now the punchlist issues, he feels

the developer will not get to move forward with their TB II project; convinced that there are significant legal issues outstanding.

- DePhillips believes that his client has complied with all requirements of the Torrey Brooke I project and then some – new city engineer wanted it changed – these were minor issues that the city has raised; the bond money is there to cover /remedy any outstanding requirements. His client has the right to assert his legal position that work was performed in accordance with industry standards. DePhillips stated that he still hasn't received a copy of the punchlist or the letter that was sent by the HOA to RPPB.
- Bende noted that their permit states “completed to the satisfaction of the City engineer.”
- DePhillips stated that the satisfaction must be reasonable.
- Rhodes said that the developer is responsible to remedy these issues, not RPPB. This is the only way we can be sure that it gets done as approved, referring to the discrepancy of the project that was presented to and approved by RPPB was 28' and upon the neighbors coming forth with their concerns, the developer's documentation listed the height as 35'.
- Bende believes the punchlist is a private matter between the HOA & developer, however as a public matter we have seen that we can't trust this developer because of his performance of the first project and not satisfying the bonds to the city's engineer. Therefore, because the developer has shown that he can not be trusted, why should allow him to do it a second time in our community.

Motion: To deny the project on the basis that the bonds of the 1st project (Torrey Brooke I) need to be satisfied and resolved and then reconsider the TB II project. M/S/C - Bende/Keating/discussion.

Rhodes recommended that because we have an approval on this project that we should reconsider the previously approved motion before making a motion to deny or approve the project.

Bende withdrew his motion. Keating withdrew his second.

Motion: To reconsider RPPB's approval of the Torrey Brooke II project on 9/5/2007. M/S/C – Bende/Keating/Approved 12 for – 0 against – 1 abstention (Shoecraft) – 1 recusal (Becker).

Motion: To deny the Torrey Brooke II project based on the nonperformance and completion of Torrey Brooke I. M/S/C - Bende/Keating/Approved 13 for – 0 against – 1 recusal (Becker).

- Bende noted that once they complete TB I to the satisfaction of the City, they can bring the TB II project back to RPPB for review.
- Sellers will contact Derek Johnson asking him to pull this item from the Planning Commission agenda, directed Sandstrom to prepare the written compromises and get all parties signed off. Punchlist completion – both parties need to contact the city to review completion needs. Tillson handed punchlist & city documents to DePhillips and is available to meet with developer to communicate details they are aware of to get the city to accept the streets and will email electronic version to Politte to distribute electronically. Sellers will cc: Karen Clemes on communications.

8. REPORTS.

- a. Chair Report – Charles Sellers
 - BMMS Wireless Appeals – sending a 4 page response to the Planning Commission countering staff's report. He noted there is now a road up there which was never on plans.
- b. Vice-Chair Report – Jon Becker – no report
- c. Secretary Report – Jeanine Politte
 - Nathan Batchelder was very instrumental in getting city staff over to Rolling Hills Elem. to discuss construction complaints.
- d. Standing Committee Reports:
 - Land Use (Jon Becker)
 - Black Mountain Ranch is still in LUC. Cycle issues seem to be worked through. Outstanding issue with Northeast property owners referring to the original BMR plan. Abutting neighbors "Parcel E" shared concerns of limited access to property with a street reservation, Street B1. 300 unit threshold needs 2 access points. Owner planned to construct 300 units, which they are now being kept from developing. If not developed FBA infrastructure will be gone. Developer had previous conversations with BMR and attempted to purchase triangle of property for easement, etc. LUC will meet with both parties to review problems/options.
 - Hamidy Properties, Alamazon Street, have received their 1st cycle letter which included a number of outstanding issues; they will be back to LUC.
 - Wireless (Lynn Murphy)
 - Next meeting is September 11th, agenda item is Yolo Court Project; no project for 9/18/08.
 - Meadowrun Project - ministerial action. Located west on Stargaze at 1st stop sign west of Black Mtn. Rd.
- e. Ad Hoc Committee Reports:
 - Bylaws/Elections (Joost Bende)
 - Sellers hasn't heard anything from Bernie Turgeon on status. RPPB is listed with one deviation which City Council Office has given us direction to review projects from Torrey Highlands and BMR. Maybe a letter is needed from Council District office about their direction.
 - Community Funds (Bill Diehl)
 - Diehl reported he received an email from Charlette Strong that the Torrey Highlands FBA has been updated, Diehl will set up a meeting.
 - Park & Rec Council asked RPPB to do what we did for Ridgewood Park for Rolling Hills & Canyonside Community Park (Views West was next inline for remodel, but Diehl felt the community park should be upgraded first) - loan FBA \$250K for each park to upgrade the Tot-Lots.
 - Be aware that Mike Kelly is looking to use our FBA funds for Open Space, trails, bike paths, etc. RPPB has already given funds to Ranger Station, BMOSP.
 - Updated priority list.
 - Fire Protection (Dennis Spurr)
 - Town Council will hold a short limited presentation similar to the one he attended in Scripps Ranch last year in October in conjunction with the Disaster Awareness presentation. Town Council needs help contacting key people around Black Mountain who would attend & pass the information back to their neighbors. Group recommended promoting through the schools.

- Will start a Fire Safe Council – Home Assessments in April/May timeframe – train on brush clearance.
- Santa Fe Summit (Jon Becker) – no updates, reviewing traffic/parking plans.
- Transportation (John Keating)
 - Keating will ask City to review traffic at and around Willow Grove Elementary and traffic at two intersections Via Azul/Via Inez and Lanza Dr./Camino de la Rosa. See what they suggest.
- f. Liaison and Organization Reports:
 - Black Mountain Ranch Open Space (Pamela Kelly) – no report
 - MCAS Miramar Community Leaders Forum (Dennis Spurr)
 - Spurr – Blue Angels are back for Oct 3, 4 & 5 Air Show.
 - Recreation Council (Jim LaGrone)
 - LaGrone stated that the real hero at Ridgewood Park is Bill Diehl.
 - October 17 – Octoberfest at Hilltop
 - Hilltop Construction affect on facility use – only affecting tot-lots, 40' flag pole
 - Canyonside Park - Lights maybe installed in Oct., reclaimed water conversion will begin on the west end of park.
 - Tennis Club would like to amend the general development plan to add 2 courts between courts & batting cage. City & Rec & Council have approved. Will lose parking spots.
 - Residents are complaining about usage of Torrey Del Mar Park for activities such as game practices. Soccer practices were asked to leave park. Park is ‘Passive.’ Signs posted in parks state “Games of Sport prohibited.” Sign should have said “.... after 10pm.” Following up.
 - Town Council (Mike Shoecraft)
 - No news, Teen Alcohol special presentation was a no show.
 - Park Village MAD (Jon Becker)
 - New Eagle Scout project, new ranch rail.
 - Peñasquitos East MAD (Bill Diehl) – nothing new-
- i. Torrey Highlands MAD (Scot Sandstrom)
 - D.R. Horton compliance moving along slowly.
 - Pardee grading east of Westview for construction.
 - Rhodes added that Torrey Highlands property owners have been working with city staff to change traffic plans. Rhodes Crossing is still working through encumbrance by Fish & Wildlife.

The meeting was adjourned at 10:30 pm.

Respectfully submitted,
Jeanine Politte, RPPB Secretary

Approved 10/1/08 as corrected, 13-0-0.