



Land Development
Review Division
(619) 446-5460

**FINAL
Mitigated Negative Declaration**

Project No. 105244
SCH No. (N/A)

SUBJECT: KENSINGTON TERRACE. Planned Development Permit (PDP) and Vesting Tentative Map (VTM) to construct a mixed-use development consisting of 16,255 square feet of office space, 16,550 square feet of retail space and 19,614 square feet of residential use (9 for-sale units) on a 0.78 acre site located at 4142, 4166, 4178 Adams Avenue and 4708 Edgeware Road in the CN-1-3 and CU-3-3 Zone of the Central Urbanized Planned District within the Kensington Talmadge Neighborhood of the Mid City Communities Plan Area. Applicant: Terrace Partners.

- I. **PROJECT DESCRIPTION:** See attached Initial Study.
- II. **ENVIRONMENTAL SETTING:** See attached Initial Study.
- III. **DETERMINATION:**

The City of San Diego has conducted an Initial Study and determined that the proposed project will not have a significant environmental effect and the preparation of an Environmental Impact Report will not be required.

- IV. **DOCUMENTATION:**

The attached Initial Study documents the reasons to support the above Determination.

- V. **MITIGATION, MONITORING AND REPORTING PROGRAM:**

GENERAL

1. Prior to the issuance of a Notice to Proceed (NTP) or any permits, including but not limited to, the first Grading Permit, Demolition Permits and Building Permits, the Assistant Deputy Director (ADD) of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading *Environmental Requirements*: "Kensington Terrace project is subject to a Mitigation, Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the Mitigated Negative Declaration."
2. The owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer, Paleontologist, and the City's Mitigation Monitoring Coordination (MMC) Section.

PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance

- A. Land Development Review (LDR) Plan Check
 - 1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
 - 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
 - 2. Identify Areas to be Monitored
 - Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based

on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to

significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.

- c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
- d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night Work

A. If night work is included in the contract

1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVr and submit to MMC via fax by 9am the following morning, if possible.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

HUMAN HEALTH AND PUBLIC SAFETY (Hazardous Materials)

1. Prior to issuance of any demolition or construction permit, the Applicant/Owner/Permittee shall provide the Assistant Deputy Director (ADD)/Development Services Department (DSD), a copy of the approved Community Health and Safety Plan, Work Plan and Health Risk Assessment (included in the Work Plan or may be a separate document) for the removal of the underground storage tanks and site remediation provided to the County of San Diego Department of Environmental Health (DEH) in conjunction with the County's review through the Voluntary Assistance Program (VAP) and/or Underground Storage Tank Removal Program or permit requirements.
2. Prior to the foundation inspection for each building, or project phase, the Applicant/Owner/Permittee shall submit to the ADD of LDR, a Letter of Concurrence/Approval from the County of San Diego DEH confirming that the mitigation measures and site

remediation recommended in the Work Plan and Health Risk Assessment have been implemented and that construction of the building(s), or project phase, can proceed. If further remedial action is required during construction activities based on site assessment activities performed under the direction of the County DEH or administrating agency, specific measures shall be incorporated in the remedial action work plan to ensure human health and public safety issues are adequately addressed.

3. Prior to final building inspection approval or Issuance of Occupancy, the Applicant/Owner/Permittee shall submit to the ADD of LDR a Letter of No Further Action or a similar Letter of Approval from the County of San Diego DEH documenting the environmental assessment and mitigation activities implemented under the Work Plan and Health Risk Assessment has been completed.

TRANSPORTATION/CIRCULATION

1. Using the City of San Diego's Trip Generation Manual, the project shall be restricted in size and uses so that the Average Daily Trips (ADTs) shall not exceed these thresholds: 2,479 ADTs; AM Peak hours (101 ADTs in/32 ADTs out); and PM peak hours (112 ADTs in/142 ADTs out); to the satisfaction of the City Engineer.

2. The applicant shall close all driveways on both Adams Avenue and Marlborough Drive and replace them with full-height curb, gutter, and sidewalk, to the satisfaction of the City Engineer. The project shall not take vehicle access onto neither Adams Avenue nor Marlborough Drive.

3. The applicant shall install a new traffic signal at the intersection of Adams Avenue and Kensington Drive, and shall provide appropriate interconnect with adjacent signals, to the satisfaction of the City Engineer.

4. The applicant shall restripe Adams Avenue from State Highway 15 east to Aldine Drive as a 3-lane facility with a class III bicycle facility with one lane for east bound travel, a two way left turn lane and one lane for west bound travel, to the satisfaction of the City Engineer.

5. The applicant shall install a raised median on Adams Avenue between the northbound ramps for State Route 15 and midblock between Terrace Drive and Kensington Drive, to the satisfaction of the City Engineer.

6. The applicant shall acquire property as necessary and dedicate as necessary and widen Marlborough Drive from Adams Avenue to the first alley north of Adams Avenue to provide 36 feet of pavement with curb, gutter and sidewalk, to the satisfaction of the City Engineer.

7. The applicant shall widen to 20 feet and pave the first alley north of Adams Avenue between Marlborough Drive and Edgeware Drive, to the satisfaction of the City Engineer.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

LDR Planning, Billy Church (MS 501)
LDR Landscape, Jeff Oakley (MS 501)
LDR-Transportation Development, George Ghossain (MS 501)
LDR Engineering, Don Weston (MS 501)
LDR-Environmental, Ken Teasley (MS 501)
Development Project Manager, Dan Stricker (MS 501)
Plan-Long Range, Marlon Pangilinan (MS 4A)
City Attorney's Office (MS 59)
Council District 3 (MS 10A)
Library, Government Documents (81)
Mayor's Office (91)
CALTRANS (31)
California Regional Water Quality Control Board, Region 9 (44)
SANDAG (108)
Air Pollution Control District (65)
Mid City Development Corporation (289)
Kensington Talmadge Planning Committee (290)
Mel Shapiro (300)
John Stump (304)
County of San Diego, Department of Environmental Health, Darryl Fowler

Final copies of this Mitigated Negative Declaration were also distributed to:

Kaleo Whiting
Richard Ryberg
Stephen Colston
Dorothy Dean
Arlene Goulart
Gina Gianzero
Guadalupe Ramirez
Cynthia Springall
Lahoma and Ian Kotchian
Renee Racicot
Jennifer Reed
Chris Bennett
Katherine Sandstrom
Olga M. Lara
George Hannibal Quintero
D M Lewis
Margaret McCann
Sherry L. Hopwood
Vera Pavlovish
Mary Ray
Robert Cardin
Diana Barrett

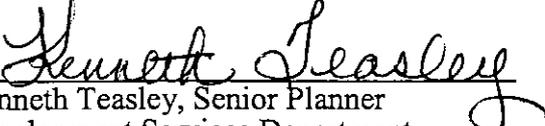
Lawrence and Barbara Watson
Walter H. Gustaval
Don and Elaine Rodesiler
Diane Stocker
Jim De Saegher
Julia Gaebles
Harold Koenig
Sharon Hall
Marge Fabri
Linda Brigs
Joanna George
Marta Moreno
Ivan O'Hengranes
Marie Berry
Victor Camp
Linda M. Bonham
Felipe Munduate
Ellen Stein
Dave Spagenski
Monika Crotta
Steven J. Beyers
David Hunt
D and R Wall
Linda Brown Key
Kay Ledger
Warren Torns
Sue and Greg Lee
Thomas Driscoll
Dana Bessenecker
Marc Nijdam
Rebecca Price
Cheryl Gillett
Judith Deckter
Richard Bart
Lilian Cooper
Todd and Cecily
Andy Oliver
Ralph Hughes
P Ungar Linssen
Clare Colquitt
Fred and Jan Bast
G Pitt Warner
Thomas Adam
Jim Croff
Virginia B. Berger
Gail A. Greer
Katherine Rotherham
P Rosenstein
Adele Kapp
Richard Rosenberg
Mari Huff
Siri Kay Jostad
Pamela and Charles Brock

D Gunn
Kathleen Kaiser
Karen Gordon Francis
Paula S Rosenstein
Ted and Nancy Myers
A P Harrison
Ruth V. Sigler
J Martini
Shirley E. Wooley
Ann Rubenstein
Edward Roberts
Carol Fenner
Jerry C. Freeman
Patrick and April Williams

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Entitlements Division for review, or for purchase at the cost of reproduction.


Kenneth Teasley, Senior Planner
Development Services Department

September 7, 2007
Date of Draft Report

October 22, 2007
Date of Final

Analyst: Jarque



County of San Diego

GARY W. ERBECK
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
LAND AND WATER QUALITY DIVISION
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JACK MILLER
ASSISTANT DIRECTOR

September 14, 2007

Miss Anne B. Jarque
Environmental Planner
City of San Diego Development Services Center
1222 First Avenue (MS 501)
San Diego, CA 92101

Dear Miss Jarque:

DRAFT MITIGATED NEGATIVE DECLARATION
KENSINGTON TERRACE DEVELOPMENT PROJECT
4142 ADAMS AVENUE, SAN DIEGO, CA
SAM UNAUTHORIZED RELEASE #H13387-003

On September 10, 2007, the Department of Environmental Health (DEH), Site Assessment and Mitigation Program (SAM), received a *Public Notice of a Draft Mitigated Negative Declaration* from the City of San Diego, Development Services Department (DSD). The City of San Diego invited DEH to review and comment on the above-referenced document.

The proposed development requires the demolition of an existing gas station that is currently being assessed under the DEH Voluntary Assistance Program. The development is for the construction of a three-story commercial and residential mixed-use structure along with two levels of below-ground parking.

SAM staff reviewed the Draft Mitigated Negative Declaration and the County of San Diego DEH case files, and request the following be added to the Section titled Human Health and Public Safety:

- 0) Provide an approved Community Health and Safety Plan to protect public health and safety that may significantly affect public exposure during the site assessment and remedial process. This Community Health and Safety Plan will minimize the risk to the public by addressing dust and vapor hazards, physical hazards, site security and hazardous material removal, management of soil and water, and flammable hazards.

The Community Health and Safety Plan should be prepared and implemented in accordance with the SAM Manual following approval from DEH.

If you have any questions about the DEH comment provided above, please feel free to contact me at (619) 338-2371.

Sincerely,

DARRYL FOWLER, Project Manager
Site Assessment and Mitigation Program

DF:kd

cc: Kevin Heaton, DEH
Mike Verneti, DEH

RESPONSES TO COMMENTS

County of San Diego Department of Environmental Health
September 14, 2007

- 0) Mitigation measure No. 1 under Human Health and Public Safety has been revised to include an approved Community Health and Safety Plan to be submitted and reviewed by the City of San Diego Development Services Department and County of San Diego Department of Environmental Health Department to protect public health and safety during the site assessment and remedial process.

RESPONSES TO COMMENTS

Development Coming to Kensington Survey

The City of San Diego Environmental Analysis Section received numerous comment letters in the form the attached survey. The City was not involved in the distribution of the letter and was notified that the letter was distributed by a private citizen and member of the community who placed this survey on the doorstep of several residences in the neighborhood.

The environmental process is one of several avenues (community planning Group meetings, writing to your Council Member, and other public hearings) that public and private citizens or entities can voice their input on a project. The City appreciates your input and comments regarding the proposed development and has tried to respond to each and every letter received and a finalized copy of the Mitigated Negative Declaration sent to each address that a letter was received from. The response to comments are not in any particular order, other than the date, but have been grouped by surveys with additional comments (responses 1-35), surveys with comment letters (responses 36-77), comment letters (responses 78-128), e-mails (responses 129-177), and then surveys received.

Pursuant to the California Environmental Quality Act (CEQA) Section 21092 –Public Notice of Preparation of Environmental Impact Report or Negative Declaration Publication and the City of San Diego Land Development Code Section 128.0305 – Public Notice of Draft Environmental Documents, staff has appropriately notice the availability for public comment and review the Draft Mitigated Negative Declaration (MND) prepared. In accordance with CEQA, the document was available for a 20-day public review period from September 7, 2007 to September 26, 2007.

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RESPONSES TO COMMENTS

Berry
September 21, 2007

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

A 3-story, multiple-use complex is planned for the block between Marlborough and Edgeware on Adams Avenue, extending to the alley behind the existing gas station. The gas station is scheduled to be demolished early next year, along with the now-vacant houses and apartment units. Plans for the multiple-use complex include the following:

- underground parking on two levels; garage will be 21 feet below grade
- a first floor for retail shops, a second floor for offices, and a third floor for condominiums; also, 3 rowhouses will be built on Edgeware Drive
- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

On September 7, 2007, the City of San Diego opened a comment period for the proposed development. Please take a moment to circle the numbers of the questions below that are of concern to you and your family; then place a stamp on this flyer and mail it to the City of San Diego address on the back of this page (or send in a stamped envelope).

Comments are due by Wednesday, September 26, 2007,
so mail today!

Circle

- 1) When is construction going to start and how long will it go on?
- 2) How will heavy equipment be routed through Kensington streets (equipment such as dumptrucks with loads of excavated soil and demolition debris, cement trucks, flatbed trucks with backhoes, graders, etc., and loads of construction materials (lumber, rebar, supplies, etc.)?
- 3) How long will the 21-foot excavation for the underground garage be open and how will it be secured?
- 4) Will pile-driver rigs and/or cranes be used during construction?
- 5) If soil contaminated with gasoline and/or oil is encountered during the excavation and removal of the underground tanks at the gas station, where on the property will it be stockpiled before it's transported off-site for disposal?
- 6) What will be done to suppress dust generated during excavation and grading?
- 7) What noise levels can be expected during construction?
- 8) When will construction activities start and end at the property each day? Will the work take place only Monday through Friday?
- 9) About how many construction workers would be on-site and where will they park?
- 10) What will be done to lessen mud-tracking on Kensington streets as heavy vehicles exit the site?
- 11) How will traffic from Kensington residential areas be routed or diverted during the work?
- 12) How will gridlock on Adams be avoided during morning commute hours?
- 13) Will there be any special protections for children and pedestrians at Adams Intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:
Name: Maria Berry Signature: Maria Berry Date: 9/21/07
Address: 723 Edgeware

- 14) Too high. Don't want fast food in retail. Too dense.

- 1) Construction is expected to start as early April 2007 or as late as August 2007. Construction is anticipated to last approximately 19 months.
- 2) Heavy equipment would primarily be used to build the underground parking structure.
- 3) The excavation is expected to take 6 months to remove soil, work with the County Department of Environmental Health (DEH), install shoring and build the parking structure. The property would be fully secured, lighted and protected. Various levels of security would be provided mainly for insurance purposes.
- 4) Most of the construction would require equipment for drilling rather than pile-driving, since it is more efficient and generate less noise.
- 5) In coordination with San Diego County Environmental Health, the oversight agency, any contaminated soils would be removed and disposed of in accordance with local, state, and federal guidelines and regulations. The Work Plan, Health Risk Assessment, and a Community Health and Safety Plan would be required as indicated in the Mitigation, Monitoring, and Reporting Program and would outline the necessary procedures of handling and storage of contaminated soils.
- 6) The developer would comply with the City of San Diego "Best Management practices" (BMPs) including, but are not limited to 1) reducing erosion 2) minimizing silt and/or dust and 3) providing concrete wash outs. The developer is required to implement standard construction practices, such as dewatering, to prevent any dust or particulate matter to emanate beyond the boundaries of the premises upon which the use emitting the contaminant is located in accordance with Land Development Code (LDC) Section §142.0710 Air Contaminant Regulations.
- 7) In accordance with LDC §59.5.0404. Construction Noise cannot exceed an average sound level greater than 75 decibels during the 12-hour period from 7:00 a.m. to 7:00 p.m. at or beyond the property lines of any property zoned.
- 8) In accordance with LDC Section §59.0404, it shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator.
- 9) The number of construction workers would vary every day depending on which trades are working on the project. The applicant would try to keep construction workers and their cars on-site.

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RESPONSES TO COMMENTS

- 10) Standard construction practices that include specific Best Management Practices (BMPs) such as a stabilized construction entrance/exit would be required as indicated in the project's Water Pollution Control Plan (WPCP) to prevent and control construction equipment and/or vehicles existing and entering the site.
- 11) The applicant would be required to apply and submit a Traffic Control Plan to be reviewed and approved satisfactory to the City Engineer, prior to start of construction. The traffic control plan specifically identifies the start and end dates of construction, the hours of work, the location, the contractor, posted speed limits, and a plan view drawing of the street segments and intersections, location of parking, special curb zones, street lanes, and sidewalk widths, size of the work area, construction signs, location of flashing arrow boards, transitions areas, buffer spaces, work areas, termination areas, and detour plans.
- 12) During construction, gridlock on Adams Avenue, although temporary, may be avoided by directing or rerouting traffic in accordance with the applicant's Traffic Control Plan.
- 13) The Traffic Control Plan requires the applicant/contractor to identify and handle pedestrian (including disabled) and bicycle routes/paths. The developer would continue to work with the Kensington Talmadge Planning Committee seeking their input prior to proceeding with the traffic control plan. The developer would be in attendance of as many meetings as possible throughout the process. They would be available for questions on a monthly basis. Meetings are held at the Kensington Community Church on Marlborough Drive on the second Wednesday of each month.
- 14) Although the developer has not determined the type of retail intended, there would not be any designated drive through fast food lanes proposed. The Mid-City Communities Plan designates the 0.78 acre project site for commercial and Mixed-Use development at a maximum density of 29 dwelling units per acre. Additionally, the community plan provides a density bonus of 43 dwelling units per acre for mixed-use projects. The project is only proposing 9 for-sale, market rate units within a mixed-use development, whereas based on the existing land use designation, 23 units would be allowed on site and ultimately 34 units would be allowed through the mixed-use density bonus.

RESPONSES TO COMMENTS

Brown-Key
September 22, 2007

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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- 3) How long will the 21-foot excavation for the underground garage be open and how will it be secured?
- 4) Will pile-driver rigs and/or cranes be used during construction?
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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:
Name: Linda Brown-Key Signature: Linda Brown-Key Date: 9/22/07
Address: 4627 Edgeware Rd. San Diego CA 92116

15)

What about parking during construction. I live on the 4600 block of Edgeware and since few of us have driveways, parking is very difficult as is. We can't have construction trucks on our block and be able to live in our houses!

RESPONSES TO COMMENTS

Munduate
September 23, 2007

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

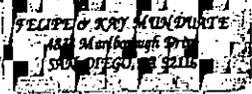
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- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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Name: Felipe Munduate Signature: [Signature] Date: 9/23/07
Address: 4834 Marlborough Dr SD 92116

- 16) A Traffic Impact Analysis was prepared by LOS Engineering, Inc., dated June 12, 2007 which encompassed a study area that included Adams Avenue, Interstate 15, Terrace Drive, Kensington Drive, Marlborough Drive, Edgeware Road, the alleyway north of the project site, Park Place, El Cajon Boulevard, and Aldine Drive. With the implementation of the required conditions as outlined in the Mitigation, Monitoring and Reporting Program and the Planned Development Permit conditions, potential impacts to these street segments and intersections would be mitigated to a level below significance.

16)

16) Kensington is a small community - we do not need a 3-story complex bringing more traffic in a already very busy neighborhood that collects traffic from I-15 freeway up Aldine to address the problem. The I-15 S + North - traffic from Adams Avenue and El Cajon Blvd. As it is now, Marlborough is the main artery to/from Adams and will be horribly impacted by this unneeded construction just to satisfy greedy developers!

RESPONSES TO COMMENTS

Cooper
September 23, 2007

DEVELOPMENT COMING TO KENSINGTON

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Name: Lillian Cooper Signature: [Signature] Date: 9-23-07
Address: 4817 Kensington Dr. San Diego 92116

- 17) Anticipated traffic, air quality, and noise impacts during construction would be temporary and would be addressed when the applicant submits a Traffic Control Plan and conformance to local, state, and federal regulations.

17) * Specifically, how often will Kensington Dr. become the main outlet for all neighborhood traffic because Marlborough/Adams area will be blocked or congested due to construction? This will negatively impact air quality, noise levels, and traffic flow on

RESPONSES TO COMMENTS

Bart
September 23, 2007

DEVELOPMENT COMING TO KENSINGTON

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Name: RICHARD L. BART Signature: Richard L. Bart Date: 23 SEP '07
Address: 4880 KENSINGTON DRIVE
SAN DIEGO, CA 92116

- 18) The Mid-Cities Community Plan – Transportation Element classifies Adams Avenue, west of the Interstate 15 (I-15) to Interstate 805 and east of I-15 to Aldine Drive, as a 3-lane collector street with an approximate daily traffic volume of 14,000 average daily trips (ADTs) east of the I-15. The current lane configuration of Adams Avenue from I-15 to Aldine Drive is built with one-travel lane in each direction with left turn lanes provided at larger intersections, and parking on both sides of the roadway. The applicant is required to re-stripe Adams Avenue, as identified in the community plan as a 3-lane collector, by providing one westbound lane, one eastbound lane, and a two-way left turn center lane, satisfactory to the City Engineer and in conformance with the City's Street's Design Manual. In addition, Adams would also have a Class III bicycle lane. A raised center median would be built along Adams Avenue between I-15 northbound ramp and mid-block between Terrace Drive and Kensington Drive. On-street parking would still be available on Adams Avenue.

- 18) 14. NEED EXPLANATION CONCERNING RESTRIPIING OF ADAMS AVE TO FARMLANDS!

RESPONSES TO COMMENTS

Camp
September 23, 2007

DEVELOPMENT COMING TO KENSINGTON

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Name: Victor Camp Signature: Victor Camp Date: 9/23/07
Address: 4757 Edgeware Road

- 19) To establish a permit district, residents must contact the City of San Diego Traffic Engineering Division at (619) 533-3126 and ask for a petition and process as follows:
- Circulate the petition among the residents in the neighborhood. The petition must be at least 50% of the residents in the affected area. Only residents may sign; signatures of property managers or non-resident property owners are not accepted.
 - Return the petition to the Traffic Engineering Division. A parking survey will be conducted to evaluate the impact on the neighborhood of parking by commuter vehicles.
 - If the survey indicates that a residential permit parking district should be established, a noticed public hearing will be held for all residents of the proposed district.
 - Final decision on establishments of a district is made by the City Council.
 - The entire process to establish a residential permit parking district will take approximately one year.

19) EXTRA QUESTION: Can residents of Edgeware Road (only 2 blocks long North of Adams) obtain parking stickers to park their second family cars in front of their houses on Edgeware?

RESPONSES TO COMMENTS

Ledger
September 23, 2007

DEVELOPMENT COMING TO KENSINGTON

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Name: Kay Ledger Signature: Kay Ledger Date: Sept 23, 2007

Address: 4875 Edgeware

20) 13.5 Does this questionnaire have the slightest impact?

21) 14. Despite parking garage, will parking be shoved into our street? >

- 20) The City appreciates your input and comments regarding the proposed development. As shown by the amount of the letters received during the environmental document's public review and comment period, staff has tried to respond to each and every letter received in conformance with the California Environmental Quality Act (CEQA). The process of approval is discretionary and the hearing body does take in consideration the environmental document and all the comment letters included in the final Mitigated Negative Declaration.
- 21) To avoid vehicles parking on the street, the applicant adequately provides 112 parking spaces on-site in the underground parking garage, where 90 parking spaces are the minimum required for the proposed retail/commercial and residential uses.

RESPONSES TO COMMENTS

Torus
September 23, 2007

DEVELOPMENT COMING TO KENSINGTON

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Name: Warren Torus Signature: [Signature] Date: 9/23/07
Address: 4030 Rochester Rd San Diego 92116

- 22) In coordination with City staff and the community, the applicant has designed the project to be architecturally compatible with the surrounding neighborhood. The project would implement several goals and recommendations contained in the Urban Design, Transportation, Land Use, and Natural & Cultural Resources Elements of the Mid-Cities Communities Plan by incorporating a 16-foot wide sidewalk that would include tree wells for street trees along Adams Avenue, as well as two plaza areas at the corner of Marlborough Drive and Edgeware Road at each corner of the building, and an internal courtyard. The project would include six penthouse units above commercial-retail and 3 craftsman-style townhomes at the ground level along Edgeware Road, similar to the residences along the street. The project does propose a height deviation to increase the height of the building on the eastern portion of the site by 8 feet where the maximum height limit is 30 feet. This was a trade off to reduce the building height in the 50 height section of the project, creating a terraced effect from the corners. The 8 foot deviation is specific to the elevator penthouse that is located at the center of the building. The western portion of the site has a maximum height limit of 50 feet and to meet the recommendation of ensuring the new development would reflect the neighborhood character, the architect has incorporated setback at the third story and landscaping, as well as trellises and arched features similar to adjacent commercial buildings. Furthermore, the proposed mixed-use building would use various material and textures to further articulate the street façade and reduce the scale of the building. The rear of the proposed project would also incorporate an articulated façade with windows, varying setbacks, and landscaping to offset the bulk and scale of the proposed 3-story building from neighboring residences to the north.

In an effort to receive input and market the community aware of their proposed project, the applicant has attended the following meetings and project schedule:

- February 2006 - 1st community workshop. Applicant had nothing designed; their intention was to get community comments on the property.
- March 2006 - 2nd community workshop. Applicant played back the community concerns and offered suggested design solutions.
- June 2006 - Applicant presented a 4 story building on the corner of Marlborough Drive and Adams Avenue which was rejected by Kensington Talmadge Planning Group.
- November 2006 - Applicant redesigned and presented a 3 story building.
- March 2007 - Applicant included easterly portion of property in the proposal.
- April 2007 - Updated the planning committee as to the inclusion of the easterly parcel.
- June 2007 - Applicant redesigned the entire project.
- July 2007 - Kensington Talmadge Planning group voted 15-0-0 in favor of the 8' height deviation.
- April 2007 - Applicant presents to the Kensington Talmadge Business Association (KTBA), which include business owners along Adams Avenue. The KTBA voted unanimously to approve the height deviation.

22) Will the new development be architecturally compatible with existing structures?

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RESPONSES TO COMMENTS

- May, July, and September 2007 – Applicant met with the Kensington Talmadge design review subcommittee and changes and adjustments to the design were incorporated.
- Sept 2007 - Presentation to the Kensington Talmadge Community Association. (A non voting association of neighbors and community members interested in the well being of the community)
- October 2007 - The Kensington Talmadge Planning Committee voted unanimously, 9-0-0, in favor of the project to recommend approval.

RESPONSES TO COMMENTS

Todd and Cecily
September 23, 2007

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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Name: Todd + Cecily Signature: [Signature] Date: 9/23/07
Address: 4670 Marlborough Drive 92116

- 23) 14) How is it that once again, Development crushes any
& all civic/community Rights? - ~~when~~ (what happened in smaller
comm.)
- 24) 15) Why did you wait to the last minute to allow
...? ... Try to be honest.

- 23) Based on the proposed project plans and technical reports submitted, the applicant would be required to obtain a Planned Development Permit (PDP) and a Vesting Tentative Map (VTM), both actions which are discretionary and the approval or denial to be determined by a discretionary hearing body, in this case the City of San Diego Planning Commission. As part of your civic and community right, the process allows for several opportunities for the community to voice their concerns or support for a project. The environmental process is one of those opportunities to provide input and or comment on the environmental effects of a project. Any developer also has a right to develop their property in accordance with the applicable local, state, and federal regulations as indicated by the process.
- 24) As stated earlier, the City was not involved in the distribution of the letter and was notified that the letter was distributed by a private citizen and member of the community who placed this survey on the doorstep of several residences in the neighborhood.

The environmental process is one of several avenues (community planning Group meetings, writing to your Council Member, and other public hearings) that public and private citizens or entities can voice their input on a project. The City appreciates your input and comments regarding the proposed development and has tried to respond to each and every letter received and a finalized copy of the Mitigated Negative Declaration sent to each address that a letter was received from.

Pursuant to CEQA Section 21092 -Public Notice of Preparation of Environmental Impact Report or Negative Declaration Publication and the City of San Diego Land Development Code Section 128.0305 - Public Notice of Draft Environmental Documents, staff has appropriately notice the availability for public comment and review the Draft Mitigated Negative Declaration (MND) prepared. In accordance with CEQA, the document was available for a 20-day public review period from September 7, 2007 to September 26, 2007. The persons and agencies listed are from the City of San Diego Public Information list for distribution of draft environmental document. Staff did not receive any additional requests to see the draft environmental document prior to the distribution of the draft document during public review.

RESPONSES TO COMMENTS

Kapp
September 24, 2007

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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Circle

- 1) When is construction going to start and how long will it go on?
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- 11) How will traffic from Kensington residential areas be routed or diverted during the work?
- 12) How will gridlock on Adams be avoided during morning commute hours?
- 13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: ADELE KAPP Signature: [Handwritten Signature] Date: 9/24/07
Address: 4637 MARLBOROUGH DRIVE SAN DIEGO CA 92116

~~_____~~

25) 15) What will the energy impact be re gas, electric, water?
How will the coal... be used...

25) The contractor is required to notify specific agencies, including communication and electrical companies, at least five working days prior to the start of any construction to identify any potential electrical, water, gas, or other utilities or services that may be affected during construction. All proposed public water facilities, including services and meters, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Gas and electrical usage are not anticipated to exceed those analyzed with the build-out of the community plan.

RESPONSES TO COMMENTS

Rosenstein
September 24, 2007

DEVELOPMENT COMING TO KENSINGTON

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Name: P. Rosenstein Signature: [Signature] Date: 9/24/07
Address: 4756 Brown Dr. S.D. 92116

- 26) If any repairs are needed, the applicant/contractor would be required to fix any streets that were impacted by construction. In addition, specific mitigation measures to re-stripe Adams Avenue, install a traffic signal, and improvements along the project frontage on Marlborough Drive and Edgeware Road to the satisfaction of the City Engineer is required to be completed and would be assured by a permit and bond.

26) The constructions are sure to tear up the streets all around the site & all along Adams; will they all be repaired by the contractor?

RESPONSES TO COMMENTS

DEVELOPMENT COMING TO KENSINGTON

Stein
September 24, 2007

Kensington Neighbors,

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Name: Dr. Elva Stein Signature: [Signature] Date: 9/24/07
Address: 4924 Edgeware Road, SD CA 92116

Why is this waiver going to be granted, changing me this?
Not the developer?

27) Any developer or applicant who submits project plans that would deviate from the applicable regulations required based on the underlying zone is required by our San Diego Municipal Code to go through a discretionary process, where the project to be approved or denied would be decided by a hearing body (City Manager, Hearing Office, Planning Commission, or City Council). For this project, the applicant request a deviation to the 30 foot maximum height limit allowed in the CN-1-3 zone. The site is split zoned with the western portion zoned CU-3-3, which has a maximum height limit of 50-feet and the eastern portion zoned CN-1-3. The total height of the building along this block of Adams Avenue between Marlborough Drive and Edgeware Road would be approximately 38 feet. The additional eight feet requested in the CN-1-3 zone can be supported by specific Findings that would need to be made by the discretionary hearing body, in this case, the City of San Diego Planning Commission. The rules have not changed for this specific developer since the applicant has gone through the process required by the Municipal Code. The granting of the increase in height would be at the discretion of the Planning Commission. In various meetings with the community it was clear that the Kensington Talmadge Planning Committee did not want to see a 50 feet building at the corner of Adams and Marlborough Drive, even though the zoning ordinance allows a 50 feet structure. The architect and the planning group committee developed a compromise by lowering and terracing the building at the intersection and spreading the remainder of the height along the Avenue, creating a consistent structure. The majority of the building would be lower than the Kensington Park Plaza Building (Starbucks) across the Marlborough Avenue to the west.

RESPONSES TO COMMENTS

Oliver
September 24, 2007

DEVELOPMENT COMING TO KENSINGTON

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Name: ANDY OLIVER Signature: [Signature] Date: 9-24-07
Address: 4772 MARLBOROUGH ST ON 92116

28) (14) HOW WILL THIS AFFECT PROPERTY PRICES
THE AREA?
THANK YOU.

28) Property values are not considered a physical effect on the environment under CEQA. The project would redevelop a site by replacing seven existing residences and a gas station with a convenience store with nine, new, for-sale, market rate units; approximately 16,550 square feet of retail space, and 16,255 square feet of office space.

RESPONSES TO COMMENTS

Hughes
September 24, 2007

DEVELOPMENT COMING TO KENSINGTON

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Name: Ralph Hughes Signature: Ralph Hughes Date: 9/24/07
Address: 416 1/2 East Canterbury Dr

I don't worry much about construction. It will be over. What about later? What about traffic on Edgeware after it is built?

What about traffic on Adams - Edgeware + East after it is built? Ralph - Edgeware

29) Refer to response to comment No. 16 regarding the traffic analysis. Based on the analysis completed in the Traffic Impact Analysis (LOS Engineering, June 12, 2007); the level of service (LOS) east of Edgeware Road would not be significantly impacted.

RESPONSES TO COMMENTS

Ungar-Linssen
September 26, 2007

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Name: P. UNGAR-LINSSON Signature: [Signature] Date: 9/26/07
Address: 5336 MARLBOROUGH DR 92114

THERE'S STILL TIME TO E-MAIL YOUR COMMENTS TO: DSDEAS@sandiego.gov

- 30) The public would be able to park in the project's below-grade garage. The applicant plans to work with the community to develop some shared parking concepts to allow public parking.
- 31) The project would be designed to be Leadership in Energy and Environmental Design (LEED) certified, incorporating green roof technology, and is considered to be a sustainable development project.
- 32) Refer to previous response to comment No. 27 regarding the height deviation.

- 30)
- 31)
- 32)

ANY PUBLIC PARKING PLANNED?
OPEN SPACE?
with a school?

RESPONSES TO COMMENTS

Rosenberger
September 25, 2007

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: RICHARD ROSENBERGER Signature: R. W. Rosenberger Date: 9/25/07
Address: 4786 VISTA STREET, SAN DIEGO, CA. 92116-2527

THERE'S STILL TIME TO E-MAIL YOUR COMMENTS TO: DSDEAS@sandiego.gov

- 33) Traffic is not anticipated to be backed up to Aldine Drive. The restriping of Adams Avenue to a three-lane collector would improve the street circulation allowing vehicles wanting to turn left to leave the flow of traffic going east and west. Based on the analysis completed in the Traffic Impact Analysis (LOS Engineering, June 12, 2007); the level of service (LOS) between Edgeware Road and Aldine Drive would not be significantly impacted.

33) NOTE: I DON'T WANT TRAFFIC BACKED UP TO ALDINE DR.
AS I WON'T BE ABLE TO EXIT MY STREET (A DEAD END)!

RESPONSES TO COMMENTS

Harrison
September 25, 2007

DEVELOPMENT COMING TO KENSINGTON

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Circle Area

- 1) When is construction going to start and how long will it go on?
- 2) How will heavy equipment be routed through Kensington streets (equipment such as dumptrucks with loads of excavated soil and demolition debris, cement trucks, flatbed trucks with backhoes, graders, etc., and loads of construction materials (lumber, rebar, supplies, etc.)?
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- 4) Will pile-driver rigs and/or cranes be used during construction?
- 5) If soil contaminated with gasoline and/or oil is encountered during the excavation and removal of the underground tanks at the gas station, where on the property will it be stockpiled before it's transported off-site for disposal? *why haven't probes been sunk for sampling?*
- 6) What will be done to suppress dust generated during excavation and grading?
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- 12) How will gridlock on Adams be avoided during morning commute hours?
- 13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: A.P. HARRISON Signature: [Signature] Date: 9-25-07
Address: 5017 Kensington Drive 92116-2102

14) What style of facade/roof will be presented? *Spanish, cheap tucis, what?*

34) Refer to previous response to comment No. 22 regarding neighborhood character and community input. The building has a Spanish Colonial character on Marlborough Drive, and a Craftsman character on Edgware Road, to break up the building design and reflect the neighborhood character.

RESPONSES TO COMMENTS

Colquitt
September 25, 2007

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

A 3-story, multiple-use complex is planned for the block between Marlborough and Edgeware on Adams Avenue, extending to the alley behind the existing gas station. The gas station is scheduled to be demolished early next year, along with the now-vacant houses and apartment units. Plans for the multiple-use complex include the following:

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- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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Name: Clare Colquitt Signature: Clare Colquitt Date: 9/25/07
Address: 4792 Edgeware Dr.

San Diego, CA 92116-2532

35)

The size of the project is 4.11 million sq. ft.

This is OUT of my kitchen...
 development
 This is

- 35) Refer to previous responses to comments No. 22 regarding neighborhood character and community input and No. 27 regarding the height deviation.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

A 3-story, multiple-use complex is planned for the block between Marlborough and Edgeware on Adams Avenue, extending to the alley behind the existing gas station. The gas station is scheduled to be demolished early next year, along with the now-vacant houses and apartment units. Plans for the multiple-use complex include the following:

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- an open plaza at the corner of Adams Avenue and Marlborough Drive

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Lutha Shannon Sigler Signature: [Signature] Date: 9/22/07

Address: 4819 Edgeware Rd. SD 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

Sigler
September 22, 2007

NOTE: USPS REQUIRES SEALING WITH TAPE ALONG WIDTH AFTER FOLDING

- 36) Comment noted. The proposed mitigation measures to re-stripe Adams Avenue as a three-lane collector and widen Marlborough Avenue to accommodate a two-lane collector street classification, as shown in the Community Plan, would adequately mitigate any potential traffic impacts to the surrounding streets.

Fold Line

STAMP

ANNE B. JARQUE
ENVIRONMENTAL PLANNER
CITY OF SAN DIEGO DEVELOPMENT SERVICES CTR.
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

re: PROJECT NO. 105244

Fold Line

- 36) AFTER COMPLETION OF THE BUILDING @ THE NORTHWEST CORNER OF ADAMS & MARLBOROUGH, CONGESTION RESULTED FROM LACK OF ADEQUATE PARKING & HIGH DENSITY DEVELOPMENT. CURRENTLY DRIVERS AVOID THIS BY TAKING A "SHORT CUT" ^{NORTH} DOWN EDGEWARE TO CANTERBURY, CREATING HEAVY TRAFFIC ON EDGEWARE. IT WOULD BE NICE TO WIDE MARLBOROUGH 4 FEET TO HELP MOVE TRAFFIC THE FIRST TWO BLOCKS NORTH OF ADAMS, & PUT A RIGHT TURN ONLY SIGN AT THE SECOND BLOCK NORTH OF ADAMS ON EDGEWARE.

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Name: Lutha Shannon Sigler Signature: [Signature] Date: 9/22/07
Address: 4819 Edgeware Rd 5D 92116

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1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

re: PROJECT NO. 105244

Fold Line

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Jan & Fred Bast Signature: Jan Bast AND Date: 9/22/07
Address: 4833 Edgeware Rd San Diego

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

ALL OF THESE QUESTIONS ARE CONCERN TO US.

RESPONSES TO COMMENTS

Bast
September 22, 2007

37) Refer to previous response to comment No. 27 regarding the height deviation.

NOTE: USPS REQUIRES SEALING WITH TAPE ALONG WIDTH AFTER FOLDING

Fold line

Mr. Fred E. Bast
4833 Edgeware Rd
San Diego, CA 92116-2338

SAN DIEGO CA 921
24 SEP 2007 PM 2 L



ANNE B. JARQUE
ENVIRONMENTAL PLANNER
CITY OF SAN DIEGO DEVELOPMENT SERVICES CTR.
1222 FIRST AVENUE, MS 501/
SAN DIEGO, CA 92101

SEP 23 2007

re: PROJECT NO. 105244

92101+4101



Fold Line

37) Having seen the original design in which the bldg. loomed over the street/sidewalk on Edgeware, I'm concerned about its relationship to the small scale homes on the 4700 blocks of Edgeware and, to some extent, Marlborough. WE ARE VERY STRONGLY AGAINST GRANTING A WAIVER FOR THE HEIGHT LIMIT. THE CHARACTER OF THE KENSINGTON COMMUNITY WILL ^{BE} CHANGE WITH THAT TYPE OF WAIVER.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Siri Jostad + Bert Wahl Signature: Siri Kay Jostad Date: 9-23-07
Address: 4202 Biana Place San Diego CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

September 23, 2007

TO: Anne B. Jarque
Environmental Planner

FR: Siri Kay Jostad
Kensington Resident

Dear Anne,

This letter is an addendum to the notice to which it is attached since in your list of concerns, my husbands and mine were not specifically addressed.

Let me begin by saying that we are very excited about the prospect of the new retail building on Adams Avenue and we've been looking forward to its coming ever since the houses were boarded up. Anxiously awaiting might be a good term.

We love the village feeling of the retail portion of the Kensington neighborhood as it serves our needs well.

Here are some things we would prefer NOT to see occur as part of this new development:

- 38) • We would like to see the height of this/these buildings not to exceed that of the building housing Starbucks etc across Marlborough from it. And by that we do not mean the height of the cell phone towers atop the starbucks building but just the roof height of the top floor. Even a mere 7 feet more above grade makes an imposing structure that is not in keeping with the size of the neighborhood, nor with the ideal of it being a walking neighborhood. Thus we beg you not to grant a zoning variance to the height of the building.
- 39) • We would NOT like to see Adams restriped to be 3 lanes.
- 40) • We would very much NOT like to see Marlborough widened by 4 feet and marked with red curbs. One of the true delights of living in this neighborhood is parking accessibility for the retail. It is very small town feeling to be able to pull up right in front of a retail establishment for which you just want to run in briefly and find a spot. Just those two spots marked green on Marlborough by starbucks are frequently available for such activity. To redline the curbs and force parking into specified lots changes the convenience factor and also "citifies" our village.
- 41) Wider streets in general, ones that carry more traffic are less appealing for walkers and this neighborhood is characterized by the walkers of all ages, most specifically the parents with small children in strollers on trykes or bikes.

Jostad
September 23, 2007

- 38) Refer to previous responses to comments No. 22 regarding neighborhood character and community input and No. 27 regarding the height deviation.
- 39) The Mid-Cities Community Plan classifies this portion of Adams Avenue as a three-lane collector street. The restriping would be required to implement the transportation goals of the community plan and improve the traffic circulation based on the anticipated average daily trips (ADTs) in the area.
- 40) The Mid-Cities Community Plan classifies this portion of Marlborough Avenue as a two-lane collector street. Typical two-lane collector streets must have minimum street width of 36 feet. The current width of Marlborough Drive between Adams Avenue and the alley is 32 feet, therefore an additional 4 feet must be acquired (eliminating the street parking) along the project frontage to meet the minimum street/lane widths in accordance with the City's Street Design Manual. Past the alley, Marlborough Drive would remain 32 feet with parking available on the street.
- 41) Comment noted. Refer to previous response to comment No. 22 regarding neighborhood character and community input. The applicant has tried to incorporate the community's input in the design by getting feedback at community planning group/subcommittee meetings. On October 10, 2007, the Kensington-Talmadge Planning Committee voted unanimously to recommend approval of the project. Changes, such as the restriping of Adams Avenue and widening of Marlborough Drive, were anticipated and identified as such in the Mid-Cities Community Plan. Furthermore, as reviewed by the City of San Diego Community Planning staff, the project would implement many of the goals and recommendations of the community plan, which include the incorporation of a 16-foot wide sidewalk with street trees, a plaza area, bike racks at the street level, and closure of existing driveways/curb cuts to foster a pedestrian environment.
- 42) Comment noted.
- 43) The survey was not initiated or endorsed by the City of San Diego; however, the City appreciates your time and effort to provide comments on the proposed development.

A similar feeling is destroyed widening the alley. The scale of everything changes. And while these might mitigate traffic congestion maybe we would be better served by your approving a building/structure that fits in with the existing personality of the neighborhood rather than changing the neighborhood to fit the building. I would much prefer this and respectfully request that you consider this tact seriously. We live here. And we want the retail, we just want it to work with what we've got.

42) The proposed change that we DO agree with is the need for a stoplight at Kensington Drive and Adams and we would request that even if the new building never gets built

(This page left intentionally blank.)

43) As for the other things in your note that you think might be of concern to some are not concerns to us. For a good thing to come in, we can tolerate muddy streets, rerouted traffic, a period with increased noise etc and we have complete faith in the safety of the site and that our children will not fall into the excavated pits.

Thank you so much for sending out this notice and for taking the time to read my letter and take into serious consideration the things I am requesting.

Warm regards,



Siri Kay Jostad
4202 Biona Place (2-3 blocks from proposed building)
SD CA 92116
(619) 584-0282 home
(206) 310-9449 mobile

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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Name: Mari Huff Signature: Mari Huff Date: 9/23/07
Address: 4733 Kensington Drive San Diego CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

Huff
September 23, 2007

- 44) As I am a local pre-school teacher in Kensington I am concerned about the whole idea of development here. Why do we have to have companies working in our small community? I am part of the 2nd generation of my family to live in Kensington and I think the development of Kensington is getting out of control. It is no longer a little family community. It is full of cars racing around. But in regards to this particular development I am concerned about the extra air pollution and how it might affect the children playing across the street in the park and in our pre-school. It is a sad state of affairs today that everything comes down to making money. I say keep Kensington a family community, not an overdeveloped business park full of commuters.

- 44) The project site is zoned for commercial and mixed-use development which would allow commercial/retail uses as anticipated in the Mid-Cities Community Plan.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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Comments are due by Wednesday, September 26, 2007,

Circle

Received so mail today!
9-23-07

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- 11) How will traffic from Kensington residential areas be routed or diverted during the work?
- 12) How will gridlock on Adams be avoided during morning commute hours?
- 13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: J. Martini Signature: J. Martini Date: 9/23/07
Address: 4857 Bluna Dr. San Diego 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

Additional comments:

45) Why 3 stories? It ~~is~~ will tower above the other multi-unit buildings in the area. Too tall!

46) How many units total?
large

47) I wish that lot had been used to expand our teeny-tiny library branch, which gets heavy use despite its inadequate size.

48) Don't we already have a stop light at Kensington Drive and Adams Ave.? What improvement will a "new" one make?

RESPONSES TO COMMENTS

Martin
September 23, 2007

- 45) Refer to previous responses to comments No. 22 regarding neighborhood character and community input and No. 27 regarding the height deviation.
- 46) A total of 9 residential units would be available.
- 47) Comment noted. The Mid-Cities Communities plan designates this site for commercial/residential uses. To develop a library at this site would most likely require a Community Plan Amendment and Rezone, as well as public monies to develop the site to expand the existing library.
- 48) Currently the intersection at Adams Avenue and Kensington Drive is unsignalized (without a stop light/signal) and currently operates at a level of service (LOS) F (northbound) and LOS E/C (southbound), where LOS F (forced flow, extreme congestion) is considered failing and LOS A (free flow, little congestion) is ideal. Based on the analysis completed in the Traffic Impact Analysis (LOS Engineering, Inc, June 12, 2007), the "signalized" traffic light to be installed with interconnect would mitigate this failing intersection from an LOS F and LOS E to a better level of service of LOS C for both northbound and southbound directions.

DEVELOPMENT COMING TO KENSINGTON

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Name: G. Pitt Warner Signature: [Signature] Date: 9-23-07
Address: 4885 Marlborough Dr. San Diego, CA 92114

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

Warner
September 23, 2007

49) All of these are items of concern
for those who live nearby.
We hope the traffic patterns
near our house will be carefully
monitored.

49) Refer to previous response to comment No. 11 regarding the Traffic Control Plan.

DEVELOPMENT COMING TO KENSINGTON

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Name: SHIRLEY E. WOLEY Signature: [Signature] Date: 24 Sept 07
Address: 4439 KENSINGTON DR. S.D. 92116-2808

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

50) *Additional
questions.*

14. How will timely notification to all Kensington residents be coordinated regarding water and electricity interruptions during the construction of the complex?

51) 15. What type of retail shops are being considered? Will there be any specificity and/or limitations on the category/type of a retail shop?

52) 16. Is there a possibility that a branch of the U.S. Post Office can be located within the complex area as many of the residents of Kensington walk to the area of Adams and Marlborough instead of driving?

RESPONSES TO COMMENTS

*Wooley
September 24, 2007*

- 50) The contractor will work with the utility company and the community to notify them in advance if electricity would need to be turned off or would be unavailable.
- 51) To date, the developer has not determined the intended uses or lessees for the retail space.
- 52) A US Post Office is owned by the US Government and typically located on US Government property. However, a post office or similar use could be leased to a public or private entity and would be permitted as a Business Support use category within the underlying zone.

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Janice Brock Signature: [Signature] Date: 9-24-07

Address: 4737 Marlborough Dr. SD 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

Pamela & Charles Brock
4737 Marlborough Dr.
San Diego, CA 92116
619 . 516 . 4507

RESPONSES TO COMMENTS

Brock
September 24, 2007

Sept. 24, 2007

Ms. Anne B. Jarque
re: Project No. 105244

I am writing to comment on the proposed construction in my neighborhood. I believe the developer needs to scale down his project. I am very upset that one person, who doesn't even live in the community could be potentially have permanent negative impact on our quality of life in our homes.

53) As a resident of the affected block on Marlborough Dr. I am concerned about the widening of our street. I am very dissatisfied with the solutions offered. Either I will lose my on street parking, which means any guests that visit me will have to park at least a block away or I will lose my grassy boulevard which will turn my block of Marlborough into a concrete slab. In addition we would be losing many mature trees on our street, many of which have been put in at owners expense.

54) I am strongly opposed to the size of the development proposed on Adams Ave. and Edgeware Rd. The size is too large for our neighborhood and there is not a demand for either office space, retail space or living space. As it is, the Starbucks building across the street has had a huge impact on the amount of traffic generated in this neighborhood. Even with parking spaces provided, there are not enough and much of the overflow ends up on my block.

55) I would be willing to talk further with anyone in your office regarding this situation. Please consider the negative noise and traffic impact this will have on our daily lives.

Thank-you



Pamela Brock

cc: Jerry Sanders

- 53) Refer to previous response to comment No. 40 regarding Marlborough Drive. Only the portion of Marlborough Avenue fronting the project site (between Adams Avenue and the alley) would be widened. Although no street parking would be available along approximately 50 feet of street frontage between Adams Avenue and the alley, the street configuration would remain the same and street parking would still be available in the residential area north of the alley.
- 54) Refer to previous responses to comments No. 21 regarding parking and No. 27 regarding the height deviation. The site is appropriately zoned and designated for commercial, retail, and residential uses as identified in the community plan. The project would provide adequate parking on-site for the public, occupants, visitors, and consumers.
- 55) Because staff determined that potential adverse noise and traffic impacts may result from the proposed development, EAS and Transportation Development staff has requested and reviewed specific technical studies to address these issues. The submitted Acoustical Site Assessment (Investigative Science and Engineering, Inc., June 7, 2007) and Traffic Impact Analysis (LOS Engineering, Inc., June 12, 2007) were prepared in conformance with local, state, and federal guidelines and regulations. The analysis and conclusions stated in the reports was the substantial evidence for staff to determine that with the proposed project changes and specific conditions to be implemented, these impacts would be considered to be mitigated to a level of significance.

Dongestern

DEVELOPMENT COMING TO KENSINGTON

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Name: Virginia B. Lopez Signature: Virginia B. Lopez Date: 9-24-07
Address: 1520 Edgeware Rd

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

Berger
September 24, 2007

September 25, 2007

Dear Ms. Jarque:

Thank you for giving the residents of our neighborhood a chance to voice their concerns about the "Development Coming to Kensington" as described in the flyer we found on our porch. In addition to circling the questions we have topmost in our minds, we wanted to add a few lines about our concerns.

- 56) As residents of Edgeware Road, we are aware of the vacant homes and apartments that present an eyesore and other problems. We realize that they need to be replaced or restored, but we are concerned with the huge scale of the project proposed. In our opinion, this has the potential to change our charming, historical, residential neighborhood into a commercial, congested, strip mall.
- 57) We have noticed a decided increase in traffic already with the arrival of Starbucks and its neighbors. Passing through Marlborough Drive has become a challenge at times with cars parked at odd angles and unconscious drivers opening their doors into traffic. More retail shops are just going to compound this problem. The addition of a traffic light on Kensington Drive would seem to increase the congestion, not alleviate it. With this new light, we have visions of it taking 15 minutes or more to navigate the four blocks from the freeway exit to our turn on Edgeware Road!
- 58) Since we live just two blocks from Adams on Edgeware, we are concerned about the increased traffic and parking on our street and the possible increase in crime. Ours has been a very safe and quiet street where children could play catch without danger. We have spent considerable time and money to restore and beautify our home and would hate to see its value decline along with a decline in the beauty and peace of our neighborhood.
- 59) We realize that the developer has heard these concerns before and that the plans are already underway. We just hope that he will be very conscious of these as the development unfolds.

Regards,



Virginia and George Berger

- 56) Refer to previous response to comment No. 22 regarding neighborhood character and community input.
- 57) Refer to previous response to comment No. 48 regarding the signal at Kensington Drive and Adams Avenue.
- 58) Comment noted. The proposed development would provide adequate and excess parking on-site. It is likely the value of any property in close proximity to the proposed development would increase considering the project would provide a mixed-use development that is currently occupied by a gas station that is cited for releasing hazardous materials and boarded-up and under-utilized residences.
- 59) Comment noted. The letters have been forwarded to the applicant.

DEVELOPMENT COMING TO KENSINGTON

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Name: Ann Rubenstein Signature: [Signature] Date: 9/24/07
Address: 4657 Edgeware Rd 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

9/24/07:
Anne Jarque, Environmental Planner
City of San Diego

Rubenstein
September 24, 2007

Dear Ms. Jarque

Thank you for hearing our community concerns regarding the Kensington project. Residents on Edgeware Road, first blocks north and South of Adams Ave., are concerned about the ultimate lack of traffic modification to those four corners, as well as the likely increased parking issues. We not only have the mailboxes on the corner, but our streets also will be a likely "easy" parking alternative to an underground parking lot. (human nature.) In addition, pedestrian crossing at Edgeware Road and Adams is already a life and death experience, and that is very likely to get worse. Attempting to turn east on Adams from southbound Edgeware or west from northbound Edgeware (left turns) can be brutal, particularly in morning and afternoon rush hours, and the additional residents and business will surely impact that experience.

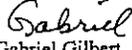
I heard Allard Janson's proposal and believe this will be a well thought and attractive addition to our neighborhood. I know you share our concerns about pedestrian and traffic safety.

So, please consider the following:

- 60) • A four- way stop at Edgeware and Adams with crosswalks. The stop signs are important because people ignore crosswalks.....
- 61) • Red stripe a portion of Adams on all four corners to improve driver visibility
- 62) • Limit parking after 5 pm on the 1st blocks of Edgeware, North and South, to resident parking

These are my personal suggestions. I have not taken any "surveys", but I know I share my neighbor's concerns. We only have one off street parking spot, and already can not move our car on a Saturday night for fear of coming home to no place to put the car. Our guests have major difficulties finding parking near our home on evenings and weekends, and some are physically challenged. I am aware the new project has additional parking spots, and limiting evening and weekend street parking to neighborhood residents will encourage Kensington visitors to use it, especially with the proposed "valet service"! In addition, PLEASE limit construction parking and traffic on Edgeware, both trucks and crew, as much as possible.

Thank you!

 
Ann Rubenstein and Gabriel Gilbert
4657 Edgeware Road
San Diego CA 92116
619 640 5600

- 60) A four way stop sign would not be warranted at Edgeware Road and Adams Avenue and was not analyzed in the traffic impact analysis.
- 61) Typical street design requires a portion of the curb at an intersection to be painted red to allow adequate site visibility for vehicles and pedestrians.
- 62) Refer to previous response to comment No. 19 regarding establishing a permit district.

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- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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- 1) When is construction going to start and how long will it go on?
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- 3) How long will the 21-foot excavation for the underground garage be open and how will it be secured?
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- 12) How will gridlock on Adams be avoided during morning commute hours?
- 13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: JIM CROEF Signature: (Signature) Date: 9/24/07
Address: 4174 E. CANTERBURY DR.

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

Croff
September 24, 2007

NONE OF THE LISTED QUESTIONS IS OF CONCERN. ALL OF THESE QUESTIONS ARE SIMPLY ADDRESSED BY STANDARD CONSTRUCTION PRACTICES, OSNA GUIDELINES, AND LIMITATIONS IMPOSED BY APPROVED BUILDING PERMIT. THE CONSTRUCTION PROCESS IS A TEMPORARY INCONVENIENCE.

WHAT IS AT ISSUE IS THE LONG-TERM CONGESTION IN AN UP TO NOW QUIET NEIGHBORHOOD. UNDERGROUND PARKING IS A GOOD IDEA. FIRST FLOOR RETAIL WITH CONDOS ABOVE CONFORMS TO THE "CITY OF VILLAGES" CONCEPT.

63) SANDWICHING IN ANOTHER LAYER OF OFFICE SPACE BY MEANS OF A VARIANCE, WILL ADDITIONALLY INCREASE DAILY TRAFFIC.

BUILDING A THREE STORY MONOLITH WILL DIMINISH THE CHARM OF THE VILLAGE OF KENNINGTON, THE AREA IT SEEMS TO IMPROVE.


JIM CROFF

63) Refer to previous response to comment No. 22 regarding neighborhood character and community input.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

A 3-story, multiple-use complex is planned for the block between Marlborough and Edgeware on Adams Avenue, extending to the alley behind the existing gas station. The gas station is scheduled to be demolished early next year, along with the now-vacant houses and apartment units. Plans for the multiple-use complex include the following:

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Thomas Adam Signature: Thomas Adam Date: 9/24/07
Address: 4669 Vista St. San Diego, CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

*Adam
September 24, 2007*

- 64) • Will the traffic light at Kensington Drive and Adams Avenue be installed before or at the beginning of construction to help mitigate traffic congestion or installed after when the construction is complete?
- 65) • How tall is the (similar) project on the northwest corner (Starbucks) building and why does this proposed project need to be 7' taller than the zoned height restriction? Is it to get another cell site installed on the roof?
- 66) • Does the proposed project meet the parking ordinance requirements or will it be depending on off-site parking to make up the difference?

- 64) Prior to any building permits, the applicant must assure by permit and bond the traffic light would be installed. It is anticipated the traffic light would be operating prior to any issuance of building occupancy.
- 65) The majority of Kensington Park Plaza (Starbucks) is approximately 35 to 37 feet high with some sections 48 feet high. Kensington Terrace is primarily 38 feet high, but the third floor of the Kensington Terrace is stepped back effectively creating a street wall that is 29 feet tall, lower the Kensington Park Plaza.
- 66) Based on the proposed uses and as a condition of the permit, the project is required to provide a minimum of 90 parking spaces. The applicant would meet and exceed this requirement by providing 112 parking spaces available in the underground parking garage to anticipated occupants, visitors, and consumers.

DEVELOPMENT COMING TO KENSINGTON

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Name: A. Hume Signature: A. Hume Date: 9-24-07

Address: 4439 Edgeware Rd San Diego

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

RESPONSES TO COMMENTS

Gunn
September 24, 2007

- 67) The six, three-bedroom, approximately 2,051 square feet townhomes would have a parking requirement of 2 parking spaces per unit. The three, three bedroom penthouses would be approximately 2,119 square feet with a 419 square foot attached parking each with a parking requirement of 3 parking spaces per unit are proposed. All nine residences would be for sale, market-rate units.
- 68) Parking spaces would include standard off-street parking dimensions of 8 feet, three inches by 18 feet and 9.0 feet by 18 feet (adjacent to wall, column, or immovable structure) for retail/commercial and residential spaces as required. Three ADA accessible parking spaces would also be available.
- 69) Refer to previous response to comment No. 27 regarding the height deviation.
- 70) Refer to previous response to comment No. 19 regarding establishing a permit district.
- 71) Refer to previous response to comment No. 5 regarding coordination with County DEH.
- 72) To date, the developer has not determined the intended uses or lessees for the retail space.
- 73) Approximately 16,000 square feet of office space would be proposed.
- 74) An underground parking garage would be available for occupants, visitors, and consumers.
- 75) It is anticipated that construction would take approximately 19 months, beginning as early as April 2008 or as late as August 2008. The developer would keep the community advised through the Kensington Talmadge Planning Committee. The committee meets the second Wednesday of each month at the Kensington community church on Marlborough Drive. The developer would be at as many meetings as possible through out the development of the project and would be available to update the committee.

67)

Question - How many Condos?

Sq. footage of Condos?

How many people to a condo?
CRS Parking

68)

Underground Parking
Can an escalator, expedition
or SUV park easily?

Size of Parking spaces?

Remark:

Kensington is not rowhouses
It is individuality

69)

Thirty Seven feet is too
high.

There are 9 houses on
the 4700 Blk. of Edgeware Rd
that are occupied by
retired people

(This page left intentionally blank.)

70)

Will we have to acquire
parking permits to insure
our parking?

There two gas stations were
here when I moved here
in 1953.

Even if it is toxic, you
are going to start building
right away?

71)

Just haul it away?

72) How many Retail Shops?

73) How many offices?

74) Each person will be driving their own car alone.

Where will they all park?

75) Estimate of time to complete this project?

1 year?

16 months?

(This page left intentionally blank.)

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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- 12) How will gridlock on Adams be avoided during morning commute hours? *and PM*
- 13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: C. F. Oberbe Signature: Edward Oberbe Date: 9-25-07
Address: 4719 Van Dyke Ave

S.D. CA.

92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

9-25-07

RESPONSES TO COMMENTS

Roberts
September 25, 2007

Anne B. Jaque
Environmental Planner
City of San Diego Dev. Ser. Ctr.
1222 First Ave MS 501
San Diego, CA.

92101

This project is not right for the area. It is a neighborhood community with a school, library and a church almost at this intersection. The plan is to put a traffic light on every intersection for three blocks in a row. That section of Adams Ave is also a shortcut with heavy commuter traffic from I-15 via Aldine Dr at rush hr traffic times.

I feel this would be bad planning with no thought for our community or its people if allowed to go forth.

Respectfully
Edward Roberts
4719 Van Dyke Ave
San Diego, CA.
92116

- 76) Refer to previous response to comment No. 48 regarding the signal at Kensington Drive and Adams Avenue.
- 77) Refer to previous response to comment No. 22 regarding neighborhood character and community input.

RESPONSES TO COMMENTS

Anne B. Jarque
Environmental Planner
City of San Diego Development Services Crt.
1222 First Ave., MA-501
San Diego, CA 92101

September 23, 2007

Kaiser
September 23, 2007

Dear Ms. Jarque:

This letter is in response to the flyer titled "Development Coming to Kensington." My family has lived at 4807 Kensington Drive for the last 32 years. Our traffic has always been controlled because our neighborhood couldn't grow, being surrounded by canyons on the east, north and west. Little did we guess that the encroachment (traffic, parking, and lights disturbing the night sky) would come from a crowded business district on Adams Ave.

The above named flyer states there will be a stop light on Kensington Drive and Adams. Isn't that interesting when the further development will be from Marlborough to Edgeware? Is the next plan to make our comfortable, neighborhood street a one-way so that traffic can race more quickly past ours and our neighbor's homes?

I believe that Kensington looks good to a developer because of its old time character and charm. It was those characteristics and the feeling of community that, for us, made Kensington such a great place to raise a family. That is quickly being sacrificed for making a buck. In the 1960s and 1970s Normal Heights was regrettably allowed to be zoned for denser housing. How quickly we have forgotten that mistake.

We've just restored our 81 year old bathroom being careful to keep the old tile, porcelain knobs and vintage light fixture. It's a small thing that is in our control. We can't however, safeguard our neighborhood so that other families can choose to raise their children here and live with contentment in their homes for decades. That is, however, something for you to consider. Perhaps the best way to control traffic and not impact the Kensington neighborhood is to limit the amount of new businesses and homes to be crowded into such a small space.

Sincerely,



Kathleen Kaiser
4807 Kensington Drive
(619) 284-0634

- 78) Refer to response to comment No. 48 regarding the signal at Kensington Drive and Adams Avenue. The existing LOS at this intersection is congested and severely impacted (LOS E and LOS F). Although the development is further east, having the applicant install a signalized traffic signal with interconnect would improve the circulation and traffic flow to a better condition, or at an anticipated LOS C.
- 79) Refer to previous response to comment No. 44 regarding zoning and community plan designation.

RESPONSES TO COMMENTS

September 24, 2007

Fenner
September 24, 2007

Anne B. Jarque
City of San Diego
Development Services Center
1222 First Avenue
San Diego, CA 92101

re: Project No. 105244
Mitigated Negative Declaration
Kensington Terrace

Dear Ms. Jarque:

I am sending this letter as a Kensington resident regarding the adequacy of the DRAFT "Mitigated Negative Declaration" that was distributed on September 7, 2007, to 17 government entities, 2 identified individuals (whose affiliation is not given), an unspecified library, and the Kensington Talmadge Planning Committee. The DRAFT was also published in the *San Diego Daily Transcript* and placed on the "sannet.gov" website. Based on this limited and obscure distribution, it is difficult to know how many Kensington residents are aware of the specifics of the proposed development or of the opportunity to comment on the adequacy of the DRAFT document.

80)

81)

I agree with the DRAFT's conclusions that the proposed project's impacts to **TRANSPORTATION/CIRCULATION** would be significant. I do not agree that the proposed mitigations would be sufficient to avoid major traffic problems along Adams Avenue, the on-ramp to I-15, the off-ramp to I-15, and at every street intersection along Adams Avenue from Mountain View Drive in Normal Heights to Aldine Drive in Kensington.

The prospect of 2,470 additional daily trips (ADTs) through Kensington for the entire project life is untenable. Although the number of ADTs exiting Kensington during peak morning traffic (typically 7:30 to 8:15 am) is estimated to be only 32 (all of which, I presume, would be Kensington Terrace residents exiting the back alley onto Edgeware and thence onto Adams Avenue), vehicles would be backed up due to the stoplights at Marlborough and Adams, the proposed stoplight at Kensington Drive and Adams, and the two stoplights at the I-15 north and south on-ramps. It would be difficult for Kensington residents to get onto Adams Avenue during this timeframe, particularly with no stoplight arrows to give them a chance. Adding an additional lane to Adams Avenue won't help (except make the right hand lanes back up Adams and side-streets even further). Since buses (MTDB NO. 11) run every 20 minutes, how will bus-stops and bus schedules be impacted if buses are stuck in the right lanes? According to the traffic study cited in the DRAFT, 101 ADTs would be made during this timeframe by vehicles entering

- 80) Refer to previous response to comment No. 24 regarding the MND distribution.
- 81) As described and analyzed in the Traffic Impact Analysis (LOS Engineering, Inc., June 22, 2007, several of the intersections and street segments currently and are forecasted to operate at a level of service (LOS) of E or F, which is considered congested and severely impacted even without the project being built. With the development of proposed project and the implementation of specific mitigation measures as described in the Mitigation, Monitoring, and Reporting Program (MMRP) and conditions of the Planned Development Permit, the project would mitigate identified direct and cumulative project traffic-related impacts to a LOS D or better, which is the City's acceptable LOS standard for roadways and intersections. Although the proposed project would likely increase the average daily trips on the road, the required measures to be implemented would most likely improve the existing and future traffic flows and circulation patterns on the surrounding streets and intersections.
- 82) Construction impacts are analyzed during the initial study review, which are typically temporary impacts and/or the applicant is required to comply with local, state, and federal laws and regulations to implement specific standard practices to address noise, dust abatement, traffic, etc. during construction. Significant construction impacts are typically identified when substantial evidence in the public record states the direct impact would cause or create a significant effect on the environment.
- 83) Refer to previous response to comment No. 11 regarding the Traffic Control Plan.
- 84) Refer to previous response to comment No. 11 regarding the Traffic Control Plan.
- 85) Refer to previous response to comment No. 9 regarding construction workers and parking.
- 86) Refer to previous response to comment No. 5 regarding coordination with County DEH.
- 87) Refer to previous response to comment No. 7 regarding construction noise.
- 88) Refer to previous response to comment No. 6 regarding construction BMPs.
- 89) Refer to previous response to comment No. 4 regarding construction equipment.
- 90) Refer to previous response to comment No. 6 regarding construction BMPs.
- 91) Refer to previous response to comment No. 5 regarding coordination with County DEH.
- 92) Refer to previous response to comment No. 13 regarding Traffic Control Plan routes.

RESPONSES TO COMMENTS

Kensington. Traffic problems during evening peak hours would be similar. It is hard to imagine how gridlock could be avoided.

82) The DRAFT mitigated negative declaration is also not adequate because it does not address ENVIRONMENTAL IMPACTS DURING CONSTRUCTION. Although the traffic study did address the increase in ADTs through Kensington during construction, it does not address the following:

- 83) • Where traffic will be routed if detours are necessary due to blockage of Adams Avenue or Marlborough during construction.
- 84) • What routes heavy equipment will take through Kensington streets (e.g., for deliveries of the equipment and materials, removal of demolition debris, servicing of porta-johns, disposal of excavated soils, the removal of the four underground storage tanks).
- 85) • Where construction workers will park during working hours.
- 86) • Where the construction lay-down yard will be located. — ?
- 87) • Noise generated by construction activities.
- 88) • Dust suppression during grading and excavation.
- 89) • Diesel fumes generated by operation of heavy equipment.
- 90) • Mud-tracking through streets of Kensington.
- 91) • Stockpiling and covering of any contaminated soil from excavation of the underground storage tanks while awaiting separate disposal.
- 92) • Where pedestrian traffic will be routed during construction.
- 93) • Whether any night or weekend work will be performed.
- 94) • Protection of children at the playground on the opposite corner of Adams and Marlborough.

95) Finally, the DRAFT Mitigated Negative Declaration does not give adequate consideration the proposed project's impacts to KENSINGTON'S VISUAL QUALITY / NEIGHBORHOOD CHARACTER. The height of the complex is addressed in terms of its potential to periodically place residences north of the project in the shade. Although a statement is made that the building would be terraced at its corners and the third floor would be stepped so that "the bulk and scale of the building would be more compatible with the surrounding area," it's hard to avoid the conclusion that the multiplex would dominate the core of Kensington. It will bring in more people to occupy the offices, and retail spaces, and new residences and more vehicular traffic WITHOUT MUCH ADDED BENEFIT TO THE COMMUNITY:

- 96) • The proposed 115 parking spaces in the two-level underground parking structure would result in no net gain of parking spaces for the current residents of Kensington
- 97) • Existing parking spaces along Adams from Marlborough to Edgeware would be eliminated
- 98) • Tenants of office buildings like the one proposed tend to be real estate agents, insurance salespeople, investment consultants, psychologists, etc.; most of

- 93) Refer to previous response to comment No. 11 regarding the Traffic Control Plan.
- 94) Refer to previous response to comment No. 13 regarding Traffic Control Plan routes.
- 95) Refer to previous response to comment No. 22 regarding neighborhood character and community input.
- 96) In conformance with the parking requirements, adequate parking is provided for the proposed development and anticipated uses for the site. The project is not required to provide additional parking for the current residents of Kensington.
- 97) The existing parking on Adams Avenue would not be eliminated. The road would only be re-stripped to a three-lane configuration.
- 98) To date, the developer has not yet determined the type of uses or lessees for the commercial/retail space.
- 99) Refer to previous comment No. 75 regarding construction time.
- 100) Comment noted.
- 101) Per State CEQA Statute, 21082.2(2) states: "The existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment. In accordance with CEQA, identified potentially significant effects have been mitigated to a level below significance based on substantial evidence." Therefore the Mitigated Negative Declaration prepared for the project would be the appropriate environmental document.

which we already have represented). Do Kensington residents really want Kensington to be a destination for the people of San Diego to obtain these services?

- 99) • Everyday life would be disrupted (noise, traffic, more non-residents) during construction activities, which will go on for an unspecified number of months.
- 100) • Kensington will lose its gas station/convenience store, including an excellent mechanic who is the most well-known personage in the village (except for the Mayor).

- 101) Preparation of an environmental impact statement is necessary to address the above concerns, which the DRAFT Mitigated Negative Declaration does not.

(This page left intentionally blank.)

Most of the people in Kensington cite its feeling of community and neighborliness as attributes they really value. They come home to Kensington to get respite from congested streets, the indifference of city life, problems at work, etc. I believe the proposed development will change the character of Kensington forever, and not necessarily for the better.

Sincerely,



Carol Fenner
P.O. Box 163
501 W. Broadway
San Diego, CA 92101

RESPONSES TO COMMENTS

September 25, 2007

Gail A. Greer
4725 Marlborough Drive
San Diego, CA 92116

Anne B. Jarque
Environmental Planner
City of San Diego Development
Services Center
1222 First Avenue
MS 501
San Diego, CA 92101

Re: KENSINGTON TERRACE
Project No. 105244

Dear Ms. Jarque:

Enclosed are my comments relating to the above project. Please contact me at (619) 281-6574 should you have any questions, comments or suggestions.

DOCUMENT: DRAFT MITIGATED NEGATIVE DECLARATION

TRANSPORTATION/CIRCULATION

- 102) 1. ADTs shall not exceed the 2,479 threshold..... How will this be monitored and what are the consequences when this threshold is exceeded?
- 103) 2. It is unclear whether or not parking will be allowed on Marlborough Drive between Adams Avenue and the alley. The applicant has stated verbally that there will be no parking in this area.
- 104) 3. Although the traffic signal at Adams Avenue and Kensington Drive will be nice for pedestrians, it is unclear how it will ease the increased traffic situation. Clearly, a stop light will not decrease the number of vehicles on the road.
- 105) ~~4. The proposed restriping of Adams Avenue will increase the number of accidents because (unfortunately) drivers will use the third lane as a passing lane. Will someone monitor the effect of this change should it be completed? Also, how will the proposed bicycle lanes impact parking on Adams Avenue?~~
- 106) 5. How will the raised median effect the flow of traffic? The applicant has not show us a drawing of this proposed feature.
- 107) 6. Again, it is unclear whether or not parking will be allowed in this widened area. Also, the area will go from two lanes of traffic to a "defacto" 4 lanes of traffic.
- 108) 7. The applicant has not discussed how the alley will be paved. The alley currently has a blacktopped surface.

Greer
September 25, 2007

- 102) The intent to regulate the Average Daily Trips (ADTs) is to limit the type of uses allowed in the proposed development, based on the City of San Diego Trip Generation Manual. The trip generation analyzed in the Traffic Impact Analysis would provide a mix of retail, commercial, office space, and residential uses adequate to not exceed the anticipated 2,479 ADTs anticipated. All of the mitigation measures, as outlined in the Mitigation, Monitoring, and Reporting Program, are conditions of the Planned Development Permit, therefore any deviation or violation of these conditions would be handled by City of San Diego Neighborhood Code Compliance Department (NCCD). Typically, if the owner/permitted is in violation of their permit, they would be fined and would be required to make the necessary changes to meet the requirements or amend their existing permit.
- 103) No parking would be available on Marlborough Avenue between Adams Avenue and the alley. Refer to previous response to comment No. 40 regarding Marlborough Drive.
- 104) Refer to previous response to comment No. 48 regarding the signal at Kensington Drive and Adams Avenue.
- 105) Refer to previous response to comment No. 18 regarding Adams Avenue. The community plan designates this portion of Adams Avenue as three lanes, similar to the lane configuration on the west side of I-15. The speed limit would remain 35 MPH.
- 106) Refer t to previous response to comment No. 18 regarding Adams Avenue. Because of the distance between I-15 and the intersection of Terrace Drive and Adams Avenue, a raised center median is required to be built along Adams Avenue between I-15 northbound ramp and mid-block between Terrace Drive and Kensington Drive to prevent vehicles turning left before Terrace Drive to address safety and circulation concerns.
- 107) Parking would still be available along Adams Avenue. Adams Avenue would not be widened, just re-striped to a three-lane collector (two lane collector with two way left turn lane in center) configuration.
- 108) The alley is required to be improved in conformance with the City's Street Design Manual, with a minimum width of 20 feet (6.1 m) of paved right-of-way. The applicant plans to construct the alley with concrete paving and provide landscaping.
- 109) Vehicles commonly take their primary access to their property, driveway, or garage from an alleyway, as required by the San Diego Municipal Code. Vehicles and pedestrians alike should take more caution when accessing an alley because of safety concerns. Within 500 feet of a school while children are outside or crossing the street, the speed limit is 25 miles per hour (MPH), unless otherwise posted. Also, if the school ground has no fence and children are outside, never drive faster than 25 MPH. The California Driver Handbook suggest to always drive more carefully near schools, playgrounds, parks, and

RESPONSES TO COMMENTS

109) Please see the attached diagram. The traffic circulation study did not discuss the impact of the project on the north section of the "T" alley. This section is also blacktopped. As noted on the diagram, there is a preschool located at the church and across the alley at the north end of the block. At various times during the day the children (with adult supervision) are taken back and forth across the alley. The increase in the number of vehicles using that section of the alley increases the likelihood of a child being injured.

110) Also noted on the attached diagram is the park diagonally across the street. The section facing the proposed project is specifically designed for young children with play equipment, etc. Unfortunately, drivers do not always obey traffic laws, especially stopping before turning at red lights. The increase in traffic will make the Adams Avenue and Marlborough Drive intersection more dangerous than it is now.

INITIAL STUDY DOCUMENT

Page 2

A. ENVIRONMENTAL SETTING

111) The applicant consistently refers to the property as "a gas station, convenience store, and four residential structures". The applicant does not state that the convenience store amenities are located within the gas station structure and thus is not a separate business. The applicant does not describe the buildings to be destroyed: Two small homes, with front yards and trees facing Adams Avenue, a small duplex facing Edgeware Drive, and a two story three or four apartment unit, with garage at the back of the property.

112) The current property owners have chosen to evict any remaining tenants and stopped watering the landscape. Rather than maintain the property they have chosen to board up the windows and leave the property vacant. This has been an attraction for homeless people. Prior to this project the property was occupied except for the house that had a small fire and was not repaired.

Page 4-5

Transportation/circulation/Parking.

113) Currently, many customers for the Starbuck's located at Marlborough Drive and Adams Avenue park their vehicles at the gas station at the back of the lot. Elimination of this parking will not be made up by three or four spaces on Adams Avenue (again, it is not clear to me whether or not there will be parking on Marlborough Drive). Currently, at peak traffic times, patrons park in red zones, driveways and parking for the disabled. Unfortunately the City does not have the resources to have all of these folks ticketed. However, the neighbors are suffering the consequences with blocked driveways, cracked sidewalks, crumbled curbs and no parking for their own visitors.

Page 5

Page 2

residential areas because children may suddenly dart into the street. Furthermore, California law states that the speed limit in all alleys is 15 MPH. Specifically, this alley was not analyzed nor vehicle trips distributed on this roadway were included since direct access to Marlborough Drive and Edgeware Road would most likely be accessed from vehicles existing and entering the parking garage from the alley north of the project site.

110) No substantial evidence was provided to support the claim that since drivers do not always obey traffic laws, the increase in traffic would make the intersections at Adams Avenue and Marlborough Drive more dangerous than it is now. It is known, however, based on the land use designation and traffic volumes identified in the Mid-Cities Community Plan that this portion of Adams Avenue has an existing traffic volume of 14,000 ADTs and this corridor supports commercial, retail, and residential uses. Therefore, the proposed uses and traffic volumes anticipated from the project would meet many of the goals and recommendations identified in the community plan.

111) As lead agency, the City has written the document not the applicant. Comment noted.

112) The developer just recently acquired the property where the existing residences are currently built. The property is currently being maintained.

113) Although a few on-street parking spaces would no longer be available along Marlborough Drive, an excess of 22 parking spaces would be provided on-site. The elimination of parking spaces along the project's frontage within Marlborough Drive is required to meet the minimum street width requirements for a two-lane collector street, as identified in the Mid-Cities Community Plan. By closing the existing driveways (approximately 16 feet of curb cuts), a few on-street parking spaces would be available on Adams Avenue.

114) It is anticipated that during construction, the contractor and construction crew would take every precaution to prevent any construction impacts to surrounding residences.

115) Typically projects that propose more than 500 dwelling units, shopping centers or businesses employing more than 1,000 people or having more than 500,000 square feet of floor space, or commercial office buildings employing more than 1,000 people or having more than 250,000 square feet of floor, or a mixed use development that includes one or more of the above mentioned types of projects are subject to Senate Bills 610 and 221, which requires the environmental document to address the availability of water to meet projected water demands of the project for a 20-year horizon year. The proposed project, with only 9 dwelling units, 16,255 square feet of office space, and 16,500 square feet of retail space would not meet the above mentioned thresholds to require a water availability study. The existing water and sewer infrastructure are adequate for the proposed development. New water and sewer laterals serving the project site are required to be built to City Standards.

116) It is not likely the proposed retail, office, and residential uses would generate noise in excess of the City Noise Standards. The Acoustical Site Assessment (Investigative Science and Engineering, Inc., June 7, 2007) analyzed the existing and predicated traffic

RESPONSES TO COMMENTS

Geology

- 114) Although I am not certain if this is the place to address this issue, I wish to raise it here. Many of the surrounding homes are old (build circa 1920). There is major concern that the construction of this project will cause cracks in the surrounding homes, i.e. their foundations, plaster, stucco, etc. I have not seen this issue addressed anywhere.

Page 6

Hydrology

- 115) Although the project does not propose a large increase in living units, the size and ownership of the units will show an increase in water usage from the current usage. Also, the applicant talks about having a restaurant and grocery store housed in the project. This will also effect he water usage and the amount of waste water .

Page 6

Noise

- 116) The document clearly identifies the noise impact for residents and occupants of the proposed building. However, it does not address the effect on the surrounding homes. The homes located across the alley from the proposed project will be effected by the increased traffic noise, car alarms going off in the underground parking and the noise from businesses being open to late in the evening.

III. ENVIRONMENTAL ANALYSIS

Page 1

I. Aesthetic/neighborhood character

- 117) 4. There will be a substantial change. Part of the project will go from being primarily open space (the gas station) to a three story building. The adjacent property will go from two small homes with sloping front yards and trees (Adams Avenue view) to an imposing three story building with almost no greenery.
5. There will be a loss of several large trees. Pictures are enclosed.
6. The topography will change on the east side of the project from sloping yards to a flat three story building.
9. The applicant has attempted to correct this problem. Unfortunately we will not know for sure until the building is completed.

C. AIR QUALITY

1-7

- 118) The Applicant has shown a substantial increase in traffic in the area. This will effect air quality, and cause temperature change.

D. BIOLOGY

noise levels affecting the project site. The analysis concluded that modeled noise levels would not exceed the 65 dB(A) CNEL noise threshold, and no mitigation would be required. Therefore, it is likely the building would further attenuate any potential traffic noise from Adams Avenue to the residences to the north.

- 117) Refer to previous response to comment No. 22 regarding neighborhood character and community input.
- 118) No substantial evidence was provided by the commenter that would suggest that the proposed development and/or the increase in traffic would affect the air quality or cause a temperature change.
- 119) The proposed landscaping would include 10, 24-inch boxed street trees along Adams Avenue, where five trees are the minimum required; four, 24-inch boxed street trees along Marlborough Drive, where four are required, and five, 24-inch boxed street trees along Edgeware Road, where a minimum of four street trees are required, in addition to street yard and remaining yard landscaping requirements. The existing trees would not be considered sensitive biological resources since they are not contiguous with a sensitive habitat or the City's Multiple Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA), and therefore their removal would not be considered significant.
- 120) The proposed project would not likely require more energy than what was anticipated in the community plan.
- 121) The traffic would be mitigated to a level below significance.
- 122) Refer to previous response to comment No. 5 regarding coordination with County DEH.
- 123) Runoff would be treated and controlled with the green roof system to prevent increase in drainage flows. A Preliminary Hydrology Study (Pasco Engineering, June 12, 2007) was reviewed and approved by City Engineering staff which showed that the proposed green roof would adequately treat a 100-year storm event on-site.
- 124) There would be an increase in ambient noise, however, as the noise study calculated, the increase would not exceed the noise thresholds to be significant.
- 125) At this time, the developer has not yet determined what type of uses or lessees would occupy the commercial/retail space. Refer to response to comment No. 7 regarding construction noise.
- 126) Comment noted.
- 127) Refer to previous response to comment No. 110 regarding traffic volumes and safety.
- 128) Comment noted. The project would be in conformance with the anticipated development of the density of the community plan. Refer to response to comment No. 14.

119) 2. Several species of trees will be removed with only a few replacement plants.

E. ENERGY

120) 1. There are power supply issues in this particular grid. To date the utility company has not provided the promised upgrades.

H. HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS

121) 1. The increased traffic is a hazard in every respect.
122) 2. The construction process may lead to contamination of surrounding homes.

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I. HYDROLOGY/WATER QUALITY

123) 3. There will be an increase in runoff because the applicant proposes to eliminate the existing yards.

K. NOISE

124) 1. Because of the increase in traffic on the surface streets and alleys, there will be an increase in ambient noise.
125) 2. The applicant has not disclosed any proposed lessees to date. However, he is proposing a "small" grocery store, restaurants and other businesses. These businesses all have delivery trucks arriving around the clock. The businesses themselves will most likely be open in the evenings.

N. PUBLIC SERVICES

126) The only public services not likely to be impacted are schools since this is not a family friendly project.

P. TRANSPORTATION/CIRCULATION

127) The proposed project would create additional traffic in a busy area. There would be less parking available to the patrons of the businesses in the Applicants other building across the street. The additional traffic would make it more hazardous for children and their families to access the park across the street. Increase in alley traffic would also pose a hazard to the preschool children.

Q. UTILITIES

128) An increase in density and usage will impact surrounding homes. These are not unlimited resources.

SUMMATION

It is unfortunate that the Applicant failed to meet the greater challenge which would have been to improve the existing structures and made them "a better part" of the community. There could be a gas station with lawns, hedges and flowers. The adjacent property

could have been rehabilitated (the Applicant admits that the houses have wonderful wood work and other features) and made into desirable rental property. Instead we have a large project that will increase traffic, pollution and create another "inner city" neighborhood that is not friendly to children and their families.

Paul A. Green

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September 25, 2007

Dear Ms. Jarque:

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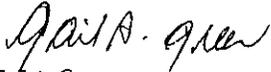
In addition to the attached set of comments, I am including two items:

1. A diagram of the "T" alley effected by the project (5 copies)
2. Five sets of four (3) pictures of the trees that are to be removed.

I apologize for the quality of the above materials, my drafting skills are non existent and of course my printer was running out of color inks.

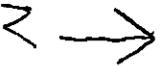
Thank you for your assistance.

Sincerely,



Gail A. Greer
4725 Marlborough Drive
San Diego, CA 92116

(619) 281-6574



ALDER DRIVE

CHURCH &
PRE SCHOOL

PRE SCHOOL

MARLBOROUGH DRIVE

ALLEY

EDGEWARE DRIVE

ALLEY

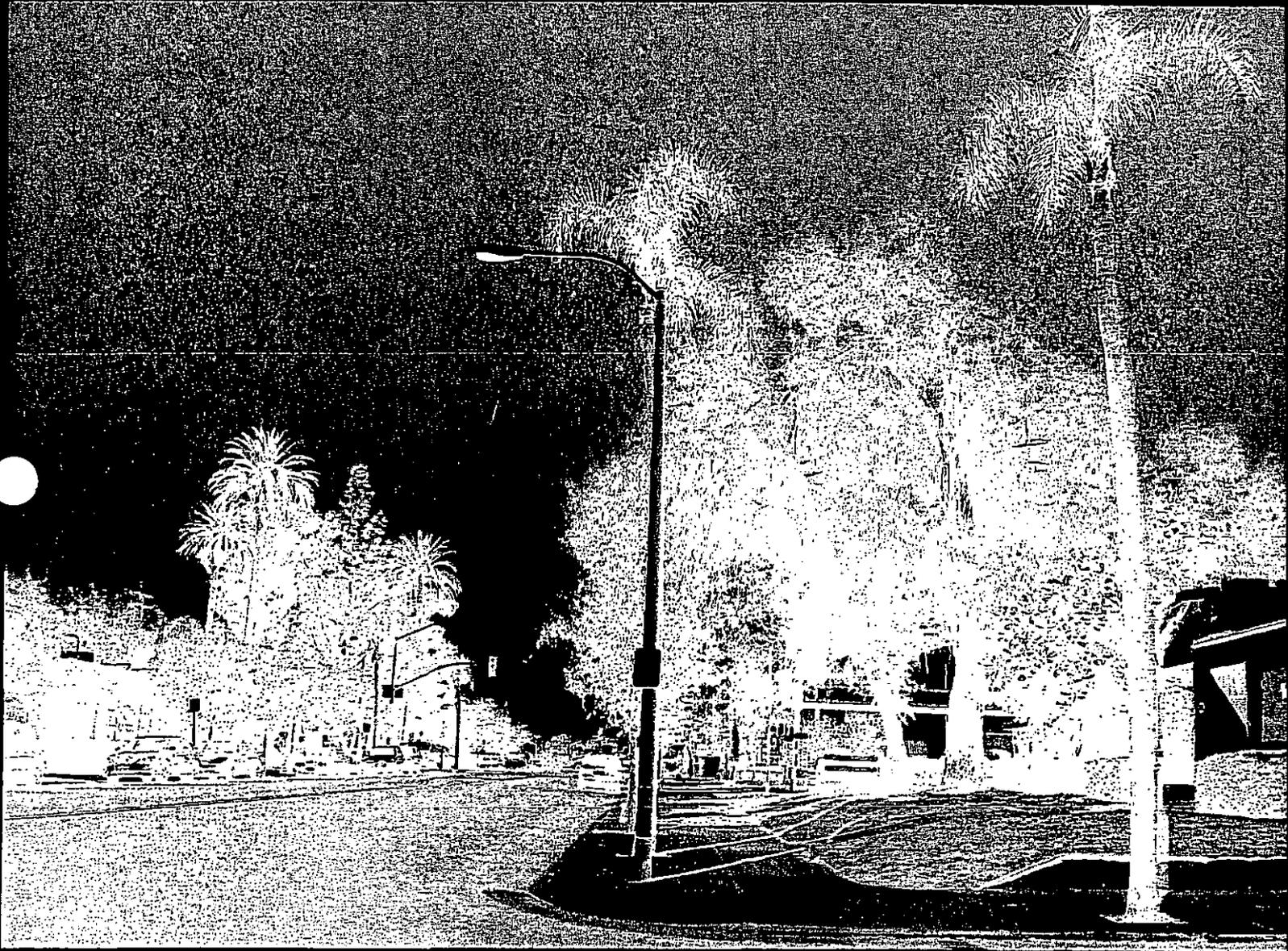
KENSINGTON TERRACE PROJECT

ADAMS AVENUE

PARK &
PLAY
EQUIPMENT







From: <Prosenst@aol.com>
To: <DSDEAS@sanidiego.gov>
Date: Tuesday, September 25, 2007 1:30:37 PM
Subject: Kensington Terrace project

Dear Ms. Jarque,

Please see the attached letter with my comments about the proposed project on Adams Avenue between Edgware and Marlborough in Kensington. If you have any problems with the attachment, please let me know and I will embed the letter in an email.

Thank you,
Paula Rosenstein
619-528-8545

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***** See what's new at <http://www.aol.com>

CC: <Parsenst@aol.com>

RESPONSES TO COMMENTS

Paula S. Rosenstein
4756 Biona Drive
San Diego, CA 92116
(619) 528-8545

Rosenstein
September 25, 2007

September 25, 2007

Anne B. Jarque
Environmental Planner
Development Services Center
City of San Diego
1222 First Ave., MS-501
San Diego, CA 92101

RE: Applicant: Terrace Partners
Subject: Kensington Terrace
Project No.: 105255, SCH No. (N/A)

Dear Ms. Jarque:

129) The purpose of this letter is to comment on the Draft Mitigated Negative Declaration ("Neg Dec") and associated documents submitted relating to the above-referenced project. I have lived in Kensington for more than 14 years and live in the first block north of Adams on Biona. Although I live on a street other than Marlborough, Adams and Edgeware, this project is going to have a significant impact on my quality of life as it will affect anyone who lives in Kensington. As an overall comment, this report does nothing to indicate that there is an understanding of the drastic change for the residents that will occur as a result of this project. Nor does it indicate how this project will be of benefit to the residents.

130) First, I want to register my concern regarding the lack of notice to Kensington residents about this document and its contents. This is the most major project built in Kensington in years, if not decades. Such limited circulation of this document is distressing. To my understanding, it was only given to a very limited number of people. Moreover, the fact that it was out and that there was a comment period running, let alone expiring this week, was not even mentioned by the developer at last week's meeting. Rather, a community member in the audience had to bring it to the attention of those present. This certainly gives the impression that the developer is trying to slip this very significant project by the residents.

131) Second, and perhaps because I am not that familiar with this area, I am wondering why there is a Neg Dec being submitted rather than an Environmental Impact Statement or Environmental Impact Report.

Turning to the Draft Mitigated Negative Declaration itself, there are many areas which I either do not understand or have insufficient knowledge upon which to base reasoned comments. Therefore, I am limiting my comments to those areas involving transportation, traffic, parking and aesthetics. Undoubtedly, if this document had been more widely circulated

- 129) The purpose of an environmental document is to identify and disclose potential significant environmental effects on the environment of a project; and if appropriate, shall indicate the manner in which those significant effects can be mitigated or avoided. As lead agency, the City of San Diego has determined that a Mitigated Negative Declaration (MND) would be appropriate environmental document to disclose potential impacts as a result of the proposed development. The MND does not support or deny a project's merits; the MND should analyze and disclose, in good faith effort, potential environmental effects based on substantial evidence in light of the whole record. Staff considers the environmental document prepared adequate in accordance with CEQA.
- 130) Refer to previous response to comment No. 24 regarding the MND distribution.
- 131) Refer to previous response to comment No. 129 regarding CEQA.
- 132) Refer to previous response to comment No. 81 regarding the Traffic Analysis.
- 133) Refer to previous response to comment No. 81 regarding the Traffic Analysis. The closure of driveways would actually help pedestrian access by limiting egress and ingress to the site. Access should be taken from the alley, therefore cars leaving and entering the site would be from the alley. The increase in traffic is based on the uses proposed allowed. It is not likely that the additional 2,500 vehicles would be on the streets at the same time. The traffic analysis included peak AM and PM ADTs.
- 134) Refer to previous response to comment No. 48 regarding the signal at Kensington Drive and Adams Avenue.
- 135) Refer to previous response to comment No. 18 regarding Adams Avenue.
- 136) Refer to previous response to comment No. 81 regarding the Traffic Analysis and No. 134 regarding access.
- 137) Refer to previous response to comment No. 81 regarding the Traffic Analysis.
- 138) Refer to previous response to comment No. 18 regarding Adams Avenue.
- 139) Refer to previous response to comment No. 81 regarding the Traffic Analysis.
- 140) Refer to previous response to comment No. 116 regarding traffic noise.
- 141) In accordance with CEQA Statute 21082.2, argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall

you would also receive comments from others about the biological, air quality and myriad other issues raised by the Neg Dec.

Within the Transportation/Circulation section of the report, using the report's numbering, I have the following comments:

- 132) 1. 2472 Additional Daily Trips seems like an appalling increase in traffic for such a small set of streets. Neither Marlborough nor Edgeware is wide enough to handle the increase. I do not think Adams Avenue can either.
- 133) 2. This item proposes to close all driveways on Adams and Marlborough which implies that all of the in and out will be on Edgeware and through the alley which will be widened. Edgeware is too small to handle this large increase in traffic. The increased traffic will be dangerous for children and pedestrians alike as well as all current residents. Is the alley to be one-way? Nothing in the report indicates this but one has to wonder how nearly 2500 ADTs are going to be accommodated by our narrow streets.
- 134) 3. The proposed mitigation of adding a new traffic signal at Kensington Drive seems positive at first blush but then imagining 3 lights in 3 blocks shows that to be a big negative. The type of traffic flow caused by these 3 traffic lights is likely to be gridlock. I can not imagine any place in town with 3 lights in succession, except perhaps Broadway in downtown San Diego but that has a whole different environment so the comparison does not seem helpful.
- 135) 4. The re-striping paragraph is unintelligible. How are they intending to fit in 3 lanes and two bike lanes? Are they going to do this by red-striping all of Adams between I15 and Aldine? If so, this will benefit the new complex because they will be the only place with parking. This will hurt the local and long-term businesses not to mention the people who live on Adams and their guests. It is clearly not a benefit to the residents.
- 136) 5. Regarding the alley – as I said, is it to be one-way or two-way? Either way, turning it into a major thoroughfare seems like a very bad idea. What kind of compensation will be given to the people who live on the north side of the alley whose quality of life is being destroyed by adding 2472 ADTs per day to their side yards? What about the residents on Edgeware who now will have to negotiate getting by these 2472 ADTs in order to get to their homes? Again, just a bad idea.

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Turning to the Initial Study, I ask you to focus your attention to section IV, General Discussion. I will address two of the subparts.

- 137) Transportation/Circulation/Parking: (p.4) In addition to the comments made previously, this section says that the "project *may* have significant direct and cumulative impacts to the surrounding intersections and streets." (emphasis added) Using the word "may" dramatically understates the issues being created by this project. This completely ignores the impact on current businesses and residents.

- 138) Also, the proposed mitigation steps (creating 3 lanes and adding the stop light) seem as if they will do little to mitigate the tremendous negative impact. Again, I ask what will happen to the currently existing street parking.

RESPONSES TO COMMENTS

139) The report also says, "These recommended conditions....*could* mitigate potentially significant impacts." (emphasis added) "Could" is completely inadequate and indicates that whether the proposed "mitigation" efforts will be even close to adequate is speculative. This is hardly sufficient to justify allowing the project to go forward with these minimum efforts to mitigate the problems.

140) Noise: (p.6) The report says, "...traffic noise level *may* exceed those allowed...."*...would* be considered significant...." This again is an understatement. How can 2472 ADTs not add significant noise – especially for those living along the alley. I am not thinking of the new residents. They are choosing that level of activity. I am thinking of the current residents who moved into their property under drastically different conditions than those that will exist during and after this project assuming it goes forward.

141) A review of the "Initial Study Checklist" demonstrates a complete lack of credibility. Some of the responses are just plain wrong. Many serve to downplay the impact this project will have on our neighborhood. I will address my concerns in order and by number used in the checklist.

Section III.1, Aesthetic/Neighborhood Character:

142) 2. Contrary to the checklist's "no", I believe this project will not be visually compatible with the neighborhood. Other than the Starbucks complex, there are no three-story buildings and none 37' tall on either side of Adams.

143) 4. Contrary to the checklist's "no", there will be a substantial alteration to the character of the area. How can the 2472 ADTs admitted to possibly not change the character of the area.

144) 5. Contrary to the checklist's "no", and the comment "no such resources exist", there are in fact, two very large, very old and very distinctive trees on Adams on the current site of the property. Unless they are planning to build around the trees, this statement is false.

Section III.K, Noise:

145) 1. According the checklist, "proposed uses would not likely increase ambient noise. Not only do I believe that this contradicts earlier statements in these documents but the statement just is not credible. How can traffic possibly increase the amount admitted to by these documents and ambient noise not be increased also. Perhaps traffic noise is not included in your definition of "ambient noise" but I would certainly include it in mine.

Section III.P, Transportation/Circulation:

146) 1. Item No. 1 says "maybe" but the report information says definitely. Again, the preparer is understating the impact to the neighborhood.

147) 2. Again, Item No. 2 says "maybe" but how can the projected increase in traffic be ignored. It lacks credibility.

include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. The specific technical reports (traffic impact analysis, acoustical site assessment, preliminary hydrology study, etc.) prepared by professionals were reviewed by staff for each specific discipline based on local, state, and federal regulations and guidelines. The conclusions, as disclosed in the Mitigated Negative Declaration (MND), are based on the substantial evidence in light of the whole record.

142) Refer to previous response to comment No. 22 regarding neighborhood character and community input.

143) Refer to previous response to comment No. 81 regarding the Traffic Analysis.

144) A professional arborist, a historical survey, or the Mid Cities Community Plan did not identify the two large trees on Adams Avenue to be considered historically significant and should be preserved; therefore no mitigation would be required. Refer to previous response to comment No. 119 regarding proposed landscaping.

145) The statement is credible because based on the analysis prepared in the Acoustical Report, traffic noise would not likely exceed noise thresholds. Typical noise generating uses that may require mitigation would be, but is not limited to, car washes, rock crushing facilities, industrial yards and not necessarily typical retail, commercial, and residential uses proposed for this development.

146) Refer to previous response to comment No. 81 regarding the Traffic Analysis.

147) Refer to previous response to comment No. 81 regarding the Traffic Analysis. The conclusion that projected traffic increase may have potential impact is based on the analysis and recommendations disclosed in the Traffic Impact Analysis. It is understood that the implementation of the specific measures outlined in the Mitigation, Monitoring, and Reporting Program (MMRP) would mitigate identified impacts to a level below significance.

148) Refer to previous response to comment No. 18 regarding Adams Avenue.

149) Refer to previous response to comment No. 142. The project file and reports are available for public review at the offices of the Development Services Department.

150) Refer to previous response to comment No(s) 1-13 regarding construction.

151) Comment noted.

- 148) 4. Item No. 4 of the checklist says the project does not effect existing parking due to the creation of the underground parking areas. What impact is this going to have on parking for other businesses? I do not see how three lanes of traffic and two bike lanes will fit without eliminating the on-street parking. And since the revised striping will run from Aldine to I15, this impacts all of the businesses and residents not just the block with the project on it.

Section III.S. Mandatory Findings of Significance:

- 149) 3. The checklist says that there will be limited impacts on individual caused by the project but that cumulatively, there will be no impact. How can this conclusion be reached given the traffic, noise and congestion which will be created by the project. Again, credibility is lacking in this response.

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- 150) Also to be considered but not addressed in these documents is the impact of the construction on the residents. I work near downtown and often drive around downtown, Banker's Hill and Hillcrest. There has been continuous construction in those areas for years. In my experience, while the project is underway – at least until it is nearly complete – the parking lane as well as one lane of traffic is blocked off on as many sides of the project site as possible. This allows the construction companies to get their trucks in and out of the area without blocking traffic while trucks are loaded and unloaded.

Given the small area for working on Adams, Marlborough and Edgeware, what plans have been made for this? Are they intending to block off the parking lane and one lane of traffic on all three sides of the project? If not all three, which sides? Or are they intending to just stop traffic while trucks are loaded and unloaded. When they're excavating the site for the underground parking, how do they plan to move those dump trucks in and out?

How long is the construction expected to continue? What impacts will the construction itself have on the residents and businesses? Where will all of the construction workers be parking during the project?

My experience is that when you have a lot of heavy construction trucks going over and over an area of roads, the streets get chewed up. Is the developer going to be required to repave all of the streets around the area? I imagine that the trucks will come across Adams a lot but they are also likely to come up from El Cajon Blvd. or Meade via any number of side streets – Marlborough, Edgeware, 42nd Street, Aldine, et al. It is highly likely that the quality of these streets will be eroded. The City certainly does not need to absorb this extra expense so provisions for the developer to fully repair the streets should be included.

Conclusion

- 151) I think that this is an ill-considered project. I have watched and driven through many parts of the city where density is being increased. While this is a reasonable way to avoid sprawl and decrease environmental impacts, there are more considerations and mitigation necessary to this particular project before it should be allowed to go forward. Moreover, the lack of information to the residents, the minimization of the impact on the residents, the lack of clarity regarding many of the project's pieces all demonstrate that this project is not ready to move forward.

Finally, I fail to note any benefit to the residents that this project is supposed to bring. Currently, there are many businesses on Adams Avenue which are struggling to survive. The real estate market makes the sale of the condominiums and row houses questionable. Having a new complex sitting largely vacant is not good for the neighborhood, even assuming it is attractive. If we are going to live through the difficulties that construction of a project of this magnitude is likely to bring, there must be some positive outcome. That there is likely to be a positive outcome has yet to be demonstrated.

Thank you for your time and consideration. Please feel free to contact me if you have questions.

Sincerely,

Paula Rosenstein

Paula Rosenstein

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RESPONSES TO COMMENTS

*Freeman
September 25, 2007*

From: <JFreemanJCF@aol.com>
To: <DSDEAS@sanidiego.gov>
Date: Tuesday, September 25, 2007 2:54:05 PM
Subject: Kensington Development

152) In response to the questionnaire, to be brief, my main questions would be 11 and 12 concerning traffic congestion and rerouting since there are really only two or three exits from Kensington onto Adams from the North. Thank you for your help!

Jerry C. Freeman
5255 Marlborough Dr
619-640-2003.

***** See what's new at <http://www.aol.com>

152) Refer to previous responses to comments No(s). 11 and 12 regarding the Traffic Control Plan.

From: "Harold Koenig" <eaglesct@cox.net>
To: <DSDEAS@san Diego.gov>
Date: Tuesday, September 25, 2007 8:27:11 AM
Subject: Development Coming to Kensington

Attached.

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RESPONSES TO COMMENTS

Koenig
September 25, 2007

- 153) Refer to previous response to comment No. 1 regarding construction time.
- 154) Refer to previous response to comment No. 2 regarding construction equipment.
- 155) Refer to previous response to comment No. 5 regarding coordination with County DEH.
- 156) Refer to previous response to comment No. 6 regarding construction BMPs.
- 157) Refer to previous response to comment No. 7 regarding construction noise.
- 158) Refer to previous response to comment No. 10 regarding construction BMPs.
- 159) Refer to previous response to comment No. 11 regarding the Traffic Control Plan.
- 160) Refer to previous response to comment No. 12 regarding the Traffic Control Plan.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

A 3-story, multiple-unit complex is planned for the block between Marlborough and Edwards on Adams Avenue, extending to the alley behind the existing gas station. The gas station is scheduled to be demolished early next year, along with the non-retail houses and apartment units. Plans for the multiple-unit complex include the following:

- underground parking on two levels; garage will be 21 feet below grade
- a first floor for retail shops, a second floor for offices, and a third floor for residential use; also, 3 row-houses will be built on Edwards Drive
- about 115 parking spaces in the garage; about 98 of them will be for the offices and retail shops, and about 25 will be for resale residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the second 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new signal at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and real-striping the curbs, widening the alley to 20 feet, and re-striping Adams to 3 lanes.

On September 7, 2007, the City of San Diego opened a comment period for the proposed development. Please take a moment to circle the numbers of the questions below that are of concern to you and your family; then place a stamp on this flyer and mail it to the City of San Diego address on the back of this page (or send in a stamped envelope).

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Circle

- 1) When is construction going to start and how long will it go on?
- 2) How will heavy equipment be routed through Kensington streets (equipment such as dumptrucks with loads of excavated soil and demolition debris, cement trucks, flatbed trucks with backhoes, graders, etc., and loads of construction materials (bricks, rebar, pipes, etc.)?
- 3) How long will the 21-foot excavation for the underground garage be open and how will it be secured?
- 4) Will job-driver rigs and/or cranes be used during construction?
- 5) If soil contaminated with gasoline and/or oil is encountered during the excavation and removal of the underground tanks at the gas station, where on the property will it be stockpiled before it's transported off-site for disposal?
- 6) What will be done to suppress dust generated during excavation and grading?
- 7) What noise levels can be expected during construction?
- 8) When will construction activities start and end on the property each day? Will the work take place only Monday through Friday?
- 9) About how many construction workers would be on-site and where will they park?
- 10) What will be done to lessen mud-tracking on Kensington streets as heavy vehicles exit the site?
- 11) How will traffic from Kensington residential areas be routed or diverted during the work?
- 12) How will garbage and debris be handled during morning construction hours?
- 13) Will there be any special provisions for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:
Name: Shirley A. Koenig Signature: [Signature] Date: 9/25/2007
Address: 3453 Marlborough, Suite 200, San Diego, CA 92116

THERE'S STILL TIME TO EMAIL YOUR COMMENTS TO: DSDR@SANDIEGO.CA.GOV

- 153)
- 154)
- 155)
- 156)
- 157)
- 158)
- 159)
- 160)

From: "Sharon Hall" <sharonhall06@sbcglobal.net>
To: <DSDEAS@saniego.gov>
Date: Tuesday, September 25, 2007 2:01:00 PM
Subject: Project No. 105244

Sharon Hall
Davidson and Company
619-398-0410
sharon@davidsonandco.com

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From: <sharonhall08@sbcglobal.net>
To: <DSDEAS@sanidiego.gov>
Date: Tuesday, September 25, 2007 2:03:59 PM
Subject: Project No. 105244

I am interested in items 2, 7, 8, 9, 12

(This page left intentionally blank.)

RESPONSES TO COMMENTS

Hall
September 25, 2007

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

A 3-story, multiple-use complex is planned for the block between Marlborough and Edgeware on Adams Avenue, extending to the alley behind the existing gas station. The gas station is scheduled to be demolished early next year, along with the now-vacant houses and apartment units. Plans for the multiple-use complex include the following:

- underground parking on two levels; garage will be 21 feet below grade
- a first floor for retail shops, a second floor for offices, and a third floor for condominiums; also, 3 rowhouses will be built on Edgeware Drive
- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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- 161) 1) When is construction going to start and how long will it go on?
2) How will heavy equipment be routed through Kensington streets. (equipment such as dumptrucks with loads of excavated soil and demolition debris, cement trucks, flatbed trucks with backhoes, graders, etc., and loads of construction materials (lumber, rebar, supplies, etc.)?
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11) How will traffic from Kensington residential areas be routed or diverted during the work?
165) 12) How will gridlock on Adams be avoided during morning commute hours?
13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Sharon Hacy Signature: [Signature] Date: 9/25/07
Address: 4780 Vista St.

THERE'S STILL TIME TO E-MAIL YOUR COMMENTS TO: DSDEAS@sandiego.gov

- 161) Refer to previous response to comment No. 2 regarding construction equipment.
162) Refer to previous response to comment No. 7 regarding construction noise.
163) Refer to previous response to comment No. 8 regarding construction noise.
164) Refer to previous response to comment No. 9 regarding construction workers and parking.
165) Refer to previous response to comment No. 12 regarding the Traffic Control Plan.

RESPONSES TO COMMENTS

From: "Katherine" <krotherham@cox.net>
To: <DSDEAS@sanidiego.gov>
Date: Tuesday, September 25, 2007 4:43:21 PM
Subject: kensington terrace JO:42-6557

Rotherham
September 25, 2007

- 166) Refer to previous response to comment No. 18 regarding Adams Avenue.
- 167) Refer to previous responses to comments No. 22 and No. 40 regarding neighborhood character and community input.
- 168) Refer to previous response to comment No. 48 regarding the signal at Kensington Drive and Adams Avenue.
- 169) Refer to previous response to comment No. 11 regarding the Traffic Control Plan.

I have some concerns about the adequacy of the mitigated negative declaration draft document and the project itself. They revolve around traffic and parking issues on Adams and the probable increase in traffic on what is essentially a dead end street. Adams is fairly narrow in Kensington and you are suggesting doing away with all on-street parking and, I guess, using the underground parking structure instead. That will impact all the businesses on Adams since people will have to walk some distance to get to some of the stores. It will also make it less friendly to pedestrians. We have an aging population in Kensington and many will find the parking structure and the extra walking difficult. Adams Avenue is a social gathering place for Kensington and the plans for this project don't seem to support that. Also, I am not happy with the idea to get rid of the gas station. It has been a community fixture for decades and many of us depend on it. The Valero station in Normal Heights is incredibly busy and who wants to go up to El Cajon Blvd. for gas? Emerald Oil is right on the way to work. As for the proposed traffic light at Kensington -- WOW!! This reminds me of the traffic light mess at Camino de la Reina, Qualcomm Way, I-8 and Camino del Rio North and the mess on Fairmont down by I-8.

Also, during construction I do not see how I am going to get to I-15N from Edgeware without an extremely long wait in the morning on my way to work.

Katherine Rotherham
4743 Edgeware Road
San Diego CA 92116

RESPONSES TO COMMENTS

Francis
September 26, 2007

From: "Karen Francis" <mmonkey@ix.netcom.com>
To: <dsdeas@sanidiego.gov>
Date: Wednesday, September 26, 2007 1:52:30 PM
Subject: Kensington Development

I am Karen Francis, homeowner and Kensington resident since 1986. The first time that I heard of the planned development at the corner of Marlborough and Edgeware was on September 25. A single sheet of paper was left on our front step. I am now given about 24 hours to submit my comments. This is inappropriate, to say the least. Why have we not yet heard anything about this project?

Hopefully, my comments will be taken into consideration, despite the fact that I am unable to hand deliver the form to your office today. I should add that I've been at home most of the day, waiting for a drain cleaning service, a sewage clean-up service, a plumber and, last but not least, The City of San Diego. Apparently, there is a broken sewer pipe under Marlborough Drive and this caused raw sewage to back up into our basement. Not a pretty picture, nor a fragrant one.

- 170) Regarding the planned development, I strongly oppose allowing for a variation on the 30 foot height limit. Three stories is not aesthetically compatible with the overall architecture in the neighborhood and is objectionable. I also oppose the placement of a permanent traffic light at the corner of Kensington Drive and Adams Ave. While this might be necessary during construction, it will be a big headache for all of us north of Adams for years to come. Finally, what projects are planned to allow for proper sewage/electric and other city services to accommodate this new project??
- 171) Regarding the planned development, I strongly oppose allowing for a variation on the 30 foot height limit. Three stories is not aesthetically compatible with the overall architecture in the neighborhood and is objectionable. I also oppose the placement of a permanent traffic light at the corner of Kensington Drive and Adams Ave. While this might be necessary during construction, it will be a big headache for all of us north of Adams for years to come. Finally, what projects are planned to allow for proper sewage/electric and other city services to accommodate this new project??
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- 173) Regarding the planned development, I strongly oppose allowing for a variation on the 30 foot height limit. Three stories is not aesthetically compatible with the overall architecture in the neighborhood and is objectionable. I also oppose the placement of a permanent traffic light at the corner of Kensington Drive and Adams Ave. While this might be necessary during construction, it will be a big headache for all of us north of Adams for years to come. Finally, what projects are planned to allow for proper sewage/electric and other city services to accommodate this new project??

Karen Gordon Francis
5266 Marlborough Drive
San Diego

- 170) Refer to response to comment No. 24 regarding the MND distribution.
- 171) Refer to response to comment No. 22 regarding neighborhood character and community input.
- 172) Refer to response to comment No. 48 regarding the signal at Kensington Drive and Adams Avenue.
- 173) Refer to response to comment No. 25 regarding public utilities.

From: "Patrick Williams" <pwilliams@nuvasive.com>
To: <AJarque@sandiego.gov>
Date: Wednesday, September 26, 2007 9:00:07 AM
Subject: Kensington Development

Attached are my concerns regarding on the Kensington proposal

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RESPONSES TO COMMENTS

September 26, 2007

September 26, 2007
Williams

TO: Anne B. Jarque
Environmental Planner

Dear Anne,

We are writing this letter in hopes of communicating some of our concerns over the new retail building on Adams Avenue. First off, we are excited to see the old boarded up buildings go away and eagerly awaiting which retailers will join our neighborhood.

We have lived in Kensington since 1999 and recently have been on a house hunt. We looked all over San Diego from North County to Point Loma and in the end we ended up back at Kensington. We recently purchased a new house at 4832 West Alder Drive because we simply love Kensington. It is a unique and one of the oldest neighborhoods in San Diego's history. The character of the village and walking distance to it, along with the overall charm is why we stayed and why others in our city government choose to reside in Kensington. We have a 7 and 3 year old girl and they have many friends in the neighborhood and enjoy our bike rides and walks.

Here are some things we would prefer NOT to see occur as part of this new development and I have listed them in order of priority as I know compromises are sometimes required to satisfy both sides:

- 174) 1. We would like to see the height of this/these buildings not to exceed that of the building housing Starbucks etc across Marlborough from it. The buildings are reasonable height now and do not take away from the feeling of the cozy neighborhood. The proposal of an additional 7 feet would simply be too much for the neighborhood. Thus we request that you do NOT grant a zoning variance to the height of the building.
- 175) 2. We would very much NOT like to see Marlborough widened by 4 feet and marked with red curbs. Very similar concerns as to the restriping of Adams, but concerned with pushing retail parking further into the neighborhood. Also I'm unclear on how far north the widening is proposed, but the "narrow" streets of Kensington are one of its many quirks. I actually enjoy yielding to my fellow Kensington while driving down the streets and giving a polite wave!
- 176) 3. Do NOT restripe Adams to 3 lanes. Yes, traffic is more than it was 8 years ago, but it certainly is not to the point of causing massive congestion. 3 lanes will result in no on street parking on Adams? Perhaps I am wrong here but to truly restripe Adams would seem to require widening of the current lanes and eliminating some of the convenient parking in front of the store fronts. This

- 174) Refer to previous response to comment No. 22 regarding neighborhood character and community input.
- 175) Refer to previous response to comment No. 40 regarding Marlborough Drive.
- 176) Parking would still be available on Adams Avenue. Refer to response to comment No. 18 regarding Adams Avenue.
- 177) Refer to previous response to comment No. 48 regarding the signal at Kensington Drive and Adams Avenue.

would push customers to the surface streets and require parking in front of people's houses which is not ideal.

177)

4. I would like to better understand the proposal for the stoplight at Kensington and Adams. At times traffic gets backed up on the Adams bridge when people are heading home. My concern is if a light at Kensington and Adams will exacerbate this problem? I agree that something needs to be done at this busy intersection, but perhaps a 4-way stop? I will defer to your expertise on this issue, but I do agree with some type of traffic control at this busy intersection.

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Thank you for your time and please do not hesitate to contact me if you have any comments/questions.

Regards,

Patrick & April Williams
4832 West Alder Drive
San Diego, CA 92116
(619) 280-2238 home
(619) 675-1047 mobile

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

A 3-story, multiple-use complex is planned for the block between Marlborough and Edgeware on Adams Avenue, extending to the alley behind the existing gas station. The gas station is scheduled to be demolished early next year, along with the now-vacant houses and apartment units. Plans for the multiple-use complex include the following:

- underground parking on two levels; garage will be 21 feet below grade
- a first floor for retail shops, a second floor for offices, and a third floor for condominiums; also, 3 rowhouses will be built on Edgeware Drive
- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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- 3) How long will the 21-foot excavation for the underground garage be open and how will it be secured?
- 4) Will pile-driver rigs and/or cranes be used during construction?
- 5) If soil contaminated with gasoline and/or oil is encountered during the excavation and removal of the underground tanks at the gas station, where on the property will it be stockpiled before it's transported off-site for disposal?
- 6) What will be done to suppress dust generated during excavation and grading?
- 7) What noise levels can be expected during construction?
- 8) When will construction activities start and end at the property each day? Will the work take place only Monday through Friday?
- 9) About how many construction workers would be on-site and where will they park?
- 10) What will be done to lessen mud-tracking on Kensington streets as heavy vehicles exit the site?
- 11) How will traffic from Kensington residential areas be routed or diverted during the work?
- 12) How will gridlock on Adams be avoided during morning commute hours?
- 13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: David Hunt Signature: [Signature] Date: 9/21
Address: 466 Marlborough Dr # 92114

*No waiver for height!
Keep integrity of our family neighborhood
and our kids under our town!*

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

DEVELOPMENT COMING TO KENSINGTON

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Name: Kate Whitcomb Signature: [Signature] Date: 9/22/07
Address: 4727 Terrace Dr. S.D. CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

DEVELOPMENT COMING TO KENSINGTON

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Robert Carolin Signature: Robert Carolin Date: 9/22/09
Address: 4892 Marlborough Dr.

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

* seems very large for a lot size.

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Name: JUDITH DECKTER Signature: Judith Deckter Date: 9/22/07
Address: 4051 VISTA STREET SAN DIEGO, CA. 92116

- 14) I AM TOTALLY AGAINST THIS DEVELOPMENT COMING TO KENSINGTON!

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

DEVELOPMENT COMING TO KENSINGTON

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The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: RICHARD RYBERG Signature: Richard Ryberg Date: 9-22-07
Address: 4876 BIONA DRIVE, SAN DIEGO 92106

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

These are excellent questions. The ones that are circled are of special interest to me.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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Name: Jennifer Reed Signature: [Signature] Date: 9-22-07

Address: 4730 Prima Dr

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Name: Diana Barnett Signature: Diana Barnett Date: 9/23/07
Address: 4890 Vista St

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Name: CHIC BENVISTE Signature: [Signature] Date: 9/23/07
Address: 4922 VICTA ST KENSINGTON SAN DIEGO CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: STEPHEN COLSTON Signature: Stephen Colston Date: 9-23-07
Address: 4102 ROCHSTER RD, SAN DIEGO, CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: Rosemarie Bonaccorso Signature: Rosemarie Bonaccorso Date: 9/23/07

Address: 8204 GARDEN DR

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Name: Lawrence + Barbara Watson Signature: Lawrence Watson Date: 9-26-07
Address: 4860 Marlborough Dr, SD 92116

Monia-Barbara Watson

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: OLGA M. YEA Signature: [Signature] Date: 9/23/07

Address: 4236 Bienna Place
S.D. CA 92116

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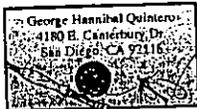
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Name George Hannibal Quintano



Signature George Hannibal Quintano Date: 9-23-07

Address _____

1101522 011 919

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- 12) How will gridlock on Adams be avoided during morning commute hours?
- 13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: WALTER GUSTAFSON Signature: [Signature] Date: 9-23-07
Address: 4815 Edgeware Rd. San Diego CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

A 3-story, multiple-use complex is planned for the block between Marlborough and Edgeware on Adams Avenue, extending to the alley behind the existing gas station. The gas station is scheduled to be demolished early next year, along with the now-vacant houses and apartment units. Plans for the multiple-use complex include the following:

- underground parking on two levels; garage will be 21 feet below grade
- a first floor for retail shops, a second floor for offices, and a third floor for condominiums; also, 3 rowhouses will be built on Edgeware Drive
- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Adlene Goulart Signature: Adlene Goulart Date: 9/23/07
Address: 4217 Biona Pl. San Diego 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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- an open plaza at the corner of Adams Avenue and Marlborough Drive

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Dorothy Dean Signature: [Signature] Date: 9/23/07
Address: 4046 Terrace San Diego 92106

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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- an open plaza at the corner of Adams Avenue and Marlborough Drive

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- 13) Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Linda Benham Signature: Linda Benham Date: 9/23/07

Address: 4733 Terrace Dr SD CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

Linking is already a major problem and headache for residents

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Name: Sub E GAG Signature: [Signature] Date: 9/26/07
Address: 4958 KENSINGTON DRIVE

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

NO 37 FOOT HEIGHT!!
WILL ONLY BACK UP TRAFFIC ON ADAMS
WG
NEAR NEWSPR
WST F100

DEVELOPMENT COMING TO KENSINGTON

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Donald Radesiker Signature: Donald Radesiker Date: 7/27/07

Address: 4892 Marlborough Dr.

See previous responses to comments No(s) 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: Bino Gianzero Signature: [Signature] Date: 9/24/07

Address: 4751 Edgeware Rd

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: D-M. Lewis Signature: DM Lewis Date: 9/24/07
Address: 418 P. Adams Avenue - San Diego, Ca 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: Guadalupe Ramirez Signature: Guadalupe Ramirez Date: 9/24/07
Address: 5126 MARLBOROUGH H. DR. S.D. 92110

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

THERE'S STILL TIME TO E-MAIL YOUR COMMENTS TO US.

211-5415
Fri 9/21

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: DIANE STUCKE Signature: [Signature] Date: 9-24-07

Address

4742 Biona Dr

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and re-striping the curbs, widening the alley to 20 feet, and re-striping Adams to 3 lanes,

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Name: MARGARET McCANN Signature: MARGARET McCANN Date: 9/24/2007

Address: 4650 EDGEWARE RD. SAN DIEGO 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: L. DeSaegher Signature: L. DeSaegher Date: 9/24/07
Address: 4050 Bona Dr

all valid questions

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Name: Cynthia Sprinall Signature: Cynthia Sprinall Date: 9/24/07

Address: 4674 Vista Street, S.D. 92116

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Name: JANA ALONSO GARCIA Signature: Jana Garcia Date: 9/24/07
Address: 4802 Edgeware Rd SD CA 92106

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Name: Sheryl Hopwood Signature: [Signature] Date: 9-21-07
Address: 4632 Edgeware Rd. 92160

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Name: VERA Paylavich Signature: Vera Paylavich Date: 9-24-07
Address: 4857 Edgeware Rd

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Name: LaHoma & Ian Kotchian Signature: [Signature] Date: 24 Sep 07

Address: 4742 Marlborough Drive, #3

San Diego, CA 92116

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Name: NANCY FREEMAN Signature: Nancy Freeman Date: 9-24-07
Address: 4631 Brown Dr SD 92116

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*PLEASE DO NOT DO THIS TO OUR
NEIGHBORHOOD*

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Name: T.E. DRISCOLL Signature: T.E. Driscoll Date: 9/24/07
Address: 4636 Bloor Dr 92116

*This development will destroy our community!!!
Don't want it!!!*

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The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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- 13 Will there be any special protections for children and pedestrians at Adams intersections?

Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: RENEE RALICO Signature: [Signature] Date: 9/25/07
Address: 4060 ALBER DR SD CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

DEVELOPMENT COMING TO KENSINGTON

Kensington Neighbors,

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Mary Kay Signature: Mary Kay Date: 9/25/07

Address: 402 Edgeware Road

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- 3) How long will the 21-foot excavation for the underground garage be open, and how will it be secured? - *How many cars going through intersection compared to go. date?*
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Name: Marge Faine Signature: Marge Faine Date: 9/25/07

Address: 499 B Marlborough Drive,

San Diego, CA 92116

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Name: Dave Spagnesi Signature: Dave Spagnesi Date: 9/25/07

Address: 4718 Biona Dr

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*Forget Did Too Much
Neg. Results*

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Name: Dana Bessenecker Signature: [Signature] Date: 9/25/2007
Address: 4637 Marlborough Dr.

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Name: Monika Cotta Signature: [Signature] Date: 9-25-07

Address: 5209 Marlborough

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Name: MARC NISDAM Signature: [Signature] Date: 9/25/07
Address: 4971 KENSINGTON DR - SAN DIEGO, CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: LINDA BRIGGS Signature: [Signature] Date: 9-25-07

Address: 4756 BRAM DR.

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

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Name: STEVEN BYER Signature: [Signature] Date: SEP 25 07

Address: 4403 MARLBOROUGH DR

SAN DIEGO 92116

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Your comments may be added on additional sheets. For the above to be taken into account by the decision-makers, the following must be completed:

Name: Franklin Torres Signature: Franklin Torres Date: _____

Address: 5183 Marlborough Dr.

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

FOR MORE INFORMATION VISIT US ONLINE AT WWW.SANDIEGO.CA.GOV

DEVELOPMENT COMING TO KENSINGTON

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- about 115 parking spaces in the garage; about 90 of them will be for the offices and retail shops, and about 25 will be for condo residents
- an open plaza at the corner of Adams Avenue and Marlborough Drive

The complex will be about 37 feet above grade at its highest point if a waiver is granted by the City of San Diego to deviate from the zoned 30-foot height limit on the eastern half of the property. Measures proposed to offset the effects of increased traffic include a new stoplight at the corner of Kensington Drive and Adams Avenue, widening Marlborough by 4 feet from Adams to the northern alley and red-stripping the curbs, widening the alley to 20 feet, and re-stripping Adams to 3 lanes,

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Name: Jovanna George Signature: Jovanna George Date: 9/25/07
Address: 5158 Marlborough Dr. Escondido CA 92026

All questions above should be addressed.

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Name: Cheryl Gillett Signature: Cheryl Gillett Date: _____

s 41023 Biara Dr

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Name: Marta D. Moreno Signature: [Signature] Date: 9/27/07

Address: 4675 Edgeware Rd.

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Name: Rebecca Price Signature: Rebecca Price Date: 9-27-07
Address: 4625 Marlborough Dr San Diego CA 92116

See previous responses to comments No(s). 1 - 13 regarding construction activities on Responses to Comments pages 3 and 4.

City of San Diego
Development Services Department
Entitlements Division
1222 First Avenue, Mail Station 501
San Diego, CA 92101
(619) 446-5460

REVISED INITIAL STUDY
Project No. 105224

SUBJECT: KENSINGTON TERRACE. Planned Development Permit (PDP) and Vesting Tentative Map (VTM) to construct a mixed-use development consisting of 16,255 square feet of office space, 16,550 square feet of retail space and 19,614 square feet of residential use (9 for-sale units) on a 0.78 acre site located at 4142, 4166, 4178 Adams Avenue and 4708 Edgeware Road in the CN-1-3 and CU-3-3 Zone of the Central Urbanized Planned District within the Kensington Talmadge Neighborhood of the Mid City Communities Plan Area. Applicant: Terrace Partners.

I. PURPOSE AND MAIN FEATURES:

The proposed development, to be considered by the Planning Commission (Process 4) would require a Planned Development Permit and a Vesting Tentative Map to demolish the existing gas station, convenience store, and four residences, to construct a 56,643 square-foot, three-story mixed-use development located at 4142 Adams Avenue, within the Mid-City Communities planning area and Central Urbanized Planned District. The development would include approximately 16,550 square feet of retail space, 16,255 square feet of office space, 19,614 square feet of residential use and 4,224 square feet of ancillary uses. The residential component would include six, three-bedroom penthouses and three three-bedroom townhome units that would be sold for private ownership.

The project would propose a deviation to San Diego Municipal Code (SDMC) Section 131.0530 to allow a portion of the building within the CN-1-3 zone to have a maximum height of 38 feet where 30 feet is the maximum height allowed in the CN-1-3 zone. The development proposes to self-generate at least 50 percent of their electrical energy needs through photovoltaic technology (solar panels) and a green roof and therefore qualifies as a Sustainable Building under Council Policies 900-14.

The project would provide vehicular access to the site from the alleyway to a two-level underground garage. A total of 21 spaces would be available for the residents and 91 spaces for retail, office, and commercial uses on-site, for a total of 112 off-street parking spaces, where a minimum of 90 parking spaces are required.

Grading would include approximately 22,100 cubic yards of soil cut for export within the entire 0.78 acre site. Any contaminated soils would be transported and disposed of at appropriately permitted disposal facilities. Proposed landscaping for the entire site would include trees such as Canary Island Palms; Jacaranda, and Australian willows; shrubs such as fortnight lilies, heavenly bamboo, and English Boxwood; and groundcover such as star jasmine and white balsam.

II. ENVIRONMENTAL SETTING:

The 0.78 acre site is located at 4142, 4166, 4178 Adams Avenue and 4708 Edgeware Road in the CN-1-3 and CU-3-3 Zone of the Central Urbanized Planned District within the Kensington Talmadge Neighborhood of the Mid City Communities Plan Area. (Figure 1)

The property is split zoned with the western portion of the site zoned CU-3-3 and the eastern portion of the site zoned CN-1-3. The site is designated as a ~~Commercial/Residential Transition Zone~~ Commercial and Mixed Use (29 dwelling units per acre) as identified in the Mid-City Community Plan. Properties to the north are zoned RS-1-7 and designated for residential uses (11-15 dwelling units/acre (du/ac)); to the east are zoned CN-1-3 and designated Commercial/Residential Transition Zone; to the south as split zoned CN-1-3 and CU-3-3 and designated ~~Commercial/Residential Transition Zone~~ Commercial and Mixed Use (29 dwelling units per acre) as, and to the west is zoned CU-3-3 and designated ~~Commercial/Residential Transition Zone~~ Commercial and Mixed Use (29 dwelling units per acre).

The project site has been previously graded and is currently developed with a gas station, convenience store, and four residential structures that would be demolished to prepare the site for development.

The elevation of the site is relatively flat with approximate elevations ranging from 369 feet Above Mean Sea Level (AMSL) along the western property line to 367 feet AMSL along the eastern property line; and approximately 368 AMSL from the north and south property lines. The site is not located within or adjacent to the Multi-Habitat Planning Area (MHPA) of the City's Multiple Species Conservation Program. The property is located within an existing urbanized area currently served by police, fire, and emergency medical services.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. DISCUSSION:

The project files and reports referenced below are available for public review on the Fifth Floor of the Development Services Department, Entitlements Division, 1222 First Avenue, San Diego, CA 92101.

During the environmental review of the project, it was determined that construction could potentially result in significant but mitigable impacts in the following area(s): Paleontological Resources, Human Health and Public Safety, and Transportation/Circulation.

Paleontological Resources

According to the Geology of San Diego Metropolitan Area, California (1975), published by the California Division of Mines and Geology, the project is underlain by the Lindavista Formation which is assigned a moderate paleontological resource sensitivity rating in areas outside the communities of Mira Mesa and Tierrasanta. This formation is well known for its rich fossil beds that have yielded extremely diverse assemblages of nearshore marine invertebrates, as well as sparse remains of sharks and baleen whales (*Paleontological Resources, Tom Demere and Stephen Walsh, August 1994*). Impacts to moderate sensitive rated formations would be considered significant if a project proposes more than 2,000 cubic yards (CY) of soil cut at a maximum depth of 10 feet or more.

Project grading would include approximately 22,100 CY of soil cut at varying cut depths (up to 21 feet in depth) to remediate the soils and prepare the site for development which includes the construction of a two-level underground parking garage.

Therefore, the project's proposed grading would meet/exceed the significance threshold and could result in significant impacts to buried fossil resources within the Lindavista Formation. Implementation of the Mitigation, Monitoring, and Reporting Program (MMRP) during site grading, as described in Section V of the attached Mitigated Negative Declaration (MND) would therefore mitigate paleontological impacts to a level below significance.

Public Health and Safety (Hazardous Materials)

As new residential construction occurs in or near areas historically used for industry, agriculture, commerce or solid waste (e.g. landfills, former landfill sites, or fuel storage), contaminated soils and groundwater can be found. As part of the environmental review process, steps must be taken to disclose and address the safe removal, disposal and/or remediation of hazardous materials.

A records and file search identified the project site (4142 Adams Avenue) to be on the County's Department of Environmental Health (DEH) Site Assessment and Mitigation (SAM) violation case listing for the previous Kensington Auto Center/Chevron use. A letter, dated November 6, 2001, from the DEH verified that the site investigation and corrective action for a leaking underground storage tank (UST) violation that occurred in April 1988 and 1993 was closed. As a corrective action, approximately 143 cubic yards of petroleum impacted soils was removed and monitoring wells were installed. Investigation of groundwater from the monitoring wells did not reveal a contaminant impact (Letter to Mr. Allard Jansen from Darryl Fowler, Project Manager, DEH SAM Program, dated October 4, 2006). Mr. Fowler's letter stated that at the closure of the previous cases that contaminated soil remained on-site and contaminated soils must be properly managed and disposed of as part of any subsurface construction work associated with the proposed development. In addition he stated that in order to proceed with the proposed construction project, the applicant is required to remove the current underground storage tanks under appropriate permits (i.e. tank removal permit from the County); determine if a release has occurred from the tank system; and properly assess and dispose of any fuel contaminants including soils and groundwater remaining on-site from a previous and/or new release event.

Per a phone conversation with EAS staff and Mr. Fowler, the applicant would be required to obtain the appropriate permits from the County for the removal of the tanks. As the applicant is currently within the County's DEH Voluntary Assistance Program (VAP); the applicant would also be required to submit a Work Plan and Health Risk Assessment for the removal of the USTs. To ensure that the applicant has their work plan in place prior to grading the site for remediation; the PMP, Health Risk Assessment, and other site investigations and monitoring reports shall be submitted to City's Development Services Department (DSD) for review in conjunction with the County's DEH review through the VAP.

If the site is developed in phases and/or further remediation is necessary; case closure by the DEH may not be acquired until after construction. Therefore, to mitigate perceived and potential human health and public safety impacts as a result of the soil and groundwater conditions of the

site, an approval letter from the County DEH would be required prior to the construction of the building and at final inspection to confirm that the hazardous materials in the soil have been removed and no health risks associated with the hazardous materials would create a known health hazard to future occupants and surrounding neighbors.

Compliance with the requirements from the County DEH SAM Program and VAP could reduce impacts to below a level of significance. As such, a Mitigation, Monitoring and Reporting Program, contained in Section V of the attached Mitigated Negative Declaration, would mitigate potentially significant impacts to Hazardous Materials/Public Safety to a level below significance.

Transportation/Circulation/Parking

The 0.78 acre project site is located on the north side of Adams Avenue, between Marlborough Drive and Edgeware Road, approximately 0.18 mile from Interstate 15. Vehicular access to an underground parking garage would be from the alleyway to the north. The project would provide 112 parking spaces (91 retail/commercial and 21 residential), where 90 parking spaces would be required. Four van accessible, three motorcycle spaces, and seven bicycle spaces would also be provided on-site.

To assess the potential traffic impacts associated with the project, a *Traffic Impact Analysis* was prepared by LOS Engineering, Inc. (June 12, 2007) and reviewed by EAS and LDR-Transportation Development Review staff. The traffic report analyzed five scenarios: Existing, Near-term without Project Conditions, Near-term with Project Conditions, Horizon Year (2030) without Project Conditions, and Horizon Year (2030) with Project Conditions.

The study area included 10 intersections within the surrounding streets (Adams Avenue, Interstate 15, Terrace Drive, Kensington Drive, Marlborough Drive, Edgeware Road, alley north of Adams, Park Place, and El Cajon Boulevard) and 8 roadway segments. Based on the City of San Diego Trip Generation Manual for the project's proposed uses; it is anticipated that the project would generate approximately 2,479 average daily trips (ADTs) with 133 AM peak hour trips and 254 PM peak hour trips. The cumulative trip generation was calculated at 1,413 ADT with 69 AM peak hour trips and 161 PM peak hour trips.

Traffic flows on roadway segments and at intersections are typically described in terms of "level of service". Levels of Service (LOS) range from LOS A (free flow, little congestion) to LOS F (Forced flow, extreme congestion). Typically, where roadway segments and intersections operate at a LOS E or LOS F, then the traffic impact would be considered significant and would require appropriate mitigation to improve the traffic circulation to a LOS D or better.

Based on the short-term and long-term traffic analysis for the project area intersections and roadways, the report concluded that the project may have significant direct and cumulative impacts to the surrounding intersections and streets under the near-term with project conditions and horizon year (2030) with project conditions. To mitigate potentially significant transportation impacts as a result of the proposed development the applicant would be required to re-stripe Adams Avenue to a three-lane collector from Interstate 15 to Aldine, widen Marlborough Drive from Adams Avenue to the project alley, install a new traffic signal at

Adams Avenue and Kensington Drive, and limit the size and uses of the proposed development so that ADTs would not exceed 2,479 ADT.

These recommended conditions, as described in the traffic impact study could mitigate potentially significant impacts to a level below significance and improve circulation and traffic in the area. These specific mitigation measures for transportation/circulation impacts from the project are listed in Section V. Mitigation, Monitoring, and Reporting Program (MMRP) of the attached Mitigated Negative Declaration (MND).

The following environmental issues were considered in depth during review of the project and determined not to be significant.

Geology

The project site is located in a seismically active region of California, and therefore, the potential exists for geologic hazards, such as earthquakes and ground failure. The property is mapped with Geologic Hazard Ratings of 53 (Level or sloping terrain, unfavorable geologic structure, low to moderate risk) as shown on the City's Seismic Safety Study Geologic Hazards Maps. Proper engineering design of the proposed structures would be verified prior to building permits being issued. This would ensure that the potential for geologic impacts from regional hazards would be below a level of significance, and no mitigation would be required.

Water Quality

Water quality is affected by sedimentation caused by erosion, runoff carrying contaminants, and direct discharge of pollutants (point-source pollution). Proposed development creating new impervious surfaces could send an increased volume of runoff containing oils, heavy metals, pesticides, fertilizers, and other contaminants (non-point-source pollution) into the stormwater drainage system if not controlled.

A *Water Quality Technical Report* (Pasco Engineering, August 8, 2007) was prepared and reviewed by EAS and Land Development Review (LDR) Engineering staff. The report, prepared in conformance with the City Storm Water Standards, identified the potential pollutant sources from the development and recommended appropriate construction and post-construction BMPs to mitigate potential impacts to a level below significance. Based on the Storm Water Standards, potential pollutants from the proposed project may include sediments, nutrients, organic compounds, trash and debris, pesticides, oxygen demanding substances, oil and grease, bacteria and viruses, and heavy metals.

The site is located within the San Diego Hydrologic Unit, Mission San Diego hydrologic sub-area. Runoff from the proposed site will not discharge directly into any natural water body. However, the project is associated with the Lower San Diego River, which is downstream and identified to be an impaired water body for fecal coliform, low dissolved oxygen, phosphorus, and total dissolved solids. The development would add new impervious surface area and therefore potential runoff containing pollutants must be treated before entering into the public storm drain system.

As disclosed in the WQTR, the applicant proposed construction, post-construction source control and site design BMPS to treat runoff, specifically targeting pollutants of concern for identified impaired water bodies. The applicant proposes a green roof system that would treat runoff before entering into the City's storm drain system. In compliance with the City's Storm Water Standards and regulatory requirements, implementation of the previously discussed BMPs would be conditions of the permit and would therefore preclude significant impacts to water quality.

Hydrology

As land is developed, new impervious surfaces may create an increase of surface runoff that may change the drainage patterns on-site. A project would have a potentially significant hydrology issue if the substantial increase and/or alteration in impervious surfaces would increase runoff flow rates and change drainage patterns that would adversely impact upstream and downstream properties and environmental resources (i.e. biological resources, archaeological resources).

A Preliminary Hydrology Study (Pasco Engineering, June 12, 2007) was prepared to determine if the existing and proposed storm drain system would be adequate to support the proposed development. The site is located within the San Diego Hydrologic Unit, Mission San Diego hydrologic sub-area.

The 0.78 acre site is currently occupied by a gas station and four residential properties. Existing drainage flows in a southeast direction discharging onto Adams Avenue at multiple locations. The proposed development would demolish the existing structures to construct a three-story building that would encompass the entire site. The project proposes a green roof system to treat drainage detention/retention. The report concluded that the green roof would adequately treat the 100-year storm event on site and runoff from the courtyard and nuisance water from the subterranean garage would be pumped to the roof to be treated. Therefore the proposed development would not adversely affect the existing storm drain system or upstream/downstream properties and no mitigation is required.

Noise

Given the proximity of the property to Adams Avenue traffic noise levels at the site may exceed those allowed under the City's adopted noise ordinance and City of San Diego General Plan. Noise levels would be considered significant for multi-family residential and retail/commercial land uses if projected traffic forecasts result in noise levels exceeding 65 decibels A-weighting (dB(A)) Community Noise Equivalent Level (CNEL) and 75 dB(A) CNEL, respectively, at any proposed exterior usable areas (i.e. balconies, out-door eating areas). In addition, California Code of Regulations (CCR) Title 24 states that whenever the building façade exceeds 60 dB(A) CNEL, the applicant must prepare an acoustical analysis that shows that the proposed design will limit interior noise to less than 45 dB(A) CNEL.

An Acoustical Site Assessment (Investigative Science and Engineering, Inc., June 7, 2007) and a *Structural Acoustical Analysis / CCR Title 24 Survey* (Investigative Science and Engineering, Inc., June 7, 2007) was prepared and reviewed by staff to determine if future traffic noise would impact the proposed development. Based on the analysis conducted at the project site, traffic noise levels would be below 65 dB(A) CNEL at the street, 2nd floor, and 3rd floor level balconies along Adams Avenue and Marlborough Drive. Therefore anticipated traffic noise levels would not exceed the 65/75 dB(A) CNEL for exterior usable areas for residential/retail uses, and no mitigation would be required. However, the building façade would be subject to noise levels

exceeding 60 dB(A) and interior noise may not meet the CCR Title 24 Noise Insulation Standards of 45 dB(A). Therefore standard insulation and construction practices, which include mechanical ventilation for all the units and STC rated windows, glass doors, and roof/wall assembly, could reduce interior noise levels to a level below 45 dB(A) and therefore would meet CCR Title 24 regulations and preclude potentially significant interior noise impacts and no mitigation would be required.

Historical (Architecture)

Historical resources include all properties (historic, archaeological, landscapes, traditional, etc.) eligible or potentially eligible for the National Register of Historic Places, as well as those that may be significant pursuant to state and local laws and registration programs such as the California Register of Historical Resources or the City of San Diego Historical Resources Register. Historical resources include buildings, structures, objects, archaeological sites, districts, landscaping, and traditional cultural properties possessing physical evidence of human activities that are typically over 45 years old, regardless of whether they have been altered or continue to be used.

The California Environmental Quality Act (CEQA) requires that before approving discretionary projects, the Lead Agency must identify and examine the significant adverse environmental effects which may result from that project. Pursuant to Section 21084.1 of the State CEQA Guidelines, a project that may cause a substantial adverse change in the significance of an historical resource may therefore have a significant effect on the environment.

In conjunction with a previous development that would have demolished the existing residential structures, *A Historical Assessment of the buildings located at 4166, 4168-4172, 4178 Adams Avenue and 4708-4712 Edgeware Road* (Kathleen Crawford, M.A. October 2002) was prepared and reviewed by the City's Environmental Analysis Section (EAS) and Historic Resource Board (HRB) staff to determine the potential historical and architectural significance of the four residential structures to be demolished. The archival research conducted for the report disclosed that the one-story, Craftsman style, single-family residence located at 4166 Adams Avenue was constructed in 1923; the two-story, Modern style, three unit apartment building located at 4168-4172 Adams Avenue was built in 1949; the one-story, Spanish Eclectic style, single-family residence at 4178 Adams Avenue was constructed in 1924; and the one-story, Modern duplex residence located at 4708-4712 Edgeware Road was constructed in 1954.

Based on the historical research, the report concluded the buildings are not historically or architecturally significant. Therefore, the building would not be eligible for listing in the California Register of Historical Resources, the California Historic Resources Inventory, the National Register of Historic Places, or the San Diego Historic Resources Board Register, and the proposed project would not constitute a substantial adverse change such that the significance of the building would be impaired.

HRB staff generally concurred with the report's conclusion in that the apartment building, duplex, and the single family residence located at 4178 Adams Avenue are not historically or architecturally significant, however the Craftsman style single family residence, built in 1923 and located at 4166 Adams Avenue may have the potential to be considered historically

significant and therefore consideration for designation was taken to the Board on March 27, 2003 which was continued to April 24, 2003. In addition, the structure was identified as a contributor to a potential Kensington Historic District. While the structure could not be designated as a contributor because the Kensington Historic District has not been established, the house could rise to a level of individual significance.

On April 24, 2003, the Board did not designate the structure for local listing. As indicated with the previous development, the building did not meet any of the significance criteria for listing in either the National Register of Historic Places or the California Register, and therefore is not considered significant under the California Environmental Quality Act (CEQA) or the City of San Diego criteria for designation as a historical site. As such, the proposed demolition of the existing structures would not have a significant impact on historical resources and no mitigation would be required.

Historical Resources (Archaeological)

City staff has determined through review of the City's Historical resource Sensitivity Maps that the project site is not located in an area of San Diego which has a high potential for archaeological resources. No known archaeological sites have been recorded within proximity to the project area. Development of the proposed project would not result in adverse impacts to archaeological resources and no mitigation would be required.

Visual Quality/Neighborhood Character

In the same way a project may emit a significant amount of light and glare on adjacent light-sensitive receptors or land uses; a significant land use impact may be identified if a project casts a shadow on adjacent properties, light-dependent uses, or smaller single-family residences for a significant amount of time during the year because of excessive height, bulk, or scale of buildings proposed. Single-family one-story and two-story residences are located directly north of the project site across the alleyway. The site is split zoned with the portion of the CN-1-3 zoning on the east side and the CU-3-3 zone on the west side of the property. The allowable height in the CN-1-3 zone is 30 feet, whereas the allowable height within the CU-3-3 zone is 50 feet.

Long-Range Planning staff and the community had concerns of the project's bulk and scale to the surrounding neighborhood, in addition to the deviation to increase the height of the structure. A shadow study was provided by the applicant which illustrated the proposed building's shadow effect to the properties to the north during the day at four times (seasons) during the year. The study illustrated that the structure would not significantly shade the adjacent residents for the majority of the year, and therefore the building's shadow effect would not be considered significant. The properties to the north during the winter months (winter solstice) would however be cast in a shadow during the majority of the day. A shadow analysis during the winter solstice indicated the proposed height of the structures would create a similar shadow effect as if the project were to be built at the allowable height of 30 feet and 50 feet. Therefore, it is also unlikely that the increase in height of eight feet within the CN-3-1 zone would create significant shading of the properties to the north.

Furthermore, since the site takes up an entire block with the western portion allowed to build a structure 50 feet in height and the eastern portion allowed to build a structure 30 feet in height, the applicant has terraced the building at the corners and stepped in the third floor so the bulk and scale of the building would be more compatible with the surrounding area. Therefore, through the site and architectural design measures incorporated into the building, a visual quality impact related to the structure bulk and scale would not be considered significant and no mitigation would be required.

V. RECOMMENDATION:

On the basis of this initial evaluation:

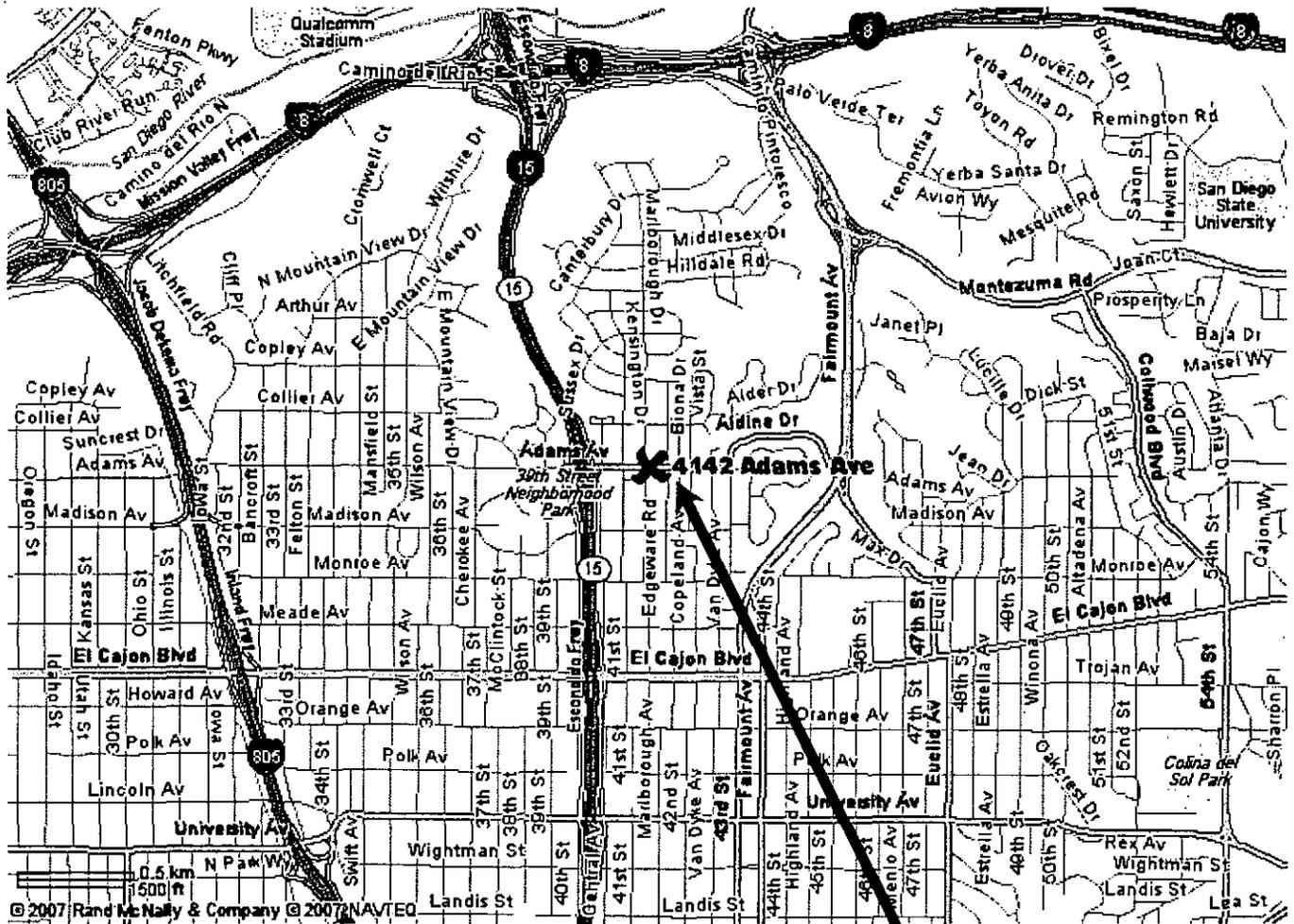
_____ The proposed project would not have a significant effect on the environment, and NEGATIVE DECLARATION should be prepared.

X Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.

_____ The proposed project may have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: Jarque

Attachments: Figure 1: Location Map
 Figure 2: Site Plan
 Figure 3: Vesting Tentative Map
 Figure 4: Exterior Elevations
 Figure 5: Building Sections



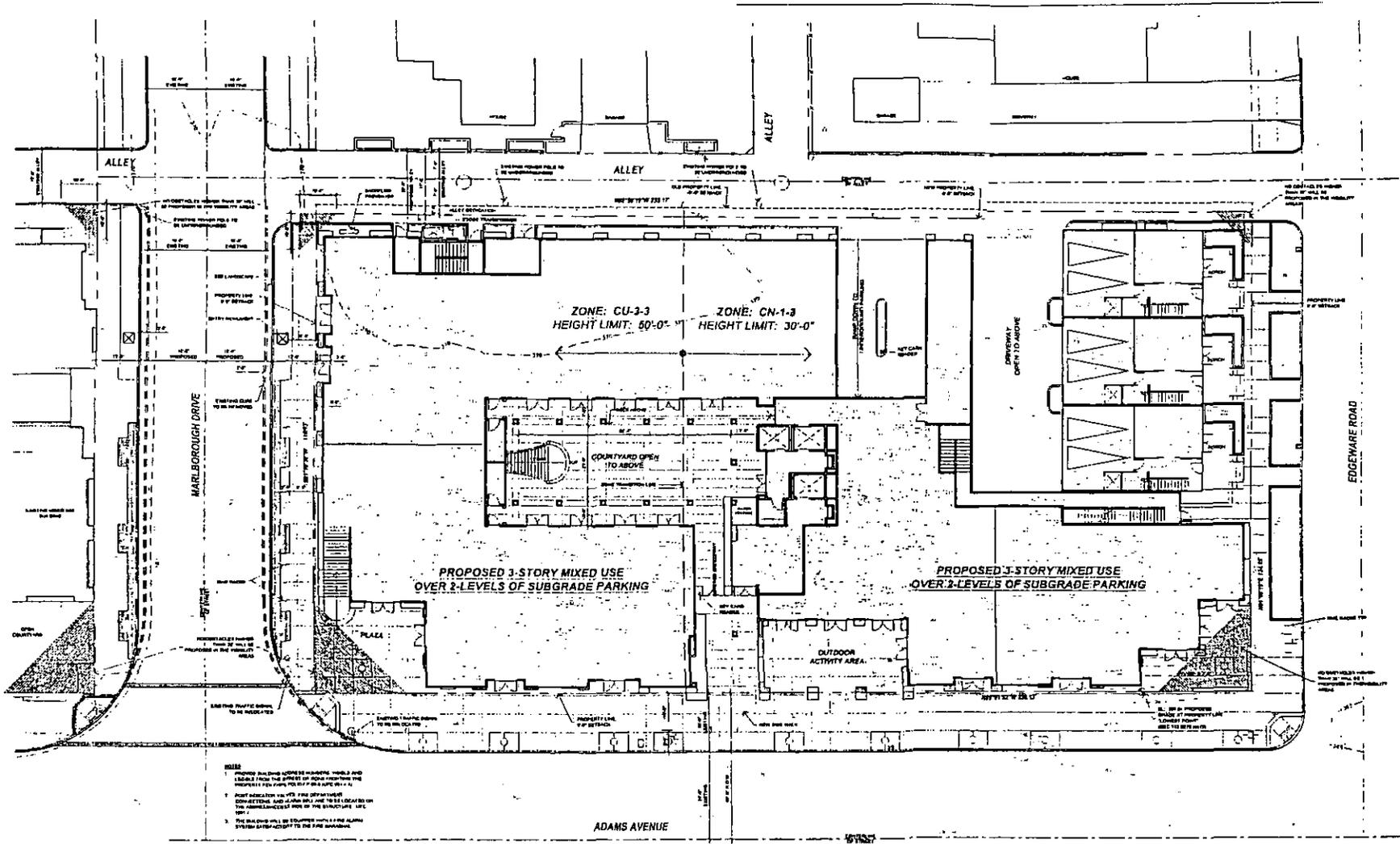
Project Site



PROJECT LOCATION

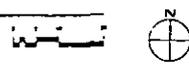
Kensington Terrace / Project No. 105244
 4142 Adams Avenue, San Diego, CA

Figure
1



- NOTES**
1. PROPERTY BUILDING ADDRESS MARKING SHALL BE LOCATED AT THE CORNER OF ADAMS AVENUE AND MARLBOROUGH DRIVE TO BE VISIBLE FROM THE STREET.
 2. COURT YARD OPEN TO ABOVE SHALL BE LOCATED AS SHOWN AND SHALL BE OPEN TO THE PUBLIC AT ALL TIMES.
 3. THE BUILDING SHALL BE CONSTRUCTED TO MEET ALL APPLICABLE CODES AND REGULATIONS.

1 PROPOSED SITE PLAN



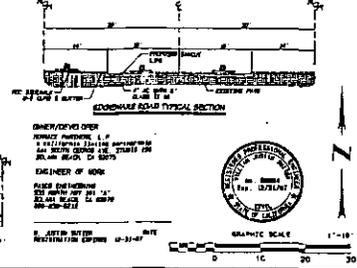
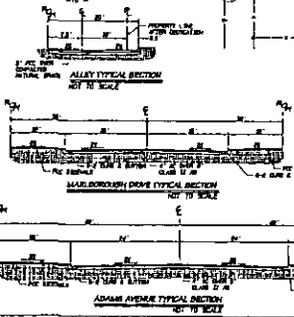
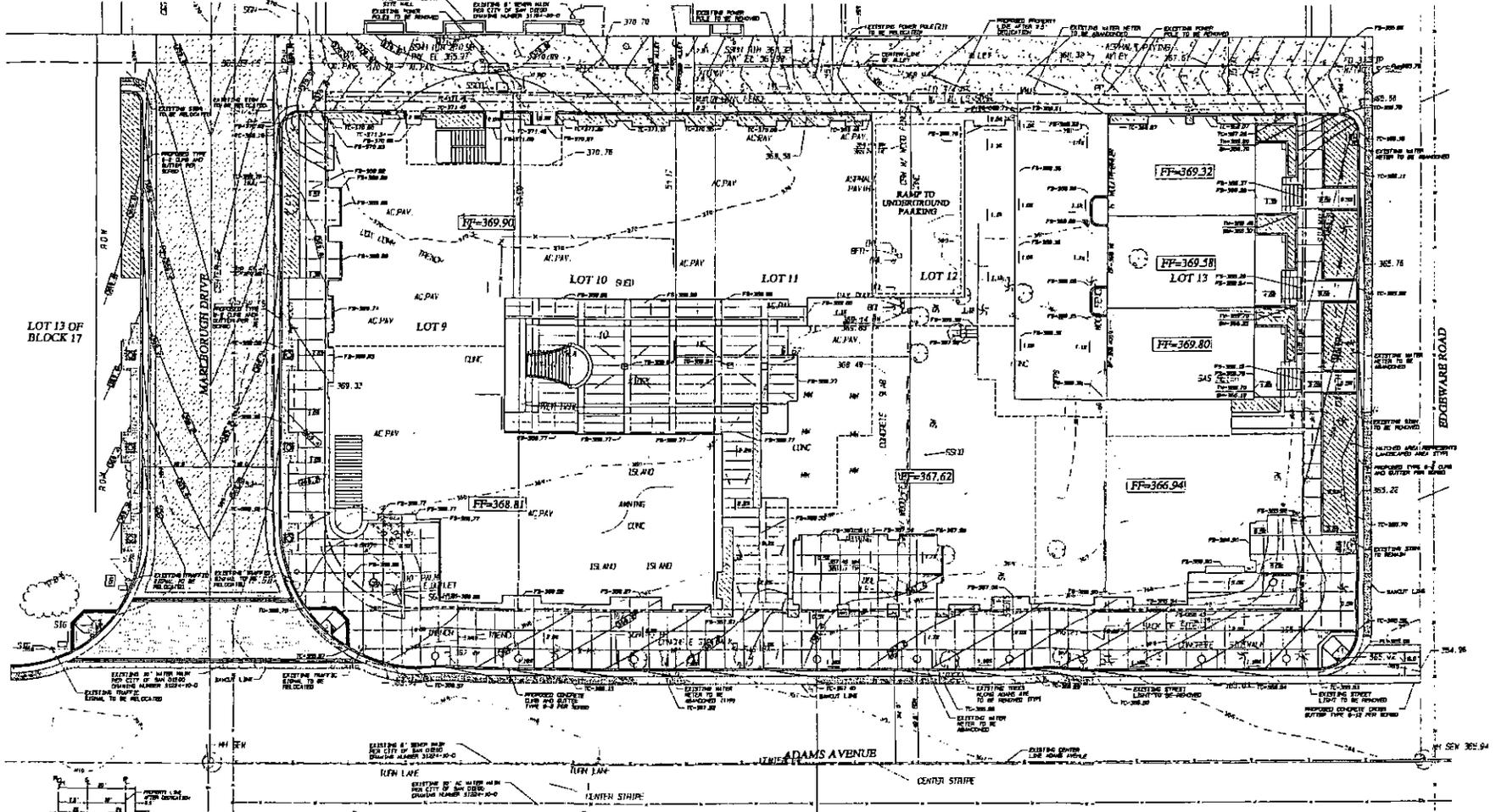
<p>ALLARD JANSEN ARCHITECTS</p> <p>INCORPORATED</p> <p>1111 15TH STREET SAN DIEGO, CA 92101 TEL: 619 594 1111</p>	<p>PREPARED BY:</p> <p>ALLARD JANSEN</p> <p>DATE: 10/15/11</p> <p>PROJECT NO. 105244</p> <p>PROJECT NAME: KENSINGTON TERRACE</p> <p>PROJECT ADDRESS: 4142 ADAMS AVENUE, SAN DIEGO, CA 92116</p>	<p>DATE: 10/15/11</p> <p>SCALE: AS SHOWN</p> <p>SHEET NO. A01.02</p>
	<p>DATE: 10/15/11</p> <p>SCALE: AS SHOWN</p> <p>SHEET NO. A01.02</p>	<p>DATE: 10/15/11</p> <p>SCALE: AS SHOWN</p> <p>SHEET NO. A01.02</p>
	<p>DATE: 10/15/11</p> <p>SCALE: AS SHOWN</p> <p>SHEET NO. A01.02</p>	<p>DATE: 10/15/11</p> <p>SCALE: AS SHOWN</p> <p>SHEET NO. A01.02</p>
	<p>DATE: 10/15/11</p> <p>SCALE: AS SHOWN</p> <p>SHEET NO. A01.02</p>	<p>DATE: 10/15/11</p> <p>SCALE: AS SHOWN</p> <p>SHEET NO. A01.02</p>



SITE PLAN
 Kensington Terrace / Project No. 105244
 4142 Adams Avenue, San Diego, CA

Figure
 2

VESTING TENTATIVE MAP NO- KENSINGTON TERRACE



<p>PREPARED BY: PAUL ENGINEERING 1101 1/2 S. GARDEN ST. SAN DIEGO, CALIF. 92104 PHONE: 534-1111</p> <p>DATE: 10/1/77</p> <p>PROJECT: VESTING TENTATIVE MAP NO. 105244 KENSINGTON TERRACE</p> <p>ENGINEER: PAUL ENGINEERING 1101 1/2 S. GARDEN ST. SAN DIEGO, CALIF. 92104 PHONE: 534-1111</p>	<p>ALDER DR ALLEY ADAMS AVE SITE VICINITY MAP</p>
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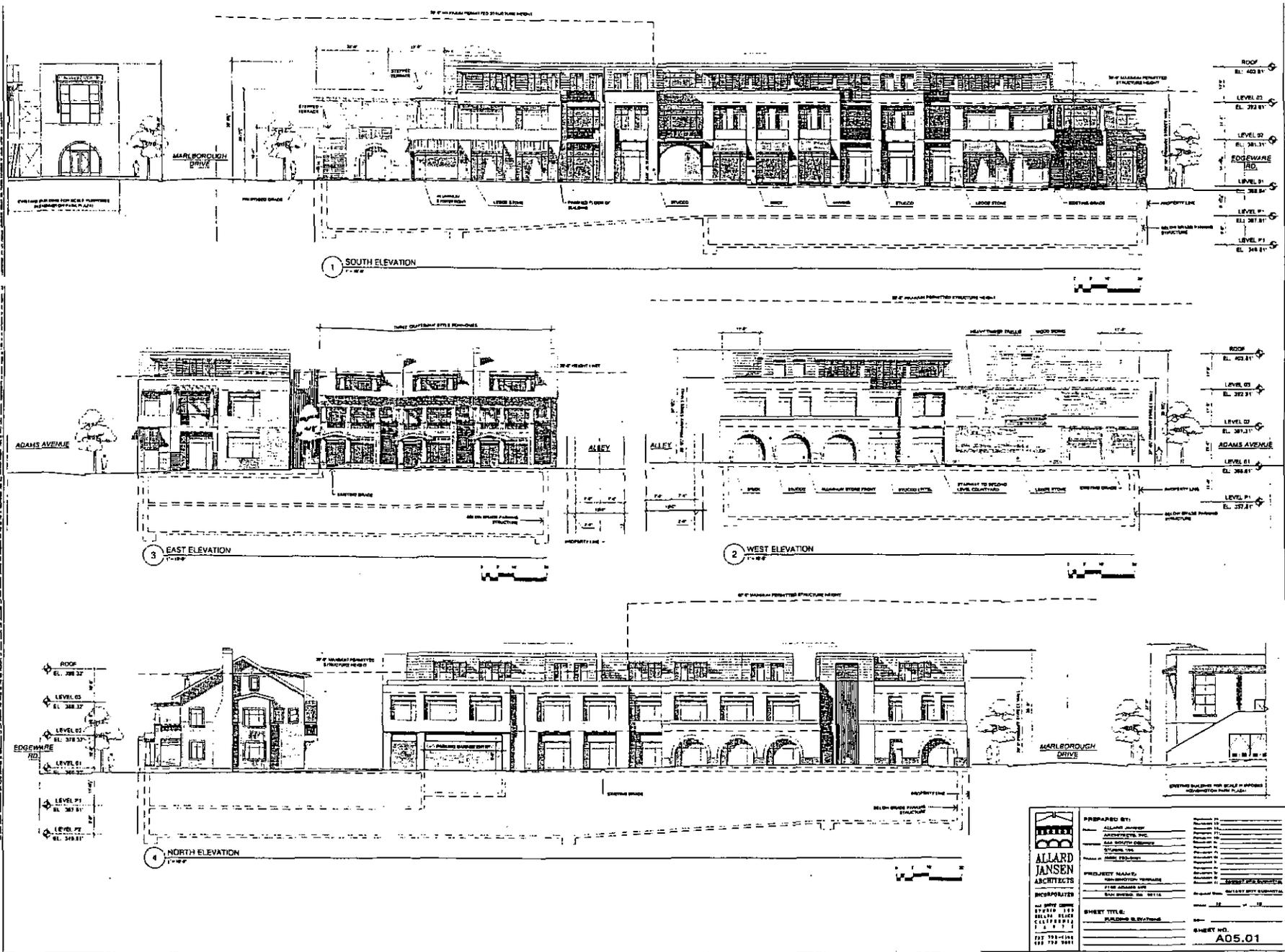
<p>LANDSCAPE ARCHITECT: JIMMY L. BROWN 1101 1/2 S. GARDEN ST. SAN DIEGO, CALIF. 92104 PHONE: 534-1111</p> <p>DATE: 10/1/77</p> <p>PROJECT: VESTING TENTATIVE MAP NO. 105244 KENSINGTON TERRACE</p>	<p>PROJECT NUMBER: 105244 PROJECT NAME: VESTING TENTATIVE MAP NO. 105244 KENSINGTON TERRACE</p>
--	---

<p>PREPARED BY: NAME: JAMES BRADSHAW, INC. ADDRESS: 105244 KENSINGTON TERRACE SAN DIEGO, CALIF. 92104 PHONE: 534-1111</p> <p>PROJECT NAME: KENSINGTON TERRACE</p> <p>SHEET TITLE: GENERAL LAYOUT MAP</p>	<p>DATE: 10/1/77</p> <p>SCALE: 1" = 30'</p> <p>PROJECT NUMBER: 105244</p> <p>PROJECT NAME: VESTING TENTATIVE MAP NO. 105244 KENSINGTON TERRACE</p>
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VESTING TENTATIVE MAP
Kensington Terrace / Project No. 105244
4142 Adams Avenue, San Diego, CA

Figure
3

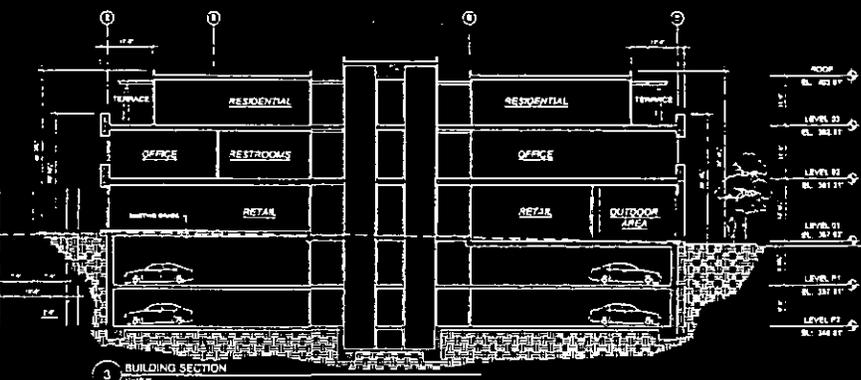
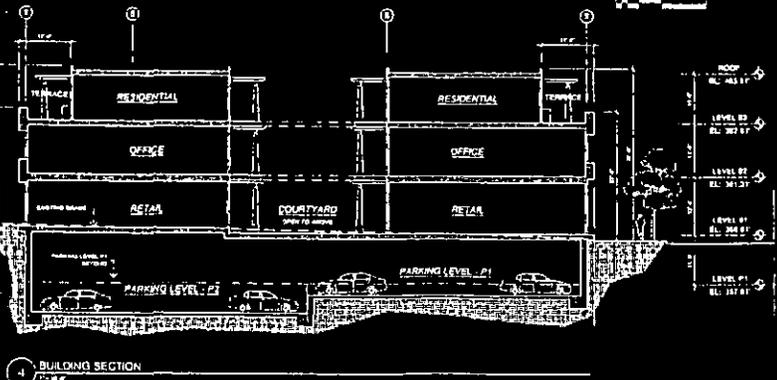
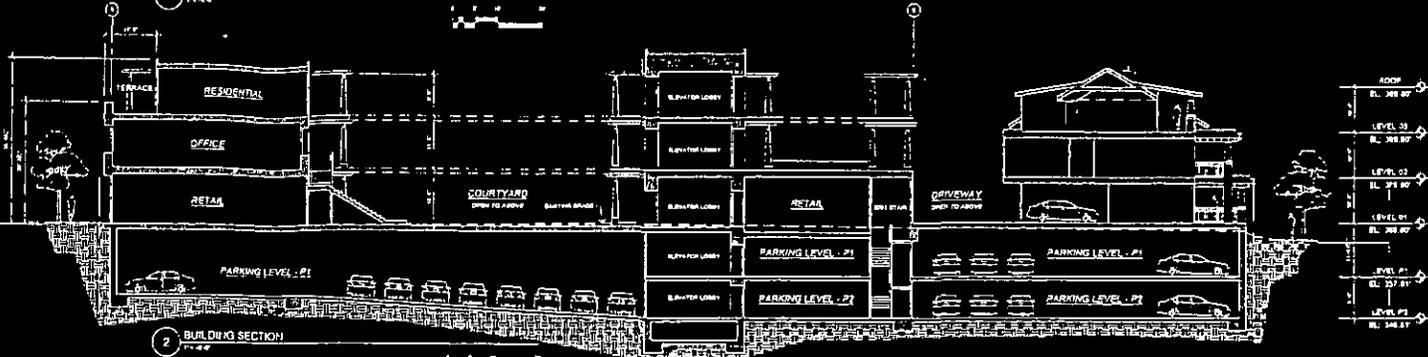
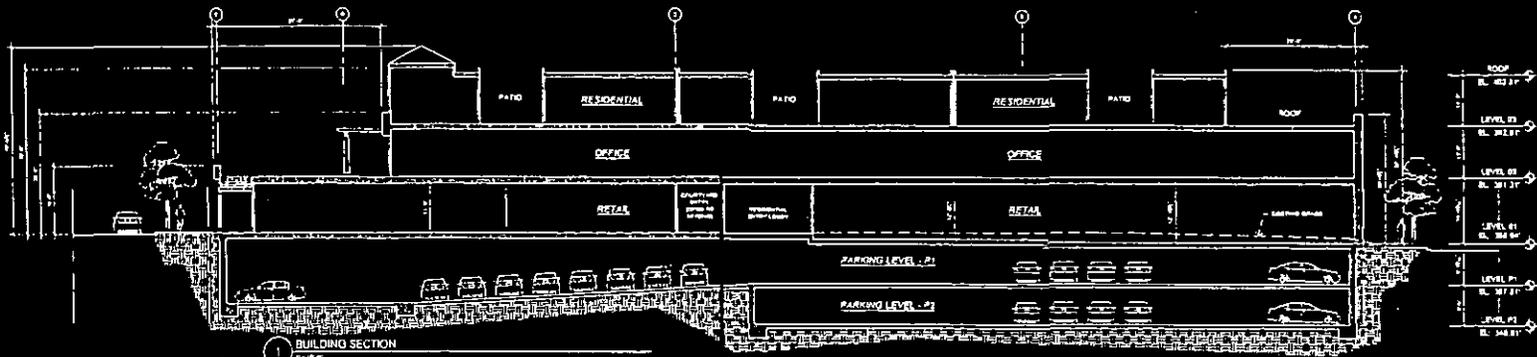


<p>ALLARD JANSEN ARCHITECTS INCORPORATED</p> <p>ALL INFO OBTAINED FROM THE PUBLIC RECORDS OF THE COUNTY OF SAN DIEGO, CALIFORNIA 2014-01-15 215 734-1141 100 734 3000</p>	<p>PREPARED BY: ALLARD JANSEN ARCHITECTS, INC. SAN DIEGO OFFICE 1000 LA JOLLA VILLAGE CENTER DRIVE, SUITE 100 SAN DIEGO, CA 92161</p>	<p>PROJECT NAME: KENSINGTON TERRACE 4142 ADAMS AVENUE SAN DIEGO, CA 92106</p>	<p>DATE: 12/15/14</p>	
	<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>
	<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>
	<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>
	<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>
	<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>
	<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>
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	<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>
	<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>
<p>PROJECT NO.:</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	<p>DATE: 12/15/14</p>	



EXTERIOR ELEVATIONS
 Kensington Terrace / Project No. 105244
 4142 Adams Avenue, San Diego, CA

Figure
4



<p>ALLARD JANSEN ARCHITECTS</p> <p>411 NORTH CUMMINGS SAN DIEGO, CALIFORNIA 92101 TEL: 619-594-1111 FAX: 619-594-1112</p>	<p>PREPARED BY:</p> <p>ALLARD JANSEN</p> <p>ARCHITECTS, P.C.</p> <p>1000 NORTH BROADWAY</p> <p>SAN DIEGO, CA</p> <p>92101-4301</p>	<p>DATE: 12/15/00</p> <p>SCALE: AS SHOWN</p>	
	<p>PROJECT NAME:</p> <p>KENSINGTON TERRACE</p> <p>4142 ADAMS AVENUE</p> <p>SAN DIEGO, CA 92116</p>	<p>DESIGNED BY:</p> <p>ALLARD JANSEN</p> <p>ARCHITECTS, P.C.</p>	<p>DATE: 12/15/00</p> <p>SCALE: AS SHOWN</p>
	<p>SHEET TITLE:</p> <p>BUILDING SECTIONS</p>	<p>DATE: 12/15/00</p> <p>SCALE: AS SHOWN</p>	<p>DATE: 12/15/00</p> <p>SCALE: AS SHOWN</p>
	<p>SHEET NO.:</p> <p>A06.01</p>	<p>DATE: 12/15/00</p> <p>SCALE: AS SHOWN</p>	<p>DATE: 12/15/00</p> <p>SCALE: AS SHOWN</p>



BUILDING SECTIONS
 Kensington Terrace / Project No. 105244
 4142 Adams Avenue, San Diego, CA

Figure
5

Initial Study Checklist

Date: August 30, 2007

Project No.: 105244

Name of Project: Kensington Terrace

III. ENVIRONMENTAL ANALYSIS

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
I. AESTHETICS / NEIGHBORHOOD CHARACTER			
<i>Will the proposal result in:</i>			
1. The obstruction of any vista or scenic view from a public viewing area? <i>The site is not located in an area that would block any vista or scenic view from a public view area.</i>	_____	_____	_____X_____
2. The creation of a negative aesthetic site or project? <i>The proposed structures would be visually compatible with the surrounding commercial, industrial, and residential uses.</i>	_____	_____	_____X_____
3. Project bulk, scale, materials, or style which would be incompatible with surrounding development? <i>See A.2. The project would be in conformance with the urban design criteria outlined in the community plan.</i>	_____	_____	_____X_____
4. Substantial alteration to the existing character of the area?	_____	_____	_____X_____

See A.2. The project would redevelop an area with a mixed-use project supporting residential and retail uses that would not substantially alter the character of the area.

5. The loss of any distinctive or landmark tree(s), or a stand of mature trees?

No such resources exist on-site.

X

6. Substantial change in topography or ground surface relief features?

Construction grading would not substantially change the site's topography or ground surface relief features.

X

7. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent?

No such resources have been identified on-site.

X

8. Substantial light or glare?

All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the San Diego Municipal Code (SDMC). Exterior building treatments would not produce a substantial amount of light or glare.

X

9. Substantial shading of other properties?

The proposed structures would not substantially shade adjacent properties.

X

B. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES

Would the proposal result in:

1. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state?

No such resources exist on-site.

X

2. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land?

See B.1.

X

C. AIR QUALITY

Would the proposal:

- | | | | |
|--|-------|-------|---|
| 1. Conflict with or obstruct implementation of the applicable air quality plan?
<i>Proposed residential and retail/commercial uses would not likely conflict with any air quality plans or standards.</i> | _____ | _____ | X |
| 2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
<i>See C.1.</i> | _____ | _____ | X |
| 3. Expose sensitive receptors to substantial pollutant concentrations?
<i>See C.1.</i> | _____ | _____ | X |
| 4. Create objectionable odors affecting a substantial number of people?
<i>The proposed development would not likely create objectionable odors.</i> | _____ | _____ | X |
| 5. Exceed 100 pounds per day of Particulate Matter 10 (dust)?
<i>Project construction may temporarily create particulate matter (dust) but would be minimized with standard construction practices (i.e. dewatering) to prevent and or reduce the release of excess particulate matter that would exceed Air Pollution Control District (APCD) standards.</i> | _____ | _____ | X |
| 6. Alter air movement in the area of the project?
<i>Proposed development would not likely alter the air movement.</i> | _____ | _____ | X |
| 7. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally?
<i>Proposed development would not affect or change the climate.</i> | _____ | _____ | X |

D. BIOLOGY

Would the proposal result in:

- | | | | |
|---|-------|-------|---|
| 1. A reduction in the number of any unique, rare, | _____ | _____ | X |
|---|-------|-------|---|

endangered, sensitive, or fully protected species of plants or animals?

No such resources exist within the development footprint.

2. A substantial change in the diversity of any species of animals or plants?

See D.1.

_____ X _____

3. Introduction of invasive species of plants into the area?

No invasive plants are proposed.

_____ X _____

4. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors?

See D.1 The site is located in an urbanized area.

_____ X _____

5. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral?

See D.1.

_____ X _____

6. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means?

No such resources have been identified on-site.

_____ X _____

7. Conflict with the provisions of the City's Multiple Species Conservation Program (MSCP) Subarea Plan or other approved local, regional or state habitat conservation plan?

The project site is not located in or adjacent to the Multi-Habitat Planning Area and would not be in conflict with the City's MSCP Subarea Plan.

_____ X _____

E. ENERGY

Would the proposal:

1. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)?

Proposed development would not likely use a substantially excessive amount of fuel or energy. The development proposes to self-generate at least 50

_____ X _____

percent of their electrical energy needs through photovoltaic technology (solar panels) and a green roof and therefore qualifies as a Sustainable Building under Council Policies 900-14.

2. Result in the use of excessive amounts of power?
See E.1.

		X

F. GEOLOGY/SOILS

Would the proposal:

1. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

Proper engineering design of the proposed structures would be verified prior to building permits being issued. This would ensure that the potential for geologic impacts from regional hazards would be below a level of significance, and no mitigation would be required. See Initial Study Geology/Soils discussion.

		X
--	--	---

2. Result in a substantial increase in wind or water erosion of soils, either on or off the site?

Grading proposed and site drainage would not substantially increase wind or water erosion of soils. Temporary and permanent Best Management Practices (BMPs) would be implemented.

		X
--	--	---

3. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

See F-1.

		X
--	--	---

G. HISTORICAL RESOURCES

Would the proposal result in:

1. Alteration of or the destruction of a prehistoric or historic archaeological site?

The project site is not located in a high sensitivity area to discover significant archaeological resources. See Historical Resources (Archaeology) Initial Study discussion.

		X
--	--	---

2. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site?

A historical assessment was prepared and reviewed by

		X
--	--	---

staff and concluded the structure was not historically significant and would not be eligible for listing on a Federal, State, and local register. Historic Resource Board (HRB) staff did not concur with the conclusions of the report and nominated the structure at 4166 Adams Avenue for designation to the HRB. On April 6, 2006, the Board did not designate the structure under HRB Criterion C (Architecture). Based on the previous analysis for the Kensington/Adam Loft project, the demolition of the structure at 4166 Adams Avenue would not create an adverse impact to a potentially historical resource since it was determined to be not significant in accordance with CEQA. See Initial Study Historical (Architecture) discussion.

3. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object?
See G.2.

X

4. Any impact to existing religious or sacred uses within the potential impact area?
No such uses are known to exist on-site.

X

5. The disturbance of any human remains, including those interred outside of formal cemeteries?
See G.1.

X

H. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS

Would the proposal:

1. Create any known health hazard (excluding mental health)?

X

The existing gas station site has had previous case violations for leaking underground storage tanks. The cases have since been closed with the removal of identified petroleum-laden soils. Further remediation of the site is required in conjunction with required permits and oversight from the County of San Diego's Department of Environmental Health to remove the existing USTs. See Human Health and Public Safety Initial Study discussion

2. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials?

X

See H.1. The removal and disposal of soils containing hazardous materials would be regulated in accordance to regulatory agency requirements.

3. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)?
See H.1. Proposed uses would not likely carry, store, or handle such hazardous materials.

4. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?
See H.1.

5. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment?
See H.1.

6. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
See H.1.

I. HYDROLOGY/WATER QUALITY

Would the proposal result in:

1. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants.
Due to the existing site conditions and drainage patterns, the applicant would be required to implement construction and post-construction Best Management Practices (BMPs) that would control potential downstream water quality impacts. See Initial Study Water Quality and Hydrology discussions.

2. An increase in impervious surfaces and associated increased runoff?
See I.1. The project would not likely change or increase the impervious surface and associated increased runoff

		X
		X
		X
		X
		X
		X

since the entire site is currently paved.

3. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?
See I.1.

X

4. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(b) list)?
See I.1. The San Diego River is a downstream impacted body of water. Source-control and site design (green roof) BMPs would be implemented as part of the project's conformance with the City's Storm Water Standards to reduce potential pollutants of concern from the proposed development. See Initial Study Water Quality discussion

X

5. A potentially significant adverse impact on ground water quality?
See I.1. Groundwater would not likely be affected by the proposed development.

X

6. Cause or contribute to exceeding applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?
See I.1. The project would not likely adversely affect or cause or contribute to exceeding applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses.

X

J. LAND USE

Would the proposal result in:

1. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project?
The proposed development would be consistent land use designation requirements. A deviation to allow an increase in height would be supported by staff since the project's bulk and scale has been reduced by terracing. The site is split zoned with the western portion zoned CU-3-3 with an allowable height of 50 feet whereas the eastern portion is zoned CN-1-3 with an allowable height of 30 feet. A shadow study was submitted and reviewed by staff. See Initial Study Visual

X

Quality/Neighborhood character discussion.

2. A conflict with the goals, objectives and recommendations of the community plan in which it is located?

See J.1.

_____	_____	_____
		X

3. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area?

See D.7. The project would not be in conflict with any such plans.

_____	_____	_____
		X

4. Physically divide an established community?

See J.1.

_____	_____	_____
		X

5. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan (CLUP)?

The site is not identified in or affected by any identified zones within a CLUP.

_____	_____	_____
		X

K. NOISE

Would the proposal result in:

1. A significant increase in the existing ambient noise levels?

Proposed uses would not likely increase ambient noise levels or be identified as a significant noise generator.

_____	_____	_____
		X

2. Exposure of people to noise levels which exceed the City's adopted noise ordinance?

Traffic noise levels would be below significance thresholds and noise ordinances for both interior and exterior usable areas. See Initial Study Noise discussion.

_____	_____	_____
		X

3. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan?

See K-2.

_____	_____	_____
		X

L. PALEONTOLOGICAL RESOURCES

Would the proposal impact a unique paleontological

_____	_____	_____
	X	

resource or site or unique geologic feature?

The project is underlain with Lindavista Formation which is assigned a moderate paleontological resource sensitivity rating. The project's proposed grading would meet/exceed the significance threshold and therefore mitigation would be required. See Initial Study Paleontological discussion.

M. POPULATION AND HOUSING

Would the proposal:

1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

X

The project would provide nine for-sale units and new business/retail/commercial opportunities/services to the community. The proposed development would not likely induce a substantial population growth to the area.

2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

X

See M.1.

N. PUBLIC SERVICES

Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

X

1. Fire protection?

X

Services in the area are adequate for the proposed development.

2. Police protection?

X

See N.1.

3. Schools?

X

See N.1.

4. Parks or other recreational

X

See N.1.

5. Maintenance of public facilities, including roads?

X

See N.1.

6. Other governmental services?
See N.1.

_____ X

O. RECREATIONAL RESOURCES

Would the proposal result in:

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

_____ X

The project would not be required to provide additional parks for the community.

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

_____ X

See O.1.

P. TRANSPORTATION/CIRCULATION

Would the proposal result in:

1. Traffic generation in excess of specific community plan allocation?

_____ X

The proposed development would create significant direct and cumulative impacts under near-term and long-term conditions. Specific measures are required to mitigate such impacts to a level below significance. See Initial Study Transportation/Circulation discussion.

2. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?

_____ X

See P.1.

3. An increased demand for off-site parking?

_____ X

The project would adequately provide 112 parking spaces on-site, where 90 parking spaces would be required.

4. Effects on existing parking?

_____ X

See P.3. Adequate parking would be provided on-site.

5. Substantial impact upon existing or planned transportation systems?

_____ X

See P.3.

6. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas?

See P.1.

X

7. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)?

See P.1.

X

8. A conflict with adopted policies plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)?

The development would be in conformance with above-mentioned policies, plans, or programs.

X

Q. UTILITIES

Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:

1. Natural gas?

Services and the infrastructure are adequate for the proposed development.

X

2. Communications systems?

See Q.1.

X

3. Water?

See Q.1.

X

4. Sewer?

See Q.1.

X

5. Storm water drainage?

See Q.1.

X

6. Solid waste disposal?

See Q.1.

X

R. WATER CONSERVATION

Would the proposal result in:

1. Use of excessive amounts of water?

X

Services are adequate for the proposed development and would not likely require or use excessive amounts of water.

2. Landscaping which is predominantly non-drought resistant vegetation?

The project would comply with City's Landscape Standards.

X

S. MANDATORY FINDINGS OF SIGNIFICANCE

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

No substantial change.

X

2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.)

No such impacts have been identified.

X

3. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

No such cumulative impacts have been identified.

X

4. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?

No such impacts have been identified.

X

**INITIAL STUDY CHECKLIST
REFERENCES**

- A. Aesthetics / Neighborhood Character**
X City of San Diego Progress Guide and General Plan.
X Community Plan.
X Local Coastal Plan.
- B. Agricultural Resources / Natural Resources / Mineral Resources**
X City of San Diego Progress Guide and General Plan.
____ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.
____ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.
____ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.
- C. Air**
X California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.
X Regional Air Quality Strategies (RAQS) - APCD.
- D. Biology**
X City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
X City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.
X City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.
X Community Plan - Resource Element.
____ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.
X "State and Federally-listed Endangered and Threatened Animals of California," January 2001.
X City of San Diego Land Development Code Biology Guidelines.
____ Site Specific Report:
- E. Energy (N/A).**
X City Council Policy 900-14
____ City Council Policy 600-27
- F. Geology/Soils**
X City of San Diego Seismic Safety Study.
____ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.
____ Site Specific Report:

G.	Historical Resources
<u>X</u>	City of San Diego Historical Resources Guidelines.
<u>X</u>	City of San Diego Archaeology Library.
<u>X</u>	City of San Diego Historical Inventory of Historical Architects, Structures, and People in San Diego (<i>July 2000</i>)
<u>X</u>	Historical Resources Board List.
<u>X</u>	Community Historical Survey:
<u>X</u>	Site Specific Report: <i>Historical Assessment of the buildings located at 4166, 4168-4172, 4178 Adams Avenue and 4708-4712 Edgeware Road</i> (Kathleen Crawford, M.A. October 2002)
H.	Human Health / Public Safety / Hazardous Materials
<u>X</u>	San Diego County Hazardous Materials Environmental Assessment Listing, 1996.
<u>X</u>	San Diego County Hazardous Materials Management Division
<u>X</u>	FAA Determination
<u>X</u>	State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized 1995.
<u>X</u>	Airport Comprehensive Land Use Plan.
<u>X</u>	City of San Diego Landscape Standards.
	Site Specific Report:
I.	Hydrology/Water Quality
<u>X</u>	Flood Insurance Rate Map (FIRM).
<u>X</u>	Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.
<u>X</u>	Clean Water Act Section 303(b) list, dated May 19, 1999, http://www.swrcb.ca.gov/tmdl/303d_lists.html .
<u>X</u>	City of San Diego Storm Water Standards.
<u>X</u>	Site Specific Report: <i>Water Quality Technical Report</i> (Pasco Engineering, August 8, 2007)
<u>X</u>	Site Specific Report: <i>Preliminary Hydrology Study</i> (Pasco Engineering, June 12, 2007)
J.	Land Use
<u>X</u>	City of San Diego Progress Guide and General Plan.
<u>X</u>	Community Plan.
	Airport Comprehensive Land Use Plan
<u>X</u>	City of San Diego Zoning Maps
	FAA Determination
<u>X</u>	City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
K.	Noise
<u>X</u>	Community Plan
<u>X</u>	San Diego International Airport - Lindbergh Field CNEL Maps.

_____	Brown Field Airport Master Plan CNEL Maps.
_____	Marine Corps Air Station (MCAS) Miramar CNEL Maps.
X	San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.
X	San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
X	City of San Diego Progress Guide and General Plan.
X	Site Specific Report: 1) <i>Acoustical Site Assessment</i> (Investigative Science and Engineering, Inc., June 7, 2007) and 32) <i>Structural Acoustical Analysis / CCR Title 24 Survey</i> (Investigative Science and Engineering, Inc., June 7, 2007)

L.	Paleontological Resources
X	City of San Diego Paleontological Guidelines.
X	Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," <u>Department of Paleontology</u> San Diego Natural History Museum, 1996.
X	Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 ½ Minute Quadrangles," <u>California Division of Mines and Geology Bulletin</u> 200, Sacramento, 1975.
_____	Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.
_____	Site Specific Report

M.	Population / Housing
X	City of San Diego Progress Guide and General Plan.
X	Community Plan.
_____	Series 8 Population Forecasts, SANDAG.

N.	Public Services (N/A)
X	City of San Diego Progress Guide and General Plan.
X	Community Plan.

O.	Recreational Resources
X	City of San Diego Progress Guide and General Plan.
X	Community Plan.
X	Department of Park and Recreation
_____	City of San Diego - San Diego Regional Bicycling Map

P.	Transportation / Circulation
X	City of San Diego Progress Guide and General Plan.
X	Community Plan.
X	San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
X	San Diego Region Weekday Traffic Volumes, SANDAG.

_____ Caltrans Project Report (1989)

X Site Specific Report: *Traffic Impact Analysis* was prepared by LOS
_____ Engineering, Inc. (June 12, 2007)

Q. Utilities (N/A)

R. Water Conservation

X City of San Diego Landscape Standards, December 1997.
_____ Sunset Magazine, New Western Garden Book. Rev. ed. Menlo Park, CA:
_____ Sunset Magazine.

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001181



City of San Diego
Development Services
1222 First Ave. 3rd Floor
San Diego, CA 92101
(619) 446-5200

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Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031
MARCH 2007

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

- 1. Type of Appeal:**
- Process Two Decision - Appeal to Planning Commission
 - Process Three Decision - Appeal to Planning Commission
 - Process Four Decision - Appeal to City Council
 - Environmental Determination - Appeal to City Council
 - Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name
Margaret B. McCann

Address
4650 Edgeware Road

City
San Diego

State
CA

Zip Code
92116

Telephone
619-584-2896

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.
Allard Jansen, AIA, Terrace Partners, L.P.

4. Project Information

Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination:	City Project Manager:
MND 105244; PlnDevPermit 360181; VestTentMap360180	November 15, 2007	Daniel Stricker

Decision (describe the permit/approval decision):
Certify MND No. 105244 and Approve Planned Development Permit No. 360181 and Vesting Tentative Map No. 360180

- 5. Grounds for Appeal** (Please check all that apply)
- Factual Error (Process Three and Four decisions only)
 - Conflict with other matters (Process Three and Four decisions only)
 - Findings Not Supported (Process Three and Four decisions only)
 - New Information (Process Three and Four decisions only)
 - City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)
The decision of the Planning Commission to certify the MND was in error based on the inadequacy of the Initial Study,

the inability of the evidence to support the analyst's conclusions and the inadequacy of the proposed mitigation.

The Commission further erred in approving the Planned Development Permit because the requested height variance contributes to the overall bulk and scale of the project which is incompatible with the surrounding development and inappropriate for this location. The proposed development will cause significant impacts which are detrimental to the health, safety and welfare of the community, and would not be in conformance with the Mid-City Communities Plan.

Specifically, 1) the City's adoption of the Final MND improperly relied on a traffic study that contained numerous factual errors and that did not study affected residential streets and alleys. 2) The Initial Study fails to properly analyze the potential environmental impacts from all phases of the project. 3) The finding that the project will not result in a potential adverse impact to community character and aesthetics is not supported. 4) The finding that the project's impact to traffic will be mitigated with restriping and the addition of a traffic signal is unsupported. 5) The cumulative impact analysis is improper and unsupported.

6) The public review and comment period for the draft MND was 19 days, not the 20 days required by CEQA. (Cont. attached)

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.
Signature: Margaret B. McCann Date: November 29, 2007

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

001183

DS-3031 - Appeal of Certified Mitigated Negative Declaration No. 105244, Approved Planned Development Permit No. 360181 and Vesting Tentative Map No. 360180 (Continued):

- Inadequate study of pedestrian/vehicle interactions and conflicts. No traffic study performed for residential streets. No traffic study performed for freeway ramps even though threshold exceeded. Adams Avenue is not wide enough for 3 lane collector classification. No Congestion Management Plan study performed even though threshold exceeded.
- Traffic Study contains numerous factual errors (pass-by reductions, credits, potential impact area). Without accurate traffic study data, no basis for mitigation of project traffic routing through intersections and residential streets. The Level of Service of the Adams Avenue roadway segment after mitigation remains at unacceptable significant level under CEQA, State and City roadway standards.
- Impact of the removal of free on-street parking is not mitigated by applicant's pay-to-use parking garage.
- The potential environmental impacts from all phases of the project, including the removal of 22,100 cubic yards of soil, some of which is contaminated from leaking underground fuel storage tanks, was not adequately addressed. Open LUST Case was not disclosed in the MND.
- Project bulk, scale and style are incompatible with the predominant characteristics of the surrounding area and existing commercial character and in conflict with the community plan.
- Single-story bungalows in the residential neighborhood immediately adjacent will be in the shadow of the building during several weeks before and after the winter solstice and no mitigation has been attempted.
- No mitigation for loss of 75 year old eucalyptus that qualifies as Heritage Tree under City of San Diego Conserve a Tree program.
- No mitigation for loss of 1923 Craftsman at 4166 Adams Avenue that had been previously recommended by Historical Resources Board staff as a Historical Resource Site under HRB Criterion C (Architecture).
- Recognized criteria were not employed to determine whether a significant or potentially significant historical resource exists, nor were specific procedures consistent with CEQA or the City's Historical Resources Guidelines used for doing so.
- The required findings to support the approval of the Planned Development Permit for height variance/deviation are not supported, specifically under Municipal Code **§126.0604**.
- The Planning Commission and the City have failed to adopt adequate objectives, criteria and specific procedures consistent with CEQA, including failing to adequately collect, process and adequately analyze information gathered from the community, and adequately investigate all relevant and credible issues brought to its attention during the public comment period.
- The MND states that the project will be restricted in size and uses so that the traffic generated will not exceed stated thresholds, yet the City provides no mechanism for enforcing this restriction. The City Project Manager stated that worst case scenarios were used to generate the ADT estimates, yet the City of San Diego Trip Generation Manual indicates that best case scenario ADTs were used.

Margaret B. McCann

November 29, 2007