

001185

339
215

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: January 30, 2008 REPORT NO.: 08-003
ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Development Services Department
SUBJECT: Kensington Terrace. Project Number 105244
COUNCIL DISTRICT: 3
STAFF CONTACT: Daniel Stricker, 619-446-5251, DStricker@sandiego.gov

REQUESTED ACTION: Should the City Council deny the appeal and reaffirm the Planning Commission approval of a mixed-use development at 4142, 4166, and 4178 Adams Avenue and 4708 Edgeware Road within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area?

STAFF RECOMMENDATION: **Deny** the appeal; **Certify** Mitigated Negative Declaration No. 105244; and **Approve** Planned Development Permit No. 360181 and Vesting Tentative Map No. 360180.

EXECUTIVE SUMMARY: The project site is located at 4142, 4166, and 4178 Adams Avenue and 4708 Edgeware Road within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area and the Central Urbanized Planned District, approximately 0.18 mile east of State Route (SR) 15. The 0.78-acre site is surrounded by Adams Avenue on the south, Marlborough Drive on the west, an alley to the north, and Edgeware Road to the east. The project site has two zones. The western portion of the site (0.31 acres) is zoned CU-3-3 and the eastern portion of the site (0.47 acres) is zoned CN-1-3. The Mid-City Communities Plan designates the site for Commercial and Mixed-Use development at a maximum density of 29 dwelling units per acre, with a density bonus of up to 43 dwelling units per acres for mixed-use projects. Based on the existing land-use designation, approximately 23 dwelling units would be allowed on-site and ultimately 34 units would be allowed through the mixed-use density bonus. The project site has been previously graded and is developed with a gas station, convenience store, and four residential structures.

The project requires a Planned Development Permit and Vesting Tentative Map to demolish the existing development and construct a 56,643 square-foot, 3-story mixed-use development, consisting of approximately 16,550 square feet of retail space, 16,255 square feet of office space, and 19,614 square feet of residential space. The residential component would include six, three-bedroom, three-bath penthouse units and three, three-bedroom, three-bath townhome units. All nine units would be sold for private ownership at market rates.

The project incorporates a variety of various architectural features. These include features similar in design with historic craftsmen style, Spanish themed arches and a variety of materials reflecting the surrounding neighborhood. Two corner plazas of approximately 500 square feet each set the building back at the intersections to open up space and create public plazas. Each plaza features enhanced landscaping, seat walls and future outdoor seating areas relating to the retail uses adjacent to the plaza.

The project design incorporates a solar electricity generation system through the installation of photovoltaic solar panels sufficient to generate at least 50 percent of the on-site residential energy demand and 30 percent of the on-site commercial energy demand. In addition, approximately 10,000 square feet of the third floor is proposed as a "green roof." The green roof would be planted with drought tolerant grasses, herbaceous and succulent plant species and reduce surface water run-off during storm events by capturing the water in the roof top soil and making it available to the plants.

A traffic study was conducted by LOS Engineering to evaluate potential project impacts on surrounding streets and intersections. The study determined that direct and cumulative impacts would occur in the near and long term on Adams Avenue and Marlborough Drive and at the intersection of Adams Avenue and Kensington Drive. As a result of these impacts, the project was conditioned to mitigate the traffic impacts resulting from implementation of the project. The mitigation measures are further discussed in the attached City Council Report.

On November 15, 2007 the Planning Commission heard a staff presentation and public testimony in favor and opposition during a noticed public hearing. After considering the information presented and associated discussion, the Planning Commission voted 5:1:0 to approve the project. On November 29, 2007 the project was appealed. The appeal issues and staff responses to the appeal issues are included as Attachment 4 to the City Council Report.

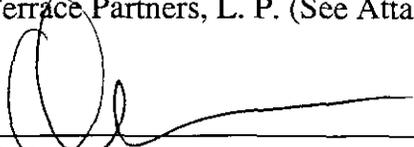
FISCAL CONSIDERATIONS: All costs associated with the processing of this project are recovered from a deposit account maintained by the applicant.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: None with this action.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: On October 10, 2007, the Kensington-Talmadge Planning Committee voted 9-0-0 to approve the project as presented. On November 14, 2007 City staff participated in a community meeting held at a church in the community to answer community questions and provide information regarding the entitlement process. Attendance was estimated to be between 250 and 300 community residents. In opposition to the project is the Heart of Kensington, a local residents' group.

KEY STAKEHOLDERS:

Terrace Partners, L. P. (See Attachment 4)



Kelly Broughton
Director, Development Services Department



William Anderson
Deputy Chief Operation Officer
Land Use and Economic Development

ATTACHMENT:

City Council Report, No. _____

NOTICE OF DETERMINATION

001187

TO: X Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Planning and Development Review Department
1222 First Avenue, MS 501
San Diego, CA 92101

 Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: 105244 State Clearinghouse Number: NA

Permit Number: Tentative Map No. 360180 and Planned Development Permit No. 360181

Project Title: Kensington Terrace

Project Location: 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.

Project Description: 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.

Project Applicant: Terrace Partners, 444 South Cedros Avenue, Studio 190, San Diego, CA 92075. (858) 793-9091.

This is to advise that the City of San Diego Planning Commission on November 15, 2007, approved the above described project and made the following determinations:

- 1. The project in its approved form will, X will not, have a significant effect on the environment.
- 2. An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
- X A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- An addendum to Negative Declaration No./Mitigated Negative Declaration No./Environmental Impact Report No. was prepared for this project pursuant to the provisions of CEQA.

Record of project approval may be examined at the address above.

- 3. Mitigation measures X were, were not, made a condition of the approval of the project.
- 4. (EIR only) Findings were, were not, made pursuant to CEQA Guidelines Section 15091.
- 5. (EIR only) A Statement of Overriding Considerations was, was not, adopted for this project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Land Development Review Division, Fifth Floor, City Operations Building, 1222 First Avenue, San Diego, CA 92101.

Analyst: JARQUE

Telephone: (619) 687-5961

Filed by: *Kenneth Sealley*
Signature

Senior Planner
Title

061189

RESOLUTION NO. 4333-PC-1

ADOPTED ON NOVEMBER 15, 2007

WHEREAS, on June 16, 2006, TERRACE PARTNERS, L.P., Owner/Permittee, filed an application with the City of San Diego for a for a Tentative Map and Planned Development Permit;

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission of the City of San Diego on November 15, 2007; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 105244; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 105244 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained n said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission of the City of San Diego finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED:

By:



Daniel Stricker
Development Project Manager

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

08 NOV 15 AM 3:45

MEETING

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM
TENTATIVE MAP AND PLANNED DEVELOPMENT PERMIT

PROJECT NO. 105244

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No. 105244) shall be made conditions of Tentative Map and Planned Development Permit, as may be further described below.

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 (CSVR). The CSVR'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.

001194

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.

C01195

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.

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.

2008 DEC 10 10 30 AM
08 12 10 10 30 AM

RECEIVED

001197

PLANNING COMMISSION RESOLUTION NO. 4333-PC-2
VESTING TENTATIVE MAP NO. 360180
KENSINGTON TERRACE - PROJECT NO. 105244

WHEREAS, TERRACE PARTNERS, L.P. A Limited California Partnership, Applicant/Subdivider, and PASCO ENGINEERING, INC., Surveyor, submitted an application with the City of San Diego for a Vesting Tentative Map, No. 360180 for the demolition of the existing structures and construction of a mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential in nine residential units. The project site is located 4142, 4166, and 4178 Adams Avenue and 4708 Edgeware Road in the CU-3-3 and CN-1-3 Zones of the Central Urbanized Planned District within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area. The project site is legally described as Lots 9, 10, 11, 12, and 13 in Block 15 of Kensington Park, in the City of San Diego, County of San Diego, State of California, According to Map Thereof No. 1245 filed in the Office of the County Recorder of San Diego County, April 8, 1910; and

WHEREAS, the Map proposes the subdivision of a 0.78-acre site into 13 separate condominium ownerships; nine residential and four commercial; and

WHEREAS, A Mitigated Negative Declaration, No. 105244, has been prepared and circulated in accordance with the California Environmental Quality Act; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is thirteen; nine residential and four commercial; and

WHEREAS, on November 15, 2007, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 360180, and pursuant to Section 125.0440 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 360180:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).

08 NOV 15 2007

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
9. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Commission, Vesting Tentative Map No. 360180 is hereby granted to TERRACE PARTNERS, L.P., Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire November 8, 2010.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.

3. Prior to the issuance of the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
4. The Final Map shall conform to the provisions of Planned Development Permit No. 360181.
5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain *independent legal counsel in defense of any claim related to this indemnification.* In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related *decisions, including, but not limited to, settlement or other disposition of the matter.* However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

AFFORDABLE HOUSING

6. Prior to the issuance of any building permits, the developer shall comply with the Affordable Housing Requirements of the City's Inclusionary Affordable Housing Regulations (Chapter 14, Article 2, Division 13 of the Land Development Code.

ENGINEERING

7. Prior to building occupancy, the applicant shall dedicate and improve an additional 2.5 feet of the adjacent alley, satisfactory to the City Engineer.
8. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
9. The applicant shall reconstruct the existing curb ramp(s) adjacent to the project to meet current City standards.

10. Prior to building occupancy, the applicant shall construct City standard curb ramps on both sides of the adjacent alley at its intersection with Marlborough Drive.
11. Prior to building occupancy, the applicant shall construct a new alley apron, adjacent to the project site, along Marlborough Drive.
12. Prior to building occupancy, the applicant shall replace the existing curb, gutter, and sidewalk with new City standard curb, gutter, and sidewalk, maintaining any existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site on Adams Avenue, and Marlborough Drive, satisfactory to the City Engineer.
13. Prior to building occupancy, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for private improvements located in the public right-of-way including above ground balconies, enhanced paving, and sidewalk underdrains/curb outlets.
14. Prior to the building occupancy, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
15. Prior to the issuance of any construction permit, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
16. Prior to the issuance of any construction permit the applicant shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
17. Prior to the issuance of any construction permits the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report and any other treatment BMPs identified by the City Engineer.
18. This project proposes to export excavated material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).
19. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

001201

20. The subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
21. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

22. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
23. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
24. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (*theta or mapping angle*) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

SEWER AND WATER

25. The developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each condominium will have its own sewer lateral or provide CC&R's for the operation and maintenance of onsite private sewer mains that serve more than one ownership.
26. No permanent structures, substructures, trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.
27. The developer shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

TRANSPORTATION

28. Prior to the recordation of the first final map, subdivider shall assure by permit and bond, construction of a traffic signal at the intersection of Adams Avenue and Kensington Drive, satisfactory to the City Engineer.
29. Prior to the recordation of the first final map, subdivider shall assure by permit and bond, full width improvements along project frontage on Marlborough Drive including 36 feet of pavement, curb, gutter and sidewalk as shown on exhibit "A," satisfactory to the City Engineer.
30. Prior to the recordation of the first final map, subdivider shall assure by permit and bond, half width improvements along project frontage on Edgeware Road including 16 feet of pavement, curb, gutter and sidewalk as shown on exhibit "A," satisfactory to the City Engineer.
31. Prior to the recordation of the first final map, subdivider shall assure by permit and bond, restriping of Adams Avenue from I-15 east to Aldine Drive as a 3-lane facility including a class III bicycle facility, one westbound lane, one eastbound lane and a two-way left turn center lane as shown in Kensington Terrace traffic study, satisfactory to the City Engineer.
32. Prior to the recordation of the first final map the subdivider shall assure by permit and bond, the construction of a raised center median on Adams Avenue between I-15 northbound ramp and mid-block between Terrace Drive and Kensington Drive, satisfactory to the City Engineer.

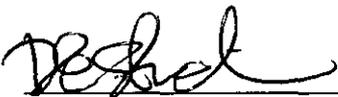
INFORMATION

- The approval of this Vesting Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the

Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).

- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within 90 days of the approval of this Vesting Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. Municipal Code Section 142.0607.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON NOVEMBER 15, 2007.

By 
 Daniel Stricker
 Development Project Manager
 Development Services Department

Job Order No. 42-6557

08 NOV 16 PM 3:15

PLANNING COMMISSION
RESOLUTION NO. 4333-PC-3
PLANNED DEVELOPMENT PERMIT NO. 360181
KENSINGTON TERRACE – PROJECT NO. 105244

WHEREAS, TERRACE PARTNERS, L.P., Owner/Permittee, filed an application with the City of San Diego for a permit to demolish the existing structures and construct a mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential in nine residential units (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Planned Development Permit No. 360181), on portions of a 0.78-acre site;

WHEREAS, the project site is located at 4142, 4166, and 4178 Adams Avenue and 4708 Edgeware Road in the CN-1-3 and CU-3-3 Zones of the Central Urbanized Planned District within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area;

WHEREAS, the project site is legally described as Lots 9, 10, 11, 12, and 13 in Block 15 of Kensington Park, in the City of San Diego, County of San Diego, State of California, According to Map Thereof No. 1245 filed in the Office of the County Recorder of San Diego County, April 8, 1910;

WHEREAS, on November 15, 2007, the Planning Commission of the City of San Diego considered Planned Development Permit No. 360181 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego that the Planning Commission adopts the following written Findings, dated November 15, 2007.

Planned Development Permit - Section 126.0604

1. The proposed development will not adversely affect the applicable land use plan.

The Kensington Terrace project would consist of the demolition of the existing structures and construction of a three-story mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential (six, three-bedroom, three-bath Penthouse units and three, three-bedroom, three-bath Townhome units, totaling 9 for sale units) on a 0.78-acre site.

The project site is located in the Kensington-Talmadge community of the Mid-City Communities Planning Area. The Mid-City Communities Plan designates the proposed site for Commercial and Mixed-Use at a maximum density of 29 dwelling units per acre. The community plan does not provide a minimum density. Additionally, the community plan provides a density bonus of 43 dwelling units per acre for mixed-use projects. Based on the existing land use designation, 23 dwelling units would be allowed on site and ultimately 34 would be allowed through the mixed-use density bonus.

The proposed project would implement several goals and recommendations contained in the Urban Design, Transportation, Land Use, and Natural & Cultural Resources Elements in the Mid-City

001206

Communities Plan. The project as proposed would implement the goal of reinforcing and enhancing the historic, pedestrian-oriented character of Adams Avenue with thriving neighborhood serving and specialty businesses. This recommendation would be implemented through the creation of a 16-foot wide sidewalk that would include tree wells for street trees along Adams Avenue, as well as incorporate a plaza at the corner of Marlborough Drive and Adams Avenue and an internal courtyard. Additionally, bike racks would be provided at street level along Marlborough Drive and Edgeware Road. Other bicycle storage facilities would be provided within the underground 2-story parking structure to accommodate both patrons and workers of the proposed commercial-retail and office building.

To further implement the goals of fostering a pedestrian environment, the project would also involve the removal of an existing gas service station and its associated curb-cuts along Adams Avenue and Marlborough Drive. The result would create a better and safer pedestrian connection to other existing commercial and mixed-use developments along the north side of Adams Avenue. Additionally, parking to proposed project would be taken from the alley north of Adams Avenue.

The proposed project would implement the recommendation in the Land Use Element of the community plan of encouraging new market-rate housing construction in a variety of types, sizes, and costs to meet the needs of all residents in all socio-economic brackets. The project would include six penthouse units above commercial-retail and three craftsman-style townhomes at ground level along Edgeware Road. The proposed project would also meet the goal of providing a full range of commercial goods and services to the Mid-City population. The proposed project, which is located in close proximity to State Route 15, would provide additional commercial-retail space within the Kensington-Talmadge community and provide opportunities for more goods and services to be offered to residents. The addition of office space would also provide an opportunity to create additional employment within the community.

Although the Mid-City Communities Plan does not contain specific policies related to the incorporation sustainable development measures within new development projects, it does refer to a vision in the Natural & Cultural Resources Element of the Community Plan of having development contribute to the environmental quality of the area. The project would meet this vision by incorporating a "green roof" feature that would reduce surface run-off. This "green roof" feature would be planted with drought tolerant grasses and herbaceous and succulent plant species. Additionally, the proposed project would self-generate at least 50 percent of the project's projected energy consumption for the residential portion of the project and 30 percent of the project's projected energy consumption for the commercial portion of the project through the incorporation of photovoltaic panels.

The project proposes to seek a deviation to exceed the height limit of the eastern portion of the project by 8 feet where the maximum height limit is 30 feet. Although the community plan does not regulate building heights it does encourage lower scale, two to three-story mixed-use developments with residential units above retail along Adams Avenue. The project would implement this recommendation and maintain the existing character along Adams Avenue by constructing a three-story, mixed-use structure that would contain six units above commercial-retail and office space.

Additionally, in order to meet the recommendation of ensuring that new development reflects neighborhood character in such characteristics such as height, setbacks, massing, landscaping,

roofs, windows, front porches, street façade and other architectural details, the proposed project would incorporate setbacks at the third story and landscaping, as well as trellises and arched features similar to adjacent commercial buildings. The three townhomes proposed along Edgeware Road would include a Craftsman architectural style that would be compatible with similar residences along the street. Further, the proposed mixed-use building would utilize various materials 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 three-story building from neighboring residences to the north.

Based on the proposed features that would be utilized throughout the proposed project, the proposed deviation would not have an adverse impact on the goals and recommendations of the community plan. As proposed, the project implements many of the overall goals and recommendations of the Urban Design, Land Use, Transportation, Transportation, and Natural & Cultural Resources of the Mid-City Communities Plan; and therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The Kensington Terrace project would consist of the demolition of the existing structures and construction of a three-story mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential (six, three-bedroom, three-bath Penthouse units and three, three-bedroom, three-bath Townhome units, totaling 9 for sale units) on a 0.78-acre site.

The proposed development includes minor improvements within the public right-of-way within the Mid-City community. The proposed development would construct necessary sewer and water facilities to serve the occupants of the development; would incorporate construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 of the San Diego Municipal Code; would prepare and implement a Water Pollution Control Plan in accordance with the guidelines in Appendix E of the City's Storm Water Standards; would enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; and would comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758) Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity.

Mitigated Negative Declaration No. 105244 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Prior to issuance of any demolition or construction permit, the permit has been conditioned to require that the Owner/Permittee provide the Development Services Department (DSD) with a copy of the Work Plan and Health Risk Assessment for the removal of the underground storage tanks existing onsite 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 and/or Underground Storage Tank Removal Program or permit requirements.

Prior to the foundation inspection for each project phase, the permit has been conditioned to require the Owner/Permittee to submit a copy of a Letter of Concurrence/Approval from the County of San Diego DEH to DSD 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 development 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.

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

All structures constructed will be reviewed prior to construction by professional staff for compliance with all relevant and applicable building, electrical, plumbing, mechanical and fire codes to assure the structures would meet or exceed the current regulations. The project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code in effect for this project. Such conditions have been determined to be necessary to avoid adverse impacts upon health, safety and general welfare of persons residing or working in the surrounding area. Further, the construction will be monitored and inspected in the field by certified inspectors. As a result of this process the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code.

The Kensington Terrace project would consist of the demolition of the existing structures and construction of a three-story mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential (six, three-bedroom, three-bath Penthouse units and three, three-bedroom, three-bath Townhome units, totaling 9 for sale units) on a 0.78-acre site.

As allowed through the approval of a Planned Development Permit, the applicant is requesting a deviation to the height regulations of the CN-1-3 Zone. The western portion of the site adjacent to Marlborough Avenue (0.31-acre) is zoned CU-3-3 and the eastern portion of the site adjacent to Edgeware Road (0.47-acre) is zoned CN-1-3. The CU-3-3 Zone allows a maximum height of 50 feet, and the project proposes a maximum height of 40 feet, 8 inches for this portion of the project, which is well under the allowable height limit. The CN-1-3 Zone allows a maximum height of 30 feet and applicant is requesting a height of 38 feet for this portion of the site.

The applicant is proposing the deviation to the height of the CN-1-3 Zone to comply with community character and public concerns regarding excessive height in the neighborhood. The

project design proposes to terrace back from the intersection of Adams Avenue and Marlborough Drive to mitigate the visual impact of a potential 50 feet building height at the corner. The project proposes a lowered and terraced building in the western portion of the site, with an eight-foot increase above the zone's height limit in the eastern portion of the site, thereby balancing the overall height to match the existing building on the west side of Marlborough Drive, which varies in height between 35 feet and 49 feet.

The consistent height avoids inefficient additional stair and elevator access, makes all the residential units top-floor rather than stacked in the CU-3-3 zone, and provides unfettered and level surface for green rooftop technology and photo-voltaic collection. Without the deviation, the allowable 50-foot tower would potentially shadow the remaining rooftop as well as neighboring properties. In addition to terracing the project at both corners of Adams Avenue with Marlborough Drive and Edgeware Road, the design has a stepped-back third floor along 80% of the building, which creates a perception with the façade that the majority of the building is a two-story structure. Further, the proposed mixed-use building would utilize various materials 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 three-story building from neighboring residences to the north.

Other than the proposed deviation described and as allowed through approval of a Planned Development Permit, the proposed development would comply with the applicable regulations of the San Diego Municipal Code and be consistent with the recommended land-use, design guidelines, and development standards in effect for this site.

Based upon substantial evidence documented for the proposal, which includes the Mitigated Negative Declaration No. 105244 prepared for the project, staff has determined the height deviation would pose no adverse impacts upon the health and safety of the public or detriments to the physical environment. Therefore, proposed development will comply with the regulations of the Land Development Code.

4. The proposed development, when considered as a whole, will be beneficial to the community.

The Kensington Terrace project would consist of the demolition of the existing structures and construction of a three-story mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential (six, three-bedroom, three-bath Penthouse units and three, three-bedroom, three-bath Townhome units, totaling 9 for sale units) on a 0.78-acre site.

The project site is located in the Kensington-Talmadge community of the Mid-City Communities Planning Area. The Mid-City Communities Plan designates the proposed site for Commercial and Mixed-Use at a maximum density of 29 dwelling units per acre. The community plan does not provide a minimum density. Additionally, the community plan provides a density bonus of 43 dwelling units per acre for mixed-use projects. Based on the existing land use designation, 23 dwelling units would be allowed on site and ultimately 34 would be allowed through the mixed-use density bonus.

The proposed project would implement several goals and recommendations contained in the Urban Design, Transportation, Land Use, and Natural & Cultural Resources Elements in the Mid-City Communities Plan. The project as proposed would implement the goal of reinforcing and enhancing the historic, pedestrian-oriented character of Adams Avenue with thriving neighborhood serving and specialty businesses. This recommendation would be implemented through the creation of a 16-foot wide sidewalk that would include tree wells for street trees along Adams Avenue, as well as incorporate a plaza at the corner of Marlborough Drive and Adams Avenue and an internal courtyard. Additionally, bike racks would be provided at street level along Marlborough Drive and Edgeware Road. Other bicycle storage facilities would be provided within the underground two-story parking structure to accommodate both patrons and workers of the proposed commercial-retail and office building.

To further implement the goals of fostering a pedestrian environment, the project would also involve the removal of an existing gas service station and its associated curb-cuts along Adams Avenue and Marlborough Drive. The result would create a better and safer pedestrian connection to other existing commercial and mixed-use developments along the north side of Adams Avenue. Additionally, parking to proposed project would be taken from the alley north of Adams Avenue.

The proposed project would implement the recommendation in the Land Use Element of the community plan of encouraging new market-rate housing construction in a variety of types, sizes, and costs to meet the needs of all residents in all socio-economic brackets. The project would include six penthouse units above commercial-retail and three craftsman-style townhomes at ground level along Edgeware Road. The proposed project would also meet the goal of providing a full range of commercial goods and services to the Mid-City population. The proposed project, which is located in close proximity to State Route 15, would provide additional commercial-retail space within the Kensington-Talmadge community and provide opportunities for more goods and services to be offered to residents. The addition of office space would also provide an opportunity to create additional employment within the community as well.

Although the Mid-City Communities Plan does not contain specific policies related to the incorporation sustainable development measures within new development projects, it does refer to a vision in the Natural & Cultural Resources Element of the Community Plan of having development contribute to the environmental quality of the area. The project design incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption for the residential portion, and 30 percent of the project's projected energy consumption for the commercial portion of the project. The project also proposes the installation of approximately 10,000 square feet of Green Roof technology, fire-sprinklers throughout the development; residential private open space areas totaling approximately 5,000 square feet, and public and private commercial and office open space totaling approximately 6,000 square feet in plazas, courtyards, and terraces. Therefore, proposed development, when considered as a whole, will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The Kensington Terrace project would consist of the demolition of the existing structures and construction of a three-story mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential (six, three-bedroom, three-bath Penthouse units and three, three-bedroom, three-bath Townhome units, totaling 9 for sale units) on a 0.78-acre site.

As allowed through the approval of a Planned Development Permit, the applicant is requesting a deviation to the height regulations of the CN-1-3 Zone. The western portion of the site adjacent to Marlborough Avenue (0.31-acre) is zoned CU-3-3 and the eastern portion of the site adjacent to Edgeware Road (0.47-acre) is zoned CN-1-3. The CU-3-3 Zone allows a maximum height of 50 feet, and the project proposes a maximum height of 40 feet, 8 inches for this portion of the project, which is well under the allowable height limit. The CN-1-3 Zone allows a maximum height of 30 feet and applicant is requesting a height of 38 feet for this portion of the site.

The applicant is proposing the deviation to the height of the CN-1-3 Zone to comply with community character and public concerns regarding excessive height in the neighborhood. The project design proposes to terrace back from the intersection of Adams Avenue and Marlborough Drive to mitigate the visual impact of a potential 50 feet building height at the corner. The project proposes a lowered and terraced building in the western portion of the site, with an eight-foot increase above the zone's height limit in the eastern portion of the site, thereby balancing the overall height to match the existing building on the west side of Marlborough Drive, which varies in height between 35 feet and 49 feet.

The consistent height avoids inefficient additional stair and elevator access, makes all the residential units top-floor rather than stacked in the CU-3-3 zone, and provides unfettered and level surface for green rooftop technology and photo-voltaic collection. Without the deviation, the allowable 50-foot tower would potentially shadow the remaining rooftop as well as neighboring properties. In addition to terracing the project at both corners of Adams Avenue with Marlborough Drive and Edgeware Road, the design has a stepped-back third floor along 80% of the building, which creates a perception with the façade that the majority of the building is a two-story structure. Further, the proposed mixed-use building would utilize various materials 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 three-story building from neighboring residences to the north. Therefore, the proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 360181 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set

001212

forth in Planned Development Permit No. 360181, a copy of which is attached hereto and made a part hereof.



Daniel Stricker
Development Project Manager
Development Services

Adopted on: November 15, 2007
Job Order No. 42-6557

cc: Legislative Recorder, City Planning & Community Investment Department

03 14 15 PM 3:45

SECRET

001213

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-6557

PLANNED DEVELOPMENT PERMIT NO. 360181
KENSINGTON TERRACE - PROJECT NO. 105244 - MMRP.
PLANNING COMMISSION

This Planned Development Permit Number 360181 is granted by the Planning Commission of the City of San Diego to Terrace Partners, L.P., A California Limited Partnership, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0604. The 0.78-acre site is located at 4142, 4166, and 4178 Adams Avenue and 4708 Edgeware Road in the CU-3-3 Zone and CN-1-3 Zones of the Central Urbanized Planned District and within the Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area. The project site is legally described as Lots 9, 10, 11, 12, and 13 in Block 15 of Kensington Park, in the City of San Diego, County of San Diego, State of California, According to Map Thereof No. 1245 filed in the Office of the County Recorder of San Diego County, April 8, 1910.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish the existing structures and construct a mixed-use development consisting of 16,255 square feet of office, 16,550 square feet of retail, and 19,614 square feet of residential in nine residential units, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 15, 2007, on file in the Development Services Department.

The project shall include:

- a. Demolition of the existing gas station, convenience store, and seven residences and the construction of a 56,643 square-foot, three-story mixed-use development. 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, three-bath penthouses and three, three-bedroom, three-bath townhome units that would be sold for private ownership.

- b. A deviation to the maximum height permitted by the CN-1-3 Zone. The project proposes a height of 38 feet, where the San Diego Municipal Code allows for a maximum height of 30 feet in the CN-1-3 Zone;
- c. Drought tolerant landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Approximately 10,000 square feet of Green Roof technology, fire-sprinklers throughout the development, residential private open space areas totaling approximately 5,000 square feet, and public and private commercial and office open space totaling approximately 6,000 square feet in plazas, courtyards, and terraces;
- f. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption for the residential portion of the project and 30 percent of the project's projected energy consumption for the commercial portion of the project, as established by Council Policy 900-14; and
- g. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit is required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without

attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project
12. The mitigation measures specified in the MMRP, and outlined in Mitigated Negative Declaration No. 105244 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 105244 satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Paleontological Resources, Human Health and Public Safety, and Transportation/Circulation.

14. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

AFFORDABLE HOUSING REQUIREMENT:

15. Prior to issuance of the first residential building permit, the applicant shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (Chapter 14, Article 2, Division 13 of the Land Development Code).

ENGINEERING REQUIREMENT:

16. Planned Development Permit 360181 shall comply with the conditions of Vesting Tentative Map No. 360180.

LANDSCAPE REQUIREMENTS:

17. Prior to issuance of any construction permits for public right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

001217

18. In the event that a foundation only permit is requested by the Permittee or subsequent Owner, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as "landscaping area."

19. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

20. The Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

21. Prior to issuance of any construction permits for buildings, the Permittee or Subsequent Owner shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department.

22. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or Subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

23. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

24. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

25. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption for the residential portion

of the project and 30 percent of the project's projected energy consumption for the commercial portion of the project, as established by Council Policy 900-14.

26. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

27. The Owner/Permittee shall post a copy of the approved discretionary permit or Vesting Tentative Map in the sales office for consideration by each prospective buyer.

28. 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 SDMC.

TRANSPORTATION REQUIREMENTS

29. No fewer than 112 parking spaces (90 spaces required), 3 motorcycle spaces and 7 bicycle spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibits "A," on file in the Office of the Development Services Department. Parking spaces shall comply at all times with requirements of the Land Development Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

30. Prior to the issuance of any building permits, applicant shall assure by permit and bond, construction of a traffic signal at the intersection of Adams Avenue and Kensington Drive, satisfactory to the City Engineer.

31. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, full width improvements along project frontage on Marlborough Drive including 36 feet of pavement, curb, gutter and sidewalk as shown on exhibit "A," satisfactory to the City Engineer.

32. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, half width improvements along project frontage on Edgeware Road including 16 feet of pavement, curb, gutter and sidewalk as shown on exhibit "A," satisfactory to the City Engineer.

33. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, restriping of Adams Avenue from I-15 east to Aldine Drive as a 3-lane facility including a class III bicycle facility, one westbound lane, one eastbound lane and a two-way left turn center lane as shown in the Kensington Terrace traffic study, satisfactory to the City Engineer.

34. Prior to the issuance of the first building permit, applicant shall assure by permit and bond, the construction of a raised center median on Adams Avenue between I-15 northbound ramp and mid-block between Terrace Drive and Kensington Drive, satisfactory to the City Engineer.

WASTEWATER REQUIREMENTS:

35. Prior to the issuance of any engineering or building permits, the developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each

condominium will have its own sewer lateral or provide CC&R's for the operation and maintenance of on site private sewer mains that serve more than one ownership.

0. The developer shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

0. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

WATER REQUIREMENTS:

0. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, and the disconnection at the water main of any existing unused water service adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer. If water, fire or irrigation services are proposed in Marlborough Drive, then the Owner/Permittee will be required to do a cut-in connection and pay a special cost which will be determined during final engineering plan check.

0. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service serving the project, in a manner satisfactory to the Water Department Director and the City Engineer.

0. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

0. The Owner/Permittee agrees to design and construct all proposed public water facilities 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. Public water facilities, as shown on approved Exhibit "A," shall be modified at final engineering to comply with standards.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within

001220

- ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on November 15, 2007 by Resolution No. PC-4333-3.

001221

Planned Development Permit No. 360181
Date of Approval: November 15, 2007

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

John S. Fisher
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1180 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

TERRACE PARTNERS, L.P.
a California limited partnership:

Patronella Corporation,
a California corporation
General Partner

By: _____
Allard W. J. Jansen
President

By: _____
Hannah Devine
Vice President,
Chief Financial Officer

And;

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**

001222

Gorvan, LLC
a California limited liability company
General Partner

By: _____
Richard Vann
Manager

By: _____
Solomon Gorshtein
Manager

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**

08 2008 04 27

001222

001223

Item 7

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
NOVEMBER 15, 2007
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:10 a.m. Chairperson Schultz adjourned the meeting at 6:18 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz - present
Vice-Chairperson Kathleen Garcia - present
Commissioner Robert Griswold - present
Commissioner Gil Ontai - present
Commissioner Dennis Otsuji - present
Commissioner Eric Naslund - present
Commissioner Mike Smiley - present

Staff

Andrea Dixon, City Attorney - present
Cecilia Gallardo Planning Department - present
Mike Westlake, Development Services Department - present
Sabrina Curtin, Recorder - present

001224

Staff will make note of the commission's discussion and concerns when presented to City Council. Passed by a 7-0 vote. Resolution No. PC-4332

Break - 10:09am to 10:21am

ITEM-7: *Continued from October 18 and November 8, 2007;*

KENSINGTON TERRACE - PROJECT NO. 105244

City Council District: 3 Plan Area: Mid-Cities –Kensington-Talmadge Neighborhood.

Staff: Dan Stricker; was presented by John Fisher

Speaker slips in favor by Robert Utt, Clint Kisner, Joe Carta, Joan Fitzaimons, Mary Ellen Denneby, Liz Jardine, Tina Zenzola, Rex Downing, Louis Misko, Sam Guillen, Gary Furstenfell, Brad Richter, Allan Jansen, Justin Suiter, Justing Rasas, Damon McGorey, Mike Hughes, Tyler Lawson, James Shettino, Jessica Greslick, Todd Ray, Hannah Devine, Change Billmeyer, Dan Larson, John Dietrick, Cecelia Garr, Margaret Downing, and Daniele Laman.

Speaker slip in opposition by Margaret Mc Cann, Sue Lee, Greg Lee, Billie Hastings, Liliam Cooper, Joan Bormann, David Hamilton Jennifer Reed, Derby Pattengill, Virginia Belk, Dreq Hubbell, John Dunne, Pam Hubbell, Sharon Hall, Virginia Berger, Kathleen Kaiser Judy Raune, Gina Gianzero, Gael Green, Denise Richards, Barbara Hartman, Karen Friedman, Tim Blood, Nuri Uzgunduz, Don Rodesiler, Felipe, Susan Jones, Dominic D'Amigo, Thomas Rauner, David Lippincott, Grham Pattingill, Ann Ozgunez, Wayne Murphy, John Mc Garrison, Frank Duft, Richard Czarwiecki, Kevin Kelly, Susanna Gonzalez, Charles Craven, Yolanda Thomas, Rodney Humphrey, Steve Hubachek, Cecilia Conover, Bill Martin, Rick Richards, Todd Cuffado, Elaine Mc Elhinney, Harmon Huff, Pat Driscoll, Robert Hunt, Marie Berry, and Peter Berry.

COMMISSION ACTION:

MOTION BY COMMISSIONER GRISWOLD TO CERTIFY MITIGATED NEGATIVE DECLARATION NO. 105244 AND APPROVE PLANNED DEVELOPMENT PERMIT NO 360181 AND VESTING TENTATIVE MAP NO. 360180 AS PRESENTED IN REPORT NO. PC-07-140. Second by Commissioner Smiley. Passed by a 5-1-1 with Vice-Chairperson Garcia voting nay and Commissioner Otsuji not present.

Lunch Break – 12:26pm to 1:26pm

001225

RESOLUTION NO. _____

ADOPTED ON _____

WHEREAS, on June 16, 2006, TERRACE PARTNERS, L.P., Owner/Permittee, filed an application with the City of San Diego for a for a Tentative Map and Planned Development Permit;

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission of the City of San Diego on November 15, 2007; and

WHEREAS, on November 15, 2007, the Planning approved the project and adopted the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, on November 29, 2007, the project was appealed to the City Council of the City by Margaret B. McCann; and

WHEREAS, the item was set for public hearing on February 5, 2008, testimony having been heard, evidence having been submitted, and the City Council having fully considered the issues discussed in Mitigated Negative Declaration No. 105244 and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it hereby certifies that Mitigated Negative Declaration No. 105244 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the City Council.

BE IT FURTHER RESOLVED that the City Council of the City of San Diego finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: Michael Aguirre, City Attorney

By: _____ 08 JUN 18 AM 3:00
Deputy City Attorney

By: _____
NAME OF SIGNATOR RECEIVED

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

001226

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM
TENTATIVE MAP AND PLANNED DEVELOPMENT PERMIT

PROJECT NO. 105244

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No. 105244) shall be made conditions of Tentative Map and Planned Development Permit, as may be further described below.

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 CSV 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)

001230

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.

001231

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.

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.

2710 01 17
08 JAN 18 PM 3:40
BECOM

001239



RECEIVED
CITY CLERK'S OFFICE
08 JAN 17 AM 10:37
P SAN DIEGO, CALIF.

Charles F. von Gunten

Tuesday, January 15, 2008

Toni Atkins
Councilmember
City of San Diego
202 C Street, MS#10A
San Diego, CA 92101

Re: Kensington Terrace Mixed-Use Project #1105244

Dear Ms. Atkins:

I am writing in support of the proposed project at the corner of Marlborough and Adams in Kensington.

I live in Kensington at 4314 Middlesex Drive—I turn at the corner of Marlborough and Adams at least twice each day coming and going to work. Currently, I groan because of how ugly it looks, how seedy the gas station is, and the frightening nature of the boarded up apartments.

Its clear to me that the gentrification of Adams Avenue needs to continue—I like the changes with the Starbucks building and Bleu Boheme and the upgrading of the Mexican restaurant. The proposed development will continue that trend.

Don't let the anti-change people stop this—I like the plans and think they are thoughtful and responsive to the input I see described from the neighbors and from City Planners.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles F. von Gunten'.

Charles F. von Gunten, MD, PhD

Cc: Scott Peters
Tony Young
Jim Madaffer
Kevin Faluconer
Brian Maienshein
Ben Hueso
Donna Frye

✓ City Clerk

001240

RECEIVED
CITY CLERK'S OFFICE

08 JAN 15 AM 11:27

SAN DIEGO, CALIF. 

January 13, 2008

City Clerk
City of San Diego
202C Street MS#2A
San Diego, CA 92101

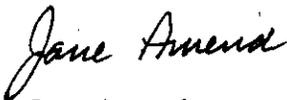
Re: Kensington Terrace Mixed-Use Project # 105244 at 4142 Adams Avenue.

As a Kensington resident, I want to go on record as opposing this project as it is presently designed. Some modifications need to be made so that it will fit into our community rather than changing its character. These modifications are thoughtfully laid out by the group known as "Heart of Kensington".

Kensington is a densely occupied area with narrow streets, only two of which reach into the entire area north of Adams. They are Marlborough and Kensington Drive which doesn't go all the way. These streets are heavily used already and the proposed project at the corner of Marlborough and Adams will aggravate the traffic problem.

The developer seems to depend almost entirely on the legality of his plans in order to justify them with no real consideration for the character of this neighborhood or the opinions of those who live more than 300 feet away but will still have to deal with the influx of people and the traffic problems unless they never leave their homes. I personally knew nothing of this project until it was almost completely approved by the city and the first meeting of the community association to let us know about it was structured in such a way as to defer any discussion until very late in the evening after many people had to leave.

Respectfully yours,



Jane Amend
5167 Edgeware Rd
San Diego, CA 92116

001241

January 12, 2008

City Clerk
City of San Diego
202 C Street, MS # 2A
San Diego, CA 92101

RECEIVED
CITY CLERK'S OFFICE
08 JAN 15 AM 11:22
SAN DIEGO, CALIF. (P)

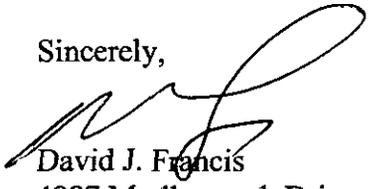
Dear City Clerk,

I am writing to express my support for the Kensington Terrace Mixed -Use Project #105244 at 4142 Adams Avenue.

I am a resident of Kensington and live on Marlborough Drive just north of Adams Avenue, so I would definitely be affected by this proposed project, yet I full support it. I think the current use of land on this sight is an eyesore and does nothing to beautify our wonderful community. By replacing the gas station and vacant houses with a new mixed-use project like the one that is being proposed, I feel it will make Kensington shine brighter and bring more beauty to our community. The type of businesses that are being suggested will improve our area by adding retail shops that local residents can access more readily, while adding much needed tax revenue for our city. I understand that it will bring more traffic to our area, but I feel that if the underground parking is properly put in place and the streets are adequately widened to the specifications noted in the project plan, the traffic concerns will be put to rest. I also am thrilled that a traffic light on the corner of Kensington Drive and Adams Avenue is being proposed. I have asked the city on more then one occasion to address this issue, if nothing more then to avoid a tragic situation for pedestrians trying to cross Adams Avenue against traffic. I would strongly suggest that this new traffic light be put in place before ground breaking and add a "NO U TURN" sight to it, as it is very much needed. There are pros and cons with every project, but in this case, I believe that the good definitely outweighs the bad. I urge you to please support this project by voting to uphold the Planning Commission's decision to go forward with this development.

Thank you.

Sincerely,


David J. Francis
4987 Marlborough Drive
San Diego, CA 92116
619-847-8287
davidfrancis64@aol.com

001242

William H. Borsch
4021 S. Hempstead Circle
San Diego, California 92116

January 14, 2008

Councilmember Toni Atkins
City of San Diego
202 C Street, MS #10A
San Diego, CA 92101

Dear MS Atkins,

I am a resident of Kensington where I purchased my house in August of 1974. In my 35 years here I have seen much change, the worst of which I consider the addition of the Starbucks complex mainly because of the traffic problems it brought.

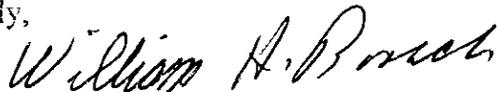
I am not against change but I am against the kind of change as presented by the latest design of Kensington Terrace. When I moved here we had TWO small grocery stores, one located at the corner of Adams Ave. and Kensington Dr. and one between Biona and Edgeware. We also had Fred Gloor's bakery across the street from the jewelry store and a small ice cream store on the corner next to it. All closed for one reason or another and similar operations are proposed by Kensington Terrace.

While a Trader Joe's would be nice, that would definitely increase traffic which we don't need. I have nothing against Trader Joe's; I like the family and the store. The father of the founder of Trader Joe's was my neighbor for 15 years.

It would be interesting to research just how many small businesses have shut their doors on Adams Ave. between Terrace Drive and Biona in the last 25 years.

I am in favor of improving the neighborhood and Adams Ave. But we need some serious changes to the present plan before I would agree with it

Sincerely,



CC: Council President Scott Peters
Councilmember Tony Young
Councilmember Jim Madaffer
Councilmember Kevin Faulconer
Councilmember Brian Maienschein
Councilmember Ben Hueso
Councilmember Donna Frye
✓ City Clerk City of San Diego

RECEIVED
CITY CLERK'S OFFICE
08 JAN 15 AM 11:22
SAN DIEGO, CALIF.

001243

January 12, 2008

RECEIVED
CITY CLERK'S OFFICE
08 JAN 15 AM 11:21
SAN DIEGO, CALIF. (P)

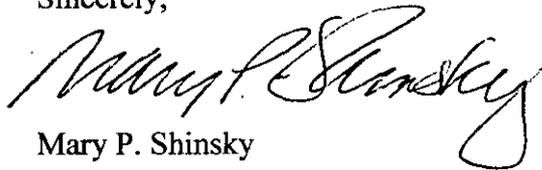
City Clerk
City of San Diego
202 C Street, MS#2A
San Diego, CA 92101

RE: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

TO: City Clerk

My husband and I have lived in Kensington for thirty three years and my mother has been a resident since 1961. We have been proactive residents in our community and welcome the addition of the Kensington Terrace Project. Please put an end to the stalling and interference of naysayers who chimed in at the end of the two years of planning and let this project move forward. It puzzles me where these people have been over the past two years and how it is possible that they were uninformed about the project. It is a disservice to the Ken/Tal committee who work diligently for the good of our neighborhood to put them on the back burner after they have put their seal of approval on the project. Not to mention the hours we as residents have spent at the meetings in the planning stages. Please let's move forward!

Sincerely,



Mary P. Shinsky



Neale R. Shinsky
4305 Aldine Drive
San Diego, CA 92116-2524
619-282-7038 H
619-518-9266 C
619-518-9267 C

001244

January 13, 2008

Councilmember Toni Atkins
City of San Diego
202 C Street MS#10-A
San Diego, Ca. 92101

Dear Councilmember Atkins,

I am writing to you regarding the proposed Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue.

I feel that this proposed project is too large and inappropriate for Kensington village. Traffic problems are already a big concern in this area. Marlborough and Kensington Avenues are very narrow streets and access to and from Adams Avenue is especially difficult. Since Starbucks has opened the parking situation has only gotten worse.

I would appreciate your concern for these matters when the discussion comes up before the City Council on February 5, 2008. Thank you.

Sincerely yours,

Ramona D. Court

Ramona D. Court.

cc:

Kevin Faulconer
Tony Young
Brian Malenschein
Donna Frye
Jim Madaffer
Ben Hueso
City Clerk

RECEIVED
CITY CLERK'S OFFICE
08 JAN 15 AM 11:19
SAN DIEGO, CALIF. *P*

40

001245

From: sunmartaxco@aol.com
Sent: Wednesday, January 16, 2008 8:45 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Subject: Kensington Terrace - #105244 - NO! Too Dense, Too Tall and Too Much Traffic

We moved to Kensington 13 years ago and have enjoyed the nice quiet neighborhood. It has become increasingly less quiet as development has taken place. First, the Interstate 15 completion and new Adams Avenue exits and access lanes dramatically increased the auto traffic flow.

We are residents, and have not seen any studies of those traffic increases, but living here day in and day out, it was clear that the interstate increased very significantly the traffic flow.

Second, the Kensington development of Kensington Park Place (where the Starbucks is now located - on the bare and ugly lot) was a nice addition. It clearly brought more traffic (not such a notable difference as the Interstate 15), but it seemed to be a reasonable trade off for an overall enhancement of the community. It brought a modest and nice balance of retail/office and residential units that is tasteful and not overbearing to a residential community as small as Kensington.

Unfortunately (from our view) the same developers (Mr. Jansen and Ms. Devine) who developed the Kensington Park Place, have created a concept which will increase dramatically the traffic (based upon the study completed for the project) and more importantly, impact (in a detrimental way) the overall quaintness and pedestrian friendly community of Kensington. The Kensington Terrace project would bring with it a radical change in the community. It will move it from a largely residential and quaint community, to one with too much retail and business and general occupancy.

There are many arguments, why the project is not good for the community (and indeed Mr. Jansen and Ms. Devine have made compelling arguments why the project will be good for Kensington) - but these seem to be the most compelling.

Kensington is a real gem of San Diego - and we hope you will help keep it a real gem.

Thanks -

Patrick and Sunita Martin

More new features than ever. Check out the new AOL Mail ! - <http://webmail.aol.com>

001246

From: Blaschke, Gregory S CAPT [Gregory.Blaschke@med.navy.mil]
Sent: Wednesday, January 16, 2008 1:34 AM
To: Atkins, Councilmember; Clerk, City
Cc: scotpeters@sandiego.gov; Young, Anthony; Madaffer, Councilmember Jim; Faulconer, Council Member Kevin; Maienschein, Councilmember; Hueso, Councilmember Ben
Subject: Support of Kensington Terrace Mixed Use Project # 105244 at 4142 Adams Ave

I reside at 4308 N Talmadge Ave in Kensington.

I am nearly every neighbor I talk with support the above project.

While the latter is heresay, I do think many of my friends and neighbors will be contacting you to urge you to support this project in Kensington. Overall there is much more benefit to many in the community than the potential harm to a few. Overall the developer has been very responsive and responsible to our community.

Thanks for what you do for San Diego.

Greg Blaschke, MD MPH

001247

From: Dfschorr@aol.com
Sent: Tuesday, January 15, 2008 9:16 AM
To: Frye, Donna; Atkins, Councilmember; Peters, Councilmember Scott; Young, Anthony; Hueso, Councilmember Ben; Clerk, City
Cc: Madaffer, Councilmember Jim; bmalenschein@sandiego.gov; @sandiego.gov; Falconer, Council Member Kevin
Subject: Re:"Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Ave."

Dear Madams/Sirs,

As a member of the San Diego/Kensington community I am writing you to ask your support for the above development in our neighborhood. I am looking forward to the amenities that Kensington Terrace will bring and want to see this project go forward. For me, it is a bountiful blessing and one that will be both useful and beautiful. *We have needed this kind of improvement in our neighborhood for a long time and I ask your help in improving our neighborhood.*

Sincerely yours,
Dorothy Schorr (resident-property owner)
4661 W. Talmadge Dr.
San Diego, Ca. 92116

Start the year off right. [Easy ways to stay in shape in the new year.](#)

001248

From: Dfschorr@aol.com
Sent: Tuesday, January 15, 2008 9:16 AM
To: Frye, Donna; Atkins, Councilmember; Peters, Councilmember Scott; Young, Anthony; Hueso, Councilmember Ben; Clerk, City
Cc: Madaffer, Councilmember Jim; bmalenschein@sandiego.gov; Faulconer, Council Member Kevin
Subject: Re:"Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Ave."

Dear Madams/Sirs,

As a member of the San Diego/Kensington community I am writing you to ask your support for the above development in our neighborhood. I am looking forward to the amenities that Kensington Terrace will bring and want to see this project go forward. For me, it is a bountiful blessing and one that will be both useful and beautiful. We have needed this kind of improvement in our neighborhood for a long time and I ask your help in improving our neighborhood.

Sincerely yours,
Dorothy Schorr (resident-property owner)
4661 W. Talmadge Dr.
San Diego, Ca. 92116

Start the year off right. Easy ways to stay in shape in the new year.

001249

From: ECNARFY@aol.com
Sent: Monday, January 14, 2008 7:23 PM
To: Clerk, City
Subject: Kensington Terrace

Dear City Clerk:

This mail is to let you know of our absolute **opposition** to this "improvement" of the still quaint and quiet Kensington area. *We will do everything in our power to prevent this takeover and ask of you to consider the wish of the Kensington and Talmadge residents and home owners over the greed of Kensington Partners.* Thank you for your attention.

Robert and France Santella
Talmadge residents.

Start the year off right. [Easy ways to stay in shape](#) in the new year.

From: Stalnaker / Lias [patandmarianne@cox.net]

Sent: Monday, January 14, 2008 4:56 PM

To: Clerk, City

Subject: Opposition to Kensington Terrace

Dear City Clerk:

My wife and I are residents of the Talmadge neighborhood and would like to state our **total opposition** to the Kensington Terrace Mixed-use Project #105244 at 4142 Adams Ave. Although we do not live specifically in Kensington, we are in the area nearly daily as we either patronize one of the businesses there or get a cup of coffee in one of two fine shops there. We also drive there to access I-15 South, usually on our way to downtown S.D., the airport or our Yoga class in Hillcrest.

Since the final phase of I-15 was finished 6 or 7 years ago now, we have noticed a significant increase in traffic in Kensington, especially, of course, at "rush hours." But high auto traffic concentrations in Kensington are certainly not limited to those hours. There are times when drivers at stop signs who are trying to either turn left onto Adams or cross Adams will sit for long periods because of the ongoing rush of cars glutting Adams. We have experienced that many times.

When we got the "PR" notice in the mail from the developer, there was no mention made of any traffic considerations whatsoever! We are stunned because where you have more shops and invite "customers" to drive there, you need plenty of street access. You also need parking spaces. No mention was made of the need for more parking spaces either. One of the "benefits" of the project they mentioned in their PR piece was that it will "make Adams Ave. safe and walkable from one end to the other." That's plainly not true and they know it!

To us, the Kensington area is a unique and beautiful area and already has plenty of storefronts for the kind of shops they were talking about in their PR piece. If a bakery, for example, wanted to go in there, there would be one already. We strongly believe this project will degrade this beautiful old San Diego neighborhood in more ways than one. I invite any council member to drive to Kensington at any point in time and try to find parking to get a cup of Starbucks--it's very difficult. We shudder to think what traffic will be like if this project is built!

My wife and I are both native San Diegans and have lived in this part of San Diego nearly 22 years. We are both retired and are major contributors to our neighborhood in many different ways. Please vote against this damaging development!

Sincerely,

Patrick Stalnaker & Marianne Lias
4704 Lucille Dr.
San Diego, CA 92115

(This letter was sent to all Council members.)

001251

From: Amy Del Nagro [adelnagro@cox.net]
Sent: Monday, January 14, 2008 8:14 PM
To: Faulconer, Council Member Kevin; Hueso, Councilmember Ben; Clerk, City
Cc: Amy Del Nagro; Joe Carta
Subject: Kensington Terrace Proposed Project

Dear City Counsel Member,

I purchased a home in Kensington 6 years ago. I also work in Kensington. I am a city girl. I was born and raised in the Town of Kenmore, just north of Buffalo New York; as a young adult I moved to Bayside, Queens in NYC and I now live in Central San Diego, in Kensington. I love being able to walk to work. It's why I live and work here. This project will give more opportunities for others in my neighborhood to enjoy this benefit.

I love this new project and think this project will benefit and add to this Kensington community's history and close-knit family atmosphere. I encourage the City Counsel to move forward with final approval.

Sincerely,

Amy Del Nagro

1/15/2008

001252

From: Amy Del Nagro [adelnagro@cox.net]
Sent: Monday, January 14, 2008 8:14 PM
To: Faulconer, Council Member Kevin; Hueso, Councilmember Ben; Clerk, City
Cc: Amy Del Nagro; Joe Carta
Subject: Kensington Terrace Proposed Project

Dear City Counsel Member,

I purchased a home in Kensington 6 years ago. I also work in Kensington. I am a city girl. I was born and raised in the Town of Kenmore, just north of Buffalo New York; as a young adult I moved to Bayside, Queens in NYC and I now live in Central San Diego, in Kensington. I love being able to walk to work. It's why I live and work here. This project will give more opportunities for others in my neighborhood to enjoy this benefit.

I love this new project and think this project will benefit and add to this Kensington community's history and close-knit family atmosphere. I encourage the City Counsel to move forward with final approval.

Sincerely,

Amy Del Nagro

1/15/2008



September 11, 2007

Council President Peters and Council Members
City of San Diego
202 C Street
San Diego, CA 92101

Re: High Occupancy Rental Permit & Rooming House Ordinance

To be docketed and included with official public records

Dear Council President Peters and members of the City Council:

The San Diego County Apartment Association (SDCAA) has been closely monitoring the City's actions to curb nuisance behavior from residents of mini-dorms since the issue was first introduced earlier this year. As the SDCAA's Director of Public Affairs, I have shared with City staff information about standard industry practices as well as legal limitations landlords face when addressing problem tenants. These stakeholder discussions have been productive, and the City's decision to modify parking and construction standards and implement a pilot citation program seemed acceptable remedies. In addition, the SDCAA has been in contact with the Police Department about the Community Assisted Party Plan (CAPP) program. We've been actively educating our members about the new standards and CAPP.

City staff's most recent proposals, however – a high occupancy rental permit and draft rooming house ordinance – are problematic.

The high occupancy rental permit, which would require properties with six or more residents age 18 or older to obtain a permit, raises concerns over housing discrimination for large or extended families. We also wonder how this would be enforced if property owners do not voluntarily seek out the permit, and what standards the City would use to approve or deny a permit. Another problem with this requirement is that it would have to be implemented citywide and not just in the College Area overlay zone.

The rooming house ordinance proposal would stipulate that landlords cannot rent out more than three separate bedrooms nor have more than three separate leases per home. This would be ineffective at rental properties with master leases or where the interior walls have been removed to create a type of dormitory. It also would only allow continued use of the property as a mini-dorm for seven more years, which infringes upon private property rights. As with the rental permit proposal, there also is the question of enforcement.

Neither of these proposals would effectively address the issues of noise, trash, and parking problems currently blamed on residents of mini-dorms. These behavioral problems would be better addressed through the use of strong, modified lease or rental agreement language and diligent property management. The citation pilot program motivates landlords to enforce strict house rules and tenants to observe them.

Thank you for the opportunity to comment. If you should have any questions, please feel free to contact me at (858) 751-2213.

Sincerely,

Alan Pentico
SDCAA Director of Public Affairs

001254

From: Richard Turner [grturner3@yahoo.com]
Sent: Monday, January 14, 2008 8:14 AM
To: toniatkins@sandiegogov
Cc: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Young, Anthony; bmaienshein@sandiego.gov; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Subject: Support for Kensington project!

Dear council members and city clerk:

We wanted you to know that we **STRONGLY SUPPORT** the proposed plans for the **Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue.**

As 4-year residents of the Kensington community, we are desperate for this kind of change and the proposed new commercial residents will be gladly welcomed!!!

Thank you for your time-

Richard Turner & Jim Harrison

5161 Canterbury Drive

San Diego, CA 92116

619-920-6798

001255

From: Dr March [dr.march@lynnemarchdds.sdcoxmail.com]
Sent: Monday, January 14, 2008 9:36 AM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Subject: Kensington Terrace Mixed-Use Project

Please support & approve the addition of the Kensington Terrace to our beautiful communtiy.

Respectfully,

Lynne A. March DDS

1/15/2008

001256

From: PDOEMENY@aol.com
Sent: Monday, January 14, 2008 11:38 AM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: lguarnotta@cox.net
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member,
I strongly support the Kensington Terrace Project!

See my published editorial in the San Diego Evening Tribune, December 22, 2007, Saturday (http://www.signonsandiego.com/uniontrib/20071222/news_lz1e22letters.html.) I've also included below the longer version of what I submitted to the paper.

Paul Doemeny
4156 Hilldale Rd.
92116
619 282-3803

Re: Kensington Terrace

When I first moved to Kensington in 1952, there was no stoplight or East/West stop signs at Adams and Marlborough and no stop signs on the corners of Alder and Marlborough. When the East/West stop signs were added at Adams and Marlborough, I often ran them; but the stoplight finally got my attention. Then came the stop signs at Marlborough and Alder, which I only began to stop at after repeated warnings from my wife. Later came Starbucks and the narrowing of the street due to parked cars. Now with the proposed Kensington Terrace, of which I am in favor, there will be added commerce in the community. But with all this change, the Village environment North of Adams has NOT changed! It has only improved. Homes in the 1930's were selling for \$3,000 to \$4,000. Today homes are in the \$900,000's, hitting a million dollars in some areas. In the 1970's, Kensington was becoming a neighborhood of retirees. The kids had grown up and moved out of the neighborhood. Slowly these older folks passed away and younger families began moving back into the neighborhood. Today I now see many children playing in front yards and at the Marlborough/Adams park. In the 1970's, the blight South of El Cajon began moving North to Meade, but today the reverse is happening and this area is becoming a better place. Kensington Terrace will only enhance the desirability of Kensington. I guess this is all just progress and I am glad to be a part of it and still happily call Kensington home. Maybe someday we'll see the Bank of America return to what it was years ago when you did not need security guards to do your banking!

Paul Doemeny
4156 Hilldale Rd.
San Diego, CA 92116
pdoemeny@aol.com
(619) 282-3803

Start the year off right. [Easy ways to stay in shape](#) in the new year.

001257

From: Michelle Miller [mmiller@sdcaa.com]
Sent: Monday, January 14, 2008 10:53 AM
To: Clerk, City
Subject: Public Comment: 1/14 City Council Agenda, Item 201
Importance: High
Attachments: 01-08 Mini-dorm Ltr to Cty Clrk.pdf

Good morning,

Attached is a re-submittal of the San Diego County Apartment Association's letter to the City Council regarding its concerns with the Residential High Occupancy Permit Ordinance (Item 201 on today's agenda). Please include this letter as part of the official public record for today's meeting.

Thank you,

Michelle Miller
Public Affairs Manager
San Diego County Apartment Association
8788 Balboa Ave., Ste. B
San Diego, CA 92123
858.278.8070
858.751.2214 Direct Line
858.278.8071 Fax

1/15/2008

001258

From: Rhoda Nevins [rnevins@mail.sdsu.edu]
Sent: Monday, January 14, 2008 9:27 AM
To: Mayor, Office of the; Atkins, Councilmember; Peters, Councilmember Scott; Young, Anthony; Madaffer, Councilmember Jim; Faulconer, Council Member Kevin; Maienschein, Councilmember; Hueso, Councilmember Ben; Frye, Donna; Clerk, City
Subject: "Kensington Terrace Mixed-Use Project #105244."

Dear Mayor Sanders and Members of the City Council,

I strongly object to the proposed Kensington Terrace Mixed Use project as outlined in the proposal on-line. I have been a proud resident of Kensington for 26 years and do not wish to see our neighborhood become bogged down with increased traffic and inappropriate development.

I would hope that the City Council can agree to preserve the charm and unique atmosphere of Kensington by working towards an appropriate measure which would **prohibit** the inclusion of national/large chains in this development.

Many residents initially opposed the existing Kensington Park Plaza building (Starbucks); however this project does not seem to have had a negative impact on the community. If the proposed Mixed-Use project could be scaled back so that there would not be a negative impact on traffic and parking in a neighborhood which is already becoming congested, this might be a better alternative.

I urge you to vote **AGAINST** the San Diego Planning Commission's approval to the Mixed-Use Project #105244.

--

Rhoda Nevins
Public Affairs/Communications Specialist
School of Music and Dance
San Diego State University
San Diego, Ca 92182-7902
619-594-6060 - phone
619-594-1692 - fax

001259

From: Marjorie McLaughlin [marjoriem@cox.net]
Sent: Monday, January 14, 2008 8:32 AM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com; Richard McLaughlin
Subject: Kensington Terrace Mixed-Use Project #105244%20at%204142%20Adams%20Avenue

Dear San Diego City Council Member,

My husband and I are long-time Kensington residents and live just north of Adams Ave on Vista Lane. We walk into the center of Kensington almost daily and would find the improvements provided by Kensington Terrace to be beneficial to us personally and to the neighborhood.

The existing gas station and empty houses on this site are an eyesore in an otherwise comfortable and charming area. A small market, post office, and the other proposed retail outlets would offer us services we'd find useful. (Though I admit I would find a Trader Joe's within walking distance to be wonderful.)

We very much support the project as currently planned and urge you to vote yes to proceed.

Regards,

Marjorie & Richard McLaughlin
4754 Vista Lane
San Diego 92116

From: nsuserid@ada.sannet.gov
Sent: Monday, January 14, 2008 10:05 AM
To: Clerk, City
Subject: City Council Meeting Agenda Comment Form

San Diego City Council Meeting Agenda Comment Form Submitted on Monday, January 14, 2008 at 10:04:40

Name: Prof Bill Neill

Email: billneill@yahoo.com

Address: 3223 Chamoune Av. (use P. O. Box 33666)

City: SD 92105 (use SD 92163)

State: CA

Zip: 92105

Area Code: 619

Telephone: 281-2200

Source: San Diego City Council Meeting Agenda Comment Form at <http://www.sandiego.gov/city-clerk/officialdocs/docketcomment.shtml>

Agenda Item: TBD Press Release: California Theater Action

Comments: PRESS RELEASE

SAN DIEGO 1/11/08: The California Associated Theatrical Group, headed up by Prof Bill Neill, executive director, announced today that plans to acquire the California Theater and California Theater Building are moving along with a National and California designation of the property as a Historic Building and establishing the charitable vehicle aspects of the business project.

Prof Neill said: "We are very busy with all that remains to be done, but with a little help from our friends sorting it all out, and prominent donors, the California Theater will again have a bright future for San Diego's middle class theater patrons". He mused: "This theater is a jewell in the rough right now, but she will clean up nicely and will again glow with such brilliance that we will all be very proud".

Prof Bill Neill,
Executive Director.

###

REMOTE_ADDR: 198.180.31.12
HTTP_USER_AGENT: Mozilla/5.0 (Macintosh; U; PPC Mac OS X Mach-O; en-US; rv:1.7.2) Gecko/20040804 Netscape/7.2

001261

From: Giovanna [jdibona@cox.net]
Sent: Saturday, January 12, 2008 4:58 PM
To: Atkins, Councilmember
Cc: Young, Anthony; Faulconer, Council Member Kevin; Maienschein, Councilmember; bengueso@sandiego.gov; Frye, Donna; Clerk, City; Peters, Councilmember Scott
Subject: Please Support Kensington Terrace Mixed-Use Project #105244

We are writing as residents of the Kensington community since 1989.

Despite protest from a handful of dissenters, we want you to know that, like most of our neighbors, we are in total support of the Kensington Terrace Mixed-Use Project. We recall how the last project, the "Starbucks" building, created a pedestrian-friendly atmosphere by replacing the existing shabby storefronts.

Having lived more than a decade in Europe, we are convinced that America's cities must adopt a "mixed-use" concept in renovating its center cities and making them user-friendly.

Also, know that this family, at least, would embrace a Trader Joe's on or near this location. It is our favorite place to shop, and it would be such a delight if we could just walk to our local TJ's! We see it only as a huge plus, should they decide to place a store in this complex.

Thank you for the opportunity to air our support of this project.....and looking forward to having the current eyesores removed. Our neighborhood is one of the most beautiful in San Diego, but its portal of entrance leaves much to be desired.

Joanne and Anthony DiBona
5191 Edgeware Road
San Diego, CA 92116

001262

From: Robert Furey [rob@recenv.com]
Sent: Saturday, January 12, 2008 3:07 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member,

As a long time resident of Kensington, I am been following the progress of the Kensington Terrace project for some time.

I am 100% in support of this project and feel that you need to vote in favor of the application.

Thanks

Robert Furey
4550 Van Dyke Ave
San Diego Ca

001263

From: jduckett [jduckett@cox.net]
Sent: Saturday, January 12, 2008 7:50 PM
To: Clerk, City
Subject: Kensington Terrace Mixed Use Project # 105244 at 4142 Adams Avenue

I strongly support the proposed project. My name is Dr. Jane Duckett, and I live at 4662 Edgeware.

1/15/2008

001264

From: Louise Guarnotta [lguarnotta@cox.net]
Sent: Saturday, January 12, 2008 10:11 PM
To: Peters, Councilmember Scott; Falconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Subject: Kensington Terrace Mixed-Use Project

Tom and Louise Guarnotta, long-time Kensington residents are very much in favor of the Kensington Terrace project and strongly urge you to vote for it on Feb. 5.

5262 Marlborough Dr.
619-5693-1249

001265

From: Milt Keller [jmkthird@cox.net]
Sent: Sunday, January 13, 2008 12:30 AM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: George Mitrovich; John M. Kaheny
Subject: Kensington Terrace Mixed Usage
Importance: High

I was born in Kensington September 18, 1945, at 4114 Middlesex Drive, and presently reside at 4934 Canterbury Drive with my wife Nancy, my children have long since "flown the coop". My family has been in Kensington since 1928 at my grandparent's "summer residence" on Middlesex Drive. I am probably one of a handful of original "Kensington Natives."

I have listened to both sides of this proposed project and am in favor of the improvements. I do not want termites taking over property that could, and should be developed into something for which Kensington can be proud. I can recall riding the last trolley car out of Kensington to downtown San Diego to shop at Walker Scott with my mother in April 1949. To say the least, I have seen many, many changes to Kensington in the past sixty-two years, mostly what "new arrivals" think Kensington should "look like" many have been miserable, and left their mark on Kensington, their authors fading into obscurity, making their profit from "flipping" their homes, never to be heard from again.

Hopefully if this "fits" Kensington, and looks like it does in the renderings, I vote against the termites, and for the improvement.

Respectfully,

1/15/2008

001268

J. Milton Keller III
4934 Canterbury Drive
San Diego, CA 92116
619 282-7828
619 557-8281

001267

From: Harold Koenig [eaglesct@cox.net]
Sent: Sunday, January 13, 2008 7:14 AM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member,
I support the Kensington Terrace project. We need to replace the blight of the current gas station with modern shops and businesses to support our local community.

Harold M. Koenig. M.D.
Vice Admiral, Medical Corps
United States Navy, Retired
4933 Marlborough Drive
San Diego, Ca 92116

C01268

From: Rex Downing [rexdowning@rexdowning.com]
Sent: Sunday, January 13, 2008 9:47 AM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com; Margaret Downing; Don Zillioux; Victoria Zillioux
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member,

I am the Realtor who sells more homes in Kensington than any other single Realtor. My office is here, and I have lived in Kensington for over 20 years. This means that, arguably, I have my finger on the pulse of Kensington better than anyone else - some call me the unofficial mayor of Kensington. My sense is that the opposition is the vocal minority. The vast majority of Kensington is delighted that we will become a better equipped and classier village - but they are not so vocal.

What we have now on this site is a blight. If a more typical developer put in a project that did not require any variances, we would get a much less desirable project. Picture the parking out in front and tenants like Circle K. This would be a nightmare for both those who oppose and those who favor the project. It is unfortunate that the zoning allows such dense development but that fault should not be laid at the feet of the developer. We are getting a much better project than we could have expected. I have no fear that the owner/developer will allow inappropriate usages. With this project, we stand a very good chance of getting a high-end micro grocery store which this community has wanted and needed for a long time.

Beginning literally years ago, this developer has bent over backwards to get community input - including entering into direct negotiations with the opposition after he received approval! But they walked away from the table!
It would seem that no good deed goes unpunished.

I strongly support the Kensington Terrace project because it will demonstrate to the rest of San Diego (and the world) what we mean when we say that we want to become a city of villages - and because it will be a vast improvement for Kensington.

Respectfully,

Rex Downing

001269

From: Bruce Coate [coate111956@yahoo.com]
Sent: Sunday, January 13, 2008 11:57 AM
To: Peters, Councilmember Scott; Young, Anthony; Madaffer, Councilmember Jim; Faulconer, Council Member Kevin; Maienschein, Councilmember; Hueso, Councilmember Ben; Atkins, Councilmember; Frye, Donna; Clerk, City
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

I would like to express my support for this project as it currently stands. I have lived in Kensington for the last 8 years. One of the reasons my wife and I moved here was the convenience and vibrancy of the Kensington Village on Adams between the I-15 and Aldine Drive. This project, I feel, will only enhance the livability and convenience of the neighborhood. In addition I have reviewed the architectural plans on the Kensington Terrace website and I think it fits in very well with the surrounding area. Please vote to approve this project.

Kind Regards,
Bruce Coate
4855 E Alder Drive
San Diego, CA 92116

1/15/2008

001270

From: David M. Pierce [DavidPierce3@cox.net]
Sent: Sunday, January 13, 2008 1:57 PM
To: Atkins, Councilmember
Cc: Peters, Councilmember Scott; Young, Anthony; Madaffer, Councilmember Jim; Falconer, Council Member Kevin; Maienschein, Councilmember; Frye, Donna; Hueso, Councilmember Ben; Clerk, City
Subject: Please Support the Kensington Terrace Mixed Use Project #105244 at 4142 Adams Ave.

Dear Council Members and City Clerk:

I would like to voice my support for the "Kensington Terrace Mixed-Use Project #105244" at 4142 Adams Avenue. The same developers have previously developed another property in Kensington, and did a great job with it. I think that the proposed project will be a good addition to the neighborhood. Please support it.

David Pierce
Kensington Resident
4957 Canterbury Drive
619-284-4282

1/15/2008

C01271

From: Allan Frostrom [allan@frostrom.us]
Sent: Sunday, January 13, 2008 3:44 PM
To: Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member:

The proposed development known as Kensington Terrace , Project #105244, has been the subject of lengthy discussions taking place at meeting after meeting while being reviewed by the Kensington-Talmadge Planning Group and its Project Review Subcommittee. There were unlimited opportunities for input by the community including but not limited to workshops with maps, pictures, elevations and floor plans and the like.

After all of the review and then some required by the Community Planning Group guidelines, this Project, with changes requested by the Planning Group and the community, was unanimously supported by Ken-Tal and approved by the San Diego Planning Commission. The Project as proposed requires a relatively minor variance in the height limit on a portion of the site. Since the slight increase in allowed height at one point will make it feasible to significantly reduce height well below that allowed by the zoning of much of the Project, I support wholeheartedly your approval of it.

I am of the opinion the Project will enhance the ambiance of the Adams Avenue business area. Due to setbacks and other design features, much of the building will not be visible from the sidewalk. Elimination of the many dangerous curb cuts will improve safety and make strolling much more pleasant. Removal of the gas station and the contaminated soil related to it is also an important benefit. Further, the Project includes parking far in excess of what is required. The Project is served by MTS and is located only three short blocks from the I-15 interchange.

This is a community oriented development and therefore most traffic will be local. I do not believe the actual increase in traffic will be significant.

Please do not allow a vocal minority to override the City's own guidelines for appropriate urban development.

Respectfully,
Allan M Frostrom
5200 Marlborough Dr
San Diego, CA 92116

I

001272

From: Cecelia Garr [cgsand@earthlink.net]
Sent: Sunday, January 13, 2008 8:48 PM
To: Atkins, Councilmember
Cc: Peters, Councilmember Scott; Young, Anthony; jmadffer@sandiego.gov; Faulconer, Council Member Kevin; Maienschein, Councilmember; Frye, Donna; benhueson@sandiego.gov; Clerk, City
Subject: Please Support the Kensington Terrace Mixed Use Project #105244 at 4142 Adams Ave

Dear Council Members and City Clerk:

I would like to voice my support for the "Kensington Terrace Mixed-Use Project #105244" at 4142 Adams Avenue. I am in favor of the development as proposed and believe it will be an excellent addition to the neighborhood. Please support it.

Cecelia Garr
Kensington Resident
4949 Canterbury Drive
San Diego, CA 92116

1/15/2008

001273

From: David Gatzke [dgatzke@gmail.com]
Sent: Friday, January 11, 2008 4:31 PM
To: Atkins, Councilmember
Cc: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Subject: SUPPORT for Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear Councilmember Atkins & Colleagues,

Please accept this email as representative of my unqualified support for the Kensington Terrace mixed-use project that will be considered before the council on February 5th.

Kensington Terrace is exactly the type of innovative high-quality development that is needed to serve as a model for all of the city's neighborhoods, but particularly the revitalizing areas of mid-City.

As a holder of a graduate-degree in Urban Planning, a member of the stakeholder's group that developed the SANDAG Regional Comprehensive Plan, and a volunteer on my own community's local planning group, I realize how important vital infill projects such as this are in allowing our region to grow and accommodate the needs of generations new and old. While adding intensity and density to neighborhoods is rarely popular, it is vitally important in helping our neighborhoods become more pedestrian-friendly and reducing the impact of poorly-planned and sprawl-inducing growth.

Please take a leadership position and support this, and other important infill development projects, that come before the council.

Thank you.

David Gatzke
1154 Franciscan Way
San Diego, CA 92116
(619) 871-5756

1/15/2008

001274

From: David Gatzke [dgatzke@gmail.com]
Sent: Friday, January 11, 2008 4:31 PM
To: Atkins, Councilmember
Cc: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Subject: SUPPORT for Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear Councilmember Atkins & Colleagues,

Please accept this email as representative of my unqualified support for the Kensington Terrace mixed-use project that will be considered before the council on February 5th.

Kensington Terrace is exactly the type of innovative high-quality development that is needed to serve as a model for all of the city's neighborhoods, but particularly the revitalizing areas of mid-City.

As a holder of a graduate-degree in Urban Planning, a member of the stakeholder's group that developed the SANDAG Regional Comprehensive Plan, and a volunteer on my own community's local planning group, I realize how important vital infill projects such as this are in allowing our region to grow and accommodate the needs of generations new and old. While adding intensity and density to neighborhoods is rarely popular, it is vitally important in helping our neighborhoods become more pedestrian-friendly and reducing the impact of poorly-planned and sprawl-inducing growth.

Please take a leadership position and support this, and other important infill development projects, that come before the council.

Thank you.

David Gatzke
1154 Franciscan Way
San Diego, CA 92116
(619) 871-5756

001275

From: Victoria Zillioux [vicky@sdwnet.com]
Sent: Saturday, January 12, 2008 2:21 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: Don Zillioux; Rex Downing
Subject: KensingtonTerrace Mixed-use project #105244 at 4212 Adams Avenue

Importance: High

As a Kensington resident, we are very interested in supporting the new plan for the commercial building on Adams Avenue. Not only do we live in Kensington, but we also have an office in the building that was designed and built on the opposite corner by the same architect who is involved with the new plan.

While there is evidently a contingent in the neighborhood who has a problem with this plan, I would like to point out that there is a much larger group who not only looks forward to the new development, but have been able, with very little effort, to keep current on what the plan for the development has been.

Allard Jansen, the project architect, has been extremely forthcoming with information for the neighborhood and has participated many of the Kensington Talmadge planning committee meetings to discuss his plans and design. He has been an active participant in this group, having been on the board as well as a resident in the immediate neighborhood, and completely understands the importance of this communication. It is not only up to him to make this information available, but is also up to any concerned citizen to participate in this planning group if they want to know what is going on in their immediate neighborhood. The residents who want to stay informed are responsible for making an effort as well.

The Kensington Talmadge Planning committee meets every month on the same day in the Kensington Community Church, not a block away from the site under discussion. This has been happening for many years. There is no excuse for a Kensington resident who is concerned about how the neighborhood is being developed to not be aware of these meetings and attend them. It is an excellent opportunity to ask questions, request information and presentations regarding neighborhood concerns, and to simply know what is going on in the neighborhood. If people chose to not take advantage of this open forum, then they have lost their best opportunity.

It should be noted that the proposed building will be replacing an old worn out gas station and two deserted boarded up houses. The development on the opposite corner replaced a fenced in empty lot that continually was overgrown with weeds. I would say that these improvements are highly desirable, particularly with the proven track record of the building that has been on that opposite corner. The stores and businesses in that building are successful, the patio outside Starbucks is always busy and the rental lofts are popular with the tenants.

The people who oppose this project missed their opportunity to participate in the planning and discussion directly with the architect and developers right from the beginning. They were given additional opportunities to voice their opinions at the City Planning Commission and were unable to accomplish their objectives. It is now time for them to stop holding up progress and use their efforts to understand the positive aspects of this project instead of their continual negative attitudes that have not accomplished anything. Please consider these factors when voting on this in February. The planning commission made the correct decision initially and this should be upheld so that we can move on to improve our Kensington neighborhood.

Thank you for your time.

Vicky Cassens Zillioux

001278

4010 South Hempstead Circle
San Diego, CA 92116
619 281-3043 Office
619 889-1672 Cell
vicky@sdwnet.com

WWW.SDWNET.COM

001277

From: Jeffrey Simon [jsimon@cox.net]
Sent: Friday, January 11, 2008 8:17 AM
To: allard@teamaja.com
Cc: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member & Allard Jansen,

It seems there is much misinformation being disseminated with regards to this project, what a shame. A beautiful project that would add value for homeowners in the vicinity and benefits the City of San Diego overall by removing what is now little more than urban blight.

It's a shame that considerable additional time continues to be burnt up and monies not well spent when this project could be moving forward instead of sitting in limbo. I understand there is a small contingent that threatens legal action is City Council does not give them their way, please force their hand on this and let's get this project moving forward.

It is a travesty but, every dollar wasted in legal efforts, especially funds raised by Kensington Community residents in support of legal action, is a dollar that can not be spent in renovating the Library across the street from the proposed Kensington Terrace project. We all know there is only so much money that residents will spend in support of their community, let's hope the legal donation fund does not drain funds from a much better cause. Of course when it comes time for people to pony up funds maybe the real truth will be told.

Yours truly,
Jeffrey Simon
4834 Biona Drive
San Diego, CA 92116
jsimon@cox.net

1/15/2008

001278

From: Patt & Neale Shinsky [pnshinsky@cox.net]
Sent: Thursday, January 10, 2008 1:38 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member,
My husband and I have lived in Kensington for thirty three years and my mother has been a resident since 1961. We have been proactive residents in our community and welcome the addition of the Kensington Terrace Project. Please put an end to the stalling and interference of naysayers who chimed in at the end of the two years of planning and let this project move forward. It puzzles me where these people have been over the past two years and how it is possible that they were uninformed about the project. It is a disservice to the Ken/Tal committee who work diligently for the good of our neighborhood to put them on the back burner after they have put their seal of approval on the project. Not to mention the hours we as residents have spent at the meetings in the planning stages. Please let's move forward!

Sincerely,
Mary & Neale Shinsky
4305 Aldine Drive
San Diego, CA 92116-2524

1/11/2008

001279

From: Aimee Donzis [aimeedonzis@yahoo.com]
Sent: Thursday, January 03, 2008 10:34 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear City Council Members,

I am a resident of North Park, I live at 2639 28th Street in a historic home (Historic Registry #609) . I am always looking for ways that I can improve our vintage neighborhoods.

For example, two years ago I contacted Alysa Rose the CEO of Rejuvenation (www.rejuvenation.com). I sent her a package on North Park that included; neighborhood statistics, history and pictures of historic buildings and homes.

I suggested that Rejuvenation consider North Park as a neighborhood for one of their stores. Toni Atkins can attest to this as I asked her to write a letter of support for a package that I sent to Rejuvenation.

Though nothing has come of it as of yet, it has at a minimum planted seeds for the future.

My point is that I adore historic neighborhoods and homes. Part of maintaining and evolving these living museums is to refurbish and when necessary, create new structures that flow naturally into the existing environment.

That is why I am writing, to encourage the approval of the Kensington Terrace Mixed-Use Project (#105244 at 4142 Adams Avenue). The "Starbucks Building" (project also by Allard Jansen) in Kensington has been a great addition to the neighborhood, bringing a much needed "gathering place" and blending in smoothly with the historic neighborhood.

In addition to providing retail, residential, and office space, Kensington Terrace will give Kensington a much needed community plaza. This will help establish a better sense of community. If given the opportunity, it's likely that Jansen and his team will create another mixed-use project that will continue to improve Kensington.

FYI, I do not have any financial investment in this project. I will not be making any financial gains from this project. Nor will I be buying or renting one of the units in the building. I simply think this is a great project that will enhance Kensington by replacing a run down gas-station and dilapidated apartment building.

In order to keep our historic neighborhoods evolving, I encourage the approval of the Kensington Terrace Project.

Thank you for your time.

Kind regards,

Aimee Donzis

Aimee Donzis
Director of Operations
Greenlight Solutions, LLC
619.794.2485 office
619.794.2489 fax

001280

From: Carolyn Zawacki [c_zawacki@cox.net]
Sent: Monday, January 07, 2008 7:24 PM
To: Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear Ms. Maland,

I live on N. Talmadge Drive in Kensington and would like to express my support for the Kensington Terrace project.

I hosted a presentation in our neighborhood where Allard Jansen, the Kensington Terrace architect, presented his plans for the Kensington Terrace project. I was very impressed by how Mr. Jansen designed the building to blend in with the surrounding architecture. He considered the existing Craftsman style architecture of the homes on Edgeware Street and designed new row homes that matched that style.

I was also impressed that the project included a large underground parking structure, reducing any impact to the potential parking problems on Adams Avenue.

The Kensington Terrace is a beautiful design and will be a very nice addition to our community. I urge you to approve the project.

Carolyn Zawacki
4317 N Talmadge Dr.
San Diego, CA 92116
619-640-7279

001281

From: Aimee Donzis [aimeedonzis@yahoo.com]
Sent: Thursday, January 03, 2008 10:34 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear City Council Members,

I am a resident of North Park, I live at 2639 28th Street in a historic home (Historic Registry #609) . I am always looking for ways that I can improve our vintage neighborhoods.

For example, two years ago I contacted Alysa Rose the CEO of Rejuvenation (www.rejuvenation.com). I sent her a package on North Park that included; neighborhood statistics, history and pictures of historic buildings and homes.

I suggested that Rejuvenation consider North Park as a neighborhood for one of their stores. Toni Atkins can attest to this as I asked her to write a letter of support for a package that I sent to Rejuvenation. Though nothing has come of it as of yet, it has at a minimum planted seeds for the future.

My point is that I adore historic neighborhoods and homes. Part of maintaining and evolving these living museums is to refurbish and when necessary, create new structures that flow naturally into the existing environment.

That is why I am writing, to encourage the approval of the Kensington Terrace Mixed-Use Project (#105244 at 4142 Adams Avenue). The "Starbucks Building" (project also by Allard Jansen) in Kensington has been a great addition to the neighborhood, bringing a much needed "gathering place" and blending in smoothly with the historic neighborhood.

In addition to providing retail, residential, and office space, Kensington Terrace will give Kensington a much needed community plaza. This will help establish a better sense of community. If given the opportunity, it's likely that Jansen and his team will create another mixed-use project that will continue to improve Kensington.

FYI, I do not have any financial investment in this project. I will not be making any financial gains from this project. Nor will I be buying or renting one of the units in the building. I simply think this is a great project that will enhance Kensington by replacing a run down gas-station and dilapidated apartment building.

In order to keep our historic neighborhoods evolving, I encourage the approval of the Kensington Terrace Project.

Thank you for your time.

Kind regards,

Aimee Donzis

Aimee Donzis
Director of Operations
Greenlight Solutions, LLC
619.794.2485 office
619.794.2489 fax

001282

From: Michele Joyce [michelejoyce@cox.net]
Sent: Thursday, January 03, 2008 3:34 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member,

Please view this letter as my expressed support of the Kensington Terrace project. Yes, it is probably a bit oversized for the lot, but overall I believe it will be a lovely addition to the neighborhood. Certainly a needed improvement over the existing dirty, over-priced gas station and adjacent boarded up buildings. I appreciate the archeticetically sensitive design and lovely communal spaces the plan provides.

I think some of our neighbors forget that Adams Avenue is and has been zoned for commercial use and development, and has been openly for sale for a number of years. Some of our neighbors seem to be romantically attached to the Kensington of yesterday. However, construction has hardly been standing still in California~ and Kensington is no exception. Understanding that the area is a planned business district and that will not change, what is more important is insuring well planned projects. And I think Kensington Terrace is very well thought out. In fact, I shutter to think of what could have gone into that space.

In America, if you are not open to a bit of traffic and new business growing up around you, you are free to move to rural areas like Alpine, or to planned communities with with associations and restrictions or purchase the lots yourself.

Personally, I find the traffic study laughable. Vons, which as the only major grocery store in the area fails to attract 2400 cars a day. The fact is, with the high cost of operating most of the businesses in Kensington struggle. I therefore admire the developers willingness to take a risk and build something with a high quality design component and hope each of the business thrive. Certainly they will have the support and patronage of our family.

On a personal note, II feel slowing traffic down on Adams could be a positive thing. The current cross walk situation is dangerous for children.

In close, I can not help but notice that the group opposing this project is the same group who opposed the first Starbuck project, and now sit with their small dogs in lap sipping their lattes and enjoying the communal patio.

Very Sincerely,
Michele Joyce

4119 Lymer Drive
SD, CA 92116

001283

From: Uptown Partners LLC [uptownpartners@pacbell.net]
Sent: Wednesday, January 02, 2008 8:23 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim Hueso, Councilmember Ben; Clerk, City
Cc: info@kensingtonterrace.com
Subject: Kensington Terrace Mixed-Use Project #105244 at 4142 Adams Avenue

Dear San Diego City Council Member,

As a long time Kensington resident, I am fully supportive of the proposed Kensington Terrace Mixed Use Project. Despite what the opponents have to say, we as a community were kept fully aware of the project, its proposed use and development. There has been a VOICE MINORITY in the Kensington community which has been putting out false information on the project and stating incorrectly that the entire Kensington community is AGAINST this project and this is simply NOT TRUE!!!

The developers of this new and exciting project have been honest and upfront. They have been out in the community polling what we would like to see built as far as building design, use of space etc. They have been diligent in modifying their design to attempt to make all parties happy. Obviously a project of this magnitude has to work financially for the builder and it is my belief that the developer has worked hard to balance the scales of what the community wants with the financial feasibility of the development.

I thank you in advance for your support of this proposed development in Kensington, which will add new housing, business and revenue opportunities for Kensington.

Thank you,

Alex Zweig

001284

From: sueandgarybrown@netscape.net
Sent: Wednesday, January 02, 2008 5:00 PM
To: Peters, Councilmember Scott; Faulconer, Council Member Kevin; Atkins, Councilmember; Young, Anthony; Maienschein, Councilmember; Frye, Donna; Madaffer, Councilmember Jim; Hueso, Councilmember Ben; Clerk, City
Subject: Kensington Terrace

I would like the City Council members to know that I fully support the Kensington Terrace development project. I live just North of the project at 4734 Edgeware Road. I have lived at this location for 33 years and have invested significantly in remodeling my house and yard. Currently my 2nd floor deck has a view of the gas station and several dilapidated apartments. I have been waiting for years for someone to risk an investment in redeveloping that property. I have seen the plans for the development and have attended two meetings that discussed the plans. I realize that there are pros and cons to this development, but in my opinion, as a future close neighbor to the development, I am satisfied that it will be a significant improvement to the quality of the neighborhood and to the quality of my life.

Sincerely,

Gary Brown

More new features than ever. Check out the new [AIM\(R\) Mail!](#)

January 6, 2008

Honorable Scott Peters, President
City Council
City of San Diego
202 "C" Street
San Diego, CA 92101

Subject: Kensington Terrace Project, PTS No. 105244

Dear Councilman Peters:

It is my professional opinion that the small house at 4166 Adams Avenue is significant as defined in the California Environmental Quality Act (CEQA) Guidelines, Section 15064.5 because it is **eligible for inclusion on the California Register**. I have completed historical landmark nominations that have resulted in over 50 historical landmarks throughout San Diego City and County. I have independently researched this house, its owners and occupants, its architecture, and its context within the surrounding community, and independently conclude this house has excellent architectural integrity and merits consideration as an important resource to the Kensington community. I urge the Council to Approve the Appeal because of significant new information not previously considered as well as significant procedural errors:

- Section 15064.5(4) clearly states that the building "**does not need to be listed on any register**" to be found significant under CEQA, although the Greater Mid San Diego Preservation Strategy of 1996 identified it as a contributing resource to a potential Kensington Historic District;
- The Planning Commission ignored the November 14, 2007, Memorandum, Office of the City Attorney. The California Appellate Court has directed in *League for the Protection of Oakland and Historical Resources v. City of Oakland* that **demolition of historic resources requires the City of San Diego to prepare an Environmental Impact Report**. The City Attorney failed to explain how Appellate Court decision, *Architectural Heritage Association v. County of Monterey*, 122 Cal. App. 4th 1095, changed the CEQA Guidelines to clearly state that **a building more than 50-years of age need not be listed on a local, state, or federal register to qualify as CEQA significant**. In this "Monterey Jail" case, the Court also directed that an EIR needs to be prepared when demolition of a CEQA significant building is proposed;

001286

- Thus, the Planning Commission **made a significant and fatal mistake by relying on a 5-year old failure of the Historical Resources Board to designate 4166 Adams Avenue.** The Historical Resources Board staff will be the first to tell you they **do not make CEQA findings.**

Over **100 people** appeared at the Planning Commission and demonstrated there is a **significant public controversy over disputed facts and differences of professional opinion on the historical importance of 4166 Adams Avenue.** Section 15064(4) of the **CEQA Guidelines** require the City of San Diego to prepare an **Environmental Impact Report (EIR)** on the proposed demolition of 4166 Adams Avenue and the adverse effects of the proposed project.

A fair argument can be made to support 4166 Adams Avenue as historically significant:

- **Memos of Historical Resources Board staff Terri Delcamp** support this 85-year old Colonial Revival Bungalow cottage with its distinctive hooded doorway as historically significant within the 1922-1923 period (Historical Resources Board Report No. P-03-066, March 13, 2003);
- **Delcamp** argued 4166 Adams Avenue **“was one of the first few (houses) on the block and along this area of Adams Avenue”** and **“exhibits distinctive features of the Craftsman era with Colonial Revival elements and retains its architectural integrity”** and **“staff’s opinion is that this home does exhibit several special features that may elevate it to an individually significant level”**
- The consultant’s report incorrectly identified the type of architecture and thus reached incorrect conclusions about its importance; did not discuss the national influences of the 1922-1923 period which clearly explains the importance of this small house; and did not discuss the builder, a firm that built other homes nearby and was important to the development of the early Kensington community.



Builders of Exclusive Homes	
<small>Alterations</small>	<small>Repairs</small>
HOMES ON EASY PAYMENTS	
GREAT WESTERN BUILDING COMPANY	
<small>455-G-7-8-D SPECKELS BLDG.</small>	
If you wish to Build a Home, Buy a Home or Sell your Home—SEE US.	
<small>We specialize on Residence Property, Ranch Property, Business Investments, Exchanges, and Lower California (Mexico) Lands.</small>	

Civil Engineer Roy Bennett and his wife Dora were new arrivals from New York who retained the **Great Western Building Company** to build their custom home in Kensington Park. The president of the company, **Fred C. Martin**, lived only a couple blocks away in Kensington Park on Kensington Drive.

Significant new information has emerged that is directly relevant to the appeal of the Planning Commission:

- The **Roy and Dora Bennett House at 4166 Adams Avenue** can be fairly argued as an excellent example of affordable housing in the 1920s; these small, affordable houses were part of a **national home ownership movement called the Better Homes Movement**;
- Historian Richard Pourande identified **Fred C. Martin, president of Great Western Building Company**, and G. Aubrey Davidson and Oscar Cotton as officers of the 1920 San Diego California Club, which was the first of the nation's "booster organizations." Its advertisements attracted new residents like the Bennetts to move to San Diego. They were natural promoters of the Better Homes Movement in San Diego (Martin's Great Western Building Company built 4166 Adams Avenue).
- This **Colonial Revival Bungalow cottage contributes to our understanding of the 1922-1923 Better Homes Movement** that began on the national promotion of the 100th anniversary of song-writer John Howard Payne's song "Home Sweet Home." Thus, the small house was "Home Sweet Home" for millions of Americans under this Movement. Without this national support, many would not have been able to afford a new home so soon after WWI;
- To commemorate the Better Homes Movement, the federal government **built a replica** of song-writer Payne's Colonial Revival Long Island, New York **home on the White House lawn** in Washington, D.C (*Morning Herald* [Pennsylvania] May 8, 1923;
- Secretary of Commerce Hoover created the "**Own Your Home Campaign**" by promoting John Howard Payne's Colonial house as the national ideal;
- Over **1,000,000 people** visited the Payne House on the Capitol lawn and newspapers across America **promoted small Colonial cottages** at the National Better Homes Demonstration of "Home Sweet Home." This house exemplifies elements of that Movement;
- President Warren G. Harding and Secretary of Commerce Herbert Hoover kicked-off the first **Better Homes Week in October 1922** for the National Better Homes Advisory Council. **Roy and Dora Bennett commissioned** their new house in the height of the new Better Homes Movement and the Great Western Building Company completed it in December, 1923.



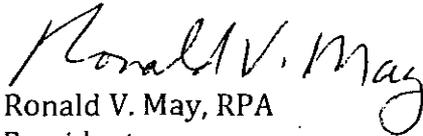
In conclusion, I urge the **City Council** to

- **Uphold the Appeal of the Planning Commission decision;**
- **Find the 85-year old 4166 Adams Avenue significant under CEQA;**

001288

- **Direct the preparation of an EIR on the proposed demolition of 4166 Adams Avenue;**
- **Direct the City Attorney to review the relevant Appellate and Supreme Court cases cited in this letter as part of the EIR pertaining to CEQA significant historical properties;**
- **Consider this house as important as a custom small home built by the Great Western Building Company under the influence of the 1922-1923 Better Homes National "Own Your Home" Campaign and national movement.**

Sincerely,



Ronald V. May, RPA
President

RVM:typ

Cc: San Diego City Council

Council President Scott Peters, District 1
Councilmember Kevin Faulconer, District 2
Councilmember Toni Atkins, District 3
Council President Pro Tem Tony Young, District 4
Councilmember Brian Maienschein, District 5
Councilmember Donna Frye, District 6
Councilmember Jim Madaffer, District 7
Councilmember Ben Hueso, District 8
Michael J. Aguirre, City Attorney
Karen Heumann, Assistant City Attorney
Shirley Edwards, Chief Deputy City Attorney
Alex Sachs, Deputy City Attorney
Andrea Contreras Dixon, Deputy City Attorney
Marianne Greene, Deputy City Attorney
Mike Westlake, Program Manager
Anne Jarque, Environmental Analyst
John Fisher, Project Manager
Cathy Winterrowd, Senior Planner, Historical Resources Board

001289

From: Alex Sachs
To: Sabrina Curtin
Date: Wednesday, November 07, 2007 12:06:52 PM
Subject: City Attorney Letter to Planning Commissioners — Request to Continue Item 8 - Kensington Terrace

Dear Ms. Curtin:

Attached is a PDF of a letter from Mike Aguirre to Chair Schultz and the Commissioners requesting the Commission consider a continuance of Item 8 from tomorrow's Planning Commission agenda, Kensington Terrace.

Please distribute to the Commissioners. I am sending via e-mail the CC copies of this correspondence to the other parties.

If you or anyone else have any questions, please feel free to contact me or Deputy City Attorney Andrea Dixon. Ms. Dixon may be reached at 619/236-7219. Thank you.

Alex W. Sachs
Deputy City Attorney, Redevelopment Section
Office of the San Diego City Attorney
619/533-5800 - 619/533-5875 (direct)

CC: Andrea Dixon; April Chesebro; Dan Stricker; Jeff Van Deerlin; Jerry Sanders; Karen Heumann; kentalpcchair@411kensington.com; Marlon Pangilinan; Mike Westlake; Toni Atkins; William Anderson

001291

OFFICE OF
THE CITY ATTORNEY
CITY OF SAN DIEGO
MICHAEL J. AGUIRRE
CITY ATTORNEY

CIVIL DIVISION
1200 THIRD AVENUE, SUITE 1620
SAN DIEGO, CALIFORNIA 92101-4178
TELEPHONE (619) 236-6220
FAX (619) 236-7215

November 7, 2007

VIA E-MAIL

Mr. Barry Schultz, Chair
City of San Diego Planning Commission
c/o 1222 First Avenue, Fourth Floor
San Diego, CA 92101

Dear Mr. Schultz:

*Request for Continuance - Kensington Terrace - Project No. 105244
Item 8 - Planning Commission Docket of November 8, 2007*

On behalf of the City Attorney's Office, I respectfully request the Planning Commission continue Item 8 of the Commission's docket for November 8, 2007, the Kensington Terrace - Project No. 105244.

In continuing the item, the Planning Commission would enable our office to do a more thorough review of the final Mitigated Negative Declaration [MND] submitted to the Commission by the Development Services Department and would allow additional members of the Kensington community to have their concerns more thoroughly addressed by both City staff and the applicant.

Furthermore, in meeting with some of the residents concerned with the project, it has become clear to me that they have raised legitimate concerns which may not have been adequately addressed in the City's review process thus far. It is my hope to facilitate additional dialogue between the parties that will yield an improved project and a heightened level of comfort for the Kensington residents who have expressed concerns.

As you know, the City's reliance on an MND for the proposed 301 University project in Hillcrest was recently rejected in *Friends of San Diego, Inc. v. City of San Diego*, GIC874140. In her ruling in this case, Judge Quinn found that the opponents of the 301 University project had presented a "fair argument" that community character and aesthetics were not adequately addressed by the City in the Mitigated Negative Declaration.

The Court's opinion in *Friends of San Diego* was issued on August 23, 2007, and the Initial Study of the Kensington Terrace project was performed before the City could take into

account the Court's ruling in that case. Because the proposed Kensington Terrace would likely be the largest single development on Adams Avenue between Park Boulevard and Aldine Drive, and given that Kensington is one of our City's oldest "streetcar suburban" residential developments and retains much of that character, it would be prudent to give the community character issue additional study.

In addition, the residents with whom I've met have concerns about the adequacy of the transportation study performed by the applicant as a part of the MND process. Those concerns center on whether the study adequately assessed potential trip generation as well as whether all potential traffic impacts were assessed. For example, while the study does address traffic impacts on Adams Avenue from I-15 to Aldine Drive, a cursory review of the study fails to indicate that any review of potential new traffic impacts in the area north of the alley separating the single-family residential neighborhood from the Kensington Terrace project was performed.

For these reasons, I respectfully request that the Commission continue this Item to a future date certain acceptable to the applicant and the community members. Thank you for your attention to this matter.

Sincerely yours,

MICHAEL J. AGUIRRE, City Attorney



MJA:AWS:mm

cc: Planning Commissioners
Mayor Jerry Sanders
Councilmember Toni Atkins
Bill Anderson, Deputy COO, Land Use and Economic Development
Mike Westlake, Program Manager, Development Services
Dan Stricker, Project Manager, Development Services
Marlon Pangilinan, Community Planner, CPCI
Fred Lindahl, Chair, Kensington-Talmadge Planning Committee
April Chesebro, Councilmember Toni Atkins

Office of
The City Attorney
City of San Diego

MEMORANDUM

DATE: November 14, 2007
TO: Chairman Schultz and Members of the Planning Commission
FROM: City Attorney
SUBJECT: Kensington Terrace; PTS No. 105244

Introduction

The above-referenced project was docketed on November 8, 2007, for hearing on the application for a Planned Development Permit and Vesting Tentative Map, as well as certification of a Mitigated Negative Declaration [MND]. At that time, the City Attorney's Office requested a continuance in order to give the MND further legal analysis. The request was granted, and as is discussed more fully below, it is the opinion of the City Attorney that the Planning Commission should direct an Environmental Impact Report be prepared for this project.

Facts

The project proposes to demolish, among others, an existing Craftsman-style single-family dwelling located at 4166 Adams Avenue. The initial study found "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."

The Mid-City Communities Plan [Plan] identifies the Kensington & Talmadge Historic District in Kensington as a district eligible for historic designation. Furthermore, the Plan expresses a vision for Mid-City communities "where prehistoric and historic resources are celebrated, preserved, and enhanced." *San Diego Mid-City Communities Plan*, p. 49, August 1998.

Analysis

CEQA requires a lead agency to prepare an EIR "whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant environmental impact." *League for Protection of Oakland's Architectural and Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 904 (citations omitted). Pub. Res. Code Sec. 21060.5 includes historic conditions within the definition of environment. In addition, "a project that may cause substantial adverse change in the significance of an historical resource is a project that may have

a significant effect on the environment.” Pub. Res. Code Sec. 21084.1. Further, “[a] project will normally have a significant effect on the environment if it will . . . disrupt or adversely affect . . . a property of historic or cultural significance to a community or ethnic social group.” *Id.* at 905-06.

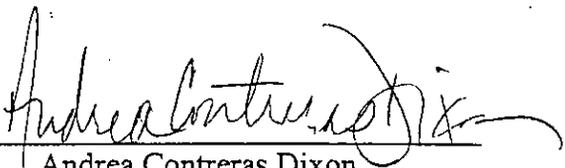
In *Protection of Oakland's Architecture*, the Court found that a dilapidated industrial building qualified as a historical resource under CEQA, and therefore a project scheduling its demolition would have a significant environmental effect. Such a result required the City of Oakland to prepare an EIR, instead of the MND that was the subject matter of the case. Like the historical structure in *Protection of Oakland's Architecture*, the Adams Avenue Craftsman is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources; neither is it included in a local register of historical resources. Nevertheless, the Court found these more formal designations unnecessary to a finding of significance. *Id.* at 906.

In the event the entire record supports a fair argument that a building might be a historical resource, CEQA mandates the lead agency prepare an EIR. Here, a fair argument certainly exists. The Historic Resources Board determined the Adams Avenue Craftsman is a contributor to the “unformed” Kensington Historic District. The San Diego Municipal Code recognizes historical districts regardless of formal designation, thus, the lack of a formal designation in this case is irrelevant. SDMC 113.0103. As in *Protection of Oakland's Architecture*, the Community Plan identifies Kensington as a potential historic district. This evidence presents a fair argument that destruction of the Adams Avenue Craftsman would significantly impact the environment. Thus, it is the recommendation of the City Attorney's Office that an EIR be prepared in lieu of the existing MND.

Conclusion

In conclusion, the City Attorney's Office respectfully advises that the Planning Commission direct City staff to prepare an EIR for the above-referenced project.

MICHAEL J. AGUIRRE, City Attorney

By: 
Andrea Contreras Dixon
Deputy City Attorney

ACD:ms

cc: Karen Heumann, Assistant City Attorney
Shirley Edwards, Chief Deputy City Attorney
Alex Sachs, Deputy City Attorney
Mike Westlake, Program Manager
Anne Jarque, Environmental Analyst
John Fisher, Project Manager

001295

Stricker, Dan

From: epwilliams@eaglestrategies.com
Sent: Thursday, November 01, 2007 10:33 AM
To: Commission, Planning
Cc: Stricker, Dan
Subject: Adams Ave. At Marlborough development

I am a resident of Kensington. The north side of Adams between Marlborough and Edgeware is a blighted area and in great need of redevelopment. The proposal for developing the site has my enthusiastic support. Consideration should be given to off-street parking and height that is consistent with the Kensington business district.

By developing that block we can create a more friendly pedestrian path that will enhance the businesses east of that location on Adams. I am not able to attend the city council meeting on 11/8 discussing the project. Please read this memo into the public record of my support of the project.

Edward P. Williams

Edward P. Williams, CFP

Eagle Strategies - Financial Adviser

8910 University Center Lane, Suite 300

San Diego, CA 92122

(858) 623-8990

epwilliams@eaglestrategies.com

If you do not wish to receive mail communications from New York Life, please reply to this email, using the words "Opt Out" in the subject line.

Please copy: mail_optout@newyorklife.com

New York Life Insurance Co., 51 Madison Ave., New York, NY 10010. Member FINRA.

001236

Stricker, Dan

From: jlezny@cox.net
Sent: Monday, November 05, 2007 6:38 AM
To: Mayor, Office of the
Cc: Stricker, Dan; Fisher, John; DSDEAS DSDEAS; Chesebro, April; Atkins, Councilmember
Subject: DO NOT DELAY the Kensington Terrace project

Subject: Kensington Terrace project 105244

Dear Mr. Mayor,

First, didn't you love Jersey Boys last night? I saw you during intermission. How about that great theater coming from San Diego? Now, onto some business...

I am a resident of Kensington and have known about the Kensington Terrace project for at least 6 months. I frequent our business district and have seen signs posted.

I trust that the city will or has required all proper environmental studies to be conducted on this project.

Based on the plans presented to date, I am happy that there will be more parking in Kensington, both on street and underground. How great!

Please DO NOT DELAY this project. Please do anything in your power to keep the project moving along, we need to get rid of that gas station and boarded up houses ASAP.

I do not think a delay for the Planning Commission's Committee hearing will help. Those that are opposed to the project will remain opposed, I don't see how any additional information or time will help.

Thank you for your consideration of this matter.

Sincerely,

Jan K Lezny

4309 Adams Ave

San Diego, CA 92116

001297

Stricker, Dan

From: lguarnotta@cox.net
Sent: Monday, November 05, 2007 10:35 AM
To: Mayor, Office of the
Cc: Stricker, Dan; Fisher, John; DSDEAS DSDEAS; Chesebro, April; Atkins, Councilmember
Subject: Kensington Terrace Project

Dear Mayor Sanders,

Please know that w are NOT in favor of postponing the hearing before the Planning Commission scheduled for Nov. 8. The community has known about this for many months and the owners of the property have a right to a timely disposition.

Also, please note that we are in favor of this project. It's a beautiful, well thought out project that will be a wonderful improvement over what is currently on those properties.

Thomas and Louise Guarnotta

5262 Marlborough Dr.

San Diego 92116

001298

Stricker, Dan

From: p.dennehy@sgrea.com
Sent: Monday, November 05, 2007 1:02 PM
To: Mayor, Office of the
Cc: Stricker, Dan; Fisher, John; DSDEAS DSDEAS; Chesebro, April; Atkins, Councilmember
Subject: DO NOT POSTPONE Planning Commission Hearing for Project #105244 (Kensington Terrace)

Dear Mayor Sanders (et al):

I am a resident of Kensington - residing at 4617 East Talmadge Drive - and I am writing to ask that you NOT step in to postpone the scheduled hearing for project # 105244 (Kensington Terrace) - scheduled for this Thursday, November 8th, 2007.

I have been generally familiar with the project during the 2+ years that it has been moving through the established approval process and I was present at a Community presentation last Thursday night at which the Developer (once again) presented his plans and addressed community concerns.

I support the project as proposed as well as the mitigation measures recommended by the City Engineer. I think the applicant has complied with the process, has provided opportunity for comment and recommendations (through the local planning group process) and has a project that will bring benefit to the community. In these difficult times for the real estate industry, I think that he should be allowed to proceed with the hearing.

I don't see that additional time is needed here. The developer worked with the community through the established process - and the current proposal reflects compromises requested through that process. I can appreciate that some members of the community feel like they did not get sufficient notice - but the record will show that meetings were held, articles written in various papers and the basic fact of the project proposal was generally known in the community. We can't make people participate - but I don't think the developer should be held up further because they chose to get involved only at this late date.

Finally - I realize that you cannot control the City Attorney - but his presence at the community meeting was not helpful. While I am certain that he could justify his presence on some grounds - I will say - as a citizen and resident of San Diego - that I do not feel like he was representing my interest or that of the City.

Thanks for your time and attention to this matter.

Peter Dennehy

Peter F. Dennehy

Senior Vice President

001299

Stricker, Dan

From: rob@recenv.com
Sent: Monday, November 05, 2007 4:58 PM
To: Stricker, Dan; Mayor, Office of the; Atkins, Councilmember
Cc: bruce.fox@mac.com; irishcolum@mac.com; ualsdguy@aol.com
Subject: Planning Commission Hearing for Project #105244 (Kensington Terrace)

Dear Mayor Sanders (et al):

I am a resident of Kensington and I am writing to ask that you NOT step in to postpone the scheduled hearing for project # 105244 (Kensington Terrace) - scheduled for this Thursday, November 8th, 2007.

Like many others, I have been generally familiar with the project during the 2+ years that it has been moving through the established approval process via the public noticing process and regular writings in the press. The site has also been well posted for many months now.

I support the project as proposed as well as the mitigation measures recommended by the City. As a professional who is familiar with the entitlement process, it is clear that the many hoops a development like this must go through have been completed. The developer has been communicative, responsive and I think the project as proposed agrees with the intent of the mid City's PDO, and the municipal code.

Thanks for your time and attention to this matter.

Robert Furey
4550 Van Dyke Ave
San Diego Ca 9216

001300

Stricker, Dan

From: DixBlake@aol.com
Sent: Tuesday, November 06, 2007 9:31 AM
To: "Undisclosed recipients:\,\"@Yosemite.API
Subject: Kensington Terrace Project - do not postpone

Dear Mayor Sanders:

We are residents of Kensington, living at 4645 West Talmadge Drive. We also own property at 4745 Terrace Drive in Kensington. We have been aware of the Kensington Terrace project for some time and have attended meetings regarding this project.

We feel that the developer has provided ample information, and has made adjustments as requested by the residents. He has also met the city's requirements.

It is too bad that some residents have been unaware of the plans, and have not participated in the review of the project over the past two years. However, their lack of participation does not mean the hearing or the project should be postponed.

We would like to request that the hearings not be postponed.

Sincerely,

John and Dixie Blake
4645 W Talmadge Drive
San Diego, CA 92116
619 281 2867 phone
dixblake@aol.com email

See what's new at AOL.com and Make AOL Your Homepage.

001301

Stricker, Dan

From: jmilnermares@ucsd.edu
Sent: Tuesday, November 06, 2007 8:42 PM
To: Commission, Planning
Cc: Stricker, Dan; Fisher, John; Mayor, Office of the; DSDEAS DSDEAS; Atkins, Councilmember; dmares@dss.ucsd.edu
Subject: Project 105244/Kensington Terrace

As 25 year residents of Kensington, we were disappointed to learn of an attempt to persuade the planning commission to grant a continuance to allow for further education and study of the proposed project. Frankly the project has been discussed in the neighborhood for months, and anyone with a genuine interest in learning more has had ample opportunity to do so. We therefore interpret the request for continuance as a hope to create sufficient delay, inconvenience, and financial cost to the developers that they decide not to pursue the project. In our view, such an outcome would be a great loss for Kensington.

Some residents of Kensington choose to ignore the fact that commercial areas in the city will necessarily experience increased density and development as the city continues to grow. In fact, the choice is not whether to develop, but how to develop. The lead developer on this project has shown himself to be responsible and innovative. His existing project at Adams and Marlborough has been a great contribution to the neighborhood. It is unlikely that another developer would be as sensitive to the neighborhood and develop a project of equivalent quality. If this project were defeated, or delayed with the result that the developers withdrew, a likely result is that this plan would be replaced by a strip mall with convenience stores which would dramatically detract from the quality and character of the neighborhood.

We therefore strongly oppose a continuance, and urge approval of the proposed plan.

Jane Milner-Mares
David Mares
Bristol Road

001303

Stricker, Dan

From: vcassens@hotmail.com
Sent: Wednesday, November 07, 2007 6:44 AM
To: Commission, Planning
Cc: Stricker, Dan; Fisher, John; Mayor, Office of the; DSDEAS DSDEAS; Atkins, Councilmember
Subject: RE: Project 105244/Kensington Terrace

Importance: High

We concur with Jane Mares completely. We have an office in the existing building that the developer built and it is a good quality building that works well for all the tenants. It certainly is an improvement over the vacant lot that existed there for so many years. The deteriorating buildings located on the site in question certainly do nothing to improve the neighborhood. The gas station, while convenient, is an eyesore.

Based on other buildings farther down Adams Avenue, many developers would be much less responsive to the neighborhood style and still stay within the zoning and planning commission rules to build a much less attractive building. The current developers have gone out of there way to discuss the project at numerous Kensington Planning Committee meetings. If people in the neighborhood are so uninvolved that they have not been aware of it, then so be it. But to require him to wait longer to explain to those who has simply not been paying attention is a poor business decision and a poor decision for the neighborhood. Most people are aware of the plans and have no problem with it. the residents of Kensington have had more than enough time to state their concerns. Let's move on with the project and keep improving Kensington!!

Vicky Cassens Zillioux
4010 South Hempstead Circle
San Diego 92116

>From: "Jane Milner-Mares" <jmilnermares@ucsd.edu>
>To: <planningcommission@sandiego.gov>
>CC: <dmares@dss.ucsd.edu>, <DSDEAS@sandiego.gov>, <dstricker@sandiego.gov>,
> <JerrySanders@sandiego.gov>, <jsfisher@sandiego.gov>,
><toniatkins@sandiego.gov>
>Subject: Project 105244/Kensington Terrace
>Date: Tue, 06 Nov 2007 20:41:47 -0800
>

>As 25 year residents of Kensington, we were disappointed to learn of an
>attempt to persuade the planning commission to grant a continuance to
>allow for further education and study of the proposed project. Frankly
>the project has been discussed in the neighborhood for months, and
>anyone with a genuine interest in learning more has had ample
>opportunity to do so. We therefore interpret the request for
>continuance as a hope to create sufficient delay, inconvenience, and
>financial cost to the developers that they decide not to pursue the
>project. In our view, such an outcome would be a great loss for Kensington.

>
>Some residents of Kensington choose to ignore the fact that commercial
>areas in the city will necessarily experience increased density and
>development as the city continues to grow. In fact, the choice is not
>whether to develop, but how to develop. The lead developer on this
>project has shown himself to be responsible and innovative. His
>existing project at Adams and Marlborough has been a great contribution to the
>neighborhood.

> It is unlikely that another developer would be as sensitive to the
>neighborhood and develop a project of equivalent quality. If this
>project were defeated, or delayed with the result that the developers

001304

>withdrew, a likely result is that this plan would be replaced by a
>strip mall with convenience stores which would dramatically detract
>from the quality and character of the neighborhood.

>

>We therefore strongly oppose a continuance, and urge approval of the
>proposed plan.

>

>Jane Milner-Mares

>David Mares

>Bristol Road

>

001305

KENSINGTON TERRACE

October 29, 2007

Dear Kensington Neighbor:

You've recently expressed concern about the mixed-use project I am planning to build at the corner of Marlborough and Adams Avenue, where the Emerald gas station is currently operating. I have been working very closely with the Kensington Talmadge Planning Committee and the City of San Diego to comply with all their requirements, and know that the city of San Diego has responded to your letters already. The City keeps me apprised of the issues you raise – many of which have been reviewed in public presentations for the past two years. If you have missed the community workshops and planning committee meetings, I would like the opportunity, once more, to present the plans for Kensington Terrace, and explain the benefits and community impacts to you directly.

Please attend a presentation this Thursday (November 1, 2007), in the sanctuary at the Kensington Community Church, at 6:30 p.m on Marlborough Drive. You will see the floor plans and renderings, the height diagrams and the City's proposals for street and traffic changes. I welcome the chance to personally answer your questions and perhaps clarify some of the incorrect information that is circulating through the neighborhood.

You are receiving this notice because of your recent communication to the City of San Diego – however, all residents of Kensington are invited. If you believe there are other neighbors who may be interested and have not seen plans for the Kensington Terrace project, please pass along the date and time. No RSVP is necessary – arrive early for the best seating.

I strongly believe that the Kensington Terrace represents a positive addition to the community and a welcome alternative to current conditions on that block. Please allow me this opportunity to share my vision and my commitment to the betterment of Kensington village.

Sincerely,
TERRACE PARTNERS

Allard Jansen AIA
General Partner

001307

CITY PLANNING
COMMISSION

October 22, 2007

OCT 29 2007

City of San Diego Planning Commission

RECEIVED

1222 First Avenue 4th Floor

San Diego, CA 92101

Re: Project Number 105244

To Whom It May Concern,

In regard to the application for the Kensington Terrace planned development permit for Adams Avenue between Marlborough Street and Edgeware Road in Kensington, we, the undersigned residents of Edgeware Road, wish to make the following comments.

While we understand that this section of Adams Avenue is zoned for mixed use under the Mid-City Communities Plan and the owners of the property in question have the right to develop the project, we question the need for a variance to the height restriction of 30 feet on the eastern portion of the property. We assume that if the development were to be kept within current zoning restrictions there would be some loss in density of tenants, clients, and visitors. We also assume this would reduce the average number of daily vehicle trips to the surrounding Kensington streets. We see this as a positive outcome of denying the variance.

Referring to the City of San Diego Planning Department's Mid-City Communities Plan, Kensington is located "on a narrow peninsula isolated on three sides by steep slopes". Furthermore, "the neighborhood is a strong candidate for designation as a historical district." According to the Mid-City Communities Plan, only the Adams Avenue corridor, ending at this project, is designated for commercial use, while the entire remainder of Kensington is designated Single Family Conservation Area. Despite that, this project would appear to be designed to bring retail businesses, office space and associated traffic into our residential neighborhood. This would seem to be in direct conflict with the Plan's "Vision 2020", which includes, "Neighborhoods that recognize, maintain, and enhance their unique identity and provide an excellent environment for family living."

We do not see how routing an additional 2,479 cars through our residential streets would make for an excellent environment for family living. We are wondering if the City Planning Department knows of some great increase in the unemployment rate in Kensington that would be mitigated by bringing retail and office space to our backyards. The Mid-City Communities Plan notes, under Kensington-Talmadge issues,

- Speeding and cut-through traffic is disrupting portions of residential neighborhood streets.
- Commercial parking is deficient with on-street parking overflowing into the neighborhoods.

The Plan also recommends, as illustrated in Conceptual Commercial Element Figure 17, that commercial development in this location be devoted to "Neighborhood Commercial", as opposed to Community Commercial or General Commercial. If this project were developed according to the Mid-City Communities Plan, we doubt there would be a need for 115 parking spaces or 2,479 additional vehicles coming into Kensington every day, as most of us would probably walk to the store.

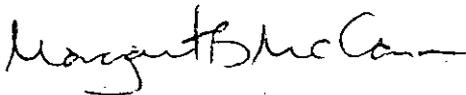
001308

With the eastern section of the property zoned CN-1-3, we hope the Planning Commission would ask the developer to explain why so many parking spaces will be needed when the commercial space is supposed to be built to serve the immediate need of the surrounding residential area, which is what Commercial Neighborhood development should do. The western section of the property is zoned CU-3-3, which, according to §155.0235 of the San Diego Municipal Code, "is intended to accommodate development with a pedestrian orientation and medium-high density residential use". Again, we do not understand the need for street widening, traffic control, lane striping, 115 parking spaces and 2,479 additional vehicular trips per day because of a project with a pedestrian orientation. The nine for-sale units on .78 acre hardly qualify as medium-high density residential use, considering they are replacing the existing eight units on a smaller parcel.

Approving the height variance will increase the non-residential density of this project, which will increase the traffic flow into Kensington and destroy the pedestrian-oriented life-style of our neighborhood. Locating an office and retail space that brings in traffic from outside the community directly across the street from the only park in Kensington subtracts from the quality of life of the neighborhood's residents, and only adds 2,479 chances every day of a child being hit by a car while on the way to the playground. The scale and intensity of use of this project will have a significant negative impact on the residents of our community. Why is an Environmental Impact Report not required for this project?

We hope that the Planning Commission ensures that all recommendations for Kensington from the Mid-City Communities Plan are adopted, and does the right thing and denies the request for a height variance. We also hope that the developer be required to redesign the project to be more in tune with meeting the needs of the residents of Kensington. Reduction of the office and retail space, offset by an increased number of residential units to be in compliance with municipal code would be a good place to start.

Sincerely,



Margaret B. McCann & Jagath Ashirwad
4650 Edgeware Road
San Diego, CA 92116
619-584-2896

On behalf of:

David B. Hamilton & Gail Conklin
4644 Edgeware Road

Elizabeth Generoli
4645 Edgeware Road

Sherry Hopwood
4632 Edgeware Road

Linda Brown-Key and Dennis Key
4627 Edgeware Road

Bryan Miller and Scott Teerlink
4660 Edgeware Road

Mary Ray and Robert Heinlein
4621 Edgeware Road

Ann Rubenstein and Gabriel Gilbert
4657 Edgeware Road

Kyle and Tim Malone
4636 Edgeware Road

Billie R. Hastings
4604 Edgeware Road

Jon Schimmer
4609 Edgeware Road

001309

Kerry Ringle
4589 Edgeware Road

Katharine Woessner
4539 Edgeware Road

David A. Dennen
4562 Edgeware Road

Gary Brown
4734 Edgeware Road

Randy Beach
4841 Edgeware Road

Linda Siefker
4842 Edgeware Road

R.E. Hughes
4162 East Canterbury Drive

Jarod and Lindsay Martin
4720 Edgeware Road

Gina Gianzero and Kevin Kelly
4751 Edgeware Road

Jennifer Therieau
4626 Edgeware Road

Thomas A. Porter
4522 Edgeware Road

Debby and Marcos Pesqueira
4538 Edgeware Road

Kay Ledger
4875 Edgeware Road

Jennifer Reed
4730 Biona Drive

Ross Kodani
4549 Edgeware Road

Sean McGaffney
4556 Edgeware Road

Jim and Linda Symons
4666 Edgeware Road

Jan and Fred Bast
4833 Edgeware Road

Nancie Greenfield
4865 Edgeware Road

Virginia Berger
4890 Edgeware Road

Jim and Cyndi Croff
4174 East Canterbury Drive

Bill Martin
4720 Edgeware Road

Vic and Jeanie Camp
4757 Edgeware Road

Donna and Dave Gunn
4739 Edgeware Road

Jeff Wiant
4523 Edgeware Road

Jeri Dilno and Carolyn Innes
4557 Edgeware Road

Paulette Botti & Rick DeHorney
4669 Edgeware Road

Chacho Herman
4625 Marlborough Drive

Cc: Kensington-Talmadge Planning Committee
Council District 3 Councilmember Toni Atkins
Office of the Mayor
Office of the City Attorney
Marlon Pangilinan
April Chesebro
Todd Gloria

001311

From: Carol Fenner
To: Planning Commission
Date: Wed, Oct 31, 2007 7:25 PM
Subject: Kensington Terrace: Project 105244

Dear Members of the Planning Commission:

I would like to take this opportunity to point out a few errors in the "Revised Initial Study" for Project 105244:

Figure 3 ("Vesting Tentative Map"): the "Project Soil Condition" is incorrectly stated as "Del Mar Formation." The subject property is underlain by artificial fill from approximately 0 to 3 feet below ground surface(bgs), the Linda Vista Formation from 3 to 10 feet bgs, the San Diego Formation from 10 to 80 feet bgs, and the Mission Valley Formation from 80 to ? feet bgs, as interpreted from Boring Log B-6, dated December 21, 1995(Groundwater Technology, Inc.).

The excavation for the proposed development would extend to a maximum depth of approximately 21 feet bgs, and will therefore encounter the cobbles, pebbles, and gravels that comprise approximately 70% of the formation to a depth of approximately 8 feet (the remaining 30% would be composed of sand). The remainder of the excavation from 8 to 21 feet will be cut from underlying silty sand.

The reference to the Del Mar Formation on Figure 3(which occurs beneath the coastal area in the vicinity of Torrey Pines, Solana Beach, etc.) suggests that the increased difficulty of excavating and drilling beneath the subject property due to the presence of the cobbles, pebbles, and gravels has not been taken into account by the design team.

The total volume of material to be cut for export for the proposed development is estimated by the applicant to be 21,000 cubic yards. Please note that a typical haul by a dump truck would be approximately 18 cubic yards. By doing the math, it would appear that it would take about 1,200 dumptruck hauls to dispose of the excavated soils (and maybe more as the cobbles, pebbles and gravels would add considerably to the weight of each load). The route these trucks would take through Kensington to access and exit the subject property is as yet unknown; however, the only route that would avoid residential streets is via Adams Avenue to Interstate 15, which already experiences the greatest traffic volume in the vicinity.

Finally, the City of San Diego response to Comment 105 regarding the proposed three-lane configuration of Adams Avenue in the "Final Mitigated Negative

001312

Declaration" states that the "speed limit would remain 35 MPH." Please note that the posted speed limit along the indicated section of Adams Avenue is currently 25 MPH!

Thank you for your consideration.

Sincerely,

Carol Fenner
Kensington resident since 1994

PMB 163
501 W. Broadway
San Diego, CA 92101

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

001313

From: Jim Chatfield
To: Dan Stricker, todd@toddlgloria.com, DSDEAS DSDEAS, April Chesebro
Date: Wed, Oct 31, 2007 5:35 PM
Subject: Re: Kensington Terrace

Dan, thank youyt
Sincerely,

Jim Chatfield

Sent from my BlackBerry Wireless Handheld (www.BlackBerry.net)

----- Original Message -----

From: Dan Stricker <DStricker@sandiego.gov>
To: Jim Chatfield; todd@toddlgloria.com <todd@toddlgloria.com>; DSDEAS DSDEAS <DSDEAS@sandiego.gov>; April Chesebro <AChesebro@sandiego.gov>
Cc: Planning Commission <PlanningCommission@sandiego.gov>
Sent: Wed Oct 31 15:25:00 2007
Subject: RE: Kensington Terrace

Mr. Chatfield,

I tried catching you to respond in person, before and after the meeting you had at 1:00 PM here at DSD today, but it's my understanding that you were unavailable. The meeting you refer to below was scheduled by the applicant/developer for the following reasons:

1. To provide another opportunity for members of the community to comment on the project, ask questions, and express concerns.
2. To make an attempt to clear up some misinformation which has been distributed throughout the community.
3. To further describe the proposed, its benefit and its impacts, and how the applicant has proposed to mitigate those impacts.

It's my understanding that the applicant made a decision to try and set up this meeting sometime on or about October 29, as a result of the concerns expressed by interested persons, as well as some misinformation which was being distributed in the community by interested persons, and not by the applicant nor City staff. I was informed by the applicant of this meeting on October 30, 2007. The applicant would probably be best to ask if a mailer was sent out to the entire community, or to just those persons who had expressed an interest in the project by commenting either in favor or in opposition. You can reach the applicant/developer, Mr. Allard Jansen at 858-793-9091 X 203.

I am not aware of a representative of the City Attorney's Office being present at the November 1, 2007 meeting, nor a representative of DSD; however, both will be present at the Planning Commission hearing, scheduled for November 8, 2007, beginning at 9:00 AM in the City Council Chambers (12th Floor of the City Administration Building), located at 201 C Street in downtown San Diego.

Feel free to contact me should you have further questions.

Daniel Stricker

001314

Development Project Manager
Affordable/Infill Housing and Sustainable Buildings Expedite Program
Development Services Department
City of San Diego
Tel. (619) 446-5251
Fax (619) 446-5499
E-mail: dstricker@sandiego.gov

For useful information about the development process, please visit our web-site at:
www.sandiego.gov/development-services

>>> Jim Chatfield 10/31/07 11:10 AM >>>

Dan, please clarify exactly how this meeting was scheduled....it's my understanding that the meeting was schedule with very short notice, and many of the members of the community still do not know about it. Was a mailer sent out to the entire Kensington/Talmadge zip code? Will the FMND and traffic study be reviewed in detail at the meeting? Will a representative from DSD and the City Attorney's office be present at the meeting? Unfortunately, due to the short notice, I can not attend as I will be out of town on business...

Sincerely,

Jim Chatfield

From: Dan Stricker [mailto:DStricker@sandiego.gov]
Sent: Wednesday, October 31, 2007 7:49 AM
To: Jim Chatfield; todd@toddlgloria.com; Anne Jarque; DSDEAS DSDEAS; April Chesebro
Cc: Planning Commission
Subject: Re: Kensington Terrace

Mr. Chatfield,

Thank you for your comments and concerns regarding this project. Your comments have been received by the Planning Commission, who will be taking them into consideration when making their decision at the November 8, 2007 Planning Commission hearing.

Please note that the applicant/architect has scheduled a meeting with concerned members of the Community for this Thursday evening, November 1, 2007. If you are able to make it, it would be a good opportunity for you to raise your questions and concerns with the developer who is proposing the subject project. I have attached a letter with details of the meeting, which was written by the applicant to a number of community members who have expresses concerns or have questions about the project. Feel free to contact

001315

From: "Carol Fenner" <julycarol1953@yahoo.com>
To: "Sabrina Curtin" <scurtin@sandiego.gov>
Date: 10/17/2007 3:15:PM
Subject: Re: Fwd: Kensington Terrace, Project No. 105244

Thank you, Sabrina, for you prompt reply to my e-mail.
However, how will the Kensington residents who show up for tomorrow's meeting be informed of the change? I suppose they will find out when they get there.

Carol
--- Sabrina Curtin <scurtin@sandiego.gov> wrote:

> Ms Fenner,
>
> Your email was forwarded to me by Mr. Westlake.
> Please let try and
> explain the confusion on the notices.
>
> We were able to stop the mailing portion of the
> notice, but not able to
> stop the publishing in the paper or posting to the
> sannet website.
> Since, the item was partially noticed for October
> 18, 2007, it must
> appear on the agenda for that date.
> We are withdrawing the project from the October 18th
> agenda and will
> send out a new notice on October 24, 2007, to be
> heard November 8, 2007.
> I hope that clears up some questions.
>
> As far as your last question regarding CEQA, I need
> to forward your
> email to Mr. Stricker for him to respond.
>
> Sorry for any inconvenience this may have caused.
> If you have any
> further questions that I may answering regarding the
> hearing. Please
> email me at planningcommission@sandiego.gov
>
>
>
>
> Thank you,
>
> Sabrina Curtin
> City of San Diego
> Development Services
> Support for Planning Commission
> and Hearing Officer
> scurtin@sandiego.gov
> 619-321-3208 direct line
> 619-446-5000 general information

001316

> 619-321-3200 fax
>
>
>
> Correspondents should assume that all communications
> to or from this
> address are recorded and may be reviewed by third
> parties.
>
>
>
> >>> "Carol Fenner" <julycarol1953@yahoo.com>
> 10/17/2007 10:58 AM >>>
> Dear Mr. Westlake,
>
> I am sending you this email because, as a 13-year
> Kensington resident, I am concerned that the legal
> requirements for advising the public of the City
> Planning Commission's public hearing date are not
> being observed.
>
> First of all, no notice of the pending public
> hearing
> date was posted on the subject property as of this
> morning, October 17, 2007.
>
> Secondly, the sarnet website posting still lists the
> date for the hearing as tomorrow, October 18, 2007,
> when, in fact, the item has been "noticed for
> November
> 8, 2007," according to the current Planning
> Commission
> agenda.
>
> I also have a question: how does the public find
> out
> the results of the public comment period for the
> draft
> negative declaration for the project? When my
> friend
> Catherine called Dan Stricker during the "negdec"
> public comment period, he told her not to comment at
> that time because the comments would just get lost,
> and to wait for the public hearing--but at this
> juncture, no one but the powers-that-be know when
> the
> meeting will be held. Isn't it the City's job to
> ensure that the CEQA process is allowed to work?
>
>
>
>

> Do You Yahoo!?
> Tired of spam? Yahoo! Mail has the best spam
> protection around
> <http://mail.yahoo.com>

001317

me should you have additional questions.

Sincerely,

Daniel Stricker
Development Project Manager
Affordable/Infill Housing and Sustainable Buildings Expedite Program
Development Services Department
City of San Diego
Tel. (619) 446-5251
Fax (619) 446-5499
E-mail: dstricker@sandiego.gov

For useful information about the development process, please visit our web-site at:
www.sandiego.gov/development-services

>>> Jim Chatfield 10/30/07 9:47 PM >>>
Ladies and Gentlemen,

Today I was brought into the fold on the neighborhood uprising regarding the Kensington Terrace (KT) project. As a real estate developer, one would certainly surmise that I am pro-development, which is generally true. However, upon reviewing the KT project, I am quite surprised to find that the City and Kensington-Talmadge Planning Committee approved this project with such little community interaction, and only after performing a Mitigated Negative Declaration. This is especially alarming given the seemingly obvious

significant impact on Adams Ave, the adjacent streets and neighborhood as a whole.

As I'm sure you know, Kensington residents possess a strong sense of community

and pride, partially generated by our bond over a beautiful haven adjacent to a challenging area (El Cajon Blvd) and a major interstate (I-15). By allowing

this project to proceed in it's present form, you jeopardize the charm, tranquility, and above all, safety of this neighborhood. Additionally, Adams Ave could transform from a pedestrian friendly street into a region serving, transient thoroughfare.

Although I have not reviewed the materials board and/or finish selections, I am generally impressed with the overall architecture form of the facade. However, I feel that the program presents several risks to the neighborhood which must be brought to the attention of City officials:

1. Parking. The project is significantly over-parked at 1 space per bedroom for the residential and 2.1 per 1000 sf of commercial. This leads one to believe that the developer is vying for regional serving retail and/or will eventually combine all the parking to serve a "big box" retailer or grocer. Please note that the residential portion of the project has 2 units with 3 stalls (for a 2 bedroom with a bonus/media room), and three 1-bedroom town homes with 2 spaces each. I seldom see this amount of parking even in vehicle

dependant suburban projects.

001318

2. Adams Avenue Modifications. To even consider adding another lane of travel

and a traffic signal without conducting at least an Addendum to the EIR is quite surprising. Especially given the pedestrian/neighborhood serving nature

of Adams Avenue; the adjacency of a child dominated park and library; and the proximity to the terminus of the commercial portion of Adams. Additionally, the plan of incorporating a median and a class III bicycle facility pay little

attention to the residential nature of this village. Worth noting, to my knowledge, the public has not been afforded the opportunity to review and understand the plans for Adams Ave. They are not posted on any web site or at

a community location, which should render the permit application and approval incomplete.

3. Traffic Impact on Adjacent Streets. From the information I was able to obtain, the impact on adjacent streets was not analyzed in sufficient detail in the MND, especially given that the entrance to all parking is via a newly converted alleyway that is accessed only by traversing on Edgeware and/or Marlborough. As a parent, I would be severely concerned about the transient traffic and parking that will surely flow over to the adjacent residential streets.

In summary, I believe that the project could be successfully developed in Kensington, but only following a concerted, open effort by the project team to

meet with and address the issues of the residents. Paramount should be maintaining the pedestrian friendly nature of Adams Ave, and a reduction in the on-site parking as a means of reducing the ADTs. Included in the approval

should be mechanisms (perhaps through a Conditional Use Permit) to ensure:

- a. the individual office and retail tenant spaces have a maximum size restriction consistent with a small, community serving businesses,
- b. certain types of commercial uses and tenants are prohibited;
- c. annual monitoring of traffic and noise impacts (at the developer's expense);
- d. residential parking will be deeded to and only used by the residences (this

will ensure the residential remains of a quality level on par with Kensington,

and parking counts for commercial remain true); and

e. investigate a resident permit parking program that would allow for ticketing of non-residents on streets adjacent to the project.

With the issues expressed above, and the mounting community reaction that continues to build, I strongly recommend pulling this project from the November 8th Planning Commission hearing until the Kensington residents can be

heard.

Thank you for your attention this matter. If I can be of any help in finding a solution that better serves the community of Kensington, I would be happy to

assist.

001319

Sincerely,

Jim Chatfield
4350 Middlesex Dr
SD CA 92116

CC: Planning Commission

001321

From: Dan Stricker
To: Baumbaugh, Joel SPAWAR
Date: Mon, Oct 22, 2007 2:12 PM
Subject: Re: Kensington Terrace development proposal

Mr. Baumbaugh,

Thank you for your comments and concerns regarding this project. Your comments have been received by the Planning Commission, who will be taking them into consideration when making their decision at the November 8, 2007 Planning Commission hearing.

Daniel Stricker
Development Project Manager
Affordable/Infill Housing and Sustainable Buildings Expedite Program
Development Services Department
City of San Diego
Tel. (619) 446-5251
Fax (619) 446-5499
E-mail: dstricker@sandiego.gov

For useful information about the development process, please visit our web-site at:
www.sandiego.gov/development-services

>>> "Baumbaugh, Joel SPAWAR" <joel.baumbaugh@navy.mil> 10/22/07 1:49 PM >>>

Dear Sir,

I have been a Kensington resident for 57 years. Currently, my neighborhood is a somewhat isolated and quiet community with low crime and quiet residential streets. The proposed addition of a bank, a 8,000 sq. ft. supermarket, 18,000 sq. ft. of office space and nine residential units on Adams Avenue between the streets of Marlborough Drive and Edgeware Rd. are going change the character of my neighborhood, for the WORSE! The traffic study I saw projects an additional 2,550 vehicle trips per DAY generated by the project - most of it coming from outside of Kensington. In addition they're going to re-stripe Adams Avenue (adding another lane) which will eliminate parking on both sides of the street (which will increase parking congestion in the surrounding neighborhood), and put in a signal light on the intersection of Adams and Kensington which will completely snarl up traffic along Adams Avenue - ESPECIALLY in the morning (from 6:30-9:30) when people are trying to get onto Highway 15 on their way to work, and between 4PM and 6:30 PM when people are trying to get home again.

This project will bring increased population density into an area of San Diego that was not designed to handle that much traffic. It will ruin the "flavor" of my neighborhood - the oldest planned neighborhood in the United States. Kensington was designed to be "people" and "pedestrian" friendly with wide sidewalks and "initially" with zoning designed to prevent commercial over-development. This project will turn my neighborhood into a noisy, busy place that I will not feel comfortable in, and it will ruin my neighborhood's property values.

Please do NOT allow my neighborhood to be ruined by this project.
Please DENY the permit for this project on November 8th.

001522

Joel Baumbaugh
Joel.baumbaugh@navy.mil
619-283-2569
4102 Hilldale Road,
San Diego, CA 92116-2016

CC: Commission, Planning

001523

From: Anke Kretz-Rommel
To: Planning Commission
Date: Wed, Oct 31, 2007 6:20 PM
Subject: Kensington Terrace mall project

We have been living in Kensington for eight years. We chose this community because in contrast to most of San Diego, it is a very walkable community with a lot of character.

We are very concerned about the Kensington Terrace project, and find it unacceptable as proposed. It is way too big of a complex for this community. Projections of >2500 extra cars coming into Kensington are horrifying. We do not want Adams Avenue to become a 3 lane street. It seems that this street is projected to become like University Avenue which we consider a very sad example of how a neighborhood got destroyed. Living on Kensington Dr, we have too many cars speeding through as it is. We need a much more sensible development for Kensington Terrace, and we hope you will do your best to stop this proposal and facilitate one that is appreciated by the Kensington community.

Sincerely yours,
Anke and Magnus Kretz
Kensington Dr, San Diego

001324

From: Cynthia Springall
To: Planning Commission
Date: Wed, Oct 31, 2007 4:29 PM
Subject: Kensington Terrace Development Application

To: City of San Diego Planning Commission
Re: Planned Development Permit for Kensington Terrace

Please deny this application. It is wrong for the community of Kensington, including existing businesses. It will effect traffic; safety of cars entering Adams Avenue from side streets, parking of existing businesses, and with a one way alley entrance to the Kensington Terrace underground parking, it will inevitably increase traffic flow at both the Marlborough and Edgeware intersections. It will be even more difficult with the increase of traffic for cars to enter Adams Avenue safely, either going east or west.

I live 3 houses south of Adams Avenue where business zoning has already negatively impacted access to my driveway. Police have been called frequently to ticket cars blocking my driveway. If the Planning Commission approves the application for Planned Development between Marlborough and Edgeware, and Adams Avenue is restriped, this will further impact my ability to enter my own property due to illegally parked cars. Will the City paint red "no parking" areas on either side of my driveway? Where will the cars that currently park on Adams Avenue park when restriping occurs? Existing businesses will have no places for customers to park except on side streets and I specifically refer to the two coffee cafes, four restaurants, cleaners, realtors, etc. Why should existing businesses be hurt due to this faulty plan?

There are too many reasons NOT to approve this project. Please make the correct decision on this application and DENY this development as it currently has been defined.

Sincerely,
Cynthia B. Springall, Homeowner
4674 Vista Street
San Diego, CA 92116
619-584-7663
cspring1@cox.net

001325

From: d.damico@cox.net
To: Planning Commission
Date: Tue, Oct 30, 2007 1:53 PM
Subject: Kensington Terrace Project

Dear Planning Commission Members,

While the prospect of a well-designed building at the North East corner of Adams and Marlborough initially sounds like a positive enhancement for the neighborhood, I feel that the KENSINGTON TERRACE proposal currently under review will be far too overbearing for the Kensington area. Three stories is too high for a community comprised of one and two story homes, and will bring too much capacity to a neighborhood that wants to stay small and comfortable. I urge you to deny the petition of the developers as currently proposed due to the devastating impact on traffic, parking, and community feel that it poses. I further urge you to give the Kensington community sufficient time to voice opinions about this project because despite the developer's claims that this project has been reviewed in "public presentations" for the past two years, the residents of Kensington are just beginning to learn about it, having been kept in the dark until several weeks ago. This project, if approved, will change Kensington dramatically, and the residents deserve sufficient time to voice their opinions.

My wife and I love San Diego and exploring its very distinct communities, each of which has its own personality and character. We avoid downtown because parking is problematic and expensive. We restrict our visits to Hillcrest for similar reasons. The proposed changes to parking and the addition of paid parking in the vicinity of Adams Avenue would substantially reduce the warm neighborhood feel that residents and visitors currently enjoy. These changes would serve no one but the developers of the KENSINGTON TERRACE project. *The parking capacity along Adams Avenue works well as it is right now.* The proposed changes, which would make parking considerably more difficult, would threaten the small businesses and restaurants that currently help to give our community its charm. If a new building puts that much more stress on traffic, then it is too big for the neighborhood. If a new building puts that much more stress on parking, then the building footprint should accommodate the additional parking requirements. The underground parking that is included in KENSINGTON TERRACE'S proposal should do just that. And that additional parking should be free, or those who patronize the shops and businesses will put additional stress on the current parking to avoid paying for parking at the new building. The Kensington community is flourishing with the recent addition of a restaurant and wine bar. The current businesses are not putting undue pressure on the neighborhood traffic or parking situation. KENSINGTON TERRACE'S current proposal is threatening to tip the scale and significantly alter the balance and feel of the small and welcoming community that currently exists in Kensington.

What seems to be contributing to this dramatic change is that the proposed project is attempting to put too much in the available space. The neighborhood cannot maintain its current inviting warmth with the addition of a 3-story building. This project would very likely end up as the tallest structure on Adams Avenue. The developers are clearly trying to get as much bang for their buck as possible by adding one more story than virtually any other building on Adams Avenue. But the approval of this third story would bring too much traffic and population to the several blocks that currently describe the Kensington business district.

Again I urge you to deny this petition, and encourage the developers of KENSINGTON TERRACE to present a structure that is more appropriate to the size of the Kensington neighborhood.

Sincerely,
Dominic A. D'Amico, and
Christine L.J. D'Amico
5260 Canterbury Dr.
619-282-0529

001326

From: alex saavedra
To: Planning Commission
Date: Thu, Nov 1, 2007 12:34 PM
Subject: Please Save Our City (Kensington Terrace Project # 105244)

Dear Planning Commission,

I am writing to you on behalf of my family. We purchased a condo (4682 Edgeware Rd.) in the great little area known as Kensington. The reason I chose to purchase a condo in Kensington was because it's a close-knit community with a "Leave It to Beaver" feel. I mean what other area of San Diego has a Christmas tree lighting that led the mayor to proclaim, "I don't know any other area in San Diego like Kensington"? I also felt that it would be the perfect place to raise my four year old daughter.

With this in mind, I am a business owner and feel that everyone should be given a chance to open a business if they chose to do so. However, my Family and I are **STRONGLY OPPOSED** to the monstrosity known as Kensington Terrace for the following reasons:

1. There is already substantial traffic and congestion in our area. We already have several vehicles driving at a high rate of speed in our neighborhood. Adding an extra 2,500 outside of the area vehicles per day will worsen the situation. This is roughly 900,000 more opportunities per year that may child may be struck by a vehicle.
2. Parking is already at a premium. Although there is going to be 115 underground parking spaces, how many people will actually use them? How many people may park on the street and "run into the" bank or the monstrous 8,000 square foot market? Will we have to have neighborhood parking permits? What a hassle.
3. There isn't a time table for the completion of the project. That's ludicrous! In essence, the developer can dig a hole and leave it there for whatever period of time. How much congestion and detours will this add?
4. We don't want building to disrupt our quiet area during the wee hours of the morning.
5. The developer can store toxic soil from the leakage of underground gas tanks on the property "until the soil can be removed".
6. We have enough dining/ retail areas in Kensington.
7. The underground parking will exit right on Adams Avenue in front of my condo.
8. Does Kensington really benefit from the project? NO. So I ask you the million dollar question (literally). Who benefits from this project? The developer and the corporations do. Not the families of Kensington.

So I am please requesting that you do not move ahead on project #105244. PLEASE SAVE KENSINGTON for the sake of my family and all other residents of Kensington who want to raise their children in a quiet and a safe area. PLEASE HELP!

Sincerely,

The Saavedra Family

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around

001327

From: "Baumbaugh, Joel SPAWAR" <joel.baumbaugh@navy.mil>
To: <planningcommission@sandiego.gov>
Date: Mon, Oct 22, 2007 7:09 AM
Subject: Kensington Terrace development proposal

Dear Sirs,

I have been a Kensington resident for 57 years. Currently, my neighborhood is a somewhat isolated and quiet community with low crime and quiet residential streets. The proposed addition of a bank, a 8,000 sq. ft. supermarket, 18,0000 sq. ft. of office space and nine residential units on Adams Avenue between the streets of Marlborough Drive and Edgeware Rd. are going change the character of my neighborhood, for the WORSE! The traffic study I saw projects an additional 2,550 vehicle trips per DAY generated by the project - most of it coming from outside of Kensington. In addition they're going to re-stripe Adams Avenue (adding another lane) which will eliminate parking on both sides of the street (which will increase parking congestion in the surrounding neighborhood), and put in a signal light on the intersection of Adams and Kensington which will completely snarl up traffic along Adams Avenue - ESPECIALLY in the morning (from 6:30-9:30) when people are trying to get onto Highway 15 on their way to work, and between 4PM and 6:30 PM when people are trying to get home again.

This project will bring increased population density into an area of San Diego that was not designed to handle that much traffic. It will ruin the "flavor" of my neighborhood - the oldest planned neighborhood in the United States. Kensington was designed to be "people" and "pedestrian" friendly with wide sidewalks and "initially" with zoning designed to prevent commercial over-development. This project will turn my neighborhood into a noisy, busy place that I will not feel comfortable in, and it will ruin my neighborhood's property values.

Please do NOT allow my neighborhood to be ruined by this project.
Please DENY the permit for this project on November 8th.

Joel Baumbaugh
Joel.baumbaugh@navy.mil
619-283-2569
4102 Hilldale Road,
San Diego, CA 92116-2016

001528

From: Planning Commission
Subject: Fwd: Re: Kensington Development

>>> "Linda Brown-Key" <lbkey@gobarefootstudio.com> 10/22/07 6:48 PM >>>
Dear Mr. Stricker,

I am writing this email to voice my deep concerns about the planned development in Kensington on Adams Ave. between Marlborough and Edgeware. I live on the 4600 block of Edgeware, and fear that with the projected increase of 2400 cars to our small, and quiet neighborhood, that you will be destroying the whole nature of this historic area.

There has to be a point where, as a society, we look at the human impact of development not just the financial. This is a small community where people actually know each other and walk! A development of the proposed size will dramatically change this area. Why do that to us?

Parking is already difficult on our block, and with the small amount of planned parking for the structure, and the elimination of parking on Adams Ave., you will be pushing cars to our already crowded streets. Many of our houses do not have driveways, and adding them would destroy the historical significance to our homes. (I've looked into this exact issue as we apply for historic status for our 1912's Craftsman.) At some point San Diego has to embrace and protect what makes it beautiful, not destroy it with more large, out of proportion buildings.

I also have deep concerns about the dirt under the gas station. It surely has contaminated soil and exposing that soil and piling it up for removal, will expose all of us to this toxic dust. When does the welfare of citizens, and children, mean more to a city then developers money?!?

Please reconsider this project and do not approve it. We need to begin protecting what makes this area so special? I don't think that quiet, well maintained neighborhoods should become extinct in San Diego!

Linda Brown-Key
4627 Edgeware Rd.
San Diego, CA 92116

001329

From: Dan Stricker
To: DiMarco, Alexandra
Date: Mon, Oct 22, 2007 10:13 AM
Subject: Re: Proposed development in Kensington

Ms. DiMarco,

Thank you for your comments and concerns regarding this project. Your comments have been received by the Planning Commission, who will be taking them into consideration when making their decision at the November 8, 2007 Planning Commission hearing.

Daniel Stricker
Development Project Manager
Affordable/Infill Housing and Sustainable Buildings Expedite Program
Development Services Department
City of San Diego
Tel. (619) 446-5251
Fax (619) 446-5499
E-mail: dstricker@san diego.gov

For useful information about the development process, please visit our web-site at:
www.sandiego.gov/development-services

>>> "Alexandra DiMarco" <alexandra@dimarcoassociates.com> 10/22/07 9:27 AM >>>
Dear Mr. Stricker,

I am writing to you because I am not sure we will be able to attend the November 8 meeting regarding the proposed building on Adams and Marlborough in Kensington. Being residents of Kensington, my husband and I feel very strongly about this.

When we were looking to move from the Marina District to a neighborhood, we searched as far north as Del Mar and as far east as Talmadge. We did not find any area as charming as Kensington. At that time, the only structure that did not fit with the charm of the area was the building on the opposite corner from the proposed development (where the Starbucks is now located). We assumed that structure was either an oversight, mistake, or at the very least, an experiment on the part of the planning department.

Now, with this new proposal on the table, we wonder if our assumption was correct. There are so many areas in San Diego that do NOT have the continuity and quaintness of Kensington. Why would you want to put such a building here to ruin the uniqueness of this neighborhood? It would not be blight in most other areas of San Diego. Here it would be.

Please don't get me wrong. I am not opposed to development and, in fact, would welcome more businesses to the Kensington neighborhood. But PLEASE, when considering building new structures, have it fit with the existing 1920's - 1940's ambience of the area! A 40-foot high structure does NOT. I do not know enough about the traffic, etc. to speak about that but I DO know that this proposed building would be a serious error in that it would serve

001330

to ruin a San Diego treasure - Kensington.

Thank you, in advance, for your thoughtful consideration of my concerns.

Warmly,

Alexandra DiMarco

4841 Sussex Drive

619-977-1716

CC: Commission, Planning

001331

From: Dan Stricker
To: Pirkl, Rita
Date: Mon, Oct 22, 2007 9:21 AM
Subject: Re: Kensington Terrace Project

Ms. Pirkl,

Thank you for your comments and concerns regarding this project. Your comments have been received by the Planning Commission, who will be taking them into consideration when making their decision at the November 8, 2007 Planning Commission hearing.

Daniel Stricker
Development Project Manager
Affordable/Infill Housing and Sustainable Buildings Expedite Program
Development Services Department
City of San Diego
Tel. (619) 446-5251
Fax (619) 446-5499
E-mail: dstricker@sandiego.gov

For useful information about the development process, please visit our web-site at:
www.sandiego.gov/development-services

>>> "Rita Pirkl" <rpirkl@cox.net> 10/22/07 8:55 AM >>>
Dan Stricker and the Planning Commission,

As a long term resident of Kensington I would like to voice my concern and objection to the proposed multi purpose project known as Kensington Terrace Project. The size and construct of this project does not belong in the Kensington neighborhood for a host of reasons, a few of which I list below:

1. Significantly increased traffic and congestion in an area already suffering from both of these issues.
2. The proposed solution to both increased traffic and congestion is also problematic in that it will force what limited parking exists on Adams further into our neighborhood, thus making it difficult for residents to park, and making it significantly less safe for children and families.
3. In the cities draft environmental report, it states, "The proposed development would create significant direct and cumulative impacts under near-term and long-term conditions." This should not be ignored.

I recognize that San Diego is growing; however, Kensington has been a predominantly single family neighborhood since the early 1920s and deserves to have this culture preserved. Please do not allow this project to further push commercial development into one of San Diego's precious early neighborhoods.

While I would gladly attend the hearing/meeting regarding this project on November 8th, I will unfortunately be traveling out of state for work. I trust, you will share with the remaining members of your decision making panel my email and my objection.

Kind regards,

Rita

001332

Rita M Pirkl
4068 Hilldale Rd
San Diego, CA 92116
619-571-1099
rpirl@cox.net

CC: Commission, Planning

001533

From: "Pat Driscoll" <patdriscoll@gmail.com>
To: <PlanningCommission@sandiego.gov>
Date: Wed, Oct 17, 2007 12:38 PM
Subject: Plan for Adams Ave. between Marlborough St. and Edgeware Rd

To Whom It May Concern,

The present plan for the development of the north side of Adams Ave between Marlborough and Edgeware Rd. needs to be completely scrapped before proceeding.

SHORTCOMINGS:

The plan, as currently envisioned, will...

- create safety hazards for pedestrians on Adams and in neighboring streets through increased traffic and inadequate traffic management
- create safety hazards and congestion along side streets as drivers attempt to circumvent Adams gridlock through use of those side streets.
- create gridlock along Adams Ave between 39th St and Aldine Dr. through the increase (2500 car trips daily) and through the ill-conceived idea of placing a stoplight on Kensington Dr and Adams Ave, which would mean 4 traffic stoplights in four short blocks.
- create environmental degradation as relates to noise levels and air quality through the increase of automotive traffic.
- decrease property values for those in general proximity to the project through increased noise and air pollution due to increased density and traffic.
- wastes resources through the demolition of present structures without consideration of the possibility of moving present structures to new locations.

The application in this iteration must be denied.

REFORMULATION:

A reformulated application needs to include the following changes:

- 1) Installation of traffic circles at Terrace and Adams and Kensington and Adams in place of stoplights.
- 2) Installation of a 4-way stop sign at the corner of Biona Dr. and Adams Ave. Cars, racing to make the light at Adams and Marlborough, frequently exceed 50 mph going through this intersection.
- 3) Reduction of speed limit between 39th St and Adams and Marlborough and Adams to 15 mph.
- 4) Consider moving the structures on the property to other locations to help relieve low-cost housing shortage in mid-city San Diego.

BENEFITS OF CHANGES:

The creation of the traffic circles along with the speed limit reduction

001534

will benefit residents AND businesses. It will create a pedestrian safe, mini-urban mall in the area.

* Pedestrians will be safer with cars traveling below 20mph and with traffic flowing more smoothly--fewer cars racing to "make the light".

* Commuters will experience better flow of traffic with the traffic circles, as opposed to having to negotiate 4 stoplights in 1/4 mile.

* Sides streets will be safer and quieter because they will not be used to circumvent gridlock along Adams.

* Businesses will get more foot traffic customers as residents/customers can cross Adams much more safely and easily with slower, more smoothly flowing traffic.

* Businesses will get more non-local customers since customers arriving by car will not have to fear gridlock along Adams created under the current plan.

* The public, in general, will be better served and will appreciate a forward looking plan instead of the current "business as usual" plan currently submitted.

Thank you very much,

Pat Driscoll
4834 W Mountain Vw Dr #6
San Diego, CA 92116

001335

From: Dan Stricker
To: Lewis, Jerald
Date: Mon, Oct 22, 2007 8:07 AM
Subject: Re: Kensington Terrace Project

Mr. Lewis,

Thank you for your comments and concerns regarding this project. Your comments have been received by the Planning Commission, who will be taking them into consideration when making their decision at the November 8, 2007 Planning Commission hearing.

Daniel Stricker
Development Project Manager
Affordable/Infill Housing and Sustainable Buildings Expedite Program
Development Services Department
City of San Diego
Tel. (619) 446-5251
Fax (619) 446-5499
E-mail: dstricker@sandiego.gov

For useful information about the development process, please visit our web-site at:
www.sandiego.gov/development-services

>>> "Jerald Lewis" <jlewis212@cox.net> 10/19/07 4:54 PM >>>
Dear Mr. Stricker,

As a long time resident of the community of Kensington, I wish to go on record as strongly opposing the Kensington Terrace Project.

The traffic conditions at the intersection of Marlborough and Adams Avenue and at Kensington Drive and Adams Avenue were adversely impacted when the project located on the northwest corner of Marlborough and Adams Avenue was added several years ago. Now, with the possible addition of the Kensington Terrace Project it is estimated that an additional 2479 daily car trips will be added.

Even though the plan calls for the widening of Marlborough, the re-striping of Adams Avenue to three lanes and the addition of a stop light at Kensington Drive and Adams Avenue these actions will not ease or help the congestion at Marlborough or Kensington Drive. In fact, the suggested traffic changes should be considered without the approval of the project. These two streets are the main source of ingress and egress for residents living in the area north of Adams. It doesn't make good sense to approve a project that adds additional traffic and further restricts parking availability in an area that already suffers a traffic problem.

I urge the Planning Commission to deny this project.

Jerald P. Lewis
5040 Kensington Drive
San Diego, CA 92116
(619) 283-8838

CC: Commission, Planning

001336

From: Jeff Robles
To: DSD-Noticing, DSD-Noticing; Haug, Shain; Lett, James; rsaldano@contelproject.com; Teasley, Kenneth; Trask, Donna
Date: 10/22/2007 8:22:AM
Subject: PTS 113918, 7-Eleven, Request for Continuance

This item is currently scheduled to be heard by the Hearing Officer on Wednesday, October 24, 2007. There was an error in the new, automated noticing system which meant that the Notice of Public Hearing was not mailed out on the appropriate date. As a result, I will be requesting a continuance at the hearing to November 14, 2007. This would be the first available date in order to meet noticing requirements, provided the continuance is granted on October 24, 2007.

Staff apologizes for any inconvenience this may have caused and is working to resolve the problem to ensure there is not a recurrence.

Best Regards,

Jeffrey W. Robles
Development Project Manager
619.446.5225

CC: Cass, Marc; Curtin, Sabrina; Gibbs, Antoinette; Lipsky, Rachel; Murphy, Conan; Sherwood, Allison; Tempie, Jeannette; Westlake, Mike

001537

From: "Dorothy Codling" <dhcodling@hotmail.com>
To: "San Diego Planning Commission" <planningcommission@sandiego.gov>
Date: Thu, Oct 18, 2007 7:14 AM
Subject: Public Hearing for Kensington Planned Development Permit

Dear Commission,

Cleaning up and revitalizing the block on Adams Avenue between Marlborough Street and Edgeware Road is probably a good thing (depending, of course, on the design), but my major concerns are:

1. Traffic along Adams Avenue has much increased in the very recent past, as commuters and locals access Highway 15. An additional 2,479 average daily vehicle trips to Kensington Streets is far too many. Probably the easiest way to lower that number would be to reduce the square footage of retail and office space in the proposed project.
2. How would a third traffic light in three blocks help the traffic flow? Stop and go with three stoplights in three blocks would seem to be slower than it is currently with 2 stoplights.

One thing that could help traffic flow in a small way is pouring a raised curb or island where there is currently a "double-double" line in front of Ponce's Restaurant close to the 15 offramp/15 North onramp. People turn North there all the time (into a parking lot), slowing the Adams Avenue East Bound traffic.

Thank you for listening.

Dorothy Codling
Kensington Resident

Windows Live Hotmail and Microsoft Office Outlook – together at last. Get it now.
<http://office.microsoft.com/en-us/outlook/HA102225181033.aspx?pid=CL100626971033>

001538

From: "Doug & Heidi Dromgoole" <dromgoole1@cox.net>
To: <planningcommission@sandiego.gov>
Date: Thu, Oct 18, 2007 8:09 AM
Subject: Project 105244 (Kensington)

We are opposed to the structure as it is planned for Kensington #105244. Please record our complaint for the meeting today, October 18, 2007.

Thank you.
Doug and Heidi Dromgoole
4174 Norfolk Terrace
Kensington Resident

001339

From: "Ann" <annio2@cox.net>
To: <planningcommission@sandiego.gov>
Date: Wed, Oct 17, 2007 8:36 PM
Subject: Planned Development Permit for Adams Ave. Project

I am a Kensington resident of 33 years and I am opposed to the Adams Avenue Project between Marlborough St. and Edgeware Road. Present traffic conditions during the morning rush hour have motorists lined up from the I-15 bridge to Biona. This project will generate an additional 2,479 vehicles. Clearly, this small community cannot handle the additional traffic. The installation of an additional traffic light at Kensington Drive will add to the congestion. The proposed changes to Adams Avenue from I-15 to Aldine Drive will cause further congestion due to the fact that Adams is not wide enough to accommodate a left-turn lane and two bike lanes, plus allow room for street parking. In conclusion, Kensington does not need additional businesses or residences. The addition of the present multi-story building at the corner of Adams and Marlborough has made the commute through Kensington a nightmare. Please don't exacerbate the problem by approving this project.

Ann Ozgunduz
4625 Van Dyke Avenue
San Diego, CA 92116

CC: <toniatkins@sandiego.gov>

001340

To: City of San Diego Planning Commission

From: Sharon Hall
Kensington Resident

Re: Project Number 105244

I received the Public Notice yesterday and I will be unable to attend the meeting due to the very short notice.

I have very strong opinions about this project as a resident of the Kensington community.

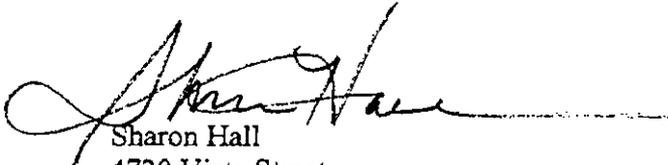
I feel the size will have a negative impact on the small community of Kensington. I realize that the development of this multi-use buildings are unstoppable, but the location and size is something that must be seriously considered.

1. I oppose granting a variance for the height above the 30 feet.
2. I believe the traffic study conducted is not accurate at all, and the increased traffic will be twice what is stated. The increase in traffic during the past several years has been significant, mostly due to the restaurants that have opened. Adding the amount of retail, office and residential space proposed will increase the traffic to such a degree that every block between I-15 and Aldine Drive will need either a 4-way stop or traffic signal. Currently, it is near impossible to merge onto Adams Avenue from the blocks between the I-15 and Marlborough during off-peak hours. I live 1 block North of Adams and find it frustrating to enter onto Adams during peak hours. This will certainly not improve with the addition of this building. Widening the street will not help.
3. Parking will not be easy. The underground spaces will be for residents, business owners and their employees with very few left for patrons. Employees of these businesses and their patrons will be parking down residential side streets taking up spaces in front of houses where residents park. I feel this will decrease property values for residents that live within 1 block off of Adams Avenue, because of the traffic and lack of parking. This is not taken into consideration from what I have read.
4. The size of this building with the proposed square footage for business and residents is more suited for North Park or City Heights on University Avenue or on El Cajon Blvd, not the small stretch of Adams Avenue. Adams Avenue is already congested. With residential homes so close to the business district and the amount of businesses that already exist is there no limit to the square footage of approved space for new construction? There should be.

001341

5. With an increase in traffic and patrons also comes the increase in crime. I believe that this needs to be addressed as well. Especially to the residents who live so close to this business district.

I agree that we cannot stop this development project, although I would approve of that, but let's consider the impact to the residents who live in this great little neighborhood and make sure the face of Kensington is not scarred forever with your decision. Let's scale this down to fit the neighborhood and streets not try to fit the streets and neighbors to conform to it.



Sharon Hall
4730 Vista Street
San Diego, CA 92116

001543

From: <GGreer.Conservator@att.net>
To: <PlanningCommission@sandiego.gov>
Date: Thu, Oct 18, 2007 7:34 AM
Subject: Kensington Terrace project

Dear Staff:

I am attaching the letter I sent in response to the Mitigated Negative Declaration document. I am also attaching pictures of the old trees that the applicant proposes to remove.

Additional comments:

1. The applicant suggests that the proposed project will make the property more pedestrian oriented instead of automobile oriented. However, the project will result in a net increase of 1,400 car trips a day. I am not sure if this includes the additional distance many people will have to drive to get to another gas station.
2. The proposed project will only show a net increase of about 3 or 4 units of housing. There will be no rental property and the applicant has been emphatic that there will be no low income units. Just a note, some of the evicted tenets are now living out of their car.
3. The applicant has consistently said that he wants a "boutique grocery store" to be one of the tenets. This will lead to large delivery trucks at all hours of the day and night. Also, the trucks will block the alley and in some cases back up through the alley from Alder Drive to allow for rear off loading of the trucks. This means they will be driving dangerously close to the preschool sites located at the north end of the alley.
4. The proposed office and retail occupancy of the proposed project will require patrons from outside the Kensington area because there are not enough people within the area to support all of these businesses. This will lead to increased traffic and air pollution.

Kensington, since its inception, has been a village. It does not require additional businesses to remain so. The project applicant has chosen to allow the current properties to deteriorate to ensure support of his plans. It is most likely that this project will lead to congestion and deterioration of the business area due to overcrowding. As an older neighborhood there is not a great deal of parking available. The reality is that people will park on the street rather than pay for underground parking. Current experience shows that this leads to destruction of the curbs, driveways (people making U turns) and sidewalks. Not to mention the subsequent litter.

Please give serious consideration to the negative impacts to this project. Aside from personal gain, it is unclear where the benefits of this project lay.

Thank you for your time and consideration.

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

--

001344



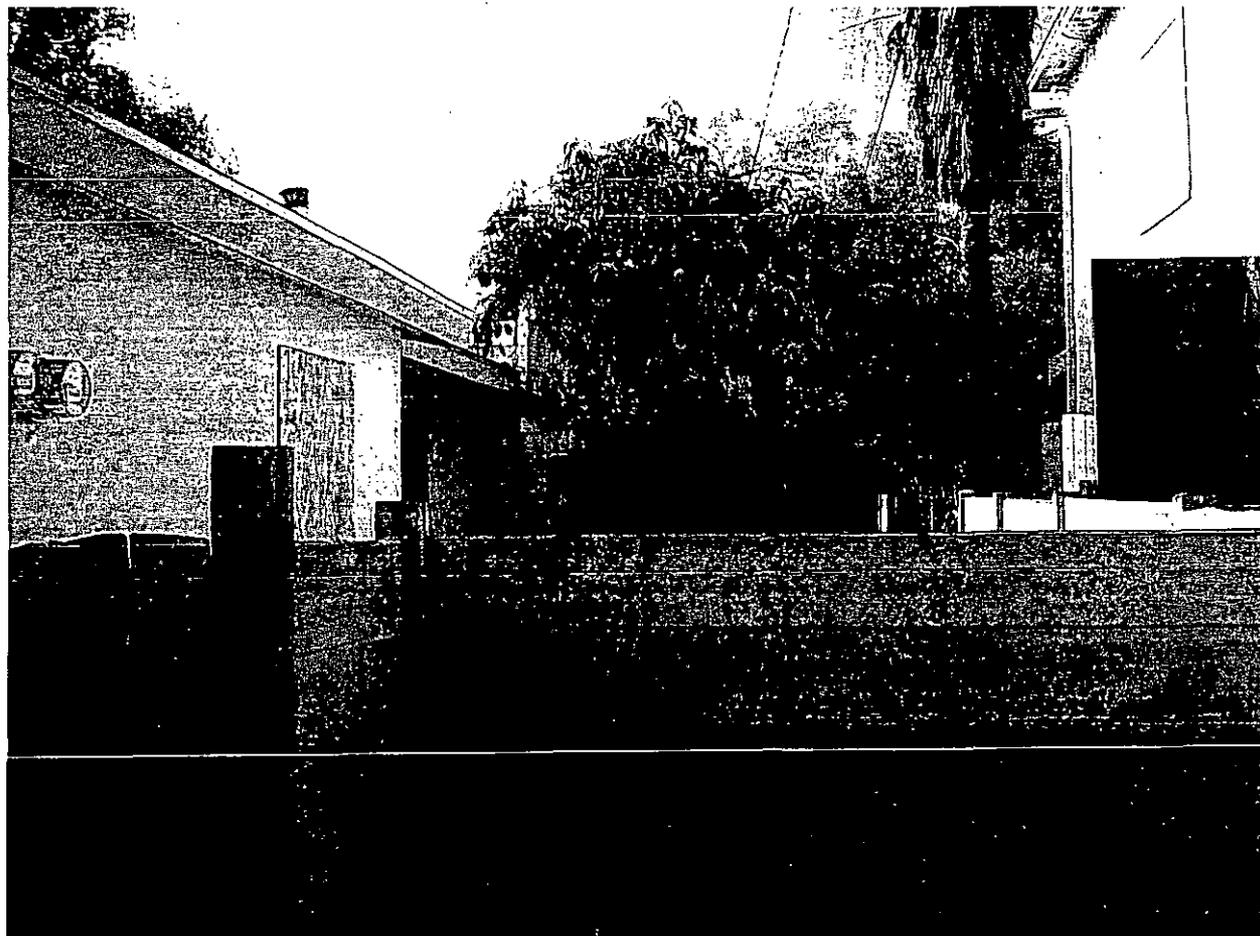
001945



001346



001347



001549

From: "David Hopkins" <dhopkins80@sbcglobal.net>
To: <planningcommission@sandiego.gov>
Date: Wed, Sep 26, 2007 1:06 PM
Subject: Comments on General Plan Public Hearing Draft

Hi Sabrina,

I have a few comments

1. ME-C.4.e states "Continue to pursue adequate maintenance of sidewalks by property owners and investigate new approaches to facilitate improved sidewalk maintenance citywide".

I don't like using "continue to pursue", which leaves things in the air. Suggest something like the following-

Develop a sidewalk maintenance program that clearly identifies City and property owner responsibilities, enforces property owner compliance and ensures that all sidewalks are timely and adequately maintained so as to insure the safety of all pedestrians.

2. The first picture looks like there is no sidewalk adjacent to the outdoor dining area, which is not intended.

3. Picture at ME.-A.7.a is not described as a scramble intersection and will probably confuse some readers. It appears that all but one pedestrian are using crosswalks while that person is in the middle of the intersection and probably drunk.

David

David Hopkins

858-483-7078

001350

From: Planning Commission
To: Stricker, Dan
Subject: Re: Kensington Planning Commission decision opposition

>>> "francesca rotondella" <bellarotondella@cox.net> 10/18/07 8:00 AM >>>
Dear Mr. Stricker,

I am unable to attend the upcoming Planning Commission meeting scheduled for November 8, 2007 at 9:00am. However, I wish to register my opposition to the proposed decision to approve the building project on the corner of Marlborough and Adams Avenue in my neighborhood of Kensington.

The project is undesirable in Kensington due to size and density impact, traffic impact and the increased height variance which exceeds anything currently built in our neighborhood. The project, including the widening of Marlborough and the modification to Adams Avenue, will change the small town character of our neighborhood which is unique to San Diego as neighborhoods such as ours are becoming fewer and fewer.

Kindly confirm that you have received this email and that my opposition will be registered at the meeting in my absence.

Thank you very much.

Francesca Rotondella
4901 Marlborough Drive
San Diego, CA 92116
619.282.4313

001551

From: "Esther Mac" <esthermac@cox.net>
To: <PlanningCommission@sandiego.gov>
Date: Thu, Oct 18, 2007 7:57 AM
Subject: Hearing re development on Adams Ave between Marlborough and Edgware

Members of the City of San Diego Planning Commission,

In my opinion, the loss of the service station at the corner of Adams Avenue and Marlborough Avenue undermines the sense of small villages that the City purports to be advocating. It is the only service station in the neighborhood and is a basic component of a traditional neighborhood such as Kensington.

I would note that I only received notice of this meeting two days ago, which in my opinion does not give time to gather a meaningful opposition and only further erodes belief in a truly participatory government.

Sincerely yours,

Esther MacIroy
4607 Van Dyke Avenue
San Diego, CA 92116

001352

From: "Dorothy Codling" <dhcoding@hotmail.com>
To: "San Diego Planning Commission" <planningcommission@sandiego.gov>
Date: Thu, Oct 18, 2007 7:14 AM
Subject: Public Hearing for Kensington Planned Development Permit

Dear Commission,

Cleaning up and revitalizing the block on Adams Avenue between Marlborough Street and Edgeware Road is probably a good thing (depending, of course, on the design), but my major concerns are:

1. Traffic along Adams Avenue has much increased in the very recent past, as commuters and locals access Highway 15. An additional 2,479 average daily vehicle trips to Kensington Streets is far too many. Probably the easiest way to lower that number would be to reduce the square footage of retail and office space in the proposed project.
2. How would a third traffic light in three blocks help the traffic flow? Stop and go with three stoplights in three blocks would seem to be slower than it is currently with 2 stoplights.

One thing that could help traffic flow in a small way is pouring a raised curb or island where there is currently a "double-double" line in front of Ponce's Restaurant close to the 15 offramp/15 North onramp. People turn North there all the time (into a parking lot), slowing the Adams Avenue East Bound traffic.

Thank you for listening.

Dorothy Codling
Kensington Resident

Windows Live Hotmail and Microsoft Office Outlook – together at last. Get it now.
<http://office.microsoft.com/en-us/outlook/HA102225181033.aspx?pid=CL100626971033>

001053

From: "Ann" <annio2@cox.net>
To: <planningcommission@sandiego.gov>
Date: Wed, Oct 17, 2007 8:36 PM
Subject: Planned Development Permit for Adams Ave. Project

I am a Kensington resident of 33 years and I am opposed to the Adams Avenue Project between Marlborough St. and Edgeware Road. Present traffic conditions during the morning rush hour have motorists lined up from the I-15 bridge to Biona. This project will generate an additional 2,479 vehicles. Clearly, this small community cannot handle the additional traffic. The installation of an additional traffic light at Kensington Drive will add to the congestion. The proposed changes to Adams Avenue from I-15 to Aldine Drive will cause further congestion due to the fact that Adams is not wide enough to accommodate a left-turn lane and two bike lanes, plus allow room for street parking. In conclusion, Kensington does not need additional businesses or residences. The addition of the present multi-story building at the corner of Adams and Marlborough has made the commute through Kensington a nightmare. Please don't exacerbate the problem by approving this project.

Ann Ozgunduz
4625 Van Dyke Avenue
San Diego, CA 92116

CC: <toniatkins@sandiego.gov>

001554

ADD	ASSISTANT DEPUTY DIRECTOR
BI	BUILDING INSPECTOR
CM	CONSTRUCTION MANAGER
CSVR	CONSULTANT SITE VISIT RECORD
LDR	LAND DEVELOPMENT REVIEW DIVISION
MMC	MITIGATION MONITORING COORDINATION
MMRP	MITIGATION, MONITORING AND REPORTING PROGRAM
NTP	NOTICE TO PROCEED
PI	PRINCIPAL INVESTIGATOR (PALEONTOLOGY)
PME	PALEONTOLOGICAL MONITORING EXHIBIT
RE	RESIDENT ENGINEER

001355

From: <alexis.solomon@cox.net>
To: <PlanningCommission@sandiego.gov>
Date: Thu, Oct 18, 2007 6:32 PM
Subject: Marlborough Planning

To Whom This May Concern:

I have lived in Kensington for 29 years. I have watched my neighborhood go from a sleepy canyon community to a trafficed mess. With the changes to the extension of the I-15 freeway, we lost a street (and houses), I lost a quiet backyard (now filled with the roar of traffic) and we lost safety. More people, more crime, more traffic, increased danger and vandalism in this neighborhood without any increased infrastructure to compensate. Now you want to build more, increase the traffic by 3000 cars! (probably a low estimate) and add another traffic light. When the on-ramp traffic lights were added for the I-15, we experienced the first traffic jam ever in this community.

I vote NO No No. If you want to do something to help Kensington, put some street lights on our dark street and decrease the crime. Do not build for capitalistic gain while eroding my quality of life. You have already succeeded in doing this.

I could not attend your public meeting because I work at 9 a.m. But this does not mean there are many of us in this neighborhood who say, "Take it somewhere else."

Rev. Alexis Solomon
alexis.solomon@cox.net

001558

is done properly as Kensington is one of the historic areas that San Diego must preserve.

Should you have any questions, or indeed, wish to have reasonable community volunteers involved in development projects, please don't hesitate to call upon us:

Tom and Karen Capp

4195 Norfolk Terrace

San Diego, CA 92116

Regards,

Karen Capp

CC: <kevin_winn@gap.com>, "Tom Capp" <tcapp@noboundariesinc.biz>

001357

From: "Kevin Winn" <Kevin_Winn@gap.com>
To: <planningcommission@sandiego.gov>
Date: Thu, Oct 18, 2007 9:04 AM
Subject: RE: project no. 105244 Kensington Adams Avenue Development

Dear Planning Commissioners....

My wife and I have lived in Kensington for 15 years.

Like many, we choose Kensington because of the quaint neighborhood that was very unique to California but reminded both of us as "home".

I was just informed about the public hearing notice concerning the project in our neighborhood 105244. Unfortunately, I can not attend. However, I am very concerned.

Please do not make our quaint neighborhood just like every other neighborhood in San Diego. I.E. Little Italy, Hillcrest, La Jolla, La Costa etc. With the large structure being discussed that will increase traffic each day by more than 2,000 cars, widen Adams Ave, and add an additional traffic light, I ask that you reconsider. I am not convinced that we need office space or additional "retail". Furthermore, I am concerned that office space would more than likely attract more hunger realtors ready to jump on any property ready to sell.

As you know, Kensington It is one of the last historic neighborhoods left in San Diego. Let's be respectful to our past and protect our future.

I would appreciate a reply.

Sincerely,

Kevin Winn

001558

From: "King, Russell" <ruking@ucsd.edu>
To: <planningcommission@sandiego.gov>
Date: Mon, Oct 15, 2007 3:47 PM
Subject: FW: Public Hearing October 18/Adams Avenue

I would like to express my support of the application for planned development permit on Adams Avenue between Marlborough St. and Edgeware Road. Thank you.

Russell King

5108 Canterbury

SD CA 92116

001359

From: "Elaine McElhinney" <1derwm@gmail.com>
To: <dstricker@sandiego.gov>, <PlanningCommission@sandiego.gov>
Date: Mon, Oct 15, 2007 1:33 PM
Subject: Planned Development Permit for Adams Avenue between Marlborough and Edgeware Road

I am a resident of Kensington. Following are my comments/concerns regarding the pending application for a planned development permit for Adams Avenue between Marlborough St. and Edgeware Road.

1. Current plans call for a three story structure. A three story building would be larger than any of the other buildings in Kensington and would therefore be inconsistent with the size of all other buildings in the neighborhood. In order to maintain the aesthetics of the neighborhood, any planned development should be no more than two stories.

2. Current plans call for mixed use (residential/retail/office space) occupancy with a projected increase of 2,479 average daily vehicle trips to Kensington. I don't believe traffic on Adams can flow smoothly with this increase in usage. Between the public buses, delivery trucks and current flow of residential traffic, traffic just moves.

3. If you put in a stoplight at Kensington, I am afraid traffic waiting to make a left hand turn from Adams onto Kensington will back up in *unmanageable proportions whenever a truck is making deliveries to Bleu Boheme or the liquor store.*

In general, I believe the current scope of this proposed project would have a negative impact on the Kensington neighborhood and quality of life for residents. Kensington is a charming small neighborhood with narrow streets that can only accomodate residents and small businesses. I bought a house in Kensington because I liked the residential neighborhoods, small businesses, small restaurants and lack of towering edifices. If I wanted a large mixed usage neighborhood, I would have bought a condo downtown.

Thank you,
Elaine McElhinney
4966 Kensington Drive
SDF 92116
619-285-1267

001360

From: "michael lesniak" <me_lesniak@yahoo.com>
To: <planningcommission@sandiego.gov>
Date: Fri, Oct 12, 2007 2:51 PM
Subject: Project No. 105244 --Kensington Terrace

To Whom it May Concern,

I will not be able to attend the meeting on Thurs, 10-18-07. I am out of town.

I look forward to improvements on the property sites noted for this project. The current structures are derelict, unsightly, and provide minimal value to the community.

The proposal of mixed use (multiplex) is a welcome change to the present structures.

I hope the structure ties in with the current multiplex on the opposite corner (Starbucks building). Of all things, this is the one item that I would be critical of. Make it fit with the current architecture.

I understand that many residents will complain about parking and traffic. I will address these.

Edgeware Road is a parking horror scene because parking is NOT currently available for all the tenants in the derelict structures. So their parking concern will actually be alleviated to some extent...improved certainly.

As for traffic increases....Adams Ave is a major commercial surface street and should have traffic. It currently has light commercial, city bus, and residential traffic. Due to the nature of the neighborhood, transient traffic is light and will stay light. So this is argument is silly and preposterous.

I hope that your hearing allows for sensitivity to both sides of the argument. I am all to aware that emotional reasoning tends to "drown out" practical reasoning. Please fall back to rational reasoning, tempering the emotional outcries.

Concluding, a mix use structure will "raise the tide" in Kensington....and all ships will rise with it. This is an improvement and I welcome it.

You may use my comments in my absence if necessary.

Sincerely,

Michael Lesniak
4107 Middlesex Dr.
SD, CA 92116
858.232.8729

Boardwalk for \$500? In 2007? Ha!
Play Monopoly Here and Now (it's updated for today's economy) at Yahoo! Games.

001961

From: "Cecelia Garr" <cgsand@earthlink.net>
To: <PlanningCommission@sandiego.gov>
Date: Fri, Oct 12, 2007 10:48 AM
Subject: FW: Adams Ave between Marlborough St & Edgeware Road

I have seen the plans for this development and feel it would be an excellent addition to the community. It removes an eyesore on Adams Avenue and brings much needed additional parking to the Kensington village.

I don't have a problem with three stories due to the design setbacks. It brings additional housing near downtown and more services - added reasons for the current residents of the Kensington walking community not to get in their cars clogging up our already overburdened freeways and to give new residents access to public transportation. Traffic is definitely an issue although the planned changes should help.

Cecelia Garr

4949 Canterbury Drive

San Diego CA 92116

001362

From: "Rosalie Northeimer" <cnortheimer@sbcglobal.net>
To: <PlanningCommission@sandiego.gov>
Date: Fri, Oct 12, 2007 12:41 PM
Subject: Application for development-Kensington

I would like to express my concerns on the 3-story multiplex construction project.

I attended a Kensington Community meeting on Sept 18 and was quite dismayed with the density of the project:

1) I believe it would put an unwarranted burden to the residents in this community. At times it is nearly impossible to get onto Adams Ave from Kensington Dr which I avoid even now. I and other residents I know drive to Edgeware or Biona to get onto Adams. A signal at Adams and Kensington would only exacerbate existing traffic PLUS add another 2,000+ ! it's mind boggling.

2) Whether deliberately or not, the negative impact report was published in the San Diego Daily Transcript - a publication that is for a select population, not necessarily busy Moms and Dads, or retired folk. When asked about this at the Sept 18 community meeting, the response was that it will be available on the contractor's website by the next day, thereby limiting the number of residents to those who only have access to a computer..

3) Lastly and most importantly, the size of the complex would impinge on the historical uniqueness and charm of Kensington, a highly desirable area not unlike Mission Hills. Homes here have been designated as historical sites and others are in review.

While I don't have a complete disapproval of the project, it's just too expansive.

Rosalie Northeimer
5049 Canterbury Dr
(resident since 1972)

001563

From: "Sigler, Shannon" <Shannon.Sigler@hdrinc.com>
To: <planningcommission@sandiego.gov>
Date: Fri, Oct 12, 2007 8:46 AM
Subject: Adams Ave. between Marlborough St. and Edgeware Rd.

Dear Sir/Madam,

I am writing regarding the proposed development permit at Adams Ave. between Marlborough St. and Edgeware Road. Please accept my input to recommend NOT to allow a variance to extend the height of the proposed development. Although the remainder of the proposed development may be within planning department guidelines, please note my concerns regarding the following issues:

1. West bound Adams Ave. traffic heading into Kensington north of Adams already "short cuts" down Edgeware Road to avoid congestion at Marlborough and Adams (which was not present prior to the development on the northwest corner of that intersection). It would be nice to somehow route this traffic down 42nd street (an alley street), where there is little pedestrian traffic and has no home frontage north of Adams. To alleviate the high volume of traffic on Edgeware Road, I recommend:

* For north bound traffic at the north end of the second block of Edgeware Road a "no left turn" sign.

* For east bound traffic on Canterbury, a "no right turn" sign at Edgeware Road.

2. Although this type of development may meet or somewhat exceed minimum parking standards required by the City, it is common knowledge that most, if not all new developments of this type do not provide adequate parking in quantity of in stall size. This has caused street parking to dramatically increase along the first block and beyond north and south of these types of developments (such as current developments on Adams, and in areas of normal Heights, Hillcrest and Mission Hills). This precludes single family homes from having adequate parking and increases congestion in the surrounding area. I would recommend widening Marlborough, Edgeware and Kensington two feet for the first block on each side of Adams to accommodate improved traffic flow or ban parking on one side of the street during peak traffic times.

3. I understand the desire for alley access to avoid pedestrian conflicts and traffic hazards along Adams Ave., but a project of this size will cause an immense amount of congestion at both the alley/street access and access to Adams Avenue. Is a signal light planned for Edgeware Road and Adams Avenue? Alley access at development on the northwest corner of Adams and Marlborough causes congestion, pedestrian hazard, and vehicle accident hazard due to lack of sight lines (from building places close to the street and parked cars) and maneuver due to narrow street passage.

4. Size and scale of this type of development is not in keeping with the current neighborhood. The Village concept promoted by the City of San Diego is more suited to streets that can accommodate larger traffic volume, such as El Cajon Blvd. New developments along University Blvd. just west of I-15 have caused a dramatic amount of congestion in the area.

Thank you for your consideration. Please forward my concerns to the

001384

appropriate traffic engineers for their review.

Sincerely,

Mr. Shannon K. Sigler AIA
4849 Edgeware Road
San Diego, CA 92116
Work Phone: 858-712-8309

CC: "Ruth Sigler" <ruthvsigler@yahoo.com>

001565

From: "Brian T. Peterson, DVM" <friarsroadvet@sbcglobal.net>
To: <planningcommission@sandiego.gov>
Date: Mon, Oct 15, 2007 10:13 AM
Subject: Agenda Item 11, October 18th

October 15th, 2007

City of San Diego Planning Commission

Dear Chairperson Schultz, Vice-Chairperson Garcia, and Planning Commissioners,

By way of introduction, my name is Brian T. Peterson, DVM, and I am the president of the Grantville Action Group. We are an independent, grassroots organization of Grantville and Allied Gardens residents, property owners, and business owners. We have formed to preserve the rights of those who currently work and live in the Grantville and Allied Gardens neighborhoods, as we face the impending Grantville redevelopment project. We oppose eminent domain abuse and redevelopment abuse in our community.

One thing we support, however, is the concept of overlay zoning. We believe that when this is done, without the threat of eminent domain, that it preserves the rights of the current residents, while allowing the free market to drive progress.

On the Planning Commission docket for October 18th, 2007 is Item 11, which is a matter of overlay zoning. Item 11 would remove the Mobile Home Park Overlay Zone from the 10.45 acre site that is now the Mission Valley Village Mobile Home Park. Even though the Mission Valley Village Mobile Home Park is outside the Grantville redevelopment project area, to be consistent with what we want for the rest of Grantville, we feel the current overlay zoning should be maintained for this site. Furthermore, the subject of the validity of the sale of the property to Archstone is a matter that is still to be determined in court. It is premature for the Planning Commission to even consider the matter of removing the overlay zoning.

For these reasons, it is important that the Planning Commissioners vote against the initiation of the amendment to the Navajo Community Plan and the Progress Guide and General Plan to remove this Mobile Home Park Overlay Zone. Please vote against Item 11.

Sincerely,

001368

Brian T. Peterson, DVM

Grantville Action Group, president

10433 Friars Road, Suites F&G

San Diego, CA 92120

619-282-7677

CC: <jmadaffer@sandiego.gov>, <DonnaFrye@sandiego.gov>

001367

From: "Pat Driscoll" <patdriscoll@gmail.com>
To: <PlanningCommission@sandiego.gov>
Date: Wed, Oct 17, 2007 12:38 PM
Subject: Plan for Adams Ave. between Marlborough St. and Edgeware Rd

To Whom It May Concern,

The present plan for the development of the north side of Adams Ave between Marlborough and Edgeware Rd. needs to be completely scrapped before proceeding.

SHORTCOMINGS:

The plan, as currently envisioned, will...

-create safety hazards for pedestrians on Adams and in neighboring streets through increased traffic and inadequate traffic management

-create safety hazards and congestion along side streets as drivers attempt to circumvent Adams gridlock through use of those side streets.

-create gridlock along Adams Ave between 39th St and Aldine Dr. through the increase (2500 car trips daily) and through the ill-conceived idea of placing a stoplight on Kensington Dr and Adams Ave, which would mean 4 traffic stoplights in four short blocks.

-create environmental degradation as relates to noise levels and air quality through the increase of automotive traffic.

-decrease property values for those in general proximity to the project through increased noise and air pollution due to increased density and traffic.

-wastes resources through the demolition of present structures without consideration of the possibility of moving present structures to new locations.

The application in this iteration must be denied.

REFORMULATION:

A reformulated application needs to include the following changes:

- 1) Installation of traffic circles at Terrace and Adams and Kensington and Adams in place of stoplights.
- 2) Installation of a 4-way stop sign at the corner of Biona Dr. and Adams Ave. Cars, racing to make the light at Adams and Marlborough, frequently exceed 50 mph going through this intersection.
- 3) Reduction of speed limit between 39th St and Adams and Marlborough and Adams to 15 mph.
- 4) Consider moving the structures on the property to other locations to help relieve low-cost housing shortage in mid-city San Diego.

BENEFITS OF CHANGES:

The creation of the traffic circles along with the speed limit reduction

001368

will benefit residents AND businesses. It will create a pedestrian safe, mini-urban mall in the area.

* Pedestrians will be safer with cars traveling below 20mph and with traffic flowing more smoothly--fewer cars racing to "make the light".

* Commuters will experience better flow of traffic with the traffic circles, as opposed to having to negotiate 4 stoplights in 1/4 mile.

* Sides streets will be safer and quieter because they will not be used to circumvent gridlock along Adams.

* Businesses will get more foot traffic customers as residents/customers can cross Adams much more safely and easily with slower, more smoothly flowing traffic.

* Businesses will get more non-local customers since customers arriving by car will not have to fear gridlock along Adams created under the current plan.

* The public, in general, will be better served and will appreciate a forward looking plan instead of the current "business as usual" plan currently submitted.

Thank you very much,

Pat Driscoll
4834 W Mountain Vw Dr #6
San Diego, CA 92116

001369

From: "Karen Capp" <kcapp@oopsydaisy.com>
To: <planningcommission@sandiego.gov>
Date: Thu, Oct 18, 2007 8:34 AM
Subject: project no. 105244 Kensington Adams Avenue Development

Dear Planning Commissioners,

On Wednesday evening, October 17th, my husband and I saw the public hearing notice outside one of the Kensington realtor offices. Unfortunately due to prior work commitments, we can not attend this morning's hearings. We wish we had had earlier notice of this hearing and after calling a number of our neighbors last night, we realized that none of them were aware of the public hearing this morning. More notice for the entire community of Kensington, we believe should have happened as the increased traffic will affect everyone not just the homes in closest proximity to this proposed development.

As homeowners in Kensington of a designated historic property, we are not opposed to the appropriate development of our neighborhood but two very specific things worry us about this proposal:

1. The 3 story nature of this plan. A 2 story plan should be sufficient and would be much more in keeping with the rest of the neighborhood. A 3 story will loom over the other buildings around it- just on the other side of the street and beside this proposed building there are 1 story buildings.
2. The increased traffic and congestion in the area, particularly at Marlborough and Adams. This stoplight already sees a lot of activity and it is at this location that children are continually crossing the street to access the public library and park. I have personally witnessed too-hurried drivers making turns while the pedestrian signal was on while families with young children were crossing the road. I fear that increasing driver traffic at this juncture could easily lead to accidents and fatalities. A parking garage development would make a lot more sense closer to the 15 exit BEFORE you enter a walking neighborhood.

Not having seen the actual plans for this development, we would also hope that the architect has taken into account the strong Spanish flavor evident in so many residences in this community. We do not want to see another stone/stucco structure such as the Starbucks building, for fear that Adams will begin to look more modern and like a Little Italy style new urban development (we like Little Italy, however don't think that style fits Kensington). If this project is approved, we would hope that the area's intrinsic warmth and quaintness is preserved and carried forward with this development. It's very size will make it the style setter for Adams Avenue and if it's to be done, everyone in this city has a stake in seeing that it

001370

Our fourth objection is to the height variance. Just because one was granted does not mean another should be. This is a neighborhood of single family homes and a few apartments. Two stories should be the maximum.

Due to our schedules, we are unable to attend the hearing. We urge you to give serious consideration to rejecting this current proposal.

Jackie Crowle and Charles Scott

Residents at 5302 Canterbury Drive

CC: "Charles Scott" <Charles.Scott@kts-law.com>

001571

Dear Commissioners: Barry Schultz, Kathleen Garcia, Michael Smiley, Robert Griswold, Gil Ontai, Dennis Otsuji and Eric Naslund

I Joseph L. Telford residing at 4156 E. Canterbury Dr. 92116 must urge you to deny the planned development permit for Adams Ave. between Marlborough St. and Edgeware Rd.

I have seen first hand what the Starbucks Building has done to our community. We are too small and too narrow to support the Starbucks Building we have much less add another. Many people living north of Adams Ave. already use Edgeware Rd., which intersects, with East Canterbury Dr. then left and then right back onto Marlborough St. to avoid congestion and the scary tightness. These people are trying to get to their homes, they have already gone out of their way to get home and many of them are going faster than residential speed limits.

Add another stoplight and there are three in three blocks. Parking...Where? Add 2,479 additional vehicles per day....what! This is the neighborhood that put east of Mission Hills on the map. Started in the nineteen twenties it is not feasible to try to change it to two thousand and seven. We Can Not plan it from conception as we do with new communities. Allow residents not developers to rule their neighborhoods.

Thank You

Sincerely,

Joseph Leroy Telford

CITY PLANNING
COMMISSION

OCT 16 2007

RECEIVED