



SEPTEMBER 2005

BE INFORMED

Be mindful. The effort of the members of the community is important. We should all be as informed and involved as possible. If we don't want gridlock and excessively dense development, then we can not have the attitude that it is "inevitable", so why fight it. Further erosion of our quality of life IS NOT INEVITABLE!!!

TRAFFIC

As a follow up to the previous traffic issues on Orpheus Ave, I commissioned a traffic count by Darnell & Associates. The study covered the section of Orpheus north of Leucadia Blvd, between Leucadia Blvd and the south Texaco driveway. The two day result was 4,723 ADT (average daily trips). This compares with the City's latest count of 1700 ADT (sampled in the middle of the block). These results seem to verify this writers contention that the traffic at the middle of the block is not the issue—it's the traffic at the intersection. How much of the ADT increase is due to there being more cars on the road than the City's latest studies show?

The proposed project to build 21 townhouses on two R3 zoned lots at 825 Orpheus should have a similar study done. The current and relevant numbers are needed to understand the significant traffic impact that overdevelopment will have on our already crowded streets and intersections.

The increasing traffic on La Costa Ave between the I-5 and 101 is an issue. The 2002 traffic report for the proposed Chevron station shows an ADT of 10,700. The City's study, about a year later in 2003, shows an ADT of 12,000—an increase of 12%. With a projected 12% increase for three years (to simulate the new, existing, in-fill at Sheridan) and then a conservative 6% for an additional three years, a reasonable figure for the ADT in 2009 is not quite 20,000. Nearly double the 2002 ADT.

This projection does not take into account these proposed projects: the hotel at the foot of La Costa Ave, the timeshare at 101, or Carlsbad's plans to redevelop Ponto. CalTrans plans to expand I-5 shortly after 2009. What are the City of Encinitas' plans for La Costa Ave between I-5 and 101?

Unfortunately, I believe the impact of the expansion of I-5 combined with the continued push for more increases in development will put fatal stress on all of our major east-west arteries (La Costa, Leucadia, and Encinitas). We need new ADT counts citywide (last done in 2003) in order to fully assess the impact of further development on our communities.

This can and should occur this year. Let your council members know you want this study done. Now.

Do not put it off!

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www.civics-101/lits/pdfs/traffic2005.pdf



COMPROMISE

The creation of a General Plan offers myriad possibilities for meaningful compromise. A dense urbanesque area there. An industrial area here. Single family homes over there. Condominiums, townhouses, and apartments work well here next to the transit hubs. And, most important to all life on the planet, open space needs to be significant, diverse in use, and well distributed throughout a community. Creating a General Plan is not easy. Everyone has a viewpoint and some actually participate. Most forces acting upon the creation of a plan are doing so for what they believe to be the common good.

Often, after a General Plan is in place, the proponents of more development ask their opponents to agree to compromise. Many times, along this well-worn path of turning land zoned for less development into land which is densely developed, the proponents claim their current plan for development is a good compromise resulting from the valued feedback from the neighbors and opponents. Even though the opposing opinion was emphatically ignored.

In terms of land use, the appropriate time for wholesale compromise is during the creation of the General Plan. The character of long-lived neighborhoods, which attract buyers and are valued by residents, can only be maintained by upholding the spirit of the compromises which took place during the formation of the General Plan. Compromise can not happen on a parcel-by-parcel basis because the result will be nonstop overdevelopment in the name of the property rights of a developer trumping the rights of the surrounding property owners to enjoy their existing neighborhoods as they are currently zoned.

The right to build whatever one wants SHOULD stop abruptly at the point where the rights of the many to legally use their property are infringed. This is especially relevant in matters of open space. While there are many definitions of what are the appropriate uses for open space, a plot of land is either open space or it is not. With this binary nature, it is clear that a "compromise development" for a plot of land, which is zoned as open space, does not exist.

It is no accident that infinite-development-rights

proponents choose words intended to put opponents at an emotional disadvantage. Even though real compromise in matters of open space development on a plot-by-plot basis is impossible, compromise is exactly what the blindly-pro-development forces claim they deserve. Their tactics work: would-be protectors of open space are usually castigated in council chambers and in the popular press as selfish nimbys "unwilling to compromise".

Is it fair to be faulted for failing to do what is, by definition, impossible?

825 ORPHEUS AVE

Case Number #04-182CDP/ES?GPA Update

The Tasviri's, and their agent/architect James Alcorn, continue to attack the Encinitas General Plan. They did rescind their previous request to rezone from R3 to General Commercial. But their latest request is for a General Plan Amendment m rezone from R3 to R11.

On August 16, 2005, approximately 50 residents attended the second public participation meeting in front of the fire station next to the site. Mr. Alcorn unveiled their 21 townhouse project. Current zoning allows 4-6 houses on the site. The city residents in attendance overwhelmingly repeated the first meeting's consensus that any project on the property must conform to the current R3 zoning.

The projected traffic generated by the up-zoned property is 300-500% over R3 projections. R3 estimates are 40-60 ADT vs 210 ADT for the up-zone. 200 ADT is more than 10% of the City's current-study TOTAL ADT for Orpheus.

Normally this type of General Plan Amendment requires a citywide vote. Developers do have the right to request an exemption to a vote. If a case is made that up-zoning is of significant public benefit, an exemption can be granted. A 4/5 vote of the City Council is required to grant the exemption.

Technical studies of the proposal by the City now begin. The Planning Commission should hear the case during the summer of 2006. If the Commission approves the changes, the proposal will go on to the City Council for final disposition.

This request to change R3 to R11 is an unacceptable increase in density. It would add significant traffic to an already overburdened area. It does not fit the community character. Most importantly, it offers no net benefit to the City.

Kathleen Lindemann

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SEPTEMBER 2005

Do you want more?

- TRAFFIC
- PARKS & OPEN SPACE
- VOICE IN PLANNING ISSUES
- OFFICE SPACE/COMMERCIAL IN RESIDENTIAL NEIGHBORHOODS
- TRUST IN OUR CITY REPRESENTATIVES



US POSTAGE
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37¢

ENCINITAS, CA

PROJECT UPDATES

Upcoming General Plan Amendments that will substantially increase density and impact traffic:

- 1. Ecke Ranch:** 38 acres from agriculture to residential for 101 homes. November ballot vote.
- 2. Lake & Sante Fe:** 10 acres, currently R4 asking for Rll or higher.
- 3. 516 La Costa:** 1.2 acres, currently visitor serving asking for high density multi-family 20–22 townhomes.
- 4. Encinitas Blvd & Rancho Sante Fe:** 20 acres, requesting a Specific Plan for commercial and high density housing.

* 2 and 3 may apply for a bonus density of 35% on top of whatever the zoning is—R11 becomes, in effect, R15.

Barratt American Homes project at Sheridan & Andrew: appeal to Council on final map approval denied. Leucadia Cares Group has retained a lawyer to continue legal action. For more information contact Roger Baldwin: rogerandsarah@cox.net

Urania Project: 27 houses on former greenhouse land zoned R2. Concerns are safety issues from increased traffic and a need for proper soils testing to guarantee no chemical contamination.

This project is working under it's R2 zoning with a 35% bonus density increase. R2 allows for 18 houses—bonus density adds 9 units for a total of 27.

CHEVRON EXPANSION

A few years ago the Chevron Service Station at La Costa Ave and the I-5 was bought back from the franchisee by the Chevron Corporation. They plan to expand it, keep it open 24 hours, and add a car wash. They have applied for a liquor license for retail sales.

We need to urge Chevron that Leucadia is Funky not Corporate. We deserve a service station which fits our needs as well as our community's character. We don't need a liquor store serving the gridlocked I-5. Let's show Chevron we care.

Write a polite note to:

Chevron Products Company

Attn: John Jorgenson
District Sales Manager of Company Operated Stores
P.O. Box 2292
Brea, California, 92822-2292

Julie Sanderson

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