



APRIL 2008

Do you want more?

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

REALITY...

or boondoggle. Here are two examples.

At a recent City Council meeting, a number of citizens questioned the need for doing extensive mapping of Santa Fe to establish rights of way and boundaries. Citizens objected to any possible expansion of Santa Fe between I-5 and El Camino Real. City Staff denied any intent to widen Santa Fe in the vaguest terms possible and indicated the mapping was simply routine.

But Staff knows the development planned in the area will put pressure on Santa Fe. The troubles include a 5000 ADT increase from the hospital expansion, a proposed park with less than half the parking necessary for capacity use, expansion of multiple schools on the Santa Fe corridor, and the continued expansion of housing into agriculture areas.

Staff is simply preparing for the likely reality—a reality we are allowing to become inevitable. As long as we continue unfettered upzoning on top of density bonus, we can not control our city's future. We certainly can't rely on Staff. To be fair, it's not Staff's job to make policy and it is abundantly clear we can't rely on our current City Council majority to curtail excessive growth. We would not be in the mess we are in now if they were reliable.

We can see from the justifiably paranoid reaction of our City activists, to the proposed mapping of Santa Fe, that everything proposed by Staff or Council requires immediate and constant oversight. Planning Commission and City Council meetings must be attended. Codes and closed session agendas and their results must be scrutinized by the public.

Yet it would be so simple for the City Council to pass a law that no upzoning would be allowed without a 4:1 vote of the Planning Commission and then the City Council. For large projects the vote of the electorate should be required.

Is there really anyone out there, other than the beneficiaries of silent upzoning on top of density bonus, who thinks this is a bad idea?

By requiring easier and more transparent public involvement, at least we could keep development to a dull roar and reduce John Q. Public's need to oversee our government's every move. I hope to see one of our more reasonable Council members propose this before the elections—it would be good to know who it is we can count on to hold the line before it comes time for us to vote for Council members in November.

Of course, in reality, the City has no money for expansion of Santa Fe, or any other major new projects now or in the near future.

So I ask, is it a cruel joke or just election politics to be spending our money on consultants who propose multiple pedestrian underpasses of the train right of way?

Let's look at what the proposed underpass system does not do. It doesn't fix the intersection of Leucadia/Vulcan/101. It doesn't fix the drainage problems. It doesn't help the goal of under grounding the train tracks. It doesn't provide additional parking at the east end of the underpasses for the out-of-the-neighborhood beach goers who are unable to find parking on the west side of the tracks.

I understand that a group of Encinitas citizens have fought for years for a safe crossing. I share their desire for a safe way to cross the tracks.

But this is not the way it will, or should be, done. At the "guesstimated" cost of five million dollars each (for either an underpass or an overpass) what chance is there for any of these to actually be built?

Even the current consultant has not been able to figure out how many people would actually use these crossings per day. They acknowledge the possible crime aspects of an underground tunnel. They understand the possible flooding issues with the proposed Leucadia crossing. It is not a feasible project simply from the fiscal reality point of view.

So, which project schemes will get delayed or canceled first, as things gets more expensive? If you want to buy into this cruel boondoggle, its up to you. Myself, I rather face reality.

Herb Patterson <lindpat@cox.net>

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CONFLICT ASSESSMENT FOR HALL PROPERTY

Two groups in Cardiff, Citizens for Quality of Life and Cardiff Glen residents, hired the La Jolla Center for Dispute Resolution in May 2007. I was one of the three people who signed the contract. The cost was split between the two groups. The purpose was to examine the possibility of bridging the differences of how the Hall property park should be developed; that is, either as a sport complex as shown in the Master Plan map and Draft EIR or as a less intensive community park serving the broader needs of the public. The report has been finished and can be read at: <http://www.lajollacenter.com/contact.htm>

The report was delayed for almost a year. It took a long time for the City to agree to the assessment, but finally City Manager Phil Cotton and City Attorney Glenn Sabine acquiesced. Then it was difficult to get any of the sports proponents to participate. They had good reason not to. From the beginning in 2001 there was a majority on the council willing to give them the sports complex they wanted. This is still the situation in 2008.

The long delay, a problematic Draft EIR, the soaring cost of any kind of park development, and the lack of any kind of park at all for public use motivated enough sports supporters to take a part and make the assessment feasible. There is a tentative community meeting scheduled for 7 pm, Friday, May 2, 2008 at the Encinitas Community Center. It will be interesting to see if a meaningful dialogue can be established.

Jerry Sodomka for Citizens for Quality of Life

PROJECT UPDATES

1. Chevron Gas Station at 540 La Costa Ave:
The remodeled station opened for business on or about April 7, 2008. At this time the station is open 24/7. Operating hours will be evaluated at the end of one year by the City to determine whether to continue 24 hour operations or to close from 12–5 am per the request of the community.
The gas station is not currently selling alcohol, although there is signage posted stating that it is a misdemeanor to consume alcoholic beverages or drink beer on the premises.

The State Alcoholic Beverage Control (ABC) cannot directly issue any new licenses because the area already has the maximum number of licenses allowable. But Chevron may apply to the City for a review of their application under the arena of Public Convenience or Necessity (PCN) Section A.1 and Section C of Resolution 96-37.

In summary, the City Manager is authorized to designate a review body made up of himself and a representative from both the Sheriff's and the Planning Dept to review PCN applications. Following determination of PCN, the applicant and all interested parties shall be notified by mail of the decision. The decision may be appealed to the City Council under the normal appeal procedures of the Municipal Code. There is no automatic neighborhood notification or community input meeting regarding a PCN application. Concerned citizens need to register as "an interested party" to any future application for PCN by the Chevron operation at 540 La Costa Ave. Contact the City Manager via Richard Phillips or the Community Development Dept via Tom Curridan. Express your concerns and request notification of determinations of PCN.

For further information contact Gene Ybarra, Senior Planner, 760/633.2698.

#2. Fritz Tentative maps:
Case #06-111 TM/DR/CDP & 06-112TM/DR/CDP
1235 Urania (The Chino Greenhouses)

The Draft EIR is now available for the Public Review and Comment Period which ends 19 May 2008. This is a density bonus project. Current zoning is RR2 (1–2 units per acre). If approved, the density bonus will range from 3.21–3.3 units per acre resulting in 23 units on 9.16 acres versus 15–16 units per current zoning (code says use the mid range of 1.5 times acreage to determine number of units).

Please make time to read and respond to the Draft EIR. The City's notification letter states that the draft EIR concludes that the project may result in significant environmental impacts in the following areas:

- Transportation and Circulation
- Hazardous Materials
- Hydrology (drainage) & Water Quality
- Paleontological Resources

The EIR will be used in the City's consideration of several discretionary actions including a density bonus approval (density bonus is not mandatory), approval of the tentative map, and Coastal Development Permits.

All EIR comments must be received by 6 pm, May 19, 2008 to Scott Verbuff, Planning and Building Dept.

The EIR is available at the Planning Dept, the Encinitas Library, and online at:
<http://ci.encinitas.ca.us/Government/PublicD>
Project Planner is Ray Sapau, 760/633.2734

#3. 905 Orpheus Ave: former Texaco Station at the corner of Leucadia Blvd and Orpheus Ave. Starbucks Corp. continues to consider a long term lease of this property for a coffee shop with a drive-thru. The property is zoned Visitor Serving Commercial (VSC). In order to have a drive-thru a major use permit must be granted.

About 15–20 neighbors attended the first community participation meeting. While no one present was vehemently opposed to a Starbucks, all in attendance voiced concern regarding the negative impact a drive-thru would have to the air quality of the neighborhood and on the traffic at one of the busiest, poorly designed, and dangerous intersections in Leucadia.

Starbucks is pitching the building as being green. There is nothing green about the design other than the selection of some of the building materials. The building offers no consideration for passive cooling or heating, nor the location of windows or eaves in context of seasonal sun angles. Their intent is to use a mechanical heat pump on the roof for heating and air conditioning. In order to hide the mechanicals, the single story building will be as tall as a two story building. Neighbors felt a truly green, single story Starbucks without a drive-thru would be more appropriate for the neighborhood. The Starbucks representative said they were primarily concentrating on drive-thru locations and that being low impact on local infrastructure and resources or using alternative energy sources was too expensive.

Traffic Engineering (Nestor Mangohig) is working with Starbucks in gathering data and preparing their traffic report. The property is on septic not sewer. M. Hedayat, the current property owner, has applied to Leucadia Wastewater District (LWD) and to LAFCO for annexation to LWD. That process should be nearly complete. If approved, Starbucks would be able to extend the sewer main from the fire station northward approximately 700 ft to the Starbucks.

Construction of the sewer extension would disrupt traffic along Orpheus south of Leucadia Blvd and through the intersection.

This project is still a ways from scheduling a date with the Planning Commission.