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**Citizens
Participation
Report**

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Citizen Participation Plan Final Report
MULTI-4309-2021, DR-4311-2021, SUB-4310-2021, CDPNF-4312-2021 and CPP 4313-2021
1220-1240 Melba Road, 1190 Island View Lane, Encinitas, CA. 92024
Torrey Crest

A Citizen Participation meeting was held on **February 8, 2021**, from **6:00 PM to 8:00 PM** via **Zoom**. There were approximately **105** logins. A brief introduction was made by **Brian Staver**, representative for the applicant, Torrey Pacific Corporation. A short overview of the project was given by **Tyler Lawson**, one of the project's civil engineers. Another of the project's civil engineers, **Bryan Knapp**, also attended. **Bryan Stadler**, the project's architect, then began a presentation on the design of the proposed neighborhood and homes. After about three minutes, the attendees indicated that they were not interested in this subject matter, and the meeting moved on to questions and feedback. Attendees were able to ask questions and give feedback both verbally and through a chat room that was visible to all participants. The meeting was moderated by Tyler Lawson and Bryan Knapp.

Techniques used to notify and involve the public regarding the application

A letter and vicinity map notifying all property owners and occupants within 500 feet of the project site was mailed on January 20, 2021 (see Attachment A). Of the **156** notices that were mailed out, **none** were returned as undeliverable.

Because the meeting was held virtually due to the Covid pandemic, there was no traditional sign-in sheet to the February 8 meeting. Included in this CPP report is a list of all community members who contacted the applicant to attend the Zoom meeting and a list of the community members who identified themselves as present at the meeting either verbally or through participation in the chat room (see Attachment B). Because many community members shared information on how to access the meeting on social media sites or individually with other people, we do not have a comprehensive list of everyone in the community who had access to the meeting. Given the absence of a physical sign-in sheet, we also do not have a record of people who may have attended the meeting but did not identify themselves, verbally or through the chat room, as present.

Questions, Concerns, Issues, and Problems Expressed and Responses to Them

The following section compiles the questions, concerns, issues, and problems raised during the CPP process. This includes questions, concerns, issues, and problems raised either verbally or in the chat room during the February 8 CPP meeting as well as questions and concerns raised in comment cards or email from January 20, 2021 until the end of the open CPP comment period on February 21, 2021. Overlapping or similar comments and questions have been combined in the below descriptions of questions and concerns raised. The responses to the questions and concerns compiled below include the live answers from the CPP meeting as well as additional information as helpful. Available for review are also the transcript of the February 8 CPP Zoom

meeting (Attachment C), the public chat log from that meeting (Attachment D), CPP Comment Cards submitted by community members (Attachment E), and other feedback on the project submitted to the City and/or the applicant by email between January 20 and February 21, 2021 (Attachments F and G).

1. General Project Details and Project Status

a. What is the name of the project?

The name of the project is "Torrey Crest." The application number is Multi-004309-2021. Monument signage at the entrance to the proposed subdivision has been removed from the application with the second submittal.

b. Who is the contact person at the City? Who is the assigned planner?

The planner assigned to the project by the City is J. Dichoso. Email: jdichoso@encinitasca.gov.

c. Who owns the 7 lots being developed? Have they been consolidated?

All 7 are owned by Torrey Pacific Corporation (TPC).

d. How many existing homes are on the site, and which are proposed to be removed?

There are four existing residences (a 3-bedroom at 1190 Island View, a 2-bedroom at 1220 Melba, a 1-bedroom at 1230 Melba, and a 3-bedroom at 1240 Melba) and two accessory dwelling units (a 1-bedroom at 1230A Melba and a 1-bedroom guest house on 1240 Melba). All six residential structures are proposed to be removed. A cultural resources report prepared by an architectural historian evaluated all of the existing structures and determined that none meets the threshold to qualify as historically significant.

e. Who currently lives on the property? The CPP states "The subject property is zoned R-3 and is currently vacant." Is that true? Nobody lives on any of the lots?

At the time of the initial application, one home and one accessory dwelling were occupied by a co-owner of TPC, three homes were rented by TPC to third parties, and one home was vacant. As of March 2022, this is still the case except only two homes remain rented by TPC to third parties and two are now vacant. Due to an error, the CPP notice sent out in January 2021 mistakenly said that the land was vacant. We contacted the City on January 21, 2021, after we noticed the error, but the notices had already been mailed.

f. Does the project require a General Plan amendment?

No.

g. Don't you have to get a tentative map approved before the architectural review?

That used to be more common, but it is not necessary. Projects, like this one, increasingly are seeking simultaneous approval of the tentative map and

architecture to ensure that stormwater treatment design and lot geometry are functional and appropriately customized.

h. At what stage is the CEQA process? Was there an environmental impact review?

The CPP meeting was held less than a month after our initial application was submitted, and we had not yet received review comments from the City, including a review of environmental impacts. Though not required to by the City, we have since elected voluntarily to do an EIR. That work started formally in May, 2021.

i. When will the city be reviewing the proposal so that the community can have a voice?

Our initial application was made on January 15, 2021 and we received comments from the City staff on April 27, 2021. On July 26, 2021, we resubmitted the project ("second submittal"), and we received comments from the City staff on December 22, 2021. On March 22, 2022, we resubmitted the project ("third submittal"). Right now the project remains in the planning stage and our application is not complete. Once the application is deemed complete by City staff and the draft EIR is ready for consideration, a hearing before the City Planning Commission will be scheduled. This will be the first public hearing on the proposal.

j. Will Torrey Pacific Corporation be the builder as well as the developer?

No. There is not a legal or procedural reason that requires that decision to be definitive right now, but TPC is not planning on being the builder.

k. If you aren't planning to build homes, how can you claim density bonus and why are you showing us plans for architecture and landscaping?

We are planning for homes to be built. We are designing the project and getting it approved, and we then plan to sell the land with approved plans to a builder. They would then build the neighborhood with those plans. If they sought to make any significant changes to the approved plans, it would require approval from the City.

l. Will the proposed homes, irrigation, and landscaping actually be installed, or is the plan to get approval, grade the site, and leave?

If TPC sells the approved project to a builder for completion, as currently planned, then TPC itself would not be installing the proposed homes, irrigation, and landscaping. The overall project is predicated on these homes, irrigation, and landscape ultimately being installed, and after receiving project approval, any significant changes to completing the project as designed would require City approval.

m. What is the timescale for duration of construction, completion of construction, etc.?

The discretionary process – planning, hearing before the Planning Commission, etc. – may take more than a year from now. The completion of construction of the homes will depend, in part, on how quickly the homes sell. During the CPP meeting

in February, 2021, we hypothesized it might be perhaps 8 months until the Planning Commission heard the matter and then another two years until the homes were build and sold, though it wouldn't surprise us if it took longer. As of March, 2022, the total time to completion is hard to estimate.

n. Will the project have an HOA?

Yes.

o. Why were technical reports, like the geotechnical report and drainage study, not provided before the CPP meeting, even upon request?

The CPP meeting was held within four weeks of our initial application being submitted. We had it in mind at that time that it would be helpful to mediate that process via the City and their preliminary review of the material. At this point, we are making application files available directly with our submittals. All of the application files current with the third submittal are provided in the following, public Dropbox folder:

<https://www.dropbox.com/sh/3eaay79nvlN8d6u/AAAZ9YX1PfHdlw31c5ifQ8tOa?dl=0>

p. Will there be another CPP meeting once you have collected more information and are more informed on details?

At this time, we are not planning to hold another CPP meeting.

q. Are you open to revising the project to address the concerns of the neighborhood?

Since the CPP meeting and other discussions with neighbors, we have incorporated feedback from the City and neighbors into subsequent submittals. Revisions and customizations made to the plans with the second submittal included removing three of the four retention basins. As a result, water was no longer directed down Island View Lane or into the public easement brow ditch that leads to Witham. The basin at Melba was consolidated into one.

Furthermore, in the third submittal, the basin was moved from the eastern side of the proposed street near Melba Road to the western side of the street to better align with the topography of the neighborhood and retain views of the Torrey Pine trees that will remain. We have changed the vegetation proposed in the landscape plan to more heavily favor a native palate. We're doing 1:1 replacement on all mature trees that will be removed. On the Melba frontage, the third submittal has an "Option B" to use the existing sidewalk and preserve 5 Torrey Pine trees and 1 Coast Live Oak, pending City approval of a waiver of the Public Road Standards.

2. Trees

a. What will happen to the trees on the site of the proposed development?

As of March, 2022, “Option B” in the plans provides a way for the project and City to preserve 100% of the Torrey Pines located on site, on neighboring private property, and on the City’s Melba Road frontage between the project and Bluejack Road.

The large Torrey Pine that is west of the existing white house and closer to Melba, Tree No. 119 in the arborist report, will be preserved under all versions of the plans being proposed. The large Torrey Pine that is west of the existing white house and closer to the horse barn, Tree No. x17 in the project’s arborist report, is a boundary-line tree and will be preserved under all versions of the plans being proposed.

The 3 Torrey Pine trees on site near the Melba Road sidewalk, Trees No. 107, 108, and 109, in the arborist report, are proposed to be preserved under “Option B” in the plans. Doing so requires the City to waive the Public Road Standards. These 3 Torrey Pine trees were planted by John Staver in 1990.

The total number of Torrey Pines entirely onsite is 4 (Trees No. 119, 107, 108, and 109) and only 1 of these is entirely within our control (Tree No. 119) and it is proposed to be preserved in “Option A” and in “Option B”.

Additionally, in “Option B” 2 off site Torrey Pine trees, Trees No. x15 and x16, are preserved. These are the 2 trees entirely within City-owned ROW between the project and Bluejack Road. These 2 Torrey Pines were also planted by John Staver in 1990 and also require the City to waive the Public Road Standards to be preserved.

There are 2 Torrey Pine trees impacted by the Public Road Standards (Trees No. 107, 108, 109, x15, and x16). Otherwise, all of the Torrey Pines that are a visible feature of the ridgeline remain. There are eight along the driveway to the horse barn (x18 – x25), there are several on 1160 Island View Lane, there are several on the southern edge of Oak Crest MS, there is a tall one on 1207 Ahlrich (x6), there are Torrey Pines in the Melba frontage between the project and Crest, there are Torrey Pines near Oceanic and on Wotan.

To reiterate, all of the Torrey Pines remain in “Option B” in the plans and the only 5 that would not remain if the City does not elect to waive the Public Road Standards (“Option A”) are the 5 that were planted by John Staver in 1990 (Trees No. 107, 108, 109, x15, and x16).

Additionally, in “Option B” a Coast Live Oak that would otherwise be impacted by the widening of Melba Road and concrete sidewalk is proposed to remain.

For the mature trees to be removed, we are proposing to replace those at a 1 to 1 ratio.

Of the 173 trees in the arborist report, 64 are on the City of Encinitas Invasive Plant Policy invasive species list. There are 109 trees that are not on the invasive species list. Of the 109 non-invasive trees, 86 are not native to California. In other words, of the 173 trees onsite, 150 are not native to California.

There are 23 onsite trees scheduled to be removed under “Option A” which are a species native to California. There are 19 onsite trees scheduled to be removed under “Option B” which are a species native to California and not including the Trees No. 106-109 outlined above.

Summary of the 19 trees which are a species native to California which must be removed under “Option B”: 9 Coast Live Oak, 4 White Alder, 4 California Sycamore, and 2 Monterey Cypress. None of these species are assumed to have existed on the site as of 1920, when the site most likely would have looked like the Cardiff hillside in the following two photos.



J Frank Cullen's house, c. 1911



The amount of ROW being dedicated to the City remains the same in “Option A” and “Option B” so the City would have the option of doing “Option A” improvements later.

b. What is your intent with property line trees?

There are 5 boundary-line trees, Trees No. x2, x3, x4, x5, and x17 in the arborist report. As of March, 2022, all of the boundary-line trees are proposed to be preserved. Trees No. x2-x5 are Monterey Cypress trees and Tree No. x17 is a Torrey Pine tree. The other trees with an “x” in the number in the arborist report are entirely off site. We have met with neighbors and the project arborist to document and discuss recommendations for each tree with a dripline that overhangs the project boundaries. For trees on neighboring properties that overhang the property line, the arborist report includes an evaluation and tree protection plan.

c. Concerns about the proposed development affecting the roots of trees, especially Torrey Pine trees, on neighboring lots.

As detailed in the arborist report, the project arborist identified all offsite trees that overhang the property line and any City trees within 30 feet of the property

line. All such trees were evaluated by the arborist, including a root investigation on 2, to determine what was necessary to keep these trees unharmed. A plan to protect each tree is included in the report.

d. Concerns about whether Torrey Pine trees and vegetation will be removed along Melba.

As of March, 2022, “Option B” in the plans, which requires City waiver of the Public Road Standards, is a plan to preserve all 5 of the Torrey Pines and the 1 Coast Live Oak located adjacent to the Melba Road sidewalk.

e. Will this area be relandscaped to screen the project edges along Melba?

Yes. As of March, 2022, renderings of the project edges along Melba under “Option A” and “Option B” from three vantage points are included in the application material. The renderings and proposed Landscape Plans are also included in the Dropbox folder referenced above.

<https://www.dropbox.com/sh/3eaay79nvl8d6u/AAAZ9YX1PfHdlw31c5ifQ8tOa?dl=0>

f. Concerns about homes in the development being built in the “fall zone” of large trees, including Torrey Pines, on neighboring properties.

The project arborist has visited the nearby Torrey Pines to investigate the collars and do a root investigation on 2. All are in “Good” or “Fair” condition. Tree owners are responsible for monitoring the health of their trees.

g. Concerns about removal of mature trees and damaging tree roots that hold up bluffs and sand and claystone soil and that stabilize surrounding slopes.

Tree protection plans have been worked out for the on site and nearby trees to be protected. The location of tree protection zone (TPZ) fencing is on the Civil Plans. The arborist report specifies a process for root severance for the trees to remain so that work outside of the TPZ does not rip up part of a root within a TPZ. The arborist report specifies that the project arborist will be on site to observe root cutting for the trees to be protected. For trees to be removed, it will remain in the interest of the builder to not damage the top of the boundary near the cut slope on Oak Crest MS or any other boundary-adjacent locations that may be damaged by tree removal. Within the project’s boundaries, the top several feet of soil will need to be removed and replaced in most locations for reasons specified by the project’s geotechnical engineer.

3. Density of the Project

a. Zoning and application of Density Bonus Law

i. What is the current zoning?

The underlying zone is R3.

ii. Can you provide the details on upzoning from R3 to R5?

The proposed 30 homes are not based on a change in the underlying zoning from R3 to R5. They are based on the application of State Density Bonus Law. See our response below.

iii. How do you get from R3 for 6.6 acres = 20 homes to 30 homes?

The project is using California Government Code Section 65915(f)(2), which is part of the code's section on Density Bonus and Other Incentives to address the State's housing issues. The code defines a "density bonus" as "a density increase over the otherwise maximum allowable gross residential density as of the date of application." Our project as proposed qualifies for a 50% density bonus. Because the underlying R3 zoning allowed 20 homes ($6.646 \times 3 = 19.94$; anything above a whole number rounds up to the next whole number), the density bonus allows for 30 homes.

iv. Is there a higher bump in density for building very low income houses versus low income houses?

Yes. The difference is explained in California Government Code Section 65915(f). For a project like we propose, if 15% of the base density of homes are set aside as affordable, the code provides for a 27.5% density bonus if you provide low-income affordable units and a 50% density bonus if you provide very low income affordable units. A project can also have a 50% density bonus using low-income units, but a higher proportion of the total number of houses built (24%) have to be set aside as affordable.

v. Are you calculating density based on net acreage? What about the net acreage change to Encinitas Municipal Code that was adopted on 12/16/2020?

We are calculating density based on gross acreage, not net acreage. At the time we submitted our preliminary application on January 15, 2021, the change to the City's density bonus provisions (Ordinance 2020-09) requiring the use of net acreage was not yet effective. Subsequently, the State notified Encinitas that its ordinance was in conflict with State Density Bonus Law, and the City Council repealed Ordinance 2020-09 on May 26, 2021. Our use of gross acreage is consistent with both State and City laws. The City has used gross acreage for all density bonus projects since January, 2017.

vi. How many lots would be allowed if based on net instead of gross acreage? Would net acreage subtract the area of the street?

Yes, net acreage would subtract the area of the street. In this hypothetical scenario, for a density bonus project using net acreage as the project has been proposed, the base density would round up to 17 homes, and the total with a 50% density bonus would round up to 26 homes.

But, this question is in many ways a moot point (see above). The net acreage of the project as-is in the third submittal is 5.55 acres. This subtracts existing Melba ROW, additional proposed Melba ROW dedication, existing private road and public utility easements, proposed private road, and slope adjustments. The project like this one may be redesigned if net acreage was applicable. When a project uses net acreage, it might, for example, limit or eliminate sidewalks and on-street parking to minimize street area.

vii. What exemptions are being sought?

As of March, 2022, the project is requesting two incentives and eleven waivers, with most waivers having to do with lot geometry. These incentives and waivers are listed on the first sheet of the revised civil engineering plans submitted to the City and in the density bonus report.

Under State Density Bonus Law, the project is allowed three incentives, but we are now only requesting two: (1) to not underground certain overhead utilities, see below, and (2) height relative to existing grade over 26' but still under 26' relative to proposed grade and under 30' relative to existing grade. As of March, 2022, this incentive is being used on 5 lots for reasons primarily related to stormwater treatment design.

The City development standards the project is requesting waivers from are: net lot area; lot width; lot depth; building height relative to existing grade (also an incentive); private streets (road width and cul-de-sac radius); side, front, and rear yard setbacks; connectivity of adjacent land uses; subdivision design standards, and development standards.

viii. Is it true that there are no limits to the waivers you can request in density bonus? There seem to be more waivers/exemptions than merited by the applicable density bonus parameters.

Yes, the number of waivers that can be applied to a project are unlimited. The idea is that many things may need to be adjusted, by at least a bit, to accommodate the increase in density relative to the implementation of the underlying zoning.

ix. If there's a danger of environmental or health and safety issues, can waivers be denied?

No and yes. At the time of the first submittal, the State Density Bonus Law included an exception that applied if a project would have a specific, adverse impact upon the "physical environment." A recent amendment removed the exception related to "physical environment". As of March, 2022, a waiver exception still applies if a project would have a specific, adverse impact upon the "public health and safety".

x. Can you provide the details on reduced side, front, and backyard setbacks.

The main constraint in the site design is lot width. All of the lots have at least one side yard setback of 5' and many of the homes have a 5' side yard setback on both sides. As of March, 2022, there are three homes with a waiver related to backyard setback and one home with a waiver related to front yard setback. The Civil Plans, available in the Dropbox folder, summarize all of the setbacks on Sheet 2.

<https://www.dropbox.com/sh/3eaay79nvlN8d6u/AAAZ9YX1PfHdIw31c5ifQ8tOa?dl=0>

xi. AB2345 is not applicable because density bonus applies when you provide low-income housing, and this project is actually removing low-income homes. The proposed project results in a net loss of 3 if you count the 6 on site currently. How does your project take into account that you are losing 4 to 6 homes currently on the proposed site?

There are rules related to replacement of total homes and homes occupied by lower income households. The first part is covered by 30 homes being more than 6 homes. The second part is covered by an analysis of how many current residents may qualify for a right to return.

xii. Can you reduce the density and still make money?

Yes, there is still residual land value. We estimate the residual land value would be less. The land value is whatever is estimated to be leftover after a builder subtracts her costs for construction, site improvements, City fees, overhead, profit, and related expenses from projected revenue, and we subtract the costs of the application.

b. Community Character

i. Please give us a concise description of how the proposed development fits with the character of the neighborhood

Please see the project's community character report for a detailed analysis on this question.

Many of the homes in the area were built before the City incorporated in 1986, when higher density and lower setbacks were allowed. After 2004, State Density Bonus Law was applicable which was used with the Bluejack Road application in 2006. Several of the homes on Monterey Vista Way for example, built around 1985, are within 500' of the project. The Summerfield subdivision homes on Witham, built in the 1970's, are within 500' of the project. The homes in the San Abella/San Andrade subdivision, within 500' of the part of the project under Island View Lane, were approved in 1959. The subject property had similar zoning options available to it before 1986. It has had similar zoning options available to it since 2004 as the Bluejack Road subdivision.

- ii. **Please consider reducing the number of homes in this development. It does not fit into the neighborhood for this many homes.**

We have considered more of an estate home type of format. For a variety of reasons, we have elected to keep the number of homes as initially proposed.

- iii. **Disagreement with the CPP letter's description of the proposed project as being consistent in size and character to the surrounding neighborhood.**

1. *Feedback included: Most surrounding area is R-3 and 1274 and 1262 Melba to the east are even larger. Some Crest and Lake are R-1. Bluejack is out of character with the neighborhood and unlike what they propose (short road, only 8 houses, maybe different underlying zoning). CPP letter says properties to east are R5 w/ lots typically in range of 8700 sq ft, but that is a minimum, the actual lot size is bigger.*

More than two-thirds of the homes in the 500' mailing radius for this CPP are zoned R-5. Additionally, there are homes zoned R-3 nearby which were approved before the City incorporated and don't conform with the R-3 requirements. For example, two-thirds (10/15) of the homes on the west side of Wotan have lots that are less than 14,500 sf. One-third (5/15) of the homes on the west side of Wotan have lots under 8,700 sf. Bluejack Road is zoned R-3, but it is a density bonus project that used State Density Bonus Law as it was updated in 2004.

- iv. **The neighborhood was rural when it was first designed – the roads are designated as rural – and don't allow for something this dense.**

As of today, the area bounded by Balour Drive to the west, Encinitas Boulevard to the north, El Camino Real to the east, and Santa Fe Drive to the south has a relatively urban level of development. We recognize that the City and neighborhood wish to balance the character of the roads with the realities of the number of cars currently using them. In the third submittal we have included an "Option A" that uses the Public Road Standards – it would widen Melba Road, replace part of the asphalt sidewalk with a concrete sidewalk, and remove trees – and an "Option B" that would need the City to waive the Public Road Standards to keep the existing asphalt sidewalk, the existing road width, and six trees discussed above (Trees No. 106, 107, 108, 109, x15, and x16 in the arborist report).

- v. **The density of the development and small space between houses does not invite an image of "garden green space" as in the surrounding neighborhood. Beauty and quiet are selling points for homes in this neighborhood, which would be impacted by this. This will cause irreparable harm to the character of the neighborhood. Once something like this is done, you cannot get it back.**

As property owners of 1234 and 1240 Melba since 1951, the owners of the project are familiar with how different the City is now relative to then. The proposed project is similar in density to much of the development currently zoned R-5 that took place in the late 1950's through early 1980's (San Abella/San Andrande subdivision, Monterey Vista Way subdivision, Ahlrich/Witham/Beechtree etc. subdivisions). We have delayed developing the property, but our rights to also subdivide as most of the other parcels in 1951 have subsequently done, should not, because of the delay alone, be compromised. Once landscaping has had time to become established, we believe that the character of the proposed streets will be similar to much of the surrounding area.

vi. Are you open to reducing the total unit count? Have you considered a smaller development and including a park?

We added a neighborhood park in the second submittal near the intersection of the two proposed streets. We have considered a smaller project, but have elected to keep it as initially submitted.

vii. Since everyone is really concerned about the density, couldn't you consider having larger, more expensive homes? How do the finances change if you develop R3 versus the current proposal? In other words, what is the difference in profit?

We have considered more of an estate home type of format. For a variety of reasons, including finances, we have elected to keep the project as initially proposed. We also appreciate that this project would allow 30 households the opportunity to enjoy living on the property and in the surrounding community, as opposed to a smaller number of people.

4. Traffic

a. Questions and concerns about the traffic study.

i. Has there been a traffic study done? Who is the traffic engineer?

Yes. Justin Rasas with LOS engineering.

ii. Was the traffic study done during school hours? Was the traffic study done pre-Covid?

The traffic study was conducted during State-wide stay-at-home orders and projections were made using data collected pre-COVID stay-at-home orders. Data was subsequently collected after all of the nearby schools reopened in late August, 2021. The projections were very similar to the subsequent data. Similarly, the City independently collected traffic data in September, 2021, which was also very similar to the projections and August, 2021, data.

- iii. Concerns that the traffic study is invalid because it was done during covid and stay-at-home orders when the local schools were not open in-person.**

See above. We and the City have independently collected traffic data since schools reopened and state stay-at-home orders were lifted in late summer / fall 2021.

- iv. In addition to the problem of covid, the traffic study is useless unless it includes interviews and surveys with neighbors on all surrounding streets who are familiar with the extent of the chaotic, dangerous gauntlet of cars (especially trying to get kids to school and ppl to freeway to get to work).**

The traffic engineer is familiar with Encinitas. He has interviewed the nearby schools on attendance levels relative to pre-COVID expectations at the time of the late August, 2021, data collection. The project has not included an access point to Oak Crest MS near the proposed cul-de-sac so that middle-school-related trips remains consistent with pre-project patterns.

- v. When schools are in session, many children walk past the proposed opening and there is safety issue to be considered. A “traffic survey” will not show this or the record the number of kids who cycle to school on Melba. What has been done to study the impact of the development on the “walkability” of the area?**

We have met with the prior and current City Engineer. The project was reviewed with the City Engineer and other City staff before initially being submitted and Melba Road frontage improvements were one of the topics. The question of “walkability” is the inverse of some of the questions about trees and the rural feel of Melba Road along the project’s 230’ of frontage. To address these concerns, the third submittal has an “Option A” and “Option B” for the Melba Road frontage improvements.

- vi. Concerns about safety of cycling on Melba, which is already dangerous, with traffic from 30 new homes. A cycling safety study should be done.**

See above. “Option A” widens Melba Road by a few feet and would reduce the problems with roots under the path of travel in the present condition. The arborist report and a note in the Civil Plans, on feedback from the project arborist, address the removal of a nuisance root associated with Tree No. 108 if “Option B” is selected. The number of trips added to Melba Road from the project is low relative to the existing number of trips.

- vii. Concerns about public access to the traffic study.**

As with all of the application files available in March, 2022, the following Dropbox folder contains the third submittal traffic study.

<https://www.dropbox.com/sh/3eaay79nvlN8d6u/AAAZ9YX1PfHdlw31c5ifQ8tOa?dl=0>

b. Questions and concerns about access to/from the development

i. Why is there only one entrance/exit to the proposed development?

That's all that's required. See below for constraints on creating an additional entrance/exit. We have a 30' wide easement over Island View Lane; however, we would prefer to not use it and our neighbors living on Island View Lane would prefer for us to not use it as an additional entrance/exit.

ii. Could you find another exit where it doesn't all dump on to Melba? Go over back by the Boys and Girls club, give up one lot and have an entrance on to Encinitas Blvd?

SDUHSD is not interested in letting go of the garden area north of the project, east of the middle school, and south of the Boys and Girls Club.

iii. There is already access right now from Island View to the property. Can't you buy the home that's in the way and give access to Balour?

We have a 30' wide easement over Island View Lane; however, we would prefer to not use it and our neighbors living on Island View Lane would prefer for us to not use it.

iv. Why do Crest, Melba, and Wotan have all the traffic responsibility for this new development? Why isn't Oceanic required by the city to shoulder some?

Oceanic is a private road. The strip of land that blocks traffic from continuing on Oceanic to Santa Fe Drive and/or Lake Drive is outside our control.

c. Questions and concerns about traffic, mitigation efforts, and safety

i. How are you mitigating the traffic flow on Melba?

The traffic study and EIR remain in draft stages. Mitigation may be required if the impact is found to be significant. Qualitatively, we believe that future homeowners will self-mitigate when practical as soon as they are familiar with the existing traffic patterns around school drop-off and pickup times as many of our neighbors currently do when a trip is somewhat discretionary.

ii. What improvements are proposed for Melba? Is there a possibility that Melba will be widened?

Under "Option A" Melba Road will be widened a few feet between the eastern project boundary near Wotan and the start of the concrete sidewalk associated with the Bluejack Road improvements. Additionally, in "Option A" the project will use a concrete sidewalk on the north side of Melba in the area widened. We support the preference of the Planning Commission and/or City Council on the use of "Option A" or "Option B".

iii. Concerns about delayed 911 response due to overstressed system.

With its infill location near the border of Old Encinitas and New Encinitas, the project is in close proximity to the San Diego County Sheriff's Department North Coast Station, Encinitas Fire Department Station 5, Scripps Memorial

Hospital Encinitas, and related services. Relative to many alternatives for the City's future housing needs, the project is efficiently located.

- iv. Concerns about impact on existing traffic issues, especially related to the five nearby schools. Concerns include traffic on Melba backing up from Nardo to Crest; traffic on Crest backing up from Melba to Witham; difficulty getting out of Oceanic onto Melba during these backups, etc.**

See (4) (c) (i) above. We believe future homeowners will avoid the school drop-off and pickup times, as many of our neighbors currently do, when a trip is somewhat discretionary.

- v. Concerns about increased traffic onto/through Wotan, which already has a dangerous right-only turn onto Santa Fe.**

We believe that the difficult driving conditions on Wotan (narrow, unprotected turn onto Santa Fe which backs up, unprotected turn from Santa Fe south onto Lake which also backs up) will largely self-mitigate trips generated by the project on Wotan relative to current usage. The traffic study provides a professional's opinion on the distribution of trips generated by the project that go east versus west on Melba and, if east, south on Wotan versus south on Crest versus north on Crest.

- vi. Concerns about worsened pedestrian and bike safety along Melba and surrounding streets, which neighbors believe are already dangerous.**

The proposed street is being designed to applicable standards for sight distance. Two active driveways will be consolidated into one proposed street entrance.

- vii. Concern that Melba at Crest is not designed to handle an additional 60-90 cars and that attempting to "improve" the road would immediately and irreparably detract from the quiet character of the community.**

As of the third submittal, the plans include an "Option A" and an "Option B" for the Melba Road improvements. "Option A" is consistent with the City's Public Road Standards and would require an improved sidewalk, wider street, and removal of 5 Torrey Pines and 1 Coast Live Oak. "Option B" uses the existing sidewalk and preserves the 5 Torrey Pines and 1 Coast Live Oak otherwise impacted. The project will dedicate the same ROW setback to the City under both options. We support the preference of the Planning Commission and/or City Council on which of these two options should be used.

- viii. Request to retain some Torrey Pine trees and green space along Melba to preserve visibility when merging onto the narrow section of Melba Road.**

Regarding the Torrey Pine trees, see the responses related to "Option A" versus "Option B", above. In terms of visibility, "Option A" includes a

widening of Melba Road by two feet from the span adjacent to the development's property line and west to the start of Bluejack Road sidewalk improvement. Appropriate lines of sight on site will be used in both "Option A" and "Option B".

ix. Can the project be required to provide a signalized intersection at Crest/Santa Fe or Balour/Santa Fe?

This would depend on whether the project generated a significant impact and whether a signalized intersection at Crest/Santa Fe and/or Balour/Santa Fe was considered appropriate mitigation. The project adds a small percentage of trips relative to the existing number of trips already using the Crest/Santa Fe and Balour/Santa Fe intersections. Any such requirement would need to be consistent with how the City has handled this type of issue on other projects.

x. Will there be a stop sign?

A stop sign is not proposed at the intersection of the proposed road and Melba Road. This is the same condition that exists at the intersections of Melba with Bluejack, Wotan, and Oceanic.

xi. Concern about heavy equipment used in the construction process and impacts on traffic and the safety of children walking to school when in use.

Construction traffic typically arrives by 7am and leaves after 3:30pm.

5. Stormwater, Water, and Drainage

a. Drainage

i. Where is storm drainage flowing?

The third submittal includes a detailed hydrology study to address this question. Most of the stormwater is directed to a basin in the southwest corner of the project near Melba Road for hydromodification, biofiltration, and then infiltration into the Torrey Sandstone formation through two dry wells for most storm events. The cubic feet per second of peak flow in a 100-year storm event leaving the project boundaries is lower post-project than pre-project. A small, self-mitigating slope will continue to sheet flow toward the brow ditch that leads to Witham; a small, self-mitigating slope will continue to sheet flow toward Crest, a small, self-mitigating slope will continue to sheet flow toward Balour Drive and Island View Lane will remain undisturbed by the project and continue to flow to Balour Drive.

ii. For calculating drainage, what's the square footage of non-permeable materials based off of?

It is based on a sum of all of the proposed impervious surfaces (roofs, driveways, sidewalks, streets, etc.) and an allowance for future landscaping hardscape.

iii. What storm events were considered in your analysis?

The 2-year, six-hour storm event, the 10-year six-hour storm event; and the 100-year, six-hour storm event.

iv. Is there any way to curtail the water so it doesn't flow onto the streets? What about drainage to sewer instead of street?

We are not allowed to put stormwater into the sewer. In the second and third submittals, we have proposed a dry well system so that much of the cumulative stormwater will infiltrate instead of flow onto the streets.

v. Concern about lack of existing storm infrastructure to tie into for runoff.

After sizing the system for the biofiltration and hydromodification requirements coupled with the dry wells, much of the stormwater will infiltrate. The onsite stormwater system reduces the amount of storm water reaching City infrastructure post-project relative to existing conditions pre-project.

vi. How are you dealing with surface water coming down the main entrance onto Melba?

Curb inlets to direct the water into a storm drain under the street and into the basin.

vii. Are you planning on using Island View Lane for drainage purposes? How much drainage is going to be coming off the site to Island View Lane?

Less drainage is going to be coming off the site to Island View Lane post-project than pre-project. A small, self-mitigating slope on the western side of lots 9 and 10 will continue to drain toward Island View Lane. Otherwise, storm water that currently drains in a sheet flow condition toward Island View Lane is directed east and south to the stormwater basin. Pre-project 0.76 acres drain to the top of Island View and post-project 0.07 acres. The parcel under Island View Lane is proposed to remain undisturbed, so the conditions for storm water that lands on Island View Lane remain the same pre- and post-project.

viii. What about drainage on the east side of the property, to houses at Ahlrich? Are you accounting not just for surface water, but also for groundwater that seeps into yards? The proposed houses will have irrigation that increases the amount of water seeping into yards.

The surface of these lots slopes toward the proposed street so that surface flow is directed north or west and ultimately south to the stormwater basin.

Additionally, these lots will have area drains that direct roof and landscape water to the proposed street.

- ix. If you are considering using the culvert at the west side of the homes on Witham, it does not exist for the most part any more. Use of that approach would most likely cause damage.**

As of the third submittal we are not proposing to use the public stormwater easement and existing infrastructure that takes water from the east side of part of the project and Oak Crest MS to Witham other than from a small, self-mitigating slope. Pre-project 0.91 acres drain to this brow ditch and post-project 0.04 acres.

b. Bioretention basins

- i. Are bioremediation areas required by law?**

Yes.

- ii. Will the detention basin at the northeast side overflow onto Witham Road?**

The detention basin at the northeast side of the project has been removed with the second and third submittals.

- iii. Who is responsible for maintaining the bioretention basins in the long run?**

The HOA, in the manner required. The City has enforcement rights.

- iv. Who is responsible for if a poorly maintained basin overflows and causes damage to neighbors? Do neighbors bear burden of lawsuit?**

The basin will be owned by the HOA.

- v. Are these open basins which would potentially bring in mosquitos? How will you deal with biopit mosquito issues and the disease threat they pose to humans and animals?**

The surface of the basin is required to drain within 36 hours after a storm event.

- vi. Concern that there are already existing basins nearby, like at Oak Crest, so in terms of issues of vectors, smell, etc., the neighborhood is talking about 3 or 4 total basins.**

The project has been redesigned to use only one basin.

- vii. Could there be more, smaller bio swails or retention basins so that certain areas don't seem so inundated? Would spreading them out all over the property make more sense for neighbors?**

The 4 basins in the first submittal had cumulatively more surface area than the 1 basin in third submittal. They were lined with plastic such that all of the

water eventually had to exit the site whereas the third submittal uses dry wells.

6. Project and Lot Design

a. Private Road and Parking

i. What is the width of the private road?

The proposed width of the private road for most of its length is 28'. It narrows at its intersection with Melba Road and narrows also at the intersection within the proposed development. These measurements are indicated in the Civil Plans submitted to the City.

ii. Can fire trucks, delivery trucks, and cars pass on the narrow road?

Yes. We have discussed the proposed road with the Fire Department. For the design of the project's private street, we are relying upon Encinitas Municipal Code 10.04.020 Chapter 5 Section 503.2.1 Dimensions. ... Exceptions: ... (3.) "Roads serving only residential dwellings, that are not within the Very High Fire Hazard Severity Zone, shall have an unobstructed width of not less than 20 feet" for the minimum roadway width.

iii. Who maintains the private road, the HOA or the City?

The HOA will be responsible for maintaining the road.

iv. Will the neighborhood have a sidewalk? Will it be on both sides of the street for the full length of the private drive? If no, why not?

A 5'-wide sidewalk is proposed along the west side of the private road and not after the intersection on the north side. Adding a sidewalk to the opposite side of the street would require either reducing the depth of the lots on that side of the street or eliminating on-street parking.

v. How are you getting away with not having sidewalks on both sides of the street?

We are using a private street design that is similar to Bluejack Road. Sidewalks are not required. We have proposed a sidewalk on the west side of the proposed street between Melba Road and the project's mailbox and neighborhood park area.

vi. Where is visitor parking? Where is overflow parking? Diagrams show only one parking space on the driveway and only six parking spaces on the side of the street for the whole subdivision.

All of the proposed homes can fit two or three cars in their garages and at least one or two additional cars in their driveways. Between garages and driveways, the current plans propose 121 off-street parking spaces, which is more than required (87). There are an additional 14 parking spaces along the

private road. Sheet 11 of the Civil Plans depicts available parking in the project.

vii. Will parking spill over to Wotan and Oceanic and block Melba? Will this impact first responder access?

The project has not proposed any waivers related to parking.

viii. Would parking be required for ADUs? Have you addressed parking and traffic effects of future ADUs being built?

No. We do not anticipate many ADUs, if any. If proposed now, the ADU's could use State Density Bonus Law related to setback waivers, lot coverage waivers, and related. We have not proposed any. If proposed now, we would include them in the traffic study.

ix. Will there be street lights?

Three street lights are proposed. One is on the west side of the proposed street near its intersection with Melba Road, one is near the mailboxes on the southwest corner near the intersection of the two proposed streets within the project, and one is on the north side of the cul-de-sac.

x. Will there be access to the middle school from the site like there is from Witham Road?

We are not proposing a connection to Oak Crest MS.

b. Utilities

i. Will all the utilities be underground?

Yes, all new utilities within the project boundaries will be underground.

ii. Where are you undergrounding the utilities from?

The pole on south side of Melba Road across the driveway from 1210. Water and sewer will be connected at the intersection of the proposed street to existing mains within Melba Road.

iii. The applicant says yes, utilities would be underground. But the plans say one of the concessions requested is to not underground utilities. Which is it?

The concession only relates to existing overhead utilities that are outside the proposed housing development boundaries. We are proposing to underground all of the on-site utilities.

iv. Concern by residents of Island View Lane about the requested variance on undergrounding of utilities. They request that all utilities in the development as well as on the easement on the southern side of Island View Lane be undergrounded.

The 3 power poles on Island View Lane were addressed by the Bluejack Road / Scarlet Way density bonus subdivision. Services to all of the existing homes on Island View Lane were undergrounded at that time and the overhead line between the poles was allowed to remain. We are using an incentive to not do any additional undergrounding on Island View Lane.

c. Lot and house layout

i. How did you get the reduced setbacks on side and front yards? That is not consistent with the neighborhood.

The reduced setbacks on side and front yards are allowed through State Density Bonus Law. Reduced setbacks were also available to homes in the area that were approved by the County before 1986 or in the City after 2004, such as the density bonus project on Bluejack Road and Scarlet Way. Of the 153 homes in the CPP mailing list (subtracting the two churches and Oak Crest MS), 46 are zoned R-3 and 107 are zoned R-5, and the vast majority were approved under rules that allowed side yard setbacks under 10' and backyard setbacks under 25'.

ii. Are you open to a larger setback so the homes being built will not be so close to current homes?

See (b) (vii) above on estate lot format. The project would have to be significantly less dense to move the needle on backyard setbacks and overall distances between existing structures and proposed structures. The removal of homes from the project would almost exclusively widen side yard setbacks given the geometry of the underlying parcels and location of the proposed streets.

iii. What about varying the depths of homes from the front of the street? Can you introduce horizontal relief on the front of buildings so it doesn't look like a bunch of row houses lined up?

From its first submittal, the project has proposed more single-story homes, currently 8 out of 30, than required by the City's design guidelines. Additionally, from the first submittal, the project has proposed varied lot sizes and mix of 2-car wide and 3-car wide garages. Furthermore, the second-story floor plans of the two-story homes step back from the first-story floor plans in a manner that contributes positively to one's experience of the proposed homes in relationship to adjacent homes as a visitor or resident.

iv. Why are lots 18 and 19 so much bigger than the other ones?

Lots 18 and 19 were reduced in size after the stormwater basin in the first submittal was removed from the eastern side of these two lots.

v. To prevent future home owners in the development from building right up next to the fence line or in tree fall zones, is it possible to put a covenant on

the development restricting future modifications of the property, specifically ADUs and additions of second stories?

We do not wish to condition the future homeowners in a way that is separate from those conditions that the City Council and/or State etc. may deem appropriate for all homeowners in the City.

vi. Concern about second-floor patios being constructed close to property line with views into existing homes.

The ridge line topography of the site provides material views to the west and east on many of the lots. The intent is to provide access to the view to the ocean or inland mountains over neighboring lots.

vii. Concern about houses being turned sideways on lots to reduce setbacks from existing homes.

The project has gone through many site plan revisions to constructively use an irregularly-shaped parcel. The area of concern being described is Lot 20 in the third submittal relative to the adjacent home on 1208 Ahlrich. To the northwest, the home on Lot 20 is setback 10' from the property line and more than 50' from the existing home on 1208 Ahlrich. To the north, the project has an HOA-maintained landscape area south of the cul-de-sac.

viii. Suggestion that all homes should be single-story.

We are not able to put together the project that we want to put together using only single-story homes. In the third submittal, 8 of the 30 homes are proposed to be single-story. The modestly-sized single-story homes leave less room for backyards and side yards than larger two-story homes. The average home is 3,378 square feet. The project as proposed already requests several waivers of setbacks and lot coverage ratios, which additional single-story homes would exacerbate. For example, the market-rate Plan 2 floorplan has 2,518 SF and a footprint of 3,004 SF with the garage included, and Plan 7, the largest home in the subdivision has 4,193 SF on a footprint including the garage of only 2,850 SF. The footprint of the largest two-story home is smaller than the footprint of the smallest single-story, market-rate home.

d. Other

i. How many ADUs could be developed? Will there be any restrictions on ADUs?

Link to City info sheet:

<https://encinitasca.gov/Portals/0/City%20Documents/Documents/Development%20Services/Planning/Applications%20%26%20Information/ADU%20Info%20Sheet.pdf>

With the way the project is designed, we don't think many, if any, of the future homeowners will elect to build an ADU. None are being proposed to be built at this time.

- ii. Have you allowed any open space for pets and kids? Suggestion that there should be more open space within the development.**

With the second submittal, we added a neighborhood park near the intersection of the two proposed streets.

- iii. Some of the lots have 4'-wide BMP access paths. What are those?**

The 4 BMP areas in the first submittal have been consolidated into 1 and 4'-wide BMP access paths are no longer required.

- iv. Why can't you provide new landscaping to the edge of Melba?**

The third submittal includes renderings of the Melba frontage using the third submittal version of the Landscape Plan. The renderings show three vantage points (looking east on Melba, looking west on Melba, and looking north on Wotan) at 5 years and maturity, and for the "Option A" versus "Option B" scenarios related to preserving 6 trees (5 Torrey Pines and 1 Coast Live Oak) impacted by the City's Public Road Standards.

- v. Will you install fake grass?**

This is not proposed for any HOA-maintained areas.

- vi. Solar panels should not be an option.**

There is a State solar mandate which has also been incorporated into the City's requirements. AB 178 requires photovoltaic systems on all new low-rise residential buildings built on or after January 1, 2020. The Architecture Plans outline solar opportunity zones for the parts of the roofs that are proposed for photovoltaic systems. The City's Green Building Ordinance, 2021-13, has also adopted standards, including a requirement to not allow natural gas in new homes, that further encourages the use of photovoltaic systems.

7. Environmental, Cultural, and Preservation Issues

- a. Has there been a wildlife study done? Concern that the biology report indicated that the only animals observed were lizards and house finch, though neighbors are aware of many other animals.**

The Biology report is not intended to be a comprehensive survey of present animals. The Biology report will go through the EIR to insure that it answers the questions it is intended to answer.

- b. Suggestion for a nature corridor through the site in the fall zone of Torrey Pines.**

We have proposed a neighborhood park near the intersection of the project's two proposed streets. The project arborist has visited the nearby Torrey Pine trees to investigate the collars and do a root investigation on 2. All are in "Good" or "Fair" condition. Tree owners are responsible for monitoring the health of their trees.

- c. Given that there were greenhouses, have studies have been done on pesticides? What are you doing for soil testing? [note that “3rd interim guidance” not applicable to this kind of site”]**

Yes, multiple rounds of soil testing have taken place. As of March, 2022, the DEH has approved the project’s Soil Remediation Plan and Community Health and Safety Plan. These documents are available to review on Geotracker or the project’s Dropbox.

<https://www.dropbox.com/sh/3eaay79nvl8d6u/AAAZ9YX1PfHdlw31c5ifQ8tOa?dl=0>

- d. Concern about greenhouse gas emissions from construction activities and long-term traffic congestion.**

These questions are being addressed in the context of CEQA and the project’s EIR. An air quality study has been prepared that includes construction emissions in its scope of study.

- e. I consider the front home that faces Melba the Old Encinitas equivalent of the Olivenhain meeting house. Tearing this down would just be so tragic.**

The significance of the home, in the context of applicable rules about historical and cultural preservation, is being reviewed by the EIR.

- f. Request from community members that an EIR be conducted.**

TPC has voluntarily elected to pay the City of Encinitas to conduct an EIR on the project. TPC deposited \$105,442 with the City of Encinitas on May 25, 2021, for the EIR to be conducted, and we hope the result of that work is available for public review soon.

8. Home Pricing and Affordable Units

- a. What is the starting price point for the homes?**

Unknown at this time.

- b. Please address the utilization of the AB 2345 affordable housing provision.**

AB 2345 is one of many updates to State Density Bonus Law since it was first adopted in 1979.

- c. What is the definition of “affordable” in terms of the affordable homes?**

A “Very Low” income as of the 2021 limits (2022 limits not yet published) is annual income of \$42,450 for a 1-person household and up to \$80,000 for an 8-person household. Annual affordable housing costs must not exceed 30% of annual income.

- d. Why did you choose very low income versus low income for the affordable units?**

We reviewed the permutations available under very low versus low density bonuses. The very low options were more consistent with the project we want to design.

e. How do you only have to build 3 affordable units for 30 houses when Bluejack had to do 2 for 17 houses?

The Bluejack density bonus project has 18 homes and first submitted an application in 2006 under a 2004 update to the State density bonus rules. One unit was used to satisfy the State density bonus rules and one unit was used to satisfy the City's inclusionary housing rules. The builder subsequently received approval to pay an in-lieu fee for the City inclusionary unit. It's my understanding that only 1 of the 18 was initially occupied as an affordable unit. The current rules allow for State density bonus units to also count as City inclusionary units. The rules are similar but not the same as in 2006.

f. How does someone qualify for the three affordable homes?

Unless an existing third-party tenant qualifies and wishes to return to the project, the City will be responsible for selecting the future renters and/or buyers of the affordable homes.

g. Will current renters on the property get first access to purchase the affordable units?

State law provides for current renters to get first access to affordable units if their incomes qualify them for the units.

h. If the affordable houses are rented, who will own them? Could Torrey Pacific Corporation retain the 3 affordable lots for itself?

TPC does not plan to retain the affordable homes. The eventual decision to sell or rent the homes, and who would own the homes if rented, will be made by the builder.

9. Uncategorized Questions, Concerns, Issues, and Problems

a. The property should not be developed into single-family homes, but should be made a community park, garden, or other public space.

We prefer to create a housing development.

b. TPC is not appropriately heeding the feedback of long-term residents and needs to work to a higher standard than minimum legal standards.

We believe that we are acting reasonably and that the project should be held to the standards that previous and subsequent projects are typically held to.

c. The only concern of the TPC is maximizing profit, and the owners of TPC do not need more money.

As outlined above, we want to make a housing development, and we will be glad to know that 30 households will be able to live on the property in the future, including any existing residents that elect to return.

d. The design is generic and will look like every other density bonus project.

We think the architecture is well done.

ATTACHMENT A

**Letter and Vicinity Map Mailed to Property Owners and
Occupants within 500 Feet of the Project Site in January 2021**

January 15, 2021

PLSA 3086-01

Re: Virtual Citizen Participation Program (CPP) Meeting

Case No. MULTI-4309-2021, SUB-4310-2021, DR-4311-2021, CDPNF-4312-2021
CPP-4313-2021

Dear Neighbor:

Torrey Pacific Corporation is filing for a proposed single-family residential 30-lot Density Bonus Tentative Map, Coastal Development Permit and Design Review Permit as well as a Service Request for an application pursuant to SB-330 (Housing Crisis Act of 2019). The proposed development is for a parcel of land containing approximately 6.67 gross acres. The subject property will take vehicular access from Melba Road, a public road, located south of the project site. The address of the site is 1220 – 1240 Melba Road and 1190 Island View Lane and the Assessors' Parcel Numbers are 259-180-09, -10, -16, &-33-00, and 259-181-02, -03, & -04-00. A site plan showing the proposed lot layout is attached as Exhibit B. The applicant is proposing a private road lot in addition to the creation of the single-family parcels. The project seeks approval to rough grade the subject property to create pads for future homes, which includes the construction of a new private road, and associated utility, drainage, and storm water treatment improvements. Architecture is proposed for each of the lots and will be reviewed by the City concurrently with this application.

The subject property is zoned Residential 3 (R-3) and is currently vacant. The R-3 zone allows for a maximum density of 3.0 units per acre with a minimum lot size of 14,500 square feet. The properties immediately adjacent to the west and south of Melba Road are also zoned R-3, and the area has essentially been fully developed with single-family residences. The properties immediately to the east are zoned Residential 5 (R-5) and have been developed with lot sizes typically in the range of 8,700 square feet. The subject property directly abuts Oak Crest Middle School to the north, which is zoned Public / Semi-Public as part of the Encinitas Union School District.

As described above, the project will be developed into 30 new single-family residential lots with variable lot areas averaging roughly 8,500 square feet of gross area. The project requests waivers of various development standards including but not limited to net lot area, lot width, lot depth, and side, front, and rear yard setbacks as identified in Section 30.16.010 of the City of Encinitas Municipal Code in accordance with the California State Density Bonus Law (CA Govt Code Section 65915) by providing three (3) new deed-restricted affordable lots. The intent of this development is to create new lots and single-family residences consistent with the character and size of the surrounding neighborhood while also providing much needed affordable housing, along with improvements in the right-of-way along Melba Road adjacent to the property.

We look forward to meeting you virtually and discussing any concerns or questions you may have regarding this proposed project. The prepared tentative map sheets will be presented at the meeting and can also be requested in advance as an email attachment or hard copy.

A comment card and return envelope may also be requested if internet access is not available. Comments by mail or email will be allowed for one week after the scheduled virtual meeting. If you are unable to attend the meeting or have questions prior, please contact Tyler Lawson at (858) 259-8212 or TLawson@plsaengineering.com or Brian Staver at (760) 469-9750 or bstaver@gmail.com.

The virtual meeting will be held on:

Date: Monday, February 8, 2021

Time: 6:00 PM – 8:00 PM (2-hour duration)

Meeting Platform: Zoom

To RSVP and for log-in instructions,

Please contact Bryan Knapp at (858) 259-8212

or bknapp@plsaengineering.com and / or Brian Staver

at (760) 479-9750 or bstaver@gmail.com

Best Regards,

Pasco Laret Suiter & Associates, Inc.

This notice is being sent to you in fulfillment of the City of Encinitas Citizen Participation Program requirements (E.M.C.23.06). This outreach effort to our neighbors is necessary because an application for development has been or will be filed with the City of Encinitas Development Services Department. The sole purpose of this process is to be a preliminary tool for opening a dialogue and to ensure that the project applicants and the citizens both have an opportunity in the planning process to discuss, understand, and try to resolve neighborhood issues related to potential impacts of a proposed project on the surrounding neighborhood. It is not meant to necessarily change or prevent a project as proposed. Please continue to monitor any notices you receive as changes may be made to the project before the final decision is made. Questions about this notice and the proposed development should be directed to the contact person and/or information above. Questions regarding the Citizen Participation Program should be directed the Development Services Department at 760-633-2710.

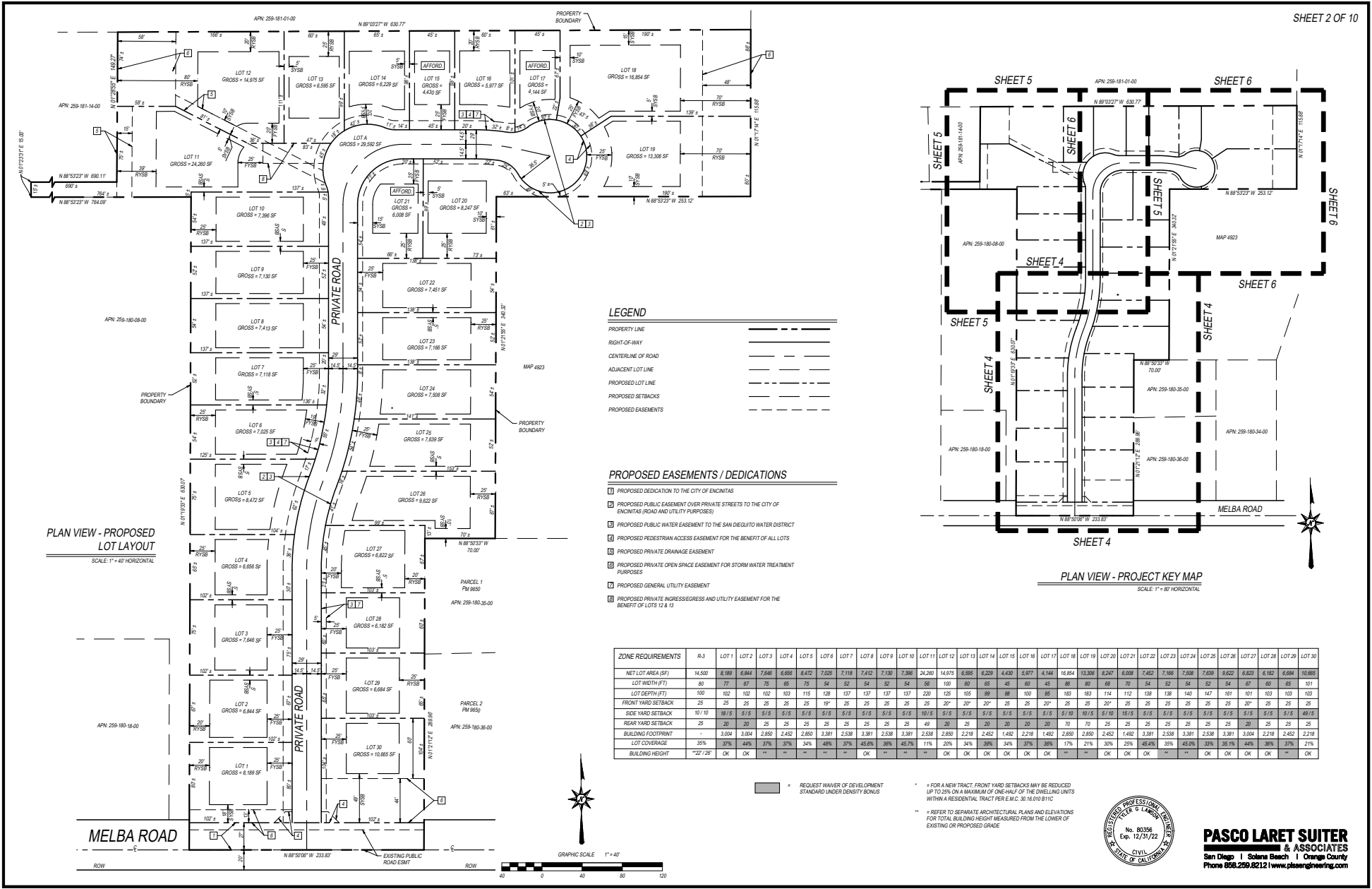
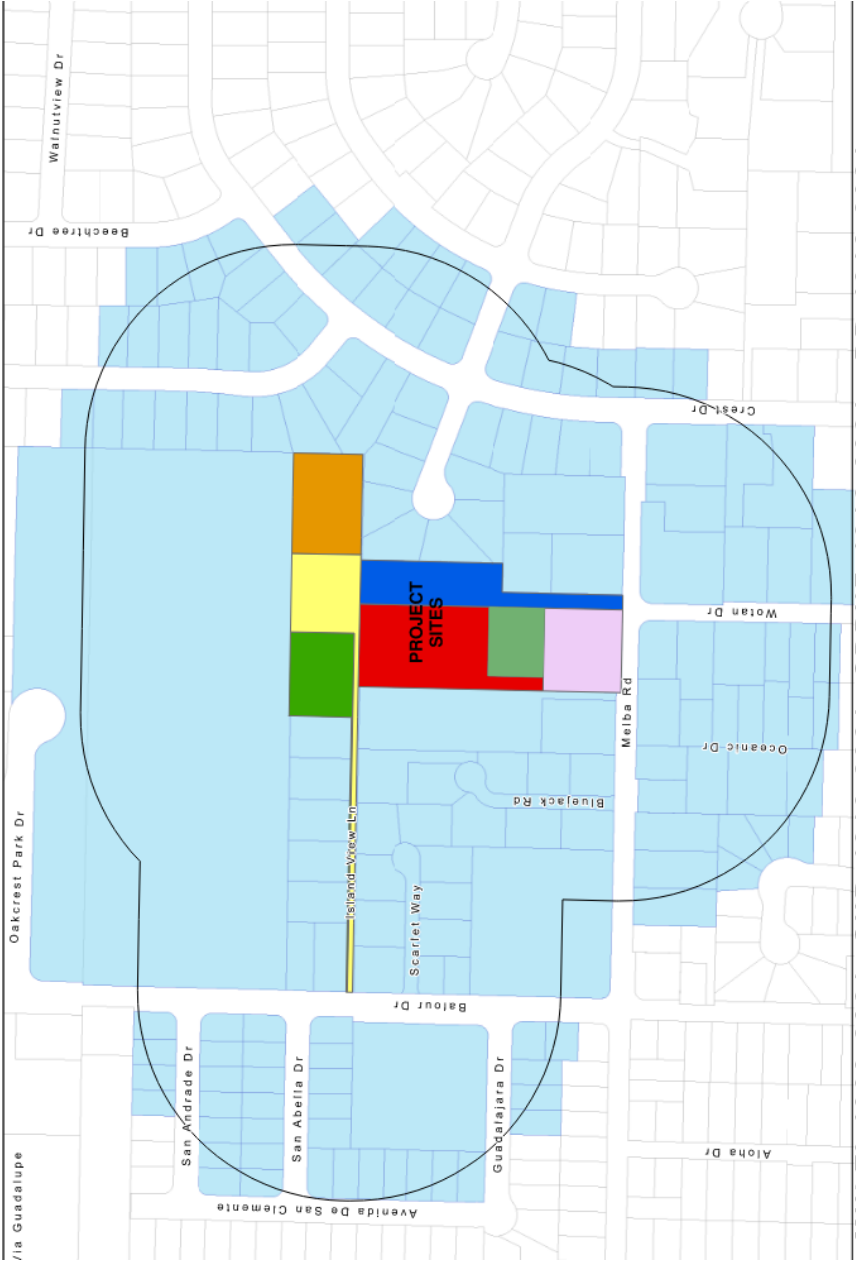


Exhibit A



ATTACHMENT B

Lists of:

- **People Who Requested CPP Meeting Login Information; and**
- **People Who Identified Themselves as Present at the CPP Meeting**

The applicant received requests via email for login information for the February 8, 2021 CPP Meeting held via Zoom from:

Last Name	First Name	Email
A	David	davida101@hotmail.com
Adams	Kathryn	kathrynsadams@gmail.com
Austin	Jim and Nancy	theaustins@jimnnancy.com
Brunst	Steve	sb911@me.com
Bsharah	Nancy	Nancy@tempoliveevents.com
Burns	David and Susie	burnsgc@gmail.com
Cameron	Steve	sd-cameron@sbcglobal.net
Carilli	Jessica	jcarilli@gmail.com
Chandiok	Suvesh	chandioksuvesh@gmail.com
Chen	Laurie and Wayne	lauriechen1@gmail.com
Clark	Ivona and Rick	ivonaclark@yahoo.com
Clarke	Travis	tclarke@teamwass.com
Dodge	Ron	ron.dodge@earthlink.net
Dowling	Mark	markedowling@cox.net
Drewelow	Cristina	cdrewelow1@aol.com
Drewelow	Mark	mark@c2online.net
Drewelow	Vania	vmdrewelow@aol.com
Dullaghan	Dave and Janine	dave.dullaghan@gmail.com
Forsythe	Lori	lforsythe@me.com
Forsythe	Scout	scoutforsythe@cox.net
Gerken	Steve	sgerken@sbcglobal.net
Gonzalez	Marco	marco@coastlawgroup.com
Grover	Brian	bgrover@nolencommunities.com
Hadden	Terry	thadden@sandiegopropros.com
Hagen	Beth	bjtrhagen@att.net
Hardin	John	johnhardin42@gmail.com
Hartsell	Frances	cookielover@roadrunner.com
Heldt	Nancy	nancyjobear@gmail.com
Hewitson	Jennifer	jhewitson@cox.net
Humphrey	Erik	erikshumphrey@gmail.com
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At the February 8, 2021, CPP Meeting, the following people identified themselves as present, either verbally or in the public Zoom chat:

Last Name	First Name
A	David
Ashley	Robert
Beers	Katherine
Bsharah	Nancy and Al
Buettner	Jan
Burns	Susan and David
Cameron	Steve
Carilli	Jessica
Clarke	Travis
Crowley	Doug and Danette
Cunningham	Nancy
Dermody	Ann
Doherty	Seth
Dominy	Dave
Drewelow	Cristina and Mark
Drewelow	Julia
Dullaghan	David
Forsythe	Scout
Forsythe	Bill and Lori
Gerken	Steven
Hagen	Beth
Hardin	John
Heldt	Nancy

Hetrick	Marsha
Hewitson	Jennifer
Humphrey	Erik
Ill	Charles and Karen
Jensen	Sally and Glenn
Kelly	Lois
Kessler	Richard
King	Lisa and Steve
Koenig	Kellie and Michal
Kuhlmann	Anthony
Leland	Ben and Jaime
Lewin	Arnie
Livingstone	Daniel
Livingstone-Lopez	Dana
Lopez	Hector
M	Eric
Mahoney	Kerry
Marsh	Cary
Martinez	Candy
McEldowney	Terri
Meyers	David
Minster	Bernard and CJ
Okeefe	Shea
Osterly	Ann and Andy
Patton	Taylor
Pette	Larnita
Quinlan	Alby
Rahn	Paula and Jeff
Rosenthal	Tom and Wendy V
S	Suzie and Louie
Sales	Robin
Schuster	John and Eleanor
Seid	Judith
Smith	Bart
Spooner	Nancy
Strich	Dan
Tabor	Craig
Thompson	Andrew
Tiano	Brett and Kiki

Vonderreith	Patricia
Waldman	Pam
Wallace	Judy
Wargo	Richard
Watchorn	Alan
Willon	Judy and Jim
Woodward	Naimeh
Young	Adam
Sutherland	Ross
	Andy
	Casey
	Diane
	Thomas

ATTACHMENT C
Transcript of Recording of
February 8, 2021 CPP Zoom Meeting

TRANSCRIPT OF CPP MEETING HELD MONDAY, FEBRUARY 8, 2021, FROM 6-8PM, ON ZOOM

The meeting began at timestamp 7:12 on the video recording. For the opening 7 minutes and 12 seconds on the recording, neighbors were greeting each other and talking amongst themselves.

Note on correspondence of timestamps for meeting transcription and chat log:

- 18:09 on chat log = ~7:00 on meeting transcription
- Add 18:02 to the meeting transcript time stamp for the approximate corresponding time on the chat log.

7:12 [Brian Staver] – With that everyone, my name's Brian Staver, and I'd like to welcome everyone to the call. Looks like we have 97 participants at the moment, and we wanted to give everybody the chance to filter in. But, I think we're now, we're well into it, so let us get started.

7:33 [Community Member] -- Bryan, can you give me permission to record the meeting please?

[Brian Staver] - Yes it's helpful to note that up front. We are planning to record the meeting. A transcript of the meeting will be made part of a CPP report, which will become part of the administrative record that the City Planning Commission eventually reviews. So all comments, comment cards, emails, this transcript, will be in some way -- we attempt to summarize and kind of put in those comments verbatim into this report that will not only go to the city staff for review but, once it's reviewed it will be emailed back to everyone who's on this call or otherwise participating in this part of the process. So if you haven't emailed Bryan Knapp or myself please do so if you want to be included on those future copies of this report for example.

[Community Member] – So my question is to Bryan Knapp – Do I have permission to record the meeting? You need to give it to me.

8:36 [Brian Staver] -- Yes, you have permission to record the meeting.

8:41 [Community Member] -- Brian, I got one question. Several people who I had sent a notice to responded back asking me to forward them the log in instructions for this Zoom, so they may not have contacted you directly but I think we've all shown up.

[Brian Staver] -- Very good. It's a little more complicated than in the past when we'd all show up in person and there'd be sign-in sheet, so, you know, now we have 101 participants, we're going to try to capture who's here, and to be redundant, if you include -- if you send an email to me I will be sure to include you on future reporting.

[Crosstalk.]

9:33 [Community Member] -- Sorry to interrupt, everyone who's not muted, it would really be helpful if you muted yourself so we can listen to Brian and then unmute yourself when you have an extra comment and that will be helpful for all of us listening, thank you.

9:46 [Community Member] -- Just real quick, I want to say that I have two neighbors here, I mean us and another neighbor, Candy lives on Melba and we're on Ahlrich, so two families are represented on one Zoom here.

10:00 [Brian Staver] -- Perfect, I think we will, maybe the best way, what, I'll just start to cover some of the logistics here. Bryan Knapp with PLSA Engineering is going to help me moderate once we get this started, and it'll be helpful to put questions into the comment section or the chat section of the zoom, and that, that's maybe be a great place to note, ah, who's attending, name, address, and in the case of maybe a call where multiple families are on the call, maybe you can just note who's attending, and for many of you we would already have your contact information, but if you want us to have your contact information, you can either note it in the chat section here, or send it to us directly.

So, with that I'm going to say a few words just to get us started. We're going to have the civil engineers speak about the project briefly, we're going to have our architect speak about the project briefly, and then open it up to a question and answer section. Again because there's 100 participants it would be helpful I think for everyone to remain muted when not asking a question. We'll start to go through the questions that end up in the chat moderated by Bryan Knapp, and I assume that can kind of maybe take an organic turn at some point, and then we do plan to wrap this up at 8 pm. So with that, let me just say welcome to everyone and then let me turn it over to Bryan Knapp and Tyler Lawson to describe some more details about the project. Thank you.

11:42 [Tyler Lawson] – Good evening, my name is Tyler Lawson and I apologize, I can't get my camera to work right now, so just bear with me, but, Tyler Lawson, I'm with Pasco Lauret Suiter and Associates, I'm a civil engineer and Bryan Knapp is also a civil engineer in my office. And then as Brian said, as Brian Staver said, there's quite a few people here so I'm going to try to keep this really short because I know you guys have a lot of questions that I'm sure you want to get to. Just, overview of the project, if Bryan Knapp if you can just pull up one of those general site plans we can walk through this, but real high level again: the site the subject property is about 6.6 acres, um, you guys are all familiar with it, you guys know where it is. We're proposing 30 lots currently 3 affordable and 27 market rate units, the underlying zone is the R-3 zone. The project proposes one main drive that's gonna come in, as you guys can see right three in the picture it's 28 feet wide which would allow for two-way traffic and parking on one side of the road. There will also be parking in the driveways, we don't have that shown in much detail but there's essentially enough room in each driveway to have a vehicle and still have a sidewalk in most cases. The site, will generate approximately right now as it's designed would generate about 5,000 cubic yards of export from the site and then the site currently has this kind of a ridgeline that almost follows the road that we have here and a portion of the site drains toward the east, a portion drains south, and a portion drains toward the northwest, and so we're proposing to mimic as best we can the existing earth and the existing topography and respect that as much as we can and keep the drainage generally going in the same directions. The site will propose sewer and water obviously within the project and we're connecting currently proposing to connect, and everything will come out at the main road there. We don't have any utilities right now coming off-site anywhere other than in the public right of way on Melba. And the project's a mix of single-story and two-story, and I'll let the architect, Bryan Stadler, present those.

14:07 [Bryan Stadler] – Alright, thank you. Let me get this in place here. So, my name is Bryan Stadler, architect and principal with JZMK Partners. We're a residential design firm with work throughout California and the western US including other projects we've done in Encinitas. And, we approached the design of this community with the idea that we would create something new for the site, not to reuse floor

plans or home designs from any past work. And in doing that, we were able to start with the site planning without having any preconceived floor plans to contend with, to hinder us in that effort. We carefully considered many different site layouts, went through numerous studies, between Brian and PLSA, and got to this proposal that you see here, and we did all that before even moving forward with any of the specific floor-planning or elevation design, I think that helps to really take advantage of all the site features that you can and create something that is more contextual and makes sense to be here. Um, it also allowed us to create a diversity of designs that would work for this site since it is so irregular and provide a starting point for all of the diverse home design that would happen here, too. The lot sizes vary up to 30 feet in width from one another, which is a little bit unusual, some projects have a repeating width, [noise] see a building and swapping plans around when a builder gets to that stage, but we knew that we were going to vary the depths because of the configuration of the site being irregular and then we debated back and forth and decide that we wanted to do something that had the ability to vary the widths to create a lot of different types of plans and elevations and massings which I hope you've seen already, maybe when you looked through the package or you will see that when you review that later. I'm obviously going to touch on that just a little bit right now.

16:36 [Community Member] -- Can you hear me when I'm talking to you? This is Dave Dominy on Wotan Drive. Can you hear me?

16:45 [Community Members] -- Yes.

16:47 [Community Member] -- I just want to know, we want to talk about whether we're going to do this project, not how much work you put in to making all these 30 lots this and that, that's a bunch of detail that we can read on all your literature. We're here to talk about whether or not you're going to put in 30 houses on this small parcel.

17:11 [Bryan Stadler] – Well, Brian Staver I don't know if you want to jump in and address that, what the, you know.

17:19 [Brian Staver] – I think for everyone's benefit we'd like to finish the presentation of the material and to the extent we don't get to anything today, please send a comment card, which will be addressed in detail in the CPP report.

17:38 [Community Member] – Well we're limited to two hours, we have 100 people here and we'd like to talk about the subject on the table.

17:47 [Community Member] – I agree.

17:48 [Brian Staver] -- Perfect, we'll keep it moving. We'll keep it moving. Thank you for the comment.

17:52 [Community Member] -- I agree also with Dave.

17:55 [Community Member] -- Me too.

17:56 [Community Member] -- Move it fast.

17:58 [Bryan Stadler] -- Okay, I will move quicker, that's fine. I understand. Um, so, let me just, uh, see if we can move over to that. So, um, back to the varying designs, and then, I guess, we can go ahead to the next slide and just run through really quickly. I only picked a few here. And, these are just some of the examples, um, the next three are just some examples of plans, Bryan you can just kind of slide through those quickly. Just wanted to reiterate that we have diversity in the plan widths and types and configurations of garages to create a community that has that varying patterning. [Crosstalk] And then, there's seven different floor plans, which again, I know other projects do that many, but it's not as usual. So we have seven different plans, very different foot print. You can see right now the three different styles that we're blending together to have a cohesive look and create more diversity. Ah, and 30% of the homes are 1 stories which again is a significant enough number to vary the massing from home to home, with that many single-story homes. And, go ahead and flip through the next elevations if we're moving quickly here. And this is a more modern design which blends a more coastal vernacular with modern elements. This you can see is side entry. Go to the next one. Here's a one-story in that modern style. A very humble front and small massing. Next slide. This is more rustic, transitional design. Next. And there's a one-story version as an example of that. Again, you've either seen these or will review those. And then last we have a more classic style which would remind someone of, we didn't want to do a farmhouse because that might be overdone, and there's craftsman style and this is a little bit more classic to those, that blends in with the more modern that we have.

20:42 [Community Member] -- Yeah, the R-3, that that that they have here.

20:46 [Bryan Stadler] -- And this was just an example of how we brought that through all 4 sides. I just want to show one quick example that we're taking that and doing that level of quality all the way around, which we need to do, we know we need to do it, we want to do that, and the last two are just the street scenes and when you put everything together.

21:04 [Community Member] -- I'm not muted.

21:07 [Community Member] -- Bryan, I'm sorry, I don't [indecipherable] Neptune and I'm on Bluejack, I don't mean to be disrespectful but I'm wondering if any of you are looking at the chat, um to see what is actually, what people would prefer at this time, so, with, you know in the education world, we've got to look at the chat and see what people are interested in, and I'm assuming no one's reading it because this is lovely, but I don't think that's what anybody really wants right now.

21:37 [Community Member] -- They've already said that, 3 times.

21:38 [Community Member] -- So I would hope that you guys might respect that, instead of continuing on with something that I'm fairly confident none of us want to see right now.

21:50 [Bryan Stadler] -- Well that closes what I was going to say. And, I only had about 10 minutes prepared and I think only did about 2 and a half there, so I really tried there, honestly, to respect the time, and I think we can move on now. So, I don't know.

22:14 [Brian Staver] -- Yeah, I think Bryan Knapp is going to help guide us through these questions. Thank you.

22:17 [Bryan Knapp] – Sure, yeah thanks for starting to type questions in here, I have been looking at the chat. Again, we were waiting to wrap up the presentation portion of these, but if you have questions, yeah please do, I know a lot of you have already, please type them into the chat and what we're going to try to do

22:32 [Community Member] -- Can anyone hear? I can't hear anymore.

22:36 [Bryan Knapp] -- Can you guys hear me?

22:40 [Community Member] -- I can.

22:40 [Community Members] -- Yes.

22:43 [Community Member] -- We can hear you.

22:46 [Bryan Knapp] -- Okay, um, again, in the essence of efficiency, I mean, I think it's I know we're trying to get through all these questions, if you guys can keep yourselves muted, um, again I'll just read through these and then us as the design applicant team will start answering them. Um, hopefully some of these are duplicate or repetitive and we can answer multiple people's questions at once.

The first one I see here, I'm just going to get into it, from Jessica, Are you calculating density based on net acreage as required by the city code and state law?

23:24 [Tyler Lawson] – Yeah, and this is Tyler again from PLSA, so, Jessica, no we're not calculating off of net acreage. The project was submitted prior to the net acreage change that Council had put into place, so currently we're proposing gross acreage for that one.

23:41 [Community Member] – I've got a question, will net acreage subtract the area of the street?

23:49 [Tyler Lawson] -- So historically in the city of Encinitas, net acreage would subtract out unnatural steep slopes, it would subtract out access, and so, yeah, public rights of way, even private roads in most situations.

24:02 [Community Member] -- And what is the approximate area of that access road?

24:07 [Tyler Lawson]: I don't have that information. We could, we could calculate it, but we don't have that calculated for this presentation.

24:16 [Community Member] -- Alright.

24:18 [Community Member] -- But you did say you're using gross, as opposed to net, it sounded like what you just said. So you're using the area of the road to calculate your zone.

24:34 [Community Member] -- Density.

24:35 [Tyler Lawson] -- Well gross, what we're doing, we're using the gross acreage of the entire site, so we're not subtracting out steep slopes, or public rights of way, or private access, at this time.

24:46 [Community Member] -- Because it was -

24:47 [Community Member] -- Why can't I hear?

24:49 [Community Member] -- They bought it before. They've had it for a couple years.

24:53 [Tyler Lawson] - Looks like, yeah Bryan, Bryan, do you want to go to Marsha's, it looks like Marsha might be the next question?

24:59 [Bryan Knapp] -- Yeah, I'll keep this moving. Yeah, so Marsha's got the next one, she's asking why no sidewalks, where is overflow parking, and where is visitor parking?

25:08 [Tyler Lawson] -- So the project does have, we're providing right now a 28 foot from curb to curb which allows for 20 foot of travel with an 8 foot parking on one side of the road, so there is parking available on-street within the subdivision. And then, as I said also, the driveways, each driveway is deep enough to provide for a parking space, actually two parking spaces, so every single unit will have at least 2 covered spaces and 2 spaces available within the driveway and then in the street. So, delivery vehicles, mail trucks, guest parking, et cetera, will be able to park on the street.

25:51 [Community Member] -- That the parking on one side of the street is shown in your diagram as only 6 parking spaces for the whole development and most of the homes are showing only 1 parking space in their driveway.

26:03 [Tyler Lawson] -- So, we show one parking space in the driveway because the city of Encinitas has a requirement for homes to have at least two covered parking spaces and then only required to have one off-street parking space so we're only showing the diagram for one but each driveway is wide enough to accommodate two, and in some cases they can even handle three, we just don't show every single parking space in the driveway because it's not a requirement, but again, each, each home can handle at least, basically four parking without being in the street.

26:36 [Community Member] -- But there are only 6 parking spaces allowed on the street, is that correct?

26:43 [Tyler Lawson] -- Well, um, possibly, yes. So the driveway aprons cut in in several locations, right, so obviously this is step one of the process, we just submitted the project, so potentially it could be more, but I'll take your word for it right now that it only shows 6. But I don't have that sheet up now in front of me so I can't verify.

27:03 [Community Member] -- It only shows six. So, if anybody has a party, if anybody has friends coming over, family, a birthday party, or they're having their gardner come, or their housekeeper come, or their childcare person come, they have to park in the driveways, there's no parking necessarily for them on the street other than those six designated spaces.

27:32 [Tyler Lawson] -- Actually -

27:33 [Brian Staver] -- Just to jump in, you know, I was going to say, there's six -

27:35 [Tyler Lawson] -- There's actually more, yeah, I'm pulling up the -

27:38 [Brian Staver] -- Yeah, maybe we can pull up that sheet, it's helpful

27:42 [Community Member] -- How did you get by with having only one entrance/exit to this property?

27:50 [Tyler Lawson] -- Um, sorry, real quick, we're adding up those, I'm counting 16 parking spaces, so Bryan Knapp or Brian Staver, maybe you guys can verify that, so, yeah, I'm counting much more than six parking spaces on the street, so, um, it's shown on here as sheet 10 of the civil set.

28:09 [Bryan Knapp] -- Yeah, we're showing 16 currently on the west side of the street, west and northern side.

28:18 [Community Member] -- Can I ask a question how you managed to get by with only having one entrance or exit to all those 30 houses?

28:25 [Tyler Lawson] -- There's not a requirement to have secondary access for the, for this amount of homes. Or for the length of this road.

28:33 [Community Member] -- What about fire access, you know, all that stuff. I mean, couldn't you find another exit where it doesn't all dump on to Melba? Couldn't it go over back by the Boys and Girls Club back there, maybe give up one lot and have an entrance on to Encinitas Boulevard?

28:50 [Tyler Lawson] -- Yeah we didn't study that. Like I said, we had a meeting with Fire Department early on in the process, we're meeting the fire code right now, we're meeting their requirements, so we haven't studied alternative or secondary access points.

29:04 [Community Member] -- How about for the benefit of the street and the neighborhood? Maybe you could consider that?

29:11 [Tyler Lawson] -- Okay. Appreciate the comment, we'll take note of that and -

29:17 [Community Member] -- Again, again related to parking, this is Andy Osterly. So, as things are going, everybody and their brother's building ADUs, so if you have 5 ADUs in there, right, you're going to have an overflow of traffic. If you have 1 ADU in there, you're gonna have an overflow of parking. Have you addressed that?

29:34 [Tyler Lawson] -- So, yeah, I'm not an expert in the ADU parking requirement but it's my understand, in my understanding right now that, um, an ADU parking space does have, ADU units do have some parking requirements. I may be wrong on that, we're not usually consulted when people construct ADUs, but I do know of some projects in Encinitas ADUs and they did have to install and have to add additional parking, so, um

30:00 [Community Member] -- Well just because [indecipherable] ADU somebody's going to live there and they're not going to be walking.

30:03 [Community Member] -- You have to have one parking space.

30:06 [Tyler Lawson] -- Okay, yeah, so somebody knows the answer. So, I mean again, we have, every home has at least 4 parking spaces on site and for the most part we're only required to have 3, so 2 covered and 1 off-street

30:18 [Community Member] -- The parking spaces are in the driveway where if you park in the driveway you've gotta move your car to get out.

30:26 [Tyler Lawson] -- Yeah so again, I'm not going to pretend to be an expert on the parking requirements for ADUs, but those would have to be addressed if and when somebody decided to construct an ADU in the future, but this project isn't proposing any, so, um, it --

30:38 [Community Member] -- How are you mitigating --

30:39 [Tyler Lawson] -- might be a valid concern but I'm, we haven't studied that.

30: 41 [Community Member] -- How are you mitigating the traffic on Melba which is already over done with the amount of schools and junior high and pre school, what are you gonna do about that?

30:52 [Tyler Lawson] -- Sure, so I'll answer the question but I want to try to respect, I know that other people have typed questions in, and so I want to try to get to those in order, but I'll answer this one question. So, we do have a traffic engineer who's studied the site and done the various traffic counts, had conversations with the city's traffic engineer and their environmental planner. He is not on the call obviously, he's not one of the consultants on this call right now, but um, we believe that he's addressed whatever traffic concerns that the Encinitas traffic department has asked him to address, so but um, I believe that report is on file with the City, so it's available for somebody to go and look at.

31:33 [Community Member] -- I'd like to make a --

31:34 [Tyler Lawson] -- Bryan, what's the next --

31:35 [Bryan Stadler] -- Yeah, we'll keep this moving. Another question from Marsha, what about all trees, um - Brian Staver do you want to briefly talk about maybe some of the trees surrounding the property?

31:48: [Brian Staver] -- Correct, we have conversations ongoing with a number of neighbors who have trees either on the property line or adjacent to the property. Significantly all of the trees on the site are scheduled to be removed.

32:09 [Community Member] -- Torrey Pines?

32:11 [Community Member] -- They have to.

32:13 [Brian Staver] -- Ah, correct, yes. Torrey Pines as well.

32:17 [Community Member] -- Ah, I just wanted to make a comment about the traffic issue. There was some traffic monitoring done a few weeks ago, I saw the cables, there were cables stretching across the

street, and that was when two of the three schools were closed for in-person teaching, and we were told by the county that we were to stay in our homes, okay, and I'm sure that a lot of businesses were closed, so the amount of traffic that was being monitored during that short period where they had those, those cables across the road don't represent in any way what the normal flow of traffic would be on Melba, even without that 30-unit, unit development.

33:10 [Tyler Lawson] -- Yeah, that's a very common, so, yeah, thanks for the comment there. That's a very common thing that we're seeing right now, obviously with Covid, traffic patterns aren't the same, people aren't traveling as much, schools right have not been in session for at least I know my daughter hasn't been in school for a while, so that's something that we are well aware of and the traffic consultant that we have hired is well aware of, so the city, frankly they understand that, so whenever they're doing traffic counts that are sometimes pulling data from different time periods and they also have certain standards, but again I don't want to get into that because I'm not a traffic engineer, I don't want to lead you astray, but that's a good point, and that's something the city and the traffic engineer will have to address whenever they move through this process, so.

33:55 [Brian Staver] -- I'll speak very briefly as well myself. It's, they do attempt to control for this. The traffic engineer would prefer that it was not so complicated, but they're able to pull recent data from before Covid and then set up at the time when they did these counts in January of this year, they set up control points at those intersections that they had tested in prior years and can see the difference between a pre-Covid count and that same intersection as of today, and could try to control for that.

34:29 [Community Member] -- Okay, thank you.

34:30 [Brian Staver] -- Yup.

34:31 [Bryan Knapp] -- Okay, moving on to Steven Gerken asks will the neighborhood have a sidewalk? If no why not? Will it be on both sides of the street for the full length of the private drive? If no, why not? Where will the bicycles ride?

34:47 [Tyler Lawson] -- So, yeah, currently right now we do propose parking inside, we also have a sidewalk that's internal to the subdivision that's on one side only right now, it's not on both sides. Yeah, there's no dedicated bike lane, it's a private road. I don't know where they would ride, I suspect they would ride either on the road or on the sidewalk depending on, I guess how old they are.

35:11 [Community Member] -- Hah.

35:12 [Community Member] -- I'd like to bring up--

35:13 [Tyler Lawson] -- My daughter rides her bike on the sidewalk, we prefer her to ride on the sidewalk even though my neighborhood does have some pretty wide lanes.

35:23 [Community Member] -- I'd like to mention that I'm an avid cyclist and I ride down Melba very frequently and it's already extremely dangerous, especially when school's in session and cars are hurrying and scurrying to get their kids to and from school. I've almost got hit a couple times, very very close calls, people aren't paying attention. Now this is just going to get a lot worse with 30 homes and potentially, you know, 10, 20, 30 ADUs, so we're talking about you know 40, 30-60 new families, and everybody

feeding down onto Melba, um, I think we should demand some kind of a cycling safety study be done for cyclist safety, because I'm worried somebody is going to get killed.

36:19 [Community Member] -- Beyond that I can't believe a traffic study is being done when San Dieguito and the elementary school aren't in process. I taught at San Dieguito, it's a disaster, Melba is a death trap, it can't take any more cars, so you can tell us everything you want but that's nonsense. And you know we'd like to be treated with adults with respect because we've lived here for 35 years and we've seen the traffic so there's no way on earth that they have studied the traffic pattern.

36:45 [Community Member] -- I agree.

36:46 [Community Members] --[Crosstalk]

36:48 [Community Member] -- I agree, let me say one thing. I drove fire trucks for over 30 years, I did 36 years as a firefighter, over 30 years I drove fire engines and fire trucks, and yes. The traffic density is bad now, so when you add another approximately 90 cars, the response for a medical aid or a medical emergency, is going to be a delayed response. So what the city of Encinitas will do is, the captain will get on there and say "hey, I've got traffic problems," he'll send another engine, so the bottom line, your delayed response could cost somebody their life.

37:43 [Community Member] -- Make sure you put that in writing.

37:47 [Community Member] -- Definitely.

37:49 [Community Member] -- Yeah, we will.

37:50 [Community Member] -- Okay.

37:51 [Community Member] -- I mean they didn't widen the freeway until a student was killed from San Dieguito, and we all knew that that was going to happen and it happened, and we would like that not to happen again.

38:00 [Community Member] -- And we're not so much against development --

38:04 [Community Member] -- Thoughtful development.

38:04 [Community Member] -- it's just that the traffic is, uh, our biggest concern and I like the earlier idea about, um, getting this somehow opened up to Encinitas Blvd. Encinitas Blvd can handle the traffic, Melba cannot handle the traffic, and I think that we absolutely have to include cyclists in this study. We are a very huge cycling community here in Encinitas and you know the City wanting to encourage cycling for a means of travel, I think that needs to be included, and I haven't seen that anywhere.

38:41 [Community Member] -- How about 4,000, almost 4,000 school kids on a school morning, we have 5 schools, okay, including San Dieguito High School, which has all the kids driving to school, the parents, you know, this is the deal, it's overwhelmed, absolutely overwhelmed, backed up to Crest, from Nardo all the way up to Crest. It's absurd and the traffic study is completely invalid.

39:08 [Community Member] -- This is Naimeh, I live on Melba and the traffic is so horrendous that I have to change my work schedule, I cannot get out of my driveway in the morning between 7:15, if I leave at the 7:15 I might as well forget it, I'll be sitting there, and in the afternoon when everybody comes back. Um, it won't work, it's just impossible, I'd like to see the traffic report, I want to know how they have done the study, and they need to disclose it, because it doesn't make sense at all, I mean literally I cannot go toward downtown in the morning, I have to go all the way out because I can't even access Encinitas, I have to turn around, go toward El Camino, go the other way, essentially add another 5, 10 minutes to be able to get out because of the traffic.

40:08 [Community Member] -- Yes, and I also want to add that, Brian, I heard you say earlier that there is a traffic study and it's on file, but you're not a traffic expert. What are we doing on this call if we don't have that information and then we have to go find it. Aren't we here to get that information from you guys and have you present and tell us what were the results of that traffic study and um so we can have you know a roundtable about these kinds of things?

40:33 [Community Member] -- Good point.

40:35 [Tyler Lawson] -- Brian Staver, do you want to address that, or do you want me to --

40:40 [Community Member] -- I'd like to just say that there already is an access from Island View to the property itself. Half of the acreage has an access right now to Balour.

40:52 [Brian Staver] -- The, yeah, I can say a few comments again here, it will maybe get a little redundant. So on Island View, that strip of land is 15 feet wide, which doesn't qualify for any form of access that can be used at least by the general public as a, kind of a, required [crosstalk]. Um -

41:18 [Community Member] -- Neither does a 30 home development.

41:21 [Brian Staver] -- And then in terms of the traffic report, it is, it's been submitted and it's being reviewed by the City. It is available --

41:30 [Community Member] -- Who at the city, could you give us the name so I can call them tomorrow?

41:36 [Brian Staver] -- Yeah, I mean, the planner would have a copy of it. If you want to email me, I have a copy of it.

41:43 [Community Member] -- We'd like to send him an email and find out more in details.

41:46 [Community Member] -- Can that traffic report be emailed to all of us who are on your email list so we don't all have to go bother the City for it? I think that's part of this group is so that we can be a little bit more efficient about gathering information.

42:00 [Community Member] -- No, I think you need to bother the City about this because I think the general consensus here is that, the three gentlemen on the phone don't actually care about our opinion, they're doing this because they have to. I think we need, it'd be helpful to get an update on where in the process you are, what permits have been actually granted, how far along are you in the CPP because I

know you're giving us all lip service and you're doing a good job of it but you really don't care about our concerns, so I'd like to know where in the process, do we need to get lawyers involved in this, how far do we have to go to keep this from happening?

42:38 [Community Member] -- Totally agree.

42:41 [Tyler Lawson] -- Brian, do you want to address that, or do you want me to?

42:44 [Brian Staver] -- Sure, sure sure.

42:45 [Tyler Lawson] -- I guess you could continue to address what you were saying.

42:50 [Brian Staver] -- The project was submitted for preliminary review on January 11th of this year, and we do not have any comments back from the City yet on the application.

43:04 [Community Member] --Okay now where is the next, go down to the next one...

43:13 [Community Members] -- [Crosstalk]

43:14 [Community Member] -- Do we need to find out who we need to talk to on the City on our own or can you provide us with [indecipherable] so we can present the other side of the coin to them.

43:20 [Community Members] - [Crosstalk]

43:22 [Tyler Lawson] -- Travis, this is Tyler from Pasco engineering. So, the City, this is, like Brian Staver has suggested, this has been submitted, it's all on file with the city right now, the planner that's been assigned, the planner that's been assigned as best we know is a person named J. Dichoso, but you could call anybody in the city planning department and let them know what project you're interested in, and that's all public information that they can share with you. And to your point about, you know I'm a civil engineer, Bryan Knapp's a civil engineer, we have the architect on the phone, we don't have the traffic engineer unfortunately on the phone, or on this call, on this Zoom meeting. We aren't traffic engineers but, we're not traffic engineers we're trying to honestly address the things that we can discuss, and discuss the project, but we obviously hear the traffic is a big concern, and all I can say to that specifically as a civil engineer, not as a traffic engineer, is that all those reports are, you guys can review them and they can be discussed and we welcome a conversation about this, we just unfortunately the 4 of us on the phone right now are not the experts in traffic, we do want to present the project though, I know there's other issues that some other folks may want to discuss. I see there's 148, at least on my count here 148 other messages, I'm not sure if there are all related to traffic, but we would like to address these, and then, this is the first step of a long process, this is, as Brian Staver suggested, we just submitted this project, we haven't even gotten any comments back from the city, but we wanted to bring this to the neighborhood at the beginning of the project, not in the middle, not at the end.

44:51 [Community Member] -- Well obviously traffic is a big issue so perhaps you can take that into consideration as you move forward.

44:57 [Tyler Lawson] -- Absolutely. Absolutely. And with that again I know that my clock says 6:47, I want to try get if there's any other things we can address, we understand traffic it sounds like is definitely

a main issue here. We'd like to maybe get some of these other ones addressed too. Bryan, I'm not sure where we left off, was it --

45:20 [Bryan Knapp] -- Yeah there's a question about why isn't there another exit/entrance, I think that was addressed previously. Mitigating traffic flow. One side on-street parking is proposed. Where is the neighborhood overflow parking? Parking was discussed previously.

45:42 [Community Member] -- Maybe they don't remember that about the roundabout because [indecipherable] --

45:47 [Tyler Lawson] -- Can everyone mute their -

45:50 [Community member] -- Yeah hi, this is Schuster, I'd like to raise an additional issue having to do with the privacy, the 5-foot clearance between the house footprint on the side relative to the plot layout that is where the fence between, between --

46:16 [Tyler Lawson] -- Can we address that, can we address that in a little, I want to, we want to really respect the people who took the time to write their comments in here. Schuster, I will, we can talk about that, I will stick around after 8 if that issue doesn't, if we can't get to it, but I want to make sure that if someone wrote a comment here, that we at least try to get to it in that order, with 100 something participants, if you don't mind.

46:34 [Community Member] -- Okay. I just wanted to make sure you get, okay.

46:39 [Tyler Lawson] -- Okay. If we don't touch on it, please just raise your hand and I will stick around after 8 and I will address it, okay? Sorry, Bryan, I'm, Bryan I'm at 6:18 let's see here. What stage is CEQA, is that where you're at?

46:58 [Bryan Knapp] -- Yeah, I Think that was the next one.

47:00 [Tyler Lawson] -- Okay, yeah, so we just submitted the project. CEQA determination wouldn't happen until after all the reports and plans and everything are quote unquote deemed complete, we're not there at all yet there will be multiple submissions and comments and reviews, so we're at the very beginning of that process.

47:20 [Community Member] -- How could one apply for the affordable housing, or would the Stabler family retain 3 lots for themselves?

47:30 [Tyler Lawson] -- I'm not sure if I understand, I'm sorry, I don't understand the question.

47:35 [Community Member] -- Would the Stablers retain 3 lots for themselves or would those actually be affordable housing for anyone to apply on?

47:45 [Tyler Lawson] -- The state, yeah, so we're using the density bonus program, so that we're proposing three affordable homes and the Staver family could or could not retain those, they could sell them, but it has to be affordable, they're going to be deed-restricted for I believe it's 55 years, is what the state law has right now, and they have to be applied for at the City, it's not Staver family or the applicant,

the applicant doesn't get to decide who moves into those ultimately. I think we're at, are we at Steve Gerken?

48:19 [Community Member] -- What is the definition of affordable?

48:24 [Tyler Lawson] -- Each City has their own, I shouldn't say that, the region has a definition of what's affordable and the different levels, I believe it's set by SANDAG, it's not set by us, it's not set by even the City of Encinitas --

48:39 [Community Member] -- What is it then please?

48:42 [Tyler Lawson] -- Excuse me?

48:43 [Community Member] -- I understand it wasn't set by you, but what is it? You must know it?

48:48 [Tyler Lawson] -- I, I don't, I actually don't know the exact dollar amount right now.

48:55 [Community Member] -- You know you're taking a lot of our time, and you don't seem to have much information for us. You can't speak to the traffic, you can't even tell us what the definition is of affordable but you have 3 units in your development...

49:08 [Crosstalk]

49:11 [Tyler Lawson] -- I'm not sure exactly, we're taking down these questions, this is the point of this meeting --

49:15 [Community Member] -- [Indecipherable] or are you deliberately not answering the questions, I, you know, we're here spending a lot of our time on our evening trying to learn about this development, and you can't speak to the definition of affordable housing but you have 3 units that are classified as affordable housing in your development. It's very difficult to understand.

49:36 [Tyler Lawson] -- So David, this is the point of this meeting. We're at step number 1 as I mentioned before, we just submitted the project and these are the questions that we like to get --

49:44 [Community Member] -- But this was part, in your submission you classified 3 units as affordable --

49:50 [Brian Staver] -- I'll quickly jump in and take this question.

49:52 [Community Member] -- Thank you, Brian.

49:52 [Brian Staver] -- It's about \$40,000 per year, 30% of that can be used towards housing costs, which would include rent, or property ownership costs, including utilities, maintenance. And those are all, all that is run through the City.

50:12 [Community Member] -- So, \$40,000

50:12 [Brian Staver] -- Depends on the number of people in the household --

50:13 [Community Member] -- annual cost for each unit of the 3 that have been classified as affordable, is that correct Brian?

50:25 [Brian Staver] -- Say it one more time?

50:27 [Community Member] -- \$40,000 total cost per --

50:31 [Brian Staver] -- 30% of \$40,000, so, right, and then you have to subtract utilities, so rent maybe for example, or mortgage cost, would be probably less than 1,000 per month, and then they would also have to pay for utilities.

50:48 [Community Member] -- Did all those low-income houses statistics change recently, because I know across the street on Bluejack they had to do 2 for like 17 houses, how do you guys get by with 3 for 30 houses?

51:02 [Community Member] -- It's 1 per 10.

51:06 [Community Member] -- 1 per 10. That's new, right?

51:09 [Brian Staver] -- The density bonus laws have been around since 1979, but they have been changing these rules in recent years in particular, and it depends on whether the project is using very low rates, or low rates, so there's a relatively complicated set of decisions at the --

51:26 [Community Members] -- [Crosstalk]

51:34 [Community Member] - Can't believe this place.

51:35 [Tyler Lawson] -- Okay, so I think the next question I see on here is from Steven Gerken, who's asking: the design, vary the widths, what about the depths from the street, can you introduce horizontal relief on front of buildings so it doesn't look like a bunch of row houses lined up? So, yes, some of the homes have different front yard setbacks, um, they, different driveway lengths, et cetera, but that's something that we could look at with the architect. It looks like every other density bonus - yes? --

52:09 [Community Member] -- I noticed that Lot 6 doesn't offer a driveway. Is that correct?

52:24 [Brian Staver] -- I think we should keep going through the comments in order at this point.

52:32 [Community Member] -- Answer the question about the house without a driveway. I'm curious.

52:37 [Tyler Lawson] -- Lot 6 does have a driveway. I'm just trying to find the plan. All the homes have driveways. Lots 11, 12, and 11 and 12 and 13 have a shared driveway --

52:48 [Bryan Stadler] -- I think what might have happened is like on, if we're looking at the colored version, it didn't get colored so that was an error. But the civil drawings show, you can see the line work on there, so --

53:02 [Community Member] -- Okay.

53:03 [Bryan Stadler] -- That's probably the confusion. Sorry about that.

53:06 [Community Member] -- Thank you.

53:09 [Tyler Lawson] -- Looks like Jessica Carilli thinks our project looks like every other project, I don't think that's a question. I'll find the next question here. Bryan Knapp, If you've got another one already lined up, please, I'm trying to get through these in order and I know I'm quite a bit behind.

53:30 [Bryan Knapp] -- I see one from Lori -- is this the design that is 10 feet from our yard with an upstairs patio that looks right into our yard?

53:40 [Tyler Lawson] -- I don't, I'm sorry, which --

53:42 [Bryan Knapp] -- Reference to a specific --

53:43 [Tyler Lawson] -- I don't know where Lori is --

53:46 [Community Members] -- [Crosstalk]

53:49 [Tyler Lawson] -- I don't know where her home is, I don't know where her home is compared to this.

53:53 [Community Member] -- It's Lot 20, you've put that house 10 feet from our backyard with an upstairs patio that looks directly in our yard, so how is that conducive to neighborhood? Like, that's, you know. You've put a couple houses 10 feet from the existing property lines right now, with two stories. Not the singles, you put the two stories 10 feet from people's property line right now.

54:22 [Community Member] -- How do you get by with those different set backs, when all of us that have lived here forever have to use, you know, 20 yards --

54:27 [Community Members] -- [Crosstalk]

54:31 [Community Member] -- No they turned the house sideways so they can stick it right up against our fence. With upstairs patio. Brian we've talked about this, and it was not addressed, and I'm, you know, I'd like to know how you think that that is good in our neighborhood?

54:48 [Brian Staver] -- I guess I'll take this one. Ah, we've submitted this plan and then have started collecting this feedback since submitting it. This home that you're referring to does not have a patio of any sort on the second story.

55:05 [Community Member] -- Brian, we just had a meeting, and that house, Number 20, has a patio upstairs facing directly into our backyard.

55:14 [Brian Staver] -- I'll let Bryan Stadler take a look at this, if he wants to address, pull it up. It, there's a, it might be hard to read – there is a patio on the first floor, on the side of the house, but there's not a patio on the second floor.

55:32 [Community Member] -- I'm not crazy. I just had a meeting with you and you showed me the plans to this house. You showed me the plans with the second-story balcony that looks directly into our yard, Brian, we just had a meeting about this, you showed me these plans. House Number 20. I was surprised, I'm like how can you build these houses with patios looking into existing backyards? 10 feet from our property line. I mean, you can get back to me later, I don't want to take up anybody else's time.

56:06 [Community Members] - [Crosstalk]

56:08 [Community Member] - a good use of our time -

56:10 [Bryan Stadler] – Yeah, we could, we could pull that plan up if we want to see.

56:17 [Tyler Lawson] – I see, there's 187 other comments here, I don't know if we want to try to get to some of, some of these other questions or if you guys want us to answer Lori's question. It's up to you guys, so

56:31 [Community Members] -- [Crosstalk]

56:32 [Community Member] -- Why don't you go down the list. Because a lot of us are waiting with important questions that are specific to the project, not specific to our houses or specific lots, why don't you go down the list?

56:41 [Community Member] -- I'm agree, agree.

56:42 [Tyler Lawson] -- Thanks, thanks Andrew. The next one I think I see that's a question from Lori also, you're addressing surface water not groundwater for the people on the back side, um, so yeah we have a geotechnical study that's been done that's also been filed with the City. We'll take that into consideration Lori, it sounds like, are you suggesting that there are ground water issues? If there are, then we're unaware of them, but we can look at the geotechnical report, and that's one that we can get back to you, again, if you have specific concerns about groundwater there. It didn't show up in our geotech study, but, um, again we're happy to have that conversation. Um, how do you get the R3 from 6.6 acres equals 20 homes? So yeah the density calculations were shown on the front sheet, so, as we suggested earlier, we're using gross acreage and not net, so there's no subtraction for the steep slopes or private roads or any potential future public right of way dedications, so that's how we get to that density calc.

Can fire trucks, delivery trucks, cars pass? Narrow road. So again, 28 foot from curb to curb, current standard is 20 foot for cars to pass, and with 8 foot of parking on one side. So the fire department believes that this 1, this meets their standards, and they believe that 20 feet is wide enough for them to pass. We're just following their regulations, we're not changing our road width. This is from the fire department.

Tentative map approval before the architectural review, so, from Sally, sorry, Sally Jensen at 6:23. We are processing architecture along with the application, so it's a tentative map to approve the architecture. It's

part of the design review process, so they have design guidelines and they'll review the architecture against those design guidelines.

Back to R3, sorry, Bryan Knapp, if you see one that I'm missing, please let me know, information, okay skip that. I don't think that's a question. --

58:52 [Community Member] -- So regarding your density, since you've already touched on the density question, you all used the AR 2345, I'm sorry AB 2345, densities, the new state mandate as of January to come up with your calculations. And Encinitas specifically did not adopt the AB 2345 densities. So help me understand the discrepancy between this project which resides in Encinitas and not, and electing not to use the Encinitas density code.

59:29 [Tyler Lawson] -- Brian Staver, do you want to address that?

59:33 [Brian Staver] -- Sure. The project was designed for AB 2345, which was signed into law last September. We did not become aware of the change the City was making until it, until late in the process, we were unaware until kind of end of November. At which point in time we'd essentially designed the project, and I, I think we feel fortunate that that does not become effective until it's certified by the Coastal Commission. Additionally, ordinances are, do not become effective until 30 days after the second reading, so we've, we've submitted an SB 330 application prior to that ordinance becoming effective. And this is one of these state laws that, that the state legislature, with, with kind of progressive goals, is using to make it so that a project can kind of lock in place the rules at the time of preliminary submittal. So it doesn't require the project to be deemed complete, it's sort of as that preliminary SB 330 is submitted.

1:00:48 [Community Member] -- Well so you pushed that in as quickly as you possible could so you could take advantage of every state law so that you could cram these houses down our throat when it's really R3 and it should remain R3.

1:00:58 [Community Member] -- Yeah.

1:00:58 [Brian Staver] -- I think this is an issue, maybe you could write to your legislator, state legislator about. I mean, it is a state law, much like CEQA and other state laws that we're required to follow.

1:01:12 [Community Member] -- But Brian, it's a decision you've made to get more money. You say your intent is to retain the character and size of our neighborhood. It's exactly the opposite, and we don't appreciate it. You don't need more money that bad, do you?

1:01:29 [Brian Staver] -- So we're going to take everyone's feedback here, and --

1:01:33 [Community Member] -- Don't ignore me, man.

1:01:35 [Crosstalk]

1:01:39 [Brian Staver] -- The project will be I think relatively dense by everyone's standards.

1:01:46 [Crosstalk]

1:01:50 [Community Member] -- Also there's some of the roads that are designated rural roads. Can somebody here address the designation of the rural, rural roads that don't, you know don't have sidewalks, and this neighborhood was meant to be a rural area when it was first designed, from what I understand, as why they got those designations, and it just doesn't allow for something this dense. So, can somebody address that?

1:02:20 [Tyler Lawson] -- I'm going to see if I understand the question. It sounds like you were kind of mixing the road classification with density. So you know the density in Encinitas comes from the zone. Yes, there are many areas in Encinitas that have more rural feelings. The circulation element of the housing, excuse me, circulation element of the general plan talks about road classification, so, as it relates at least to Melba and Balour, you know, we have to follow those. And then, the City has private road standards, and actually they have private and public road standards that we're following for this. Like I said, we're meeting the Fire Department and in the road standards that are available to us. So, but the density comes from the zone, not from the road. If I, maybe I mischaracterized your question there, but I wasn't quite sure if that's what you're getting at.

1:03:17 [Community Member] -- Okay, hey, the Fire Department cannot speak. This is the City of Encinitas Fire Department

1:03:24 [Community Member] -- Their paychecks.

1:03:26 [Community Member] -- Their paychecks, the fire fighters cannot speak, the captains, battalion chiefs, and stuff, cannot speak on what is going on. This is the City bureaucracy speaking for the firefighters. And that's just fact, otherwise they wouldn't get a paycheck.

1:03:46 [Community Member] -- Period.

1:03:53 [Brian Staver] -- I would, I'd like to say that we appreciate all the feedback and we will include it in our report.

1:04:00 [Community Member] -- Really?

1:04:01 [Brian Staver] -- Well yes, we certainly will.

1:04:05 [Tyler Lawson] -- I'm, I'm down at 6:25, Judith, ah, said has there been a traffic study about the traffic on Melba, and so yes, it's been submitted, and obviously there are a lot of questions about that, so, I'm sure, I'm sure they'll be, our traffic engineer is going to be busy addressing a lot of the questions that we're getting from this.

Looking for elevation cut sheet on Lot 18 please. From Andrew. Andrew, that's possibly something that we could take a note and shoot over to you, somebody could send that to you in the future, I don't know if we want to look at the cut sheet right now on that.

The question from J+J at 6:26 that said parking on Melba, question mark, really. No, there's no proposed parking on Melba; all the parking that we're discussing is internal to the subdivision.

Ah, was there environmental impact review, traffic study? What is the current zoning and [indecipherable] exceptions being sought. I think we've kind of addressed this but we're in the beginning of the process, CEQA, there's no determination yet. Traffic study has been submitted. And current zoning is R-3. There's a list of waivers on the front, excuse me, the second sheet of the civil plan that discusses which setbacks and/or lot geometry setbacks incentives that the project's requesting.

How many lots would be allowed in based on net acreage instead of gross acreage from Judith at 6:27. We didn't do that calculation, so I don't have that available, but that's something we could, we could calculate. Brian Knapp, if you want to make a note of that, we can get that to Judith in the future.

Casey asks the starting price point of a home. I don't, I definitely don't have that information. Brian I don't know Staver if you want to address that or if you even know?

1:05:57 [Brian Staver] -- We don't know that precisely. They'll be, they'll be lower because there's more homes than if there were fewer homes, and I would assume they're not that expensive relative to many of the homes in the neighborhood, but I don't know specifically what the homes will sell for.

1:06:18 [Tyler Lawson] -- Um, Kessler, at 6:27, total of 16 parking spaces [indecipherable] question. Um, will the project have an HOA from Travis at 6:28. I suspect yes, I mean, typically yeah, I don't see any way there wouldn't be an HOA, they'd be responsible for maintaining the basins and the private roads, would be my guess. But we're at step 1, we're not producing construction documents yet, but I would assume HOA yes.

Um, let's see, question about trees. Um, you know we understand that there are some trees on the site that the neighborhood would like to preserve and Brian I believe, Brian Staver I believe you mentioned this briefly at the beginning but we are, we are looking at ways to possibly preserve some of those trees. There's also, and I'm not sure, maybe this is a reference to, there are some trees that are along the frontage that are in the city's right of way that frankly we don't have any control over. They, the city, treats those as quote unquote their trees, so we the applicant and the civil engineer, we don't get a say in that necessarily, so if there's some trees along the frontage that you guys feel are part of the community and want to protect, we would advise you to make that vocal to the planning staff and engineering staff.

Um, will there be street lights, um, from Andrew at 6:29. I don't think the city's going to require any streetlights on Melba, and then I don't know again if there's a requirement to have street lights within the subdivision. I know there's a lot of, a lot of part of Encinitas where people enjoy the dark skies policy. So I have seen, I can just tell you my personal experience, that I have seen some projects with street lights and some without. And I don't know if the community felt passionately one way or the other, I suspect that's something that we could incorporate or omit from our project. So if someone has specific thoughts on that please email us or let us know and put it in the comments.

1:08:28 [Community Member] -- I would say personally yes, no lights would be preferable. We have a very dark, quiet neighborhood is preferable in my, as far as I'm concerned, I don't know if we're in agreement on that, but - and, can I also ask since you were talking about the density versus the low income, I believe Brian you said these were considered very low income, is that correct? The three houses?

1:08:56 [Brian Staver] -- Yes, that is correct.

1:08:58 [Community Member] -- And I thought you said they would be around \$200,000, am I, do you remember that discussion?

1:09:03 [Brian Staver] -- My understanding is that they can be sold or rented, and I believe, and I'm not even trying to know at the moment how that will play out exactly.

1:09:18 [Community Member] -- Huh. Interesting.

1:09:20 [Brian Staver] -- But, the calculations are the same, they're either, um, sold to someone so that 30% of a very low income is affordable or they're rented in this calculation.

1:09:30 [Community Member] -- Right, and the very low income houses mean that you have a higher bump in your density, that was for density bonus you get using --

1:09:41 [Community Member] -- That's correct.

1:09:43 [Community Member] -- You're getting a 50% bump.

1:09:45 [Tyler Lawson] -- It's a sliding scale, but yes, Jennifer, that is correct, it, the percent --

1:09:51 [Community Member] -- It's 11% density with low income and it's a 15% density with very low income

1:10:01 [Tyler Lawson] -- Bart Smith at, let see what my time, I don't have times on here anymore, Bart Smith asked if the project can put a signal at the intersection of Crest and Santa Fe or Balour and Santa Fe. Yeah, those have to do with warrants and whether or not the project, whether or not the project is, the impact that requires that, so that's something that will be looked at by the traffic engineer, the city's engineers, and the city's environmental planner. I don't know the answer to that, that's something they'll have to review and then let us know.

Don't forget to discuss sidewalks. So hopefully we addressed your question or people's questions about sidewalks. Sidewalks are internal to the subdivision on one-side only.

Has there been a traffic study? Yes, there's been a traffic study.

That looks more like a comment. How much drainage is going to be coming off the site to Island View Lane at 6:31 by Seth. So we did prepare a hydrology, hydraulic analysis. We're mimicking to the best of our ability what was there before, but we're required to mitigate the post-development water that comes off the site to at or below the pre-development, so I can tell you right now that the amount of water that's leaving our site in that location will be less than what's coming off the site today. And we've had some discussions internally about making it even, trying to reduce it even further in that particular location.

1:11:40 [Community Member] -- Hello?

1:11:41 [Tyler Lawson] -- Something about does the school have a bike lane.

1:11:43 [Community Member] -- Yeah.

1:11:49 [Community Member] – Hello?

1:11:51 [Tyler Lawson] -- Yeah, hello.

1:11:53 [Community Member] – Ah, yes, this is Cye Waldman on Island View Lane. How is it possible for you to take water that's collected over two to four acres and focus it down to one outlet that you propose coming out onto Island View Lane, and say that the water flow is going to be the same?

1:12:13 [Tyler Lawson] – Good question. So, a couple things. One, so, we don't typically concentrate the run off. We don't collect it into one single location and then shoot it out in one pipe. So any water that's going to leave our site, it's going to be dispersed and try to mimic a sheet-flow type condition. The other thing that we do to mitigate the peak run off is the retention basin. So you've probably seen, or some people have probably seen, bioretention basins, BMPs, those essentially double as detention bases today. So, without getting too much in the weeds on it, but essentially there's an element to these that stores water and slowly discharges it, so it mitigates again that peak Q that comes off the site.

1:12:58 [Community Member] -- What's the square footage based off of with the non-permeable materials?

1:13:08 [Tyler Lawson] -- The square footage --

1:13:09 [Community Member] -- Well, you've got your house, you've got your street, you've got your driveway, what about additional hardscape that people are installing, is that factored, that area in --

1:13:23 [Tyler Lawson] -- Yeah we did, that's a great question. Yeah so what we do is obviously we have some hardscape that's shown right now, some impervious surfaces, it's roads, driveways, homes, in some cases patios, we add in additional future allotted hardscape areas, so we understand that some people are going to come in in the future and build patios and something like that. So what we'll do is, on the construction documents we actually show the allowable future hardscape for a future homeowner. So, for example, 500 square feet, so a homeowner who buys a lot understands that their project or their lot has been sized for an additional 500 square feet in this example, and anything beyond that they would be required to get a permit from the city of Encinitas, so they would have to, you know, retain a civil engineer, and basically demonstrate how they're, one, cleaning the water that they're producing and then also detaining and mitigating for any increase that they might have, so, that's a good question but we account for that for future homeowners.

1:14:29 [Community Member] -- And when the developer develops, is he going to landscape and hardscape, or is it going to be raw?

1:14:36 [Tyler Lawson] – I'm sorry, say that again?

1:14:37 [Community Member] – When it's developed, will the developer, once he builds the homes, is that going to be, will he have it landscaped and hardscaped, or does it come out just dirt?

1:14:51 [Tyler Lawson] – Yeah that’s a good question. Brian Staver, I don’t know if you’ve given any thought to this. I’ve seen it different ways. I think at a minimum there would be a driveway at a home, and some sort of patios. I don’t know if landscaping beyond the front yards would be required, so rear yards I would suspect are not. Brian, I don’t know if you can, if you want to address that?

1:15:15 [Brian Staver] -- Yes, it’s being proposed to be similar to recent projects where the homeowner gets to do their own landscaping in the front yard and backyards. The affordable homes are required to be landscaped.

1:15:30 [Community Member] -- So there’s no guarantee that the homeowner that’s purchasing that home will follow, you know, the laws of being able to pull a permit for landscaping, where they’re going to be required to do their own bioretention system from 500 square feet or higher?

1:15:44 [Brian Staver] -- If I’m following correctly, all of the bioretention will be managed on HOA land, and, so the homeowners will not be responsible for any bioretention installations.

1:15:55 [Community Members] -- [Crosstalk]

1:16:00 [Community Member] -- I was going to say that since you are planning the bioretention areas, the one on the west side of the property is adjacent to our property, and in fact comes right up to our property line, I’ll also point out that our property is a couple of feet lower than your property, and so it would be like having a giant swimming pool next to us, except one that has no walls. There’s also no retaining wall at that location. And then furthermore your plans show that there’s a pipe that goes from that bioretention area over to Island View, and there’s just not enough of a drop in the altitude to get any kind of gravity feed to that, so it’s a very strange situation. It doesn’t belong next to our property, the whole wall could collapse over there and, again, you’re focusing all that water that’s being collected in the bioretention area to come out what I would imagine is a pretty small pipe. It’s going to come out at a high velocity and the surrounding area on Island View, right there, going into our driveway and the property across the road, are lower than the road, so you’re introducing a problem of flooding, not only for us but all the way down Island View Lane. Again, you’re focusing a lot of water that never made its way down Island View, to come down Island View. Not only that, I believe that such water would carry a lot of dirt and so on. You have to provide proper storm sewers to get that water out of your property and not just throw it into our laps.

1:18:00 [Community Member] -- Yeah Brian.

1:18:01 [Community Member] -- Thank you.

1:18:02 [Tyler Lawson] -- Thanks for the comment, I want to keep, I think we’re making good progress on some of these, but my count still shows there’s 200 and some comments here so I do want to try to get more of these....

1:18:15 [Community Member] -- As a small follow up is, is Torrey Pacific going to be the builder as well as the developer?

1:18:22 [Community Member] -- No.

1:18:25 [Tyler Lawson] -- Brian, I don't, do you want to address that?

1:18:28 [Brian Staver] -- Sure. It hasn't been determined, not necessarily.

1:18:34 [Community Member] -- Well that's just a bunch of baloney.

1:18:38 [Community Member] -- What'd you show us plans for then?

1:18:40 [Community Member] -- Yep.

1:18:45 [Tyler Lawson] -- Taylor at 6:32 asked a question about the three affordable homes, what's the qualifications. So, the city manages that, people have to get qualified. Can people mute please? And get the, because I'm trying to answer some of these questions. Yeah the city manages those affordable, people have to apply with the city to get on their qualified list, and then the current renters that are on the property currently get first access to purchase? I don't know that there's any provision that allows the current renters to get any, that's, not that I'm aware of.

Sewers, drainage. So Sally asked, tell us more about sewer drainage and other utilities. So, again, sewer, water would be brought in to the subdivision to serve the proposed 30 homes. There's a sewer and water connection right now that's out in Melba that we'd be tying into.

Storm drain, ah, there's no storm drain infrastructure, currently, right now anywhere surrounding us, so it's not immediately available that we can tie into so, ah, as I stated a while ago in the introduction, we'll have multiple locations on site where we'll have bioretention basins that will act as a both a way to treat the runoff, to clean it before it leaves the site but also to mitigate and detain, so that what leaves the site is, is existing to [indecipherable] or less than what was done before the project was developed.

1:20:11 [Community Member] -- Don't you think if you have no existing storm drains and you're putting in 30 houses, you should be required to treat, do that? Isn't that -

1:20:20 [Tyler Lawson] -- Well, yeah, yeah, you know the state, there's a lot of California drainage case law, so I'm getting a lot of feedback here, I'm sorry. There's a lot of case law out there that talks about, you know, drainage and unfortunately there's just a lot of areas, not just Encinitas, there's a lot of cities in north county coastal that just don't have adequate, you know, infrastructure --

1:20:40 [Community Member] -- We're a rural area and now you're bringing in 30 houses without putting the infrastructure that needs that. I mean, you can say that that's just, you know, the way it is. But come on, Bill, I think you need, Brian, you need to look at this stuff, this is our neighborhood. And you're an old neighborhood family, so how can you do this to us? It's like, ugh. It's weird. Sorry.

1:21:11 [Tyler Lawson] -- So, keep moving here.

1:21:13 [Community Member] -- Yeah, keep moving on.

1:21:14 [Tyler Lawson] -- Parking [indecipherable, crosstalk] bus stop. So it looked like, I think there was a comment in there from Bart Smith who said that ADUs don't require a parking space. I'm not, maybe I --

1:21:25 [Community Member] -- It's true.

1:21:26 [Tyler Lawson] -- Did I just read that out of order? I don't know those, again, I'm not going to pretend to be an expert on the ADUs --

1:21:33 [Community Member] -- They do not --

1:21:35 [Tyler Lawson] -- They do not?

1:21:36 [Community Member] -- They do not. We've got an ADU right next to us and they street park and that's legal.

1:21:44 [Tyler Lawson] -- Okay. [Indecipherable] bus stop. I don't know the answer. How an ADU parking --

1:21:50 [Community Member] -- [Crosstalk]

1:21:52 [Community Member] -- The guy's been working on this project. He knows all this shit. He just doesn't want to say it.

1:21:59 [Tyler Lawson] -- I, whoever's speaking, I'm, I'm being truthful with you right now. There's certain things that I, I'm a civil engineer, that I understand and I can speak to, and things that I can't. I'm going to try to respectfully either point you in the direction of where it can be found or I would ask that you email us, somebody, either myself or somebody on the team, and I'll do my best to answer your question, but I am trying to answer these as truthfully as I can.

Ah, Jennifer, see here, this is a long one -- these look like comments, not questions.

1:22:36 [Community Member] -- Well, the main point -- you know, it is long, I apologize. But it does get down to the calculations of your density, which doesn't make any sense. Number one, AB 2345 shouldn't apply. I'm not even sure you should really get density bonus here because you've got, there's 6 houses on the property, you're actually removing all of those houses and then building 3 new little houses, there's, 3 of them are already rented, so you're actually getting a net loss of homes there, and then at the same time you're destroying all the landscape and the beauty, I mean it could easily be, those 6 houses could be preserved, you could build the rest of it at R-3 and probably be a fairly happy neighborhood, I would think, and I do want to also interject, I was made aware with a conversation with Brian that yes, this would be sold to another developer, that Torrey Pacific is not building, so, unless something changed, he was quite forthcoming, which I appreciated, Brian, but that, that was what you told me. So, density --

1:23:43 [Community Member] -- Is anybody concerned --

1:23:45 [Community Member] -- If that's the case, if that's the case, our property values --

1:23:49 [Community Member] -- Well, so that's a great point, so if they do intend to develop this, and they're presenting to all of us a type, a condition, materials, the seamed roofs, the hardy board, all of the nice attractive things, and some of those elevations that they provided, but then they don't actually intend

to build it, then, then Brian, I would tell you that we're going to work diligently to make sure that the project at the Planning Commission level substantially conform to what you've presented, because quality, quality as you I'm sure know as a developer, right, it varies greatly. We look at the Davidson Cal West project down El Camino Real towards Manchester, I think it's called Berryman Canyon, and you look at the new Fox Point project that just got approved, that has the agricultural component to the development that's really in tune with the, you know, the social level of Encinitas. And then you see all the projects that were built off of Requeza, which are an inferior product, right, no matter how they were designed. And so, quality - I don't debate the merits that you're going to be able to build homes - I don't know that you'll be able to build the density that AB 2345, but I also agree that there's only 1 to 3 homes in question that you're trying to overreach on. So it's going to be a matter of quality for us. And, you know, I speak not only personally, but I speak on behalf of 16 homeowners here in our association, and we're going to be very diligent about making sure that the substantial conformance is going to comply with what you're presenting, and that's going to be a question of quality, beyond just the developer side. So if it is going to go to the highest bidder, we're not going, we're not going to value and engineer this back down to a thing that doesn't even come close to fitting in with the neighborhood.

1:25:38 [Community Member] -- Well, yeah, and we're not there yet, because I would say density is very much in question, here, because --

1:25:44 [Community Member] -- Yes.

1:25:45 [Community Member] -- I would say, back at you on this. From gross, we're going back to net, I would think, and I don't think AB 2345 should apply here at all, and much of it is in question. I don't think this density is going to fly, even if the city wants it.

1:26:02 [Community Member] -- I agree.

1:26:03 [Brian Staver] -- To address Andrew's question real briefly, maybe others on the call here: Once these plans are approved, whether we were to build it or another builder was to build it, there is this thing called substantial conformance, so it would have to go back through a discretionary process if someone wanted to meaningfully change the plans.

1:26:26 [Community Member] -- Because I'll tell you some of these projects that they're building look like crap. They've got around here, I mean the issue of, how do you think --

1:26:35 [Tyler Lawson] -- Okay, it looks like there's another question. Judith, about bike safety, need bike lanes, it's already unsafe, someone's going to get killed, someone's going to get killed with that much traffic - I've already written down a couple of notes here about that, I'm going to have the traffic engineer look at that, and then that's something that we'll take in internal.

1:26:56: [Community Member] -- Will all utilities be underground?

1:26:59 [Tyler Lawson] -- Yeah, all new utilities will be underground, correct. We're required to do that, and there will be no new above ground utilities.

Will you include access to the middle school from the site like the homes from Witham Road did? It doesn't currently, and I don't know that that's anything that we've ever discussed before, but that's

something we can discuss, Brian Staver, and I suppose, there's no, right now, that I know of, specific reason why we couldn't. I'd have to look at that though. Brian do you have any thoughts on that?

1:27:36 [Brian Staver] -- I think this would be one of the comments where it's helpful to collect these comments, and we'll review them and respond.

1:27:42 [Community Member] -- Is there any plans to open up Oceanic to help out with traffic?

1:27:51 [Brian Staver] -- I can state that we don't have any control over any of the proposals being discussed for Oceanic or Wotan, for example. All of this will go, all the comments we're receiving on this will go into a report that the staff will review, and city planning commission will review, but I'm not, I have no influence, I don't believe, on Oceanic, for example.

1:28:22 [Community Member] -- Oceanic is a private road, the people that live on Oceanic maintain it. So, people may not know that in the neighborhood.

1:28:32 [Community Member] -- No, we didn't

1:28:34 [Community Member] -- We didn't know that. Is there a possibility that Melba will be widened from Balour west, or east along [indecipherable] matches up with Melba going west to [indecipherable] increased traffic?

1:28:56 [Tyler Lawson] -- I don't know of any plans to do that, to widen that.

Traffic report is, another question on traffic report, I think we've discussed that.

Looks like another comment about preserving trees. Taking that into consideration.

Let's see here, looking for more questions here. Another question about trees, the ADUs, these don't look like questions to me.

Question from Sally at 6:36 asking about, biology reports indicate that only animals observed were lizards and house finch. She's asking to provide photos of birds. I don't have any information, Brian Staver, if you have information about the way they collected that report --

1:29:50 [Brian Staver] -- I believe Sally's requested a copy of that report, which she has now, and it's, it's with the city to be reviewed as well, so anyone, you know --

1:30:00 [Tyler Lawson] -- Okay. Another question about who's the contact person with the City, so our planner's been assigned, it's J, J. Dichoso is the assigned planner from what we understand but anybody in the planning department should be able to provide information or at least direct you to someone who can.

There's another question about the storm drain, which I think we've addressed.

And then Bryan Knapp, if you have any questions you can point me to. I'm trying to go here in order but I'm still, my screen's still showing 300, so.

1:30:39 [Community Member] -- I just wanted to let everyone know that J Dischoso did say to me that they can't really provide information until they've finished reviewing it. So I guess, they haven't finished reviewing it, is what I gathered. Just throwing that out there.

1:30:56 [Community Member] -- I'd like to make a comment. In case you're not aware of it, on Balour, balustrades have been installed up along the east side of Balour for the middle school bike riders that are going there because the traffic, which is speed limited to 30 miles an hour, is fast enough such that those kids have to have a protected lane. Now I don't know what the speed limit is on Melba, but I've seen people doing 40 miles an hour down Melba, a lot, okay?

1:31:37 [Community Member] -- I don't know, there's always somebody on it. You know, they say traffic is backed up --

1:31:41 [Brian Staver] -- What's being proposed is a street width and detail that will look similar to near Bethlehem Church and Bluejack in terms of the Melba frontage, in terms of width and sidewalk.

1:31:58 [Community Member] -- But only where the property meets Melba, you're only talking about a small portion of Melba conforming to, the portion from your property to the corner of Balour. Which is about as minimum of a thing that could be done.

1:32:24 [Community Member] -- No it's back to Crest that has no sidewalks. The sidewalks start at this Bluejack.

1:32:35 [Community Member] -- The problem here is just 30 houses is too many to dump onto Melba. There's just nothing we can do about that. And --

1:32:46 [Community Member] -- Agree.

1:32:47 [Community Member] -- Never give up.

1:32:49 [Brian Staver] -- Because this is, what's been proposed is what's on the plans, it's certainly the time to send comments and we will, ah, you know, we'll be collecting those and compiling them for the city to review and ourselves to review.

1:33:03 [Community Member] -- He can't widen it [indecipherable] sheriff's station.

1:33:12 [Tyler Lawson] -- Yeah sorry guys. I'm trying to sift through some of these questions, some of these comments, and see if there's any that we haven't addressed that we can dive into here. Bear with me, there's still have 300 something here. And so if, Bryan Knapp, if there's any again that you can see here and jump in and address please, please do that.

1:33:40 [Community Member] -- Will we get another opportunity such as this once all this information is collected and you're informed of more details?

1:33:52 [Tyler Lawson] -- Brian Staver, do you want to address that?

1:33:54 **[Brian Staver]** -- Yes, it's a great question. I think we'll probably see how it plays out. I think my expectation is that if the project changes meaningfully, we'll be letting everyone know. And, there certainly is then, this is sort of the applicant-led part of the process, it then goes into the very formal Planning Commission part of the process later, pending initial comments and the back and forth with the staff up front on design. So I wouldn't want to promise it, but it wouldn't surprise me if we have another CPP, but there's none planned at the moment.

1:34:37 **[Community Member]** -- I don't understand why we're talking so much about design and houses when we're really the most concerned about the density of the houses.

1:34:44 **[Community Member]** -- Yes.

1:34:45 **[Community Member]** --Yeah.

1:34:47 **[Community Member]** --Yeah.

[Crosstalk]

1:34:52 **[Community Member]** -- Talk more about the density.

1:34:54 **[Community Member]** -- Density is the issue.

1:34:55 **[Brian Staver]** -- We hear, we hear you, so again, there will be --

1:35:00 **[Community Member]** -- Your development, it needs to spill out to Encinitas Boulevard, not to, with Melba.

1:35:05 **[Community Member]** -- That'd be good.

1:35:09 **[Brian Staver]** -- I think what I, we've certainly had enough comments that it will be redundant to get more of them, but anyone's welcome to send these comments, and we will include them and they will be --

1:35:22 **[Community Member]** -- Tell us again, where do we send them?

1:35:24 **[Brian Staver]** -- To my email address, to Bryan Knapp's email address, we've tried to outline a comment card format to make it easy for people to submit comments.

1:35:35 **[Community Member]** -- Well this meeting, this meeting is a pretty clear format and you got the message, and so, message sent.

1:35:46 **[Community Member]** -- Can I ask just a real quick question? After you've heard all the comments from all the neighbors, are you inclined to actually take some of these into consideration to try to make some redesign efforts to the project, so for example, the retention basin that is going to be on Melba that wipes out all of the trees could be redesigned at least to screen the development from Melba, you could replace trees in that portion of the project, there are things like that, things you're willing to consider?

1:36:30 [Brian Staver] -- Hello Ross, I think I have an email from you as well, all of this is, we haven't started work as we're gathering this, but we will be compiling a long list of comments that we've received from the community and also we've just come up with for other reasons that we think we want to examine. I don't want to prejudge it, is what I'm saying. But we are hearing --

1:36:56 [Community Member] -- The real question that I have is, in projects like this, at least in my experience, when the developer realizes there is opposition to the project, they usually will sit down and try to address those in some meaningful way. There is 30 pounds of houses here in a 20 pound bag, and there's some things you could do to mitigate this, and maybe do smaller houses or smaller lots, but the landscaping obviously a big issue as well as traffic. So will you, are you open to discussing this and making changes, is the big question? And it's a simple yes or no, I mean, it just, it's done all the time, but maybe you're not able to do that.

1:37:45 [Brian Staver] -- What I'm attempting to communicate is that we will be recording and compiling all this feedback and looking at it. But I [indecipherable] prejudge any of this.

1:37:57 [Community Member] -- Yeah, okay.

1:37:59 [Brian Staver] -- It is, let me leave it there.

1:38:05 [Community Member] -- Okay, but just one last thing, in my letter to you, I did introduce the idea of value and pride in the development, and you can take that comment for what it is, but I think it's important to consider that as well in the development, so, hopefully something will happen, thank you.

1:38:21 [Community Member] -- And how it blends with the surrounding area.

1:38:25 [Community Member] -- Yep.

1:38:31 [Community Member] -- So, there are a lot of waivers that you guys are requesting, and then there are also what's called incentives, and those, there's limits on those. Is it true that there are no limits on waivers you can request, in this density bonus?

1:38:47 [Tyler Lawson] -- Waivers under state density bonus law are, are unlimited. Waivers are tied to physical preclusion of the project that's proposed by the applicant. Incentives or concessions, which are used interchangeably, they're synonymous I should say, those are limited, and in this case, as we've calculated it today, the project's entitled to three concessions or incentives. So yes.

1:39:17 [Community Member] -- Okay, and is it true that, if there's a danger or environmental issues, that waivers can be denied?

1:39:29 [Tyler Lawson] -- Yeah, there are findings that have to be made to deny a waiver, and to deny a density bonus project, that's correct.

1:39:39 [Community Member] -- Findings, would those --

1:39:42 [Tyler Lawson] -- Yeah, there's three findings, and I don't have the law in front of me, but there are, I'm going to list, not verbatim, but essentially health and safety, I believe it violates some sort of federal law, state and federal law, and I think another one potentially is historical. But, yeah, and again, I don't have the law right in front of me right now.

1:40:06 [Community Member] -- I think you're correct and I'm just wondering -- so, if people were able to prove such things like this is, you know, you're causing health and safety issues, environmental problem or, for instance, historic property, and it would have to be proved by somebody, so we'd have to hire someone to do a survey or something?

1:40:33 [Tyler Lawson] -- Yeah potentially, I don't know how the, yeah, the City would have to make those findings, in some way, those would have to be, they have to make the finding that one of those things is violated.

1:40:44 [Community Member] -- Okay, thank you.

1:40:47 [Tyler Lawson] -- And I, forgive me guys, I'm trying to keep up here, but I was kind of combing through some of these and there's a lot of comments, but I'm not seeing a whole lot of questions.

1:40:59 [Community Member] -- I had a question.

1:41:00 [Tyler Lawson] -- So I'm happy to, I guess, Brian Staver, or Stadler, do you want to open it up to questions? I still have, I'm still showing 300 --

1:41:09 [Community Member] -- Can you, can you hear me?

1:41:10 [Tyler Lawson] -- I can hear Andrew, yes.

1:41:13 [Community Member] -- On 19, you're showing a 4-foot-wide BMP access path. Can you explain that?

1:41:21 [Tyler Lawson] -- Yeah, so we provide some sort of access to the BMP so that, in the future, if they need to be maintained or the, somebody needs to come in and replant them or amend the soil or do something like that, there's some sort of physical access for people to get back there and maintain them.

1:41:41 [Community Member] -- But on that property, on Lot 19, that's within their setback, so is that private or public property, or public access?

1:41:51 [Tyler Lawson] -- It's private property, and it would have an access easement granted to the HOA most likely --

1:41:57 [Community Member] -- Okay --

1:41:57 [Tyler Lawson] -- so that they could have someone go back there and get to that BMP.

1:42:06 [Community Member] -- Given there were greenhouses back there, excuse me, given there were greenhouses back here on the property for several, several years, have there been any studies done on pesticides?

1:42:20 [Community Member] -- That's a good question.

1:42:22 [Brian Staver] -- Yes, there is a Phase 1 and a limited Phase 2 to look at soil. Those are, the second part of that is still being finalized. So we've submitted part of that to the city already and there's some additional soil testing taking place.

1:42:58 [Community Member] -- Brian?

1:42:58 [Brian Staver] -- Yes.

1:42:59 [Community Member] -- This is Cyé Waldman. I have a question, I would like to know what timescale you visualize here in terms of start and completion of construction, duration, and so on. Do you have any ideas what we're talking about here?

1:43:18 [Brian Staver] -- I think Tyler and Bryan Knapp will be able to help speak to the up front entitlement process, which is perhaps maybe 8 months until the Planning Commission hears the matters, so we really are early in the process. After that time it's maybe another two years until the homes are built and sold, and it wouldn't surprise me at all if it ended up being longer than that potentially.

1:43:47 [Community Member] -- Since everybody has been really concerned about the density, couldn't you consider having larger, more expensive homes? This is a prime piece of real estate, I think. That would be much better and going more with the character of the neighborhood. I think if we took an aerial view and we looked at the density you're proposing, it's way out of whack with the way the entire neighborhood is constructed.

1:44:23 [Community Member] -- Yes.

1:44:24 [Community Member] -- Yeah.

1:44:24 [Community Member] -- Yes.

1:44:26 [Community Member] -- Good comment.

[Crosstalk]

1:44:31 [Community Member] -- That's the whole -- He doesn't care, he doesn't live here.
[Indecipherable]

1:44:34 [Community Member] -- Yes.

1:44:35 [Community Member] -- So, of course he wants to put as many homes on there as he can.

1:44:39 [Community Member] -- No, but they could build houses that cost twice as much and put in half as many.

1:44:44 [Community Member] -- If he cared he would have done that already.

1:44:47 [Community Member] -- Right.

1:44:49 [Community Member] -- If you do the numbers, you'll make more money with more houses, even though they're a little bit smaller, and you put some two stories and they get pretty big anyway, but it's double the density of Bluejack and Scarlet. Double.

1:45:00 [Community Member] -- And three times --

1:45:03 [Community Member] -- I guarantee you at the end of all [indecipherable] be repaying the Stabler family.

1:45:10 [Community Member] -- Why did you decide to go with very low income versus low income?

1:45:14 [Community Member] -- And you know, it would be nice to hear from you when we make these comments. I mean, I think that's why you're on this call. You know, everybody here does seem a little bit, you know, perturbed, that it's all about money. And, you know, I'm a person of some wealth and I work with people of wealth, and, um, for people that I work with and for myself it is not all about more and more money. There are some things that are important as well. And, so we want to hear your reply to our concerns about it does seem to be about making money.

1:45:54 [Community Member] -- Won't say a word. We're going to review all the comments, and bull crap.

1:46:00 [Brian Staver] -- I know this is a little redundant, I've heard everyone, and it is coming through loud and clear that there is concerns about the density. And that no matter how many homes, the number of homes will impact traffic. I don't think that the visual effect or some other effects would be apparent from Melba if it was less dense or more dense. The traffic is clearly related to density. So, you're right, if there were more homes, if there was fewer homes, they'd be a higher price point, and if there's more homes, they're a lower price point.

1:46:41 [Community Member] -- But bigger homes would mean less density, less traffic, less cars. And create a neighborhood as the neighborhood is now. You want to come in and totally change the complexity of the neighborhood, and piggybacking off of Ross, I just hope that your family as a whole considers the safety, as well as what the density would mean in terms of this neighborhood. You want to just leave and get your money, and that's fine, but, at the cost of an entire neighborhood. And I don't get a feeling from you that you have, you've had -- I've moved here in 2016, this has been talked about since then, so you have had more than enough time to figure some of these things out, and it's as if you haven't paid any respect to what the neighbors think.

1:47:50 [Community Member] -- Yes.

1:47:52 [Community Member] -- Thank you for speaking for me, and my wife.

1:47:56 [Community Member] -- And our lots are bigger. A lot of us have third acre, half acre, acre lots. You know, this is old Encinitas, it's not really this high-density area, that's, and you could do bigger houses on bigger lots, and you'd make everybody a lot happier and hey, you'd probably make as much money, I don't know, if it's all about money, you could make that.

1:48:18 [Brian Staver] -- Just to clarify: nothing's been considered since the maybe the earliest of some point maybe mid-2019, and this is the first time we've gone -- we've met with some of the immediate neighbors sooner, but this is the first time we're meeting more broadly with neighbors.

1:48:36 [Community Member] -- Well, I hope you're listening to us. That's all I can say, I mean, I hope you are.

1:48:43 [Brian Staver] -- All the feedback is appreciated.

1:48:45 [Community Member] -- Can I ask you a quick technical question?

1:48:48 [Brian Staver] -- Yes

1:48:48 [Community Member] -- Maybe it's for Bryan Knapp. I don't know, Bryan what are you, are you one of the engineers, from Pasco?

1:48:57 [Bryan Knapp] -- Yes, correct.

1:48:58 [Community Member] -- Okay, good. Can you give me share? Or do I have screen share? It's Rich Wargo.

1:49:07 [Bryan Knapp] -- Yeah let's see, let's see, hold on.

1:49:09 [Community Member] -- Because it will be easier that way. I can say, oh go to sheet 4 whenever --

1:49:12 [Community Member] -- I see, I see you Richard. You're on share.

1:49:15 [Community Member] -- But can I share my screen? Oh you've disabled it, okay.

1:49:25 [Community Member] -- Fewer houses, you guys would have there be higher property values for all of us. More houses, are going to have the value be lower in comparison to the opportunity right now to have there be fewer homes, which are in keeping with what we have going on here already, so, I'd like it to have it be lower density housing.

1:49:49 [Community Member] -- Bryan, can you allow me screen sharing momentarily?

1:49:54 [Bryan Knapp] -- Yeah, did that all work? Let's see.

1:49:57 [Community Member] -- No. Sorry to take up everybody's time, just to be quick.

1:50:02 [Tyler Lawson] -- While we're waiting, I forget, I'm sorry, I don't remember your name, the couple, you're in the upper right of my screen but I don't know your name. You had a question earlier but I want to make sure I get to it if we didn't already discuss it.

1:50:18 [Brian Staver] -- There's a question about 5-foot setbacks, Tyler, that you were planning to get to.

1:50:22 [Tyler Lawson] -- Is that what it--

1:50:23 [Brian Staver] -- Yep.

1:50:25 [Tyler Lawson] -- Okay. Could you, can you restate your question? It says, it says Eleanor on my screen but there's two people in the picture. It was the gentleman with glasses, yeah -- What was your question again?

1:50:41 [Community Member] -- Rich?

1:50:42 [Community Member] -- Yep, I've got it. I've got screenshare here. Let me show you --

1:50:46 [Tyler Lawson] -- Okay, we'll do Rich then if he's --

1:50:50 [Community Member] -- Do you see your civil tentative map. Sheet 4 here.

1:50:56 [Tyler Lawson] -- Yeah, we see it.

1:50:58 [Community Member] -- Okay, okay. You may have answered this question, I had to leave the meeting momentarily, but it's about where you're undergrounding the electric utilities from. Is it from this pole?

1:51:09 [Tyler Lawson] -- We lost --

1:51:10 [Community Member] -- That is indicated by

1:51:11 [Community Member] -- We lost your image --

1:51:11 [Community Member] -- We lost the screen --

1:51:12 [Tyler Lawson] -- We see, we see your background now.

1:51:16 [Community Member] -- Do you see the screen share though?

1:51:19 [Community Members] -- No.

1:51:23 [Tyler Lawson] -- We had it.

1:51:25 [Community Member] -- We're looking at email now.

1:51:28 [Community Member] -- Not my email, ha ha. I don't know who's getting hacked by someone, probably. I don't know who these people are.

1:51:36 [Community Members] -- [laughing]

1:51:40 [Community Member] -- and Dick got your screen share up

1:51:43 [Community Member] -- It's a --

1:51:45 [Brian Staver] -- Richard, I think I can follow, I think I can follow your question. The pole that we'd be pulling --

1:51:53 [Community Member] -- Yeah, undergrounding your utilities

1:51:54 [Brian Staver] -- Utilities would be the one that's more or less across the street, on the south side across the street from the driveway to 1210 Melba.

1:52:02 [Community Member] -- Right, so, it's a little bit off the southwest corner of your, of the center line of the property, it's a little bit west of the property, correct?

1:52:14 [Brian Staver] -- Correct.

1:52:15 [Community Member] -- Yeah and it's, so it's, it goes, it's a vertical drop there, similar to the one that's on the corner of Balour and Melba, and then you underground across the street and probably up to where the rest of your utility right of way, your utilities since you're going up the street, is that correct?

1:52:32 [Brian Staver] -- That's, that's what's in the works, correct.

1:52:35 [Community Member] -- Okay.

1:52:36 [Brian Staver] -- It hasn't been designed yet, but that's what --

1:52:40 [Community Member] -- But that's what you're proposing with all this. Okay. Alright, just wanted to get that confirmed and on the record. Thank you.

1:52:45 [Community Member] -- Hey, I wanted to interject, because somebody earlier had a question about the density or how many homes would end up if you went to net versus gross. And I estimated, but, originally when we had a conversation Brian you did say that, actually, you could only fit 15 houses on this property if it were R3, if you were going by those 14,500 square foot lots. So that would be 15. So with the density bump, you know, even if it was by the 50%, you'd end up with 22.5 homes, I know you can't do .5. If it was a 35% density bonus, you'd have about 20 homes. So, it's well, 10 under what you're proposing. So, is that something that might happen if the City comes back and says, no, you gotta do net?

1:53:42 [Brian Staver] -- I think there's a couple calculations there that are getting commingled. There's just pure R3, which is perhaps the 15, 16 units and certain very specific lot geometry. There's R3 with density bonus on net acreage, which is the Ordinance 2020-09 that's been referenced. And that would be, those numbers would be well in excess of 20 units still. Not well but, in excess --

1:54:13 [Community Member] -- Yeah, 20 units, that's approximately 20 units.

1:54:16 [Brian Staver] -- Well no, it wouldn't have anything to do with the 15 or 16 units, it'd be just calculated slightly differently, is what I'm saying.

1:54:25 [Community Member] -- Mm hmm. That's how you're doing it. That's your math.

1:54:31 [Brian Staver] -- It'd -- there'd -- Yeah.

1:54:33 [Community Member] -- So you're doubling what would normally be allowed. You're saying you're counting for 100% over allotment on density?

1:54:42 [Brian Staver] -- So, there's really 3 maybe ways people are thinking about it in our local community, which is: R3, R3 with density bonus on net acreage, and R3 with density bonus on gross acreage. And, the, there's a lot of reasons why getting a project approved at R3 is harder than any of the two density bonus permutations, which is kind of a perverse incentive, but that is the way the rules are written. This whole process would be even harder with just regular R3, but all that said there's a lot of choices that the applicant is making as well, so I'm not trying to minimize that either.

1:55:33 [Community Member] -- I have a question. Are the bioremediation areas required by law?

1:55:40 [Community Member] -- Yes.

1:55:42 [Tyler Lawson] -- Yeah, the state, correct, the state of California, and it gets pushed down to different regions, so we're Region 9, the City is, it's called a copermittee, there's requirements to treat runoff and there's requirements to mitigate post-development, excuse me, mitigate peak run-off. So yes, they're required.

1:56:06 [Community Member] -- And who is responsible for maintaining those over the long run. It seems to me it would be very easy for any kind of exit pipes to get fouled and have these things run over, overflow, and cause all kinds of havoc.

1:56:32 [Tyler Lawson] -- Yeah, so the HOA, typically an HOA is in charge of this, they're required to do it. So, one thing, this would be considered what's called a priority development project, and so, in most jurisdictions, but especially in the city of Encinitas, priority development projects also are required to record stormwater maintenance agreements, and that runs with the land in perpetuity, it can never be, it can never be removed unless they went back and, you know, redeveloped it or something, but it basically runs with the land forever. And what's in that agreement is that, one, the BMPs are subject to inspection by the City, so the City inventories these and they go out and they can inspect these -- I don't know the frequency, it might be annually or semi-annually -- so, they, one, come out and inspect them. Two, there's maintenance requirements that go along with it. So the HOA, the homeowners, are on the hook -- they must maintain these, and if something is visibly deficient or, in this case, since you live next door, if you saw something that was deficient, you could alert the HOA or the city to this. And they are required, they are obligated, to correct it. So the situation you just outlined, if you knew that, saw that, there is absolutely a mechanism in place for you to report that.

1:57:43 [Community Member] -- But, hypothetically if two years after this was installed, if that overflowed, and flowed onto my property, causing various kinds of damage, who's responsible for that? How do I get compensated for that? Do I have to go through an HOA? Do, am I going to be stuck with the responsibility of following through and creating lawsuits and so on?

1:58:17 [Tyler Lawson] -- Yeah, I mean, that question's a little bit beyond my expertise here, but, I mean, yeah, definitely, if you had water that came onto your property from a failure of some upstream drainage, I mean, I would think you'd have some sort of legal issue there.

1:58:34 [Community Member] -- I just want to, can I just interject, I was just wondering, I wonder if those bio swails or bioretention basins could be, more of them and smaller so that certain areas aren't so inundated. I wonder if that's something that you could think about. I do know that they seep, they make water seep for a way longer time, and that can come out into people's yards. But I wonder if spreading these out over the property would make more sense for neighbors.

1:59:02 [Tyler Lawson] -- Yeah, and that's something Jennifer we can take a look at. I can tell you though that the city of Encinitas, they like, they like typically as few as possible. I mean, they view them as, it's easier to maintain two or three versus you know, ten, let's say, And I can tell you just from firsthand experience, when these things first became requirements, I worked on a project where individuals put them in their yards, they wanted to basically be responsible for their own, and it was, I can tell you, practically speaking, it didn't go very well because homeowners, frankly, which I understand as a homeowner myself, you know, it's hard to maintain, it can be expensive, it's inefficient to maintain just one, it makes a lot of sense to have an HOA -- But to your point Jennifer, we can look at if there's other locations that make sense that help kind of alleviate, like to Cye's point about the amount of water that he thinks is coming into his property. We can definitely look at that and take that into consideration.

1:59:59 [Community Member] -- Thank you.

1:59:59 [Community Member] -- I have a question in regard to the basins. Are these open basins, where water is standing still for long periods of time, so it's not a closed basin? It's an open basin which could potentially bring in mosquitos and other --

2:00:20 [Community Member] -- Yeah.

2:00:21 [Tyler Lawson] -- Bryan, Bryan Knapp, can you pull up the detail while I'm, I'll try to walk Terri through this real quick, but if you could pull that up I think a picture's worth a thousand words. So, yeah Terri, generally, I'll show you the detail in a minute, the way it's designed is, you know, surface runoff comes in whether it's from roofs, driveways, the road, et cetera, comes in to the top of this, and there's an engineered, so yeah, there you go, so there's a ponding layer to it, water basically comes in, it fills up a little bit, and that next layer down, it's called engineered soil, it's essentially a certain mix of soil that has a percentage of organics and it's supposed to encourage plant growth. And so, the science behind it says that the plant growth in there, you know, helps filter the water, it takes out nutrients and some other things like that, and then there's the layer down below it that has this gravel storage layer, so water that, you know, is filtered, you know, percolates through this typically 18 inches but in some cases it's a little bit thicker, percolates through that, gets into some sort of drain pipe and gets out. Some basins are lined, depending on soil conditions, and some are unlined. So, um, Terri, you might be referring to some basins are unlined if there's good soil underneath it and it drains within a certain inches per hour. And all that's

regulated, it's in the City's, they have a BMP design manual. We don't, we PLSA, we don't have any control over those standards, those are set forth, they are pushed down essentially from the copermittees and the city, right. So we don't control those parameters. But, it's open, and it does have draw down time, so vector issues, mosquito problems, those are baked into this, and so it has performance requirements where it has to be able to draw down within a certain time frame.

2:02:02 [Community Member] -- Thank you for explaining that. There is one now at Oak Crest, so we do actually have one behind our property. It is on the junior high site. It was behind my house and now they have moved it onto Oak Crest property, but that is also a large basin that we're dealing with, a few that'll be behind our homes. It's not just one, we're talking about 3 or 4 now which could potentially create more mosquitoes, problems with still water, smell, what not.

2:02:41 [Tyler Lawson] -- Yeah, actually, I actually walked that one with the city engineer recently, I say recently, it was I think before the holidays -- but I walked the one that you're referring to on the school site and looked at it and if I'm not mistaken, that one actually has a hardline connection out to the storm drain that's in your, you're there on Witham, right?

2:02:58 [Community Member] -- Yep.

2:02:58 [Tyler Lawson] -- I think it comes through one of those properties, I forget which one, so, that's a situation where - I forget who made the point earlier - there is storm drain infrastructure that they're able to tie into on that. So, but yeah, this is, Terri, this is definitely something that is, it's not new in our industry, but it's definitely becoming more and more of a -- you know, we all care about clean water, right, some of us surf, some of us, I have kids, we go to the beach. These are all intended to clean that water and try to, you know, ensure that hopefully what leaves the site is cleaner than what it would have been in the old days, right, just all the water from your driveway and your brake dust, and your cars, and all that stuff, just oil spills out and goes right to the beach and these are intended to help mitigate some of that.

2:03:45 [Community Member] -- It does mitigate, but what about the - we're talking about, I know that they base it on, engineering bases it on 100 year rains, but it doesn't stop the flow of water that'll be spilling over onto the roads. It's cleaner, but it still has the water that will flow into the street --

2:04:09 [Tyler Lawson] -- Yeah --

2:04:10 [Community Member] -- So, is there any way to curtail that water so it doesn't flow into the streets? That's where, earlier I had posed the question, is there any way to hardline it to sewage lines, as opposed to out onto streets and then going into the sewage?

2:04:29 [Tyler Lawson] -- Yeah, so, to answer that last question, no. That's a big no-no. We cannot discharge these into sewer lines. But, you know, there's really two components when we talk about stormwater. I'm sorry - Sorry, I've got a, I've got a kid here who wants to go to sleep soon. Yeah, sorry, there's two components, one is the cleaning element, which these do, and then the other one is what I was referring to earlier as detention, so there's, it detains the water and slows it down. And so there's something in our industry too, you know, that's kind of a no-no, is we don't like to divert runoff, right? If water's historically gone to one direction or another, it's not really, I don't want to use the word fair, but we can't really take the water that's all going to one home and then take it away from that home and then

direct it all at a different home or in a different direction, right, so we're trying to respect the current historical drainage patterns right now, and all we can really do is mitigate to ensure that what's leaving the site after we're done with the development is at least at or below what's there today. But I can't take it and just move it to somewhere else. And like I said there's no infrastructure --

2:05:39 [Community Member] -- I'm going to interject, I'm sorry, I want to just interject really briefly, and I respect what you're saying completely, and another helpful aspect would be, if the houses were smaller, there's less concrete, there was more open space, you could have a beautiful area within your property for the people who live there, and that would also help with the amount of runoff, which -- You know, we love our water soaking in and going into our water table and ending up recycling, so more open space, less concrete, that would be, you know, smaller homes. Much more efficient. And fewer homes, of course, as we've all said. Thank you so much.

2:06:18 [Community Member] -- Excuse me, can I speak? Hello? You have two more homes added to drain out onto Island View Lane, so you're not following the patterns that were there originally. You've added to the Island View Lane drainage. There's 4 homes that you have planned with water down here.

2:06:44 [Tyler Lawson] -- Yeah well it's, yeah so, yeah I mean the home count obviously is increasing, so when I'm talking about trying to match historical conditions what I'm saying is there's topography, right, so there's a ridgeline, let's call it roughly in line with the road, where some of the water goes right, some of it goes left, right? Some goes east, some goes west, and so we're trying to mimic those, and of course we're adding more homes, in each and every one of those basins, right, the homes [indiscipherable] that's going to the west is also getting more homes, so--

2:07:15 [Community Member] -- No, but these homes are off to the side and they should be draining towards Melba and not towards Island View Lane. The two of them, the two extra ones.

2:07:29 [Community Member] -- Lots 9 and 10.

2:07:31 [Brian Staver] -- Right, just to hop in here, Pamela and Cy I believe I understand your concern, and I have started to discuss this. I know Bryan Knapp and I have started to comment on how this -- so, I think maybe Tyler's not fully caught up on some of this preliminary list making we're doing to take this feedback we're getting and make a plan for working on it.

2:07:56 [Community Member] -- We're also on Ahlrich and we're 15 feet below the property and there's no swale plan for behind us, you're only going to address the surface water. We already have flooding; everyone on our cul de sac gets flooding yearly, and we can't keep up with this water. Now we have irrigation from multiple homes in our backyard and you've only addressed -- we need to address that groundwater. So I'm asking you that you have to address that groundwater. I know you said you were going to raise it two feet up and tilt it towards the street -- but that's surface water. And we are flooding here, yearly, so we have to address this.

2:08:39 [Community Member] -- Lori, it's the same on Island View. It's like, it's like Encinitas Boulevard, it's like -- we're at the top of Encinitas Boulevard and everything, it's like, if you've ever been in a storm trying to drive up there, you know, it's like driving up a waterfall.

2:08:54 [Community Member] -- Well people on Melba have the same problem. Because Stavers is along the ridgeline, and everything is not going to go towards Melba or towards the back swail, it's going to east and west also, and you have not allotted any swails for east and west. You're going to try to tilt properties, but it's not going to happen, we're going to deal with the groundwater, this needs to be addressed. We need more of them, smaller, we need these homes to have to collections. So I just hope that this is addressed also.

2:09:31 [Brian Staver] -- Perfect, I think this is a type of question where it's noted, and with the help of civil engineer and geotechnical consultants and anyone else we may need to talk to, we will be looking at these concerns.

2:09:44 [Community Member] -- Thank you, I appreciate that.

2:09:48 [Community Member] -- It's all brought about by the high density of proposing 30 houses on 6.67 acres. When you could build 14 houses with near half acre lots, beautiful houses, that are consistent with the neighborhood in size, and sell them each for 3 million dollars and have 42 million dollars. Or you could build 30 houses, and sell them for one and a quarter million, and have even less money. Or, at some point maybe it's a wash, maybe it's close, maybe it's just you make a little more money, but the one way with building the high density thing is we have a lot of people upset in this neighborhood where you're going to do it, and I think you have every right to build buildings on the property, but 30 houses is just too many --

2:10:46 [Community Member] -- Way too many.

2:10:48 -- [Community Member] -- Maybe you build, maybe after we're all done with everybody saying their piece it's going to become 24 houses, now it's even harder to justify. And, anyway, I'm voting that you take the option of making 14 nice houses that blends with the neighborhood, doesn't over impact Melba, and everybody on this Zoom call is somewhat satisfied, and I think that the developer and you, Brian, could be as well satisfied. That's what I think.

2:11:24 [Community Member] -- Stavers has a beautiful ridgeline, that whole property along there has beautiful front ocean views, back country views, you're going to split these houses with no views with runoff -- Why are you, why do we have to pack them in? This could be a beautiful neighborhood. That's a gorgeous piece of property, we're here 27 years, we've admired that piece of property. We're friends with the Stavers, that property is gorgeous, I don't think the family intended it to be packed with 30 houses. I think it was intended by - I don't know - But by the, we've talked with other Stavers that have lived there. It was intended to be beautiful for the neighborhood. It's a gorgeous piece of property and you're just ruining it --

2:12:08 [Community Member] -- Ruining it.

2:12:09 [Community Member] -- And I can't stand that.

2:12:11 [Community Member] -- Very well said.

2:12:12 [Community Member] -- Well said.

2:12:12 [Community Member] -- Well said.

2:12:15 [Community Member] -- [indecipherable] surrounding neighborhoods.

2:12:18 [Brian Staver] -- So maybe we'll end it there. Everyone's kind of in agreement on that. I do sincerely appreciate the feedback and again if anyone wants to send a comment card those are easy to put into the record verbatim with your concerns. And all of this will be addressed over the coming, I don't know how many months, but many months. And again, thank you for all the feedback.

2:12:49 [Community Member] -- Well, may I suggest that, apparently after this discussion, a number of new questions will arise as we think about what we've heard this evening and I think you should definitely plan on having another group meeting soon.

2:13:07 [Community Member] -- Agreed.

2:13:10 [Community Member] -- Agreed.

[Crosstalk]

2:13:13 [Brian Staver] -- Make sure we have your emails if anyone's on here who we don't have your emails yet, and if we do have another meeting it will be easier for us to let everyone know.

2:13:21 [Community Member] -- Also I'd like to ask if we could all, if whoever is agreeable to share their email with the other people on the Zoom today if we could, that could be facilitated, that we could all share one another's emails.

2:13:37 [Community Member] -- Please. I would love to do that.

2:13:40 [Community Member] -- How would you like us to do that? Just put the email into the chat?

2:13:45 [Community Member] -- That's what I did.

[Crosstalk]

2:13:48 [Community Member] -- Brian will you share the chat with us, can you, after the Zoom call you have a record of the chat, could you share that?

2:13:59 [Community Member] -- Neighbors, this is Dave Dullaghan here on Ahlrich Avenue. I will compile a list of email addresses that are in the chat and send it out to everybody.

2:14:07 [Community Member] -- Bravo.

2:14:09 [Community Member] -- Thank you.

2:14:10 [Community Member] -- Wonderful.

2:14:13 [Community Member] -- Thank you all very much.

2:14:15 [Brian Staver] -- Thank you to everyone for your time tonight.

ATTACHMENT D
Log of Public Zoom Chat from the
February 8, 2021, CPP Meeting

LOG OF ZOOM CHAT PUBLIC TO ALL ATTENDEES

18:04:28	From Alan	robin and
18:05:13	From J&J	Jan & John on Oceanic here...
18:05:20	From Alan	robin and Alan Melba and Oceanic
18:06:00	From Nancy Spooner	Hello John and Jan! Oceanic representing!
18:06:11	From Susan Burns	susie & david burns on wotan
18:06:22	From Nancy Spooner	Hi Robin and Alan!
18:06:45	From Judy Wallace	Hello everyone. Judy Wallace on Melba Rd towards the end where it T-junctions with Regal.
18:07:28	From J&J	Yay! Walking School bus!!!!
18:07:46	From Wendy V Encinitas	Hi Everyone: Tom Rosenthal and Wendy 1010 Wotan
18:08:23	From Scout	wow! look at our neighborhood ❤️
18:09:12	From naimehtanha	Hello
18:09:40	From naimehtanha	This is Naimeh Woodward living on Melba Road .
18:13:16	From Travis	Travis Clarke - 219 Beechtree Dr Encinitas, CA 92024
18:13:22	From Karen ILL	Charles and Karen ILL
18:13:22	From steven gerken	What is the name of the project?
18:13:30	From Karen ILL	1098 Oceanic Dr
18:13:34	From Sally Jensen	sally and glenn jensen 1150 island view lane drsally@academiccoachingandwriting.org
18:13:52	From Erik Humphrey	Erik Humphrey 1034 San Andrade Dr. erikshumphrey@gmail.com
18:13:57	From cristinadrewelow	Cristina and Mark Drewelow
18:14:01	From David Dullaghan	David Dullaghan attending. dave.dullaghan@gmail.com. Live at 1207 Ahlrich Ave.
18:14:04	From cristinadrewelow	1217 Ahlrich ave
18:14:13	From Andrew Leland	Ben and Jaime Leland 1218 Ahlrich Ave
18:14:25	From Scout	scout Forsythe 1208 Ahlrich Ave. (born and raised)
18:14:26	From Karen ILL	Charles and Karen ILL
18:14:37	From Karen ILL	1098 Oceanic Dr.
18:14:39	From Judy Wallace	Judy Wallace, 568 Melba Rd
18:14:43	From Paula Rahn Court Reporter	Paula and Jeff Rahn, 1086 Crest
18:15:15	From kellie koenig - Crest Dr	Kellie & Michal Koenig 1324 Crest Dr. - son walking to school via Balour (previously at Ocean Knoll)
18:15:32	From Jessica Carilli	Are you calculating density based on net acreage as required by the City code and state law
18:15:42	From Marsha Hetrick	Why no sidewalks? Where is overflow parking? Where is visitor parking?
18:15:49	From Lori Forsythe	Bill and Lori Forsythe. 1208 Ahlrich Ave Candy Martinez. 1262 Melba

18:16:03	From Marsha Hetrick	What about all trees?
18:16:28	From steven gerken	Will the neighborhood have a sidewalk? If no, why not? Will it be on both sides of the street for the full length of the private drive? If no, why not? Where will bicycles ride?
18:16:33	From islandview	Beth Hagen 1130 Island View Lane bjtrhagen@att.net
18:16:46	From Marsha Hetrick	Why isn't there another exit/entrance?
18:17:12	From Marsha Hetrick	How are you mitigating traffic flow on Melba?
18:17:32	From Marsha Hetrick	You say there are no current houses on property, I think there are 4
18:17:42	From Terri	Terri McEldowney 240 Witham Road
18:17:54	From steven gerken	You said one side on-street parking is proposed. Where is the neighborhood overflow parking?
18:17:55	From Marsha Hetrick	Have you allowed any open space for pets, kids etc?
18:18:30	From Nancy Heldt	Nancy Heldt 1040 Crest Drive
18:18:46	From Shea Okeefe	at what stage is the CEQA process at this point?
18:19:19	From steven gerken	Your design vary the widths. But what about the depthsFrom the front street. Can you introduce horizontal relief on the front of buildings so it doesn't look like bunch of row houses lined up?
18:19:48	From Jessica Carilli	This will look exactly like every other density bonus project. Seriously please stop pretending that your home design is what we care about.
18:20:25	From Scout	AGREED!
18:20:31	From Susan Burns	I'm with dave!!
18:20:56	From David A	Ditto. Better to start with Q&A.
18:21:04	From cristinadrewelow	We don't need to see floor plans
18:21:18	From David A	we are not looking to buy....
18:21:24	From Scout	we want our questions answered please.
18:21:36	From Nancy Heldt	30 homes at least two cars per home if not more Fire hazard too much traffic, children, absolutely disregarding the neighborhood. This is a ridiculous amount of people that will affect our neighborhood's safety.
18:21:39	From Lori Forsythe	is this the design that is 10 feetFrom our yard with an upstairs patio looks right into our yard??
18:22:08	From cristinadrewelow	100 % should be one level
18:22:10	From Lori Forsythe	your addressing surface water not ground water for the people on the back side.
18:22:25	From andy	I think most us are here to discuss whether this will happen
18:22:49	From J&J	How do you getFrom R3 for 6.6 Acres = 20 homes to 30 homes?
18:22:54	From cristinadrewelow	Wasting our time with these plans
18:23:06	From Larnita Pette	can fire trucks, delivery trucks and cars pass on narrow road

18:23:13	From cristinadrewelow	What about the ground water on the houses on ahlrch
18:23:13	From Sally Jensen	don't you have to get the tentative map approved before the architectural review?
18:23:28	From J&J	Back to R3...
18:23:32	From Julia Drewelow	We really don't ned all this repetitive information. Let the people speak.
18:23:35	From Travis	All these plans show is how much money you are going to make on this project, which is all this is about for you guys. Lets talk about the people who are going to suffer as you get rich
18:23:38	From Jessica Carilli	what is the width of the private road? is there street parking?
18:23:44	From patriciavonderreith	Please address the space (distance) between the structures. Seems too tight.
18:23:48	From Shea Okeefe	he is a nice enough guy but we need to move past this
18:23:55	From Lori Forsythe	can't wait to look at that 2nd story in my backyard!!! 10 ft. ???
18:24:36	From Andrew Leland	agreed
18:25:04	From Lisa King	yes
18:25:05	From Bart Smith, AIA	yes
18:25:09	From Craig Tabor	Add me to the list
18:25:12	From kellie koenig - Crest Dr	yes. others need to mute
18:25:13	From Sally Jensen	can't we look at the "civil plans"
18:25:29	From Craig Tabor	Craig Tabor 923 bluejack road
18:25:30	From judith seid	MY QUESTION: HAS THERE BEEN A TRAFFIC STUDY ABOUT TRAFFIC ON MELBA?
18:25:52	From Andrew Leland	Per page 7-10 looking for elevation cut sheet for lot 18 please
18:26:09	From Wendy V Encinitas	Please take down the plans so we can see everyone.
18:26:31	From Doug & Danette	Doug and Danette Crowley 940 bluejack rd
18:26:49	From J&J	Parking on Melba? Really?
18:26:56	From Andrew Thompson	Thompson, 1106 Wotan
18:26:59	From kellie koenig - Crest Dr	Was there an environmental impact review? Traffic study? What is the current zoning and what exemptions are being sought?
18:27:00	From Sally Jensen	we would like to know the area of the road please
18:27:04	From judith seid	MY QUESTION: HOW MANY LOTS WOULD BE ALLOWED IF BASED ON NET ACREAGE INSTEAD OF GROSS ACREAGE?
18:27:20	From Casey	What's the starting price point for the homes?
18:27:28	From Kessler Richard	There's a total of 16 parking spaces on the street for 30 houses! Good luck on Super bowl Sunday after Covid....
18:28:01	From Travis	Will this project have an HOA?

18:29:09	From Julia Drewelow	Save the trees, protect wildlife. You are destroying the beautiful wildlife that flourishes in this neighborhood by building this massive housing development. It's sad.
18:29:46	From Travis	Agreed Julia - I would take my kids when they were young there to look for bunnies and owls.
18:29:52	From Andrew Leland	Will there be street lights??
18:30:04	From Scout	I agree with Julia, it's going to be so sad to watch our owls leave :(
18:30:30	From Bart Smith, AIA	Can the project be required to provide a signalized intersection at Crest/Santa Fe or Balour/Santa Fe?
18:31:04	From steven gerken	Don't forget to discuss sidewalks.
18:31:17	From naimehtanha	Has there been any traffic study to support the entry into Melba Road. Traffic is impossible as is right now.
18:31:18	From J&J	LCC school single access was a disaster during fire season!!!
18:31:35	From J&J	They had to add a 2nd egress
18:31:45	From Seth	How much drainage is going to be coming off the site to Island View Lane?
18:32:03	From Alan Watchorn and Robin Sales	We are very concerned. This is a safe route to school, has a bikeshare lane, many pedestrians. It's already dangerous to bike on this street
18:32:07	From Julia Drewelow	Requirements are the minimum standard... you NEED to work to a higher standard
18:32:12	From Lori Forsythe	30 ADU's
18:32:29	From David A	how many ADUs could be developed?
18:32:30	From Bart Smith, AIA	No parking req for ADUs
18:32:37	From Taylor Patton	-What are the qualifications for the three affordable homes? -If the project goes through, will the current renters that are on the property currently get first access to purchase?
18:32:40	From Dana Livingstone-Lopez	Four??
18:32:48	From Dana Livingstone-Lopez	I thought he said three just a minute ago
18:32:50	From Sally Jensen	Tell us more about the plans for sewers, drainage, and other utilities.
18:33:27	From Lori Forsythe	30 homes-----30 ADU's!!!
18:33:39	From brettiano	Brett & Kiki Tiano, 953 Doris Drive
18:33:45	From Julia Drewelow	was the traffic study done pre-COVID
18:33:52	From Anthony Kuhlmann	Marsha is asking many of the questions as others and doing so eloquently. Keep up with her questions.
18:33:54	From Andrew Leland	You do not need parking for adu if you live within 1/2 min of a bus stop
18:33:56	From Jessica Carilli	and was traffic done during school hours?

18:34:16	From Jennifer Hewitson	Jennifer Hewitson, Wotan Drive. This density is too high. Traffic study is invalid. There is no traffic during Covid. No way can you estimate without seeing how bad traffic is during school. 5 schools in neighborhood! Gross acreage does not apply here. Road sq. Footage must be removed 28 ft wide , x length and turn around, and any unbuildable land cannot be used in calculation. Net not Gross. Also AB2345 not applicable here. Density Bonus applies when you provide low income housing, you are actually removing low income homes. Net loss of 3 if you count your 6 homes on site and a destroyed beauty of landscape and overwhelmed neighborhood .
18:34:34	From J&J	Oceanic's ONLY exit is to Melba. When school is in session...it is VERY difficult to leave our street now.
18:34:35	From Judith Seid	QUESTION: WHAT ABOUT BIKE SAFETY ON MELBA? WE NEED A BIKE LANE, ITS ALREADY UNSAFE AND SOMEONE IS GONNA GET KILLED WITH THIS MUCH MORE TRAFFIC
18:34:49	From Steven Gerken	Will you include an access to the middle school from the site like the one from Witham Rd?
18:34:51	From Ann Dermody's iPad (2)	terrible legacy
18:35:02	From Suzie and Louie S	When was traffic report data collected. Schools not in session for past year. May not be accurate when schools are in.
18:35:07	From Julia Drewelow	The trees are sacred and need to be protected. Killing trees is killing Mother Earth
18:35:14	From Travis	And the church was closed!
18:35:15	From Erik Humphrey	Ouch ALL the Torrey Pines and other trees
18:35:21	From Jessica Carilli	How can you live with yourself taking down those trees? They are incredible gems. You should all be ashamed of yourselves, proposing this project. It's so offensive.
18:35:31	From Cristinadrewelow	Cutting all the trees is sick!!
18:35:34	From Julia Drewelow	Tree murders,, that's awful I can't believe you people.. so sick it disgusts me
18:36:13	From Julia Drewelow	Mother Earth will come for you one day
18:36:13	From Cristinadrewelow	30 ADUs !!! Up to 180 people and 120 cars on 6 acres with one road in and out
18:36:26	From Jessica Carilli	"The city" won't do anything
18:36:41	From Sally Jensen	The biology report indicates the only animals observed were a lizard and a house finch. Would you like us to provide hundreds of photos of various birds we have observed at this site?
18:36:57	From Naimehtanha	Who is your contact person at the City? Need to see their traffic report.
18:36:58	From Cristinadrewelow	No to ADUs

18:36:59	From andy	Can you please comment on where the storm drainage flowing according to your current plan
18:37:07	From Dana Livingstone-Lopez	This is so sad. I can't believe anyone would take out those trees.
18:37:11	From Sally Jensen	we are requesting a new traffic report post covid
18:37:29	From Ann Dermody's Ipad (2)	this plan does not represent Old Encinitas.
18:37:31	From Suzie and Louie S	3,280 students in 3 schools. Bike concerns. Speed bumps needed
18:37:55	From Ross's iPad Pro (2)	Why can you not provide new landscape to the Melba Edge?
18:37:58	From Jennifer Hewitson	This is a dangerous situation. No you do not know what the traffic is like backed up all the wayFrom Nardo to Crest. This is a totally invalid traffic study. You are OVREWHELMING the neighbor hood, and streets are full of kids when school is in.
18:38:08	From David Dullaghan	Question to Brian S: I have a large Torrey Pine that is 10 feet East of the proposed development. If this 100 foot tree falls over to the West it will crush one or more houses. Is there a requirement to handle any potential 'tree fall' area? The proposed homes behind us are approx 45 feetFrom the boundary.
18:38:12	From cristinadrewelow	There are owls, hawks, possums, raccoons, bobcats, coyotes, and several birds
18:38:29	From steven gerken	What improvements are proposed for Melba?
18:38:36	From cristinadrewelow	We know this because they come into our property on the east side
18:38:41	From Ross's iPad Pro (2)	The prime traffic load is at the time of school and is already a problem
18:38:42	From Doug & Danette	There has to be a reduction in the number of homes and there must be a second access, for everything to go through melba, traffic will be a nightmare
18:39:01	From Shea Okeefe	all this should be evaluated in the CEQA process, traffic is a huge issue on Melba already , especially during normal commute (not covid)
18:39:10	From cristinadrewelow	It takes
18:39:14	From Ross's iPad Pro (2)	Ditto to the traffic problem...it is way understated
18:39:19	From Nancy and Al Bsharah - Oceanic	There are others waiting to get in, please add them to the meeting.
18:39:46	From cristinadrewelow	Yes fireman Bill we agree with you
18:39:49	From Ross's iPad Pro (2)	What is the "affordability" of the three "affordable units"
18:39:50	From Larnita Pette	who maintains the private road...HOA or city?
18:40:00	From Doug & Danette	hoa
18:40:09	From Shea Okeefe	fireman bill is ON POINT!

18:40:27	From Ross's iPad Pro (2)	Are you open to reducing the total unit count?
18:40:28	From David A	we need to listen to Fireman Bill!!! He knows!
18:40:37	From Dana Livingstone-Lopez	Right on Bill!
18:40:50	From Judy Wallace	We've been trying (emphasis on "trying") to work with the city to put some speed bumps, like on Devonshire, or traffic calming devices like they've done on Rubenstein, and we get nothing but jerked around by the city. I have contacted the Sheriff's dep't to position a police officer to start handing out tickets. Nothing. MELBA = RACETRACK
18:41:23	From Ross's iPad Pro (2)	Ditto to the cycling...especially the children who now have access to electric bikes
18:42:12	From Dana Livingstone-Lopez	We can't get out of our driveway when school is in session either...Crest between Melba and Witham
18:42:24	From Ross's iPad Pro (2)	Traffic on Balour is worse than Melba in the AM
18:42:37	From J&J	We on Oceanic have no other way to get out!!!
18:42:50	From Jessica Carilli	what are you doing for soil testing where the greenhouses have been? Recall please that the "3rd interim guidance" that people like to follow is not applicable to this kind of site.
18:42:56	From Judy Wallace	I saw in an earlier slide presented tonight about some signaling device at Balour and Melba. If that means a traffic light -- forget it. That will make things worse with the back-ups
18:43:17	From steven gerken	Can you email me the traffic study please?
18:43:32	From kellie koenig - Crest Dr	I request the development team and the City distribute the traffic study to the larger neighborhood including all families of students at these schools and care facilities, and then schedule another public meeting and formal comment period.
18:43:42	From cristinadrewelow	We need to see the traffic report
18:43:49	From Seth	but aren't you planning on using Island View Lane for drainage purposes?
18:44:10	From Jessica Carilli	who is the planner?
18:44:24	From andy	Ple4ase set up a tie so we can review the information
18:44:31	From David A	stating the obvious, the developer here is going to run up against very widespread, vocal, and determined opposition to the scale and insensitivity of this design.
18:44:40	From Seth	sethmdoherty@gmail.co
18:44:42	From Kessler Richard	good point bs
18:45:01	From Adam Young	I agree with Travis
18:45:06	From Julia Drewelow	I with agree travis too
18:45:07	From Shea Okeefe	agree!!!!
18:45:08	From Alan Watchorn and Robin Sales	Robin Sales

18:45:17	From Ann Dermody's Ipad (2)	agree
18:45:21	From Scout	well said Travis!
18:45:26	From Alan Watchorn and Robin Sales	rsales728@gmaoi
18:45:28	From Doug & Danette	Well done travis
18:45:45	From Karen ILL	Great to exit to Encinitas Blvd but alsoFrom Island view to Balour is a great way to alleviate the problem.....buy the home thats in the way, and give access to Balour.
18:45:54	From Alan Watchorn and Robin Sales	rsales728@gmail.com
18:46:37	From Adam Young	I asked Brian Staver for the traffic report earlier this week and he said no.
18:46:37	From Arnie Lewin	Who is your traffic engineer?
18:46:42	From Ann Dermody's Ipad (2)	traffic and density
18:46:53	From Kessler Richard	terrible use of land
18:47:11	From Kessler Richard	bs
18:47:23	From kellie koenig - Crest Dr	Please describe the process and schedule.
18:47:39	From Kessler Richard	wildlife
18:47:45	From Larnita Pette	Crest residents were asking for a roundabout at crest and Santa Fe and having traveled down Santa Fe for 30 years and I often cut down Melba to access Santa Fe...So what happens if a roundabout goes in?
18:48:41	From andy	Have you considered a smaller development and including a park ?
18:48:46	From Jessica Carilli	You stated that the project was submitted prior to Net Acreage clarification for density bonus projects in Encinitas, but you also stated the project was just submitted January 11. The net acreage change to the municipal code was adopted 12/16/20. As you know, the reason this change to the municipal code was adopted was to ensure that state law is being followed. Therefore you must follow net acreage for your project.
18:48:50	From Marsha Hetrick	Can you reduce the density and still make money?
18:48:57	From Terri	What about drainage to sewer as opposed to street?
18:49:00	From cristinadrewelow	Yes Andy!!!
18:49:00	From David A	Please address the utilization of the AB 2345 affordable housing provision.
18:49:05	From Larnita Pette	Santa Fe traffic may divert to Melba to avoid the roundabout bottleneck.

18:49:08	From David Meyers	will there be a stop sign
18:49:25	From Marsha Hetrick	How did you get the reduced setbacks on side and front yards? That is not consistent with neighborhood.
18:49:40	From Eric M	We need to organize and hire attorney(s). They only care about money. Bombard the city with complaints
18:49:59	From Andrew Leland	The project is in beginning stage. We need to raise hell to let the city know our stance.
18:50:03	From Travis	Unfortunately that is correct Eric
18:50:40	From Dana Livingstone-Lopez	What is the definition of "affordable?"
18:51:00	From cristinadrewelow	Make it smaller and add a nature corridor
18:51:11	From Kessler Richard	donate land school
18:51:20	From Dana Livingstone-Lopez	The City of Encinitas was posed this question regarding another project (Lake) and they said "ask the developer!"
18:51:23	From kellie koenig - Crest Dr	Are you able to mute attendees so that you can address the questions in the chat?
18:52:09	From Dana Livingstone-Lopez	No transparency
18:52:12	From Kessler Richard	terrible step
18:52:53	From Adam Young	The CPP states "The subject property is zoned Residential 3 (R-3) and is currently vacant". Is that true? Nobody lives on any of the lots?
18:52:59	From Diane's	we are dealing with the wrong people here. we need to organize with attorneys ASAP.
18:53:14	From Kessler Richard	land use lawyer
18:53:28	From Dana Livingstone-Lopez	Marco Gonzales is on this call
18:53:43	From Thomas's iPad	How many Staver family members qualify for low income housing?
18:53:59	From Kessler Richard	land use lawyer
18:54:03	From cristinadrewelow	What about the big Torrey Pine Tree on the east side of the property fence? The root system will be disturbed and the tree might fall on the houses
18:54:57	From kellie koenig - Crest Dr	yes please
18:54:57	From Julia Drewelow	answer that question
18:55:41	From Lisa King	Make it smaller and add a nature corridorYES!
18:56:21	From cristinadrewelow	Make it smaller and all houses one single level
18:56:42	From cristinadrewelow	Yes Lori
18:56:48	From Thomas's iPad	The project should examine vehicle access onlyFrom Encinitas Blvd.

18:57:29	From Jessica Carilli	So, you are trying to claim 20' out into the middle of Melba road, as well as that 15' wide easement towards Island View to calculate buildable acreage - hilarious.
18:57:52	From Jessica Carilli	Oh, wait, 30' out into Melba! My ba
18:58:43	From Kessler Richard	liar
18:58:52	From cristinadrewelow	liar
18:58:57	From Kessler Richard	awful
18:59:01	From Julia Drewelow	Yes Lori! This is ridiculous.. we need a responseFrom you guys
18:59:03	From Lisa King	How about fewer houses with some green pace?
18:59:06	From Bernard	Please give us a concise description of how the proposed development fits the character of the neighborhood
18:59:30	From Andrew Leland	Lot 18 has a 4' wide bmp access path. What is this? Public access??
18:59:43	From Kessler Richard	no homes add botanical gardens
18:59:51	From cristinadrewelow	What about the drainage (ground water) on the east side of the property, on the houses at Ahlrich
19:00:36	From Adam Young	Why was geotechnical report not provided before this meeting? I asked for it a few days ago and Brian Staver said no.
19:00:40	From Andrew Leland	Lot 19 has a 4'wide bmp access path. What is this? Public access??
19:00:42	From Scout	what about a community garden and outdoor space. local compost space. local job opportunities.
19:01:03	From Julia Drewelow	^^^
19:01:07	From Kessler Richard	yes please
19:01:09	From Julia Drewelow	AGREE WITH SCOUT!!!
19:01:19	From Marsha Hetrick	Why does your plan say it is vacant property? There are currently four houses there!
19:01:21	From Kessler Richard	no homes
19:01:33	From Erik Humphrey	There seem to be more waivers/exemptions than merited by the applicable bonus density parameters. Can you provide the details on upzoningFrom R3 to R5 and reduced side, front, and backyard setbacks.
19:02:43	From Kessler Richard	someone draw plans for garden
19:02:51	From Marsha Hetrick	We don't feel lucky!
19:03:08	From Jessica Carilli	Brian Staver, don't be a dork. COME ON. You know that the state law says we have to use net acreage - don't be a dork
19:03:25	From Marsha Hetrick	Thanks Brian!!!
19:03:37	From Kessler Richard	bs brian
19:03:53	From Erik Humphrey	you're not required to follow this law
19:04:00	From Ann Dermody's Ipad (2)	how about your stewardship of the land.

19:04:02	From Kessler Richard	yes
19:05:07	From cristinadrewelow	It's obvious the project is design to maximize profit and to meet minimum standards.
19:05:14	From Kessler Richard	yes
19:05:15	From Marsha Hetrick	Your family has been here a while, I think you should respect the long term encinitas residents and make this less dense!
19:05:16	From Ross's iPad Pro (2)	Are you open to revising the project to address the concerns of the neighborhood?
19:05:18	From patriciavonderreith	The owner may feel fortunate about the timing of legislation but what consideration is there for the 120+ neighbors on the call who are unhappy with density, demolition of neighborhood culture, traffic safety and congestion?
19:05:42	From Kessler Richard	stewardship lawyer
19:06:23	From Lisa King	I bet there are some creative solutions that will allow for some people to live and thrive in our community.
19:06:51	From cristinadrewelow	You are a shame on your family's name and history here in Encinitas
19:06:53	From Kessler Richard	yes please
19:07:13	From Wendy V Encinitas	Too dense. Traffic study inadequate. Street
19:07:13	From judith seid	MY QUESTION: HAS THERE BEEN A WILDLIFE STUDY DONE?
19:07:20	From Julia Drewelow	^^^
19:07:55	From Ann Dermody's Ipad (2)	^^^^^
19:07:57	From Julia Drewelow	I doubt there's been a wildlife study done, if the only thing they say were lizards and a few finches.. WE NEED a new study done
19:08:02	From Travis	Wait this Brian Staver guy is part of the family that owns the land?
19:08:06	From Terri	Are you open to a larger setback so the homes being built will not be so close to current homes?
19:08:06	From David Dullaghan	Can we please request a transcript of the Chat once the Zoom is over. I am particularly interested in the contact details of the neighbors on the call.
19:08:22	From Scout	please answer EVERYONE'S questions.
19:08:31	From Julia Drewelow	Yes Brian Staver is a part of the family that owns the land
19:08:58	From Andrew Leland	What is your intent with property line trees?
19:09:05	From Alan Watchorn and Robin Sales	his
19:09:18	From David A	...Doesn't know the prices of the homes😂
19:09:40	From Ann Dermody's Ipad (2)	so if they build a park up at the top, it will be private

19:09:47	From Travis	Wow talk about destroying his family's good community name for a few bucks! lol Sorry Brian.
19:10:22	From Jessica Carilli	OBVIOUSLY! Have you even been here, Tyler?! Goodness. Those trees are the best part of this section of town
19:10:43	From Ann Dermody's Ipad (2)	we like dark skies and low density
19:11:14	From cristinadrewelow	No lights
19:11:43	From kellie koenig - Crest Dr	I agree with the comment in favor of no streetlights
19:12:12	From Karen ILL	NO street lights!!!!We are also very concerned about tree removal. that is not in line with our neighborhood. that should not be allowed.
19:12:17	From Nancy Heldt	Brian, What does your family feel you adding to the community asideFrom lowering home values, except adding density and safety issues to what your family leaves behind. and to a community
19:12:45	From Marsha Hetrick	every possible way used to get more houses. Sad
19:13:20	From Dana Livingstone-Lopez	Will Stavers be able to buy the very low income property?
19:13:30	From cristinadrewelow	Rumor is Brian is evicting his own uncleFrom the property and not letting him have any say on this
19:14:21	From Wendy V Encinitas	How does your project take into account that you are losing 4 -6 homes currently on the proposed site?
19:14:47	From Craig Tabor	They are telling you want you want to hear. Classic developers
19:15:30	From Dana Livingstone-Lopez	We need to start flooding the Mayor's office and city council with letters of objection
19:15:50	From Jessica Carilli	sheet flowFrom the site isn't allowed - you need to treat the water. so, by putting the water into your detention basins for treatment, you are concentrating the flow that has to leave the basins, logically. Come on, Tyler
19:15:54	From Travis	Is there already a neighborhood email list/chain going on?
19:15:57	From Adam Young	A drainage study would be nice, why was it not provided before this meeting?
19:16:29	From David Meyers	will you install fake grass
19:16:53	From Travis	I appreciate everyone's questions/concerns but you are either in favor of this project or not and I don't think any of the 105 people on the call are in favor so we just need to get organized and start taking action
19:17:06	From Marsha Hetrick	I agree.

19:17:42	From Jessica Carilli	Your CPP notice states that you are actually not going to build any of this - you are just requesting to subdivide and grade the land as far as I can readFrom the notice. Can you please clarify? If you aren't actually planning to build homes, how can you claim the density bonus? If you aren't actually planning to build homes, why are you showing us plans for architecture and landscaping?
19:17:45	From Shea Okeefe	this is still open for a lot of discussion, we need to organize immediately
19:17:58	From andy	People don't get permits to lay concrete. The logic about getting permits to comply is not realistic.
19:18:11	From glenn jensen	I agree
19:20:35	From J&J	Will you share all people on this call's e-mail addresses?
19:21:10	From Dana Livingstone-Lopez	OMG the truth, finally!!
19:21:33	From Marsha Hetrick	Marsha Hetrick bajachic@hotmail.com
19:21:42	From Adam Young	Who owns the 7 lots? Have they been consolidated?
19:21:57	From Dana Livingstone-Lopez	City does NOT determine who lives in affordable housing!!! They PUNT to the developer!
19:22:00	From Travis	tclarke@teamwass.com
19:22:22	From Robert Ashley	Rob Ashley rashley@ashleybiopharm.com
19:22:24	From Travis	The developers always end up with the affordable houses. Its a loop hole work around
19:22:29	From cristinadrewelow	cdrewelow1@aol.com
19:22:30	From Ann Dermody's Ipad (2)	if they're being rented, who will own the low income houses
19:22:36	From Diane's	THIS PROJECT AS PROPOSED DOES NOT BELONG IN THIS NEIGHBORHOOD. AND YES I AM YELLING.
19:22:37	From cristinadrewelow	mark@c2conline.net
19:22:39	From katherinebeers	katiedismuke@hotmail.com
19:22:44	From Andrew Leland	lelandben@sbcglobal.net
19:22:56	From Andrew Leland	bradburnjaime@hotmail.com
19:22:59	From Shea Okeefe	sheajay@gmail.com
19:23:26	From Karen ILL	theills@cox.net
19:23:31	From Wendy V Encinitas	thomasrosenthal@sbcglobal.net wvanvechten@cox.net
19:23:36	From Ann Dermody's Ipad (2)	these plans are premature
19:23:47	From Lisa King	lisa.king@cox.net
19:23:49	From Anthony Kuhlmann	These questions are a waste of time. The density is too high. Fixing storm water run-off or increasing set-backs by 5' isn't the difference.
19:23:57	From Andrew Leland	You can all thank g

19:24:03	From Jessica Carilli	If you are in the Zoom application, you can download the text of the chat by clicking on the 3 little dots on the lower right of the chat.
19:24:14	From Bernard	There are several hands up
19:24:21	From J&J	Jan Buettner hardbuet@cox.net
19:24:34	From J&J	John Hardin johnhardin42@gmail.com
19:24:56	From Thomas's iPad	How are you dealing with the surface water coming down the main entrance onto Melba?
19:24:58	From judith seid	MY QUESTION FOR BRIAN STAVER: It is public knowledge that the Staver family is so wealthy, that we wonder why you don't they turn this into a big community park as a resource? Is more money that important to you?
19:25:21	From Julia Drewelow	^^^
19:25:27	From Kessler Richard	Will the detainage basin at the north east side overflow onto Witham Road?
19:25:33	From Marsha Hetrick	Yes I agree!!
19:25:42	From Scout	great question Judith
19:25:44	From naimehtanha	Naiwoodward@gmail.com
19:25:54	From Marsha Hetrick	Yes Judith!
19:25:56	From Scout	would love for it to be answered
19:26:06	From Karen ILL	How in the world will all the heavy equipment be brought into that street to build these homes ? It is a 90 degree turn on a treelined street. By the way how will the children walk to school with this heavy equipment every where? Traffic is the most crucial issue here.
19:26:11	From Andrew Leland	Why g
19:26:52	From Andrew Leland	Why did you choose very low income vs. low income??
19:27:03	From Jessica Carilli	I consider the front home that faces Melba the Old Encinitas equivalent of the Olivenhain meeting house - doesn't it just make you so happy to walk by? Tearing this down would just be so tragic, it breaks my heart
19:27:48	From Robert Ashley	Great point Andrew!
19:30:51	From Al Bsharah	Oceanic road is owned by the home owners.
19:30:59	From Lisa King	Keep Oceanic closed — it is private
19:31:00	From Thomas's iPad	How are you getting away with not having sidewalks on both sides of the street?
19:31:16	From Steve	For Steve Cameron and Nancy Cunningham use sd-cameron@sbcglobal.net
19:32:00	From Nancy Heldt	Nancy Heldt my email is nancyjobear@gmail.com i would love to get us all on an email list to organize and stay in touch
19:32:08	From brettiano	Lower the density and traffic trips. Preserve Torrey Pine Trees. Provide additional access points and street parking. No Lights.

19:32:12	From Alan Watchorn and Robin Sales	Untenable to make Oceanic a through street. It is a private street and it is not maintained by the city
19:32:14	From Kessler Richard	yes please
19:33:39	From Travis	Kerry.mahoney1@gmail.com & buzzvet@gmail.com
19:33:52	From Travis	you sent that privately to me Kerry
19:34:07	From Jessica Carilli	"These reports are being reviewed by the city" - they will therefore be public record and you should just send them to us when we request them.
19:34:21	From Arnie Lewin	Melba is a residential street at 25 mph.
19:34:56	From Kessler Richard	we need a good lawyer asap
19:35:00	From Judy Wallace	The speed limit on Melba is 25 MPH. I stare at a speed limit sign across the street. Trust me. No one pays attention to it.
19:35:27	From Kessler Richard	terrible land use
19:35:33	From Kerry Mahoney	Kerry.mahoney1@gmail.com & buzzvet@gmail.com
19:35:56	From Thomas's iPad	Any expansion to Melba will be filled with overflow parkingFrom the development
19:36:07	From Travis	one last one and be honest: was common sense at all taken into consideration on this project or just greed?
19:36:09	From Kessler Richard	is there another plan besides home
19:36:10	From cristinadrewelow	Agree with thomas
19:37:16	From Robert Ashley	I would sincerely hope so!
19:37:22	From Kessler Richard	no homes
19:37:23	From cristinadrewelow	Yes talk about the density
19:37:34	From Craig Tabor	When will the city be reviewing this proposal so that we as a community can have a voice.
19:37:37	From Julia Drewelow	YES! And we need to have another meeting. One is not enough to discuss all of this
19:37:56	From Joy Lyndes	However, once the density question is resolved, the design IS important to fitting with the context.
19:38:06	From Scout	bknapp@plsaengineering.com
19:38:21	From Kessler Richard	gardens not homes
19:38:33	From Julia Drewelow	^^
19:38:35	From cristinadrewelow	Nobody agrees with this propose development Brian!!!!
19:38:42	From Julia Drewelow	^^^^ FACTS
19:40:16	From Julia Drewelow	Answer the question Brian...
19:40:26	From Julia Drewelow	Yes or no???
19:40:32	From Kessler Richard	no homes
19:40:50	From Kessler Richard	integrity
19:41:11	From David Dullaghan	This may be a duplicate comment but I understand the person at Encinitas City who is 'assigned' is J.Dichoso: jdichoso@encinitasca.gov
19:42:49	From Robert Ashley	Jennifer Thank you for clarifying the real issues.

19:43:18	From Thomas's iPad	How will you deal with biopic mosquito issues and the disease threat they pose to humans and animals?
19:43:41	From Ann Dermody's Ipad (2)	are you willing to reduce number of homes because it does not fit in Old Encinitas
19:44:20	From Thomas's iPad	from the biopit
19:45:04	From Arnie Lewin	Again I ask, who is your traffic engineer?
19:45:19	From Anthony Kuhlmann	Brian Staver: How do the finances change if you develop R3 versus the current proposal? In other words, what is the difference in profit?
19:45:40	From Ross's iPad Pro (2)	I would hope that some of the neighbors can get together and make specific requests for changes. Without specific issues the City is not inclined to help
19:45:40	From Terri	Please consider reducing the number of homes in this development. It does not fit into the neighborhood for this many homes.
19:47:03	From Alan Watchorn and Robin Sales	I would suggest submitting question to City rather than developer so that they can be entered in the public record
19:47:12	From steven gerken	Was there a discussion about what improvements are proposed for Melba?
19:47:44	From David Dullaghan	Neighbors: has anyone volunteered to pull together the list of emails and contacts ? (Apologies if already done, I did not read every comment).
19:48:23	From Kessler Richard	good one
19:48:26	From Kessler Richard	judith
19:49:06	From Scout	suggestion to make a Facebook group of our neighborhood, so we can contribute conversation and keep the connections we've made tonight.
19:49:32	From David Dullaghan	Sorry Scout. I will not do FaceBook....
19:49:52	From Kessler Richard	you go
19:49:57	From Kessler Richard	yes nancy
19:50:08	From Travis	I don't have a facebook as well
19:50:18	From David Dullaghan	ok, i'll try to pull the list of emails together this week.
19:50:19	From Kessler Richard	garden please
19:50:43	From Kessler Richard	coastal rooot
19:51:02	From Kessler Richard	coastal root letchig foundation
19:51:23	From Terri	More open space within the development
19:52:13	From Kessler Richard	botanical gardens
19:55:32	From Julia Drewelow	For those of you who have a facebook we have started a group, here is the link. https://www.facebook.com/groups/251177186418780/
19:56:03	From Kessler Richard	what the hell was that waste of time ?
19:56:25	From Al Bsharah	Can you please let people in that are waiting? Thanks.

20:00:40	From Ann Dermody's Ipad (2)	so you are building a community with HOAs within old Encinitas.
20:01:47	From andy	The water in these basins \can become rancid and smell very bad, as happened on Riqueza this year. The fire department came out and remediation was performed. This was less than a year after the water basics and trans/pumps etc were built. So careful and long term maintenance should be part of any development.
20:03:56	From Andrew Leland	Yes it will have standing water!!!!
20:04:25	From Andrew Leland	The design is very generic
20:08:17	From andy	If you are considering the culvert at the west side of homes on Witham - they do not exist for the most part any more. Use of that approach would most likely cause damage.
20:09:49	From Kessler Richard	no homes we would not be talking about this paul ecke did the right thing take a lesson
20:10:26	From Adam Young	What storm events were considered in your analysis?
20:11:05	From Kessler Richard	we need a lawyer land use eco friendly asap
20:11:39	From Kessler Richard	they are not hearing us
20:11:58	From Andrew Thompson	For the report, I have two primary concerns driven by the overcrowding that would resultFrom the potential project: (i) safety and (ii) causing irreparable harm to the character of the neighborhood. Regarding safety, we live on Wotan and have three young children. People often cut through Wotan and drive very fast - overcrowding the nearby space will increase the risk for kids playing outside. Further, anyone who has taken the chance of a right turn (only)From Wotan to Santa Fe knows given the limited visibility combined with the speed of westbound cars coming over the hill can be a roll of the dice every time. The overcrowding will amplify this risk. The second main concern, causing irreparable harm to the character of the neighborhood should be readily understood by anyone familiar with this area. Once something like this is done, you cannot get it back.
20:12:03	From cristinadrewelow	Yes Lori
20:12:10	From David Dullaghan	Neighbors: Please ensure you posted your email address here or send to me at dave.dullaghan@gmail.com if you do not wish to share publicly.
20:13:00	From Kessler Richard	how much money do you really need
20:13:31	From Kessler Richard	open space
20:14:12	From Kessler Richard	yes
20:14:19	From Kessler Richard	correct
20:14:22	From Kessler Richard	I hear you

20:14:34	From Kessler Richard	yes
20:14:38	From Julia Drewelow	Yes Lori! Exactly!!!
20:14:41	From cristinadrewelow	Well said lori
20:14:43	From Kessler Richard	yes
20:14:49	From andy	Agree - add a part instead of the extra homes
20:14:51	From Kessler Richard	coastal road
20:14:52	From cristinadrewelow	Of course
20:14:53	From andy	park
20:14:54	From Kessler Richard	no home
20:14:55	From Terri	Yes Lori!!
20:15:15	From Kessler Richard	the poor horse farm lady
20:15:31	From Julia Drewelow	We need another meeting. The discussion is not over
20:15:32	From Kessler Richard	asap
20:15:45	From andy	agree
20:15:46	From Kessler Richard	call paul ecke
20:15:48	From Nancy Spooner Bsharah	Nancy@bsharah.com
20:15:50	From Kessler Richard	for advise
20:16:05	From Kessler Richard	yes
20:16:06	From Julia Drewelow	All us neighbors need to have our own meeting to discuss this further
20:16:06	From Judy Wallace	judywallace222@gmail.com
20:16:22	From judith seid	jseid60@gmail.com
20:16:34	From Terri	I agree, we need another meeting before this goes any further into planning
20:16:39	From Al Bsharah	lists@bsharah.com
20:16:42	From cristinadrewelow	Thank you Dave
20:16:43	From Alby Quinlan	albyqq@gmail.com
20:16:45	From Bernard	jbminster@ucsd.edu
20:16:46	From Kessler Richard	rjagk@sbcglobal.net
20:16:48	From Erik Humphrey	thanks
20:16:48	From Judy and Jim Willon	Jim and Judy agree with the concerns regarding the density of 30 homes in this area and the resultant impact on traffic. jwillon@cox.net

ATTACHMENT E
CPP Comment Cards

Comment Card – Austin, Jim

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021, CDPNF-4312-2021, CPP-4313-2021

1. Do the documents and presentation clearly identify the scope of the project? Y/N N
If no, please describe areas requiring clarification.

The documents do not explain what “very affordable” means and how the sale and re-sale of these homes will be controlled for income levels.

2. Do you have any other issues or concerns requiring further review? Y/N Y if yes,
Please explain.

Students and parents use Melba Road to drive and walk to San Dieguito High School, Bethlehem Lutheran Church preschool, Ocean Knoll Elementary School, Oak Crest Middle School, and St. John’s Catholic school. Students walk to these schools and must cross the already-busy intersection of Melba Road and Balour Drive. Although schools are not fully in session at the moment, they are expected to open soon and will return quickly to pre-Covid traffic and pedestrian levels.

Name: Jim Austin Phone or email: (760) 436-5815
the austins@jimnancy.com

Address: 1226 Ahlrich Avenue, Encinitas CA 92024

Please use the space below for any additional comments.

Although the plans show parking for residents, there appears to be insufficient parking space within the development for guests, vendors, and additional residents who might move into these homes. Access by emergency vehicles may be impeded by parked vehicles on this narrow private road. Overflow parking will spill onto Melba Road, which is too narrow for parking along the roadway, and Wotan. The city may have to widen Melba or install stop signs at Melba and Wotan.

Comment Card – Austin, Nancy

Project: 1220 – 1240 Melba Road / 1190 Island View Lane
Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

1. Do the documents and presentation clearly identify the scope of the project? Y/N N
If no, please describe areas requiring clarification.

The plan provides only 6 parking spaces on the street for 30 homes. Your diagram indicates that the majority of the 30 homes have driveways that can accommodate just one car. No guest parking has been provided. Where will *guests, family visitors, party invitees, housekeepers, gardeners, etc. park?

Will *persons use Melba Rd. to park? In the traffic lane? Or will Melba Rd. be widened? Will a stop sign at Wotan and Melba be needed?

Will *persons be encouraged to park on “old” Wotan?

Will *persons and residents park illegally in the development causing serious problems for all vehicles, especially emergency vehicles

2. Do you have any other issues or concerns requiring further review? Y/N Y if yes,
Please explain.

Students (and their parents) at the 3 nearby public schools (Ocean Knoll, Oak Crest, San Dieguito) use the intersection at Melba Rd. and Balour Dr. to cross on their way to school. High School students drive on Melba Rd. to reach the school parking lot. Parents cross this intersection to drop off students. There are also two churches, a preschool, a parochial school, the Senior and Community Center, and a daycare that are very near this intersection. Additional traffic congestion at this already congested intersection is contrary to Encinitas City’s “Safe Walk to School” provisions. The increased traffic at this intersection will lead to accidents and injuries.

Name: Nancy Austin Phone or email: (760) 436-5815
theaustins@jimnnancy.com

Address: 1226 Ahlrich Avenue, Encinitas CA 92024

Please explain “very affordable” and how the sale of these homes is controlled.

Comment Card – Carilli, Jessica

1. Do the documents and presentation clearly identify the scope of the project? Y/N N

If no, please describe areas requiring clarification.

The materials provided only show the minimum information related to the proposed development. Despite the applicant having completed and submitted reports to the City related to traffic, etc., none of this information was provided to the CPP attendees, and no questions were directly answered related to such reports, despite being requested numerous times by attendees. Answers to questions during the presentation were obfuscating and typically did not answer the question.

2. Do you have any other issues or concerns requiring further review? Y/N Y

If yes, please explain.

Many concerns as discussed during the CPP by neighbors - a full EIR is required to address these (traffic and safety, greenhouse gases, contaminated soils, lack of walking/biking infrastructure, stormwater, habitat removal, safety vehicle access, etc.).

The following are additional concerns:

- (1) who currently lives on the property?
- (2) how many existing homes are on the site, which are proposed to be removed?
- (3) will the proposed homes, irrigation, landscaping, etc. actually be installed, or is the plan simply to obtain approval, remove all the trees, grade the site, and leave?
- (4) density should be calculated using net acreage. This is abundantly clear and needs to be corrected.

3. Please use the space below for any additional comments.

Please revise your plan to conform to the city's general plan.

Thank you
Jessica Carilli, resident

Comment Card – Hetrick, Marsha

Tue, Feb 9, 2021 at 8:55 AM

Marsha Hetrick <bajachic@hotmail.com>

To: "bstaver@gmail.com" <bstaver@gmail.com>, "bknapp@plsaengineering.com" <bknapp@plsaengineering.com>

Here is my comment card. Are these presented to the city? I thought the meeting which was supposed to be listening to the neighbors was a joke. Obviously you did not want to discuss anything, and acted like you just didn't know. You obviously know enough to use every loophole in the book to get the extreme high density you want to make the most money. Its sad that you are not even the builder, but just want to destroy our neighborhood for the highest money and move on. And to try to gloss that over.

I guess it just goes to the deny and lie routine. Sorry but we are a strong neighborhood of old Encinitas residents who a lot of us have lived here 20 plus years (I have lived here 40). We know the traffic here and it can not handle 30 more homes on 6.5 acres.

Our childrens lives and pets are in constant danger from speeding heavy school traffic. This new development presents a danger to our neighborhood.

Marsha Hetrick

[1165 Melba Road](#)

Encinitas

760 419 7885

bajachic@hotmail.com

Marsha Hetrick
1165 Melba Rd
Encinitas, CA 92024
760-419-7885
BAJACHIE@hotmail.ca

Comments

FOR

Project: 1220 - 1240 Melba Road / 1190 Island View Lane
Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

1. Do the documents and presentation clearly identify the scope of the project? Y/N N
If no, please describe areas requiring clarification.

A lot of glossing over - why does it
say property vacant - there are 4 current homes.

2. Do you have any other issues or concerns requiring further review? Y/N Y if yes, please explain.

lots - too dense for neighborhood. lots here are
large-rural. ② no plan for traffic mitigation
on Melba ③ need 2 alternate entrance

Name: Marsha Hetrick Phone or email: 760 419 7885 BAJACHIE
1165 Melba Rd Encinitas @hotmail.
com

Please use the space below for any additional comments.

- exit ④ No accounting for heavy traffic during school, not could closed schools. 2 high schools 1 junior high, grammar school, St. Johns private school, 3 preschools all within blocks
- ⑥ waiver of setbacks all of us have to abide by?
- ⑦ Every loophole taken for higher density with disregard for neighborhood quality.
- ⑧ Not really answered questions during what was supposed to be question time. Just glossing over, blurring facts or dead-pan face when confronted with issues.
- ⑨ Bottom line - too dense - creates all the other problems.

Comment Card – Hewitson, Jennifer

COMMENT CARD: FEBRUARY 8 CPP ON MULTI-4309-2021

After entering your comments, please send the email to bstaver@gmail.com and bknapp@plsaengineering.com.

Name: Jennifer Hewitson

Address: 1145 Wotan Dr. Encinitas 92024

Phone Number: c-760-815-4003

Email Address: jhewitson@cox.net

1. Do the documents and presentation clearly identify the scope of the project? Y/N __N__
If no, please describe areas requiring clarification.

#1. Inconsistencies in information during CPP vs. what is on the plans, and stated in previous phone conversations.

1A) Request to see traffic study, was denied by applicant, but planning said to ask applicant for details, because they had not completed evaluation. No traffic study was shared. Traffic study is in question and cannot be accurate due to COVID19 extreme drop in car travel to the 3 public and 2 private school in surrounding few blocks. This study must be re-done with alternate techniques surveying neighbors to acquire the true impact numbers. This is NOT the average situation for high density development rubber stamping. 5 schools within a 3 block radius means hundreds of school kids on roads every morning and afternoon. Traffic dangers for neighbors and children when all cars are dumped out onto semi rural Melba Rd. and surrounding roads, IS a health and safety issue. Whether or not you feel that is valid as a legal argument for denial or reduction in density, it IS the truth on the ground! The consequences to approving this density are too dangerous and put our children in jeopardy.

1B) Question was asked during meeting about under grounding utilities. Applicant said yes they would be underground, but plans say one of the concessions requested was to NOT underground utilities. Which is it?

1C) A Question during CPP as to whether Applicant's company would be the actual builder on project was answered "not been decided", but had been stated as a definite NO in previous conversations. Which is it?

1D) Gross acreage is being used and implied as the law at present ie. State Law AB2345, but Encinitas has changed their designation on this and submitted their own plan with calculation using NET. On the development plans, that GROSS designation is also shown as the 2nd concession requested, suggesting that they knew NET was the protocol. Which is it? CAN that even BE a concession? With all the waivers and concessions requested, the density becomes untenable causing

detrimental impacts on the environment, and on residents' health and safety. Net calculations should be upheld here.

2. Do you have any other issues or concerns requiring further review? Y/N Y

If yes, please explain.

#2 High density, being encouraged and mandated under new STATE laws, negates all local zoning control, and has multiple adverse effects on neighbors.

2A) Small lot sizes, setbacks, lack of parking, narrow road, all impact surrounding neighbors : privacy, water management, street safety due to additional cars, consistency of old Encinitas neighborhood character consistency, and pure lack of any sensitivity to existing landscape, street views, or preservation of what makes the neighborhood desirable for the sale of their homes in the first place. The beauty and quiet ARE selling points. Save it.

2B) ALL existing structures on property are to be demolished and include: Historic building at center front of property to be destroyed, 3 low income rental houses, and 3 more potential low income homes, slated for demolition. NET LOSS of low income homes, LOSS of historic building, LOSS of agricultural heritage of Encinitas, waste and carbon emission escalation with extensive demolition, grading and re-building. New road can be curved to accommodate the old historic white cottage, preserve some of that open space and still fit most of the units planned, creating a win win for all.

2C) ALL trees slated to be removed. Environmental impact for wildlife, tree lined habitat on Melba and rural heritage here will be destroyed. Torrey Pines and Native Live Oak, all are native trees creating a canopy of bird habitat along street. These mature trees are a significant outstanding feature of the neighborhood, and should be preserved. ZERO sensitivity to the environment is shown here. EVERYONE, yes, even low income folks, deserve some open space in views, in surroundings within developments, a yard, and preservation of existing beauty and tree canopies. On edges of property existing mature trees hold up the bluffs and sandstone/clay soils. Removing these trees destroys not only habitat for wildlife, tree canopy, shade, and carbon absorption, but also root systems that work to stabilize surrounding ground and slopes. Bio-retention for storm water can be re-designed and configured to work around trees. Unit numbers preferably, as well as shapes and positioning of homes can be adjusted to preserve the frontage area, it's tree canopy, and its rural beauty.

2D) Emergency Services will be impacted by this density's added traffic on Melba and surrounding streets, and design of long narrow road to upper lots with NO access to that end through Island View Lane. Response times will be lengthened. Second access road should be required, sending traffic out onto Balour Rd, Otherwise density should be reduced to 20 or fewer homes.

2E) Greenhouse Gas assessment must be considered due to high density and added cars blocking roads at peak hours. Again, must be calculated based on REAL peak, not COVID 19 drastically diminished numbers, and resulting shortened wait times. Idling in cars line ups cause emissions breathed in by children and families as well as cars trying to race around to find routes to bypass, threatening safety. This cannot be fixed with ugly "IMPROVEMENTS" to a lovely road. Set the density based on what can be accommodated in THIS location, based on THIS design, which is lacking in sensitivity to the issues.

2F) Water availability in drought plagued Southern California should be considered a major factor here. This cookie cutter density push is impacting our water availability. This land's proximity to habitat and being so densely covered with slabs, deep set footings, concrete barriers, and walls will impact the water table and drainage in sandstone layers. surrounding preserved open space will suffer.

2G) Mental health is directly affected by surroundings. EVERYONE, including low income folks, deserve yards, some open space in views, in surroundings within developments, and preservation of existing beauty and tree canopies. This should be mandated by the city which claims to care about preserving open space and rural character in old neighborhoods. It is a known fact that people's mental health suffers as high density and congestion rises. Take another look at the perimeter trees, and frontage area, and save the tree lined section of Melba Road for all.

3. Please use the space below for any additional comments.

It is irresponsible to approve such high density in this location where the only access dumps onto Melba a semi rural, narrow road. If applicant can't acquire a 2nd road access via Island View Lane, or other, then this density must be reduced to avoid health and safety hazards on Melba and narrow surrounding roads like Wotan. Even with lower density R-3 at 20 units, A RIGHT TURN ONLY from the new project's road onto Melba will avoid dangerous cross traffic there, and take all cars West to wider Balour to access shopping or the freeway, either South from Santa Fe, or North, from Encinitas Blvd.

Thank you, Jennifer Hewitson

Comment Card – Humphrey, Erik

Name: Erik Humphrey

Address: 1034 San Andrade Dr, 92024

Phone Number: 760-505-7121

Email Address: erikshumphrey@gmail.com

1. Do the documents and presentation clearly identify the scope of the project? Y/N Y

If no, please describe areas requiring clarification.

2. Do you have any other issues or concerns requiring further review? Y/N Y

If yes, please explain.

My recollection of Density Bonus provisions is that they provide a certain number of waivers (or whatever they're called), but this seems like too much. The R3 zoning is out the window AND there are several other concessions like reduced setbacks. I'm not confident this is a faithful application of the law and our city zoning codes.

3. Please use the space below for any additional comments

Please don't cut down the Torrey Pines and other mature trees.

Comment Card – Kessler, Jeryl Anne

Tue, Feb 9, 2021 at 8:43 PM

jeryl Anne kessler <jerylanne68@hotmail.com>

To: "bstaver@gmail.com" <bstaver@gmail.com>

Cc: Bryan Knapp <bknapp@plsaengineering.com>

Name: jeryl anne kessler

Address:

Phone Number: 7606327920

Email Address: jerylAnne68@hotmail.com

1. Do the documents and presentation clearly identify the scope of the project? Y/N _?___
If no, please describe areas requiring clarification.

2. Do you have any other issues or concerns requiring further review? Y/N _y___ If yes, please explain.

I can't even imagine why you are wanting to build homes and ruin the property my feelings are exactly what everyone in the neighborhood are feeling angry and sad that the property is even thinking about being developed in the terrible way that you discussed on zoom call.

3. Please use the space below for any additional comments.

Please follow suit as paul ecke did with all green house flower fields. He made the incredible YMCA that entire community has enjoyed in some form. They also developed the coastal roots that provides food for people that can't afford food insecure. My son volunteered there for a religious school commitment the schools in area all spend a week there that learn about various things farming and gardening it's amazing experience. Please think about your families legacy and do the right thing. Watch the movie the Lorax. I don't know if you have kids yet but if you do think about that. If you don't need the money rethink the property project. All eyes are on your next move play it right.

Comment Card – Kessler, Richard

Subject: COMMENT CARD: FEBRUARY 8 CPP ON MULTI-4309-2021

richard kessler <rjagk@sbcglobal.net>

Mon, Feb 8, 2021 at 5:43 PM

Reply-To: rjagk@sbcglobal.net

To: bstaver@gmail.com, bknapp@plsaengineering.com

Gentlemen,

Please be sure to address parking on the new street for guests and additional household automobiles. Most people have more than two vehicles in their household and I want to hear that the extra vehicles have a place to park and not on the surrounding neighborhood streets - where there isn't enough parking now.

Richard Kessler

Comment Card – Lindgren, William

Project: 1220 – 1240 Melba Road / 1190 Island View Lane
Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021, CDPNF-4312-2021, CPP-4313-2021

1. Do the documents and presentation clearly identify the scope of the project? Y/N N If no, please describe areas requiring clarification.

[See No. 2 below]

2. Do you have any other issues or concerns requiring further review? Y/N Y if yes, please explain.

I am concerned about the extreme building density proposed, and wonder about the traffic improvements clearly required for Melba Road between Nardo Rd. and Crest Dr. At present, one driving down Melba must enter the opposing lane just to safely avoid the many pedestrians that walk there; and that section of road runs past, or is a major thoroughfare for, four schools (Ocean Knoll, Oak Crest, Bethlehem Preschool and the San Dieguito Academy). Foot traffic at Ocean Knoll and Bethlehem alone, as children are entering and leaving each campus, is debilitating to traffic now, not to mention marginally unsafe for the children. The lack of adequate room for street parking for school events has been an issue for Melba Rd. residents for years.

Similarly, as another access issue, what are those improvements proposed for Crest Dr. between Melba Rd. and Santa Fe Dr.? Also, will the access to Oak Crest Middle School from Witham Rd. be compromised by this development?

Further, I look forward to hearing about any mitigating greenbelts created elsewhere in the City, and the rather confounding issue of creating only three (3) Affordable Housing Units in such a dense development requiring re-zoning.

Name: **William Barry Lindgren** Phone or email: wbarrylindgren@gmail.com
Address: 1361 Cherrytree Ct., Encinitas, CA 92024

Comment Card – Lyndes, Joy and Ashley, Rob

Project: 1220 – 1240 Melba Road / 1190 Island View Lane
Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-202, 1CDPNF-4312-2021, CPP-4313-2021

1. Do the documents and presentation clearly identify the scope of the project? Y/N No
If no, please describe areas requiring clarification.

The traffic analysis, environmental document and arborist report are not provided because it seems that they are not complete. These technical reports and findings are very important to the scope of the project, and we don't have a full picture until these are made available. We should see a landscape plan.

2. Do you have any other issues or concerns requiring further review? Y/N Yes
If yes, please explain.

We suggest that an option be developed that connects this development to Encinitas Blvd. This could be a secondary access (which would reduce the demand on Melba) or an alternative access (resulting in no connection to Melba). We suggest preserving mature torrey pines where reasonably possible. We understand the owner has a right to develop this land, but we suggest that the current Encinitas density requirements be followed which would result in a maximum of 27 units, I believe. We suggest neighboring views of the community and from the community be assessed and mitigated.

3. Name: Rob Ashley & Joy Lyndes Phone or email: joylyndes@gmail.com
Address: 936 Bluejack Rd., Encinitas, CA 92024

4. Please use the space below for any additional comments.

Comment Card – Martin, John and Jane

Name: John and Jane Martin

Address: 750 Melba Rd

Phone Number: 760-436-4157

Email Address: jojamartin@att.net

1. Do the documents and presentation clearly identify the scope of the project? Y/N yes

If no, please describe areas requiring clarification.

We did not attend the presentation due to having been on Zoom teaching from 8-4, could not bring myself to Zoom again, but we did look at the plans as interested neighbors. I could not quite figure out what the side or front yard setbacks will be, however they did not look like the existing neighborhoods' and it was mentioned that the developer was asking for a waiver on setbacks.

2. Do you have any other issues or concerns requiring further review? Y/N yes

If yes, please explain.

1. We are concerned with the change in the zoning. Having, through the years, attended many zoning meetings and knowing the hours and energy expended by city staff and residents of our city into creating these zoning maps, I am always amazed at the constant changes in the zoning for these new developments in already established neighborhoods. Why create the zoning if it is changed for each development? This development is almost like creating a whole new community within an existing community. The change in density is a concern along with the set backs which do not conform to what is already in existence in the neighboring houses.

2. Our second concern is the traffic which will be created on the local streets. During the Covid slow downs we are now able to drive in and out of our driveway at almost anytime of day without too much of a wait. Before last March, however, we learned that we had to leave at certain times to miss traffic due to others heading to work and students needing to get to and from school. We have three schools and multiple preschools with heavy traffic patterns, when they are in session, which especially affect Santa Fe, Nardo, Balour, and Melba. We are also aware of another development on Santa Fe which will be adding more traffic onto Santa Fe. With the schools not in session, this is not a time to study how traffic patterns from this development will affect local roads. Traffic is almost always mentioned as an issue for new developments, however with a development of this size and our older, narrower roads, it will definitely be an issue.

3. Our third comment is wondering for the possibility of creating more single level dwellings which are more in character with the existing neighborhood. Besides being more in line with neighboring houses it would meet the needs for seniors and people with disabilities. It would also support/offer opportunities to people who are trying to downsize.

3. Please use the space below for any additional comments.

We like the look of the houses and we like the idea to add "highly" affordable houses to our area. Our children would not be able to afford to buy a house in this area now or even with the addition of this development and the "highly affordable" housing units. As a side note- we know the Staver family as Jane and her siblings went to school with the Del Mar Stavers and our son went to Ocean Knoll with Brian until his family moved to Oregon.

Comment Card – Peterson, Andrew

Name: **Andrew Peterson**

Address: **927 Bluejack Road**

Phone Number: **760-500-8174**

Email Address: apvpeter@gmail.com

1. Do the documents and presentation clearly identify the scope of the project? Y/N **Yes**
If no, please describe areas requiring clarification.

Portion that require further clarification/comment:

Some great/cool elevations- some less interesting - but overall good looking projects/elevations.

Arborist Report

Specific Material List reflected in the Elevations- Quality, Brand, Type, Etc.

2. Do you have any other issues or concerns requiring further review? Y/N **Yes**
If yes, please explain.

The discrepancy in the density calculation between Encinitas adopted Housing Density Bonus standards- and the unrelated AB2345 density calculations used by the developer. It would appear that the project is overreaching by 1-3 homes. Which if 3 homes were removed, based on Encinitas Density calculations, would add to the development's average lot size, making it more in tune with the complexion of the neighborhood and historic aesthetic of the neighborhood.

3. Please use the space below for any additional comments.

I am the HOA president of the Seaside Highlands, I have collected a consensus of the neighbors- and although we would like to better understand the density discrepancy, we are more concerned with the ultimate end product quality, design and feel. We are in favor of a housing project- and property rights - but again, want the project to be more in tune with a FoxPoint project or Barryman Canyon level of higher end homes- than some of the more recent mid-market new housing developments off of Requeza. We intend to pursue the requirement of this "higher end finished standard" of Substantial Conformance, with both the Planning Commission and the appeal of Council if need be. That said, I am open to freely dialogue about some of these aspects with you all. Look forward to seeing the project come to fruition- the right way.

This also includes an understanding of what will come of the very old and mature trees - including Torrey Pines, that currently exist on the property.

Comment Card – Schuster, John and Eleanor

Name: John & Eleanor Schuster
Address: 1072 Crest Dr., Encinitas
Phone Number: 760-436-3580
Email Address: jreas@pacbell.net

1. Do the documents and presentation clearly identify the scope of the project? Y/N N
If no, please describe areas requiring clarification.

- A. Provide a zoning map of the surrounding areas and identify other multiple single family home projects of this scope that have been built within the surrounding R3 area. How many homes per acre were built for these projects?
- B. Explain how you will obtain permission to build this project for 30 homes when current R3 zoning would limit it to 18 homes.

2. Do you have any other issues or concerns requiring further review? Y/N Y
If yes, please explain.

- A. There is only a single entrance/exit point, located on Melba Rd. How will potential traffic problems be mitigated for this project?
- B. How will you avoid spill-over parking happening on Melba Rd?

3. Please use the space below for any additional comments.

A. Melba Rd provides access to three public schools. Extra traffic and congestion on Melba Rd will be dangerous for child bicycle riders and foot traffic to and from these schools.

B. Cut-through drivers have always been a speeding problem on Crest Dr. More drivers will be encouraged to cut through, especially during rush hours, to avoid the extra traffic and congestion on Melba Rd.

C. In addition to violating R3 housing density limit, some of the housing, according to the provided materials, will exceed height limits above grade. How is this permitted?

D. The tightly clustered homes have minimal street setbacks, with their short driveways probably filled with cars. Additionally, the 5 ft structure-to-lot-boundaries shown on the layouts is minimal, at best, from the standpoints of privacy, aeration and shading. The impression we get is that this development will not be a compliment to the surrounding neighborhood.

Comment Card – Sherwin, Louis

Name: Louis Sherwin

Address: 1030 Oceanic Drive

Phone Number: 760-612-6373

Email Address: LSHERWIN@MAC.COM

1. Do the documents and presentation clearly identify the scope of the project? Y/N YES

2. Do you have any other issues or concerns requiring further review? Y/N YES

If yes, please explain.

Help the neighborhood address safety concerns Melba Road. This is primarily speeding and poor visibility when trying to enter from Oceanic Drive. If all drivers would follow the speed limit which I believe is 25MPH it would not be a problem. It is a problem all day but it especially gets worse in the afternoon during the time schools are being let out.

My suggestion is to install at least 2 or maybe 3 speed bumps on Melba Road between Balour and Crest Drive. Ideally these would be in the style of full width speed bumps identical to this that have been on Crest Drive north of Santa Fe. Also similar to those that are on the Coast Highway in Leucadia.

Multiple full width bumps would effectively slow the traffic with out causing the uncomfortable swaying caused by the short rubber or asphalt bumps installed in other locations.

Thank You,

Louie Sherwin

Comment Card – Sutherland, Ross

RE: **Project: 1220-1240 Melba Road/1190 Island View Lane Case#: CDPNF-4312-2021 , CPP-4313-2021**

Ross Sutherland
1013 Scarlet Way
Encinitas CA, 92024
619 871 8286

1 Do the documents and presentation clearly identify the scope of the Project....**YES and NO**

The documents **do not** clearly show what trees and vegetation will be removed along Melba. I am assuming that all of the large pines and other street vegetation will be lost. It appears that there will be a large retention basin and a smaller one at the entry to the project. If this is to be similar to the recently constructed retention basin at the intersection of Requeza and Nardo, it will an embarrassment to our community.

It should be re-landscaped with specimen trees, hedges and ground cover to screen the project edges along Melba. This will require a larger Landscape setback (10 feet +/-) on both sides of the entry. The City, the Mayor and many residents value the landscape character of Encinitas...this edge will degrade this portion of Melba if it is not re-designed.

Other problem issues are:

The excessive requests for variances from R-3 Zoning are very problematic and surprising:

1 A reduction of net lot size from 14,500 to an average of 7-8000 sf is approximately 50%

2 Lot width from 80' to 60' equals a 1/3 or more reduction.

3 Side yard reductions from 10/10 to 5/5 is 50%!

4 Lot coverage requirements of 35% are based on a lot size of 14,500 sf but your lots are only 7000 sf, but you are asking for the same coverage.

All of these large reductions are requested so the owner and developer can dramatically increase their profits for only three (3) "affordable" units. This is not a reasonable trade-off, and creates a very unfortunate precedent, as does the idea that the building plans will be submitted for approval with this incomplete document.

Also, solar panels should not be an option.

I have worked on many similar site plans, landscape concepts and architectural plans for many developers in San Diego and Orange County. It was at a time when the builders were the

advocates for exceptional products because they believed that good design creates a greater profit in the long run. They were correct then and I believe the principle is correct today.

This is not meant as a personal attack on anyone's skills or motives. However, judging from the previous work of your team I know you can do better to integrate this project into the existing community.

Comment Cards – Waldman, Cyé and Pamela

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021

CDPNF-4312-2021, CPP-4313-2021

From:

Cyé Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Sudden Urgency by Developers and the City of Encinitas to Seek Approval During this Pandemic

The pandemic is preventing us from having comprehensive face-to-face meetings with developers and/or the city as is mandated by the city. The developer has had many months to design and develop their plans to their benefit. Apparently, we as neighbors are expected to research and respond in less than a month. This is unwise and unfair! It is extremely biased in favor of the developer.

It was impossible to adequately cover all of our questions during the Citizen Participation Plan Zoom meeting on Feb 8, 2021, especially in addition to those concerns of the Wotan and Melba neighbors. We think that progress of this development should be postponed until it can be carried out properly. A Zoom meeting does not allow the format nor the time to adequately present our case(s).

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Island View Lane (IVL) End of Road Concerns

To be clear, we are very concerned about how the IVL road will end when it meets the new development.

Historically, the previous property owners allowed vehicle access onto their property for various purposes such as trash pickup, deliveries, mail, and home and yard improvement. This allowed large vehicles a turn around in order to serve the residents of IVL. In addition, 1160 IVL was allowed to have its driveway curve into their property to facilitate egress. As far as we know, this was the case since our house and driveway were built in 1981. Later, a retaining wall was allowed that followed the curve.

Since the Quezada property was sold and a gate was installed, vehicle access (i.e., for trash, mail, deliveries) has been compromised. In addition, large emergency medical and fire prevention vehicles may find it difficult or impossible to provide service. **Note:** We have allowed the gate so far without complaint while the property is uninhabited, because it seems to deter coyotes from entering IVL.

For a long term solution, we require that the easement to go beyond 1160 IVL into the proposed housing development and provide a turn-around sufficiently large enough to accommodate large delivery trucks and emergency vehicles.

Moreover, we require a solid wall separating the turn-around and IVL from the housing development. This wall should be high enough to keep out the coyotes and prevent otherwise unwanted access to IVL.

To avoid future conflicts, we think it would be beneficial if ownership of the IVL easement and turn-around was transferred to the residents of IVL. Otherwise, it might be argued that the new owners and/or the HOA are responsible for the care, upkeep, and liability of the IVL easement.

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Island View Lane (IVL) Water Drainage Concerns

We are extremely concerned about plans for water drainage.

We do NOT want the bioretention construction that is shown in detail on Sheet 5 on the proposed development plans as BMP-B to be near our property; in fact, we do NOT want it at all. Furthermore, we do NOT want the BMP-B emptying onto IVL. (There does not appear to be a sufficient elevation difference to accomplish that at IE OUT on Sheet 5.) We believe that the current plans pose the danger of failure and overflow with severe consequences of flooding and road damage for all of us downhill from it.

In addition, the BMP-B plans overload the drainage, because they add two additional homes (Lots 9 and 10) to the drainage pool. These two are positioned in areas that do NOT currently drain in our direction. These two homes, along with the other homes along the new proposed street should have their water directed towards Melba.

The current proposed location of BMP-B is against our fence line, which is very close to a beautiful, young and healthy Torrey Pine tree. In over 35 years, this is the first Torrey Pine tree that we have seen grow naturally from a pine nut to a tall tree on our property. Because we expect that most of the Staver existing trees and palms will be removed from their property, this tree is needed, more than ever, to accommodate local birds. We are concerned that digging too close to this tree may damage its root system, causing it irrevocable harm.

We know of horror stories regarding poorly maintained storm drainage. They can clog, flood, collect toxic waste, and serve as mosquito breeding grounds. They require indefinite, expert upkeep. The kind of ongoing upkeep that a city should maintain, not a homeowner.

We ask how can we monitor its upkeep? We won't know about drainage and toxic waste faults and problems until after it is too late and, we who are living at lower elevations, have suffered the consequences?

Any bioretention area must be the sole responsibility of the City of Encinitas. Drainage must be through underground storm drains that run down to the main city streets of Balboa or Melba. Pipes should be large enough to manage the worst-case storm scenarios. An Escrow Fund should be set up to provide funds for long term maintenance and repair of any failures and repair of any consequential damage due to flooding. See Waldman Comment Card #4 for a suggested alternative design for bioretention with an overflow retaining wall and central overflow drain.

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

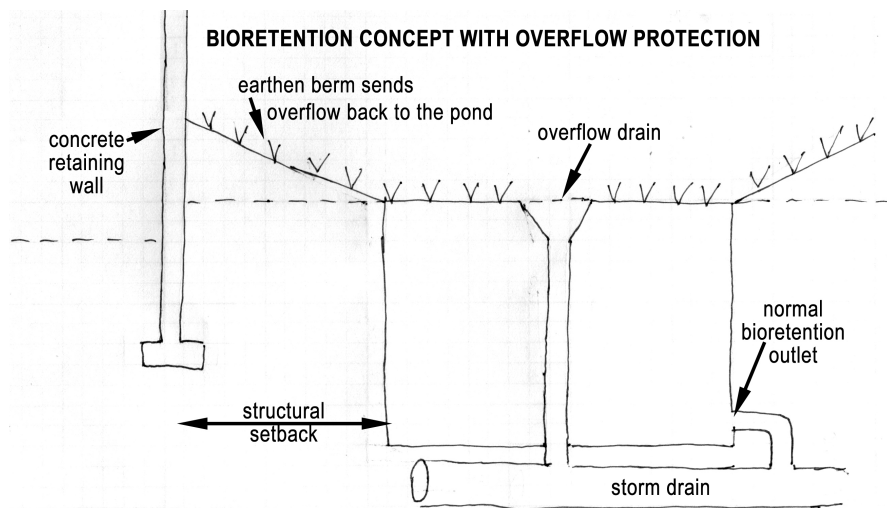
The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Sketch of a Bioretention Plan with a Protective Retaining Wall and Central Overflow Drain.

Cye's sketch for possible bioretention flood protection in the event of overflow or outlet blockage:

The retaining wall in this sketch should be set back sufficiently to allow growth of the young Torrey Pine tree and its roots. Also, it should be anticipated that periodically, pine needles will drop into the area from the tree.



Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Congested Traffic

First, we want to say that any traffic study made during the pandemic is a ridiculous predictor of what will happen in this neighborhood that consists of five schools, a community center, and a fire department.

Before the pandemic, school opening and closing times caused delays and frustration. When the high school, the elementary school, and the junior high school, the Saint John School (preschool, kindergarten to 8th grade) and the Bethlehem Lutheran Church preschool resume full operation, the bumper-to-bumper traffic will return in full force. During opening and closing periods, it will again be very time consuming to traverse stop signs at Melba and Balour and at Balour and Sante Fe Drive—not to mention the school entries and exits.

We think that anyone caught up in this traffic already knows that the area is too crowded and lacking solutions by the City of Encinitas.

At this Zoom meeting, nearby residents of Melba and Woton spoke of the traffic jams that already regular occur at Melba and Balour due to school traffic. We on Island View Lane also experience both vehicle and pedestrian traffic congestion, at the intersection of Balour and Island View Lane due to school traffic. This traffic makes it very difficult to exit or enter Island View Lane—especially when trying to exit to the South or when trying to enter from the North.

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Too Crowded

The five-foot set backs in these plans for houses along the new street that is planned to intersect Melba are an outrageous encroachment of privacy and noise abatement.

How can neighbors not have disturbances, arguments and possibly fight over their privacy and the resulting noise pollution when homes are only 10 feet apart from each other? This is totally **OUT OF CHARACTER** with the existing neighborhood, and represents possible problems for the new homeowners.

Calculations of land size per allowable number of houses should **NOT** include planned or existing easements, roads, and bioretention areas. Fifteen feet of Island View Lane from the start of 1190 Island View Lane down to Balour is an easement that is currently owned along with the 1190 Island View Lane property, but it does not contribute to housing spacing. It is certainly is **NOT** appropriate to include this land size when computing the allowable number of homes.

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Island View Lane (IVL) Construction Dust and Debris

What is planned for dust mitigation during demolition, grading, earthwork and building? Because of the elevation difference between the Staver property and ours (Waldman, 1160 IVL) we require a proper retaining wall installed prior to ground breaking.

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Rodents

There is good reason to believe that the structures and fields are infested with rodents due to the lack of human habitation. This is evidenced by the presence of predators (i.e., barn owl, hawks, and coyotes) eyeing or on the field next to us.

What is planned for rodent eradication prior to demolition of the existing structures? Although, we do not want them migrating to our home, we do NOT want them poisoned as that will also poison our local birds and other animals.

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: Island View Lane (IVL) Road Quality

The Island View Lane Road is NOT a robust road. It is simply asphalt atop dirt. It is not intended for heavy duty construction usage. Therefore, the IVL road should be off limits to all construction vehicles and services, unless there is in place, an IVL neighborhood agreed upon alternative with the development owners that provides for an entirely new, high quality, road replacement. The road should be crowned with side gutters to carry water down to Balour.

Comments on Proposed Housing Project

Re: February 8, 2021 Zoom Meeting

Project: 1220 – 1240 Melba Road / 1190 Island View Lane

Case #: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021
CDPNF-4312-2021, CPP-4313-2021

From:

Cye Waldman, email: cye@att.net

Pamela Waldman, email: pamelawaldman@att.net

Address: 1160 Island View Lane, Encinitas, CA

1. Do the documents and presentation clearly identify the scope of the project? **No**

The plans are plentiful, but fail to address critical concerns that the neighborhood will face if it is allowed to go ahead.

2. Do you have any other issues or concerns requiring further review? **Yes**

Re: What We Would Like to See Happen

1. The development has a fifteen home maximum.
2. Each home lot is approximately one-third to one-half acre in size.
3. The new homes and lots are ecologically designed to include some of the existing flora and fauna.
4. The new homes are beautifully designed so that the surrounding neighborhood welcomes the level of community improvement and so that the new homeowners can enjoy their large lots and sweeping sunrise and sunset views.
5. The Island View Lane road would have both underground storm drainage installed and an ample turn around at the upper end.
6. The Deed to the Island View Lane road easement (currently held by 1190 Island View Lane) would be transferred to and shared by the houses that directly access the road. This deed would include the turn around area above 1160 Island View. This deed would NOT include the 1190 IVL home or its HOA.
7. The the City of Encinitas, the builders, our neighbors, and ourselves can agree upon viable solutions to all of the concerns addressed in our other nine comment cards, and make those solutions happen.

Comment Card – Wargo, Richard

SUBJECT: Case Number: MULTI-4309-2021, SUB-4310-2021, DR-4311-2021, CDPNF-4312-2021, CPP-4313-2021.

From: Richard Wargo / 1002 Wotan Drive

To: Catherine Blakespear
Kellie Hinze
J. Dichoso
Joe Mosca
Tony Kranz
Deanna Gay
Lillian Doherty
Anna Colamussi
Andrew Maynard
Lillian Doherty

Date: February 19, 2021

RE: Citizen Comment

While The proposed development by the Torrey Pacific Corporation at the property fronting 1220-1240 Melba Road totaling 6.67 acres, is subjectively objectionable for numerous reasons, it appears the developers are within requirements of California statutes for substantially proceeding with the development.

This does not mean there are not real issues associated with subsequent and cumulative impacts on the surrounding community.

For my family they are as follows. The property which we have owned and in which we have resided since 1996 directly fronts the proposed development on the south side of Melba road. The proposed 30' wide access road is centered squarely on our living room. Therefore, the impacts of this development will be experienced more directly, immediately and constantly by my family than any other residents in the area. We will have the unique opportunity to experience every single ADT which enters and exits the development.

This in itself is not completely objectionable as Melba road is already gridlocked during the peak morning periods, and any additional trips during those times will likely be a negligible percentage of overall traffic density.

Our concern is directly a result of our proximity to the ROW which fronts our property. My residence has always been at the minimum set back since it was constructed in 1972, and since 2000 or 2002 the ROW has already been utilized to realign Melba road 4 feet closer to my home

to accommodate the “Safe Route to School” project which installed a much-needed sidewalk on the north side of Melba.

More recently, in 2015, the city proposed installing a sidewalk on the south side of Melba, but after much citizen input and consultation the Mayor and Council at that time (Blakespear, Kranz, Muir, Gaspar, et. al.) directed planning to permanently remove the plan for the south-side sidewalk because of the existence of the “Safe Route” sidewalk on the north side connecting Crest drive with Balour Drive.

I clearly understand that changes to Melba road other than those immediately associated with and within the legal boundaries of the development are not in this proposal. The concern is that any subsequent future changes to Melba road to attempt to mitigate traffic impacts - specifically widening, which would force Melba road even closer to my residence, would further and without doubt have a negative impact on our quality of life and property value.

It is my firm stance that any future mitigation of traffic impacts that may occur must be borne by the development which caused them to arise – not by residents which had the negative impacts forced upon them.

Another issue is the impacts of construction activities. The proposal notes at least 5,000 cubic yards of earth will be exported – possibly more. Not only this, but all construction activities will have continuous impact for the duration of construction.

Again – with demolition, earth moving, and all forms of construction activity, my property will bear the brunt of all of the attendant environmental and quality of life impacts – a vast increase in diesel particulates, dust, dirt, noise, congestion etc.

How is the city planning to mitigate these effects? What mechanisms are in place to insure work hours are strictly observed and that my property is not damaged or impacted by encroachment of construction activities? This relates specifically to heavy equipment, which has on 2 instances since 2015 during road resurfacing both knocked out power to my home and destroyed irrigation and other landscape improvements to my property.

Furthermore, an issue which is clearly overlooked that will affect all surrounding homeowners is the translocation of innumerable resident animals as their habitat is destroyed. This includes but is not limited to coyote, raccoon, opossum, skunks, ground squirrels, rats, mice and other rodents. Their relocation is assured and will not be inconsequential, as undoubtedly they are numerous and many of these have destructive and undesirable habit, not the least of which is as vectors. It is unlikely this issue will impede this development, but again it is an impact that the community will bear due to the development. How will it be mitigated and by whom? The surrounding community should not have to bear this responsibility.

Additionally – the property had a long standing greenhouse operation – and for most of those years operated in an era when more highly toxic and persistent chemicals were the norm. There are undoubtedly residues on the property. This must be addressed prior to the disruption of existing grade and especially prior to export of grading spoils.

In closing I reiterate that my overriding concern is the negation and mitigation of impacts to my property that will be a consequence of this development – both immediate due to construction activity and subsequently due to efforts to address traffic issues.

It is unacceptable to force negative impacts on my property and quality of life to accommodate the development rights of Torrey Pacific Corporation, and trust that the City will respect this and take these issues into serious consideration.

Change is inevitable, my goal and hope is to avoid enduring negative impacts to property value and quality of life where I live.

Thank you for your attention and consideration.

Respectfully,
Richard Wargo
1002 Wotan Drive

ATTACHMENT G

**Community feedback submitted to the applicant by email from
January 20, 2021 through February 21, 2021
(excluding comment cards, which are provided in Attachment E)**

Development
8 messages

Lori Forsythe <lforseythe@me.com>
To: bstaver@gmail.com
Cc: TLawson@plsaengineering.com

Fri, Jan 29, 2021 at 3:49 PM

Hello Brian,

I'd like to introduce myself and my family. My name is Lori Forsythe and my husband is Bill Forsythe. I am a retired pro beach volleyball player and my husband retired from the San Diego Fire Dept. He retired with 36 years service and was awarded for his heroism and his exceptional work with the Fire Dept. We have 2 daughters that we raised here in Encinitas.

We have lived in our home for 28 years. Ann and Andy's kids used to walk through our backyard every day to get to Oak Crest Junior High and they would walk back through our yard to go home. Sometimes with friends in tow. We had a gate for them as it was safer to walk to school. We've been good neighbors and friends of the Staver's for many years. We live at [1208 Ahlrich Ave.](#)

I'm sure you're hearing a lot about the development from all the neighborhood. It doesn't come as a surprise to us but I'd really like to voice my concerns.

We have seen your plans. Lot #20 will be built 10 feet from the property line. It's a 2 story home. When we are standing in our backyard...which is 15 feet lower you can see how obtrusive a 2 story house would be. I am asking you if there is a way to alleviate this situation. That home will take away every bit of privacy that we have in our yard. I haven't slept thinking about it. Will the lot be graded down? Can the house be moved farther away from the property line? Will the windows not be oriented right into our yard? Could it be a single story?

The houses around the corner Lot #19 is also 10 feet from property line but the lot starts to sloop down so it won't be towering over the other backyards.

We have also heard the fence across the back will be made of block? Since our house is located below the top of the hill a block wall will take away any wisp of air we get from the hill. Our yard is already hot and this will make it even hotter. We are asking for a wood fence across the back to have air get through. I realize this might be an unusual ask but having lived her for 28 years, and global warming, our yard can get extremely hot on this side of the hill.

The other concern I have is our home is much lower, we've had flooding problems periodically from the hillside drainage. In fact last year it flooded our patio. When the

sprinkler system broke at Staver's a few years ago it flooded our whole back house. I'm concerned that water will be draining into the ground, 15 feet lower and multiple houses and yards behind us. It is a problem that we have dealt with as we have always considered the Staver's our friends and tried to work with our neighbors. As I'm hoping you might do too.

Sincerely,
Lori Forsythe

Brian Staver <bstaver@gmail.com>
To: Lori Forsythe <lforsythe@me.com>
Cc: Tyler Lawson <TLawson@plsaengineering.com>

Fri, Jan 29, 2021 at 4:34 PM

Hello Lori,

Thank you for the email. It is much appreciated.

Would it be helpful for me to show you the plans in person or schedule a video conference for a convenient time next week? That may be the easiest way for me to show you where the walls and fences start and stop, the view of the home on lot 20 from the side yard, and to hear related questions.

Monday afternoon or later in the week would work well for me.

All the best,

Brian

Lori Forsythe <lforsythe@me.com>
To: Brian Staver <bstaver@gmail.com>

Fri, Jan 29, 2021 at 5:02 PM

Thank you. We'd like for you to come here to explain the plans and also you could see my concerns. Monday works for us. You can pick what time works best for you.

Lori

Brian Staver <bstaver@gmail.com>
To: Lori Forsythe <lforsythe@me.com>

Fri, Jan 29, 2021 at 5:07 PM

Hello Lori,

Sounds great. If it works for you, let's plan on meeting at 2pm on Monday.

I look forward to it.
Thank you,

Brian

Lori Forsythe <lforsythe@me.com>
To: Brian Staver <bstaver@gmail.com>

Fri, Jan 29, 2021 at 5:22 PM

Confirmed. Thanks.

Lori

Lori Forsythe <lforsythe@me.com>
To: Brian Staver <bstaver@gmail.com>

Mon, Feb 1, 2021 at 8:34 PM

Thank you Brian for taking the time today. I'm not sure I can say I'm 100% in but it did help me wrap my head around the changes that are going to happen. And remember if your parents ever think of selling that house on Wotan please let us know. 😊

Lori

Brian Staver <bstaver@gmail.com>
To: Lori Forsythe <lforsythe@me.com>

Thu, Feb 4, 2021 at 11:34 AM

Hello Lori,

Thank you to you and Bill as well. Your feedback is much appreciated. I want to note that the form I have sent on the CPP meeting and comment cards is being provided to all who have asked for additional information. It is not intended to rush our discussion of trees and the details being proposed on lots 20, 22, 23, and the cul-de-sac which I anticipate will be ongoing for some time.

All the very best,

Brian

Melba/Island View Project Information

3 messages

Wargo, Richard <rwargo@ucsd.edu>
To: "bstaver@gmail.com" <bstaver@gmail.com>

Sun, Jan 31, 2021 at 12:05 PM

Hi Brian -

Thanks again for all your time meeting with me last week. I am the neighbor on Melba directly across from the project site.

As we discussed, please provide a PDF copy of Sheet 2 and Sheet 4 and Sheet A01.

Hopefully it can be bigger than the document that was mailed per community notification.

Also, can you please provide the Zoom login info for the meeting of February 8?

Thank You,

Rich Wargo
[1002 Wotan Drive \(corner](#) Melba and Wotan)

Brian Staver <bstaver@gmail.com>
To: "Wargo, Richard" <rwargo@ucsd.edu>

Tue, Feb 2, 2021 at 11:01 AM

Hello Rich,

Thank you for the patience. The login information is listed below. Additionally, sheets 2 and 4 from the civil plan and sheet A01 from the architectural plan are attached.

All the best,

Brian

Wargo, Richard <rwargo@ucsd.edu>
To: Brian Staver <bstaver@gmail.com>

Tue, Feb 2, 2021 at 12:01 PM

Thanks Brian - No worries, it's not like you don't have a lot to do!

-Rich

Rich Wargo
Science Producer
UCSD-TV

Tentative Map Sheets 30-lot Density Bonus

Ross Sutherland <rms1042@hotmail.com>

Tue, Feb 2, 2021 at 10:01
AM

To: Brian Staver <bstaver@gmail.com>

Brian

Thank you for all the information. Can you describe what will happen to the large trees along Melba? The drawings seem to indicate that they will be removed. It would help us understand the edge conditions if you could send me some cross sections along the street.

The drawings seem to show a large retention basin along the street. What kind of vegetation will be installed within or on the edges of this basin?

Thanks

Ross Sutherland

Ross Sutherland <rms1042@hotmail.com>

Tue, Feb 2, 2021 at 10:09
AM

To: Brian Staver <bstaver@gmail.com>

Brian

Just to clarify, I have the engineering sections along Melba, but it is unclear where the sidewalk will be relative to the street. Will there be a "merge" lane at the entry? Will the sidewalk be moved to the north to accommodate a "merge" lane?
Will there be a space for street trees along Melba?

Will there be developer provided street trees along the interior road?

Thanks

Ross

Letter and CPP meeting Re: melba Project

Jennifer Hewitson <jhewitson@cox.net>
To: Brian Staver <bstaver@gmail.com>

Tue, Feb 2, 2021 at 4:13 PM

Thanks again for your time Brian.

i want to reiterate, I cannot really determine how many folks on Oceanic consistently use our road to head to Santa fe.

Purely speculating. They would need to be surveyed. They also have way fewer homes than you propose and have been there for decades.

i do know that Melba is overwhelmed and backs up to Crest and frantic drivers take any route possible to race to school or freeway. This dense development with only one exit , will add intense pressure and hazards to Melba and surrounding streets .

If you use your old driveway, and the west road, perhaps widen them, preserve existing homes, especially the historic cottage and land in front , including tall trees, It may reduce number of homes some, but it shows sensitivity to the character of this semi rural community, and saves it from another Orange County style development in our faces.

With those kinds of compromises, this could be a reasonably nice project and might garner more support from affected neighbors. Instead of pushing to mirror Blue jack, how about reflecting your heritage and the feel of an old time agricultural. community as your land reflects now?

That's what Encinitas needs, actual consideration for what makes it SPECIAL and add needed housing that respects that.

Your family was one of many special respected entities.

The Staver family legacy of land stewardship and agricultural history is in your hands, and would be much more positive if you consider such things, beyond solely the "financial consideration".

Take your walk and ponder what you see through the eyes of this community...

Best, Jennifer

RE: Stavers Development

Brian Staver <bstaver@gmail.com>
To: J Dichoso <JDichoso@encinitasca.gov>
Cc: Lori Forsythe <lforsythe@me.com>

Thu, Feb 4, 2021 at 1:41 PM

Hello Lori Forsythe,

I'll include our separate email chain, reference to the meeting in your backyard on 2/1, this email, and any additional applicant responses to these questions and concerns in the CPP report that will be made a part of the administrative record.

Sincerely,

Brian Staver

Registration to attend February 8 Zoom regarding proposed Melba housing development

JOHN SCHUSTER <jreas@pacbell.net> Thu, Feb 4, 2021 at 1:42 PM

To: "bstaver@gmail.com" <bstaver@gmail.com>

Brian: Thank you for speaking with me today regarding the proposed Melba housing development. I live at 1072 Crest Drive. My wife Eleanor and I would like to register to attend the neighborhood Zoom meeting planned for next Monday, February 8th. Please provide me the log on details for the meeting. Our initial concerns and questions include parking, traffic management, and walk-ability within the project, traffic and safety problems on Melba. Some information about setbacks and dwelling concepts would also be good to hear addressed.

John R. Schuster

2/8/21 Zoom Meeting

Erica Wilson <ewilson844@gmail.com>

Fri, Feb 5, 2021 at 1:22 PM

To: bknapp@plsaengineering.com, bstaver@gmail.com

Hello Bryan & Brian,

I would like to be added to the zoom meeting on Sunday 2/8/21. I have concerns about my property at 844 Crest Drive. My backyard backs up to the proposed development. From what I understand the stormwater treatment pond will be adjacent to my property. I am on the low side of this and I need to know how you plan to mitigate the developments water run off onto my property. I already have issues when there are heavy rains. Any additional water will be devastating to my property.

Looking forward to hearing from you.

Thank you,

Erica Wilson

[844 Crest Drive](#)

[Encinitas, CA 92024](#)

ewilson844@gmail.com

760-815-3205

Melba low income project

jeryl Anne kessler <jerylanne68@hotmail.com>

Sun, Feb 7, 2021 at 6:55 PM

To: "bstaver@gmail.com" <bstaver@gmail.com>

Please rethink your project for homes. Do the right thing with your beautiful piece of property. So many other options that you could use land for and leave a lasting legacy in Encintas.

<https://today.csuchico.edu/bccer-dempsey-gift/> <https://leichtag.org/>

Sent from my iPhone

re: 1220-1240 Melba Road SFD

Alan Watchorn <alan_watchorn@hotmail.com>

Sun, Feb 7, 2021 at 8:01 PM

To: Brian Staver <bstaver@gmail.com>

Cc: "dgay@encinitasca.gov" <dgay@encinitasca.gov>, "ldoherty@encinitasca.gov" <ldoherty@encinitasca.gov>, Tyler Lawson <tlawson@plsaengineering.com>, Bryan Knapp <bknapp@plsaengineering.com>

Brian,

Thanks for the invitation to the virtual CPP. I will attend. I look forward to the start of this negotiation process. Before the meeting you might want to familiarize yourself (you may already have done this) with the Bluejack/Scarlett project. It has many attributes similar to yours (R3, Bonus Density, Egress to Melba, ETC.). While the neighbors did not get everything they wanted, it serves as an example of what the Planning Commission may approve.

Unfortunately one of the neighbors may not be able to attend your CPP meeting, so I will record for him.

Zoom Meeting Code + Concerns

Susan Sherwin suzie.sherwin@icloud.com

Mon, Feb 8, 2021 at 1:41 PM

To: bknapp@plsaengineering.com, bstaver@gmail.com, TWlawson@plsaengineering.com

Thank you for the opportunity to meet and have concerns addressed.
Please send code for tonight's meeting to Suzie.sherwin@mac.com.

What was the result of the traffic study? A new stop sign at Crest and Melba isn't a full solution.

School Research:

San Dieguito High School 1,850 students

7:50am-3:10pm

Oak Crest Middle School 736 students

8:15am-2:45pm

Ocean Knoll Elementary 650 students

8:00am-2:20pm

*3,236 total students!!

* School start times 7:50am-8:15am = 25 minutes to deliver 3,236 students to schools

* School end times 2:20pm-3:10pm = 50 minutes to exit 3,236 students home

3- preschools

2 - churches

Concerns:

-increased traffic from development (2 cars/house = 60 cars x 2 daily exit/entering = 120+ more car trips onto Melba

-morning traffic backed up Melba from Balour, past Wotan to Crest at peak times already!

- speed bumps needed to slow traffic Crest Drive to Balour

-teen drivers often exceeding speed limit

- e bikes- lack of helmets; exponential increase in use of;

- Melba bike lane safety

Sidewalk safety:

- will Torrey Pines be taken down? On city or private property??

- new sidewalks built? design taking in Torrey pine root expansion

-examine another outlet/or dual outlets

The above stats are astounding! It will not always be this quiet on our streets after COVID.
Mock up 1,000+ e bikes zooming up and down!!! Plus another 120 cars/ day! Plus 3,236 students from 3 schools adjacent and a few blocks away making their way to and from school.

Sincerely,

Concerned citizens of Oceanic Drive, Melba Toad and Crest Drive

Feb 8 Zoom

Kellie Deane Koenig <kdeanek@gmail.com>

Mon, Feb 8, 2021 at 7:37 PM

To: Brian Staver <bstaver@gmail.com>

Cc: Bryan Knapp <bknapp@plsaengineering.com>

Thank you for the information and for hosting the meeting. I think this group needs another meeting with an agenda and better ground rules (best practices for virtual public meetings) - mute participants, address FAQs, and discuss process and schedule. I submitted comments during the recorded meeting and left the meeting at 7:35.

cpp meeting letter

Beth Hagen <bjtrhagen@att.net>
To: "bstaver@gmail.com" <bstaver@gmail.com>

Mon, Feb 8, 2021 at 8:33 PM

Hi

To Whom It May Concer

My name is Beth Hagen and I live at 1130 Island View Lane. I respectfully ask for no density change on the Malba/Island View Lane parcel. This is not because I am anti-growth but because I am an enthusiastic supporter of smart, planned developments. I have lived and thrived in this neighborhood for over 27 years. It used to be if you wanted to change the zoning from a R-3 to a R-5 it had to be voted on and approved by the people of the community. Now it seems to be the sole decision of the city and state. This development goes against the character of the neighborhood, and creates excess traffic for an area already plagued by traffic from surrounding schools.

If the 30- house development goes through, the next pressing requests include:

1. Request all utility lines that run along Island View Lane be put under ground.
2. Ensure the private road status of Island View Lane. It is a privately maintained road and should be closed off at the top with a turn about for emergency and utility vehicles.
3. Drainage and water runoff issues down Island View Lane.

Thank you in your time and consideration of these matters

Beth Hagen

Re: Bio retention report.

Glenn <glenn@bajaphotographer.com>

Tue, Feb 9, 2021 at 6:29 PM

To: Dan & Abi Mori <dan@fulcrumsurf.com>

Cc: Pamela Waldman <pamelawaldman@att.net>, Hagen Beth <bjtrhagen@att.net>, Cye Waldman <cye@att.net>, Gary Neighbor <garystuber@gmail.com>, John Bjorneby <buzzvet@gmail.com>, Brian Staver <bstaver@gmail.com>, "Dr. Sally Jensen" <drsally@academiccoachingandwriting.org>

My response to the biological resources report paid for by Brian Staver:

This report is an extremely short and incomplete observation of habitat and wildlife. If any of us could have had input in that particular day and time, we would have seen and heard much more.

One House Finch (*Carpodacus mexicanus*) and one Western Fence lizard (*Sclerophorus*)?! Island View Lane is the same habitat as the Staver development and every day of the year many different bird species are observed. If necessary, I will provide photographic proof

.Glenn Jensen comment: Item 4.3 -4.3.3 :

This is bureaucratic nonsense. Common sense is, that if left alone, this property would revert to it's diverse history.

"No mammals were observed or detected onsite." - Nocturnal visual observations were NOT made in this report!!

I believe all neighbors of ours will attest to endemic Skunks, Possums, Coyotes, Ground squirrels, and Field Mice being present virtually every night.

Endemic Sagebrush and many "weeds" would return to normal if they were not bull-dozed by the development.

Continuing to read this purported scientific document is wearing thin. It reminds me of special interest "expert" testimony provided by trial lawyers. Does the glove fit?

My wife, Sally and I have enjoyed watching the local bird populations in our yard, many of which have nested and raised young. It is a joy to see a Red-shouldered Hawk bathing at our pond and waterfall. Red-shouldered Hawks nested successfully last Spring in a palm tree located on Melba Drive. Cassin's Kingbirds have colonized the Torrey Pines in our neighbor's yard. Anna's and Allen's Hummingbirds, Mourning Doves, Northern Mockingbirds, California Towhees, Western Bluebirds and House Wrens have raised families in our yard.

Just think what they could do on 6.57 acres!

Every Spring and Fall on Island View Lane, we watch migrations of several species of Warblers, and other migrants such as White crowned Sparrows, Hermit Thrushes, and Ruby-crowned Kinglets. Even a light-morph juvenile Swainson's Hawk stopped for a visit and a drink last month.

The proposed development of 30 cardboard, cookie cutter, houses would have a devastating affect on hilltop, Encinitas ecology.

Suggestion: Build a few nice homes that fit neighborhood character and leave some room for our beautiful environment.

Sincerely,

Glenn Jensen

Letter to Owners of Proposed Melba Development

Wed, Feb 10, 2021 at 6:53 PM

Dr. Sally Jensen <drsally@academiccoachingandwriting.org>

To: Brian Staver <bstaver@gmail.com>, J Dichoso <JDichoso@encinitasca.gov>, Andrew Maynard <amaynard@encinitasca.gov>

Brian, please convey the attached letter to the owners of the Melba and Island View properties.

Thank you,

Sally

Dr. Sally Jensen
Academic Coaching & Writing
Phone: 760.635.1545

February 10, 2021

To: Dan Staver, Tom Staver, Ralph L. Staver,

I have resided in Encinitas since 1971. Currently my wife Sally and I live at 1150 Island View Lane, which we purchased in 1997. Prior to that I resided at 1523 Crest Drive.

The Staver family has owned the Melba properties and members of the family have resided in Encinitas longer than I. We have all had the privilege of living in what was recently ranked as the eighth best ocean town in the country and third best in California. And our community at the top of the ridge provides the refreshing ocean breezes and clean air that makes for a life style that is beyond compare.

The Staver family has profited greatly from development in our coastal communities and that has afforded you the opportunity to live in the Encinitas community that we all cherish so much.

I am writing to urge you to consider radically different alternatives to the proposed development plan for Melba and Island View Lanes.

My neighbors and I would ask you to consider ways of giving back to this community rather than plundering the land for more profit; and thereby driving out the wildlife, clogging our streets, and diminishing the life blood of our community.

As stewards of this unique and resplendent property we request that you consider ways of maintaining open space and perhaps even creating a wildlife preserve as a legacy to your children and our children and to your grandchildren and our grandchildren.

Needless to say, I was disappointed to read through the draft of the Biology Report that Brian provided us.

This report is a very incomplete and an inadequate observation of habitat and wildlife on the property for the proposed development. If any of us could have had input at that particular day and time of observation, we would have seen and heard so much more.

It's hard to miss this:



Section 4.2 on Wildlife:

*A total of 2 wildlife species were identified onsite. Invertebrates observed included butterflies and bees, were not included in the tally. The reptile species observed onsite include the western fence lizard (*Sceloporus occidentalis*). Bird species observed included a house finch (*Carpodacus mexicanus*). No mammals were observed or detected onsite.*

Our home on Island View Lane is the same habitat as the proposed Staver development. Every day of the year, we observe many different bird species and other types of wildlife.



Male Kestrel on Torrey Pine Eying Prey in Our Yard

Insects.

Butterflies and bees should not be so easily dismissed. Our ecosystems are being severely impacted by the disappearance of these species. There are countless other types of insects that apparently don't count either.

Lizards.

I'm no expert on lizards but we have numerous species of lizards that we see everyday.

Endemic birds.

My wife and I have enjoyed watching the local bird populations in our yard, many of which have nested and raised young. It is a joy to see a Red-Shouldered Hawk bathing at our pond and waterfall. Red-Shouldered Hawks nested successfully last Spring in a Norfolk Island Pine located on Melba Drive. Cassin's Kingbirds have colonized the Torrey Pines in our neighbor's yard for decades. Anna's and Allen's Hummingbirds, Mourning Doves, Northern Mockingbirds, California Towhees, Western Bluebirds, Bushtits, and House Wrens have raised families in our yard. Black Phoebes and Lesser Goldfish nest in many of our neighbors yards and come to our waterfall to bathe.

We often see Wrentits, Say's Phoebes, Spotted Towhees, Orange Crowned Warblers, Northern Flickers, and Nuttall's Woodpeckers foraging in our foliage. We enjoy many raptors like Kestrels and Cooper's Hawks and Red-Tailed Hawks overhead as well as the typical urban birds such as the American Crows and House Finches.

The Great Horned Owls and Barn Owls help control the rodent population and are far and away the most popular birds in the neighborhood. We see them regularly at dusk and dawn and hear them during the night.

Migrating birds.

Every Spring and Fall on Island View Lane, we watch migrations of several species of Warblers (such as Yellow Rumped Warblers, Townsend's Warblers, Orange Crowned Warblers, Black-Throated Gray Warblers), and other migrants such as White crowned Sparrows, Hermit Thrushes, and Ruby-crowned Kinglets. Even a light-morph juvenile Swainson's Hawk stopped for a visit and a drink last month.

During the summer months we especially enjoy the colorful hooded oriole that come to our feeders.

Mammals.

During the day the most frequent mammals are the ground squirrels and rabbits. However, at night the neighborhood comes alive.

Nocturnal visitors.

Anyone who has lived in this neighborhood can attest to the many species that visit us at night—coyotes, raccoons, bobcats, skunks, opossums, and field mice.

Sections 4.31 on Sensitive Habitats

No sensitive habitat types were observed onsite.

4.3.2.2 Sensitive Plant Species with the Potential to Occur Onsite (not observed)

In summary, of the thirty-one sensitive plant species assessed, none has greater than a low potential to occur onsite due to lack of observations in the area and onsite as well as a lack of appropriate habitat.

Common sense is, that if left alone, this property would revert to it's diverse history. Endemic Sagebrush and many "weeds" would return to normal if they were not bulldozed for the proposed development.

Both the Staver property and the Quesada property had operating greenhouses at one time. Rather than 30 cardboard, cookie-cutter houses that would devastate a hilltop, Encinitas ecology, just imagine the value of a 6.67 acre habitat restored to it's natural state.

Respectfully,
Glenn Jensen

**Regarding Case No. MULTI-4309-2021, SUB-4310-2021, DR-4311-2021,
CDPNF-4312-2021, CPP-4313-2021**

Jennifer Hewitson <jhewitson@cox.net>

Wed, Feb 17, 2021 at 5:02 PM

To: "bstaver@gmail.com Staver" <bstaver@gmail.com>, "bknapp@plsaengineering.com" <bknapp@plsaengineering.com>

2/17/ 2021

Jennifer Hewitson

[1145 Wotan Dr.](#)

[Encinitas Ca. 92024](#)

760-815-4003

Regarding Case No. MULTI-4309-2021, SUB-4310-2021, DR-4311-2021, CDPNF-4312-2021, CPP-4313-2021

To: Brian Staver, Bryan Knapp

I am strongly urging a full Environmental Impact Report as set forth by the California Environmental Quality Act for the project referenced above. This case number is in reference to the 30-lot development for single-family residential housing by the Torrey Pacific Corporation which totals 6.67 gross acres and will take vehicular access solely from Melba Road.

Because of impact to the following environmental resource factors, a full environmental review is strongly recommended in order to avoid and/or mitigate significant adverse environmental impacts.

- 1) Traffic with the potential single access point to tree lined Melba Road, and resulting delays in emergency vehicle response times
- 2) Safety as it pertains to pedestrian route to multiple schools, including elementary, middle school, high school and several preschools
- 3) Potential habitat for several ecological communities of wildlife including threatened and endangered species
- 4) Potential hazardous substance on site due to pre-existing agriculture operations
- 5) Water availability
- 6) Size of the project area which exceeds the 5 acre exemption
- 7) Greenhouse gas emissions due to unknown term of construction activities as well as long term traffic congestion

Again, due to the probable significant impact to the environmental factors listed above and the cumulative impacts on public health and safety, I am strongly requesting an Environmental Impact Report in order to assess alternatives and follow a protocol of analysis and public disclosure mandated by the California Environmental Quality Act.

Thank you, Jennifer Hewitson

Melba/ Island View development

Beth Hagen <bjtrhagen@att.net>
To: Brian Staver <bstaver@gmail.com>
Cc: "J. Dichoso" <jdichoso@encinitasca.gov>

Thu, Feb 18, 2021 at 8:28 PM

February 18, 2021

Dear Mr. Staver,

This is a request for a full Environmental Impact Report as set forth by the California Environmental Quality Act for Case No. Multi-4309-2021,SUB-4310-2021,DR-4311-2021,CDPNF-4312-2021,CPP-4313-2021. This case number is in reference to the 30-lot development for single -family residential housing by the Torrey Pacific Corporation. After attending the CPP meet, reading reports and listening to neighbors concerns it is clear that an Environmental Impact Report could answer many question and concerns about this development.

Because of impact to the following environmental resource factors, a full environmental review is strongly recommended in order to avoid and /or mitigate significant adverse environmental impacts.

- Traffic on Melba Road
- Safety as it pertains to pedestrian route to multiple schools, including elementary,middle,and a high school along with several preschools.
- Potential habitat for several ecological communities of wildlife including threatened and endangered species,like the Gnat catcher.
- Potential hazardous substance on site due to pre-existing agriculture operations.
- Size of the project area which exceeds the 5 acre exemption.
- Greenhouse gas emissions due to short term construction activities as well as long term traffic congestion.

Again, due to the probable significant impact to the environment factors listed above and the cumulative impacts on public health and safety, I strongly requesting an Environmental Impact Report in order to assess alternatives and follow a protocol of analysis and public disclosure mandated by the California Environmental Quality Act.

If you have any questions, please contact me at: 760-814-0680.

Thank you for your time in this matter.

Beth Hagen