

Joint Meeting of the Tierrasanta Community Council and Planning Group

Agenda for Wednesday, February 21, 2018 at 6:30 pm

Tierrasanta Recreation Center, 11220 Clairemont Mesa Blvd. • www.tierrasantacc.org

The Tierrasanta Community Council and Planning Group generally in the following months:
January, February, March, April, June, July, September and October.
Additional meetings may be called on an as needed basis.

Please note: Unless an agenda item says "Time Certain," items may be taken up earlier or later than the listed time on the agenda.

6:30 pm Pledge of Allegiance; Roll Call/Introductions; Determination of Quorum

Updates by Government Representatives: limited to 2 minutes each

- Fire Station 39 (Tierrasanta/Murphy Canyon): <http://www.sandiego.gov/fire>
- Police Department (Eastern Division): Community Service Officer Tom Bostedt 858-495-7919 tbostedt@pd.sandiego.gov
- U.S. Congressman Scott Peters: 858-455-5550 Juan Hernandez Juan.Hernandez@mail.house.gov
- State Senator Toni Atkins: 619-645-3133 Ryan Trabuco Ryan.Trabuco@sen.ca.gov
- Assemblymember Brian Maienschein: Rob Knudsen Robert.Knudsen@asm.ca.gov 858-689-6290
- Assemblymember Shirley Weber: 619-462-7878
- County Supervisor Kristin Gaspar: 619-531-5533
- Mayor Kevin Faulconer: Anthony George 619-236-6630 georgea@sandiego.gov
- City Councilmember Scott Sherman: Sheldon Zemen 619-236-6677 SZemen@sandiego.gov
- Serra High School Principal Dr. Erica Renfree 858-496-8342 erenfree@sandi.net
- Board of Education: Board Member Kevin Beiser 619-838-5274 kbeiser@sandi.net
- City Attorney: Director of Community & Government Relations Julio DeGuzman 619-236-6220 DeGuzmanJ@sandiego.gov
- MCAS Miramar: Kristin Camper 858-577-6603 kristin.camper@usmc.mil
- City Planning Department: Lesley Henegar
- Tierrasanta Library: Librarian Judy Cunningham 4985 La Cuenta; 858-573-1384

Attachments: There are several attachments for tonight's meeting

- 1) Draft Minutes for the January 17, 2018 TCC&PG Meeting
- 2) Commercial Unit Condo Conversion for 10715 Tierrasanta Blvd. – 2nd Assessment Letter dated January 11, 2018 plus response Letter from the Applicant plus Map
- 3) Scour Project 90% design plus biological assessment

There are 2 Time Certain items on the agenda:

6:40 pm Time Certain: Update by City Staff on the renovations/new additions to the Tierrasanta Library. No action is required.

7:00 pm Time Certain: Hearing on Condo Conversion (see Action Item 2)

Reports from Committee Liaisons – Information only

- Montgomery Field Airport Master Plan: Scott Hasson
A third public hearing on the Master Plan met on Tuesday, February 20, 2018 from 5:30 to 8 pm at the City of San Diego Public Utilities Department Auditorium, 9192 Topaz Way in Kearny Mesa. Updated documents are at <http://www.sdairportplans.com/documents/>
- Community Planners Committee: Deanna Spehn / Rich Thesing
- Concerts in the Park Committee: **Committee is requesting that an Area Director or Officer of the Tierrasanta Community Council volunteer to be the liaison between the committee and the TCC – potential action**
- Tierrasanta Budget Committee: Steve Muckle
- Tierrasanta Open Space Committee: Deanna Spehn, Chair 858-565-4018 dspehn1@san.rr.com
- Tierrasanta Recreation Council Liaison: Rich Thesing
- Vision & Goals Committee of the Tierrasanta Community Council: Kevin Oskow
- Tierrasanta Community Communications Committee: Bob Lang
- Tierrasanta Community Development Committee: Bill Reschke – no report
- Mission Trails Regional Park Liaison: Rich Thesing

Item A: Non-Agenda Public Comment. Any member of the public may address a community issue not elsewhere on this agenda. Each speaker may take up to 2 minutes; speakers may be limited to less time if several speakers have filed speaker slips to speak on the same issue. The TCC is prohibited by The Brown Act from acting on or voting on any issue that is not already on the agenda unless it is deemed by the Council to be an urgent issue. Issues raised during Non-Agenda Public Comment may be referred to an appropriate Tierrasanta Community Council committee.

Item B: Agenda Review / Requests for Continuance / Additions to the Agenda

Action Item 1: Approval of the Draft Minutes for the January 17, 2018 Joint Meeting of the Tierrasanta Community Council and Planning Group.

Adjourn the Joint Meeting and convene the meeting of the Tierrasanta Community Council and Planning Group:

Time Certain 7 pm - Action Item 2: In its role as the officially recognized planning group for the Tierrasanta community, the Tierrasanta Community Council has been asked by the City of San Diego to provide comments and a vote on Project No. 573604 - Tierrasanta Condo Conversion – **creation of 4 commercial condominium units within an existing commercial building located at 10715 Tierrasanta Blvd.** Subject: Project Assessment Letter; Project No. 573604; Tierrasanta Community Plan. Representing the Applicant: Miguel Cruz, EIT, Civil Engineer Designer, Walsh Engineering & Surveying, Inc. *See attachments.*

The Development Services Department has completed the second review of the project referenced above and described as a Map Waiver application for the creation of four commercial condominium units within an existing commercial building. The 0.54 acre site is located at 10715 Tierrasanta Blvd. within the CC-1-3 zone, Airport Influence Area (Review Area 2) for MCAS Miramar and

Montgomery Field, the FAA Part 77 Notification Overlay Zone for MCAS Miramar and Montgomery Field within the Tierrasanta Community Plan area.

A Cycle Issues Report (Attached) contains review comments from staff representing various disciplines and outside agencies. The purpose of this assessment letter is to summarize the significant project issues and identify a course of action for the processing of the project.

I. REQUIRED APPROVALS/FINDINGS: The project as currently proposed requires the processing of a Process Three, Map Waiver. Consistent with the San Diego Municipal Code Section 112.0103, when an applicant applies for more than one permit, map, or other approval for a single development, the applications will be consolidated for processing and shall be reviewed by a single decision maker at the highest level of authority for that development. Therefore, the project as proposed would require a Process Three, Development Services Department decision with appeal rights to the Planning Commission.

II. PROJECT ISSUES: As noted previously, the significant project issues are provided in the Cycle Issues Report (Attached). Please see Information Bulletin 620, “Coordination of Project Management with Community Planning Committees” at <http://www.sandiego.gov/development-services> that provides some valuable information about the advisory role the Community Planning Group. Council Policy 600-24 provides standard operating procedures and responsibilities of recognized Community Planning Committees at <http://clerkdoc.sannet.gov/Website/council-policy>

The Land Development Code may be accessed at <http://www.sandiego.gov/developmentservices>
The Tierrasanta land use plan: <http://www.sandiego.gov/planning/community/profiles/index.shtml>
To view project details online, visit: <http://www.sandiego.gov/developmentservices/opends/>

Action Item 3: Recommendation by the Tierrasanta Open Space Committee/Tierrasanta Open Space Maintenance Assessment District regarding a proposed Scour Pond project at Santo Road and Antigua to be funded by the County of San Diego Vector Control Department as part of the County’s Mosquito Abatement Program. **Tonight’s action is to consider the request by the committee to oppose the project as currently proposed due to outstanding concerns about the proposed design.**

At its February 7, 2018 meeting, the Tierrasanta Open Space Committee/Tierrasanta Open Space Maintenance Assessment District voting unanimously to approve sending a letter to the City of San Diego and to the County of San Diego stating its unanimous opposition to the Tierrasanta Scour Pond Vector Habitat Remediation Project as proposed by the AHTNA Government Services Corporation because of serious concerns about the use of rip rap in a Multi Habitat Planning Area, the age of the biological data and report used to analyze the project, the loss of habitat, long term maintenance concerns, the apparent rise in the water table in the project area, and questions raised in this comment letter that should be addressed; the motion directed that the letter with recommended changes raised at the committee meeting be forwarded along with the committee’s recommendation to the Tierrasanta Community Council and Planning Group for consideration at its February 21, 2018 meeting. Voting in favor 9-0 were voting members John Hopper, Russ May, Dawn Lostritto Nielsen, Betty Ogilvie, Mike Ogilvie, James Sanders, Jennifer Schultz, Deanna Spehn and Rich Thesing. There was no opposition.

Tierrasanta Community Council & Planning Group
Tierrasanta Open Space Committee
Tierrasanta Open Space Maintenance Assessment District
c/o Tierrasanta Library 4985 La Cuenta Drive, San Diego, CA 92124
Deanna Spehn, President • 858-565-4018

February 21, 2018

Re: Proposed Tierrasanta Scour Pond Vector Habitat Remediation Project

To Whom It May Concern:

On behalf of the Tierrasanta Community Council and Planning Group, as recommended by the Tierrasanta Open Space Committee/Tierrasanta Open Space Maintenance Assessment District, we submit the following comments and questions regarding the Proposed Tierrasanta Scour Pond Vector Habitat Remediation Project within the City of San Diego, as proposed by the AHTNA Government Services Corporation.

Questions:

1. The stated purpose of the project is to identify a bio-engineered solution to eliminate and/or reduce mosquito breeding habitat within a scour pond on the down gradient side of a 30-foot long existing 4-48” culvert pipe headwall that discharges storm water routed from North Shepherd Canyon to the north, beneath Antigua Blvd. If the proposed project is designed principally to address water flow from North Shepherd Canyon, why not modify the route of the water from North Shepherd Canyon to the affected area?
2. Was an alternative approach considered to managing water flow from North Shepherd Canyon that would not involve disturbing 19,000 square feet of vegetation and installing a very large dissipater with riprap?
3. Was a “no project alternative” considered that would include:
 - a. remove the sediment that has built up around the headwall
 - b. permit a program that would allow the removal of debris dams on a regular basis along the maintenance path
 - c. open a channel through the existing perimeter of built up sediment to the existing streambed to the Santo Rd. culvert to keep the pond from being more than a few inches deep and therefore likely to evaporate after the rainy season.
 - d. continue vector control for the area as provided by San Diego County through its mosquito abatement program?
 - e. add a few inches of gravel in the vicinity of the headwall to facilitate evaporation
4. Based on recent observations it appears that there is a near surface water table in the western (downstream) end of East Shepherd Canyon. Water continues to flow from an unknown source (leak) somewhere between downstream of Dishwasher Pond (a.k.a. Red Pond) and upstream of Bridge #1. That flow, a gallon or two per minute, has run for over three months and has filled the western end stream bed to a stable level with the overflow continuing downstream.

5. Have studies been done to determine the source of this flow of water and whether it is runoff from yards (i.e., treated potable water) or an underground water source (non-potable).

6. The scour pond water level, after evaporating throughout the Summer of 2017 and part of the Fall, has stabilized with little fluctuation in its size or depth. There are two significant puddles in the deep maintenance path rut just west of Bridge #1 that are not connected to the flowing water, where the water level has remained the same which indicates that there is a near surface water table in the western end of the canyon. The source of the water should be determined. As the project is currently designed and the presence of a higher than normal water table in the area, it is possible that the project area may be under water, which is not consistent with its design or its intended purpose.

7. The date of the Biological Assessment (February through April 2016) used for this proposed project is nearing the deadline for its use. Do the City of San Diego and County of San Diego adhere to the 2-year window for use of a Biological Assessment when environmentally sensitive lands are potentially impacted? It is our understanding that Surveys for state or federally listed sensitive or MSCP-covered species older than 24 months must be updated, as appropriate, to accurately reflect resources on site. Surveys should be done at the appropriate time of year to detect presence/absence of sensitive species. If surveys are not done at the appropriate time of year, and the potential for occurrence is moderate to high (based on historical knowledge, site records, determination by the biologist, etc.), then it will be concluded that their presence exists on the property. In cases where there is a low potential to impact sensitive species, justification should be provided in order to determine whether additional focused surveys are warranted. Biological surveys that are over 24-months would require that the survey and report be updated to reflect the most current conditions affecting the project site.

8. Is it correct that the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife may require updated survey data during their review of this project as proposed?

9. Is it correct that the use of riprap is forbidden in the Multi Habitat Planning Area (MHPA)?

10. Was the use of wire mesh with smaller rocks considered as an alternative approach to disrupting 19,000 square feet of open space?

11. Has the use of a sump with small solar powered pump to drain stagnant water been considered?

12. What happens after the 5-year maintenance period covered in the proposed project? It is apparent that the City's Street Maintenance and Stormwater Division/Maintenance Assessment District is only responsible for the removal of litter at the site. Will the County be responsible for any major repairs? Can the Right-of-Entry Permit grant perpetual access to the site so that County crews can continue to do the maintenance after the 5-year period?

Background from the perspective of the Tierrasanta Open Space Committee

The proposed Scour Pond project is approximately 100 feet from the southeast corner of Antigua Blvd. and Santo Road, just south of an existing maintenance path. There is a headwall downslope and located parallel to the path four large culverts that run under Antigua Blvd. and a smaller one, likely a storm drain. Over the decades, sediment has built up around the headwall. Outflow from the culverts has pushed away sediment from an area 10 feet wide and approximately 30 feet long.

Stagnant water remains in this area all summer. There is a perimeter further away of sediment build up that blocks the channel to the culvert under Santo Road and forms a larger pond several feet deep after a significant rain. The depth of the retained water, currently 18 inches, is only 3 inches lower than the bottom inside of the culvert which explains why the outflow water from the culverts has not scoured the canyon floor but only pushed away the sediment build up.

Mosquito control in the immediate area is regularly provided by the vector control spraying program as managed by San Diego County. There is an ongoing mosquito problem west of Santo Road, but longtime residents who regularly walk in the area of the proposed Scour Pond report that at least in the last 10 years mosquitoes have not been seen in the proposed project area.

The mosquito threat along the maintenance path will not change as long as debris dams continue to form. Stagnant water is retained in numerous locations within 150 yards of the proposed project and remains in some until approximately September each year. If the debris dams that routinely form along the maintenance path cannot be regularly removed or pumped out, the proposed project will be ineffective in its intended purpose of reducing the mosquito population.

The project, using a large rock dissipater, is over engineered for the site. Opening a channel through the existing perimeter of built-up sediment to the existing streambed to the Santo Road culvert will likely keep the pond from being more than a few inches deep and more likely to evaporate after the rainy season. A few inches of gravel in the vicinity of the headwall would likewise facilitate evaporation.

This project appears to be designed to manage large volumes of water from North Shepherd Canyon discharging from the big pipes under Antigua Blvd. Historically large amounts of water do not flow in that area even when a major storm has hit, or if the large pipe from Mission Trails Regional Park discharges in the area. The water flow under Antigua Blvd. is handled by the existing vegetation.

The relatively small size of the pond area is evidence of high volume and high velocity flow under Antigua Blvd. Further, the blown out sediment is not aligned with the outflow direction from the culverts and clearly only 2 of the 4 large culverts contribute to the sediment removal. A dissipater is not required to manage water flow in this area.

The number of days per year when Tierrasanta may experience a major deluge of rain within a single day are infrequent, occurring only once each year for the past 2 years and in both cases the existing vegetation near the outfall of the culvert endured the flow without damage. During those deluges a lot of water was observed rushing under Antigua Blvd. however at the same time, the amount of water pouring through East Shepherd canyon is massive compared to the flow from North Shepherd Canyon. The East Shepherd Canyon flow consistently floods the western end of the canyon under several feet of water.

The proposed dissipater would be ineffective as it would be entirely submerged with the flow under Antigua running into a back pressure situation. Examination of the existing vegetation in the area of the proposed dissipater indicates that the flow during a deluge is handled adequately.

The project as proposed would disturb over 19,000 square feet of natural vegetation, habitat and ongoing environmental projects. Over many years, local volunteers have worked to eliminate non-native species and to re-plant and preserve the proposed project area.

A healthy plant life has been restored in the wetlands with willows, mulefat, sycamores, cottonwoods, oaks, toyon, lemonadeberry, holly, sages and native grass. Tierrasanta Maintenance Assessment funds and donated funds were used to remove many fully-grown eucalyptus and palms 10 years ago as part of the restoration project.

During heavy rains, the water floods the road up to the wide wetlands, including the cross path and the single-track trail, in this area that is basically a meandering wetlands. It then comes together with the flow from the north side to make a diagonal path up to the culvert under Santo Road. At the same time, a great deal of the water spreads out over the entire flat area, getting trapped in little gullies and streamlets. Even if there's a lot of flow, it doesn't roar through the site.

The proposed channeling of the flow will destroy much of this valuable wetland area, sending water speeding toward the other side of Santo and into the storm drain system. A healthy ecology is currently in place with water seeping through the earth down into the groundwater reserves. By planting natives with their long roots, volunteers have created an environment that traps and retains water that in turn fosters healthy plants, which provide a resource for birds, bees, and other wildlife.

The goal for this area should be protecting the hydrology and the filtering qualities of the native plants, not drying them out. The soil in that area remains moist during most of the year which enables the plants to stay healthy, strong, disease-free, as part of a holistic ecology. Some natives even cleanse pollutants. So much of the canyon soil gets dried out and hard; the wetlands is much richer.

Adjourn the meeting of the planning group and convene the meeting of the Tierrasanta Community Council

Action Item 4: Request by Serra Junior Alisha Rose for funds for student travel to Freedoms Foundation. **Tonight's action is to consider a \$100 donation, consistent with previous donations to Serra High School students attending the Freedoms Foundation.**

Action Item 5: At a recent meeting of the Tierrasanta Community Council it was suggested that the existing Tierrasanta Logowear inventory be offered to the Tierrasanta Foundation to operate and that the Tierrasanta Community Council cease having any interest in the Logowear program.

Tierrasanta Foundation President Eric Germain submitted the framework for an agreement between the two organizations which was modified by Tierrasanta Community Council President Deanna Spehn in proposed language for discussion and potential vote by the Tierrasanta Community Council at its February 21, 2018 meeting:

- a) TCC to identify a Logowear Point of Contact with whom Tierrasanta Foundation Point of Contact Eric Germain can work.
- b) TCC's complete Logowear inventory of all items, sizes, designs and colors, including the Logowear storage containers are to be turned over to the Tierrasanta Foundation at no cost and with no expectation of any future payment or any compensation of any kind. If there is a list of the current inventory the TCC shall provide it to the Tierrasanta Foundation. The TCC will provide a list of any Logowear that is on display or for sale or being stored at any other site.

c) Once the proposed turnover has been approved by both parties, the Tierrasanta Foundation shall have sole discretion over when/where and at what prices the inventory will be sold; which Logowear items will be ordered in the future; which items will be discontinued; and the design or any redesign of the Logowear artwork.

d) The TCC shall provide a complete list of vendors who have produced Logowear for and sold Logowear to the TCC during the last five years.

e) The TCC shall provide the current price list for all Logowear in current inventory and copies of any sales flyers or advertisements used in the sale and marketing of the Logowear. The TCC is not required to turn over any banners that were sold for the 25th Anniversary of the community that were small versions of the banner program that was hung on streetlights in the Tierrasanta community as those banners were not part of the Tierrasanta Logowear program.

f) The date of the physical turnover of the Logowear and storage containers is to be determined by both parties with the Tierrasanta Community Council responsible for the delivery of all items to the designated location.

g) The Tierrasanta Community Council shall not initiate a new Tierrasanta Logowear program in competition with the Tierrasanta Foundation as long as the Tierrasanta Foundation is actively operating a Tierrasanta Logowear program. The Tierrasanta Foundation is not required to report Tierrasanta Logowear sales and/or marketing reports to the Tierrasanta Community Council. The Tierrasanta Logo itself will continue to be used by the Tierrasanta Community Council on behalf of the Tierrasanta community. The Tierrasanta Logo may be used by the Tierrasanta Community Council and Planning Group should a Banner District be formed for the 92124 community via action by the San Diego City Council, with banners hung on city property, i.e., streetlights and traffic signal poles, etc., in the city right-of-way property and/or within the Tierrasanta Open Space Maintenance District.

h) The Tierrasanta Community Council President shall be authorized to sign an agreement with the Tierrasanta Foundation only if all elements of the final motion approved by a majority of the Tierrasanta Community Council is consistent with said agreement.

Adjournment: the next meeting will be 6:30 pm Wednesday, March 21, 2018

Current Tierrasanta Community Council & Planning Group Members:

President: Deanna Spehn 858-565-4018 dspehn1@san.rr.com

Vice President: Rich Thesing

Treasurer: Steve Muckle

Secretary: Dawn Nielsen-Lostritto

Area 1 Director: Mike George

Area 2 Director: Jim Mackris

Area 3 Directors: Russ May and Scott Hasson

Area 4 Director: Emily Whittmore and Jan Michael Whitacre

Area 5 Director: John Adair

Area 6 Director: Loren Vinson

Area 7 Director: Kevin Oskow, Jennifer Schultz & Elwira (Elvie) Plaskota

Area 8 Director: John Denune

Commercial Director: Mike Ogilvie