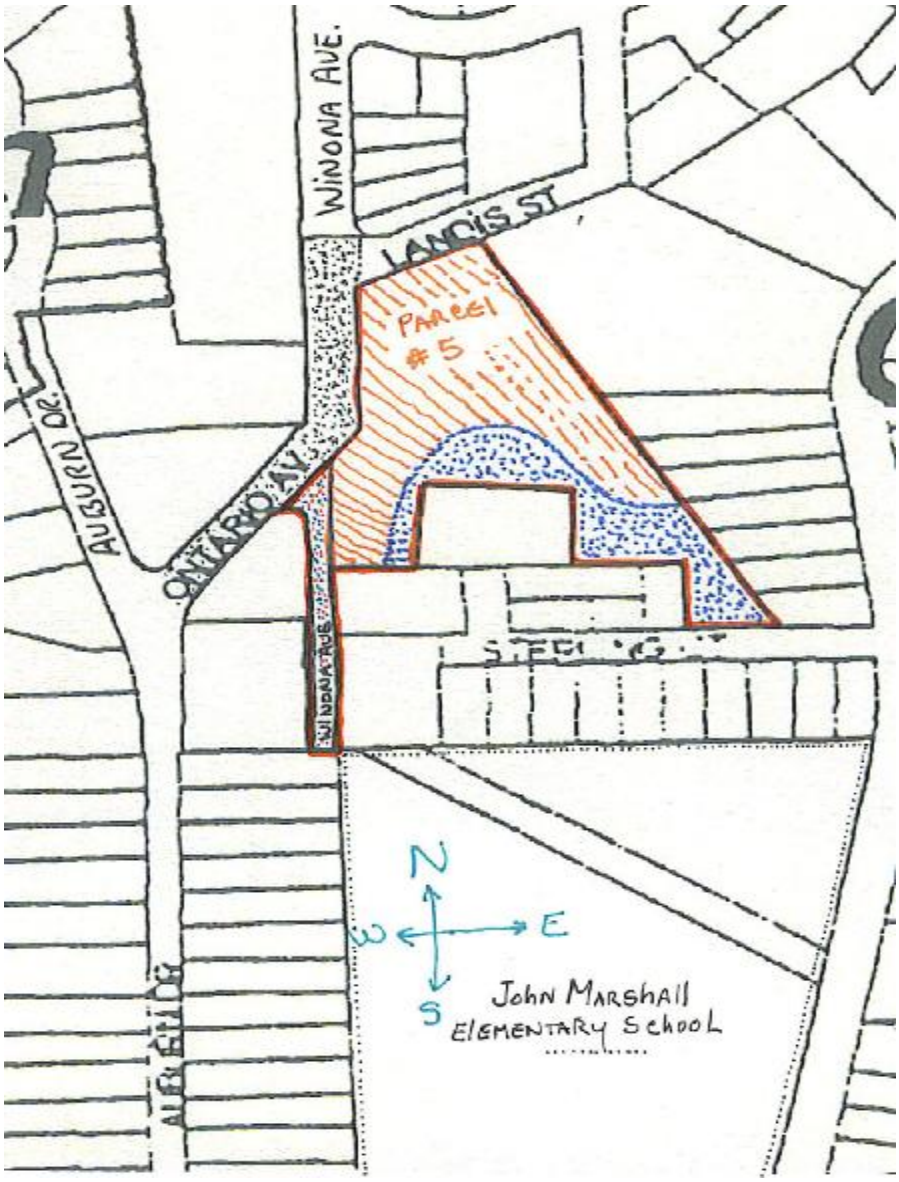
San Diego Planning Commission

FOX CANYON Neighborhood Park

Site Development Permit No. 267281 - Project No. 70422

Thursday, December 1, 2005

Appeal



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Fox Canyon Neighborhood Association

FOX CANYON Neighborhood Park

Site Development Permit No. **267281**
Project No. **70422**

With humility and respect for this wonderful opportunity to appear before you, here comes the **community** of Fox Canyon and solemnly requests your **VOTES** to **DENY** the **APPEAL,** to **UPHOLD** Mr. **Didion**'s *[Hearing Officer]* **decision** *[10/12/05]* and to support the Staff recommendation. Your supportive, thoughtful and kind vote will directly benefit an **indigent** community in desperate need of appropriate park/recreational facilities and intra-neighborhood vehicular circulation infrastructure. The **Ontario Avenue** connection as described and contained within the **Fox Canyon Neighborhood Park Project** is a tangible development long thought-after by the residents of this affected area and now before you.

BACKGROUND:

1. **NEIGHBORHOOD ASSOCIATIONS – recognition** and **authority:**
The **Mid-City Communities Plan** of August 4, 1998 *[the **PLAN**]* recognizes **Neighborhood Associations** as integral, active and **additional** parts of the Mid-City Communities planning process. "…These organizations help neighborhoods **FOCUS** on their **NEEDS** and **IMPROVEMENT** opportunities, greatly enhancing their chances of success. These neighborhood organizations exist in **ADDITION** to the recognized community **planning groups**…" **Attachment 1**

2. **"COMMUNITY" – defined:**
City Heights, by the virtue of the ***PLAN*** is **NOT one** entire or cohesive community, but the recognized **CONGLOMERATION** of **sixteen** *[16]* separate and distinct communities. Each of these communities has its own particular needs, problems, and identity; Social-economic character, and topography, in addition to its own neighborhood management style. **Attachment 2**

3. **"FOX CANYON" – defined:**

A. Primarily, the name "**Fox Canyon**" is the name given to the topographical incident of a land depression carved as a result of the running waters of historical Auburn Creek, a canyon. **Attachment 3**

B. The community of Islenair, to the southwest shares the Fox Canyon rim. The communities of **Chollas Creek** *[North-south/East]* and **FOX CANYON** *[North-south/West]*, at the boundary form by **Winona/ Ontario** Avenues, meet at, and share the Fox Canyon **VALLEY** and rim. **Attachment 4**

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C. Please **NOTE**: -- The **FOX CANYON Neighborhood Park** is named so in honor of the canyon, which valley *[bottom]* it will occupy. **Attachment 5**

4. **PARK** *bundle* **DEFINED**:
The community of Fox Canyon set in saving the City of San Diego some capital improvement budget dollars and time; and the residents all disturbances and dust *associated with construction,* **petitioned** to **BUNDLE** all **three** plan developments into one **CIP** project, and to build them concurrently. Thus, **a**) the **Ontario** Avenue connection, **b**) the restoration of Auburn Creek *[at this location]* and **c**) the neighborhood park are now commonly known to us as the **PARK** ***bundle*** containing three different elements in one project.

5. **THE FOX CANYON NEIGHBORHOOD ASSOCIATION** ***[FCNA]*** was founded ***[October 1997]*** **ten** months before the ***PLAN*** was formally approved and adopted by City Council. Fox Canyon is **UNIQUE,** among many in City Heights. Due to the fact that it is the **ONLY** neighborhood association *[across many regional and national jurisdictions]* managed by the **501(c)(3) Public Benefit Nonprofit Corporation model**. This management model provides for a President/CEO and a Board of Directors to be all volunteers **representing**, and **elected from** and **by** the residents living within this defined *[Fox Canyon]* service area. True to the ***PLAN***, and since its foundation, the ***FCNA*** has fulfilled its mission to **FOCUS** on the needs and improvement opportunities available to our neighborhood. The **Fox Canyon Neighborhood Park** *[bundle]* is only one little example of our dedicated activities to improve our community and neighborhood. **Attachment 6**

6. **OUTREACH:**

A. Courteous to, and mindful of, our neighbors, the ***FCNA*** has reached across the entire city of San Diego, **City Heights** in particular; to actively participate with us in all activities related to develop far-reaching visions to solve persistent, acute and endemic problems. Some of which we share with neighboring communities. Our goal is to increase our community's quality of life by solving traffic problems/ congestion, crime and lack off/deficient infrastructure and the acute absence of park/ recreational facilities in our highly dense community. We have approached all persistent and adverse conditions, to the best of our uneducated ability, with creative problem solving. In due time, all pertinent subcommittee reports and documents have been presented to the **City Heights Area Planning Committee**, **Crossroads** and **City Council**. In addition, the reports are posted at www.FoxCanyon.Org

B. **The** ***PLAN*** – Page 14 of the plan states: "*While neighborhood boundaries are* ***NOT HARD*** *and* ***FAST****, a major determinant of the boundaries and neighborhoods illustrated in this plan was the existence of* ***ACTIVE community associations***." Since the ***Chollas Creek Neighborhood Association*** is **NO** longer **active**, the ***FCNA*** has taken seriously, with deep respect and consideration to continue to outreach and include the community of **Chollas Creek** in all steps of plan development. It's worthwhile to notice that all-**PUBLIC** meetings and workshops, related to the park bundle *[and other]* were held in venues at the Chollas Creek side of the canyon rim.
Attachments 7, 8 & **8-A**

C. **Friends of Fox Canyon** – In organizing the Fox Canyon Walk, well known members of the Sierra Club ***[Eric Bolbey and two of his volunteers]*** along with volunteers from the ***FCNA*** blanketed the entire canyon rim with invitation flyers. Seventy-nine residents participated in the successful walk. **Attachment 9**

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7. **The MND** and **the DEVELOPMENT PERMIT HEARING of October 12, 2005, Mr. Didion, presiding/Hearing Officer – Report HO-05-0176.**
Written, audio and visual evidence; the testimony of **seven** people, **four** letters of support and a petition signed by **four hundred** and **four residents**, in favor of this matter; *against only **two** speakers in opposition*, were presented to Mr. **Didion**. Presented with such overwhelming evidence, the Hearing Officer appropriately ruled in **favor** of approving the **DP** and **MND** to benefit the park *[bundle]*.

a. **The Mitigated Negative Declaration** – The ***FCNA*** has proposed that mitigation for disturbing sensitive habitat and biological resources be done in the community most severely affected by such impact. **Attachment 10**

b. **Mitigation** -- The **FCNA** proposes and **REQUEST** that the "direct impacts to 0.05-acre of disturbed Southern Maritime Chaparral ***[SMC]*** and 0.10-acre of Non-native Grassland ***[NNGL]*** habitat totaling 0.15-acre of direct ***UPLAND*** impacts "***SHOULD*****""** be done within the Fox Canyon area. The ***FCNA*** has identify vacant parcels three ***[3]*** and four ***[4]*** right across *[Auburn Drive west-side]* and **UPLAND** *[hill]* from the park parcel being developed as suitable parcels for this mitigation purpose ***[Parks Subcommittee Report, Appendix A]***. **Attachment 11**

c. ***WETLANDS*** – The **FCNA** proposes and petitions the **Commissioners** to hold a workshop to recommend City Council *[or the appropriate Committee of City Council]* to enact and/or to change legislation *[ordinance]* to benefit the Chollas Creek riparian wetlands system to receive cross reference mitigation. The Chollas Creek system *[to which **Auburn Creek** is a tributary]* needs to receive the benefit of mitigation when the "**upland**" disturbance is adjacent ***[right next]*** to this "**wetland**" riparian system. The ***FCNA*** has coined the term "***INHOUSE***" ***MITIGATION***" to reflect this needed benefit exchange and now not codified.

8. **THE APPEAL**:
The appellant has presented **six** (6) causes of action for the appeal and has the great responsibility and burden of proof, in this case, to produce a none-**frivolous** appeal. Causes **1** to **4** are direct matters of Staff response. Therefore, only matters **4** to **6** are available to community and project sponsors, proponent and supporter's evidentiary opinion and testimonial response. **Attachment 12**

APPEAL CAUSES OF ARGUMENT:

1. **NUMERAL FOUR *[4]* OF THE APPEAL**:
PARALLEL DEVELOPMENTS – Although, the street **connection/solution** gave **GENESIS** to the **Park**, they **both** developed in **parallel** paths, but in completely different dimensions *[two **City Departments**]*, but in convergent evolution. At the time, the prevailing thinking suggested the placement of successful community driven solutions into the ***E-RAP*** first, to substantiate and legitimize planning. Then two separate, but required, approval actions from City Council, one for the street connection and the other for the park.

A. The matters dealing with the street gap connection were expressed, dealt-with and settled, between **1998** and **2000** in preparation, and way before, the ***E-RAP*** was ever written and approved ***[July 31, 2000]*** by an action of City Council.

B. **Traffic Study** – In preparation to finalize the ***E-RAP*** *[which includes Euclid rezoning changes]* a traffic study **was** commissioned and **done** by Traffic

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Engineering ***[November 30, 1999]***. The traffic study findings were supported and the amount of "***cut-through traffic***" was found negligible to front the park. **Annex A**

C. Twice, the City of **San Diego Engineering Department** has looked at the Ontario Avenue connection, and has supported the findings for construction and realignment of the street ***[CIPs]***. **Annex B**, **C** & **D**

D. The ***FCNA*** in a torturous process spanning many years has patiently define, redefine and refined the projects to their present description and scope. To accomplish this, the ***FCNA*** published the *Fox Canyon Parks Subcommittee Report* ***[March 18, 2003]***, which is available at www.FoxCanyon.Org /**Parks Report**. Thereafter, the **Park** & **Recreation Department** took over the park project *[as the **E-RAP** indicates]* without any farther knowledge of the Ontario Avenue connection Engineering CIP's.

E. **THE PARK GRANT APPLICATION**:

i. **Correctly** defines the conformity with the residents' plan and joints the accurate description of park parcel: **2**) **The Ontario Park**, *[future **Fox Canyon Neighborhood Park**]* Lot # **5** ***[Fox Canyon Parks Subcommittee Report**, page 5]*. **Appendix A**

ii. **Correctly** identifies Lot 5 for severance and later purchase from assessor's parcel 1, parcel map **12636**; **APN**: **471-810-29** at **1.932-acre** of surface area. **Attachments 13** and **14**

iii. **Correctly**, the grant application gives the dimensions of the parkland to be **1.9-acre** as described in the **Grant Application Form.** This is the park surface that is being purchased and the right dimensions of the park to be built. This land description *[by the matters of its **dimensions**]* **excludes** the land area from Ontario Avenue and that part of, *undeveloped*, Winona Avenue that meets with the **north** side of Ontario *[dedicated paper streets **since 1911**]* reserved for the development of the street connection, **minus .032**-acre. **Attachment 15**

a. **INCORRECTLY,** the ***City Heights Area Planning Committee [CHAPC]*** Chair has suggested that the park will **shrink** to **0.30-.035**-acre, when Ontario/Winona is build to justify his opposition. Such **intentional** and **misleading** statement was used to prompt and justify the ***CHAPC*** "**NO" vote** recommendation in favor of the street. In addition, the appellant **IS** using the same incorrect and misleading arguments**.** **Attachment 16**

b. **Correctly**, the grant application identifies **ONLY 0.4-acre** of **TURF** area, within this passive park, as per the residents' expressed desire. The Residents' Plan indicates that the rest of the park surface area is to be dedicated to provide the amenities included in the grant application list *[as per the Fox Canyon Neighborhood Parks Community Design-Workshop of June 28, 2003]*. In addition, to provide appropriate and dedicated spaces ***[niches]*** where the neighborhood residents, their children and the pupils from John Marshal Elementary School, can learn and study about the indigenous flora and fauna. Let's remember that his learning process will be extended throughout the **six** park

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parcels, when the entire Fox Canyon Park System is fully completed. Please, refer to **attachment 11**. **PICTURE 1**

iv. **Correctly,** the grant application translates the intent of the residents *[Parks Subcommittee Report, page **8**, **§ 9(b)**, **appendix A]*** and identifies the **southern** most section of Winona Avenue, a paper street *[that portion from the **south** of Ontario until it meets the Marshall Elementary School parcel]* for the stated purpose of a **trail** or **path** extending to Marshall Elementary school. Such section is about 0.8-acre. This and the 1.9-acre, of land acquisition, is the **2.7 acre** described in the **MND**, In addition, it identifies that portion of Landis Street to be vacated. **Attachment 17**

2. **NUMERAL FIVE *[5]* OF THE APPEAL**:
LEADING DEVELOPMENTS -- the Fox Canyon community has created and established a **PROCESS** by which thoughtful community-wide consideration, discussion and a democratic vote is always requested before needed solutions are expressed publicly, and visions are strongly pursuit. Such is the case with the needed solutions imbed in the **Euclid Avenue Revitalization Action Plan *[E-RAP]***. Our community *[through public meetings and workshops]* decided on the solutions and wanted improvements **BEFORE** they were translated into the ***E-RAP***. * "***Evidentiary History of Community Support for the Dirt-Street Connection, Ontario/Winona*** *[Future Fox Canyon Parkway]* **Annex E**

A. **The *Euclid Avenue RAP*** -- The descriptive matters of the street connection/ realignment and the park are expressed on **page 15, *i) TRAFFIC IMPROVEMENTS*** and on **page 26, *ii) LAND USE of the E-RAP***.

i. **TRAFFIC IMPROVEMENTS** ***[E-RAP, page 15]*** -- Under the "recommendation" column it reads:

1. "**Cut-through**" traffic has been resolved following the ***E-RAP's*** "*implementation*" column, guideline # **2**, and it is **NO** longer a neighborhood issue. But, let us notice that under the *implementation*" column, guideline # **1,** the "**Status**" column following this row, "*the Engineering analysis indicates **street closure** is **not** warranted*" and it was not.

2. "**Provide connection between Winona Ave.** and **Ontario Ave.**" Let's **all** notice and not be blind to the fact that this action is **RECOMMENDED** in the ***E-RAP***. It's written. Following this recommendation row, under the implementation column, the cell does not make any sense. The sentence is victimized by a **shrink-to-fit** error which created the following sentence mistake "*Open a connection between Winona and Ontario **Ave.s** as part of the closing of Auburn Dr."* Originally this cell contained a larger sentence with a different supporting meaning and argument. How was this concluded? Please, look at the following cell, in the same row, under the column "**Lead**"; it includes an unnecessary **hyphen** separating the word "*neighbo**R-H**oods*". Previously, the marginal brake used to be at the hyphen's location and the word "***neighbor***" rested on the line above; allowing for more words contained in the previous cell. Since the total meaning to this sentence has been eternally lost, we can search for other supporting **arguments** and **actions** clarifying and conditioning the recommendation.

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3. **Arguments** – through pages **15** and **26**, the ***E-RAP*** makes a case for, and supports, the Ontario Avenue gap-connection. In the ***E-RAP***'s case, is not the matter of "**IF**", but when will the explicit improvements recommended are to be build?
4. **Actions** -- Leading to the enactment of the ***E-RAP [July 31, 2000]***, the communities surrounding Ontario Avenue *[Chollas Creek and Fox Canyon]* petitioned to have the dedicated road-gap built, first. The City, following its constituent's desires, commissioned the Traffic and Engineering Department to commit moneys and staff-time to produce **TR 241, 250** and **TR 235-593-I** from **June 22, 1999** to **August 23, 1999** which generated the **MEMO** of **January 26, 2000** and the **Traffic Study** of **November 30, 1999.** The results of these studies are listed in the ***E-RAP to*** support its recommendations. In addition, upon continued pressure from the community to implement and build the, **now**, provisions written in the ***E-RAP***, the City committed more money and staff-time to produce **TWO** readjusted **TR 235-593's** ***[October 08, 2001]*** and later on ***[December 03,2002]***. **Annex A, B, C**, **D** & **E**

   So actions translate into **INTENT**; the intent upon which actions were taken. The descriptive and conditional variable is missing in the unfinished sentence within the "implementation" cell and now, as a matter of an accident, it's missing. But the actions of the intent are clear; building the gap connection is strongly supported and recommended. Therefore, this portion of land was **NOT** to be added to the park.

5. **In addition:** Let us notice that row cell, under column "Lead" reads: "City, **CHAPC**, (**input of affected neighborhoods is needed**)." So we have provided input throughout the entire process, always, and a petition with **404 signatures** supporting these actions. The residents at this location between Fox Canyon and Chollas Creek are in need and want the Ontario Avenue connection build into a full-blown city street **fronting** the park. This action is **NOT** contrary or in "**conflict with the City requirement regarding the implementation of the Euclid RAP recommendations**." **Attachment 18**

ii. **LAND USE** ***[E-RAP, page 26]*** -- Under the "**recommendation"** column it reads:

1. "**Develop a public park in the vicinity of Auburn Dr.** and **Winona Ave.,**" and the row's "**implementation**" cell reads: "*Evaluate opportunities to develop a **NEIGHBORHOOD PARK** in **conjunction** with the **CHOLLAS CREEK** preservation project and the **STREET** improvement **MITIGATION** for development of a street **LINKING** Ontario Ave. and Winona Ave*." Then, the row cell under "Lead" reads: "City/Planning Group/**Neighborhood Associations**." **Attachment 19**

2. **Evaluation –** As the "Lead" cell of this row proposes; from **March 28, 2002** to March 18, 2003, the ***FCNA's*** Parks Subcommittee conscientiously **EVALUATED** the opportunities to link the road gap and to develop a neighborhood park at this location. The resident's evaluation was published in the **Parks Subcommittee Report** of **March 18, 2003**.
   Appendix A

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3. **Mitigation** – Clearly the need for the gap connection *[Ontario Avenue]* was **EVALUATED,** considered, and it came **FIRST**. This evaluation gave **genesis** to the park and the creek's restoration. Improvements explicitly stated as ***MITIGATION*** for linking and connecting the gap *[lower Auburn/Winona]* formed by Ontario Avenue's dirt road.

4. **The Park** *bundle* -- The bundle of **THREE** elements of capital improvement projects, at this location, is clearly stated and printed within this ***E-RAP*** "**implementation**" cell, which really creates this bundle.

5. **The "Lead" Cell** -- clearly defers such evaluation to the **Fox Canyon neighborhood association** and delineates the process to follow until it ends at the City Council level.

6. **The City Heights Area Planning Committee** ***[CHAPC]*** by virtue of noticing the meetings leading to the park and road consideration mislead the community by refusing to use the appropriate and official **NAME** of the park, i.e. **Fox Canyon Neighborhood Park**. This publishing/noticing mistake ***[???], TWICE***, denied the communities of Fox Canyon and Chollas Creek the golden opportunity to present a case to the committee in favor of the park and the road, and therefore, the ***CHAPC's*** negative recommendation. **Attachments 20** & **20-A**

7. **Due Diligence** – The Fox Canyon Neighborhood Association has performed with due diligence in all matters pertaining the residents guided work. The FC Parks Subcommittee painstakingly conformed to all sections and recommendations of the applicable Land Use ***PLAN*** and its subset *[the E-RAP]* to its Parks Subcommittee Report. So the park and the street gap connection, as presently scoped, are **NOT** contrary or in "**conflict with the City requirement regarding the implementation of the Euclid RAP recommendations**."

3. NUMERAL SIX *[6]* OF THE APPEAL:

Due to our limited knowledge of these matters, during the evaluation of the gap connection, the Fox Canyon Parks Subcommittee ***[2002]*** only considered **THREE** finding pertaining to the Ontario Avenue Connection, i.e.:

a) The proposed development *[the street connection]* will **NOT** adversely impact the applicable land use plan;

b) The proposed Development will **NOT** be detrimental to public health, safety and welfare, and

c) The proposed development will comply with the applicable regulations of the Land Development Code.

a) Since the **Fairmount Addition** Subdivision Map **1347** added blocks **1** to **12** ***[Fox Canyon*** *as we know this entire subdivision now]* to the Fairmount Subdivision Map 1035, on **JULY 8, 1911**, San Diego County Recorders Office; **all** of Ontario and *[the westerly portion-half off]* Winona Avenues *[from the* ***school parcel*** *to University]* have been dedicate streets since **1911**. It was the clear intent, as recorder's maps show, that the combination Auburn/ Ontario/Winona was to supply a **secondary gate/connection** toward and from University Avenue. Thus, providing and facilitating better traffic circulation

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patters to Winona Avenue, upper/lower Auburn Drive and Wightman Street from the canyon's valley. **Attachment 21**

i. The findings of **NO** adverse impact to the applicable ***PLAN*** are based on the provision safeguarded in the ***PLAN*** for this area. In the case of the Ontario Avenue connection, the ***PLAN*** shows, reserves and upholds the Land Use for Ontario/Winona as dedicated streets. No drought, the Ontario street connection finally will fulfill its dedicated purpose; cured a gross derogatory deficiency pressed upon the residents of this area for such a long time and implement better health and safety for all residents inhabiting the Ontario/Winona Avenues area, the future **Fox Canyon PARK** included.

ii. **The Land Use *PLAN* is clear** – In this case, it states and supports the fact that "*Paper streets or alleys should **NOT** be vacated, if they **ARE** located in an **open space canyon.***" The Ontario/Winona gap is now in the **remaining** portion of an open space canyon, **all** of which is privately owned. Parcel 1 is ***zoned*** and has bested rights as a "**residential**" parcel. Since we are proposing to build a park and **NOT** dealing with open space, at this particular location, this recommendation does **NOT** apply. Therefore, the portion of Winona/Ontario Avenues should **NOT** be vacated into the park parcel. The ***PLAN*** clearly and strongly supports this action.

Attachments 22, 23 & 23-A

iii. **Street Vacation** - In addition, even if, Ontario/Winona were to be vacated into the park parcel, the benefit will **NOT** be completely and fully realized. As in the case of any street vacation, adjacent landowners have first possesory rights to acquire that half of the vacation belonging to them, in benefit off their developments and to facilitate egress and ingress rights. On the west, Ontario is bound by three multi-family housing projects ***[93, 68 and 21 housing units each, respectively]***. If such opportunity becomes available, half the streets surface will revert to the housing developments with **NO** direct benefit to the park.

a. **In addition --** The first **220 feet** of Ontario, from Auburn, is fully developed with residential use. These property owners and residents have expressed a strong desire to have this section of Ontario paved over. As now, there are a single family home and 21-unit multi-family developments at this location. Therefore, there is **NO** opportunity to vacate this portion of land into the park parcel. **Picture 2**

iv. **Auburn Creek**– Traverses the west of Ontario on the right-side, near, and at the property lines' right-of-way. The only and best way to preserve, restore and get the creek out from obscurity is to nest it within the Ontario/ Winona Avenues' right of way, in accordance with the **Chollas Creek Program**. The Ontario realignment is vital to the preservation/restoration of Auburn Creek. As if vacated and lost to first right of possession, it will belong to the property owners facing Ontario/Winona and let us remember that ***public*** monies can not be used to improve private property, at all.

v. **Encouragement** – The consideration to the ***PLAN's*** stated high priority goal to "***encourage development of park areas***" has been strongly supported and fulfilled with this park *bundle* project. In addition, retaining

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this entire area in "***open space***" only is **NOT** supported. Vacating **all** of Ontario *[**360 ft**]* and Winona *[north from Ontario**, 280 ft**]* is **NOT** desired, encouraged, **nor** supported. However, it is strongly encouraged and supported, as it is highly applicable, to vacate the southerly part of **50th Street** *[that portion that meets Landis]*, **Landis Street** *[from 50th Street to Winona]* and the southern part of Winona *[from the south of Ontario to where it meets **Marshall Elementary**]* to consolidate land into the proposed park. These, above mentioned, street closures will directly benefit parcel 1 land acquisition to enlarge the Park's surface and recreational area. *[page 65]*, please, see attachment 23-A again. **Attachment 24**

vi. **<u>In the Picture that follows</u>** -- Please, notice: to your far left: the line of trees and the wall bellow it, that's were the property line is demarcated to the west, and skunked beneath is ***Auburn Creek***, **NOT** visible in the picture at all. On the second plane, the line of green grass (running up/down) that's the width/distance to where Auburn Creek will be restored. On the center plane, **Ontario/Winona** Avenues *(future Fox Canyon Parkway);* notice the manholes placed at the center of Ontario/Winona. On the right and up the hill, that's were the **Fox Canyon Neighborhood Park** will commence and expand, wraparound, to the east and north/south. In addition, in the foreground and up the hill, present and fully developed Winona Avenue.

<u>In addition</u>, the appellant, who is **NOT** a Fox Canyon resident, but from **Ridgeview**, has stated that the "***Fox Canyon Community wants to place a road in the middle of the park and right where OUR children will be playing and learning about our canyon's flora and fauna, placing them in great danger***." In observing the picture, notice that the Ontario Avenue extension runs parallel to the park parcel, and **NOT** through it, and that the park, due to its geography and topography, **<u>IS</u>** uphill, well protected and away from traffic where our kids will be playing.

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vii. Now, on the **PARK**-side -- The park parcel will be severely impacted since the Land Use is **RESIDENTIAL** *[at a very high density zoning of **26-30 du/ac**. Let us notice that this particular parcel is one of only **five** which rests within this **extremely high density designation in City Heights**]*. But, since the ***PLAN*** makes it a priority and highly recommends acquiring appropriate and vacant parcels for parks, the applicable land use will not have an adverse impact upon the applicable land use. **Attachment 25**

> At this jointure, let us notice that on **2002**, in a meeting with Ms. **Sue Reynolds**, ***Neighborhood Housing Works***, the association's president expressed strong opposition to the building of an **82 unit** affordable housing project on, parcel 1, the park parcel. Although, the proposed developer has bested rights and offered to build the **Ontario Avenue** connection, as a community amenity. The community rejected the proposal in **favor** of the park.

viii. **Conformance with the Mid-Cities Communities *PLAN:***
Since, it is one of the stated ***PLAN*** recommendations to obtain vacant land to create more parks; empty parcel 1 was designated to **mitigate** the street connection as a **PARK**. Therefore, these actions, reactions and proposed community projects will **NOT** adversely impact the applicable land use.

b) Since, the Ontario Avenue Connection, when open to public ***[pedestrian and vehicular]*** transit, will permit emergency and law enforcement vehicles to traverse this location, the project will **NOT** be detrimental to public health, safety and welfare. At the contrary, it will bring great **public benefit** to an area were, today, there is none.

c) Now let us consider the facts that follow and pair them to the **a**, **b**, **c** above to support our findings:

i. Let us emphasized the fact that the Ontario gap connection is a **VITAL** necessity, a matter of serious public health and safety; good and convenience to the inhabitants of Fox Canyon and upper/lower Auburn, Winona and Wightman streets, in particular. In addition, the street connection is an integral part of the **PERFECT** recreational environment, function-ability and **accessibility** to the Fox Canyon Neighborhood Park. Let us notice that Ontario runs parallel to the park frontage and **not through** it, as some people have suggested. Adding the dedicated right-of-way land to the park will **NOT** significantly add more parkland and the impact will be negligible. However, if the street gap is not connected, the negative impact will be greater; it will significantly **ADD** more severe and detrimental environmental, circulation and service problems to the park, and surrounding residential areas. In addition, it will deprive the residents of good circulation patterns and accessibility.

Whereas -- The Ontario Avenue connection will **MITIGATE** the immediate access imposed by **ADA** requirements, and it will provide **ADA** parking/access right-up to the front and heart of the park, where it is most needed.

Whereas -- The Ontario Avenue connection will **MITIGATE**, now existing vandalism ***[graffiti and other]***, criminal *[drugs/gangs activity]*, rampant and unabated illegal camping

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[out-of doors sex and indecent exposure]; out-of-doors human waste disposal and gun discharge *[right into the air]* and off the future park per say and surrounding residential areas.

Whereas -- The Ontario Avenue connection will **MITIGATE** and provide an adequate facility for proper relaxation and for required police patrol and quick action enforcement ***[one-point multi-directional deep surveillance]***. In addition, quality of life crimes will be more easily abated and high quality of life will return to this area while providing an adequate facility with the right environment for human recreation, entertainment and **transport**.

Whereas -- The Ontario Avenue connection will **MITIGATE** and facilitate the pursuit and apprehension of law/code breakers, at this location. Where as now, the entire area is void of proper and befitting enforcement created by the inaccessibility and the off-limits nature of the terrain, the absence of appropriate and well maintained streets, and the dark isolation upon which this area rests now create a dangerous environment for the inhabitants of this area and to law enforcement.

Whereas -- The Ontario Avenue connection will **MITIGATE** the great environmental damage and injustice now being done to the creek and parkland by the illegal dumping of pollutants on the soil and waters of the creek. Beneficial and appropriate community, City and State *[Office of Assemblywoman **Shirley Horton**]* organized clean ups are very difficult, if not impossible, to do, due to the lack of vehicular access to where discards are illegally dumped. Now volunteers and/or City crews have to hand-carry debris for long distances to the nearest vehicular access, for appropriate disposal, crossing and traversing private lands, extremely difficult terrain and the deep slopes and banks of Auburn Creek at two locations. An ever increasing amount of car batteries, tires, automobile fluids, dismantle car parts, broken TV's, computer parts, construction rubble, supermarket carts, discarded furniture, carpeting, cloths, debris, trash, litter and prophylactics are now being dumped everywhere, with impunity. Such great frequency of dumping makes it very difficult for the Fox Canyon Neighborhood Association, the State and City to keep up cleaning-up. In addition, the lack of access for appropriate surveillance and cleanup of pollutants into Auburn Creek creates an environmental disaster at this particular location and it spreads all the way down stream, all the way up to the San Diego Bay as well. Thus, the environmental benefits of building the Ontario connection by far exceeds and outweighs the impact that it may have on building the park and as parkland, and it **MITIGATES** all wrongs now being done.

Whereas -- The Ontario Avenue Connection will **MITIGATE** the damage done to this entire area by the use and access to the now dirt-road as an outdoors racetrack for off-road and all-terrain vehicles. The new street will be the buffer, separating the creek, the park area and canyon slopes from off-roaders.

Whereas -- The Ontario Avenue Connection will **MITIGATE** a ***DEATH-TRAP***. The City's intentions to continue the road connection, down the road, can be noticed by the fact that Winona Avenue is abruptly cut sharp without a turnaround for fire trucks and emergency vehicles to use. Bandar Salaam *[former **Winona Gardens**]*, **3810 Winona Avenue**, has burned **three times**; the last fire prompted the present rehab. To evacuate panic-stricken people and exiting vehicles escaping a fire and to maneuver emergency

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vehicles in/out through the only existing driveway entrance, on an upslope street is an emergency nightmare. **PICTURE 3**

Whereas -- The Ontario Avenue Connection will **MITIGATE** the severe lack of walk-ability, where none exist today. presently, inhabitants of this area are force to walk around the entire Fox Canyon rim to access schools, commerce, services and public transportation *[bus stops included]*. With a fully functioning Ontario connection the same walking distance will be cut in **HALF**. For pedestrians carrying babies, perishables, pushing strollers and/or shopping carts with groceries or laundry completely unprotected from, and under, the elements shorting the walking distance in such way is very significant, of supreme importance and an urgent public necessity. **PICTURE 4**

Whereas -- The Ontario Avenue connection will **MITIGATE** the discharge of **TONS** of **carbon-monoxide** ***[co2]*** into the environment, due to the extra and unnecessary consumption of **fossil fuels**, when driving the extra distances. Where as, now just to reach *John Marshall Elementary School*, services and commerce on Euclid/University Avenues and beyond, motorist are forced to drive all around the entire Fox Canyon rim, though the one-way Loop ***[upper Auburn/Wightman]***, up Euclid, east on University, Winona, Wightman and Altadena just to reach the school ***[200 ft up hill**, west facing slope, from lower Auburn]*. **PICTURE 5**

Whereas -- The Ontario Avenue connection will **MITIGATE** ***idling time***. Considerable time wasted, plus excessive damage is now done to public health and the environment by the unnecessary idling of vehicles cut in heavy traffic congestion. The Loop's corners and Euclid/ University are not the exception, but the most impacted. In addition, other transportation means are a great possibility within the new street linkage, appropriate bus, bike lines, walking and other means of alternative transportation area just food-for-thought, but a great possibility to move land-lacked lower Auburn Drive residents in/out of the Fox Canyon Valley.

Whereas -- The Ontario Avenue connection will **MITIGATE** ***Evacuation Procedures***. Now the inhabitants of Winona, upper/lower Auburn and Wightman streets have great difficulty driving through their narrow, windy and congested streets in a good day. Many of them idle at Euclid Avenue for a long time, the only existing exit/entrance at both end *[north/south]*. If a natural or manmade disaster of **lower magnitude** were to occur, the residents of the above mentioned streets would the stranded in this flood plain. Having no alternative, appropriate and designated multi-purpose routes to escape, the Ontario Avenue connection will provide this much needed, necessary and urgent second gate/entrance/exit to the entire Fox Canyon valley.

Whereas -- The Ontario Avenue connection will **MITIGATE** the socio-cultural and physical divide and injustice, pressed upon these area residents. The social, cultural and physical division/separation of two existing and greatly diverse communities is strongly mitigated by creating an easily accessible public meeting/mingling place ***[the park]*** in between them. The new street will facilitate interaction, mobility and commerce within these two socially divided, isolated and dislocated communities of Chollas Creek and Fox Canyon.

Whereas -- The Ontario Avenue connection rests within the CROSSROADS Redevelopment Area, as well. One of the redevelopment area's premises is too realigned and/or to build new streets.

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Therefore, the **Fox Canyon Parks Subcommittee Report** ***[the resident's** plan]* has been fully conformed to the **Mid-City Communities Plan** and its subset, the **Euclid Avenue Revitalization Action Program**, the **Chollas Creek Enhancement Program**, in addition, to **CROSSROADS** and the Fox Canyon **Park Grant** application, and they are all found to be correct and **NOT** misleading. By all evidentiary attachments, testimonies and procedures, Hearing Office, Mr. Didion's decision is also found to be fare, appropriate and correct; and in need to be supported and uphold ***[Report HO-05-0176**, October 12. 2005]*.

WHEREAS all findings have being fully examined and made, and they all strongly conform and support the residents' desire with overwhelming evidence. In addition, all the findings are fund and made in favor of the Ontario Avenue connection *[future Fox Canyon Parkway]* as it's included in the Fox Canyon Neighborhood Park *bundle*, Project No. **70422**.

Therefore, let it be resolved by this honorable body, the **San Diego Planning Commission**, that **strong opposition** to the **APPEAL** is warranted and required. With humility, so is the Fox Canyon Community's prayer to you, on this matter.

Respectfully submitted to you by executive privilege and with the Board of Director's consent and strong support, in the year of our Lord God, with the blessing of Saint Diego of Alcala, in the City that bears his name and honor ***[San Diego]***, the State of California, on this twentieth day of December, two thousand and five,

Jose Lopez, President

- Attachment **1** though **25**
- Pictures **1** though **5**

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IV-A Neighborhoods Element

The communities of Mid-City are a collection of diverse neighborhoods, each with its own look, feel, history, and culture. Each neighborhood's assets and opportunities can be used to enhance the area's overall character and add to the health and vitality of the entire Mid-City.

Background

Twenty-seven neighborhoods have been identified within the four communities of Mid-City : Normal Heights, Kensington-Talmadge, City Heights, and Eastern Area. While neighborhood boundaries are not hard and fast, a major determinant of the boundaries and neighborhoods illustrated in this plan was the existence of active community associations. These organizations help neighborhoods focus on their needs and improvement opportunities, greatly enhancing their chances of success. These neighborhood organizations exist in addition to the recognized community planning groups that represent each of the four subareas.
The following is a brief description of each neighborhood and a list of some of the more dominant issues confronted by each. These issues were identified by the community in the development of this plan, and are addressed in its various elements.

Some neighborhoods have developed their own action plans to address neighborhood concerns, in some cases looking at long range planning issues and others focusing also on short term physical and social needs. More such action plans--or RAPs (Revitalization Action Plans)--are anticipated in the future.

Normal Heights

Adams North, Adams Park, Cherokee Park

Kensington-Talmadge

Kensington, Talmadge

City Heights

Corridor, Teralta West, Teralta East, Colina Park, Cherokee Point, Castle, Azalea Park, Hollywood Park, Fairmount Park, Bayridge, Fairmount Village, Swan Canyon, Chollas Creek, Fox Canyon, Islenair, Ridgeview

Eastern Area

Darnall, El Cerrito Heights, Oak Park, Rolando, Rolando Park, Webster

ATTACHMENT 1

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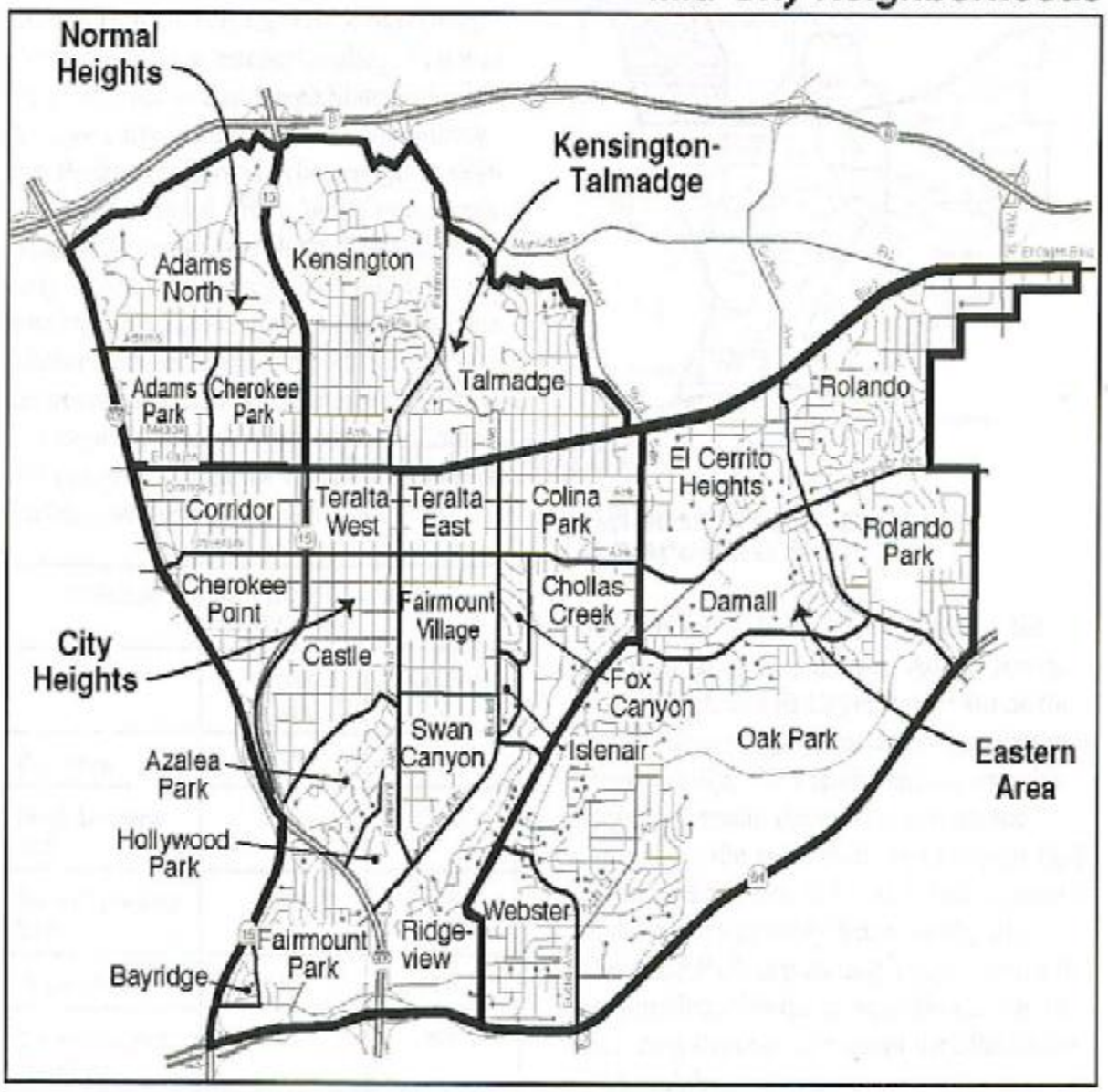
Figure 5
Mid-City Neighborhoods



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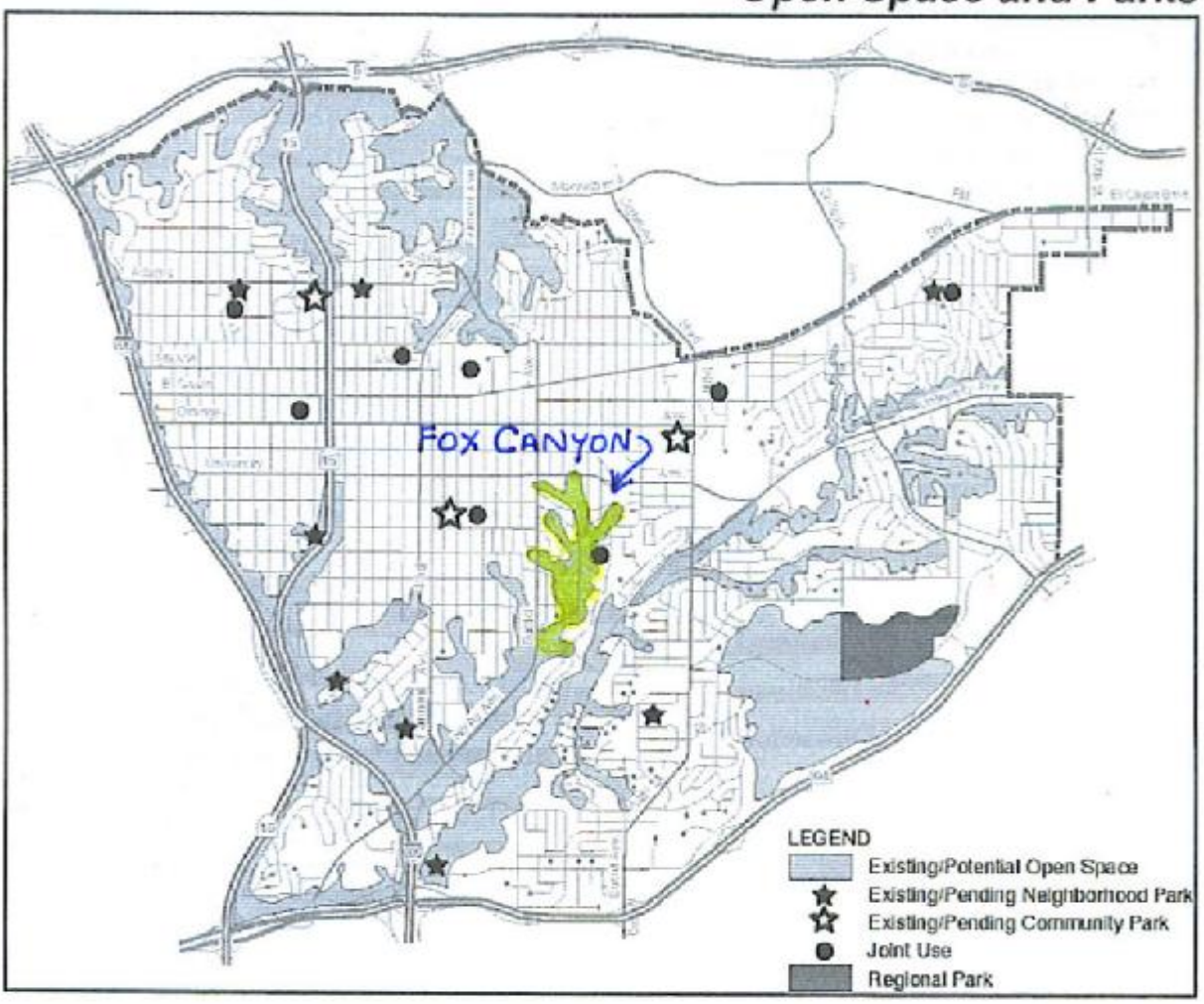
Open Space Design and Development Guidelines

While some of the open space described in the Public Domain section of this element has been acquired for preservation or has an open space easement placed on it, a significant portion remains under private control. These areas are typically the lower portions of hillside lots with a single family dwelling on the upper portion of the lot, although some vacant lots still remain. The potential exists in some areas for additional development to disturb this open space.

Recommendations

- Within residentially designated areas, apply open space zones (ten acre minimum) to all properties containing slopes of 25% or greater.
- A maximum of one dwelling unit per lot should be permitted.
- Establish building setback and landscaping requirements for properties along the edge of designated open space hillsides. Such a restriction would protect slopes from erosion and intrusive

Figure 14
Open Space and Parks



ATTACHMENT 3

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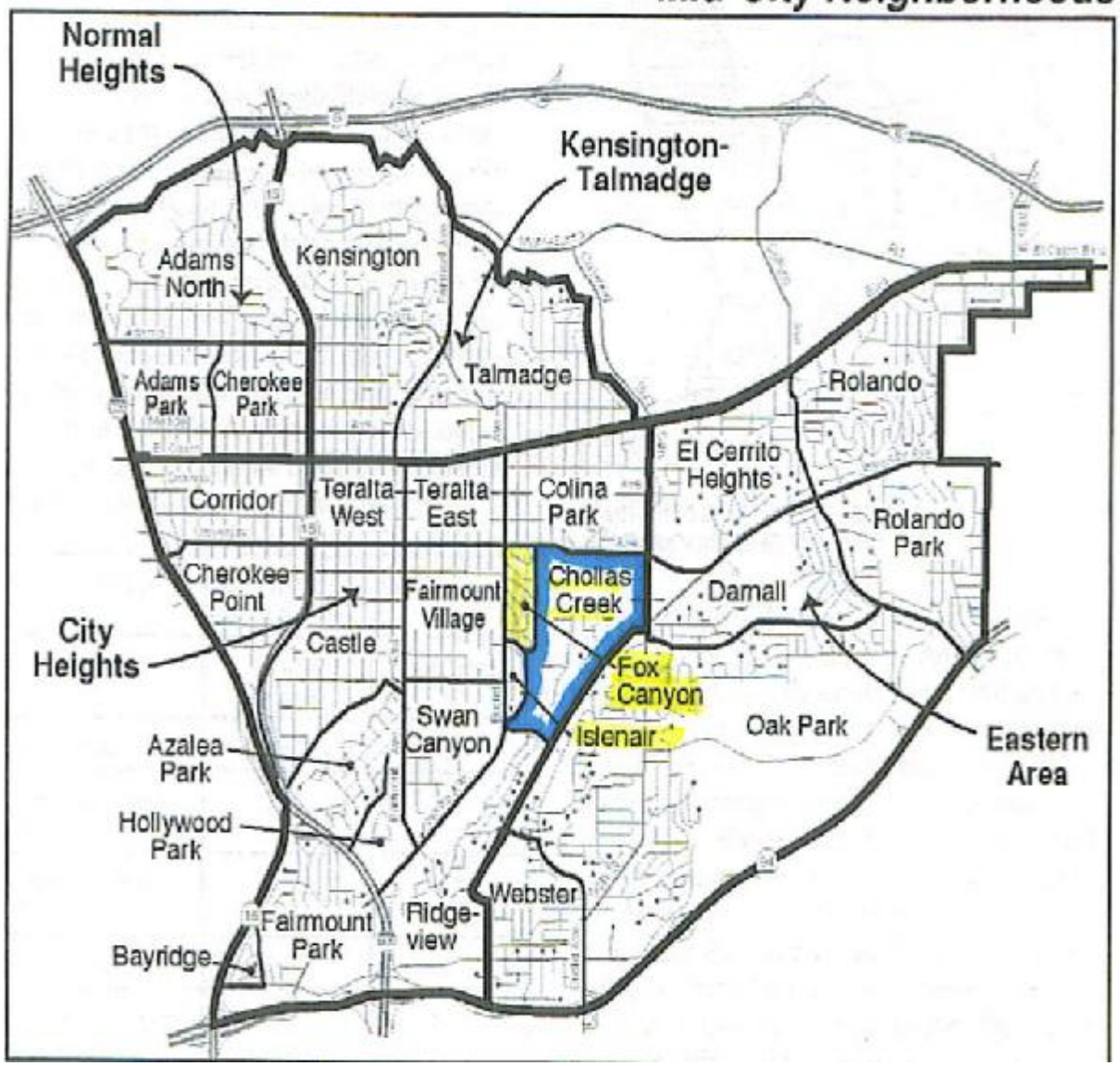
Figure 5
Mid-City Neighborhoods



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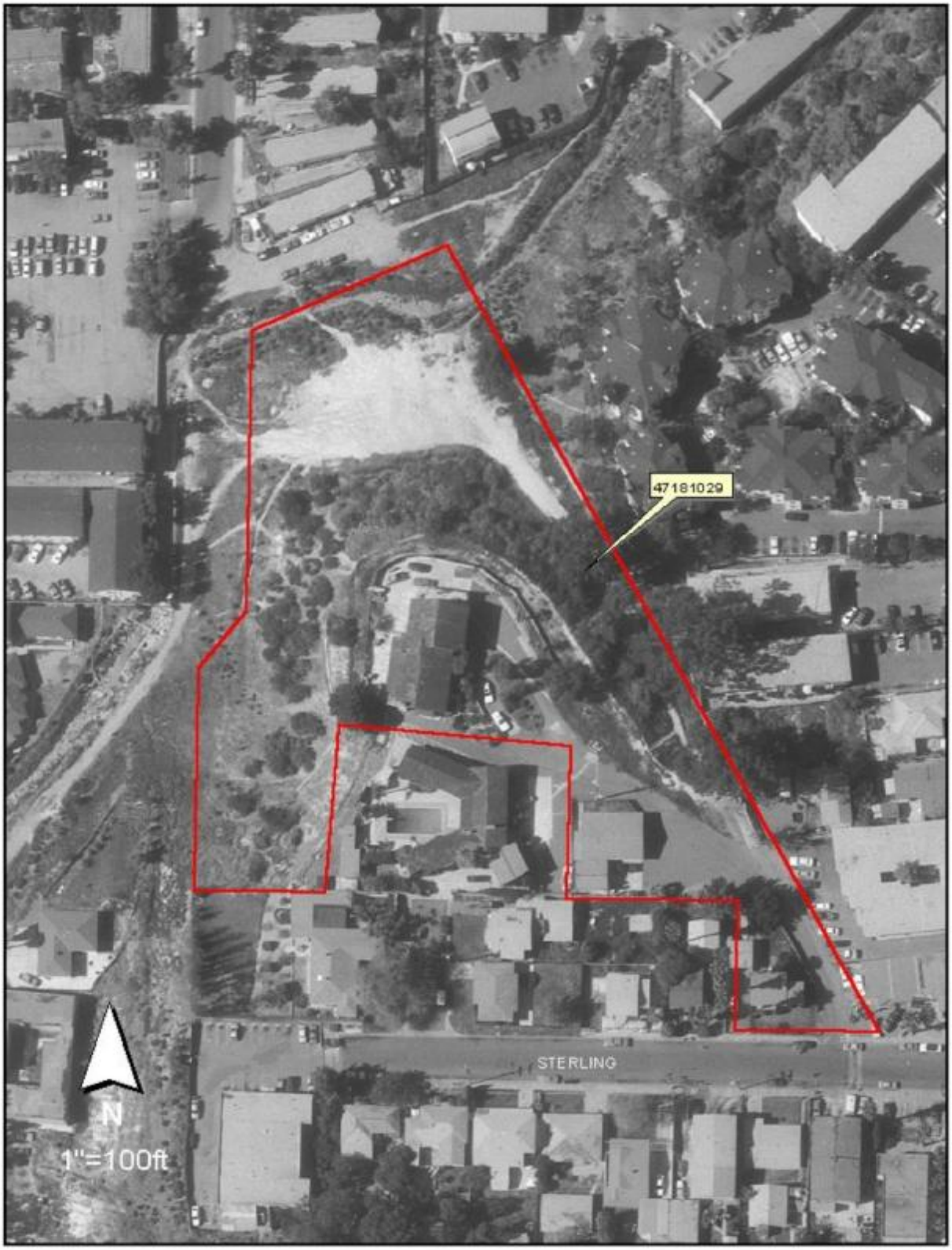

ATTACHMENT 5

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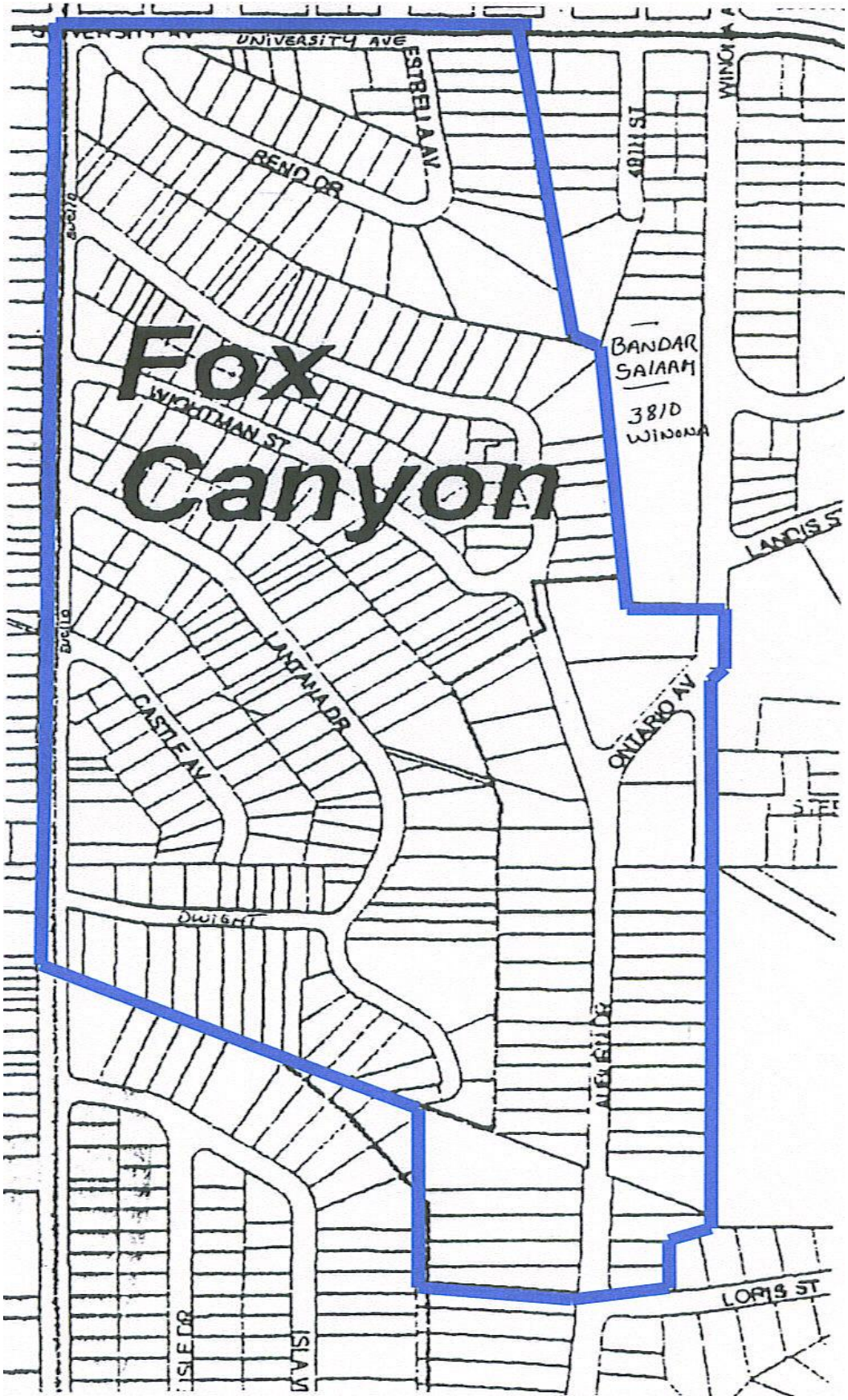

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Fox Canyon Neighborhood Association, Inc.

Happiness is a Park for the Neighborhood!

SDASLA Community Design Workshop

Fox Canyon Neighborhood Parks

Saturday, June 28, 2003

8:30 AM to 2:00 PM.

Christ Church Unity

Wrigley Hall

3770 Altadena Avenue

(Our voting place)

The Fox Canyon Neighborhood Association and the San Diego Chapter of the American Society of Landscape Architects are honored to cordially invite you to participate in a community workshop to develop and design a network of parks in Fox Canyon.

Come and Join Us! Be a part of the design process and influence the future of YOUR neighborhood. Attend we need your support.

ASOCIACION DE VECINOS

LA BARRANCA DEL Fox Canyon ZORRO

Con un parque en el vecindario se Vive Mejor!

Su presencia es requerida y esta usted cordialmente Invitado a asistir al Taller Comunitario para diseñar un parque en Fox Canyon.

Dia Sabado, 28 de Junio del 2003,

8:30 de la mañana a 2:00 de la tarde.

3770 Altadena Avenue

Directions: *(como llegar)*

From the **South** -- Euclid (Loris) to Altadena (north), pass Marshall, Church on your left.
From the **North** - Euclid to ® on University, right on Winona, left on Wightman (up hill), Church on your right.
*Por el **Sur** -- Home, Euclid (Loris) a la Altadena (tome hasia el Norte), pase la escuela Marshall, Iglecia a su izquierda. Por el **Norte** -- Euclid (derecha en) University, derecha en Winona, izquierda en Wightman. La iglesia esta a su derecha.*

PARKING -- There's suffient parking across the street on **LANDIS** Street.
***ESTACIONAMIENTO** -- Al cruzar la calle de la Iglesia, sobre la **LANDIS**.*

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COME SUPPORT ! A Park for the Community.

FOX CANYON COMMUNITY PARK PROJECT

Would you like a **park** behind **Marshall Elementary** equipped with a playground, proper night lighting and an educational trail to walk through?

Join Us on Monday, December 15, 2003 at
8:00 a.m. in Room 1
Meeting Organizer Ms. Granados (P. A. L.)

Marshall Elementary 3550 Altadena, San Diego, CA (619) 283-5924

EL PROYECTO CAÑON DE FOX

Vengan y apoyen un PARQUE para la comunidad!.

¿ Le gustaría ver un **PARQUE** detras de la escuela Primaria Marshall equipada con juegos, buen alubramiento, un camino pavimentado lleno de información educativa?

Acompañenos el **LUNES 15 de diciembre del** 2003
a las 8:00 a.m. de la mañana en el Salón 1
Organizadora de la junta Ms. Granados (P.A.L.)

Marshall Elementary 3550 Altadena, San Diego, CA. (619) 283-5924

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Fox Canyon Neighborhood Association

PRESENTS
The PARKS SUBCOMMITTEE REPORT
to
The Parents of JOHN MARSHALL Elementary School,
And the

Fox Canyon Community Park Project

Monday, December 15, 2003.

AGENDA:

1	**Welcome and Introductions**	**8:30 AM.**
2	**PARK PROJECT ELEMENTS:**	
	a. The PARK	
	b. The School Trail	
	c. The Ontario Avenue, dirt-road Connection.	
	d. The restoration of Auburn Creek.	**8:45 AM.**
3	**Questions and Answers**	**9:00 AM.**
4	**SITE TOUR**	**9:15 AM.**
5	**For your attendance THANK YOU and refreshments**	**9:30 AM.**

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SIERRA CLUB
FOUNDED 1892

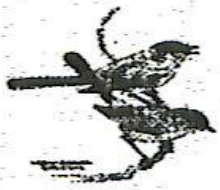
Sierra Club & Fox Canyon Neighborhood Association invite you to a FREE, Naturalist Guided Tour of *FOX CANYON*

** to learn about unique habitats, plants, animals, & endangered species along Auburn Creek, and*
** to learn about the threats to these canyon & creek habitats and what you can do to protect them.*

Saturday, May 1st, 9:30AM - Noon
Meet at the corner of
Auburn Drive & Ontario Avenue

LOCATION: (Thomas Guide 1270 A-6) South of University Ave. on Euclid Ave., Make left on Auburn Dr. and then left on Ontario Ave.

WEAR: Sturdy Shoes, hat and sunscreen.



Please come rain or shine (unless it's pouring rain).

To learn more about the Sierra Club Canyon Campaign
Eric Bowlby, Canyon Preservation Organizer
* Phone: 619-284-9399
* E-mail: savewetlands@compuserve.com
* Website: http://sandiego.sierraclub.org/canyons

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GENERAL

The following mitigation measures shall be noted on the submitted construction/grading documents and contract specifications, and included under the heading, "Environmental Mitigation Requirements." In addition, the requirements for a Preconstruction Meeting shall be noted on all construction documents.

BIOLGICAL RESOURCES

A. Prior to Permit Issuance or Bid Opening/Bid Award

1. Land Development Review (LDR) Plan Check
   a. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Biological Monitoring have been noted on the appropriate construction documents.
2. Letters of Qualification have been submitted to ADD
   a. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the biological monitoring program, as defined in the City of San Diego Biological Resources Guidelines (BRG).
   b. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the biological monitoring of the project.
   c. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.
3. Payment into the Habitat Acquisition Fund for Biological Impacts
   a. Prior to permit issuance Bid Opening/Bid Award, whichever is applicable, direct impacts to 0.05-acre of disturbed Southern Maritime Chaparral (SMC) and 0.10-acres of Non-native Grassland (NNGL) habitat totaling 0.15-acre of direct upland impacts shall be mitigated to the satisfaction of the City Manager through payment into the City's Habitat Acquisition Fund as described below:
      (1) The applicant department shall pay into the City's Habitat Acquisition Fund the amount necessary to purchase 0.05-acre of Tier I and 0.05-acre of Tier IIIB habitat ($25,000/acre) within the City's MHPA, which would satisfy the 1:1 (Tier I) and 0.5:1 (Tier IIIB) mitigation acreage requirements for impacts outside the MHPA that would be mitigated inside the MHPA.

B. Prior to Start of Construction

1. PI Shall Attend Precon Meetings
   a. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that includes the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Biologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Biological Monitoring program with the Construction Manager and/or Grading Contractor.

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City of San Diego
Development Services
1222 First Ave. • 3rd Floor
San Diego, CA 92101-4154
(619) 446-5210
www.sandiego.gov/development-services

THE CITY OF SAN DIEGO

RECEIVED
OCT 20 2005
PROJECT MANAGEMENT

RECEIVED
OCT 20 2005
CITY PLANNING COMMISSION

Development Permit Appeal Application

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:
- ☐ Process Two Decision - Appeal to Planning Commission
- ☒ Process Three Decision - Appeal to Planning Commission
- ☐ Process Three Decision - Appeal to Board of Zoning Appeals
- ☐ Appeal of a Hearing Officer Decision to revoke a permit
- ☐ Process Four Decision - Appeal to City Council

2. Appellant Name *Please check one* ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person" (Per M.C. Sec. 113.0103)

THERESA QUIROZ

Address	City	State	Zip Code	Telephone
4719 BAILY PLACE	SAN DIEGO	CA	92105	(619) 263-3457

3. Applicant Name *(As shown on the Permit/Approval being appealed). Complete if different from appellant.*

CITY OF SAN DIEGO, LARRY ZAJONC, JANICE SMITH-ZAJONC

4. Project Information

Permit/Approval Being Appealed & Permit/Approval No.:	Date of Decision:	City Project Manager:
DP# 267281 // PROJ. # 70422	10/12/05	P. GRABSKI

Decision (describe the permit/approval decision):
APPROVE SITE DEVELOPMENT PERMIT & CERTIFY MND.

5. Reason for Appeal
- ☒ Factual Error
- ☒ Conflict with other matters
- ☒ Findings Not Supported
- ☐ New Information
- ☐ City-wide Significance (Process Four decisions only)

Description of Reasons for Appeal (*Please relate your description to the allowable reasons for appeal noted above. Attach additional sheets if necessary.*)

1) THE HEARING OFFICER REPORT HD-05-0176 IS INCOMPLETE AND HAS FACTUAL ERRORS.
2) PARK + REC STAFF MADE FACTUAL ERRORS WHEN RESPONDING TO THE HEARING OFFICER QUESTIONS.
3) THE COMMUNITY PLANNER WITHHELD INFORMATION FROM THE HEARING OFFICER
4) THE APPROVAL IS IN CONFLICT WITH THE GRANT APPLICATION FILED UNDER THE STATE URBAN PARKS ACT
5) THE PROJECT IS IN CONFLICT WITH THE CITY REQUIREMENT REGARDING THE IMPLEMENTATION OF THE EUCLID RAP RECOMMENDATIONS.
6) THE FINDINGS FOR THE ROAD PORTION OF THE PROJECT IS NOT SUPPORTED.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: T Quiroz Date: 10/20/05

Note: Faxed appeals are not accepted.

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To request this information in alternative format, call (619) 446-5446 or (800) 735-2929 (TT)

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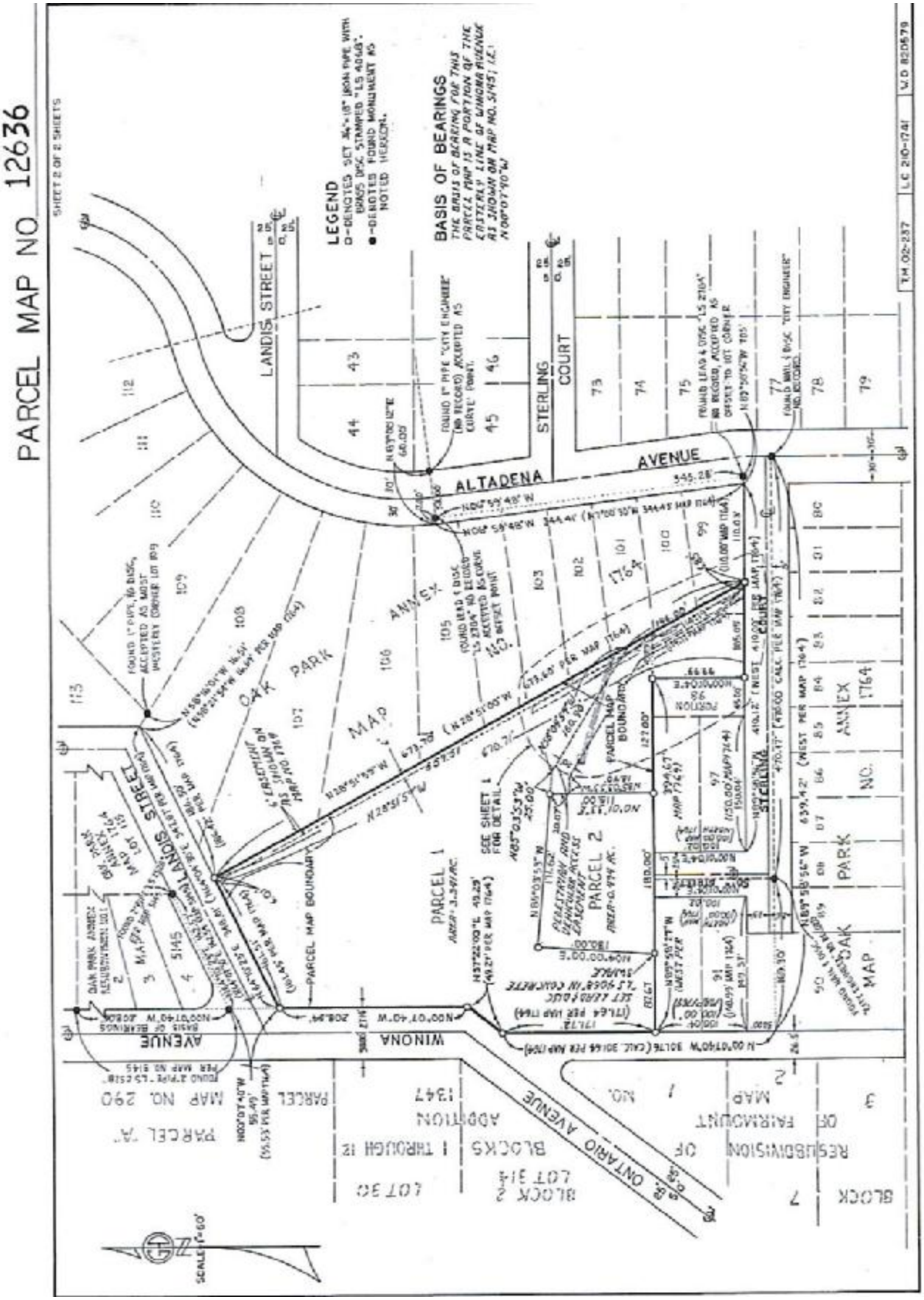

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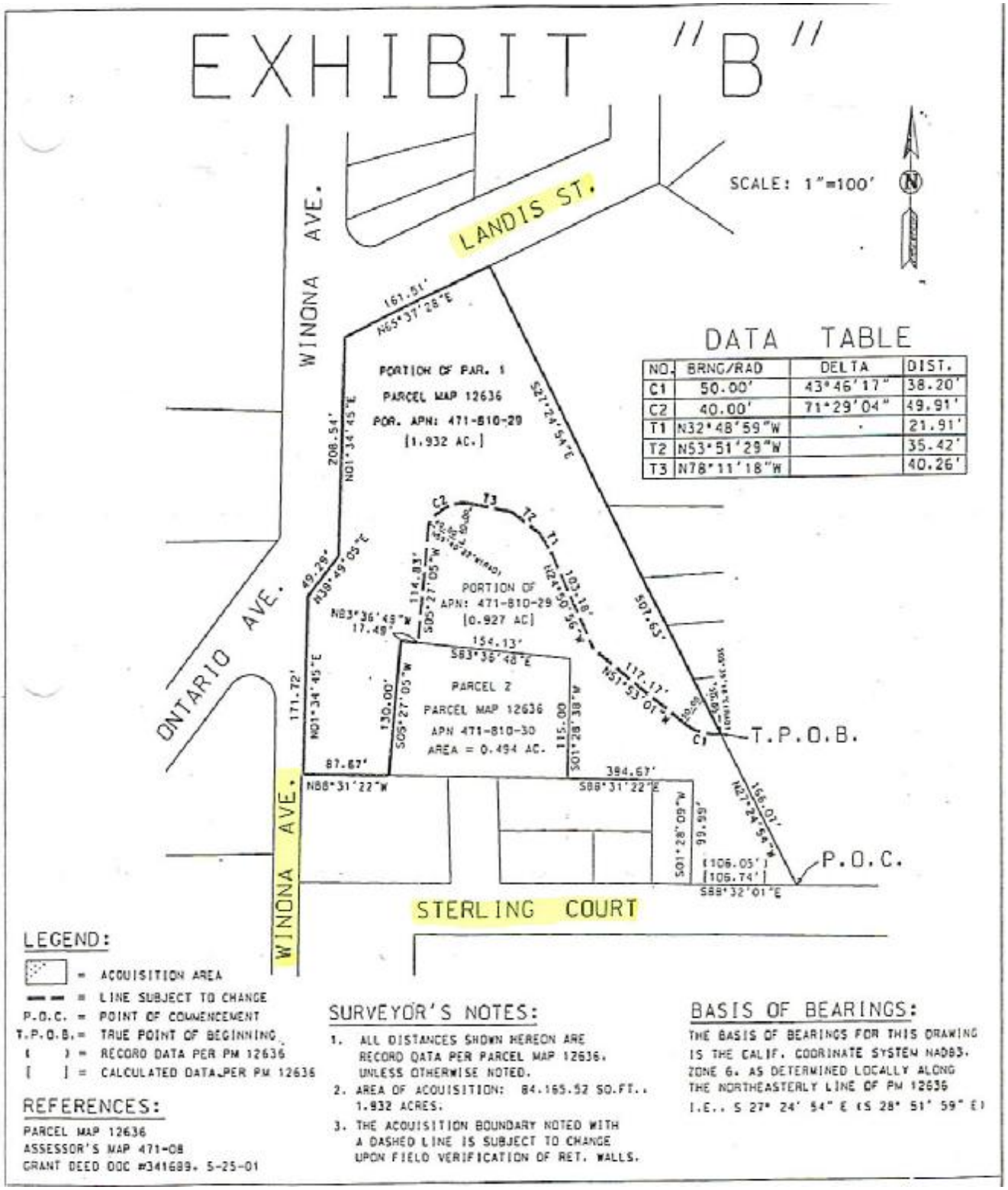
EXHIBIT "B"



DATA TABLE

NO.	BRNG/RAD	DELTA	DIST.
C1	50.00'	43°46'17"	38.20'
C2	40.00'	71°29'04"	49.91'
T1	N32°48'59"W	·	21.91'
T2	N53°51'29"W		35.42'
T3	N78°11'18"W		40.26'

LEGEND:

- = ACQUISITION AREA
- = LINE SUBJECT TO CHANGE
- P.O.C. = POINT OF COMMENCEMENT
- T.P.O.B. = TRUE POINT OF BEGINNING
- ( ) = RECORD DATA PER PM 12636
- [ ] = CALCULATED DATA PER PM 12636

REFERENCES:

PARCEL MAP 12636
ASSESSOR'S MAP 471-08
GRANT DEED DOC #341689, 5-25-01

SURVEYOR'S NOTES:

1. ALL DISTANCES SHOWN HEREON ARE RECORD DATA PER PARCEL MAP 12636, UNLESS OTHERWISE NOTED.
2. AREA OF ACQUISITION: 84,165.52 SQ.FT., 1.932 ACRES.
3. THE ACQUISITION BOUNDARY NOTED WITH A DASHED LINE IS SUBJECT TO CHANGE UPON FIELD VERIFICATION OF RET. WALLS.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CALIF. COORINATE SYSTEM NAD83, ZONE 6, AS DETERMINED LOCALLY ALONG THE NORTHEASTERLY LINE OF PM 12636 (I.E., S 27° 24' 54" E (S 28° 51' 59" E)

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State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PROJECT APPLICATION
2002 Resources Bond Act

URBAN PARK ACT OF 2001 GRANT PROGRAM

(Each Project must have its own Application)

PROJECT NAME
Fox Canyon Park – Acquisition and Development

Grant Applicant (*Agency, address, and zip code*)
City of San Diego
Park and Recreation Department
202 "C" Street, MS-37C
San Diego, CA 92101

Amount of Grant Request $ 2,362,500
Amount of Matching Funds $ 930,000
Estimated Total Project Cost $ 3,292,500

COUNTY	NEAREST CITY
San Diego	San Diego

PROJECT LATITUDE AND LONGITUDE
32° 44' 46" N 117° 5' 15" W

WILL THE PROJECT AFFECT A HISTORICAL RESOURCE? ___YES _X_NO

PROJECT ADDRESS (including zip code)
Ontario Avenue at Winona Avenue & Landis Street
San Diego CA 92105

Grant Applicant's Representative Authorized in Resolution

Name *(typed or printed)* and Title	Email address	Phone
Ellen Oppenheim, Park and Recreation Director	eoppenheim@sandiego.gov	(619) 236-6643

...on with day-to-day responsibility for Project *(if different from authorized representative)*

Name *(typed or printed)* and Title	Email address	Phone
Heidi Lang, Assistant Grants Administrator	hlang@sandiego.gov	(619) 525-8218

Brief description of Project

This project will acquire and develop Fox Canyon Park which will include a playground, hard courts, grassy area, picnic area, shade structure, interpretive kiosks, drinking fountains, sidewalks and landscaping. The City of San Diego, Urban Corps of San Diego, Fox Canyon Neighborhood Association, and San Diego City Schools are partners in this proposal. The development of this park will greatly enhance the quality of life, and provide a beautiful public space for this multicultural, park-deficient neighborhood.

For Dev. Projects, Project Land Tenure is _____ acres

_____Acres owned in fee simple by Grant Applicant

_____Acres available under a _____year lease

_X_ Acres other interest *(explain)* Negotiations are underway; property to be acquired by 08/04.

For Acquisition Projects, Project land will be 1.9 acres

_X_Acres to be acquired in fee simple by Grant Applicant

_____Acres to be acquired in other than fee simple *(explain)*

...fy that the information contained in this Application, including required attachments, is accurate.

Signed _____ 1/14/04
Grant Applicant's Authorized Representative as shown in Resolution Date

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CHAIR'S COMMENTS:

1. The El Cajon Boulevard BIA Summer newsletter is out. Some items are quotable.

> ".. the BIA has drafted its own guidelines regarding infill development. .. A publication is in preparation that further describes the situation." "..the Association supports market-rate housing and the City's 10% exclusionary affordable housing ordinance, but senses a need to limit any density bonuses until the public infrastructure deficiencies are addressed. The Board also supports the inclusion of retail and professional services in any new development. Finally, the Board has expressed concern over parking and suggests that every development provide an adequate amount."
>
> Also, it: ".. hopes to work with the City to make adjustments [zoning, density, and height limits]".
>
> In a different article, "The BIA understands that parking-impacted areas need better turnover [of vehicles], and has asked that parking meters be evaluated as a possible solution."

The BIA has a long history of interest in land use and transportation, although that's the CHAPC's assigned area of responsibility.

2. The Site Development Permit (SDP) that you approved last month for the park in Chollas Creek included a recommendation not to pave Ontario Avenue or Winona Avenue, the paper streets adjacent to the park. I reviewed the Murray-Hayden (Urban Parks Act) grant that was submitted. It shows a 1.9 acre park which has Ontario Avenue and south Winona Avenue included in the park, not paved over. The presentation you had in June and July from Pk/Rec department indicates that the park has shrunk to 0.30-0.35 acres. That's an 80-85% decrease in the park size after the grant was awarded, to make room for paved streets.

3. A second draft of the General Plan has been issued. It was printed July 8, so our remarks weren't included. I'll get this second draft divided into sections, the way we did for the first draft, and ask you to take a section for review. Then I'd like everyone who takes a section to either come to the August Mid-month meeting or else mail or e-mail your ideas. We still have a chance to participate in the General Plan update.

4. The Central Police Maintenance Facility opened July 14. It is drop-dead gorgeous. I hope you were able to attend the ribbon cutting and see the facility. The next steps are to find the money for the public art component and then to assemble the money for a permanent SWAT and K9 facility on the East end of the parcel. City Heights did a terrific job on this, but special thanks go to Fairmount Park, Ridgeview, and Webster for endless meetings about the endless details of this large and complicated facility.

5. You should get the agenda and these comments before the July 26 election. I hope you will remember bylaws Article II, Section 4, "Committee members shall not identify affiliation with a Community Planning Committee when endorsing political candidates or ballot measures." This is an important provision that should be observed in the coming election.

6. I will ask you at the meeting whether you're interested in a presentation from the San Diego County Regional Airport Authority about its search for a new airport.

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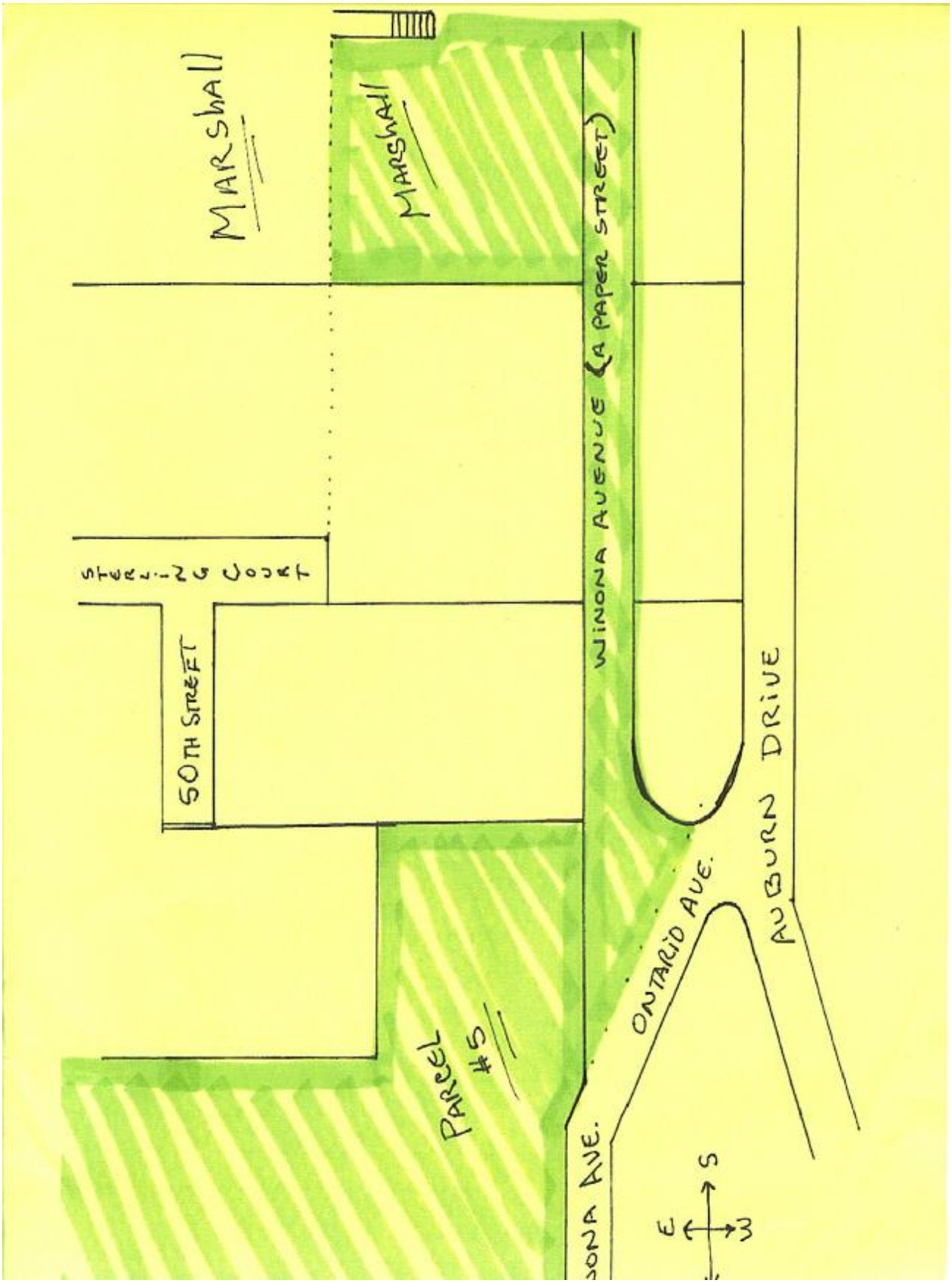

ATTACHMENT 17

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EUCLID AVENUE REVITALIZATION ACTION PROGRAM

TRAFFIC IMPROVEMENTS: Prioritized Recommendations

Recommendation	Implementation	Lead	Schedule	Status	Cost
Improve visibility/ stopping sight distance at intersections	1) Evaluate sight distance and restrict parking as needed at the intersections of Euclid Ave. at Lantana Dr.	City	FY 2001	Refer to Engineering	Nominal
	2) Evaluate sight distance and restrict parking as needed at the intersection of Euclid Ave. and Auburn Ave., Wightman St., Isla Vista Dr., Dwight St., and Thorn St.	City	FY 2001	Engineering analysis indicates that stopping sight distance is adequate at these locations.*	$ 1,000
	3) Evaluate sight distance, restrict parking as needed, and install sidewalk bulb-outs with appropriate landscaping at the intersection of Euclid Ave. and Thorn St.	City	FY 2002-FY 2003	Engineering determined that there is adequate stopping sight distance.*	Sidewalk bulb-outs on the east side of Euclid Ave. $2,000
Improve unpaved portion of Dwight St. immediately west of Euclid Ave., providing pedestrian access to the Swan Canyon neighborhood.	1) Install a barricade with reflectorized signs to prevent access to the unimproved portion of Dwight St.	City	FY 2001	Engineering analysis indicates that barricades are not warranted. "No Parking Off Pavement" signs will be installed.*	$ 600
	2) Landscape excess right-of-way and consider installation of a pedestrian bridge connecting Euclid Ave. to Dwight St. to the west.			Refer to Engineering	More study needed.
Create ninety degree intersection at Home Ave. to better control traffic movement. Reclaim unused right-of-way for gateway improvements.	1) Realign intersection. Remove excess pavement. Install new curb, gutter and sidewalk. Turf remaining area. Install gateway monument.	City	FY 2004-2005	Refer to Engineering	$ 200,000
	2) As an interim measure, install stop sign to replace yield sign facing the east leg of the intersection of Euclid Ave. at Home Ave.		FY 2001	Engineering analysis has concluded that the yield sign is appropriate at this intersection where other traffic movements are signalized.*	$ 1,000
Reduce the volume of "cut-through" traffic on Auburn Dr.	1) Close Auburn Dr. to through-traffic south of Wightman St.	City	FY 2003	Engineering analysis indicates street closure is not warranted.	Barricades: $ 2,000
	2) Examine alternatives, such as one-way traffic flow on Wightman St. and upper Auburn Dr., for those in favor and opposed to closure of Auburn Drive.			Installation of road humps between Ontario Ave. and Loris St. may reduce the volume of cut-through traffic.*	Additional engineering study of the alternative one-way traffic is necessary.
Provide connection between Winona Ave. and Ontario Ave.	Open a connection between Winona and Ontario Ave.s as part of the closing of Auburn Dr.	City, CHAPC, (Input of effected neighbor-hoods needed.)	FY 2005	Engineering analysis has concluded that 600 feet of roadway would have to be constructed within the available right-of-way.	$ 400,000+

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EUCLID AVENUE REVITALIZATION ACTION PROGRAM

LAND USE:
Prioritized Recommendations

Recommendation	Implementation	Lead	Schedule	Status	Cost
Develop a public park in the vicinity of Auburn Dr. and Winona Ave.	Evaluate opportunities to develop a neighborhood park in conjunction with the Chollas Creek preservation project and street improvement mitigation for development of a street linking Ontario Ave. and Winona Ave.	City/ Planning Group/ Neighborhood Associations	FY 2003	Refer to Park & Recreation	$ 100,000
Identify additional park sites.	Review Public Facilities element of the Community Plan and make recommendations for additional sites.	Community Planning Group/City	FY 2001 - FY 2005	On-going	Budgeted
Consider designation of the Islenair Neighborhood as an Historic District.	Coordinate documentation with the City for consideration of the area by the Historic Resources Board.	City/ Neighborhood Association	FY 2002	To be initiated	Budgeted
Restore Chollas Creek	Create an environmental rehabilitation program to facilitate the restoration of Chollas Creek.	City/ Community Planning Group	FY 2002- FY 2005	On-going	$100,000/year
Restore canyon habitats.	Adopt preservation program to enhance and promote area canyons.	City/ Neighborhood Association	FY 2002 - FY 2005	On-going	Budgeted
Consider revision of regulations governing home occupations to include a wider variety of activities.	In cooperation with neighborhood groups, review revise regulations as needed to accomodate more home-based businesses in neighborhoods.	City/ Community Group	FY 2001	On-going	Budgeted
Promote neighborhood rehabilitation events.	Create an on-going neighborhood "clean-up" calendar.	Housing Commission/ NHS/ CDC	FY 2001 - FY 2005	On-going	Budgeted
Oppose the development of a public school on Euclid Ave.	Communicate with the school district regarding the community's concerns and objection to the placement of a school on Euclid Ave.	Community Planning Group	FY 2002	N/A	N/A

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- City Heights Area Planning Committee -

Regular Meeting - June 6, 2005 - 6:30PM
Metro Career Center Conference Room
3910 University Avenue

- AGENDA -

1. Call to order and introductions

2. Corrections to these agenda

3. a. Off-agenda remarks by SD Regional Energy Office and by UCSD Southwest Strategies Office
   b. Off-agenda public comment, staff reports, and member announcements

4. Approval of the minutes of the May 16, 2005 special meeting

5. Business agenda

   5.1 A report on the Home Avenue park (Home/Euclid area) and the park at the Auburn branch of Chollas Creek (information)

   5.2 Preserving historic sidewalk stamps and markers during street improvements, utility under grounding, and Sewer-Water Group Jobs (action)

   5.3 Community Plan Amendment initiation for 4260 54th Street (SW corner of 54/Trojan) for a Mixed Use project (action)

   5.4 Presentation on condominium conversions and possibilities (information)

6. Adjournment

7. The June mid-Month meeting is at 6:30PM Monday, June 20, 2005 in the Mezzanine conference room at the police station. The General Plan update is one topic expected.

8. The JULY meeting of the CHAPC will NOT be held on Monday (Independence Day) but Wednesday, July 6, 6:30, in the Metro Center. Please mark your calendars.

For information contact Jim Varnadore (619) 280-3910 or chapc_chairman@yahoo.com
For the website, dial up www.neighborhoodlink.com/chapc/

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- City Heights Area Planning Committee -

Regular Meeting - July 6, 2005 - 6:30PM
Metro Career Center Conference Room
3910 University Avenue

- AGENDA -

1. Call to order and introductions

2. Corrections to these agenda

3. Off-agenda public comment, staff reports, and member announcements

4. Approval of the minutes of the May 16, 2005 and June 6, 2005 meetings

5. Consent Agenda items:

   5.1 Tentative Map and Utility Waiver for 8U condo conversion at 3659 Van Dyke Ave

   5.2 Tentative Map and Utility Waiver for 7U condo conversion at 4240 46thh Street

6. Business agenda

   6.1 Site Development Permit for a park in the Chollas Creek Neighborhood (Action)

   6.2 Review the landscape plan for City Heights Square (action)

   6.3 Review of Community Plan Amendment initiation for 4260 54th Street (SW corner of 54th/Trojan), a Mixed Use project (action)

   6.4 The Chairman's annual report for 2004 (information)

   6.5 General Plan update review and recommendations (action)

7. Adjournment

8. The July mid-Month meeting will be held at 6:30PM Monday, July 18, 2005 in the Mezzanine conference room at the police station. The next Committee meeting is August 1, 2005 at the Metro Career Center, in the Conference Room.

For information contact Jim Varnadore (619) 280-3910 <chapc_chairman@yahoo.com>
or Russ Connelly (619) 266-7191 <fairmountpark92105@yahoo.com>
For the website, dial up www.neighborhoodlink.com/chapc/

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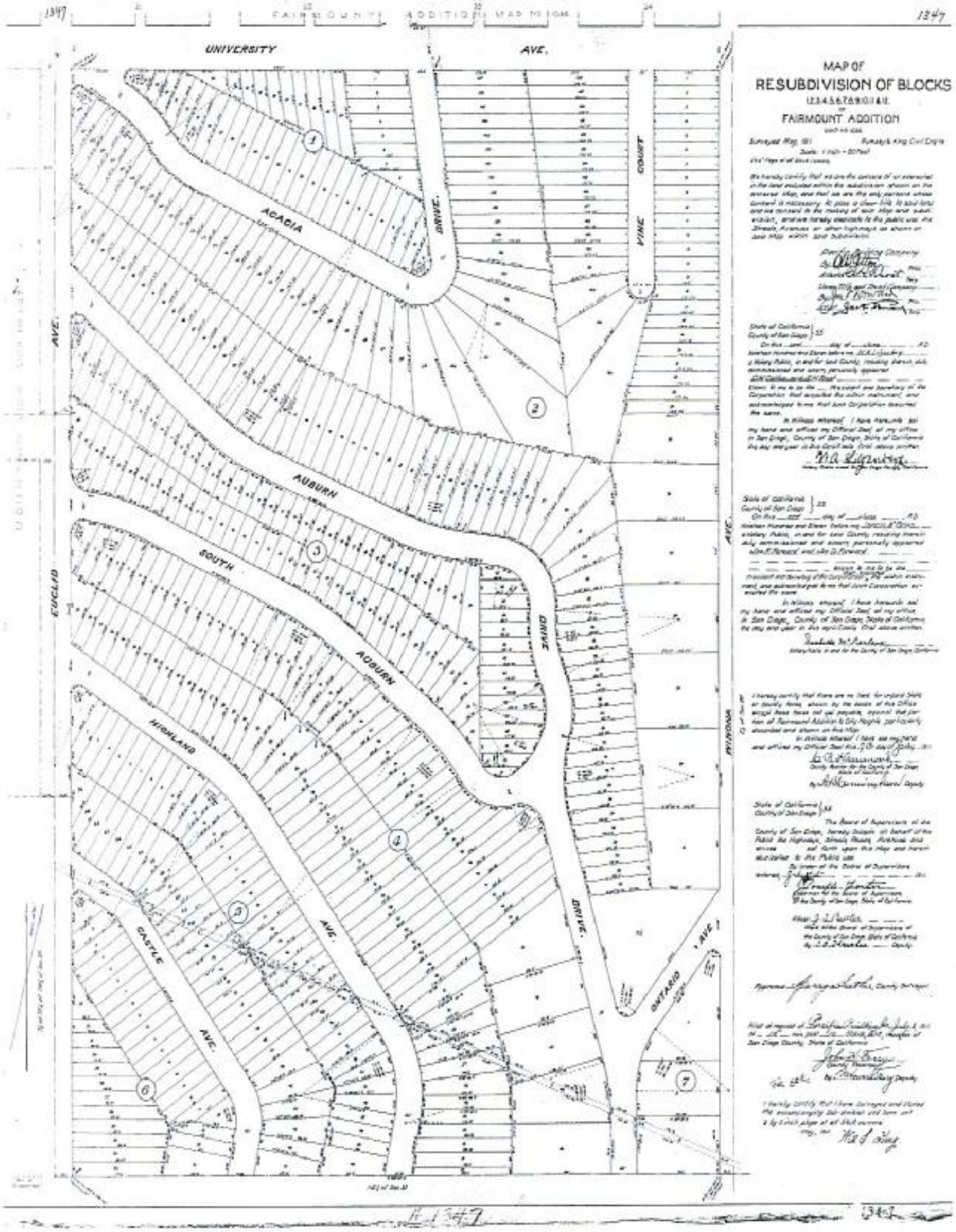

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Prks and Open Space

Goals

- Protect biological, visual, and topographic resources.
- Insure the preservation of an open space system through appropriate designation and protection.
- Give highest priority to the acquisition of open spaces susceptible to development.
- Provide access to usable public open space systems in order to increase passive recreational opportunities.

Recommendations

- Paper streets or paper alleys should not be vacated if they are located in an open space canyon and the retention of undeveloped paper streets or alleys would assist in the preservation of the area as open space.
- Utilize easements and appropriate open space zoning to maintain and enlarge parks and open space.
- Revise and prioritize the City's open space acquisition list, assigning highest priority to acquisition of the Chollas Creek open space system and other systems susceptible to development.
- Property acquired by the City for open space preservation should be officially dedicated for that purpose.
- Create a system of linkages between Mid-City parks and open space.

Trails

Goal

- Provide limited non-vehicular access to open space areas within the community.
- Enhance links between park and open space areas within and outside the community.

Recommendations

- Limit trails within open space areas to those that provide designated linkages. Trails should be located to minimize impacts to sensitive slopes and vegetation. Security, fire risk, and maintenance should also be considered in the location of trails.
- Due to their environmental sensitivity and steepness, public access should be restricted along hillsides facing Mission Valley and within Kensington-Talmadge.
- Identify design concepts, routes, and funding for the development and maintenance of a non-vehicular trail system.
- Identify and improve key streets that link open space resources and community facilities.
- A ranger program should be established to ensure compliance with established park and open space policies.

Joint Use Areas

Goal

- Provide recreational facilities open to the community on all government owned lands (refer to Public Facilities and Services Element and Urban Design Element).

Recommendations

- Joint use agreements between the City of San Diego and San Diego Unified School District should be adopted to make all public school sites available for recreational use and open space support.
- The City of San Diego should work with other governmental agencies to access possible use of other agency facilities for open space support.

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Civic Spaces and Buildings

One of the keystones of this plan is the extensive use of joint use civic facilities, where various government, school, and non-profit community agencies make use of facilities available to them at various times of the day.

Vision

Schools and other civic destinations that are centrally located, provide needed open space and are accessible as neighborhood civic centers.

Recommendations

- Create more neighborhood parks by obtaining vacant land. Consider utilizing open space occupied by streets and alleys. Sections of under used streets can be closed to create mini- parks, bike trails or landscaped pedestrian walkways.
- Bus stops and seating areas can be set back from sidewalks and planted with trees and shrubs.
- School grounds should be enhanced to serve the dual purpose of school playground and neighborhood park, including turf, landscaped buffers between streets and playing areas, tot lots and other amenities.
- New building or remodeling projects in the commercial zones should contribute landscaped areas. Major projects should include permanent public seating areas or mini-plazas.
- Improve existing undeveloped or partially developed parks. Facilities should meet neighborhood needs for seniors with safe and comfortable seating and walking areas. Residents use parks for family gatherings, requiring picnic tables, barbecues, etc.
- Standard active parks of two or more acres should be collocated with other public facilities such as schools, libraries, fire stations, etc. in order to assure good maintenance and security.
- Joint use facilities should be designed to open into the community's other public areas, such as streets or parks.
- Entrances to facilities should be prominent and consciously designed so visitors feel at ease and welcome as they enter.
- Gates and fences should be carefully designed as a feature in themselves, a work of art, rather than an afterthought.
- Buildings should have prominent features that are viewed from far away, such as towers and clocks that can be used as orientation beacons.
- Public facilities should be clustered so they have greater use over time. For example two elementary schools side by side can be converted, as needed into middle and senior high schools. When

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the population warrants, they could become local college sites in the neighborhood, or other civic building needed at the time.

- Encourage development of park areas at street ends where additional land can be consolidated by street closures combined with land acquisition.
- Provide public art.

URBAN DESIGN - PAGE 65
MID-CITIES PLAN

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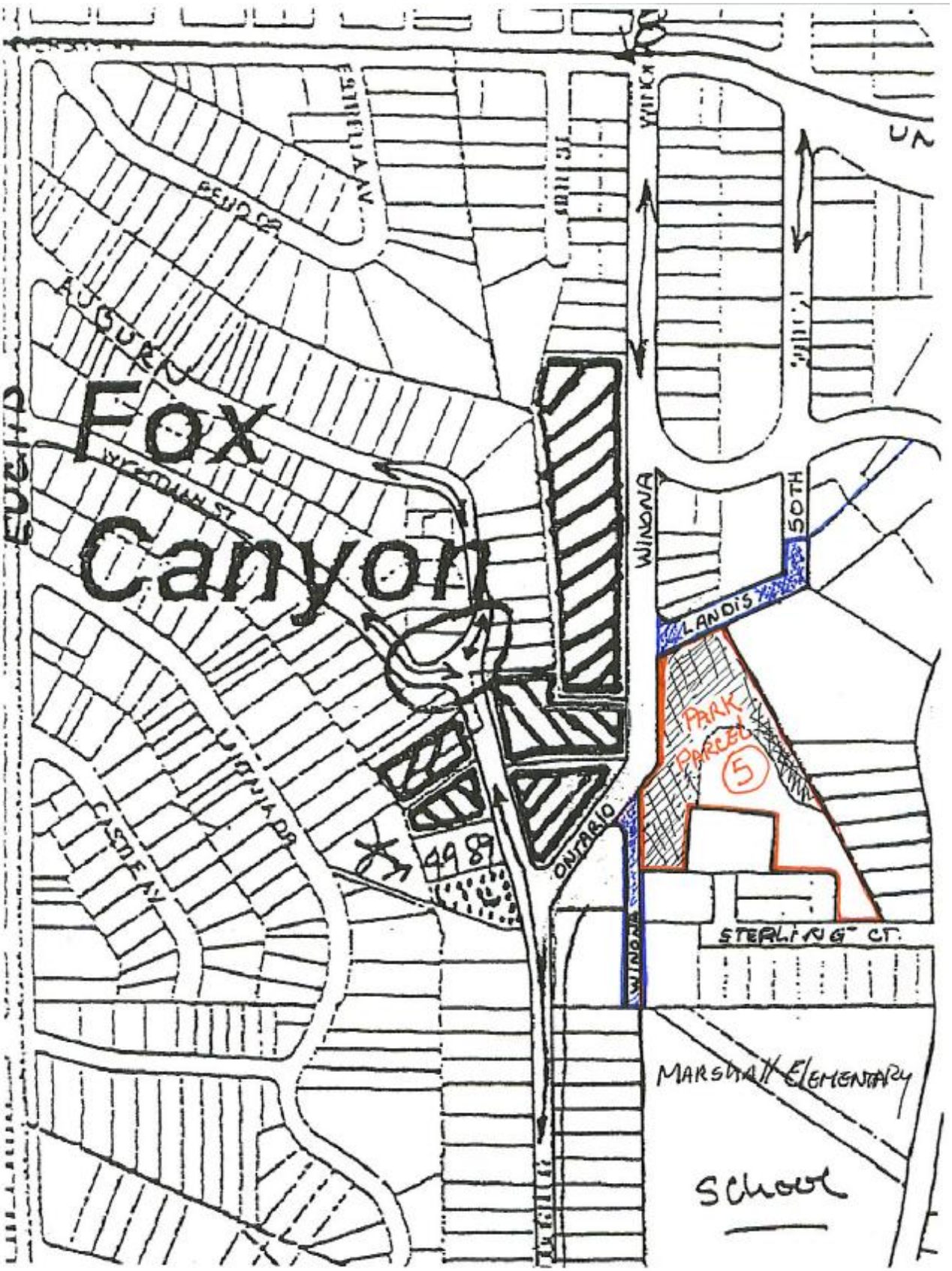

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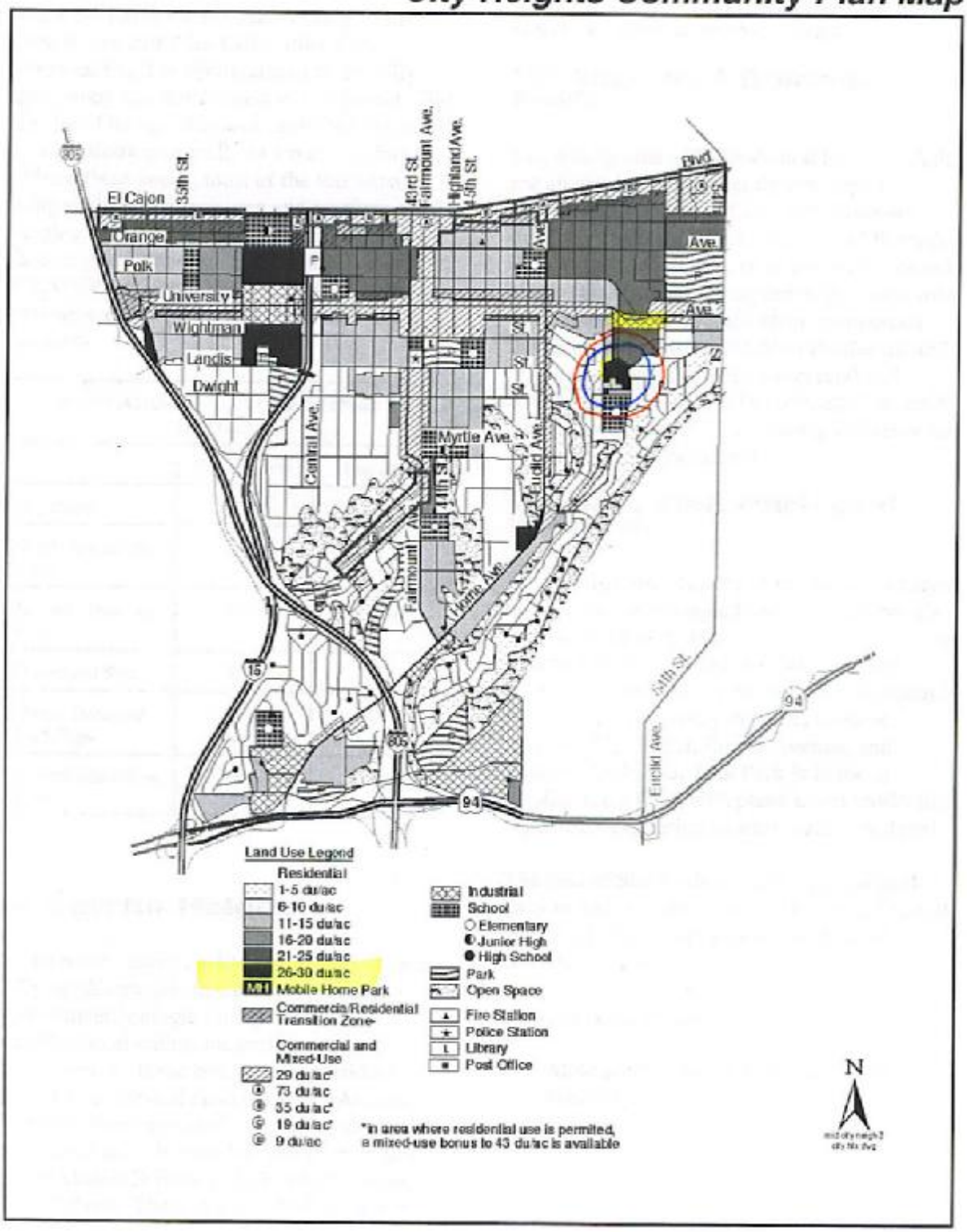
Figure 11
City Heights Community Plan Map



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PICTURE 1

To the left, upper plane is Winona Avenue. Same direction, but to the right, is 50th Street. Void of vegetation, this bold spot is were the proposed 0.4-acre of turf and children playing areas will be. Please notice, how high up and away [protected] from vehicular traffic this area is.

PICTURE 2

At the center of the picture, notice Ontario Avenue surrounded by housing developments. To your right, from the horizon down, notice; vacant park parcels **3** & **4** that will be add to the park at a later day. To the left, all the land included in the triangle, leading away from Ontario is privately own, notice the house, fence.

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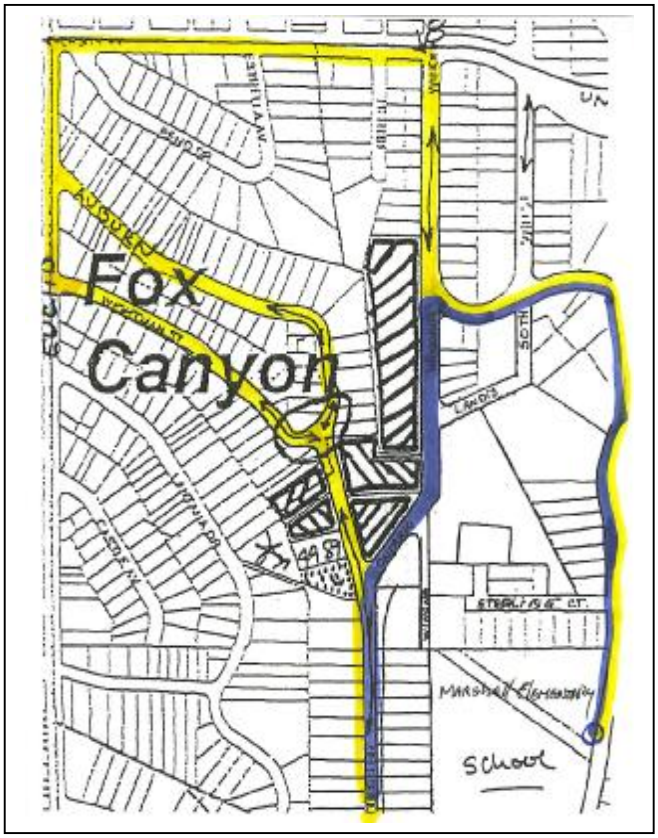
PICTURE 3

PICTURE 4

PICTURE 5



In yellow = present walking and driving distance and patters.
Blue = with the Ontario Avenue connection open, **future** and beneficial walking and driving patters

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