

1. Roll Call, Confirmation of Quorum, Call to Order, Welcome. In-Person: Andrea Hetheru, Rob Campbell, Sheila Minick, Vinetia Jones, Dorothy James, Marry Young
Zoom: Everett Crudup. The meeting called to order at 6:43 p.m. Chair Hetheru thanked everyone and acknowledged that a quorum has always been present during her tenure.

Housekeeping: Participants were reminded to be courteous to all. Wait until recognized by the chair to speak whether attending in-person or virtually. If present virtually, MUTE microphone when not speaking. On informational items, CVCPG Board Members will ask questions first followed by the public. *It is timesaving if an answer to your question is acknowledged in a previous speaker's comments.*

2. Adoption of the Agenda: It was M/S/C (Rob Cambell, Vinetia Jones) to accept the agenda. All approved; there were no objections or abstentions.
3. Non-Agenda Communication from the Public: Members of the public may raise matters not on the agenda but are within the scope of matters reasonably related to the well-being of the Chollas Valley Community Planning area. Community planning group members may respond by asking a question to clarify and may schedule the item for a future agenda. *However, no discussion, debate, or action may take place on such items (Brown Act section 59454.2).*

- a. Barry Pollard, Urban Collaborative Project, shared information regarding its Urban Greening Series. UCP is working with Groundwork to transform the community. There will be a workshop on Thursday 5/8/25, 5:30 p.m. to 8:00 p.m. at the UCP office at 5003 Imperial Ave. There are fliers at the sign-in table. Child care, translation, and refreshments will be available. Barry stated that this is a large and long-term grant for planting trees; it includes maintenance for three years in order to establish the trees.

- b. Steve Ward addressed the proposal to charge for trash pick-up. He has heard some people say that their home can be taken away if the trash bill is not paid. He shared his perspective that this is simply a property tax increase. He stated the proposal provides for replacement trash cans and bulky pick-up, that people living in apartments pay for private trash pick-up commensurate with homeowners, and higher income people have been getting trash pick-up for free. Others in the audience observed that the fee doesn't start until 2027 and that some people have more disposable income. Also, just because people have a higher income doesn't mean there are fewer expenses, especially with many children and related expenses, e.g., cars, mortgages, insurance. Another person indicated they are okay with the tax if it is reflective of income; there should be a progressive fee based upon income. This is more equitable and spread out amongst owners. One resident

stated that the tax is going to be based on the size of the bins that homeowners obtain; perhaps a bi-weekly rate vs. a monthly rate may be more equitable for those who don't accumulate large amounts of weekly trash. Another person went to an open house and learned that our landfill will be full by 2030 and trash will be transported to Arizona, with a significant increase in fees at that time.

c. Greg Morales expressed concern about putting many houses on a lot. The community has a flooding and runoff problem. The runoff is compounded by the walls and roofs of homes. When this is compounded by a lot of other development, there will be more flooding. He shared that one property in the community built a channel between two ADUs.

d. Sheila Minick invited residents to join the Emerald Hills Neighborhood Council for a Creek to Bay clean-up event on 4/26/25, 9 a.m. to 12:00 p.m. at the Emerald Hills Pocket Park on Kelton Road. Interested parties can sign up on the I Love a Clean San Diego's Creek to Bay link.

e. A resident spoke about the need for the City of San Diego to include parks in the community, suggesting that the Radio Towers site is a great place for a park, for our community, and the community at large. It has 360-degree views and can accommodate a walking track. She stated that as homeowners, we are investors who want choice, to protect our watershed, and enjoy nature rather than increased density, e.g., apartments.

f. Marry Young thanked Andrea Hetheru for everything she has brought to our community over the last year as Chair of CVCPG. She acknowledged the internal and external forces and honored Andrea for bringing this group along. Historically, what we have done in the past year beats out what we have done in the past. Marry thanked Andrea for her leadership as she steps away from CVCPG. Andrea stated that she will miss CVCPG but will be around as she is a resident.

g. Evelyn Smith shared that Park and Rec had the opportunity to purchase the Radio Towers property. Had it not been for the CVCPG, she is not sure where the project would be. Evelyn also shared that Christian Fellowship Church on Kelton Road will be having an event on social justice in our community. Sunday, 4/27/25 at 12:30 p.m.. Council Member Foster and County Representative Monica Montgomery-Steppe will be present.

h. Rob Campbell spoke about an 8-page flier from the City in relation to the proposed trash fee. There will be a City Council meeting and budget hearing on 6/9/25, and he encouraged people to attend. The City Budget has an approximate \$50 million shortfall.

- i. Sally Smull shared that she listened in on the budget meeting today. She encouraged residents who care about Parks and Recreation and libraries to speak up. It is proposed that hours at Rec Centers be significantly reduced and libraries be closed Sundays and Mondays. Sally also shared that Emerald Hills Park is on the list of parks to go to the design stage. It received approved at regional fund level last Thursday (\$200,000). Sally shared information in the Zoom chat.
4. Closed Session: ACTION ITEM. Andrea reviewed for the public the reason for the recession, per Brown Act: Discussion of Legal Advice Regarding Anticipated Litigation (Government Code § 54956.9(a)). The CVCPG board went into closed session at 7:17 p.m. to discuss the issues.
 - a. One potential case regarding the City Council's recent decision to consider the approval of an environmental determination on the Klauber Project as well as the project itself bypassing the Planning Commission on each. Approval of either would rely on "Footnote 7." CVCPG will discuss legal advice received from attorney regarding potential legal options and strategies. CVCPG may also consider authorizing the expenditure of available donated funds for fees as proposed by the attorney.
 - b. One potential case related to the City of San Diego's approval of Bonus ADU projects for which there is reasonable cause to believe are in violation of San Diego Municipal Code §113.0103, the Americans with Disabilities Act (ADA), and the City's obligations under state and federal fair housing laws, including Affirmatively Furthering Fair Housing (AFFH). These reasons were articulated in CVCPG's March 24, 2025, letter to city councilmembers, et al. CVCPG will discuss legal advice received from attorney regarding potential legal options and strategies. CVCPG may also consider authorizing the expenditure of available donated funds for fees as proposed by the attorney.

At 7:41 p.m. the CVCPG reconvened. Roll was taken upon return (all previously reported were present). It was reported that the CVCPG Board authorized the Chair and Vice Chair to enter into a retainer agreement on behalf of CVCPG for legal pre-litigation and litigation on the Klauber, Old Memory Lane, and Bonus ADU program, including the City's failure to abide by the Municipal Code on complete pedestrian pathways, with urgency. All agreements must be jointly signed by the Chair and Vice Chair.

5. INFO ITEM Klauber Development / PRJ-0693289: Presentation by developer, Cindy Phan, or representative. The project is requesting a Neighborhood Development Permit, Site Development Permit, and Tentative Map for the subdivision of the project site into 25 lots and the development of 23 single-story single-family

dwelling units, one lot for the development of a park, and one lot for the development of two private drives. Residential lots would range in size from approximately 5,650 square feet to approximately 14,388 square feet, and the lot for the park would be approximately 5,314 square feet. This project relies upon Footnote 7. See attached withdrawn NORA for more details.

Andrea Hetheru, Chair, shared that Jim Bartell, Jim Bell, and Karen R. (last name?) will present and answer questions afterward. This is an info item. It will be docketed in the near future. The presentation on behalf of Cindy Phan, who is the developer. 23 single family home, 1 lot for two private drives, one for a park. The NORA was issued, and the day after Chair Hetheru sent a letter to City regarding whether or not we would be able address. Two days later, the NORA was withdrawn. The CVCPG will not receive any extra time. CVCPG was notified at 4 p.m. that tonight's presentation would be virtual.

The presenters stated that the description that was read was accurate; it is at 1362 Klauber Ave. in Encanto. There is a one-way entrance and parking available in two-car garages. There will be pedestrian access, water, electricity, and sewer prior to occupancy. They stated that the project provides much-needed housing. Rob Campbell asked about the variances that are requested, noting that public street frontage and the length of the driveway are variances. The developers stated there are no deviations requested from the Community Plan and there is parking available on both sides of the street in the proposed development. Andrea reflected that the original proposal was for 25 homes, and it is now at 23 homes. Is one of the lots that would have had a home a lot to be used for a proposed small park? The current proposal has 23 plus one park lot. There is a cul-de-sac that could be removed and an opening to Klauber created. One participant commented that it doesn't look like the developer is trying to engage with the community and nearby neighbors. It appears as if there will be a wall separating the development. A neighbor observed that Klauber Avenue has curbs on each side, and it doesn't appear a driveway can be accommodated. There are some houses that look like they could engage on Klauber if they were oriented differently. The presenter stated that the houses are placed as they are in relation to parking. In response to a question about the view from Klauber, it was stated that there will be a fence along Klauber, but it may be an open fence or windows through the fence vs. a solid wall. There will be lighting and trees.

Everett Crudup asked if there is a sidewalk surrounding the proposed development. There are sidewalks on Scimitar, Sparrow, Klauber, and inside the development. Kathleen Lippett asked about parking in the cul-de-sacs. There is no parking in cul-de-sacs but there will be parking available along the street. The street is two-way with room for emergency vehicles. Steve Ward asked if the developer considered

having the entrance to the neighborhood at the corner of Bittern Street on the eastern/southeastern corners. He stated there could be a roundabout which seems more logical and safe. Mr. Bell, Project/Civil Engineer indicated that the entrance wouldn't work well as a 4-way stop. Another person asked if the project will be an HOA with a gate and if each lot has enough room to build an ADU or Bonus ADU. The response was that it is an ungated HOA, and each lot will have an option for an ADU. Erik Becerra asked if the developers have considered that the freeway exit is Federal Boulevard and if there is a fire, people will get trapped, resulting in lawsuits. The presenter stated this will be up to the fire marshal and was asked to show where the fire marshal approved it; however, there was no response to the request. It was stated that there is a traffic study for impacts, but otherwise the project goes through the regular channels.

Maria Conrad asked about private drainage around the project. There is a filtration stormwater system where water is stored until it is absorbed. She also asked if the main entrance will be a driveway with a stop sign. The entrance is just a driveway. In response to a question about the price, it was stated that the homes will be market-rate. There was a concern expressed regarding ADUS and if additional parking can be provided. The developer stated that right now there is no requirement for parking. Another person expressed concern about the lack of sidewalks on Klauber, and the developer stated there are sidewalks on Klauber. Rob Campbell expressed concern that the pictures don't reflect the slope and uses the existing homes vs. proposed homes. Sally Smull expressed concern about the number of available bedrooms/size of the homes, potential ADUs, exclusivity, type of trees planned, and short distance between homes. The developer stated the homes are at the minimum setback, around 1900 square feet, and 3-4 bedrooms. Chair Hetheru stated that as a consistent policy of CVCPG, the first time a developer comes, it is always informational. At the second presentation, people will be asked to weigh in. She thanked the developer for presenting to the group, reviewed the process for facilitating the presentation, and invited them to schedule a second meeting in the future.

6. ACTION ITEM INFO Item (Originally heard on January 27, 2025): PRJ-1123421/Process 5- Craig Howard of DBRDS Design and Wat Lao Buddhist team presenting. Requesting deviations:
 - a. Height increase from zoning code limit of 30' max to 45' 6" on 44th Street property in order to accommodate dramatic curved roof trusses held to be typical of Buddhist temple designs around the world. The trusses themselves are almost 20' tall.

- b. Re-routing a city-owned drainage easement around the proposed location of new temple.

Craig Howard reviewed the architecture and design presentation. The group initially came in January. Most concerns expressed were regarding parking and outreach to the community. The temple held a community meeting attended by about 50 people, including teachers and staff from the local school who shared a presentation in which they thanked the temple for letting them use its stage for plays and such. Craig shared visual representations from temples from around the world. Many temple members contribute to the artistic accoutrements on temples. Craig reviewed the layout of the temple and property. There are two entries to the temple building and three into the temple level. There is an elevator for ADA access. This temple is replacing existing structure with larger space, a kitchen, and bathrooms. The upper level includes the actual temple, surrounded by a perimeter where people can walk around. This is where the monks will spend their time meditating. There are two deviations required as noted above. This is typical of Buddhist temples throughout the world. Rob Campbell thanked Craig for the presentation. He asked about the two structures facing southwest toward Highway 805. Craig clarified that the buildings are on temple property and contain apartments for monks. Rob also asked about the casting of shadows on adjacent properties to the northeast. Craig stated it will be minimal. He also noted there are plans to re-do the apartments in the future. Marry Young asked if the height will make the temple one of the tallest buildings in our community. Craig responded yes, in this specific community. He shared that overall input from the community is that the temple is beautiful. Erik Becerra thanked the temple representatives for coming for a second time and for consideration. Rpb noted that the Naranja Project, for which the city provided a waiver, is the tallest building in the community and the temple is significantly smaller. It was M/S/C (Rob Campbell, Marry Young) to support the proposal and associated deviations. All approved. There were no objections or abstentions.

7. Chair's Report

- a. **ACTION ITEM:** Annual Report. Chair Hetheru stated that this has not been completed for several years, and when it was it was submitted it was done without board input. She indicated that the City wants to know what work was completed. The document is in Word so the Board can make changes if needed. The document

was reviewed, and it was M/S/C (Vinetia Jones, Rob Campbell) to accept the report with minor identified typographical corrections. Marry Young requested a friendly amendment to include links to the media and stories in the report, and the friendly amendment was accepted. All approved the amended motion. There were no objections or abstentions.

b. INFO ITEM: Klauber Environmental Determination and rescission: These issues were included in Item 4.

8. ACTION Items Approval of Minutes for February 24, 2025, It was M/S/C (Vinetia Jones, Rob Campbell) to approve the minutes with corrections. All approved; there were no abstentions or objections. February 25, 2025, It was M/S/C (Rob Campbell, Sheila Minick) to approve the minutes. Vinetia Jones abstained. All others approved, and there were no objections. March 17, 2025. It was M/S/C (Rob Campbell, Marry Young) to approve the minutes with corrections. All approved; there were no abstentions or objections.

9. Corresponding Secretary/Acting Elections Coordinator Report and Status of Elections. Vinetia Jones reported that 10 applications have been received. Each candidate will be given the opportunity to make a brief statement. CVCPG is still waiting for approval of bylaws changes before we can move forward with elections. Board seats will be voted on first, officers second. If anyone is interested and hasn't yet filled out an application, please submit one. Applications are available on the CVCPG website. In response to a question regarding voting, it was clarified that per Council Policy 600-24, anyone with a business, property, or living in the planning group can vote. Only the board members will vote on the officers. CVCPG added an office of Parliamentarian in the most recent bylaws changes. Chair Hetheru contacted the Mayor's designee on 4/7/25 to get an update on the approval of the bylaws; the status was reportedly unknown. The bylaws were passed on to Marlon Pangilinan. Two significant issues are that the bylaws were uploaded to the Planning Committee in PDF format, which is not easily revised, and the number of items to be renumbered. The new board will need to work on revising the entire document. On 4/10/25, Marlon responded and offered to assist in moving the bylaws along in the process but it remains pending.

10. Vice Chair's Report INFO ITEM:

Rob Campbell, Vice Chair, invited those present and interested in participating to attend the AFFH Committee meetings. The next meeting is scheduled for 5/6/25 at 6 p.m. at Malcolm X Library. Rob thanked Chair Hetheru for all her hard work and dedication to the CVCPG and community over the past year.

Unfinished business shall be tabled and placed on the agenda for a following meeting.

Meeting adjournment. It was M/S/C (Sheila Minick, Everett Crudup) to adjourn the meeting. All were in agreement; there were no abstentions or objections. The meeting adjourned at 9:18 p.m.

NEXT CVCPG General Meeting: May 19, 2025, 6:30 p.m. at KIPP Adelante Preparatory Academy, 426 Euclid Ave., San Diego, CA 92114.

Respectfully submitted,

Sheila Minick

Sheila Minick
Recording Secretary