



Ziebarth Associates

September 21, 2004

Re: Large Single Tenant Retail Establishments

Dear Mr. Potter & Members of CPC:

At the CPC meeting in July, I pointed out my opposition to the staff's draft ordinance, the inferences from previous staff reports to the Planning Commission, and the alternate design regulations that staff presented in the July 16 memo. I pointed out at that time that I had prepared an alternate draft ordinance based on meetings with staff, stakeholders and attending CPC in February and CMT in December. CPC requested a copy of my alternate draft ordinance. Staff has created a matrix showing which outlines where the differences were in our previous positions. Staff and I have worked closely over the last two months to eliminate those differences. Though I disagree with many of the conclusions of staff's earlier assessments of the negative impacts of large single tenant retail establishments, I do believe in the need for additional regulations to safeguard and preserve our communities. Staff has made an intense effort to meet and work with myself, as well as with various stakeholders and other interested parties. I believe that the revised regulations, which are currently being put forward by staff, achieves the goals and objectives of this effort in a constructive way that allows for quality future development of the goods and services that we need in our communities. I think staff should be commended for their effort. The truly outstanding aspect is the level of consensus that they have achieved.

CPC subcommittee voted to lower the threshold for discretionary review to 75,000 sf with no requirement for buildings over 150,000 sf to be in a regional commercial center of Center City PDO. Code Monitoring Team (CMT) voted a threshold of 100,000 sf for discretionary review and no requirement for buildings over 150,000 sf to be in a regional commercial center or Center City PDO. The Technical Advisory Committee (TAC) voted that if there were to be discretionary review, the threshold should be 100,000 sf with no requirement for buildings over 150,000 sf to be in a regional commercial center or Center City PDO. The threshold for review is admittedly arbitrary. During the various versions of the regulations, staff has proposed regulations for 50,000 sf, 75,000 sf, 100,000 sf, 130,000, and 150,000 sf. CPC subcommittee felt comfortable with 75,000 sf. To eliminate some of the arbitrary nature of the threshold, staff currently proposes 100,000 sf based on City of San Diego, SANDAG, and International Conference of Shopping Centers definition of "community Commercial Center" since these are the centers that will be anchored by a "large single tenant retail establishment." It provides a logical basis for establishing a threshold. I urge you to support the 100,000 sf threshold for discretionary review to eliminate some of the arbitrariness.

Architecture / Planning

800 W. Ivy St. Suite E San Diego, CA 92101 Phone 619.233.6450 Fax 619.233.6449

CMT, TAC, and the subcommittee for the CPC voted not to require “large single tenant retail establishments” to be in a regional commercial centers or the Center City PDO. With the additional regulations, the requirement for discretionary review, and the limited potential sites in San Diego, they felt that our communities were adequately protected. I urge you to support those positions.

Further, I urge you to give feedback to Staff and Planning Commission in rejecting the releasing requirements that were included in staff’s July 16 memo. CMT and TAC have already recommended rejection of these items and I recommend that you to do the same.

In conclusion, I would like to commend staff for their effort. Please support the staff proposal with the 100,000 sf threshold for discretionary review, and with the modification to reject requiring location of single tenant retail buildings over 150,000 sf only in regional shopping centers or in the Center City PDO. Finally, I recommend rejecting the releasing requirements in the July 16 Staff memo to CPC. I look forward to discussing these issues at your meeting on September 28.

Respectfully,

A handwritten signature in black ink, appearing to read "John C. Ziebarth". The signature is written in a cursive, flowing style with a large initial "J" and "Z".

John C. Ziebarth, AIA