

UPTOWN PLANNERS

Uptown Community Planning Committee

AGENDA

NOTICE OF PUBLIC MEETING

August 4, 2009 (Tuesday) – 6:00-9:00 p.m.

Joyce Beers Community Center, Uptown Shopping District

(Located on Vermont Street between the Terra and Aladdin Restaurants)

I. Board Meeting: Parliamentary Items/ Reports: (6:00 p.m.)

- A. Introductions
- B. Adoption of Agenda and Rules of Order
- C. Approval of Minutes
- D.. Treasurer's Report
- E. Website Report
- F. Chair/ CPC Report

II. Public Communication – Non-Agenda Public Comment (3 minutes); Speakers are encouraged, although not required, to fill out public comment forms and provide them to the secretary at the beginning of the meeting. (6:15 p.m.)

III. Representatives of Elected Officials: (3 minutes each) (6:25 p.m.)

IV. Consent Agenda: None

V. Information Items: Projects:

1. OLD TOWN HERITAGE PARK MASTER PLAN IMPROVEMENTS – County of San Diego – Old Town Planning Area – Proposed development would include the construction of four new Victorian style structures, renovation of seven existing historic structures, modification of landscaping, and other minor site improvements including pedestrian benches, additional lighting, trees, and fire pits, on a 5.1 acre site bordered by Juan Street, Heritage Park Road and Harvey Street. Project location is on the border with, and may include areas within, the Uptown Community Planning Area. **(6:40 p.m.)**

2. MISSION HILLS GROUP 665 WATER MAIN REPLACEMENT (PINE STREET, AMPUDIA STREET, FT. STOCKTON DRIVE AND LEWIS STREET) – Water Main Replacement – Mission Hills -- The project will replace 4,895 linear feet of existing 8-inch to 18-inch water pipelines, consisting of cast iron (CI) and asbestos cement (AC) water mains. These water pipelines will be constructed at 3-8 feet in depth, to be replaced-in-place along with all other work and appurtenances. The water main replacement will be done in 2 phases and high-lined in order to minimize impacts to water demands and construction delays. Contractor will construct/lay the mains using open trench method. Construction will also include the installation of curb ramps and street resurfacing. **(7:20 p.m.)**

VI. Action Items: Project:

1. **2640/2654 FOURTH AVENUE (“ST. PAUL’S MANOR PROJECT PLAN AMENDMENT INITIATION REQUEST”) – Initiation Request to Prepare Draft Plan Amendment** – Bankers Hill/Park West – Initiation of a proposed amendment to Uptown Community Plan which would re-designate the subject site at 2640/2654 from Office Residential 44--73 dwelling units per acre to Mixed-Use 73—110 dwelling units per acre. The proposed amendment, if initiated, would be evaluated along with the other land use issues identified with the initiation request, and processed concurrently with an application for a rezone and other entitlements; **(7:35 p.m.)**
2. **PASEO DE MISSION HILLS PROJECT LOADING ZONE (FORT STOCKTON DRIVE)** – Mission Hills – Proposal to place a loading zone on the south side of Fort Stockton Drive between Falcon Street and Goldfinch Street, in place of two metered parking spaces. **(8:05 p.m.)**
3. **REQUEST FOR LETTER OF SUPPORT FOR AN OUTDOOR THEATER AT “THE WINE LOVER”** – Hillcrest – Request to the City Council that “The Wine Lover”, located at 3968 Fifth Avenue, be allowed to provide outdoor movie entertainment to the Hillcrest/ Uptown community. This request is made pursuant to the recommendation passed by Uptown Planners at its May 5, 2009 meeting to permit outdoor movie theaters in non-residential areas of Uptown. **(8:20 p.m.)**

VII. Subcommittee Reports: Action Item:

1. **Historic Resources Subcommittee: Demolition Policy Concerns;** Discussion of concerns, contained in a subcommittee report dated July 26, 2009, about the City of San Diego’s current demolition policies. Discussion may result in possible recommendations to the Land Use & Housing Subcommittee of the City Council, which will be discussing the issues in September. **(8:30 p.m.)**

VIII. Adjournment. (9:00 p.m.)

IX. NOTICE OF FUTURE MEETINGS

Design Review Subcommittee Next Meeting; August 18, 2009, at 5:00 p. m.; at Swedenborgian Church, 4144 Campus Avenue, in University Heights *(subject to cancellation)*

Historic Resources Subcommittee: Next meeting: August 11, 2009, at 3:00 p.m., at University Heights CDC, University Heights, 4452 Park Blvd., University Heights.

Public Facilities Subcommittee: – Next meeting; August 20, 2009, at 3:00 p.m., at Café Bassam, 3088 Fifth Avenue, in Bankers Hill/ Park West.

Uptown Planners: Next meeting: September 1, 2009, at 6:00 p. m., at the Joyce Beers Community Center, Hillcrest.

Note: All times listed are estimates only: Anyone who requires an alternative format of this agenda or has special access needs, please contact (619) 835-9501 at least three days prior to the meeting. For more information on meeting times or issues before Uptown Planners, contact Leo Wilson, Chair, at (619) 231-4495 or at leo.wikstrom@sbcglobal.net . Correspondence may be sent to 1010 University Ave, Box 1781, San Diego, CA 92103 Uptown Planners is the City’s recognized advisory community planning group for the Uptown Community Planning Area.

Visit our website at www.uptownplanners.org for meeting agendas and other information

November 24, 2008

Attn: Megan Hamilton
Project Manager
County of San Diego DPR
9150 Chesapeake Drive, Suite 200
San Diego, CA 92123

RE: Draft Negative Declaration for the Proposed Heritage Park Master Plan Improvements

Thank you for the opportunity to comment on this DND.

SOHO is a 501(c)(3) non-profit historic preservation organization. We worked closely with the County of San Diego in the creation of Heritage Park. We currently are formally part of the Operation and Management Team for Heritage Park as adopted by the Board of Supervisors in 1985, which gives us official oversight for changes to the park. We also have a legally binding façade easement on the Sherman-Gilbert House. We consider it a major part of our mission to help ensure the success of Heritage Park and the preservation of the historic resources contained within the Park. We have been working with the Pacific Hospitality Group in the effort to further these goals.

The park's original mission was to provide a place for important Victorian structures that were threatened with demolition. There is no provision for new construction of the scale proposed by the current project. However, we feel that in light of the fact that moving historic structures is now done only as a last resort as they should stay on their original sites and that we, like the County, want Heritage Park to be successful, we feel that new structures that are **faithful reconstructions** of important lost links in San Diego Victorian architectural heritage, such as the Gothic Revival Levi Chase House, the Second Empire International Hotel, etc., could be added in such a way as to not adversely impact the historic structures in the park and improve the financial stability of Heritage Park.

This course would be supportable by SOHO as a modification to the original intent of Heritage Park. We feel the only way to be sure that we can accomplish this goal is to incorporate the following conditions into the contract and the DND:

1. The footprints and exteriors of the new buildings must be extremely accurate reconstructions of these lost buildings, both in materials and scale of all elements, siding, ornamentation, windows, paint, etc. They should meet the Secretary of the Interiors

Standards for Reconstruction. Any modifications to the exteriors should be treated as if the building already exists and these modifications should meet the Secretary of the Interior's Standards for Rehabilitation. The buildings should be selected with the acceptance of SOHO and should meet the program needs of Pacific Hospitality Group. The elevations supplied with the DND does not meet these goals. Pacific Hospitality Group has agreed to make sure the final plans are in conformance with the above paragraph.

2. The interiors of the existing historic buildings will be preserved and any changes will conform to the Secretary of the Interior's Standards for Rehabilitation.
3. All hardscapes, fencing, and landscaping changes to be in keeping with the Victorian Period of the buildings.
4. Final placement of all new buildings to be approved in accordance with the Secretary of the Interior's Standards for Rehabilitation.
5. The project needs to be reviewed and approved by SOHO, the City of San Diego's Historic Resources Board (several buildings are current City of San Diego historic sites) and the County of San Diego's Historic Sites Board.

We are excited about the prospect of Heritage Park finally being able to fulfill its goal of being financially sound, a goal which SOHO has supported since the beginning. SOHO raised much of the funds necessary to move and restore many of the buildings in the park and look forward to staying closely involved with Heritage Park and Pacific Hospitality Group as the park continues to develop.

Sincerely,

Bruce Coons
Executive Director
Save Our Heritage Organisation (SOHO)

cc: Fred Grand, PHG
cc: Jim Royal, HSB, County of San Diego
cc: John Lemmo, HRB, City of San Diego

FACT SHEET

PROJECT:

Water Group 665 Water Main Replacement:

Water CIP No. 738616

CITY OF SAN DIEGO DESIGN TEAM:

Rania Amen, Senior Engineer, Engineering & Capital Project Department
Chris Gascon, Project Manager, Engineering & Capital Project Department
Jenny Jarrell, Project Engineer, Engineering & Capital Project Department

PROJECT DESCRIPTION:

This project is located in the Uptown Community Plan Area. The project will replace 4,895 linear feet of existing 8-inch to 18-inch water pipelines, consisting of cast iron (CI) and asbestos cement (AC) water mains. These water pipelines will be constructed at 3-8 feet in depth, to be replaced-in-place along with all other work and appurtenances.

The water main replacement will be done in 2 phases and high-lined in order to minimize impacts to water demands and construction delays. Contractor will construct/lay the mains using open trench method. Construction will also include the installation of curb ramps and street resurfacing.

LIMITS OF CONSTRUCTION:

The streets affected by the Water Group 665 Water Main Replacement are Pine Street, Ampudia Street, Fort Stockton Drive and Lewis Street as shown on the attached location map.

SCHEDULE:

Construction is scheduled to start June of 2010 and finish March of 2011.

TRAFFIC/PARKING:

Construction of this project will be operated within the public roadway. Traffic control within the project site was discussed with the City of San Diego Traffic Engineering. Traffic control plans will be prepared by the City of San Diego (will be part of plans), and shall be reviewed and approved by the City of San Diego Traffic Engineering. Also, the Contractor will be directed at all times to keep the area as clean as possible from dirt and dust.

ATTACHMENT:

- 1) One – Water Group 665 Water Main Replacement location map



L64A-003A

Project Information

Project Nbr: 179956 **Title:** ST PAUL'S SENIOR HOMES
Project Mgr: Godwin, Paul (619) 446-5103 pgodwin@sandiego.gov



Review Information

Cycle Type: 1 Land Use Plan Initiation **Submitted:** 04/23/2009 Deemed Complete on 04/23/2009
Reviewing Discipline: Plan-Long Range Planning (CPA) **Cycle Distributed:** 04/23/2009
Reviewer: Pangilinan, Marlon **Assigned:** 04/24/2009
(619) 235-5293 **Started:** 04/28/2009
Hours of Review: 3.00 **Review Due:** 06/26/2009
Next Review Method: Land Use Plan Initiation **Completed:** 07/01/2009 **COMPLETED LATE**
Closed: 07/13/2009

- . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- . We request a 2nd complete submittal for Plan-Long Range Planning (CPA) on this project as: Land Use Plan Initiation.
- . Last month Plan-Long Range Planning (CPA) performed 1 reviews, 100.0% were on-time, and 100.0% were on projects at less than < 3 complete submittal:

CPA Initiation - Pre Hearing

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input checked="" type="checkbox"/>	1	The initiation request proposes to amend the Uptown Community Plan to increase the residential density on a 1.26-acre site located in the Bankers Hill/Park West neighborhood to allow 122 senior housing units and ground floor commercial. (New Issue)
<input checked="" type="checkbox"/>	2	The subject site is split into two land use designations. On the west side, the project site is designated High Residential 44-73 dwelling units per acre (0.69 acres) and Office-Residential 44-73 dwelling units per acre (0.57 acres). Based on the existing land designations and associated density ranges the project site could allow 55 to 92 dwelling units. With the inclusion of a residential density bonus for senior housing of 20%, approximately 110 dwelling units would be allowed. (New Issue)
<input checked="" type="checkbox"/>	3	The initiation request was presented to the Policy Review Committee (PRC) on March 18, 2009, as part of a Preliminary Review submittal including a conceptual design and a proposal to vacate a portion of 3rd Avenue between Nutmeg and Maple Street. The PRC determined that the proposed street vacation could not be supported as it conflicted with General Plan and Community Plan policies for maintaining and encouraging interconnected streets and circulation networks, preserving on-street parking, and that the initiation needed more clarification regarding providing an additional public benefit (New Issue)
<input checked="" type="checkbox"/>	4	An issue was also discussed as to whether an initiation could proceed in lieu of the upcoming Uptown Community Plan Update. However, this issue was eventually resolved at the department management level since: <ul style="list-style-type: none"> - The community was aware of the project and was in support - That significant progress was made on the conceptual design which involved the community - Formation of the Uptown Community Plan Update Advisory Committee ("stakeholder committee") had not been formed. (New Issue)
<input checked="" type="checkbox"/>	5	Clarified responses were received from the applicant and presented at PRC on July 1, 2009. The PRC determined that although the proposed public benefits were incremental and project specific in nature that their provision could be further evaluated in the plan amendment process, since these benefits could not be contemplated without an increase in density. (New Issue)
<input checked="" type="checkbox"/>	6	The PRC also determined that the initiation could be supported due to the existence of policies that supported and encouraged the development of senior housing; that the project's very nature addressed a specific housing need; and that the location of the project near an existing seniors facility, transit, commercial, and the park was complementary. (New Issue)
<input checked="" type="checkbox"/>	7	Additionally, the PRC recommended amending the eastern portion of the subject site (0.57 acres) from Office-Residential 44-73 dwelling units per acre to Mixed-Use 73-110 dwelling units per acre to allow the total density proposed for the project. Further, the amendment would also include the 5,000 square foot site currently occupied by the dentist office and the half block across 4th Avenue to the east to be re-designated from Office-Residential to Mixed-Use in order to evaluate the proposed amendment comprehensively. (New Issue)
<input checked="" type="checkbox"/>	8	At this time, it appears that the CV-1 zone would be able to accommodate the proposed amendment however, this is not a final determination as LDR-Planning staff would be required to evaluate the proposed rezone during discretionary review of the project, It may also be determined that other land use amendment configurations could be considered as part of the plan amendment analysis process. (New Issue)
<input checked="" type="checkbox"/>	9	At this time staff will be considering a Planning Commission Hearing date in August to receive a recommendation from the Uptown Planners (no meeting in July) and include it at hearing. (New Issue)



THE CITY OF SAN DIEGO
Development Services

1222 First Avenue, San Diego, CA 92101-4154

L64A-003A

Project Information**Project Nbr:** 179956**Title:** ST PAUL'S SENIOR HOMES**Project Mgr:** Godwin, Paul

(619) 446-5103

pgodwin@sandiego.gov

**Review Information****Cycle Type:** 2 Land Use Plan Initiation**Submitted:**

Deemed Complete on 07/13/2009

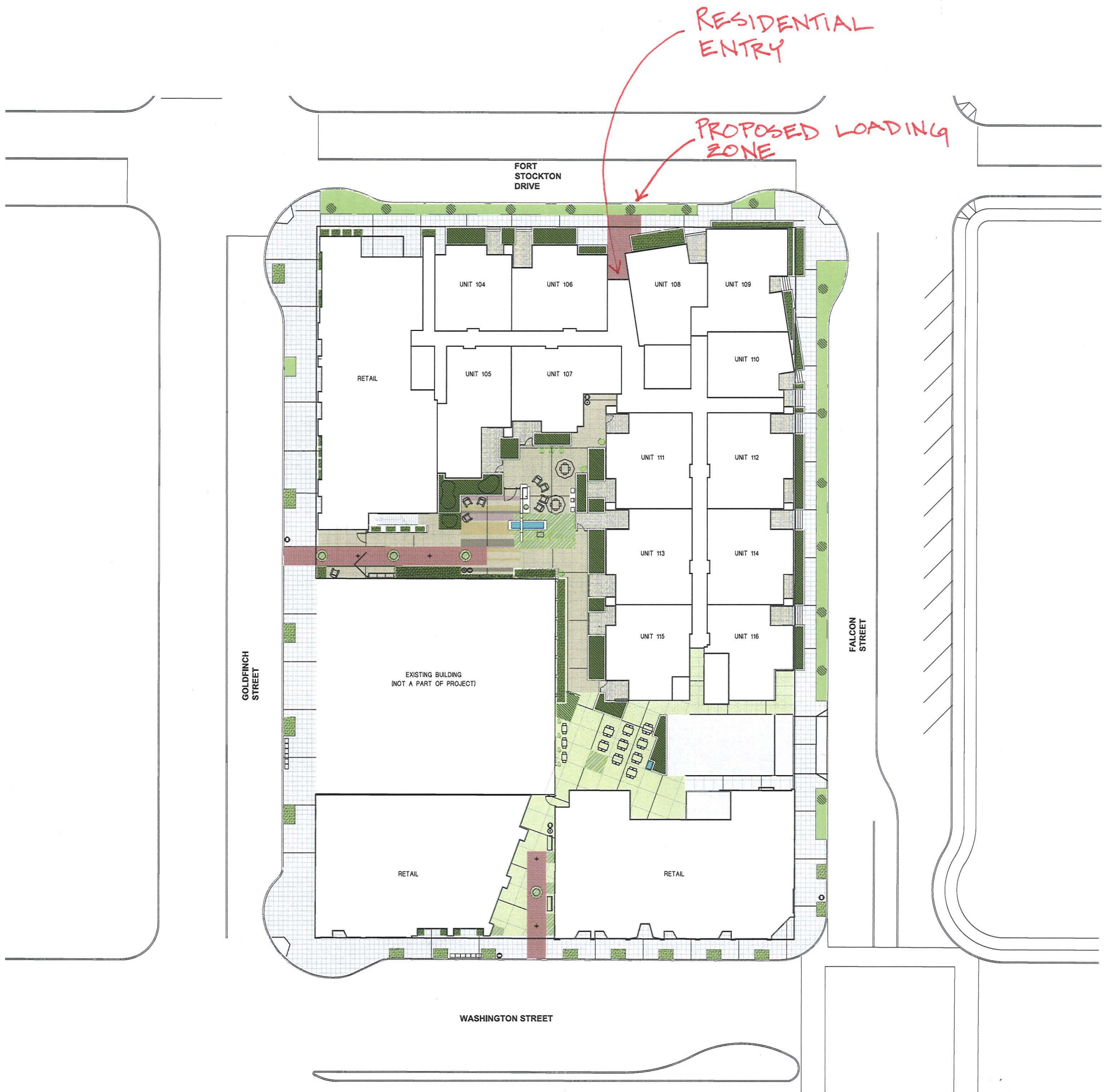
Reviewing Discipline: Plan-Long Range Planning (CPA)**Cycle Distributed:****Reviewer:** Pangilinan, Marlon
(619) 235-5293**Assigned:** 07/13/2009**Started:** 07/13/2009**Hours of Review:** 0.00**Review Due:** 08/24/2009**Next Review Method:** Land Use Plan Initiation**Completed:** 07/13/2009**COMPLETED ON TIME****Closed:** 07/14/2009

- . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: First Review Issues.
- . We request a 3rd complete submittal for Plan-Long Range Planning (CPA) on this project as: Land Use Plan Initiation.
- . Your project still has 2 outstanding review issues with Plan-Long Range Planning (CPA) (all of which are new).
- . Last month Plan-Long Range Planning (CPA) performed 1 reviews, 100.0% were on-time, and 100.0% were on projects at less than < 3 complete submittal

PC Initiation Hearing Date

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	10	The proposed Initiation is scheduled to go before the Uptown Planners for a recommendation on Tuesday, August 4, 2009. (New Issue)
<input type="checkbox"/>	11	In order to accommodate the Uptown Planners' hearing of the proposed initiation and due to the Legislative Recess for the most part of the month of August, the Planning Commission initiation hearing has been scheduled for Thursday, September 3, 2009. (New Issue)





PM 10+90.41

EXIST R/W

GOLDFINCH ST. ↑

TYPICAL ON METERS

PM 11+14.41

23' TYP.

PROPOSED TREE (TYP)

PM 11+37.41

PROPOSED R/W

FORT STOCKTON DRIVE

PM 11+60.42

RESIDENTIAL ENTRY

PL

EXTENT OF NEW LOADING ZONE

PROPOSE TO REMOVE TWO PARKING METERS

PM 11+83.41

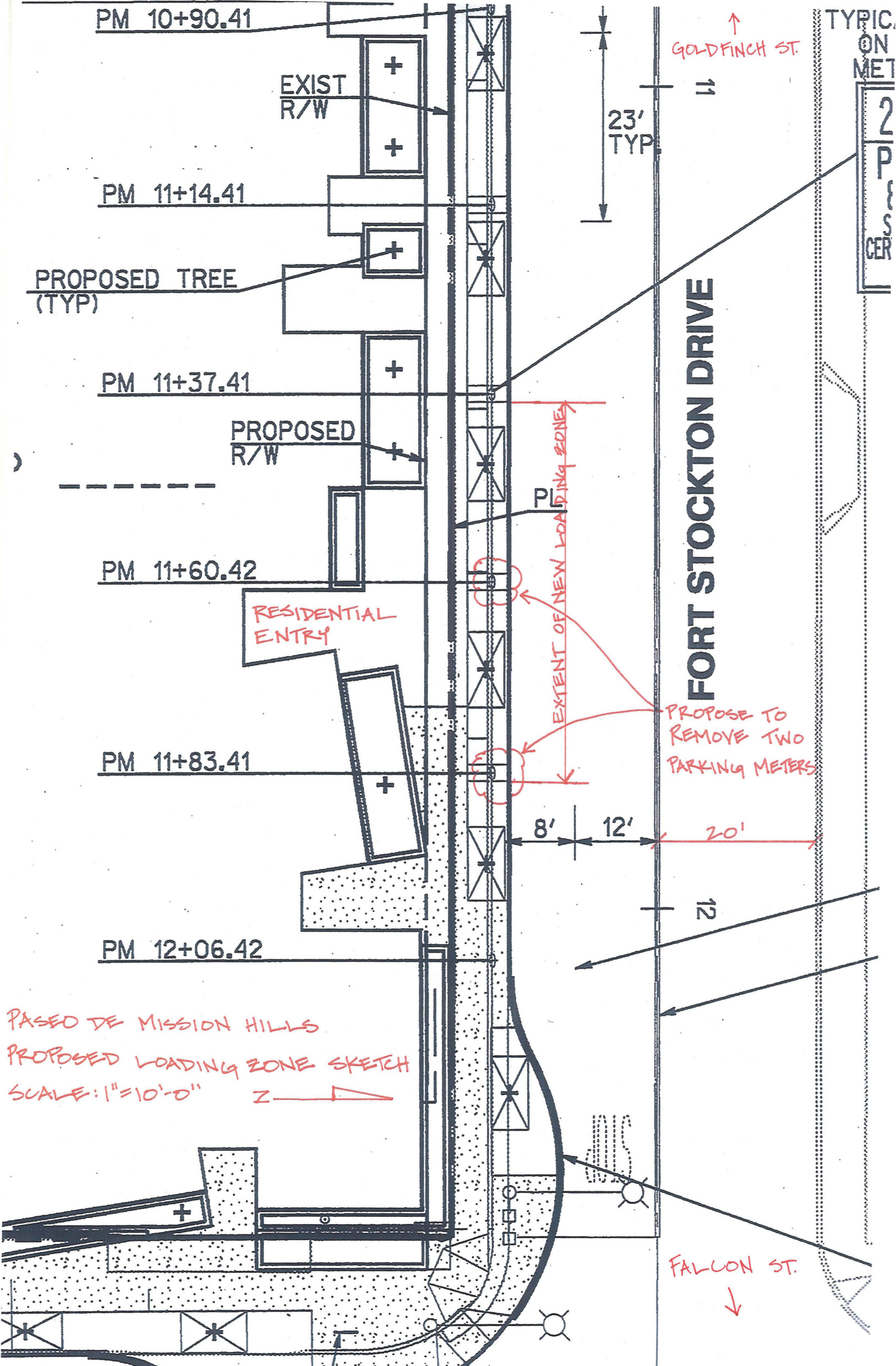
8' 12' 20'

PM 12+06.42

12

PHASED DE MISSION HILLS
PROPOSED LOADING ZONE SKETCH
SCALE: 1"=10'-0" Z →

FALCON ST. ↓





THE CITY OF SAN DIEGO

Notice of Application for an Amendment to the Uptown Community Plan

Members of the Uptown Planners Community Planning Group (CPG):

The purpose of this notice is to inform you of a Planning Commission hearing on a proposal to initiate an amendment to the Uptown Community Plan. The subject property is an approximately 0.57-acre site located at 2640 & 2654 4th Avenue.

The proposed amendment would re-designate the subject site from Office-Residential 44 to 73 dwelling units per acre to Mixed-Use 73 to 110 dwelling units per acre. The proposed amendment, if initiated, would be evaluated along with other land use issues identified with the initiation request, and processed concurrently with an application for a rezone and other entitlements to be determined by the Development Services Department.

The Planning Commission hearing will be limited to discussing whether the proposed community plan amendment meets the initiation criteria set forth in Policy LU-D.10 of the General Plan. **Initiation is required prior to preparation of a draft amendment to a land use plan.**

Hearing Date: September 3, 2009

Time: 9:00 a.m.

Locations: City Council Chambers, 12th floor, City Administration Building,
202 C Street, San Diego, CA 92101

A staff report will be available the Friday prior to the hearing date. For additional information regarding the proposal, please call Marlon Pangilinan, Senior Planner at 619-235-5293.

Date of Notice: July 13, 2009



City Planning and Community Investment

202 C Street, MS 4A • San Diego, CA 92101-3864

Tel (619) 235-5200 Fax (619) 533-5951



Subject Site Location



Land Use and Housing Demolition Policy Concerns and Proposed Solutions

Recently, there has been considerable effort by City Staff and neighborhood groups to support historic review of applicant projects in the older areas of San Diego. The most successful results of the process have been with applicants who are working in good faith. However, lax enforcement and some processes that obscure public involvement have pointed to a variety of systemic issues. The results have been shocking because those who seemingly intend to bypass the system or use political influence to bend the rules in favor of their own interests and are granted demolition permits. Examples of abuses in the system continue and much can be achieved by correcting deficiencies in these systems through often-simple process changes, by adjusting regulations and adjusting policies. When the system supports more transparency it seems that it will be easier to identify those who do not intend to comply to regulations before there is actual demolitions.

Results of the changes to the current codes, regulations and policies would have the overall positives effects:

- Preserving San Diego’s historic architecture and cultural heritage
- Decreasing landfill waste and discarding quality materials such as old growth lumber
- Enable more cost effective reinvestment into the established communities and maintaining the rhythm and scale of the streetscape, which invites aesthetic upgrades and staves off blight.

Specific actions that LU & H can take to address the issues concerning demolitions are listed as proposed solutions in the below table.

Open Issues

Number	Issue	Proposed Solutions
1.	Communication with Stakeholders	
	A. Community Member/Stakeholders are not given timely or accurate notice of pending demolition permits, which inhibits action at the time an actual permit is issued. B. Community Stakeholders have trouble verifying when permitted work or unpermitted work is being done and often only have access to information after the fact. Permits are not on buildings and building	<ul style="list-style-type: none"> • Provide on-line notices of pending and issued permits in real time, or delay granting the applicants permit until the actual notice is published and available to the public. • Require permit notices and addresses to be posted and visible on any construction/demolition site. • Permits provide consistent

	<p>addresses are not required to be visible during construction/demolition.</p> <p>C. Permits are issued for properties but are delayed and verification is difficult.</p> <p>D. Permit notices are inconsistent and don't provide the planning district or current zoning. Also permits don't list all of the properties involved in the project.</p> <p>E. The Code Monitoring Team and the Technical Advisory Team have not undertaken these issues. Yet unpermitted work goes on all of the time and is pervasive in our older communities. The unpermitted work eliminates the ability for the process to work as it was intended and ultimately affects our quality of life.</p> <p>F.</p> <p>Recent examples: 1051 Myrtle Street 4337 Valle Vista</p>	<p>information regarding all of the addresses involved in the application, the planning district and zoning information on the permit notice.</p> <ul style="list-style-type: none"> Put forward language for these updates to coincide with the next Land Development Code change including proposals in this memo or otherwise request staff to make policy and regulation changes effective immediately. Additionally, include community member oversight of the legislative process and changes in the LDC as they affect demolition policies and historic preservation. <p>Results: Opens up the process to the stakeholders in the community and makes the process more transparent. Also makes code enforcement easier.</p>
2.	Legal Issues	
	<p>A. The City's process of taking permit applications out of the Ministerial process to review it for the 45-Year analysis should in and of itself require it to be moved into a Discretionary process. Ministerial projects are for straightforward projects that don't require intervention by staff. Once pulled out of the Ministerial track the project is inherently Discretionary. The city does not abide by this and routinely pulls and reinserts applications returning them back on the Ministerial track. This opens the city to unnecessary liability.</p> <p>B. Buildings may be considered historic under CEQA even if they do not meet the standard for local designation. If there is simply a fair argument that the structure is historic then an environmental document and process is required before granting the demolition. A larger proportion of</p>	<ul style="list-style-type: none"> Revise current practices to comply with the land development code. When a project is pulled out of the Ministerial process for any reason, it becomes Discretionary. Arrange SOHO co-sponsored training for DSD Staff on interpretation of CEQA law. Support findings for fair argument by consultants and City Staff by conducting a thorough CEQA analysis for buildings over 45 years old. <p>Results: Enforcement of the current regulations and increased staff and community input. Analysis of potential</p>

	<p>demolitions are granted for historic buildings when a fair argument has been made but is not provided in the current City process and therefore demolished without full and complete analysis of the resources.</p> <p>These practices allow for substantial loss of historic buildings in our established communities.</p> <p>Recent examples: 4114 Goldfinch 4114 Ibis</p>	<p>environmental impacts and alternatives and mitigation to the community through the process or by review of environmental documents (NMD, ND or EIR) when necessary.</p>
3.	Community Plan Historic Surveys and EIR	
	<p>A. It is widely accepted that a reconnaissance windshield survey cannot reveal all of the character defining features or historic references related to a given property. The change in the 45-year review process is an example of what can be found while looking at properties more closely. In 2006, the draft Uptown Survey was submitted but not adopted. Concerns were raised at that time because of City Staff revisions to the meaning and intent of State Status Codes. These code changes imply elimination of further investigation on over half of the properties in Uptown and Staff intention to write off potential historic sites before adequate research is conducted. City Staff is now planning to continue work towards adoption of the Uptown Survey or a new Survey in preparation of the Uptown Community Plan Update. Without similar protections invested into the survey process as the current 45-year review, the older communities become vulnerable if City Staff is allowed to manipulate the coding instead of requiring a more in-depth analysis for oldest properties in our established San Diego communities.</p> <p>B. An EIR was not conducted before adoption of the General Plan but must be</p>	<ul style="list-style-type: none"> • Not all properties can be given intensive study but further investigation should be warranted when the property is over 45 years old as has been the case citywide with the current 45-year process. • City staff should honor the State Status Codes and should require more intense investigation on properties that are 45 years or older as they do now. • An EIR should be conducted during the Community Plan update process. <p>Results: Research of the oldest resources in San Diego’s older communities relate to the historic context of the community and contribute to the story of San Diego’s history.</p> <p>An EIR for each community plan update will include alternatives and mitigation as part of the discussion</p>

	<p>done as part of the Community Plan update. Update of the clustered plans for North Park, Golden Hill and Uptown affect some of our oldest communities.</p> <p>Specific Modifications are in bold italics:</p> <p>6L: Modifications preclude designation but are reversible; property could be individually designated when integrity is restored. <i>Property is cleared for purposes of LDC 45 Year review until its condition changes.</i></p> <p>6Z: Found ineligible for National Register, California Register or local designation through survey evaluation. <i>For the purposes of the Development Services Department 45 year review process, any property with a Status Code of 6Z is considered cleared.</i></p> <p>7N1: Used to trigger a status re-evaluation when (1) A clearly significant property is restored to its original condition: (2) A property becomes 45 years old: or (3) As a result of new information. <i>Property is cleared for purposes of the LDC 45 year review until its condition changes.</i></p>	<p>in the community for the update process and offer opportunities for substantive dialogue and consideration pertaining to the quality of life factors in our communities.</p>
4.	Permit Process Aberrations	
	<p>A. The Preliminary Review process bypasses the 45-year review (a 10 day review by the community) that also results in issuance of demolition permits. It is a loophole that results in land use decisions without adequate analysis or review. This process was used issuing one permit to demolish six houses on Centre Street and the resulting development of the site should not be Ministerial bypassing community input but because of its scope should have triggered a Discretionary process.</p> <p>B. When inadequate research is presented by the applicant and there is not enough time for a community response then bad decisions are made simply because the time is up.</p>	<ul style="list-style-type: none"> • Review of all demolition permits by qualified staff. • Increase time in the Preliminary Review process to 10 days to secure community input and more information • Provide a mechanism to take projects out of the Ministerial or Preliminary Review process when they require more community input– Such as potentially historic properties, controversial projects or large projects such as the application to demolish six old houses on Centre Street.

	<p>C. Those who profit from demolishing historic properties pay consultants who leave out facts or misinterpret analysis with apparent intent to bypass CEQA.</p> <p>D. Demolition by neglect is accepted as a persuasive argument to demolish historic buildings instead of promoting adaptive reuse.</p> <p>Recent Examples: 3761 Centre Street – (Actually 6 houses on Centre Street) 4638 West Tallmadge Drive 801 University Our Lady of Peace 4337 Valle Vista</p> <p>Effects: Demolition of historic properties and changes to the historic context of our communities because the Preliminary Review process sidesteps the 45 year review analysis and other community input processes. Often investors neglect or don't maintain the building or property to attempt to make a case that the building is not significant because they have not kept it up. Paid consultants with conflicts of interest, submit inadequate, and biased reports pertaining to applicants' projects and cause a loss of confidence and integrity in the process because there is little City supervision or adjustment to mitigate the faulty or inadequate reports. This leads to unjustified demolition of historic properties.</p>	<ul style="list-style-type: none"> • City staff providing oversight of historic reports tied to projects including reference and data checking with conclusions based on evidence or supportive documentation. • Removing contractors from the city's consultant list when reports leave out facts and conclusions are repeatedly inadequate. • Promote adaptive reuse and enforce code compliance issues since it encourages improving communities. <p>Results: Reduce rushed demolitions of properties that are historic in nature, less vacant lots and reduced losses of the historic integrity of the community. Beautify and improve the built environment. Improve integrity of the historic review process. Also provide incentives for quality historic research reports by enabling City Staff to raise the standards for submitted reports. Enforces codes and encourages better behavior and eliminates poor performers.</p>
5.	Mitigation for Non-Compliance	
	<p>A. Permits are issued after demolition takes effect.</p> <p>B. Simple permits are issued but are not relevant to the work being completed. (Permit for a water heater does not pertain to siding being installed).</p> <p>C. Penalties are too low to discourage un-permitted demolitions.</p> <p>D. Errors in processing applications by staff or mis-information by</p>	<ul style="list-style-type: none"> • Projects including demolitions on a particular site should not be partitioned. Thus permits for a demolition would not be issued as a bureaucratic process but more thoughtfully in context considering the proposed project, zoning and site. • Posted addresses and permits during notice and all phases of

	<p>applicants resulting in demolition of significant properties.</p> <p>Recent Examples: 4337 Valle Vista 3096 Alameda Drive 3809 Seventh Ave. A water heater upgrade permit was issued but work was more extensive. Kensington Sign</p>	<p>construction will help inspectors and community members verify the work that is being done matches the issued permit.</p> <ul style="list-style-type: none"> • Substantially increasing enforcement and meaningful fines to be determined to exceed recovery fees for the code compliance department. Thus providing revenue from fines towards code compliance and preservation efforts as mitigation to the community. <p>Results: Projects include the plan for the demolition so that it can be viewed thoughtfully and comprehensively and Fines deter bad behavior and could provide mitigation to the community by funding other preservation projects. Permits variances are discovered earlier when enforcement actions are more meaningful</p>
6.	Other Policy Issues and Impacts to Older Undesignated Structures	
	<p>A. Remodels and demolitions differ and need to be permitted differently. Demolitions disguised as remodels cheat the community out of input as well as review of parking requirements. Coastal Commission requirements are clear and could be the model for city codes.</p> <p>B. Zoning creates pressure on commercial historic resources in high-density zones and Conservation Districts need to be implemented. There is currently no mechanism to do so.</p> <p>C. Ministerial projects bypass the goals set out in the community plan and erode the unique character of San</p>	<ul style="list-style-type: none"> • Revise the definition of a remodel so it is limited to 25% or less of the building and include language in requirements effecting remodels mirror the provisions enforced by the Coastal Commission. Include mitigation for projects that exceed permitted actions. • LDC & Procedures for Design Guidelines is missing from General Plan Actions – Implementation of Conservation Districts needs to be established.

	<p>Diego communities over time. Recent examples: 3475 Tenth (Now 1005 Robinson) 4460 Texas Street and 4374 Cleveland Ave.</p>	<ul style="list-style-type: none">• Ministerial projects need to show conformance and be subject to the Community Plan. <p>Results: The public would be clear on the project permitted when remodels and demolitions are clearly distinct. Conservation Districts with complementary zoning that recognizes the benefits of historic commercial areas reduces pressure from radical changes to the established character of these areas.</p> <p>Ministerial projects that adhere to the community plan will appear complementary to the established streetscape.</p>
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Thank you for taking the time to address these topics. In order to make the meeting time actionable we request that a motion is made to support changes to the land development code, regulations and policies and have provided it following this memo.

DRAFT RESOLUTION:

WHEREAS, there has been considerable effort by City Staff and neighborhood groups to support historic review of applicant projects in the older areas of San Diego;

WHEREAS, A variety of systemic issues have demonstrated to result in demolition or actions that have had a detrimental overall effect in the community and in the confidence in the current process especially within the older established communities; and

WHEREAS, correcting deficiencies in permitting procedures and adjusting regulations and policies to support better adherence to the stated goals for historical preservation in the General Plan would support the stated preservation goals.

NOW THEREFORE BE IT FURTHER RESOLVED, that the following land development code, regulations and policy changes will be amended or brought through the process for amendment as necessary follows:

- Provide on-line notices of pending and issued permits in real time, or delay granting the applicants permit until the actual notice is published and available to the public.
- Require permit notices and addresses to be posted and visible on any construction/demolition site.
- Permits provide consistent information regarding all of the addresses involved in the application, the planning district and zoning information on the permit notice.
- Revise current practices to comply with the Land Development Code. When a project is pulled out of the Ministerial process for any reason, it becomes Discretionary.
- Arrange SOHO co-sponsored training for DSD Staff on interpretation of CEQA law.
- Support findings for fair argument by consultants and City Staff by conducting a thorough CEQA analysis for buildings over 45 years old.
- Continue to investigate for historic resources when the property is over 45 years old.
- City Staff should honor the State Status Codes and should require more intense investigation on properties that are 45 years or older as they do now.
- An EIR should be conducted during the Community Plan update process.
- Review of all demolition permits by qualified staff.
- Increase time in the Preliminary Review process to 10 days to secure community input and more information.
- Provide a mechanism to take projects out of the Ministerial or Preliminary Review process when they require more community input– Such as potentially historic properties, controversial projects or large projects.
- City staff providing oversight of historic reports tied to projects including reference and data checking with conclusions based on evidence or supportive documentation.

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- Removing contractors from the City’s consultant list when reports leave out facts and conclusions are repeatedly inadequate.
- Promote adaptive reuse and enforce code compliance issues since it encourages improving communities.
- Projects that require demolition should not be partitioned. Thus, permits for a demolition would not be issued as a bureaucratic process but more thoughtfully in context considering the proposed project, zoning and site.
- Addresses and permits shall be posted during notice and all phases of demolition or construction.
- Increasing enforcement and meaningful fines to be determined to exceed recovery fees for the code compliance department. Thus providing revenue from fines towards code compliance and preservation efforts as mitigation to the community.
- Revise the definition of a remodel so it is limited to 25% or less of the building and include language in requirements affecting remodels that mirrors the provisions enforced by the Coastal Commission. Include mitigation for projects that exceed permitted actions.
- LDC & Procedures for Design Guidelines is missing from General Plan Actions – Implementation of Conservation Districts by the CPCI department must be adopted before or during the Community Plan Update process.
- Ministerial projects need to show conformance and be subject to the Community Plan.
- Put forward language for these updates to coincide with the next Land Development Code change including proposals in this memo or otherwise request staff to make policy and regulation changes effective immediately. Additionally, include community member oversight of the legislative process and changes in the LDC as they affect demolition policies and historic preservation.

Adopted: _____

Date: _____

Chair Todd Gloria
Land Use and Housing