

UPTOWN PLANNERS

Uptown Community Planning Committee

AGENDA

NOTICE OF PUBLIC MEETING

September 1, 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) (6:30 p.m.)

IV. Consent Agenda: None

V. Information Items: Planning

- 1. MID-CITY RAPID BUS PROJECT – PARK AVENUE BETWEEN EL CAJON BOULEVARD AND UNIVERSITY AVENUE—**University Heights/ Hillcrest – Update on revisions to proposal to place dedicated bus lanes and new bus rapid transit stations in the middle of Park Boulevard; will result in loss of 35 parking spaces at three locations where diagonal parking will be converted to parallel parking along Park Boulevard. An additional 23 spaces will be provided along side streets with placement of new diagonal parking, and removal of one bus stop. **(6:45 p.m.)**

VI. Action Items

- 1. DEMOLITION POLICY RECOMMENDATIONS: REPORT FROM THE HISTORIC RESOURCES SUBCOMMITTEE:** Revised Subcommittee report originally dated July 26, 2009 and presented at the August 2009 board meeting, concerning the City of San Diego's current demolition policies. If adopted by Uptown Planners, the subcommittee report would be forwarded to the Land Use & Housing Subcommittee of the City Council, which will be discussing the issues involved in September. *(see attachment "A")* **(7:15 p.m.)**
- 2. 3360 REYNARD WAY NDP ("REYNARD WAY ROW HOUSES") –** Process Two – Mission Hills – Neighborhood Development Permit to demolish existing apartments and construct eight residential for rent units with reduced front, rear

and side-yard setbacks on a 8,759 sq. ft. site at 3360 Reynard Way in the MR-1000 Zone; Airport Influence Area; Part 77 Flight Path. (7:45 p.m.)

3. **LETTER OF SUPPORT FOR MOTION BY COMMUNITY ADVISORY FORESTRY BOARD MOTION TO LANDMARK HERITAGE TREES IN MISSION HILLS:** The trees being considered for are located in the parkway along Sunset Boulevard between Ft. Stockton and Witherby Street. Also, the Community Advisory Forestry Board intends to nominate the pepper tree, believed to be planted by Kate Sessions, on located on the parkway at 1801 Sheridan Avenue. Actions are being done in accordance with City Council Policy 900-19. (see attachment "B") (8:00 p.m.)
4. **WEST LEWIS STREET MINI-PARK APPEAL –** Determination whether to withdraw the appeal of the West Lewis Street Mini-Park based on the revised design for the mini-park, incorporating modifications contained in the consensus letter adopted by Uptown Planners at its June 2, 2009. (See Attachment "C") (8:10 p.m.)

VII. Subcommittee Reports: Action Item:

1. **Rules/Bylaw Subcommittee;** Don Liddell: Recommendation Re: Uptown Planners seat on the board of Uptown Partnership. (8:20 p.m.)

VIII. Adjournment. (8:30 p.m.)

IX. NOTICE OF FUTURE MEETINGS

Design Review Subcommittee September meeting cancelled; due to lack of projects seeking review.

Historic Resources Subcommittee: Next meeting: September 8, 2009, at 3:00 p.m., at University Heights CDC, University Heights, 4452 Park Blvd., University Heights.

Public Facilities Subcommittee: – Next meeting; September 17, 2009, at 3:00 p.m., at Café Bassam, 3088 Fifth Avenue, in Bankers Hill/ Park West.

Uptown Planners: Next meeting: October 6, 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

Attachment A

**Land Use and Housing Demolition Policy Concerns
& 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 process 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.
- Complying with CEQA and reducing the city’s liability exposure.

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	Proposals
	<p>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.</p> <p>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 addresses are not required to be visible during construction/demolition</p> <p>C. Permits are issued for properties but notices are delayed and verification is difficult.</p>	<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. • An option immediately available for implementation is to process demolitions and upcoming controversial projects or those sites with buildings 45 years or older through the community-planning groups since they may be in a better position to understand the cumulative impacts. • Require permit notices and

	<p>D. Permit notices are inconsistent and don't provide the planning area or current zoning. Also permits don't list all of the properties involved in the project. Demolition permits don't provide information connecting it to current or future projects.</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>Recent examples: 1051 Myrtle Street 4337 Valle Vista</p>	<p>addresses to be posted and visible on any construction/demolition site.</p> <ul style="list-style-type: none"> • Permits provide consistent information regarding all of the addresses/parcels involved in the application, the planning area and zoning information on the permit notice. • Put forward language for these proposals to coincide with the next Land Development Manual "LDM") or Code 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 LDM or 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	Proposals
	<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/evaluation 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 must be considered historic under CEQA if there is a fair argument that they are eligible for the California register even if they are not already designated. If</p>	<ul style="list-style-type: none"> • Revise current practices to comply with CEQA and the land development code. When a project is pulled out of the Ministerial process for any reason, it becomes Discretionary. • Arrange SOHO and City Attorney co-sponsored training for DSD Staff on interpretation of CEQA law. • Adhere to the environmental review and analysis required by CEQA when buildings are over 45 years old and analyze the foreseeable future projects

	<p>there is simply a fair argument that the structure is eligible the impacts must be assessed and an environmental document is required. Also the current and foreseeable new project needs analysis because of the cumulative impacts. Demolitions are granted for historic buildings when a fair argument has been made but the CEQA analysis is not provided for both the proposed new project/demolition and therefore demolitions occur without full and complete analysis or mitigation.</p> <p>These practices allow for substantial loss of historic buildings in our established communities and put the City in a position of liability exposure.</p> <p>Recent examples: 4114 Goldfinch 4114 Ibis</p>	<p>cumulative impacts when stakeholders, consultants and/or City Staff raise concerns about historical resources (CEQA fair argument). Compliance with CEQA is not optional.</p> <ul style="list-style-type: none"> • When a disagreement occurs pertaining to the historic status of a building between staff and/or community stakeholders this triggers the fair argument standard of CEQA and the application should then follow a Discretionary process. • Provide a database system to ensure that cumulative impacts are properly monitored including air quality, water quality and waste. <p>Results: Enforcement of the CEQA, laws and regulations, increased staff and community input. Analysis of potential 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 the potential elimination of further investigation on over half of the properties in Uptown. City Staff now plan to adhere to the State status codes and is working towards adoption of the new Surveys in preparation of Community Plan Updates. Without similar protections</p>	<p>Not all properties can be given intensive study but further investigation should be warranted for the oldest properties, as has been the case citywide with the current 45-year process.</p> <ul style="list-style-type: none"> • City staff should require more intense investigation such as when properties are 65 years or older after reconnaissance surveys are adopted. • EIRs should be conducted during the Community Plan updates.

	<p>invested into the survey process as the current 45-year review, the older communities become vulnerable if a more in-depth analysis for oldest properties in our established San Diego communities are not required before demolition permits are issued.</p> <p>B. An EIR was not conducted before adoption of the General Plan but must be done as part of the Community Plan updates for North Park, Golden Hill and Uptown because these affect some of our oldest communities.</p>	<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. These older properties should be given more in-depth analysis before demolition permits are issued.</p> <p>An EIR for each community plan update will include alternatives and mitigation as part of the discussion 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 its scope should have triggered a CEQA review and 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. Once the resource is demolished, the report, if inaccurate, is the only documentation left behind and it does not adequately represent the history or legacy.</p> <p>C. Those who profit from demolishing historic properties pay consultants who leave out facts or misinterpret analysis with</p>	<ul style="list-style-type: none"> • Review of all demolition permits by staff meeting the Secretary of Interior Standards qualifications. • Preliminary Review should not bypass securing community input so instead it should be part of the Community Planning Group meeting process. • Abide by CEQA and 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. • City staff should provide better oversight of historic reports including reference and data checking with conclusions based on evidence or supportive documentation.

	<p>apparent intent to bypass CEQA. 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 an agenda to suit their clients 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. Permits processed for the sake of a bonus instead of quality of the review perpetuates these problems and leads to unjustified demolition of historic properties and violates CEQA and the intent of CEQA.</p>	<ul style="list-style-type: none"> • Provide community members and City Staff with a feedback mechanism to remove consultants from the city's consultant list when reports repeatedly leave out facts or conclusions are unjustified. • When consultant reports leave out facts or conclusions are unjustified consider community input under CEQA fair argument standards and require environmental documents as the next step, before any demolition permits are issued. • 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 which may be the only documentation pertaining to the resource. Enforces CEQA and codes while protecting historic assets from reckless demolitions.</p>
5.	CEQA and Mitigation for Non-Compliance	
	<p>A. Permits are issued after demolition takes effect.</p> <p>B. Demolition permits are separated from the foreseeable project and there is no analysis of the cumulative impacts.</p> <p>C. Simple permits are issued but are not relevant to the work being completed. (Permit for a water heater does not pertain to siding being</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 in context with the proposed new project, zoning, site, planning area and all affected parcels. • Posted addresses and permits during notice and all phases of

	<p>removed/installed).</p> <p>D. Penalties are too low to discourage un-permitted demolitions.</p> <p>E. Errors in processing applications by staff or mis-information by 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>Effects: Cumulative impacts are not addressed and are out of CEQA compliance</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"> • DSD should maintain and make a database available to the public that shows the cumulative impacts related to built, planned and future projects (per zoning) for better analysis as projects come forward. • Substantially increasing enforcement and meaningful fines are in the work plan and need to be completed. A substantial and punitive interim penalty should be established until all the details of the fine in the work plan are fully approved. <p>Results: Projects include the plan for the demolition so that it can be viewed thoughtfully and comprehensively in accordance with CEQA analysis of the whole record. Fines will deter those who wish to circumvent the system and could provide mitigation to the community by funding other preservation projects. Issues with projects would be 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. Applicants obtain legitimate permits</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. • An ongoing inspection at various thresholds to ensure that demolition of existing resources is

	<p>for a minor item or partial permit but exceed and cheat the permit resulting in major demolition/losses. (i.e. kitchen remodel permit results in tear down)</p> <p>C. Zoning creates pressure on commercial historic resources in high-density zones and Conservation Areas need to be implemented. There is currently no mechanism to do so.</p> <p>D. Ministerial projects bypass the goals set out in the community plan and erode the unique character of San Diego communities over time.</p> <p>E. Spot planning by frequent community plan amendments undermines the community planning process.</p> <p>Recent examples: 3475 Tenth (Now 1005 Robinson) 4460 Texas Street and 4374 Cleveland Ave.</p>	<p>not excessive.</p> <ul style="list-style-type: none"> • Issue fines and provide mitigation measures for projects that exceed permitted actions. • LDC & Procedures for Design Guidelines is missing from General Plan Actions – Implementation of Conservation Areas need to be established for older areas now because they are undergoing plan updates. • Ministerial projects need to show conformance and be subject to the Community Plan. • Limit the number of introductions/adoptions of Community Plan updates each year. <p>Results: The public would be clear on the project permitted when remodels and demolitions are clearly distinct. Conservation Areas with complementary zoning that recognizes the benefits of historic commercial areas reduces pressure to radically alter the established character of these areas. 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 as outlined in this memo.

Attachment B

Hi Leo

Please add the following item to the Sept 1 Uptown Planners agenda. I copied Drew who is in the Urban Forestry dept.

Agenda topic: Letter of Support for the motion by the Community Advisory Forestry Board to landmark heritage trees in the parkway along Sunset Blvd. (from Ft. Stockton to Witherby) and to notify the community planning board of the intent to nominate the Pepper tree believed to have been planted by Kate Sessions on the parkway of 1801

Sheridan Ave. (on the parkway on Sunset Blvd between Ft. Stockton and Sheridan Ave.)
Land marking and the nominations are in accordance with Council policy 900-19.

On August 12, 2009 the Community Advisory Forestry Board approved the land marking of the old Mexican fan palm trees along Sunset Blvd contingent upon notice to the Uptown Planners. Additionally at that hearing discussion ensued concerning the Pepper tree at 1801 Sheridan Ave. The Community Forestry board will hear this nomination at their next meeting but asked that the notice to the planning group is combined and therefore I am asking for a letter of support for this tree at this time.

Thank you for your assistance with this process

Janet O'Dea
Chair, Historic Resources Subcommittee

Attachment C

August 26, 2009

Councilmember Kevin Faulconer
Attn: Stephen Puetz

Re: West Lewis Mini Park Project

Dear Mr. Puetz:

On August 14, 2009, a meeting was held for the purpose of discussing potential design modifications to the proposed West Lewis Street Mini-Park. The intent was to modify the proposed design so that it incorporated the recommendations made in the Park and Recreation Board's motion adopted on June 18, 2009, as well as those contained in a consensus letter supported by the Mission Hills Town Council, Mission Hills Heritage and Uptown Planners.

The following individuals attended the August 14th meeting:

John Lomac, Mission Hills resident
Greg Schmidt, Schmidt Design Group
Kevin Oliver, City Planning staff
Sheila Bose, City Planning staff
Leo Wilson, Chair, Uptown Planners
Kathy Jones, President, Mission Hills Town Council
Vicki Granowitz, Board Member, Park and Recreation Board

At the August 14th meeting, Greg Schmidt of Schmidt Design Group, presented two modification plans (Alternative "A" and Alternative "B"). Both alternatives incorporated a "softer look" which included the items raised by concerned community stakeholders. The modified plans were favorably received. After reviewing the plans, the attending community representatives were in agreement that they preferred and would support

Alternative “A”, with the incorporation of additional trees featured in Alternative “B”. Both alternatives were prepared with the intent to remain within the \$450,000 budget for the project approved by the City Council.

Rather than prepare an additional rendition, the meeting attendees agreed that the additional trees should be added to the existing rendition of Alternate “A.” (A copy of Alternative “A”, as revised, is attached.)

The revised version of Alternative “A” will be presented at the University Heights Recreation Council meeting on September 3, 2009. To reduce the expense of additional presentations at other community organization meetings, it was agreed by all present at the August 14th meeting that all parties would encourage the members of their respective organizations to attend the University Heights Recreation Council meeting on September 3rd.

The item will be docketed on the Uptown Planners agenda for September 1st to determine whether the appeal of the site development permit to the Planning Commission should be withdrawn.

We will recommend that our constituent groups support the project as modified.

Sincerely,

Barry Hager
Katherine Jones
Leo Wilson
John Lomac
James Gates



CONSERVE-A-TREE NOMINATION FORM



LANDMARK TREE
Striking or unusual trees with high aesthetic value, features may include:

- Large for the species
- Special or unusual form
- Interesting flowers or branching pattern
- Species rare to its location

Mail completed form to:
Conserve a Tree Nomination
Urban Forestry
City of San Diego Street Div
2781 Caminito Chollas
San Diego, CA 92105

To: **COMMUNITY FOREST ADVISORY BOARD**

Date: 6/17/09

From (your name): Janet O'Dea

Organization: _____

Address: 1824 Sunset Blvd.
San Diego, Ca 92103
Phone: 619-574-6247

Phone: _____

E-mail: info@HazArts.com



HERITAGE TREE
Significant for its age or historical value, including:

- Trees 50 years or older
- Connected to a historical event, building or district or planted by a historically significant individual

TYPE OF NOMINATION:

- LANDMARK TREE
- HERITAGE TREE
- PARKWAY RESOURCE TREES
- PRESERVATION GROVE

Species: FAN PALMS



PARKWAY RESOURCE TREE
Groups of trees in public right-of-way, public parking lots or trails:

- Consistent design theme with similar size, shape, health and form.
- Trees creating a canopy over a public way

Location & Nearest Cross Street: _____
Sunset Boulevard from Ft. Stockton Boulevard to Witherby



PRESERVATION GROVE
Groups of trees in public-right-of-way, open space, designated environmentally sensitive lands, conservation easement or parkland:

- 6 or more trees with trunks within 100 feet of each other
- Same or similar species and form
- Native, naturalized or endemic and surviving without intervention

Estimated _____ Estimated Height 80 feet
Estimated _____ Estimated width 2.5 feet
Condition: _____ Estimated planting date: 1918
Estimated _____ Likely from Kate Sessions Nursery

Specific proof of age may be difficult to determine, but estimates based on the age of surrounding development or the size of tree are adequate.

HISTORY AND NOTES

Include any history or notes you have about this tree or these trees

SEE ATTACHED

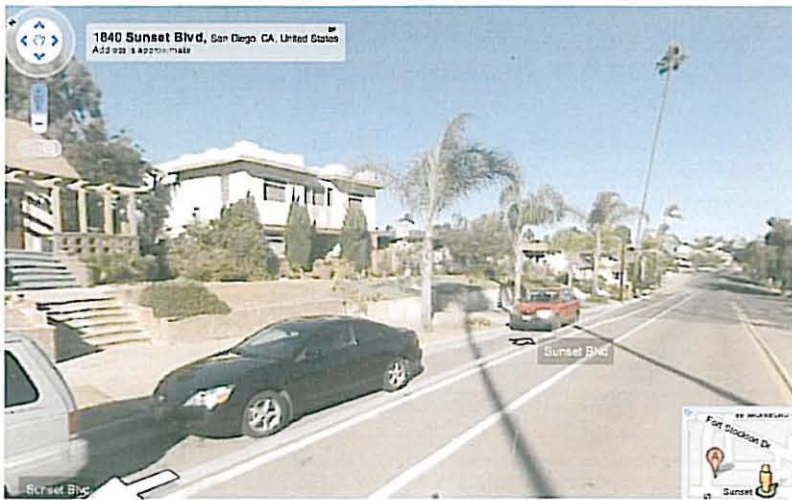
Please attach photo here

For the above tree(s) to be considered for designation as protected, this request has been forwarded to Street Division. The tree(s) will be inspected by the Street Division Urban Forester to make sure all designation criteria are met. If they meet all criteria, the request will be forwarded to the Community Forest Advisory Board (CFAB) for evaluation and possibly protected status.

Requested Action: Street Division requests that a Community Forest Advisory Board Arborist evaluate the nominated tree for confirmation. If the nomination is approved by CFAB, the tree will be added to the City of San Diego's Tree Protection Status as described in the Tree Protection Policy adopted by City Council in May, 2005.

Please mail completed form to: **Conserve a Tree Nomination**
Attn: Drew Potocki, Urban Forestry
City of San Diego Street Division
2781 Caminito Chollas
San Diego, CA 92105

Or you can FAX the form to: 619 527-7534,
Attn: Drew Potocki





My name and address:
Janet O'Dea
1824 Sunset Blvd.
San Diego, Ca 92103
Phone: 619-574-6247

Landmark tree
Palm tree
Sunset Boulevard from Ft. Stockton Boulevard to Witherby
Estimated Height 80 feet
Estimated width 2.5 feet
Estimated planting date: 1918
Likely from Kate Sessions Nursery

Current photos are attached.
A photo from the historic society shows the trees already planted along Sunset Blvd in a photograph circa 1924.

The area was developed by George Marston and called Mission Hills beginning in 1908. Johnston Rd was renamed the more romantic Sunset Boulevard with that subdivision map filing. Mission Hills covers the north side of Sunset to Witherby Street. and both sides of the street from Ft. Stockton Drive to St. James Place. In 1909, Sara Johnston Cox Miller subdivided the subdivision that begins along the South side of Sunset Boulevard and she called it Inspiration Heights. Markers still survive along Sunset Boulevard to mark the entrance to the subdivision.

Around 1910, Kate Sessions and Alice Rainford gathered petitions to get a streetcar to run through Mission Hills along Ft. Stockton Drive. Kate Sessions is known to have had a business relationship with John Spreckles who owned the street car line. She also had influence and mutual interests with George Marston and worked with him on park boards and with city beautification. It is presumed that Marston and Miller relied upon Kate Session nursery to plant the line of trees along Sunset Blvd. Ms. Session's nursery was indeed in close proximity, only a few blocks away along Palmetto and West Lewis streets. During the petition for the Street car line, Kate Session and Sara Miller disagreed as to the best route as Sara was attempting to have the street car routed along Sunset Boulevard and was distraught that Kate did not share her vision.

From the historic photo it appears that the trees were likely planted after the street car line went in. Since the tree is common tree to create the impressive line of trees on both sides of the street even though there were two different developers, it is hypothesized that Kate Sessions was the common thread that enabled this result.

Please forward this application to preserve the trees along Sunset Boulevard that still stand and add each of these trees to the Tree Protected status list .

Thank you for your consideration of this request



Land Use and Housing Demolition Policy Concerns & Proposed Solutions

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	<p>construction/demolition</p> <p>C. Permits are issued for properties but notices are delayed and verification is difficult.</p> <p>D. Permit notices are inconsistent and don't provide the planning area or current zoning. Also permits don't list all of the properties involved in the project. Demolition permits don't provide information connecting it to current or future projects.</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>Recent examples: 1051 Myrtle Street 4337 Valle Vista</p>	<p>be in a better position to understand the cumulative impacts.</p> <ul style="list-style-type: none"> • Require permit notices and addresses to be posted and visible on any construction/demolition site. • Permits provide consistent information regarding all of the addresses/parcels involved in the application, the planning area and zoning information on the permit notice. • Put forward language for these proposals to coincide with the next Land Development Manual ("LDM") or Code 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 LDM or 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	Proposals
	<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/evaluation 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>	<ul style="list-style-type: none"> • Revise current practices to comply with CEQA and the land development code. When a project is pulled out of the Ministerial process for any reason, it becomes Discretionary. • Arrange SOHO and City Attorney co-sponsored training for DSD Staff on interpretation of CEQA law. • Adhere to the environmental

	<p>B. Buildings must be considered historic under CEQA if there is a fair argument that they are eligible for the California register even if they are not already designated. If there is simply a fair argument that the structure is eligible the impacts must be assessed and an environmental document is required. Also the current and foreseeable new project needs analysis because of the cumulative impacts. Demolitions are granted for historic buildings when a fair argument has been made but the CEQA analysis is not provided for both the proposed new project/demolition and therefore demolitions occur without full and complete analysis or mitigation.</p> <p>These practices allow for substantial loss of historic buildings in our established communities and put the City in a position of liability exposure.</p> <p>Recent examples: 4114 Goldfinch 4114 Ibis</p>	<p>review and analysis required by CEQA when buildings are over 45 years old and analyze the foreseeable future projects cumulative impacts when stakeholders, consultants and/or City Staff raise concerns about historical resources (CEQA fair argument). Compliance with CEQA is not optional.</p> <ul style="list-style-type: none"> • When a disagreement occurs pertaining to the historic status of a building between staff and/or community stakeholders this triggers the fair argument standard of CEQA and the application should then follow a Discretionary process. • Provide a database system to ensure that cumulative impacts are properly monitored including air quality, water quality and waste. <p>Results: Enforcement of the CEQA, laws and regulations, increased staff and community input. Analysis of potential 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 the potential elimination of further investigation on over half of the properties in Uptown. City Staff</p>	<p>Not all properties can be given intensive study but further investigation should be warranted when the property is over 65 years old as has been the case citywide with the current 45-year process.</p> <ul style="list-style-type: none"> • City staff should require more intense investigation specifically on properties that are 65 years or older after reconnaissance surveys are adopted as they do now.

	<p>now plan to adhere to the State status codes and is working towards adoption of the new Surveys in preparation of Community Plan Updates. Without similar protections invested into the survey process as the current 45-year review, the older communities become vulnerable if a more in-depth analysis for oldest properties in our established San Diego communities are not required before demolition permits are issued.</p> <p>B. An EIR was not conducted before adoption of the General Plan but must be done as part of the Community Plan updates for North Park, Golden Hill and Uptown because these affect some of our oldest communities.</p>	<ul style="list-style-type: none"> EIRs should be conducted during the Community Plan updates. <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. These pre WWII properties should be given more in-depth analysis before demolition permits are issued.</p> <p>An EIR for each community plan update will include alternatives and mitigation as part of the discussion 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 its scope should have triggered a CEQA review and 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. Once the resource is demolished, the report, if inaccurate, is the only documentation left behind and it does not</p>	<ul style="list-style-type: none"> Review of all demolition permits by staff meeting the Secretary of Interior Standards qualifications. Preliminary Review should not bypass securing community input so instead it should be part of the Community Planning Group meeting process. Abide by CEQA and 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. City staff should provide better oversight of historic reports

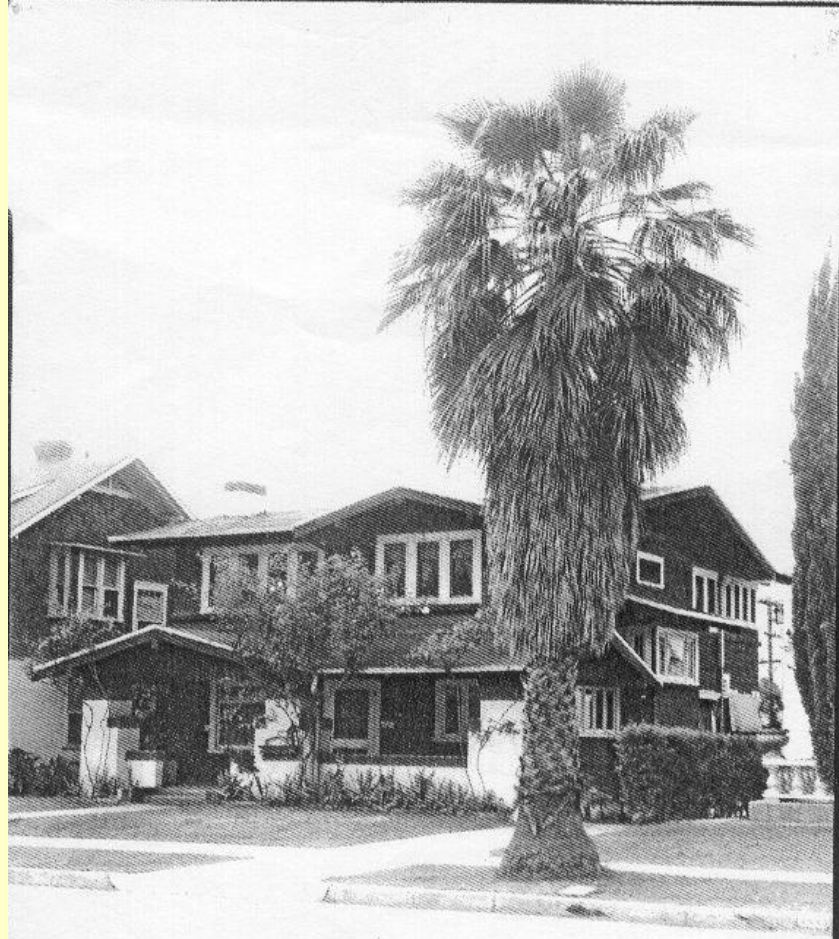
	<p>adequately represent the history or legacy. C. Those who profit from demolishing historic properties pay consultants who leave out facts or misinterpret analysis with apparent intent to bypass CEQA. D. Demolition by neglect is accepted as a persuasive argument to demolish historic buildings instead 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 an agenda to suit their clients 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. Permits processed for the sake of a bonus instead of quality of the review perpetuates these problems and leads to unjustified demolition of historic properties and violates CEQA and the intent of CEQA.</p>	<p>including reference and data checking with conclusions based on evidence or supportive documentation.</p> <ul style="list-style-type: none"> • Provide community members and City Staff with a feedback mechanism to remove consultants from the city's consultant list when reports repeatedly leave out facts or conclusions are unjustified. • When consultant reports leave out facts or conclusions are unjustified consider community input under CEQA fair argument standards and require environmental documents as the next step, well before any demolition permits are issued. • 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 which may be the only documentation pertaining to the resource. Enforces CEQA and codes while protecting historic assets from reckless demolitions.</p>
5.	CEQA and Mitigation for Non-Compliance	
	<p>A. Permits are issued after demolition takes effect. B. Demolition permits are separated from the foreseeable project and there is no analysis of the cumulative impacts.</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 in context with the proposed new

	<p>C. Simple permits are issued but are not relevant to the work being completed. (Permit for a water heater does not pertain to siding being removed/installed).</p> <p>D. Penalties are too low to discourage un-permitted demolitions.</p> <p>E. Errors in processing applications by staff or mis-information by 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>Effects: Cumulative impacts are not addressed and are out of CEQA compliance</p>	<p>project, zoning, site, planning area and all affected parcels.</p> <ul style="list-style-type: none"> • Posted addresses and permits during notice and all phases of construction will help inspectors and community members verify the work that is being done matches the issued permit. • DSD should maintain and make a database available to the public that shows the cumulative impacts related to built, planned and future projects (per zoning) for better analysis as projects come forward. • Substantially increasing enforcement and meaningful fines are in the work plan and need to be completed. A substantial and punitive interim penalty should be established until all the details of the fine in the work plan are fully approved. <p>Results: Projects include the plan for the demolition so that it can be viewed thoughtfully and comprehensively in accordance with CEQA analysis of the whole record. Fines will deter those who wish to circumvent the system and could provide mitigation to the community by funding other preservation projects. Issues with projects would be 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</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

	<p>requirements. Coastal Commission requirements are clear and could be the model for city codes.</p> <p>B. Applicants obtain legitimate permits for a minor item or partial permit but exceed and cheat the permit resulting in major demolition/losses. (i.e. kitchen remodel permit results in tear down)</p> <p>C. Zoning creates pressure on commercial historic resources in high-density zones and Conservation Areas need to be implemented. There is currently no mechanism to do so.</p> <p>D. Ministerial projects bypass the goals set out in the community plan and erode the unique character of San Diego communities over time.</p> <p>E. Spot planning by frequent community plan amendments undermines the community planning process.</p> <p>Recent examples: 3475 Tenth (Now 1005 Robinson) 4460 Texas Street and 4374 Cleveland Ave.</p>	<p>the Coastal Commission.</p> <ul style="list-style-type: none"> • An ongoing inspection at various thresholds to ensure that demolition of existing resources is not excessive. • Issue fines and provide mitigation measures for projects that exceed permitted actions. • LDC & Procedures for Design Guidelines is missing from General Plan Actions – Implementation of Conservation Areas need to be established for older areas now because they are undergoing plan updates. • Ministerial projects need to show conformance and be subject to the Community Plan. • Limit the number of introductions/adoptions of Community Plan updates each year. <p>Results: The public would be clear on the project permitted when remodels and demolitions are clearly distinct. Conservation Areas with complementary zoning that recognizes the benefits of historic commercial areas reduces pressure to radically alter the established character of these areas. 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 as outlined in this memo.

1835 Sunset Blvd.



July 9, 1933 (Built 1916-17)

Permission of the San Diego Historical Society – with thanks to Don Mayfield

North Sunset Blvd.



Addresses from left (1851, 1863, 1871, 1875, 1883, 1889)

2004, Photos permission and thanks to Allen Hazard.

Sunset Boulevard – Facing West



2004, Photo permission and thanks to Allen Hazard.

Sunset Blvd. Facing West



2004, Photo permission and thanks to Allen Hazard.