

**Cynthia L. Eldred, APC**

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**VIA ELECTRONIC MAIL**

August 29, 2016

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Historic Resources Board  
% Kelley Stanco & Shannon Anthony  
Secretary, Historical Resources Board  
Development Services Department  
1222 First Avenue, MS 512  
San Diego, CA 92101

Re: Uptown, North Park & Golden Hill Community Plan Updates ("**Updates**")

Dear Historic Resources Board Members:

The purpose of this letter is to express opposition to the creation of 39 "Potential Historic Districts" ("**PHD**"), without the Historical Resources Board ("**HRB**") making a historical finding, by the adoption of the Updates. Adoption of the Updates will be before the HRB in two meetings in September.

I am a resident in the Presidio Hills PHD proposed to be created by adoption of the Uptown Community Plan Update. So far, the owners of over 59% (35 of the 59) of the homes in Presidio Hills PHD have objected to formation of the PHD. Those objections are set forth in the attached.

The 59% of homeowners in the Presidio Hills PHD request that designation be removed from the Uptown Community Plan Update because it would be a waste of time and money to attempt a PHD where so substantial a majority of the homeowners have expressed opposition.

Very truly yours,



Thomas A. May, Esq.  
THE LAW OFFICE OF CYNTHIA L. ELDRED, APC

VIA ELECTRONIC MAIL DELIVERY

August 29, 2016

Uptown Planners  
Attention: Chairperson Leo Wilson  
[Leo.wikstrom@sbcglobal.net](mailto:Leo.wikstrom@sbcglobal.net)

RE: Opposition to Designation of a Presidio Hills Potential Historic District  
Meeting Date: September 6, 2016

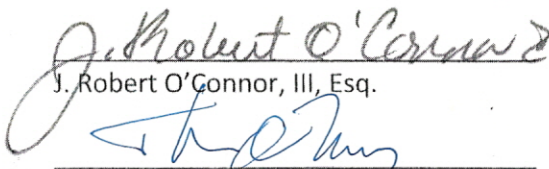
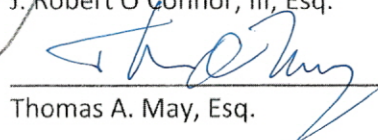
Uptown Planners:

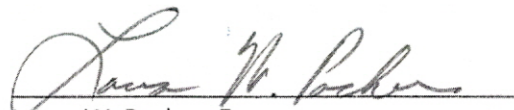

On behalf of the owners whose petitions and letters are enclosed, we object to the designation of Presidio Hills as a potential historic district (a "PHD") and request that you recommend to the Mayor's Office, City of San Diego City Council, Planning Commission, and Historical Resources Board ("HRB") that the proposed Presidio Hills PHD designation be removed from the draft Uptown Community Plan Update. We base our objection in part on the reasons summarized here:

- Not one of the 59 home owners who would be affected by the Presidio Hills PHD designation ever received notification from the City, a violation of constitutional due process rights.
- The proposed Municipal Code changes would prevent alteration of the front 2/3's of every home without regard to whether the home is "historic".
- Preventing homeowners from the full use and enjoyment of their property without compensation and without a proper basis in law will expose the City to 'takings' lawsuits.
- Existing City regulations work. They prevent alteration of any structure 45 years or older until the HRB has determined whether the structure warrants a "historic" designation.
- A strong majority (35 of 59) of homeowners oppose the Presidio Hills PHD designation.
- Creating a PHD in an area which opposes the designation is a poor use of the HRB and Planning Department's limited resources.
- 'Takings' and potential class action lawsuits will divert limited City resources from existing legitimate efforts to preserve documented historic resources to fighting in court on the constitutionality of denying homeowners the use of their private property without adequate historical review.

We respectfully request that for the reasons cited above, among others, the Uptown Community Planners recommend the Presidio Hills PHD be immediately removed from the Draft Uptown Community Plan Update.

Respectfully submitted,

  
J. Robert O'Connor, III, Esq.  
  
Thomas A. May, Esq.

  
Laura W. Packer, Esq.  
  
Cynthia L. Eldred, Esq.

## **Potential Historic Districts (“PHD”) Questions & Answers**

### **1. Has the City previously formed a Potential Historic District (“PHD”)?**

No, the City has not previously formed a PHD.

### **2. Is the formation of PHD’s required by state law?**

No, State law does not require the formation of PHD’s.

### **3. If not State law, where does the effort to create PHD’s come from?**

In 2008, the San Diego City Council adopted a new General Plan for the City, which deals with issues of zoning and land use. As part of that General Plan, the City Council included an historic preservation element. Pursuant to the General Plan, the City is in the process of updating Community Plans that provide more planning detail. The Uptown Community Plan Update has been developed by City staff and community organizers. It has been published and a program environmental impact report (“EIR”) has been circulated – see Uptown Community Plan Update Webpage:

<https://www.sandiego.gov/planning/community/profiles/uptown>

The EIR has been circulated for public comment, which must be submitted by August 8, 2016. The Presidio Hills PHD is included in the Plan Update and is discussed in the EIR. The idea of “Potential Historic District” was developed by historic preservationists to “lock up” a large area (over 3,800 residential lots in the Uptown Community Plan area alone, and together with Greater Golden Hill and North Park, over 5,700 residential lots).

### **4. Will a PHD impose additional regulations?**

Yes. The additional regulations are attached. The regulations classify homes as “contributors” and prevent modification of the “front” two-thirds of the home. If the PHD is adopted, every home in Presidio Hills will be subject to PHD regulation.

These regulations are in addition to regulations already in place relating to building permits for homes that are older than 45 years. Those homes are reviewed for individual historic significance, i.e. well known person lived in the home; it was designed by a well-known architect; the home has distinctive characteristics of a type, period or method of construction that represent the work of a master; possesses high artistic values, etc. What the proposed PHD regulations would require is that if a home is located within a PHD, and it was determined not to be individually significant under the over 45-year review, the City could then determine if the house “contributed” to the PHD in some way.

### **5. Has the City made a determination that a PHD is historic?**

No. The City will not make a historic determination if it forms a PHD. The City would just determine that Presidio Hills is “potentially historic.” This “potentially historic” designation is based on a “drive by” survey that was conducted between 2004 and 2006. According to this survey, of the 59 homes in Presidio Hills, 40 homes have been listed as “potential contributing resources”. It should be noted that several such identified homes have been significantly altered since the survey was done.

## **6. What would PHD designation mean?**

Each of the 59 homes in Presidio Hills would be subject to PHD regulation because each has been assigned a “Status Code” of 5S3 or 5D3 (appears to be eligible for listing or a potential contributor) or 7R (not evaluated).

What the PHD means is that if you apply for a building permit to the front 2/3<sup>rd</sup> of the original building footprint (solar panels are exempted), you are subject to new and additional regulations:

- All repairs must be with existing historic materials
- Electrical or plumbing/mechanical permit cannot change the exterior
- Roof repair and replacement must be with original in kind materials
- Foundation repair and replacement must be in kind, except for structures with decorative block or cobblestone foundations
- Replacement windows in existing window openings with no changes to the exterior wall
- Fences are 6 feet in height or less
- Painting [no explanation of what this means]. (These came from one of the hand-outs from the city representatives.)

Obviously, these new restrictions would add not only time, but potentially significant monies to a remodel project. For a proposed modification a Neighborhood Development Permit (“NDP”) would be required. A NDP is a “discretionary” process which the City would use to review the proposed project to determine whether or not the modification would result in a substantial loss of integrity within the PHD. The goal of the NDP review is whether or not modification of the home would have an adverse impact on the nature and character of the PHD.

In short, the City is trying to preserve the “historic nature/character” of certain old neighborhoods – Presidio Hills being one of those neighborhoods – without actually determining the neighborhood is historic, and without obtaining a majority vote of the owners of homes in the PHD, as is required to form an Historic District.

## **7. What is the City’s Rationale for the PHD?**

One of the rationales for the Presidio Hills PHD is its close location to Presidio Park. At a neighborhood meeting with City officials, this rationale raised lots of negative comments about the condition of Presidio Park and that the City has all but abandoned its maintenance of the Park. There was no response by the City representatives for these comments.

## **8. Is there a “sunset” date on the PHD?**

No. The PHD designation of Presidio Hills has no sunset date. This means that this designation would remain indefinitely. The burden of proof is on the homeowner to demonstrate that either his home is exempt or that the modification will not result in a “substantial loss of integrity” to the PHD, even when his home is not itself of historic value.

## **9. What effect would the PHD have on Property Values?**

The General Plan, Historic Element is something that the City Council thought would be a worthwhile concept. However, it does not appear that any real thought went in to implementing this General Plan



concept until much later. It was left to Planning Department bureaucrats and community activists to implement. The proposed PHD idea in the Uptown Community Plan Update is the result. There is no benefit to the homeowners who own homes in a PHD. There is no property tax reduction or other benefit. In fact, being in a PHD could have a negative impact on the sale of a home because of these restrictions. It is highly likely that a buyer would not want to close escrow until his proposed modification was approved, and received a NDP. How many buyers would be willing to pay for such a permit with no guarantee that it would be approved?

#### 10. **"If it Aint Broke, Don't Fix it"**

There is existing State and Federal law on "Historic Preservation" that works. The City also protects historic resources through its review of all applications for permits for homes over 45 years old.

If an individual homeowner wants to have his home designated, there is a process for that. It takes a long time and requires studies of the "historicity" of the home. The Historic Resources Board ("HRB") processes the application and eventually may designate the home as "Historic." The costs of all this can run between \$100,000 and \$200,000. The HRB has resources to handle approximately eight (8) historic designation cases per month for 11 months of each year. The entirety of a designated home is subject to historic regulation. For example, one homeowner wanted to enlarge a second floor bathroom window for fire safety reasons. The permit was denied because the increased window size "would not be historically correct."

Once the home is designated "Historic" by the HRB, the owner may make application to the City for a property tax reduction. If the homeowner makes it through the regulations regarding property tax reductions, his property taxes could be reduced about 40%.

If a collection of homeowners wants to designate an area as a "Historic District", there is a process for that. This involves the study of the whole district and can take about three years. A key part of the formation process is that homeowners in the Historic District must support its formation. At the end of the process the HRB determines if all the evidence supports the formation of a Historic District.

The consensus of the neighbors at the meeting was that the current requirements are working so why should we agree to impose more restrictions with no apparent benefit? As one neighbor pointed out, if it is not broke don't fix it.

#### 11. **Who's Ox is Being Gored?**

What does adding a layer of PHD accomplish? Well it would place over 5,700 homes in limbo (regulations that say you can't alter the front two-thirds (2/3) of your home) until the HRB can get around to designating them at eight (8) per month for 11 months of a year. So a PHD designation would "benefit" the HRB that otherwise has the resources to designate only 88 per year.

This is designating "historic" without actually reviewing the evidence of historicity. It would take the HRB 65 years to review 5,700 homes individually. In the meantime those homeowners cannot change the front 2/3's of their homes because they "might" be historic. Those individual homeowners will bear the brunt of HRB's regulation without compensation because government thought something "might" be true.

## Draft Regulation Amendments - Potential Historic District 5/31/2016

The following amendments to the Land Development Code are proposed to address projects within a Potential Historic District.

### §143.0210 When Historical Resources Regulations Apply

- (a) This division applies to proposed *development* when the following *historical resources* are present on the site, whether or not a Neighborhood Development Permit or Site Development Permit is required;
  - (1) *designated historical resources*;
  - (2) *historical buildings*;
  - (3) *historical districts*;
  - (4) *historical landscapes*;
  - (5) *historical objects*;
  - (6) *historical structures*;
  - (7) *important archaeological sites*; ~~and~~
  - (8) properties identified as potential contributing resources to a potential *historical district* as specified in a *land use plan* as set forth in Section 143.0255; and
  - ~~(8)(9)~~ *traditional cultural properties*.
- (b) Where any portion of a *premises* contains *historical resources*, this division shall apply to the entire *premises*.
- (c) through (d) [No change]
- (e) A Neighborhood Development Permit or Site Development Permit is required for the following types of *development* proposals that do not qualify for an exemption in accordance with Section 143.0220:
  - (1) Neighborhood Development Permit in accordance with Process Two.
    - (A) *Single dwelling unit residential development on a single dwelling unit lot of any size when a traditional cultural property or important archaeological site is present.*
    - (B) Development in accordance with Section 143.0255(c).
  - (2) through (4) and Table 143-02A [No change]

## Draft Regulation Amendments - Potential Historic District 5/31/2016

The following amendments to the Land Development Code are proposed to address projects within a Potential Historic District.

### **§143.0220 Development Exempted from the Requirement to Obtain a Development Permit for Historical Resources**

The following *development* activities are exempt from the requirement to obtain a Neighborhood Development Permit or Site Development Permit. However, in all cases a *construction permit* is required.

(a) through (j) [No change]

(k) Development on a premises identified as a potential contributing resource to a potential historical district that complies with Section 143.0255(b). Such development will not be required to obtain a construction permit if the work proposed is limited to those activities identified in Section 129.0203(a).

### **§143.0255 Development Regulations for Potential Contributing Resources to a Potential Historical District Identified in a Land Use Plan**

The following regulations apply to development on a premises within a potential historical district as specified in a land use plan when the premises has been identified as a potential contributing resource to the potential historical district. These regulations shall not apply to designated historic resources or to historical resources identified in accordance with Section 143.0212.

(a) Section 143.0255 applies only to single dwelling unit or multiple dwelling unit development.

(b) Once determined by historical resources staff to be a potential contributing resource, proposed development may be approved in accordance with a Process One construction permit where it complies with the following:

(1) Proposed development is limited to the rear third of the original building footprint; and/or

(2) The proposed development does not modify the front two-thirds of the original building footprint, with the exception of the following activities:

(A) Maintenance or repair of existing historic materials consistent with the U.S. Secretary of the Interior's Standards; or

(B) Restoration of the structure to its historic appearance consistent with the U.S. Secretary of the Interior's Standards based on photo documentation or the written opinion of a Historic Preservation Architect. The project plans shall include information demonstrating how the modification will

## Draft Regulation Amendments - Potential Historic District 5/31/2016

The following amendments to the Land Development Code are proposed to address projects within a Potential Historic District.

result in the restoration of the *structure*, and a copy of the supporting photo documentation or written opinion shall be included with the application.

- (c) Proposed *development* on the *premises* of a potential contributing resource that does not meet the criteria for Process One approval in accordance with Section 143.0255(b) is subject to approval of a Neighborhood Development Permit decided in accordance with Process Two. The Neighborhood Development Permit may only be approved if the decision maker makes all of the *findings* in Section 126.0404(a) and the supplemental *finding* in Section 126.0404(f).

### **§126.0402 When a Neighborhood Development Permit Is Required**

(a) through (o) [No change in text.]

- (p) A Neighborhood Development Permit is required in accordance with Section 143.0255(c) for *development* on a *premises* within a potential *historical district* as specified in a *land use plan*.

### **§126.0404 Findings for Neighborhood Development Permit Approval**

(a) through (e) [No change]

- (f) Supplemental Finding – Potential Historical District

A Neighborhood Development Permit requested for *development* on a *premises* within a potential *historical district* as specified in a *land use plan* in accordance with Section 126.0402(p) may be approved or conditionally approved only if the decision maker makes the following supplemental *finding* in addition to the *findings* in Section 126.0404(a):

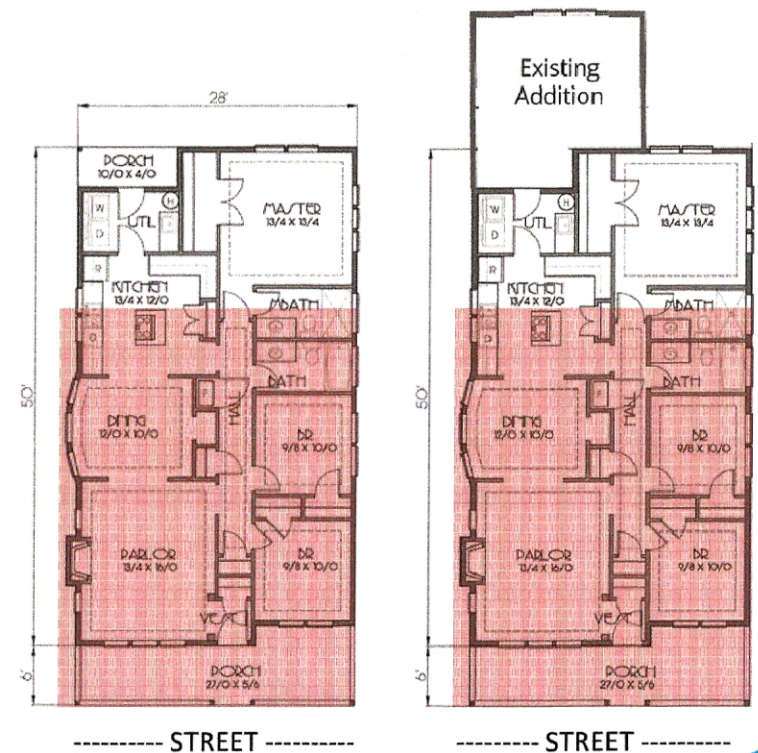
Reasonably feasible measures to protect and preserve the integrity of the potential *historical district* have been provided by the *applicant* and the proposed project will not result in a substantial loss of integrity within the potential *historic district*, which would render it ineligible for historic designation.

# How Will the Interim Protection Measures Work?

## What Will Be Regulated and How?

How Will Potential Contributing Resources Be Regulated?

- No Exterior Modifications Allowed to Front 2/3 of the Original Building Footprint
  - Exceptions:
    - In-Kind Repair/Replacement
    - Restoration to Historic Appearance/Condition
- Back 1/3 and Any Existing Rear Additions May Be Modified or Expanded





## **PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT DOCUMENTS**

### **Opposition/Petitions**

#### **Altamirano Way**

4212 - McKenzie  
4224 - Golden  
4255 - Tuttle  
4262 - Piacquadio  
4265 - Lawrence  
4272 - Delue  
4285 - Williams  
4290 - Vano  
4303 - May/Eldred  
4304 - O'Connor/Packer  
4314 - Cavignac  
4322 - O'Connor  
4330 - Casebolt  
4343 - Castillo  
4350 - Dunn  
4356 - Comer  
4361 - Scott  
4366 - Nelson  
4369 - Dunn  
4232 - Weid  
4340 - Prior

#### **Cosoy Way**

4269 - Pasha  
4277 - Filderman  
4287 - Ottenheimer

#### **Marilouise Way**

2405 - Pavel  
2435 - Wetzel  
2440 - Elzy  
2449 - Gillick  
2464 - Saba  
2425 - Fisher  
2429 - Moore

#### **Presidio Dr.**

2409 - Needham  
2430 - Celentino  
2490 - Hansen  
2526 - Diamond/Potts

**TOTAL    35**

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
the Presidio Hills Potential Historic District contained in the Uptown  
Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the  
Presidio Hills Potential Historic District, which violates my rights and  
DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: W M McKenzie

Print Name: WILLIAM MCKENZIE

Address: 4212 ALTAMIRANO WAY  
San Diego, CA. 92103

Signature: Marilyn H. McKenzie

Print Name: Marilyn H McKenzie


Date: Dec 21, 2016

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HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: 

Print Name: DAVID E. GOLDEN

Address: 4224 ALTAMIRANO WAY  
San Diego, CA. 92103

Date: 07.25, 2016

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Signature: Linda K. Golden

Print Name: LINDA K. GOLDEN

Address: 4224 ALTAMIRANO WAY Date: 7.25, 2016  
San Diego, CA. 92103

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Signature: 

Signature: \_\_\_\_\_

Print Name: GEORGE TUTTLE

Print Name: \_\_\_\_\_

Address: 4255 ALTAMIRANO  
San Diego, CA. 92103

WY  
Date: 7/27/, 2016

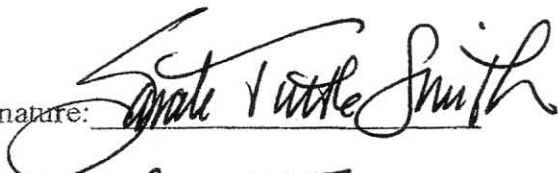


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HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: 

Print Name: SARAH TUTTLE Smith

Address: 4255 Altamirano Way  
San Diego, CA. 92103

Date: July 28, 2016

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HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: *Kathleen Pacquadio*

Print Name: Kathleen Pacquadio

Address: 4202 Altamirano Way  
San Diego, CA. 92103

Signature: *[Signature]*

Print Name: Daniel Pacquadio

Date: 7/26, 2016

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HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: ZACK LAWRENCE

Print Name: \_\_\_\_\_

Address: 4265 ALTAMIRAN WAY  
San Diego, CA. 92103

Date: \_\_\_\_\_, 2016

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Print Name: RANDALL DeLUG

Address: 4272 ALTAMIRADO WAY Date: 7/29, 2016  
San Diego, CA. 92103

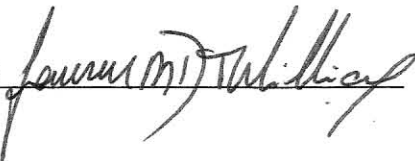
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Signature: \_\_\_\_\_



Signature: \_\_\_\_\_

Print Name: LAUREN WILLIAMS

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

4285 Altamirano Way  
San Diego, CA. 92103

Date: \_\_\_\_\_

07/28, 2016



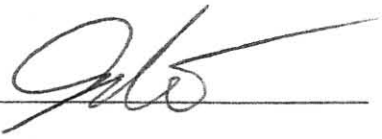
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Signature: \_\_\_\_\_



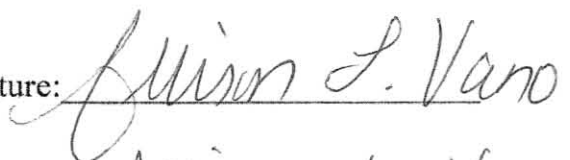
Print Name: \_\_\_\_\_

George Vano

Address: \_\_\_\_\_

4290 Altamirano Way  
San Diego, CA. 92103

Signature: \_\_\_\_\_



Print Name: \_\_\_\_\_

Allison L. Vano

Date: \_\_\_\_\_, 2016

7/24

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Signature: Thomas A. May

Print Name: Thomas A. May

Signature: Cynthia L. Eldred

Print Name: Cynthia L. Eldred

Address: 4303 Altamirano Way  
San Diego, CA. 92103

Date: 7/24, 2016

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Signature: J. Robert O'Connor Signature: Laura W. Packer

Print Name: J. Robert O'Connor III Print Name: Laura W. Packer

Address: 4304 ALTAMIRANO WAY Date: AUGUST 1, 2016  
San Diego, CA. 92103

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Signature: Cindy Cavignac

Print Name: Cindy Cavignac

Signature: Jeff Cavignac

Print Name: JEFF CAVIGNAC


Address: ~~722~~ 4314 Altamirano Way Date: 7.22, 2016  
San Diego, CA. 92103

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As a Presidio Hills neighborhood homeowner I am AGAINST  
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Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the  
Presidio Hills Potential Historic District, which violates my rights and  
DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: 

Print Name: Tom O'Lennor

Address: 4322 ALTAMIRANO  
San Diego, CA. 92103 WAY

Date: 7/23, 2016



# **PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT**

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DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: Katherine S. Casebolt

Print Name: KATHERINE S. CASEBOLT

Address: 4330 ALTAMIRANO WAY  
San Diego, CA. 92103

Date: 09-25-, 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
the Presidio Hills Potential Historic District contained in the Uptown  
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DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: Jose Castillo

Print Name: Jose Castillo

Address: 4343 Altamirano Way  
San Diego, CA. 92103

Signature: Laura Castillo

Print Name: Laura Castillo

Date: Aug. 1, 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST the Presidio Hills Potential Historic District contained in the Uptown Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the Presidio Hills Potential Historic District, which violates my rights and DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

Print Name: JOHN DUNN AND DEANNA BAKER

Address: 4350 ACTAMIRANO Way Date: Aug 1, 2016  
San Diego, CA. 92103


# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

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In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

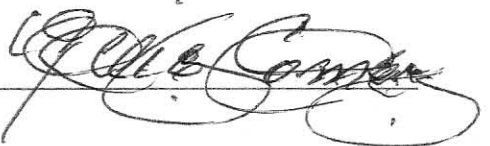
Signature:



Print Name:

PATRICK PAUL COMER

Signature:



Print Name:

ELLIE COMER

Address: 4356 ALTAMIRANO WAY  
San Diego, CA. 92103

Date: JULY 25, 2016

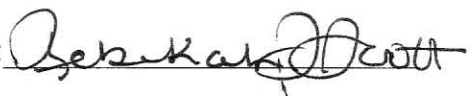
# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
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DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: 

Signature: 

Print Name: George Walter Scott

Print Name: Rebekah S Scott

Address: 4361 Altamirano Way  
San Diego, CA. 92103

Date: 7/26, 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST the Presidio Hills Potential Historic District contained in the Uptown Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the Presidio Hills Potential Historic District, which violates my rights and DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: Thomas R. Yellen-Nelson

Signature: Maureen O. Yellen-Nelson

Print Name: Thomas R. Yellen-Nelson

Print Name: Maureen O. Yellen-Nelson

Address: 4366 Altamirano Way  
San Diego, CA. 92103

Date: August 1, , 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST the Presidio Hills Potential Historic District contained in the Uptown Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the Presidio Hills Potential Historic District, which violates my rights and DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

Print Name: JOHN BUND & DEANNA BAKER

Address: 4369 ALAMIRANO Way Date: Aug 1, 2016  
San Diego, CA. 92103

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST the Presidio Hills Potential Historic District contained in the Uptown Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the Presidio Hills Potential Historic District, which violates my rights and DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: Erin Pasha

Signature: John Pasha

Print Name: ERIN PASHA

Print Name: John Pasha

Address: 4269 Cosoy Way  
San Diego, CA. 92103

Date: 8-3, 2016

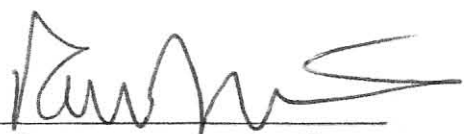


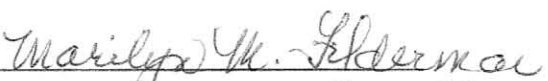
## PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST the Presidio Hills Potential Historic District contained in the Uptown Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the Presidio Hills Potential Historic District, which violates my rights and DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

Name:   
ROBERT J FILDERMAN

Name:   
MARILYN M FILDERMAN

Address: 4277 COSOY WAY  
San Diego, CA. 92103

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
the Presidio Hills Potential Historic District contained in the Uptown  
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Presidio Hills Potential Historic District, which violates my rights and  
DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: Edward J. Ottenheim , f Signature: Georgiana Orozco

Print Name: EDWARD J. OTTENHEIM , f Print Name: Georgiana Orozco

Address: 4287 COSOY WAY  
San Diego, CA. 92103

Date: 4287 Cosoy Way, 2016  
San Diego, CA 92103

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST the Presidio Hills Potential Historic District contained in the Uptown Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the Presidio Hills Potential Historic District, which violates my rights and DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: Madeleine Pavel

Signature: Frank Pavel

Print Name: MADELEINE PAVEL

Print Name: FRANK PAVEL

Address: 2405 MARILYN WAY Date: 7-19-16, 2016  
San Diego, CA. 92103

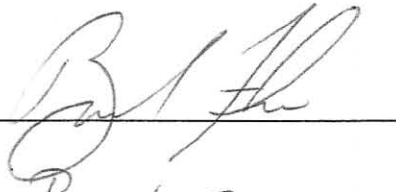
# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

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DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: \_\_\_\_\_



Print Name: \_\_\_\_\_

Brock Fishman

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

2725 Marilouise Way  
San Diego, CA. 92103

Date: \_\_\_\_\_, 2016

**PETITION AGAINST  
PRESIDIO HILLS POTENTIAL HISTORIC  
DISTRICT**

As a Presidio Hills neighborhood homeowner I am AGAINST  
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DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: \_\_\_\_\_

*JANE M. WETZEL*

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

*JANE M. WETZEL*

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

*2435 MARILOUSE WAY  
San Diego, CA. 92103*

Date: \_\_\_\_\_

*2/18/2016*

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

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In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: Steven R. Elzy  
Ozzie Island LLC

Signature: \_\_\_\_\_

Print Name: Steven R. Elzy

Print Name: \_\_\_\_\_

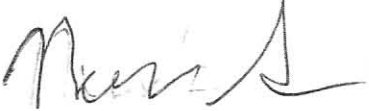
Address: 2445 Marilouise Way Date: 7/27, 2016  
San Diego, CA. 92103

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
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In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: 

Signature: \_\_\_\_\_

Print Name: Mary Gillette

Print Name: \_\_\_\_\_

Address: 2449 Manilowise  
San Diego, CA. 92103 Way

Date: 7-28-16, 2016

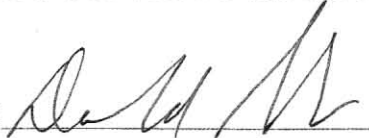
**PETITION AGAINST  
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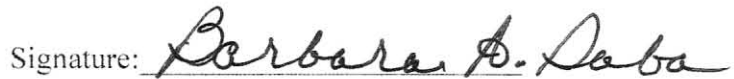
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In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature:



Signature:



Print Name:

Donald Saba

Print Name:

BARBARA A. SABA

Address:

2464 Marilouise Way  
San Diego, CA. 92103

Date:

7/17, 2016



# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
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DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: 2409 Presidio Drive  
San Diego, CA. 92103

Date: 7/28, 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
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DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: 

Signature: \_\_\_\_\_

Print Name: Christopher Celenzini

Print Name: \_\_\_\_\_

Address: 2430 Presidio Dr  
San Diego, CA. 92103

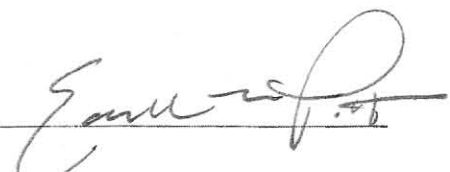
Date: 7-19, 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
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DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: 

Print Name: EARLE M. POTT

Address: 2526 PRESIDIO DR.

San Diego, CA. 92103

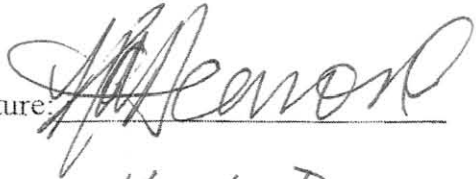
Date: July 26, 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
the Presidio Hills Potential Historic District contained in the Uptown  
Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the  
Presidio Hills Potential Historic District, which violates my rights and  
DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: 

Print Name: Kristie Diamond

Address: 2526 Presidio

San Diego, CA. 92103

Date: July 27, 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST  
the Presidio Hills Potential Historic District contained in the Uptown  
Community Plan Update.

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Presidio Hills Potential Historic District, which violates my rights and  
DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL  
HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: \_\_\_\_\_

*Colin W Wied*

Signature: \_\_\_\_\_

*Elizabeth Wied*

Print Name: \_\_\_\_\_

*Colin W Wied*

Print Name: \_\_\_\_\_

*Elizabeth Wied*

Address: \_\_\_\_\_

*4232 Altamirano Way*  
San Diego, CA. 92103

Date: \_\_\_\_\_

*5/7*, 2016

# PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

As a Presidio Hills neighborhood homeowner I am AGAINST the Presidio Hills Potential Historic District contained in the Uptown Community Plan Update.

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In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

Signature: Heather Prior

Print Name: Heather Prior

Address: 4340 Altamirano  
San Diego, CA. 92103

Signature: Mark Prior

Print Name: Mark Prior

Date: Aug 23, 2016

# **PETITION AGAINST PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT**

As a Presidio Hills neighborhood homeowner I am AGAINST the Presidio Hills Potential Historic District contained in the Uptown Community Plan Update.

I OBJECT TO THE FACT THAT I CANNOT VOTE against the Presidio Hills Potential Historic District, which violates my rights and DUE PROCESS.

In addition, I WOULD NOT VOTE FOR AN ACTUAL HISTORIC DISTRICT for the Presidio Hills neighborhood.

Print Name: Helga S. Moore



Address: 2429 Maribise Way  
San Diego, CA. 92103

Date: 8/23, 2016

## I AM OPPOSED TO THE PRESIDIO HILLS POTENTIAL HISTORIC DISTRICT

Honorable Mayor Faulconer  
and Staff  
City Administration Building  
City of San Diego  
202 C Street, 11<sup>th</sup> Floor  
San Diego, Ca. 92101  
[kevinfaulconer@sandiego.gov](mailto:kevinfaulconer@sandiego.gov)  
[Mhansen@sandiego.gov](mailto:Mhansen@sandiego.gov)  
[grahamd@sandiego.gov](mailto:grahamd@sandiego.gov)

RE: Presidio Hills Potential Historic District

Gentlemen:

I am a homeowner in the Presidio Hills neighborhood of Mission Hills. I am very much opposed to the Presidio Hills Potential Historic District set out in the proposed Uptown Community Plan Update.

I am opposed because this Potential Historic District is severely infringing upon my home ownership rights without allowing any voter input in this matter. The fact that the City planning staff wants to "freeze" their subjectively determined "character" of the Presidio Hills neighborhood for an indeterminable length of time is a substantial violation of due process.

The Potential Historic District regulations will prevent improvements to the front 2/3 of the "contributor" homes, requiring every homeowner to disclose this status to any potential buyer. Requiring that only "historic" materials be used to repair and replace items such as windows, roofs and doors could cause homes to experience deferred maintenance due to the high cost of such out-dated building materials. In short, the neighborhood could suffer - not benefit.

There is no justifiable reason to impose these burdens on homeowners, who have significant pride of ownership in their Presidio Hills neighborhood. The present review of homes 45 years and more is sufficient to protect the individual historic significance of these home.

Sincerely,

Signature: Robert D. Hansen

Printed Name: Robert D. Hansen

Address: 2490 Presidio Drive  
San Diego, CA. 92103

Signature: Karen S. Hansen

Printed Name: Karen S. Hansen

Date: 7/29, 2016