



NORTH PARK PLANNING COMMITTEE
Draft Minutes: October 18, 2011 – 6:30 PM
<http://www.northparkplanning.org>
2901 NORTH PARK WAY, 2ND FLOOR

I. Called to order: 6:34 p.m.

II. Members in attendance (12): Robert Barry, Rene Vidales , Dionne Carlson, Cheryl Dye, Vicki Granowitz, Carl Moczydlowsky, Lucky Morrison, Dang Nguyen, Brandon Hilpert, Peter Hill, Rick Pyles, David Cohen, Roger Lewis (absent), Judi O’Boyle (absent), Christy Scannell (absent).

III. Modifications to & Adoption of the 10/18/11 Agenda. MOTION: To adopt agenda as modified with moving Jack In the Box up due to public interest. Hilpert/Carlson. (12-0-0)

IV. Chair’s Report/CPC

- 1. CPC Report** – no report, Chair did not attend
- 2. Historic Resources Training for CPG members** - Oct 27, must RSVP by Oct 25
SDPlanningGroups@sandiego.gov
- 3. Boundary Adjustment Next Steps Update** – Vidales & Chair to meet with DSD Director and Marlon next week.
- 4. Utility Undergrounding at LU&H Oct 26** - Councilmember Lightner has requested the public attend to voice their concerns – impacts on placement and design to be addressed by LU&H. Not going to be agendized on the 26th deferred to a later date. City Attorney is researching the latitude the City has in addressing the issue. Some projects have been postponed due to concerns. See item II, bullet #1.
- 5. Municipal Code regarding Card Clubs** - City Council is looking at making changes to the Muni Code re Card Clubs – proposal to expand tables by up to 2 tables and sell the business outside of the original owners.
- 6. Wireless Workshop Report, Peter Hill** - DSD Telecom workshop – four level preference system enables the permitting process to establish case studies for placement. FCC regulates all process, state and local governments are not allowed to make placement decisions. Prior to 2001 there were no placement or design requirements. All projects must reply to new standards as permits expire – no grandfathering.

V. Approval of Previous Motion to approve September 20, 2011 Minutes Cohen/Ngyuen 12-0-0

VI. Treasurer’s Report. – David Cohen, Balance \$609.22 – Updated bank signature card and moved to electronic banking, collected \$43.00 in donations.

VII. Planner’s Report - Marlon Pangilinan 619.235.5293; mpangilinan@sandiego.gov. - •Update Community Plan Process – Call for conservation areas still being accepted, need specific locations.

VIII. Announcements & Non Agenda Public Comment

- **Undergrounding @ LU&H Oct 26**, the City Attorney will be reporting on what if any power the City has in the Utility Undergrounding Process. The agenda will be posted by Oct 21, 2011 at:
http://google.sannet.gov/search?partialfields=&proxyreload=1&num=100&requiredfields=PATH%3Accaction_luh%7CPATH%3Accagenda_luh&layout_type=date_subsort&getfields=DOCUMENT_URL.DOC_DATE.TITLE.SORTORDER&sort=date%3AD%3AS%3Ad1&output=xml_no_dtd&ie=UTF-8&client=scs_ocd&filter=0&site=documents&config=luh.js&proxystylesheet=scs_ocd&q=

- **Orchids & Onions Oct 27, 5:30 pm** info: <http://www.orchidsandonions.org/event-tickets> North Park Main Street is nominated for sustainability award.
- **Achieving Sustainability:** Think Globally, Plan Locally C3 Thursday, November 3, 2011 from 7:30 AM - 9:15 AM, see flier below
- **The Role of Community Organizations in Shaping University Heights, Nov 10**
- **2012 California Native Plant Society Conservation Conference** is coming to San Diego Jan 10-14, 2013 early bird registration is available now, will go up after October 31, 2011. For more info: <http://support.cnps.org/page.aspx?pid=357> & below
- **Proposed Plaza de Panama Project Walking Tours** are being conducted by the Irwin Jacob's Team the 3rd Saturday of the month. 10:30 am, start at the Museum of Man. For more info www.plazadepanama.org
- **NPPC Social Media** – new Twitter @npplanning and Facebook profiles at <http://facebook.com/northparkplanning>
- **Kathy Morrison** – is concerned about the future of North Park; lived in North Park for 10 years, and patronized businesses in North Park. Huge impact to lives from True North. Theatre in chapter 11 bankruptcy. Wants the NPPC to consider the best for the whole.
- **Don Leichtling** – agrees with Kathy, North Park groups have a duty to look down the road and consider the whole committee. Agendas should be designed around community interest. Sub-committees consent should be re-agendized. Thanks for the social media efforts.

IX. Elected Official Reports

- 1) **Katherine Fortner, Hon. Susan Davis, US Congressional District 53,** Katherine.Fortner@mail.house.gov - No new information regarding post office building. Hosting Export University 101 seminar to provide information on exporting products. Medicare open enrollment is October 15 – December 7.
- 2) **Lindsey Masukawa, Hon. Toni Atkins, State Assembly District 76,** Lindsey.Masukawa@asm.ca.gov - No report
- 3) **Anthony Bernal, Hon. Todd Gloria, Councilmember District 3** ABernal@sandiego.gov - Time change is coming, please look to see if overhead lights are coming on, report to Councilmember Gloria's office. Lights that cycle on and off have a sensor issue that can be replaced. City is no longer doing tree trimming; it is now handled by the MAD. Casa de Prado is receiving a new roof. Remodeling of the Museum of Man. Memorandum of Understanding on Balboa 2015. Utility box and undergrounding will be pushed to January at the earliest. The theatre has filed for Chapter 11 debt restructuring.

X. Consent Agenda

None

XI. Subcommittee Reports

- **Urban Design/Project Review**, Robert Barry, Cheryl Dye - NP Adult Community Center, 6:00pm 1st Monday. Next meeting November 7, 2011 Wireless communication facilities are the bulk of the agendas.
- **Public Facilities/Public Art**, Dionne Carlson, Rene Vidales – NP Adult Community Center, 6:00 pm, 2ND Wednesday. Next meeting November 9, 2011 on going discussions on Plaza de Panama Project. Upcoming items on traffic calming.

XII. Liaisons Reports

1. **Balboa Park – Rob Steppke** - Workshop on Plaza de Panama, design ideas for feedback and input on the bridge as well as architectural styles on buildings.
2. **Project Area Committee/Morrison.** PAC met on October 11th. Discussion of parking rates in the structure to be more equitable when moving from peak to off peak hours. Discussion of valet

parking on 30th street at Union Bank for the same price as in-house parking. Bylaw changes in the PAC to include updated definitions, term lengths, etc., to be more in line with the planning committees. Also looking at benches for the community.

3. **Maintenance Assessment District/Morrison** – Discussion on trees to replace vandalism and dead trees. Discussion on bike corral repairs for \$900 per year. Discussion for benches to be provided by the MAD. Looking at bird spikes near the 30th and University bus stops.
4. **North Park Parking Management Working Group/Vidales.** - No Update
5. **Mini Park & Streetscape/Vidales.** - Advisory committee meeting to discuss a design Charrette for November 16th.
6. **University Ave Mobility Plan/Vidales** - No Update

XIII. NPPC Board Member Reports

1. **Alcohol and Entertainment/Morrison:** schedule. No update on the Clada. Violent crime in NP has dropped below Pacific Beach. The 76 Filling Station at El Cajon & 805 is converting to a Circle K and is applying for a liquor license.
2. **OLP** No rupdate
3. **North Park Main Street/Cohen** - Reviewed sold out Taste of North Park. Over 45 participating businesses. Art Place Grant application for the National Endowment of the Arts. Seated new board members. Sustainable North Park Main Street is nominated for an Orchid award.
4. **Jack in the Box** - Action item below
5. **Utility Boxes** – Captured above

XIV. Action Items

1. **Backyard Chickens (LU&H Actions & Proposed Changes to the Muni Code, to be Heard at CPC Oct 25 & LU&H soon after), Robert Barry** - Urban agricultural requirements are being updated in the general plan. Generally very progressive and forward thinking. The new proposal regarding chickens has greatly expanded the possibility for backyard chickens. Concerns exist for more than 5 chickens (up to 15 chickens) on smaller lots.
MOTION: To support the potential general plan amendments regarding urban agriculture with the addition that the ability to keep more than 5 chickens should be restricted the following zoning designations RS-1-1, RS-1-2, RS-1-3, RS-1-4, 10-2-0 Barry/Cohen (Moczydlowsky/Dye voting no)
2. **Foreclosures (LU&H Action & Proposed Changes to the Muni Code to be heard at LU&H Oct 26) –**
The ordinance would create a registry of foreclosed properties, give a lender neglecting a vacant foreclosed property 30 days to maintain the property in compliance with City codes, and if the lender still fails to comply with City codes after 30 days, allow the City to fine the lender up to \$1,000 a day until the property is brought into compliance. Affordability becomes an issue as these fees may eventually be passed on to the buyer. Has been implemented by other cities; not aware of this issue affecting the market value. Cost recovery would be driven through the fines. State law specifically allows for this concept.
MOTION: Support the proposed City of San Diego "Property Value Protection Ordinance" Barry/Dye 12-0-0
3. **AT&T - Plymouth Congregational Church – 2717 University Avenue (Project No. 224477) Shelly Kilmore presenting.** NUP for installation of a new wireless communication facility consisting of antennas located within a new tower structure and associated equipment.. Wireless facilities will be contained within the tower. Looking to deviate from the FAR for the Church. 7' x 7' structure represents 5% of the total frontage. Height of the tower was the primary issue. Original design was to include it on the existing tower but requires a zoning deviation. Community plan looks for consistency of scale and with the Community Plan.

MOTION FAILED: Support the proposal with the condition that additional architectural enhancements are made to tier and soften the tower as well as add additional landscaping to soften the visual impact. Dye/Hilpert 5-7-0 (Voting to deny: Barry, Granowitz, Vidales, Morrison, Hilpert, Carlson, Nguyen)

MOTION: To deny proposed project because of incompatibility in bulk and scale with the neighborhood and with the community plan. Barry/UDPR 7-5-0 (Voting to deny: Dye, Moczydlowsky, Pyles, Cohen, Hill)

4. **Fat Boys Corner Store - 3050 University Avenue (Project No. 241550)** - Proposed CUP for off-sale alcohol sales (ABC Type 21 liquor license) for a 1,200 square-foot neighborhood market in an existing 11,000 sq ft commercial building. The site is located within the CN-1 Zone of the Mid-City PDO. On January 21, 2011, the San Diego Police Department recommended denial of the application because the location: is within a high crime area; within 100 feet of residences; and within 600 feet of incompatible uses. On April 5, 2011, the City Hearing Officer overturned the SDPD's denial and granted the issuance of the Type 21 liquor license for the location. The owner has drafted additional conditions in response to the UDPR Subcommittee's action on 8/1/11. Applicant wouldn't be able to change the conditions without redoing the CUP. Condition on the store is a percentage of non-alcohol sales prevents from becoming a liquor store, is OK with a probation period to prove it is not detrimental to the community.

Public Comment: I number of people spoke in favor including a resident who lives above the deli, seen as a good community neighbor. Crime issues are gone now that Bacchus House is gone. Those speaking in opposition asked why do you feel you need to sell alcohol, essentially the deli becomes a liquor store, think liquor stores are oversaturated on University. SDPD is against this license, thinks should be beer & wine type 21 and not a type 20, undermines the SDPD.

Committee Comment: Forgoing check cashing for liquor sales. Is perceived as an upgrade., hours are currently 8am - 8:30pm, proposed 8am - 10pm, uncomfortable with going against the SDPD and sees it as a liquor store, would like to see an upgraded in products, type 21 is problematic despite the concessions to the community

MOTION: To approve the CUP for Type 21 license with standard and supplemental conditions outlined in the Sept. 19 letter and a CUP with initial 2 year period with conditional 10 year extension. Moczydlowsky/UDPR 7-5-0 (Voting to Deny: Barry, Carlson, Granowitz, Morrison, Pyles)

5. **Jack in the Box Upas & 30th St** This Item was reheard at the request of applicant, to present an updated plan, including changes to the setback and all egress/ingress moved to Dale St, drive thru is still part of the project plan. Substantial design changes since November. First change in the change in size of the building. Decreased the proposed building to be 300 square feet larger instead of 3000 additional. 20 indoor seats and 30 outdoor seats. Eliminated the egress onto Upas. Drivers exit through the alley way onto Upas. Additional design features included a meandering wall, trellis's and vehicle stacking to move drive-through car stacking off of Dale. Building details include Craftsman styling. Proposing a CMU wall between the residential and the building and drive through. Moving the trash and the queuing line away from residential. There will be restrooms. Fifty employee's total, not concurrent. The City requires closing the Upas entrance. Drive through is the biggest part of the business. Stacking of cars gets people off of Dale faster.

Public Comment:

Two individuals spoke in favor for economic reasons, but one of them also had concerns about traffic & circulation as did a number of people who spoke in opposition,. 15 individuals register opposition, included creating a problem with the wall and the patio for noise with the bar issues., issues from being a bad neighbor. Outdoor seating needs to be closed off at night, size is too big, drive through should be dropped

Board Comment:

Still asking for deviations to the zoning including drive through, increased hours (indicating they are no longer changing the hours), under parked, pedestrian access (which there is none on Dale). Some deviations still existing, doesn't front to the street and doesn't conform with the community, a goal was to get the traffic off of Dale. Pedestrians would seem to interfere with parking coming from Dale., ordering and stacking would still be problematic & city codes are established for a reason. Need to be careful and consider the possibility that JIB could continue to operate as-is and improvements and progress may be warranted.

Motion: To recommend denial of a Planned Development Permit to the proposed Jack in the Box demolition/construction project located at Upas and 30th streets, Project Number 213093, because the project and it's requested deviations do not conform to the findings that must be made to allow such a permit as outlined in Municipal Code 126.0604 (a) and project revisions do not address community concerns or conform with the North Park Community Plan. Barry/Vidales 12-0-0

6. **Plaza de Panama, Circulation & Parking Structure Update by Subcommittee Chairs regarding review of documents & processes to date - DEFERRED**

XV. Unfinished, & Future Agenda Items

- A. NP PAC Public Art Master Plan - Need an NPPC Representative
- B. Discuss possibility of a December meeting

XVII. Next Meeting Date: November 15, 2011

XVIII. MOTION: To adjourn. Carlson/Ngyuen. (12-0-0) Meeting adjourned at 9:51 p.m.

Submitted by: Carl Moczydlowsky