

Greater North Park Community Planning Committee
Urban Design/Project Review Subcommittee
Meeting Minutes
Monday, October 1, 2007, 6:00 PM
Location: North Park Lions Club, 3941 Utah Street

I. Parliamentary Items [6:00 pm]

1. Call to Order and Roll Call:

NPPC Members Present (6): Salvador Arechiga, Ed Cronan, Vernon Franck (Chair), Vicki Granowitz, Rob Stepkke, Stephen Whitburn.

Community Members Present (4): Ernie Bonn, Kitty Callen, Roger Lewis (6:10), Elizabeth Studebaker.

Community/Presenters Present: Bill and Nancy Siebold, Rick Pyles, Linda Redenbaugh, Alberto Valenzuela, Gerald Montoya, Dana Hossein, Leighton Hollingsworth, Ray Robertson.

2. Approval of Sept 2007 meeting minutes.

Vote: Approve (Granowitz/Bonn 8-0-1)

3. Requests for additions to or re-ordering of agenda:

KFC project presented prior to 4408 Utah Map Waiver due to presenter's late arrival.

II. Non-Agenda Public Comment

None

III. Project Review

Item 2: 4408 Utah Street Map Waiver (PTS# 133972) Ray Robertson presenting. [6:41 pm]

Four residential units (under construction). Project consists of two buildings (three story), 4 units, and 8 parking spaces, improvements to alley and part of street frontage. City approved this project as apartments, project is currently under construction and the owner is seeking condominium approval. Applicant failed to bring renderings and landscaping plan as requested. Architect is Gary Taylor and this project is very much like all of the other projects by this architect in its mediocre design and redundancy.

Motion: Deny this project as the excessively replicated design negatively impacts on our community, failing to preserve or contribute to the architectural diversity and residential character of North Park as set forth in the Greater North Park community plan; also due to failure to present landscaping plan for review. (Granowitz/Arechiga) Motion passes 10-0-0.

IV. Urban Design

Item 1: KFC Reconstruction at southwest corner University and Utah. [6:08 pm]

Development Services granted demolition and reconstruction permit without consideration of current code. Current code would have required construction at sidewalk frontage to be pedestrian-oriented. Community did not know about the project until after demolition occurred and after permits were granted. There was absolutely no consultation between the owners and the community or development services and the community. Last week, Lewis, Studebaker, Stepkke, O'Boyle from UD/PR subcommittee met with Development Services interim director and staff, also at the meeting were representatives from KFC/YUM Brands (project manager), the City Attorney's Office, District 3, BID council, Patrick Edwards-North Park Main Street, and Cory Briggs-Attorney. North Park Main Street and Urban Design/Project Review members attending the meeting believe that Development Services made critical errors in their interpretation of relevant codes when granting the demolition and reconstruction permits. Their explanation relied on past approval practices -- that is they consider demolition and reconstruction to be a type of repair, maintenance, alteration, or renovation. According to their reasoning, because this was a "renovation" on the same footprint as the demolished building, (actually it exceeds the previous square footage by about 200 feet) permit was granted as ministerial and as pre-conforming and not requiring community review or conformance to current zoning/code/land use requirements. Obviously, we disagree with Development Services' code interpretation and stressed the need for greater community review. Roger Lewis led the discussion on behalf of the community.

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The following day Studebaker, O'Boyle, Edwards, and Franck met with the project architects to discuss possible mitigations to improve the project and create a more pedestrian-friendly frontage, largely by using a wall with seating and "mounded" landscaping to screen parking lot and achieve a street front presence. Also, lighting, adequate trash containers and dumpster containment, sewer line connection, and reduced signage from the Utah Street view were discussed. The project will include mature trees. Studebaker will continue to work with the KFC project manager to ensure that sidewalk replacement and tree grates are consistent with design plans for the business district.

Item 3: Commonwealth Cafe 3408 30th Street Leighton Hollingsworth, owner and operator presenting. [6:50 pm] Owner is seeking a Neighborhood Use Permit to operate as a restaurant from 4pm to 4am. No alcohol will be served. Restaurant will be family-friendly, serving area residents, late shift workers, police/fire workers, and patrons of drinking establishments. Commonwealth now operates from 12 to 12, but the concept for the restaurant, from the beginning, was to offer late night dining. Seven community members with residences very close by (Upas/29th Streets) are strongly opposed to the late night dining as they feel it will only exacerbate the problems that are associated with the Bluefoot lounge, located next to Commonwealth Cafe. Already, there is excessive noise, trash, unruly behavior, parking problems that impact the quality of life in the residential neighborhood. There has been an improvement since Bluefoot is closing at midnight on weekdays; but neighbors are seriously concerned that the problems will resume and worsen if Commonwealth obtains permit to operate until 4am. Area residents are collecting signatures to obtain residential parking permits that would restrict non-residents from parking during evening/night hours.

Item 4: The Academy of Our Lady of Peace - CUP Hearing results. [7:30 pm] A decision was rendered on September 18, 2007 regarding CUP violations. The AOLP was found to be in violation of the 1995 CUP and was penalized and given a time-line for making corrections. 1995 CUP approved with the condition that OLP maintain a maximum enrollment of 640 students and 46 staff; OLP provide 4 parking lots on campus with a total of 106 spaces; shade outdoor lighting; provide a one way entry loop. On April 4, 2007 OLP was found to be in violation of each of the conditions above. OLP was given to June 30, 2007 to correct these violations – they did not do so. Administrative Code Enforcement Officer Himelstein issued a final order, including penalties and timeline for making corrections on September 18, 2007. The order called for the following: OLP will pay the sum of \$105,000 in civil penalties and \$2,431,97 for administrative costs to the City Treasurer. Additional penalties of \$500 per day is stayed pending compliance with remedies. Before October 15, 2007 OLP must activate the entry loop at the corner of Oregon and Copley Streets and supervise the pick up and drop off of students. They must also adopt an on-going procedure to educate and inform students to comply with traffic laws and respect neighbors. Finally, report to the NCCD to detail efforts and results. On or before November 1, 2007 OLP must provide an additional 45 off-street parking spaces, provide shuttle service for students and staff using private off-site parking. On or before July 1, 2008 OLP must reduce enrollment to 640 and staff to 46 or complete an amendment to the CUP showing conditions at the school are consistent with the law.

Item 5: Cricket Sign at 3050 University (check cashing establishment). [7:50 pm] A large vertical sign on the building appears to be in violation of signage regulations. Bacchus nightclub, the adjacent tenant may also have a non-compliant sign. Ed Cronan volunteers to look into whether these signs were properly permitted and code-compliant; he will report back to GNPCPC.

V. Announcements and New Business

1. St. Augustine Open House on October 28, 1-4pm.
2. Uptown Planners presentation of their response to the City's interim height limit ordinance on October 2 (6:40 pm) at Joyce Beers Community Center.
3. District 3 Council Seat Candidate Forum on October 9, 6:30 - 8:30 at Joyce Beers Community Center.

*Next Meetings: GNPCPC - Tuesday November 20, 2901 North Park Way, 6:30 pm.
Urban Design/Project Review - Monday January 7, 2008 (dark December); 3076 University Avenue.*

VI. Adjournment [7:58 pm]