



**NORTH PARK PLANNING COMMITTEE**

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**URBAN DESIGN-PROJECT REVIEW SUBCOMMITTEE**

**MEETING MINUTES: Monday, January 3, 2011 – 6:00 p.m.**

**North Park Recreation Center/Adult Center, 2719 Howard Avenue**

**I. Parliamentary Items**

A. Called to order: Meeting was called to order at 6:00 p.m.

**Board Members Seated:** Robert Barry (Chair), Cheryl Dye (Vice-Chair), Judi O’Boyle, Renee Vidales, Vicki Granowitz, Rob Steppke

**Community Voting Members Seated\*:** Ernie Bonn

Board Members Attending: Lynn Elliot, Dionne Carlson

Other Community Voting Members Attending: Roger Lewis, Don Leichtling

Others attending to obtain community voting rights: Keoni Rosa (3)

B. Approval of January 3 Agenda:

**Motion: Approve agenda, O’Boyle/ Granowitz 7-0-0.**

C. Approval of Meeting Minutes: August 9, 2010, August 30, 2010, and November 1, 2010

**Motion: Approve August 9, August 30, and November 1 minutes** with the following corrections: revise August 9 minutes under Non-Agenda Public Comment to reflect the date stated for the Taste of University Heights as 9-12-11, and revise August 30 minutes under Announcements to correct misspelling of Board Member Rene Vidales’ name, and to show Board Member Lucky Morrison as an attending Board Member rather than a seated Board member.  
**Bonn/Granowitz, 5-0-2**

D. **Announcements: None**

**II. Non-Agenda Public Comment:**

A. The concern was expressed by a member of the public that the people who signed in at the last Urban Design Subcommittee meeting should have been included on the mailing list for tonight’s meeting. Chairman Barry indicated that whoever previously provided email information was notified of the meeting and received a copy of the agenda.

B. Judi O’Boyle announced that the Plaza de Panama meeting/workshop was being held on Saturday Jan. 8<sup>th</sup> at 9 a.m. at the Balboa Park Club Ballroom and encouraged everyone to attend. She noted that the proposed improvements are “not a city plan, not a park plan, but an Irwin Jacobs plan”. She also noted that an applicant is requesting the North Park PAC to hold a hearing regarding constructing a microbrewery where the Mosaic parking lot currently sits. This will be scheduled for a future meeting. Don Leichtling indicated that the city has told Mosaic that they cannot maintain that space as a parking lot.

**III. Information: None**

**IV. Action**

A. **Jack in the Box, 2959 Upas Street:** The Chairman introduced this item noting that JIB is requesting a Process Four Neighborhood Development Permit (NDP) to demolish the existing restaurant and build a new larger one. The City has released its 2<sup>nd</sup> cycle report which cannot support the project as proposed for lack of addressing the many deviations requested. Deviations

include lack of adequate parking (12 proposed vs. 37 required), continuation of the drive-through service, the request for a 24 hour operation, and others. The City has requested a 3<sup>rd</sup> submittal to substantial issues still remaining. The community forcefully expressed their concerns at the subcommittee's August 30 meeting, as reflected in the minutes. Chairman Barry then introduced the applicant's representative, Dan Hom. Mr. Hom acknowledged that JIB has not been a good corporate citizen but that they intended to make changes in that regard and had held 30 different meetings with community members since the Aug 30 meeting. JIB has 50 employees and a long-term lease of "up to 20 years". They earn 65% of their revenue from the drive-through traffic. They want to upgrade and shift the building to the east with parking on the west. Currently the JIB site has access to parking and drive-through via two curb cuts on Upas and one on Dale St. They plan to eliminate both entrances on Upas as well as the on-site driving area that enters off Upas and circles the front of the building back to the ordering area, and to limit entrance to off Dale St. They plan to allow JIB customer exiting from the parking area on the east side via the alleyway onto Upas. Mr. Hom indicated that there are 1000 ADTs on Dale St and 11,000 ADTs on Upas so JIB is trying to slow the traffic on Upas. Mr. Hom indicated that there are currently 10 parking spaces; JIB is proposing a total of 12. He presented a new building design. Hom summarized the key community concerns JIB heard during their neighborhood meetings and JIB's proposed solutions: 1) a fear of the traffic on Dale St – JIB's plan would reduce the stacking; 2) lighting impact on surrounding homes - they plan to shield all the lights; 3) disruptive middle of the night deliveries– JIB will limit trash and grease pick up to after 8 am and to only 2X per week; 4) poor communication with neighbors - JIB gave their operations guy's direct line to the neighbors; 5) noise, rats, cockroaches invading neighbors' properties - they will move trash bins to the other side and install a wall on the south edge; 6) disturbing noises as late as 2:00 a.m. including loud speakers - JIB is no longer asking for a 24 hour operation; they will close at the current 2:00 a.m. time and speakers will be turned off after 10 p.m. with responses to customer showing on the computer screen. Also security cameras will be installed and operate 24/7. Mr. Hom requested that the project to go forward to the full Planning Committee indicating that by that time the project's transportation and traffic reports will be available. He noted that a newer building design is forthcoming that would "blow the committee away".

Comments from community members and Subcommittee members followed. Key concerns included: lack of adequate transportation study, traffic study and parking study results; an unacceptable non-urban, non-pedestrian oriented building design and the applicant's intent to not make the "final" design renderings available until the full committee meets; shortage of proposed parking (by 25 spaces); likelihood of non-JIB customers parking in the JIB lot causing more parking shortages, and the unrealistic proposal for parking to be monitored by a towing company under contract to JIB; the congestion causing use of the alley by exiting JIB traffic; and the inevitable Dale St/Upas St. gridlock that will not be solved by adding a couple of drive-through stacking spaces. The Subcommittee requested they be provided the actual number of years remaining on JIB's ground lease. There was a recommendation to table the item due to lack of adequate information. The discussion then turned to the inability of the Subcommittee to make the five findings necessary for approval of the required Planned Development Permit due to the many deviations which do *not* make the project more compatible with or more beneficial to the community. The project fundamentally does not comply with the Community Plan which calls for pedestrian oriented uses nor with the current CN-1-2 zoning, which was enacted in 2000, and specifies that if the building is demolished and a new building constructed, a drive-through use is no longer allowed. The subcommittee discussed tabling the item until the applicant provides the requested information and reduces or eliminates the deviations versus recommending denial of the PDP. Some felt the drive-through alone was a deal-breaker and that while JIB may continue to operate as such until its lease expires, the long term result would be best for the community.

**Motion: To recommend denial of a Planned Development Permit for the proposed Jack in the Box demolition/reconstruction project located at Upas and 30<sup>th</sup> Streets, Project Number 213093, because the project does not conform to the findings that must be made to allow such a permit as outlined in Municipal Code 126.0604 (a). Barry/Callen, 6-0-0**

**B. Neighborhood Development Permit, 3000 block of Nile Street (APN 453-801-13-00):** Chairman Barry introduced the applicant and noted that the NDP is required due to the steep hillside and the sensitive vegetation. He shared that he had received correspondence from one neighbor concerned about the project. The applicant indicated that the subcommittee had requested exterior renderings for his 2 ½ story home (2 + loft). He presented the rendering commenting that the design follows the topography, is fire resistant, and that Planning and Engineering has signed off with Fire, Landscaping, and Environmental Departments still pending. Discussion was generally very supportive. Some members recommended the use of different colors, and materials in addition to stucco that could make the deck blend more aesthetically into the canyon. One suggestion was to meet with Recon to see their native plant survey and make efforts to restore these plants. The applicant liked this idea.

**Motion: To approve the project as presented. O’Boyle/Dye. 6-0-0**

#### **IV. Announcements and New Business**

**Adjournment:** Meeting adjourned 8:00 p.m.

\*Board Members have voting rights on the Subcommittee upon election; General Members have voting rights after attending three Subcommittee meetings.

*For information about this subcommittee please contact the Chair, Robert Barry, at 619.954.5588 or [rbarry53@cox.net](mailto:rbarry53@cox.net). The next meeting of the North Park Planning Committee is February 15, 2011, 6:30 pm, at the North Park Christian Fellowship, 2901 North Park Way (at 29<sup>th</sup> Street.)*