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Mission Hills Heritage and Developer Compromise

San Diego, CA - On August 2, 2005, Mission Hills Heritage reached an agreement with developers of the Paseo de Mission Hills mixed-use development project, after ten months of community pressure and significant community input into the project. The settlement was made part of the permit records through a motion delivered by Brian Maienschein, seconded by Donna Frye, and the motion was approved unanimously at the City Council hearing.

Mission Hills Heritage and Michael Wells appealed the January Planning Commission approval of the Paseo project. On April 19, the matter was decided and the appeal carried after all the community representatives left and it was determined that council member Young mis-cast his vote. This resulted in bringing the matter back to the beleaguered city council on July 19, 2005.

By that date, however, Mayor Dick Murphy had already resigned and District 2 and District 8 representatives had vacated their seats. On July 19, Mission Hills Heritage presented a community-approved compromise offer that was revealed to the development team earlier in the month at an Uptown Planners meeting. That compromise promised to retain significant financial viability for the developer but reduce height and retain historic buildings. The developer, before meeting with Mission Hills Heritage representatives, summarily rejected it. Until July 19, the developer had not shown interest in making compromises with Mission Hills Heritage or the other appellants and citizens who expressed concerns about the project. On July 19, it appeared that council members were not in agreement on approving the project, and Brian Maienschein took steps to influence the outcome.

It became clear that the developer did not have the five votes needed to move ahead with the project, so the development team surprised the council and community opponents with a compromise of their own in hopes of addressing some of the challenges. The surprise offer left Mission Hills Heritage representatives hopeful that their large membership could get behind the new proposal. Since the offer made by the development team varied significantly from the proposal Mission Hills initiated, the group asked for thirty days to poll their membership. The city council gave them fourteen.

Representatives of Mission Hills Heritage and the development team met immediately to clarify the offer and Mission Hills Heritage quickly initiated a poll of its members. The poll results were accelerated due to the short timeline offered by City Council. Survey results showed support for the developer's compromise. The developer's architect went back to the drawing board. . The motion that Council approved was brought forward by council member Maienschein, resulting in the following: Certification of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Vesting Tentative Map No. 113679 and Site Development Permit no.13680, with modifications including:

a. The height of the new building shall not exceed 53 feet (as measured along the high point along Ft. Stockton) except for protrusions for mechanical spaces, elevator tower overrides, roof access stairs and HVAC equipment. Screening of the HVAC mechanical equipment required by municipal code will not exceed five feet. There shall be no mezzanines above the fifth level.

b. Windows facing streets shall be recessed, rather than flush mounted.

c. Copper siding shall be replaced by brick and/or stucco. Glass shall be reduced and eliminated above the fifth floor.

d. Projecting roofs shall be eliminated.

e. Belt course and cornice details shall be added.

f. The walking "paseo" shall remain open to the public during usual daytime and evening business hours, seven days a week. This requirement shall also be added as a condition to the community's CC & R's.

g. The Developer shall make the Craftsman house on Falcon available free of charge to a party of the Developer's choice so long as the party intends to preserve the house in another location within the greater San Diego area and so long as the party shows Developer that it has the resources to situate the house. Developer shall pay, if necessary, to move the house to the new site. If no party steps forward to move the house by the time a grading or foundation permit is issued by the City, the house may be demolished.

h. The rear wing of the Funcheon Building and other buildings to be demolished (including the Craftsman house if nobody takes the building) shall be made available for salvage efforts by local architectural salvage companies.

i. The developer shall incorporate the neon Funcheon sign located on Falcon Street into the project, preferably in the "paseo" area.

j. Prior to salvaging and demolition, the Developer shall allow Mission Hills Heritage representatives to access the buildings for the purpose of photographic documentation.

k. The buildings shall incorporate the design features identified in the architectural drawings presented at the city council hearing with some of the details called out as follows:

1. Trash enclosure gates on the east side of Ft. Stockton will be ornate.
2. An additional setback of the upper stories of the building along Ft. Stockton/Goldfinch was not illustrated but would be part of the final building design.
3. Buildings will appear differentiated from each other by the use of brick and brick/burnished stucco treatments.
4. Divided lights are being added to make the building appear more traditional.
5. A belt course follows along the row of townhomes.
6. Window sills and balconies are concrete instead of brick
7. Planters will be masonry.
8. Zinc or zinc-like cladding will surround the 5th story townhome windows.
9. A one-foot parapet will be added along the top of the building.

Communities have a right to participate. The process, as intended, allows for community input. This input is valuable since residents have social, economic and emotional investments. Community members have incentives to retain character and sense of place, and when new projects harmonize with the existing community the result is a win/win for everyone.

Mission Hills residents stood together and showed they don't take their treasured community for granted. Residents here intend to preserve the culture and built environment. Council member Maienschein thanked the Developer and residents noting the professionalism of Mission Hills Heritage. Donna Frye pointed out to the Developer the importance of community support as the buildings are constructed. The process involving modifications to this project serves as either an example or a warning, or maybe both. Once built, the Paseo de Mission Hills will have a long-lasting impact on the quality of life and daily routine we now enjoy in Mission Hills.