Tale of two projects: Permit process changes plans Bluff-top housing stuck in City Hall

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If it ever gets built, Vista Pacifica will give its residents sweeping views of the mountains east of San Diego. The proposed 30-unit multifamily complex would occupy a site on Juniper Street, high above Fairmount and Home avenues.

Standing in the way are detailed design criticisms from James T. Rodgers, of the Planning Department who cites the Mid-City Communities Planned District Ordinance guidelines; neighborhood concern that the complex will add to already overcrowded schools and street traffic; and two environmentally sensitive plant species rooted on the site's hillside.

Robert Augustine, a businessman who bought the land in 1985 and owns other apartment buildings nearby, wants to build affordable housing on the 1 1/2-acre site. He has been trying to get a development permit for five years, if you count the project's earlier environmentally disastrous cut-and-fill incarnation called Juniper Villas.

Augustine's financial advisers told him he needs to build 30 units to get a loan, but the city planner argues -- and Augustine's architect, James Engleke agrees -- that the proposed site plan crowds the buildings onto the site and creates the appearance of a continuous wall when seen from below.

The planner has suggested eliminating four units, but cannot require this since the project does not exceed allowable density. Augustine says he cannot afford to drop any units and will have to recover his permitting and design costs in higher rents.

Multifamily housing constructed or planned on either side of Augustine's acreage predates the environmental-review ordinances his property is subject to, a fact that adds to his frustration.

Two-tenths of an acre of Augustine's hillside is home to the sensitive resources: coastal mixed chaparral and coastal white lilac. Engleke, of the architectural firm Circa 9, said he was forced to push several proposed three-story buildings to the mesa's edge to avoid disturbing the hillside and agrees a better solution is possible if the project is allowed to encroach on the hillside.

Augustine is reviewing an environmental-mitigation plan recommended by the Planning Department and said he won't make a move until he knows how much money is involved.

The plan calls for Augustine to contribute to the city's habitat acquisition fund. No other
developer has chosen this option, but at least two others are considering it, according to Rodgers.

"I (would) have to buy my own property" twice, Augustine said of the plan.

The alternative is to pay for a five-year sensitive-resource monitoring program on the property.

Even if Augustine pays an estimated $10,700 mitigation charge -- based on a fair-market real-estate appraisal that is costing him $3,585 -- he would not be much closer to breaking ground at Vista Pacifica. In May, the Planning Department staff told him that without major design revisions they still would not recommend approval of the project.

The planning staff has faulted Vista Pacifica for design shortcomings: the central placement of a tree in a parking court with a tight turning radius, three-story buildings sited only five feet apart and a proposed manager's apartment smaller than the building code allows. That unit has been dropped from the project.

Augustine says he has accumulated $120,000 in fees paid or owed to two architects for three design schemes, the Planning Department and other city departments reviewing the project and consultants for environmental-review, landscaping/brush management and other reports.

"It's a paper shuffle. It's atrocious," said Augustine.

**Vista Pacifica Chronology**

February 1990: Owner applies for a Mid City Development Permit for 30 multifamily housing units with parking for 62 vehicles.

March 1990: City Heights Community Planning Group registers concerns about project's orientation to light and views, lack of play areas, vehicular access, landscaping, grading.

April 1990: Planner sends architect five-page letter outlining project problems, ranging from missing labels on drawings to design flaws. Architect submits Brush Management/Sensitive Resource plan.

May 1990: Architect responds to planner's five-page letter. City Engineering Department files six-point memo requiring fire hydrants, street improvements, etc.

September 1990: Planning Department recommends reducing project density to lessen hillside encroachment.

November 1990: Planner sends architect second project review. Notes planned grading is excessive and suggests paying into habitat acquisition fund.
February 1991: Architect meets with City Heights Area Planning Committee.

July 1991: Architect informs owner of community group meeting urging project to heed city Landscape Ordinance.

September 1991: Planning Department challenges project’s affordable-housing density bonus of four units. Planner sends architect summarizing third project review; notes nine issues still outstanding from April 1990 letter. Architect hopeful of scheduling a planning director hearing. Engineering Department judges 13 parking spaces too narrow or too short.

October 1991: Planning Department acknowledges density bonus previously awarded by the Housing Commission; repeats community plan recommendations: increase useable open space and recreational areas, reduce building bulk and number of units.

November 1991: Planner informs owner he owes $3,976 in planning fees; promises hearing once outstanding fees and $7,000 deposit are paid and environmental documents completed.


January 1992: Architect requests more information on the appraisal and alternatives, and hearing before City Council committee to argue insignificance of .2 acre for environmental protection. Architect sends second letter requesting accounting of fees.

February 1992: Architect requests meeting with acting planning director Severo Esquivel, contesting biological mitigation procedure as "punitive" and "discretionary."

March 1992: Rodgers provides computerized accounting and estimates another $5,000 will be needed to continue processing the application.

April 1992: Esquivel rules .2 acre is subject to state and local resource protection laws and reiterates recommendation to pay into habitat acquisition fund.

May 1992: Owner and architect meet with Tom Story, deputing planning director. Story halts additional Planning Department fees until environmental issues are resolved. Planner restates concerns about design shortcomings and site constraints likely to cause a permit denial.


Vista Pacifica Development

Project: Vista Pacifica multifamily housing, City Heights Status: In limbo Processing
costs to date: $120,000 (estimated) * Time in process: 5 years Cause of delay: Planning Department design and environmental review, applicant's failure to pay Planning Department fees, street vacation request, community opposition

Caption: 3 DRAWINGS 1 PIC
1,2. Soaring or sinking: Robert Augustine (above) wants to build multifamily affordable housing on this City Heights bluff, but his plans bogged down years ago in environmental and design review proceedings conducted in the Planning Department. The Planning Department criticizes the design of Vista Pacifica (top) for creating the appearance of a continuous wall that's excessively bulky. 3. Vista Pacifica Development
4. Vista Pacifica Chronology 1. ARCHITECTURAL DRAWING / CIRCA 9 2. Union-Tribune, JIM BAIRD
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