

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, DECEMBER 11, 1979
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

Present: Mayor Wilson (M), Councilmembers Mitchell (1), Cleator (2),
Lowery (3), Williams (4), Gotch (6), Stirling (7) and Killea (8).
Not present: Councilmember Schnaubelt (5).
Clerk: Mutascio.

Meeting called to order at 8:46 a.m. by Deputy Mayor Lowery.

Meeting recessed at 9:01 a.m. by Deputy Mayor Lowery to meet as the Redevelopment Agency.

Meeting reconvened at 10:52 a.m. by Mayor Wilson with Councilmember Schnaubelt not present.

Meeting recessed at 11:22 a.m. by Mayor Wilson to meet in Executive Session and reconvene at 2:00 p.m.

ITEM 300: Roll call.
Present: Councilmembers Mitchell, Cleator, Lowery, Gotch, and Stirling.
Not present: Mayor Wilson, Councilmembers Williams, Schnaubelt and Killea.

ITEM 310: Adopted as Resolution R-250807 (Tape Loc. 002)

(R-80-916) Authorizing SUGGESTION AWARDS and making a presentation to the following employees:

WILLIAM W. SMITH - Water Utilities Department - \$210; and

VERTUS E. REINICKE - Water Utilities Department - \$140.

See ITEM 311 for motion.

ITEM 311: Two Resolutions authorizing SUGGESTION AWARDS to the following employees:

(Tape Loc 002)

Subitem a: Adopted as Resolution R-250808.

(R-80-917) DONNA M. OLSZEWSKI and KRIS A. BARNETT - Engineering and Development Department - \$95;

JOHN E. MILLS - Engineering and Development Department - \$90;

CARL C. COPHER and JAMES FROSLIE - General Services Department - \$75;

THOMAS A. WORMINGTON and GEORGE M. HARKLEROAD - General Services Department - \$70; and

JAMES FROSLIE - General Services Department - \$50.

Subitem b: Adopted as Resolution R-250809.

(R-80-918) CHARLENE J. CALUGAR - Personnel Department \$20;

ELLEN O. DUFF - Property Department - \$20;

ELSIE W. GOODMAN - Fire Department - \$20;

MANUEL BATTAGLIA - Water Utilities Department - 20;

DANIEL F. STRUIKSMA - Fire Department - \$15; and

TERRANCE L. O'ROURKE - Fire Department - \$10.

MOTION FOR ITEMS 310 AND 311:

Motion by Stirling to adopt.

Second by Gotch.

Passed unanimously. Not present-5, 8, M.

ITEM 330: Proposal to amend Chapter X, Article I, Division 4 of the San Diego Municipal Code by AMENDING the following SECTIONS, relating to PLANNING and ZONING REGULATIONS, to permit residential development to occur on the ground floor of any or all of the following commercial zones:

eb 12-11-1979 a.m.

311, 330

01685

ITEM 330 - Continued:

- a - SECTION 101.0421.1 - CR (Commercial Recreation) Zone
- b - SECTION 101.0423 - CO (Commercial Office) Zone
- c - SECTION 101.0426 - CN (Neighborhood Commercial) Zone
- d - SECTION 101.0428 - CA-S (Area Shopping Center) Zone
- e - SECTION 101.0428.1 - CA (Area Shopping Center) Zone
- f - SECTION 101.0430 - C-1S Zone
- g - SECTION 101.0430.1 - C-1 Zone
- h - SECTION 101.0432 - CS (General Commercial) Zone
- i - SECTION 101.0432.1 - C (General Commercial) Zone
- j - SECTION 101.0433 - CBD (Central Business District) Zone

(Tape Loc. 005 - 114)

Subitem a: Introduced, to be adopted January 7, 1980.

(O-80-149) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0421.1 of the San Diego Municipal Code regarding the CR (Commercial Recreation) ZONE.

Subitem b: Introduced, to be adopted January 7, 1980.

(O-80-142) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0423 of the San Diego Municipal Code regarding the CO (Commercial Office) ZONE.

Subitem c: Introduced, to be adopted January 7, 1980.

(O-80-150) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0426 of the San Diego Municipal Code regarding the CN (Neighborhood Commercial) Zone.

Subitem d: Introduced, to be adopted January 7, 1980.

(O-80-143) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0428 of the San Diego Municipal Code regarding the CA-S (Area Shopping Center) ZONE.

ITEM 330 - Continued:

Subitem e: Introduced, to be adopted January 7, 1980.

(0-80-144) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0428.1 of the San Diego Municipal Code regarding the CA (Area Shopping Center) ZONE.

Subitem f: Introduced, to be adopted January 7, 1980.

(0-80-151) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0430 of the San Diego Municipal Code regarding the C-1S ZONE.

Subitem g: Introduced, to be adopted January 7, 1980.

(0-80-145) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0430.1 of the San Diego Municipal Code regarding the C-1 ZONE.

Subitem h: Introduced, to be adopted January 7, 1980.

(0-80-146) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0432 of the San Diego Municipal Code regarding the CS (General Commercial) ZONE.

Subitem i: Introduced, to be adopted January 7, 1980.

(0-80-147) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0432.1 of the San Diego Municipal Code regarding the C (General Commercial) ZONE.

Subitem j: Introduced, to be adopted January 7, 1980.

(0-80-148) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 4, SECTION 101.0433 of the San Diego Municipal Code regarding the CBD (Central Business District) ZONE.

Hearing began 8:50 a.m.

Hearing halted 9:01 a.m.

Killea entered 8:52 a.m.

Testimony in opposition by Cecilia Carter-House.

Motion by Stirling to close the hearing and introduce the ordinances.

Second by Gotch.

Passed unanimously. Not present-5,M.

ITEM 331:

Matter of REZONING LOTS 1 through 3, and 22 through 24, BLOCK 10, LA MESA COLONY, MAP. NO. 346 (approximately 39,200 square feet), located on the east side of 70th Street between Saranac Street and Mohawk Street, in the Mid-City Development Plan area, from ZONE R-2 to ZONE R-3.

(CASE NO. 33-79-3)

(Tape Loc. 114 - 133)

Subitem a: Adopted as Resolution R-250810.

(R-80-931) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-06-59 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; and

Subitem b: Introduced, to be adopted January 7, 1980.

(O-80-174) INTRODUCTION of an ORDINANCE for R-2A Zoning.

Hearing began 10:52 a.m.

Hearing halted 11:10 a.m.

Testimony in favor of R-3 Zoning by Keith Anderson and Edgar W. Cook.

Testimony in opposition by Mark Bryning.

Motion by Stirling to close the Hearing, adopt Subitem a; and introduce Ordinance for R-2A Zoning.

Second by Lowery.

Passed. Yeas-2,3,4,5,7,8,M. Nays-1,6. Not present-5.

ITEM 332:

Matter of REZONING a portion of PARCEL 4, PARCEL MAP NO. 8547 (approximately 18 acres), located north of Clairemont Mesa Boulevard between Santo Road and Via Valarta, in the Elliott Community Plan area, from ZONE R-1-40 to ZONE R-2.

(CASE NO. 41-79-2)

(Tape Loc. 133 - 145)

eb 12-11-1979 a.m.

331, 332

8:30 a.m.

ITEM 332 - Continued:

Subitem a: Adopted as Resolution R-250811.

(R-80-929) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-01-55 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council;

Subitem b: Introduced, to be adopted January 7, 1980.

(O-80-172) INTRODUCTION of an ORDINANCE for R-2 Zoning; and

Subitem c: Adopted as Resolution R-250812.

(R-80-) Adoption of a RESOLUTION containing the findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT NO. 79-01-55.

Hearing began 11:00 a.m.

Hearing halted 11:22 a.m.

Testimony in favor by William Duncan.

Motion by Stirling to close the hearing, adopt Subitem a, introduce Subitem b, and adopt Subitem 3 on the condition that the subdivider install a signal light at Clairemont Mesa Boulevard and Santo Road (Condition #12 of Subdivision Board Resolution 2367), which would be in operation within 6 months after the approval of the final map.

Second by Lowery.

Passed unanimously. Not present-5.

12-11-1979
8:30 a.m.

7

EXECUTIVE
SESSION NO. 2:

Adopted as Resolution R-250813.

(R-80-1070) Authorizing the City Manager to pay the total sum of \$20,000 in the settlement of Superior Court Case No. 415485, Frances Shepherd v. The City of San Diego, resulting from the personal injury to Frances Shepherd; further authorizing the City Auditor and Comptroller to issue one check in the amount of \$20,000 to "Frances Shepherd and her attorney, C. David Herring," in full settlement of the lawsuit and of all claims.

EXECUTIVE
SESSION NO. 3:

Adopted as Resolution R-250814.

(R-80-1081) Authorizing the City Manager to pay a total not to exceed \$12,000 in the settlement of each and every claim against The City of San Diego, its agents and employees, resulting from the back pay claim of LESLIE CROSS; further rescinding Resolution No. R-250237 adopted September 17, 1979, which previously authorized the expenditure of \$8,000 in settlement of this claim.

Meeting recessed by Mayor Wilson at 11:22 a.m. to meet in Executive Session in the 11th Floor Conference Room on pending litigation and to reconvene at 2:00 p.m.

eb 12-11-1979 a.m.

E.S. 2, 3

01690

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, DECEMBER 11, 1979
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

Present: Mayor Wilson (M), and Councilmembers Mitchell (1), Cleator (2), Lowery (3), Williams (4), Gotch (6), Stirling (7), and Killea (8).
Not Present: Councilmember Schnaubelt (5).
Clerk: Mutascio.

Meeting reconvened at 2:09 p.m. by Deputy Mayor Lowery with Councilmembers Williams, Schnaubelt, Stirling, and Killea not present.

Meeting recessed at 2:20 p.m. by Deputy Mayor Lowery.

Meeting reconvened at 2:29 p.m. by Mayor Wilson with Councilmember Schnaubelt not present.

Meeting recessed at 3:23 p.m. by Mayor Wilson.

Meeting reconvened at 4:15 p.m. by Acting Mayor Williams with Councilmembers Lowery, Schnaubelt, Stirling, and Mayor Wilson not present.

ITEM 333: Matter of REZONING a portion of LOT 19, HORTON'S PURCHASE, EX-MISSION LANDS OF SAN DIEGO, MAP NO. 283 (approximately 4.83 acres), located on the south side of Federal Boulevard and east of I-805, in the Mid-City Development Plan area, from ZONE R-1-5 to ZONE M-1B.

(CASE NO. 4-79-2)

Subitem a: Adopted as Resolution R-250815. (Tape Loc. 001-003)

(R-80-932) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-06-45 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; and

Subitem b: Introduced, to be adopted January 7, 1980.

(O-80-175) INTRODUCTION of an ORDINANCE for M-1B Zoning.

Hearing began 2:09 p.m.

Hearing halted 2:12 p.m.

ITEM 333 continued:

Councilmember Williams entered 2:11 p.m.

Motion by Williams to close hearing, adopt (a) and introduce (b).

Second by Gotch.

Passed unanimously. Not present-5,7,M.

ITEM 334:

Matters of:

- a REZONING a portion of the EAST $\frac{1}{2}$ of the NORTHEAST $\frac{1}{4}$ of SECTION 31, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. and a portion of SECTION 32, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. (approximately 23.6 acres), located on the north side of Mira Mesa Boulevard between Black Mountain Road and I-15, in the Mira Mesa Community Plan area, from ZONE A-1-1 to ZONES CA and R-3.

(CASE NO. 60-79-15)

- b APPEAL of MESA SHOPPING CENTER EAST, by Ronald D. Roberts, from the decision of the PLANNING COMMISSION in DENYING their application, under PLANNED COMMERCIAL DEVELOPMENT NO. 71, to construct and operate several buildings with a total floor area of 135,708 square feet for commercial activity with parking and landscaping on a 13.8 acre site in the A-1-1 (proposed CA) ZONE. The subject property is located on the north side of Mira Mesa Boulevard between Black Mountain Road and I-15 and is more particularly described as a portion of the EAST $\frac{1}{2}$ of the NORTHEAST $\frac{1}{4}$ of SECTION 31, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. (Tape Loc. 012-074)

(PCD NO. 71)

Subitem a: Adopted as Resolution R-250816.

(R-80-930) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-06-24 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council;

Subitem b: Introduced, to be adopted January 7, 1980.

(O-80-173) INTRODUCTION of an ORDINANCE for CA and R-3 Zoning; and

ITEM 334 continued:

Subitem c: Appeal Denied as Resolution R-250817.

(R-80-) Adoption of a RESOLUTION granting or denying the appeal and the permit with appropriate findings to support Council action. (NOTE: Planning has made a request to refer back to Planning.)

Hearing began 2:30 p.m.
Hearing halted 3:32 p.m.

Testimony given in favor by Donald Worley, and Verne W. Goodwin as Chairman of Mira Mesa Planning Group.

Testimony given in opposition by Verne W. Goodwin as member of Planning Group and private citizen.

Councilmember Williams out 2:56 p.m.

Councilmember Williams in 3:07 p.m.

Motion by Mitchell to close hearing and deny appeal and permit.
Second by Killea.

Passed. Yeas-1,4,6,8,M. Nays-2,3,7.
Not present-5.

ITEM 335: Adopted as Resolution R-250818. (Tape Loc. 003-005)

Establishing an UNDERGROUND UTILITY DISTRICT to be known and denominated as the DAIRY MART ROAD (Pocitos Way to Beyer Boulevard) UNDERGROUND UTILITY DISTRICT.

(R-80-716) Today's action is adoption of a RESOLUTION declaring the area an Underground Utility District.

Hearing began 2:12 p.m.
Hearing halted 2:14 p.m.

Motion by Stirling to close hearing and adopt.
Second by Killea.

Passed unanimously. Not present-5,M.

ITEM 336: Adopted as Resolution R-250819. (Tape Loc. 005-006)

Establishing an UNDERGROUND UTILITY DISTRICT to be known and denominated as the JACKSON DRIVE (Navajo Road to Hyde Park Drive) UNDERGROUND UTILITY DISTRICT.

(R-80-718) Today's action is adoption of a RESOLUTION declaring the area an Underground Utility District.

Hearing began 2:14 p.m.
Hearing halted 2:15 p.m.

Motion by Stirling to close hearing and adopt.
Second by Killea.
Passed unanimously. Not present-5,M.

ITEM 337: APPEAL of VICTOR T. WIGLESWORTH from the decision of the PLANNING COMMISSION in DENYING the TENTATIVE SUBDIVISION MAP of BROADWAY HEIGHTS VISTA which proposes a four-lot subdivision of a portion of BROADWAY HEIGHTS, MAP 3830. The subject property is located on the south side of Federal Boulevard at MacArthur Drive, in the R-1-6 ZONE and within the boundaries of the Southeast San Diego Community Plan. (Tape Loc. 075-101)

(T.M. 79-97)

Subitem a: Adopted as Resolution R-250820.

(R-80-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-03-12 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council;

Subitem b: Appeal Denied as Resolution R-250821.

(R-80-) Adoption of a RESOLUTION granting the appeal and the map, or denying the appeal and the map with appropriate findings to support Council action; and

Subitem c: Adopted as Resolution R-250822.

(R-80-) Adoption of a RESOLUTION containing findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT NO. 79-03-12.

ITEM 337 continued:

Hearing began 4:16 p.m.
Hearing halted 4:42 p.m.

Councilmember Stirling entered 4:16 p.m.

Motion by Stirling to refer item to Planning
Department.
Second by Killea.
Withdrawn.

Testimony given in favor by Victor Wiglesworth.

Testimony given in opposition by Verna Quinn, Jewel
Hooper, Mr. Douglas, and Ruby Winters.

Motion by Stirling to deny appeal based on the
decision of the Planning Commission.
Second by Mitchell.
Passed unanimously. Not present-3,5,M.

ITEM S-500: Continued to January 15, 1980, 2:00 p.m. (Tape Loc. 101-103)

(Continued from the Meeting of December 4, 1979 at the
Engineering & Development Department's request.) Establishing
an UNDERGROUND UTILITY DISTRICT to be known and denominated as
the LAUREL STREET (Columbia Street to First Avenue) and STATE
STREET (Juniper Street to Maple Street) UNDERGROUND UTILITY
DISTRICT.

(R-80-620) Today's action is adoption of a RESOLUTION declaring
the area an Underground Utility District.

Hearing began 2:15 p.m.
Hearing halted 2:20 p.m.

Motion by Stirling to continue at Engineering and
Development Department's request.
Second by Killea.
Passed unanimously. Not present-5,M.

UNANIMOUS
CONSENT #2:

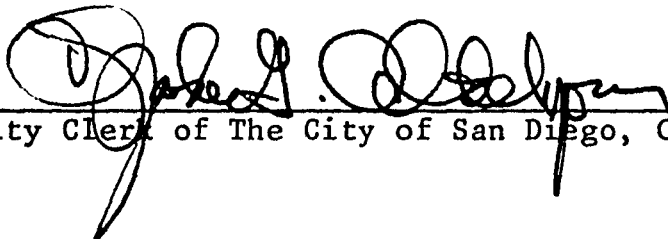
Adopted as Resolution R-250823.

(R-80-) Excusing Councilman Williams from Council Meeting
and Committee Meeting of Monday, December 10, 1979, due to
illness. (Tape Loc. 101-103)

Motion by Killea to adopt.
Second by Stirling.
Passed unanimously. Not present-3,5,M.

ADJOURNMENT:

Meeting adjourned at 4:44 p.m. by Acting Mayor Williams.



City Clerk of The City of San Diego, California