

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, OCTOBER 18, 1983

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 10:04 a.m. The meeting was recessed by Mayor Hedgecock at 11:59 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Hedgecock at 2:10 p.m. Mayor Hedgecock adjourned the meeting at 3:00 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member McColl-present.
 - (4) Council Member Jones-present.
 - (5) Council Member Struiksma-(excused by R-259455 commencing at 11:00 a.m. to conduct City business).
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Martinez-present.
- Clerk-Abdelnour (mp a.m.; jb p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:
Mayor Hedgecock-present.
Council Member Mitchell-present.
Council Member Cleator-not present.
Council Member McColl-present.
Council Member Jones-not present.
Council Member Struiksma-present.
Council Member Gotch-present.
Council Member Murphy-present.
Council Member Martinez-present.

ITEM-330:
19831018

Matters of:

- a - Proposal to approve the North City West Neighborhood 7

Precise Plan.

b - Proposal to amend the North City West Planned District Ordinance.

c - Proposal to amend the North City West Community Plan.

d - Proposal to amend the Progress Guide and General Plan for the City of San Diego - to amend the map concerning those portions covered by the above proposed amendments.

The proposed precise plan encompasses approximately 500 acres and is located generally northeast of Del Mar Heights Road and El Camino Real.

(District-1.)

Subitem-A: (R-84-497) ADOPTED AS RESOLUTION R-259451

Adoption of a Resolution approving the North City West Development Unit 7 Precise Plan.

Subitem-B: (R-84-498) ADOPTED AS RESOLUTION R-259452

Adoption of a Resolution approving the amendment to the North City West Community Plan.

Subitem-C: (R-84-499) ADOPTED AS RESOLUTION R-259453

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-82-0714 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 and that the findings and statements of overriding considerations contained within the report are adopted.

Subitem-D: (R-84-500) ADOPTED AS RESOLUTION R-259454

Adoption of a Resolution approving the amendment to the North City West Community Plan and the general plan, to become effective when the amendment to the General Plan Map is adopted after a hearing on or about November 22, 1983.

Subitem-E: (O-84-62) INTRODUCED, TO BE ADOPTED OCTOBER 31,
Introduction of an Ordinance amending the San Diego

Introduction of an Ordinance amending the San Diego Municipal Code relating to the North City West Planned District.

FILE LOCATION: Subitem-A LAND North City West Development Unit 7

Precise Plan;

Subitem-B, C and D LAND North City West Community Plan;

Subitem-E - -.

COUNCIL ACTION: (Tape location: A020-C275).

Hearing began at 10:05 a.m. and halted at 11:53 a.m.

Council Member Jones in at 10:08 a.m.

Testimony in favor by Mike Madigan and David Lyman.

Testimony in opposition by Stan Stein, Bob Sargeant, Andrew

Wilson, Carol Good, Richard Zerbe, and Marvin Gerst.

Council Member Struiksma left at 11:02 a.m.

MOTION BY MITCHELL TO CLOSE THE HEARING, ADOPT THE
RESOLUTIONS,
AND INTRODUCE THE ORDINANCE, BUT TO NOT ISSUE ANY SUBDIVISION
MAPS AND/OR BUILDING PERMITS UNTIL AFTER AN INFORMATIONAL
REPORT

IS BROUGHT BACK TO THE COUNCIL ON DECEMBER 13, 1983, AT 10:00
A.M. THIS INFORMATIONAL REPORT IS TO CONTAIN THE FOLLOWING:
(1) POSSIBLE SOLUTIONS TO THE ALIGNMENT AND FINANCING OF THE
IMPROVEMENTS TO THE ROAD (EL CAMINO REAL); (2) PLANS FOR
ESTABLISHING A RECOGNIZED COMMUNITY PLANNING GROUP FOR THE
AREA; AND (3) THE INCLUSION OF EQUESTRIAN TRAILS WITHIN AND
ADJACENT TO THE AREA. Second by Gotch. Passed by the following
vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-not present, Gotch-nay, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

ITEM-331: (O-84-70) INTRODUCED, TO BE ADOPTED OCTOBER 31, 1983

Matter of a request to consider adjustment of the Hillside
Review Overlay Zone boundaries on a portion of Pueblo Lot 1262,
Miscellaneous Map-36, located at 7255 Girard Avenue on the
north side of Genter Street (approximately 2.9 acres), in the
La Jolla Community Plan area. The subject property is zoned CO
(commercial office), portion HR, and is developed with a
three-story medical office building and parking lot.

(Case-83-0620. District-1.)

FILE LOCATION:

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COUNCIL ACTION: (Tape location: C285-365).

Hearing began at 11:53 a.m. and halted at 11:59 a.m.

Testimony in favor by John Thelan.

MOTION BY MITCHELL TO CLOSE THE HEARING AND INTRODUCE THE
ORDINANCE. Second by Martinez. Passed by the following vote:
Mitchell-yea, Cleator-yea, McColl- yea, Jones-yea, Struiksma-not

present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

MOTION BY MITCHELL TO START THE PROCESS TO REZONE THE PROPERTY

BACK TO R-3 AND TO WAIVE THE FEES. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-332: (O-84-66) INTRODUCED AND ADOPTED AS ORDINANCE O-16062 (New Series)

Amending Ordinance O-16607 (New Series), entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1983-84 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16007-1 and No. 00-16007-2, as amended and adopted therein, by adding to the personnel authorization of the Planning Department (065) 1.00 Associate Planner position and to the personnel authorization of the Engineering and Development Department (540) 1.00 Associate Engineer position for the purpose of conducting a study of existing conditions and traffic analysis and forecast therefor for Phase I of the La Jolla Community Plan area; authorizing the Auditor and Comptroller to expend the sum of \$71,260 from the La Jolla Area Improvement Fund (10560) for personnel and non-personnel expenses associated with the above authorization; authorizing the Auditor and Comptroller to transfer the sum of \$53,900 within Fund 10560 from non-personnel to personnel expenditures for the above purpose.

CITY MANAGER REPORT:

On August 16, 1983, the Council adopted an Ordinance placing an emergency moratorium on all commercial development in the La Jolla area and approved, in concept, a two phase project to address the problem of traffic congestion associated with commercial development. A work program for the project was identified in Planning Report PDR-83-393. Phase I, a study of existing conditions and a traffic analysis and forecast is to be completed this Fiscal Year (1983-84). The cost for this phase is \$71,260. Of this cost, \$43,200 is for salaries, \$10,700 is for fringe benefits, and \$17,360 is for other non-personnel expenses such as data processing services and printing. Use of the La Jolla Improvement Area Fund for Phase I costs was approved by the Board of Governors of the La Jolla Parking and Business Improvement Association, Inc. on August 12, 1983. Phase II of this project is the development and evaluation of alternatives and is to be completed in Fiscal Year 1984-85. The estimated cost of Phase II is \$80,000. The Planning Director and

City Manager will be requesting the use of General Fund money for this phase as part of the Fiscal 1984-85 Budget.

NOTE: See Item 202.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A004-019).

MOTION BY MITCHELL TO INTRODUCE, DISPENSE WITH THE READING, AND

ADOPT THE ORDINANCE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-333: (O-84-68) INTRODUCED AND ADOPTED AS ORDINANCE O-16063 (New Series)

An amendment to the emergency interim Ordinance regulating Advertising Displays. This Ordinance would extend the term of emergency Ordinance O-16009 N.S. adopted July 19, 1983 to February 21, 1984.

NOTE: Six votes required.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D005-016).

Hearing began at 2:09 p.m. and halted at 2:10 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING, INTRODUCE, DISPENSE WITH THE READING, AND ADOPT. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-334: (O-84-61) INTRODUCED, TO BE ADOPTED OCTOBER 31, 1983

Matter of rezoning approximately 66.14 unzoned acres to R-1-40, A-1-1, A-1- 10, FPF, FW or any combination thereof.

The property is located westerly of Mission Gorge Road and northerly of Vandever Avenue, generally along the alignment of the San Diego River and is approximately 100 feet north of Old Cliffs Road (in the Navajo Community Plan area), and is further described as a portion of Lots 49, 61-63, Rancho Mission of San Diego, Partition Map-330, S.C.C. 348 and Blocks 1-4, Grantville and Outlots, Map-776.

(Case-83-0342. District-7.)

FILE LOCATION:

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COUNCIL ACTION: (Tape location: D017-120).

Hearing began at 2:10 p.m. and halted at 2:19 p.m.

Testimony in opposition by Neb Vallese.

Council Member Struiksma entered at 2:12 p.m.

Council Member Mitchell entered at 2:16 p.m.

MOTION BY MURPHY TO INTRODUCE THE ORDINANCE. Second by Gotch.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-335: DENIED APPEAL, GRANTED PERMIT
19831018

Appeal of Thomas D. Glasser from the decision of the Planning Commission in approving Conditional Use Permit CUP-83-0431, which proposes establishing an emergency center for up to 24 battered women, women in distress and families in distress, on a 0.11 acre site in Zone R-3. The property is located at 2491 Island Avenue (in the Southeast San Diego Community Plan area), and is described as a portion of Lots 1 and 2, Block 10, L. W. Kimball's Subdivision, Map-56. (CUP-83-0431. District-4.)

Subitem-A: (R-84-707) ADOPTED AS RESOLUTION R-259456

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0431 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: (R-84-708) ADOPTED AS RESOLUTION R-259457,
DENYING APPEAL, GRANTING PERMIT

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-83-0431

COUNCIL ACTION: (Tape location: D121-350).

Hearing began at 2:20 p.m. and halted at 2:36 p.m.

Council Member McColl entered at 2:25 p.m.

Testimony in favor of the appeal by Thomas Glasser.

Testimony in opposition to the appeal by Ruth Graham.

MOTION BY JONES TO CLOSE THE HEARING, ADOPT SUBITEM-A AND SUBITEM-B, DENYING THE APPEAL AND GRANTING THE PERMIT, UPHOLDING THE PLANNING COMMISSION'S DECISION. Second by Struiksma. Passed by the

following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-336: (R-84-371) ADOPTED AS RESOLUTION R-259458

Considering the protests and determining that the public interest and convenience would be served through the acquisition of nine acres in Switzer Canyon by the San Diego Open Space Park Facilities District No. 1 for open space purposes, under Resolution of Intention R-259271, adopted September 19, 1983; authorizing the City Manager to accept a deed or deeds conveying said properties to the District; authorizing the expenditure of an amount not to exceed \$1,250,000 from Open Space Fund No. 79102 as payment for said property.

(Park Northeast Community Area. District-8.)

CITY MANAGER REPORT:

Switzer Canyon is within the Mid-City Canyons' Open Space System, the tenth priority on the Open Space Retention List adopted by the City Council on January 8, 1979. There are currently 10 acres of Switzer Canyon in City ownership. Manager's Reports CMR-82-188, May 12, 1983, and CMR- 82-451, October 29, 1983, recommended and the City Council approved 10 additional acres for purchase as part of the reprogramming of approximately \$7.7 million in funds then remaining from the second bond issuance. This request is for \$1,250,000 of the funds approved by the City Council to purchase 36 parcels in 15 different ownerships at fair market value plus 30 percent to cover miscellaneous costs such as title, escrow, time projections, possible litigation costs, etc.

Another three parcels in three ownerships were appraised but are not recommended for acquisition. Two of these parcels are adjacent to and front on an improved street, with existing houses on one side and an unimproved street on the other. The third parcel, next to an existing house, has direct access to an improved street. Although the owner of this property has indicated that he prefers to develop the parcel rather than having the City purchase it, the adjacent property owner is anxious that it be preserved as open space and has indicated a willingness to contribute toward its purchase. The fact that these parcels are immediately developable makes them extremely expensive for retention as open space. Their purchase would require an additional \$320,000, which would include the fair market value and miscellaneous costs as listed above. Their removal from this acquisition plan will not severely impact the system.

FILE LOCATION:

STRT OS-9

COUNCIL ACTION: (Tape location: D351-E057).

Hearing began at 2:37 p.m. and halted at 2:58 p.m.

Testimony in favor by Ann Hix, John Burns and Andrew Makarushka.

Testimony in opposition by Clyde Jenkins.

MOTION BY MARTINEZ TO CLOSE THE HEARING, APPROVE THE STAFF'S RECOMMENDATIONS, AND REFER THE REQUEST BY ANN HIX REGARDING THE SITE

EAST OF 30TH STREET ON THE NORTHERN PART OF SWITZER CANYON TO THE

PUBLIC FACILITIES AND RECREATION COMMITTEE. Second by Cleator.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-337:
19831018

Two actions relative to paving the Alley in Block 33, Lexington Park:

(City Heights Community area. District 3.)

Subitem-A: (R-84-562) ADOPTED AS RESOLUTION R-259459

Considering the protests and confirming the assessment in the matter of paving and otherwise improving the Alley, Block 33, Lexington Park, on Assessment Roll No. 3981, under Resolution of Intention R-256096, adopted March 29, 1982. (1911 Street Improvement Act.)

Subitem-B: (R-84-563) ADOPTED AS RESOLUTION R-259460

Authorizing the City Manager to expend the sum of \$14,311.61 from Revenue Sharing Fund 18012, Fund 58-002 "Annual Allocation - Assessment Districts" for the purpose of paying assessment on City-owned parcel in the Alley in Block 33, Lexington Park.

CITY MANAGER REPORT:

The assessment district for the improvement of the alley in Block 33, Lexington Park was approved by Council at the public hearing held in July 6, 1982.

Work has now been completed and assessments have been spread based on the final project costs and in accordance with Council Policy 800-3. This public hearing will confirm the assessments and complete the proceedings for this project.

The Azalea Neighborhood Park is included in the district and fronts on the alley improvements. At the time of the public hearing, Council approved the payment of an assessment, in conformance with Council Policy 800-3, for the park property, estimated to be \$17,982. The proposed assessment, based on the

final project cost, is \$14,311.61.

FILE LOCATION: STRT D-2195

COUNCIL ACTION: (Tape location: E058-065).

Hearing began at 2:58 p.m. and halted at 2:59 p.m.

MOTION BY McCOLL TO CLOSE THE HEARING AND ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-338:
19831018

Approval of the Development Agreement between the City of San Diego and Robert T. and Raedene Curry.

The Development Agreement is being proposed to meet a condition placed on approved Tentative Map TM-83-0364, which requires the developer's participation in the funding of public facilities prior to final map approval. Pursuant to the agreement, Curry would pay its fair share of fees to construct needed capital facilities in lieu of participation in a Facilities Benefit Assessment Program or other similar program. Development of the property would be restricted by the Miramar Ranch North Community Plan and by the proposed Scripps Midlands Tentative Map and Planned Residential Development PRD-83-0364. The agreement would be in effect for a period of ten years. Additional provisions are contained in the draft development agreement.

The 47.3-acre project site for the proposed development is located on the east side of I-15 between Mira Mesa Boulevard on the south and Poway Road in the Miramar Ranch North Community Plan area. The project site is north of the present terminus of Erma Road. A general legal description is a portion of Parcel 2 of Parcel Map PM-10059, portion of Section 29, Township 14 South, Range 2 West, SBBM.

(District-5.)

Subitem-A: (O-84-74) INTRODUCED, TO BE ADOPTED OCTOBER 31, 1983

Introduction of an Ordinance approving the development agreement.

Subitem-B: (R-84-615) ADOPTED AS RESOLUTION R-259461

Adoption of a Resolution authorizing the City Auditor and Comptroller to establish the Miramar Ranch North Community Fund and authorizing interests to accrue to this fund.

FILE LOCATION: DEVL Curry Development Agreement t+1;4

COUNCIL ACTION: (Tape location: E066-086).

Hearing began at 2:59 p.m. and halted at 3:00 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, INTRODUCE SUBITEM-A,

AND ADOPT SUBITEM-B. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-2: (R-84-665) ADOPTED AS RESOLUTION R-259455

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Struiksma from the morning session of the Council meeting commencing at 11:00 a.m. for the purpose of conducting City business.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C366-369).

MOTION BY MARTINEZ TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-CS-1: (R-84-644) ADOPTED AS RESOLUTION R-259463

A Resolution adopted by the City Council in Closed Session on Tuesday, October 18, 1983:

Authorizing the City Manager to pay the sum of \$26,000 in settlement of all claims of bodily injury to Bessie Ann Dickey, Superior Court Case No. 473655, Bessie Ann Dickey vs Joseph John Scelso, Jr. et al.

FILE LOCATION:

MEET

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 3:00 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: E086-087).