

19841120

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, NOVEMBER 20, 1984
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 10:03 a.m. The meeting was recessed by Mayor Hedgecock at 10:40 a.m. to convene as the Housing Authority. The meeting was reconvened by Mayor Hedgecock at 10:43 a.m. with Council Members Cleator and Murphy not present. The meeting was recessed by Mayor Hedgecock at 11:28 a.m. to convene as the Special Joint Council meeting with Council Members Cleator, Murphy and Martinez not present. The meeting was recessed by Mayor Hedgecock at 11:36 a.m. to convene as the Redevelopment Agency. The meeting was reconvened by Mayor Hedgecock at 11:45 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Hedgecock at 2:08 p.m. Mayor Hedgecock introduced and welcomed visiting dignitaries from the People's Republic of China, which consisted of representatives from San Diego's sister zoo, the Chengdu Zoo of Sichuan Province, the Department of Forestry, and the Department of Gardening and Landscaping. Mayor Hedgecock adjourned the meeting at 4:30 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
 - (1) Council Member Mitchell-present
 - (2) Council Member Cleator-excused by R-261888 (City business)
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Gotch-present
 - (7) Council Member Murphy-excused by R-261888 (vacation)
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (bb a.m.; jb p.m.)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present

- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-not present
- (8) Council Member Martinez-present

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ITEM-151: (R-85-1203) ADOPTED AS RESOLUTION R-261995

The matter of the 1985 Community Development Block Grant Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A130-550.)

MOTION BY MARTINEZ TO ADOPT COMMITTEE RECOMMENDATIONS WITH PROJECT NUMBER 72 (LINDA VISTA LIBRARY) TO HAVE \$853,805 TAKEN FROM THE CDBG PROGRAM AND \$946,195 FROM CIP FUNDS AND THAT NO PHASING WORK IS TO BE DONE. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea (ineligible vote for Project Number 82), Jones-yea, Struiksmma-yea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

ITEM-310: (R-85-844) ADOPTED AS RESOLUTION R-261996

Authorizing suggestion awards and making a presentation to the following employees:

Florencia V. Santos - Building Inspection Department - \$1,255.

Robert C. Hauptman and Phillip A. Scheer - General Services Department - \$1,240.

Kenneth B. Keller - General Services Department - \$740.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A008-080.)

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

ITEM-311:

Two actions relative to authorizing suggestion awards to the following employees:

Subitem-A: (R-85-845) ADOPTED AS RESOLUTION R-261997

George A. Kempland - Park and Recreation Department - \$100.

Philip A. Scheer - General Services Department - \$100.
Bartlett C. Brewster and Frank W. Day III - Park and
Recreation Department - \$50.

Subitem-B: (R-85-846) ADOPTED AS RESOLUTION R-261998

Charles R. Lyons - Water Utilities Department - \$25.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A081-089.)

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

ITEM-330:

Rezoning Lot 1, Davey Subdivision Map-6135; Lots 25-28,
Block 1, Orange Park, Map-1210; Lots 2-13, Block 6,
Haffenden's Sunnydale, Map-419; Lots 25-48, Block 1 and
Lots 4-14, Block 2 of Broderick and West Addition,
Map-1117 (approximately 2.84 acres), from Zones R-400,
M-1A and M-1 to Zone M-1B. The area is generally
bounded by Highway 94 to the north, F Street to the
south, 33rd Street to the west and 34th Street to the
east in the Southeast San Diego Community Plan area.
(Case-84-0679. District-4.)

Subitem-A: (R-85-807) ADOPTED AS RESOLUTION R-261999

Adoption of a Resolution certifying that the information
contained in Environmental Negative Declaration
END-84-0650 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: (O-85-79) INTRODUCED, TO BE ADOPTED
DECEMBER 3, 1984

Introduction of an Ordinance for M-1B Zoning.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A560-578.)

Hearing began at 10:41 a.m. and halted at 10:42 a.m.

MOTION BY JONES TO CLOSE HEARING, ADOPT SUBITEM A AND
INTRODUCE SUBITEM B. Second by Gotch. Passed by the
following vote: Mitchell-yea, Cleator-not present,
McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-not
present, Martinez-yea, Mayor Hedgecock-yea.

ITEM-331:

Rezoning a portion of Section 10, Township 15 South, Range 3 West, S.B.B.M. (approximately 5.70 acres), from Zones A-1-10 and A-1-10 (HR) to Zones M-1B and M-1B (HR). The subject property is located north of Miramar Road between Miramar Mall and Miramar Place in the Mira Mesa Community Plan area.
(Case-84-0466. District-5.)

Subitem-A: (R-85-806) ADOPTED AS RESOLUTION R-262000

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0466 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: (O-85-78) INTRODUCED, TO BE ADOPTED
DECEMBER 3, 1984

Introduction of an Ordinance for M-1B and M-1B (HR)
Zoning.

Subitem-C: (R-85-971) ADOPTED AS RESOLUTION R-262001

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-84-0466.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A579-599.)

Hearing began at 10:42 a.m. and halted at 10:43 a.m.

MOTION BY GOTCH TO CLOSE HEARING, ADOPT SUBITEMS A AND C AND INTRODUCE SUBITEM B. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

ITEM-332: RETURNED TO TRANSPORTATION AND LAND USE COMMITTEE

Proposal recommending City Council adoption of a revision of the Transportation Element and General Plan Map of the Progress Guide and General Plan for The City of San Diego. The proposed Transportation Element contains updated and expanded Findings, Goals, Guidelines and Standards and Recommendations. The proposed Map shows the location of existing and proposed

transportation facilities and services.

The Transportation Element provides a framework for developing a comprehensive, coordinated transportation system to meet the travel needs of San Diego's residents, visitors and businesses. It also serves to ensure that these transportation facilities and services are compatible with and supportive of other City and regional developmental goals.

Subitem-A: (R-85-621)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0553 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-85-620)

Adoption of a Resolution approving the revision of the Transportation Element and the General Plan Map.

FILE LOCATION: LAND - Progress Guide and General Plan

COUNCIL ACTION: (Tape location: A600-B150.)

Hearing began at 10:44 a.m. and halted at 10:58 a.m.

MOTION BY STRUIKSMA TO RETURN TO THE TRANSPORTATION AND LAND USE COMMITTEE FOR REVIEW SOMETIME IN JANUARY AFTER RECOMMENDATIONS ARE MADE BY THE GROWTH MANAGEMENT TASK FORCE AND THAT THE STATUS OF I-125 ALSO BE REVIEWED. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

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ITEM-333:

Applications of Pactel Mobile Access, Inc. for Conditional Use Permits to build and operate mobile telecommunication broadcast stations with antenna towers on the following four sites:

1. Conditional Use Permit CUP-83-0629. The subject property is located near the northeast corner of the intersection of Mt. Ada Road and Mt. Rias Place, in the CA Zone, in the Clairemont Mesa Community Plan area, and is further described as a portion of Parcel B, Parcel Map PM-227.
2. Conditional Use Permit CUP-84-0469. The subject

property is located on the east side of 30th Place between Highway 94 and "G" Street, in the CC and R-3000 Zones, in the Southeast San Diego Community Plan area, and is further described as all of Lot 2, Hilltop Subdivision, Map-5357, and Lots 15-18, Block 97, E.W. Morse Subdivision, Map-547.

3. Conditional Use Permit CUP-84-0470. The subject property is located on the north side of Murray Canyon Road between Highway 163 and Mission Center Road, in the R1-5000 Zone, in the Mission Valley area, and is further described as a portion of Lot 1181 of the Pueblo Lands, Miscellaneous Map-36.

4. Conditional Use Permit CUP-84-0472. The subject property is located on the north side of Aviation Drive between Benson Street and Skyline Drive, in the R1-5000 Zone, in the Skyline-Paradise Hills Community Plan area, and is further described as a portion of Lot 162, Encima de San Diego, Map-1546.

(CUP-83-0629 District-5.)

(CUP-84-0469 District-4.)

(CUP-84-0470 District-5.)

(CUP-84-0472 District-4.)

Subitem-A: (R-85-973) ADOPTED AS RESOLUTION R-262002

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-83-0627 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: (R-85-974) ADOPTED AS RESOLUTION R-262003

Adoption of a Resolution granting or denying CUP-83-0629 with appropriate findings to support Council action.

Subitem-C: (R-85-975) ADOPTED AS RESOLUTION R-262004

Adoption of a Resolution granting or denying CUP-84-0469 with appropriate findings to support Council action.

Subitem-D: (R-85-976) ADOPTED AS RESOLUTION R-262005

Adoption of a Resolution granting or denying CUP-84-0470 with appropriate findings to support Council action.

Subitem-E: (R-85-977) ADOPTED AS RESOLUTION R-262006

Adoption of a Resolution granting or denying CUP-84-0472

with appropriate findings to support Council action.

Subitem-F: (R-85-978) ADOPTED AS RESOLUTION R-262007

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-83-0627.

FILE LOCATION: PERM -

Subitems A,B and F - CUP-83-0629;

Subitem C - CUP-84-0469;

Subitem D -

CUP-84-0470;

Subitem E - CUP-84-0472

COUNCIL ACTION: (Tape location: B151-650.)

Hearing began at 10:59 a.m. and halted at 11:28 a.m.

Testimony in favor by Neil Fitzpatrick, Bud Porter, Dick Burt and Bill North.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT SUBITEMS A THROUGH F WITH TERMS OF THE PERMITS TO BE FOR A 20-YEAR PERIOD AND THAT THE LAST CLAUSE OF CONDITION 13 READ: "...IF THE APPLICANT FOR SUCH ADDITIONAL ANTENNAE AND SUPPORT EQUIPMENT SHOWS THAT THE OPERATION THEREOF WOULD NOT INTERFERE WITH THE OPERATION OF THE PERMITTEE'S ANTENNAE AND SUPPORT EQUIPMENT AND THE CO-LOCATION OF SUCH ANTENNAE AND SUPPORT EQUIPMENT ARE OTHERWISE TECHNICALLY FEASIBLE AND COMPATIBLE, AND SUCH ADDITIONAL ANTENNAE AND SUPPORT EQUIPMENT ARE APPROVED BY THE CITY OF SAN DIEGO FOLLOWING A NOTICED PUBLIC HEARING ON THE MATTER." Second by Jones.

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

ITEM-334: (R-85-) CONTINUED TO JANUARY 15, 1985 AT 2:00 P.M.

Matter of the appeal of Phillip Ray Berdeski from the decision of the Planning Commission in denying Conditional Use Permit CUP-84-0413, which proposes to establish an eleven-unit senior citizen housing project

on a 6,250 square foot site in the Mid-City Community Plan area. The project is located at 4243 49th Street and is further described as Lots 13 and 14, Block 36, Fairmount Addition to City Heights, Map-1035. (CUP-84-0413. District-3.)

FILE LOCATION: PERM CUP-84-0413

COUNCIL ACTION: (Tape location: D586-E233.)

Hearing began at 2:48 p.m. and halted at 3:09 p.m.

Testimony in favor of the appeal by Phillip Berdeski and Peter Rodi.

MOTION BY McCOLL TO CONTINUE TO JANUARY 15, 1985, AT HER REQUEST TO ALLOW TIME FOR THE APPELLANT TO WORK WITH HER AND THE PLANNING DEPARTMENT TO REDESIGN THE PROJECT SO AS TO MEET WITH THEIR SATISFACTION. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

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ITEM-335:

Appeal of James M. Shelger from the decision of the Planning Commission in approving Planned Residential Development Permit PRD-84-0614, amendment to PRD-172, which proposes to revise the residential building elevations and floor plans for portions of the remaining undeveloped lots within this Planned Residential Development.

The subject property is located on the south side of Pomerado Road between Avenida Magnifica and Semillon Boulevard, in Zone R1-20000 (formerly R-1-20) (portion HR Overlay) and within the boundaries of the Scripps Miramar Ranch Community Plan and is more particularly described as Scripps Hills Units 1-5, Map Numbers 9953, 9965, 10040, 10169 and 10195.

(PRD-84-0614 (old PRD-172). District-5.)

Subitem-A: (R-85-) FILED

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0614 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: (R-85-972) ADOPTED AS RESOLUTION R-262012,

GRANTED APPEAL, DENIED 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.

Subitem-C: (R-85-) FILED

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-84-0614.

FILE LOCATION: PERM PRD-172

COUNCIL ACTION: (Tape location: E234-F463.)

Hearing began at 3:10 p.m. and halted at 4:05 p.m.

Testimony in favor of the appeal by Lois Van Ewijk, Ed Rusche and James Shelger.

Testimony in opposition to the appeal by Richard Burt, Marcia Mihalia and Robert Trapp.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, GRANT THE APPEAL AND DENY THE PERMIT ON AREA 4 OF THE PROJECT. Second by

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

ITEM-336: (O-85-82) CONTINUED TO DECEMBER 11, 1984

Matter of a proposal to amend Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by amending Section 101.0441 to require that a Conditional Use Permit be obtained from the City for location of any use in the M-2 Zone which requires a Conditional Use Permit pursuant to Division 5 of Chapter X of the San Diego Municipal Code.

FILE LOCATION:

COUNCIL ACTION: (Tape location: F464-498 & G084-225.)

Hearing began at 4:06 p.m. and halted at 4:08 p.m.

Hearing resumed at 4:23 p.m. and halted at 4:28 p.m.

Motion by Martinez to introduce the ordinance. Second by Jones. Passed. Yea: 1,3,4,5,6,8,M. Not present-2,7.

MOTION BY MARTINEZ TO RECONSIDER AND CONTINUE TO DECEMBER 11, 1984, AT HIS REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S403: (R-85-881) ADOPTED AS RESOLUTION R-262008

Adoption of a Resolution with regard to proceeds from the sale and lease of City and Housing properties; declaring that \$181,004 paid from Site-106 (Parcel No. 1) proceeds and currently deposited in Fund 302492 for low income housing be paid to the North University City Facilities Benefit Assessment Fund 79001; declaring that one of the intents of these actions is to designate to the City resources and responsibility to develop and maintain Sunset/Collier Park which has been assigned originally to the Housing Authority in Resolution R-254617.

(See Housing Commission Report HCR-84-014CC.)

NOTE: See Housing Authority Agenda 274 of November 19, 1984 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-129.)

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

ITEM-S500: APPROVED

The matter of a memorandum from the City Manager and the City Attorney regarding the relocation of the City Attorney's office.

(Directed by Council at the meeting of 11/13/84.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F499-G083.)

Motion by Mitchell to accept the report and reconfirm the previous direction to approve the sublease and the move.

Motion failed for lack of a second.

MOTION BY STRUIKSMA TO RECONFIRM THE PREVIOUS DIRECTION APPROVING THE SUBLEASE AND THE MOVE. REFER TO THE CITY MANAGER AND CITY ATTORNEY FOR FY '86 BUDGETARY DISCUSSION THE CONSOLIDATION OF THE ENTIRE CITY ATTORNEY'S OFFICE IN ONE LOCATION OTHER THAN IN THE CITY ADMINISTRATION BUILDING.

Second by Jones. Passed by the following vote:

Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-2: (O-85-90) INTRODUCED AND ADOPTED AS ORDINANCE
O-16332 (New Series)

An Ordinance presented to the City Council with
UNANIMOUS CONSENT:

An emergency ordinance limiting the issuance of building
permits and commencement of construction of projects
within Council District 4.

FILE LOCATION: LAND - SESD Community Plan

COUNCIL ACTION: (Tape location: D135-585.)

Testimony in favor by Jewell Hooper and Ivy Williams.

Testimony in opposition by Kim Kilkenny.

MOTION BY JONES TO INTRODUCE, DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. EXPAND THE BOUNDARIES TO INCLUDE THOSE
PORTIONS OF THE SOUTHEAST COMMUNITY THAT ARE WITHIN DISTRICT
8. DIRECT STAFF TO PREPARE AN INTERIM ORDINANCE TO BE
BROUGHT BACK TO COUNCIL IN JANUARY FOR DISCUSSION WITH
RESPECT TO MAKING IT EFFECTIVE AFTER THE 90-DAY PERIOD OF THE
EMERGENCY HAS EXPIRED. ALSO PROVIDE A STATUS REPORT AT THAT
TIME (JANUARY) REGARDING THE NUMBER OF PERMITS THAT WERE IN
PROCESS AND AFFECTED BY THIS ORDINANCE AS WELL AS WHAT
EFFORTS THOSE PERMIT APPLICANTS HAVE MADE TO COME UP TO
STANDARDS. Second by Mitchell. Passed by the following
vote: Mitchell-yea, Cleator-not present, McColl-yea,
Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-not present,
Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-3: (R-85-989) ADOPTED AS RESOLUTION R-262011

A Resolution presented to the City Council with
UNANIMOUS CONSENT:

Commending and congratulating the San Diego Chargers and
reaffirming the City's support.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G226-230.)

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

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
Hedgecock at 4:30 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G231-232).