

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

OF
TUESDAY, MARCH 11, 1986
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:04 a.m. The meeting was recessed by Deputy Mayor Struiksma at 12:09 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Struiksma at 2:13 p.m. with Council Members McColl and Martinez not present. Deputy Mayor Struiksma introduced and welcomed the Municipal President (Mayor), Mr. Jimenez, of Leon, Mexico. Deputy Mayor Struiksma recessed the meeting to convene the Special Joint Council Meeting with the Redevelopment Agency at 3:47 p.m. Deputy Mayor Struiksma reconvened the meeting at 5:03 p.m. with Council Members McColl and Martinez not present. Deputy Mayor Struiksma adjourned the meeting at 5:22 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-excused by R-265225
(legislative business in Washington, D. C.)
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-excused by R-265224
(City business in Washington, D. C., regarding
funds for Tiajuana Sewage Project)
Clerk-Abdelnour (bb;mp)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-not present
- (4) Council Member Jones-present

- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-not present

ITEM-330:

Two actions relative to the Logan Avenue (43rd Street to Euclid Avenue) Underground Utility District:
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-86-1057) ADOPTED AS RESOLUTION R-265226
Establishing the Logan Avenue (43rd Street to Euclid Avenue) Underground Utility District.

Subitem-B: (R-86-1130) ADOPTED AS RESOLUTION R-265227
Authorizing the expenditure of an amount not to exceed \$4,500 from CIP-37-028, Annual Allocation-Undergrounding of City Utilities, Federal Revenue Sharing Fund 18014, for the purpose of administering the Logan Avenue (43rd Street to Euclid Avenue) Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Logan Avenue between 43rd Street and Euclid Avenue. This is a scheduled project in the Calendar Year 1987 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 24, of which 15 are single family residential properties, and 9 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$600 to \$1,100. Conversion costs on commercial private properties may vary from \$600 to several thousand dollars or more due to differences in service size and location. The recently adopted Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's annual allocation funds (Case 8209) to make reimbursement payments of \$300 each to the affected property owners where the required length of trenching on private property exceeds 15 feet. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 86506.

FILE: STRT K-157

COUNCIL ACTION: (Tape location: A099-168.)

Hearing began at 10:12 a.m. and halted at 10:17 a.m.

Testimony in opposition by Robert Miller.

MOTION BY JONES TO ADOPT SUBITEMS A AND B. Second by McCarty.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

ITEM-331:

Two actions relative to the Mission Gorge Road (Deerfield Street to Father Junipero Serra Trail) Underground Utility District:
(Navajo Community Area. District-7.)

Subitem-A: (R-86-1272) ADOPTED AS RESOLUTION R-265228
Establishing the Mission Gorge Road (Deerfield Street to Father Junipero Serra Trail) Underground Utility District.

Subitem-B: (R-86-1273) ADOPTED AS RESOLUTION R-265229
Authorizing the expenditure of an amount not to exceed \$2,500 from CIP-37-028, Annual Allocation-Undergrounding of City Utilities, Federal Revenue Sharing Fund 18014 for the purpose of administering the Mission Gorge Road (Deerfield Street to Father Junipero Serra Trail) Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Mission Gorge Road between Deerfield Street and Father Junipero Serra Trail. This is a scheduled project in the calendar year 1987 Capital Improvements Program. No private properties are affected by this underground utility district. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 86600.

FILE: STRT K-156

COUNCIL ACTION: (Tape location: A169-179.)

MOTION BY McCARTY TO ADOPT SUBITEMS A AND B. Second by Cleator.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

ITEM-332: (R-86-1431) CONTINUED TO MARCH 18, 1986, AT 10:00 A.M.

Acquiring 7.5 acres of the 34th Street Canyon, Cedar Ridge Parcel, for the San Diego Open Space Park Facilities District No. 1, under Resolution of Intention R-264985, adopted on February 3, 1986; authorizing the expenditure of an amount not to exceed \$940,000 as payment for said property and related costs from Open Space Park District Bond Fund 79103; authorizing the City Manager to accept the deed of the property without further Council action. (Greater Golden Hill and Park North-East Community Areas. District-8.)

CITY MANAGER REPORT: Cedar Ridge is a 7.5 acre site adjacent to the 34th Street Canyon open space system, north of Highway 94 and west of I-15. At the January 8, 1986 Public Facilities and Recreation Committee meeting, the Committee addressed an appraisal report on the site and a proposal of Council Member Martinez that it be acquired as open space. As stated in City Manager Report CMR-86-13, it is the Manager's recommendation that the City not plan to acquire this property. The Public Facilities and Recreation Committee voted to approve the acquisition. If the City Council approves this acquisition, it is recommended that the Manager be directed to report back to the Public Facilities and Recreation Committee on potential alternative impacts to the current acquisition plan, prior to any changes to that plan being implemented.

Aud. Cert. 86646.

FILE: STRT OS-1

COUNCIL ACTION: (Tape location: A180-B150.)

Hearing began at 10:18 a.m. and halted at 10:59 a.m.

Testimony in favor by David Strickland, Mary Ann Moore, Flores W. Bishop, Bruce Croner, and Aletha Thomson.

Testimony in opposition by Jay Powell.

Hearing closed by Deputy Mayor Struiksma.

Motion by Cleator to purchase the property. Second by McCarty.

No vote taken.

MOTION BY GOTCH TO CONTINUE TO MARCH 18, 1986, AT 10:00 A.M. FOR COUNCIL MEMBER MARTINEZ TO BE PRESENT WITH DIRECTION TO PARK AND RECREATION DEPARTMENT, OPEN SPACE DIVISION, TO BRING TO THE COUNCIL MEETING OF MARCH 18, 1986, AT 10:00 A.M. RESPONSES TO THE FOLLOWING QUESTIONS: 1) HOW DOES THIS PARTICULAR SITE FIT INTO THE WHOLE OPEN SPACE NETWORK?; 2) WHAT PLANS, IF ANY, MIGHT BE AVAILABLE AND IN WHAT TIME FRAME, TO DEVELOP THE UPPER PORTION FOR A USABLE PARK?; 3) SHOULD THE CANYON AREA BE OPEN SPACE AND SHOULD THE MESA BE THERE AS IT IS TODAY, OR SHOULD IT BE IN SOME OTHER FORM SUCH AS A RECREATION AREA?; 4) WHATEVER FUND SOURCE IS USED TO ACQUIRE IT, COULD IT PRECLUDE SOME OTHER

PLAN(S) FOR THE AREA?; AND 5) MAKING SURE THAT NEIGHBORHOOD PARK STANDARDS ARE MET, OR SOME SPECIAL CIRCUMSTANCES(S) THAT MIGHT FIT THIS SITUATION, WHAT "ON-GOING" MAINTENANCE COSTS WOULD BE INVOLVED? Second by Jones. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

ITEM-333:

Matters set forth below which affect the following real property:

Two sites totalling 2.89 acres located on the northeast side of Cauby Street between Gaines Street and Midway Drive, in the Midway Community Plan area. The 1.49-acre site is described as a portion of Pueblo Lot 239, Miscellaneous Map-36; and the 1.4-acre site is described as a portion of Pueblo Lot 239, Miscellaneous Map-36 and Lots 37, 51 and a portion of Lot 49, Westlawn, Map-1464.

- 1) The 1.49-acre site would rezone the above described real property from Zones R-1000, R-400 and C to Zone C-1;
- 2) The 1.4-acre site would rezone the above described real property from Zones R-1000 and R-400 to Zone CR;
- 3) A proposed amendment to the Midway Community Plan to change the existing land use designations on the above described real property from Medium High Density Residential and Business Professional Office to Specialized Commercial. The proposed plan amendment would also change the text of the Midway Community Plan to include the recommendation that future development in the area bordered by Midway Drive, Rosecrans and Cauby Streets be regulated through the Planned Commercial Development Permit process; and
- 4) A proposed amendment to the Progress Guide and General Plan for the City of San Diego.

(Case-84-0654. District-2.)

Subitem-A: (R-86-1342) ADOPTED AS RESOLUTION R-265230

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0699 and Environmental Mitigated Negative Declaration EMND-85-0633 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declarations have been reviewed and considered by the Council.

Subitem-B: (O-86-142) INTRODUCED, TO BE ADOPTED MARCH
31, 1986

Introduction of an Ordinance for CR and C-1 Zoning.

Subitem-C: (R-86-1341) ADOPTED AS RESOLUTION R-265231

Adoption of a Resolution approving the Community Plan
amendment to be effective when the amendment to the General
Plan is adopted after the next omnibus hearing.

FILE:

Subitem A ZONE ORD. NO.;

Subitem B --;

Subitem C LAND Midway Community Plan
COUNCIL ACTION: (Tape location: B150-440.)

Hearing began at 10:59 a.m. and halted at 11:17 a.m.

Testimony in opposition by Jay Powell.

MOTION BY GOTCH TO ADOPT SUBITEMS A AND C AND INTRODUCE SUBITEM
B WITH DIRECTION TO PLANNING DEPARTMENT TO INCORPORATE AN URBAN
DESIGN ELEMENT INTO THE REVISED MIDWAY COMMUNITY PLAN WITH PCD
REVIEW, IF NECESSARY, AND REVIEW SIGNAGE REQUIREMENTS FOR THE
ENTIRE MIDWAY DRIVE AREA. Second by Cleator. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-not
present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea,
Martinez-not present, Mayor-vacant.

ITEM-334: Matters of:

- 1) Rezoning Lot 1, Montalvo Terrace, Map-5465 and a portion
of Lot 24, La Mesa Colony, Map-346 (a 20,396 square foot
site), located on the east side of Seminole Drive between
El Cajon Boulevard and Solita Avenue, in the Mid-City
Community Plan area, from Zone R1-5000 to Zone MR-1000; and
- 2) A proposed amendment to the Mid-City Community Plan to
change the land use designation from low density
residential (5-10 dwelling units per acre) to medium
density residential (30-45 dwelling units per acre) on a
39,200 square foot site (including the site requested for
rezoning), described as Lot 1, Montalvo Terrace, Map-5465;
Lots 23 and 24, Tommasa Terrace, Map-2399; and a portion of
Lot 24, La Mesa Colony, Map-346.
(Case-85-0612. District-7.)

Subitem-A: (R-86-1382) FILE

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0612 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-86-143) INTRODUCTION DENIED

Introduction of an Ordinance for MR-1000 Zoning.

Subitem-C: (R-86-1381) DENIED

Adoption of a Resolution approving the Community Plan amendment.

FILE:

Subitem A ZONE ORD NO.;

Subitem B --;

Subitem C LAND Mid-City Community Plan
COUNCIL ACTION: (Tape location: B441-C310.)

Hearing began at 11:18 a.m. and halted at 11:51 a.m.

Testimony in favor by William R. Clapperton, and Geneviene Mantako.

Testimony in opposition by Richard Anman, Joan Rovenger, and G. J. Gambardella.

Motion by Gotch to advise Planning Department that it is the general statement and policy goal of the Council to encourage that community plan amendments be submitted and brought to Council only once or twice a year and that it would discourage any "spot rezone(s)" community plan amendments to multi-family neighborhoods in existing single-family neighborhoods. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present.

MOTION BY McCARTY TO DENY THE COMMUNITY PLAN AMENDMENT. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

ITEM-335: (O-86-151) INTRODUCED AS AMENDED, TO BE ADOPTED
APRIL 1, 1986, 10:00 A.M.

A proposal to amend the University Community Emergency Building Limitation Ordinance, which is intended to limit development for a period of 12 months within the boundaries of the University Community Plan area as shown on Documents OO-16413, OO-16466 and OO-16570 on file in the office of the City Clerk.

The amendment would extend the University Community Building Limitation Ordinance from its current expiration date of April 23, 1986 to December 31, 1986 or the adoption of the update of the University Community Plan, whichever occurs first.

(District-1.)

Introduction of an Ordinance amending Emergency Ordinance O-16413.

FILE: --

COUNCIL ACTION: (Tape location: A010-060; C311-628.)

Hearing began at 10:04 a.m. and recessed at 10:10 a.m.

Hearing resumed at 11:52 a.m. and halted at 12:09 p.m.

Testimony in opposition by Bruce Warren.

Motion by Wolfsheimer to continue for three weeks. No second.

MOTION BY WOLFSHEIMER TO INTRODUCE THE ORDINANCE DELETING THE DATE OF DECEMBER 31, 1986, AND ADDING MAY 27, 1986. BRING THE ORDINANCE BACK ON APRIL 1, 1986, 10:00 A.M. Second by McCarty.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

ITEM-336: CONTINUED TO APRIL 1, 1986, AT 10:00 A.M.

(Continued from the meeting of January 28, 1986, Item 333, at Council Member Gotch's request.)

A proposal to amend the North City West Carmel Valley Neighborhood 1 Precise Plan to change various residential densities, resulting in an increase of dwelling units from 1,957 to 2,199 units and to amend the North City West Carmel Valley Neighborhoods 4, 5 and 6 Precise Plan to reduce the number of dwelling units from 1,015 to 948 within Neighborhood 5; and

To amend the North City West Planned District Ordinance to accommodate the revisions to the precise plans.

(District-1.)

Subitem-A: (R-86-1232)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0473 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-86-1231)

Adoption of a Resolution amending the North City West Carmel Valley Neighborhood 1 and Neighborhoods 4, 5 and 6 Precise Plans.

Subitem-C: (O-86-126)

Introduction of an Ordinance amending the North City West Planned District.

Subitem-D: (R-86-)

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-85-0473.

FILE: --

COUNCIL ACTION: (Tape location: A061-071.)

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

MOTION BY WOLFSHEIMER TO CONTINUE TO APRIL 1, 1986, AT 10:00

A.M. Second by Cleator. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

ITEM-337: CONTINUED TO APRIL 29, 1986, 10:00 A.M. TIME CERTAIN

(Continued from the meetings of January 14, 1986, Item 334 and February 11, 1986, Item 333; last continued at Jim Dawe's request.)

Appeal of Frank M. Goldberg from the decision of the Planning Commission in denying Conditional Use Permit CUP-85-0254, which proposes to construct and operate a six-story, 52-unit student housing facility, consisting of 52 two-bedroom units with 104 off-street parking spaces. The subject property (31,198 square feet on a .072-acre site), is located on the east side of 55th Street between Hardy Avenue and Lindo Paseo and is further described as Lots 1, 2, 24 and 25, Block 18, College Park No. 3, Map-2527. The project site is in Zone R1-5000 and is in the State University Community Plan area. (CUP-85-0254. District-7.)

Subitem-A: (R-86-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0254 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-86-)

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

FILE: PERM - CUP-85-0254

COUNCIL ACTION: (Tape location: A072-098;D085-341.)

Hearing began at 10:11 a.m. and recessed at 10:12 a.m.

Hearing resumed at 2:21 p.m. and halted at 2:38 p.m.

Testimony in favor by Jim Dawe.

Testimony in opposition by Joseph Fox, Ken Sobel, and Tim McMullen.

Testimony in favor of a continuance by Doug Case.

MOTION BY McCARTY TO CONTINUE TO APRIL 29, 1986, AT 10:00 A.M.

TIME CERTAIN. Second by Jones. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

ITEM-338: (R-86-1566) ADOPTED AS RESOLUTION R-265233

Consenting to a Joint Public Hearing between the City Council and the Redevelopment Agency on the proposed fourth amendment to the Redevelopment Plan for the Columbia Redevelopment Project; authorizing the establishment of a date, time and place therefor; authorizing publication and mailing of notice of such Joint Public Hearing.

(Centre City Community Area. District-8. See memorandum from CCDC Executive Vice President dated 2/14/86.)

FILE: MEET

COUNCIL ACTION: (Tape location: G613-625.)

MOTION BY JONES TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

ITEM-S500: CONTINUED TO MARCH 17, 1986, TO BE HEARD ON MARCH 18, 1986, AT 9:30 A.M.

Two actions relative to the Farnum and Dana Surplus School Sites:
(Districts-2 and 6.)

Subitem-A: (R-86-1658 Rev.1)

Determining, with regard to the Farnum site, that no other available publicly owned land in the vicinity of the school site is adequate to meet the existing and foreseeable needs of the community for playgrounds, playing fields or other outdoor recreational and open-space purposes, based upon the City Manager's report and the testimony on the issue; directing the City Manager to notify the School District of the City Council's interest in the acquisition of all or a portion of the Farnum site and to request the School District to offer to lease or sell all or a portion of the site to the City at a sale or lease price determined in accordance with Section 39396 of the Education Code; declaring that the City shall have adopted a plan pursuant to Section 39397.5, prior to any purchase of the site; directing the City Manager to commence preparation of said plan.

Subitem-B: (R-86-1659 Rev.1)

Determining, with regard to the Dana site, that no other available publicly owned land in the vicinity of the school site is adequate to meet the existing and foreseeable needs of the community for playgrounds, playing fields or other outdoor recreational and open-space purposes, based upon the City Manager's report and the testimony on the issue; directing the City Manager to notify the School District of the City Council's interest in the acquisition of all or a portion of the Dana site and to request the School District to offer to lease or sell all or a portion of the site to the City at a sale or lease price determined in accordance with Section 39396 of the Education Code; declaring that the City shall have adopted a plan pursuant to Section 39397.5, prior to any purchase of the site; directing the City Manager to commence preparation of said plan.

FILE: - -

COUNCIL ACTION: (Tape location: D353-F110.)

MOTION BY GOTCH TO CONTINUE TO MARCH 17, 1986, TO BE HEARD ON MARCH 18, 1986, AT 9:30 A.M. TO ALLOW STAFF TIME TO COMPLETE ITS REPORT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea,

Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present,
Mayor-vacant.

ITEM-CS-1: (R-86-1677) ADOPTED AS RESOLUTION R-265232

A Resolution adopted by the City Council in Closed Session
on Tuesday, March 11, 1986:

Authorizing the City Manager to pay the total sum of \$9,998
in settlement of each and every claim against the City of
San Diego, its agents and employees resulting from property
damage to Nelson and Sloan; authorizing the City Auditor
and Comptroller to issue one check in the amount of \$9,998
made payable to Nelson and Sloan and Attorney Gregory
Polster in full settlement of the lawsuit and of all
claims.

FILE: MEET

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Struiksma at 5:22
p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: H045.)

MOTION BY JONES TO ADJOURN IN HONOR OF THE MEMORY OF VALLETA
LINNETTE. Second by McCarty. Passed by the following vote:
Wolfsheimer-not present, Cleator-yea, McColl-not present,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not
present, Mayor-vacant.