

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

TUESDAY, JULY 1, 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 10:08 a.m. The meeting was adjourned by Deputy Mayor Struiksma at 11:09 a.m. into Closed Session on Monday, July 7, 1986, at 11:00 a.m. in the twelfth floor conference room to discuss pending litigation, and to convene the Redevelopment Agency.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-excused by R-266149
(vacation)
- (3) Council Member McColl-excused by R-266148
(vacation)
- (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-266147
(personal business)
Clerk-Abdelnour (mp)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-not present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-not present

ITEM-202: (R-86-2471) ADOPTED AS RESOLUTION R-266150

Establishing an allocation of proceeds from the sale of Mount Hope Cemetery land to be deposited in the appropriate accounts for the benefit of the Southeast Economic Development Corporation (SEDC) based on the following formula:

The appraised value of \$4,000,000 shall be divided by the salable square footage in the project, which is 1,193,108 square feet, this equalling \$3.40 per square foot;

Declaring that the amount of salable square footage does not include Lot 1, which may be sold at less than fair market value in order to provide retail services for the community; declaring that this Resolution supersedes any inconsistent provisions contained in Resolution R-261940.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: The City Council, on November 9, 1984, by Resolution R-261940 provided for a method of compensation from land sale proceeds arising from Mount Hope Cemetery land deeded to the Redevelopment Agency by the City on November 22, 1982. The intent was clear that these proceeds should be established into a Capital Outlay Fund and for the benefit of Southeast Development Corporation's (SEDC) Dells (Gateway Center West) Mount Hope Projects. The allocation method for the proceeds from the sale of the Mount Hope Cemetery land, as established in the aforementioned Resolution, creates a difficult and expensive calculation process for determining the amounts to be credited to the fund. The proposed Resolution would amend the original Resolution to provide for a more efficient and less costly method to determine the allocation of proceeds. The total amount of income to both funds within SEDC's purview would remain the same, but the actual amount deposited in the Capital Improvements Program might vary slightly depending on the time of the land sales.

FILE: MEET

COUNCIL ACTION: (Tape location: B164-194.)

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

ITEM-330: (R-86-2202) ADOPTED AS RESOLUTION R-266151

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Tierrasanta Landscape and Lighting Maintenance District.

(Tierrasanta Community Area. District-7.)

CITY MANAGER REPORT: This action establishes the annual assessment for the Tierrasanta Landscape and Lighting Maintenance District. The district provides for the maintenance of open space, center islands, and street light and street name standards. The Fiscal Year 1987 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$215,237
Water and Electric Service	51,358
Incidentals	83,750
Total Expenses	\$350,345
Contingency Reserve	35,035
Total	\$385,380
Less Carry-Over and Interest	125,000
Less City Contribution	37,055
Assessed to District	\$233,325

Based on the above amounts, the proposed unit assessment for Fiscal Year 1987 will be \$22.80 as compared to \$24.40 for Fiscal Year 1986.

FILE: STRT M-112

COUNCIL ACTION: (Tape location: A170-177.)

Hearing began at 10:25 a.m. and halted at 10:26 a.m.

MOTION BY McCARTY TO CLOSE THE HEARING AND ADOPT THE RESOLUTION.

Second by Jones. Passed by the following vote:

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

ITEM-331: (R-86-2208) ADOPTED AS RESOLUTION R-266152

Considering the protests, approving the modified map, confirming the assessment, and ordering the proposed maintenance, in the matter of the Coronado View Landscape and Lighting Maintenance District.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: This action establishes the annual assessment for the Coronado View Landscape and Lighting Maintenance District. The district provides landscape maintenance, and street light energy and maintenance. The Fiscal Year 1987 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 8,939
Water and Electric Service	\$ 1,587
Incidentals	\$ 7,400
Total Expenses	\$17,926

Reserve	\$ 4,000
Total	\$21,926
Less Carry-over and Interest	\$15,000
Less City Contribution	- 0 -
Assessed to District	\$ 6,926

The annual assessment for Fiscal Year 1987 will be \$59.70 per unit, compared to \$57.50 for Fiscal Year 1986.

FILE: STRT M-109

COUNCIL ACTION: (Tape location: A178-188.)

Hearing began at 10:26 a.m. and halted at 10:27 a.m.

MOTION BY JONES TO CLOSE THE HEARING AND ADOPT THE RESOLUTION.

Second by Gotch. Passed by the following vote:

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

ITEM-332: (R-86-2242) ADOPTED AS RESOLUTION R-266153

Vacating Santa Paula Drive, San Dimas Avenue, Santa Ana Drive and a portion of Marian Way, all northerly of Linda Vista Road, under Resolution of Intention R-265850, adopted on June 2, 1986.

(Linda Vista Community Area. District-5.)

CITY MANAGER REPORT: The abutting property owners have petitioned for the vacation of Santa Paula Drive, San Dimas Avenue, Santa Ana Drive and a portion of Marian Way to improve campus security at the University of San Diego and to construct surface improvements that are more compatible with the campus architecture. These rights-of-way provide access from Linda Vista Road for properties representing a part of the university complex. The rights-of-way are 60 feet wide, fully improved, and contain public and franchise facilities for which easements are to be reserved. The areas of streets proposed to be vacated do not access developable properties outside the campus and do not provide for traffic circulation within the community. The petitioners are proposing to file a Parcel Map (TM-84-0862) that will reorient the abutting properties to provide legal and physical access to Linda Vista Road. Staff review has indicated that, upon resubdivision of abutting properties, the rights-of-way to be vacated will no longer be needed for present or prospective use. These rights-of-way can therefore be vacated, conditioned upon the approval and recordation of a final Parcel Map.

FILE: STRT J-2612 DEED F-3454 DEEDFY87-1

COUNCIL ACTION: (Tape location: A190-218.)

Hearing began at 10:27 a.m. and halted at 10:29 a.m.

MOTION BY McCARTY TO CLOSE THE HEARING AND ADOPT THE RESOLUTION.

Second by Wolfsheimer. Passed by the following vote:

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

ITEM-333: (R-86-2309) ADOPTED AS RESOLUTION R-266154

Vacating California Street between "E" Street and "F"
Street and adjacent to Lots A-F, Block 46 and Lots G-L,
Block 47, all within Map-456, under Resolution of Intention
R-265914, adopted on June 9, 1986.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: The Santa Fe Land Improvement Company has requested the vacation of California Street between "E" Street and "F" Street in order to incorporate the area with the adjacent properties. The area of vacation is presently occupied by mainline trackage for the railroad and accommodates partial pavement that extends 180 feet northerly from "F" Street to a dead end. The right-of-way contains sewer and electrical transmission and distribution facilities. Easements are reserved for the sewer and the San Diego Gas and Electric Company has obtained the necessary easements for their facilities. A consolidation parcel map is required to prevent landlocking of the adjacent parcels affected by the vacation. The right-of-way is not needed for traffic circulation; however, California Street was considered as an alternate alignment for the Bayside Light Rail Transit Line. In the event that the alignment within or adjacent to Kettner Boulevard is deemed infeasible, the Santa Fe Railroad Company has agreed to dedicate sufficient right-of-way to MTDB for the requirements of the Bayside Light Rail Transit Line. Staff review has indicated that the right-of-way to be vacated is no longer needed for present or prospective public use and may be vacated conditioned upon the recordation of a consolidation parcel map covering the affected parcels.

FILE: STRT J-2613 DEED F-3455 DEEDFY87-1

COUNCIL ACTION: (Tape location: A221-264.)

Hearing began at 10:29 a.m. and halted at 10:32 a.m.

Testimony in favor by Ed Levine.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING AND ADOPT THE RESOLUTION. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-not present,
Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-not

present, Mayor-vacant.

ITEM-334: (R-87-68) ADOPTED AS RESOLUTION R-266155 GRANTING
VARIANCE

860701

Matter of the appeal of Lawrence T. Woodburn, from the decision of the Board of Zoning Appeals in partially denying a variance which would permit construction of:

1) A garage addition containing a full bath to observe a 1'-0" front yard where a 15'-0" front yard is required; and,

2) A garage addition to result in a .69 floor area ratio where a maximum .60 floor area ratio is permitted on a site located at 5670 Dolphin Place, in Zone R1-5000, in the La Jolla Community Plan area. The subject property is further described as Lot 7, Bird Rock Resubdivision of a portion of Block 1, Map-1138, Bird Rock City by the Sea.

(Case C-19137. District-1.)

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

FILE: ZONE - Zoning Appeals C-19137

COUNCIL ACTION: (Tape location: A265-650.)

Hearing began at 10:32 a.m. and halted at 10:54 a.m.

testimony in favor by Lawrence Woodburn and Suzanne Woodburn.

Testimony in opposition by David Brown and Bernys Borun.

Deputy Mayor Struiksma closed the hearing.

MOTION BY WOLFSHEIMER TO GRANT THE VARIANCE. Second by Gotch.

Passed by the following vote: Wolfsheimer-yea, Cleator-not

present, McColl-not present, Jones-yea, Struiksma-yea,

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

ITEM-335:

(Continued from the meeting of June 10, 1986, Item 335,

Subitems C-F, at Council Member Martinez's request.)

1) Proposal to amend Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by adding a Conditional Use Permit requirement for all alcoholic beverage establishments in The City of San Diego; establishing a fee for processing; and adding a provision prohibiting or conditioning the sale of alcoholic beverages and motor vehicle fuel on the same premises.

2) Proposal to approve Guidelines for Automobile Service Stations intended for use in administering Conditional Use Permits for service stations.

Subitem-A: (O-86-213) CONTINUED TO SEPTEMBER 9, 1986, 10:00 A.M.

Introduction of an Ordinance amending the Municipal Code relating to Alcoholic Beverage Establishments.

Subitem-B: (R-86-2377) CONTINUED TO SEPTEMBER 9, 1986, 10:00 A.M.

Adoption of a Resolution authorizing the establishment of an Alcoholic Beverage Establishment CUP and a fee of \$860 to recover costs of the program.

Subitem-C: (R-86-2376) CONTINUED TO SEPTEMBER 9, 1986, 10:00 A.M.

Adoption of a Resolution to include 5.00 positions and related expenses in the Planning Department's FY 1987 budget.

Subitem-D: (R-86-2371) ADOPTED AS RESOLUTION R-266156
Adoption of a Resolution approving the Automobile Service Station Guidelines.

FILE:

Subitem-A, -B, -C - -;

Subitem-D - MEET

COUNCIL ACTION: (Tape location: A020-167;B037-158.)

Hearing began at 10:12 a.m. and recessed at 10:25 a.m.

Hearing resumed at 10:55 a.m. and halted at 11:05 a.m.

MOTION BY JONES TO CONTINUE SUBITEM-A, -B, AND -C TO SEPTEMBER 9, 1986, AT 10:00 A.M. AT PLANNING DEPARTMENT'S REQUEST. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor-vacant.

MOTION BY GOTCH TO ADOPT SUBITEM-D. Second by Struiksma.

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

ITEM-S411: (O-86-229) TRAILED TO MONDAY, JULY 7, 1986, DUE TO LACK OF SIX VOTES

Introduction and adoption of an Emergency Ordinance, pursuant to Section 17 of the San Diego City Charter, limiting the issuance of building permits and the approval of projects which require sewer hookups in the Sewer Pump Station No. 64 service area within the City of San Diego, effective through and including the date of July 29, 1986.

FILE: - -

COUNCIL ACTION: (Tape location: A012-018.)

ITEM-CS-1: (R-86-2565) ADOPTED AS RESOLUTION R-266157

A Resolution adopted by the City Council in Closed Session on July 1, 1986:

Authorizing the City Manager to pay the sum of \$30,000 in the settlement of claim resulting from the personal injuries to Patricia Austin; authorizing the City Auditor and Comptroller to issue one check in the amount of \$30,000 made payable to Patricia Austin and her attorney Byron P. Halling in full settlement of this claim.

ITEM-CS-2: (R-86-2566) ADOPTED AS RESOLUTION R-266158

A Resolution adopted by the City Council in Closed Session on July 1, 1986:

Authorizing the City Manager to pay the sum of \$7,724.25 in settlement of claim resulting from the property damage of Roberto G. Salas; authorizing the City Auditor and Comptroller to issue one check in the amount of \$7,724.25 made payable to Sentry Claims Service as subrogee of Roberto G. Salas in full settlement of the property damage portion of this claim.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor Struiksma at 11:09 a.m.

FILE: MEET

COUNCIL ACTION: (Tape location: B195).