

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

TUESDAY, NOVEMBER 10, 1987

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McColl at 10:00 a.m.

The meeting was recessed by Mayor O'Connor at 12:00 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:02 p.m. with Council members Cleator, Struiksma and Ballesteros not present.

Mayor O'Connor and the Council Members commended Gerry Trimble for his years of service as executive vice president of Centre City Development Corporation. The Council met jointly as the Council and the Redevelopment Agency at 2:47 p.m. The meeting was recessed at 4:05 p.m. to meet as the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 4:26 p.m. Mayor O'Connor adjourned the meeting at 5:37 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Cleator-present
  - (3) Council Member McColl-present
  - (4) Vacant
  - (5) Council Member Struiksma-present
  - (6) Council Member Gotch-present
  - (7) Council Member McCarty-present
  - (8) Council Member Ballesteros-present
- Clerk-Hanson-Holtry (tm,eb)

FILE LOCATION: MINUTES

Nov-10-1987

ITEM-300: ROLL CALL

Clerk Hanson-Holtry called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Vacant
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present

(8) Council Member Ballesteros-present

ITEM-32: HEARING GRANTED FOR JANUARY 19, 1987 AT 10:00  
A.M.

Matter of the request of the United States Navy, by G. M. Hughes, Commanding Officer, for a hearing of an appeal from the decision of the Planning Commission in granting an amendment to Conditional Use Permit CUP-1024 to allow the addition of 86 guest rooms to the existing 74-room Torrey Pines Inn. The subject property (approximately 4.3 acres) is located on the west side of North Torrey Pines Road between Science Park and Callan Roads, and is further described as portions of Lots 1330 and 1331, Pueblo Lands of San Diego, Map-36, in Zone R1-5000, in the University Community Plan area.

(CUP-85-0792. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - CUP-1024

COUNCIL ACTION: (Tape location: A41-A90.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING ON JANUARY 19, 1988 AT 10:00 A.M. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-33: CONTINUED TO JANUARY 19, 1988

(Continued from the meetings of May 26, 1987, Item 31 and August 11, 1987, Item 311; last continued at James Milch's request, to allow City staff and the property owner to meet regarding designation of the property.)

Matter of the request of L. Donald Taicher, by James Milch, Attorney, for a hearing of an appeal from the decision of the Planning Commission in denying Planned Residential Development Permit PRD-85-0730 and Tentative Map 85-0730 (Rosecrans Court), proposing construction of 39 residential condominium units in 9 buildings on a one-lot subdivision on approximately 1.37 acres. The subject property is described as Lots 1 through 12, Block 146, Roseville Map-305, and is located on the block bounded by Rosecrans, Russell, Quimby and Locust Streets, in Zone R1-5000 (proposed R-1500), in the Peninsula Community Plan area. (PRD & TM-85-0730. District-2.)

A motion granting or denying the request for a hearing of

the appeal.

FILE LOCATION: PERM PRD 85-0730 SUBD Rosecrans Court

COUNCIL ACTION: (Tape location: D337-415.)

MOTION BY CLEATOR TO CONTINUE ITEMS 33 AND 334 TO JANUARY 19, 1988, 10:00 A.M. TO ALLOW THE COUNCIL MEMBER ELECT FOR THE DISTRICT TO MEET WITH THE COMMUNITY AND THE DEVELOPER TO RESOLVE THE PROBLEMS. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-330:

Appeal of Lawrence P. Bogle from the decision of the Board of Zoning Appeals in granting, with conditions, Case C-19621, a variance for the construction of an addition to an existing single-family dwelling observing a 6'-0" side yard where 8'-0" is required. The subject property is described as Lot 190 of Muirlands West Unit 5, Map-6300, located at 1997 Calle Madrigal, Zone R1-20,000, in the La Jolla Community Plan area.

(Case C-19621. District-1.)

(R-88-1105) ADOPTED AS RESOLUTION R-269707

DENYING APPEAL AND VARIANCE

19871110

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

FILE LOCATION: ZONE - Zoning Appeals Case No. C-19621

COUNCIL ACTION: (Tape location: A90-569.)

Hearing began at 10:08 and halted at 10:41.

Testimony in favor given by Lawrence Bogle.

Testimony in opposition given by V. H. "Shorty" Beights.

Motion by Wolfsheimer to grant the appeal. Second by Ballesteros. Failed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-nay, District 4-vacant, Struiksmay-nay, Gotch-nay, McCarty-nay, Ballesteros-yea, Mayor O'Connor-not present.

MOTION BY GOTCH TO UPHOLD THE DECISION OF THE ZONING ADMINISTRATOR AND DENY THE APPEAL AND THE REQUEST FOR A VARIANCE WITH APPROPRIATE FINDINGS TO SUPPORT COUNCIL ACTION. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, District 4-vacant, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-331: (R-88-1081) ADOPTED AS RESOLUTION R-269708 GRANTING  
APPEAL

19871110

Appeal of Kare Development, Inc., by John Pedroarena, from the decision of the Planning Commission in denying Mid-City Development Permit MCD-87-0302, proposing an 8,898-square-foot retail center (Market Point Center).

This permit was requested in order to obtain a variance to waive Section 103.1507.3 of the Mid-City Planned District Ordinance in order to permit a 20-foot wide curb cut on El Cajon Boulevard where none is permitted for lots with less than 150 feet of frontage and alternate access. The subject property, 24,991 square feet, is located at the southwest corner of El Cajon Boulevard and Art Street and is further described as a portion of Lot 23 of La Mesa Colony, Map-346, in Zone CL-3T, in the Mid-City Community Plan area.

(MCD-87-0302. District-7.)

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

FILE LOCATION: PERM - MCD-87-0302

COUNCIL ACTION: (Tape location: A569-667.)

Hearing began at 10:41 and halted at 10:46

MOTION BY WOLFSHEIMER TO GRANT THE APPEAL. Second by Cleator.

Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-332: CONTINUED TO JANUARY 19, 1988 AT 10:00 A.M.

Matter of rezoning portion of Quarter Section 56 Rancho de la Nacion, Map-166 (M815) (approximately 2.1 acres), from Zone CA to Zone C-1. The subject property is located east of Woodman Street, north of the South Bay Freeway (Highway 54) and south of Alta View Drive, in the Skyline/Paradise Hills Community Plan area.

(Case-85-0696. District-4.)

Subitem-A: (R-88-617)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0696 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-88-58)

Introduction of an Ordinance for C-1 Zoning.

FILE LOCATION: ZONE Ord. No.

COUNCIL ACTION: (Tape location: A41-45.)

MOTION BY CLEATOR TO CONTINUE ITEM TO JANUARY 19, 1988 AT THE REQUEST OF BARRY SCHULTZ OF DISTRICT 4 TO ALLOW COUNCILMEMBER-ELECT WES PRATT TO PARTICIPATE IN THIS HEARING.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-333:

A proposal to amend Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code, Section 102.0325, which waives certain subdivision provisions for mobilehome park conversions to condominium use; and an ordinance that gives mobilehome park resident organizations a right to purchase their parks.

(City-wide.)

Subitem-A: (O-88-38) INTRODUCED, TO BE ADOPTED NOVEMBER 23, 1987

Introduction of an Ordinance amending the San Diego Municipal Code relating to subdivisions.

Subitem-B: (O-88-39) INTRODUCED, TO BE ADOPTED NOVEMBER 23, 1987

Introduction of an Ordinance amending the San Diego Municipal Code relating to sale of mobilehome parks.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: B63-C96.)

Hearing began at 10:46 and halted at 11:32.

Testimony in favor given by Don Olmstead and L. Sue Loftin.

Testimony in opposition given by Adeline Smith.

MOTION BY STRUIKSMA TO INTRODUCE. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-334: CONTINUED TO JANUARY 19, 1988

Consideration of the community plan land use designation

for the block bounded by Rosecrans Boulevard, Locust, Quimby and Russell Streets in the Peninsula Community Plan area.

At the time the Peninsula Community Plan and Local Coastal Program Land Use Plan was adopted on July 14, 1987, no specific land use was designated for the above mentioned property. The owners of this block propose a mixed use designation for this block to permit up to 12,000 square feet of commercial space and 12 residential units.

(District-2.)

Subitem-A: (R-88-814)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-0946 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-88-813)

Adoption of a Resolution adopting the land use designation and development guidelines for the block bounded by Rosecrans, Locust, Quimby and Russell Streets in the Peninsula Community Plan and Local Coastal Program Land Use Plan.

FILE LOCATION: LAND - Peninsula Community Plan

COUNCIL ACTION: (Tape location: C96-C494, D019-D415.)

Hearing began at 11:32 and recessed at 12:00.

Testimony in favor given by James Milch.

Testimony in opposition given by Capt. H. L. Matthews.

Hearing resumed 2:02 p.m. and halted 2:32 p.m.

Testimony in opposition by Lois Rhodes.

Council Member Ballesteros entered 2:04 p.m.

Testimony in favor by James Milch.

Council Member Cleator entered 2:07 p.m.

The hearing was closed.

Motion by Cleator to approve the Planning Department's recommendation with the proviso that commercial projects be presented by the Planned Commercial Development process and residential with Planned Residential Development Permits. No second.

Motion by Gotch to deny the amendment to the community plan.

Second by Ballesteros. No vote.

MOTION BY CLEATOR TO CONTINUE TO JANUARY 19, 1988, 10:00 A.M.

FOR THE COUNCIL MEMBER-ELECT FOR THE DISTRICT TO MEET WITH THE COMMUNITY AND THE DEVELOPER TO RESOLVE THE PROBLEMS, AND

CONTINUE ITEM 33 TO THAT DATE. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-335: CONTINUED TO JANUARY 26, 1988, 2:00 P.M.

Matters of:

A) Approval of the Marina Planned District Ordinance, and the Second Amendment to the Centre City San Diego Community Plan which incorporates the Marina Urban Design Plan and Development Guidelines and the revised Streetscape Design Manual Technical Supplement as part of the Centre City San Diego Community Plan.

B) Certification of the final master Environmental Impact Report for the Centre City Redevelopment projects as it pertains to the above actions.

The Marina Planned District Ordinance establishes regulations for the development of specific land uses by right and others by Conditional Use Permit and designation of Floor Area Ratios and Height of Buildings by Block.

The Second Amendment to the Centre City Plan is to bring this Plan into conformance with respect to land use, FAR and height specified by the Marina Planned District Ordinance as follows:

- 1) The Marina Urban Design Plan establishes the framework for Land Use, Open Space, Circulation, Landscaping and Heritage Conservation;
- 2) The Development Guidelines deal with specific design and building features;
- 3) The Streetscape Design Manual, Technical Supplement adds specific language in regard to lights, trees and sidewalk treatment for the Marina area which was not identified in the original document.

(District-8.)

Subitem-A: (O-88-66)

Introduction of an Ordinance for the Marina Planned District.

Subitem-B: (R-88-655)

Adoption of a Resolution amending the Centre City Community Plan.

NOTE: See Item 701 on the Special Joint Meeting docket of November 10, 1987 and the Redevelopment Agency Agenda of November 10, 1987 for companion items.

FILE LOCATION: LAND Centre City Community Plan and Marina  
Planned District

COUNCIL ACTION: (Tape location: E068-F605.)

Hearing began 2:47 p.m. and halted 4:05 p.m.

Testimony in favor by Bill Sauls.

Testimony in opposition by Gilda Servetter, Lynda Elliot, Jan Gallo, Len Servetter, Laurence Cushman, John Brettow, Susan Carter, Dolores Linton, Marilyn Yick, and Bob Filner, Council Member-elect.

MOTION BY BALLESTEROS TO CONTINUE TO JANUARY 26, 1988, 2:00 P.M. TO ALLOW AN OPPORTUNITY FOR COUNCIL MEMBERS-ELECT TO REVIEW THE MATTER. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-336:

Appeals of Nancy O'Brion, George Chapman and Barbara C. Greene from the decision of the Planning Commission in approving Tentative Map TM-87-0062 (Goode Parcel Map), proposing a three lot subdivision of a 1.44-acre site for residential development. The applicant is requesting a variance to allow frontages of 15, 20 and 25 feet where 30 feet is required on a cul-de-sac. The subject property is located on the south end of New Mills Road and is described as Lots 58 and 59 of College Valley, Unit 2, Map-6289, and a remnant portion of Lot 22, Rancho Mission de San Diego, Map-330, in Zone R1-5000, in the State University Community Plan area.

(TM-87-0062. District-7.)

19871110

Subitem-A: (R-88-1115) ADOPTED AS RESOLUTION R-269709

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-0062 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-88-1116) ADOPTED AS RESOLUTION R-269710  
DENYING APPEAL AND GRANTING MAP

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



FILE LOCATION: SUBD Goode Parcel Map

COUNCIL ACTION: (Tape location: G276-H672.)

Hearing began 4:26 p.m. and halted 5:30 p.m.

Testimony in favor by George Chapman, Nancy O'Brion, Carol Engle, Nevin Hunter, Marjorie Campbell, Andre Beaupartant, Janine Coffman, and Nancy Maas.

Testimony in opposition by John Leppert, Ed Fogel, Larry Berggren, and Jay View.

The hearing was closed.

MOTION BY McCARTY TO ADOPT THE RESOLUTION FOR SUBITEM-A AND ADOPT A RESOLUTION FOR SUBITEM-B DENYING THE APPEAL AND APPROVING THE TENTATIVE PARCEL MAP WITH THE REQUESTED VARIANCE WITH A RECORDED DEED RESTRICTION AND A SPECIFIC NOTE ON THE FINAL MAP THAT PARCEL 3 SHALL ONLY BE DEVELOPED FOR A SINGLE FAMILY RESIDENCE AND NOT WITH ADDITIONAL UNITS THROUGH A PLANNED RESIDENTIAL DEVELOPMENT PERMIT, AND SUBJECT TO OTHER CONDITIONS CONTAINED IN THE DRAFT RESOLUTION OF APPROVAL AS PRESENTED TO THE COUNCIL IN PLANNING DEPARTMENT REPORT 87-510, ATTACHMENT 8.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

Motion by McColl to direct the Planning Department to work with the City Attorney to bring as a communication item before the Transportation and Land Use Committee a definition of single family lot in a single family neighborhood and to notify community groups of the definition. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-337: (R-88-1572) ADOPTED AS RESOLUTION R-269711 GRANTING THE APPEAL AND DENYING THE VARIANCE

19871110

(Continued from 10/13/87, Item 341, at Council Member Ballesteros' request, to allow time for the Planning Group to review the project.)

Appeal of Fifth Avenue Investments, by David G. Leaverton, Esq., from the decision of the Board of Zoning Appeals in approving the variance with conditions, proposing to construct a six-story, ten-unit apartment building to: 1) Observe a 15'0" rear yard at the closest point where 29'0" is required; 2) to provide a 12'0" wide driveway where 20'0" is required; 3) to provide 20'0" turning radius where 21'0" turning radius is required; and 4) to erect 41'0" of

5'0" high garden wall observing 7'0" front yard where 15'0" front yard is required. The subject property is described as Lot J and portions of Lots C, D and I, Block 261, Horton's Addition, and is located at the 2300 block of Sixth Avenue, between Juniper and Kalmia Streets, in Zone R-400, in the Uptown Community Plan area.

(Case C-19626. District-8.)

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

FILE LOCATION: ZONE Zoning Appeals Case No. C-19626

COUNCIL ACTION: (Tape location: I050-068.)

Hearing began 5:30 p.m. and halted 5:32 p.m.

MOTION BY BALLESTEROS TO GRANT THE APPEAL AND DENY THE VARIANCE.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-338: REFERRED TO CCDC

(Continued from the meetings of September 22, 1987, Item 330 and October 13, 1987, Item 330; last continued at the request of CCDC on behalf of the appellants for additional time to prepare for the appeal.)

Matter of:

- 1) Appeal of Goodwill Industries by Michael S. Rowan from the decision of the Historical Site Board to designate the Regal/Anita (RAID) Hotels as part of the Chinese/Asian Thematic Historic District. The subject property is located at 416-422 Fourth Avenue.
- 2) Appeal of Charles P. Tyson by Maria Burke Lia, attorney, from the decision of the Historical Site Board to designate the Chinese Mission Building as a part of the Chinese/Asian Thematic Historic District. The subject property is located at 643-645 First Avenue.  
(District-8.)

Subitem-A: (R-88- )

Adoption of a Resolution approving or denying the appeal and the historical designation for the Regal/Anita (RAID) Hotels with appropriate findings to support Council action.

Subitem-B: (R-88- )

Adoption of a Resolution approving or denying the appeal

and the historical designation for the Chinese Mission Building with appropriate findings to support Council action.

FILE LOCATION: GENL Historical Site Board Appeals and Decisions

G

COUNCIL ACTION: (Tape location: G250-256.)

MOTION BY BALLESTEROS TO REFER THE MATTER TO CCDC TO WORK WITH THE OWNER AND THE CHINESE COMMUNITY TO RESOLVE THE PROBLEM AND REPORT BACK TO COUNCIL IN 60 DAYS AND DIRECT THE PLANNING DEPARTMENT NOT TO ISSUE ANY DEMOLITION PERMITS. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-339: (O-88-10) CONTINUED TO NOVEMBER 23, 1987

(Continued from the meeting of October 12, 1987, Item 51, at Floyd Morrow's request, to be heard following the review of related taxicab issues at the Transportation and Land Use Committee of November 9, 1987.)

Amending Chapter VII, Article 5, Division 1, of the San Diego Municipal Code, by amending Sections 75.0101, 75.0102, 75.0104, 75.0105, 75.0107, 75.0108, 75.0109, 75.0110, 75.0111, 75.0112, 75.0113, 75.0114, 75.0115, 75.0116, 75.0117, 75.0118 and 75.0120, relating to the Paratransit Code to: 1) authorize the City Manager to impose fines for Paratransit permit violations; 2) increase the equipment regulations to require a clean trunk and hubcaps or wheelcovers on all paratransit vehicles; 3) prescribe more specific standards for driver attire; and 4) more narrowly define the type of felonies that would result in the denial, suspension or revocation of paratransit and taxi driver's identification cards.

(Introduced on 9/21/87. Council voted 7-0. District 5 not present. District 4 vacant.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D415-456.)

MOTION BY STRUIKSMA TO CONTINUE TO NOVEMBER 23, 1987, AT THE REQUEST OF BILL HILTON OF YELLOW CAB AND FLOYD MORROW AND DIRECT THE CITY ATTORNEY TO PREPARE AN AMENDED ORDINANCE TO CHANGE THE ELIGIBILITY REQUIREMENT FROM FIVE YEARS TO ONE YEAR FOR TRANSFERRING A PARATRANSIT PERMIT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S500: (R-88-1255) ADOPTED AS RESOLUTION R-269712

19871110

(Continued from the meeting of September 22, 1987, Item 340, at Council Member Ballesteros' request, for a report from Uptown Planning Group on Szekely proposal for Parcels 13 through 18.)

Considering the protests and determining that is in the public interest to acquire 6.88 acres of Uptown Albatross Canyon for the San Diego Open Space Park Facilities District No. 1, under Resolution of Intention R-268990, adopted August 3, 1987; authorizing the expenditure of not to exceed \$1,700,000 as payment for said property and related costs from Open Space Park District Bond Fund 79104; authorizing the City Manager to accept the deed to said property without further Council action.

(Uptown Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Uptown's Albatross Canyon is identified as open space in the recently revised Uptown Community Plan Open Space and Recreation Element. Portions of the land are in "Uptown Canyons Addition C", priority number 82, in Category D, on the Council's adopted open space retention list. This land, which consists of twenty parcels, totalling 6.88 acres, is located easterly of Reynard Way and Curlew Street, from Spruce Street northerly to Pennsylvania. On September 15, 1986, Council approved an acquisition plan on these parcels, along with funds to have them appraised for purposes of acquisition for open space. Further, on June 1, 1987 Council established priorities for the acquisition plan which identified these parcels as the number six priority. This request is for \$1,700,000 to purchase these parcels at fair market value plus funds to cover title, escrow and other miscellaneous costs.

Aud. Cert. 8701032.

NOTE: Hearing open on Parcels 13-18. Testimony taken. Districts 2 and 5 not present. District 4 vacant. On 9/22/87, Council voted 6-0 to approve acquisition of all parcels except these 6: Parcels 452-495-13, 452-495-14, 452-495-15, 452-495-16, 452-495-17, 452-495-18.

FILE LOCATION: OS-22

COUNCIL ACTION: (Tape location: I073-130.)

Hearing began 5:32 p.m. and halted 5:36 p.m.

Testimony in favor by Tess Wilcoxon.

MOTION BY BALLESTEROS TO ADOPT A RESOLUTION APPROVING THE CITY

MANAGER'S RECOMMENDATION TO ACCEPT THE DONATION OFFER OF THE SZEKELY PROPERTY TO DEDICATE LOTS A, B AND C AS OPEN SPACE, WITH THE RESPONSIBILITY OF MAINTENANCE TO REMAIN WITH THE SZEKELYS, AND DELETE CONSIDERATION OF THE ACQUISITION OF THE REMAINING THREE PARCELS, LOTS D, E AND F, WITH THE EXCESS FUNDS TO BE REDIRECTED FOR OTHER ACQUISITIONS IN THE UPTOWN COMMUNITY AREA.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 5:37 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: I132).