

19880426

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, APRIL 26, 1988
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 Deputy Mayor McColl at 11:58 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor McColl at 2:10 p.m. with Council Member Roberts and Mayor O'Connor not present. The meeting was recessed at 3:04 p.m. by Deputy Mayor McColl to convene the Redevelopment Agency. The meeting was reconvened by Chairperson Struiksma at 4:12 p.m. with Council Members Roberts, McColl, McCarty and Mayor O'Connor not present. The meeting was adjourned by Chairperson Struiksma at 4:17 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-270791 (City business in Washington, D.C.)
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-excused by R-270793 (City business in Washington, D. C.)
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
Clerk-Abdelnour (tm;rb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present

- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Apr-26-1988

ITEM-310: WELCOMED

Welcoming a group of approximately 20 students from San Diego City College Career Planning Program, accompanied by Alicia Crowe, teacher. This group will arrive at approximately 10:00 a.m.
(District-8.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A010-050.)

ITEM-330:

Matters of:

- 1) Applying the Institutional Overlay Zone (IOZ) to publicly-owned school, library, police substation and fire station sites. The areas are indicated on the map filed with the City Clerk as Area No. 1. The Institutional Overlay Zone is intended to preserve publicly-owned sites for institutional use until it is determined, through a public hearing process, that the existing institutional use or some other public use is no longer an appropriate use for a site.
- 2) Rezoning the City-owned neighborhood and community park sites from R1-5000 to OS-P (an Open Space Zone designed to preserve population-based parks and facilities for park purposes). These areas are indicated on the map filed with the City Clerk as Area No. 2.
- 3) Rezoning the City-owned Skyview Neighborhood Park site from CN to OS-P (an Open Space Zone designed to preserve population-based parks and facilities for park purposes). This site is indicated on the map filed with the City Clerk as Area No. 3.
- 4) Rezoning three (3) City-owned open space areas from R1-5000 to R1-40000. These areas are indicated on the map filed with the City Clerk as Area No. 4. These three open space areas do not fall within the categories of open space protected by the Open Space (OS) Zone. The R1-40000 Zone limits development to one residential unit per 40,000 square feet of lot area.
- 5) Rezoning the southeast corner of Skyline Drive and Woodman Street from R-3000 to R1-5000 to conform with the Skyline-Paradise Hills Community Plan which

designates this site for residential use at 0-10 dwelling units per net residential acre. This area is indicated on the map filed with the City Clerk as Area No. 5.

On June 30, 1987, the City Council adopted the Skyline-Paradise Hills Community Plan. The purpose of the proposed rezones is to implement the recommendations of the adopted Skyline-Paradise Hills Community Plan. The Skyline-Paradise Hills Community Plan area and the locations of the proposed rezones are shown on the map on file with the City Clerk.

(District-4.)

Subitem-A: (R-88-1705) ADOPTED AS RESOLUTION R-270814

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-0281 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-88-149) INTRODUCED, TO BE ADOPTED MAY 9, 1988

Introduction of an Ordinance for R1-40000, R1-5000, OS-P, and Institutional Overlay Zoning.

FILE LOCATION:

Subitem-A - LAND - Skyline-Paradise Hills
Community Plan

COUNCIL ACTION: (Tape location: A050-158.)

Hearing began at 10:04 a.m. and halted at 10:13 a.m.

Testimony in favor by Bob Durr.

Deputy Mayor McColl closed the hearing.

MOTION BY PRATT TO ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331:

Matters concerning Parcel 3 of Parcel Map PM-12542, located on the east side of I-15, south and west of Pomerado Road, in the Rancho Bernardo Community Plan Area:

1) Rezoning the above described real property from Zones

A-1-1, R1-20000 and Hillside Review Overlay to Zones A-1-1, R-3000 and Hillside Review Overlay;

2) Appeals of Sierra Club, San Diego Chapter, by Emily A. Durbin, and Friends of the San Dieguito River Valley, by Alice A. Goodkind, from the decision of the Planning Commission in granting:

a) Planned Residential Development Permit PRD-86-0897, proposing to construct an 886-unit attached multi-family development on a Planned Residential Development net site area of 137.9 acres on the above described real property. The project also includes a commercial retail center (approximately 3,600 square feet) and a main recreational facility with swimming pool and tennis courts.

b) Vesting Tentative Map VTM-86-0897 (Bernardo Vista del Lago) proposing a 30-lot subdivision on the above described real property.

(Case, PRD & VTM-86-0897. District-1.)

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Subitem-A: (R-88-2057) ADOPTED AS RESOLUTION R-270815

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-86-0897 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-88-191) INTRODUCED, TO BE ADOPTED MAY 9, 1988

Introduction of an Ordinance for R-3000 and A-1-1 (HRO) Zoning.

Subitem-C: (R-88-2191) ADOPTED AS RESOLUTION R-270816
DENYING THE APPEAL AND GRANTING
THE PERMIT

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

Subitem-D: (R-88-2192) ADOPTED AS RESOLUTION R-270817
DENYING THE APPEAL AND GRANTING
THE MAP

Adoption of a Resolution granting or denying the appeal and

granting or denying the map, with appropriate findings to support Council action.

FILE LOCATION:

Subitems-A&C - PERM PRD 86-0897

Subitem-D - SUBD - Bernardo Vista Del Lago
COUNCIL ACTION: (Tape location: A158-C451.)

Hearing began at 10:13 a.m. and halted at 11:56 a.m.

Testimony in favor of the appeal by Emily Durbin.

Testimony in favor by Emily Durbin and Sandra Tout.

Testimony in opposition by David Milliken.

Motion by Wolfsheimer to return item to Planning Department for a complete Traffic Impact Study. Second by Filner. Failed by

the following vote: Wolfsheimer-yea, Roberts-not present,

McCoy-nay, Pratt-nay, Struiksma-nay, Henderson-nay,

McCarty-nay, Filner-yea, O'Connor-not present.

MOTION BY STRUIKSMA TO ADOPT THE RESOLUTION FOR SUBITEM-A, INTRODUCE THE ORDINANCE FOR SUBITEM-B, ADOPT A RESOLUTION DENYING THE APPEAL AND GRANTING THE PERMIT WITH APPROPRIATE FINDINGS FOR SUBITEM-C, AND ADOPT A RESOLUTION DENYING THE APPEAL AND GRANTING THE MAP WITH APPROPRIATE FINDINGS FOR SUBITEM-D. Second by Henderson. Passed by the following vote:

Wolfsheimer-nay, Roberts-not present, McCoy-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor

O'Connor-not present.

ITEM-332: (R-88-) CONTINUED TO JUNE 14, 1988

(Continued from the meetings of February 2, 1988, Item 333C, and March 15, 1988, Item 330; last continued at Council Member Henderson's request, for review by the Pacific Beach Planning Group.)

A variance request from the Interim Development Ordinance (IDO) to construct a 3 unit condominium project. The subject property is located at 3904 Crown Point and is described as Assessor's Parcel No. 424-504-11. The R-1500 zoned site is within the Pacific Beach Community Area. (Case-87-4001) (Accelerated) (District-6.)

Adoption of a Resolution granting or denying the variance request for Case-87-4001 with appropriate findings to support Council action.

FILE LOCATION: ZONE - IDO Variance Case-87-4001

COUNCIL ACTION: (Tape location: C451-481.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 14, 1988 TO ALLOW MATTER

TO BE REVIEWED AGAIN BY THE PACIFIC BEACH COMMUNITY PLANNING GROUP. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333: (O-88-160) CONTINUED TO MAY 10, 1988, 2:00 P.M.

Matter of:

A proposal to amend Chapter X, Division 11.5, of the San Diego Municipal Code (Planning and Zoning Regulations) which would adopt the provisions of Section 5412.1 of the California Business and Professions Code, relating to outdoor advertising displays. The adoption of this amendment would require the removal of billboards in residential zones, using amortization as compensation. Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D004-020.)

MOTION BY HENDERSON TO CONTINUE FOR TWO WEEKS, AT THE REQUEST OF COUNCIL MEMBER ROBERTS, SO THAT HE MAY BE PRESENT TO DISCUSS THIS MATTER. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-334: (R-88-2501) ADOPTED AS RESOLUTION R-270819,
GRANTING THE APPEAL AND THE
VARIANCE

Appeal of Pardee Construction Company, by Michael D. Madigan, Sr. Vice President, from the decision of the Board of Zoning Appeals in denying a variance to maintain and extend a variance for a period of two years (Case No. 10092, originally granted in 1970) for a sales office, model homes, parking lot, and signs for sale of homes in subdivision other than the site of the sales office (Mesa Classic Subdivision, Map-11898).

The subject property is located at 10689 Mira Mesa Boulevard, in the R1-5000 Zone in the Mira Mesa Community Plan area and is more particularly described as Lots 115, 121-124, Mira Mesa Verde No. 2, Map-6465; Lots 127-134 Mira Mesa Verde No. 3, Map-6466.

(Case C-10092. District-5.)

Adoption of a Resolution granting or denying the appeal and

granting or denying the variance, with appropriate findings to support Council action.

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FILE LOCATION: ZONE - ZONING APPEALS C-10092

COUNCIL ACTION: (Tape location: D021-109.)

Hearing began at 2:11 p.m. and halted at 2:17 p.m.

Testimony by Mike Madigan.

MOTION BY STRUIKSMA TO UPHOLD THE APPEAL. THIS RECOMMENDATION HAS THE SUPPORT OF THE COMMUNITY PLANNING GROUP; THE SITE IS WELL MAINTAINED; WIDENING OF THE BOULEVARD IN FRONT OF THE PROPERTY TO SIX LANES IS CURRENTLY UNDERWAY AT THE WISHES OF THE COMMUNITY; AND LANDSCAPING OF THE CENTER ISLAND IS FORTHCOMING. CAN SEE NO DETRIMENT TO ALLOWING FOR THE EXTENSION OF TIME

REQUEST. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-335:

(Continued from the meetings of February 2, 1988, Item 337 A and B, March 15, 1988, Item 334; last continued at Council Member Henderson's request, for review by the Pacific Beach Planning Group.)

Matters of the following non-accelerated variance requests from the Interim Development Ordinance (IDO):

- a) A variance request from the Interim Development Ordinance (IDO) to construct 4 multi-family residences. The subject property is located at 3411 through 3431 Del Rey Street and is described as Assessor's Parcel No. 424-362-25. The C-1S site is within the Pacific Beach Community Plan.
(Case-87-3002) (Non-accelerated) (District-6.)
- b) A variance request from the Interim Development Ordinance (IDO) to construct 6 condominium units. The subject property is located at 1730 and 1736 Thomas Avenue and is described as Assessor's Parcel Nos. 424-161-19 and 424-161-20. The R-2A and R-1500 zoned site is within the Pacific Beach Community Plan.
(Case-87-2121) (Non-accelerated) (District-6.)

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Subitem-A: (R-88-2344) ADOPTED AS RESOLUTION R-270820,

GRANTING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-3002 with appropriate findings to support Council action.

Subitem-B: (R-88-2345) ADOPTED AS RESOLUTION R-270821,
GRANTING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-2121 with appropriate findings to support Council action.

FILE LOCATION: SUBITEM A: ZONE - IDO VARIANCES

Case-87-3002; SUBITEM B: Case-87-2121

COUNCIL ACTION: (Tape location: D110-E169.)

Hearing began at 2:18 p.m and halted at 3:03 p.m.

Testimony in favor by Fred Moratti.

MOTION BY McCARTY TO GRANT SUBITEM-A WITH UNITS TO BE TAKEN FROM THE NAVAJO COMMUNITY. Second by Struiksma. Passed by the following vote: Wolfsheimer-nay, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Testimony in favor by Mr. Bauhofer and Grace Bauhofer.

MOTION BY STRUIKSMA TO GRANT SUBITEM-B WITH UNITS TO BE TAKEN FROM THE NAVAJO COMMUNITY. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-CS-1: (R-88-2146) ADOPTED AS RESOLUTION R-270818

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A Resolution adopted by the City Council in Closed Session on April 26, 1988:

Authorizing the City Manager to pay the sum of \$23,345.46 in settlement of each and every claim against the City of San Diego, its agents and employees resulting from property damage to Bohannan's Pottery Village; authorizing the City Auditor and Comptroller to issue one check in the amount of \$23,345.56 made payable to Luth and Turley, Inc., in partial settlement of claims.

Aud.Cert. 8800961.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Dan Weiner regarding policing in the Fourth District.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G130-135.)

ADJOURNMENT:

By common consent the meeting was adjourned by Chairperson Struiksma at 4:14 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G136).