

19890207

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 7, 1989
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McCarty at 10:35 a.m. The meeting was recessed by Deputy Mayor McCarty at 11:28 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor McCarty at 2:06 p.m. with Mayor O'Connor and Council Member Roberts not present. Deputy Mayor McCarty adjourned the meeting at 2:39 p.m. to meet as the Special Joint Council Meeting with the Redevelopment Agency.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-excused by R-272956
(attend Conference of Mayors in Washington,
D.C.)

- (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Fishkin (tm,eb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present

ITEM-116: (R-89-1433) ADOPTED AS RESOLUTION R-272827

Authorizing the execution of a second amendment to purchase agreement and escrow instructions with TLS Investors for the City's acquisition of property commonly known as "Famosa Slough," as previously authorized by Council Resolution R-272050, adopted October 10, 1988; authorizing the City Manager, in accordance with the terms and conditions of the second amendment, to loan TLS Investors not to exceed \$1 million of the previously authorized \$2.6 million for site acquisition and to take back a note secured by a first deed of trust against the property.

(Peninsula Community Area. District-2.)

FILE LOCATION: DEED F-4652 CONFY89-1

COUNCIL ACTION: (Tape location: A029-038.)

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

ITEM-330: (R-89-) NOTED AND FILED

The matter of a non-accelerated variance request from the Interim Development Ordinance (IDO) for a 140-unit project. The subject property is located at the northwest corner of Poway Road and Springbrook Drive, and is described as a portion of the Northeast Quarter of Section 21, Township 14 South, Range 2 West, S.B.B.M., in Zones A-1-10 and R-3000, in the Sabre Springs Community Plan area.

(Case-88-6045. Non-accelerated. District-1.)

Adoption of a Resolution granting or denying the variance request for Case-88-6045 with appropriate findings to support Council action.

FILE LOCATION: ZONE IDO Variance Case-88-6045

COUNCIL ACTION: (Tape location: A014-029.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE INASMUCH AS THE APPLICANT SENT A LETTER WITHDRAWING HIS REQUEST FOR A VARIANCE. Second by Henderson. 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-331:

Four actions relative to the San Andres PRD Cost Reimbursement District:

(Torrey Pines Community Area. District-1.)

Subitem-A: (R-89-1304) ADOPTED AS RESOLUTION R-272828
Approving the map of the proposed San Andres PRD Cost Reimbursement District.

Subitem-B: (R-89-1305) ADOPTED AS RESOLUTION R-272829
Approving the description of public improvements, the determination of excess costs to be reimbursed, and the apportionment of the excess cost to the various parcels within the San Andres PRD Cost Reimbursement District.

Subitem-C: (R-89-1306) ADOPTED AS RESOLUTION R-272830
Establishing the San Andres PRD Cost Reimbursement District; declaring that the limiting period when assessed costs are due and payable is set at 20 years.

Subitem-D: (R-89-1307) ADOPTED AS RESOLUTION R-272831
Authorizing the execution of a Cost Reimbursement Agreement with Brisas, Ltd. relative to the San Andres PRD Cost Reimbursement District.

CITY MANAGER SUPPORTING INFORMATION: In May 1988, the Council authorized the initiation of proceedings for the formation of a cost reimbursement district for the developer of the San Andres PRD. The improvements for which the developer is seeking partial reimbursement include traffic signal modifications at the intersection of San Andres Drive and Via de La Valle, widening along both sides of San Andres Drive north of Via de la Valle, and widening along the north side of Via de la Valle east of San Andres Drive. These improvements were required as a part of the Via de la Valle specific plan and were included as part of the San Andres PRD tentative map conditions. The estimated cost of these improvements, which must be constructed by January 1992, is \$361,591. Since these improvements benefit the specific plan area, it is proposed that the cost be spread based on the number of dwelling units each parcel has been assigned in the specific plan. Utilizing this method, the San Andres PRD would absorb \$242,134 of the total cost and the balance of \$88,746 would be paid by the remaining parcels when they develop. The average cost per dwelling unit is approximately \$820. A proposed reimbursement district plat and cost distribution table has been filed in the office of the City Clerk. All affected property owners have been noticed of today's hearing.

FILE LOCATION: STRT CR-1

COUNCIL ACTION: (Tape location: A038-230.)

Hearing began at 10:34 a.m. and halted at 10:55 a.m.

Testimony in favor by Roy Collins.

Motion by Wolfsheimer to continue for two weeks to allow the Attorney's office time to review and make a recommendation. No second.

Motion by Wolfsheimer to deny. No second.

MOTION BY HENDERSON TO APPROVE. Second by Struiksma. 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-332: (R-89-1406) ADOPTED AS RESOLUTION R-272832

Initiating the following amendment to the Tierrasanta Community Plan:

(See memorandum from Council Member McCarty dated 12/20/88. Tierrasanta Community Area. District-7.)

1. Tierrasanta Gateway site. The entire site is to be considered for designation for mixed specialized commercial use, providing for office, retail and church use.
2. La Cuenta and Baroque Lane site. The site is to be considered for medical offices.

Directing the Planning Commission to conduct a public hearing at which it will consider the amendments and make a recommendation to the City Council; declaring that the provisions of Council Policy 600-35 relating to consolidation of hearings on community plan amendments shall not apply to these amendments.

FILE LOCATION: LAND - Tierrasanta Community Plan

COUNCIL ACTION: (Tape location: A230-314.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-nay, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333: (R-89-1385) ADOPTED AS RESOLUTION R-272833

Initiating an amendment to the Otay Mesa Community Plan to designate 198.6 acres immediately west of Brown Field from residential and open space to industrial and open space, described as portions of the Northwest, Southwest and Southeast Quarters of Section 29, and a portion of Northeast Quarter of Section 32, Township 18 South, Range 1 West; requesting that the Planning Commission exempt the amendment from the hearing consolidation provisions of Council Policy 600-35.B.

(Otay Mesa Community Area. District-8.)

FILE LOCATION: LAND - Otay Mesa Community Plan

COUNCIL ACTION: (Tape location: A314-364.)

MOTION BY FILNER TO ADOPT. Second by McColl. 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-334:

Appeal of Carmel Mountain Ranch, by Rebecca Michael, from the decision of the Planning Commission in granting, as modified, Planned Residential Development Permit and Vesting Tentative Map, PRD-86-0839 and VTM-86-0839 (Carmel Mountain Ranch Unit 22), proposing to develop 362 detached single-family dwelling units on a 387-lot subdivision (approximately 140.2-acres). The subject property is located south of the planned alignment of North City Parkway between Rancho Carmel Drive and Crossrock Road (City of Poway), in Zone A-1-10 (proposed A-1-10 and R1-6000), in the Carmel Mountain Ranch Community Plan area. The subject property is further described as a portion of Rancho de los Penasquitos and a portion of Pompeii Farms Subdivision, Map-1738. (PRD & VTM-86-0839. District-1.)

19890207

Subitem-A: (R-89-1465) ADOPTED AS RESOLUTION R-272834
Clarifying the provisions of Resolution R-269095 to reflect the original intent of the City Council in identifying projects to which certain provisions would not apply.

Subitem-B: (R-89-1798) ADOPTED AS RESOLUTION R-272835
Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0839 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 and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (R-89-1594) ADOPTED AS RESOLUTION R-272836,
GRANTING 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-89-1799) ADOPTED AS RESOLUTION R-272837,
GRANTING 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, B, C PERM PRD 86-0839,

Subitem-D

SUBD Carmel Mountain Ranch Unit 22

COUNCIL ACTION: (Tape location: C359-C466.)

Hearing began 2:32 p.m. and halted 2:38 p.m.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS A AND B, ADOPT SUBITEM-C GRANTING THE APPEAL AND GRANTING THE PERMIT, AND ADOPT SUBITEM-D, GRANTING THE APPEAL AND GRANTING THE MAP, AND INCORPORATING THE MITIGATION MONITORING AND REPORTING PROGRAM FOR EQD NO. 86-0839 INTO THE PERMIT AND MAP. Second by Struiksma. 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-S500:

(Continued from the meeting of January 31, 1989, Item 335, at the request of Don Worley, for further review.)

Proposal to adopt an amendment to the Progress Guide and General Plan, the North City West Community Plan and the North City West Development Unit 4A Precise Plan designating 10 acres of land for single-family residential and open space use and an amendment to the North City West Planned District Ordinance to rezone the property from Zone A-1-10 (HR) to Zone SF1.

The subject property is located on the north side of Black Mountain Road, east of Lansdale Drive, within the North City West community, and is further described as a portion of Section 17, Township 14 South, Range 3 West, S.B.B.M. (District-1.)

Subitem-A: (R-89-1341) ADOPTED AS RESOLUTION R-272838

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0805 and EIR Addendum 88-0491 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report and addendum have been reviewed and considered by the Council, and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-1342) ADOPTED AS AMENDED AS RESOLUTION R-272839

Adoption of a Resolution amending the Precise Plan, the community plan and the General Plan for the Keiser parcel.

Subitem-C: (O-89-164) INTRODUCED, TO BE ADOPTED FEBRUARY 21, 1989

Introduction of an Ordinance amending the Municipal Code relating to the planned district for the Keiser parcel.

FILE LOCATION:

Subitems A and B LAND North City West
Development Unit 4A Precise Plan

COUNCIL ACTION: (Tape location: A364-B098; C278-358, C466-480.)

Hearing began at 11:04 a.m. and recessed at 11:26 a.m.

Council Member Struiksma left at 11:07 a.m.

Testimony in favor by Don Worley.

Council Member McColl left at 11:20 a.m.

Motion by Wolfsheimer to adopt. Second by Pratt. Failed by the following vote: Yeas-1,2,4,7. Nays-6,8. Nays-6,8. Not present-3,5,M.

Hearing resumed at 2:26 p.m. and recessed at 2:31 p.m.

Motion by Wolfsheimer to approve the request of Keiser to place 17 units on this property by modifying

Subitem-B to approve the

5 additional units. Second by Pratt. Failed by the following vote: Yeas-1,3,4,7. Nays-6,8. Not present-2,M. Ineligible-5.

The matter was trailed for Council Member Roberts to be present.

Hearing resumed at 2:38 p.m. and halted 2:39 p.m.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEM-A, ADOPT SUBITEM-B AS AMENDED TO APPROVE THE REQUEST OF MR. KEISER TO PLACE 17 UNITS ON HIS PROPERTY, AND INTRODUCE THE ORDINANCE FOR SUBITEM-C.

Second by Pratt. Passed by the following vote:

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

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER FOR A REPORT BACK TO
COUNCIL

Comments by Tom Erwin on the subject of financial subsidy
of the proposed San Marcos Incinerator.

COUNCIL ACTION: (Tape location: B098-126.)

ITEM-PC-2:

Bruce Herring, Executive Director of San Diego Festivals,
Inc. introduced Michael Stronin, Leo Dodin, and Alexei
Poraikoshets who were visiting from Leningrad and assisting
with the arrangements for the Arts Festival.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C030-085.)

ITEM-PC-3:

City Manager Lockwood commended Jack Thorpe and Jim Casey on
their service to The City of San Diego on their retirement.

The Council gave them a unanimous standing ovation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C085-101.)

ITEM-PC-4:

Bob Dingman commented on submitting 43,000 signatures in support
of the development agreement providing \$48 million in public
facilities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C101-185.)

ITEM-PC-5: REFERRED TO CITY MANAGER

Bob Russell commenting on Black History Month.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C185-278.)

ADJOURNMENT:

By common consent the meeting was adjourned by Deputy Mayor
McCarty at 2:39 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C480).