

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

TUESDAY, APRIL 11, 1989

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

Due to lack of a quorum for the morning session, Deputy City Clerk Bovard announced at 10:00 a.m. that it was anticipated that the Council would convene in Closed Session at 2:00 p.m. and as the Council immediately thereafter, and the Noticed Hearings scheduled for 10:00 a.m. would be trailed to 2:00 p.m. The students from Grant Elementary School (ITEM-310) and the students from O'Farrell School of Performing Arts (ITEM-311) were welcomed.

The meeting was called to order by Deputy Mayor McCarty at 2:25 p.m. Deputy Mayor McCarty adjourned the meeting at 5:41 p.m. to meet in Closed Session in the twelfth floor conference room on Meet and Confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-273511
(City business in Sacramento, CA)
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-excused by R-273247
(City business in Washington, D. C.)
- (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-Abdelnour (eb)

19890411

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-11-1989

ITEM-310: WELCOMED

Welcoming a group of approximately 31 second grade students from Grant Elementary School, accompanied by Valerie Goodpaster, teacher. This group will arrive at approximately 10:00 a.m.

(District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: --.)

WELCOMED PRIOR TO THE CONVENING OF THE MEETING.

Apr-11-1989

ITEM-311: WELCOMED

Welcoming a group of approximately 20 students from O'Farrell School of Performing Arts, accompanied by their teacher, Cathryn Fisher. This group will arrive at approximately 10:30 a.m.

(District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: --.)

WELCOMED PRIOR TO THE CONVENING OF THE MEETING.

ITEM-330:

Matters relating to the Bernardo Greens project:

1. Request for a one lot, 0.632 acre parcel map. The applicant is requesting a variance to allow a lot that proposes 34 feet of frontage where the R1-20000 Zone requires 80 feet. The subject property is located north of Fernando Drive between Fernando Way and Reata Court and is described as all of Parcel 5 according to Parcel Map PM-12542, in Zone R1-20000 of the Rancho Bernardo Community Plan area.

2. A proposal to vacate the Street Reservation adjacent to Lot 2564 of Bernardo Greens Unit 24, Map-7348, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed Tentative Parcel Map TM-88-1064.
(TM-88-1064. District-1.)

19890411

Subitem-A: (R-89-2112) GRANTED MAP ADOPTED AS RESOLUTION
R-273206

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

Subitem-B: (R-89-1646) ADOPTED AS RESOLUTION R-273207

Adoption of a Resolution authorizing the vacation of the Street Reservation adjacent to Lot 2564 of Bernardo Greens Unit 24, Map-7348, as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation of the street reservation has been initiated by the submission of a tentative parcel map (TM-88-1064). This action proposes to vacate an offer of dedication previously provided with the subdivision of Bernardo Greens Unit 24, Map-7378.

The subject property and adjoining street reservation are situated in R1-20000 and R1-5000 Zones, respectively, and are located in the Rancho Bernardo Community. The street reservation totals approximately 6,800 square feet and is to be consolidated with Parcel 5 of Parcel Map PM-12542 to create a 0.632 acre parcel for development of a single-family residence. The development proposal is consistent with the General Plan and the Rancho Bernardo Community Plan. The Subdivision Board recommended approval of the tentative parcel map and street vacation on January 17, 1989.

The reservation proposed for vacation has been graded but has yet to be dedicated or improved. Although there are no public or franchised facilities located within this reservation, a drainage access easement is required to provide access to an

existing drainage ditch located westerly of the street reservation. The necessary easement will be granted with the final map. This reservation was designed to provide for an extension of Fernando Way as access to the properties to the north. However, future development to the north (Bernardo Vista del Largo, TM-86-0897) deeds this land for open space purposes, and this reservation is no longer required and may be considered surplus.

Staff review has indicated that the street reservation to be vacated will no longer be needed for present or prospective public use when the final parcel map for TM-88-1064 is recorded.

It is therefore recommended that the vacation be approved conditioned upon the recordation of that final parcel map.

FILE LOCATION:

Subitem-A SUBD-Bernardo Greens,

Subitem-B STRT-J-2715 DEED F-4890 DEEDFY89-1

COUNCIL ACTION: (Tape location: A312-A344.)

Hearing began 2:48 p.m.

Hearing halted 2:50 p.m.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEM A, GRANTING THE MAP AS RECOMMENDED BY THE ENGINEERING AND DEVELOPMENT DEPARTMENT AND
AND
WITH THE CONDITIONS BY THE SUBDIVISION REVIEW BOARD INCLUDING THE CONDITIONS OF THE RANCHO BERNARDO COMMUNITY PLANNING BOARD AS THEY RELATE TO THE GEOTECHNICAL REPORT, DIRECT THE CITY MANAGER TO FOLLOW UP ON THE CONDITION MADE BY THE RANCHO BERNARDO COMMUNITY PLANNING BOARD FOR A GEOTECHNICAL REPORT
ON
SLOPE STABILITY, AND ADOPT SUBITEM-B, AUTHORIZING THE STREET VACATION. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-331: UNFINISHED BUSINESS TO APRIL 17, 1989, DUE TO LACK OF FIVE AFFIRMATIVE VOTES

(Continued from the meetings of September 20, 1988, Item 339 and October 11, 1988, Item 340; last continued at Council Member Henderson's request, to allow time for the Planning Group to meet with the developers.)

Matters relating to the Pacific Beach Hotel project:

1. Request to subdivide a 1.944-acre site into two lots for commercial development, located on the west side of Strandway between Reed Avenue and Pacific Beach Drive. The proposal would provide for a 174-room hotel, a 6,000-square-foot nightclub/restaurant, two pedestrian-oriented commercial buildings totaling 700 square feet and a two-lot subdivision and associated street action. The subject property is further described as portions of Block 294, Pacific Beach Map-791, and portions of Pueblo Lot No. 1793 of the Pueblo Lands of San Diego, in Zone C of the Pacific Beach Community Plan area.
2. A proposal to vacate Oliver Avenue and portions of Oliver Court, Oliver Place, Reed Avenue, and Strandway, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed tentative map for Pacific Beach Hotel (TM-87-0894).
(PRD & TM-87-0894. District-6.)

Subitem-A: (R-89-238)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-87-0894 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-89-235)

Adoption of a Resolution authorizing the vacation of Oliver Avenue and portions of Oliver Court, Oliver Place, Reed Avenue, and Strandway as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-C: (R-89-)

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

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation action is in conjunction with the tentative map for Pacific Beach Hotel (TM-87-0894), which proposes a two-lot subdivision totaling 1.94 acres. The rights-of-way to be vacated are entirely within the tentative map boundaries and will accommodate and facilitate redevelopment of the project site under a Planned Commercial Development Permit (PCD-87-0894). The Subdivision Board recommended approval of the Tentative Map on June 20, 1988.

The proposed vacation and subdivision area are located in the Pacific Beach Community Plan area and situated within a Commercial Zone. The area-of-vacation totals approximately 25,150 square feet and is to be incorporated with the adjacent properties to create the 1.94-acre development site. Under the PCD, a 174-room hotel is being proposed with a restaurant, night-club and other retail uses. The proposed development is consistent with the General Plan, which designates the development site for visitor/commercial use.

The rights-of-way proposed for vacation are mostly paved and contain public and franchise facilities with the exception of Oliver Avenue west of Oliver Court, which is unimproved. The improved rights-of-way provide local traffic circulation between Reed Avenue and Pacific Beach Drive and access to adjacent parcels within the development. However, upon the approval of the final map, the rights-of-way will no longer be required for access. Local circulation will likewise not be affected since Strandway is to be extended, widened, and improved to alley standards, which will function adequately in place of the vacated rights-of-way.

Staff review has indicated that the rights-of-way to be vacated will no longer be needed for present or prospective public use and may be vacated under the provision of the Map Act, subject to the recordation of Pacific Beach Hotel (TM-87-0894).

FILE LOCATION:

Subitems A and C SUBD-Pacific Beach Hotel,

Subitem-B STRT J-2692 DEED F-4611

COUNCIL ACTION: (Tape location: A344-C297.)

Hearing began 2:50 p.m.

Hearing halted 4:10 p.m.

Testimony in favor by Bill Wilmes, Doug Austin, Fran Ficara, Tom Frost, Joy Tassi, Otto Emme, Vernon Taylor, John Gardner, and Jeff Sykes.

Testimony in opposition by Bruce Castetter, Catherine Strohleim, Dr. S. David Edelson, Millie Strodman, Bernice Petronius, and Linda Killam.

MOTION BY HENDERSON TO DENY THE SUBDIVISION AND DENY THE PROPOSED VACATION OF OLIVER AVENUE, PORTIONS OF OLIVER PLACE, REED AVENUE, AND STRANDWAY. Second by McColl. Failed by the following vote: Wolfsheimer-nay, Roberts-not present, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-332:

Proposed amendment to the Progress Guide and General Plan, the North City West Community Plan, the Development Unit 7 Precise Plan and the North City West Planned District Ordinance.

The amendment proposes to redesignate two canyon areas from single-family residential development to open space and redesignate a 7-acre site from special use to enhanced open space. The properties would also be rezoned to match the new designation. The subject properties are located north of Lansdale Drive and the Torrey Pines High School campus, and east of Norcroft Road and Haxton Place, within the North City West community. The subject properties are further described as portions of Sections 7, 8, 17 and 18, Township 14 South, Range 3 West, S.B.B.M. and a portion of Record of Survey 7036.

(District-1.)

19890411

Subitem-A: (R-89-1855) ADOPTED AS RESOLUTION R-273208

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0417 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-89-196) INTRODUCED, TO BE ADOPTED APRIL 24, 1989

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

Subitem-C: (R-89-1854) ADOPTED AS RESOLUTION R-273209

Adoption of a Resolution amending the Progress Guide and General Plan, the North City West Community Plan and the North City West Development Unit 7 Precise Plan.

FILE LOCATION:

Subitems A and C LAND-North City West-Development Unit 7 Precise Plan, Subitem-B --

COUNCIL ACTION: (Tape location: C298-305.)

Hearing began 4:09 p.m. and halted 4:10 p.m.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS A AND C AND INTRODUCE SUBITEM-B. Second by Henderson. Passed by the following vote:

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

ITEM-333: (O-89-197) CONTINUED TO APRIL 18, 1989, 10:00 A.M.

A proposal to approve a Procedural Ordinance for Interim Development Control. This ordinance will allow the City Council to apply a residential building permit allocation system Citywide or to any subarea of the City to preserve environmental quality necessary to maintain the public health, safety and welfare.

Introduction of a Procedural Ordinance for Interim Development Control.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C310-317, E120-215.)

Council Member Struiksma requested the matter to be trailed until later in the meeting as there were no speaker requests for the matter.

Hearing began 5:19 p.m. and halted 5:26 p.m.

MOTION BY McCOLL TO CONTINUE TO APRIL 18, 1989, 10:00 A.M. AT DEPUTY MAYOR McCARTY'S REQUEST FOR FURTHER REVIEW. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-334: (R-89-1876) CONTINUED TO APRIL 18, 1989 10:00 A.M.

FINDINGS MUST BE MADE AS A PART OF COUNCIL ADOPTION
Determining and declaring that the public interest, convenience and necessity of the City of San Diego requires the construction, operation and maintenance of a public street or streets earth excavations or embankments, slope or slopes and incidents thereto and a storm drain or drains in a portion of Parcels 1 and 2 of Parcel Map PM-13432, filed on August 17, 1984, with the San Diego County Recorder for the improvement of Camino del Rio North, and that the public interest, convenience and necessity demand the acquisition of easements in said property for said public street or streets; declaring the intention of the City to acquire said property under eminent domain proceedings; directing the City Attorney to commence an

action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property and easements and acquiring immediate possession.

(Six votes required.)

(See City Manager Report CMR-89-134. Mission Valley Community Area. District-5.)

Aud. Cert. 8900326.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A147-173.)

MOTION BY FILNER TO CONTINUE TO APRIL 18, 1989 10:00 A.M. AT THE REQUEST OF THE CITY MANAGER TO PROVIDE PROPER NOTIFICATION OF PROPERTY OWNERS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-335: (O-89-178) INTRODUCED AND ADOPTED AS ORDINANCE
O-17276 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17122 entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year", by increasing the Capital Improvements Program by adding \$53,100 in 1984 State Bond Act Grant Funds.

CITY MANAGER SUPPORTING INFORMATION: This project provides for improvements to Montgomery-Waller Community Park, located on Beyer Boulevard between Palm and Coronado Avenues in the Otay Mesa - Nestor Community Planning Area. The proposed improvements include the construction of an 11,000 square foot recreation center building, a small children's and tiny-tot play area, two multi-purpose courts, parking lot lighting, concrete walkways, picnic facilities, landscaping and irrigation. The parking lot lighting and the children's play area are deductive bid alternates, and will be constructed if financing permits. This request for Council action includes a request to transfer \$9,204 from CIP-29-529.0, Montgomery-Waller Community

Park-Security Lighting (PSD Fund No. 11720) to the subject project, CIP-29-467.0, Montgomery Waller Community Park - Improvements. The two CIP projects are being combined as a cost effective measure.

Aud. Cert. 8900719.

NOTE: See Item 205C on the docket of Monday, April 10, 1989 for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A309-311.)

MOTION BY PRATT TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Henderson. 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-336: (O-89-183) CONTINUED TO MAY 8, 1989

(Continued from the meeting of March 20, 1989, Item 54, at the request of Mayor O'Connor and Council Member McColl, for a report from the Intergovernmental Relations Department and to direct the City Attorney to bring the Ordinance into conformance with State regulations that will be adopted.)

Adoption of an Ordinance amending Chapter V, Article 3, of the San Diego Municipal Code, by adding Section 53.32, relating to the Prohibition of Sale or Possession of Assault Weapons.

(Introduced as amended on 2/27/89 with three changes:

- (1) Supporting State Legislation;
- (2) Police Training;
- (3) Returning of Weapons. Council voted 7-2. Districts 5 and 6 voted nay.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A205-292.)

MOTION BY McCOLL TO CONTINUE TO MAY 8, 1989, TO BE CONSIDERED AFTER THE STATE AND FEDERAL LEGISLATURES TAKE ACTION. 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-337: (R-89-1756) ADOPTED AS RESOLUTION R-273210

Matter of an amendment to the City of San Diego's Local Coastal Program (LCP) to apply the Pedestrian Commercial Overlay Zone to commercial zone areas located along Sunset Cliffs Boulevard, south of Newport Avenue and north of Del Monte Avenue.

The application of the Pedestrian Commercial Overlay was previously considered and approved by the City Council on January 31, 1989. This item also constituted an amendment to the City of San Diego's Local Coastal Program which requires transmittal to the California Coastal Commission for approval. This public hearing is for the purpose of amending the City's Local Coastal Program and authorizing the transmittal of this amendment to the California Coastal Commission for review and final approval.

(Case-88-0844. District-2.)

Adoption of a Resolution approving the application of the Pedestrian Commercial Overlay Zone and authorizing transmittal of the Pedestrian Commercial Overlay Zone to the California Coastal Commission.

PLANNING DEPARTMENT SUPPORTING INFORMATION: On January 31, 1989, the City Council approved the application of the Pedestrian Commercial Overlay Zone and amendment to the City of San Diego's Local Coastal Program. The City Council public hearing notice for the January 31, 1989 meeting did not include a description of the LCP amendment. Therefore, the City Council must again act upon the LCP amendment and re-adopt the resolution approving the application of the Pedestrian Commercial Overlay Zone and authorizing the transmittal of the Pedestrian Commercial Overlay Zone to the State Coastal Commission.

FILE LOCATION: ZONE ORD. NO. O-17244 NS

COUNCIL ACTION: (Tape location: C327-466.)

Hearing began 4:11 p.m.

Hearing halted 4:20 p.m.

Testimony in opposition by Gina Bushard Goss.

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

ITEM-338: CONTINUED TO APRIL 25, 1989, 2:00 P.M.

Appeals of Arthur R. Taylor and Robert Ferrez from the decision of the Planning Commission in approving Tentative Map TM-88-0460 (Glencoe Heights), proposing an 18-lot subdivision of a 2.70-acre site for single family and duplex development. The subject property is located on the east side of Glencoe Street between Helm and Calvocado Streets and is further described as a portion of Lot 826 of Lomita Village, Map-2998 and a portion of Lot 22 of Moody's South Addition, Map-1290, in Zones R1-5000 and R-3000, in the Skyline-Paradise Hills Community Plan area.
(TM-88-0460. District-4.)

Subitem-A: (R-89-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0460 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-89-)

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

FILE LOCATION: SUBD-Glencoe Heights

COUNCIL ACTION: (Tape location: A186-203.)

MOTION BY PRATT TO CONTINUE TO APRIL 25, 1989, 2:00 P.M. AT HIS REQUEST FOR THE PLANNING GROUP TO REVIEW THE PROJECT. 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-339: (R-89-1691) ADOPTED AS RESOLUTION R-273211

The following project, located in Centre City, is subject to City Council review according to the provisions of the Centre City Emergency Ordinance and Overlay Zones. The proposed project is a five story, 38,600 square foot office building (Cooper Office Building) on an 8,308 square foot parcel located on the north side of Date Street, between Columbia and State Streets. The subject property is more particularly described as all of Lots 5 and 8, Block 34 of Middletown, Map-533-24.

(Case-88-1244. District-8.)

Adoption of a Resolution, pursuant to the Emergency Ordinance for Centre City, adopting the findings and recommendations of the Planning Department, approving the Cooper Office Building project.

PLANNING DEPARTMENT SUPPORTING INFORMATION:

The proposed project is a 38,600 square foot office building on an 8,308 square foot parcel with an FAR of 4.64. The project is located in the Harborview area of Centre City where there is currently an FAR of 6.0 and a height limit of 50 feet. Parking will be provided on two levels for 31 vehicles. The project has a parking ratio of .81 per thousand square feet of office space. The building is 60 feet high on the State Street frontage and 65 feet on Columbia Street, which exceeds the building height per the Emergency Ordinance of 50 feet.

ISSUES

The maximum permitted linear feet of curb cuts for this project is 16.6 feet. The applicant is requesting 44 feet; 24 feet on the Date Street frontage and 20 feet on State Street.

At least forty percent (40%) of building walls facing a public street must be devoted to a type of activity use. Entrances and display windows or windows qualify. Date Street frontage is 33%; Columbia Street frontage is 76%; State Street frontage is 54%.

PLANNING DEPARTMENT RECOMMENDATION

The two curb cuts are necessary because of the configuration of the parcel and change in topography from State to Columbia. The

Department, however, would recommend that the linear feet be reduced to that which is considered adequate for access by the traffic engineer. The traffic engineer has been asked to review and respond to this proposed project.

In terms of street level activity, the Date Street frontage is the only side that does not fully qualify according to the ordinance. The Department finds that the addition of landscaping adjacent to the louvered siding of the garage mitigates an otherwise blank facade.

CENTRE CITY ADVISORY COMMITTEE RECOMMENDATION

This committee met on January 12, 1989, to review this project. They recommended approval of the exceptions to height and curb cuts. They also recommended that the Cooper roof treatment be extended along the entire building.

FILE LOCATION: PERM Centre City Planned Dist. Permits
88-1244

COUNCIL ACTION: (Tape location: C476-484.)

Hearing began 4:21 p.m.

Hearing halted 4:22 p.m.

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

ITEM-340: (R-89-1708) ADOPTED AS RESOLUTION R-273212

The following project, located in Centre City, is subject to City Council review according to the provisions of the Centre City Emergency Ordinance and Overlay Zones.

The proposed project is a four story, 107 room residential hotel on a 10,000 square foot parcel located at 1536-46 Second Avenue between Beech and Cedar. The subject property is more particularly described as Lots I and J in Block 207 of Horton's Addition, City of San Diego.

(Case-89-0080. District-8.)

Adoption of a Resolution approving Case 89-0080, the Second Avenue Hotel SRO in the Centre City Overlay Zone.

PLANNING DEPARTMENT SUPPORTING INFORMATION:

Project: Second Avenue Hotel

Developer: Centre City Investors

Address: 536-46 Second Avenue, between Beech and Cedar

The proposed project is a four-story, 107 room residential hotel (31,843 gross square feet) on a 10,000 square-foot parcel; FAR of 3.18. The project is located in the Ash Street Mall area of Centre City where, according to the emergency ordinance, there is a FAR of 7.0 and a height limit of 250 feet. No parking is provided on-site which is typical and not required of SRO developments. The applicant, however, is advised that some off-street parking should be made available to tenants. In this particular case, the applicant will secure parking in a nearby lot at the ratio of one parking space for every seven units.

In addition to the 107 SRO units, retail space amounting to 656 square-feet will be located at either side of the lobby.

Each unit has a complete bath in addition to built in dresser, closet and storage. Provision is made for the location of a microwave unit, television and apartment size refrigerator.

Building materials are a combination of stucco and clay tile roof supported by italiante brackets. Clear glass will be used throughout the building. The entrance to the building features a canopy flanked by planter boxes. The developer is also required to install decorative lights, street trees and upgraded sidewalk.

DEPARTMENT RECOMMENDATION

The Department recommends approval of the project, subject to the installation of public right-of-way improvements and a letter of commitment in regard to parking.

FILE LOCATION: PERM Centre City Planned Dist Permit 89-0080

COUNCIL ACTION: (Tape location: C505-D068.)

Hearing began 4:23 p.m. and Halted 4:33 p.m.

Testimony in favor by Jim Kelley-Markham.

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

ITEM-341:

Rezoning portions of Sections 21, 27 and 28, Township 14 South, Range 2 West, SBM (approximately 188.26 acres)

from Zones M-IP, R-3000, CN, CR and R1-5000 (HRO) to Zones M-IP, CN, and CR (HRO). The subject property is located on the east side of I-15 between Miramar Lake and Poway Road, in the Miramar Ranch North Community Plan area.

(Case-87-1087. District-5.)

Subitem-A: (R-89-1807) ADOPTED AS RESOLUTION R-273213

Adoption of a Resolution certifying that the information contained in Environmental Impact Reports EIR-87-1087 and EIR-87-1088 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-B: (O-89-193) INTRODUCED, TO BE ADOPTED APRIL 24, 1989

Introduction of an Ordinance for M-IP, CN and CR Zoning.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A292-302, D068-E120.)

Hearing began 4:33 p.m. and halted 5:18 p.m.

Testimony in favor by Karen McElliott, Marc Sorensen, Walter Hyberg, Ralph McCort, Bob Dingeman, Linda Brannon, and David Podmore.

Testimony in opposition by Gary Underwood.

MOTION BY STRUIKSMA TO ADOPT SUBITEM-A AND INTRODUCE SUBITEM-B.

Second by Henderson. Passed by the following vote:

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

ITEM-342: (O-89-186) CONTINUED TO APRIL 18, 1989, 2:00 P.M.

Proposal to approve an Interim Ordinance for the San Ysidro and urbanized portions of the Tia Juana River

Valley communities. The purpose of the ordinance would be to ensure that all future residential development permitted in multi-family and commercial zones would be adequately served by public facilities and services and to protect the integrity of a proposed historic area within the community. The proposed Interim Ordinance would apply to the area shown on the map on file in the Planning Department and would provide the following:

1. All projects containing residential development on properties in multi-family and commercial zones would be required to obtain a Planned Residential Development Permit, Planned Commercial Development Permit, or Conditional Use Permit prior to issuance of building permits.
2. In conjunction with approval for all new residential projects in multi-family or commercial zones, a finding must be made that basic public facilities and services including but not limited to schools, parks, roads, water, sewer, and public safety will be provided at standards equal to or exceeding those recommended by the Progress Guide and General Plan for the City of San Diego and applicable City Council policies.
3. Applications to demolish structures within a historic survey area, illustrated on the map on file in the Planning Department, would be required to obtain approval from the Planning Director.

(District-8.)

Introduction of an Ordinance limiting issuance of demolition permits, building removal permits, building permits and commencement of construction in portions of San Ysidro and urbanized portions of the Tia Juana River Valley for a period of one year or upon the effective date of regulations to implement the updated San Ysidro Community Plan, whichever occurs first.

FILE LOCATION: LAND San Ysidro Community Plan

COUNCIL ACTION: (Tape location: A170-173.)

MOTION BY FILNER TO CONTINUE TO APRIL 18, 1989, 2:00 P.M. FOR FURTHER REVIEW OF THE COMMUNITY PLAN. 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-S404: (R-88-2337) ADOPTED AS RESOLUTION R-273214

(Continued from the meetings of June 6, 1988, Item 201,
July 26, 1988, Item 202, September 13, 1988, Item 335,
October 10, 1988, Item 209, November 21, 1988, Item 207,
January 23, 1989, Item 202, February 27, 1989, Item 203 and
April 3, 1989, Item 207; last continued at the City
Manager's request, for further review.)

Declaring S & S Construction Company, formerly Shapell
Industries, Inc., to be in default of the terms and
conditions of the agreement filed in the office of the City
Clerk on October 15, 1979, as Document No. RR-250363,
relating to the improvement of Mesa Del Sol; declaring
that the City Attorney shall cause notice of this
declaration of default to be given to S & S Construction
Company, formerly Shapell Industries, Inc., and to SafeCo
Insurance Company of America; authorizing the City Manager
to complete, or cause to be completed, said work and
improvements in accordance with the terms of the agreement.

(See City Manager Reports CMR-88-375 and CMR-88-268. Mira
Mesa Community Area. District-5.)

NOTE: See Item S405 on today's docket for a companion
item.

FILE LOCATION: SUBD-Mesa Del Sol

COUNCIL ACTION: (Tape location: E215-440.)

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

MOTION BY STRUIKSMA TO FILE ITEMS S405 AND S406. Second by
Wolfsheimer. Passed by the following vote: Wolfsheimer-yea,
Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea,
Henderson-not present, McCarty-yea, Filner-not present, Mayor
O'Connor-not present.

ITEM-S405: (R-88-1145) FILED

(Continued from the meetings of January 5, 1988, Item 339, January 19, 1988, Item 336, March 22, 1988, Item 337, April 19, 1988, Item 337, October 11, 1988, Item 339, November 21, 1988, Item 208, January 23, 1989, Item 205, February 27, 1989, Item 204 and April 3, 1989, Item 208; last continued at the City Manager's request, for further review.)

MESA DEL SOL Project

Rezoning the 84.5-acre site from Zone A-1-10, R1-5000, R-3000 and Hillside Review Overlay to Zones R1-5000, R-1500 and Hillside Review Overlay; and amending the Mira Mesa Community Plan to 1) Redesignate the 84.5-acre site from Commercial Recreation, Low (5-9 du/ac) and Low Medium (10-15 du/ac) density residential to Medium Low (16-29 du/ac) density residential; 2) Reclassify Black Mountain Road from a four-lane major to a six-lane primary arterial between Galvin Avenue and Los Penasquitos Canyon bridge; and 3) Reclassify Capricorn Way from a four-lane major to a four-lane collector between Westview Parkway and the western boundary of the subject property.

The subject property is located east and west of Black Mountain Road, north of Galvin Avenue, and is further described as Lots 1-297, Mesa del Sol, Tract 9407.

(Case-86-0613. District-5.)

Subitem-A: (R-88-1145) FILED

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0613 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: (O-88-92) FILED

Introduction of an Ordinance for R-2000 Zoning.

Subitem-C: (R-88-1128) FILED

Adoption of a Resolution amending the Mira Mesa Community Plan affecting property east and west of Black Mountain Road and north of Galvin Avenue.

Subitem-D: (R-88-) FILED

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-86-0613.

NOTE: See Item S404 on today's docket for a companion item.

FILE LOCATION: LAND-Mira Mesa Community Plan

COUNCIL ACTION: (Tape location: E215-440.)

Hearing began 5:27 p.m. and halted 5:39 p.m.

Testimony in favor by William D. Ross.

MOTION BY STRUIKSMA TO ADOPT ITEM-S404. Second by Wolfsheimer.

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

MOTION BY STRUIKSMA TO FILE ITEMS S405 AND S406. Second by

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

ITEM-S406: (R-89-1918) FILED

Authorizing the execution of a secured agreement with Shapell Industries, Inc., for the construction of Black Mountain Road.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The subject agreement is related to the Mesa Del Sol subdivision (TM-86-0613). Also docketed with this item is the Community Plan amendment and rezoning of this project and the default action of this Subdivision's 1979 project. It is recommended that the Council

take one of the two following actions:

- 1.- Approve the Community Plan amendment and rezoning and authorize the City Manager to execute the subject agreement. This agreement provides that the applicant, Shapell Industries, Inc., construct Black Mountain Road to six lanes within its ownership in accordance with a defined schedule and contingent upon the issuance of building permits. This agreement is secured by a letter-of-credit equal to the value of the work which guarantees completion of the roadway by October of 1990; or
- 2.- Direct the City Attorney to initiate default proceedings and direct the City Engineer to accomplish the work.

It is not recommended that the Community Plan amendment nor the rezoning be approved without the agreement because there would be no assurance that the road would be constructed with an acceptable time frame. Also, any further continuances are not recommended because the timing of the roadway's construction is becoming critical.

NOTE: See Items S404 and S405 for companion items.

FILE LOCATION: SUBD-Mesa Del Sol

COUNCIL ACTION: (Tape location: (E215-440.)

MOTION BY STRUIKSMA TO ADOPT ITEM-S404. Second by Wolfsheimer.

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

MOTION BY STRUIKSMA TO FILE ITEMS S405 AND S406. Second by

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

ITEM-S500:

Three actions relative to the De La Fuente Business Park - Phase I Assessment District - Assessment District No. 4011: (Otay Mesa Community Area. District-8.)

Subitem-A: (R-89-1892) ADOPTED AS RESOLUTION R-273215
Determining unpaid assessments for Assessment District No.
4011, De La Fuente Business Park - Phase I Assessment
District.

Subitem-B: (R-89-1894) ADOPTED AS RESOLUTION R-273216
Awarding the sale of the 1915 Act Bonds and providing for
the establishment of a Redemption Fund for the De La Fuente
Business Park Phase I Assessment District.

Subitem-C: (R-89-1893) ADOPTED AS RESOLUTION R-273217
Authorizing the issuance of bonds, approving indenture and
official statement for the De La Fuente Business park -
Phase I.

CITY MANAGER SUPPORTING INFORMATION: The City Council
approved the formation of the De La Fuente Business Park -
Phase I Assessment District and confirmed the assessments at the
public hearing held on February 28, 1989. During the ensuing
30-day period the property owners were notified of their
assessments and given the opportunity to pay all or any portion
of their assessments. The 30-day cash payment period expired on
April 1, 1989. As a part of the assessment proceedings, it is
necessary that the Council make a determination of the unpaid
assessments and authorize the issuance of the improvement bonds
to represent the unpaid assessments levied against the property
in the district.

FILE LOCATION: STRT D-2265

COUNCIL ACTION: (Tape location: A153-194.)

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.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by William Claycomb in opposition to the Second Harbor Entrance Project.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A035-095.)

ITEM-PC-2:

Comments by Mattie M. Ross regarding the naming of the Convention Center.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A095-147.)

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor McCarty at 5:41 in honor of the memory of Sean Kelly and Jon Treadway.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E443-447).