

19901009

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, OCTOBER 9, 1990  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:00 a .m.  
The meeting was recessed by Mayor O'Connor at 12:25 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Wolfsheimer at 2:04 p.m. with no quorum present. A quorum was present at 2:22 p.m. with Council Members Pratt, Bernhardt, McCarty, and Filner not present. Mayor O'Connor adjourned the meeting at 3:46 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-excused by R-276775  
(out-of-town business)
- (5) Council Member Bernhardt-excused by R-276774  
(attend NAHRO conference in Minneapolis, MN)
- (6) Council Member Henderson-present
- (7) Council Member McCarty-excused by R-276819  
(ill)
- (8) Council Member Filner-present  
Clerk-Abdelnour;Fishkin (ll/mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present

- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

Oct-9-1990

ITEM-310: WELCOMED

Welcoming Thomas Amolo, First Secretary at the Embassy of the Republic of Kenya, Washington, D.C. who will attend this meeting at approximately 9:30 a.m.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A054-120.)

BY COMMON CONSENT, MR. AMOLO WAS WELCOMED.

ITEM-330: CONTINUED TO OCTOBER 10, 1990

A proposal to adopt an ordinance amending Chapter X, Article 1, Division 8, of the San Diego Municipal Code by amending Section 101.0821 relating to tandem parking in new residential development within the boundaries of the Pacific Beach Community Plan Area.

This ordinance is intended to reduce the credit permitted for tandem parking when calculating required off-street parking for all new residential projects in Pacific Beach. The ordinance proposes to reduce the tandem parking credit from the current two spaces to one space.

This ordinance also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and final approval.

(District-6.)

Subitem-A: (O-91-53)

Introduction of an Ordinance amending the San Diego Municipal Code.

Subitem-B: (R-91-483)

Adoption of a Resolution modifying the Local Coastal Program Implementation Plan with respect to the tandem

parking in Pacific Beach.

FILE LOCATION: LAND Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: A131-144.)

MOTION BY HENDERSON TO CONTINUE TO THE SPECIAL MEETING SCHEDULED TO BE HELD AT MISSION BAY HIGH SCHOOL ON OCTOBER 10, 1990.

Second by Hartley. Passed by the following vote:

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

ITEM-331: CONTINUED TO OCTOBER 30, 1990

Appeal of Saul Haimowitz / Matthew Roth, by Lynne L. Heidel of Peterson and Price, from the decision of the Planning Commission in denying Coastal Development Permit CDP-89-0525, proposing the demolition of an existing two-unit building and the construction of a three-story, 11-unit condominium complex. The subject property is located at 302 San Antonio Avenue, in Zone R-600, in the Peninsula community plan area, and is further described as portions of Lots 3 and 4, Block 121, Map-37.

(CDP-89-0525. District-2.)

Subitem-A: (R-91- )

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-0525 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-91- )

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

FILE LOCATION: PERM CDP-89-0525

COUNCIL ACTION: (Tape location: A131-144.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 30, 1990 FOR FULL COUNCIL. Second by Roberts. Passed by the following vote:

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

19901009

Vacating Bancroft Street between Nutmeg Street and Palm Street and adjacent to Blocks 5 and 6 of Carmel Heights, Map-1736, under the procedure for the summary vacation of streets; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the City reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewal thereof; declaring that the easements reserved herein are in, under, over, upon, along and across Bancroft Street; declaring that this Resolution shall not become effective unless and until the following conditions have been met: a) Approval and recordation of a consolidation parcel map to prevent landlocking; b) Issuance of permits for the required public improvements; that in the event the above items are not completed within 18 months, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the completion of the above conditions.

(See City Manager Report CMR-90-379. Greater North Park Community Area. District-8.)

FILE LOCATION: DEED F-5401; STRT J-2749 DEED FY91-1

COUNCIL ACTION: (Tape location: A230-D214.)

Hearing began at 10:17 a.m. and halted at 11:23 a.m.

Testimony in favor by Michael McDade (representing over 100 students present), John Cutri, Father John Sanders, Kathleen Beckerson, Doug Mayoras, Dennis Parra, Robert Shawler, Virginia Shawler, John McCarthy, Don Sanders, Rev. Gary Sanders, Phyllis House, Joyce Greer.

Testimony in opposition by Dan Hiatt, Lynn Blake, Denise Blake,

Robert Dillon, John Dorn, Mary Ruth Pickett, Sharon Brand,  
Jewell Blount, Charles Kaehler, Steve Binder.

MOTION BY ROBERTS TO VACATE BANCROFT STREET WITH A CONDITION TO  
THE CONDITIONAL USE PERMIT THAT INSURES (FOR THE DURATION OF THE  
CUP) THAT BANCROFT STREET WOULD BE USED ONLY FOR INSTITUTIONAL  
PURPOSES. Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present,  
Bernhardt-not present, Henderson-yea, McCarty-not present,  
Filner-nay, Mayor O'Connor-yea.

ITEM-333: (R-91- ) CONTINUED TO OCTOBER 30, 1990

(Continued from the meeting of September 25, 1990,  
Item 331, at Lynne Heidel's request, for further review by  
the Planning Department, and the La Jolla Community  
Planning Association.)

Appeal of Michael C. Russell and Barbara Huba, from the  
decision of the Planning Commission in granting Coastal  
Development Permit 89-1260 to construct an additional  
two-bedroom living unit and garage totaling 1,410 square  
feet to an existing 1,151-square-foot home for a combined  
total of two units totaling 2,561 square feet. The subject  
property, a 5,289-square-foot lot, is located at 7337 Fay  
Avenue, on the east side of Fay Avenue, north of Genter  
Street, west of Girard Avenue, and south of Pearl Street  
and is more particularly described as Lot 6 except the  
easterly 75 feet, Lone Pine, Map No. 2819, in Zone R-3000  
(Multiple-Family Residential, one unit per 3,000 square  
feet of lot area) within the La Jolla Community Plan Area.  
(CDP-89-1260. District-1.)

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

FILE LOCATION: PERM CDP-89-1260

COUNCIL ACTION: (Tape location: A131-144.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 30, 1990 FOR FULL  
COUNCIL. Second by Henderson. Passed by the following vote:

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

ITEM-334: (R-91- ) CONTINUED TO OCTOBER 16, 1990

Appeal of Lincoln Foster, by Judith A. Lesser for Gray, Cary, Ames & Frye, from the decision of the Historical Site Board in approving historical site designation of the Soledad Schoolhouse as Site No. 247, Grade 4. The subject property is located on Carmel Valley Road and lies within an interchange of I-5 and the planned State Route 56, in the Carmel Valley area.

(District-1.)

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

FILE LOCATION: GEN'L - Historical Site Board, Decisions & Appeals, Soledad School House

COUNCIL ACTION: (Tape location: F028-G045.)

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM FOR ONE WEEK TO FIND OUT WHETHER THE APPEAL WILL BE WITHDRAWN. Second by Roberts.

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

ITEM-335: (R-91- ) CONTINUED TO OCTOBER 30, 1990, 2:00 P.M.

Appeal of Peninsula Community Planning Board, Inc., by Norman Magneson, Chair, from the decision of the Board of Zoning Appeals in approving variance / Conditional Use Permit C-20523, subject to conditions.

The project request is to maintain the following currently in violation: a three-story, single-family dwelling 1) with three bay windows observing a 13'0" front yard where 15'0" is required; 2) a guest quarters where such use is permitted by Conditional Use Permit only; 3) a 7'2" wide fireplace observing a 3'0" rear yard where 4'0" is required; 4) an eave projection observing a 2'0" rear yard where 2'6" is required; and 5) a 7'4" high retaining wall observing a 2'0" street side yard where a 6'0" high retaining wall is the maximum height permitted in the side yard. The subject property is located at 1447 Plum Street, in Zone R1-5000, in the Peninsula Community Plan area, and is more particularly described as portions of Lots 11 and 12, Block 55, Roseville, Map-165.

(C-20523. District-2.)

Adoption of a Resolution granting or denying the appeal and

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

FILE LOCATION: ZONE - Zoning Appeals Case C-20523

COUNCIL ACTION: (Tape location: E147-F027.)

Hearing began at 2:33 p.m. and halted at 3:42 p.m.

Testimony in favor by Norman Magneson, Hugh Story, Phil Bonham, Jean Jardim, Harry Evans, Mark Davis, Carl Rochester, Paul DeGennaro, Alan Anderson, Joni Halpern, and Jim Gordon.

Testimony in opposition by Brent Hart and Kay Martin.

Mayor O'Connor closed the hearing.

MOTION BY ROBERTS TO CONTINUE THE MATTER FOR THREE WEEKS, OCTOBER 30, 1990, AT 2:00 P.M., AND THAT STAFF IS DIRECTED NOT TO ISSUE ANY ADDITIONAL PERMITS OVER THIS PERIOD OF TIME FOR RETAINING WALLS IN THE PUBLIC RIGHT-OF-WAY, ENCROACHMENTS, OR FOR ANY CHANGES WHATSOEVER ON THIS PROPERTY. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-336: (R-91-577) CONTINUED TO OCTOBER 15, 1990  
Accepting the recommendations of the Governance Advisory Group regarding Future Management and Organization of the Metropolitan Sewerage System.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D246-D287; G051-063.)

MOTION BY ROBERTS TO CONTINUE TO OCTOBER 15, 1990, FOR A FULL COUNCIL. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S500: (R-91-269) CONTINUED TO OCTOBER 15, 1990

(Continued from the meetings of August 6, 1990, Item S423, September 18, 1990, Item 336, and October 2, 1990, Item 332; last continued at Mayor O'Connor's request, to allow Councilmember Pratt to be present.)

Confirming the following appointments by the Mayor to serve as trustees of the Housing Trust Fund, to represent

categories as shown, for terms to expire as indicated:

Name	Category	Term Expires
Linda Lopez	Business & Industry	August 5, 1993
Jerold H. Goldberg	Business & Industry	August 5, 1993
Alice Smith	Labor - minimum wage worker	August 5, 1993
Sister RayMonda DuVall	Nonprofit/Community Organization	August 5, 1993
Rev. Walter G. Wells	Nonprofit/Community Organization	August 5, 1993
Mark P. Krones	Business & Industry	August 5, 1992
Kathy Recordon	Business & Industry	August 5, 1992
Nick Hernandez	Labor	August 5, 1992
James Ridley	Nonprofit/Community Organization	August 5, 1992
Jean E. Porter	Nonprofit/Community Organization	August 5, 1992
James Mitsuo Cua	Nonprofit/Community Organization	August 5, 1992

FILE LOCATION:

COUNCIL ACTION: (Tape location: A131-144.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 15, 1990 AT THE REQUEST OF THE CITY MANAGER. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: CONTINUED TO OCTOBER 16, 1990

(Continued from the meeting of October 2, 1990, Item 331, at Councilmember Wolfsheimer's request, to allow for Councilmembers Pratt, Bernhardt, and Henderson to listen to the tapes).

Matters of:

- 1) Appeals of The Baldwin Company, by JoAnn Shannon, from the decision of the Planning Commission in approving with modifications Tentative Map and Planned Development Permit TM and PD-89-1305 (Carmel Del Mar Neighborhood 4 South), the description of the subject properties is included in the legal description below; and
- 2) The proposed amendments to the North City West Community Plan, the North City West Neighborhoods 1, 4, 5 and 6 Precise Plans, the North City West Planned District Ordinance, and the North City Local Coastal Program Land



Use Plan. The amendments would:

Redesignate Site No. 1 from a 1.25-acre mini park to seven single-family residential home sites.

Redesignate Site No. 2 from a neighborhood commercial center to a 5-acre mini park and relocate the neighborhood commercial center to Site No. 3.

Relocate the elementary school/neighborhood park complex from Site No. 4 to Site No. 5 and designate Site No. 4 for 68 single-family detached units.

Add 46 attached residential units to Site No. 6 for a total of 205 units.

Redesignate Site No. 7 from 278 single-family detached residences to 225 detached single-family residences.

The subject properties are bounded by Del Mar Heights Road, Carmel Country Road, Carmel Valley Road and the easterly boundary of the North City West community. The properties are legally described as Lots 1-7, Carmel Valley Neighborhood 1, Unit 9, Map-11895; Parcel 1, Parcel Map PM-11877; Parcels 9-13, Parcel Map PM-14460; Parcel 5, Parcel Map PM-15370; Parcel 1, Parcel Map PM-15370; and Lots 1-91, Carmel Valley Neighborhood 1, Unit 3, Map-12564, within the North City West community.

The proposed plan amendment and rezone also constitute an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed LCP must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program amendment would not become effective until after approval by the California Coastal Commission.

(District-1.)

Subitem-A: (R-91-493)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-89-1305 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and adopting the mitigation measures and monitoring program, and that said declaration has been reviewed and considered by the Council and adopting the Mitigation Monitoring and Reporting Program.

Subitem-B: (R-91- )

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

Subitem-C: (R-91- )

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-91-494)

Adoption of a Resolution approving amendments to the North City West Community Plan, North City West Neighborhoods 1, 4, 5 and 6 Precise Plans and North City Local Coastal Program Land Use Plan.

Subitem-E: (O-91-56) Introduction of an Ordinance amending the planned district ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A131-144.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 15, 1990 FOR FULL COUNCIL. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S502: CONTINUED TO OCTOBER 15, 1990

(Continued from the meeting of July 30, 1990, Item S407, at Councilmember Filner's request, for full Council.)

The matter of the Annual Meeting of the Member of the Centre City Development Corporation (CCDC).

NOTE: See Item S503 for a companion item.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E039-050.)

MOTION BY HENDERSON TO CONTINUE ITEM-S502 AND -S503 FOR ONE WEEK FOR A FULL COUNCIL. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S503: (R-91-176) CONTINUED TO OCTOBER 15, 1990

(Continued from the meeting of July 30, 1990, Item S408, at Councilmember Filner's request, for full Council.)

Consideration of the following nominees for appointment by the Council to fill four vacancies on the Centre City Development Corporation Board of Directors, for terms

expiring 5/1/93:

(See memorandum from Mayor O'Connor dated 7/20/90 with resumes attached.)

Nominee	Category	Nominated by
Phillip C. Blair	General Business	Mayor O'Connor
Thomas F. Carter	Finance	Councilmember Roberts
Henri Lagatella	Real Estate	Councilmember McCarty
Pat Kruer	Finance	Councilmember Pratt
Carlos E. LeGerrette	General Business	Mayor O'Connor
Lucy Goldman	General Business	Councilmembers Hartley and McCarty
Craig D. Higgs	Attorney	Councilmember Bernhardt
Raul Silva-Martinez	Attorney	Councilmember Filner

Today's action is adoption of a Resolution making four appointments.

NOTE: See Item S502 for a companion item.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E039-050.)

MOTION BY HENDERSON TO CONTINUE ITEM-S502 AND S503 FOR ONE WEEK FOR A FULL COUNCIL. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S504: (R-91- ) CONTINUED TO OCTOBER 16, 1990

(Continued from the meetings of July 24, 1990, Item 343, September 18, 1990, Item 340, and October 2, 1990, Item 334; last continued at Councilmember Henderson's request, to allow absent Council members from the meeting of 9/18/90, to listen to taped testimony.)

Appeal of Randy Bixler from the decision of the Planning Commission in approving Tentative Map TM-89-0966 (Jordan's Parcel Map) which would subdivide a 0.985 acre site into four parcels for single-family development (three units exist on the property). The applicant is also requesting that the requirements of Council Policy 600-25, which requires that overhead utilities be placed underground, be waived. The subject property is located at the southwest corner of Loring and Collingwood Streets and is described as Lot 28 of Soledad Terrace, Map-1618; a portion of Tuna Lane, Vacated and closed to public use; Lots 153 and 154, Congress Heights Addition, Map-1627. The R1-5000 Zoned

site is within the Pacific Beach Community Plan area.  
(TM-89-0966. District-6.)

Today's action is:

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 - Jordan's Parcel Map

COUNCIL ACTION: (Tape location: E083-140.)

MOTION BY HARTLEY TO CONTINUE THE ITEM FOR ONE WEEK FOR A FULL COUNCIL. Second by Henderson. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S505: (R-91-610) CONTINUED TO OCTOBER 16, 1990

Approving the recommendations in Intergovernmental Relations Department Reports IRD-90-34 and IRD-90-33, as amended, relating to propositions on the November 1990 ballot.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E071-082.)

MOTION BY HARTLEY TO CONTINUE FOR ONE WEEK FOR A FULL COUNCIL. Second by Henderson. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor  
O'Connor at 3:46 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G065).