

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, NOVEMBER 20, 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 10:03 a.m. The meeting was recessed by Mayor O'Connor at 12:16 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:02 p.m. with Council Members Roberts, Bernhardt, and Filner not present. Mayor O'Connor adjourned the meeting at 4:38 p.m. to meet as the Housing Authority.

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-present
  - (5) Council Member Bernhardt-present
  - (6) Council Member Henderson-present
  - (7) Council Member McCarty-present
  - (8) Council Member Filner-present
- Clerk-Fishkin (rb,eb)

FILE LOCATION: MINUTES

Nov-20-1990

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

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

ITEM-330: (R-91-1109) DENIED APPEAL, DENIED PERMIT, ADOPTED  
AS RESOLUTION R-276891

19901120

Appeal of Kathy Hallak, from the decision of the Board of Zoning Appeals in denying Conditional Use Permit CUP-20554 proposing the sale of beer and wine at an existing convenience food store and delicatessen where such use is permitted by conditional use permit only. The subject property is located at 4725 Federal Boulevard, in the CA Zone, in Mid-City Community Plan area, and is more particularly described as Lots 6-10, Federal Boulevard Subdivision, Map-2260.

(CUP-20554. District-3.)

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

FILE LOCATION: ZONE - Zoning Appeals CUP-20554

COUNCIL ACTION: (Tapelocation: A087-112; C350-D087;  
E050-G038.)

Hearing began at 11:50 a.m. and recessed at 12:16 p.m.

Testimony in favor of the appeal by George Hallak, Flossey Givens, and Orval Washman.

Hearing resumed at 2:06 p.m. and halted 3:25 p.m.

Testimony in favor by Kathy Hallak and Clifton Blevins.

Council Member Roberts entered 2:14 p.m.

Testimony in opposition by Derryl Williams, Barbara Pake, Orval M. Washan, Kitty Reed, Dr. Cleo Malone, James Halfacre, and Mary Halfacre.

The hearing was closed.

Motion by Hartley to grant the appeal and grant the permit.

Second by Wolfsheimer for the purpose of discussion. No vote.

**SUBSTITUTE MOTION BY PRATT TO DENY THE APPEAL AND DENY THE PERMIT INCLUDING THE FINDINGS PRESENTED BY THE ZONING BOARD.**

Second by Henderson. Passed by the following vote:

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

**ITEM-331:**

Appeal of Torrey Pines Community Planning Group, by Opal Trueblood, Chair, and Kevin Patrick, M.D., from the decision of the Planning Commission (by a vote of 2-2) to deny the appeal. Due to a lack of four affirmative votes, the decision of the Planning Director approving the project was upheld. This project proposes to construct two single-family detached residences on two separate building lots consisting of a total combined gross floor area of 8,864 square feet (including off-street parking), with related site landscaping and brush management on a vacant 0.41 acre site. The project also includes a requested variance to provide a common driveway on the site with access to the proposed structures from Via Latina. The subject property is located on the east side of Via Latina, between Portofino Drive and Via Grimaldi, in Zone R1-5000

19901120

(portions in Zone HR), in the Torrey Pines Community Plan area, and is more particularly described as Parcels 1 and 3 of Map-5893.

(HRP/CDP-89-0799. District-1.)

Subitem-A: (R-91- ) FILED, AS A RESULT OF GRANTING OF APPEAL

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-0799 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-91-944) ADOPTED AS RESOLUTION R-276887,  
GRANTED APPEAL, DENIED PERMIT

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

Subitem-C: (R-91-945) ADOPTED AS RESOLUTION R-276888,  
GRANTED APPEAL, DENIED PERMIT

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

FILE LOCATION: PERM - HRP/CDP-89-0799

COUNCIL ACTION: (Tape location: A420-C346.)

Hearing began at 10:34 a.m. and halted at 11:52 a.m.

Testimony in favor of the appeal by Opal Trueblood, Deanna Rich, Carol Hertzberg, Richard Hertzberg, Ben Nyce, Kevin Patrick, and Nancy Manincovich.

Testimony in opposition to the appeal by Caren Kelly, Graig Kelley, and W. Lee Vanderhurst.

MOTION BY WOLFSHEIMER TO DENY THE PROJECT AND GRANT THE APPEAL.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-nay, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332:

(Continued from the meetings of May 8, 1990, Item 333B; July 10, 1990, Item 339; July 16, 1990, Item S406; September 11, 1990, Item 330; September 24, 1990, Item 203 A & C; October 10, 1990, Item 701 and October 29, 1990, Item 213; last continued at Councilmember Henderson's request, to allow for review of the recommendations on the

design standards before voting on the downzoning.)

A) Proposed rezonings and a community plan amendment affecting various properties within the Pacific Beach Community Plan Area that are currently zoned R-1500 and designated in the community plan for multi-family development at a maximum density of 29 dwelling units per acre.

This proposal would change the zoning in certain areas from R-1500 (29 dwelling units per acre) to R-2500 (17 dwelling units per acre) or R-3000 (15 dwelling units per acre) or R1-5000, a single family zone (9 dwelling units per acre) or a combination of the three. The community plan would be amended to reflect the densities permitted by the adopted zoning.

The proposed rezonings were scheduled to be heard by City Council on September 11, 1990 but were rescheduled to September 24, 1990 at the direction of the City Council. The issue of rezonings in Pacific Beach was heard previously by the City Council on May 8, 1990, on July 10, 1990, and on July 16, 1990.

B) A proposal to release the Pacific Beach Community from the provisions of the Single-Family Neighborhood Protection Ordinance No. O-17250 N.S.

(Pacific Beach Community Area. District-6.)

If adopted, amendments to the Local Coastal Program must be submitted for review and final approval to the California Coastal Commission.

Subitem-A: (O-91-55) FILED

19901120

Introduction of an Ordinance for R1-5000 and R-2500 Zoning.

Subitem-B: (O-91-54) INTRODUCED AS AMENDED, TO BE ADOPTED  
DECEMBER 3, 1990

Introduction of an Ordinance for R1-5000 and R-3000 Zoning.

Subitem-C: (O-91-206 Corr. Copy) FILED

Introduction of an Ordinance for R1-5000 Zoning.

Subitem-D: (R-91-485) FILED

Adoption of a Resolution amending the Pacific Beach  
Community Plan, changing the density from 29 dwelling units  
per acre to 17 and 9 dwelling units per acre.

Subitem-E: (R-91-484 Cor.Copy) ADOPTED AS RESOLUTION R-276889

Adoption of a Resolution amending the Pacific Beach  
Community Plan, changing the density from 29 dwelling units  
per acre to 15 and 9 dwelling units per acre.

Subitem-F: (R-90-2198 Corr. Copy) FILED

Adoption of a Resolution amending the Pacific Beach  
Community Plan, changing the density from 29 dwelling units  
per acre to 9 dwelling units per acre.

Subitem-G: (R-90-995 Corr. Copy) ADOPTED AS RESOLUTION  
R-276890

Adoption of a Resolution adopting the Neighborhood  
Classification Map and releasing the Pacific Beach  
Community Plan area from the provisions of the  
Single-Family Neighborhood Protection Ordinance.

FILE LOCATION: LAND - Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: A121-400.)

Hearing began at 10:11 a.m. and halted at 10:32 a.m.

MOTION BY HENDERSON TO ADOPT AN ORDINANCE FOR R-3000 ZONING ON ALL THOSE BLOCKS OR PORTIONS THEREOF SHOWN ON THE "HENDERSON DOWNZONING MAP." ADD THE SOUTH SIDE OF FELSPAR TO THE EAST OF CASS. ADOPT A RESOLUTION AMENDING THE PACIFIC BEACH COMMUNITY PLAN TO CHANGE THE DENSITY OF THOSE BLOCKS OR PORTIONS THEREOF SHOWN ON THE "HENDERSON DOWNZONING MAP" FROM 29 DWELLING UNITS PER ACRE (R-1500) TO 15 DWELLING UNITS PER ACRE (R-3000). ADOPT A RESOLUTION ADOPTING THE "HENDERSON DOWNZONING MAP" AS THE NEIGHBORHOOD CLASSIFICATION MAP AND RELEASING THE PACIFIC BEACH COMMUNITY PLAN AREA FROM THE PROVISIONS OF THE SINGLE-FAMILY NEIGHBORHOOD PROTECTION ORDINANCE EFFECTIVE ON THE DATE WHEN THE  
ORDINANCE HEREINABOVE DOWNZONING SPECIFIED BLOCKS OR PORTIONS

THEREOF TO R-3000 FIRST BECOMES OPERATIVE. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-nay, Pratt-nay, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-91-785) ADOPTED AS RESOLUTION R-276892

Approving a Representative Project Area Committee for the Centre City Redevelopment Project Area.  
(See memorandum from Centre City Development Corporation Executive Vice President dated 10/25/90. Centre City Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H396-416.)

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

ITEM-334:

Appeal of Ruth A. Anderson, et al, from the decision of the Planning Commission in granting La Jolla Shores / Coastal

Development Permits LJS/CDP-90-0109, proposing to demolish an existing single-family residence and construct a new 3,521 square-foot, two-story residence with basement. The subject property (an approximately 7,705 square-foot site) is located on the north side of Camino del Collado (2320 Camino del Collado), in single-family Zone, in the La Jolla Shores Community Plan area, and is more particularly described as Miscellaneous Map-36, Pueblo Lands, Portion of Pueblo Lot 1297.

(LJS/CDP-90-0109. District-1.)

Subitem-A: (R-91- ) FAILED

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-0109 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- ) FAILED

Adoption of a Resolution granting or denying the appeal and

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

Subitem-C: (R-91- ) FAILED

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

FILE LOCATION: Subitems A, B, and C PERM LJS/CDP 90-0109

COUNCIL ACTION: (Tape location: G038-H396.)

Hearing began 3:25 p.m. and halted 4:34 p.m.

Testimony in favor by Robert Campbell, W. W. Finley, John E. Jones, Jerry Jones, Ruth Anderson, Stuart Hughes, Newton Stein, Jeff Lysaught, and Nina McCarthy.

Testimony in opposition by David Hawkins, Shearn Platt, Robert Saielli and Wendy Saielli.

The hearing was closed.

Motion by Wolfsheimer to grant the appeal and deny the permit.

Second by Henderson. Failed by the following vote: Yeas-1,3,M. Nay-2,5,6,7. Not present-4,8.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 4:38 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H396).