

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 24, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson McCarty at 10:05 a.m. The meeting was recessed by Chairperson McCarty at 10:31 a.m. to meet in Closed Session in the 12th floor conference room to discuss pending litigation and to reconvene at 2:00 p.m. The meeting was reconvened by Chairperson McCarty at 2:15 p.m. with Mayor O'Connor and Council Members Wolfsheimer, Pratt, and Filner not present. The meeting was adjourned at 2:20 p.m. to meet as the Redevelopment Agency, and thereafter as the Housing Authority, and thereafter to meet in Closed Session in the 12th floor conference room to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-278914
(Other official City business re Challenger's Cup)
- (1) Council Member Wolfsheimer-excused by
R-278744 (Attend Immigration Funding Project
in Washington, D.C)
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

Clerk-Abdelnour (ll/mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-310: WELCOMED

Welcoming a group of 40 students from Howard Pence Elementary School, accompanied by "Just Say No" coordinator, Barbara Elliott, who will be arriving at approximately 10:30 a.m. (District-8.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A277-295.)

ITEM-330: (R-92-395) CONTINUED TO OCTOBER 8, 1991

Accepting the City Manager's and Auditor's recommendations on the management audit of the Planning Department as provided for in City Manager Report-91-404; and referring the recommendations to the City Manager and/or Planning Director for further analysis and implementation and return to City Council with any necessary action.

(See City Manager Report CMR-91-404.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A050-054.)

MOTION BY HENDERSON TO CONTINUE TO OCTOBER 8, 1991 AT THE REQUEST OF THE CITY MANAGER TO BE HEARD WITH THE SELECTION PROCESS COMPANION ITEM. Second by Behr. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-331:

(Continued from the meeting of September 10, 1991, Item 332, at the request of the Southeast Development Committee, to allow time for the committee to meet and present input.) Two actions relative to the vacation of Capella Street: (Southeast San Diego Community Area. District-4.)

Subitem-A: (R-92-261) ADOPTED AS RESOLUTION R-278784

Vacating Capella Street southeasterly of Mariposa Street, adjacent to Lot 58 and Parcel "A" within Rancho Cerro, Unit No. 1, Map-4948, under the procedure for the summary vacation of streets; declaring that this Resolution shall not become effective unless and until the engineering permits for the required public improvements, which include construction of curb and sidewalk across the vacated area, have been issued; declaring that the City Engineer shall advise the City Clerk when the street improvements have been completed, accepted, and opened to public use.

Subitem-B: (R-92-262) ADOPTED AS RESOLUTION R-278785

Certifying that the information contained in the Addendum END-86-1056 to the Mitigated Negative Declaration END-86-0113, in connection with Philhomes Plaza II and street action, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines and that said Report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The abutting property owners have requested the proposed vacation in order to utilize

and consolidate it with their properties to accommodate future garage and building additions for the northerly property and to provide additional acreage for the southerly property in order to create a buildable lot. The vacation also borders the City of National City, which has no objections to the vacation. The area-of-vacation and abutting properties are located in the Southeast San Diego Community Plan area and are situated within an R1-5,000 Zone. The 7,000-square-foot area-of-vacation is proposed to be divided and consolidated with the two adjacent properties (Parcel "A" and Lot 58), creating two lots of 6,853 square feet and 10,696 square feet, respectively. Although the residential entitlement for Lot 58 will increase to provide adequate square footage for an additional lot, no subdivision would be allowed without discretionary approval of a tentative map. The Southeast San Diego Development Committee has no objection to the vacation, and the Planning Commissioner recommended approval of the vacation on April 20, 1989, by a 7-0 vote. The subject right-of-way is improved with the curb, gutters, and some sidewalk, and dead-ends approximately 130 feet east of Mariposa Street. The street was constructed in 1963 as part of the public improvements for the Rancho Cerro Subdivision. A temporary AC berm has been constructed across the right-of-way at Mariposa Street to prevent access to the dead-end street and to divert surface drainage. Subsequent subdivision and the present development of the property to the south and east has eliminated the necessity of retaining Capella for access, since those developments are obtaining access via other right-of-way. As a condition to the vacation, standard curbs, gutters and sidewalks are to be constructed across the vacation area. The right-of-way to be vacated contains public utilities and franchise facilities which require easement reservations, unless the in-place facilities are removed or relocated. Findings: Staff review has indicated that the vacation is consistent with the General Plan, the community plan, and Council Policy 600-15 and may be summarily vacated. The right-of-way is no longer required for present or prospective public use and will not detrimentally affect the existing public facility, since the vacation area is not required for access or circulation. The public will benefit through improved utilization of the property and an increased tax base.

FILE LOCATION: DEED F-5665; STRT J-2765 DEEDFY92-1

COUNCIL ACTION: (Tape location: A071-149.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea,

Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-332: (R-92-278) CONTINUED TO OCTOBER 8, 1991

Authorizing the City Manager to withdraw the City of San Diego's \$1.25 million Section 108 Loan Guarantee Application and file a new Section 108 Loan Guarantee Assistance Application, with the United State Department of Housing and Urban Development (HUD), in the amount of \$5,120,000 for the purpose of obtaining a Section 108 loan for the San Diego Mercado project; authorizing the City Manager to file an amendment to the executed Urban Development Action grant (UDAG) agreement between HUD and the City reflecting a change in the project developer, site, scope of development and schedule.

(See City Manager Report CMR-91-362. Barrio Logan/Harbor 101 Community Area. District-8.)

COMMITTEE ACTION: Reviewed by RULES on 8/7/91. Recommendation to approve the City Manager's recommended actions. Districts 1, 4 and 8 voted yea. District 7 and Mayor not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A054-069.)

MOTION BY HENDERSON TO CONTINUE TO OCTOBER 8, 1991. Second by Behr. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-333:

1. Request for a Tentative Map, Resource Protection Ordinance Permit, and Carmel Valley (formerly North City West) Planned District Development Plan Permit (No. 90-0160).

The Development Plan proposes to construct a total of

27 single-family residences with related off-street parking, site landscaping and brush management on the subject 10.12-acre vacant site. The proposed Tentative Map would divide the subject property into a total of 27 lots to accommodate each of the proposed residences, and open space easement, and necessary public facilities and improvements to serve the development. The environmental document will also be reviewed and considered for certification at this meeting.

The subject property is located on the north side of Del Mar Heights Road, between Wistanley Way and Seagrave Place in the SF1-A and OS Zones and within the adopted Neighborhood 4A Precise Plan area of the Carmel Valley (formerly North City West) Community Plan. The legal description of the site is that portion of the E-1/2, NE-1/4 of Section 17, Township 14 South, Range 3 West, SBM.

2. A proposal to vacate a portion of Black Mountain Road and a street reservation with related slope easement, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed tentative map for Del Mar Heights I (TM-90-0160).

(TM/RPO/PD-90-0160. District 1.)

Subitem-A: (R-92-129) ADOPTED AS RESOLUTION R-278786

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-90-0160 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-92-584) GRANTED MAP, ADOPTED AS RESOLUTION R-278787

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

Subitem-C: (R-92-585) GRANTED RESOURCE PROTECTION ORDINANCE PERMIT, ADOPTED AS RESOLUTION R-278788

Adoption of a Resolution granting or denying the Resource Protection Ordinance Permit, with appropriate findings to support Council action.

Subitem-D: (R-92-586) GRANTED DEVELOPMENT PLAN,
ADOPTED AS RESOLUTION R-278789

Adoption of a Resolution granting or denying the Carmel Valley (formerly North City West) Development Plan Permit, with appropriate findings to support Council action.

Subitem-E: (R-92-128) ADOPTED AS RESOLUTION R-278790

Adoption of a Resolution authorizing the vacation of a portion of Black Mountain Road and a street reservation with related slope easement as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The subject vacation has been initiated by the submission of the tentative map for Del Mar Heights I (TM-90-0160). The tentative map proposes subdivision of 10.1 acres into 27 lots for single-family homes. Development of the site will be controlled under the related Carmel Valley Planned Development Permit PD-90-0160. The proposed vacation is located in the Carmel Valley (North City West) Community and is situated in the SF1-A Zone. The areas-of-vacation total approximately 8,260 square feet, which is included in the 10.1 acres proposed for subdivision. The Carmel Valley Community Planning Board and the Planning Department have no objections to the proposed vacation. The Planning Commission recommended approval of the Development Permit and Tentative Map on September 17, 1990, by a 4-0 vote. Black Mountain Road is partially improved with pavement and will be ultimately replaced at this location by Del Mar Heights Road. The conditions for the proposed tentative map will provide right-of-way and public improvements for Del Mar Heights Road and the proposed internal streets within the tentative map boundaries. Black Mountain Road also contains public and franchise facilities which are to be relocated. Easements will be provided, as necessary, as part of the final map.

FINDINGS: Staff review has indicated that the vacation is consistent with the General Plan, the Community Plan, and Council Policy 600-15. The approval of the final map for Del Mar Heights I establishes that there will be no present or prospective public

use and that the vacation will not detrimentally affect facilities for which the rights-of-way were originally acquired. The public will benefit from the vacation through better utilization of land made available by the vacation, and through upgrades to the street system. Staff further recommends that the vacation be conditioned upon the approval and recordation of the final maps for Del Mar Heights I (TM-90-0160).

FILE LOCATION: Subitems A & D: PERM-CVPD 90-0160; Subitem

