

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, MARCH 7, 1995  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:09 a.m. The meeting was recessed by Mayor Golding at 10:13 a.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor Golding at 10:14 a.m. with all members of the Council present. The meeting was recessed by Mayor Golding at 11:27 a.m. to convene the Housing Authority and thereafter to reconvene the Redevelopment Agency. The meeting was reconvened by Mayor Golding at 11:46 a.m. with all members of the Council present. Mayor Golding adjourned the meeting at 11:48 a.m. into Closed Session at 2:00 p.m. in the twelfth floor conference room for purposes of Meet and Confer.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-Present
  - (1) Council Member Mathis-present
  - (2) Council Member Harvey-present
  - (3) Council Member Kehoe-present
  - (4) Council Member Stevens-present
  - (5) Council Member Warden-present
  - (6) Council Member Stallings-present
  - (7) Council Member McCarty-present
  - (8) Council Member Vargas-present
- Clerk-Fishkin (mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

None.

ITEM-111:

SUBJECT: Increasing the Community Development Block Grant Budget for the Urban League Feasibility Study.  
(See Southeastern Economic Development Corporation's Memorandum for the Agenda of 3/7/95. District-4.)

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1208) ADOPTED AS RESOLUTION R-285450

Authorizing the transfer of \$25,000 from Community Development Block Grant (CDBG) Fund No. 98777 to the Redevelopment Agency of the City of San Diego for the

purpose of supplementing the existing CDBG Budget for the Urban League Feasibility Study, Fund No. 983617.

Aud. Cert. 9500878.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A020-051.)

MOTION BY KEHOE TO ADOPT ITEM-111, -332, -333, -334, AND TO CONTINUE ITEM-335 TO MARCH 21, 1995 FOR PROPER NOTICING. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: Matter of proposed rezonings to implement the La Jolla Community Plan and Local Coastal Program Land Use Plan (LCP) Update, adopted by the City Council on January 17, 1995 and an amendment to the Categorical Exclusion Ordinances adopted for Pacific Beach, Torrey Pines and La Jolla to address the exclusion of commercial office development and demolition permits for categorically excluded development projects.  
(La Jolla Community Plan. District-1.)  
(Continued from the meeting of January 17, 1995, Item 331, at Councilmember Mathis' request for proper noticing. )

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and introduce the ordinances:

Subitem-A: (R-95-1187) ADOPTED AS RESOLUTION R-285451

Adoption of a Resolution declaring that Environmental Impact Reports DEP-92-0126 (Torrey Pines), DEP-92-0199 and Addendum DEP-94-0625 (Pacific Beach and La Jolla) have been previously reviewed and certified by Council in connection with the La Jolla Community Plan.

Subitem-B: (O-95-88) INTRODUCED, TO BE ADOPTED ON MARCH 20, 1995

Introduction of an Ordinance rezoning properties into the OS-P and OS-OSP, R1-40,000 and R1-10,000 Zones.

Subitem-C: (O-95-87) INTRODUCED, TO BE ADOPTED ON  
MARCH 20, 1995

Introduction of an Ordinance amending Chapter X, Article 5, Division 2, Section 105.0204 of the San Diego Municipal Code, amending the Categorical Exclusion Ordinances for those areas of Pacific Beach, Torrey Pines, and La Jolla.

SUPPORTING INFORMATION:

1. Consideration of the following rezones (see Map C-845.1 on file in the City Planning Department):
  - a. Mount Soledad Natural Park from the residential (R1-40,000) zone to the open space (OS-OSP) zone;
  - b. Other City-owned, dedicated park and open space areas to the open space (OS-P and OS-OSP) zone;
  - c. Portions of the West Muirlands Drive residential area from R1-8,000 to R1-10,000; and
  - d. City-owned land along the Fay Avenue Right-of-Way from Nautilus Street to Via del Norte from R1-5,000 and R1-8,000 to R1-40,000.
2. Consideration of an amendment to the Categorical Exclusion Ordinances for those areas of Pacific Beach, Torrey Pines and La Jolla previously adopted by the City Council (see Maps C-867.1, C-859, and C-866 on file in City Planning Department.) These ordinances categorically exclude specific types of development from the Coastal Development Permit requirements. The amendment would further categorically exclude commercial development in the commercial office zone of Pacific Beach and Demolition Permits associated with development in the areas identified.

FILE LOCATION: Subitem-A: LAND-La Jolla Community Plan;  
Subitem-B,C: None

COUNCIL ACTION: (Tape location: A073-255.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.

Testimony in opposition by JoAnn Pearson, and Dave O'Dell.

Testimony in favor by Dick Smith and Jim Magot.

MOTION BY MATHIS TO ADOPT THE RESOLUTION AND INTRODUCE THE

ORDINANCES. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea (nay on Subitem-C), McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: CONTINUED TO APRIL 11, 1995

SUBJECT: Adoption of a Precise Plan for Carmel Valley Neighborhood 8A; amendments to the Carmel Valley Community Plan, Progress Guide and General Plan and Local Coastal Program; an amendment to the Carmel Valley Planned District Ordinance to rezone the Precise Plan area; and Vesting Tentative Subdivision Maps (Carmel Highlands, Carmel Creek Road, Mesa Top, and Torrey Surf), Resource Protection Ordinance Permits, Carmel Valley Planned District Development Permits and a Coastal Hillside Review Permit.  
(Case-87-1041, Case-90-0596, Case-91-0899 and Case-93-0138. District-1.)  
(Continued from the meetings of February 14, 1995, Item 331, and January 24, 1995, Item 330; last continued at the City Manager's request, to resolve the concept of having an 8A Program or not in Carmel Valley South.)

CITY MANAGER'S RECOMMENDATION:

Do not adopt Subitem A; do not introduce Subitem B; adopt resolutions to deny Subitems C through K.

Subitem-A: (R-95- )

Adoption of a Resolution certifying that the information contained in Environmental Impact Reports DEP-87-1041, DEP-90-0596, DEP-91-0899 and DEP-93-0138 have 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-95-75)

Introduction of an Ordinance amending the Carmel Valley Planned District Ordinance to rezone properties in Neighborhood 8A.

Subitem-C: (R-95-977)

Adoption of a Resolution denying the Carmel Valley Neighborhood 8A Precise Plan and amendments to the Progress Guide and General Plan, the Carmel Valley Community Plan and the Local Coastal Program.

Subitem-D: (R-95- )

Adoption of a Resolution granting or denying the Vesting Tentative Subdivision Map 87-1041 (Carmel Highlands), with appropriate findings to support Council action.

Subitem-E: (R-95- )

Adoption of a Resolution granting or denying the Resource Protection Overlay Zone Permit/Carmel Valley Planned District Development Permit 87-1041, with appropriate findings to support Council action.

Subitem-F: (R-95- )

Adoption of a Resolution granting or denying Tentative Subdivision Map 93-0138 (Carmel Creek Road), with appropriate findings to support Council action.

Subitem-G: (R-95- )

Adoption of a Resolution granting or denying Resource Protection Ordinance Permit 93-0138, with appropriate findings to support Council action.

Subitem-H: (R-95- )

Adoption of a Resolution granting or denying Vesting Tentative Subdivision Map 90-0596 (Mesa Top), with appropriate findings to support Council action.

Subitem-I: (R-95- )

Adoption of a Resolution granting or denying Resource Protection Ordinance Permit/Carmel Valley Planned District Development Permit/Coastal Hillside Review Permit 90-0596 (Mesa Top), with appropriate findings to support Council action.

Subitem-J: (R-95- )

Adoption of a Resolution granting or denying Vesting Tentative Subdivision Map 91-0899 (Torrey Surf), with appropriate findings to support Council action.

Subitem-K: (R-95- )

Adoption of a Resolution granting or denying Resource Protection Ordinance Permit/Carmel Valley Planned District Development Permit 91-0899, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

1. A precise plan for the Neighborhood 8A portion of the Carmel Valley Community, which proposes the development of approximately 570 single-family homes, 1002 attached dwelling units, a six-acre neighborhood commercial center, an elementary school, a community park, roads and open space;
2. An amendment to the Carmel Valley Community Plan, Progress Guide and General Plan and to the Local Coastal Program to match the proposed Neighborhood 8A Precise Plan;
3. An amendment to the Carmel Valley Planned District Ordinance to rezone properties in Neighborhood 8A;
4. A 315-lot, 133-acre Vesting Tentative Subdivision Map, Resource Protection Overlay Zone Permit and Carmel Valley Planned District Development Permit (Carmel Highlands) to develop approximately 306 dwelling units, a community park and an elementary school (Project No.87-1041);
5. A five-lot, 44-acre Tentative Subdivision Map and Resource Protection Ordinance Permit (Carmel Creek Road) (Project No. 93-0138);
6. A 71-lot, 44-acre Vesting Tentative Subdivision Map, Carmel Valley Planned District Development Permit, Resource Protection Ordinance Permit and Coastal Hillside Review Permit (Mesa Top) to develop 68 single-family homes (Project No. 90-0596);
7. A 71-lot, 18-acre Vesting Tentative Subdivision Map, Resource Protection Ordinance Permit and Carmel Valley Planned District Development Permit (Torrey Surf) to develop 71 single-family homes (Project No. 91-0899).

LEGAL DESCRIPTION:

The 390-acre Neighborhood 8A site is located approximately three-quarters mile east of the Interstate 5 Freeway and one-half mile south of Carmel Valley Road.

FILE LOCATION: Subitem-A: LAND-Carmel Valley Planned

District; Subitem-B: None; Subitem-C: LAND-Carmel Valley Neighborhood 8A; Subitem-D: SUBD-Carmel Highlands; Subitem-E: PERM-RPO/CVPDDP 87-1041; Subitem-F: SUBD-Carmel Creek Road; Subitem-G: PERM-RPO-93-0138; Subitem-H: SUBD-Mesa Top; Subitem-I: PERM-RPO/CVPDDP/HR-90-0596; Subitem-J: SUBD-Torrey Surf; Subitem-K: PERM-RPO/CVPDDP 91-0899

COUNCIL ACTION: (Tape location: A258-B465.)

MOTION BY MATHIS TO CONTINUE THE ITEM FOR FIVE WEEKS TO APRIL 11, 1995, SO THAT THE CITY MANAGER CAN WORK WITH THE PROPERTY OWNERS TO SEE IF AN ACCEPTABLE RESOLUTION COULD BE REACHED. DIRECT THE CITY MANAGER TO (1) INCLUDE ALL PROPERTY OWNERS, INCLUDING SMALL PROPERTY OWNERS, IN THE DISCUSSIONS; (2) INCLUDE DIANE VALENTINE, A PROPERTY OWNER IN 8B ADJACENT TO 8A, IN THE DISCUSSIONS; (3) BRING BACK SOME BALL-PARK VALUE OF THE PROPERTIES INVOLVED; AND (4) MAKE SURE THE COMMUNITY HAS AN OPPORTUNITY FOR INPUT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Carmel Valley Building Permit Allocation Method.  
(See City Manager Report CMR-95-43. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1214) ADOPTED AS RESOLUTION R-285452

Amending Council Policy No. 600-36 regarding Requirement for Annual Adjustment of Facilities Benefit Assessments and Prepayment of Assessments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A020-051.)

MOTION BY KEHOE TO ADOPT ITEM-111, -332, -333, -334, AND TO



CONTINUE ITEM-335 TO MARCH 21, 1995 FOR PROPER NOTICING.  
Second by Stallings. Passed by the following vote: Mathis-  
yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Consenting to a Joint Public Hearing on the Proposed  
Redevelopment Plan for the North Park Redevelopment  
Project.

(See City Manager Report CMR-95-48. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1241) ADOPTED AS RESOLUTION R-285453

Consenting to a Joint Public Hearing on the proposed  
Redevelopment Plan for the North Park Redevelopment  
Project;

Authorizing the City Clerk, in cooperation with the  
Executive Director of the Agency, or designee, to  
establish a date, time and place, and authorizing  
publication and mailing of notice of the Joint Public  
Hearing on the Proposed Redevelopment Plan.

NOTE: See the Redevelopment Agency Agenda of March 7, 1995 for a  
companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A020-051.)

MOTION BY KEHOE TO ADOPT ITEM-111, -332, -333, -334, AND TO  
CONTINUE ITEM-335 TO MARCH 21, 1995 FOR PROPER NOTICING.  
Second by Stallings. Passed by the following vote: Mathis-  
yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Two actions related to the Proposed Expansion of the

Mid-City Police Substation.  
(See the Redevelopment Agency Report dated 3/7/95.  
Mid-City Community Area. Districts-3 & 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1239) ADOPTED AS RESOLUTION R-285454

Accepting the United States Department of Housing and Urban Development (HUD) 108 Loan issued on February 1, 1995, in the amount of \$4,400,000, for the development of the Mid-City Police Substation;  
Approving the estimated loan repayment schedule in accepting the HUD 108 Loan;  
Authorizing the increase in the amount of the HUD 108 Loan to be loaned to the Redevelopment Agency of the City of San Diego from \$3,039,000 adopted on November 10, 1994, by Resolution No. R-284882, to \$3,164,000;  
Authorizing the Real Estate Assets Department to purchase the remainder of the block north of the Von's building located at 4310 Landis Street, San Diego, for the Mid-City Police Substation Expansion;  
Authorizing the expenditure of the remaining \$1,236,000 for use by the Real Estate Assets Department to begin acquisition of the northerly portion of the block for the Mid-City Police Substation expansion, pending approval by the San Diego Police Department of the plans and specifications for the renovation of the Von's building located at 4310 Landis Street, San Diego, into the Mid-City Police Substation and Gymnasium;  
Authorizing the amendment to the Capital Improvements Budget by increasing CIP-36-057.0, Mid-City Area Station, by \$4,400,000;  
Authorizing the City Manager, or designee, to negotiate and execute a First Amendment to the Memorandum of Understanding (MOU) with the City, Redevelopment Agency, and Citylink Investment Corporation, to extend the MOU for six months from the date of this Resolution.

Subitem-B: (R-95-1240) ADOPTED AS RESOLUTION R-285455

Certifying that Council has reviewed and considered the

information contained in the Finding of No Significant Impact and Negative Declaration DEP-94-0341BG, and the Final Environmental Impact Report for the City Heights Redevelopment Project, and making certain findings and determinations regarding Environmental Impacts of the Development of the Mid-City Police Substation North Parking Lot.

Aud. Cert. 9500879.

NOTE: See the Redevelopment Agency Agenda of March 7, 1995 for a companion item.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A020-051.)

MOTION BY KEHOE TO ADOPT ITEM-111, -332, -333, -334, AND TO CONTINUE ITEM-335 TO MARCH 21, 1995 FOR PROPER NOTICING. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: 1991 Housing Element Update of the City's Progress Guide and General Plan.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1245) CONTINUED TO MARCH 21, 1995

Adopting the 1991 Housing Element Update, covering the period July 1, 1991 to June 30, 1998, as an amendment to the City's Progress Guide and General Plan;  
Directing that notice and a copy of the Housing Element Update document be forwarded to the California Coastal Commission recommending that the amendment to the City's Progress Guide and General Plan be incorporated into the Local Coastal Program;  
Declaring that the San Diego Housing Commission has responsibility for any future updates or annual reports pertaining to the Housing Element;  
Directing the San Diego Housing Commission and

affiliated agencies to pursue activities described within the 1991 Housing Element Update, including those which require presentation of policy recommendations to the City Council for consideration.

CITY MANAGER SUPPORTING INFORMATION:

On July 1, 1991, in accordance with State law, the City was required to update the Housing Element of its General Plan. In April 1992, the City Council authorized submission of a draft of the 1991 Housing Element Update to the State Department of Housing and Community Development (HCD). In June 1992, HCD responded to the City's submission with a list of findings. Between June 1992 and November 1994, the City, with the Planning Department as the lead, worked with HCD to address the findings. In Fall 1994, because the San Diego Housing Commission is responsible for preparing the City's federally-mandated housing plan, it was also given responsibility for the City's Housing Element. In November 1994, a civil suit was filed in Superior Court of the State of California, County of San Diego (Case No. 68290, Kevin Hoffmaster et al. v. City of San Diego et al.) on behalf of homeless persons claiming that San Diego is in violation of State law because it does not have a certified 1991 Housing Element Update. Thus, it was argued, the City has not demonstrated, pursuant to Government Code Section 65580, that it has sufficient sites to accommodate the housing needs of all income groups, particularly the homeless. On December 16, 1994, the judge, pursuant to Government Code Section 65754, ordered the City to bring its Housing Element into compliance with State law within 120 days. In response to the court order, the City Council, on January 17, 1995, directed the San Diego Housing Commission to submit a revised draft of the City's 1991 Housing Element Update to HCD. The document was received by HCD on January 23, 1995 and, pursuant to Government Code Section 65754, HCD was given 45 days from that date, or until March 9, to complete a review. On February 24, 1995, HCD notified the San Diego Housing Commission that it has certified the City's 1991 Housing Element Update as substantially complete. This action clears the way for City Council adoption of the 1991 Housing Element.

ENVIRONMENTAL IMPACT:

On January 18, 1995, the City completed an Initial Study of the 1991 Housing Element Update, pursuant to Government Code Section 65759. The results of the study determined that the Housing Element, while identifying the housing needs of existing and future residents, does not, in and of itself, result in the development of specific housing projects. Therefore, it is

determined that no significant environmental impact would result from adoption of the City's 1991 Housing Element Update.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A020-051.)

MOTION BY KEHOE TO ADOPT ITEM-111, -332, -333, -334, AND TO CONTINUE ITEM-335 TO MARCH 21, 1995 FOR PROPER NOTICING. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:48 a.m. in honor of the memory of Lucille Moore at Mayor Golding's request.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C150).