

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, JANUARY 20, 1972
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Landt, Williams, Morrow,
Martinet, Hitch, Bates, and Mayor Wilson.

Absent--None.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:35 a.m.

(Item 1)

Mayor Wilson welcomed fifty Urban Studies 9th graders from
Marston Jr. High School accompanied by Mr. Merrill Ream, a teacher.
Councilman Martinet addressed the group.

(Item 2)

The Purchasing Agent reported on all bids opened Wednesday,
January 19, 1972, on the following:

a - Installation of sidewalks on Geneva Avenue, and paving
and otherwise improving the Alleys in Block 268, Pacific Beach, and
Block 27, Fortuna Park Addition; seven bids received; and

b - Paving and otherwise improving Solymar Drive, Colony Road,
71st Street and Chateau Drive; five bids received.

Finding was made on motion of Councilman Morrow, that bids had
been opened and declared as reported. By the same motion, report
was referred to the City Manager and the City Attorney for recommendation.

(Item 3)

A communication from Mr. Hoyt Ray requesting permission to
address the Council regarding an increase pension for Unclassified
retired City Employees and provide for surviving spouse to receive
a portion of the pension of retired employee, was presented.

Mr. Hoyt Ray appeared to speak regarding this communication.

On motion of Councilman Bates, said communication was referred
to the Retirement Board for report back to Council within two months.

(Item 4)

A communication from Attorney Don Worley, representing Big Bear
Supermarket No. 3, requesting permission to address the Council
regarding the denial by the Building Inspection Department on their
request for a renewal on a building permit to occupy a trailer
coach as an office building pursuant to Section 98.11, was presented.

Attorney Don Worley appeared to speak regarding this communication.

On motion of Councilman Johnson, said communication was
referred to the City Attorney.

(Item 5)

By common consent, this item was continued to later in the Meeting.

(Considered after Item 103.)

(Item 6 - CASE NO. 42-71-9)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of January 13, 1972, at applicant's request, on matters of:

a - Appeal of John Mabee and Carlton Sell from the decision of the Planning Commission in failing to approve their application to rezone a portion of Pueblo Lot 1174, located on the northwest corner of Friars Road and Ulric Street, from Zone R-1-5 to Zone C; and

b - Appeal of John Mabee and Carlton Sell from the decision of the Planning Commission in failing to approve their application for a Slope Development Permit exceeding 60 feet in vertical height on the property located on the northwest corner of Friars Road and Ulric Street, more particularly described as a portion of Pueblo Lot 1174.

It was reported that no written protests had been received.

City Manager Moore, Assistant City Attorney Teaze, Ken Klein, Planning Department, and John Fowler, Community Development Department, answered questions directed by the Council.

Attorney Norman Seltzer, representing appellant, appeared to speak in favor of granting the rezoning and permit.

Councilman Bates made a motion to close the hearing, deny the appeal on portion of hearing described as "a", and formally requesting the State Highway Department to improve steep slope cuts. No vote was taken.

A motion made by Councilman Hitch to continue said hearing for two weeks, to February 3, 1972, for preparation of an Ordinance for CO Zoning within recommendations made by Department with direction to the City Engineer to present Council with traffic study passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Martinet, Hitch, and Mayor Wilson. Nays-Councilmen Landt, Williams, Morrow, and Bates. Absent-None.

A motion made by Councilman Hitch to reconsider his previous motion passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Hitch, and Mayor Wilson. Nays-Councilmen Morrow and Bates. Absent-None.

A motion made by Councilman Hitch to continue said hearing for two weeks, to February 3, 1972, for preparation of an Ordinance for CO Zoning on total piece of property failed by the following vote: Yeas-Councilman Hitch. Nays-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Absent-None.

The hearing was closed and the following Resolutions adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Hitch. Absent-None:

RESOLUTION 204691, denying the appeal of John Mabee and Carlton

(Item 6 Continued)

Sell from the decision of the Planning Commission in failing to approve their application to rezone a portion of Pueblo Lot 1174, from Zone R-1-5 to Zone C, located on the northwest corner of Friars Road and Ulric Street, and denying the request for said rezoning; and

RESOLUTION 204692, denying the appeal of John Mabee and Carlton Sell from the decision of the Planning Commission in failing to approve their application for a slope development permit; and denying the application for a slope development permit, exceeding 60 feet in vertical height, on the property located on the northwest corner of Friars Road and Ulric Street, more particularly described as a portion of Pueblo Lot 1174.

Mayor Wilson recessed the Meeting at 11:04 a.m. Upon reconvening at 11:21 a.m., the roll call showed all present.

(Item 7 - CASE NO. 33-71-7)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning Lots 2 and 3, Amherst Villas, located on the south side of Amherst Street, between 68th and 69th Streets, from Zone R-2 to Zone R-2A. It was reported that no written protests had been received.

Ken Klein, Planning Department, answered questions directed by the Council.

No one appeared to be heard.

The hearing was closed on motion of Councilman Hitch.

A proposed Ordinance, incorporating Lots 2 and 3, Amherst Villas, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code and repealing Ordinance No. 8941 (New Series), adopted December 11, 1963, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 8 - CASE NO. 4-71-3)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning Parcel "A", O. D. Arnold's Bonnieview No. 2; portions of Lots 61, 62, 65, 66, 70 of Ex-Mission Lands; Lots 86 through 118, O. D. Arnold's Bonnieview No. 3; and a portion of Groff Manor, located on the east side of proposed Interstate 805, between Logan Avenue and San Diego City Limits, from Zone R-4 to Zone R-1-5. It was reported that no written protests had been received.

Assistant City Attorney Teaze, Assistant Planning Director Van Cleave, Ron Lochhead, Community Development Department, and Ken Klein, Planning Department, answered questions directed by the Council.

(Item 8 Continued)

Ellsworth Pryor, Abrose Brotus, Mrs. Dorothy Sumner, and Harry Hawn appeared to speak in favor of the proposed rezoning.

Attorney Alex Harper, Mrs. Pauline Wood, Attorney Knox Bell, Attorney Robert Newman, and Lloyd Ballard appeared to speak in opposition to the proposed rezoning.

Mayor Wilson recessed the Meeting at 12:05 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:20 p.m., the roll call showed Councilman Williams absent.

Councilman Williams entered the Chamber.

(Item 8 Continued)

Guy Hatfield and Lorenzo Baldwin appeared to speak in opposition to the proposed rezoning.

The hearing was closed and the City Attorney was directed to prepare an Ordinance excluding the Hatfield Property and was continued to later in the Meeting for the City Attorney to bring back revised Ordinance, on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-Councilman Landt. Absent-None.
(Considered after Item 5.)

Mayor Wilson recessed the Meeting at 3:14 p.m. Upon reconvening at 3:30 p.m., the roll call showed all present.

(Item 9 - CASE NO. 4-71-4)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning the area in South San Diego, generally bounded by Forty-seventh Street on the west, San Diego Eastern Arizona Railroad on the north, Woodman Street on the east, and Logan Avenue on the south (approximately 300 net acres), from Zones R-3, R-4, and M-1 to Zones R-1-5, R-2, and R-2A. It was reported that written protests had been received.

Ken Klein, Planning Department, answered questions directed by the Council.

Ellsworth Pryor, Mrs. Sumner, and Mrs. Wright appeared to speak in favor of the proposed rezoning.

Lee Hubbard, Attorney Harold Ayer, Bob Bartlett, Mrs. Pauline Wood, Mr. Rogers, Mrs. Gossett, and Esther Griffith appeared to speak in opposition to the proposed rezoning.

(Item 9 Continued)

The hearing was closed and said hearing was continued for one week, to January 27, 1972, and referred to the City Attorney for preparation of an Ordinance which would change the zoning as recommended by the Planning Commission excluding that area of land easterly of 61st Street, south of Imperial Avenue and westerly of the Trailer Park, on motion of Councilman Williams.

(Item 10)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of adoption of certain proposed amendments to the Progress Guide and General Plan for The City of San Diego. Said amendments will consist mainly of changes to the General Plan Map. It is proposed that minor changes be made on pages 49 through 51, and 52-53, of the General Plan Text relative to sections on Libraries and Police, respectively. This hearing is being held in accordance with City Council Policy No. 600-7, which requires an annual updating of the General Plan. It was reported that no written protests had been received.

No one appeared to be heard.

On motion of Councilman Hitch, said hearing was continued for one week, to January 27, 1972, for further review.

(Item 11 - CASE NO. 33-71-6)

The following Ordinance was introduced at the Meeting of January 6, 1972.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and there was available for the consideration of each member of the Council and the public prior to the day of its passage written or printed copies of said Ordinance.

ORDINANCE 10770 (New Series), incorporating portions of Lots 1 and 2, Subdivision of Lots 61, 62 and a portion of Lot 63, Rancho Mission, into M-1A Zone, as defined by Section 101.0436 of the San Diego Municipal Code, and repealing Ordinance No. 8924 (New Series), adopted November 14, 1963, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 12)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Hitch:

RESOLUTION 204693, Farmac Pipeline, Inc., for the construction of "C" Street Interceptor Sewer - Phase II for the sum of \$93,841.20; authorizing the expenditure of \$113,000 out of Sewer Revenue Fund (506) for said construction and related costs;

RESOLUTION 204694, Webb Equipment Company for the purchase of one tractor loader backhoe for an actual cost of \$13,712.40, including sales tax, terms, and trade-in allowance of \$450; and

(Item 12 Continued)

RESOLUTION 204695, Information Dynamics Corporation for the purchase of Library Catalog Cards Information Service for an actual estimated cost of \$2,000, including terms.

(Item 13)

The following Resolutions, relative to inviting bids, were adopted on motion of Councilman Hitch:

RESOLUTION 204696, furnishing concrete and plaster sand and gravel for the period of one year, ending February 28, 1973, in accordance with Specifications Document No. 738672; and

RESOLUTION 204697, furnishing leased Copy Machines for a period of one year, ending June 30, 1973, in accordance with Specifications Document No. 738673.

(Item 100)

The following Resolutions, relative to the following final maps of Genesee Highlands Unit 1, Loma Portal Community Unit 1, and Oaks North Unit 1, were adopted on motion of Councilman Hitch:

RESOLUTION 204698, authorizing the Mayor and City Clerk to execute the certificate of ownership on said final map of Genesee Highlands Unit 1;

RESOLUTION 204699, authorizing an Agreement with Penasquitos, Inc. for completion of improvements in Genesee Highlands Unit 1, a 9-lot subdivision located between the boundaries of Genesee Avenue, Nobe Avenue and Regents Road;

RESOLUTION 204700, approving the final map of Genesee Highlands Unit 1;

RESOLUTION 204701, authorizing an Agreement with Loma Portal for completion of improvements in Loma Portal Community Unit 1, a 240-lot subdivision located on the east side of Nimitz Boulevard, between Voltaire and Valeta Streets;

RESOLUTION 204702, approving the final map of Loma Portal Community Unit 1;

RESOLUTION 204703, authorizing an Agreement with Avco Community Developers, Inc. for completion of improvements in Oaks North Unit 1, a 5-lot subdivision located at the intersection of Interstate 15 and Rancho Bernardo Road; and

RESOLUTION 204704, approving the final map of Oaks North Unit 1.

The following Resolutions, relative to the final map of Iris Gardens, were adopted on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Martinet, Hitch, Bates, and Mayor Wilson. Nays-Councilmen Williams and Morrow.

Absent-None:

RESOLUTION 204705, authorizing an Agreement with Mc Keon Construction for completion of improvements in Iris Gardens, a 13-lot subdivision located on the easterly side of San Ysidro Boulevard between Iris Avenue and proposed Interstate 75;

RESOLUTION 204706, approving the final map of Iris Gardens; and

RESOLUTION 204707, vacating Howard Lane, between Iris Street and State Highway 75.

Mayor Wilson recessed Meeting at 4:28 p.m. Upon reconvening at 4:42 p.m., the roll call showed all present.

(Item 101)

A proposed Resolution, directing the City Manager to refrain from issuing a Building Permit pursuant to Building Permit Application No. 3544D, filed on November 22, 1971, until the City Council holds a public hearing, was presented.

Councilman Morrow presented the minutes of the Planning Commission Meeting described as Pages 1762-1764, 1855, 1862-1863 (1971), and 1-4 (1972) Building Permit Applications, correction sheets, and all other papers as contained in the file.

Assistant City Attorney Teaze and John Fowler, Community Development Department, answered questions directed by the Council.

Councilman Martinet made a motion to continue for one week, to January 27, 1972, for further evidence. No vote was taken.

Mrs. James Clark, Bill Schwanemahn, Mrs. Manual Martinez, and Donald Schmidt appeared to speak in favor of the proposed Resolution.

Attorney Ferdinand Fletcher appeared to speak in opposition to the proposed Resolution.

Councilman Martinet withdrew his motion on the continuance.

On motion of Councilman Bates, said proposed Resolution was continued for one week, to January 27, 1972, for further evidence, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Bates, and Mayor Wilson. Nays-Councilmen Landt, Martinet, and Hitch. Absent-None.

(Item 102)

A proposed Resolution, ordering a hearing on Residential Construction Moratorium in the Mira Mesa area, was presented.

City Manager Moore and Assistant City Attorney Teaze answered questions directed by the Council.

Attorney Norman Seltzer, Attorney John Butler, and Al Haritunian appeared to speak in opposition to the proposed Resolution.

William Keough appeared to speak in favor of the proposed Resolution.

A motion made by Councilman Martinet to amend the proposed Resolution to set hearing for Wednesday, February 9, 1972, at 9:00 a.m., and calling a Special Meeting for purpose of conducting a public hearing passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Hitch. Absent-None.

RESOLUTION 204708, scheduling a special meeting for February 9, 1972, for the purpose of conducting a public meeting on Residential Construction Moratorium in the Mira Mesa area, was adopted as amended on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Hitch. Absent-None.

Councilman Hitch left the Chamber.

(Item 103)

RESOLUTION 204709, authorizing one representative of the Model Cities staff to attend the Model Cities ESEA Comprehensive Planning Conference in Kansas City, Missouri, January 24-29, 1972, and to incur all necessary expenses; authorizing one representative of the Model Cities staff to attend a training course, "Planning in the Model Cities Program", in Columbia, Maryland, January 23-28, 1972, and to incur all necessary expenses, was adopted on motion of Councilman Martinet.

(Item 5)

A communication from James Barr recommending the acquisition of Los Penasquitos Lagoon in the near future, (Petition attached signed by approximately 850 persons.), was presented.

On motion of Councilman Johnson, said communication was referred to the City Manager.

(Item 8 Continued)

Considered in part after Item 7.

Chief Deputy City Attorney Conrad read revised portion of the Ordinance.

A proposed Ordinance, incorporating Parcel "A", O. D. Arnold's Bonnieview No. 2; portions of Lots 61, 62, 65, 66, 70 of Ex-Mission Lands; Lots 86 through 118, O. D. Arnold's Bonnieview No. 3; and a portion of Groff Manor, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 78 (New Series), adopted November 14, 1932, and Ordinance No. 3821 (New Series), adopted August 10, 1948, of the Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Hitch.

Councilman Johnson reported on his Model Neighborhood tour.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson, at 6:55 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Wilson
City Clerk of the City of San Diego, California