

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, JANUARY 4, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 9:42 a.m.

Councilmen O'Connor and Williams entered the Chamber.

(Item 1)

Mayor Wilson welcomed Mr. and Mrs. Charles Bamber from Prestwich,
England, who presented greetings from the Mayor of that City.

At this time the Council considered requests for continuances:
Items 2, 3, 4, 5, 7, and 8.

(Item 2 - CASE NO. 21-72-1) CONTINUED

HEARINGS - (Continued from the Meeting of December 7, 1972.)
Matter of rezoning a portion of Lot 5, Pueblo Lot 255, located on the
east side of Morena Boulevard, between Asher and Lieta Streets, from
Zones R-1-5 and CS to Zone R-2A.

On motion of Councilman Morrow, said hearing was continued for an
indefinite period of time, to be renoticed.

(Item 3 - CASE NO. 42-72-16)

CONTINUED HEARINGS - (Continued from the Meeting of December 7, 1972.)
Matter of rezoning a portion of Pueblo Lot 1110, located on the south
side of Camino Del Rio South, between Texas Street and Interstate 805,
from Zone R-1-40 to Zone CO.

On motion of Councilman Morrow, said hearing was continued for an
indefinite period of time, to be renoticed.

(Item 4 - a - CASE NO. 60-72-9)

CONTINUED HEARINGS - (Continued from the Meeting of December 7, 1972.)
Matters of: a - rezoning a portion of Section 23, Township 14 South,
Range 4 West, located on the northeast side of Carmel Valley Road, between
Del Mar Scenic Parkway and North Torrey Pines Road, from Interim Zone
A-1-1 to Zone R-3; and b - Appeal of Thomas G. Uter from the decision of
the Planning Commission in approving the application of Robert Oster and
James Bear, owner/permittee, under Planned Residential Development Permit

(Item 4 Continued)

No. 69, to construct and operate a condominium project consisting of 76 dwelling units on a 4.1 acre site together with recreation facilities, located on the northeast side of Carmel Valley Road, between Del Mar Scenic Parkway and North Torrey Pines Road, on a portion of Section 23, Township 14 South, Range 4 West, in the Interim Zone A-1-1 (proposed R-3) Zone.

On motion of Councilman Morrow, said hearing was continued for an indefinite period of time, to be renoticed.

(Item 5 - CASE NO. 18-72-9)

CONTINUED HEARINGS - (Continued from the Meeting of December 7, 1972.) Matter of rezoning Lots 10 through 15, Block 52, and Lots 1 through 3, 10 through 28, 32 and 33, Block 51, La Jolla Park, located on the east side of Ivanhoe Avenue, between Roselyn Lane and Silverado Street, from Zones R-2, R-4 and CN to Zone CO.

On motion of Councilman Morrow, said hearing was continued for an indefinite period of time, to be renoticed.

(Item 7 - CASE NO. 1-72-2, portion)

CONTINUED HEARINGS - (Continued from the Meeting of September 28, 1972.) Matter of rezoning portions of the Pacific Beach Area - Commercial Portion.

On motion of Councilman Morrow, said hearing was continued to Thursday, January 18, 1973, following hearings on the CS and C Zones.

(Item 8)

CONTINUED HEARINGS - (Continued from the Meetings of July 6 and October 5, 1972.)

Appeal of Southern California Terraces, Inc., by Morgan G. Gilman, Vice President, from the decision of the Planning Commission denying its appeal from the decision of the Subdivision Review Board denying the tentative maps on certain Bay Terrace Subdivisions.

Milton Bennett appeared to speak regarding a continuance.

On motion of Councilman Morrow, said hearing was continued for 90 days, to Thursday, April 5, 1973, at applicant and School District's request.

The Council considered the Consent Agenda, which consisted of Items 100 and 101.

(Item 100)

The following Resolutions, relative to the final subdivision map of Cameron Industrial Park Unit 4, were adopted on motion of Councilman Martinet:

RESOLUTION 207156, authorizing an agreement with Mesa Park Land Company for completion of improvements in Cameron Industrial Park Unit 4, a one-lot subdivision located on the north side of Balboa Avenue; and

RESOLUTION 207157, approving the final map of Cameron Industrial Park Unit 4.

(Item 101)

The following Resolutions, accepting the work done and authorizing a Notice of Completion in the following subdivisions, were adopted on motion of Councilman Martinet:

- RESOLUTION 207158, Bay Terraces Unit 6;
- RESOLUTION 207159, Erickson Subdivision;
- RESOLUTION 207160, Kearny Industrial Park Unit 7;
- RESOLUTION 207161, Rancho Domingo; and
- RESOLUTION 207162, Spree.

(Item 6 - a - CASE NO. 18-72-5)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place for the hearing, continued from the Meeting of November 9, 1972, for E.I.R. and Traffic Report, on the matters of: a - appeal of Mursen Corporation, by James K. Eckmann, attorney, from the decision of the Planning Commission in failing to approve its application to rezone Lots 1 and 2, Tres Calles, and a portion of Pueblo Lot 1288, located on the north side of Ardath Road, between Torrey Pines Road and Ardath Lane, from Zone R-1-10 to Zone R-2; and b - appeal of Mursen Corporation, by James K. Eckmann, attorney, from the decision of the Planning Commission in failing to approve its application, under Conditional Use Permit Case No. 362-PC, to construct and operate a gasoline service station with accessory sales, located on the north side of Ardath Road, between Torrey Pines Road and Ardath Lane, on Lots 1 and 2, Tres Calles, and a portion of Pueblo Lot 1288, in the R-1-10 (proposed R-2) Zone. It was reported that protests had been received.

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

Attorneys James Eckmann and Tom Hamilton appeared to speak in favor of a continuance.

Attorney Karl ZoBell appeared to speak in opposition to the rezoning.

A motion made by Councilman Landt to direct the City Manager to proceed with the recommended traffic solution passed unanimously.

A motion made by Councilman Martinet to direct the City Manager to prepare a report for CIP hearings, regarding a pedestrian overpass at the intersection of La Jolla Shores Drive and Torrey Pines Road, passed unanimously.

A motion made by Councilman Johnson to continue the hearing to Thursday, February 8, 1973, was withdrawn.

A motion made by Councilman Landt to continue the hearing for an indefinite period of time for E.I.R., to be renoticed, passed unanimously.

Mayor Wilson recessed the Meeting at 11:02 a.m. Upon reconvening at 11:21 a.m., the roll call showed all present.

(Item 102)

A proposed Resolution, suspending two Certificates of Public Convenience and Necessity for Liberty Cab Company, was presented.

Assistant City Manager Graham, City Attorney Witt, Deputy City Attorney Bulens, and Deputy City Manager Breslauer answered questions directed by the Council.

Attorney Louis Silverberg appeared to speak regarding said Resolution.

On motion of Councilman Williams, said proposed Resolution was continued for four weeks, to Thursday, February 1, 1973, for further review.

Mayor Wilson recessed the Meeting at 12:02 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:27 p.m., the roll call showed all present.

(Item 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 Meetings of December 19 and 26, 1972, for further review, on the matter of considering various plans for redistricting the City Council Districts on the basis of population; such redistricting plans to be in compliance with the order of the Superior Court in the Case of D'Adamo v. Cobb, Superior Court No. 314629. It was reported that no written protests had been received.

Deputy City Attorney Wiegand, City Attorney Witt, and George Orman, Planning Department, answered questions directed by the Council.

Adrian Vigneau, Jose Luis Macias, Vern Thompson, Fritz Newman, Michael Wiecyorek, C. E. McCoy, Charles Reed, Miss Seton, and Miss Drst appeared to speak in favor of Plan #5.

Ray Luca, Ruby Zellman, and Bill Dean appeared to speak in opposition to all the plans.

J. Patrick Fleming appeared to speak in favor of Plan #5-A.

Councilman Morrow left the Chamber.

Councilman Morrow entered the Chamber.

Mayor Wilson recessed the Meeting at 3:37 p.m. Upon reconvening at 3:55 p.m., the roll call showed Councilman Williams absent.

Councilman Williams entered the Chamber.

(Item 9 Continued)

The Council resumed discussion of the plans for redistricting.

On motion of Councilwoman O'Connor, the City Attorney was directed to draft an Ordinance to be docketed for Tuesday, January 9, 1973 meeting, making reference in the Ordinance to the map for Plan #5-A, retaining as much of the existing District 8 as possible, and the hearing was continued to a Supplemental Docket for Tuesday, January 9, 1973.

The following Ordinance was introduced at the Meeting of December 14, 1972, continued from the Meeting of 12-28-72 held 1-2-73.

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.

The following Ordinance was adopted 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.

City Attorney Witt answered questions directed by the Council.

(Item 1 - Supplemental Docket)

ORDINANCE 10970 (New Series), amending Ordinance No. 10845 (New Series), as amended, to create the Classified Position of Litigation Investigator and establish a schedule of compensation therefor.

(Item 2 - Supplemental Docket)

A proposed Ordinance, continued from the Meeting of December 28, 1972 held January 2, 1973, introduced at the Meeting of December 14, 1972, amending Ordinance No. 10873 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1972-73 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year" by amending Document No. 739786, as adopted and amended therein, relating to the Position and Salary Schedule for Fund 100, Department 09.00, was presented.

On motion of Councilman Hitch, said proposed Ordinance was continued for one week, to Thursday, January 11, 1973, for further review.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson, at 4:32 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward T. Miller

City Clerk of The City of San Diego, California