

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - THURSDAY, DECEMBER 11, 1975  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE  
8:30 a.m. & 2:00 p.m.

Present-Councilmen O'Connor, Hubbard, Williams, Gade, Ellis, and Deputy  
Mayor Johnson.  
Absent--Councilmen Morrow, Haro, and Mayor Wilson.  
Clerk---Edward Nielsen.

Deputy Mayor Johnson called the regular Meeting to order at 8:35 a.m.

(Item 250)

Roll call was taken.

(Item 251)

Deputy Mayor Johnson introduced Rev. Wayne Bryant, Pastor, University  
Christian Church, who gave the Invocation.

(Item 252)

Councilman Williams led the Pledge of Allegiance.

(Item 255)

A communication from Bea Evenson, representing Committee of 100,  
requesting permission to address the Council regarding the placing of Prado  
Area of Balboa Park on the National Register of Historic Places and direct  
the City Manager to proceed with the proper action, was presented.

Bea Evenson appeared to speak regarding said communication.

Councilman Haro entered the Chambers.

On motion of Councilman Hubbard, the communication was referred to  
the City Manager for a report back to the Council in two weeks.

(Item 256)

A communication from Mary Noulton for Marie Hitchcock, the Puppet-Lady, requesting permission to address the Council regarding the sponsorship of her Puppet Shows at the Puppet Theatre in Balboa Park, was presented.

Mary Noulton appeared to speak regarding said communication.

On motion of Councilwoman O'Connor, the communication was referred to the City Manager for report to the Public Facilities and Recreation Committee.

Councilman Morrow entered the Chambers.

(Item 305)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced that in the matter of the proposed acquisitions and improvements for Park District No. 11 (Navajo Canyon) this is the time and place for the combined hearings on the following:

a - the report of the Superintendent of Street, prepared pursuant to the San Diego Park District Procedural Ordinance of 1969 and Resolution of Intention No. 214599; and

b - whether public convenience and necessity require the acquisitions and improvements and whether they should be ordered without application of the Special Assessment Investigation, Limitation, and Majority Protest Act of 1931.

Deputy Mayor Johnson further announced that any and all persons having any protest or objection to the proposed acquisitions and improvements, the extent of the proposed assessment district, the proposed assessment, or the ordering of the improvements without application of the Special Assessment Investigation, Limitation, and Majority Protest Act of 1931 may appear before the Council and show cause why the same should not be carried out and ordered.

City Clerk Nielsen stated that the Report of the Superintendent of Streets is available in the Council Chambers, and the affidavit of publication of notice of improvement and certificates of posting notice of improvement and mailing notice of adoption of the resolution of intention are on file in his office.

Deputy Mayor Johnson introduced Mr. Franklin T. Hamilton, Special Bond Counsel for this proceeding, who gave a brief explanation of the history and background, nature, purpose, and procedure for the hearings, and the manner and method of payment of the assessments.

J. F. McLaughlin, Engineering and Development Department, stated that this project proposed the acquisition of approximately 148 acres of undeveloped canyon land located east of Waring Road between the Allied Gardens and the Del Cerro areas. He showed a diagram of the location of these acquisitions and the relationship to its surrounding community.

(Item 305 - Continued)

Mr. McLaughlin reported that a proposed residential development has been considered for this area by the Council; the canyon is currently zoned for a single family residence with an LC Overlay; the property owner's proposal is for a 455 unit PRD which was denied by the Planning Commission in August, 1972. He further stated the project was appealed to the Council in November, 1972 at which time it was continued indefinitely for the preparation of an Environmental Impact Report; and upon completion of this report, the project was returned to Council in November 8, 1973. He added that because the project had been considerably altered during the intervening time, the Council directed the property owners to resubmit the revised project to the Planning Commission, and at this date, no action has been taken on the revised PRD and the property ownership within the canyon has changed hands and no new development has been initiated.

Ernie Mittmeyer, Engineering and Development Department, made several slide presentations showing the canyon to familiarize the Council with the terrain.

Mr. McLaughlin further reported that the proposal being considered today is to acquire this 480 acre tract for park reserve purpose and install two picnic areas and trail system within the canyon. He stated bids for improvement of the property will be solicited after the acquisition has been accomplished. Mr. McLaughlin said it should be noted that this canyon has been designated within the Navajo Community Plan as an open space area to be acquired; the Plan, however, recognizes the overriding need for an adequate circulation within the community and stipulates that Navajo Road should be extended through the canyon and designed to acceptable standards for a park way road. He stated the estimated cost of the project is as follows: the estimated acquisition cost is \$806,000, cost of the improvements is estimated at \$9,000, the incidental costs are \$67,000, which includes the \$22,000 bond discount, making a total project cost, as estimated, of \$882,000. He added that City participation is placed at \$645,000, which makes an assessable cost of \$237,000. He reported that this project is exempt from the Environmental Report as a Class 7 which consists of actions by regulatory agencies to assure maintenance and restoration and enhancement of natural environment through acquisition of open space land. Mr. McLaughlin stated there are essentially two categories of benefits which are involved in open space or park reserve acquisition; the acquisition of this canyon for the use of open space reserve, would be beneficial to area residents and this park site facility would tend to limit the community development, provide areas for recreation, maintain a buffer zone in the neighborhood, and preserve natural vegetation and wild life. He added that there are on the other hand, property switch because of their close proximity to the open space acquisition, enjoy a higher degree of benefit as a result of that acquisition. This category includes the property directly abutting the proposed open space acquisition. The property so situated enjoys a limited density of development, the preservation of the spectacular views, and improvement of the amenities of the property by making it more desirable for living. As a result, the assessment is apportioned to the property in accordance with the proximity to an acquisition. The single family residential lots abutting the proposed

(Item 305 - Continued)

acquisition or which are separated from the proposed acquisition only by a city-owned 30 foot water line easement or right of way has been assessed at a rate of 5 units per residential lot. He added that the residential property with the corner abutting the acquisition or having a point contact only would receive 2 1/2 units per residential lot. The non-abutting residential properties would receive a 1 unit for a single family residential lot. Those properties which are zoned institutional or commercial, or which are unsibdivided have been assigned a number of units per acre commensurate with their uses. For instance, the institutional uses that have a 2 units per acre for non-abutting properties, and 6 units per acre, where abutting properties exist. The commercial units, a commercial property has been assessed at 3 units per acre for the non-abutting properties - there are no non-abutting commercial properties. Apartment units where the property is developed units or motel units, there are 10 units per acre have been assigned on their assessment. There are a total number of 1,635 parcels within the district to be assessed for the acquisition.

Mr. McLaughlin also stated that in his opinion, all lands within the proposed assessment district will be benefited by the proposed acquisitions and improvements and that the proposed assessment has been apportioned upon the several parcels, subdivisions within the district in proportion to the estimated benefits to be received from the proposed acquisitions and improvements.

He further added that as previously indicated, the total cost of the project, including acquisition and improvements is estimated at \$882,000 of which the City is to contribute \$645,000 or 73% of the total cost. This contribution will come from proceeds the allocation of the 1974 State Bond Act. The remaining \$237,000 is spread to the assessment district which result in assessment of \$67.56 fpr a one unit non-abutting residential lot. The improvement of the open space area consists of the construction of trail systems with two picnic areas located within the canyon, and including picnic tables and benches.

Mr. McLaughlin concluded his report by showing a diagram on the extent of the improvements in the canyon itself and stated he would be available for questions.

Ernie Mittimeyer, Engineering and Development Department, reported that as of this time of the hearing, protests were received from 18 property owners representing 2% of the assessable area. Eight of these letters stated that this assessment would cost a financial burden. Some letters were received and did not feel that the park was needed and that they would derive any benefit at all from the open space. Some letters stated that the access to the park was rather limited, and 5 letters gave no reason for their opposition.

Mr. Mittimeyer added that they have also received 309 pieces of correspondence in favor, plus a letter from the Navajo Community Planners, Inc., and a letter from the Del Cerro Community Association. A petition with 53 signatures was also received, of people in the district who are not officially protesting against the open space park, but want to go on record that this acquisition should not in any way prevent the construction of the future extension of Navajo Road as a park way.

(Item 305 - Continued)

City Clerk Nielsen stated that copies of all written protests filed with the City Clerk before 8:30 A.M. on December 11, 1975 were furnished to each member of the Council; where the protests were in the form of petitions or of communications with identical texts, at least one copy of each such form, together with an indication of the number of signers thereon, was furnished to each member of the Council.

Mr. Nielsen further reported that there were no letters of protests received after 8:30 A.M. on December 11, 1975.

The Deputy Mayor then asked if any person who has filed a written protest, or his representative, desire to be heard orally in support of such protest. No one else appeared to be heard.

The Deputy Mayor once again asked if any person who has filed a written protest, or his representative, desire to be heard in support of such protest.

The Deputy Mayor then asked if any person desire to make an oral protest.

The Deputy Mayor once again asked if any person desire to make an oral protest.

The Deputy Mayor then asked if any other person desire to be heard on the proposed acquisitions and improvements, the assessment district, the assessment, the diagram, or the proceedings related thereto.

The Deputy Mayor once again asked if any other person desire to be heard on the proposed acquisitions and improvements, the assessment district, the assessment, the diagram, or the proceedings related thereto.

Murray Holloway, representing the proponent for the acquisition of the Navajo Canyon, appeared to speak.

Dorothy Leonard, President of the Navajo Community Planners, appeared to speak in favor of the matter.

J.F. McLaughlin, Engineering and Development Department, answered questions directed by the Council.

On motion of Councilman Ellis, the following resolutions were adopted unanimously:

RESOLUTION 214846, resolution finding and determining that public convenience and necessity require certain improvements - Navajo Canyon Park Assessment District;

RESOLUTION 214847, resolution making findings and overruling protests and objections, confirming diagram and assessment and ordering improvements - Navajo Canyon Park Assessment District;

RESOLUTION 214848, resolution directing the City Clerk to give notice inviting sealed sealed bids for the purchase of improvement bonds - Navajo Canyon Park Assessment District; and

RESOLUTION 214849, authorizing the expenditure of \$645,000 from 3021 Deposit Trust Fund for the purpose of providing funds for the City's contribution for improvements of San Diego Park District No. 11 (Navajo Canyon).

(Item 301 - CASE NO. 16-75-1)

The hour of 9:00 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the matter of rezoning property in the Mid-City Planning Area IV, as described below, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, or any combination thereof, and from Zone R-3 to Zones R-2A, R-2, or any combination thereof:

AREA 3 SUBAREA A Consists of 79.2 acres of R-3 and R-4 zoned property generally bounded on the west by 41st Street, on the north by Dwight Street, on the east by 45th Street, and on the south by Juniper Street. 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.

A motion by Councilman Haro to close the hearing and introduce an Ordinance for R-3 Zoning, received no vote at this time.

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

The hearing was closed on motion of Councilman Haro.

A proposed Ordinance, incorporating that property in the Mid-City Planning Area IV, generally bounded on the west by 41st Street, on the north by Dwight Street, on the east by 45th Street, and on the south by Juniper Street, into R-3 Zone as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Haro, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor Johnson. Nays-Councilman Hubbard. Absent-Mayor Wilson.

(Item 253)

Deputy Mayor Johnson welcomed thirty students from Whittier Elementary School, accompanied by Janet Zak.

Councilman Gade addressed the group.

(Item 301 - CASE NO. 16-75-1 - Continued)

AREA 3 SUBAREA B Consists of 12.9 acres of R-4 zoned property generally located easterly of Euclid Avenue, and northerly of Isla Vista Drive. It was reported that no written protests had been received.

Ken Klein appeared to speak.

No one appeared to be heard.

A motion by Councilman Hubbard to close the hearing and amend the Ordinance for R-3 Zoning, died for lack of a second.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Mid-City Planning Area IV, generally located easterly of Euclid Avenue, and northerly of Isla Vista Drive, into R-2 Zone as defined by Section 101.0409 of the San Diego Municipal Code and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced as amended on motion of Councilman Morrow, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Gade, and Haro. Nays-Councilmen Johnson, Hubbard and Ellis. Absent-Mayor Wilson.

(Item 301 - CASE NO. 16-75-1 - Continued)

AREA 3 SUBAREA C Consists of 10.6 acres of R-3 and R-4-zoned property generally bounded on the west by Home Avenue, on the north by Euclid Avenue, and on the east by Ridgeview Drive. 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.

A motion by Councilman Hubbard to retain R-3 and R-4 Zoning, died for lack of a second.

A motion by Councilman Haro to close the hearing and introduce an Ordinance for R-2A and R-2 Zoning, received no vote at this time.

Ken Klein, Planning Department, answered questions directed by the Council. The hearing was closed on motion of Councilman Haro.

A proposed Ordinance, incorporating that property in the Mid-City Planning Area IV, generally bounded on the west by Home Avenue, on the north by Euclid Avenue, and on the east by Ridgeview Drive, into R-2A and R-2 Zones as defined by Sections 101.0410 and 101.0409, respectively, of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Haro, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Gade, Ellis, and Haro. Nays-Councilman Hubbard and Deputy Mayor Johnson. Absent-Mayor Wilson.

AREA 3 SUBAREA D Consists of 3.6 acres of R-4 zoned property bounded on the west by Home Avenue, on the south by Fairmount Avenue, and on the east by Ridgeview Drive. 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.

A motion by Councilman Hubbard to retain R-4 Zoning, died for lack of a second.

Ken Klein, Planning Department, answered questions directed by the Council. The hearing was closed on motion of Councilman Haro.

A proposed Ordinance, incorporating that property in the Mid-City Planning Area IV, bounded on the west by Home Avenue, on the south by Fairmount Avenue, and on the east by Ridgeview Drive, into R-2 Zone as defined by Section 101.0409 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Haro, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Gade, Ellis, and Haro. Nays-Councilman Hubbard and Deputy Mayor Johnson. Absent-Mayor Wilson.

(Item 254)

Deputy Mayor Johnson welcomed forty students from Patrick Henry High School, accompanied by Arthur Polk.

Councilman Ellis addressed the group.

(Item 300 - CASE NO. 28-75-2)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the matter of rezoning property in the Mid-City Planning Area IV, as described below, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1, or any combination thereof:

AREA 1 SUBAREA A Consists of 49.3 acres of R-4 zoned property located adjacent to Bayview Heights Drive, north and west of State Highway 94, between Chollas Operation Center and Federal Boulevard. It was reported that no written protests had been received.

Ken Klein, Planning Department, answered questions directed by the Council. The hearing was closed on motion of Councilman Williams.

A proposed Ordinance, incorporating that property in the Mid-City Planning Area IV, located adjacent to Bayview Heights Drive, north and west of State Highway 94, between Chollas Operation Center and Federal Boulevard, into R-3 Zone as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Williams, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor Johnson. Nays-None. Absent-Mayor Wilson.

AREA 1 SUBAREA B Consists of 5.3 acres of R-4 zoned property located north of Federal Boulevard, east of Pentecost Way, and known as Pentecost Park. It was reported that no written protests had been received.

Ken Klein, Planning Department, answered questions directed by the Council. The hearing was closed on motion of Councilman Hubbard.

A proposed Ordinance, incorporating that property in the Mid-City Planning Area IV, located north of Federal Boulevard, east of Pentecost Way, and known as Pentecost Park, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor Johnson. Nays-None. Absent-Mayor Wilson.

AREA 1 SUBAREA C Consists of 5.02 acres of R-4 zoned property located south of Marilou Road, west of Euclid Avenue, and north of Beech Street. It was reported that no written protests had been received.

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

William Baker, Winston German and George Stevens appeared to speak in opposition to the proposed rezoning.

A motion by Councilman Hubbard to retain R-4 Zoning, received no vote at this time.

Discussion followed.

A vote was then taken on the previous motion by Councilman Hubbard to retain R-4 Zoning, which was defeated by the following vote: Yeas-Councilmen Hubbard Gade and Ellis. Nays-Councilmen O'Connor, Williams, Morrow, Haro and Deputy Mayor Johnson. Absent-Mayor Wilson.



(Item 300 - CASE NO. 28-75-2 AREA 1 SUBAREA C - Continued)

A motion by Councilman Morrow to close the hearing and introduce an amended Ordinance for R-3 Zoning (northerly of Federal Boulevard) and R-2 Zoning (southerly of Federal Boulevard) which are all single family development, received no vote at this time.

Winston German appeared to speak.

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

The hearing was closed on motion of Councilman Morrow and continued the proposed rezoning to December 18, 1975 (a.m.) and direct the City Attorney to prepare an amended Ordinance for R-3 Zoning (northerly of Federal Boulevard) and R-2 Zoning (southerly of Federal Boulevard), which passed by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Haro and Deputy Mayor Johnson. Nays-Councilmen Hubbard, Gade and Ellis. Absent-Mayor Wilson.

The Deputy Mayor recessed the meeting at 10:49 a.m. Upon reconvening at 11:05 a.m., the roll call showed Councilmen Williams, Haro and Mayor Wilson absent.

(Item 304 - CUP 439-PC)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meetings of October 9 and November 6, 1975, for City Manager to work out access problems across Camp Elliott and at Councilman Johnson's request, on the appeal of Scripps Ranch Civic Association, by Robert Feuge from the decision of the Planning Commission in granting the application of the United States Naval Facilities Engineering Command and The City of San Diego, owners, and The County of San Diego, permittee, under Conditional Use Permit No. 439-PC, to construct and operate a sanitary land fill on the south side of Pomerado Road, 3.8 miles east of I-15. The property is portions of Sections 35 and 36, Township 14 South, Range 2 West, and portions of Sections 1 and 2, Township 15 South, Range 2 West, S.B.B.M., in the R-1-40 and A-1-10 Zones. It was reported that no written protests had been received.

Councilman Haro entered the Chambers.

Ken Klein, Planning Department and Assistant City Manager Graham answered questions directed by the Council.

Dwight Smith appeared to speak on the matter.

A motion by Councilman Haro to continue the matter for two weeks, died for lack of a second.

Dwight Smith, Robert Feuge and R. Cesena appeared to speak.

Councilman Morrow moved to continue the matter to January 15, 1976 (a.m.), to view the area, which passed unanimously.

(Item 300 - CASE NO. 28-75-2 - Continued)

AREA 1 SUBAREA D Consists of .58 acre of R-4 zoned property located south of Marilou Road, west of 48th Street, and north of Federal Boulevard. It was reported that no written protests had been received.

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

A motion by Councilman Hubbard to retain R-4 Zoning, died for lack of a second.

A motion by Councilman Haro to close the hearing and introduce an Ordinance for R-1-5 Zoning, received no vote at this time.

Councilman Williams entered the Chambers.

A vote was then taken on the previous motion by Councilman Haro to close the hearing and introduce an Ordinance for R-1-5 Zoning, which failed due to lack of five affirmative votes by the following vote: Yeas- Councilmen O'Connor, Williams, Morrow and Haro. Nays-Councilmen Hubbard, Gade, Ellis and Deputy Mayor Johnson. Absent-Mayor Wilson.

The hearing was closed on motion of Councilman Ellis.

A proposed Ordinance, incorporating that property in the Mid-City Planning Area IV, located south of Marilou Road, west of 48th Street, and north of Federal Boulevard, into R-3A Zone as defined by Section 101.0412 of the San Diego Municipal Code and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced, as amended, on motion of Councilman Ellis, by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Gade, and Ellis. Nays-Councilmen O'Connor, Williams, and Haro. Absent-Mayor Wilson.

AREA 1 SUBAREA E Consists of 4.5 acres of R-4 zoned property generally located south of Federal Boulevard, west of 47th Street, and north of State Highway 94. 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 Ellis.

A proposed Ordinance, incorporating that property in the Mid-City Planning Area IV, generally located south of Federal Boulevard, west of 47th Street, and north of State Highway 94, into R-3 Zone as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor Johnson. Nays-None. Absent-Mayor Wilson.

Deputy Mayor Johnson recessed the Meeting at 11:58 a.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:03 p.m., the roll call showed Councilmen Morrow, Gade and Mayor Wilson absent.

(Item 157 - Unfinished Business - Docket of December 10, 1975)

A proposed Resolution, authorizing an agreement with the Freedom Train Foundation, Inc., for the purpose of providing visits and viewing of the American Freedom Train in San Diego from January 14 to January 18, 1976; transferring the sum of \$15,000 from the Transient Occupancy Tax Unallocated Reserve for the above purpose, was presented.

Assistant to City Manager Breslauer answered questions directed by the Council.

Councilmen Gade and Morrow entered the Chambers.

Admiral Stecklein appeared to speak on the matter.

Councilman Williams left the Chambers.

RESOLUTION 214850, authorizing an agreement with The American Freedom Train Foundation, Inc., providing for the appearance of the American Freedom Train in San Diego during the period of January 14 through January 18, 1976; authorizing the low bid of Aztec Bus Lines and authorizing the City Manager to enter into a contract for the furnishing of bus rentals as may be required for the purpose of transporting citizens of San Diego to and from Miramar Air Station during the period of January 14 through January 18, 1976, inclusive, per prices on file in the Purchasing Department; authorizing the expenditure of \$27,000 out of Transient Occupancy Tax Fund 224 Contingency Reserve (52.99) for the above purposes, was adopted on motion of Councilman Ellis.

(Item 302 - CASE NO. 32-75-1)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 20, 1975, for amended Ordinance, on the matter of rezoning property in the Skyline/Paradise Hills Planning Area, as described below, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1, or any combination thereof:

AREA 1 SUBAREA C Consists of 7.2 acres of R-4 zoned property known as South Rancho Hills Unit 7, less Lots 176 and 184. 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.

(Item 302 - CASE NO. 32-75-1 - Continued)

Councilman Williams entered the Chambers.

A motion by Councilman Hubbard to retain R-4 Zoning, died for lack of a second.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance, incorporating that property in the Skyline/Paradise Hills Planning Area known as South Rancho Hills Unit 7, less Lots 176 and 184, into R-1-5 and R-3 Zones, as defined by Sections 101.0407 and 101.0411, respectively, of the San Diego Municipal Code and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Williams, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Gade, Ellis, and Haro. Nays-Councilman Hubbard and Deputy Mayor Johnson. Absent-Mayor Wilson.

(Item 303 - CASE NO. 32-75-1)

The hour of 8:30 a.m. Having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 20, 1975, for amended Ordinance, on the matter of rezoning property in the Skyline/Paradise Hills Planning Area, as described below, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1, or any combination thereof:

AREA 1 SUBAREA D Consists of 1.5 acres of R-4 zoned property on the southeast and southwest corners of Cumberland Street and Reo Drive and on the northeast and northwest corners of Albemarle Street and Reo Drive. 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 Williams.

A proposed Ordinance, incorporating that property in the Skyline/Paradise Hills Planning Area on the southeast and southwest corners of Cumberland Street and Reo Drive and on the northeast and northwest corners of Albemarle Street and Reo Drive, into R-3 and R-1-5 Zones as defined by Sections 101.0411 and 101.0407, respectively, of the San Diego Municipal Code and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Williams, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Ellis and Haro. Nays-Councilmen Hubbard, Gade and Deputy Mayor Johnson. Absent-Mayor Wilson.

(Item 408)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, on the matter of amending the Progress Guide and General Plan for The City of San Diego by amending the General Plan Map to incorporate the following changes: a) Ocean Beach Precise Plan and amendment to the Peninsula Community Plan adopted by the City Council on July 3, 1975; b) San Ysidro Community Plan Amendments adopted by the City Council on August 21, 1975; and c) Uptown Community Plan adopted by the City Council on August 21, 1975. It was reported that no written protests had been received.

Robert J. Miller appeared to speak on the continuance of the matter. Ken Klein, Planning Department, Chief Deputy City Attorney Conrad and City Clerk Nielsen answered questions directed by the Council.

A motion by Councilman Hubbard to continue the matter to December 23, 1975, died for lack of a second.

Chief Deputy City Attorney Conrad answered questions directed by the Council.

A motion by Councilwoman O'Connor to adopt items b and c and continue item a to December 23, 1975, received no vote at this time.

Robert J. Miller, Phil Shafer and Doug Card appeared to speak on the matter.

A motion by Councilman Haro to adopt b and c and discuss a, died for lack of a second.

Chief Deputy City Attorney Conrad and Assistant Planning Director Van Cleave answered questions directed by the Council.

A motion by Councilwoman O'Connor to adopt a, b, and c, received no vote at this time.

A motion by Councilman Ellis to adopt b and c, died for lack of a second.

Ned Titlow and Joe Richardson appeared to speak regarding continuance of the matter.

Planning Director Goff answered questions directed by the Council.

A motion by Councilman Morrow to adopt a, received no vote at this time.

A motion by Councilman Gade to continue a for additional input by Robert Miller to January 15, 1976, received no vote at this time.

Chief Deputy City Attorney Conrad and Planning Director Goff answered questions directed by the Council.

Councilman Haro withdrew his second on the motion by Councilman Gade to continue a for additional input by Robert Miller to January 15, 1976.

A motion by Councilman Gade to continue the matter to January 15, 1976 or until such time as appropriate to hear it separately, failed due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Hubbard, Gade, Ellis and Deputy Mayor Johnson. Nays-Councilmen O'Connor, Williams, Morrow and Haro. Absent-Mayor Wilson.

A motion by Councilman Gade to continue a to December 23, 1975 at Councilman Gade's request, passed unanimously.

(Item 408 - Continued)

Councilman Morrow moved to adopt (b), which passed unanimously.

Councilman Haro moved to close the hearing and adopt (c) and the following Resolution was adopted:

RESOLUTION 214851, amending General Plan Map entitled, "Progress Guide and General Plan for the City of San Diego," incorporating the amendments to the San Ysidro Community Plan and the Uptown Community Plan.

(Item 401 - CASE NO. 41-75-1)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 28, 1975, due to lack of a quorum, on the matter of rezoning portions of Lots 36, 37 and 39, Rosedale Tract, and portions of Lots 54 and 56, Rancho Mission in Townships 15 and 16 South, Range 2 West, S.B.B.M., located on the south side of Tierrasanta Boulevard easterly of La Cuenta Drive, in the Elliott Community Plan, from Zone R-1-40 to Zone R-1-5. 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.

Councilwoman O'Connor left the Chambers.

The hearing was closed on motion of Councilman Ellis and the following Resolution adopted:

RESOLUTION 214852, certifying that the information contained in Environmental Impact Report No. 75-06-27P has 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.

A proposed Ordinance, incorporating portions of Lots 36, 37 and 39, Rosedale Tract, and portions of Lots 54 and 56, Rancho Mission in Townships 15 and 16 South, Range 2 West, S.B.B.M., into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 10864 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Ellis by the following vote: Yeas-Councilmen Hubbard, Williams, Morrow, Gade, Ellis, Haro and Deputy Mayor Johnson. Nays-None. Absent-Councilwoman O'Connor and Mayor Wilson.

(Item 402 - CASE NO. 24-75-2)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 28, 1975, due to lack of a quorum, on the matter of rezoning portions of Lots 7 and 8, Block 30, Roseville, located at the southwest corner of Dickens and Scott Streets in the Peninsula Community Plan, from Zone R-4 to Zone C-1. It was reported that no written protests had been received.

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

Councilwoman O'Connor entered the Chambers.

The hearing was closed on motion of Councilman Hubbard and the following Resolution adopted:

RESOLUTION 214853, certifying that the information contained in Environmental Negative Declaration No. 75-08-06P 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.

A proposed Ordinance, incorporating portions of Lots 7 and 8, Block 30, Roseville, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 32 (New Series), adopted September 6, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro and Deputy Mayor Johnson. Nays-None. Absent-Mayor Wilson.

(Item 403 - CASE NO. 60-75-10)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 28, 1975, due to lack of a quorum, on the matter of rezoning a portion of Section 31, Township 14 South, Range 2 West, S.B.B.M., R.O.S. 3933, located at the southeast corner of Mira Mesa Boulevard and Black Mountain Road within the Mira Mesa Community area, from Zone A-1-1 to Zone CA-S. It was reported that no written protests had been received.

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

Mr. Peterson appeared to speak.

The hearing was closed on motion of Councilman Ellis and the following Resolution adopted:

RESOLUTION 214854, certifying that the information contained in Environmental Impact Report No. 75-07-12P has 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.

(Item 403 - CASE NO. 60-75-10 - Continued)

A proposed Ordinance, incorporating a portion of Section 31, Township 14 South, Range 2 West, S.B.B.M., into CA-S Zone, as defined by Section 101.0428 of the San Diego Municipal Code and repealing Ordinance No. 10936 (New Series), adopted October 5, 1972 of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro and Deputy Mayor Johnson. Nays-None. Absent-Mayor Wilson.

(Item 404 - CASE NO. 49-75-1)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 28, 1975, due to lack of a quorum, on the matter of rezoning a portion of Lot 70, Rancho Mission of San Diego, S.C.C. NO. 15191 (portion Lot J), located on the northwest side of Barker Way between Barker Drive and Coleshill Drive, from Zone A-1-10 (HR Overlay) to Zone R-1-10. This property is in the Navajo Community Plan. It was reported that no written protests had been received.

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

Dorothy Leonard appeared to speak on the matter.

The hearing was closed on motion of Councilman Ellis and the following Resolution adopted:

RESOLUTION 214855, certifying that the information contained in Environmental Negative Declaration No. 75-03-24P 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.

A proposed Ordinance, incorporating a portion of Lot 70, Rancho Mission of San Diego, into R-1-10 Zone, as defined by Section 101.0407 of the San Diego Municipal Code and repealing Ordinance No. 10893 (New Series), adopted August 22, 1972 of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor Johnson. Nays-None. Absent-Mayor Wilson.

(Item 405 - CASE NO. 38-75-3)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 28, 1975, due to lack of a quorum, on the matter of rezoning property in the South University City Planning Area, as described below, from Zone CA to Zone R-1-5 or any zone in between:



(Item 405 - CASE NO. 38-75-3 - Continued)

AREA A Consists of 9.3 acres of CA zoned property located at the intersection of Governor Drive and Regents Road. It was reported that no written protests had been received.

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

Arthur Greer appeared to speak on the proposed rezoning.

A motion by Councilman Morrow to introduce an Ordinance for CN Zoning as prepared, received no vote at this time.

Maynard Hughes, P. Hamstra and C. Pierce appeared to speak on the proposed rezoning.

A motion by Councilman Morrow to close the hearing and introduce an amended Ordinance for CN Zoning on the entire area, died for lack of a second.

C. Pierce, Maynard Hughes and Arthur Greer appeared to speak on the proposed rezoning.

Ken Klein, Planning Department and Chief Deputy City Attorney Conrad answered questions directed by the Council.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the South University City Planning Area located at the intersection of Governor Drive and Regents Road, into CN Zone as defined by Section 101.0426 of the San Diego Municipal Code and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced as amended on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Gade and Haro. Nays-Councilmen Hubbard and Ellis. Absent-Mayor Wilson.

Deputy Mayor Johnson recessed the Meeting at 4:15 p.m. Upon reconvening at 4:26 p.m., the roll call showed Councilman Williams and Mayor Wilson absent.

(Item 405 - CASE NO. 38-75-3 - Continued)

AREA B Consists of 20.5 acres of CA zoned property located at the southeast and southwest corners of Governor Drive and Genesee Avenue. It was reported that no written protests had been received.

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

Maynard Hughes, Charles Barnes and Dave Garrison appeared to speak on the proposed rezoning.

A motion by Councilman Morrow to introduce an Ordinance for CN Zoning as prepared, received no vote at this time.

Arthur Pienado appeared to speak on the proposed rezoning.

(Item 405 - CASE NO. 38-75-3 - Continued)

A motion by Councilman Ellis to file the proposed rezoning, received no vote at this time.

Arthur Pienado, Maynard Hughes and Charles Barnes appeared to speak on the proposed rezoning.

A vote was then taken on the previous motion by Councilman Ellis to file, which failed due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Hubbard, Gade and Ellis. Nays-Councilmen O'Connor, Morrow, Haro and Deputy Mayor Johnson. Absent-Councilman Williams and Mayor Wilson.

The hearing was closed on motion of Councilman Haro and the following Resolution adopted:

RESOLUTION 214856, certifying that the information contained in Environmental Impact Report No. 75-04-12C has 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.

A proposed Ordinance, incorporating that property in the South University City Planning Area, into CN Zone as defined by Section 101.0426 of the San Diego Municipal Code and repealing certain Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Haro, by the following vote: Yeas-Councilmen O'Connor, Morrow, Gade, Haro and Deputy Mayor Johnson. Nays-Councilmen Hubbard and Ellis. Absent-Councilman Williams and Mayor Wilson.

(Item 406 - CASE NO. 48-75-10)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, on the matter of rezoning a portion of Lot 1 and all of Lot 3, Montgomery Palisades Neighborhood Shopping Center, located on the east side of Beyer Way and north of Palm Avenue, from Zone R-2 to Zone CA. 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 Haro and the following Resolution adopted:

RESOLUTION 214857, certifying that the information contained in Environmental Negative Declaration No. 75-08-05P 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.

A proposed Ordinance, incorporating a portion of Lot 1 and all of Lot 3, Montgomery Palisades Neighborhood Shopping Center, into CA Zone, as defined by Section 101.0428.1 of the San Diego Municipal Code, and repealing Ordinance No. 11021 (New Series), adopted March 8, 1973, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Haro, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Morrow, Gade, Ellis, Haro and Deputy Mayor Johnson. Nays-None. Absent-Councilman Williams and Mayor Wilson.

(Item 407 - CASE NO. 48-75-8)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, on the matter of rezoning a portion of the South 1/2 of the Northwest 1/4, Section 35, Township 18 South, Range 2 West, S.B.B.M., located on both sides of Dairy Mart Road, north of San Ysidro Boulevard and Vista Lane, and south of Beyer Boulevard, from Zones A-1-5 and A-1-10 to Zone R-1-5. 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 Haro and the following Resolution adopted:

RESOLUTION 214858, certifying that the information contained in Environmental Impact Report No. 75-06-21P has 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.

A proposed Ordinance, incorporating a portion of the South 1/2 of the Northwest 1/4, Section 35, Township 18 South, Range 2 West, S.B.B.M., into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 7606 (New Series), adopted September 26, 1957, and Ordinance No. 10862 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Haro, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Morrow, Gade, Ellis, Haro and Deputy Mayor Johnson. Nays-None. Absent-Councilman Williams and Mayor Wilson.

(Item 409 - T.M. 74-154)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, on the application of Jon Jentz for special permission to waive underground utility requirements in connection with the Subdivision Map of Palm View, located west of Beyer Boulevard, south of Palm Avenue and easterly of 24th Street, in the R-1-5 Zone. It was reported that no written protests had been received.

J. F. McLaughlin, Engineering and Development, answered questions directed by the Council.

No one appeared to be heard.

Councilwoman O'Connor left the Chambers.

The hearing was closed on motion of Councilman Haro and the following Resolution adopted:

RESOLUTION 214859, granting the application of Jon Jentz for special permission to waive underground utility requirements in Palm View Subdivision, was adopted on motion of Councilman Haro.

(Item 156 - Unfinished Business - Docket of December 10, 1975)

A proposed Resolution, inviting bids for furnishing 6 eleven-passenger vans with wheel chair capability and accommodations - Specifications Document No. 753479, was presented.

A motion by Councilman Morrow to adopt the proposed Resolution, received no vote at this time.

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 214860, inviting bids for furnishing 6 eleven-passenger vans with wheel chair capability and accommodations in accordance with Specifications Document No. 753479, was adopted on motion of Councilman Morrow.

(Item 158 - Unfinished Business - Docket of December 10, 1975)

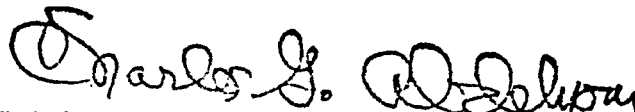
A proposed Resolution, continued from the Meeting of November 26, 1975, directing the City Clerk to use the existing Data Retrieval System for the preparation of the Council docket for a trial period of sixty days, was presented.

Councilman Morrow moved to continue the proposed Resolution to December 18, 1975 (p.m.) due to lack of time, which passed unanimously.

(Item 202 -- Unfinished Business - Docket of December 10, 1975)

At this time, Councilman Morrow stated he wanted Item No. 202 on the Council docket by January 15, 1976.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 5:08 p.m., on motion of Councilman Gade.



City Clerk of The City of San Diego, California