

ADJOURNED REGULAR MEETING OF THE COUNCIL  
OF THE CITY OF SAN DIEGO, CALIFORNIA  
TUESDAY, OCTOBER 19, 1976, ADJOURNED TO WEDNESDAY,  
OCTOBER 20, 1976, 8:30 A.M., AND ADJOURNED TO WEDNESDAY,  
OCTOBER 20, 1976, 2:00 P.M. - HELD TUESDAY, OCTOBER 26, 1976, IN THE  
CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE  
2:00 P.M.

Present-Councilmen Johnson, Hubbard, Williams, Gade, Ellis, Haro, and  
Mayor Wilson.

Absent--Councilmen O'Connor and Morrow.

Clerk---Edward Nielsen.

Mayor Wilson called the Adjourned Regular Meeting to order at 2:04 p.m.

It was reported that this Meeting had been adjourned from Tuesday,  
October 19, 1976, to Wednesday, October 20, 1976, 8:30 a.m., and adjourned  
to Wednesday, October 20, 1976, 2:00 p.m., to this time by the City Clerk.

The Clerk reported that copies of the Notice of Adjournment covering  
adjournment of this Meeting from Tuesday, October 19, 1976, to Wednesday,  
October 20, 1976, 8:30 a.m., to Wednesday, October 20, 1976, 2:00 p.m. to 2:00 p.m.,  
Tuesday, October 26, 1976, had been posted as required by law, and the  
Notices of Adjournment had been mailed as required by law, and that the  
proper Certificates of Posting and Mailing are on file.

On motion of Councilman Ellis, the Adjourned Regular Meeting was  
adjourned at 2:05 p.m.

*Pete Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Edward Nielsen*

City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, OCTOBER 26, 1976  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 2:10 p.m.

(Item 1)

Roll Call was taken.

(Item 2)

Councilman Ellis gave the Invocation.

(Item 3)

Councilman Haro led the Pledge of Allegiance.

There were no requests for continuances at this time.

Councilman Morrow entered the Chambers.

(Unanimous Consent #1)

By Common Consent granted to Councilman Ellis, a communication from Mrs. Janet Blackburn requesting permission to address the Council regarding a request for a turfed play area at a Tierrasanta school, was presented.

A motion by Councilman Ellis to refer the matter to the City Manager to communicate with the San Diego Unified School District and refer that report to the Public Facilities and Recreation Committee, received no vote at this time.

The Council discussed the matter.

The vote was then taken on the previous motion of Councilman Ellis to refer the matter to the City Manager to communicate with the San Diego Unified School District and refer that report to the Public Facilities and Recreation Committee, which passed unanimously.

The Council at this time considered requests for continuances: Item 20.

(Item 20)

NOTICED HEARINGS: (Continued from the Meetings of July 27 and September 14, 1976.) Appeal of Curtis Coleman Company, by Charles Kerch, from the decision of the City Engineer in denying, under Section 62.0104(d) of the San Diego Municipal Code, its application for a land development permit, Application No. 62352, on property located on both sides of Palm Avenue, east of I-805.

A motion by Councilman Haro to continue the matter one week until November 3, 1976, 9:00 a.m., Time Certain, to allow Councilmen Morrow, Haro, and Mayor Wilson time to listen to the tapes of the previous meetings, received no second at this time.

Mr. Charles Kerch appeared to address the Council.

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

Mr. Charles Kerch answered questions directed by the Council.

The Council discussed the matter.

Ron Lockhead, Engineering and Development Department, addressed the Council.

At this time, Councilman Williams seconded the previous motion by Councilman Haro to continue the matter one week until November 3, 1976, 9:00 a.m., Time Certain, to allow Councilmen Morrow, Haro, and Mayor Wilson time to listen to the tapes of the previous meetings, which received no vote at this time.

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

The vote was then taken on the previous motion of Councilman Haro to continue the matter one week until November 3, 1976, 9:00 a.m., Time Certain, to allow Councilmen Morrow, Haro, and Mayor Wilson time to listen to the tapes of the previous meetings, which passed unanimously.

(Item 21 - CASE NO. 7-76-1 - City-owned property)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning portions of Lots 8 and 9, Trojan Heights, and portions of 54th Place, 54th Street, and Trojan Avenue to be vacated, located on the south side of Trojan Avenue between 54th Street and 54th Place, from Zone R-1-5 to Zone CO.

It was reported that no written protests had been received.

Ken Klein, Planning Department, presented his report.

Dr. Mack J. Harris appeared to address the Council.

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

Assistant Director Hagar, Property Department, answered questions directed by the Council.

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

A motion by Councilman Hubbard to instruct the City Manager to negotiate the sale of this property to Dr. Harris, the adjoining property owner, at the fair market value subject to the condition that he develop this property in accordance with plans presented to and approved by the Planning Department, received no vote at this time.

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

The Council discussed the matter.

(Item 21 - CASE NO. 7-76-1 - City-owned property - Continued)

Assistant Director Hagar, Property Department, answered questions directed by the Council.

The vote was then taken on the motion of Councilman Hubbard to instruct the City Manager to negotiate the sale of this property to Dr. Harris, the adjoining property owner, at the fair market value subject to the condition that he develop this property in accordance with plans presented to and approved by the Planning Department, which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilwoman O'Connor.

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

The motion of Councilman Hubbard to close the hearing, adopt the Environmental Negative Declaration No. 76-04-27C, as amended, and introduce the amended Ordinance for CO 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 Hubbard.

RESOLUTION 216981, certifying that the information contained in the Environmental Negative Declaration No. 76-04-27C, as amended, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council, was adopted on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilwoman O'Connor.

A proposed Ordinance, incorporating portions of Lots 8 and 9, Trojan Heights, and portions of 54th Place, 54th Street, and Trojan Avenue to be vacated, located on the south side of Trojan Avenue between 54th Street and 54th Place, into CO Zone as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 13559, approved July 11, 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 Johnson, Hubbard, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilwoman O'Connor.

(Item 22 - CASE NO. 7-76-2)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Mack J. Harris, M.D., from the decision of the Planning Commission in denying his application to rezone Lot 1, Lemon Villa Resubdivision No. 2, located on the east side of 54th Street between Trojan Avenue and Orange Avenue, from Zone R-3 to Zone CO.

Ken Klein, Planning Department, presented his report.

City Clerk Nielsen reported that a letter from Silvia and Ralph Arden had been received in opposition to the appeal.

Dr. Mack J. Harris, M.D., appeared to address the Council.

(Item 22 - CASE NO. 7-76-2 - Continued)

The motion by Councilman Hubbard to close the hearing, grant the appeal and introduce an Ordinance for CO Zoning, received no vote at this time.

The Council discussed the matter.

The hearing was closed on motion of Councilman Hubbard.

A proposed Ordinance, granting the appeal of Mack J. Harris, M.D., from the decision of the Planning Commission in denying his application to rezone Lot . Lemon Villa Resubdivision No. 2, located on the east side of 54th Street between Trojan Avenue and Orange Avenue, from Zone R-3 to Zone CO, was introduced on motion of Councilman Hubbard by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilwoman O'Connor.

(Item 23 - CASE NO. 45-76-1)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning Lots 2 and 4, Oaks North Unit 1, located on the east side of Pomerado Road and north of Oaks North Drive, from Zones R-1-5 and R-2 to Zone R-2A.

Ken Klein, Planning Department, presented his report.

Councilman Gade left the Chambers.

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

RESOLUTION 216982, certifying that the information contained in the Environmental Negative Declaration No. 76-06-43P 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 Lots 2 and 4, Oaks North Unit 1, located on the east side of Pomerado Road and north of Oaks North Drive, into R-2 Zone as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 8766 (New Series), adopted December 13, 1962 and Ordinance No. 10604 (New Series), adopted June 24, 1971, 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 Hubbard, Williams, Morrow, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Gade.

(Item 24 - CASE NO. 48-76-10)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning a portion of the Southwest 1/4, Section 26, and a portion of the Southeast 1/4, Section 27, Township 18 South, Range 2 West, S.B.B.M. (approximately 48.8 acres), located southwest of Beyer Boulevard between Iris Avenue and Fern Avenue (adjacent to San Diego and Arizona Eastern Railway right-of-way), in the San Diego Border Area Community Plan, from Zones A-1-1 and A-1-10 to Zone M-1B.

Ken Klein, Planning Department, presented his report.

Robert Fogg appeared to address the Council.

(Item 24 - CASE NO. 48-76-10 - Continued)

The motion of Councilman Haro to close the hearing, adopt the Environmental Negative Declaration No. 76-06-24P, and introduce an Ordinance for M-1B Zoning, received no vote at this time.

Councilman Gade entered the Chambers.

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

Mrs. Ruth Schneider appeared to address the Council.

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

RESOLUTION 216983, certifying that the information contained in the Environmental Negative Declaration No. 76-06-24P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

A proposed Ordinance, incorporating a portion of the Southwest 1/4, Section 26, and a portion of the Southeast 1/4, Section 27, Township 18 South, Range 2 West, S.B.B.M., into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code, and repealing 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 Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilwoman O'Connor.

(Item 25 - CASE NO. 48-76-9)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning a portion of the Northeast 1/4 of the Northeast 1/4, Section 2, Township 19 South, Range 2 West, S.B.B.M. (approximately 6.06 acres), located on the south side of Calle Primero Road between Cottonwood Road and the westerly terminus of Calle Primero Road, in the San Ysidro Community Plan area, from Zone A-1-1 to Zone M-1B.

Ken Klein, Planning Department, presented his report.

Mayor Wilson left the Chambers. Acting Mayor Johnson assumed the Chair.

The Council discussed the matter.

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

RESOLUTION 216984, certifying that the information contained in the Environmental Negative Declaration No. 76-06-41P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

(Item 25 - CASE NO. 48-76-9 - Continued)

A proposed Ordinance, incorporating a portion of the Northeast 1/4 of the Northeast 1/4, Section 2, Township 19 South, Range 2 West, S.B.B.M., into M-IP Zone, as defined by Section 101.0435.1 of the San Diego Municipal Code, and repealing 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 Johnson, Hubbard, Williams, Morrow, Gade, Ellis, and Haro. Nays-None. Absent-Councilwoman O'Connor and Mayor Wilson.

(Item 26 - CASE NO. 35-76-5)

The hour of 2:00 p.m. having arrived, the Acting Mayor announced this was the time and place set for the hearing on the matter of rezoning portions of Pueblo Lots 1202 and 1203 (approximately 4.4 acres), located at the north-east corner of Linda Vista Road and Family Circle, in the Clairemont Mesa Community Plan area, from Zone R-1-5 to Zone CO.

Ken Klein, Planning Department, presented his report.

Ted Mints appeared to address the Council in favor of the matter.

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

RESOLUTION 216985, certifying that the information contained in Environmental Negative Declaration No. 76-05-34P 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 Pueblo Lots 1202 and 1203 into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code and repealing Ordinance No. 13457, approved February 15, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Ellis, and Haro. Nays-None. Absent-Councilwoman O'Connor and Mayor Wilson.

(Item 27 - CASE NO. 48-76-8)

The hour of 2:00 p.m. having arrived, the Acting Mayor announced this was the time and place set for the hearing on the matter of rezoning portions of Blocks 5, 6, 7, 15 and 16 and portions of streets and alleys therein to be closed, Tia Juana City Re-filed, located on the south side of I-5 between Virginia Avenue and New Orleans Avenue, in the San Ysidro Community Plan, from Zones A-1-1, R-2 and R-4 to Zone C-1.

Ken Klein, Planning Department, presented his report.

Ted Odemark appeared to address the Council in favor of the matter.

Melvin Weinman appeared to address the Council in opposition to the matter.

Ken Klein, Planning Department, answered questions directed by the Council regarding the San Ysidro Community Plan.

Melvin Weinman answered questions directed by the Council at length.

A motion by Councilman Haro to close the hearing, adopt the Environmental Negative Declaration No. 76-06-03P, and introduce an Ordinance for C-1 Zoning, received no vote at this time.

City Clerk Nielsen read a letter from Gordon Gillespie, Mosdel Distributors, in opposition to the matter, into the record.

(Item 27 - CASE NO. 48-76-8 - Continued)

The Council discussed the matter.

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

RESOLUTION 216986, certifying that the information contained in Environmental Negative Declaration No. 76-06-03P 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.

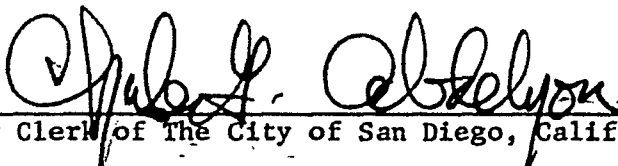
A proposed Ordinance, incorporating portions of Blocks 5, 6, 7, 15 and 16, and portions of Streets and Alleys therein to be closed, Tia Juana City Re-filed, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 8028 (New Series), adopted December 18, 1958, and Ordinance No. 10862 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as they conflict herewith, was introduced on motion of Councilman Haro by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade Ellis, and Haro. Nays-None. Absent-Councilwoman O'Connor and Mayor Wilson.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilmen Johnson and Gade, the Regular Meeting was adjourned at 3:30 p.m., on motion of Councilman Gade, in memory of Mrs. Emelda (Molly Morse) Wolf, who passed away recently, and Mrs. Bess M. Hatrick, who passed away on October 20, 1976.



Mayor of The City of San Diego, California

ATTEST:

  
City Clerk of The City of San Diego, California