

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, NOVEMBER 2, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

Present--Councilmen Johnson, O'Connor, Hubbard, Morrow, Gade, Ellis, and Mayor
Wilson.

Absent--Councilmen Williams and Haro.
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:05 p.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced The Reverend Homer Pacely of Phillips Temple C.M.E.,
who gave the Invocation.

(Item 3)

Councilman Johnson led the Pledge of Allegiance.

The Council considered requests for continuances: Item 22.

Councilman Haro entered the Chambers.

(Item 22 - T.M. 72-14-9.)

NOTICED HEARINGS: (Continued from the Meeting of October 12, 1976, at
applicant's request.) Application of Chilcote Construction, Inc., by M. L. Chilcote,
for special permission to waive underground utility requirements in connection with
the subdivision map of Division Highlands Unit 10 Subdivision, located south of
Pittsburgh Avenue, east of 61st Street, in the R-1-5 (portion in Hillside Review
Overlay) Zone.

Allen Jones appeared to speak on the continuance.

On motion of Councilman Gade, the matter was continued to the Meeting of
November 9, 1976, at applicant's request.

(Item 20 - CASE NO. 48-76-4 - portion)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of October 12, 1976, on the matter of rezoning a portion of the Northeast 1/4 of the Southwest 1/4, Section 35, Township 18 South, Range 2 West, S.B.B.M. (approximately 16.7 acres), located on the east side of Dairy Mart Road, between San Ysidro Boulevard and Vista Lane, from Zone A-1-1 to Zones CN and R-1-5.

Ken Klein, Planning Department, answered questions directed by the Council. No one appeared to be heard.

The hearing was closed on a portion of approximately 5.2 acres, and a proposed Ordinance, incorporating a portion of the Northeast 1/4 of the Southwest 1/4, Section 35, Township 18 South, Range 2 West, S.B.B.M., (approximately 5.2 acres), located on the east side of Dairy Mart Road between San Ysidro Boulevard and Vista Lane, into R-1-5 Zone, as defined by Section 101.0407 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, O'Connor, Hubbard, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilman Williams.

By the same motion the hearing on the balance of the portion was continued to the Meeting of November 16, 1976, 2:00 p.m. Time Certain at applicant's request.

Mayor Wilson recessed the Regular Meeting at 2:15 p.m. into the Housing Authority Meeting. Upon reconvening as the Joint Council and Redevelopment Agency Hearing at 2:17 p.m. following the adjournment of the Housing Authority Meeting, the roll call showed Councilman Williams absent.

(Item 23)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of October 5, 1976, at the request of the City Manager to continue the introduction of Ordinance regarding changes in law relative to the Redevelopment Plan, on the matter of a Joint Public Hearing by the City Council and the Redevelopment Agency of The City of San Diego to consider adopting the Redevelopment Plan for the Dells Redevelopment Project in an area generally bounded by State Route 94, Wabash Boulevard, Market Street, and 32nd Street.

James Spotts, Engineering and Development, answered questions directed by the Council.

Jewell Hooper appeared to speak.

Councilman Williams entered the Chambers.

James Spotts, Engineering and Development, answered questions directed by the Council.

The motion of Councilman Williams to close the hearing and introduce an Ordinance adopting the Redevelopment Plan, was not voted on at this time.

James Spotts, Engineering and Development, and Deputy City Attorney Valderhaug answered questions directed by the Council.

ORDINANCE NO. _____
(New Series)

Item 20
0.77-99

AN ORDINANCE INCORPORATING A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M., (APPROXIMATELY 5.2 ACRES), LOCATED ON THE EAST SIDE OF DAIRY MART ROAD BETWEEN SAN YSIDRO BOULEVARD AND VISTA LANE, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-1-5 ZONE, AS DEFINED BY SECTION 101.0407 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.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of the Northeast 1/4 of the Southwest 1/4, Section 35, Township 18 South, Range 2 West, S.B.B.M. (approximately 5.2 acres), located on the east side of Dairy Mart Road between San Ysidro Boulevard and Vista Lane, in the City of San Diego, California, designated "R-1-5" on Zone Map Drawing No. B-2908.3, is subdivided and a final subdivision map or maps thereof duly submitted to the City and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0407 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land, and the said subdivided land shall be incorporated into R-1-5 Zone, as described and defined by Section 101.0407, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2908.3, filed in the office of the City Clerk as Document No. 757239. Said zoning shall attach

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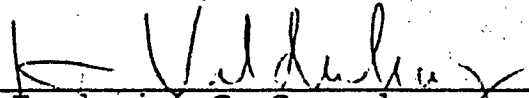
only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. 10862 (New Series), adopted June 29, 1972, of the ordinances of The City of San Diego be, and the same is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
for Chief Deputy City Attorney

FCC:clh
11/9/76
48-76-4
Dr.Dept.:Clerk

ORDINANCE NO. _____
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M. (APPROXIMATELY 11.5 ACRES), LOCATED ON THE EAST SIDE OF DAIRY MART ROAD BETWEEN SAN YSIDRO BOULEVARD AND VISTA LANE, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO CN, CR, AND R-2 ZONES, AS DEFINED BY SECTIONS 101.0426, 101.0421.1, AND 101.0409, RESPECTIVELY, 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.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of the Northeast 1/4 of the Southwest 1/4, Section 35, Township 18 South, Range 2 West, S.B.B.M. (approximately 11.5 acres), located on the east side of Dairy Mart Road between San Ysidro Boulevard and Vista Lane, in the City of San Diego, California, designated "CN," "CR," and "R-2" on Zone Map Drawing No. _____, is subdivided and a final subdivision map or maps thereof duly submitted to the City and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Sections 101.0426, 101.0421.1, and 101.0409, respectively, of the San Diego Municipal Code shall attach and become applicable to the said subdivided land, and the said subdivided land shall be incorporated into CN, CR, and R-2 Zones, as described and defined by Sections 101.0426,

(Item 23 - Continued)

The hearing was closed and an Ordinance, overruling all written and oral objections, and approving the Redevelopment plan for the Dells Redevelopment Project, was introduced on motion of Councilman Williams, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

The Council at this time continued to meet as the Redevelopment Agency to complete the remainder of the Redevelopment Agency agenda.

(Unanimous Consent No. 1)

At approximately 3:15 p.m. by Unanimous Consent granted to Councilman Morrow, as a Special Order of Business, the Mayor welcomed visitors from Romania who were present in the Chambers and presented them with mementos of the City of San Diego.

Upon completing the Redevelopment Agency agenda, the Council returned to the consideration of the remainder of the docket, and at this time the roll call showed Councilman Morrow and Mayor Wilson absent.

(Item 24 - Supplemental Docket No. 1)

The following Resolutions, relative to Lease of City-owned land near Sports Areal Boulevard:

a - Certifying that the information contained in Environmental Impact Report No. 76-06-29P 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; and

b - Authorizing an Assignment and Assumption of Lease and Consent to Assignment by which City consents to James R. Simpson assigning to Lion Property Company his right, title and interest in Lease Agreement covering premises on Sports Arena Boulevard (portions of Pueblo Lots 242, 243, 259, and 311); authorizing a First Amendment to Lease Agreement with Lion Property Company, amending said lease (providing for the conditions to be met by Lion Property Company and the City in connection with the exchange); approving the acceptance by the City Manager of deed of Lion Property Company (public purposes) - Lots "A" and "B", Acre Lot 7, Sorrento Lands and Townsite; authorizing the purchase price of said deed in the amount of \$382,500 plus interest at the rate of 8% per year on the unpaid balance, to be applied against rents due City under said Lease Agreement between City and Lion Property Company, as amended, were presented.

RESOLUTION 217043, Certifying that the information contained in Environmental Impact Report No. 76-06-29P 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; and

revised

10/5/76

0-77-62

ORDINANCE NO. _____
(New Series)

AN ORDINANCE APPROVING THE REDEVELOPMENT PLAN FOR
THE DELLS REDEVELOPMENT PROJECT.

WHEREAS, it is desirable and in the public interest that the Redevelopment Agency of The City of San Diego (herein called "Agency") undertake and carry out the Redevelopment Project (herein called "Project") identified as the Dells Redevelopment Project; and

WHEREAS, there has been prepared and referred to the Council of The City of San Diego (herein called "Council") for review and approval, a Redevelopment Plan for the redevelopment area, a copy of which is on file in the office of the City Clerk as Document No. _____, consisting of 31 pages, and two exhibits supported by the following supplementary material, data and recommendations not a part of the Redevelopment Plan, a report dated September, 1976, containing information required by the California Community Redevelopment Law; and

WHEREAS, rules for owner participation within the Project, a copy of which rules is on file in the office of the Secretary as Document No. _____, have been prepared; and

WHEREAS, a General Plan and a Community Plan have been prepared and are recognized and used as a guide for the general development of the locality as a whole; and

WHEREAS, a Project Area Committee has been formed pursuant to Section 33385 et seq., of the Health and Safety Code, and said Committee has reviewed the Redevelopment Plan and recommends that it be approved; and

(Item 24 - Supplemental Docket No. 1 - Continued)

RESOLUTION 217044, Authorizing an Assignment and Assumption of Lease and Consent to Assignment by which City consents to James R. Simpson assigning to Lion Property Company his right, title and interest in Lease Agreement covering premises on Sports Arena Boulevard (portions of Pueblo Lots 242, 243, 259, and 311); authorizing a First Amendment to Lease Agreement with Lion Property Company, amending said lease (providing for the conditions to be met by Lion Property Company and the City in connection with the exchange); approving the acceptance by the City Manager of deed of Lion Property Company (public purposes) - Lots "A" and "B", Acre Lot 7, Sorrento Lands and Townsite; authorizing the purchase price of said deed in the amount of \$382,500 plus interest at the rate of 8% per year on the unpaid balance, to be applied against rents due City under said Lease Agreement between City and Lion Property Company, as amended, were adopted on motion of Councilman Ellis.

(Item 21 - T.M. 74-70)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of March 27, April 3, June 26, September 25 and November 20, 1975, February 25, April 7, 21, 28, May 18, August 10, October 5 and 12, 1976, on the appeal of the Subdivision Review Board from the decision of the Planning Commission in granting the appeal of Lion Property Company relative to Condition 18 imposed by the Subdivision Review Board (archaeological testing and excavating) in approving the Tentative Subdivision Map of Lion Research Park. This is a 3-unit, 6-lot subdivision of Pueblo Lots 1353 and 1355, and a portion of Acre Lots 5, 6, and 7, Sorrento Lands and Townsite, located northeasterly of Sorrento Valley Road, southwesterly of I-805, in the M-1A Zone.

The hearing was closed and the following Resolution adopted on motion of Councilman Gade.

RESOLUTION 217045, filing the appeal of the Subdivision Review Board from the decision of the Planning Commission in granting the appeal of Lion Property Company relative to Condition 18 imposed by the Subdivision Review Board (archaeological testing and excavating) in approving the Tentative Subdivision Map of Lion Research Park; filing Environmental Impact Report No. 74-5-011P.

(Unanimous Consent No. 2)

By Unanimous Consent granted to Councilman Gade, the Council considered a request for a joint meeting of the Council and Redevelopment Agency on the proposed convention facility on Tuesday, November 9, 1976, 2:00 p.m.

On motion of Councilman Gade, Tuesday, November 9, 1976, 2:00 p.m. was set for a joint meeting of the Council and Redevelopment Agency on the proposed convention facility.

(Unanimous Consent No. 3)

By Unanimous Consent granted to Councilman Hubbard, a proposed Resolution, commending the employees and departments, both nonmanagerial and managerial, who so selflessly gave of their time and energies to ensure the applications to the EDA for federal funding under Title I of the Public Works Employment Act of 1976 were completed in a timely and professional manner and publicly expressing on behalf of the citizens of San Diego a debt of gratitude to the City staff involved, was presented.

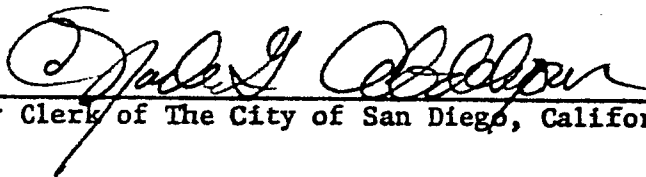
RESOLUTION 217046, commending those employees and departments, both non-managerial and managerial, who so selflessly gave of their time and energies to ensure the applications for federal funding were completed in a timely and professional manner and publicly expressin on behalf of the citizens of San Diego a debt of gratitude to the City staff involved, was adopted on motion of Councilman Hubbard.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Mayor Wilson, the Regular Meeting was adjourned at 4:31 p.m. on motion of Councilman Haro, in memory of Ronald Sweig, who passed away on October 31, 1976.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California