

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, NOVEMBER 9, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

Present-Councilmen Johnson, Hubbard, Gade, Ellis, Haro, and Mayor Wilson.
Absent--Councilmen O'Connor, Williams, and Morrow.
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 Reverend Cleveland Thornhill, Logan Temple
A.M.E., Zion, who gave the Invocation.

(Item 3)

Councilman Hubbard led the Pledge of Allegiance.

Councilmen Williams and Morrow entered the Chambers.

There were no requests for continuances.

(Item 20 - CASE NO. 35-76-6)

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 Parcel 3, Parcel
Map No. 2486, being a portion of Stalmer Tract, located on the south side of
Stalmer Street and west of Linda Vista Road, in the Clairemont Mesa Community
Plan area, from Zone CR to Zone R-2A. It was reported that no written protests
had been received.

Jack Van Cleave, Planning Department, answered questions directed by
Council.

No one appeared to be heard.

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

RESOLUTION 217075, certifying that the information contained in
Environmental Negative Declaration No. 76-07-06 P 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.

(Item 20 - CASE NO. 35-76-6 - Continued)

A proposed Ordinance, incorporating Parcel 3, Parcel Map No. 2486, being a portion of Stalmer Tract, located on the south side of Stalmer Street and west of Linda Vista Road, in the Clairemont Mesa Community Plan Area, into R-2A Zone as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 9103 (New Series), adopted October 22, 1964, 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, Haro, and Mayor Wilson. Nays-None. Absent-Councilwoman O'Connor.

(Item 21 - CASE NO. 38-76-12)

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 Pueblo Lot 1234, located on the north side of Clairemont Mesa Boulevard between Limerick Avenue and I-805, in the Clairemont Mesa Community Plan area, from Zone R-1-5 to Zone R-3. It was reported that no written protests had been received.

Jack Van Cleave, Planning Department, answered questions directed by Council.

No one appeared to be heard.

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

RESOLUTION 217076, certifying that the information contained in Environmental Impact Report No. 76-06-48P 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 Pueblo Lot 1234, into R-3 Zone as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 13456, 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, Haro, and Mayor Wilson. Nays-None. Absent-Councilwoman O'Connor.

(Item 22 - CASE NO. 48-76-11)

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 Lot 1, Gateway Estates, located on the east side of Del Sur Boulevard between Highway 75 and Athey Avenue, in the San Ysidro Community Plan Area, from Zone R-2 to Zone R-1-5. It was reported that no written protests had been received.

Jack Van Cleave, Planning Department, answered questions directed by Council.

No one appeared to be heard.

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

ORDINANCE NO. _____
 (New Series)

AN ORDINANCE INCORPORATING PARCEL 3, PARCEL MAP NO. 2486, BEING A PORTION OF STALMER TRACT, LOCATED ON THE SOUTH SIDE OF STALMER STREET AND WEST OF LINDA VISTA ROAD, IN THE CLAIREMONT MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-2A ZONE AS DEFINED BY SECTION 101.0410 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 9103 (NEW SERIES), ADOPTED OCTOBER 22, 1964, INsofar AS THE SAME CONFLICTS HEREWITH.

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

Section 1. That Parcel 3, Parcel Map No. 2486, being a portion of Stalmer Tract, located on the south side of Stalmer Street and west of Linda Vista Road, in the Clairemont Mesa Community Plan Area, in the City of San Diego, California, within the boundary of the district designated "R-2A" on Zone Map Drawing No. B-2933, filed in the office of the City Clerk as Document No. 757041, be and it is hereby incorporated into R-2A Zone, as such zone is described and defined by Section 101.0410 of the San Diego Municipal Code.

Section 2. That Ordinance No. 9103 (New Series), adopted October 22, 1964, of the ordinances of The City of San Diego, be, and it 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
 Frederick C. Conrad, Chief Deputy

FCC:clh
 10/28/76
 35-76-6
 Or.Dept.:Clerk

ORDINANCE NO. _____
(NEW SERIES)

AN ORDINANCE INCORPORATING A PORTION OF PUEBLO LOT 1234, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-3 ZONE AS DEFINED BY SECTION 101.0411 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 13456, APPROVED FEBRUARY 15, 1932 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 Pueblo Lot 1234, in the City of San Diego, California, designated "R-3" on Zone Map Drawing No. B-2935, is subdivided and a final subdivision map thereof duly submitted to the City and thereafter recorded, and within such subdivision 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 101.0411 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-3 Zone, as described and defined by Section 101.0411, the boundary of such zone to be as indicated on Zone Map Drawing B-2935, filed in the office of the City Clerk as Document No. 757024. Said zoning shall attach only to those areas included in the subdivision map 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. 13456, approved February 15, 1932,

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
Frederick C. Conrad
Chief Deputy City Attorney

C:clh
10/28/76
38-76-12
Orig.Dept.:Clerk

(Item 22 - CASE NO. 48-76-11 - Continued)

RESOLUTION 217077, certifying that the information contained in Environmental Negative Declaration No. 76-07-05P 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, Gateway Estates, located on the east side of Del Sur Boulevard between Highway 75 and Athey Avenue, in the San Ysidro Community Plan Area, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 11024 (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 Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilwoman O'Connor.

(Item 23 - CASE NO. 60-76-3)

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 northwest 1/4, Section 30, Township 14 South, Range 2 West, S.B.B.M. (approximately 38.2 acres), located east of Bootes Street between Aquarius Drive easterly extension and Menkar Road easterly extension, in the Mira Mesa Community Plan area, from Zone A-1-10 to Zone R-1-5. It was reported that no written protests had been received.

Jack Van Cleave, Planning Department, answered questions directed by Council.

John Butler appeared to speak.

Councilwoman O'Connor entered the Chambers.

Leonard Frank appeared to speak in favor of the matter.
John Carey appeared to speak in opposition to the matter.

Councilman Williams left the Chambers.

Mr. Van Cleave further answered questions directed by Council.

Councilman Williams entered the Chambers.

ORDINANCE NO. _____
 (New Series)

AN ORDINANCE INCORPORATING A PORTION OF LOT 1, GATEWAY ESTATES, LOCATED ON THE EAST SIDE OF DEL SUR BOULEVARD BETWEEN HIGHWAY 75 AND ATHEY AVENUE, IN THE SAN YSIDRO COMMUNITY PLAN AREA, 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. 11024 (NEW SERIES), ADOPTED MARCH 8, 1973, OF THE ORDINANCES OF THE CITY OF SAN DIEGO IN SO FAR AS THE SAME CONFLICTS HEREWITH.

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

Section 1. That a portion of Lot 1, Gateway Estates, located on the east side of Del Sur Boulevard between Highway 75 and Athey Avenue in the San Ysidro Community Plan Area, in the City of San Diego, California, within the boundary of the district designated "R-1-5" on Zone Map Drawing No. B-2934, filed in the office of the City Clerk as Document No. 757039, be and it is hereby incorporated into R-1-5 Zone, as such zone is described and defined by Section 101.0407 of the San Diego Municipal Code.

Section 2. That Ordinance No. 11024 (New Series), adopted March 8, 1973, of the ordinances of The City of San Diego, be, and it 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
 Chief Deputy City Attorney

(Item 23 - CASE NO. 60-76-3 - Continued)

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

RESOLUTION 217078, certifying that the information obtained in Environmental Impact Report No. 75-10-23P 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 northeast 1/4 of the northwest 1/4, Section 30, Township 14 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. 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 Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 24 - CUP 452-PC)

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 the North Chollas Citizens Committee, by Kerry L. Scheevel, from the decision of the Planning Commission in granting the application of The City of San Diego General Services Department, owner/permittee, under Conditional Use Permit No. 452-PC, to operate a sanitary landfill with a trash capacity of 3,000,000 cubic yards and on earth capacity of 1,500,000 cubic yards on 80 acres in the R-1-5 Zone. The property is located on the north side of College Grove Drive between Chollas Heights Reservoir and 54th Street, and is a portion of Section 34, Township 16 South, Range 2 West, S.B.B.M. It was reported that written letters of protests were received.

Councilman Morrow left the Chambers.

Mr. Milliken appeared to speak.

A motion by Councilman Hubbard to suspend rules to allow twenty-five minutes testimony per side, passed unanimously.

Jack Van Cleave, Planning Department, answered questions directed by Council.

Councilwoman O'Connor left the Chambers.

Robert Epler, General Services Department, answered questions directed by Council.

ORDINANCE NO. _____
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 30, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-1-5 ZONE, AS DEEINED BY SECTION 101.0407 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.

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

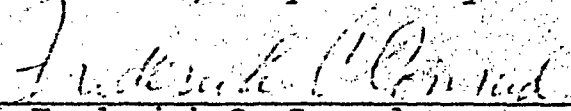
Section 1. That in the event that within two years of the effective date of this ordinance, a portion of the northeast 1/4 of the northwest 1/4, Section 30, Township 14 South, Range 2 West, S.B.B.M., in the City of San Diego, California, designated "R-1-5" on Zone Map Drawing No. 2904.1, is subdivided 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 shall attach and become applicable to said subdivided land and 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-2904.1, filed in the office of the City Clerk as Document No. 757026. Said zoning shall attach 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. 10936 (New Series), adopted October 5, 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
Chief Deputy City Attorney

FCC:clh
10/29/76
60-76-3
Or.Dept.:Clerk

(Item 24 - CUP 452-PC - Continued)

Councilwoman O'Connor entered the Chambers.

Bud Porter, Mr. Milliken, and Carey Stable appeared to speak.

Councilman Williams left the Chambers.

Marva Weinbach appeared to speak.

Councilman Williams entered the Chambers.

Ronald Escoffier appeared to speak.

By common consent, the item was trailed upon consideration of
Item 4 - Supplemental No. 3)

(Item 4 - Supplemental No. 3)

The matter of a Convention Facility within the proposed Columbia
Redevelopment Project, was presented.

Richard Silberman appeared to speak.

John Fowler, Engineering and Development Department, answered
questions directed by Council.

A motion by Councilman Gade to continue the matter to November 10,
1976 - a.m., for the presence of Mr. Silberman, passed unanimously.

Mayor Wilson recessed the Meeting at 3:58 p.m. Upon reconvening at
4:15 p.m., the roll call showed Councilmen O'Connor, Morrow, and Haro absent.

(Item 24 - CUP 452-PC - Second Time)

Councilman Morrow entered the Chambers.

Ben Harrell appeared to speak.

Councilwoman O'Connor entered the Chambers.

City Manager McKinley answered questions directed by Council.
Mr. Epler further answered questions directed by Council.

Councilman Haro entered the Chambers.

A motion by Councilman Hubbard to close the hearing, adopt the Environmental Impact Report No. 75-10-27C, deny the appeal, and grant the CUP, amended

A motion by Councilman Williams to continue the item for six months, to find out what the potential is for park use, was defeated by the following vote: Yeas-Councilmen O'Connor and Williams. Nays-Councilmen Johnson, Hubbard, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Absent-None.

Deputy City Attorney Valderhaug answered questions directed by Council.

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

RESOLUTION 217079, certifying that the information contained in Environmental Impact Report No. 75-10-27C 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

RESOLUTION 217080, denying the appeal of the North Chollas Citizens Committee, by Kerry L. Scheevel and granting to The City of San Diego General Services Department; Conditional Use Permit No. 452-PC, was adopted as amended which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Gade, Ellis, Haro and Mayor Wilson. Nays-Councilmen O'Connor and Williams. Absent-None.

(Item 25 - Supplemental No. 1 - T.M. 72-149)

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 October 12 and November 2, 1976, on the 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. It was reported that no written protests had been received.

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

Allan Jones appeared to speak.

City Manager McKinley answered questions directed by Council.

A motion by Councilman Williams to continue the item for one or two weeks, for City Manager's report, died for lack of a second.

Mr. McKinley and Mr. McLaughlin further answered questions directed by Council.

A motion by Councilman Williams to continue the item to January 11, 1977 - p.m., for City Manager's report, received no vote at this time.

Jewell Hooper appeared to speak.

A vote was then taken on the previous motion by Councilman Williams to continue the matter to January 11, 1977 - p.m., for City Manager's report, which passed unanimously.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 5:15 p.m., on motion of Councilman Ellis.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California