

# Vista motel's bid on zoning rejected

By JOHN NUNES  
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VISTA — Hilltop Motel owners lost an appeal recently to rezone their property to Commercial Tourist and to erect a larger sign on the premises at Highway 78 and Mar Vista Drive.

The Vista City Council turned down the appeal after it heard a number of protests from area residents and received a petition signed by 50 persons.

The council action upholds a decision made by the Vista Planning Commission.

The motel operation was approved under a since abolished provision of the zoning ordinance. It is located at 330 Mar Vista Drive in a residential area.

Residents called the proposed 5- by 6-foot sign obnoxious.

They said they feared that if the Hilltop Motel were zoned commercial, the other three corners would become commercial.

"A zone change would destroy the rural area," said Dan Burk, an attorney representing Harold Wallace.

Wallace, who resides near the motel, is currently in litigation with motel owners on the existing sign.

The hour-long hearing before the city council took on the appearance of a court proceeding. Vernon Peltzer, motel attorney, spoke at length in defense of the appeal.

Two court reporters recorded the proceedings at Peltzer's request.

Peltzer said the rezoning request is "just asking to zone the property to the use that exists."

He argued that zoning the motel corner commercial would not establish a precedent.

Peltzer also claimed that a bigger sign would aid motorists and cut down on traffic hazards in the area.

That part of Mar Vista Drive is considered one of the most dangerous in the city.

M.S. Merrill, one of two who spoke in favor of the motel rezoning, said that the council and planning commission actions are the result of an attempt by the planning department to circumvent the original purpose of the four corners.

Council members agreed that the Mar Vista and Highway 78 intersection had been tentatively designated as a future gateway to Vista, but that in view of Vista's rapid growth, a planning department study was ordered recently to determine if the area should remain residential or go commercial.

The study, however, has not gotten off the ground, and it will take about nine months to complete due to the backlog of planning department work, said William Gutgesell, planning director.

Councilman Bob Foo said, "The motel sticks out like a

sore thumb." He said it is a coin toss which way the area should be developed.

"Either we go commercial or go back to rural," said Councilwoman Gloria McClellan.

Mayor Lloyd Tracy, the only one to vote in favor of the motel appeal, said, "It is a beautiful area, but it won't stay that way." He believes commercial development is inevitable.

If the planning department study calls for a rezone, Councilman Bernard Rappaport said the city should absorb costs for rezoning paperwork because the motel owners have already gone to considerable expense.

Merrill, who owns three acres at one of the intersection's corners, said he is drafting a proposal for a restaurant-motel complex.

"This is private property," he said.

Wallace said, "I see no urgency for a zone change. The motel apparently is successful now."

"The planning commission admitted that zoning the motel as a tentative commercial tourist zone slipped by them."

The motel was built after the planning commission issued a special use permit in 1971.

Peltzer said the Hilltop Motel is not the only business there. "There's a nursery in the area."

Merrill endorses hotel rezoning

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