

RESOLUTION NO. 205735
Conditional Use Permit No. 326-PC

JUN 6 1972

WHEREAS, LARWIN SAN DIEGO, INC., a California corporation, Owner, and STANDARD OIL CORPORATION OF CALIFORNIA, INC., a Delaware corporation, both hereafter referred to as "Permittee", filed an application for a conditional use permit to construct and operate a service station facility located on the northwest corner of Mira Mesa Boulevard and Black Mountain Road, being a portion of the Northeast 1/4 of the Northwest 1/4 of Section 31, Township 14 South, Range 2 West, S.B.B.M., in the A-1-1 Interim Zone; and

WHEREAS, on January 19, 1972, the Planning Commission of The City of San Diego made its findings of facts, which are set forth in Resolution No. 326-PC, and denied Conditional Use Permit No. 326-PC, to Permittee for the construction and operation of said service station, and filed said decision in the office of the City Clerk on January 28, 1972; and

WHEREAS, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, LARWIN PROPERTIES CORPORATION, by Theodore Rhodes, president, under date of February 7, 1972, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on February 29, 1972, continued to April 11, May 9, May 16 and June 6, 1972, testimony having been heard, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

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

All of the following facts exist with respect to the denial of said Conditional Use Permit No. 326-PC on the property described in the preamble of this resolution.

1. The proposed use at the particular location is not necessary or desirable to provide a facility which will contribute to the general well-being of the community.

2. Such use will, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

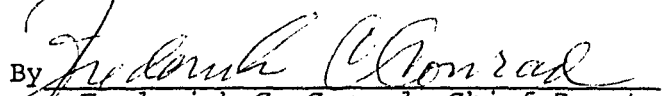
3. The proposed use will not comply with the regulations and conditions specified in the Code for such use.

4. The granting of this conditional use will adversely affect the Mira Mesa Community Plan, the General Plan of the City and the adopted plan of any governmental agency.

The above findings are further supported by the minutes, tape of the proceedings, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that by a vote of 8 to 0, the appeal of LARWIN PROPERTIES CORPORATION, by Theodore Rhodes, president, is hereby denied; and the decision of the Planning Commission denying Conditional Use Permit No. 326-PC be, and it is hereby upheld.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Chief Deputy

205735

FCC:jh
6-19-72

JUN 6 1972

Passed and adopted by the Council of The City of San Diego on
by the following vote:

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SAN DIEGO, CALIF

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By *Kathryn M. Noel*, Deputy.

Office of the City Clerk, San Diego, California

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