

RESOLUTION NO. 205754
Conditional Use Permit No. 337-PC

JUN 8 1972

WHEREAS, KOLL INCOME PROPERTIES, INC., Owner, and SIBARCO STATIONS, INC., Permittee, filed an application for a conditional use permit to construct and operate a service station with accessory sales, located on the northeast corner of the intersection of Clairemont Mesa Boulevard and Shawline Street, being a portion of Lot 33, Kearny Industrial Park, Unit 4, in the M-1A Zone; and

WHEREAS, on March 15, 1972, the Planning Commission of The City of San Diego made its findings of facts, which are set forth in Resolution No. 337-PC, and denied Conditional Use Permit No. 337-PC, to Permittee for the construction and operation of said service station, and filed said decision in the office of the City Clerk on April 3, 1972; and

WHEREAS, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, SIBARCO STATIONS, INC., by Wm. M. Ferguson, under date of March 24, 1972, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on May 4, 1972, continued to June 8, 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:

MICROFILMED

MAR 24 1978

All of the following fact exist with respect to the denial of said Conditional Use Permit No. 337-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 Clairemont 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 SIBARCO STATIONS, INC., by Wm. M. Ferguson, is hereby denied; and the decision of the Planning Commission denying Conditional Use Permit No. 337-PC be, and it is hereby upheld.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Chief Deputy

205754

FCC:mmb
6-19-72

MICROFILMED
MAR 24 1978

-2-

LP

Passed and adopted by the Council of The City of San Diego on JUN 8 1972,
by the following vote:

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

RECEIVED
CITY CLERK'S OFFICE
1972 JUN 20 PM 12:33
SAN DIEGO, CALIF.
pk

AUTHENTICATED BY:

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

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

By Harvey M. Noe Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number 205754 Adopted JUN 8 1972

eh

MICROFILMED

MAR 24 1978