

RESOLUTION NO. 208006 MAY 22 1973

WHEREAS, Atlantic Richfield Company filed a Conditional Use Permit application with the City on August 12, 1971 to rebuild an existing automobile service station and retain a fifty foot (50') free-standing sign at the northwest corner of Hollister Street and Coronado Avenue; and

WHEREAS, the Planning Commission, pursuant to Ordinance No. 10494 (New Series) heard this application and granted the Conditional Use Permit with certain conditions, except as to the request to maintain the 50' free-standing sign (CUP 310-PC) on September 15, 1971; and

WHEREAS, the applicant appealed to the City Council seeking to set aside the denial of the request to keep the existing 50' free-standing sign; and

WHEREAS, after conducting public hearings, the City Council on January 4, 1972 considered the appeal; and

WHEREAS, the Council was unable to take affirmative action due to the lack of a majority vote; therefore, the appeal was deemed denied and the Planning Commission decision upheld; and

WHEREAS, subsequently Atlantic Richfield Company filed a petition for writ of mandate and declaratory relief in the Superior Court, seeking an order declaring Ordinance No. 10494 (New Series) unconstitutional as applied to ARCO, and commanding the City to issue the CUP permitting the continued use of this 50' sign; and

WHEREAS, the Council on March 6, 1973 adopted Ordinance No. 11000 (New Series), City-wide on-premises sign regulations, which would allow the use of a 50' sign on certain automobile service station sites; and

WHEREAS, signs used for automobile service stations are now subject to the restrictions of Ordinance No. 11000 (New Series); and

WHEREAS, specifically, the 50' free-standing sign requested by ARCO for this service station is now authorized under the terms of Ordinance No. 11000 (New Series) relating to freeway-oriented signs; NOW, THEREFORE,

BE IT RESOLVED, that the City Attorney be authorized to enter into a stipulated judgment, the form of which is on file with the office of the City Clerk as Document No. 743590.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption
C. Alan Sumption, Deputy

cs: 5/14/73

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1973 MAY 15 PM 4:01

SAN DIEGO, CALIF

Passed and adopted by the Council of The City of San Diego on MAY 22 1973,
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Mary Annese, Deputy.

Office of the City Clerk, San Diego, California

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