

(R-84-1474)

RESOLUTION NUMBER R- 260313

Adopted on MAR 19 1984

WHEREAS, the property in The City of San Diego, located at 4931 Logan Avenue, known as Lot 1, Lodi Plaza, Map No. 4706, is located in the CA Zone; and

WHEREAS, the aforesaid property is located in the Southeast San Diego Community Plan area; and

WHEREAS, the Southeast San Diego Community Plan provides among its objectives the proper development of community and neighborhood retail locations at key points to supplement the downtown retail area; and

WHEREAS, the commercial goals of the Southeast San Diego Community Plan are to maintain and encourage visually attractive commercial areas; and

WHEREAS, the commercial proposals of the Southeast San Diego Community Plan include a neighborhood commercial center in the vicinity of Euclid and Logan Avenues and express the intent that efforts should be made to continue the high quality of the existing center while providing for expansion in the future; and

WHEREAS, the community appearance and design element of the Southeast San Diego Community Plan cites a major challenge facing communities is to bring order out of the physical chaos that too often permeates our environment and calls for a plan which establishes a framework and serves as a basis for private and public efforts to achieve environmental goals; and

WHEREAS, the CA Zone ordinance permits retailing of automobiles and trucks and rental agencies for usable vehicles only; and

WHEREAS, the CA Zone ordinance requires that open storage areas utilized with building material stores must be completely enclosed by walls or buildings, or a combination thereof, not less than six (6) feet in height and that no outdoor storage of merchandise, materials or equipment shall exceed a height greater than any enclosing wall or building; and

WHEREAS, the CA Zone ordinance requires that a ten (10) foot front yard and a ten (10) foot street side yard be observed within which no structure, wall or fence may be erected which exceeds three (3) feet in height; and

WHEREAS, the CA Zone ordinance requires that a strip of land suitably landscaped with shrubs, trees and ornamental ground cover abutting public rights-of-way, with a minimum depth of five (5) feet, be maintained; and

WHEREAS, the property described does not maintain such a landscaped strip and is not in compliance with the requirements of the CA Zone; and

WHEREAS, the chainlink fence on the subject property does not observe the required ten (10) foot front and street side yard setbacks and is not in compliance with the requirements of the CA Zone; and

WHEREAS, the outside storage of busses, trucks, trailers, a boat, miscellaneous equipment and building materials without enclosing walls or a building are not in compliance with the requirements of the CA Zone; and

WHEREAS, the cited zoning violations and outdoor storage on an unimproved lot constitute a blighting condition which interferes with and substantially impairs the attainment of community planning set forth in the Southeast San Diego Community Plan; and

WHEREAS, the cited zoning violations have been and are a matter of great concern and distress to a growing number of citizens of the community for a period of over one year, during which the situation described above has existed, and said zoning violations are offensive to the senses and interfere with the comfortable enjoyment of life and property within the community; and

WHEREAS, the zoning violations and conditions have been determined by the Planning Director to be a public nuisance, the abatement of which is required by the provisions of Municipal Code Section 101.0213; and

WHEREAS, all notices required by Municipal Code Section 101.0213 have been given; and

WHEREAS, a public hearing before the City Council has been provided as required by Municipal Code Section 101.0213 and testimony and documentary evidence have been received and considered, all of which is incorporated herein by reference; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego that it finds that the statements contained in the preamble to this resolution are true and are supported by the testimony and documentary evidence presented to the Council for its consideration.

BE IT FURTHER RESOLVED, that the Council of The City of San Diego confirms the determination of the Planning Director that a public nuisance zoning violation exists on the subject property.

BE IT FURTHER RESOLVED, that the Council of The City of San Diego directs the City Manager to cause the removal of all vehicles, materials and fences which exist in violation of the provisions of the CA Zone, Municipal Code Section 101.0428.1, on the subject property if such violations, or any of them, remain on the subject property on the eighth day after the adoption of this resolution.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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Or.Dept:Plan.
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Passed and adopted by the Council of The City of San Diego on MAR 19 1984,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By *Jane A. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-260313</u>	Adopted <u>MAR 19 1984</u>

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