

(R-85-1897)

RESOLUTION NUMBER R- 262891

ADOPTED ON APR 9 1985

WHEREAS, SHELL OIL COMPANY, a Delaware corporation, Owner/Permittee, filed an application to amend Conditional Use Permit No. 10-643-0 to permit replacing a cashier's booth with a mini-market at an existing self-serve gasoline station located at the southeast corner of Navajo Road and Jackson Drive, known as 6953 Navajo Road, further described as Lot 398 of Lakeshore Unit No. 5, Map No. 5178, in the CA Zone of the Navajo Community Plan area; and

WHEREAS, on November 8, 1984, the Planning Commission of The City of San Diego made its findings of fact, approved Conditional Use Permit No. 84-0532 amending CUP 10-643-0 and filed said decision in the office of the City Clerk on November 30, 1984; and

WHEREAS, on November 15, 1984, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, NAVAJO COMMUNITY PLANNERS, by Ann W. MacCullough, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on January 8, 1985, continued to April 9, 1985, and 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 Conditional Use Permit No. 84-0532:

1. The proposed use would adversely affect the neighborhood and would be detrimental to the health, safety and general welfare of persons residing in the area. This Council believes that the addition of the mini-market and expanded operation of this development at this location would be incompatible with adjacent uses and with the neighborhood.

2. The proposed use would not comply with all relevant regulations in the Municipal Code. This Council does not believe that appropriate conditions exist to approve the amendment.

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

BE IT FURTHER RESOLVED, that this Council does hereby grant the appeal of NAVAJO COMMUNITY PLANNERS, by Ann W. MacCullough, overrules the decision of the Planning Commission and does hereby deny to SHELL OIL COMPANY, Owner/Permittee, Conditional Use Permit No. 84-0532.

APPROVED: John W. Witt, City Attorney

By Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:632
04/11/85
Or.Dept:Clerk
CUP 84-0532
R-85-1897
Form=r.none

APR 9 1985

Passed and adopted by the Council of The City of San Diego on ,
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Struiksmma	<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.

(Seal)

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

By *Barbara Baxter* , Deputy.

Office of the City Clerk, San Diego, California

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