

(R-87-1458)

RESOLUTION NUMBER R- 267469

ADOPTED ON JAN 13 1987

WHEREAS, David L. Davis, appealed the decision of the Planning Commission in approving Conditional Use Permit No. CUP-85-0684 submitted by Mobile Oil, proposing to construct and operate a 24-hour self-service gasoline station with a convenience store and car wash at the intersection of Paseo Montalban and Twin Trails Drive, Lot 7 of the Penasquitos Towne Center, Unit 11, Map-11092, in the CA Zone; and

WHEREAS, said appeal was set for public hearing on January 13, 1987, 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, that this Council adopts the following findings with respect to Conditional Use Permit No. CUP-85-0684: The proposed uses will adversely affect the neighborhood, community plan and general plan because the project, as submitted, provides for a convenience store, a car wash, and a gasoline service station. Permitting all of these uses at this location will detrimentally affect the health, safety and general welfare of persons residing or working in the area of this project due to increases in noise levels and traffic volume attributable to the car wash and/or the convenience store in combination with the gasoline service station.

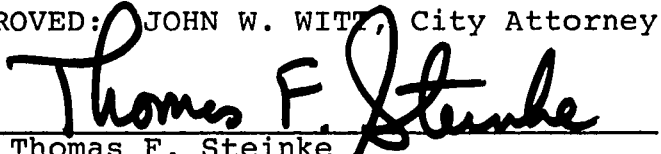
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of David L. Davis, is granted; the decision of the Planning Commission is overruled, and Conditional Use Permit No. CUP-85-0684 is hereby denied.

BE IT FURTHER RESOLVED, that the one-year waiting period is hereby waived, so that the applicant has the option to come back with a revised site plan and present it to the staff, Planning Commission and the City Council.

APPROVED: JOHN W. WITZ, City Attorney

By


Thomas F. Steinke
Deputy City Attorney

TFS:ta:640
01/23/87
Or.Dept:Clerk
R-87-1458
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JAN 13 1987

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 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"/>
Judy McCarty	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

Maureen O'Connor
Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-267469** Adopted **JAN 13 1987**