

COPIED COPY

(R-88-2391 REV. 1)

RESOLUTION NUMBER R-271007

ADOPTED ON MAY 17, 1988

WHEREAS, on February 5, 1988, the Zoning Administrator held a public hearing to consider the request of The City of San Diego, owner; San Pasqual Vineyards, a corporation; and San Diego Winery Partners, a partnership composed of Paul Thomas and William Jaeger, lessee; to enlarge a wine tasting room where such use is permitted by conditional use permit only, Rancho San Bernardo (Oak Tract) southerly of San Pasqual Road and easterly of Bear Valley Road, located at 13455 San Pasqual Road, A-1-10 zone; and

WHEREAS, the Zoning Administrator considered the plans and materials submitted prior to and at the public hearing, staff report, inspection of the subject property and public testimony at the hearing; and

WHEREAS, the Zoning Administrator found that the request could not be approved. The winery would currently have to import approximately 70% of its grapes used in the production of wine and that would not be consistent for an agricultural zone. In addition, the proposed expanded wine tasting room, deli, kitchen and display area could accommodate 60 to 100 people which would allow for a use other than a winery. The size of the vineyard did not warrant the square footage of the commercial structure; and

WHEREAS, in light of the foregoing and that the proposed use would adversely affect the neighborhood, the General Plan or the

Community Plan and would not comply with all relevant regulations, the Zoning Administrator denied the request; and

WHEREAS, on March 16, 1988, the Board of Zoning Appeals considered the appeal of The City of San Diego, owner; San Pasqual Vineyards, a corporation; and San Diego Winery Partners, a partnership composed of Paul Thomas and William Jaeger, lessee; from the denial of the Zoning Administrator in this case; and

WHEREAS, in arriving at their decision, the Board of Zoning Appeals considered the staff report, decision of the Zoning Administrator, the plans and materials submitted prior to and at the public hearing, an inspection of the public property and public testimony presented at the hearing; and

WHEREAS, the Board of Zoning Appeals did not reach a consensus to support or overturn the Zoning Administrator's decision, and the decision of the Zoning Administrator stood; and

WHEREAS, on May 17, 1988, the Council of The City of San Diego heard the appeal of The City of San Diego, owner; San Pasqual Vineyards, a corporation; and San Diego Winery Partners, a partnership composed of Paul Thomas and William Jaeger, lessee; from the action of the Board of Zoning Appeals in this case; and

WHEREAS, in reaching their decision the Council considered the staff report, the decisions of the Zoning Administrator and Board of Zoning Appeals, the plans and materials submitted prior to and at the public hearing and public testimony presented at the hearing; and

WHEREAS, the Council found that a wine tasting room is an integral part of growing, producing and selling wine, and is therefore a use consistent with the underlying zone; and

WHEREAS, the proposed use does not adversely affect the neighborhood, the General Plan or the Community Plan and is not detrimental to the health, safety and general welfare of persons residing or working in the area; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego that the appeal of The City of San Diego, owner; San Pasqual Vineyards, a corporation; and San Diego Winery Partners, a partnership composed of Paul Thomas and William Jaeger, lessee; is granted and the conditional use permit shall issue subject to the following conditions:

1. That revised plans shall be submitted to and approved by the Zoning Administrator prior to the issuance of any permits.

2. That the plans shall show a maximum structure of 3,500 square feet, to include office space and lab, based on the plans submitted as Exhibit A at the public hearing and dated May 17, 1988.

3. That the plans shall contain a landscaping plan for screening to be approved by the Planning Director and Zoning Administrator.

4. That the two trailers now on the subject property be removed prior to the occupancy of the new building.

5. That the building shall comply with all Building Inspection regulations and requirements.

6. Hours for the wine tasting facility shall be 9:00 a.m. to 6:00 p.m. in the winter and 9:00 a.m. to 8:30 p.m. in the summer, based on daylight savings time.

7. That all other miscellaneous sales on the subject property shall be wine-related, including but not limited to T-shirts, hats, posters and glasses.

8. All outdoor lighting shall be shaded and adjusted so that the light therefrom is directed to fall only on the subject property.

9. Public events, as defined in the lease, shall be limited to four (4) a year.

10. The subject property shall comply with all noise abatement regulations and requirements.

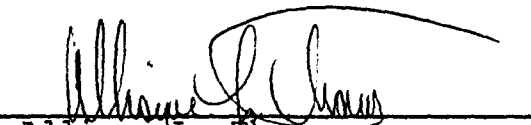
11. Adequate parking shall be provided for the winery and its events, and the parking shall be appropriately monitored.

12. All new access roads or additional buildings shall be reviewed by the Council prior to construction.

BE IT FURTHER RESOLVED, by the City Council that it approves the sale of food and deli items in the wine tasting room.

BE IT FURTHER RESOLVED, that the decision of the Council of The City of San Diego is final.

APPROVED: JOHN W. WITT, City Attorney

By 
Allisyn L. Thomas
Deputy City Attorney

ALT:lc
05/24/88
06/29/88 REV. 1
Or.Dept:Clerk
R-88-2391
Form=r.none

MAY 17 1988

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input 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.

By *Jena M. Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *271007* Adopted *MAY 17 1988*