

(R-88-2619)

RESOLUTION NUMBER R-271183

ADOPTED ON JUNE 13, 1988

WHEREAS, the Planning Commission of The City of San Diego, without acting thereon, referred to the City Council Conditional Use Permit No. 87-0794, submitted by Ogden Environmental Services, Inc., Owner, described as Parcel 1, City of San Diego Parcel Maps, Page 12921, located on the north side of Genesee Avenue between John J. Hopkins Drive and Interstate 5, in the University Community Plan area, in the SR (Scientific Research) Zone; and

WHEREAS, the matter was set for public hearing before the City Council on December 8, 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, denied the application for Conditional Use Permit No. 87-0794; and

WHEREAS, pursuant to the order of the Federal District Court in Case No. 88-0252-K(M), the matter was returned to the City Council for further action in accordance with the provisions of that order; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this City Council finds that:

1. The proposed research, development and demonstration project is substantially different than the type of scientific research intended and contemplated for the SR (Scientific Research) Zone and which is presently conducted therein in that:

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A. It was never intended that permitted activities in the SR (Scientific Research) Zone have external effects outside the laboratory;

B. Hazardous waste is inherently dangerous to human health, safety and the environment; and long term effects on surrounding property and population of the proposed experimentation in burning of hazardous waste is presently unknown;

C. The proposed activity is more closely related or similar to uses allowed in the agricultural or manufacturing zones due to its nature, the quantities of waste proposed to be burned, the scope of the research and possibility of harmful impacts off the site due to unknown results of test burns.

2. The proposed location would be detrimental to adjoining land uses and to the City from an economic, social and psychological standpoint due to the adverse impact on property values, tax revenues, ability to attract business, tourism and industry to the area because of the nature of the proposed facility and its proximity to the following: Salk Institute; Scripps Clinic; three hospitals; a proposed Sheraton Hotel; the Torrey Pines Inn and public golf courses; other hotels; the Torrey Pines State Reserve; the Los Penasquitos Lagoon; the University of California and its medical school; residential properties; a child care center; numerous schools; office and commercial facilities; and public beaches.

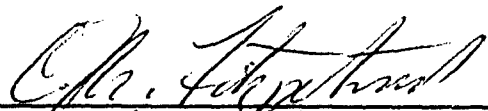
3. Therefore, based on the foregoing findings, the City Council finds that the proposed use will adversely affect the neighborhood, the General Plan and the Community Plan and will be detrimental to the general welfare of persons residing, working, or visiting in the area.

BE IT FURTHER RESOLVED, that Conditional Use Permit No. 87-0794 is hereby denied.

BE IT FURTHER RESOLVED, that the City Manager shall immediately undertake to attempt to identify City-owned land zoned for agricultural or industrial use which would not be subject to the adverse findings stated herein and shall submit to the City Council a report and recommendations concerning site availability for the development of the project within 45 days.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare for City Council consideration an amendment to San Diego Municipal Code Section 101.0510.C.4.j. that would authorize the application for an appropriate conditional use permit in the agricultural or manufacturing zones.

APPROVED: JOHN W. WITT, City Attorney

By   
C. M. Fitzpatrick  
Assistant City Attorney

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06/22/88  
Or.Dept:Clerk  
R-88-2619  
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Passed and adopted by the Council of The City of San Diego on **JUN 13 1988**,  
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"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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"/>
Bob Filner	<input checked="" type="checkbox"/>	<input 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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

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