

(R-89-1085)

RESOLUTION NUMBER R-272355

ADOPTED ON NOVEMBER 15, 1988

WHEREAS, on November 15, 1988, The Council for The City of San Diego considered the appeal of the Southeast San Diego Development Committee, by Verna M. Quinn, Chairperson, and John Proffitt, owner/applicant, from the decision of the Board of Zoning Appeals in approving, with modifications, a request for an extension of time of Conditional Use Permit C-11132, originally approved July 25, 1966, which permitted the use of premises as a vehicle storage and impound yard. The subject property is located at 6370 Akins Avenue in the MF-3000 Zone and is more particularly described as Lots 8, 9, and 17, Block 5, Encanto Heights in the Southeast San Diego Planned District; and

WHEREAS, in arriving at their decision, the City Council considered the staff report, 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 City Council found that there had been a material change in circumstances from the time Conditional Use Permit C-11132 had been granted and that the use should be phased out so that development could occur as proposed by the adopted community plan; and

WHEREAS, the City Council found that allowing the use to continue and be phased out in a two-year period of time would not

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adversely affect the neighborhood, the General Plan or the Community Plan, and would not be detrimental to the health, safety and general welfare of persons residing or working in the area; NOW, THEREFORE,

BE IT RESOLVED, by the Council for The City of San Diego that the appeal of John Proffitt, owner/applicant, be denied and the appeal of the Southeast San Diego Development Committee by Verna M. Quinn, Chairperson, be granted and the decision of the Board of Zoning Appeals be upheld, subject to the following conditions as set out by the Board of Zoning Appeals:

1. That the existing chain link fence along Akins Avenue and 64th Street shall have double slats.

2. That all areas adjacent to the public right-of-way shall be kept clean and existing landscaping shall be well maintained.

3. That said screening shall be installed and reviewed in sixty (60) days of the date of the public hearing.

4. That there shall be no dismantling of vehicles, including dismantling for the purpose of salvaging for parts.

5. That any lighting must be shaded and adjusted so that the light falls only on the impound storage yard.

6. That repair operations which produce noise shall be limited to the hours between 7:00 a.m. and 10:00 a.m.

7. That there shall be no tow trucks nor vehicles under the applicant's or his employees' care, custody or control, parked in the public right-of-way.

8. That there shall be no public address or signal system used on the property.

9. That there shall be no vehicular access from either Stork or 64th Streets.

10. That all vehicles on the property shall be parked in an orderly manner.

11. That paved parking area shall be maintained in compliance with Division 8.

12. That inoperable vehicles shall not be installed in the customer parking spaces.

13. That the Zoning Administrator shall conduct site investigations at a minimum of every three (3) months for compliance with the approved extension of time of two (2) years.

14. That this extension shall expire September 15, 1990, and no further extensions or a like conditional use permit will be considered for the impound storage yard.


15. That this extension of time shall be signed and notarized by the applicant and returned to Zoning Administration to be recorded with the County Recorder, within thirty (30) days of receipt of this resolution.

This Conditional Use Permit is not a permit or license, and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this grant is violated, or if the same be not complied with in every respect, then this permit shall be subject to revocation.

Failure to utilize such permit within the thirty-six (36) month period will automatically void the same, in accordance with Municipal Code section 101.0510.

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

APPROVED: JOHN W. WITT, City Attorney

By 
Allisyn L. Thomas
Deputy City Attorney

ALT:wk
11/23/88
Or.Dept:Clerk
R-89-1085
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Passed and adopted by the Council of The City of San Diego on May 15 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 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Martin, Deputy.

Office of the City Clerk, San Diego, California

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