

(R-90-1694)

RESOLUTION NUMBER R-275391

ADOPTED ON MARCH 27, 1990

WHEREAS, Earl S. Edwards/C&E Liquor, appealed the decision of the Planning Commission in denying Planned Commercial Development/Conditional Use Permit No. PCD/CUP 88-1110 submitted by Church's Fried Chicken, Owner/Permittee, for the construction of a planned commercial development consisting of a liquor store and barber shop totalling 2,336 square feet, with associated landscaping and on-site parking for 13 vehicles, and to obtain a conditional use permit for the sale of alcoholic beverages, located at the southwest corner of the intersection of Skyline and Meadowbrook Drives, and is further described as Lot 1 of Highland Park Estates Unit 1, Resubdivision 1, Map No. 5370, in the Skyline-Paradise Hills Community Plan area, in the CN zone; and

WHEREAS, the matter was set for public hearing on March 27, 1990, 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 City Council adopts the following findings with respect to Planned Commercial Development/Conditional Use Permit No. 88-1110:

1. The proposed use will not fulfill an individual and/or community need and will adversely affect the General Plan or the community plan. The request proposes to construct and operate a liquor store which is not a needed use in the community and would be inconsistent with the Skyline-Paradise Hills Community Plan.

2. The proposed use, because of the conditions that have been applied to it, will be detrimental to the health, safety and general welfare of persons residing or working in the area and will adversely affect other property in the vicinity. The applicant proposes to develop a liquor store directly adjacent to existing single-family residential development. The proposed location of this use is incompatible with adjacent development and will negatively impact the quality of life of existing residents.


3. The proposed use will not comply with the relevant regulations in the San Diego Municipal Code. A liquor store use is not permitted in the CN zone and therefore the proposed development would be inconsistent with the underlying zone. Additionally, the proposed use cannot meet the guidelines for planned commercial developments due to incompatibility with adjacent uses.

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 Earl S. Edwards/C&E Liquor is denied; the decision of the Planning Commission is sustained, and Planned Commercial Development/ Conditional Use Permit No. 88-1110 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
04/20/90
Or.Dept:Clerk
R-90-1694
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MAR 27 1990

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"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<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"/>
Linda Bernhardt	<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 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 *Bhonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

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