

RESOLUTION NUMBER R-284393

ADOPTED ON AUGUST 2, 1994

WHEREAS, Robert M. Fiscus appealed the decision of the Planning Commission in denying Conditional Use Permit No. 93-0442 submitted by CHEVRON PRODUCTS CO. USA, INC., Applicant/Lessee and PARDEE CONSTRUCTION COMPANY, Owner, to establish and operate a service station with mini-mart and car wash, located at the southwest corner of the intersection of Poway Road and Springbrook Drive, described as Lot 1 of proposed Vesting Tentative Map No. 92-0686, in the Sabre Springs Community Plan area, in the CN Zone; and

WHEREAS, the matter was set for public hearing on August 2, 1994, 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 Conditional Use Permit No. 93-0442:

1. The proposed use will not fulfill an individual and/or community need and will not provide a useful service to the community. There are other facilities nearby within the surrounding community that currently provide these services, and are within close proximity to the site. Additional uses of the proposed type would create an over-concentration of these uses in this community.


2. The proposed use 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 proposed use, if developed on this site, will contribute to traffic congestion and have a negative impact on traffic safety issues. The development will create significant visual impacts from adjacent residential properties to the north.

3. The proposed use will not comply with the relevant regulations in the San Diego Municipal Code. The proposed use does not meet the regulations of the CN Zone as to uses desirable for this site nor would the CUP adequately provide compatibility with adjacent land 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 Robert M. Fiscus is denied; the decision of the Planning Commission is sustained, and Conditional Use Permit No. 93-0442 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Chief Deputy City Attorney

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