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RESOLUTION NUMBER R-302936

DATE OF FINAL PASSAGE JULY 17, 2007

WHEREAS, the City of San Diego, Owner/Andy Krutzsch, Permittee, filed an application with the City of San Diego for a site development permit to construct a 120,183 square-foot self-storage facility known as the Tucker Self-Storage project, located at 9765 Clairemont Mesa Boulevard, and legally described as Parcel A and B of Lot 2 of Map 825, thereof, filed January 21, 1897 in the Office of the county Recorder of the City of San Diego, County of San Diego, State of California, in the Tierrasanta Community Plan area, in the RS-1-1 (Residential-Single Unit), IP-2-1 (Industrial-Park), and IH-2-1 (Industrial-Heavy) zones which are proposed to be rezoned to the IL-2-1 (Industrial-Light) zone. The IL-2-1 zone allows a mix of light industrial and office uses with limited commercial (San Diego Municipal Code [SDMC] section 131.0603); and

WHEREAS, on February 15, 2007, the Planning Commission of the City of San Diego considered site development permit [SDP] No. 205536, and pursuant to Resolution No. 4223-PC voted to recommend City Council approval of the Permit; and

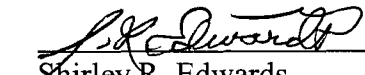
WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on July 17, 2007, 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 Site Development Permit No.205536 is denied.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Shirley R. Edwards
Chief Deputy City Attorney

SRE:pev
04/10/07
08/28/07 REV.
Or.Dept:DSD
R-2007-931
MMS #4573