

RESOLUTION NO. 202549
Case No. 284-PC

APR 29 1971

WHEREAS, ROBERT M. GOLDEN, an individual, Owner, and UNION TRIBUNE PUBLISHING COMPANY, an Illinois corporation, "Permittee," filed an application for a conditional use permit to construct and operate a newspaper publishing facility, located in Mission Valley, north of Frontage Road and west of State Route 163, being a portion of Lot 5 of the partition of Pueblo Lot 1105, and portions of Lot 9, E. W. Morse's Subdivision of the West 1/2 of Pueblo Lot 1106, more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-40 and FC Zones; and

WHEREAS, on March 17, 1971, the Planning Commission of the City of San Diego made its findings of fact, which are set forth in Resolution No. 284-PC, and granted a conditional use permit to Permittee to construct and operate a newspaper publishing facility; and

WHEREAS, pursuant to Section 101.0507 of the San Diego Municipal Code, the application for Conditional Use Permit No. 284-PC was set for public hearing on April 15, 1971, continued to April 22 and April 29, 1971, 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,
as follows:

All of the following facts exist with respect to the
issuance of said conditional use permit on the property described
in the preamble of this resolution.

1. The proposed use at the particular location is neces-
sary to provide a facility which will contribute to the general
well-being of the community.

2. Such use will not, under the circumstances of the par-
ticular case, be detrimental to the health, safety or general
welfare of persons residing or working in the vicinity, or
injurious to property or improvements in the vicinity.

3. The proposed use will comply with the regulations and
conditions specified in the Code for such use.

4. The granting of this conditional use will not adversely
affect the General Plan of the City or the adopted plan of any
governmental agency.

The above findings are further supported by the minutes,
tape of the proceedings, maps and exhibits, all of which are
herein incorporated by reference.

BE IT FURTHER RESOLVED, that by a vote of 6 to 1, this
Council does hereby grant to Robert M. Golden, Owner, and Union
Tribune Publishing Company, Permittee, a conditional use permit
to construct and operate a newspaper publishing facility in

the form and with the terms and conditions as set forth in
the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney
By Frederick C. Conrad
Frederick C. Conrad, Deputy

FCC:mmb
5-18-71

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202549

CONDITIONAL USE PERMIT - CITY COUNCIL

This conditional use permit is granted by the Council of The City of San Diego to ROBERT M. GOLDEN, an individual, Owner, and UNION TRIBUNE PUBLISHING COMPANY, an Illinois corporation, "Permittee," for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0506 of the San Diego of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to construct and operate a newspaper publishing facility, located in Mission Valley, north of Frontage Road and west of State Route 163, being a portion of Lot 5 of the partition of Pueblo Lot 1105, and portions of Lot 9, E. W. Morse's Subdivision of the West 1/2 of Pueblo Lot 1106, more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-40 and FC Zones.

2. The newspaper publishing facility shall include and the term "Project" as used in this conditional use permit shall mean the total of the following facilities:

- a. Newspaper office.
- b. Production facility.
- c. Related off-street parking.
- d. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Not less than 770 off-street parking spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A" dated March 17, 1971 on file in the office of the Planning Department. Each space shall be a minimum of 8-1/2 feet by 20 feet in size. Areas and driveways shall be surfaced with not less than 2" A.C. or its equivalent and each space shall be marked. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for the use of these off-street parking spaces.

4. Floor levels other than parking shall be above 40 feet mean sea level.

5. The driveway on the east side of the property shall align with the driveway on the opposite side of Hotel Circle (Camino de la Reina).

6. A sidewalk shall be provided on Hotel Circle (Camino de la Reina).

7. Street lighting in addition to the lighting required by Municipal Code Section 102.0221 shall be required at the driveway entrances per City Engineer's requirements.

8. The guard houses shall be located to provide adequate off-street storage for vehicles and trucks entering the parking lot.

9. Prior to the issuance of any building permits, a final subdivision map shall be recorded on the subject property.

10. Owner and Permittee shall enter into an agreement with the City, acknowledging on their own behalf and for any successors in

in interest, the pendency of a future assessment district for the property owners' share of construction, the right of way acquisition and land enhancement for the proposed flood control facilities.

11. Permittee shall comply with the General Conditions for Conditional Use Permits attached hereto and made a part hereof.

Passed and adopted by the City Council of The City of San Diego on April 29, 1971.

GENERAL CONDITIONS FOR CONDITIONAL USE PERMITS

1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit A dated _____, on file in the office of the Planning Department. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.

2. Prior to the issuance of any building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit A dated _____, on file in the office of the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.

3. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.

4. Substantial construction of the project shall have commenced and shall be proceeding within one year from the effective date of this conditional use permit or any extension of time as may be granted herein by The City of San Diego pursuant to the terms set forth in Section 101.0507 and Section 101.0508 of the San Diego Municipal Code.

5. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.

6. The effectiveness of this conditional use permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:

a. Permittee shall have agreed to each and every condition hereof by having this conditional use permit signed within 90 days of the Council's decision. In no event shall this condition be construed to extend the time limitation set forth in 4 above; i.e., the time commences to run on the date that the City Council granted this conditional use permit.

b. This conditional use permit executed as indicated shall have been recorded in the office of the County Recorder.

7. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission, or

City Council, or both unless the proposed use meets every requirement of zone existing for the subject property at the time of conversion.

8. The property included within this conditional use permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the permit shall have been revoked by The City of San Diego.

9. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of Permittee or its successors in interest, shall be deemed a material breach hereof and this conditional use permit may be cancelled or revoked. Cancellation or revocation of this conditional use permit may be instituted by City or Permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0506. An appeal from the decision of the Planning Commission may be taken to the City Council within ten days after the decision is filed with the City Clerk. The Clerk shall set the matter for public hearing before the City Council giving the same notice as provided in Section 101.0506.

10. This conditional use permit shall inure to the benefit of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

APPENDIX "A"

Being a portion of Lot 5 of the partition of Pueblo Lot 1105, in the City of San Diego, County of San Diego, State of California, according to Referee's map thereof made in that certain action entitled "Thomas J. Daley vs. Arpad Huraszthy, Et Al", being numbered 1029 in the Superior Court of California in and for the County of San Diego, which said map is filed in the Office of the County Clerk of said San Diego County, and a portion of Lots 9 and 12, of E.W. Morse's Subdivision of the West half of Pueblo Lot 1106, according to map thereof No. 103 filed in the Office of the County Recorder of San Diego County, November 6, 1885, described as follows:

Beginning at the Southeast corner of Seven Inns Subdivision according to Map thereof No. 5671; said point being on the Southwesterly line of said Lot 5; thence along the Northeasterly line of said Map No. 5671, and said Southwesterly line of Lot 5, North 14° 53' 50" West (Record North 14° 52' 51" West per said Map No. 5671) 7.83 feet, to the TRUE POINT OF BEGINNING; thence continuing along said Northeasterly line and the Northerly prolongation thereof of said Map No. 5671, and said Southwesterly line of Lot 5, North 14° 53' 50" West, 1158.85 feet, to a point, said point being 1485.00 feet Northerly of the Southwest corner of said Lot 5; thence North 75° 51' 10" East 735.79 feet, to a point on the Westerly Right of Way line of Hotel Circle as dedicated April 30, 1969 as File/Page No. 75192, Series 10, Book 1969 of Official Records, in the Office of the County Recorder of San Diego County, State of California, said point being on the arc of a non-tangent 230.00 foot radius curve, concave Southeasterly, a radial line to said point bears North 38° 58' 00" West; thence Southerly along said curve and along said Westerly Right of Way line through a central angle 65° 57' 13" an arc distance of 264.76 feet; thence continuing along said Westerly Right of Way line tangent to said curve South 14° 55' 13" East 409.25 feet, to the beginning of a tangent 170.00 foot radius curve, concave Westerly; thence continuing along said Westerly Right of Way line along said curve through a central angle of 57° 22' 42" an arc distance of 170.24 feet; thence leaving said Right of Way line dedicated April 30, 1969 per File/Page No. 75192, tangent to said curve South 42° 27' 29" West, 259.92 feet, to the beginning of a tangent 430.00 foot radius curve, concave Southerly; thence along said curve through a central angle of 07° 23' 12" an arc distance of 55.44 feet; thence tangent to said curve South 35° 04' 17" West 276.96 feet, to the beginning of a tangent 724.00 foot radius curve, concave Northwesterly; thence along said curve through a central angle of 04° 35' 20" an arc distance of 57.99 feet, to the TRUE POINT OF BEGINNING.

Containing 12.863 acres.

AUTHENTICATED BY:

Mayor of The City of San Diego, California

City Clerk of The City of San Diego, California

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

On this _____ day of _____, 19____, before me the undersigned, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared FRANK CURRAN, known to me to be the Mayor, and EDWARD NIELSEN, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument and known to me to be the persons who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

The undersigned Permittee by execution hereof agrees to each and every condition of this conditional use permit and promises to perform each and every obligation of Permittee hereunder.

UNION TRIBUNE PUBLISHING COMPANY,
an Illinois corporation
(Permittee) (Seal)

Robert M. Golden, (Owner)

By _____

By _____

Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

On this _____ day of _____, 19____, before me the undersigned, a Notary Public in and for said County and State, personally appeared Robert M. Golden, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that _____ executed the within instrument.

WITNESS my hand and official seal.
(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, known to me to be the _____ and _____ known to me to be the _____ of Union Tribune Publishing Company, an Illinois corporation, the corporation that executed the within instrument and known to me to be the persons who executed the same on behalf of said corporation and acknowledged to me that said corporation executed the same, pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal.
(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

LB

APR 29 1971

Passed and adopted by the Council of The City of San Diego on
by the following vote:

RECEIVED
CITY CLERK'S OFFICE

1971 MAY 20 AM 4:29

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By Edna N. Hamel, Deputy

Office of the City Clerk, San Diego, California

Resolution Number 202549 Adopted APR 29 1971