

RESOLUTION NO. 222234

R.79-1503

CONDITIONAL USE PERMIT NO. 546-PC

WHEREAS, GENERAL DYNAMICS CORPORATION, a Delaware corporation, Owner, hereafter referred to as "Permittee," filed an application for permission under Conditional Use Permit No. 546-PC, to expand an existing nonconforming heliport on 3.4 acres in the M-1B Zone. The property is located on the west side of Ruffin Road between Balboa Avenue and Clairemont Mesa Boulevard and is more particularly described as Lot 6, Block 1; Lot 1, Block 2; Lot 1, Block 9 and Lot 3, Block 10; Rosedale, Map No. 826; and

WHEREAS, on September 7, 1978, the Planning Commission of The City of San Diego made its findings of fact, approved said Conditional Use Permit No. 546-PC and filed said decision in the office of the City Clerk on October 6, 1978; and

WHEREAS, said Conditional Use Permit No. 546-PC, pursuant to Section 101.0507 of the San Diego Municipal Code, was set for public hearing on November 14, 1978, and 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 Conditional Use Permit No. 546-PC:

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1. The proposed use at this location would be necessary and desirable to provide a service or facility contributing to the general well-being of the neighborhood and community.

The applicant indicates that the expansion of the heliport would allow General Dynamics to meet contractual requirements of the U. S. Army program. This would contribute to the general well-being of the San Diego area by the added employment this program requires.

2. The use, under the circumstances of this particular case, would not be detrimental to the health, safety or general welfare of persons living or working in the area, nor be injurious to property or improvements in the vicinity.

The subject heliport is located within an industrially zoned area of the City, and use of the heliport should not be detrimental to surrounding industrial and commercial uses. The applicant indicates that flights from the heliport would not be over any residential areas.

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

The adopted Municipal Code (Zoning Ordinance) provides that heliports may be permitted in any zone subject to the granting of a conditional use permit the by City Council following review by the Planning Commission.

4. The granting of this conditional use permit would not adversely affect the General Plan of the City nor the Serra Mesa Community Plan.

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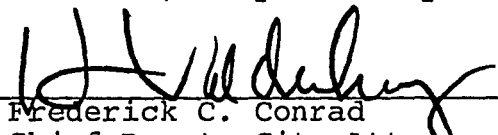
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The expansion of the heliport would not adversely affect the City's General Plan nor the Serra Mesa Community Plan as the facility is located within an area designated for industrial usage.

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

BE IT FURTHER RESOLVED, that this Council does hereby grant to GENERAL DYNAMICS CORPORATION, a Delaware corporation, Owner and Permittee, Conditional Use Permit No. 546-PC, 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   
for Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
2/9/79  
Or.Dept.:Clerk

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CONDITIONAL USE PERMIT NO. 546-PC  
CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to GENERAL DYNAMICS CORPORATION, a Delaware corporation, Owner, hereafter referred to as "Permittee," for the purposes and under the terms and conditions as set out herein, pursuant to the authority contained in Section 101.0507 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to construct and operate a heliport located east of Ruffin Road, between Clairemont Mesa Boulevard and Balboa Avenue, described as Lot 6, Block 1; Lot 1, Block 2; Lot 1, Block 9 and Lot 3, Block 10, Rosedale, Map No. 826, in the M-1B Zone.

2. The heliport shall include, and the term "Project" as used in this Conditional Use Permit shall mean the total of the following facilities:

a. A 3.4-acre heliport.

b. Incidental accessory uses as may be determined and approved by the Planning Director.

3. The heliport shall be maintained in accordance with minimum requirements of heliports and helistops in the State of California and shall be operated and licensed in accordance with the California Division of Aeronautics.

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

ADOPTED THE COUNCIL OF THE CITY OF SAN DIEGO ON NOVEMBER 14, 1978.

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 September 7, 1978, 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 September 7, 1978, 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 18 months 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.

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Acknowledgment

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, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_ and \_\_\_\_\_ known to me to be the \_\_\_\_\_ of \_\_\_\_\_

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

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NOV 14 1978

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Betty Gooding*, Deputy.

(Seal)

RECEIVED  
CITY CLERK'S OFFICE  
1979 FEB 15 AM 11:55  
SAN DIEGO, CALIF.

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Office of the City Clerk, San Diego, California

Resolution Number **222234** Adopted **NOV 14 1978**