

RESOLUTION NO. R-251077 (R.80-1368)

CONDITIONAL USE PERMIT NO. 582-PC

JAN 29 1980

WHEREAS, SOUTHWESTERN LIFE INSURANCE COMPANY, Owner, and McGRAW-HILL BROADCASTING COMPANY, INC., a New York corporation, hereafter referred to as "Permittee", filed an application for permission under Conditional Use Permit No. 582-PC, to establish and operate a heliport on 7 acres in the R-1-5 Zone. The property is located on the south side of Federal Boulevard between 47th Street and I-805 and is more particularly described as Lot 1, Broadcast City, Map No. 3654; and

WHEREAS, on November 29, 1979, the Planning Commission of The City of San Diego made its findings of fact, approved said Conditional Use Permit No. 582-PC and filed said decision in the office of the City Clerk on December 27, 1979; and

WHEREAS, said Conditional Use Permit No. 582-PC, pursuant to Section 101.0507 of the San Diego Municipal Code, was set for public hearing on January 29, 1980, 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. 582-PC:

1. The proposed use will not adversely affect the neighborhood, the General Plan or the adopted Mid-City

Development Plan, and will not be detrimental to the health, safety and general welfare of persons residing or working in the area.

The adopted Mid-City Development Plan designates the subject property for industrial use. The heliport would be compatible with this designation. The flight pattern would be over the subject property and the right-of-way of Highway 94 and should not be detrimental to persons or adjacent properties with appropriate conditions of approval.

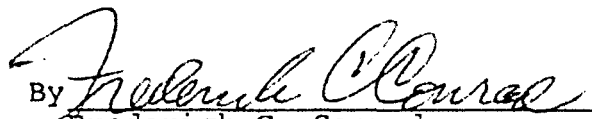
2. The proposed use will comply with all the relevant regulations in the Municipal Code.

Section 101.0507 of the Municipal Code establishes the authority by the City Council to approve airports, including heliports and helistops.

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 SOUTHWESTERN LIFE INSURANCE COMPANY and MCGRAW-HILL BROADCASTING COMPANY, INC., a New York corporation, Owner and Permittee, Conditional Use Permit No. 582-PC, with the condition for review upon the submission of the findings of the CPO airport update, 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  
Chief Deputy City Attorney

FCC:ps  
1/31/80  
Or.Dept. Clerk

R- 251077

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CONDITIONAL USE PERMIT NO. 582-PC  
CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to SOUTHWESTERN LIFE INSURANCE COMPANY, Owner, and MCGRAW-HILL BROADCASTING COMPANY, INC., a New York corporation, 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 south of Federal Boulevard, north of Highway 94, east of I-805 and west of 47th Street, described as Lot 1, Broadcast City, Map No. 3654, in the R-1-5 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 heliport;
- b. Incidental accessory uses as may be determined and approved by the Planning Director.

3. The heliport facility shall be utilized in daylight hours only.

4. A three-foot, chain-link fence shall be constructed around the heliport as shown on Exhibit "A", dated November 29, 1979.

5. This Conditional Use Permit, by reference, shall be incorporated within Conditional Use Permit #901, approved December 26, 1956.

6. This Conditional Use Permit is granted with the condition for review upon the submission of the findings of the CPO airport update.

7. The Permittee shall comply with the General Conditions for Conditional Use Permits attached hereto and made a part hereof, excepting General Conditions 1 and 2.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON JANUARY 29, 1980.

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 November 29, 1979, 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 November 29, 1979, 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.





Furnished by  
**COMMONWEALTH**  
*Life Insurance Company*

Individual Acknowledgment

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO } SS.  
On MARCH 17, 1980

before me, the undersigned, a Notary Public in and for said  
County and State, personally appeared CLAYTON H. BRACE  
HELEN F. HUTCHINGS

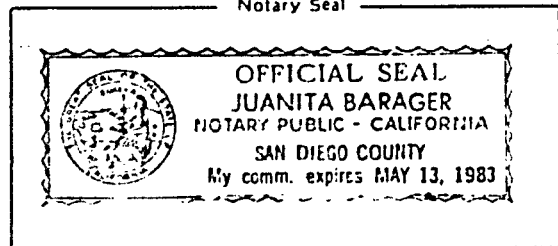
known to me to be the persons whose names subscribed to the within instrument and  
acknowledged that THEY executed the same.

WITNESS my hand and official seal.

Juanita Barager

Notary Public in and for said County and State

Notary Seal



C-30

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Passed and adopted by the Council of The City of San Diego on JAN 29 1980,  
 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"/>
Bill Cleator	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gorch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

By Wally Borham, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-251077 Adopted JAN 29 1980