

(R-83-600)

RESOLUTION NUMBER R- 257292

Adopted on OCT 5 1982

WHEREAS, SHOLDERS and SANFORD, INC., filed an application in behalf of EQUIDON INVESTMENT BUILDERS, Owner/Permittee, for permission under Conditional Use Permit No. 82-0305, to construct and operate a heliport on the north side of Lusk Boulevard, east of Sorrento Parkway, described as a Portion of Lot 4, Sorrento Corporate Park, Map 10260, in the M-IP Zone; and

WHEREAS, on September 2, 1982, the Planning Commission of The City of San Diego made its findings of fact, approved said Conditional Use Permit No. 82-0205 and filed said decision in the office of the City Clerk on September 9, 1982; and

WHEREAS, said Conditional Use Permit No. 82-0305, pursuant to Section 101.0507 of the San Diego Municipal Code, was set for public hearing on October 5, 1982, 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. 82-0305:

1. The proposed heliport would not be detrimental to the health, safety, or general welfare of persons living or working in the vicinity, nor injurious to property or investments in the

area. All appropriate state and federal agencies have reviewed the proposal and do not object to the proposed use. The Council believes that the facility would provide a service to the industrial community and would enhance the health, safety and general welfare by providing emergency transportation service.

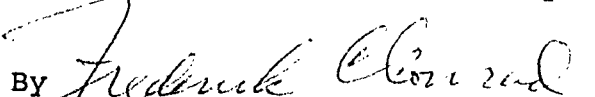
2. The proposed use would comply with regulations and conditions specified in the Municipal Code. Section 101.0507 A.1. permits heliports under a Conditional Use Permit granted by the City Council. The proposed facility would comply with all regulations in the Municipal Code for such use.

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 EQUIDON INVESTMENT BUILDERS, Owner/Permittee, Conditional Use Permit No. 82-0305, 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:ib
11/23/82
Or.Dept:Clerk

CONDITIONAL USE PERMIT NO. 82-0305
CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to EQUIDON INVESTMENT BUILDERS, Owner/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 Owner/Permittee to construct and operate a heliport on the north side of Lusk Boulevard, east of Sorrento Parkway, described as a Portion of Lot 4, Sorrento Corporate Park, Map 10260, in the M-IP Zone.

2. The facility shall consist of the following:

a. A fenced landing and takeoff area, and parking and waiting area, as shown on Exhibit A, dated October 5, 1982;

b. The heliport is to be for the use of the tenants of the Wateridge Development (PID 40-021-0 and PID 40-022-0), and for public agencies, if needed;

c. Accessory uses as may be determined incidental and approved by the Planning Director;

d. Landscaping and improvements as shown on Exhibit A, dated October 5, 1982.

3. No permit for operation of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

a. The Owner/Permittee signs and returns the permit to the Planning Department;

b. The Conditional Use Permit is recorded in the office of the County Recorder.

If the signed permit is not received by the Planning Department within ninety (90) days of the City Council decision, the permit shall be void.

4. This Conditional Use Permit must be used within eighteen (18) months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Sections 101.0506 and 101.0507 of the Municipal Code.

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

6. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the City Council; or
 - b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
 - c. The permit has been revoked by the City.
7. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.
8. This Conditional Use Permit is a covenant running with the lands and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.
9. This permit is contingent upon the applicant receiving approval from the City of San Diego General Services Department, Airports Division, of a Heliport Permit/License.
10. The heliport is to be marked and lighted in accordance with the Federal Aviation Administration's Advisory Circular Section 150/5390-1B, and the letters "PVT or "Private", marked on the pad to preclude unauthorized use of the facility (excepting emergency use by public vehicles).
11. Lights shall be adjusted or screened so as not to create glare or shine upon adjacent streets or properties.
12. Development of the subject property shall be in substantial conformance to Exhibit A, dated October 5, 1982, including the approach and departure corridor.
13. Prior to the issuance of any grading or development permits, the open space easement on the property shall be reworded or removed to allow development of the heliport.
14. The Conditional Use Permit is contingent upon a letter of agreement between the heliport operator, NAS Miramar and San Diego Tracon defining the ingress/egress routes, Terminal Control Area Clearances, and other specific flight procedures.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON OCTOBER 5, 1982.

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 PETE WILSON, known to me to be the Mayor, and CHARLES G. ABDELNOUR, 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.

NOTE: NOTARY ACKNOWLEDGMENTS
MUST BE ATTACHED - PER
CIVIL CODE, SEC. 1180, et seq.

EQUIDON INVESTMENT BUILDERS
By _____

By _____

OCT 5 1982

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"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Barbara Berridge, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R. 257292 Adopted OCT 5 1982

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