

(R-86-320)

RESOLUTION NUMBER R- **263938**

ADOPTED ON AUG 20 1985

WHEREAS, on August 23, 1983, the City Council adopted Conditional Use Permit No. 83-0376, granting to THE SAN DIEGO DAILY TRANSCRIPT, a California corporation, Owner/Permittee, permission to remodel an existing building to house a small newspaper press, paper storage and associated facilities adjacent to to the southeast corner of Ivy Street and Third Avenue, in the Uptown Community Plan area, within the CN Zone; and

WHEREAS, on May 9, 1985, the Planning Commission of The City of San Diego reconsidered Conditional Use Permit No. 83-0376 and recommended modification of the existing permit to provide two additional parking spaces in a commercial parking lot in close proximity to the facility; and

WHEREAS, on May 9, 1985, the Planning Commission of The City of San Diego made its findings of fact, approved Conditional Use Permit No. 83-0376.1, an amendment to Conditional Use Permit No. 83-0376, and filed said decision in the office of the City Clerk; and

WHEREAS, said amendment was set for public hearing on August 20, 1985, testimony having been heard, evidence having been submitted, and the City Council having fully considered the same; and

WHEREAS, the City Council in considering said amendment is empowered by the provisions of San Diego Municipal Code Section 101.0506 to affirm, reverse or modify, in whole or in part, any determination of the Planning Commission subject to the limitations as are placed upon the Planning Commission by the San Diego Municipal Code; 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. 83-0376.1:

1. The proposed use will not adversely affect the neighborhood, the General Plan, the Uptown Community Plan, and will not be detrimental to the health, safety or general welfare of persons residing or working in the area.

a. The environmental impacts including land use, transportation and noise, have been reviewed by the Environmental Quality Division which has concluded that a negative declaration is appropriate.

b. Two off-street parking spaces will be provided for the four to five employees operating the printing press.

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

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a. The use of the existing commercial building will comply with all relevant regulations of the San Diego Municipal Code.

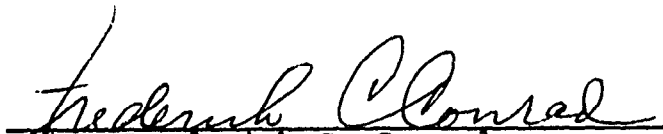
b. This permit is processed under the provisions of San Diego Municipal Code Section 101.0507-A.5. which authorizes the City Council to approve newspaper publishing plants in any zone.

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 hereby sustains the decision of the Planning Commission, and does hereby grant to "Owner/Permittee," Conditional Use Permit No. 83-0376.1, an amendment to Conditional Use Permit No. 83-0376, 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:cc:632
08/26/85
Or.Dept:Clerk
R-86-320
Form=r.RESCUP

CONDITIONAL USE PERMIT NO. 83-0376.1
(AMENDMENT TO CONDITIONAL USE PERMIT 83-0376)
CITY COUNCIL

This Conditional Use Permit amendment is granted by the City Council of The City of San Diego to THE SAN DIEGO DAILY TRANSCRIPT, a California corporation, Owner/Permittee, for the purposes and under the terms and conditions as set out herein, pursuant to the authority contained in San Diego Municipal Code Section 101.0506.

1. Permission is hereby granted to Owner/Permittee to operate a small newspaper press, paper storage and associated facilities, on approximately 0.11 acres in the Uptown Community Plan area located on the southeasterly corner of Ivy Street and Third Avenue, described as a portion of Lot A, Block 246, Horton's Addition, within the CN Zone.
2. The facility shall consist of the following:
 - a. A printing press;
 - b. Paper storage and accessory facilities;
 - c. Off-street parking; and
 - d. Accessory uses as may be determined incidental and approved by the Planning Director.
3. The maximum number of employees for this facility shall not exceed five on any one shift.
4. The hours of operation for the printing press shall be between 4:00 p.m. and 11:00 p.m., Monday through Friday only.
5. Two parking spaces shall be provided in a commercial parking lot in close proximity to the facility. Proof of such parking arrangements shall be submitted to the Planning Director.

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

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

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.

7. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated July 21, 1983, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.

8. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity with Exhibit "A," dated July 21, 1983, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended.

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

10. 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.

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

12. 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.

13. 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.

14. 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.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON AUGUST 20, 1985.

AUTHENTICATED BY:

Roger Hedgecock
Mayor of The City of San Diego

Charles G. Abdelnour
City Clerk of The City of San Diego

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

On this _____ day of _____, 1985, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared ROGER HEDGECOCK, 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 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.

THE SAN DIEGO DAILY TRANSCRIPT

By _____

By _____

NOTE: NOTARY ACKNOWLEDGMENTS MUST BE ATTACHED PER CIVIL CODE, SECTION 1180, ET SEQ.

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AUG 20 1985

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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Raymond G. Portecover* , Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-263938* AUG 20 1985
Number Adopted