

RESOLUTION NUMBER R-273362^(R-89-1760 REV. 1)

ADOPTED ON MAY 2 1989

WHEREAS, MISSION CABLE T.V., INC., a California corporation, "Owner/Permittee," filed an application for Conditional Use Permit No. 88-1145 to erect a 40-foot-high microwave tower for improved service and to allow transmissions between Cowles Mountain and the Federal Boulevard office on property on the south side of Federal Boulevard, described as Parcel 1 of Map 12192 containing 6.156 acres, in the CA-RR zone, within the Mid-City Community area; and

WHEREAS, on February 16, 1989, the Planning Commission of The City of San Diego made its findings of fact and approved Conditional Use Permit No. 88-1145; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Conditional Use Permit No. 88-1145:

1. The proposed microwave communication tower would not adversely affect the neighborhood, the general plan, or the Mid-City Community Plan and will not be detrimental to the health, safety and general welfare of the people living or working in the area.

The conditional use permit would upgrade the service currently offered by Cox Cable TV. The tower has a maximum base width of two feet with a six-foot-wide dish at the top.

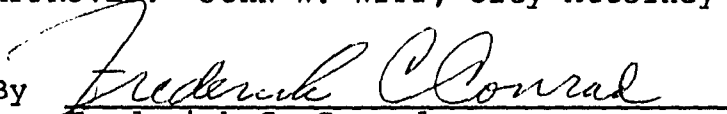
2. The proposed microwave communication tower will comply with all relevant regulations of the San Diego Municipal Code, Section 101.0510.C.4.g. granting the Council authority to approve stationary facilities for transmission of electromagnetic communications signals for aerial transmission or relay of electromagnetic communications signals. The Department believes that the conditions proposed for this permit are appropriate.

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 grants to Mission Cable T.V., Inc., a California corporation, Conditional Use Permit No. 88-1145, in the form and under the terms and conditions 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

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05/24/89 REV. 1
Or.Dept:Plan.
R-89-1760
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CONDITIONAL USE PERMIT NO. 88-1145

CITY COUNCIL

This Conditional Use Permit is granted by the Council of The City of San Diego to MISSION CABLE T.V., INC., a California corporation, Owner/Permittee, for the purposes and under the terms and conditions as set out herein, pursuant to the authority contained in Section 101.0510 of the San Diego Municipal Code.

1. Permission is hereby granted to Owner/Permittee to erect a 40-foot-high microwave tower for improved service and to allow transmissions between Cowles Mountain and the Federal Boulevard office on property on the south side of Federal Boulevard, d described as Parcel 1 of Map 12192 containing 6.156 acres, in the CA-RR zone, within the Mid-City Community area.

2. The facility shall consist of the following:

a. A 40-foot-high street tower for microwave transmissions;

b. Off-street parking; and

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

3. Any additions or modifications to the microwave tower and/or microwave dish as submitted shall require an amendment to the conditional use permit.

4. Not less than 572 off-street parking spaces shall be provided and maintained on the property in the approximate location shown on Exhibit "A," dated February 16, 1989, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.

5. No permit for construction or operation 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.

6. 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 February 16, 1989, 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.

7. 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 to Exhibit "A," dated February 16, 1989, 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.

8. 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.

9. This Conditional Use Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Section 101.0510 of the San Diego Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time the extension is applied for.

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

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

- a. Authorized by the Planning Commission; 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.

12. 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.

13. This Conditional Use Permit is a covenant running with the lands and shall be binding upon the 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 May 2, 1989.

03/22/89
05/24/89 REV. 1
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MAY 2 1989

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Rhonda L. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

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