

(R-82-1909)

RESOLUTION NUMBER R- **256336**

Adopted on MAY 4 1982

Conditional Use Permit No. 10-301-2

WHEREAS, THE BISHOP'S SCHOOL, a California corporation, Owner, hereafter referred to as "Permittee," filed an application for an amendment to Conditional Use Permit No. 10-301-0, to redesign the parking lots, tennis courts and athletic field at the Bishop's School in the R-3 Zone. The subject property is located on the south side of Prospect Street, between La Jolla Boulevard and Draper Avenue, in the La Jolla Community Plan area, and is more particularly described as Lots 1-10, 12-13, 45-46, Block 12; Lots 1, 27-37, Block 13; Lots 1-24, Block 18; Lots 3-15, 16-20, Block 19; all of La Jolla Park, Map 352, and portions of Cuvier and Ravina Streets closed; and

WHEREAS, on April 1, 1982, the Planning Commission of The City of San Diego made its findings of fact, granted said Conditional Use Permit No. 10-301-2, and filed said decision in the office of the City Clerk on April 12, 1982; and

WHEREAS, on April 9, 1982, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, MR. and MRS. J. R. JORDAN, by Procopio, Cory, Hargreaves and Savitch, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on May 4, 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; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of 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 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. 1Q-301-2:

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

The proposed expansion of the athletic field will increase it to regulation size. The consolidation of parking will provide for better security and be more convenient for staff and visitors. Five to six-foot fences, walls and hedges have existed along La Jolla Boulevard on the property for many years. The proposed six foot screen wall and landscaping on the property line adjacent to the parking lot should not materially affect the general welfare of the neighborhood. The La Jolla

Community Plan designates this site for school and residential use.

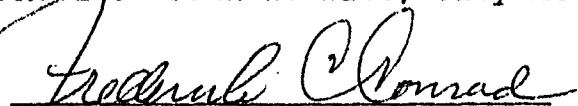
2. The proposed use will comply with all the relevant regulations in the Municipal Code.

Section 101.0506 of the Municipal Code of The City of San Diego, paragraph A 4, grants the Planning Commission authority, under conditions, to approve educational institutions by a Conditional Use Permit.

BE IT FURTHER RESOLVED, that the appeal of MR. and MRS. J. R. JORDAN, by Procopio, Cory, Hargreaves and Savitch, is denied, and this Council does hereby grant to THE BISHOP'S SCHOOL, a California corporation, Owner and Permittee, Conditional Use Permit No. 10-301-2, 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  
5/18/82  
Or.Dept:Prop.  
CUP-10-301-2  
R-82-1909  
Form=r.none

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CONDITIONAL USE PERMIT NO. 10-301-2  
CITY COUNCIL

This Conditional Use Permit Amendment is granted by the City Council of The City of San Diego to THE BISHOP'S SCHOOL, a California corporation, Owner, hereafter referred to as "Permittee," for the purposes and under the terms and on the conditions as set out herein, pursuant to the authority contained in Section 101.0506 of the San Diego Municipal Code.

1. Permission is granted to Permittee to expand the athletic field and to consolidate parking lots located on the south side of Prospect Street, between La Jolla Boulevard and Draper Avenue, described as Lots 1-24, Block 18; Lots 3-15, 16-20, Block 19; Lots 1, 27-37, Block 13; Lots 1-10, 12-13, 45-46, Block 12, La Jolla Park, Map 352, and portions of Cuvier Street and Ravina Street closed, and portion of Cuvier Street proposed to be closed, in the R-3 Zone.

2. The facility shall consist of the following:

- a. Classrooms and resident halls for a total enrollment not to exceed 600 students;
- b. Playgrounds, tennis courts, swimming pool, gymnasium and other recreation facilities;
- c. Facility residences;
- d. Off-street parking;
- e. Accessory uses as may be determined incidental and approved by the Planning Director.

3. No fewer than 125 off-street parking spaces shall be

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maintained on the property in the approximate location shown on Exhibit "A," dated March 18, 1982, 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.

4. The existing parking lot located on Cuvier Street shall be paved and a three to six foot-high fence or wall or suitable landscaping shall be installed within six months after the effective date of this permit.

5. The hours of use of the athletic field shall be limited to 7:30 a.m. to 6:00 p.m. daily.

6. Only security lighting is permitted for the athletic field.

7. A masonry screen wall six feet high shall be constructed at the southerly boundary of the athletic field adjacent to Lot 26, Block 13, Map 352. At the time of the construction, the four-foot setback area between said wall and said property line shall be either landscaped or a concrete slab shall be provided. Also, the extension of the wall height with a four-foot chain link fence section shall be reviewed.

All of the above shall be constructed to the mutual satisfaction of the owner of Lot 26 and the developer.

8. No permit for demolition or construction 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 **00198**

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 90 days of the Planning Commission decision or within 30 days of a City Council decision, the permit shall be void.

9. Before issuance of any grading 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 March 18, 1982, on file in the office of the Planning Department. Approved planting shall be installed before the use of the expanded parking lot. Such planting shall not be modified or altered unless this permit has been amended.

10. This Conditional Use Permit must be used within 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 Planning Commission; or

b. The proposed use meets every requirement of the zone existing for the property at the time of conversion;

or

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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 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 4, 1982.

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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.

THE BISHOP'S SCHOOL, a California  
corporation

By \_\_\_\_\_

By \_\_\_\_\_ **00201**

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



MAY 4 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-256336 Adopted MAY 4 1982