

(R-92-1786)

RESOLUTION NUMBER R-279503

ADOPTED ON MARCH 3, 1992

WHEREAS, on January 30, 1992, the Planning Commission recommended approval of Southeast San Diego Development Permit/Conditional Use Permit ("CUP") No. 91-0348, amending Conditional Use Permit No. 4910, requested by the Roman Catholic Bishop of San Diego Holy Cross Cemetery and Mausoleum, Owner/Permittee, for the purpose of adding 3.42 acres of expansion to the existing cemetery, located 4470 Hilltop Drive and described as Lots 8 through 14 and remaining portion of Lot 15 of Broadway Acres, Map No. 1759, in the Chollas View Community of the Southeast San Diego Community Plan area, in the MF-3000 zone; and

WHEREAS, the matter was set for public hearing on March 3, 1992, 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, that this Council adopts the following findings with respect to Southeast San Diego Development Permit/Conditional Use Permit No. 91-0348:

1. The proposed project will fulfill a need and will not adversely affect the neighborhood, the General Plan, or the Community Plan.

2. The proposed project, because of conditions that have

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been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

3. The proposed project will comply with all the relevant regulations in the Municipal Code.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Southeast San Diego Development Permit/Conditional Use Permit No. 91-0348, amending CUP No. 4910, is hereby granted to the Roman Catholic Bishop of San Diego Holy Cross Cemetery and Mausoleum, 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

FCC:lc  
05/21/92  
Or.Dept:Clerk  
R-92-1786  
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SOUTHEAST SAN DIEGO DEVELOPMENT PERMIT/  
CONDITIONAL USE PERMIT NO. 91-0348  
AMENDMENT TO CONDITIONAL USE PERMIT NO. 4910

HOLY CROSS CEMETERY

CITY COUNCIL

This Southeast San Diego Development Permit/Conditional Use Permit ("CUP") No. 91-0348, amending CUP No. 4910, is granted by the Council of The City of San Diego to the Roman Catholic Bishop of San Diego Holy Cross Cemetery and Mausoleum, Owner/Permittee, under the conditions in Section 103.1706 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee, Holy Cross Cemetery located at 4470 Hilltop Drive, described as Lots 8 through 14 and remaining portion of Lot 15 of Broadway Acres, Map No. 1759, in the MF-3000 Zone.
2. The facility shall consist of the following:
  - a. 3.4 acres of cemetery;
  - b. 8-foot-high wrought iron fence;
  - c. Off-street parking;
  - d. Accessory uses as may be determined incidental and approved by the City Council.
3. No fewer than 20 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated March 3, 1992, on file in the office of the Planning Department. Parking spaces shall be consistent with Chapter X, Article 1, 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. No permit for the development 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;
  - b. The amendment to Conditional Use Permit and Southeast San Diego Development Permit is recorded in the office of the County Recorder.

5. If the signed permit is not received by the Planning Department within 30 days of the City Council decision the permit shall be void.
6. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Department for approval. Plans shall be in substantial conformance to Exhibit "A" dated March 3, 1992, 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 Department for approval. The plans shall be in substantial conformity to Exhibit "A" dated March 3, 1992, 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. The existing chain link fence along Hilltop Drive shall be replaced with wrought iron fence.
10. This Conditional Use Permit Amendment and Southeast San Diego Development 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 101.0910 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 Amendment and Southeast San Diego Development 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 Amendment and Southeast San Diego Development 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.
15. All common areas and/or open spaces that require irrigation shall be irrigated with reclaimed water, as specified in City Council Ordinance 0-17327 (New Series). The subdivider shall design and install a reclaimed water distribution system within the subdivision, in accordance with "Rules and Regulations for Reclaimed Water Use and Distribution within the City of San Diego." The irrigation system shall initially be supplied from the potable water system until reclaimed water is available. The system shall be designed to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two systems.
16. Prior to the issuance of any building permits, the applicant shall:
  - a. Ensure that building address numbers are visible and legible from the street (Uniform Fire Code ("UFC") 10.208).
  - b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
17. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of curb, gutter and sidewalk along 44th Street, adjacent to this site, satisfactory to the City Engineer.
18. The driveways shall be standard City driveways; curb returns are not allowed.

Passed and adopted by the Council of The City of San Diego on March 3, 1992, Resolution No. R-279503.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor  
The City of San Diego

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

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN DIEGO )

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared 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 person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

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 permit and promises to perform each and every obligation of Permittee hereunder.

ROMAN CATHOLIC BISHOP OF SAN DIEGO  
HOLY CROSS CEMETERY AND MAUSOLEUM  
Owner/Permittee

By \_\_\_\_\_

By \_\_\_\_\_

NOTE: Notary acknowledgments  
must be attached per Civil  
Code Section 1180, et seq.  
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Passed and adopted by the Council of The City of San Diego on.....**MAR 03 1992**  
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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.....*Mary Cepeda*.....Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *f* **279503** Adopted **MAR 03 1992**