

#332
Subitem B
(R-2017-401)
3/21/17

RESOLUTION NUMBER R- 311001
DATE OF FINAL PASSAGE MAR 21 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO GRANTING COASTAL DEVELOPMENT
PERMIT NO. 1615365 AND SITE DEVELOPMENT PERMIT
NO. 1851203 FOR CAVALLO DUPLEX PROJECT NO. 461765
(AMENDMENT TO NORTH CITY WEST PLANNED
DISTRICT DEVELOPMENT PLAN PERMIT NO. 87-0769).

WHEREAS, KALYAN YELLAPU, Owner/Permittee, filed an application with the City of San Diego for a Coastal Development Permit and Site Development Permit for the construction of two single-family residential units known as the Cavallo Duplex project, located at 12592 1/3 and 12594 Cavallo Street (temporary address) and legally described as Parcel 1 of Parcel Map No. 16422 in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, March 5, 1991 as Instrument No. 91-095897 of official records except therefrom that portion thereof conveyed to the City of San Diego by Grant Deed recorded July 25, 1994 as instrument No. 94-0458234 of official records; and Lot 127 of Carmel Del Mar Neighborhood 5, Unit No. 11, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 12440, filed in the Office of the County Recorder of San Diego, August 10, 1989, excepting therefrom that portion of Lot 127 conveyed to the City of San Diego for right-of-way purposes in grant deed recorded July 25, 1994 as file No. 1994-0458234, in the Carmel Valley Community Plan area, in the CVPD-SF3 zone of the Carmel Valley Planned District zone; and

WHEREAS, on February 2, 2017, the Planning Commission of the City of San Diego considered Site Development Permit (SDP) No. 1851203 and Coastal Development Permit No. (CDP) No. 1615365, and pursuant to Resolution No. 4834-PC voted to recommend approval of the Permit; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on March 21, 2017, 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 City Council of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 1615365 and Site Development Permit No. 1851203:

I. COASTAL DEVELOPMENT PERMIT- 129.0708

A. Findings for all Coastal Development Permits

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The 1.29-acre site is located at Lot 127 of Map 12440 and Parcel 1 of Map 16422 near the northwest intersection of Carmel Country Road and State Route 56 in the CVPD SF-3 zone of the Carmel Valley Planned District within the Carmel Valley Community Plan in the Coastal Overlay Zone (non-appealable area).

The property is not identified in the City's adopted Local Coastal Program (LCP) Land Use Plan as a public accessway. There is no physical accessway used by the public on or adjacent to this property or any proposed public accessway as identified in the LCP Land Use Plan. The project is completely contained within private property and does not contain or is adjacent to sensitive coastal bluffs. The nearest public access to the Pacific Ocean is located at Torrey Pines State Beach approximately four miles to the west. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local

Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan by not encroaching into any identified ocean view corridor.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project site has been previously graded and surrounded by single-family dwelling units to the north and west, Carmel Mountain Road to the east, and State Route 56 to the south. The site is completely contained within private property and does not include or is adjacent to environmentally sensitive lands. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The project site is within the Carmel Valley Community Plan, the City's adopted land use plan for this area. The project site is within Neighborhood 5, Unit 11. Carmel Valley Neighborhood 5 is one of 10 neighborhood development units identified in the 1975 Carmel Valley Community Plan. The community plan requires preparation of precise plans for each neighborhood development unit within the planning area. Neighborhood 5 is a component of the neighborhood development plan that also covers neighborhoods 4 and 6, known as the Carmel Valley Neighborhoods 4, 5 and 6 Precise Plan (Precise Plan). This planning area comprises 820 acres along the SR-56 corridor and the precise plan was first adopted in 1982.

The project site is characterized as an infill development site designated by the Carmel Valley Community Plan for Low Density Residential Development at a density range between 5 and 14 single-family dwelling units per acre. The 1.29-acre site could accommodate up to 18 single-family dwelling units per the Community Plan, however, the Precise Plan further defines land use by specifying various development parameters, including zone recommendations, to establish neighborhood form. The Precise Plan, however, does not specifically allocate density for each of the two residential land use components, single-family and duplex housing. The site is constrained because local street access is not permitted from Carmel Country Road at this location and by the presence of steep previously graded slopes adjacent to Cavallo Street, the local street proposed for project access.

The project site is identified by the Precise Plan for Duplex Housing residential use. Density is defined for the neighborhood as a whole as a result of the allocation of land uses at an average of 5.81 single-family dwelling units per acre. Overall, single-family dwelling unit sizes within Neighborhood 5 are intended to be smaller than those within adjacent Neighborhood 4, with the implication that lot sizes should be smaller and density greater. Zoning for this site is Carmel Valley Planned District CVPD-SF3, which allows single-family and zero lot line development with a minimum lot size of 3,000

square feet. The proposed duplex housing building type and lot sizes are within the parameters established by the zone and surrounding development.

The Precise Plan also includes an urban design element that focuses on implementation of contour grading principles and informal landscape design as well as achieving neighborhood design unity through use of consistent development standards. The element contains standards for grading, site planning, architecture and landscaping. The Precise Plan's grading standards were applied with earlier developments that included mass grading of the neighborhood to create a series of cul-de-sac streets and stepped pads following the natural sloping landform toward Carmel Valley. The mass grading established the grade within and around the site creating a flatter depression surrounded by manufactured slopes and the SR-56 Freeway.

While General Plan and Precise Plan grading policies favor retention of existing landforms, due to the lack of access available from Carmel Country Road, the applicant is proposing to build up the grade to the level of the existing street (Cavallo Street), generally matching the grade and lot patterns of the adjacent homes. This grading approach may be supported as it favors neighborhood context, which is a goal for an infill development, and has community support. The grading plan provides some slope contouring while minimizing the overall footprint of the fill slopes. Proposed retaining walls will be softened with landscaping.

The Precise Plan's standards for site planning recommend that structures be designed and located to avoid repetitive patterns yet incorporate unifying design elements to maintain neighborhood design unity. The proposed duplex or twin-home building incorporates forms similar to the existing duplex housing in the neighborhood with enough architectural variation avoid repetition. Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The project site is an interior lot, and is located approximately four miles from the Pacific Ocean and is not located between the sea or shoreline of any body of water and first public right-of-way paralleling the sea. Therefore, the proposed development does not have to comply with the public access and recreation policies of the Chapter 3 of the California Coastal Act.

II. **SITE DEVELOPMENT PERMIT - SECTION 126.0504**

A. **Findings for all Site Development Permits**

1. The proposed development will not adversely affect the applicable land use plan;

The project site is within the Carmel Valley Community Plan, the City's adopted land use plan for this area. The project site is within Neighborhood 5, Unit 11. Carmel Valley Neighborhood 5 is one of 10 neighborhood development units identified in the 1975 Carmel Valley Community Plan. The community plan requires preparation of precise plans for each neighborhood development unit within the planning area. Neighborhood 5 is a component of the neighborhood development plan that also covers neighborhoods 4 and 6, known as the Carmel Valley Neighborhoods 4, 5 and 6 Precise Plan (Precise Plan). This planning area comprises 820 acres along the SR-56 corridor and the precise plan was first adopted in 1982.

The project site is characterized as an infill development site designated by the Carmel Valley Community Plan for Low Density Residential Development at a density range between 5 and 14 single-family dwelling units per acre. The 1.29-acre site could accommodate up to 18 single-family dwelling units per the Community Plan, however, the Precise Plan further defines land use by specifying various development parameters, including zone recommendations, to establish neighborhood form. The Precise Plan, however, does not specifically allocate density for each of the two residential land use components, single-family and duplex housing. The site is constrained because local street access is not permitted from Carmel Country Road at this location and by the presence of steep previously graded slopes adjacent to Cavallo Street, the local street proposed for project access.

The project site is identified by the Precise Plan for duplex housing residential use. Density is defined for the neighborhood as a whole as a result of the allocation of land uses at an average of 5.81 single-family dwelling units per acre. Overall, single-family dwelling unit sizes within Neighborhood 5 are intended to be smaller than those within adjacent Neighborhood 4, with the implication that lot sizes should be smaller and density greater. Zoning for this site is Carmel Valley Planned District CVPD-SF3, which allows single-family and zero lot line development with a minimum lot size of 3,000 square feet. The proposed duplex housing building type and lot sizes are within the parameters established by the zone and surrounding development.

The Precise Plan also includes an urban design element that focuses on implementation of contour grading principles and informal landscape design as well as achieving neighborhood design unity through use of consistent development standards. The element contains standards for grading, site planning, architecture and landscaping. The Precise Plan's grading standards were applied with earlier developments that included mass grading of the neighborhood to create a series of cul-de-sac streets and stepped pads following the natural sloping landform toward Carmel Valley. The mass grading established the grade within and around the site creating a flatter depression surrounded by manufactured slopes and the SR-56 Freeway.

While General Plan and Precise Plan grading policies favor retention of existing landforms, due to the lack of access available from Carmel Country Road, the applicant is proposing to build up the grade to the level of the existing street (Cavallo Street), generally matching the grade and lot patterns of the adjacent homes. This grading approach may be supported as it favors neighborhood context, which is a goal for an infill

development, and has community support. The grading plan provides some slope contouring while minimizing the overall footprint of the fill slopes. Proposed retaining walls will be softened with landscaping.

The Precise Plan's standards for site planning recommend that structures be designed and located to avoid repetitive patterns yet incorporate unifying design elements to maintain neighborhood design unity. The proposed duplex or twin-home building incorporates forms similar to the existing duplex housing in the neighborhood with enough architectural variation avoid repetition. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

Environmental Impact Report (EIR) No. 86-0875, 87-0228, and 87-0769 / SCH No. 87060306 was prepared and certified for the original Carmel Del Mar, Neighborhoods 5 and 6 Precise Plan project, by the City Council, along with the adoption of the Mitigation, Monitoring and Reporting Program (MMRP) on March 22, 1998 by Resolution No. 270597. The project was reviewed in accordance with the California Environmentally Quality Act (CEQA) Guidelines Section 15162(a) and determined that no new additional impacts and/or mitigation measures are required beyond those that were analyzed in the original environmental document. All the impacts were adequately addressed and disclosed in previously certified EIR No. 86-0875, 87-0228, and 87-0769 / SCH No.

The project requires a Site Development Permit for the amendment to NCWPDP No. 87-0769 to remove a building restricted easement on a portion of Lot "A" identified on the previously approved permit (NCWPDP No. 87-0769). The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code (SDMC) in effect for this project. Such conditions within the permit have been determined necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property as described in Tentative Map No. 1615361 and Easement Vacation No. 1615364, and other regulations and guidelines pertaining to the subject property per the SDMC. Prior to issuance of any building permit for the proposed development, the plans shall be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the subdivider shall be required to obtain grading and public improvement permits. Therefore, the proposed project conforms to the development regulations and will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed development complies with the applicable zoning and development regulations of the Land Development Code including land development requirements regulating single-family development. The proposed project was reviewed for


compliance with the CVPD-SF3 zone land development requirements and North City West Planned District Development Permit No. 87-0769, which include but are not limited to setbacks, density, landscape, parking, and floor area ratio. No deviations are proposed with the proposed single-family home. The project incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50-percent of the project's projected energy consumption, to be installed on the roof of each single-family dwelling unit. The photovoltaic system will be located on the roof of the house. Therefore, the project complies with the applicable zoning and development regulations of the Land Development Code. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

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

BE IT FURTHER RESOLVED, that Coastal Development Permit No. 1615365 and Site Development Permit No. 1851203 is granted to KALYAN YELLAPU, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Corrine L. Neuffer
Deputy City Attorney

CLN:dkr
February 27, 2017
Or.Dept:Planning
Doc. No.: 1450880

ATTACHMENT: Coastal Development Permit and Site Development Permit

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 21 2017.

ELIZABETH S. MALAND
City Clerk

By *Linda Bruin*
Deputy City Clerk

RECORDING REQUESTED

BY

CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL
STATION 501

WHEN RECORDED MAIL

TO

**CITY CLERK
MAIL STATION 2A**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24006386

COASTAL DEVELOPMENT PERMIT NO. 1615365

SITE DEVELOPMENT PERMIT NO. 1851203

CAVALLO DUPLEX PROJECT NO. 461765 [MMRP]

AMENDMENT TO NORTH CITY WEST PLANNED DISTRICT DEVELOPMENT

PLAN PERMIT NO. 87-0769

CITY COUNCIL

This Coastal Development Permit No. 1615365, Amendment to North City West Planned District Development Plan Permit No. 87-0769 is granted by the City Council of the City of San Diego to KALYAN YELLAPU, Owner, and, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 1.29 -acre site is located at 12592 1/3 and 12594 Cavallo Street (temporary address), in the CVPD-SF3 zone within the Coastal Overlay Zone (non-appealable) of the Carmel Valley Planned District within the Carmel Valley Community Plan Area. The project site is legally described as: Parcel 1 of Parcel Map No. 16422 in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, March 5, 1991 as Instrument No. 91-095897 of official records except therefrom that portion thereof conveyed to the City of San Diego by Grant Deed recorded July 25, 1994 as instrument No. 94-0458234 of official records; and Lot 127 of Carmel Del Mar Neighborhood 5, Unit No. 11, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 12440, filed in the Office of the County Recorder of San Diego, August 10, 1989, excepting therefrom that portion of lot 127 conveyed to the City of San Diego for right of way purposes in grant deed recorded July 25, 1994 as file No. 1994-0458234, official records;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the construction of two single-family dwelling units described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated____, on file in the Development Services Department.

The project shall include:

- a. Construction of two, 2,200 square-foot, two-story single-family dwelling units with attached two car garages;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Retaining Walls:
 1. One six-foot maximum high retaining wall located at northeast corner of site;
 2. Three six-foot maximum high retaining walls on southwest portion of site;
- e. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the proposed project's projected energy consumption for each single-family dwelling unit, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program; and
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 21, 2020.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein 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 Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.

4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and

employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

12. The entitlements and conditions of North City West Planned District Development Plan Permit No. 87-0169 shall remain in force and effect, except as modified herein.

13. Lots three and four as identify on Site Development Permit No. 1615365 Exhibit "A" dated March 21, 2017 shall be maintained and liter free in perpetuity by the Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

14. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

15. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report (EIR) No. 86-0875, 87-0228, and 87-0769 / SCH No. 87060306, prepared for Carmel Del Mar, Neighborhoods 5 and 6 project, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

16. The Owner/Permittee shall comply with the MMRP as specified in EIR No. 86-0875, 87-0228, and 87-0769 / SCH No. 87060306 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue area:

Noise

AFFORDABLE HOUSING REQUIREMENTS:

17. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

ENGINEERING REQUIREMENTS:

18. The Coastal Development Permit and Site development Permit shall comply with all Conditions of the Tentative Map No.1615361.

19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

20. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, two 12-foot wide driveway per City standard (one for each unit) on Cavallo Street .
22. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the installation of a new street light on Cavallo Street across from subject property in accordance with the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18.
23. Prior to the issuance any building permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
24. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

25. Prior to issuance of public improvement plans, landscape construction plans consistent with this development permit shall be submitted for approval. Improvement plans shall take into account a 40 square-foot area around each required tree which is unencumbered by utilities.
26. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. In the event that the Landscape Plan and the Public Improvement Plan conflict, the Public Improvement Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit "A" Landscape Development Plan.
27. Prior to building permit issuance, landscape and irrigation plans substantially conforming to Exhibit "A," (Landscape Development Plan) shall be submitted to the Development Services Department for approval.
28. Any existing landscape to remain, as indicated on the approved plans, that is damaged during construction shall be replaced in kind to the satisfaction of the Development Services Department within 30 days of damage or final inspection.
29. Where retaining walls (5 feet in height or greater) are proposed, the plant material used to screen the walls must cover 80 percent within two years.

PLANNING/DESIGN REQUIREMENTS:

30. Owner/Permittee shall maintain a minimum of four off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

31. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

32. Condition 18 of North City West Planned District Development Plan Permit No. 87-0769 is hereby modified to remove a portion of Lot "A" from the "non-building area" designation and shall allow development consistent with the approved Exhibit A of this Coastal Development Permit No. 1615365/Site Development Permit No. 1851203. All other conditions of North City West Planned District Development Plan Permit No. 87-0769 shall remain in full force and effect, except as modified herein.

33. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the proposed project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

34. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

35. Prior to the issuance of any building permit, the Owner/Permittee, the Subdivider shall dedicate and assure by permit and bond extension of Cavallo Street approximately 55 feet to the east with 32 feet of pavement within 48 feet right of way, City standard curb, gutter and sidewalk within 8 foot parkway on both sides of the street as shown on Exhibit "A", satisfactory to the City Engineer and in accordance with standard drawing SDG-113. These improvements shall be completed and accepted by the City Engineer prior to the issuance of any occupancy permit.

36. Prior to the issuance of any building permit, the Owner/Permittee, the Subdivider shall dedicate and assure by permit and bond construction of a turnaround area (approximately 20 feet by 10 feet) south of the proposed extension of Cavallo Street, as shown on Exhibit "A". The Subdivider shall also assure by permit and bond installation of City standard barricades and signage at the east end of the Cavallo Street satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the issuance of any occupancy permit.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

37. Prior to the issuance of any grading permit, the applicant shall provide confirmation from a geotechnical engineer, that the proposed retaining wall with a ¾ to 1 slope line of influence adjacent to the existing 18-inch sewer main will be suitable.

38. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line

with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

39. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

40. All public water and sewer facilities are to be in accordance with the established criteria in the most current City of San Diego Water and Sewer Design Guides.

41. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

42. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities and five feet of any public water facilities.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on MAR 21 2017, pursuant to Resolution No. R-311001.

Permit Type/PTS Approval No.: Coastal Development Permit No. 1615365 and
Site Development Permit No. 1851203

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

William Zounes
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

KALYAN YELLAPU
Owner/Permittee

By _____
Kalyan Yellapu

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

Passed by the Council of The City of San Diego on MAR 21 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 21 2017

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Ginda Bruen, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 311001