

RESOLUTION NUMBER R- 315538DATE OF FINAL PASSAGE MAY 14 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING NEIGHBORHOOD
DEVELOPMENT PERMIT NO. PMT-3263145 FOR 3627
CROWELL STREET – PROJECT NO. PRJ-0688860.

WHEREAS, Home Adopters Development, LLC, Owner and Josue Arturo Valdez, Permittee, filed an application with the City of San Diego for a Neighborhood Development Permit to subdivide a 0.39-acre single parcel into three parcels and vacate a portion of Guy Street, located at 3627 Crowell Street in the RS-1-7 zone within the Uptown Community Plan. The parcel is legally described as Parcel 2 of Parcel Map No. 212, 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 12, 1970, together with that portion of Guy Street dedicated per Middletown Addition according to map thereof no. 384, lying easterly of Crowell Street, westerly of Glenwood Drive, and northerly of that portion of Guy Street closed by Resolution No. 63078 filed in the Office of the City Clerk May 21, 1935 as Document No. 1576; and

WHEREAS, on February 8, 2024, the Planning Commission of the City of San Diego considered the project and Neighborhood Development Permit No. PMT-3263145, and pursuant to Resolution No. 5277-PC voted to recommend approval of the Neighborhood Development Permit; and

WHEREAS, the matter was set for public hearing on May 14, 2024, testimony having been heard, evidence having been submitted, and the Council of the City of San Diego (City Council) having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; and

WHEREAS, under San Diego 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 City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Neighborhood Development Permit No. PMT-3263145:

A. NEIGHBORHOOD DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) Sections 126.0404(a) and 126.0404(f)]

1. Findings for all Neighborhood Development Permits [SDMC Section 126.0404(a)].

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

The project proposes to subdivide a single parcel into three parcels and to vacate the 25-foot-wide portion of Guy Street right-of-way that abuts the subject parcel. The proposed vacation will revert 2,418 square feet of unimproved right-of-way back to the 14,467 square foot subject parcel, increasing the project site to 16,890 square feet (0.39 acres). The proposed Tentative Map includes the subdivision of one existing parcel into three parcels allowing three potential dwelling units.

The Uptown Community designates the site Residential Low density (5-9 dwelling units/acre). The project proposes three dwelling units on 0.39 acres, resulting in a base density of 8 dwelling units per acre which is consistent with the land use designation and density.

In addition to the subdivision and street vacation, grading is proposed to prepare the site for future development. The conceptual grading plan proposes to remove fill soils, contour the parcels to create development pads, construct driveways for each parcel, improve street frontage and install private storm drain infrastructure.

The contouring includes retaining walls which are proposed within the steeper portions of the site and along Glenwood Drive. The retaining walls support the slopes and allow for Glenwood Drive right-of-way to be expanded and improved to provide access to Parcel 3. The placement of the retaining wall along the right-of-way is a design solution to support the slopes along the public right-of-way.

The project site is located in a developed neighborhood served by existing public services and utilities and is surrounded by existing development on all sides with residential uses. The project would implement the land use designation and goals of the Uptown Community Plan by providing a residential subdivision that is compatible with the surrounding residential uses and the vacation of the unimproved portion of Guy Street would not impact access or circulation. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The proposed project is to subdivide a single parcel into three parcels and to vacate the 25-foot-wide portion of Guy Street right-of-way that abuts the subject parcel. The conceptual grading plan proposes to remove fill soils; contour the parcels to create development pads; construct driveways for each parcel; require new curb, gutter and sidewalk per City Standards adjacent to Crowell Street; and install private storm drain infrastructure. The contouring includes retaining walls which are proposed within the steeper portions of the site and in the right-of-way along Glenwood Drive which will allow the street to be improved to accommodate access to Parcel 3.

The permit contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area, such as: all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code; a Water Pollution Control Plan has been prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards; and the project will be required to reconstruct the damaged portions of the sidewalk to meet current City sidewalk standards. Prior to issuance of any building permit for the proposed development, the plans will be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing, and Fire Code requirements in addition to all associated conditions of approval.

The project is located in Geologic Hazard Category 11. According to a geotechnical investigation report prepared for the project by Allied Earth Technology, the site is suitable for development with no major adverse geotechnical or geological conditions noted. Fill soils were encountered on site with recommendations to remove these soils on site. The project has been

conditioned requiring the preparation of a geotechnical investigation report in accordance with the City's Guidelines for Geotechnical Reports that specifically addresses the proposed grading plans prior to the issuance of any grading permits. Additionally, the project would be required to comply with the California Building Code, City of San Diego Grading Ordinance, as well as the Storm Water Standards, and utilize proper engineering design and construction practices. Both the Neighborhood Development Permit (NDP) and Tentative Map includes various conditions and referenced exhibits of approval relevant to achieving project compliance with applicable regulations of the SDMC. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

c. The proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project is within the RS-1-7 zone and requests to deviate for lot depth for Parcel 1 and Parcel 2 and street frontage for Parcel 3. Per SDMC Section 131.0431, Table 131-04D the minimum required lot depth for the RS-1-7 zone is 95 feet where Parcel 1 proposes 87 feet and Parcel 2 proposes 79 feet. The minimum required street frontage for the zone is 50 feet and Parcel 3 proposes 28 feet. The site is sloped and irregularly shaped and these attributes necessitate the deviations to create suitable parcels. Although the lots do not meet certain lot dimensions of the RS-1-7 zone, all three parcels meet the minimum lot area of 5,000 square feet and are consistent with other lots in the surrounding area.

The project also proposes grading to prepare the site for future development. The contouring includes retaining walls which are proposed within the steeper portions of the site to support the slopes along the right-of-way and driveway access to Parcel 3. The project requires a deviation for the retaining wall height within the rear yard of Parcel 1 facing Glenwood Drive. Per SDMC Section 142.0340(d) the maximum height of a retaining wall in the rear yard is 6 feet and the proposed wall will be 10 feet tall. The wall facing Glenwood Drive at the road's eastern terminus will be 10 feet tall and 20 feet long. Glenwood Drive is currently unimproved at this location and the retaining wall is needed to support the slope to improve and expand the Glenwood Drive right-of-way and to provide access to Parcel 3. These deviations are allowed with the approval of a Neighborhood Development Permit per SDMC Section 143.0920.

Parcel 1 and Parcel 2 would take access from Crowell Street and Parcel 3 would take access from Glenwood Drive. The vacation of the public right-of-way would not affect access to the adjacent properties or future development. The project proposes a modified right-of-way turnaround at the southwestern most portion of Parcel 3 along Glenwood Drive. A standard turnaround is not feasible because of the existing lot layout and topographic conditions. The topography of the site is steep, with grade differentials ranging from 30-40 feet. Glenwood Drive has limited circulation and public utility purposes and currently serves a total of six

dwelling units. The terrain increases the difficulty and cost of improving this segment. The project proposes a modified turnaround that is suitable as it relates to the surrounding development.

In addition to the subdivision and street vacation, the conceptual grading plan proposes to remove fill soils, contour the parcels to create development pads, construct driveways for each parcel, improve street frontage and install private storm drain infrastructure. The contouring includes retaining walls which are proposed within the steeper portions of the site and along Glenwood Drive. The retaining walls are a design solution to support the slopes along the right-of-way.

The deviations were reviewed as they relate to the proposed design of the project, the property configuration with its varying topographic conditions, the surrounding development, and the applicable regulations. It was determined that the deviations are appropriate and will result in a more desirable project that efficiently utilizes the site while meeting the purpose and intent of the development regulations. Other than the requested deviations, the project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted Uptown Community Plan, Land Development Code, and the General Plan. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code including the allowable deviations pursuant to the Land Development Code.

2. Supplemental Findings – Affordable Housing, In-Fill Projects, or Sustainable Buildings Deviation [SDMC Section 126.0404(f)]

a. The development will materially assist in accomplishing the goal of providing affordable housing, in-fill projects, or sustainable buildings opportunities.

The project site is located at 3627 Crowell Street and is considered an in-fill project within a Transit Priority Area and Sustainable Development Area. The project proposes to subdivide a single parcel into three parcels and to vacate the 25-foot-wide eastern half of Guy Street right-of-way that abuts the subject parcel. The proposed vacation will revert 2,418 square feet of unimproved right-of-way to the adjacent 14,467 square foot subject parcel, increasing the project site to 16,890 square feet (0.39-acre). The Climate Action Plan Strategy 3.5 goal of providing in-fill development is to focus new development opportunities within urbanized areas served by transit and services within walking distance. This project incorporates an unused portion of right-of-way into an existing parcel in order to subdivide this large lot to create three parcels and increase the housing opportunities in the area while being consistent with the land use density.

Creating the three parcels from a single parcel to meet the RS-1-7 zone lot size and community plan density requirements at this location requires deviations. The project requests to deviate for lot depth for Parcel 1 and Parcel 2 and street frontage for Parcel 3. Per SDMC Section 131.0431, Table 131-04D the minimum

required lot depth for the RS-1-7 zone is 95 feet where Parcel 1 proposes 87 feet and Parcel 2 proposes 79 feet. The minimum required street frontage for the zone is 50 feet and Parcel 3 proposes 28 feet. The site is sloped and irregularly shaped and these attributes necessitate the deviations to create suitable parcels. Although the lots do not meet certain lot dimensions of the RS-1-7 zone, all three parcels meet the minimum lot area of 5,000 square feet and are consistent with other lots in the surrounding area.

In addition to the subdivision and street vacation, grading is proposed to prepare the site for future development. The contouring includes retaining walls which are proposed within the steeper portions of the site to support the slopes along the right-of-way and driveway access to Parcel 3. The project requires a deviation for the retaining wall height within the rear yard of Parcel 1 facing Glenwood Drive. Per SDMC Section 142.0340(d) the maximum height of a retaining wall in the rear yard is 6 feet and the proposed wall will be 10 feet tall. The wall facing Glenwood Drive at the road's eastern terminus will be 10 feet tall and 20 feet long. Glenwood Drive is currently unimproved at this location and the retaining wall is needed to support the slope to improve and expand the Glenwood Drive right-of-way and to provide access to Parcel 3.

These deviations are allowed with the approval of a Neighborhood Development Permit per SDMC Section 143.0920. The deviations allow for a more desirable project than if the development regulations in the SDMC were strictly adhered to given the unique topography and site constraints. Without utilizing these deviations it is unlikely this parcel would be subdivided into three parcels.

The Uptown Community designates the site Residential Low density (5-9 dwelling unit/acre). The project proposes three dwelling units on 0.39 acres, resulting in a base density of 8 dwelling units per acre which is consistent with the land use designation and density.

The project proposes to subdivide a single parcel into three parcels in an urbanized area of Uptown and would meet the Uptown Community Plan's Land Use Element policy for providing a diverse mix of housing types consistent with allowable densities (LU-2.1). The project is also within a Transit Priority Area and Sustainable Development Area and is consistent with the Climate Action Plan Strategy 3.5 to focus new development opportunities within Transit Priority Areas. Therefore, the development will materially assist in accomplishing the goal of providing in-fill projects.

b. Any proposed deviations are appropriate for the proposed location.

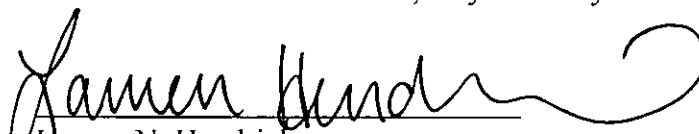
In accordance with SDMC Section 143.0920, in-fill projects may be permitted with a Neighborhood Development Permit for development that proposes deviations from applicable development regulations. The project is within the RS-1-7 zone and requests to deviate for lot depth for Parcel 1 and Parcel 2 and street frontage for Parcel 3. Per SDMC Section 131.0431, Table 131-04D the minimum

required lot depth for the RS-1-7 zone is 95 feet where Parcel 1 proposes 87 feet and Parcel 2 proposes 79 feet. The minimum required street frontage for the zone is 50 feet and Parcel 3 proposes 28 feet. The project site is sloped and irregularly shaped and although the lots do not meet certain lot dimensions of the RS-1-7 zone, all three parcels meet the minimum lot area of 5,000 square feet and are consistent with other lots in the surrounding area. The project also requires a deviation for the retaining wall height within the rear yard of Parcel 1 facing Glenwood Drive. Per SDMC Section 142.0340(d), the maximum height of a retaining wall in the rear yard is 6 feet and the proposed wall will be 10 feet tall. The wall facing Glenwood Drive at the road's eastern terminus will be 10 feet tall and 20 feet long. Glenwood Drive is currently unimproved at this location and the retaining wall is needed to support the slope to improve and expand the Glenwood Drive right-of-way and to provide access to Parcel 3. These deviations are allowed with the approval of a Neighborhood Development Permit per SDMC Section 143.0920. Therefore, the proposed deviations are appropriate for the proposed location.

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 Neighborhood Development Permit No. PMT-3263145 is granted to Home Adopters Development, LLC., Owner/ Josue Arturo Valdez, 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 
Lauren N. Hendrickson
Deputy City Attorney

LNH:cm
April 2, 2024
Or.Dept: Planning
Doc. No. 3610414

Attachment:

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 14 2024.

DIANA J.S. FUENTES
City Clerk

By Linda Irwin
Deputy City Clerk
For Gilbert Sanchez

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008914 SPACE ABOVE THIS LINE FOR RECORDER'S USE

NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3263145
3627 CROWELL STREET - PROJECT NO. PRJ-0688860
CITY COUNCIL

This Neighborhood Development Permit No. PMT-3263145 is granted by the City Council of the City of San Diego to Home Adopters Development LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0402(q). The 0.39-acre site is located at 3627 Crowell Street in the RS-1-7 zone of the Uptown Community Plan. The project site is legally described as: Parcel 2 of Parcel Map No. 212, 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 12, 1970, together with that portion of Guy Street dedicated per Middletown Addition according to map thereof no. 384, lying easterly of Crowell Street, westerly of Glenwood Drive, and northerly of that portion of Guy Street closed by Resolution No. 63078 filed in the Office of the City Clerk May 21, 1935 as Document No. 1576.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to split a single parcel into three parcels and vacate a portion of Guy Street, located at 3627 Crowell Street described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 14, 2024, on file in the Development Services Department.

The project shall include:

- a. A single lot split into three parcels by the associated Tentative Map No. PMT-2609199, which will also vacate a 2,418-square-foot portion of Guy Street between Crowell Street and Glenwood Drive per Public Right-of-Way Vacation No. PMT-2542406:
 1. Parcel 1: 5,003 square feet
 2. Parcel 2: 5,173 square feet
 3. Parcel 3: 6,709 square feet

- b. Deviations to the development standards of the RS-1-7 zone per SDMC Table 131-04D:
 1. Parcel 1: 87 feet of lot depth where 95 feet is otherwise required;
 2. Parcel 2: 79 feet of lot depth where 95 feet is otherwise required;
 3. Parcel 3: 28 feet of street frontage where 50 feet is otherwise required;

- c. Deviation to SDMC Section 142.0340(d) to construct a retaining wall with a maximum height of ten feet within the rear yard where six feet is otherwise required;
- d. Off-street parking; and
- e. 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 May 28, 2027.
2. 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.
3. This Neighborhood Development Permit shall comply with all conditions of Public Right-of-Way Vacation No. PMT-2542406 and the Final Map for Tentative Map No. PMT-2609199.
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. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit "A."

CLIMATE ACTION PLAN REQUIREMENTS:

13. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

AIRPORT REQUIREMENTS:

14. Prior to issuance of grading or building permit the Owner/Permittee shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration [FAA].

15. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in Information Bulletin 520.

ENGINEERING REQUIREMENTS:

16. Prior to the issuance of any building permit the Owner/Permittee shall assure, by permit and bond the closure of existing driveway on Crowell Street and construction of two new driveways per current City Standards to serve proposed parcels adjacent to the site on Crowell Street.

17. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond, to reconstruct the damaged portions of the sidewalk with current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving the contractor's stamp, along the frontage on Crowell Street.

18. Prior to the issuance of any building permit the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer for any landscaping/irrigation in the Crowell Street right-of-way and non-standard driveway/vehicular access on Glenwood Drive.

19. 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.

20. Paleontological Monitoring: The project is subject to SDMC Section 142.0151 and paleontological monitoring shall be required as outlined therein.

21. Prior to the issuance of a Grading Plan, all proposed retaining walls shall be located outside of the City Right-of-Way, satisfactory to the City Engineer.

22. Prior to the issuance of a Grading Plan, the Applicant shall submit required structural calculations and obtain required approvals for the proposed over-height retaining wall, satisfactory to the City Engineer.

23. Prior to the issuance of a Grading Plan, the Applicant shall provide a Drainage Study and corresponding plans demonstrating mitigation measures to prevent geotechnical issues potentially caused by runoff infiltrating through the bottom of the detention basin surface area near the proposed retaining walls and surrounding infrastructure, satisfactory to the City Engineer.

GEOLOGY REQUIREMENTS:

24. Prior to the issuance of any construction permits (either grading or building permit), the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically address the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

PLANNING/DESIGN REQUIREMENTS:

25. 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.

26. 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

27. All automobile parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

28. No private improvements (including landscaping, enhanced paving, private utilities, or structures of any kind) that could inhibit the City's operation, access, maintenance, repair, or replacement of its public water and sewer utilities may be installed, constructed, stored, or remain within the limits of either the public ROW or a public water, sewer, or general utility easement without a City approved and County Recorded Encroachment and Maintenance Removal Agreement (EMRA).

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 May 14, 2024 by Resolution R-2024-496.

Neighborhood Development Permit No. PMT-3263145
Project No.: PRJ-0688860
Date of Approval: May 14, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Sara Osborn
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.

Home Adopters Development LLC
Owner/Permittee

By _____
Josue Arturo Valdez
Member

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

Passed by the Council of The City of San Diego on MAY 14 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 14 2024.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy
For Gilbert Sanchez

Office of the City Clerk, San Diego, California
Resolution Number R- **315538**