

RESOLUTION NUMBER R- 293926

ADOPTED ON OCT 3 2000

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AMENDMENT TO THE KEARNY MESA COMMUNITY PLAN AND THE PROGRESS GUIDE AND GENERAL PLAN RELATED TO THE NEW CENTURY CENTER MASTER PLAN.

WHEREAS, on August 17, 2000, the Planning Commission of the City of San Diego held a public hearing to consider adoption of an amendment to the Kearny Mesa Community Plan and the Progress Guide and General Plan; and

WHEREAS, by Resolution No. 2997-PC, the Planning Commission approved and recommended to the Council of the City of San Diego adoption of the amendments to the Kearny Mesa Community Plan and Progress Guide and General Plan; and

WHEREAS, the amendments are to various elements of the Kearny Mesa Community Plan including the New Century Center Master Plan, originally adopted on November 18, 1997, to be part of the Kearny Mesa Community Plan, and to the Land Use Element of the Progress Guide and General Plan; and


WHEREAS, the amendments include the addition of residential units and various changes to the commercial portion of New Century Center, as well as other changes; and

WHEREAS, the City Council has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the amendments to the Kearny Mesa Community Plan as recommended by staff in the memorandum dated August 11, 2000. A copy of the amendments is on file in the office of the City Clerk as Document No. RR- **293926**.

BE IT FURTHER RESOLVED, that it adopts amendments to the Progress Guide and General Plan to incorporate the above Kearny Mesa Community Plan amendments.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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CITY COUNCIL CONDITIONS TO VESTING TENTATIVE MAP [VTM] NO. 99-1296
ADOPTED BY RESOLUTION NO. R-293927 ON OCTOBER 3, 2000

1. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the first final map, unless otherwise noted.
2. This tentative map will expire three years from date of Council approval of this map and associated street and slope easement vacations. This tentative map will become effective upon City Council approval of the associated street and slope easement vacations.
3. The final map shall conform to the provisions of PID/PCD Permit No. 99-1269.
4. The "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769830.

5. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
6. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
7. Every final map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third

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Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

8. This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.
9. Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
10. The subdivider must provide a geologic reconnaissance report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0415 et seq.
11. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
12. The subdivider shall dedicate 102' of right-of-way from Lot 5 of Map 13826 easterly to boundary of Parcel 4, Map 18204. The subdivider shall dedicate 14 feet wide right-of-way for Spectrum Center Court north of Parcel 4, Map 18204 making a composite right-of-way width of 86 feet (72 feet of-right-of-way from San Diego Spectrum Apartments TPM 99-0509 plus 14 feet of right-of-way from San Diego Spectrum VTM 99-1269). In addition, as an offsite requirement the subdivider shall, within the limits of San Diego Spectrum Apartments TPM 99-0509, grant a 16 foot-wide open space/landscape easement south of the proposed right-of-way line. The setback limit for San Diego Spectrum Apartments TPM 99-0509 frontage to Spectrum Center Court is established as 31 feet.
13. The subdivider shall provide a pavement width of 78' from Kearny Villa Road to Lot 5 of Map 13826 and shall provide 40' of pavement width from Lot 5, Map 13826 easterly to Paramount Drive satisfactory to the City Engineer.

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14. The subdivider shall provide appropriate pavement and striping transition of Spectrum Center Court at the westerly and easterly ends transitioning pavement width from 78' to 40' satisfactory to the City Engineer.
15. The subdivider is responsible for the dedication and improvements of the Spectrum Center Court connection from its present dedicated limits on Map 13826 easterly to the intersection of Paramount Drive. Any portion of the proposed Spectrum Center Court right-of-way that has an irrevocable offer of dedication shall be accepted by the City Council.
16. All transportation-related improvement conditions must conform to the approved New Century Center Permit No. 96-0165 and as amended in the revised New Century Center Master Plan, Development Standards, and Design Manual dated June 29, 2000.
17. It should be noted that the pedestrian access exhibit included with the site access analysis dated June 29, 2000 provided by Kimley-Horn and Associates, Inc. is acceptable in concept only. Further analysis and revision will be required upon submittal of a detailed concept plan and exhibit. Location and configuration of proposed pedestrian access shall be provided satisfactory to the City Engineer.
18. The subdivider shall obtain a bonded grading permit from the City Engineer (referred to as an "engineering permit") for the grading proposed for this project. All grading shall conform to requirements in accordance with the Grading Sections of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
19. The drainage system proposed for this subdivision, as shown on the approved vesting tentative map, is subject to approval by the City Engineer.
20. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the

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SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

21. Water Requirements

- a. The subdivider shall design and construct a 12-inch water main in the easterly extension of the Spectrum Center Court right-of-way, connecting to existing water facilities in Spectrum Center Court and Paramount Drive in a manner satisfactory to the Water Department Director and the City Engineer.
- b. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
- c. The subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current editions of the City of San Diego Water and Sewer Design Guides.
- d. Providing water for this subdivision is dependent upon prior construction of certain water facilities in previously approved 96-0165. If facilities have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved water facilities, as required by the City Engineer, will become off-site improvements required for this development.

22. Sewer Requirements

- a. Prior to the submittal of any public improvement drawings, the subdivider shall provide a revised sewer study, satisfactory to the Metropolitan Wastewater Department Director, for the sizing of gravity sewer mains and to show that the existing and proposed mains will provide adequate capacity and have cleansing velocities necessary to serve the proposed development and the drainage basin in which it lies.
- b. The subdivider shall install all facilities, as required by the accepted sewer study, necessary to serve the proposed development. Sewer facilities, as

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- shown on the approved tentative map, may require modification based on the accepted sewer study.
- c. The applicant agrees to design all proposed sewer facilities in accordance with established criteria in the most current edition of the City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or redesigned.
 - d. The subdivider shall grant adequate sewer and/or access easements, including vehicular access to each manholes for all public sewer facilities that are not located within public rights-of-way, satisfactory to the Metropolitan Wastewater Department Director. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Metropolitan Wastewater Department Director. Minimum easement width for sewer mains with manholes is 20 feet. Additional five feet easement width shall be required for each additional utility carried in the same easements. All easements shall be located within single lots. No structures or any landscaping shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement.
 - e. Prior to the submittal of any improvement plans, including grading plans, the subdivider shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot will have its own sewer lateral or provide CC&Rs for the operation and maintenance of on-site private sewer facilities that serve more than one ownership.
23. The subdivider shall, prior to the recordation of the (parcel/final map), submit complete landscape construction documents, including plans, details and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required right-of-way and median improvements and hydroseeding of all disturbed land. The landscape construction documents shall be in substantial conformance with Exhibit "A," dated October 3, 2000, Landscape Concept Plan, on file in the Office of Planning and Development Review.
 24. The subdivider shall, prior to the recordation of the (parcel/final map), shall assure by permit and bond the construction of landscaping per the item 1 above.
 25. The subdivider, prior to the recordation of the (parcel/final map), shall submit for review, a Landscape Maintenance Agreement for all landscape improvements within the public right-of-way area consistent with Exhibit "A," dated October 3,

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2000, on file in the Office of Planning and Development Review. The approved Landscape Maintenance Agreement shall be recorded and bonded prior to recordation of the (parcel/final map).

FOR INFORMATION

- This development may be subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code section 102.0406 et seq. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code section 96.0401 et seq.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This vesting tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other excavations have been imposed as conditions of approval of this tentative map, may protest the imposition within ninety days of the approval of this tentative map by filing a written protest with the City Clerk pursuant to California Government Code section 66020.