

RESOLUTION NUMBER R-293939

ADOPTED ON OCTOBER 3, 2000

WHEREAS, McMillin-NTC, a Delaware limited liability company [the Master Developer], Applicant, and Rick Engineering, Engineer, filed an application for the 316-acre former Naval Training Center [NTC] to be subdivided into ten parcels with each parcel containing several lots, located northerly of North Harbor Drive, southerly of Lytton Avenue, easterly of Rosecrans Street, and westerly of the San Diego International Airport, and described as portions of parcels 1, 2, 3, 5, 6, 7, 9 through 14, and 18 of Record of Survey [R.O.S.] 16556, in the unzoned Naval Training Center; and

WHEREAS, on September 28, 2000, the Planning Commission of the City of San Diego considered Vesting Tentative Map [VTM] No. 99-1076, and voted to recommend City Council approval of the map; and

WHEREAS, the Redevelopment Agency of the City of San Diego and Master Developer have entered into the Naval Training Center Disposition and Development Agreement dated as of June 26, 2000 [DDA], which allocates certain financial and other responsibilities regarding the Naval Training Center Redevelopment Project. The City of San Diego Redevelopment Agency [Redevelopment Agency] and the City of San Diego also have entered into the Cooperation Agreement dated as of June 26, 2000, which provides for the cooperation between the Redevelopment Agency and the City of San Diego in connection with the Naval Training Center Redevelopment Project. To the extent the conditions of VTM No. 99-1076 impose any

“Additional City-Imposed Requirements” as defined in Section 9.15 of the DDA, then the provisions regarding allocation of financial responsibility for Additional City-Imposed Requirements as specified in the DDA shall apply; and

WHEREAS, the matter was set for public hearing on October 3, 2000, 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 Vesting Tentative Map No. 99-1076:

1. The map proposes the subdivision of a 316-acre site into 365 lots for residential and commercial development. This type of development is consistent with the General Plan, the Peninsula Community Plan, and the proposed NTC Precise Plan and Local Coastal Program Land Use Plan, which designate the area for residential, commercial, educational, office/research and development, mixed use, park and open space, visitor/hotel, business/hotel, Metropolitan Wastewater Department, and Regional Public Safety Training Institute uses. The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning and development regulations of the implementing RT-1-4, RM-2-5, CR-1-1, OP-1-1, CV-1-1, and CC-5-5 zones in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, excepting Lot Nos. 85 through 89 and Lot Nos. 95 through 99 of Unit No. 1; Lot Nos. 16 through 20 and Lot Nos. 28 through 32 of Unit No. 2; and Lot Nos. 7, 9, 11, and 13 of Unit No. 5, as allowed under Master Planned Development Permit [MPDP] No. 99-1076.

b. All lots meet the minimum dimension requirements of the RT-1-4, RM-2-5, CR-1-1, OP-1-1, CV-1-1, and CC-5-5 zones, except as allowed under MPDP No. 99-1076.

c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations, as allowed under a MPDP.

d. Development of the site is controlled by MPDP Permit No. 99-1076 (McMillin-NTC, LLC) and Site Development Permit [SDP] No. 40-0750 (MWWLD Lab Facility).

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating and cooling opportunities.

4. The site is physically suitable for residential, institutional, recreational, and commercial development. The harmony in scale, height, bulk, density, and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is physically suitable for the proposed density of development. This is consistent with the Peninsula Community Plan, and the proposed NTC Precise Plan and Local Coastal Program Land Use Plan, which will designate the area for residential, commercial, recreational, and institutional uses.

6. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of Mitigated Negative Declaration No. 99-1076, which is included herein by this reference. Any significant and potentially significant environmental impacts of the subdivision would be mitigated to below a level of significance through the implementation of the measures contained in the proposed Mitigation Monitoring and Reporting Program, which is a component of Mitigated Negative Declaration No. 99-1076.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.


9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and finds, pursuant to Government Code section 66412.3, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

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 Vesting Tentative Map No. 99-1076 is granted to McMillin-NTC, a Delaware limited liability company, Applicant, and Rick Engineering, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By


Richard A. Duvernay
Deputy City Attorney

RAD:lc
10/30/00
Or.Dept:Clerk
R-2001-699
Form=tmr.frm
Reviewed by PJ Fitzgerald

CITY COUNCIL CONDITIONS TO VESTING TENTATIVE MAP NO. 99-1076
ADOPTED BY RESOLUTION NO. R-293939 ON OCTOBER 3, 2000

1. This vesting tentative map will become effective upon final approval by the California Coastal Commission, following all appeals, and will expire three years thereafter.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recondition of the first final map, unless otherwise noted.
3. Any party on whom fees, dedications, reservations, or other exactions 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.
4. The final map shall conform to the provisions of Master Planned Development Permit [MPDP] Permit No. 99-1076 and Site Development Permit [SDP] Permit No. 40-0750.
5. 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 or as otherwise approved by the City Engineer.

6. "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 (AND 83).
7. "California Coordinate System" means the coordinate system as defined in Sections 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."
8. 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.

R- 293939

- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third 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.
9. The approval of this vesting tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.).
10. 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.
11. The subdivider is permitted to file multiple final maps. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
12. Prior to recordation of the first final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
13. The subdivider must provide a geologic (geotechnical) investigation 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.
14. An updated geotechnical investigation report will be required to be submitted to LDR Geology for review and approval prior to issuance of final improvement plans, grading plans, and/or grading permits. The updated geotechnical investigation will need to be prepared in accordance with the City's "Technical Guidelines for Geotechnical Reports." The report will need to include additional geotechnical bores, address denaturing, provide final mitigation for liquefiable soils (i.e., surcharge fills, removal and recompaction, compaction grouting, and/or stone columns), and address remedial grading areas. Geotechnical analysis and recommendations shall include protection of existing utilities, abandonment or replacement of utilities, any requirements for settlement monitoring, and specific foundation recommendations.

15. An updated report addressing site specific soil and groundwater contamination will be required to be submitted to LDR Geology for review and approval prior to issuance of final improvement plans, grading plans, and/or grading permits. The report will need to address health and safety impacts for any excavations required for construction of structures or utilities in areas mapped with contaminants that were left in place based on maps provided in "Document Review Summary, Naval Training Center, San Diego; prepared by Geocon, Inc., dated March 17, 2000." The lead agency for this site contamination, the Regional Water Quality Control Board, will need to concur with the new land use, type of excavations, and any health and safety plan.
16. Undergrounding of existing and proposed public utility systems and service facilities is required according to San Diego Municipal Code.
17. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
18. STREET CONDITIONS:
 - a. Rosecrans Street is classified as a modified four lane major street with a design speed of 55 m.p.h. Developer shall widen Rosecrans Street for an additional northbound lane along the project frontage from Laning Road (Bainbridge Street) to Laden Street including a reduced widening section along the officer's quarters, satisfactory to the City Engineer.
 - b. Farragut Road between Rosecrans and Truxtun Road is an existing street classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 60 ft right-of-way and construct and realign 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
 - c. Farragut Road between Truxtun Road and Cushing Road is an existing street classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 60 ft right-of-way and 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
 - d. Worden Road between Rosecrans and Truxtun is an existing road classified as a modified two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 72 ft right-of-way and 52 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, transitioning to a 20 ft. eastbound lane at the intersection with Truxtun, satisfactory to the City Engineer.

R-293939

- e. Worden Road between Truxtun and Decatur is an existing road classified as a modified two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 48 ft right-of-way and construct a 28 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- f. Worden Road between Decatur and Cushing Road is an existing street classified as a modified two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 48 ft right-of-way and construct a 28 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- g. Roosevelt Road between Rosecrans and Truxtun Street is an existing street classified as a two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 60 ft right-of-way and construct and realign a 40 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- h. Roosevelt Road between Truxtun Street and Cushing Road is an existing road classified as a two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 60 ft right-of-way and a 40 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- i. Dewey Road from Rosecrans Street station 0+00 to station 2+45 is an existing road classified as a modified two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 48 ft right-of-way and construct and realign 28 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- j. Dewey Road from station 2+45 to Truxtun Road is an existing road classified as a two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 60 ft right-of-way and construct and realign 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- k. Dewey Road from Truxtun Road to Cushing Road is an existing street classified as a two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 60 ft right-of-way and 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- l. Sims Road and Perry Road are existing roads classified as a modified one way street classified as a local street with a design speed of 25 m.p.h. The developer shall dedicate 40 ft right-of-way and 20 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.

- m. Chauncey Road between Decatur Road and Cushing Road is an existing street classified as a modified two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 48 ft right of way and 28 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- n. Truxtun Road between Laning Road and Farrugut Road is classified as a two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 60 ft right-of-way and construct a 40 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- o. Truxtun Road between Farrugut Road and Worden Road is classified as a two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 60 ft right-of-way and construct a 40 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- p. Truxtun Road between Worden Road and Dewey Road is classified as a two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 60 ft right-of-way and construct a 40 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- q. Truxtun Road between Dewey Road and Sims Road is classified as a modified two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 40 ft right-of-way and construct a 20 ft pavement with parallel parking, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- r. Truxtun Road between Sims Road and Sellers Plaza is an existing one way street classified as a modified collector with a design speed of 30 m.p.h. The developer shall dedicate a 40 ft right-of-way and construct a 20 ft pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line distance, satisfactory to the City Engineer.
- s. Decatur Road between Laning Road and Sims Road is an existing road classified as a two lane collector with a design speed of 30 m.p.h. The developer shall dedicate a 60 ft right-of-way with 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer.
- t. Decatur Road between Sims Road and Sellers Plaza is an existing one way street classified as a modified collector with a design speed of 30 m.p.h. The developer shall dedicate 40 ft right-of-way and construct 20 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer.

- u. The street around Sellers Plaza and Laden Street is an existing street classified as one-way modified collector with a design speed of 30 m.p.h. The developer shall dedicate 34 ft right-of-way and construct 24 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer.
- v. Cushing Road between Laning Road and Farragut Road is classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 60 ft right-of-way and realign and construct 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer.
- w. Cushing Road between Farragut Road and Chauncey road is classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 60 ft right-of-way and realign and construct 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer.
- x. Laning Road between Rosecrans Road and Cushing Road is classified as a modified two lane collector with a design speed of 35 m.p.h. Developer shall dedicate a 74 ft right-of-way and construct 54 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer.
- y. Laning Road between Cushing Road North Harbor Drive is classified as a modified four-lane modified collector with a design speed of 35 m.p.h. Developer shall dedicate a 98 ft right-of-way and construct 78 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer
- z. Streets "A" thru "F" is classified as residential local streets. Developer shall dedicate a 56 ft right-of-way and construct 36 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer.
- aa. Developer shall dedicate a minimum of 20 ft right-of-way and construct alleys A thru P satisfactory to the City Engineer.
- bb. Kincaid Road is an existing road classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 60 ft right-of-way and construct 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer (prior to issuance of the first building permit within Unit 8, Unit 9 and Unit 10).
- cc. Spruance Road is an existing road classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 60 ft right-of-way and construct 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City

Engineer (prior to issuance of the first building permit within Lot No. 2 of Unit 9 and Unit 10).

- dd. McCain Road is an existing Road classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 60 ft right-of-way and construct 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer (prior to issuance of the first building permit within Unit 10 and subject to the conditions outlined in the M.O.U. with the Port of San Diego).
- ee. McCain Road at the intersection of Harbor Drive is an existing Road classified as a modified two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 80 ft right-of-way and realign the intersection and construct 56 ft of pavement, 4 ft median, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer (prior to issuance of the first building permit within Unit 10 and subject to the conditions outlined in the M.O.U. with the Port of San Diego).
- ff. Lee Road is at the intersection of Harbor Drive is classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 74 ft right-of-way and construct 44 ft of pavement, 10 ft median, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer (prior to issuance of the first building permit within Unit 8).
- gg. Halsey Road from Lee Road to Kincaid Road is an existing Road classified as a modified two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 54 ft right-of-way and construct 34 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer (prior to issuance of the first building permit within Unit 8).
- hh. Halsey Road from Kincaid Road to McCain Road is an existing Road classified as a two lane collector with a design speed of 30 m.p.h. Developer shall dedicate a 60 ft right-of-way and construct 40 ft of pavement, curb, gutter and a 5 ft sidewalk within a 10 ft curb to property line, satisfactory to the City Engineer (prior to issuance of the first building permit within Lot No. 3 of Unit 10).

19. TRANSPORTATION CONDITIONS:

The applicant shall assure the following transportation improvements to the satisfaction of the City Engineer. Prior to issuance of the first building permit for new building construction, the applicant shall assure the transportation improvements described in conditions 19(c) through 19(h); prior to recordation of the first final map, the applicant shall assure the transportation improvements described in conditions 19(a), 19(b), and 19(i) through 19(m) consistent with the

R - 293939

map filing program identified in Condition No. 11 of these VTM Conditions, to the satisfaction of the City Engineer.

- a. The developer shall upgrade the existing structural section to meet the City of San Diego design standards or an equivalent alternative structure section for the following collector streets: Farragut Road, Worden Road, Roosevelt Road, Dewey Road, Cushing Road, Truxtun Road, Decatur Road, Halsey Road (Unit No. 8 and Lot No. 3 of Unit 10), Kincaid Road (Unit No. 8, Unit 9 and Unit 10), McCain Road (Unit 10 and subject to the conditions outlined in the M.O.U. with the Port of San Diego), and Spruance Road (Lot No. 2 of Unit 9 and Unit 10), satisfactory to the City Engineer.
- b. The developer shall eliminate the mid-block pedestrian crosswalks along Cushing Road, Decatur Road, Truxtun Road, Dewey Road, Roosevelt Road and Worden Road. Pedestrian crosswalk can only be installed at controlled intersections.
- c. The applicant shall construct a southbound left and right turn lanes from Rosecrans Street onto Nimitz Boulevard. Also, construct a northbound left-turn lane from Rosecrans Street onto Nimitz Boulevard, satisfactory to the City Engineer.
- d. At the intersection of Rosecrans Street and Laning Street, the applicant shall construct an eastbound shared left/through lane on Laning Street, and a westbound left-turn lane from Laden Street onto Rosecrans Street. Also, the applicant shall construct a northbound through lane and a southbound through lane on Rosecrans Street, satisfactory to the City Engineer.
- e. The applicant shall construct northbound right-turn lane from Rosecrans to Laning Road heading eastbound. Also, construct a westbound right-turn lane and one westbound shared left turn/through lane at Laning Road, satisfactory to the City Engineer.
- f. The applicant shall construct an additional southbound left-turn lane from Rosecrans Street onto Worden Road, satisfactory to the City Engineer.
- g. The applicant shall construct traffic signals at the following intersections including median improvements, satisfactory to the City Engineer:
 - I. Rosecrans Street with Worden Road, Roosevelt Road (signal modification only), and Laning Road. The applicant shall construct a traffic signal interconnect along Rosecrans Street from Nimitz Boulevard to Laden Street.
 - II. Laning Road with Cushing Road.

R - 293939

- III. Laning Road with North Harbor Drive (signal modification only).
- IV. North Harbor Drive with Lee Road (including a traffic signal interconnect between this signal and McCain Road). Prior to the issuance of the first building permit within Unit No. 8, the applicant shall re-evaluate the need for this traffic signal to the satisfaction of the City Engineer.
- V. North Harbor Drive with McCain Road.
- h. The applicant shall incorporate bus stops along Rosecrans, satisfactory to the City Engineer.
- i. The applicant shall widen Roosevelt Road to 20' curb-to-curb south of the existing guardhouse, satisfactory to the City Engineer.
- j. The applicant shall provide street lights, satisfactory to the City Engineer.
- k. The applicant shall provide sidewalks, pedestrian ramps and driveway cuts, in conformance with MPDP No. 99-1076, satisfactory to the City Engineer.
- l. The applicant shall provide traffic control at the non-signalized intersections, satisfactory to the City Engineer.
- m. The applicant shall provide a median break at the intersection of Laning Road and Decatur Road, satisfactory to the City Engineer.
- n. Prior to issuance of the first building permit within Units 3 through 6, the applicant shall execute a shared parking agreement, and provide a parking management plan, including phasing for the construction of a parking structure(s) (if the intensity of use actually developed warrants the construction of such parking structure or structures) to accommodate up to approximately 3,750 parking spaces, to assure adequate supply of parking on site, satisfactory to the City Engineer. The parking management plan shall include the requirement for annual parking studies, through build-out of Units 3 through 6, to evaluate impacts of non-park users on parking spaces provided within the public park areas, and NTC generated users on adjacent residential streets west of Rosecrans street. The first parking study shall be submitted to the City Engineer within one year of issuance of the first building permit. If, based on results of any submitted parking study, it is determined that impacts of non-park users to parking spaces within the public park areas are occurring, or impacts of NTC generated users on adjacent residential streets west of Rosecrans Street are occurring, the applicant shall provide an internal shuttle transit system connecting the parking structure and other shared parking facilities to uses within

Units 3 through 6 (including the public park areas), or some other alternative, satisfactory to the City Engineer and the City Park and Recreation Director.

20. WATER AND SEWER REQUIREMENTS:

WATER REQUIREMENTS:

- a. Prior to the approval of any public improvement drawings including grading plans, the developer shall provide an acceptable water study satisfactory to the Water Department Director. The study shall plan the pressure zone(s) and public water facilities necessary to serve this development including redundancy. If phasing of the development is proposed, then a construction phasing plan shall be included in the study with any affordable housing site in the first phase.
- b. The developer shall design and construct all public water facilities as required in the accepted water study necessary to serve this development. Water facilities and associated easements, as shown on the approved tentative map, will require modification based on the accepted water study and City regulations, standards and practices pertaining thereto. Proposed water facilities that do not meet current standards shall be private.
- c. The developer shall design and construct new public water facilities within any new or reconstructed public right-of-way, in a manner satisfactory to the Water Department Director, including, but not limited to, Cushing Road from Laning Road to Farragut Road, Farragut Road from Rosecrans Street to the southerly cul-de-sac, Decatur Road from Sims Road to Perry Road, Spruance Road from Kincaid Road to the westerly cul-de-sac, Private Driveway 'A' from Kincaid Road to the westerly cul-de-sac, and McCain Road from North Harbor Drive to Spruance Road. The developer shall abandon any existing public water facilities adjacent to or within new or reconstructed public rights-of-way. Proposed water facilities that do not meet current standards shall be private.
- d. The developer shall abandon all existing public water facilities traversing lands owned by the Federal Government in a manner satisfactory to the Water Department Director. Existing public water facilities to remain in service, traversing said lands, shall be private.
- e. The developer shall relocate the existing water facilities traversing the southerly portion of Lot 14, Unit 3, into the Cushing Road right-of-way or provide adequate separation between the existing facility and any proposed structure in a manner satisfactory to the Water Department Director.
- f. The developer shall relocate the existing water facilities traversing the southerly portion of Lot 28, Unit 6, into the Cushing Road right-of-way or provide adequate separation

- between the existing facility and the existing structure, located over the existing water facility, in a manner satisfactory to the Water Department Director.
- g. The developer shall relocate and upsize to 12-inch the existing water facilities traversing Lot 1, Unit 9, into the Private Driveway 'A' right-of-way in a manner satisfactory to the Water Department Director.
 - h. The developer shall relocate and upsize to 12-inch the existing water facilities located within the Spruance Road right-of-way into an acceptable alignment with minimum separation from any existing or proposed sewer facilities in a manner satisfactory to the Water Department Director.
 - i. The developer shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director, and the City Engineer. If more than two (2) fire hydrants or thirty (30) equivalent dwelling units are located on a dead-end main, then the developer shall install a redundant water system satisfactory to the Water Department Director and the City Engineer.
 - j. The developer shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, air valves, fire hydrants, etc.), for all public water facilities that are not located within fully improved public rights-of-way with minimum pavement width of 24 feet, satisfactory to the Water Department Director. Easements shall be located within single lots. No structures or landscaping of any kind shall be installed in or over any easement utilized for vehicular access. Easements, as shown on the approved tentative map, will require modification based on City regulations, standards and practices pertaining thereto.
 - k. The developer shall grant a minimum 2-foot-wide general utility easement adjacent to both sides of Public Alleys 'J' and 'K' with additional easement around each water meter box location as required, in a manner satisfactory to the Water Department Director.
 - l. The developer shall install new public water meters on all existing and proposed water services in a manner satisfactory to the Water Department Director, or the existing water facilities shall be private.
 - m. The developer shall provide minimum 24-foot-wide vehicular access within a minimum 24-foot-wide water easement over the existing water mains traversing Lot E, Unit 6, in a manner satisfactory to the Water Department Director or the existing water facilities shall be private.

- n. The developer shall not install any trees or shrubs exceeding three feet in height at maturity within five feet of any existing or proposed public water facility consistent with the Landscape Technical Manual, satisfactory to the Water Department Director.
- o. The developer shall provide evidence, satisfactory to the Water Department Director, indicating that each lot will have its own water service or provide CC&Rs for the operation and maintenance of on-site private water facilities that serve more than one lot.
- p. The developer agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Design Guide and City regulations, standards, and practices pertaining thereto. Proposed facilities that do not meet the current standards shall be private or redesigned.
- q. If on-site water facilities are to be public and if any part of this development has gated access, then the developer shall provide Water Operations Division with keyed access in a manner satisfactory to the Water Department Director. The City will not be held responsible for any issues that may arise relative to the availability of keys.

SEWER REQUIREMENTS:

- a. Where the sewer mains do not meet access requirements to appurtenances or where landscaping is proposed that does not meet the City's current sewer design guide or where the sewer is located under existing buildings, the developer shall construct public gravity sewer facilities to replace the existing public sewer mains satisfactory to the Metropolitan Wastewater Department Director.
- b. The developer shall grant 2 feet of paved sewer easement width on each side of all proposed 20-foot wide public alleys containing sewer mains with laterals to provide a total easement width of 24 feet.
- c. The developer shall provide a new public sewer main along Farrugut Road to serve the future hotel site in Unit No. 7. Public sewer flows will not be allowed to flow through the Navy property adjacent to Unit No. 7.
- d. Prior to the submittal of any public improvement drawings including grading plans, the developer shall submit a sewer study satisfactory to the Metropolitan Wastewater Department Director, for the sizing, grade and alignment of public gravity sewer mains and to show that the proposed public sewer facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies. Where a sewer main serves existing development is being relocated, the slope of the main shall meet the design guide to the maximum extent feasible.

- e. The developer shall install all sewer facilities as required by the accepted sewer study necessary to serve this development including vehicular access roadways within easements. Sewer facilities, as shown on the approved tentative map, will require modification based on the accepted sewer study.
- f. The developer shall design all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed sewer facilities that do not meet current standards shall be re-designed in a manner satisfactory to the Metropolitan Wastewater Department Director.
- g. The developer shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public sewer facilities that are not located within public rights-of-way, satisfactory to the Metropolitan Wastewater Department Director. Minimum easement width for sewer mains with manholes is 20 feet. The easements shall be located within single lots. Vehicular access roadbeds for sewer appurtenances shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Metropolitan Wastewater Department Director. Vehicular access roadbeds to sewer mains with laterals shall be a minimum 24 foot wide.
- h. No structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or over any public easement prior to the applicant obtaining an encroachment removal agreement.
- i. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.
- j. The developer 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 mains that serve more than one lot.
- k. Prior to the issuance of any building permits, the applicant shall process and record a NOTICE & AGREEMENT for any lot being served by private sewer facilities, which indemnifies the City and contains an agreement that the applicant, and successors in interest, will be responsible for the operation and maintenance of the private sewer systems.
- l. All proposed private sewer facilities, including sewer laterals to the property line, that serve more than one lot shall have pipe sizes and slopes designed per the California Uniform Plumbing Code but shall be constructed per the most current City of San Diego sewer design guide.

- m. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check. In addition, the developer shall submit calculations, satisfactory to the Metropolitan Wastewater Department Director, for sizing of the proposed sewer lateral from the property line to its connection with the public sewer main.

DRAINAGE REQUIREMENTS:

21. The drainage system as shown on this VTM has not been approved. The existing and proposed storm drain system for the NTC Project site will require deviations and will result in some flooding up to first floor finished elevations during storm events. The City Engineer will work cooperatively with the developer to minimize flooding potential. Only those deviations which accomplish this will be considered for approval by the City Engineer.
22. The developer shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.
23. Developer shall dedicate a public access easement over the promenades, or provide an alternative satisfactory to the City Engineer.
24. 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 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.

25. ENVIRONMENTAL MITIGATION:

The applicant shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration, LDR No. 99-1076, satisfactory to the City Manager and the City Engineer. Prior to issuance of the first grading permit and/or recondition of the first final map, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas: Historical Resources, Paleontological Resources, Geology/Soils, Water Quality, Visual Quality/Aesthetics, and Biological Resources.

26. FACILITIES FINANCING:

This development is in the Peninsula Community Planning Area. There are impact fees, established by City Council, within the community to provide financing for public facilities necessary to support additional development. This development will be subject to those impact fees for the portions of the project which exceed existing development levels.

27. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Planning & Development Review Department for each final map processed in connection with this vesting tentative map.

28. A mutual access agreement shall be required to assure access between Lot Nos. 7, 9, 11 and 13 of Unit No. 5, as allowed under MPDP No. 99-1076.

FOR INFORMATION:

- This development may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Peninsula Community Plan area.
- This development may be subject to payment of a park fee prior to the filing of every final subdivision map in accordance with San Diego Municipal Code. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code.
- 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.
- Some of the property which is the subject of implementation of certain conditions, e.g., right-of-way improvements and relocation of water facilities, are owned by the U. S.

Government. The City (in cooperation with the Redevelopment Agency) will make all reasonable efforts to assist the Subdivider in securing the necessary approvals or rights to make the improvements on the federal property, as required pursuant to this Vesting Tentative Map.

- VTM Condition No. 17 requires the subdivider provide right-of-way free and clear of all encumbrances and prior easements. Since the City and Redevelopment Agency will be conveying the property to subdivider, the subdivider can only deliver title as delivered to subdivider.

LADUVERNAYCONDITNS\M99-1076 NTC VTM.wpd

R- 293939