

RESOLUTION NUMBER R- 297294

ADOPTED ON NOV 12 2002

WHEREAS, on April 27, 2001, Sunroad Centrum Partners submitted an application to the City of San Diego for amendments to the Progress Guide and General Plan, Kearny Mesa Community Plan, New Century Center Master Plan, Development Standards and Design Manual, and amendment to the existing Development Agreement, and a rezone, LDR No. 41-0101; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council on NOV 12 2002; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration LDR No. 41-0101; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration LDR No. 41-0101, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of Sunroad at San Diego Spectrum .

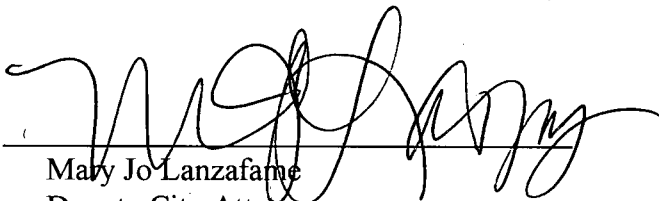
BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study

and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:pev
7/15/02
Or.Dept:DSD
R-2003-142
Form=mndr.frm

EXHIBIT A
MITIGATION MONITORING AND REPORTING PROGRAM
SUNROAD AT SAN DIEGO SPECTRUM
AMENDMENT TO THE PROGRESS GUIDE
AND GENERAL PLAN AND KEARNY MESA COMMUNITY PLAN

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 41-0101) shall be made conditions of Site Development Permit No. 40-0797 as may be further described below.

Transportation/Circulation

1. Prior to building permit issuance for the 999th residential unit within the New Century Center Master Plan Area, the owner/permittee shall assure the provision of an internal shuttle transit system within the Master Plan Area to the satisfaction of the City Engineer, including, but not limited to, the shuttle system implementation schedule and duration and operational characteristics (e.g. route, frequency, daily hours of operation).

Public Services (Park and Recreation)

2. Prior to building permit issuance for the 999th residential unit within the New Century Center Master Plan Area, the owner/permittee shall meet, or assure through agreement or bond, one of the following options to the satisfaction of the City Manager (or alternative requirement imposed by the City Council as a condition of approval):
 - a. The developer shall provide 3.42 contiguous, usable (maximum 2% grade for active recreation) acres of land within their development for park and recreation purposes, and provide funding for the design and construction of the required public recreational facilities on the provided acreage plus their pro rata share of the cost of constructing a 15,000-square-foot recreation building and swimming pool; OR
 - b. The developer shall acquire 3.42 contiguous, usable (maximum 2% grade for active recreation) acres of land within a one-half mile radius of their development, acceptable to the City Manager, and provide funding for the design and construction of the required public recreational facilities on the provided acreage plus their pro rata share of the cost of constructing a 15,000-square-foot recreation building and swimming pool; OR

- c. The developer shall provide a minimum of 2.0 contiguous, usable (maximum 2% grade for active recreation) acres of land within their development, provide the funding for the design and construction of the required public recreational facilities on the provided acreage plus their pro rata share of the cost of constructing a 15,000-square-foot recreation building and swimming pool and meet one of the following:
- i. Pay in lieu fees equivalent to the acquisition, design and construction of the remainder of the required 3.42 acres and not provided on-site acceptable to the City Manager; OR
 - ii. Provide the remainder of the required 3.42 acres within their development as contiguous, usable (maximum 2% grade for active recreation) land acceptable to the City Manager; OR
 - iii. Provide a combination of in lieu fees and contiguous, usable (maximum 2% grade for active recreation) land acceptable to the City Manager which, in combination, is equivalent to the remainder of the required 3.42 acres.

PLANNING COMMISSION RESOLUTION NUMBER 3270-2-PC
SUNROAD AT SAN DIEGO SPECTRUM
ADOPTED ON JUNE 13, 2002

WHEREAS, on April 27, 2001, Sunroad Centrum Partners submitted an application to the Development Services Department for amendments to the Progress Guide and General Plan, Kearny Mesa Community Plan, New Century Center Master Plan, Development Standards, and Design Manual, and amendment to the existing Development Agreement, and a Rezone, LDR No. 41-0101; and

WHEREAS, the project was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and


WHEREAS, the issue was heard by the Planning Commission on June 13, 2002; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 41-0101; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 41-0101 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administrative Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation, Monitoring, and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

By: 
Mike Westlake, Development Project Manager

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

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