

#331a
2/12/19

RESOLUTION NUMBER R- 312217

DATE OF FINAL PASSAGE FEB 12 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL AND APPROVING THE PLANNED DEVELOPMENT PERMIT NO. 2003388 FOR SUNROAD CENTRUM RESIDENTIAL, PHASE 6 – PROJECT NO. 565879.

WHEREAS, Sunroad Centrum Office Land, LP, a California Limited Partnership, Owner/Permittee, filed an application with the City of San Diego for the creation of 443 condominiums, consisting of 442 residential condominiums and one commercial condominium (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2003388), on portions of a 5.83-acre site; and

WHEREAS, the project site is located at 4890 Sunroad Centrum Lane in the Commercial-Community (CC-1-3) Zone, Geologic Hazards, Transit Priority, Airport Land Use Compatibility (MCAS Miramar and Montgomery Field), Airport Influence Area (MCAS Miramar and Montgomery Field), Airport Safety (Zone 6), FAA Part 77 Noticing Area Overlay Zones. The project site is part of the New Century Center Master Plan and within the Kearny Mesa Community Plan area; and

WHEREAS, the project site is legally described as Lots 1 through 5, inclusive, of Sunroad Centrum, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 15873 filed in the Office of the County Recorder of San Diego County, July 10, 2012 of official records; and

WHEREAS, on December 13, 2018 the Planning Commission approved the Planned Development Permit and on December 26, 2018 an appeal of that approval was filed; and

WHEREAS, on February 12, 2019, the City Council of the City of San Diego considered Planned Development Permit No. 2003388 pursuant to the Land Development Code of the City of San Diego; 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 City Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 2003388:

PLANNED DEVELOPMENT PERMIT- SAN DIEGO MUNICIPAL CODE (SDMC)
SECTION 126.0605

Findings for all Planned Development Permits:

a. The proposed development will not adversely affect the applicable land use plan. The Sunroad Centrum Residential, Phase 6 Project (Project) proposes development of 443 condominium units, consisting of 442 residential units and one commercial unit within a seven-story 554,640 square-foot building. The development will include structured parking and on-site entertainment and recreational amenities. The 5.83-acre site is located at 4890 Sunroad Centrum Lane within the New Century Center Master Plan (NCC Master Plan) area within the Kearny Mesa Community Plan (Community Plan).

The Community Plan's land use designation for the site is Mixed Use Commercial/ Residential (up to 70 dwelling units per acre) and would support 408 units based on the land use designation and combined parcel size. However, the Project site is part of the previous 244-acre General Dynamics site governed by a series of discretionary permits including Planned Industrial Development/Resource Protection Ordinance Permit No. 96-0165, Planned Industrial Permit/Planned Commercial Development Permit No. 99-1269.

The NCC Master Plan, which was adopted in 2000 and the amendment in 2002, allowed the inclusion of up to 1,568 residential dwellings units in the western portion of the site; Plan Areas 1A, 1B, 2B and 3A. Subsequent to the amendment of the NCC Master Plan, six additional projects were approved through the Planned Development Permit process by the City Council for a total of 1,203 additional units. The proposed development is required to comply with the NCC Master Plan, General Commercial CA zone (which incorporates the Commercial Office (CO) and Commercial Neighborhood (CN) zones) and development regulations in-lieu of the

implementing Community Commercial (CC-1-3) Zone. The NCC Master Plan allows for a transfer in density and square footage subject to the NCC Master Plan's Transportation and Circulation aggregate trip limitation provided that all development standards are met. The Project site, identified as Plan Area 1A, Mixed Use Commercial/Residential in the NCC Master Plan, is proposed for development of 443 condominium units, of which 442 are residential condominium units and one is a commercial condominium unit. The overall transportation trip generation and morning and evening peak periods did not exceed the limits of the FEIR No. 96-0165/SCH No. 96031091 or the commercial office use previously approved for this site.

The Community Plan's Housing Element and Urban Design Element encourage mixed-use projects containing residential development on urban infill sites. The utilization of the Project site for mixed use residential and commercial development provides infill housing in close proximity to employment, commercial, and transportation opportunities.

Planning Objectives of the Mixed-Use Commercial/Residential and/or General Commercial (as applicable) land use areas of the Property: Volume 1, Master Plan Elements (A)(2)(b) establish Mixed-Use Commercial/Residential land use area with zoning flexibility to create a mix of residential and employment uses, including support/accessory retail uses regional destination and vertical mixed-use projects are strongly encouraged. The Sunroad Centrum Residential, Phase 6 proposed project is an infill mixed-use development with commercial leasing office on the ground floor and residential condominiums on the remainder of the ground floor and on all levels above.

Therefore, the Project meets the applicable regulations and policy documents and is consistent with the recommended land use, design guidelines, and development standards in effect for this site will not adversely affect the adopted Community Plan and the NCC Master Plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare. The Project proposes development of 443 condominium units, consisting of 442 residential units and one commercial unit within a seven-story 554,640 square-foot building. The development will include structured parking and on-site entertainment and recreational amenities. The 5.83-acre site is located at 4890 Sunroad Centrum Lane within the NCC Master Plan area within the Kearny Mesa Community Plan area. The property is immediately surrounded by industrial/business parks to the north and mixed use commercial and residential to the south, west, and east. The proposed development would occur on private property.

The permit for this Project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code (SDMC) in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The Project will comply with the development conditions in effect for the subject property as described in Planned Development Permit No. 2003388, and other regulations and guidelines pertaining to the subject property per the SDMC.

Addendum No. 565879 to New Century Center Final Program Environmental Impact Report (FEIR) No. 96-0165/SCH No. 96031091 has been prepared for the project in accordance with California Environmental Quality Act guidelines. Based upon a review of the current Project, there are no new significant environmental impacts not considered in the previous FEIR, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and there is no new information of substantial importance to the project.

The Project would be subject to the Mitigation, Monitoring and Reporting Program (MMRP) conditions required by the previously cited environmental documents including the requirement for paleontological monitoring, a waste management plan, and transportation improvements. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code. The Project proposes development of 443 condominium units, consisting of 442 residential units and one commercial unit within a seven-story 554,640 square-foot building. The development will include structured parking and on-site entertainment and recreational amenities. The 5.83-acre site is located at 4890 Sunroad Centrum Lane within the NCC Master Plan area within the Kearny Mesa Community Plan.

The Project as proposed conforms to the NCC Master Plan Volume Two, Development Standards (B) for Lot Size, Lot Consolidation, Setbacks, Density, and Height. Further the NCC Master Plan Volume III, PCD Design Guidelines: Mixed-Use Commercial/ Residential and General Commercial (B) provides guidelines for Architectural Character. The proposed Project as designed will be seven stories in height and provide articulation on all sides of the building to provide architectural interest and reduce massing. The materials will be earth tone in color and consist of varying materials of plaster, cementitious panel, metal cladding, metal canopy, glass/metal railing, and storefront system. The Development Standards (Volume 2 Section B) requires a structural step back of 10 feet for any floor above the third story. The development addressed the requirement by setting back the structure a minimum of 20-feet. Additionally, a NCC Project Objective (Volume 1 (II) (A) Orient residential development to promote outdoor commercial and recreational uses and provide easy pedestrian access to and through the site and utilize architectural features and orientation to create various urban settings (from fronting on Kearny Spectrum Boulevard to quiet internal units. The Project will address pedestrian access through contiguous sidewalks and a non-contiguous pathway around the site and connecting to other phases and to Centrum Park. Additionally, the pedestrian connection is established through the use of ground floor residential units facing public street and providing direct access to the street in the form of stoop units, patio entries doors to public sidewalks.

The Project as proposed does not require deviations or variances and conforms to the applicable regulations and policy documents, and is consistent with the recommended land use,

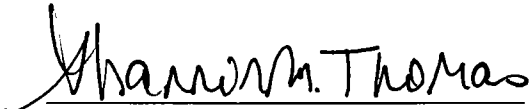
design guidelines, and development standards in effect for this site, including the NCC Master Plan and will not adversely affect the adopted Community Plan.

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 the appeal of the Planning Commission's decision is denied.

BE IT FURTHER RESOLVED, that based on the findings hereinbefore adopted by the City Council, Planned Development Permit No. 2003388 is hereby granted by the City Council to Sunroad Centrum Office Land, LP, Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2003388, a copy of which is attached hereto and made a part hereof.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Shannon M. Thomas
Senior Deputy City Attorney

SMT:als
02/14/2019
Or.Dept:DSD
Doc. No.: 1930041

Attachment: Planned Development Permit No. 2003388

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

**WHEN RECORDED MAIL
TO
CITY CLERK
MAIL STATION 2A**

INTERNAL ORDER NUMBER: 24007385

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**PLANNED DEVELOPMENT PERMIT NO. 2003388
SUNROAD CENTRUM RESIDENTIAL, PHASE 6 PROJECT NO. 565879
CITY COUNCIL**

This Planned Development Permit No. 2003388 (Permit) is granted by the City Council of the City of San Diego to Sunroad Centrum Office Land, LP, a California Limited Partnership, Owner and Permittee. The 5.83-acre site is located at the 4890 Sunroad Centrum Lane in the Community Commercial (CC-1-3) Zone, Geologic Hazards, Transit Priority Areas, Airport Land Use Compatibility (MCAS Miramar and Montgomery Field), Airport Influence Areas (MCAS Miramar and Montgomery Field), Safety Zone (Montgomery Field), and FAA Part 77 Noticing Area (Miramar and Montgomery Field) Overlay Zones, and the adopted New Century Center Master Plan within the Kearny Mesa Community Plan area.

The Project site is legally described as: Lots 1 through 5, inclusive, of Sunroad Centrum, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 15873 filed in the Office of the County Recorder of San Diego County July 10, 2012.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/ Permittee for the creation of 443-condominium complex described and identified by size, dimension, quantity, type, and location on the approved exhibits (Exhibit "A") dated February 12, 2019, on file in the Development Services Department.

The Project shall include:

- a. Development of 443 condominium units, consisting of 442 residential units and one commercial unit within a seven-story 554,640 square-foot building.
- b. The Project amenities include mail room, dog spa, cyclery, bike room, fitness center, wine lounge, lanai, club lounge, pool, restrooms, ocean lounge, and leasing center.
- c. Landscaping (planting, irrigation and landscape related improvements);

- 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 San Diego Municipal Code (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 February 12, 2022.
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. 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.
4. This Permit is a covenant running with the subject property and all the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. 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.).
7. The Owner/Permittee shall secure all necessary construction permits. The Owner/Permittee is informed that to secure these permits, substantial construction modifications and site

improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. 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.

9. All 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 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.

10. 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.

11. 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."

12. This Permit is subject to the New Century Center Master Plan and the conditions of Planned Commercial Development No. 99-1269, unless otherwise noted herein this Permit.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

14. The mitigation measures specified in the MMRP and outlined in Addendum to EIR No. 96-0165/SCH No. 96031091 and MND LDR No. 41-0101, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Addendum to EIR No. 96-0165/SCH No. 96031091 and MND LDR No. 41-0101, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- Transportation and Circulation (local traffic circulation and freeway traffic);
- Public Services (Park and Recreation); and
- Paleontological Resources.

AFFORDABLE HOUSING PERMIT CONDITION

16. Prior to issuance of the first residential building permit, the Owner/Permittee shall enter into a written Agreement with the San Diego Housing Commission which shall be drafted and approved by the San Diego Housing Commission, executed by the Owner/Permittee, and secured by a deed of trust which shall provide restriction on the rental rate on five percent (5%) of the proposed units for households earning no more than sixty-five percent (65%) of area median income (AMI), and on an additional five percent (5%) of the proposed units for households earning eighty percent (80%) to one hundred and twenty percent (120%) of AMI, for no fewer than 55 years.

AIRPORT REQUIREMENTS:

17. Prior to the issuance of any construction permits for a residential building, the Owner/Permittee shall provide a copy of the signed agreement [DS-503] and show certification on the construction 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:

18. This Permit shall comply with all conditions of Tentative Map No. 2003387.

19. Prior to the issuance of any construction permit for a residential building, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this Project.

All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

20. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall finalize and certify all Best Management Practices (BMP's) on Ariva Way, satisfactory to the City Engineer.
21. Prior to the issuance of any construction permit for grading, or change to existing construction permit for grading, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the proposed biological filtration basin within Pedestrian Access Easement on Lightwave Avenue.
22. Prior to the issuance of any Certificate of Occupancy, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard 24-foot wide driveway, right-in/right-out only adjacent to the site on Lightwave Avenue, satisfactory to the City Engineer.
23. Prior to the issuance of any construction permit for grading, or change to existing construction permit for grading, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
24. Prior to the issuance of any construction permit for grading, or change to existing construction permit for grading, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
25. Prior to the issuance of any construction permit for grading, or change to existing construction permit for grading, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
26. Development of this Project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
27. Prior to issuance of a construction permit for grading, or change to existing construction permit for grading, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WD ID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

GEOLOGY:

28. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

29. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

LANDSCAPE REQUIREMENTS:

30. Prior to issuance of any construction permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

31. Prior to issuance of any construction permits for public right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40 square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

32. Prior to issuance of any construction permits for building structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40 square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per SDMC Section 142.0403(b)(5).

33. In the event a foundation-only construction permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as "landscaping area."

34. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District

or other approved entity. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

35. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

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

37. 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.

38. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

39. The Owner/Permittee shall post a copy of each approved discretionary Permit and Tentative Map in its sales office for consideration by each prospective buyer.

40. 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

41. The automobile, motorcycle, and bicycle 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 authorized by the appropriate City decision maker in accordance with the SDMC.

42. The Owner/Permittee shall provide and maintain 25-foot by 25-foot visibility triangle area at the southeast corner of Kearny Villa Road and Lightwave Avenue measured along the property line. No obstruction higher than 36-inches shall be located within this visibility triangle area e.g. landscape, walls, columns, signs etc.

43. The Owner/Permittee shall provide and maintain 25-foot by 25-foot visibility triangle area at the southwest corner of Lightwave Avenue and Sunroad Centrum Lane measured along the

property line. No obstruction higher than 36-inches shall be located within this visibility triangle area e.g. landscape, walls, columns, signs etc.

44. The Owner/Permittee shall provide and maintain 10-foot by 10-foot visibility triangle area at both sides of the driveway on Lightwave Avenue measured along the property line. No obstruction higher than 36-inches shall be located within this visibility triangle area e.g. landscape, walls, columns, signs etc.

45. Prior to issuance of any construction permit for a residential building, the Owner/Permittee shall assure, by permit and bond, the installation of a raised concrete median as a Project feature along the Project's frontage on Lightwave Avenue between Kearny Villa Road and Sunroad Centrum Lane including U-Turn lane facing eastbound traffic at Sunroad Centrum Lane, satisfactory to the City Engineer. The improvements shall be completed and accepted by the City Engineer prior to building occupancy.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

46. Prior to the issuance of any construction permit for a residential building, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device (BFPD), on each water service (domestic, fire and irrigation if connected to potable water), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

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

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

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

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

51. Prior to the issuance of any construction permit for a residential building, the Owner/Permittee shall assure, by permit and bond, to cap (abandon) at the property line any existing unused sewer lateral and install new sewer lateral(s) which must be located outside of any driveway or vehicular use area.

WASTE MANAGEMENT PLAN REQUIREMENTS:

52. The Owner/Permittee shall comply with the Waste Management Plan, prepared by Tom Story Consulting, dated March 21, 2018.

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 February 12, 2019 and by Resolution No. R-312217

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Karen Bucey
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.**

Sunroad Centrum Office Land, LP
Owner/Permittee

By _____
Dan Feldman
President

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

Passed by the Council of The City of San Diego on FEB 12 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 12 2019

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

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

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

By Connie Peterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 312217