



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: October 25, 2012 **REPORT NO.** PC-12-107

ATTENTION: Planning Commission, Agenda of November 1, 2012

SUBJECT: PLAZA LINDA VERDE - PROJECT NO. 270445. PROCESS 5

**OWNER/
APPLICANT:** San Diego State University
Brian Rowe

SUMMARY

Issue(s): Should the Planning Commission recommend to the City Council approval of Public Right-of-Way Vacations and water and sewer Easement and Pedestrian Access easement reservations located along Montezuma Place between Aztec Walk and Montezuma Road within the College Area Community planning area?

Staff Recommendation: Approve Public Right-of-Way Vacations 951007 and 950675.

Community Planning Group Recommendation: On May 9, 2012 the College Area Community Planning Board voted 14-0-0 to recommend approval of the project (Attachment 11).

Environmental Review: Environmental Impact Report (EIR) SCH No. 2009011040 was prepared for the Plaza Linda Verde Project. It was certified by the California State University Board of Trustees as Lead Agency on May 10, 2011. Currently, Public Right-of-Way Vacations and Water & Sewer/Pedestrian Access easement reservations located along Montezuma Place between Aztec Walk and Montezuma Road are being requested. The City of San Diego is the Responsible Agency for this action.

The project was reviewed and it was determined that in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15162(a):

- (1) No substantial changes are proposed to the project which would require major revisions of the previous EIR;
- (2) No substantial changes occur with respect to the circumstances under which the project is undertaken that would require any revisions to the previous EIR; and
- (3) There is no new information of substantial importance that was not known and could not have been known at the time the previous EIR was certified.

Therefore, no subsequent environmental document is required, in that no new additional impacts and/or mitigation measures are required beyond those that were analyzed in the original environmental document. All of the impacts were adequately addressed and disclosed in previously certified (EIR) SCH No. 2009011040.

Fiscal Impact Statement: No fiscal impact. All cost associated with the processing of the application are recovered by a deposit account funded by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The project proposes public right-of-way vacations to be reserved for Water, Sewer and Pedestrian Access easements located along Montezuma Place between Aztec Walk and Montezuma Road, for the future expansion of San Diego State University for the addition of student housing, commercial/retail establishments, and support uses to include retail parking and a promenade (Attachment 14). The project is within the College Area Community Plan and zoned CN-1-2.

The proposed vacations are part of the implementation of Phase 1 of the San Diego State University (SDSU) comprehensive Master Plan approved by the Board of Regents for California State University on May 11, 2011 and in accordance with the certified Plaza Linda Verde Environmental Impact Report (EIR). It is anticipated that student enrollment will increase to over 35,000 by 2025. The Master Plan project proposes the demolition of existing structures and parking lots to facilitate construction on approximately 18-acres located immediately south of the SDSU's main campus. The development of certain portions of the SDSU expansion would be contingent upon the vacation of the aforementioned rights-of-ways.

DISCUSSION

Project Description:

The project proposes the Public Right-of-Way Vacation of Montezuma Place, portions of Lindo Paseo, Hardy Avenue, and portions of connecting alleys which would be reserved for water, sewer, and pedestrian access easements and future development for SDSU student housing and retail establishments. The vacated right-of-way along Montezuma Place from Aztec Walk to Lindo Paseo will be used primarily as a pedestrian easement for the future promenade and mixed use development (Attachment 8). The vacated portion from Lindo Paseo southward to Montezuma Road will be used for the development of future retail and student housing (Attachment 9). Additionally the alley named "Way" east of Montezuma Place to College Avenue will be vacated with a portion of lot 3, block 1, map 2196 being dedicated as a pedestrian easement to provide access to the college as well as a water easement (Attachment 10).

There are existing sewer utilities in the proposed vacated portion of Montezuma Place between Aztec Walk and Hardy Avenue which will be privatized. There are existing storm drain facilities in the proposed vacated portion of Montezuma Place between Lindo Paseo and Montezuma Road which will be privatized and relocated (Attachment 15). The proposed pipe beginning at the inlet on Lindo Paseo will be relocated westerly and reconnected in Montezuma Road to allow for the construction of the proposed structure over a portion of Montezuma place to be vacated. However, a portion of the storm drain will travel through the vacated portion of Montezuma Place and will be privatized as conditions by the proposed vacations (Attachment 7). Additionally, the project is proposing to relocate an existing 6-inch water line in the named alley "Way". A portion of the existing water line shown on 4802-L (Attachment 16) will be relocated northerly into the proposed 20-foot wide water easement to allow for the construction of the proposed structure over "Way".

The proposed project will not disrupt access to existing facilities. An existing religious educational institution will continue to have access to the site from Hardy Avenue and an existing retail strip mall will continue to have access from Montezuma Road and Montezuma Place.

Project Issues:

The approval of the public right-of-way vacations requires four findings to be affirmed by a positive declaration of facts. Those findings are: (a) There is no present or prospective use for the public right-of-way, either for the facility for which originally acquired, or for any other public use of a like nature that can be anticipated; (b) The public will benefit from the action through improved use of the land made available by the vacation; (c) The vacation does not adversely affect any applicable land use plan; and (d) The public facility for which the right-of-way was originally acquired will not be detrimentally affected by the vacation.

The draft Vacation Resolution with Findings is provided as Attachment 5 to this report. The draft findings present a positive declaration of facts affirming the proposed easement vacation would be consistent with the required criteria to vacate the rights-of-way.

Community Plan Analysis:

The project is within the core subarea of the College Area Community Plan redevelopment area. The community plan recommends that the area be redeveloped to "mixed use commercial" and that additional housing and parking facilities on or adjacent to campus meet existing needs to reduce the number of commuter students. Additionally the plan recommends that the Core Subarea be redeveloped with university-oriented housing and that commercial development provide a strong pedestrian orientation between new residential and commercial development adjacent to the campus itself. The proposed vacation is a prerequisite to the Phase 1 SDSU Master Plan Plaza Linda Verde project by facilitating a pedestrian orientated mixed use development and student housing as recommended in the community plan. The vacation will remove a vehicular right-of-way and replace it with a pedestrian oriented easement used for students of SDSU and the surrounding community but accessible for emergency vehicles and delivery trucks for future retail establishments.

Conclusion:

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development code. Staff has provided draft findings to support approval of the proposed Public Right-of-Way Vacations and Reservations (Attachment 5). Staff is recommending approval of the project as proposed.

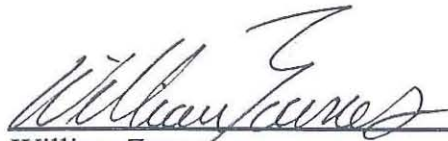
ALTERNATIVES

1. **Approve** Public Right-of-Way Vacations Nos. 951007 and 950675, **with modifications.**
2. **Deny** Public Right-of-Way Vacations Nos. 951007 and 950675, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



William Zounes
Development Project Manager
Development Services Department

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map B-Sheet
4. Proposed Public Right-of-Way Vacations
5. Proposed Reservation of Easements B-Sheet
6. Proposed Dedication B-Sheet
7. Draft Vacation Resolution with Findings
8. Proposed Vacated Area between Aztec Walk and Lindo Paseo
9. Proposed Vacated Area between Lindo Paseo and Montezuma Road
10. Proposed Vacated "Way" a named alley
11. Water and Pedestrian Access Easement Reservation
12. Community Planning Group Recommendation
13. Project Chronology
14. Plaza Linda Verde Master Plan
15. Sewer Drain Relocation
16. Water Pipe to be relocated



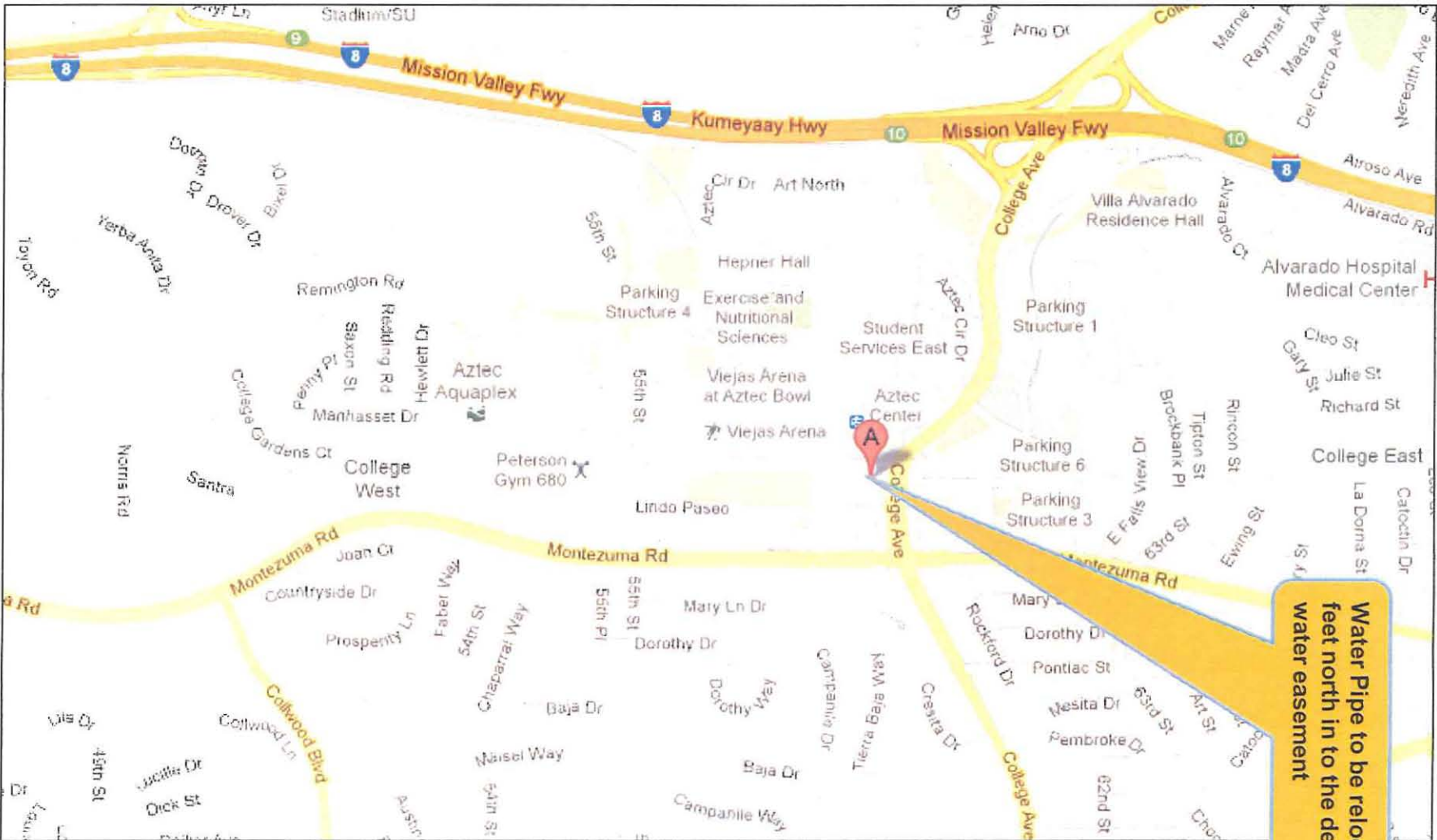
Attachment 1
Aerial Photograph of Site

Project Site
Portion of Montezuma Place,
Hardy Avenue, and Lindo Paseo

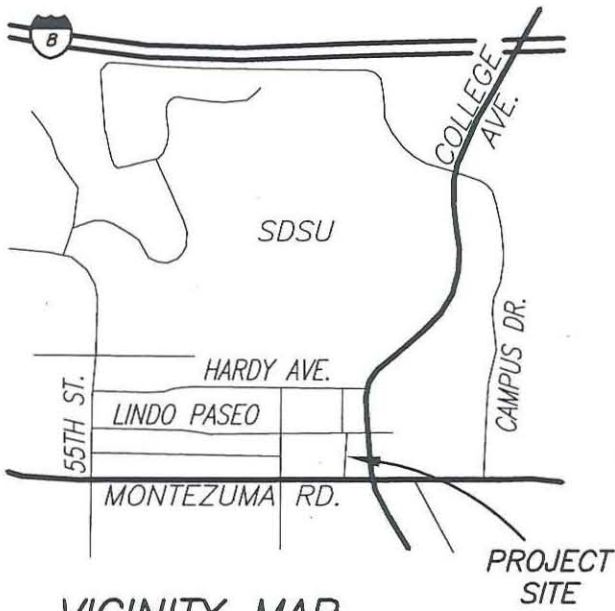
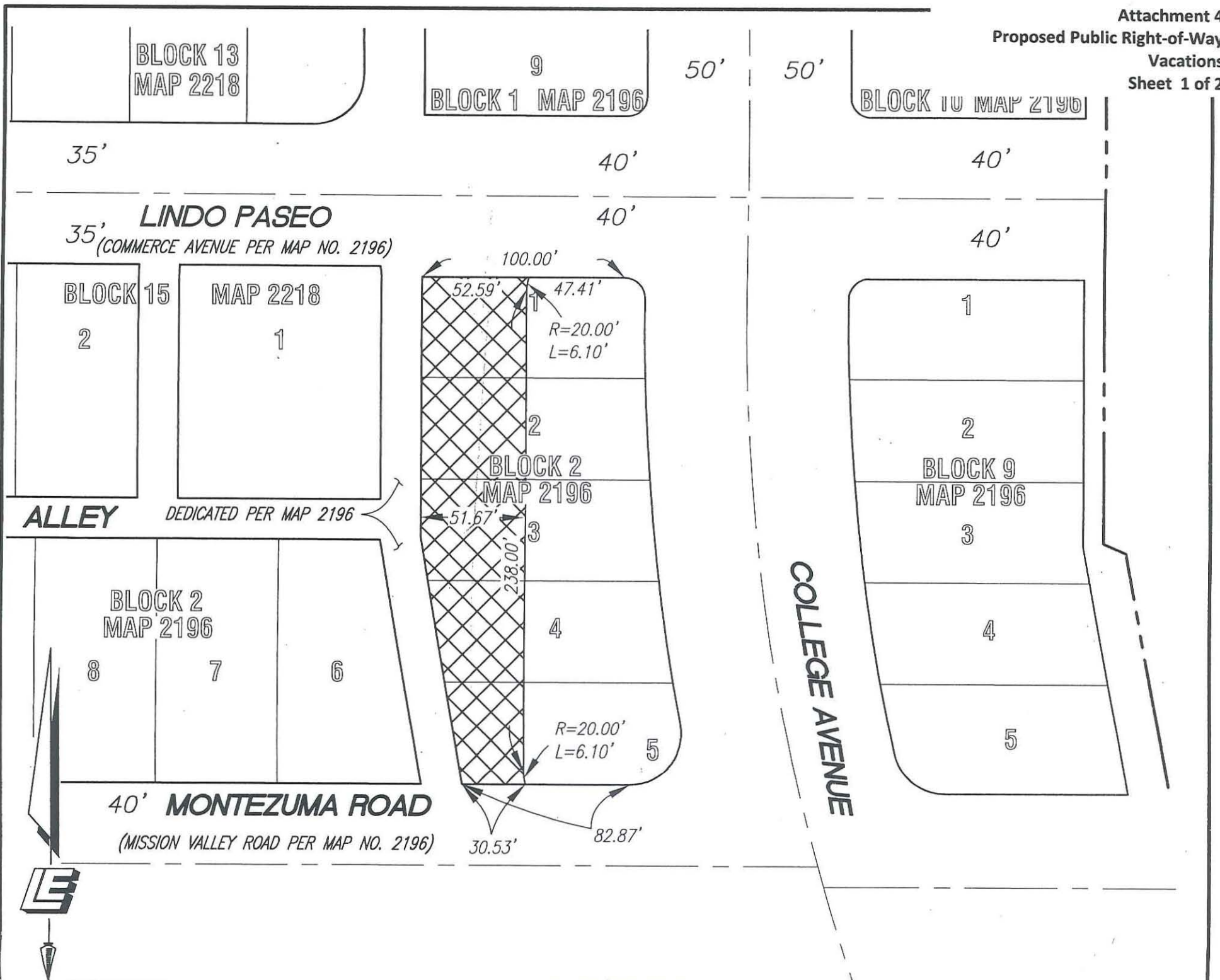


Aerial Photograph (Birds Eye)
Plaza Linda Verde - Project No. 270445
Portion of Montezuma Place, Hardy Ave, and Lindo Paseo



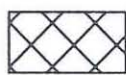


Attachment 3 Project Location Map



VICINITY MAP
N.T.S.

LEGEND



PUBLIC STREET EASEMENT PER QUIET TITLE DECREE RECORDED DEC. 7, 1953 IN BOOK 5069, PAGE 513 OF O.R., VACATED. APPROX. 11,628 S.F.

REFERENCES:

MAPS 2196, 2218 AND QUIET TITLE DECREE RECORDED 12-7-1953, DOCUMENT NO. 164488 IN BOOK 5069, PAGE 513, O.R.

PREPARED BY:

JOHN D. LEPPERT, RCE 26283, EXP 3-31-2014

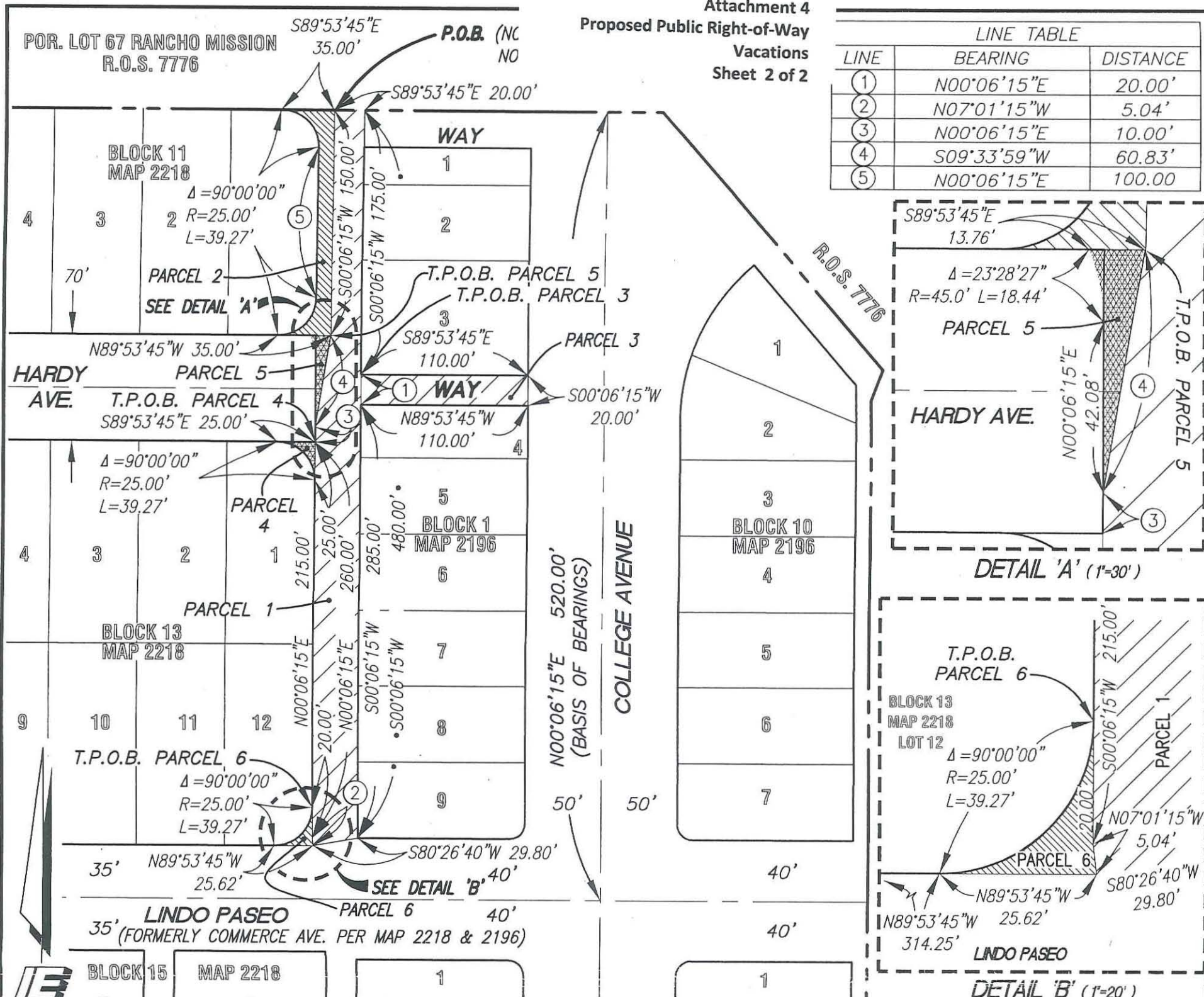


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Phone: (858) 597-2001

**PUBLIC STREET EASEMENT VACATION IN BLOCK 2 OF COLLEGE PARK UNIT NO. 1
MAP 2196**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 1 SHEET	PTS NO. 270445 I.O. NO. 24002459
ORIGINAL	LEC					
					FOR CITY ENGINEER	DATE
						1898-6265 CCS 83 COORDINATES
						218-1743 LAMBERT COORDINATES
						36839-B
STATUS						

LINE TABLE		
LINE	BEARING	DISTANCE
①	N00°06'15"E	20.00'
②	N07°01'15"W	5.04'
③	N00°06'15"E	10.00'
④	S09°33'59"W	60.83'
⑤	N00°06'15"E	100.00'



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE CENTERLINE OF COLLEGE AVENUE PER MAP NO. 2196, I.E. N00°06'15"E.

LEGEND

- INDICATES PORTION OF UN-NAMED ALLEY AND WAY, A NAMED ALLEY, DEDICATED PER MAP OF COLLEGE PARK UNIT NO. 1, MAP 2196, VACATED.
- INDICATES PORTIONS OF UN-NAMED ALLEY AND LINDO PASEO DEDICATED PER MAP OF COLLEGE PARK UNIT NO. 2, MAP 2218, VACATED.
- INDICATES PORTION OF HARDY AVENUE DEDICATED PER MAP OF COLLEGE PARK UNIT NO. 2, MAP 2218, VACATED.

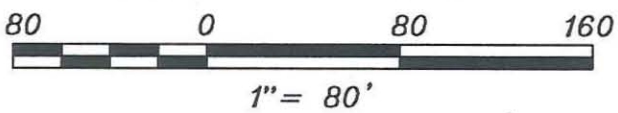
P.O.B. POINT OF BEGINNING
T.P.O.B. TRUE POINT OF BEGINNING

REFERENCE DRAWINGS

MAPS 2196 & 2218

PREPARED BY:

JOHN D. LEPPERT, RCE 26283, EXP 3-31-2014



VICINITY MAP
N.T.S.



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ALLEY AND WAY VACATION IN BLOCK 1, COLLEGE PARK UNIT NO. 1, MAP 2196, BLOCKS 11 AND 13, COLLEGE PARK UNIT NO. 2, MAP 2218, AND STREET VACATION OF PORTIONS OF HARDY AVENUE AND LINDO PASEO

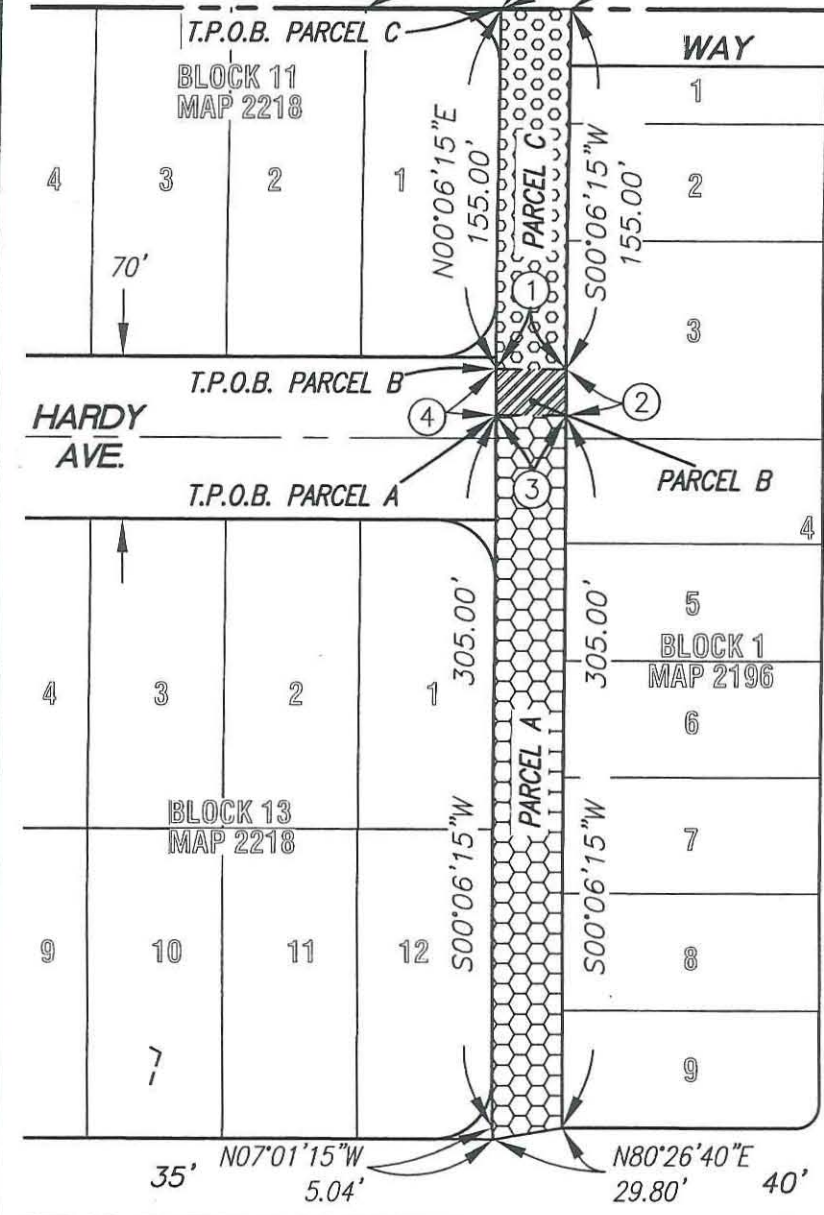
DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS NO. 270445
ORIGINAL	LEC				SHEET 1 OF 2 SHEETS	I.O. NO. 24002459
					FOR CITY ENGINEER	DATE
						1898-6265
						CCS 83 COORDINATES
						218-1743
						LAMBERT COORDINATES
						36838-1-B

STATUS

POR. LOT 67 RANCHO MISSION
R.O.S. 7776

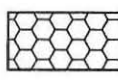
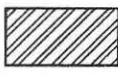
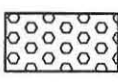
P.O.B. (N) Proposed Reservation of Easements

PER MAP 2218)

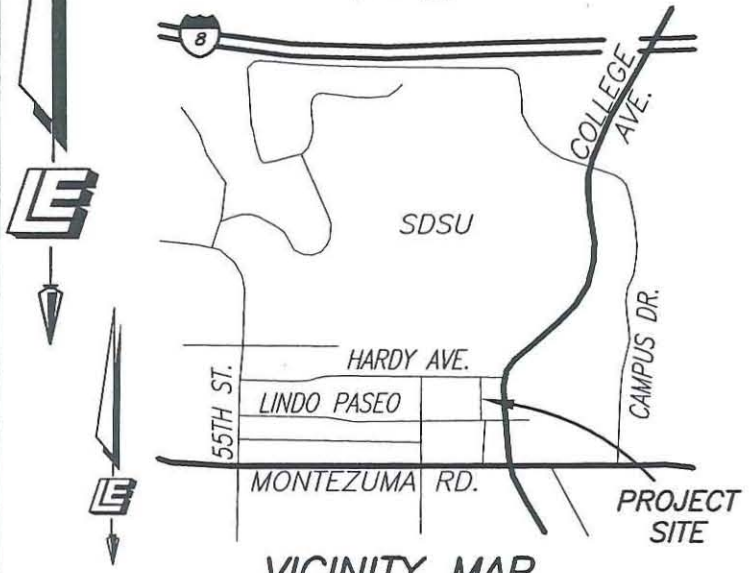


LINE	BEARING	DISTANCE
(1)	S89°53'45"E	30.00'
(2)	S00°06'15"W	20.00'
(3)	N89°53'45"W	30.00'
(4)	N00°06'15"E	20.00'

LEGEND

-  INDICATES PORTIONS OF UN-NAMED ALLEY DEDICATED PER MAP OF COLLEGE PARK UNIT NO. 1, MAP 2196 AND PORTION OF HARDY AVENUE VACATED AND RESERVED AS A SEWER AND PEDESTRIAN ACCESS EASEMENT HEREON.
-  INDICATES PORTIONS OF UN-NAMED ALLEY DEDICATED PER MAP OF COLLEGE PARK UNIT NO. 1, MAP 2196 AND PORTION OF HARDY AVENUE VACATED AND RESERVED AS A WATER AND PEDESTRIAN ACCESS EASEMENT HEREON.
-  INDICATES PORTIONS OF UN-NAMED ALLEY DEDICATED PER MAP OF COLLEGE PARK UNIT NO. 1, MAP 2196 AND MAP OF COLLEGE PARK UNIT NO. 2, MAP 2218 AND PORTION OF HARDY AVENUE VACATED AND RESERVED AS A PEDESTRIAN ACCESS EASEMENT HEREON.

LINDO PASEO
35' (FORMERLY COMMERCE AVE. PER MAP 2218 & 2196) 40'



VICINITY MAP
N.T.S.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE CENTERLINE OF COLLEGE AVENUE PER MAP NO. 2196, I.E. N00°06'15"E.

REFERENCE DRAWINGS

MAPS 2196 & 2218

PREPARED BY:



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WATER, SEWER AND PEDESTRIAN ACCESS EASEMENT RESERVATIONS IN BLOCK 1 OF COLLEGE PARK UNIT NO. 1 PER MAP 2196, BLOCKS 11 AND 13 OF COLLEGE PARK UNIT NO. 2 PER MAP 2218, AND HARDY AVENUE

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS NO. 270445
ORIGINAL	LEC				SHEET 2 OF 2 SHEETS	I.O. NO. 24002459
					FOR CITY ENGINEER	DATE
						1898-6265
						CCS 83 COORDINATES
						218-1743
						LAMBERT COORDINATES
						36838-2-B

POR. LOT 67 RANCHO MISSION
R.O.S. 7776

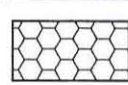

P.O.B. (NORTHWEST CORNER OF LOT 1
IN BLOCK 11 PER MAP 2218)



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE CENTERLINE OF COLLEGE AVENUE PER MAP NO. 2196, I.E. N00°06'15"E.

LEGEND

-  INDICATES PORTIONS OF HARDY AVE., LINDO PASEO, UN-NAMED ALLEY AND WAY; A NAMED ALLEY, DEDICATED PER MAPS 2196 AND 2218, VACATED PER 36838-B
-  INDICATES PORTIONS OF LOTS 1 AND 2 IN BLOCK 11 OF MAP OF COLLEGE PARK UNIT NO. 2 MAP 2218 DEDICATED AS PUBLIC STREET RIGHT-OF-WAY HEREON.

P.O.B. = POINT OF BEGINNING
T.P.O.B. = TRUE POINT OF BEGINNING

REFERENCE DRAWINGS

MAPS 2196 & 2218

PREPARED BY:

JOHN D. LEPPERT, RCE 26283, EXP 3-31-2012



VICINITY MAP
N.T.S.



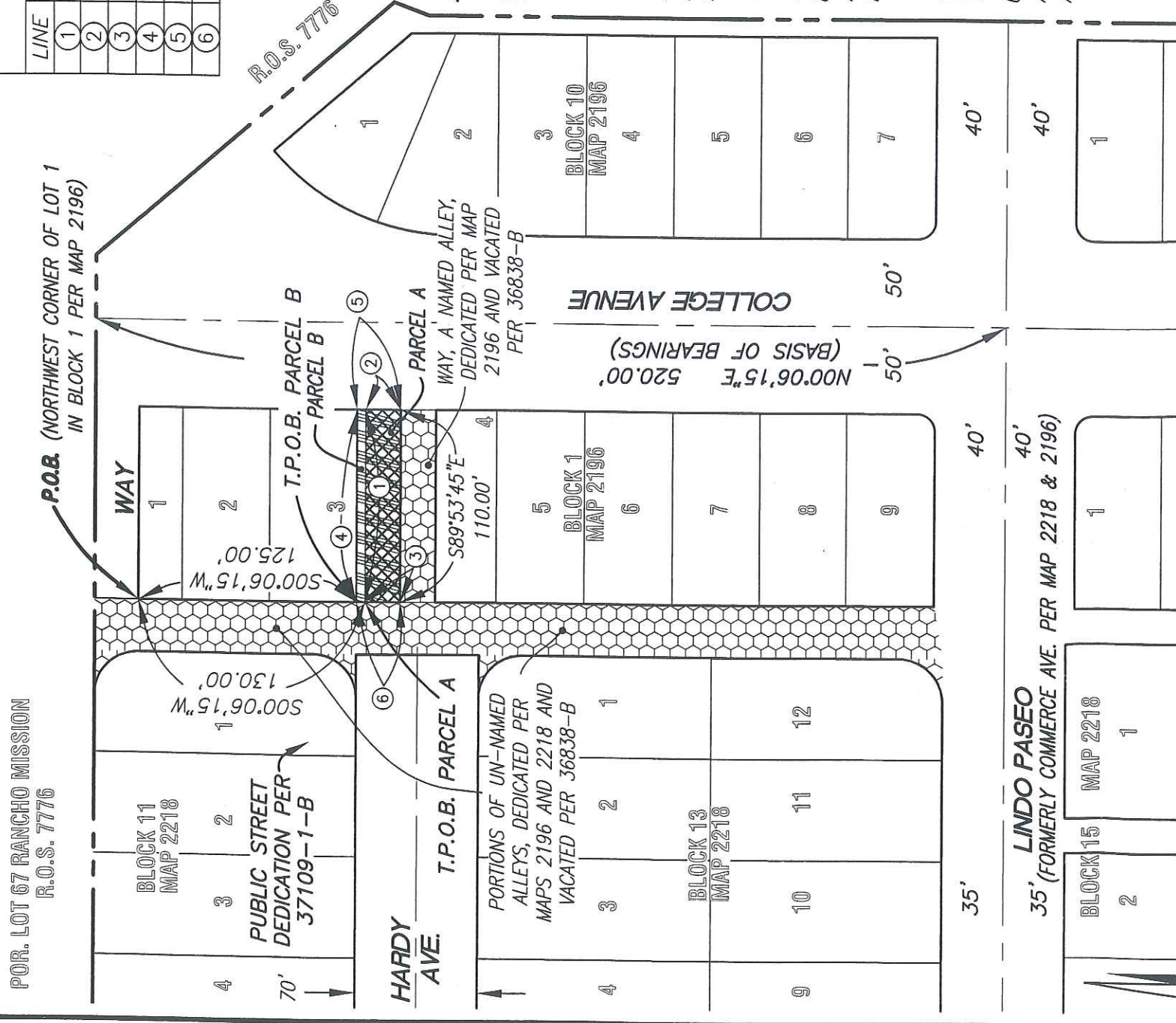
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**PUBLIC STREET RIGHT-OF-WAY DEDICATION IN LOTS 1 AND 2 OF
BLOCK 11 OF COLLEGE PARK UNIT NO. 2 PER MAP 2218**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS NO. 270445
ORIGINAL	LEC				SHEET 1 OF 2 SHEETS	I.O. NO. 24002459
					FOR CITY ENGINEER	DATE
						1898-6265 CCS 83 COORDINATES
						218-1743 LAMBERT COORDINATES
						37109-1-B

STATUS

LINE	BEARING	DISTANCE
1	S89°53'45"E	110.00'
2	S00°06'15"W	20.00'
3	N00°06'15"E	20.00'
4	S89°53'45"E	110.00'
5	S00°06'15"W	25.00'
6	N00°06'15"E	25.00'



LEGEND

- P.O.B. = POINT OF BEGINNING
- T.P.O.B. = TRUE POINT OF BEGINNING
- INDICATES PORTIONS OF HARDY AVE., LINDO PASEO, UN-NAMED ALLEY AND WAY, A NAMED ALLEY, DEDICATED PER MAPS 2196 AND 2218, VACATED PER 36838-B.
- INDICATES PORTION OF LOT 3 IN BLOCK 1 OF MAP OF COLLEGE PARK UNIT NO. 1 MAP 2196 DEDICATED AS A PEDESTRIAN ACCESS EASEMENT HEREON (PARCEL B).
- INDICATES PORTION OF LOT 3 IN BLOCK 1 OF MAP OF COLLEGE PARK UNIT NO. 1 MAP 2196 DEDICATED AS A WATER EASEMENT HEREON (PARCEL A).

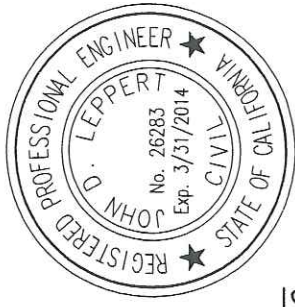
BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAN IS THE CENTERLINE OF COLLEGE AVENUE PER MAP NO. 2196, I.E. N00°06'15"E.

REFERENCE DRAWINGS

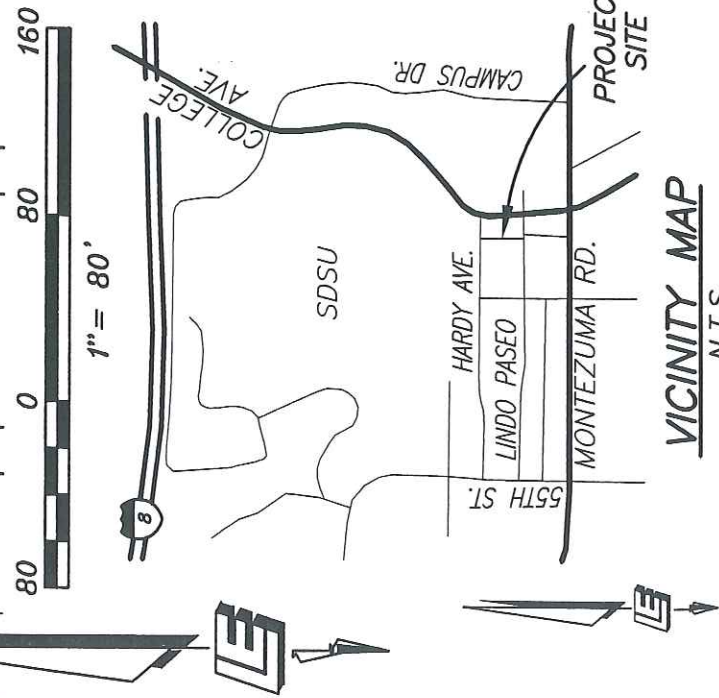
MAPS 2196 & 2218

PREPARED BY:



VICINITY MAP

N.T.S.



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JOHN D. LEPPERT, RCE 26283, EXP 3-31-2012

WATER AND PEDESTRIAN ACCESS EASEMENT DEDICATION IN LOT 3 OF BLOCK 1 OF COLLEGE PARK UNIT NO. 1 PER MAP 2196

DESCRIPTION	BY	APPROVED	DATE	FILMED	STATUS
ORIGINAL	LEC				
		FOR CITY ENGINEER		DATE	
		CCS 83 COORDINATES		1898-6265	
		LAMBERT COORDINATES		218-1743	
				37109-2-B	

CITY OF SAN DIEGO, CALIFORNIA	PTS NO. 270445
SHEET 2 OF 2 SHEETS	I.O. NO. 24002459

Attachment 7
Draft Vacation Resolution with Findings and Conditions
(R-[Reso Code])

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

STREET VACATION OF MONTEZUMA PLACE, UN-NAMED ALLEY, AND "WAY", A NAMED ALLEY, A PORTION OF LINDO PASEO, AND A PORTION OF HARDY AVENUE WITH RESERVATION OF EASEMENTS.

WHEREAS, California Streets and Highways Code section 8320 *et seq.* and San Diego Municipal Code section 125.0901 *et seq.* provide a procedure for the vacation of public rights-of-way by City Council resolution; and

WHEREAS, it is proposed that Montezuma Place, Un-named Alley, "Way" a named alley, a portion of Lindo Paseo, and a portion of Hardy Avenue between Aztec Walk and Lindo Paseo Public Right-of-Way Vacation No. 951007 and Montezuma Place between Lindo Paseo and Montezuma Road Public Right-of-Way Vacation No. 950675 Public Right-of-Way Vacation be vacated; and

WHEREAS, in connection with said vacation, the City desires to reserve and accept public easements reserved for water, sewer, and pedestrian access along Montezuma Place, Un-named Alley, and a portion of Hardy Avenue between Aztec Walk and Lindo Paseo; and

WHEREAS, under 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, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

Attachment 7
Draft Vacation Resolution with Findings and Conditions
(R-[Reso Code])

WHEREAS, the matter was set for public hearing on XXXXXX, 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 with respect to Montezuma Place, Un-named Alley, and "Way" a named alley, a portion of Lindo Paseo, and a portion of Hardy Avenue, the Council finds that:

- (a) There is no present or prospective use for the public right-of-way, either for the facility for which originally acquired, or for any other public use of a like nature that can be anticipated.

The project proposes Public Right-of-Way Vacations of portions of Montezuma Place, Lindo Paseo, Hardy Avenue, and portions of adjacent alleys for the future expansion of San Diego State University for the addition of student housing, commercial/retail establishments, and support uses to include retail parking and a pedestrian-friendly (green) promenade. The project is within the College Area Community Plan and zoned CN-1-2. The proposed vacations/easement reservations are part of Phase 1 of the San Diego State University (SDSU) comprehensive Master Plan approved by the Board of Regents for California State University on May 11, 2011 and in accordance with the certified Plaza Linda Verde EIR. The entire site will be redeveloped. All existing uses, structures, and Right-of-Ways will be removed and redeveloped with new structures and easements not requiring the present or prospective use of the existing rights-of-ways.

Montezuma Place between Hardy Avenue and Lindo Paseo is currently used for vehicular purposes to access surface parking lots. The proposed future use of this segment is a

Attachment 7
Draft Vacation Resolution with Findings and Conditions
(R-[Reso Code])

pedestrian walkway to access San Diego State University (SDSU), community retail establishments, and student housing. From Lindo Paseo to Montezuma Road, a portion of Montezuma Place will be vacated for the future development of a community a market and student housing. This segment will continue to provide vehicular access but with a reduced width. A small segment of public right-of-way within a portion of Hardy Avenue is proposed to be vacated for a pedestrian walkway. These actions will not disrupt access to current land uses. There is existing parking which serves San Diego State University (SDSU) which will be relocated to a proposed parking structure along Lindo Paseo. An existing offsite religious educational institution will continue to obtain access from Hardy Avenue and an existing retail strip mall will continue to have access from Montezuma Road and Montezuma Place.

The project includes the vacation of "Way" a named alley and the dedication of a portion of lot 3, block 1, Map 2196 just north of "Way" to be dedicated for a pedestrian and water easement which will connect College Avenue with the campus. Existing storm water facilities traveling along Montezuma Place between Lindo Paseo and Montezuma Road will be relocated and privatized. Therefore, there is no present or prospective use for the public right-of-way, either for the facility for which originally acquired, or for any other public use of a like nature that can be anticipated.

- (b) The public will benefit from the action through improved use of the land made available by the vacation.

The project proposes Public Right-of-Way Vacations and Water & Sewer Easement/Pedestrian Access easement reservations located along Montezuma Place between Aztec Walk, Montezuma Road, Lindo Paseo, Hardy Avenue, and portions of adjacent alleys and dedications for the future

expansion of San Diego State University for the addition of student housing, commercial/retail establishments, and support uses to include retail parking and a pedestrian-friendly (green) promenade. The project is within the College Area Community Plan and zoned CN-1-2. The proposed vacations/ easement reservations are part of Phase 1 of the San Diego State University (SDSU) comprehensive Master Plan approved by the Board of Regents for California State University on May 11, 2011 and in accordance with the certified Plaza Linda Verde EIR. The SDSU Master Plan proposes to redevelop the land associated with the proposed vacation/easement reservations. The redevelopment will include new parking structures, community markets, and student apartments. These features are intended to help alleviate the expanding enrollment at SDSU which utilize parking, commercial establishments, and housing. Additionally, the future uses will be available to the surrounding community. In lieu of vehicular access, the Master Plan proposes a pedestrian-friendly (green) promenade which will dramatically increase the appeal of this area and minimize the conflicts between pedestrians and motor vehicles. Therefore, the public will benefit from the action through improved use of the land made available by the vacation.

- (c) The vacation does not adversely affect any applicable land use plan.

The project proposes Public Right-of-Way Vacations and Water & Sewer Easement/Pedestrian Access easement reservations located along Montezuma Place between Aztec Walk, Montezuma Road, Lindo Paseo, Hardy Avenue, and portions of adjacent alleys and dedications for the future expansion of San Diego State University for the addition of student housing, commercial/retail establishments, and support uses to include retail parking and a pedestrian-friendly (green) promenade. The project is within the College Area Community Plan and zoned CN-1-2. The

Attachment 7
Draft Vacation Resolution with Findings and Conditions
(R-[Reso Code])

proposed vacations/easement reservations are part of Phase 1 of the San Diego State University (SDSU) comprehensive Master Plan approved by the Board of Regents for California State University on May 11, 2011 and in accordance with the certified Plaza Linda Verde EIR. The project is within the core subarea of the College Area Community Plan redevelopment area. The community plan recommends that the area be redeveloped to “mixed use commercial” and that additional housing and parking facilities on or adjacent to campus meet existing needs to reduce the number of commuter students. Additionally, the plan recommends that the Core Subarea be redeveloped with university-oriented housing and that commercial development provide a strong pedestrian orientation between new residential and commercial development adjacent to the campus itself. The proposed vacation and easement reservations are prerequisites to the Phase 1 SDSU Master Plan Plaza Linda Verde project by facilitating a pedestrian orientated mixed use development and student housing as recommended in the community plan. The vacation/reservation will remove a vehicular right-of-way and replace it with a pedestrian oriented easement used for students of SDSU and the surrounding community but accessible for emergency vehicles and delivery trucks for future retail establishments. Therefore, the vacation does not adversely affect any applicable land use plan.

(d) The public facility for which the right-of-way was originally acquired will not be detrimentally affected by the vacation.

The project proposes Public Right-of-Way Vacations and Water & Sewer Easement/Pedestrian Access easement reservations located along Montezuma Place between Aztec Walk, Montezuma Road, Lindo Paseo, Hardy Avenue, and portions of adjacent alleys and dedications for the future expansion of San Diego State University for the addition of student housing, commercial/retail

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establishments, and support uses to include retail parking and a pedestrian-friendly (green) promenade. The project is within the College Area Community Plan and zoned CN-1-2. The proposed vacations/easement reservations are part of Phase 1 of the San Diego State University (SDSU) comprehensive Master Plan approved by the Board of Trustees for California State University on May 11, 2011 and in accordance with the certified Plaza Linda Verde EIR.

The project includes the vacation of "Way" a named alley and the dedication of a portion of lot 3, block 1, Map 2196 just north of "Way" to be dedicated for a pedestrian and water easement which will connect College Avenue with the campus. Additionally, lots 1 and 2 in Block 11 of Map of College Park Unit No. 2 Map 2218 will have a portion of the properties dedicated for a 35-foot radius public cul-de-sac within a 45-foot right-of-way at the east end of Hardy Avenue, as shown on Drawing No. 37109-1-B. This dedication will allow the construction of a cul-de-sac at the terminus of Hardy Avenue allowing for vehicles to turn-around as they approach the water, sewer, and pedestrian access easement.

Existing storm water facilities traveling along Montezuma Place between Lindo Paseo and Montezuma Road will be relocated and a portion privatized. Vehicular access will no longer be required as part of the implementation of the University's Plaza Linda Verde Master Plan.

Existing public utilities being served in these rights-of-ways have appropriate easements being reserved located within Montezuma Place and dedicated lot 3, block 1, Map 2196. Therefore, the public facility for which the right-of-way was originally acquired will not be detrimentally affected by the vacation.

BE IT FURTHER RESOLVED, that Montezuma Place, Un-named Alley, "Way" a named alley, a portion of Lindo Paseo, and a portion of Hardy Avenue, as more particularly

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described in the legal description marked as Exhibit "A," and shown on Drawing 36838-1-B and No. 36839-B , marked as Exhibit "B," which said drawing is attached hereto and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED, that the City of San Diego reserves and excepts from the foregoing vacation the permanent easement as more particularly described hereinafter: Reservation of Water, Sewer and Pedestrian Access in portions of Montezuma Place, Hardy Avenue and un-named alley shown on Drawing No. 36838-2-B;

BE IT FURTHER RESOLVED, that the easements reserved herein are in, under, over, upon, along and across the dedication of a portion of lot 3, in block 1, of Map 2196 and that portion of Montezuma Place, Un-named Alley, and a portion of Hardy Avenue vacated by this Document and as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 36838-2-B, 37109-1-B, and 37109-2-B marked as Exhibit "B."

BE IT FURTHER RESOLVED, In the event the following conditions are not completed within five (5) years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect that said street vacation is conditioned upon.

1. Within five years of final adoption of this street vacation resolution and prior to, and concurrent with, the recordation of the vacation of the unnamed alley, the Owner/Permittee shall dedicate a 35-foot radius public cul-de-sac within a 45' right-of-way at the east end of Hardy Avenue, as shown on Drawing No. 37109-1-B, and shall assure the construction of the cul-de-sac by permit and bond, to the satisfaction of the City Engineer.

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2. SDSU will provide a B-sheet identifying relinquishment of access for lots 1-9 block 1 of Map 2196 along College Ave and portions of Lindo Paseo
3. Within five years of final adoption of this street vacation resolution and prior to, and concurrent with, the recordation of the resolution approving the vacation of the unnamed alley, the Owner(s) of lots 1 through 9 in block 1 of Map 2196 shall relinquish access onto College Avenue to the satisfaction of the City Engineer;
4. Within five years of final adoption of this street vacation resolution and prior to, and concurrent with, the recordation of the resolution approving the vacation of the unnamed alley, the Owner(s) of lot 9 in block 1 of Map 2196 shall relinquish access onto Lindo Paseo from College Avenue to 75 feet west of College Avenue, to the satisfaction of the City Engineer;
5. Within five years of final adoption of this street vacation resolution and prior to, and concurrent with, the recordation of the resolution approving the vacation of the unnamed alley, the Owner(s) of lot 3 in block 1 of Map 2196 shall dedicate a 25' wide pedestrian easement and 20' wide water easement from Hardy Avenue to College Avenue, as shown on Drawing No. 37109-2-B, to the satisfaction of the City Engineer;
6. Within five years of final adoption of this street vacation resolution and prior to, and concurrent with, the recordation of the vacation of the unnamed alley, the Owner(s) of lots 1 through 5 in block 2 of Map 2196 shall relinquish access onto College Avenue, to the satisfaction of the City Engineer;
7. Within five years of final adoption of this street vacation resolution and prior to, and concurrent with, the recordation of the resolution approving the vacation of the

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unnamed alley, the Owner(s) of lot 1 in block 2 of Map 2196 shall relinquish access onto Lindo Paseo, to the satisfaction of the City Engineer;

8. Within five years of final adoption of this street vacation resolution and prior to, and concurrent with, the recordation of the resolution approving the vacation of the unnamed alley, the Owner(s) of lot 5 in block 2 of Map 2196 shall relinquish access onto Montezuma Road, to the satisfaction of the City Engineer;
9. SDSU will show documentation to a Project Manager within the Development Services Department indicating that the Plaza Linda Verde project is funded and approved for construction;
10. Prior to recordation of the resolution, the applicant shall assure by permit and bond the relocation of the existing public water facilities along "Way", a named alley and storm drain facilities along Montezuma Place and Lindo Paseo and privatize the existing on-site sewer main, to the satisfaction of the Public Utilities Department Director; and
11. The property owner shall enter into an Encroachment Maintenance and Removal Agreement for the private drainage system located between Montezuma Road and Linda Paseo satisfactory to the City Engineer.

BE IT FURTHER RESOLVED, that the Development Services Department shall record a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the office of the County Recorder.

APPROVED: JAN I. GOLDSMITH, City Attorney

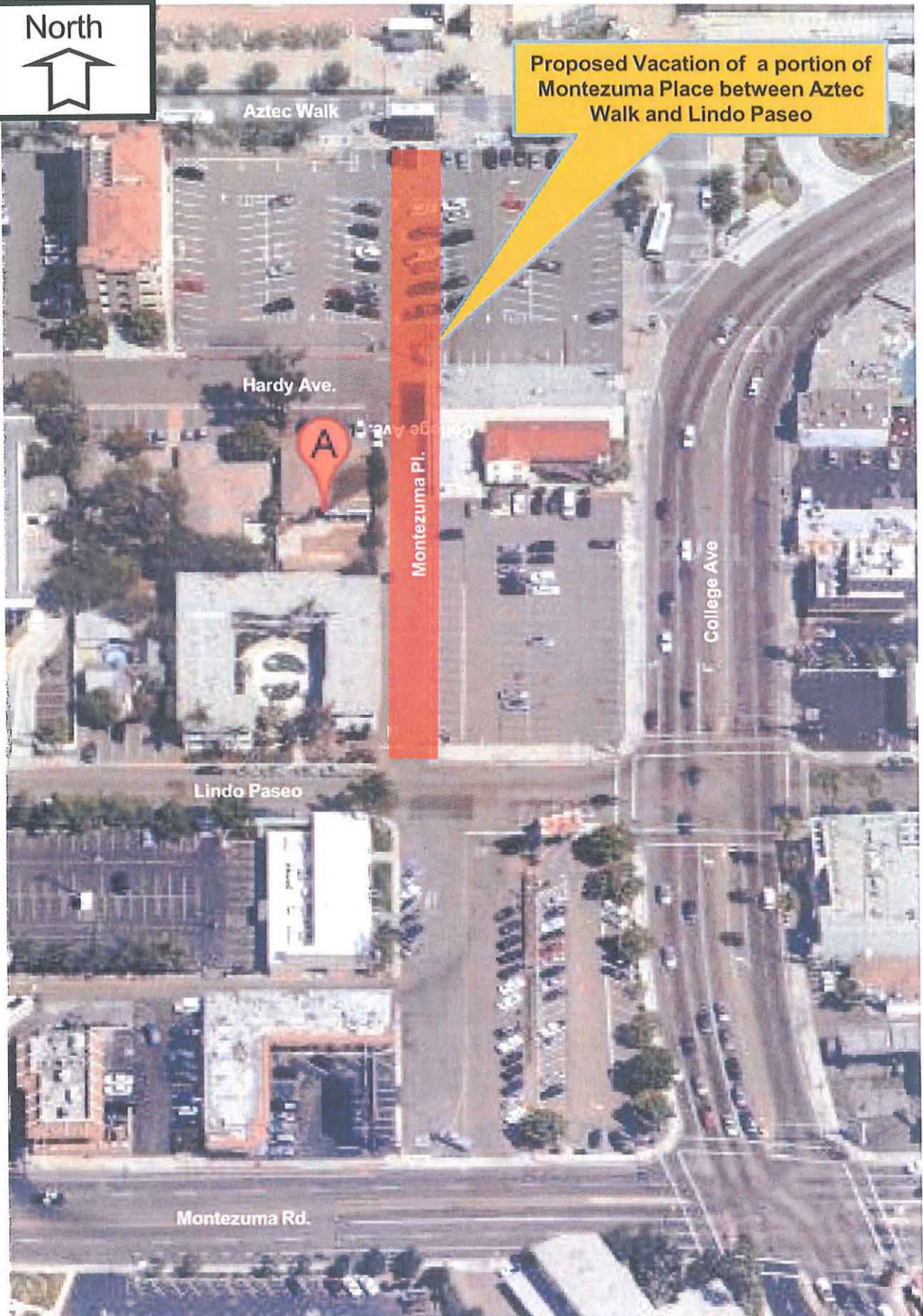
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(R-[Reso Code])

By _____
[Attorney]
Deputy City Attorney

[Initials]:[Initials]
[Month]/[Day]/[Year]
Or.Dept:[Dept]
JO: 24002459
Drawing No.: 36839-B, 36838-1-B, and 36838-2-B
R-R-[Reso Code]

Draft

Attachment 8 Vacation: Aztec Walk to Lindo Paseo



Vacation: Lindo Paseo to Montezuma Rd.

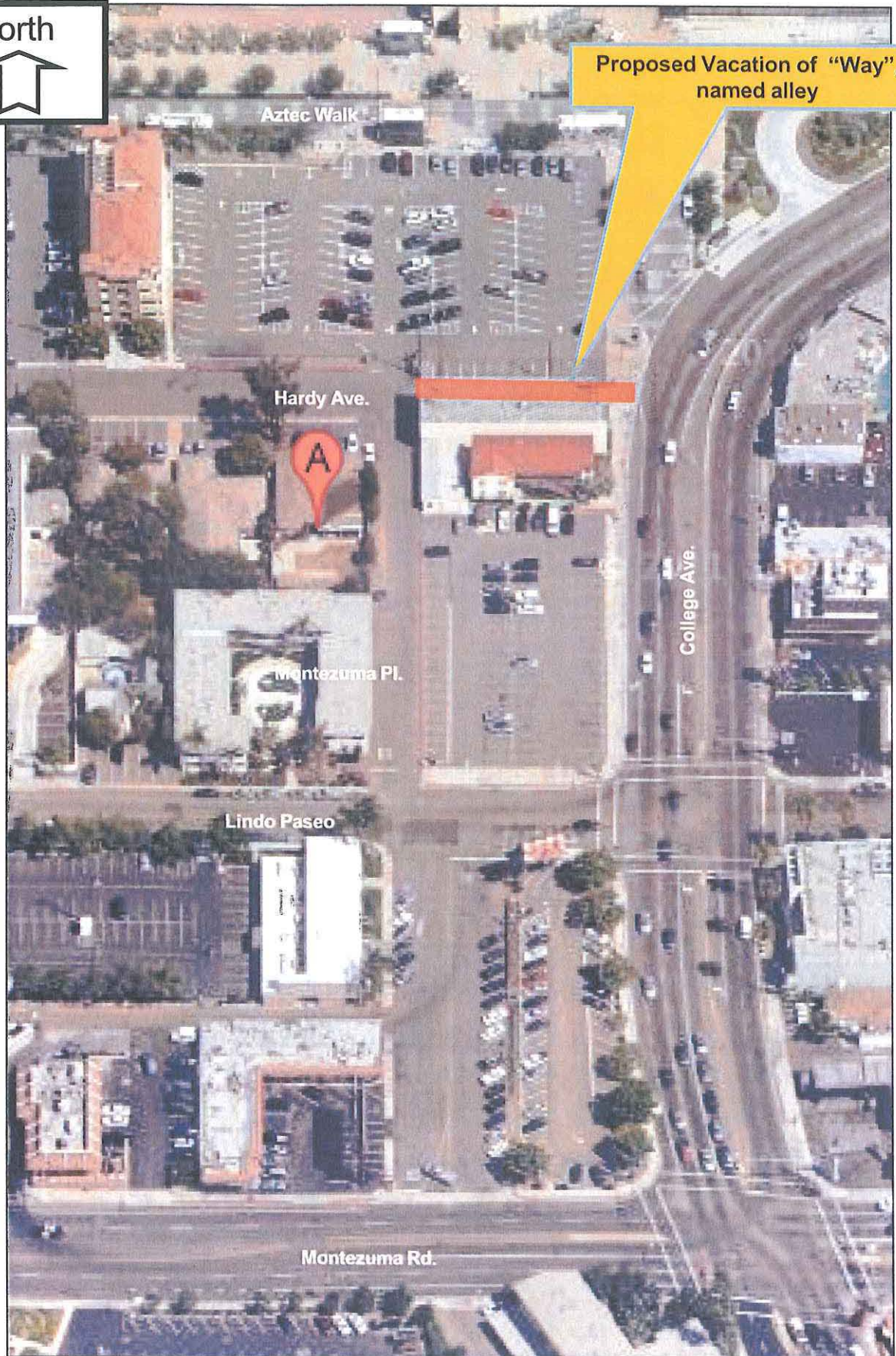


Proposed Vacation of a portion of Montezuma Pl. between Lindo Paseo and Montezuma Rd.

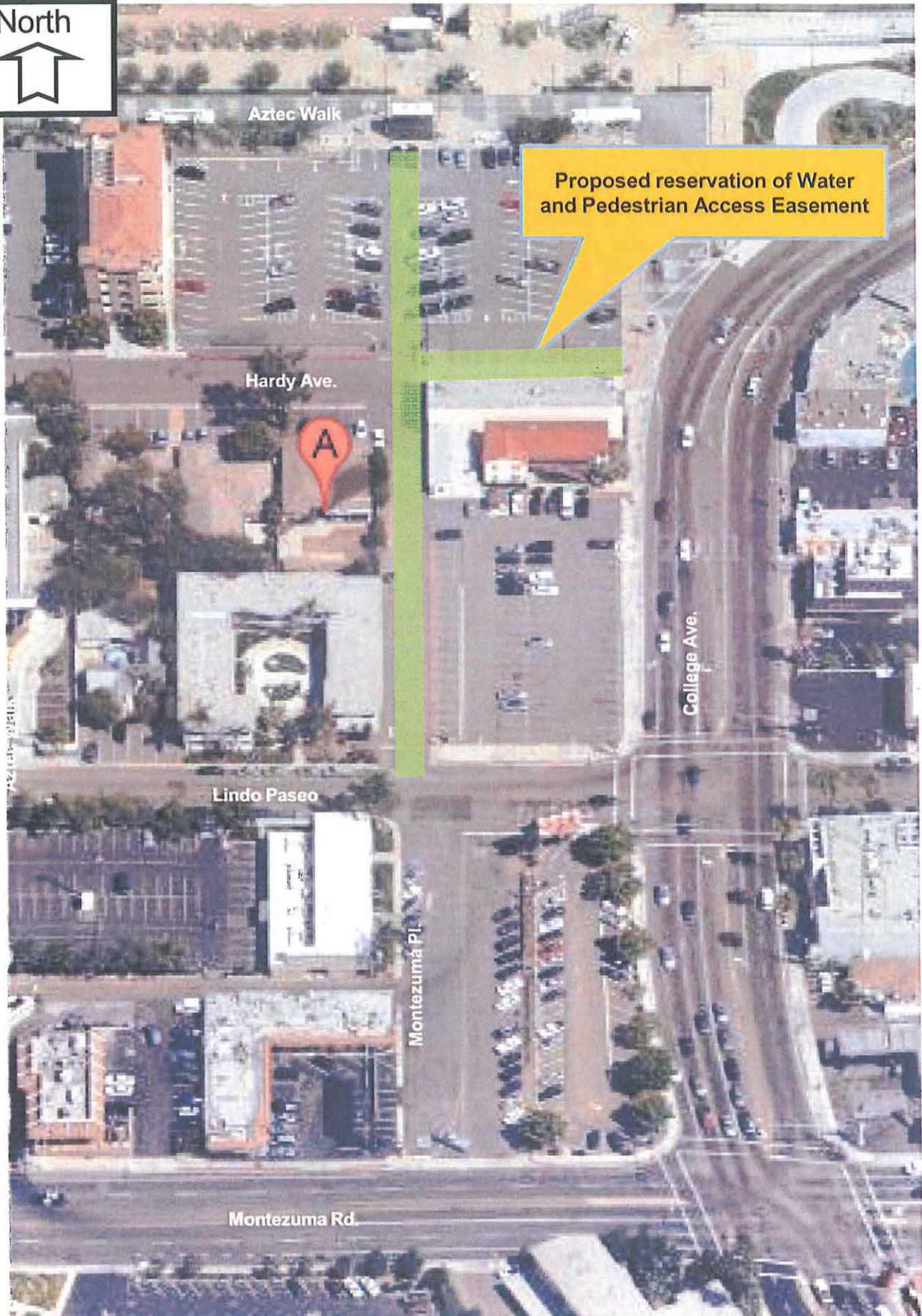
Attachment 10 Vacation: "Way" a named alley



Proposed Vacation of "Way", a named alley



Attachment 11 Proposed Water and Pedestrian Access Easement



Proposed reservation of Water and Pedestrian Access Easement

A

Attachment 12
Community Planning Group Recommendation

From: Doug Case [mailto:dcase@mail.sdsu.edu]
Sent: Thursday, May 10, 2012 1:30 PM
To: Teasley, Sandra
Subject: Plaza Linda Verde Vacations, Project 270445

Sandra,

The following item was **approved** by the College Area Community Planning Board on our consent agenda last night, 14-0-0.

SDSU Request for Process 5 Public Right of Way Vacations located between Lindo Paseo and Montezuma Road, and between Aztec Walk and Lindo Paseo. City Project #270445. (ACTION ITEM).

At the Project Review Committee on May 2, applicants presented the proposal to vacate streets/alleys in connection with the proposed Plaza Linda Verde project, Phase 1. They explained the City's long list of objections to the project in the Cycle Review was due to lack of complete information on the City's part. The applicant has now submitted the requested information, which they hope will address the City's objections, specifically concerns about lack of access for properties not included in the project or owned by SDSU, and the presence of water and sewer utilities under the streets to be vacated. Applicants explained adequate access will be maintained, and the developer will grant easements to City for the utilities in question, relocating and privatizing one water line.

There was one speaker in favor of the project, representing the Lutheran Campus Council of S.D. (operating as Agape House). The Council previously had concerns about vehicular access to Agape House, and these have been resolved because SDSU has agreed to grant a continued easement to the Council for occasional vehicular access at this site. (see attached letter from Lutheran Campus Council.)

Motion from Project Review: Recommend approval of this project, contingent upon resolution of all the City's concerns as noted in the Cycle Review, and upon SDSU's continued agreement to grant an easement to vehicular access to Agape House, as described in the attached latter.

The meeting minutes will be approved at our June 13 meeting. Let me know if you need draft minutes in the interim.

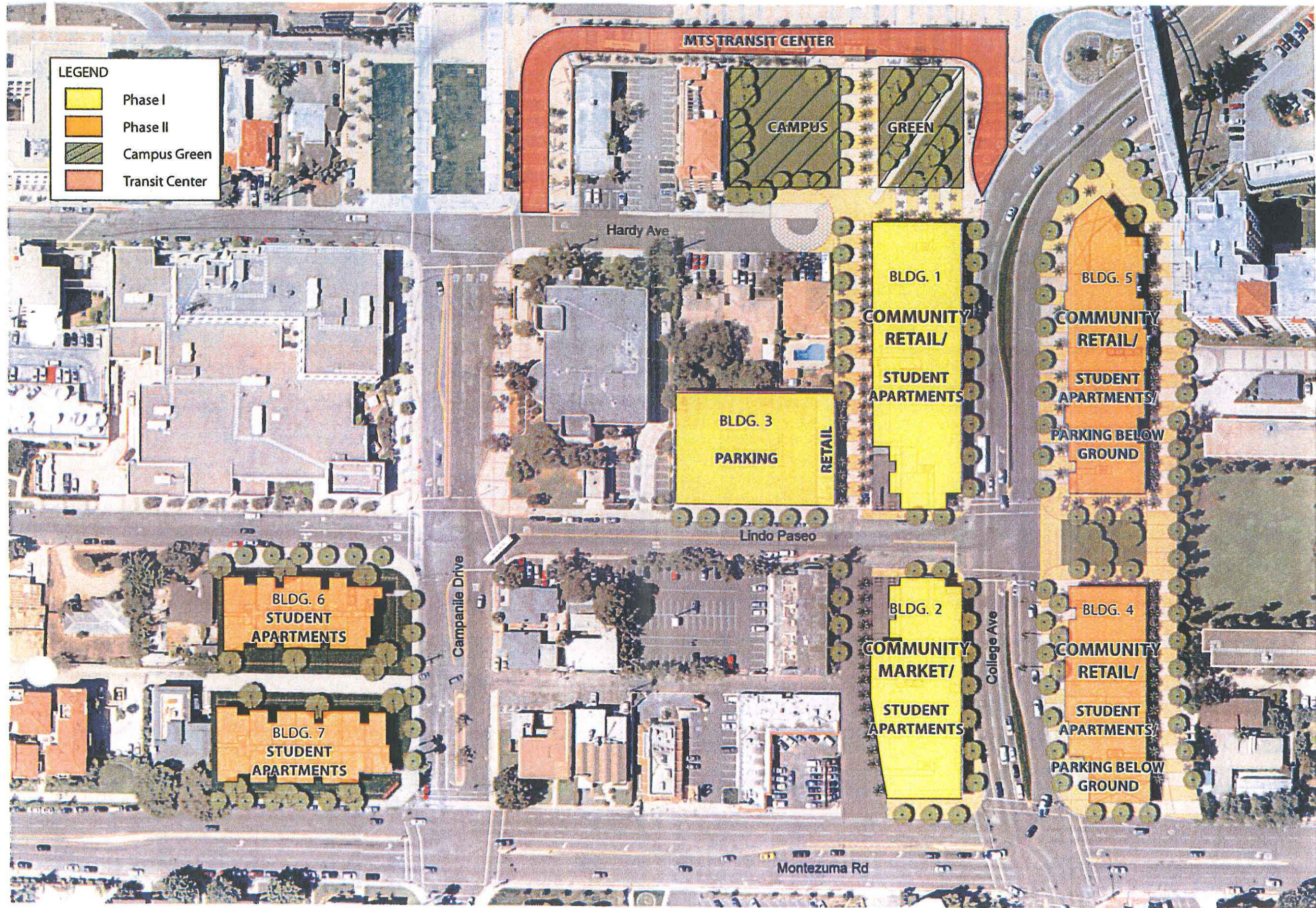
Doug Case, Chair
College Area Community Planning Board

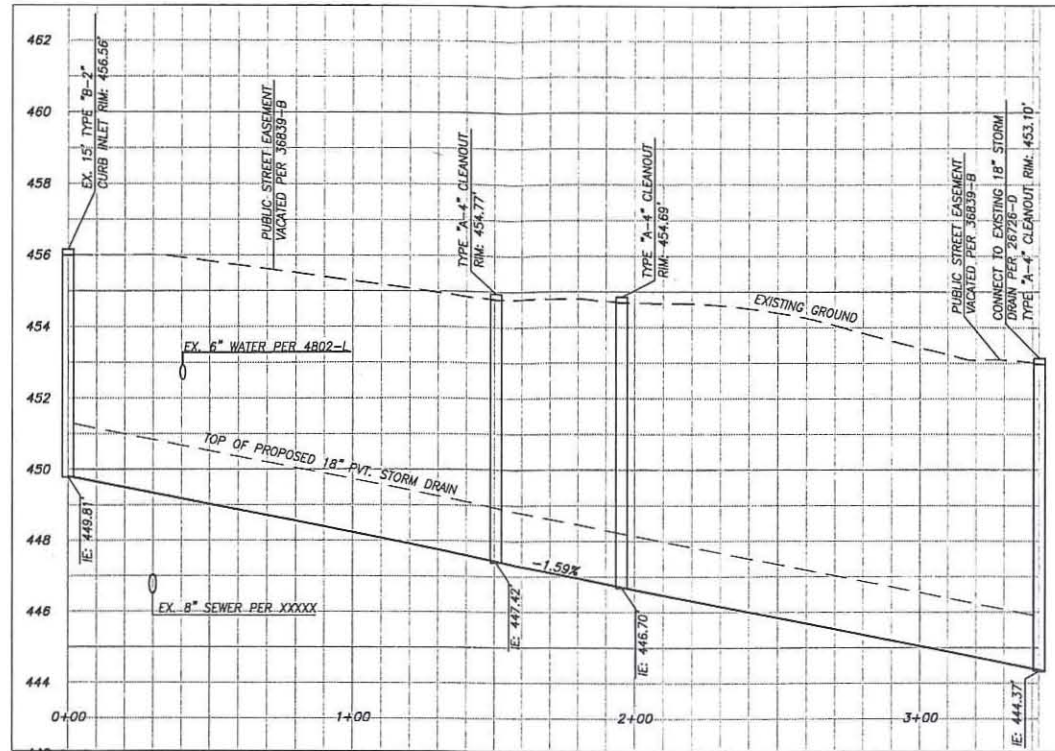
**ATTACHMENT 13
Project Chronology**

**Project Chronology
Plaza Linda Verde
PROJECT NO. 270445**

Date	Action	Description	City Review Time	Applicant Response
2/3/12	First Submittal	Project Deemed Complete and distributed		
3/13/12	First Submittal Assessment Letter out		39 days	
4/24/12	Second submittal In	Normal Submittal		42 days from First Assessment Letter
5/25/12	Second Submittal Assessment Letter out		31 days	
7/13/12	Third submittal In	Normal Submittal		49 days from second Assessment Letter
8/21/12	Third Submittal Assessment Letter out		39 days	
9/13/12	Fourth Submittal In	Normal Submittal		23 days from third Assessment Letter
10/9/12	Fourth Submittal Assessment Letter out		26 days	
11/1/12	Planning Commission Hearing		23 days	
TOTAL STAFF TIME**			5 month 8 days	
TOTAL APPLICANT TIME**				3 months 24 days
TOTAL PROJECT RUNNING TIME**		From Deemed Complete to HO Hearing	9 months 2 days	

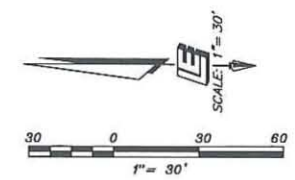
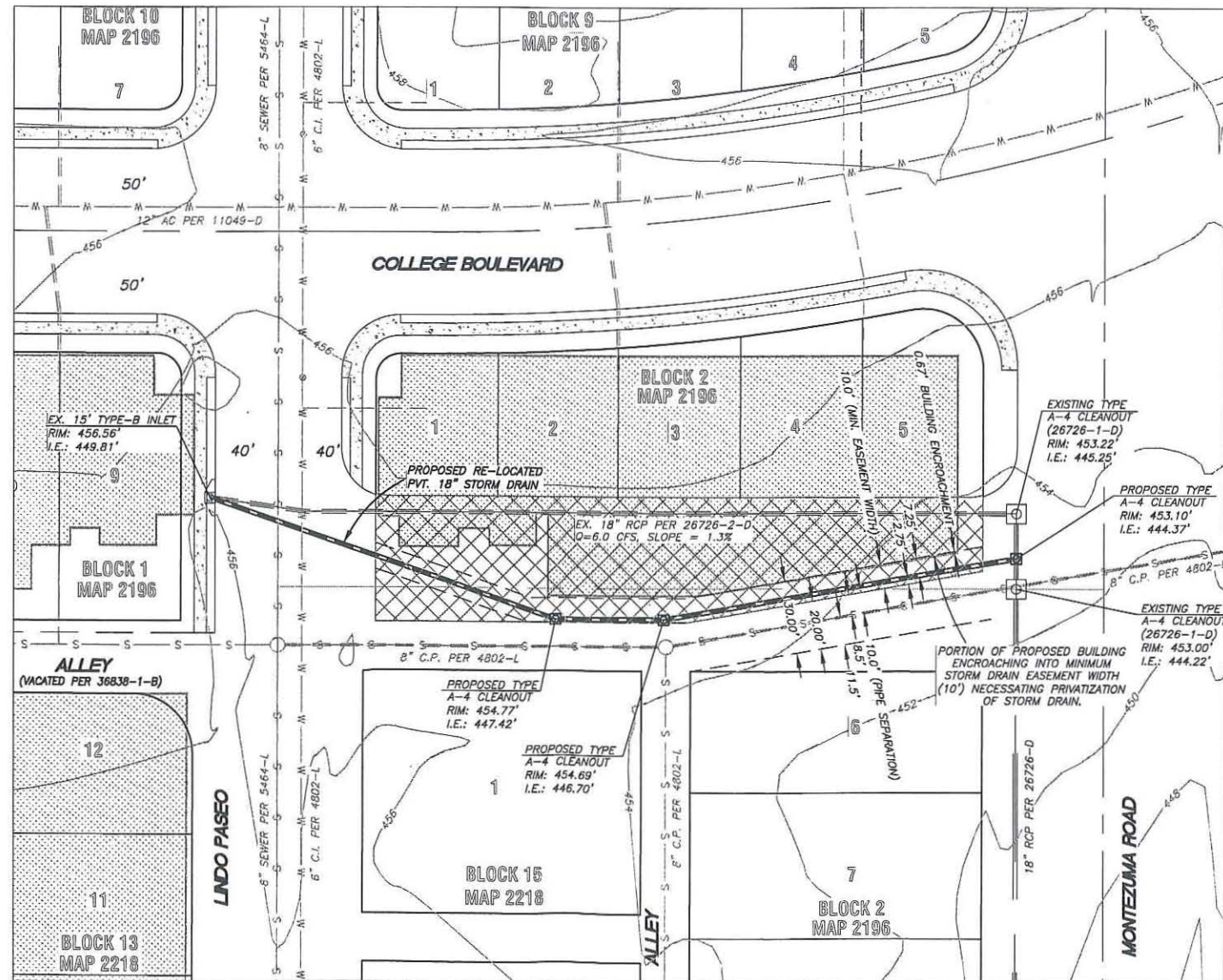
**Based on 30 days equals to one month.





LEGEND:

SYMBOL	SYMBOL
EXISTING IMPROVEMENTS	EXISTING PARCEL LINE
STREET CENTERLINE	ROW LINE
EXISTING WATER	EXISTING SEWER
EXISTING STORM DRAIN	PROPOSED IMPROVEMENTS
PROPOSED STORM DRAIN (PRIVATE)	PROPOSED STORM DRAIN CLEANOUT
PROPOSED PHASE 1 BUILDINGS	PUBLIC STREET VACATED PER 36839-B



REVISIONS	BY
ORIGINAL	

TITLE:
PLAZA LINDA VERDE - STORM DRAIN RELOCATION PLAT (PRIVATE)

NO.	DATE	BY	DESCRIPTION	NO.	DATE	BY	DESCRIPTION
1	06.25.2012	BDR	ORIGINAL PER CITY REQUEST	7			
2				8			
3				9			
4				10			
5				11			
6				12			

APPROVED BY ENGINEER OF WORK
FILE CODE: ESD 30.01-36.11
REGISTRATION R.C.E. 26283
DATE: PREPARATION AND REVISION LOG

Leppert Engineering Corporation
5190 Governor Drive, Suite 205
San Diego, Ca. 92122-2848
Phone: (619) 297-2001 Fax: (619) 297-2009

DATE	6.26.2012
SCALE	1" = 30'
DRAWN	BDR
JOB	ESD 30.01-36.11
SHEET	1
OF	1 SHEETS

