

KMCOA Architectural Review Process

The following process is a summary of the Article IX, Architectural Review, in the Kearny Mesa Complex Owners Association Covenants, Conditions, and Restrictions. Should there be a discrepancy, the CC&R's will prevail as the official guidelines for the process.

Preparation

The Architectural Review Committee for KMCOA will only recognize Member (owner) applications, unless the tenant's landlord (owner) has authorized in writing for the tenant to work directly with KMCOA for the project.

Step 1 – Initial Request

Submit a formal request for approval to KMCOA.

Include the following:

- Summary of work
- Detailed description of work and associated diagrams
- Proof of owner's right to any KMCOA resources (from PSA or recorded Use and License Agreements)
- Intent to comply with CC&R regulations
- Intent to provide structural engineering approval if needed
- Intent to comply with local permitting requirements
- Intent to record Restrictive Use Agreement if needed
- Contractor COI, unless contractor is already approved per www.kmcoa.com
- Certification that the contractor is properly licensed to perform work

Step 2 – Project Review

The KMCOA board will review the approval request for completeness, and then assign it to a consultant for review. Note: This step may be bypassed in the case of small or routine requests.

The board and/or the consultant will then provide conditions (if any) for approval. If a consultant has been used, the consultant will provide a list of consulting services rendered and an estimate of consulting costs required to complete the project. At this time, the submitter will be asked to cover the consulting costs and to make a deposit on the estimated consulting costs required to complete the project. This will include fees associated with recording the Restrictive Use Agreement and engineering fees for updating KMCOA drawings (if applicable). Any facility leasing fees (e.g. conduit leasing) will be provided at this time.

Step 3 – Conditional Approval

Once the consulting deposit has been made (if required), the Board will issue a conditional approval, disapprove, or request more information.

If the Board fails to approve or disapprove any such Plans and Specifications within thirty (30) days after all documents and information requested by the Board have been received by it, the Owner requesting said approval may submit a written notice to the Board advising the same of its failure to act.

If the Board fails to approve or disapprove any such Plans and Specifications within fifteen (15) days after the receipt of said notice from such Owner, the Plans and Specifications shall be deemed approved within the constraints of the items listed in initial approval submission (e.g. contractor provides COI).

Step 4 – Project Execution

Once applicant has met the conditions of the conditional approval and the work has been completed, they must submit a notice of completion to KMCOA with supporting documentation and ask for a final sign-off. Restrictive use and facility leasing agreements will be executed at this stage.

Step 5 – Final Sign-off

KMCOA will review the project for completeness and enumerate any discrepancies for the submitter to correct. At least two board members are required to sign-off on the project.

If the Board fails to notify the Owner (applicant) of any non-compliance within ninety (90) days after receipt of the notice of completion, the project shall be deemed to be in accordance with said approved Plans and Specifications.