



# MEMORANDUM

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## DEVELOPMENT SERVICES DEPARTMENT

**Date:** May 15, 2018

**To:** Madam Mayor and City Council Members

**From:** Kelly Broughton, Development Services Director  
Stan Donn, Development Services Department, Planning Division  
Jeff Steichen, Development Services Department, Planning Division

**Subject:** MPA17-0006, PCM 15-07, Otay Ranch Portion of Village Four GDP Amendment, SPA Plan and Tentative Subdivision Map

The following two public comment letters were received by the Planning Commission prior to the scheduled meeting on March 28, 2018.

The first letter is from an anonymous person addressed to "Concerned Community Member." The second letter is from Mr. Peter Watry addressed to "Planning Commission Members, Kelly Broughton and Staff."

Staff has prepared responses to both letters. Responses to the anonymous letter are provided within the body of the letter and shown as italicized under "Staff Response." Response to Mr. Peter Watry's letter is provided in a separate document.

Both letters and staff's responses are provided.

**Attachments:**

1. Anonymous Letter with Staff's Response
2. Mr. Peter Watry Letter
3. Staff's Response to Mr. Watry's Letter

May 15, 2015

The letter below, provided in “regular” font, was received by a Planning Commission Member and community members prior to the Planning Commission hearing on Village 4 on March 28, 2018. Staff responses to the letter are provided in “*italicized*” font below each issue.

Dear Concerned Community Member,

The City of Chula Vista Planning Commission and City Council will be hearing a project entitled 'A Portion of Village 4 SPA Plan', along with its Tentative Map and Environmental Impact Report soon. In fact the Planning Commission hearing has been set for March 28<sup>th</sup> at 6:00 p.m. in the Council Chambers. Please come out, and invite your neighbors and friends too, to share your thoughts and to get some of these concerning questions answered.

The project seeks to intensify the land uses approved in the City's General Plan and the Otay Ranch General Development Plan taking the project from a small single-family village (with a minimum lot-size of 10,000 square-feet along Wolf Canyon) to a village with single-family, **multi-family and high density apartments**. This is being sought through the processing of an Otay Ranch General Development Plan Amendment, a Sectional Planning Area (SPA) Plan, a Tentative Subdivision Map and an Environmental Impact Report.

The application does not include a General Plan Amendment, even though IT IS NOT IN CONFORMANCE WITH THE CHULA VISTA GENERAL PLAN. While Section 7.14 of the General Plan specifically allows for clustering in response to site constraints, it goes on to say that "the degree of clustering should not result in housing types inconsistent to the area, such as creating multi-story, multifamily units in a single family designated area [emphasis added]." Creating medium-high and high density apartments in a single family designated area is exactly what this project is proposing. They need a General Plan Amendment to do that.

**STAFF RESPONSE:**

*The project is in conformance with the General Plan (GP) and a General Plan Amendment is not required. The GP Land Use Diagram for this portion of Village 4 designates the planned land use as Low-Medium Residential. Per GP Section 4.9.2 Low-Medium Residential ranges from 3 to 6 dwelling units per gross acre (du/ac). The gross residential acreage for this portion of Village 4 is 58.0 acres. The project proposes 350 units. The proposed project's residential density is therefore 6.0 du/ac (350 units divided by 58 acres) which is consistent with the GP. The proposed project's consistency with the clustering provisions of the GP is described in more detail below.*

Furthermore, the applicant is trying to confuse the above 'clustering' policy by trying to fabricate ways that high density apartments are allowed in low-density single family areas. The General Plan implementing zones that the applicant is trying to apply, are not relevant in the Otay Ranch planning area. The Otay Ranch GDP already implements the General Plan with a Land Use Designation of Low Medium Density Residential, which allows for single family residential units on medium sized lots ranging from 3 to 6 dwelling units per acre (see GDP Land Use Designations Table). Under clustering concepts, the GDP allows for single-family dwellings on smaller lots, zero lot line homes and some single-family attached units (townhomes and patio homes). It does not allow for apartments and requires a General Plan Amendment to allow them. Unless the project is completely consistent with the GDP (which this one is not), a General Plan Amendment is required. Almost every SPA Plan processed to date had a General- Plan Amendment associated with it. How can this one be different?

#### STAFF RESPONSE:

*The GDP is being amended to include the MH (11-18 du/ac) and H (18-27 du/ac) classifications that would allow for higher density residential uses including apartments. This is consistent with the GDP Guiding Principles on page 1-5 of the GDP, which states: "The Plan will: Cluster development in villages with varying character and density, interrelated on the Otay Valley Parcel, yet distinct in identity and style." The proposed project would allow for varying density and housing development that would be distinct in identity and style.*

*The GP provides that "Using a cluster development concept, other housing types could be consistent with this designation such as single-family attached units (townhome, row homes, and patio homes) or smaller lot and zero-lot line detached single-family homes." GP Policy LUT 29.3 further clarifies the clustering policy, by stating that "Clustering shall not result in the creation of dwelling product types that are substantially out of character with the intended dwelling type of the subject general plan residential classification and the introduction of some unit types typically applicable to the next highest residential density classification may be allowed provided that the predominant character of the project maintains consistency with the applicable residential classification." As noted below, only 21% of the overall project area will accommodate residential apartments, allowing for the predominant character (79% of the project) to maintain consistency with the applicable RLM classification.*

*The project development area is within and proposes to implement the Low-Medium Residential (RLM) designation by zoning 27.4 acres using R-1 and R2 zoning, both of which are included as appropriate zones within the RLM GP Land Use Designation and Zoning Table 5-4 as Low-Medium Residential. These two zones represent 79% of the area designated for residential*

*development in the project. The project is proposing to introduce some unit types typically applicable to the next highest residential density classification – Medium Residential pursuant to GP Policy LUT 29.3 and GP Land Use Designation and Zoning Table 5-4. In fact, GP Table 5-4 identifies R-3 zoning as applicable for implementation of the Medium Residential classification. Only 21% of the residential area (7.2 Acres) of the proposed project will fall within this next highest residential classification. In addition, the portion of the project that will include unit types typically found in R-3 zoning is located in proximity to the Village Eight West Town Center (45 du/acre) to the east, north of Main Street - a six-lane major Arterial General Plan Circulation Element Road. The R-3 classification relates more with the higher-density Village Eight Town Center physically and geographically due to its immediate adjacency, and separated from the rest of the project.*

*The project is therefore consistent with the clustering provision of the GP because the predominant character of the development is consistent with the GP conforming R-1 and R-2 zoning (79%) and only a small portion of the project site (21%) R-3 zoning, is adjacent to and consistent in character with the higher density use in Village 8 West, a product type consistent with the next highest residential density classification.*

There is a reason that the Otay Ranch GDP considered this a "Specialty Village", and that is because it was intended to be a low density single family neighborhood, not a dense and intense mixed use village like many of the others. It never included a mixed use core and higher density housing because it is inappropriate for the isolated large lot single family development planned for in the GDP and General Plan.  
QUESTION 1 that someone should ask of the Planning Commission/Staff-

WHERE IS THE APPLICATION FOR A GENERAL PLAN AMENDMENT GIVEN THAT THIS PROPOSAL IS NOT IN CONFORMANCE WITH THE CHULA VISTA GENERAL PLAN, IN THAT IT IS CLUSTERING TO SUCH A DEGREE THAT IT IS TRYING TO FORCE APARTMENTS INTO SINGLE FAMILY DESIGNATED AREAS?

STAFF RESPONSE:

*As described in the staff responses above, the overall residential development for the project is consistent with the allowable density of 3-6 du/ac in the General Plan. The clustering proposed by the project also is consistent with the GP as it implements R-1 and R-2 zoning on 79% of the area designated for residential development, and allows R-3 zoning on just 21% of the project area that is in proximity to the Village Eight West Town Center.*

*Further, Section 7.14 Clustering of Residential Development, on page LUT-125 of the GP allows for clustering primarily due to physical constraints of the site such as: topography; geology; biological resources; or other similar constraints. The project utilizes clustering due to the topographical and biological resource*

*constraints and as a result of clustering, the project is able to dedicate over 58% of the site (68 acres) for the MSCP Preserve.*

QUESTION 2 - WHY DOESN'T THE EIR INCLUDE AN ALTERNATIVE BASED ON THE EXISTING LAND USE DESIGNATION? The Reduced Alternative is not the same as utilizing the existing land use designation. How many homes can this site really hold in conformance with the adopted General Plan and General Development Plan? Why was this never looked at?

STAFF RESPONSE:

*The currently adopted Otay Ranch General Development Plan (GDP) specifies a designation for 453 single family residential units, and the proposed project includes a mix of 350 single- and multi-family residential units.*

*Pursuant to the California Environmental Quality Act (CEQA) Guidelines, an Environmental Impact Report (EIR) is required to “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (14 CCR 15126.6(a)). CEQA does not require that an EIR include an alternative that does not offer a substantial environmental advantage over a proposed project. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 566.)*

*An alternative that is in conformance with the adopted GP and GDP would consist of 350 single family residential units. This alternative would result in increased traffic impacts (10 vehicle trips per day for single family development vs. 6-8 vehicle trips per day for medium density residential), and higher greenhouse gas and air quality impacts (due to increase in trips). Such an alternative would not meet several project objectives, such as the provision of a wide variety of housing options (Project Objective #11).*

*Moreover, a 350-unit project comprised of only single-family homes would not comply with the vision the City has laid out for itself, which prioritizes the development of housing opportunities to meet the City's diverse needs (Housing Element Policy Focus 2.2) and the implementation of smart growth principles (General Plan, p. LUT-31.) By moving away from the typical single-family development that was included in the GDP and including clustered multi-family development in close proximity to the Village Eight West Town Center and the University/Regional Technology Park, the proposed project creates a range of housing opportunities and choices, establishes walkable neighborhoods, develops a distinctive community within the larger Otay Ranch Community, and preserves open space, natural beauty and critical environmental areas – all in furtherance of the City's demonstrated goals. (See,*

e.g., General Plan, p. LUT-31.)

*In addition, the needs and desires of homebuyers have changed since the GDP was adopted. To that point, the proposed project modified the breakdown of the GDP allocation for this site – but did not change the total allocation – in an effort to satisfy GP Policy LUT 1.9, which directs the City to "[p]rovide opportunities for development of housing that respond[s] to diverse community needs in terms of density, size, location, and cost." That City-wide directive was codified into the Final EIR as Project Objective 12, which states: "Provide a wide variety of housing options, including affordable housing, to City residents, future students, and faculty of the planned 4-year university and employees of the Regional Technology Park, Village Eight West, and Village Nine Town Center."*

*For these reasons, and pursuant to the CEQA Guidelines, this alternative was not analyzed.*

QUESTION 3 - AS STATED IN THE STAFF REPORT - IF THE REDUCED DEVELOPMENT ALTERNATIVE MEETS MOST OF THE PROJECT OBJECTIVES, REDUCES PROJECT IMPACTS AND IS THE ENVIRONMENTALLY SUPERIOR ALTERNATIVE WHY DOESN'T PLANNING COMMISSION SEND STAFF BACK TO WORK WITH THE APPLICANT ON A SPA PLAN THAT MEETS THAT ALTERNATIVE?

This seems like a win-win. Less units equals fewer traffic impacts, etc. and it also might have the added benefit of reducing some of the other Significant and Unmitigated Impacts to Below a Level of Significance. The applicant will go into reasons why this alternative does not meet the project objectives, but remember these objectives are written by the applicant with the intent of only their "project" meeting them all. Ask staff to explain which of the objectives this alternative does not meet and why the proposed project is better.

**STAFF RESPONSE:**

*Before addressing the specifics of the comment, it is important to note that the Final EIR is a City document and the Project Objectives included therein are those that have been adopted by the City for this project.*

*The Reduced Development Alternative would include the development of 61 single family residential units, south of Main Street, in a similar location as the proposed single family residential units of the project. This number of units was chosen because it would lower the GHG emissions of this alternative to below the threshold of significance.*

*Further, as explained in the Final EIR, the Reduced Development Alternative would meet most of the project objectives, but it meets them to a much lesser*

*degree than the proposed project. Specifically, the development of 61 single-family units – in an area already approved for 350 units – would fail to meet Project Objectives 10 and 11, which seek to "[e]stablish a land use and facility plan that ensures the viability of the SPA Plan area in consideration of existing and anticipated economic conditions," and "[p]rovide a wide variety of housing options, including affordable housing, to City residents, future students, and faculty of the planned 4-year university and employees of the Regional Technology Park, Village Eight West, and Village Nine Town Center," respectively. (FEIR, p. 10-10.) CEQA specifically allows a decision maker to reject an alternative, even if it is the environmentally superior alternative, if the alternative is inconsistent with the subject agency's goals and policies. (California Native Plant Society v. City of Santa Cruz (2009) 177 Cal.App.4th 957, 1001.)*

*Here, staff does not believe a 61-unit single-family residential project is an appropriate use of the property given the underlying land use designation and the City's declared intention to diversify its housing stock to accommodate General Plan Policy LUT 1.9, which directs the City to "[p]rovide opportunities for development of housing that respond[s] to diverse community needs in terms of density, size, location, and cost." That policy cannot be met by an alternative that would remove 289 units from the GDP's already approved housing stock.*

*As indicated in the project's proposed Findings and Statement of Overriding Considerations, the proposed project brings Village Four planning in-line with today's marketplace and homebuyer preference as well as home typologies attainable to a broader range of buyers and renters. This provides City residents with a diverse range of housing choices and opportunities which conform to their preferences. Aligning Village planning and today's housing market also facilitates construction and home sales.*

*Because the Reduced Development Alternative would severely limit the supply of units in an area that already has been planned for residential development and it would not offer a range of housing options that comply with today's market-place, it would fly directly in the face of the General Plan. For these reasons, the Reduced Development Alternative should be rejected, and the proposed project should be approved.*

QUESTION 4 - HOW CAN ANYONE KNOW IF THE GDP AMENDMENTS WERE ADEQUATELY ANALYZED IF THE AMENDMENTS WERE NOT EVEN CREATED UNTIL FEBRUARY 6, 2018, MONTHS AFTER PUBLIC REVIEW WAS COMPLETED?

The proposed GDP Amendments were not available to the public at the Planning counter during public review. They were created after the public review period. In fact

the GDP Amendment document is dated February 6, 2018, months after the public review period ended on December 6, 2017. This seems to go completely against CEQA disclosure principals and the EIR should be re-circulated so that the public has a chance to see all of its components at the same time. Give the public a chance to provide comments, rather than hide portions from them and create proposals in the dark.

**STAFF RESPONSE:**

*The Final EIR describes Village 4, as currently adopted within the Otay Ranch GDP, in Chapter 3, Environmental Setting; Chapter 4, Project Description; Section 5.1, Land Use, Planning, and Zoning; and shows the current Village Four in Figure 5.1-2, Adopted Otay Ranch General Development Plan Land Uses. The Final EIR describes the proposed project, which provides for different land uses compared to the adopted Otay Ranch GDP, in detail in Chapter 4, Project Description, of the Final EIR. Section 4.5, Discretionary Actions/Approvals, of the Final EIR was revised to clarify that the GDP amendments will remove the existing description of Village 4 and replace it, along with revised text and graphics to reflect the proposed project.*

*As explained in the Final EIR (Responses to Comments), the Otay Ranch GDP will be amended to reflect the proposed project analyzed in the Final EIR. Specifically, the description, land use table, and a portion of the policies of Village Four contained in Part II of the Otay Ranch GDP (beginning on page II-86 of the Otay Ranch GDP) have been updated based on comments to the Draft EIR. The land use designation figures contained in the Otay Ranch GDP will be amended to reflect the proposed project. The proposed revisions to the Otay Ranch GDP have been included in the application package presented to the decision makers. The proposed amendments to the Otay Ranch GDP, including a comparison between existing and proposed figures, tables, and text, are included in Appendix L to the Final EIR. These revisions to the Final EIR were available to the Planning Commission and are presented in strikeout/underline format. Those changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and the Final EIR need not be recirculated for additional public review.*

**QUESTION 5 - THERE ARE MULTIPLE OWNERS OF DEVELOPMENT AREAS WITHIN VILLAGE 4. ASK STAFF TO BREAK DOWN THE OWNERSHIPS AND HOW MANY UNITS ARE ASSOCIATED WITH EACH OWNERSHIP. This owner does not own the rights to 350 units in Village 4, unless the adjacent owner waives their rights. Is there a letter waiving Vulcan Quarry's rights to residential development? Telling a**



property owner that they can go ask for a General Plan Amendment to recoup their units that you gave to another property owner puts the City in legal jeopardy.

**STAFF RESPONSE:**

*The existing Village Four GDP allows for up to 453 residential units. The proposed project implements 350 of these units, which is only a portion of the allowable units. The adjacent ownership is still entitled to the balance of residential units pursuant to the terms of the Otay Valley Reclamation Plan (Plan), which was previously approved by the City Council.*

QUESTION 6 - ASK STAFF TO IDENTIFY ALL OF THE DEVELOPMENT AREAS IN VILLAGE 4 (INCLUDING THE VULCAN QUARRY DEVELOPMENT AREAS) There are other development areas within Village 4 that are not owned by this applicant, but approval of this Tentative Map will landlock these parcels topographically. Access to Vulcan Quarry's northern development area needs to come through Village 4 as accessing it through the Quarry would be topographically infeasible. Until those development areas are removed from the GDP, Vulcan Quarry has rights to residential units in two areas, regardless of their Reclamation Plan.

**STAFF RESPONSE:**

*The other owner in Village Four is Brisa Materials, LLC ("Vulcan Materials Co." or "Vulcan"), the owner and operator of the quarry. Vulcan's property has direct access to Main Street on the south end and vested reclamation rights under the California Surface Mining and Reclamation Act as acknowledged in Chula Vista City Council Resolution No. 2008-297. Additionally, per the approved Reclamation Plan, the access road to the site will remain in place at the conclusion of the Quarry to provide access to future development areas that were shown in the Reclamation Plan. The approved Reclamation Plan, which states that "flat surfaces created by mining would accommodate active subsequent land uses as provided under the City of Chula Vista General Plan and Zoning" did not show future development areas adjacent to the portion of Village Four being proposed for development as a part of the current project.*

*Before the Vulcan site can be developed, the Reclamation Plan requires the quarry property owner to amend the GDP and process a SPA plan after the conclusion of reclamation. The current City GDP also requires future development within the Quarry to be subject to design review to evaluate visual impacts on the Otay Valley Regional Park. The development of any remaining units in Village 4 would only occur as part of these required future approval processes.*

QUESTION 7 - THE OVERALL VILLAGE IS PROPOSING TO BE SHRUNK FROM 527.8 ACRES TO 371.1 ACRES, WHERE IS THAT LAND GOING AND WHY DIDN'T THE TOTAL NUMBER OF UNITS ALSO SHRINK?

STAFF RESPONSE:

*The total number of allowed units in Village Four is 453 based on the current GDP. That total remains the same as explained above. There is no requirement in the GP or GDP to reduce the number of dwelling units based on a land area reduction.*

*As described earlier, the GP Land Use Diagram for this portion of Village 4 designates the planned land use as Low-Medium Residential. Per GP Section 4.9.2 Low-Medium Residential ranges from 3 to 6 dwelling units per gross acre (du/ac). The gross residential acreage for this portion of Village 4 is 58.0 acres. The project proposes 350 units. The proposed project's residential density is therefore 6.0 du/ac (350 units divided by 58 acres) which is consistent with the GP.*

QUESTION 8 - WHY WOULD THE CITY CHOOSE TO TAKE MONEY FOR A PARK RATHER THAN REQUIRE THE APPLICANT TO PROVIDE ONE? The City has been collecting money for the community park adjacent to this village for over 20 years and it still has not been built. The applicant should build the park for its residents to enjoy at the same time as the development. Why should these residents have to get in their automobiles and travel to a park in another village?

STAFF RESPONSE:

*The City's Parks and Recreation Master Plan (Master Plan) establishes goals for the creation of a comprehensive parks and recreation system that meets the needs of the public by effectively distributing park types, associated recreation facilities, and programs throughout the City. Consistent with the Master Plan, the GDP identifies a large-scale Otay Ranch community park within the western sector of the Otay Ranch Otay Valley Parcel. The recreational needs of the proposed project as well as the surrounding neighborhoods will be accommodated by this 70-acre multi-purpose community park located immediately north of the project.*

*Because of the availability of the adjacent 70-acre community park and the difficult biological and steep slope constraints of the project site, the applicant elected to pay the in-lieu fee for park acquisition and improvement as identified in the Master Plan, and pursuant to Chula Vista Municipal Code Chapter 17.10, section 17.10.070.*

QUESTION 8 [sic] - IF OTHER VILLAGES ARE FISCALLY NEGATIVE FOR YEARS, TYPICALLY UNTIL RETAIL, COMMERCIAL AND/OR OFFICE IS BUILT, HOW CAN THIS PROJECT BE FISCALLY POSITIVE IN YEAR TWO?

A quick look at the neighboring village's fiscal (for Village 8 West) shows that it will be fiscally negative for between 9 years and forever (depending on the real inflation rate) with deficits ranging from \$87,000 to \$269,500 yearly. What is alarming is that Village 8 West includes 50,000 square feet of office and 250,000 square feet of retail (the things that drive revenues and help fiscal impacts become positive). Something is inconsistent in these two fiscal analyses and it seems unlikely that this "residential only" project would fiscally outperform one with 250,000 square feet of retail. Please get an explanation as to why that might be. The difference between the Applicant paying a one-time \$85 for each unit to cover supposed deficits (as described briefly in the staff report) and the \$87,000 - \$269,500 yearly deficits laid out in the Village 8 West Fiscal Analysis should be considered carefully.

**STAFF RESPONSE:**

*The applicant used the City's approved financial model to prepare the fiscal impact analysis (FIA) for the project. This model contained baseline costs that reflected the City's assumptions at the time that the project's FIA was undertaken. The Village 8 West FIA preceded the proposed Village 4 FIA, and contained different revenue and expenditure assumptions in that model.*

*Based on the FIA and the assumptions contained therein, annual fiscal impacts are negative for Year 1. In the first year there is a net fiscal deficit of approximately \$33,174, and turns positive in Year 2 with a surplus of approximately \$28,736, followed by surpluses of approximately \$61,993 in Year 3, \$100,704 in Year 4, and \$143,275 in Year 5.*

*CVMC Section 19.09.060(J) states that "projects shall be conditioned to provide funding for periods where expenditures exceed projected revenues." A condition has been added to the Tentative Map (#24) and SPA (#5) conditions requiring that the applicant enter into an agreement to provide such funding in the amount of \$85.00 per dwelling unit, and provide funding for the shortfall in accordance with this requirement.*

QUESTION 9 - IF THE CITY HAS DETERMINED THAT THERE IS A CRISIS IN THE AMOUNT OF STAFFING FOR PUBLIC SAFETY EMPLOYEES, HOW CAN THEY EVEN CONSIDER THIS PROPOSAL UNTIL AFTER THE ½ CENT SALES TAX VOTE FOR PUBLIC SAFETY?

**STAFF RESPONSE:**

*The ½-cent sales tax measure that will be on the June 2018 ballot seeks to address public safety across the City. The issue cannot and should not be resolved in the context of the current project, a 350-unit residential subdivision.*

*Nevertheless, the applicant has agreed to a tentative map condition that requires the following: “Prior to issuance of the 121st Building Permit, Applicant shall negotiate with the Chula Vista Fire Department to determine the contribution by the Applicant and contribute to fully fund a fourth firefighter. This is to be monitored annually until either the Millenia or Village 8 West fire station is operational.”*

**PLEASE URGE THE PLANNING COMMISSION TO CONTINUE THIS PROJECT SO THAT A GENERAL PLAN AMENDMENT CAN BE ADDED, THE EIR CAN BE RE-CIRCULATED, UNIT COUNTS AND ACCESS TO OFF-SITE PARCELS CAN BE ADDRESSED, AND THE PROCESS CAN BE DONE RIGHT.**

March 28, 2018

TO: Planning Commission members  
Kelly Broughton and Staff

FROM: Peter Watry

Dear Planning Commission members:

I have another meeting tonight which I have to go to -- I do not know if I'll be able to make the Planning Commission meeting at all.

Nevertheless, I wish to put my two cents' worth in.

In 1993, I was part of the Crossroads I group which attended all 36 meetings of the County Supervisors/City Council and the joint Planning Commissions meetings. We supported the final plan for Otay Ranch. Of course at the time, it was assumed that a trolley track would be built through the center of the development.

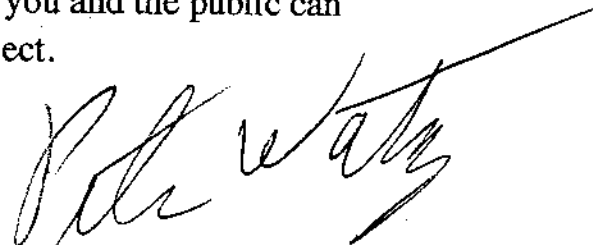
But since the start of the implementation of the Otay Ranch Plan that was approved in 1993, I have been astounded at the very large increases in density that have been approved with almost every Village. The density of the Otay Ranch is now far higher than was originally approved. But what is, is.

But the process of increasing the density over what was planned continues still with the Otay Valley Quarry plan, from 3.8 to 6.6 du/ac.

In reading the environmental effects detailed in the Staff report, the sentence: "Adoption of a Statement of Overriding Considerations will be required should the decision makers choose to approve the project" appears over and over.

The Otay Valley Quarry plan is at the *edge* of the entire Otay Ranch area and should be left as a Single-Family development with large lots as originally intended, so as to better 'blend in' with the area further to the south.

I urge you to at least continue this matter so that you and the public can begin to better understand the ramifications of this project.



May 15, 2018

Staff Response to March 28, 2018 letter from Peter Watry to the Planning Commission regarding Otay Ranch Village 4.

*The existing overall Village 4 General Development Plan (GDP) density is 3.8 du/ac for 453 units, consistent with the GDP LM classification of 3-6 du/ac. The project proposes to implement 350 of the 453 units with corresponding land use classifications and densities. There are 176 units within the LM designation with a density of 3.6 du/ac; there are 150 units in the proposed MH designation with a density of 12.3 du/ac, which is consistent with the allowable 11-18 du/ac; and there are 127 units in the proposed H designation with a density of 17.6 du/ac which is consistent with the allowable 18-27 du/ac. This results in an average density of 6.6 du/ac. The overall increase from 3.8 du/ac to 6.6 du/ac reflects the density increase that is consistent with the proposed unit allocations within the respective and corresponding land use classification density ranges as allowed within the GDP.*

*The project is also in conformance with the General Plan (GP). The GP Land Use Diagram for this portion of Village 4 designates the planned land use as Low-Medium Residential (RLM). Per GP Section 4.9.2 Low-Medium Residential ranges from 3 to 6 dwellings per gross acre. The gross residential acres for this portion of Village 4 is 58.0 acres. The project proposes 350 units. The proposed project's residential density is therefore 6.0 dwellings per gross acre (350 units divided by 58 acres) and thus consistent with the GP.*

*The proposed project is also consistent with the clustering provisions of the GP. While the GP provides that "Using a cluster development concept, other housing types could be consistent with this designation such as single-family attached units (townhome, row homes, and patio homes) or smaller lot and zero-lot line detached single family homes" could be interpreted to not allow apartments, GP Policy LUT 29.3 further clarifies the clustering policy. This additional policy states that "Clustering shall not result in the creation of dwelling product types that are substantially out of character with the intended dwelling type of the subject general plan residential classification." The policy goes on to say that "the introduction of some unit types typically applicable to the next highest residential density classification may be allowed provided that the predominant character of the project maintains consistency with the applicable residential classification." The project proposes to implement the Low-Medium Residential designation by zoning 27.4 acres using R-1 and R2 zoning. GP Land Use Designation and Zoning Table 5-4 identifies these two zoning designations to implement the Low-Medium Residential land use. This represents 79% of the area designated for residential development in the project. Because the project uses clustering and to be consistent with the above GP policy, the project is proposing to introduce some unit types typically applicable to the next highest residential density classification – Medium Residential. GP Table 5-4 identifies R-3 zoning to implement the Medium Residential classification. Only 21% of the residential area (7.2 Acres) of the proposed project uses this next highest residential classification. In addition, this area is located in proximity to*

*the Village 8 West Town Center (45 du/acre), north of Main Street - a six-lane major Arterial General Plan Circulation Element Road. This R-3 classification relates more with the V-8 Town Center physically and geographically due to its immediate adjacency. The project is therefore consistent with the clustering provision of the GP because the predominant character of the development is established by the GP conforming R-1 and R-2 zoning and uses a product type consistent with the next highest residential density classification on a small portion of the site, adjacent to and consistent in character with the higher density land uses in Village 8. The proposed project is situated within only a portion of the overall Village 4 and is surrounded by other Villages on all sides.*

*The proposed project is also consistent with the Guiding Principles on Page 1-5 of the GDP, which states: "Cluster development in villages with varying character and density, interrelated on the Otay Valley Parcel, yet distinct in identity and style." The proposed project would allow for varying density and housing development that would be distinct in identity and style.*