



CITY COUNCIL AGENDA STATEMENT



January 22, 2019

File ID: 18-0569

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF AVANT STREET DEDICATED TO THE CITY IN FINAL MAP NO. 16081 WITHIN THE OTAY RANCH MILLENIA (EASTERN URBAN CENTER) PROJECT

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

SLF IV - Millenia, LLC., the Master Developer and Owner of the Millenia Development, is requesting the vacation of Avant Street between Millenia Avenue and Orion Avenue at the southern boundary of the project. Avant Street was dedicated to the City with the recordation of Final Map No. 16081, Chula Vista Tract No. 09-03 Otay Ranch Millenia Phase 2 (Eastern Urban Center). In accordance with Sections 8333 and 8335 of the California Streets and Highways Code, the City can summarily vacate Avant Street through adoption of a resolution and revert the right-of-way of the street to the property owner.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was adequately covered in previously adopted/certified Final Second Tier Environmental Impact Report (EIR 07-01) for the Otay Ranch Eastern Urban Center (EUC) Sectional Planning Area (SPA) Plan. Thus, no further environmental review or documentation is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not Applicable.

DISCUSSION

On April 2018, SLF IV - Millenia, LLC., the owner of the Millenia Project, also known as the Eastern Urban Center (EUC), ("Owner") filed application MPA18-0002 in which they requested approval of the deletion of Avant Street between Millenia Avenue and Orion Avenue at the southern edge of the Millenia development.

As mention above, Avant Street is located at the southerly boundary of the Millenia Project, abutting with Otay Ranch Village 9. (see Attachment 1 for location). Avant Street was created, dedicated, and accepted by the City of Chula Vista with the recordation of Final Map No. 16081 on December 28, 2015.

The Owner is requesting the deletion of Avant Street because the road is unnecessary since the nearby developments will have access through Millenia, Montage, and Orion Avenues, and the future Otay Ranch Village 9 Project will have access through internal streets within the village.

The Owner provided to the City technical reports that demonstrated that based on the analysis results and significance criteria, the removal of Avant Street will not create any additional impacts as the ones identified and mitigated in the Environmental Impact Report for the project.

On April 25, 2018, the City Administrators issued a Notice of Decision to Application MPA18-0002, where they found that the deletion of Avant Street would not adversely impact the adopted EUC SPA Plan. In addition, the Director of Development Services and the City Engineer approved the request (see Attachment 2).

As a subsequent step to the deletion of Avant Street, the City needs to revert the right-of-way of Avant Street to the property owner. Pursuant to the authority provided in Chapter 4, Sections 8333 and 8335 of the California Streets and Highways Code, the City may summarily vacate Avant Street from Millenia Avenue to Orion Avenue because it has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

City staff recommends to City Council to adopt a resolution to summarily vacate Avant Street and to order the City Clerk to cause a certified copy of the resolution of vacation, attested by the clerk under seal, to be recorded without acknowledgement, certificate of acknowledgment, or further proof in the Office of the Recorder of the County of San Diego. Upon such recordation, the vacation shall be deemed complete.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 500 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(11), for purposes of the Political Reform Act (Cal. Gov't Code §87100, *et seq.*).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The proposed action addresses the Operational Excellence and the Connected Community goals as city staff verifies that required infrastructure is being built to effectively serve the community.

CURRENT-YEAR FISCAL IMPACT

All costs associated with processing the summary vacation are borne by the Developer, resulting in no net fiscal impact to the General Fund or the Development Services Fund.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact associated with the summary vacation of Avant Street.

ATTACHMENTS

Attachment 1: Location of Avant Street

Attachment 2: Administrative Approval - Notice of Approval of Case No. MPA18-0002

Staff Contact Sandra Hernandez, Associate Engineer