

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING THE DRAFT MASTER PLAN
FOR THE 2.286-ACRE TOWN SQUARE PARK P-3 IN
MILLENNIA, THE NAME "METRO PARK," AND THE METRO
PARK CONDITIONS OF APPROVAL.

WHEREAS, the SPA plan for Millenia, formerly known as the Eastern Urban Center, was adopted by City Council on October 6, 2009, Resolution No.2009-224 and Ordinances No. 3142, 3257, 3372, 3397 & 3430; and

WHEREAS, the 2.286-acre park site is located on Optima Street at the terminus of Metro Avenue, and it is privately owned but covered by a public access easement accepted on Final Map 16081 recorded on 12/28/15; and

WHEREAS, the presence of the public access easement over the whole park means that the public has access to the park at all times when the park is open; and

WHEREAS, in the 2018 SPA amendment, Metro Avenue forms the 'Main Street' of the development with retail activities along its length and surrounding the park site; and

WHEREAS, The Millenia project meets its park obligations, as stated in Chapter 17.10 of the Municipal Code, through a combination of parkland dedication, parkland development improvements and in-lieu fees; and

WHEREAS, provisions are documented in detail in the "Agreement Regarding Construction of Parks in a Portion of Otay Ranch Eastern Urban Center" (Parks Agreement) adopted by Council Resolution No.2009-226 on September 15, 2009 and amended per recorded documents 2009-0599389 and 2016-0473597; and

WHEREAS, the Park Agreement makes provision for an increased level of park facilities than are typically included in a Chula Vista Park; and

WHEREAS, the Millenia Master Developer and the landscape consultants, Schmidt Design Group, have entered into a two-party agreement for the design of the Town Square Park; and

WHEREAS, 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 certified Final Second Tier Environmental Impact Report (EIR 07-01) for Otay Ranch Eastern Urban Center (EUC) Sectional Planning Area (SPA) Plan and Tentative Map. Thus, no additional environmental review is required; and

WHEREAS, two commercial lots adjacent to the south side of the park will be located on lots 5 and 6 of Map No. 16380. They will only have pedestrian access or vehicle

access through a shared use driveway or ‘Woonerf’ running around three sides of the park perimeter; and

WHEREAS, the Draft Metro Park Woonerf Parking & Traffic Management Plan describes technical measures designed to reduce the amount of traffic entering and using the Woonerf; and

WHEREAS, the cost of introducing such measures will be met entirely by the Master Developer; and

WHEREAS, the Parks and Recreation Commission recommended approval of the Park P-3 Master Plan and the park’s name “Metro Park” at its meeting of February 20th, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby approves the draft master plan for the 2.286-acre town square park P-3 in Millenia and the name “Metro Park.”

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it hereby approves the Metro Park Conditions of Approval listed below:

1. Prior to the approval of the Metro Park Construction Documents, drawing number 20001, by the Director of Development Services or designee, the Master Developer shall prepare and obtain approval of the Millenia Parking Management Plan Amendment incorporating the Metro Park Woonerf Parking and Traffic Management Plan from the Director of Development Services or designee. Preparation and approval of the documents herein stated and the implementation of said measures shall be at Master Developer’s own expense, for which said costs shall not be eligible as park construction costs.
2. Prior to the approval of the Metro Park Construction Documents, drawing number 20001, by the Director of Development Services or designee, the Master Developer shall incorporate the Metro Park Woonerf Parking and Traffic Management Plan technical recommendations included in the Millenia Parking Management Plan Amendment into the Construction Drawings for Metro Park.
3. The Millenia Parking Management Plan Amendment incorporating the Metro Park Woonerf Parking and Traffic Management Plan prepared by the Master Developer and approved by the Director of Development Services, or designee, shall include responsibility for the monitoring of woonerf operations to be carried out by the Millenia Community Association and the Parking District Council at no cost to the City of Chula Vista.
4. Prior to Metro Park opening to the public, or a certificate of occupancy for the retail units on lots 5 and 6, Final Map 16380, whichever comes first, the Millenia Parking Management Plan Amendment incorporating the Metro Park Woonerf Parking and Traffic Management Plan technical components shall be put into effect by the Master

Developer to the satisfaction of the Director of Development Services and the woonerf monitoring operations specified therein shall commence.

5. Upon Metro Park opening to the public, Developer shall place a bond with the Community Association, with the City listed as an additional obligee, in the amount of \$100,000 as security for the success of the woonerf concept. The Community Association / City will hold the bond during which the Master Developer and / or the Parking District Council would monitor and report problems and remedies implemented. The bond shall remain in place as required in Conditions #8 and #9 below.
6. Prior to a tenant occupying either of the commercial units on Lots 5 and 6, Final Map 16380, Master Developer shall place a \$50,000 cash deposit with the Community Association to secure the effective operation of the woonerf. This security would be held for the later of 1) two years from park opening; or 2) one year from initial occupancy of the retail buildings. Should the bond referenced in condition 5 above still be in place at the time of the cash deposit, the City shall authorize the bond amount to be reduced to \$50,000 to ensure that no more than \$100,000 of security is in place at any one time.
7. Should the commercial buildings on Lots 5 and 6 not be ready for tenant occupancy concurrent with the park opening, the woonerf and commercial parking spaces shall be utilized for park purposes prior to the occupancy of the commercial buildings fronting the park and monitored in accordance with the Parking Management Plan amendment.
8. The Director of Development Services shall authorize the release of the bond referenced in Condition #5 above when:
 - a. the retail buildings on lots 5 and 6, Final Map 16380, reach 50% occupancy (4,500 square feet in any combination between the two buildings); and,
 - b. the later of 1) two years from park opening; or 2) one year from initial occupancy of the retail buildings; and,
 - c. when the Parking District Council and the Director of Development Services agree that the Woonerf Parking and Traffic Management Plan is adequately controlling traffic and parking in the woonerf.
9. In the event that the Metro Park Woonerf Parking and Traffic Management Plan does not adequately control traffic and parking in the woonerf to the satisfaction of the Parking District Council and the Director of Development Services, for which the Director of Development Services shall provide substantial evidence, the Security shall remain in place until adequate traffic and parking control is achieved to the satisfaction of the Director of Development Services.
10. Prior to the approval of the Utility Plans associated with the retail buildings on Lots 5 and 6, Final Map 16380, the Master Developer shall demonstrate that none of the utilities serving these buildings are located outside the space occupied by that shown in Section

B-B' on the Utilities Exhibit, page 9, of the approved Landscape Master Plan for Metro Park.

Presented by

Approved as to form by

Kelly Broughton
Development Services Director.

Glen R. Googins
City Attorney