

RESOLUTION NO. 2015-

RESOLUTION OF THE CITY OF CHULA VISTA CITY COUNCIL CONSIDERING THE ADDENDUM (IS-12-03) TO FEIR 02-04; APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN AND THE OTAY RANCH GENERAL DEVELOPMENT PLAN TO REFLECT LAND USE AND POLICY CHANGES FOR APPROXIMATELY 35 ACRES WITHIN THE OTAY RANCH PLANNED COMMUNITY, INCLUDING ASSOCIATED TEXT, MAPS AND TABLES

I RECITALS

A. Project Site

WHEREAS, the areas of land which are the subject of this Resolution contain all lands within the boundaries of Exhibit 1 attached hereto and incorporated into this Resolution by this reference, and includes approximately 35 acres of land generally located south of Olympic Parkway, west of EastLake Parkway and east of SR-125 within the Otay Ranch Planned Community Freeway Commercial North (FC-2) area; and

B. Project; Application for Discretionary Approvals

WHEREAS, in July, 2012, the City of Chula Vista deemed the Baldwin and Sons, LLC (Applicant) application complete and initiated a General Plan Amendment (GPA) and Otay Ranch General Development Plan Amendment (GDPA) (the "Project"); and

WHEREAS, the proposed GPA involves amending portions of the Land Use and Transportation element of the City's General Plan, including associated text, maps and tables; and

WHEREAS, the proposed GDPA involves amending portions of Part II of the Otay Ranch General Development Plan (GDP), including associated text, maps and tables; and

WHEREAS, the proposed GPA and GDPA are contained in a document entitled "PA12 – Freeway Commercial North (FC-2) Amendment (GPA 12-13, PCM 12-15), March 2015" as represented in Exhibit 2 attached hereto and incorporated herein by this reference; and

C. Prior Discretionary Approvals

WHEREAS, the City of Chula Vista's current General Plan was last comprehensively updated in December 2005; and

WHEREAS, the Otay Ranch General Development Plan was approved on October 23, 1993, and most recently updated on December 2, 2014; and

WHEREAS, the GPA and GDPA as presented are necessary to accommodate the land uses anticipated in the associated Development Agreement (DA) between the City of Chula Vista and Village II Town Center, LLC and Sunranch Capital Partners, LLC for Freeway Commercial North (FC-2) (“Development Agreement”); and

WHEREAS, the GPA and GDPA were designed to address and accommodate development of a transit-supportive mixed use residential development with ancillary commercial and a highly amenitized urban park; and

WHEREAS, the next step in the process would require the approval of an amendment to the Sectional Planning Area (SPA) Plan, and a Tentative Map (TM) for Freeway Commercial North (FC-2); and

D. Planning Commission Record of Application

WHEREAS, pursuant to California Government Code section 65090, the Planning Commission held a duly noticed public hearing on the GPA and GDPA on April 22, 2015; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this Project held on April 22, 2015, and the minutes and resolution resulting there from, are hereby incorporated into the record subsequent to these proceedings; and

WHEREAS, the Planning Commission voted 0-4-2-1 recommending that City Council deny the Project; and

E. City Council Record of Application

WHEREAS, the City Clerk set the time and place for the hearing on the GPA and GDPA and notice of said hearing, together with its purpose given by its publication in a newspaper of general circulation in the City, at least ten days prior to the hearing; and

WHEREAS, pursuant to California Government Code section 65090, the City Council held a duly noticed public hearing on May 12, 2015, on the subject GPA and GDPA.

NOW, THEREFORE BE IT RESOLVED, the City Council hereby finds and determines as follows:

II. COMPLIANCE WITH CEQA

That the Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act and has determined that the project was covered in the previously adopted Final Environmental Impact Report for the Otay Ranch Freeway Commercial Sectional Planning Area (SPA) Plan – Planning Area 12 (“FEIR-02-04”) (SCH#1989010154). The Development Services Director has determined that only minor technical changes or additions to this document are necessary and that none of the conditions described in

Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent document have occurred; therefore, the Development Services Director has prepared an Addendum to FEIR-02-04.

The City Council of the City of Chula Vista finds that, in the exercise of their independent review and judgment, the Addendum to FEIR-02-04 in the form presented, has been prepared in accordance with the requirements of the California Environmental Quality Act and the Environmental Review Procedures of the City of Chula Vista and has considered the Addendum to FEIR-02-04.

III. GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Plan, as amended, is internally consistent and shall remain internally consistent following amendment thereof by this Resolution.

IV. GENERAL DEVELOPMENT PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Development Plan, as amended, is internally consistent and shall remain internally consistent following amendment thereof by this Resolution.

V. ADOPTION OF GENERAL PLAN AND GENERAL DEVELOPMENT PLAN AMENDMENTS

In light of the findings above, the General Plan and General Development Plan Amendment provisions are hereby approved and adopted in the form as presented in Exhibits 2 and 3 attached hereto and incorporated herein by this reference and on file in the City Clerk's Office.

Presented by:

Approved as to form by:

\_\_\_\_\_  
Kelly Broughton, FASLA  
Development Services Director

\_\_\_\_\_  
Glen R. Googins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 12th day of May, 2015, by the following vote:

AYES: Councilmembers:

NAYS: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

\_\_\_\_\_  
Mary Casillas Salas, Mayor

ATTEST:

\_\_\_\_\_  
Donna Norris, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Donna Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 12<sup>th</sup> day of May, 2015.

Executed this 12<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
Donna Norris, City Clerk