



# CITY COUNCIL AGENDA STATEMENT



September 18, 2018

File ID: 18-0344

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF AN IRREVOCABLE OFFER OF DEDICATION OF LOT "6" FOR PUBLIC PARK PURPOSES AND OF LOT "7" FOR SCHOOL PURPOSES PER FINAL MAP NO. 16112, CHULA VISTA TRACT NO. 12-05, OTAY RANCH VILLAGE 2 SOUTH

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

The developer of Otay Ranch Village 2 (Baldwin & Sons) is obligated to dedicate a total of 5.1 acres of parkland for the P-5 park site, Lot "6". The current dedicated total is 4.9 acres. To rectify this discrepancy, a lot line adjustment is being processed.

This action will vacate the existing Irrevocable Offer of Dedication (IOD) for P-5, Lot "6" recorded with Final Map 16112 on June 22, 2016 and rededicate with the correct park land acreage. Additionally, this action will vacate the IOD on the school site S-2, Lot "7" recorded with the Final Map 16112 on June 22, 2016. In accordance with Section 7050 of the California Government Code and Chapter 4, Section 8335 of the California Streets and Highways Code, this type of vacation may be performed summarily through adoption of a resolution. A new IOD will be offered and accepted for the P-5 park site, Lot "6", per separate instrument. A new IOD is not required for the school site.

## **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 certified Final Second Tier Environmental Impact Report, EIR 02-02 and Final Supplemental Environmental Impact Report, SEIR 12-01 for the Otay Ranch Village Two Sectional Planning Area (SPA) Plan. Thus, no further environmental review or documentation is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not applicable

## **DISCUSSION**

Otay Ranch is a master planned community within the City that consists of various "Villages". A portion of Otay Ranch, Village 2 ("Village 2") will consist of a mixture of residential, retail, industrial, employment, civic, and cultural uses. Per the California Government Code §§66477, et seq. (the "Quimby Act") and the Otay Ranch Development Plan (GDP) parks and open space policies require that Village 2 provide three (3)

acres of neighborhood and community parks per 1,000 residents. The parkland obligation for the P-5 site is 5.1 acres.

The existing size of the P-5 park site is 4.9 acres and the newly configured lot will be 5.1 acres with the approval of a Lot Line Adjustment (LLA) between the P-5 and S-2 sites (Attachment 2). As part of the requirements made by the City to vacate the IOD, the Developer must process a LLA and provide a new IOD that will reflect the correct acreage of the park site (Attachment 3). After the recordation of the Council Resolution that will abandon any City interest in Lot "6" (the P-5 Park Site), the City Clerk will acknowledge, and record the new IOD for the park.

An IOD for the S-2 school site Lot "7" was approved and accepted with Final Map No. 16112. The City does not accept IODs for school sites, and thus the existing IOD will be vacated with the proposed action. A new IOD will not be created for the school site.

With today's action, the City will abandon the IODs recorded with the Final Map No. 16112 on June 22, 2016 in accordance with Section 7050 of the California Government Code and Chapter 4, Section 8335 of the California Streets and Highways Code, this type of vacation may be performed summarily through adoption of a resolution of vacation by the City Council and recordation of a certified copy of the resolution attested to by the City Clerk.

#### **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 goal as it clarifies the responsibility of the Developer for the construction of parks that will serve the community.

#### **CURRENT-YEAR FISCAL IMPACT**

All costs associated with processing the summary vacation is 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 abandonment of the IODs.

#### **ATTACHMENTS**

Attachment 1: Vicinity Map

Attachment 2: Proposed Lot Line Adjustment

Attachment 3: New IOD for Park Lot

*Staff Contact: Jonathan Hardin, Assistant Engineer*