

RESOLUTION NO. _____

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

WHEREAS, 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 and abutting the northern boundary of Otay Ranch Village 9; and

WHEREAS, 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; and

WHEREAS, 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 Eastern Urban Center Sectional Planning Area (SPA) Plan. In addition, the Director of Development Services and the City Engineer approved the request; and

WHEREAS, 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; 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 adopted/certified Final Second Tier Environmental Impact Report (EIR 07-01) for the Otay Ranch EUC SPA Plan. Thus, no further environmental review or documentation is required; and

WHEREAS, 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; and

WHEREAS, upon such recordation, the vacation shall be deemed complete.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find:

- a. That the subject vacation is made in accordance with Sections 8333 and 8335 of the California Streets and Highways Code.

- b. That Avant Street as shown, dedicated, and accepted in Final Map No. 16081 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.
- c. That from and after the date this resolution is recorded, Avant Street as shown, dedicated, and accepted in Final Map No. 16081 is hereby vacated and no longer constitutes a public street.

BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista does hereby requests that the City Clerk cause the recordation of the subject resolution with the San Diego County Recorder.

Presented by:

Approved as to form by:

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney