

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING A PROJECT DEVELOPMENT
COOPERATION AGREEMENT BETWEEN THE CITY OF
CHULA VISTA AND LAKEVIEW I, LLC, LAKEVIEW II, LLC,
AND MOLLER OTAY LAKES INVESTMENT, LLC

WHEREAS, Lakeview I, LLC, a California limited liability company, Lakeview II, LLC, a California limited liability company, and Moller Otay Lakes Investment, LLC, a Delaware limited liability company (Owners) propose the development of Otay Ranch Village 13 (Project) located in the unincorporated area of the County of San Diego; and

WHEREAS, The Project would implement a master-planned community consisting of residential uses, commercial uses, an elementary school, a fire station and a Village Core connected through a system of roadways, public parks, trails, open space, and private recreational amenities. The Project also would include conveyance of approximately 787 acres of land (1.188 acres for every developed acre) to the Otay Ranch Resource Management Plan (RMP) Preserve. The Project is located within unincorporated San Diego County (County), approximately 0.25 miles east of the Chula Vista city limits. The Project area encompasses approximately 1,869 acres and is located primarily northeast of Otay Lakes Road; and

WHEREAS, the Project is part of the approximately 23,000-acre Otay Ranch General Development Plan/Otay Subregional Plan jointly processed and approved by the County of San Diego and City of Chula Vista in 1993; and

WHEREAS, the City of Chula Vista and Owners have identified areas where residents of the project residing in the County may benefit from facilities provided by the City; and

WHEREAS, the City of Chula Vista and Owners wish to address these concerns proactively and resolve any issues between the parties prior to the County's consideration of the Project's final approval; and

WHEREAS, Owners have agreed to the payment to the City of a benefit contribution as consideration to offset any issues to City facilities caused by these future benefits to the Project's residents; and

WHEREAS, The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. In addition, notwithstanding the foregoing, the Director of Development Services has also determined that the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the CEQA State Guidelines because there is

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no possibility that the activity in question will have a significant effect on the environment. Thus, no environmental review is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby approves the Project Development and Cooperation Agreement, between the City and Lakeview I, LLC, Lakeview II, LLC, and Moller Otay Lakes Investment, LLC, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the office of the City Clerk, and authorizes and directs the City Manager to execute same.

Presented by:

Approved as to form by:

Kelly Broughton
Director of Development Services

Glen R. Googins
City Attorney