



# City of Chula Vista

## Staff Report

---

**File#:** 18-0042, **Item#:** 7.

---

RESOLUTION NO. 2018-072 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC PARK PURPOSES OF A PORTION OF LOT "A" PER FINAL MAP NO. 16094, CHULA VISTA TRACT NO. 11-05, OTAY RANCH VILLAGE 2 NORTH NEIGHBORHOOD R-10B/PIPELINE ("V2N")

### **RECOMMENDED ACTION**

Council adopt the resolution.

### **SUMMARY**

The area proposed for vacation is park land which has been offered for dedication by the master developer but which is unusable as a park land. The vacated land will become part of the adjacent swim club site and will be maintained by its homeowner association. With the proposed vacation, the remaining park acreage in V2N is fully consistent with adopted V2N Parks Agreement which contemplates in Section 2.1(d) that minor adjustments to park boundaries may be approved by the City to improve the interface with adjacent development. This action will vacate a portion of the IOD recorded with the Final Map No. 16094 in February 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.

### **ENVIRONMENTAL REVIEW**

#### **Environmental Notice**

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.

#### **Environmental Determination**

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 RECOMMENDATION**

Not Applicable

### **DISCUSSION**

Otay Ranch is a master planned community within the city that consists of various "Villages." A

---

**File#: 18-0042, Item#: 7.**

---

portion of Otay Ranch, called Otay Ranch Village 2 North Neighborhood R-10/Pipeline (V2N) consists of residential units, pipeline easements, swim club, and parks, approximately 24.4 acres. In July 2017, the adjacent lot, Lot "C" of Map 16094 being used as a swim club, was graded at a steeper grade than what was originally approved creating a steep slope at the edge of the adjacent park Lot "A". The City advised the developer that the land is unusable as park land and advised the owners to revise the park dedication to exclude the unusable area. The City is currently processing a lot line adjustment to incorporate the unusable land into the neighboring swim club Lot "C".

This action will vacate a portion of the Irrevocable Offer of Dedication (IOD) in Fee Interest (0.055 acres) from Lot "A" of Final Map 16094 so the resultant swim club parcel, Lot "C" will be unencumbered by the City's offer.

The existing size of the park Lot "A" is 4.460 acres and the newly configured lot will be 4.405 acres. The Developer will compensate the City by dedicating of an additional 0.055 acres parkland or payment of parkland acquisition fees equivalent to 0.055 acres per Chapter 17.10 of the Chula Vista Municipal Code. With today's action, the City will abandon a portion of the IOD recorded with the Final Map No. 16094 in February 22, 2016 and 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.

This vacation will create an additional 0.055 acres of park land & development obligation that the City will require Baldwin and Sons to meet prior to the approval of the first final map for Neighborhood R-4 (Village 2 West Tentative Map PCS-12-03) in compliance with Tentative Map condition #32 adopted by Council on 11-4-14 through dedication & development of park land and/or payment of in lieu fees.

#### **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**

---

**File#:** 18-0042, **Item#:** 7.

---

There is no ongoing fiscal impact associated with the abandonment of the IOD.

**ATTACHMENTS**

Attachment 1: Vicinity Map

**Staff Contact:** *Jamal Naji, Associate Civil Engineer, Development Services Department*