

Village Six SPA Plan



Otay Ranch - Chula Vista

GENERAL DEVELOPMENT PLAN EXCERPT

Village Six Sectional Planning Area (SPA)

Adopted January 22, 2002
By Resolution No. 2002-022

Amended October 11, 2005
By Resolution No. 2005-345

Amended June 4, 2013
By Resolution No. 2013-103

Project Sponsor

Contessa V6 LLC

16641 Scientific Way #250

Irvine, CA 92618

Prepared By

Oakwood Communities Inc.

16641 Scientific Way #250

Irvine, CA 92618

General Development Plan

The General Development Plan was adopted in 1993 as a joint planning effort of the City of Chula Vista and the County of San Diego, known as the Otay Ranch GDP/SRP. The entire plan is too large and consists of too many related documents to be inserted in this Village Six binder, but an excerpt of those pages, specifically addressing Village Six, have been inserted on the following pages for reference. The entire General Development Plan and all its related component documents should be consulted for thorough comprehension.

6. *Village Six*

a. *Village Six Setting*

Village Six is comprised of approximately 394 acres located in the central portion of the Otay Valley Parcel, south of Poggi Canyon and east of the extension of La Media Road.

Open Space and Habitat: Village Six does not contain significant natural resources, as it has historically been used for agricultural purposes. The undulating slopes of eastern Poggi Canyon define the northern edge of the village.

Land Use: Village Six is located in the interior of the Otay Valley Parcel, surrounded by land used for agricultural purposes. The village is surrounded by Villages Five, Seven, and Two to the north, south, and west, and the Freeway Commercial site to the east, across SR-125. Village Six is located immediately west of the proposed SR-125.

Visual: Village Six contains distant views to the mountains to the east, southeast, and northeast. Scenic values exist along Poggi Canyon, an open space scenic corridor.

Relationship to Other Otay Ranch Villages: Village Six is intended to have a close relationship with Village Five, to the north, connected with light rail transit connection.

b. *Village Six Description – updated June 4, 2013*

Village Six is an urban village with a transit/rail line. Urban Villages are adjacent to existing urban development and are planned for transit oriented development with higher densities and mixed uses in the village cores. Village Six contains:

- o A maximum of 941 single-family residential units
- o A maximum of 1,497 multi-family residential units
- o Build-out population of approximately 6,830
- o A village core area containing:
 - Commercial uses in a mixed use setting
 - Public and community purpose facilities
 - A bus/rail line stop
 - An elementary school
 - Multi-family residential
 - A Town Square/Village Green/Main Street
 - Affordable Housing
 - Neighborhood Park

Village Six

Use	Dwelling Units				Acreage								Approx. Pop.
	SF	MF	Total	Dens	Res.	Park*	CPF**	Sch.	C'ml.	Open Sp.	Art.	Total	
LMV	941		941	4.9	206.3		11.5					217.8	3,011
MU		206	206	30.7	6.7	7.6	2.2		***			16.5	527
MH		1,291	1,291	18.0	69.0			10.0				79.0	3,292
OTHER										22.0	58.3	80.3	
TOTAL	941	1,497	2,438	8.6	282.0	7.6	13.7	10.0	***	22.0	58.3	393.6	6,830

*Part of park acreage requirement have been allocated to community parks. Actual park size to be determined at the SPA level. Park acreage based on ratio of 3.0 acres per 1000 persons.

**Actual CPF acreage to be determined at the SPA level; CPF acreage based on ratio of 1.39 acres per 1000 persons.

***Commercial included as component of residential acreage.

Exhibit 48 Village Six Land Use Table -
Table amended June 4, 2013 per Council Resolution

c. Village Six Policies

Village Character Policies:

- o The village character should be guided by the following qualities:
 - Location adjacent to Poggi Canyon, an open space scenic corridor.
 - Location along the proposed light rail transit route.
 - Views to the mountains on the east, southeast, and northeast.
 - Compatibility and linkage with Villages Two and Seven.
- o Village Six shall promote uses and activities which encourage ridership, and services for transit users.

Village Core Policies:

- o A trolley stop and/or station shall be approximately located at the SPA level and will be conditioned for dedication at the Tentative Map level in the village core.
- o The number of homes identified for the village core is a minimum and may not be reduced.
- o Some services for users outside the village may be provided in the village core.
- o The village core shall be sited to ensure its separation from the regional uses in the Eastern Urban Center.

Parks and Open Space Policies:

Application of the 3 acres per 1,000 residents standard would result in the development of 19.0 acres of local parks in Village Six. To satisfy this requirement, 12.9 acres of neighborhood parks/town square are planned. The remaining obligation is satisfied through the provision of community parks in Villages Two, Ten and the EUC.

The following policies shall guide the design of parks and open spaces in Village Six:

- Open space areas adjacent to Poggi Canyon identified on the GDP/SRP Land Use Map shall be preserved outside of individual private lots. Open space character along the canyon shall conform to landscape concepts developed at the SPA level and the guidelines established in the Overall Ranch Design Plan. Setbacks and landscaping shall be provided along East Orange Avenue in keeping with open space scenic corridor guidelines in the Overall Ranch Design Plan (requirements set forth in Section E, Implementation).
- Potential SR-125 shall be considered in the placement of uses and buffers.
- A modest landscaped buffer shall be provided along the village edge, due to the absence of significant environmental constraints.
- Pedestrian links to other villages and the overall greenbelt, open space, and recreational systems shall be provided in Village Six.
- Lot lines and grading shall not extend into the open space scenic corridor along Poggi Canyon.

Other Village Six Policies

- Site planning shall minimize noise impacts and conflicts with SR-125.
- Right-of-way for a transit line shall be reserved at the SPA level and irrevocably offered for dedication at the Tentative Map level.
- Landform grading guidelines for the edge of Poggi Canyon shall be developed as part of the Village Design Plan at the SPA level. These specific guidelines shall be consistent with the definition and standards established in the Overall Ranch Design Plan.

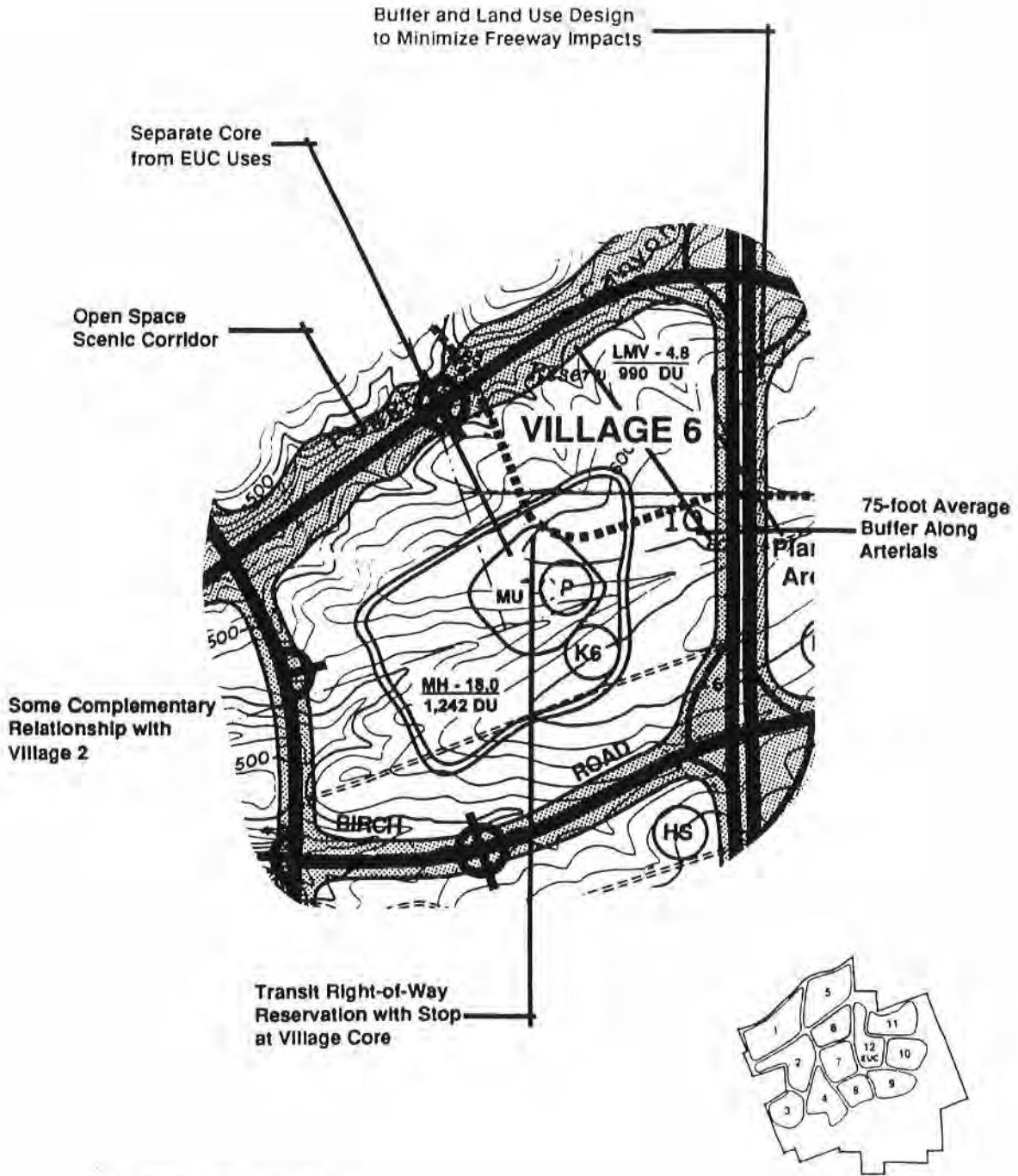


Exhibit 50 Village Six Land Use Map

RESOLUTION NO. 2013-103

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING THE ADDENDUM (IS-11-004) TO MITIGATED NEGATIVE DECLARATION IS-04-035; APPROVING AMENDMENTS TO THE OTAY RANCH GENERAL DEVELOPMENT PLAN AND VILLAGE SIX SECTIONAL PLANNING AREA (SPA) PLAN TO CHANGE THE ALLOWABLE NUMBER OF RESIDENTIAL UNITS WITHIN THE MU LAND USE CATEGORY FROM 158 TO 206 FOR A 6.97 ACRE PARCEL LOCATED ON THE NORTH AND SOUTH SIDES OF EAST PALOMAR STREET BETWEEN VIEW PARK WAY AND MAGDALENA AVENUE

I. RECITALS

A. Project Site

WHEREAS, the area of land that is the subject of this Resolution is diagrammatically represented in Exhibit A attached to and incorporated into this Resolution, and commonly known as Marquis, and for the purpose of general description herein consists of 6.97 acres located on the north and side of East Palomar Street between View Park Way and Magdalena Avenue ("Project Site"); and

B. Project; Application for Discretionary Approvals

WHEREAS, a duly verified amended application was filed with the City of Chula Vista Development Services Department on December 6, 2011 by Oakwood Development ("Applicant"), requesting approval of amendments to the Otay Ranch General Plan and the Village Six SPA Plan to allow an increase in the number of allowable units from 158 to 206 for two mixed-use parcels located on the north and south side of East Palomar Street between East Park Way and Magdalena Avenue ("Project"); and

C. Prior Discretionary Approvals

WHEREAS, development of the Project Site has been the subject matter of various entitlements and agreements, including: 1) General Development Plan and Village Six SPA Plan previously approved by City Council Resolution Nos. 2005-345 and 2005-346 on October 11, 2005; and 2) Planned Community District Regulations and Land Use Districts Map approved by City Council Ordinance No. 3024 on October 25, 2005; and

D. Environmental Determination

WHEREAS, the Development Services Director has reviewed the proposed project for compliance with the California Quality Act (CEQA) and has determined that the project was covered in Mitigated Negative Declaration (IS 04-03) for the Village Six Mixed-Use Project. 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 subsequent documents have occurred; therefore, the Development Services Director has prepared an addendum (IS 11-004) to this document; and

E. Planning Commission Record of Application

WHEREAS, the Development Services Director set the time and place for a hearing on the Project, and notice of the hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City and its mailing to property owners within 500 feet of the exterior boundary of the Project Site at least ten (10) days prior to the hearing; and

WHEREAS, the Planning Commission held an advertised public hearing on the Project on April 24, 2013 and voted (4-0-1-1) to recommend the City Council approve the Project; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on the Project held on April 24, 2013 and the minutes and resolution resulting therefrom, are incorporated into the record of this proceedings; and

F. City Council Record of Application

WHEREAS, the City Clerk set the time and place for the hearing on the Project application and notices of said hearings, together with its purposes given by its publication in a newspaper of general circulation in the city and its mailing to property owners within 500 feet of the exterior boundaries of the Project Site at least ten (10) days prior to the hearing; and

WHEREAS, the duly called and noticed public hearing on the Project was held before the City Council of the City of Chula Vista on June 4, 2013 in the Council Chambers in the City Hall, Chula Vista Civic Center, 276 Fourth Avenue, at 2:00 p.m. to receive the recommendations of the Planning Commission, and to hear public testimony with regard to the same.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista finds, determines, and resolves as follows:

II. CERTIFICATION OF COMPLIANCE WITH CEQA

The City Council finds that, in the exercise of their independent review and judgment, the addendum to Mitigated Negative Declaration (IS 04-035) in the form presented, has been prepared in accordance with requirements of the California Environmental Quality Act and the Environmental Review Procedures of the City of Chula Vista and adopts Addendum to Mitigated Negative Declaration IS-04-035.

III. GENERAL DEVELOPMENT PLAN FINDINGS

The City Council finds by clear and convincing evidence that:

THE PROPOSED DEVELOPMENT AS DESCRIBED BY THE GENERAL DEVELOPMENT PLAN IS IN CONFORMITY WITH THE PROVISIONS OF THE CHULA VISTA GENERAL PLAN.

The proposed amendment to the Otay Ranch Village Six General Development Plan reflects the land use, circulation system and public facilities that are consistent with the City's General Plan.

PLANNED COMMUNITY CAN BE INITIATED BY ESTABLISHMENT OF SPECIFIC USES OR SECTIONAL PLANNING AREA PLANS WITHIN TWO YEARS OF THE ESTABLISHMENT OF THE PLANNED COMMUNITY ZONE.

The proposed amendment to the Village Six SPA Plan only affects the 2.97 acre remaining vacant site known as Marquis II, which is in conformance with the Otay Ranch GDP and the Village Six SPA Plan policies and development regulations that were adopted by the City council in 2005.

IN THE CASE OF PROPOSED RESIDENTIAL DEVELOPMENT, THAT SUCH DEVELOPMENT WILL CONSTITUTE A RESIDENTIAL ENVIRONMENT OF SUSTAINED DESIRABILITY AND STABILITY; AND THAT IT WILL BE IN HARMONY WITH OR PROVIDE COMPATIBLE VARIETY TO THE CHARACTER OF THE SURROUNDING AREA; AND THAT THE SITES PROPOSED FOR PUBLIC FACILITIES, SUCH AS SCHOOLS, PLAYGROUNDS AND PARKS ARE ADEQUATE TO THE SERVICE THE ANTICIPATED POPULATION AND APPEAR ACCEPTABLE TO THE PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.

The proposed 108 multi-family residential units are high density (approximately 30.7 DU/AC). The proposed development will complement the existing mixed-use development located on the north side of East Palomar Street. The proposed density and design are compatible with the village core design principles which call for highest densities to promote pedestrian orientation and transit oriented development. In addition, the proposed project will provide a pedestrian connection from the Marquis I site and the transit stop in the median of East Palomar Street through the project and to the Neighborhood Park (Santa Venetia Park).

ANY PROPOSED COMMERCIAL DEVELOPMENT CAN BE JUSTIFIED ECONOMICALLY AT THE LOCATION PROPOSED AND WILL PROVIDE ADEQUATE COMMERCIAL FACILITIES OF THE TYPES NEEDED AT SUCH PROPOSED LOCATION.

The 10,000 square feet of proposed convenience commercial will provide neighborhood serving commercial uses to the residents of the proposed project as well as surrounding residents and visitors to the area. A retail market study prepared by the applicants consultant (The London Group) economically justifies this as the maximum square-footage of commercial that should be constructed on the site.

THE AREA SURROUNDING SAID DEVELOPMENT CAN BE PLANNED AND ZONED IN COORDINATION AND SUBSTANTIAL COMPATIBILITY WITH SAID DEVELOPMENT.

The area surrounding the project is fully developed. The site represents the only remaining vacant parcel in Village Six and will complete the development of the village core.

IV. ADOPTION OF AMENDED GENERAL DEVELOPMENT PLAN

In light of the findings above, the amended Otay Ranch General Development Plan is hereby amended as set forth and diagrammatically represented in Exhibit "B," approved and adopted in the form presented to the City Council and on file in the Office of the City Clerk.

V. SPA FINDINGS

A. THE SECTIONAL PLANNING AREA (SPA) PLAN, AS AMENDED, IS IN CONFORMITY WITH THE OTAY RANCH GENERAL DEVELOPMENT PLAN AND ITS SEVERAL ELEMENTS.

The proposed amendments to the Village Six SPA Plan reflect Mixed Use Land Use Designations that are consistent with the Otay Ranch General Development Plan and the City of Chula Vista General Plan. The residential component of the proposed mixed use would be consistent with the other adopted high-density residential uses within the village core.

The proposed amendments are consistent with the previously approved plans and regulations applicable to surrounding sites and, therefore, the proposed amendments can be planned and zoned in coordination and substantial compatibility with said development.

B. THE SPA PLAN, AS AMENDED, WILL PROMOTE THE ORDERLY SEQUENTIALIZED DEVELOPMENT OF THE INVOLVED SECTIONAL PLANNING AREAS.

The proposed Village Six SPA Amendments will promote the orderly sequentialized development of the SPA Plan area by allowing for the completion of the development within the village core area as contemplated by the SPA.

C. THE VILLAGE SIX SPA PLAN, AS AMENDED, WILL NOT ADVERSELY AFFECT ADJACENT LAND USE, RESIDENTIAL ENJOYMENT, CIRCULATION OR ENVIRONMENTAL QUALITY.

The proposed statistical amendment to the SPA Plan, will not adversely affect the circulation system and overall land use pattern as previously envisioned in the Otay Ranch General Development Plan and Village Six SPA Plan. An Addendum to Mitigated Negative Declaration No. IS 04-035 has been prepared and any impacts associated with the proposed amendments have been previously addressed by Mitigated Negative Declaration IS 04-035. Thus, the requested amendments to the SPA Plan will not adversely affect the adjacent land uses, residential enjoyment, circulation or environmental quality of the surrounding uses.

The potential impacts to traffic and circulation have been thoroughly analyzed based upon the proposed project resulting in specific requirements that must be complied with at the time of development within the project area. This includes the required installation of a fully activated traffic signal at the intersection of East Palomar Street and View Park Way.

IV. APPROVAL OF SPA AMENDMENTS

Based on the findings above, the City Council approves the Village Six SPA Plan as amended shown in Exhibit "C" subject to the conditions set forth below:

1. The Project shall comply with all mitigation measures specified in MND IS 04-035, to the satisfaction of the Development Services Director.
2. The Applicant shall install all public facilities within the Village Six SPA Plan Public Facilities Financing Plan or as required to meet the Growth Management Threshold standards adopted by the City. The City Engineer may modify the sequence of improvement construction should conditions change to warrant such revision.
3. The Applicant shall implement the Federal and State mandated conservation measures outlined in the Water Conservation Plan of the Village Six SPA Plan.
4. Prior to the 30th day after the Resolution becomes effective, the Applicant shall prepare a clean copy of the SPA Plan document by deleting all strike out/ underlines and shading. Where the document contains an existing and proposed exhibit, the previous existing exhibit shall be removed and substituted. In addition, the strike-out underlined text, document format, maps and statistical changes within the Village Six SPA Plan shall be incorporated into the final document and approved by the Director of Development Services for printing.

VII. VILLAGE SIX SPA REDUCTION IN AREA REGULATIONS

While the common open space standards for the MU-1 site are not provided in the PC District Regulations, the established common practice is to use the most closely associated multi-family regulations. The RM-2 standard is 200 square feet of common open space per unit. The applicant is providing 9,535 square feet of common open space which is 12,060 square feet less than the minimum requirement based upon applying the RM-2 standard. Section II.3.9.3 requires the following findings in order to grant a reduction:

THAT THE PROPOSED PROJECT OR USE IS CONSISTENT WITH THE CITY OF CHULA VISTA GENERAL PLAN AND ADOPTED POLICIES OF THE CITY.

The proposed project does not alter any land use designations in the Chula Vista General Plan, but is simply a reduction in common open space from 21,600 square feet to 9,535 square feet, and common open space is a SPA level development standard.

THAT THE PROPOSED PROJECT OR USE IS CONSISTENT WITH, OR FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH, THE VILLAGE SIX SPA PLAN, THE PURPOSE AND INTENT OF THESE PLANNED COMMUNITY DISTRICT REGULATIONS, AND THE VILLAGE DESIGN PLAN.

The proposed project, which includes a reduction in common open space from 21,600 square-feet to 9,535 square-feet is consistent with the purpose and intent of the SPA, PC District Regulations and Village Design Plan in that the reduction is offset by 1) increase amount of private open space by 3,180 square feet beyond what is required; 2) providing 2,000 s.f. of off-site improvements in adjacent neighborhood park in conjunction with providing a connection to the pedestrian connection to the project; and 3) providing enhanced corridor plaza features which connects between East Palomar Street to the north and Santa Venetia Park to the south, thus reducing the ability to designate any of this corridor area as common open space.

THAT THE PROPOSED PROJECT OR USE WILL NOT, UNDER CIRCUMSTANCES OF THE PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY OR GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE VICINITY, OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE VICINITY.

The proposed project, with proposed reduction in common open space, will not be detrimental to health, safety or general welfare of persons residing or working in vicinity, or injurious to property or improvements in the vicinity. The project does provide amenities such as tot lots, which typically occur within common open space areas; however, in this instance they are provided within the CPF plaza corridor area in order to be accessible as part of the community-wide feature connecting East Palomar Street and Santa Venetia Park. As a result of their placement within this plaza these amenities, could not be included in the project open space total. In addition, the connection to the neighborhood park will also necessitate the applicant providing 2,000 square-feet of improvements, but since the additional square footage will be located just inside the boundaries of the park, it cannot technically be counted towards common open space.

THAT THE PROPOSED PROJECT OR USE IS CONSISTENT WITH THE PRINCIPLES AND OVERALL QUALITY OF DESIGN ESTABLISHED FOR THE OTAY RANCH PLANNED COMMUNITY.

The proposed plaza corridor being considered as Community Purpose Facility area within the proposed project is an enhancement of the requirement contained in the Village Six Core Master Precise Plan to provide a plaza with fountain feature mid-point along East Palomar Street within the project site. However, as the plaza area expands into the area between East Palomar Street and Santa Venetia Park, which is open to the community, the features such as tot lots included in this corridor, cannot be counted towards common open space even though they are essentially providing the same function as common open space. At the same time, the reduction in open space will not affect the provision of features such as tot lots as they will be provided within the plaza corridor.

VIII. CONSEQUENCE OF FAILURE OF CONDITIONS

If any of the forgoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, and any of such conditions fail to be so implemented and maintained according to the their terms, the City shall have the right to revoke or modify all approvals herein granted, deny or further condition issuance of future building permits, deny, revoke or further condition all certificates of occupancy issued under the authority of approvals herein granted, instituted and prosecute, litigate or compel their compliance or seek damages for their violations. No vested rights are gained by Applicant or successor in interest by the City approval of this Resolution.

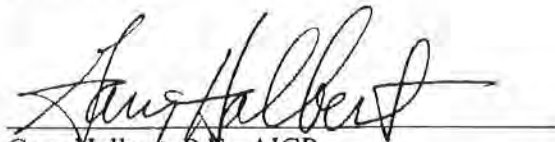
IX. INVALIDITY; AUTOMATIC REVOCATION

It is the intention of the City Council that its adoption of this Resolution is dependent upon enforceability of each and every term provision and condition herein stated; and that in the event that any one or more terms, provisions or conditions are determined by the Court of competent jurisdiction to be invalid, illegal or unenforceable, if the city so determines in its sole discretion, this resolution shall be deemed to be revoked and not further in force or in effect ab initio.

NOW, THEREFORE, BE IT RESOLVED that the City Council adopt this resolution approving the project in accordance with the findings and subject to the conditions contained therein.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that a copy of this Resolution be transmitted to the City Council.

Presented by



Gary Halbert, P.E., AICP
Assistant City Manager/Director of
Development Services

Approved as to form by



Glen R. Gogins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 4th day of June 2013 by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Ramirez, Salas and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:




Donna R. Norris, CMC, City Clerk

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

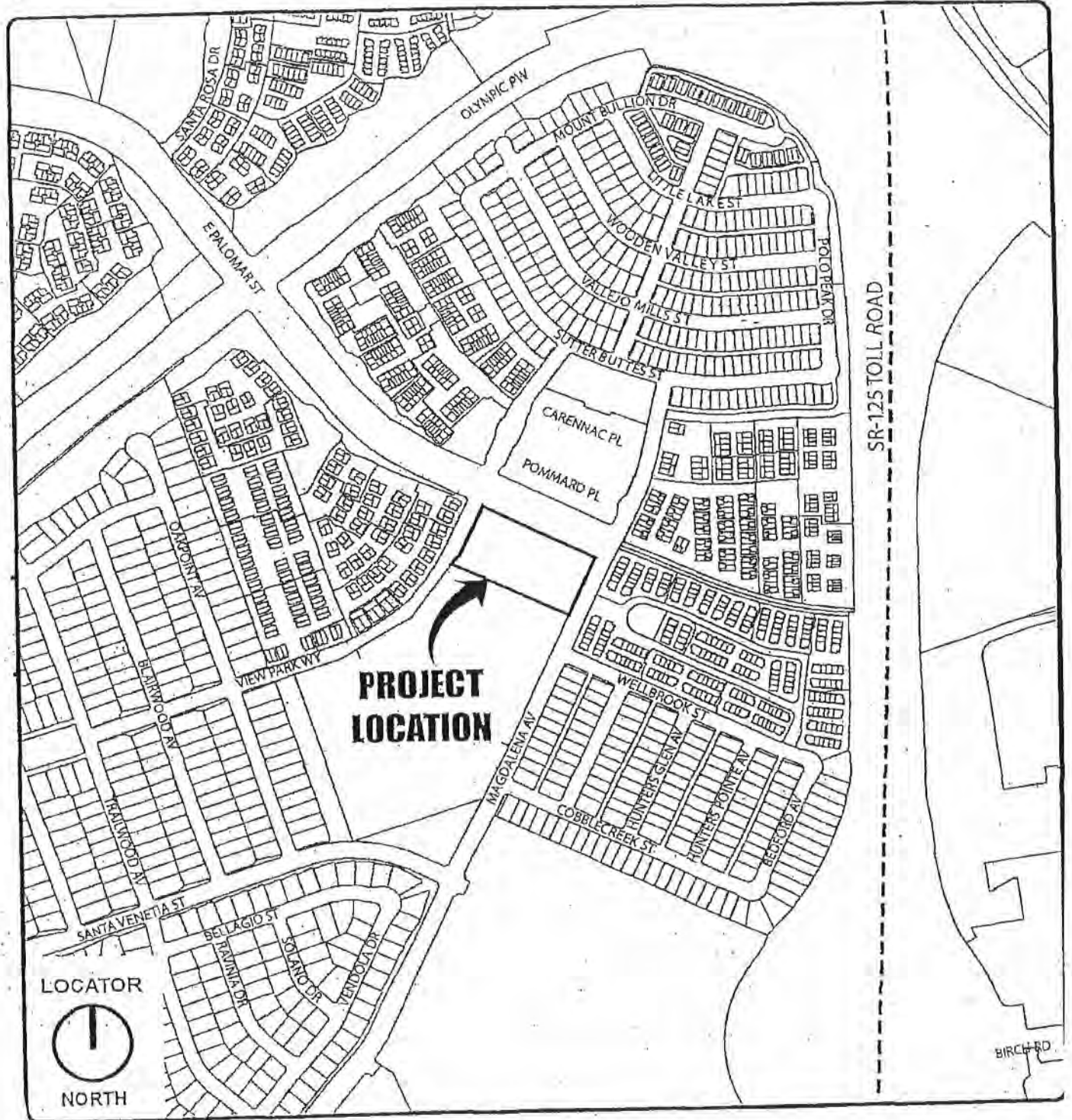
I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2013-103 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 4th day of June 2013.

Executed this 4th day of June 2013.



Donna R. Norris, CMC, City Clerk

EXHIBIT A



LOCATOR MAP

EXHIBIT B

Village Six													
Use	Dwelling Units				Acreage								Approx. Pop.
	SF	MF	Total	Dens	Res.	Park*	CPF**	Sch.	C'ml.	Open Sp.	Art.	Total	
LMV	941		941	4.9	206.3		11.5					217.8	3,011
MU		158 206	158 206	23.5 30.7	6.7	7.6	2.2		6.7 ***			16.5	403 527
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*Part of park acreage requirement have been allocated to community parks. Actual park size to be determined at the SPA level. Park acreage based on ratio of 3.0 acres per 1000 persons.													
**Actual CPF acreage to be determined at the SPA level; CPF acreage based on ratio of 1.39 acres per 1000 persons.													
***Commercial included as component of residential acreage.													

EXHIBIT 49 VILLAGE SIX LAND USE TABLE

EXHIBIT C

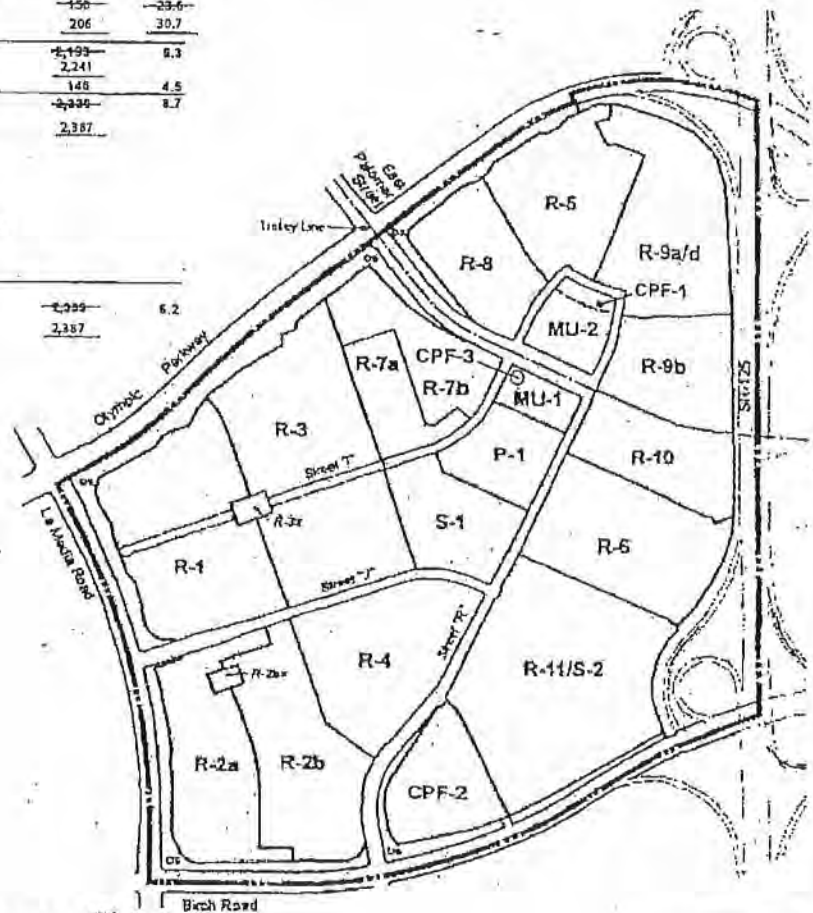
Site Utilization Plan

Land Use Summary Table

RESIDENTIAL				
Neighborhood	Land Use	Acreage	Units	Density
R-1	SF	26.2	106	4.0
R-2A	SF	19.0	82	4.6
R-2B	SF	21.3	116	5.4
R-3	SF	35.6	159	4.5
R-4	SF	20.4	82	4.5
R-5	SF	16.6	106	6.7
R-6	SF	20.4	125	6.2
Subtotal SF		159.5	798	5.0
R-7A	MF	7.0	99	12.9
R-7B	MF	10.8	201	18.6
R-8	MF	11.7	253	28.7
R-9A/D	MF	21.8	188	8.6
R-9B	MF	12.7	255	20.8
R-10	MF	12.1	212	17.5
Subtotal MF		76.1	1,239	16.8
MU-1/2*	MU	6.7	150	29.6
			206	30.7
Subtotal Residential		242.3	2,193	8.3
R-11	SF (All to S-2)	32.5	148	4.5
Total Residential		274.8	2,341	8.7
Non-Residential				
CPF-1	CPF	1.5		
CPF-2a	CPF	0.7		
CPF-2	CPF	11.5		
S-1	School	10.0		
S-2	Private High School (See R-11)			
P-1	Park	7.8		
OS	Open Space	22.0		
Circulation		58.3		
TOTAL		386.4	2,387	6.2

Notes:

1. All "x" following a parcel number, such as R-2x, indicates a subdivision that may be converted to CPF use as an alternative for purposes of providing a landscaped community gathering/meeting area.
 2. R-11 is the base land use, which permits the reduced private high school. The boundary between CPF-2 and R-11 may be retraced during future detailed planning applications.
 3. Subject to being in substantial conformance, areas may be re-zoned during the subdivision process.
- * CPF-1 (1.5 Ac.) included in MU-1 site.



ORDINANCE NO. 3024

ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A
ZONE CHANGE TO THE OTAY RANCH VILLAGE SIX
SECTIONAL PLANNING AREA (SPA) PLANNED COMMUNITY
(PC) DISTRICT REGULATIONS LAND USE DISTRICTS MAP

WHEREAS, an application to amend the Otay Ranch Village Six Sectional Planning Area (SPA) Planned Community (PC) Land Use Districts Plan Map was filed with the City of Chula Vista Planning and Building Department on June 14, 2005 by Otay Project, LP, The Otay Ranch Company (Applicant). The proposed amendment is attached hereto as Exhibit A; and

WHEREAS, the application is a request to amend a portion of the Otay Ranch Village Six Sectional Planning Area (SPA) Planned Community (PC) District Regulations Land Use District Map to rezone the 3.7-acre site on the north side of East Palomar Street from CPF to MU, and to rezone a 1.5-acre portion of the 3.0-acre site on the south side of East Palomar Street from MU to CPF (Project); and

WHEREAS, the Otay Ranch Village Six Sectional Planning Area (SPA) Planned Community (PC) District Regulations Land Use Districts Map, establishes zoning pursuant to Title 19 of the Chula Vista Municipal Code, specifically Chapter 19.48 (PC) Planned Community Zone, and are applicable to the Otay Ranch Village Six Sectional Planning Area (SPA) Plan; and

WHEREAS, the Otay Ranch Village Six Sectional Planning Area (SPA) Planned Community (PC) District Regulations Land Use Districts Map is proposed to be modified to reflect the re-zoning of the 3.7-acre site on the north side of East Palomar Street from CPF to MU, and the rezoning of a 1.5-acre portion of the 3.0-acre site on the south side of East Palomar Street from MU to CPF; and

WHEREAS, the development has been the subject matter of Village Six Sectional Planning Area (SPA) Plan previously approved by the City Council, wherein the City Council, in the environmental evaluation of said SPA Plan, relied in part on the Otay Ranch Village Six Final EIR 98-01; and

WHEREAS, the Village Six Sectional Planning Area (SPA) Plan refines and implements the land plans, goals, objectives and policies of the Otay Ranch General Development Plan (GDP) as adopted by the City Council of the City of Chula Vista on October, 28, 1993, and as amended on May 14, 1996, and November 10, 1998; and

WHEREAS, The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS-04-035 in accordance with the California Environmental Quality Act. Based upon the results of the Initial Study, the Environmental Review Coordinator has determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-04-035; and

WHEREAS, the Planning Commission set the time and place for a hearing on the Project (PCZ-06-02) and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city and its mailing to property owners within 500 feet of the exterior boundaries of the Project site at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m. September 14, 2005, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed; and

WHEREAS, by a vote of 6-0-1-0, the Planning Commission recommended approval of the Project; and

WHEREAS, a public hearing was scheduled before the City Council of the City of Chula Vista adopting the ordinance to amend the Village Six Sectional Planning Area (SPA) Planned Community (PC) District Regulations Land Use District Plan Map and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city and its mailing to property owners within 500 feet of the exterior boundaries of the Project site at least ten days prior to the hearing; and

NOW, THEREFORE, the City Council of the City of Chula Vista does hereby ordain as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing on said ordinance was held on September 14, 2005 and the minutes and resolution there from, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. ACTION

The City Council hereby adopts an amendment to the Otay Ranch Village Six Sectional Planning Area (SPA) Planned Community (PC) District Regulations Land Use District Map, rezoning the 3.7-acre site on the north side of East Palomar Street from CPF to MU, and rezoning a 1.5-acre portion of the 3.0-acre site on the south side of East Palomar Street from

MU to CPF as identified on the revised Land Use District Plan Map Exhibit "A," finding that it is consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan, Otay Ranch Village Seven Sectional Planning Area (SPA) Plan, and all other applicable Plans, and that the public necessity, convenience, general welfare and good planning and zoning practice support their approval and implementation.

III. COMPLIANCE WITH CEQA

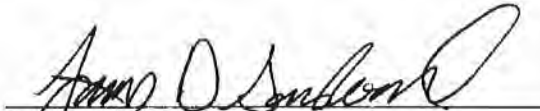
The City Council does hereby find that in the exercise of their independent review and judgment, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-04-035) in the form presented has been prepared in accordance with requirements of the California Environmental Quality Act (CEQA) and the Environmental Review Procedures of the City of Chula Vista and hereby adopts the same.

IV. EFFECTIVE DATE

This Ordinance shall take effect and be in full force on the thirtieth day from and after its adoption

Presented by

Approved as to form by



Jim Sandoval
Planning and Building Director



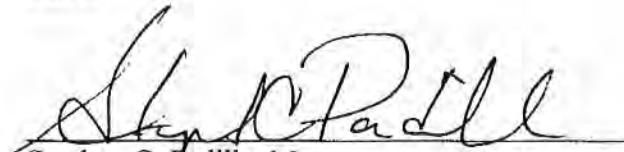
Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 25th day of October, 2005, by the following vote:

AYES: Councilmembers: Castaneda, McCann, Rindone and Padilla

NAYS: Councilmembers: None

ABSENT: Councilmembers: Davis


Stephen C. Padilla, Mayor


ATTEST:


Susan Bigelow, MMC, City Clerk

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

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3024 had its first reading at a regular meeting held on the 11th day of October, 2005 and its second reading and adoption at a regular meeting of said City Council held on the 25th day of October 2005.

Executed this 25th day of October 2005.


Susan Bigelow, MMC, City Clerk

Land Use Districts

Land Use District	General Description
SF3	Single Family Detached Three: District which permits single family housing on lots averaging > 5,000 square feet.
SF4	Single Family Four: District which permits single family housing on lots averaging < 5,000 square feet.
RM1	Residential Multi-Family One: District which permits housing (ranging from 8-15 units/acre, including small lot single family and attached single family homes).
RM2	Residential Multi-Family Two: District which permits housing ranging from 16+ units/acre.
CPF	Community Purpose Facility: District which permits uses pursuant to the Community Purpose Facility requirements of the P-C Planned Community Lane.
MU	Mixed Use: District which permits commercial uses such as, but not limited to: retail shops, professional offices, service commercial, and multi-family residential within a Village Core. Transfer of residential uses above or connected to the commercial uses is permitted.
OS/P1	Open Space/Park One: District which permits developed or usable open space, schools, parks, and naturalized open space.



RESOLUTION NO. 2005-345

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING AN AMENDMENT TO THE
OTAY RANCH GENERAL DEVELOPMENT PLAN (GDP) TO
ALLOW ADDITIONAL RESIDENTIAL DEVELOPMENT IN
OTAY RANCH VILLAGE SIX

WHEREAS, an application to amend the Otay Ranch General Development Plan (GDP) (PCM-04-18) was filed with the City of Chula Vista Planning and Building Department on June 24, 2004 by Otay Project, LP, The Otay Ranch Company (Applicant); and

WHEREAS, the General Development Plan Amendment, attached as Exhibit "A" requests an amendment to the Otay Ranch General Development Plan (GDP) text for the Village Six Setting and Land Use Table description for acreage and unit counts (Project); and

WHEREAS, the Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS-04-035 in accordance with the California Environmental Quality Act. Based upon the results of the Initial Study, the Environmental Review Coordinator has determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-04-035; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Project and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city and its mailing to property owners within 500 feet of the exterior boundaries of the Project site at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m., September 14, 2005, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed; and

WHEREAS, by a vote of 6-0-1-0, the Planning Commission recommended approval of the Project; and

WHEREAS, a duly noticed public hearing was scheduled before the City Council of the City of Chula Vista on said Project; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on September 14, 2005, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. ACTION

The City Council hereby approves the amendment to the Otay Ranch General Development Plan (GDP) text for the Village Six Setting, Description (acreage and unit counts), Land Use Table and Parks and Open Space Policies to allow for additional residential development in Otay Ranch Village Six. The approval of the amendment is based upon findings contained herein and is consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan, and all other applicable Plans, and that the public necessity, convenience, general welfare and good planning and zoning practice support their approval and implementation.

III. COMPLIANCE WITH CEQA

The City Council does hereby find that in the exercise of their independent review and judgment, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-04-035) in the form presented has been prepared in accordance with requirements of the California Environmental Quality Act (CEQA) and the Environmental Review Procedures of the City of Chula Vista and hereby adopts the same.

IV. CONSISTENCY WITH THE GENERAL PLAN

The proposed Project is consistent with the General Plan for the following reasons:

A. THE PROPOSED OTAY RANCH GENERAL DEVELOPMENT PLAN (GDP) AMENDMENT IS IN CONFORMITY WITH THE CHULA VISTA GENERAL PLAN.

The Otay Ranch General Development Plan (GDP) amendment to text for Village Six Setting and Land Use Table description for acreage and unit counts is consistent with the existing land uses, circulation system, open space and recreational uses, and public facility uses within Village Six as depicted currently in the Otay Ranch General Development Plan and Chula Vista General Plan. It does not alter any of these previously approved or constructed planned elements or facilities. The impact of the amendment to facilities such as parks and schools and circulation traffic will be addressed by the mitigation measures and conditions of approval to maintain conformance with the General Plan.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 11th day of October, 2005, by the following vote:

AYES: Councilmembers: Castaneda, McCann, and Padilla

NAYS: Councilmembers: None

ABSENT: Councilmembers: Davis, Rindone


Stephen C. Padilla, Mayor

ATTEST:


Susan Bigelow, MMC, City Clerk

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

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2005-345 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 11th day of October 2005.

Executed this 11th day of October 2005.


Susan Bigelow, MMC, City Clerk

- B. THE PROPOSED GENERAL DEVELOPMENT PLAN (GDP) AMENDMENT WILL PROMOTE THE ORDERLY SEQUENTIALIZED DEVELOPMENT OF THE INVOLVED SECTIONAL PLANNING AREA.

The Otay Ranch General Development Plan (GDP) amendment to text for the Village Six Setting, Description (acreage and unit counts), Land Use Table and Parks and Open Space Policies does not affect the remaining development of Village Six SPA Plan area, which is nearly built-out.

- C. THE PROPOSED GENERAL DEVELOPMENT PLAN (GDP) AMENDMENT WILL NOT ADVERSELY AFFECT ADJACENT LAND USE, RESIDENTIAL ENJOYMENT, CIRCULATION OR ENVIRONMENTAL QUALITY.

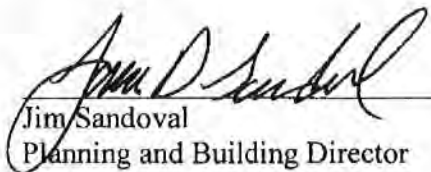
The land uses within Otay Ranch Village Six SPA Plan area, such as the adjacent neighborhood park to the south and the private swim club and recreation facility to the north are designed for residential enjoyment and convenience. The proposed amendment will allow for the development of convenient neighborhood amenities such as neighborhood level commercial retail office space as promoted by the goals and objectives of the Otay Ranch General Development Plan. A comprehensive street network serves the Project and provides for access to off-site adjacent properties and will adequately serve the additional units and businesses proposed by this GDP amendment according to the Mitigated Negative Declaration and the findings and conditions made for the proposed Tentative Map.

- V. EFFECTIVE DATE

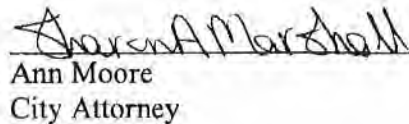
This Resolution shall take effect and be in full force upon its adoption

Presented by

Approved as to form by



Jim Sandoval
Planning and Building Director



Ann Moore
City Attorney

6. Village Six

a. Village Six Setting

Village Six is comprised of approximately 386 acres located in the central portion of the Otay Valley Parcel, south of Poggi Canyon and east of the extension of La Media Road.

Deleted: 365

Open Space and Habitat: Village Six does not contain significant natural resources, as it has historically been used for agricultural purposes. The undulating slopes of eastern Poggi Canyon define the northern edge of the village.

Land Use: Village Six is located in the interior of the Otay Valley Parcel, surrounded by land used for agricultural purposes. The village is surrounded by Villages Five, Seven, and Two to the north, south, and west, and the Freeway Commercial site to the east, across SR-125. Village Six is located immediately west of the proposed SR-125.

Visual: Village Six contains distant views to the mountains to the east, southeast, and northeast. Scenic values exist along Poggi Canyon, an open space scenic corridor.

Relationship to Other Otay Ranch Villages: Village Six is intended to have a close relationship with Village Five, to the north, connected with light rail transit connection.

b. Village Six Description

Village Six is an urban village with a transit/rail line. Urban Villages are adjacent to existing urban development and are planned for transit oriented development with higher densities and mixed uses in the village cores. Village Six contains:

o A maximum of 941 single family residential units

Deleted: 990

o A maximum of 1,449 multi-family residential units

Deleted: 1,242

o Build-out population of approximately 5,736

Deleted: 6,335

o A village core area containing:

- Commercial uses in a mixed use setting
- Public and community purpose facilities
- A bus/rail line stop
- An elementary school
- Multi-family residential
- A Town Square/Village Green/Main Street
- Affordable Housing
- Neighborhood Park

Village 6													
Use	SF	MF	Total	Res	Den	Park	CPF	Sch	C'ml	OS	Art	Total Ac	Pop
LMV	941	-	941	192.0	4.9							192.0	3,011
MU	-	47	47	3.0	15.7	7.6	13.7		*			24.3	150
MH	-	1,402	1,402	79.8	17.6			10.0				89.8	3,575
Other	-	-	-	-	-					22.0	58.3	80.3	
Total	941	1,449	2,390	274.8		7.6	13.7	10.0	-	22.0	58.3	366.4	6,736

Formatted Table

*Commercial Acreage included in MU category.

Exhibit 48 Village Six Land Use Table

c. Village Six Policies

Village Character Policies:

- o The village character should be guided by the following qualities:
 - Location adjacent to Poggi Canyon, an open space scenic corridor.
 - Location along the proposed light rail transit route.
 - Views to the mountains on the east, southeast, and northeast.
 - Compatibility and linkage with Villages Two and Seven.
- o Village Six shall promote uses and activities which encourage ridership, and services for transit users.

Village Core Policies:

- o A trolley stop and/or station shall be approximately located at the SPA level and will be conditioned for dedication at the Tentative Map level in the village core.
- o The number of homes identified for the village core is a minimum and may not be reduced.
- o Some services for users outside the village may be provided in the village core.
- o The village core shall be sited to ensure its separation from the regional uses in the Eastern Urban Center.

RESOLUTION NO. 2005-346

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING AN AMENDMENT TO THE
OTAY RANCH VILLAGE SIX SECTIONAL PLANNING
AREA (SPA) SITE UTILIZATION PLAN MAP

WHEREAS, an application to amend the Otay Ranch Village Six Sectional Planning Area (SPA) Plan (PCM-04-19) was filed with the City of Chula Vista Planning and Building Department on June 24, 2004 by Otay Project, LP, The Otay Ranch Company (Applicant); and

WHEREAS, the Otay Ranch Village Six Sectional Planning Area (SPA) Plan Site Utilization Plan Map, attached as Exhibit "A", proposes to re-designate the 3.7-acre parcel on the north side of East Palomar Street from Community Purpose Facility (CPF-1) to Mixed-Use (MU-2), and re-designating a 1.5-acre portion of the existing 3.0-acre Mixed-Use (MU-1) parcel on the south side of East Palomar Street from Mixed-Use (MU-1) to Community Purpose Facility (CPF-3). The existing 1.5-acre Private Swim Club and Park (CPF-1x) will be re-named CPF-1 (Project); and

WHEREAS, The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS-04-035 in accordance with the California Environmental Quality Act. Based upon the results of the Initial Study, the Environmental Review Coordinator has determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-04-035; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Project and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city and its mailing to property owners within 500 feet of the exterior boundaries of the Project site at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m., September 14, 2005, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed; and

WHEREAS, by a vote of 6-0-1-0, the Planning Commission recommended approval of the Project; and

WHEREAS, a duly noticed public hearing was scheduled before the City Council of the City of Chula Vista on said Project; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on September 14, 2005, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. ACTION

The City Council hereby approves the amendment to the Otay Ranch Village Six SPA Plan, amending the Otay Ranch Village Six Sectional Planning Area (SPA) Plan Site Utilization Plan Map by re-designating the 3.7-acre parcel on the north side of East Palomar Street from Community Purpose Facility (CPF-1) to Mixed-Use (MU-2), and re-designating a 1.5-acre portion of the existing 3.0-acre Mixed-Use (MU-1) parcel on the south side of East Palomar Street from Mixed-Use (MU-1) to Community Purpose Facility (CPF-3). The existing 1.5-acre Private Swim Club and Park (CPF-1x) will be re-named CPF-1. The approval of the amendment is based upon findings contained herein and is consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan, and all other applicable Plans, and that the public necessity, convenience, general welfare and good planning and zoning practice support their approval and implementation.

III. COMPLIANCE WITH CEQA

The City Council does hereby find that in the exercise of their independent review and judgment, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-04-035) in the form presented has been prepared in accordance with requirements of the California Environmental Quality Act (CEQA) and the Environmental Review Procedures of the City of Chula Vista and hereby adopts the same.

IV. SPA PLAN FINDINGS

A. THE OTAY RANCH VILLAGE SIX-SPA PLAN AMENDMENT IS IN CONFORMITY WITH THE OTAY RANCH GENERAL DEVELOPMENT PLAN AND CITY OF CHULA VISTA GENERAL PLAN.

The Otay Ranch Village Six SPA Plan amendment to the Site Utilization Plan Map re-designating the 3.7-acre parcel on the north side of East Palomar Street from Community Purpose Facility (CPF-1) to Mixed-Use (MU-2), re-designating a 1.5-acre portion of the existing 3.0-acre Mixed-Use (MU-1) parcel on the south side of East Palomar Street from Mixed-Use (MU-1) to Community Purpose Facility (CPF-3), and re-naming the existing 1.5-acre Private Swim Club and Park from CPF-1x to CPF-1 is consistent with the Otay Ranch General Development Plan because the General Development Plan text for the Village Six Setting and

Land Use Table description for acreage and unit counts is also being amended concurrently to reflect the proposed changes. It is consistent with the Chula Vista General Plan because it does not alter any of these previously approved or constructed planned elements or facilities. The impact of the amendment to facilities such as parks and schools and circulation traffic will be addressed by the mitigation measures and conditions of approval to maintain conformance with the General Plan.

- B. THE PROPOSED AMENDMENTS TO THE OTAY RANCH VILLAGE SIX-SPA PLAN WILL PROMOTE THE ORDERLY SEQUENTIALIZED DEVELOPMENT OF THE INVOLVED SECTIONAL PLANNING AREA.

The Otay Ranch Village Six SPA Plan amendment involves a site utilization plan map modification, and will not affect the orderly sequentialized development of the said SPA, which is already nearly completed. The Village Six SPA Plan amendment proposes to amend the Site Utilization Plan map and table to allow for an overall reduction in Community Purpose Facility (CPF) acreage provided in Village Six while allowing an increase in overall residential units and population in Village Six. This reduction is acceptable because there is a surplus of CPF land in Village Six.

- C. THE PROPOSED OTAY RANCH VILLAGE SIX-SPA PLAN AMENDMENT WILL NOT ADVERSELY AFFECT ADJACENT LAND USE, RESIDENTIAL ENJOYMENT, CIRCULATION OR ENVIRONMENTAL QUALITY.

The proposed amendment will not adversely affect adjacent land uses or residential enjoyment, circulation or environmental quality. The proposed amendment should actually improve residential enjoyment, circulation and environmental quality with the development of a viable village core, which will provide for a two-sided mixed-use retail commercial and live-work shopkeeper unit within the project site in addition to the 158-for sale condominiums.

The provision of improved open space amenities on each of the privately owned properties will improve aesthetics, circulation, and pedestrian orientation amenities within the neighborhood, promoting by the goals and objectives of the Otay Ranch General Development Plan. A comprehensive street network serves the Project and provides for access to adjacent properties.

The proposed project does not alter any of these previously approved or constructed planned elements or facilities. The addition of the 158-units will be harmonious with the surrounding residential densities of the multi-family neighborhoods in the village core areas. As the center of the village core, the density will be comparable to adjacent project densities. The impact of the amendment to facilities such as parks and schools and circulation traffic will be addressed by the mitigation measures and conditions of approval.

- D. IN THE CASE OF PROPOSED INDUSTRIAL AND RESEARCH USES, THAT SUCH DEVELOPMENT WILL BE APPROPRIATE IN AREA, LOCATION, AND OVERALL DESIGN AND DEVELOPMENT STANDARDS ARE SUCH AS TO CREATE A RESEARCH OR INDUSTRIAL ENVIRONMENT OF SUSTAINED DESIRABILITY AND STABILITY; AND, THAT SUCH DEVELOPMENT WILL MEET PERFORMANCE STANDARDS ESTABLISHED BY THIS TITLE.

The Project does not involve areas planned for industrial or research uses.

- E. IN THE CASE OF INSTITUTIONAL, RECREATIONAL, AND OTHER SIMILAR NONRESIDENTIAL USES, THAT SUCH DEVELOPMENT WILL BE APPROPRIATE IN AREA, LOCATION AND OVER-ALL PLANNING TO THE PURPOSE PROPOSED, AND THAT SURROUNDING AREAS ARE PROTECTED FROM ANY ADVERSE EFFECTS FROM SUCH DEVELOPMENT.

The Project does not involve these Institutional, Recreational or similar uses.

- F. THE STREET AND THOROUGHFARES PROPOSED ARE SUITABLE AND ADEQUATE TO CARRY THE ANTICIPATED TRAFFIC THEREON.

The circulation system depicted in the Village Six SPA Plan is consistent with the Circulation system identified on the City's General Plan and Otay Ranch General Development Plan and contains adequate internal circulation consistent with the policies of the Otay Ranch General Development Plan and the City's General Plan. The traffic study provided for the Mitigated Negative Declaration IS-04-035 showed that there would not be the need for any additional signalization due to the increased number of units proposed for the project.

- G. ANY PROPOSED COMMERCIAL DEVELOPMENT CAN BE JUSTIFIED ECONOMICALLY AT THE LOCATION (S) PROPOSED AND WILL PROVIDE ADEQUATE COMMERCIAL FACILITIES OF THE TYPES NEEDED AT SUCH PROPOSED LOCATION (S).

The proposed amendment will allow for a two-sided mixed-use commercial village core, with 20,000-sq. ft. of retail commercial suites on the south side of East Palomar Street and 20 live-work shopkeeper unit on the north side of East Palomar Street within the project site enhanced by the addition to the 158-for sale condominiums built-in customer base.

- H. THE AREA SURROUNDING SAID DEVELOPMENT CAN BE PLANNED AND ZONED IN COORDINATION AND SUBSTANTIAL COMPATIBILITY WITH SAID DEVELOPMENT.

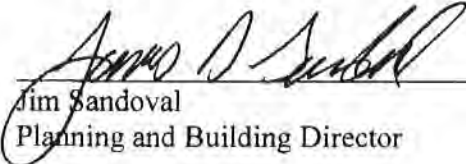
The Village Six SPA Plan is consistent with the approved plans and regulations applicable to surrounding areas and therefore, said development can be planned and zoned in coordination and substantial compatibility with said development. The proposed amendment to the Village Six SPA Plan is consistent with the Otay Ranch General Development Plan and Chula Vista General Plan.

V. EFFECTIVE DATE


This Resolution shall take effect and be in full force upon its adoption

Presented by

Approved as to form by



Jim Sandoval
Planning and Building Director




Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 11th day of October, 2005, by the following vote:

AYES: Councilmembers: Castaneda, McCann, and Padilla

NAYS: Councilmembers: None

ABSENT: Councilmembers: Davis, Rindone


Stephen C. Padilla, Mayor


ATTEST:


Susan Bigelow, MMC, City Clerk

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

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2005-346 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 11th day of October 2005.

Executed this 11th day of October 2005.


Susan Bigelow, MMC, City Clerk

Site Utilization Plan

Land Use Summary Table

RESIDENTIAL					
Neighborhood	Land Use	Acres	Units	Density	
R-1	SF	28.2	105	4.0	
R-2A	SF	19.0	97	4.8	
R-2B	SF	21.3	115	5.4	
R-3	SF	35.8	158	4.5	
R-4	SF	20.4	92	4.8	
R-5	SF	18.8	111	6.7	
R-6	SF	20.4	126	8.2	
Subtotal SF		158.8	795	5.0	
R-7A	MF	7.0	90	12.9	
R-7B	MF	10.8	201	18.8	
R-8	MF	11.7	293	29.7	
R-9A/D	MF	21.8	180	8.8	
R-9B	MF	12.7	265	20.8	
R-10	MF	12.1	312	17.5	
Subtotal MF		78.1	1,238	16.8	
MU-1/2*	MU	8.7	156	23.0	
Subtotal Residential		242.3	2,192	9.3	
R-11	SF (AR to S-2)	32.8	146	4.8	
Total Residential		274.8	2,338	8.7	
Non-Residential					
CPF-1x	CPF	1.5			
CPF-2bc	CPF	0.7			
CPF-2	CPF	11.5			
S-1	School	10.0			
S-2	Private High School (See R-11)	7.8			
P-1	Park	22.0			
OS	Open Space	58.3			
Circulation					
TOTAL		388.4	2,338	6.2	

Notes:

1. An "X" following a Parcel number, such as R-11c, indicates a subdivision that may be converted to CPF use for all purposes for purposes of providing a landscaped, accessible gathering area.
 2. R-11 is the base land use, which permits the attached private high school. The boundary between CPF-2 and R-11 may be revised during future detailed planning studies.
 3. Colored in being in (circles) color-coded, items may be revised during the subdivision process.
- * CPF-3 (1.8 A.C.) included in MU-1 site.



RESOLUTION NO. 2005-347

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AND ESTABLISHING CONDITIONS OF A TENTATIVE MAP TO SUBDIVIDE A 3.0-ACRE AND A 3.7-ACRE PARCEL ON EACH SIDE OF EAST PALOMAR STREET IN VILLAGE SIX INTO A TWO-LOT CONDOMINIUM MAP FOR 158 RESIDENTIAL UNITS – OTAY RANCH, LP

WHEREAS, the property which is the subject matter of this resolution is identified as Exhibit "A" attached hereto and described on Chula Vista Tract 05-16, and is commonly known as Otay Ranch Village Six Mixed-Use Tentative Map, (Property); and

WHEREAS, a duly verified application for the subdivision of the Property in the form of a tentative subdivision map known as "Otay Ranch Village Six Mixed-Use Tentative Map, Chula Vista Tract 05-16", (Project), was filed with the City of Chula Vista Planning and Building Department on June 14, 2005 by Otay Project L.P., (Applicant); and

WHEREAS, the application requests the approval for the subdivision of a 3.0-acre and a 3.7-acre parcel of land on each side of the terminus of East Palomar Street located between View Park Way and Magdalena Avenue within Otay Ranch Village Six SPA into 158 condominium lots; and

WHEREAS, The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS-04-035 in accordance with the California Environmental Quality Act. Based upon the results of the Initial Study, the Environmental Review Coordinator has determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-04-035; and

WHEREAS, the Planning Commission set the time and place for a hearing on said "Otay Ranch Village Six Mixed-Use Tentative Map, Chula Vista Tract 05-16", (PCS-05-16) and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city and its mailing to property owners within 500 feet of the exterior boundaries of the Project site at least ten days prior to the hearing; and

WHEREAS, a duly noticed public hearing was held at the time and place as advertised, namely 6:00 p.m. on September 14, 2005, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and the Planning Commission recommended approval of the Project and said hearing was thereafter closed; and

WHEREAS, a public hearing was scheduled before the City Council of the City of Chula Vista on proposed "Otay Ranch Village Six Mixed-Use Tentative Map, Chula Vista Tract 05-16", (PCS-05-16) and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on September 14, 2005, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. ENVIRONMENTAL DETERMINATION

The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS-04-035 in accordance with the California Environmental Quality Act. Based upon the results of the Initial Study, the Environmental Review Coordinator has determined that the project could result in significant effects on the environment. However, revisions to the project made by or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Environmental Review Coordinator has prepared a Mitigated Negative Declaration, IS-04-035.

III. COMPLIANCE WITH CEQA

The City Council does hereby find that in the exercise of their independent review and judgment, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (IS-04-035) in the form presented has been prepared in accordance with requirements of the California Environmental Quality Act (CEQA) and the Environmental Review Procedures of the City of Chula Vista and hereby adopts the same.

IV. ACTION

The City Council hereby approves the resolution approving the Otay Ranch Village Six Mixed-Use Tentative Map, Chula Vista Tract 05-16, (PCS-05-16) involving 6.7-acres of land known as Otay Ranch Village Six Mixed-Use Tentative Map in this resolution, finding it is consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan, Village Six SPA Plan, and all other applicable Plans, and that the public necessity, convenience, general welfare and good planning and zoning practice support their approval and implementation.

V. TENTATIVE SUBDIVISION MAP FINDINGS

A. Pursuant to Government Code Section 66473.5 of the Subdivision Map Act, the City Council finds that the Otay Ranch Village Six Mixed-Use Tentative Map, Chula Vista Tract 05-16, (PCS-05-16) as conditioned herein for Applicant, is in conformance with all the various elements of the City's General Plan, the Otay Ranch General Development Plan and Village Six Sectional Planning Area (SPA) Plan, based on the following:

1. Land Use

It is the City's goal to accommodate diversified housing types. The site is designated for Medium-High density residential land use consistent with the General Plan. Thus, the Project, as conditioned, is in substantial compliance with the adopted General Plan.

2. Circulation

All on-site improvements exist or will be relocated and upgraded to serve the subdivision. All off-site public streets required to serve the subdivision currently exist. Street improvements will be provided to accommodate the mixed-use retail and residential components as required.

3. Housing

The Project is consistent with the density prescribed within the General Plan and will provide 158 attached condominium units for individual ownership. A percentage of the 158-units will include affordable units that will create additional opportunities for residential ownership.

4. Parks, Recreation and Open Space

In fulfillment of its obligation to provide parkland, the developer will provide land via an irrevocable offer of dedication, payment of in-lieu fees, or a combination thereof towards a Community Park within the service area of Village Six. The developer will also provide development fees in accordance with CVMC 17.10. In addition, the Project includes on-site open space areas for passive and active recreation, such as a tot-lot, and the project is adjacent to the private pedestrian park and swimming pool that will be provided for condominium resident use.

5. Conservation

The Village Six EIR (Final EIR 98-01) addressed the goals and policies of the Conservation Element of the General Plan and found development of this site to be consistent with these goals and policies.

6. Seismic Safety

The proposed subdivision is in conformance with the goals and policies of the Seismic Element of the General Plan for this site. No seismic faults have been identified in the vicinity of the Project according to the Village Six SPA Geotechnical Reconnaissance Report.

7. Public Safety
The Fire Department and other emergency service agencies have reviewed the proposed subdivision for conformance with City safety policies and have determined that the proposal with some minor alterations to roadway access surface treatments meets the City Threshold Standards for emergency services.
 8. Public Facilities
The Applicant will provide all on-site and off-site streets, sewers and water facilities necessary to serve this Project. The developer will also contribute to the Otay Water District's improvement requirements to provide terminal water storage for this Project as well as other major projects in the eastern territories.
 9. Noise
The Project will include noise attenuation walls. In addition, all buildings are required to meet the standards of the Uniform Building Code with regard to acceptable interior noise levels.
 10. Scenic Highway
The roadway design provides wide landscaped buffers along the surrounding parkways of La Media Road, Birch Road, and Olympic Parkway. There is no scenic highway adjacent to the Project.
 11. Bicycle Routes
Bicyclists will share internal streets with motor vehicles due to the anticipated low traffic volumes and limited speeds allowed on residential streets. Birch Road includes a bike lane (class II) adjacent to the curb. La Media Road includes a bike lane (class I) within the right-of-way on the road westerly side.
 12. Public Buildings
Public buildings are not proposed on the Project site as part of the Community Purpose Facility. A day care center is proposed at this location.
- B. The configuration, orientation and topography of the site allow for a feasible setting for passive or natural heating and cooling opportunities as required by Government Code Section 66473.1.
- C. The site is physically suited for residential development and the proposal conforms to all standards established by the City for such project.
- D. The conditions herein imposed on the grant of permit or other entitlement herein contained is approximately proportional both in nature and extend to the impact created by the proposed development.

VI. GENERAL CONDITIONS OF APPROVAL

A. Project Site Improvement

The Applicant, or their successors in interest, shall improve the Project Site described as Otay Ranch Village Six Mixed-Use Tentative Map, Chula Vista Tract 05-16, (PCS-05-16) in conformance with all conditions of approval.

B. Design Consistency

Any improvements by the Applicant shall be in accordance with the Otay Ranch and City of Chula Vista Design Guidelines and in accordance with a Design Review approval by the Design Review Committee subsequent to the City Council approval.

VII. CONDITIONS OF APPROVAL

The conditions herein imposed on the tentative map approval or other entitlement herein contained is approximately proportional both to nature and extent of impact created by the proposed development. Unless otherwise specified, all conditions and code requirements listed below shall be fully completed to the City's satisfaction prior to approval of the Final Map.

1. The Applicant shall obtain the appropriate permits for development of the project site, and a Design Review permit shall be required for review and approval by the Design Review Committee prior to the submittal of building permits to the Planning and Building Department.
2. The Applicant shall implement, to the satisfaction of the Director of Planning and Building and the Environmental Review Coordinator, all mitigation measures identified in the Final Mitigated Negative Declaration (IS-04-035) and Mitigation Monitoring and Reporting Program in accordance with the requirements, provisions and schedules contained therein. Modification of the sequence of mitigation shall be at the discretion of the Director of Planning and Building and Environmental Review Coordinator should changes in circumstances warrant such a revision.
3. Applicant shall pay Park Acquisition and Development (PAD) fees in the amount required at the time of first building permit issuance based upon actual dwelling unit types as defined in the parkland dedication ordinance. The city estimates the PAD fee would be approximately \$442,874 (158 x \$2,803/mf unit) in Park Development Fees and 1.24-ac (158 x 341.1/mf unit) in Parkland Dedication Obligation, respectively. Outstanding land dedication will be due prior to first building permit as an IOD towards Community Park acreage adjacent to areas previously dedicated in future Otay Ranch Village Two. Fees/rates are subject to change based on the fees in effect at the time of the first building permit issuance and actual dwelling unit types as defined in the Parkland Dedication Ordinance.

4. Applicant shall provide a site plan for construction documents will show the widening of East Palomar to 154-ft. and will require the redesign of street tree and parkway landscaping. The site plan shall illustrate the modifications to the Master Landscape Plan for review and approval by the Department of General Services Landscape Architecture Section.
5. Applicant shall show all existing developments adjacent to the project site on a site plan for construction, including the public park to the southwest, the CPF site improvements to the northeast and all other surrounding multi-family projects. Show all driveways from these projects that access View Park Way and Magdalena Ave along the sections of these streets that are adjacent to the subject project. Show proposed access to the subject project from these streets; show these to line up with opposing access to the R-8 and R-9B projects. A drivable police access between MU-1 and Santa Venetia Park (Park P-1) was provided in the Park's design. Continuity with that drivable access to either View Park Way or Magdalena Ave. needs to be shown on the Tentative Map and constructed to the satisfaction of the Police Department.
6. Applicant shall show all lots on the MU-1 and MU-2 parcels on the site plan for construction, and if the applicant wishes to subdivide the existing lots and create lot lines for the proposed 0.7-acre Community Purpose Facility site, it must be shown on the Tentative Map.
7. Applicant shall show on the site plan for construction the proposed locations of sewer connections for all proposed internal lots including line and grade of proposed on-site public and private sewer lines. Show how the site will be connected to public storm drains.
8. Applicant shall show existing striping at the intersections of East Palomar Street with View Park Way and Magdalena Ave on the site plan for construction.
9. Applicant shall show on the site plan for construction the grading contour lines shown as "existing" and label per the approved Village 6 Rough Grading Plan (CCV Drawing No. 02011) and subsequent construction changes (show the existing de-silting basins, risers and connections to public storm drains). Show all adjacent sewer, water, reclaimed water, storm drain facilities surrounding the project.
10. Applicant shall show on the Final Map as well as on the site plan for construction, an enlargement of the section of East Palomar Street between View Park Way and Magdalena Avenue. Show all details both within and outside the ROW including proposed walkways, bicycle facilities and streetscape. To the extent these are known: indicate building interface with adjacent pedestrian access.
11. Applicant shall show on the final condominium map a note on the cover referencing only the subject project on MU-1 and MU-2 and not all of the multi-family projects in Otay Ranch's Village Six.

12. Applicant shall show the density of the subject project in the table on the last sheet on the site plan for construction document.
13. Applicant shall pay all applicable fees based on the final building plans submitted, such as Sewer Connection/Capacity Fees, Traffic Signal Fees, and Development Impact Fees.

Improvement Plans and Final Maps:

14. The Tentative Map indicates that East Palomar Street will be widened to provide angled parking along the project frontage on the north side of East Palomar. The cross-section of the proposed angled parking shall also be depicted on the Tentative Map. Prior to the issuance of any building permits for the project, street improvement plans for this section of East Palomar Street shall be submitted for approval by the City Engineer.
15. Prior to the issuance of any building permits for the project the Applicant shall secure the installation and install a fully operating traffic signal at East Palomar Street and View Park Way (the plans for this signal were submitted and approved as part of the street improvement plans for East Palomar St.: CCV Drawing No. 02039).
16. Applicant shall submit a conceptual site-grading plan in conjunction with a Design Review process. Grading plans and permits for MU-1 and MU-2 will be required to be in conformance with the Design Review Committee approved site plans.
17. No visible obstructions (slopes, trees, shrubs, walls, etc.) greater than 3.5 feet measured from street grade, or lower than 6 feet above street grade, shall be placed within sight distance lines at all corners. Sight distance lines, per City of Chula Vista Municipal Code, will be required on all plan submittals (grading, improvement, and final maps).
18. All proposed sidewalks and walkways, including those within or outside the public Right-of-way, pedestrian ramps, and disabled parking shall be designed to meet ADA standards.
19. The project will require the filing of final maps in accordance with Sections 66426 and 66427 of the Subdivision Map Act. The applicant shall enter into an agreement prior to approval of the final map(s) to secure all public improvements required for the development of the project.

Sewer Service:

20. Prior to the issuance of any building permits for the project, the Applicant shall satisfy the City Engineer that the Poggi Canyon Sewer Trunk has adequate capacity to serve the project. This condition may be satisfied by the completion of the project, now underway, to upgrade Reach 205 of Poggi Trunk Sewer.

21. Separate sewer improvement plans for MU-1 and MU-2 will be required. The plans shall show sewer mains designed to City of Chula Vista Subdivision Manual standards that shall be installed to serve as backbone systems within easements granted to the City that are provided with a structural section designed to accommodate minimum H-20 wheel loads using a traffic index equal to 5.

Storm Water Management:

22. Development of the project shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and storm water discharge and any regulations adopted by the City of Chula Vista pursuant to the NPDES regulations or requirements. Further, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity and shall implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. The SWPPP shall include both construction and post-construction pollution prevention and control measures and shall identify funding mechanisms for post-construction and permanent control measures.
23. Development of the Mixed-Use project is subject to the requirements of Section F.1.b. (2) of the NPDES Municipal Permit concerning Standard Urban Storm Water Mitigation Plans (SUSMP), and Numeric Sizing Criteria. The applicant shall comply with those requirements in accordance with the City of Chula Vista SUSMP.
24. A water quality study is required to identify potential storm water pollutants generated at the project site during and after construction, and propose Best Management Practices (BMPs) to reduce those pollutants to the maximum extent practicable. The Applicant shall be required to complete the applicable Storm Water Compliance Forms (5500 series forms) and comply with the City of Chula Vista's Storm Water Management Standards Requirements Manual (Standards Manual) as directed therein.
25. The Applicant will be required to implement BMPs to prevent pollution of storm water conveyance systems located in the public right of way, both during and after construction. Permanent storm water BMPs, including required site design, source control and structural treatment measures shall be incorporated into the project design, and shall be shown on an approved site improvement plan. Required construction and non-structural BMP requirements that cannot be shown graphically, and on-going maintenance and implementation of BMPs and source control measures, shall be described in the project's SWPPP.
26. The Applicant, or an approved private entity, shall operate and maintain the project site including the approved construction, post-construction and permanent BMPs in a manner that minimizes the introduction of pollutants to the public streets and storm drain systems to the maximum extent practicable. The applicant shall demonstrate to the satisfaction of the City Engineer that the project site will be maintained in accordance with the SWPPP.

27. The approved tentative map, street improvements, grading plans, final maps and site improvement plans shall all be submitted in digital form in California State Plane Coordinate System (NAD 83, Zone 6).
28. The Applicant may be subject to additional requirements and conditions during the Design Review and Final Map entitlement process, depending upon subsequent plans submitted for approval.
29. The approval of this Tentative Map shall not be effective unless the Otay Ranch GDP Land Use Table Amendment, Village Six SPA Plan Site Utilization Plan Map Amendment, and the Planned Community (PC) District Regulations Land Use District Plan Map Zone Change are approved by the Chula Vista City Council.
30. Applicant shall execute an affordable housing agreement with the Housing Division to determine the exact number and location of units within the residential buildings that shall be deemed affordable housing units within the 158-unit condominium map prior to the recordation of the Final Map.

VIII. CONSEQUENCE OF FAILURE OF CONDITIONS

If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, revoke or further condition issuance of all future building permits issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

IX. INVALIDITY; AUTOMATIC REVOCATION

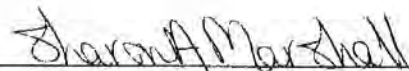
It is the intention of the City Council that its adoption of this Resolution is dependent upon the enforceability of each and every term, provision and condition herein stated; and that in the event that any one or more terms, provisions, or conditions are determined by a Court of competent jurisdiction to be invalid, illegal or unenforceable, this resolution shall be deemed to be automatically revoked and of no further force and effect ab initio.

Presented by

Approved as to form by



Jim Sandoval
Planning and Building Director



Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 11th day of October, 2005, by the following vote:

AYES: Councilmembers: Castaneda, McCann, and Padilla

NAYS: Councilmembers: None

ABSENT: Councilmembers: Davis, Rindone


Stephen C. Padilla, Mayor


ATTEST:


Susan Bigelow, MMC, City Clerk

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

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2005-347 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 11th day of October 2005.

Executed this 11th day of October 2005.


Susan Bigelow, MMC, City Clerk

