

RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE CHULA VISTA GENERAL PLAN (MPA20-0012) AND THE SUNBOW II GENERAL DEVELOPMENT PLAN (MPA20-0013) TO REFLECT LAND USE CHANGES FOR APPROXIMATELY 135.7 ACRES WITHIN THE SUNBOW II, PHASE 3 PLANNED COMMUNITY, INCLUDING ASSOCIATED TEXT, MAPS AND TABLES

WHEREAS, the area of land which is the subject of this Resolution is represented in Exhibit A, attached hereto and incorporated herein by this reference, and commonly known as Sunbow II, Phase 3, and for the purpose of general description consists of 135.7-acres within the Sunbow II Planned Community generally located at the southeast corner of Brandywine Avenue and Olympic Parkway (Project Site); and

WHEREAS, on February 20, 1990, the City Council of the City of Chula Vista approved the Sunbow II Sectional Planning Area (SPA) Plan (Resolution No. 15524), inclusive of a 46.0-acre parcel designated for an Industrial Park, known as Planning Area 23 (PA23); and

WHEREAS, since approval all other parcels covered by the Sunbow II SPA have been built out and the PA23 site has remained vacant; and

WHEREAS, on January 7, 2020, the City Council of the City of Chula Vista approved a Community Benefits Agreement (Resolution No. 2020-003) with ACI Sunbow, LLC (Applicant/Owner), to allow the Owner to process entitlements to consider the conversion of the PA23 land from industrial to residential uses and in exchange would provide funding that can be used by the City to direct the construction of a job enhancing use in Eastern Chula Vista or other signature project; and

WHEREAS, applications to consider such amendments to the City of Chula Vista General Plan (MPA20-0012), Sunbow II General Development Plan (MPA20-0013), Sunbow II, Phase 3 SPA Plan (MPA20-0006) and approval of an associated Tentative Map (PCS20-0002) and Development Agreement (MPA21-0014) were filed with the City of Chula Vista Development Services Department on February 26, 2020 by the Applicant; and

WHEREAS, the Applicant proposes to rezone 67.5-acres of developable land on the Project Site from light industrial to residential uses resulting in up to 534 multi-family medium-high-density and 184 multi-family high-density residential dwelling units (718 total units) on six parcels and designate the remaining 68.2-acres as Multiple Species Conservation Program (MSCP) land, Poggi Creek Conservation Easement areas and a conserved wetland resource area on sixteen parcels (Project); and

WHEREAS, the Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that there is substantial evidence, in light of the whole record, that the Project may have a significant effect on the environment; therefore, the Director of Development Services has caused the preparation of an Environmental Impact Report (EIR20-0002); and

WHEREAS, the City of Chula Vista's current General Plan was last comprehensively updated in December 2005; and

WHEREAS, the proposed General Plan Amendment (GPA) is contained in a document entitled, "Sunbow II, Phase 3 Chula Vista General Plan Amendment Justification Report (May 2021)" as represented in Exhibit B attached hereto and incorporated herein; and

WHEREAS, the Sunbow II General Development Plan was approved on December 5, 1989, by City Council Resolution No. 15427; and

WHEREAS, the proposed Sunbow II General Development Plan (GDPA) is contained in a document entitled "Sunbow General Development Plan Amendment (January 2021)" as represented in Exhibit C attached hereto and incorporated herein; and

WHEREAS, the GPA and GDPA as presented are necessary to accommodate the land uses anticipated in the Sunbow II, Phase 3 Sectional Planning Area (SPA) Plan Amendment; and

WHEREAS, pursuant to California Government Code section 65090, the Planning Commission held a duly noticed public hearing on the Project and voted 0-6 recommending the City Council deny the approval of the Project, citing that further analysis related to the Jobs Enhancement Fund and a mix of land uses on the site be considered; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this Project, and the Minutes and Resolution resulting therefrom, are hereby incorporated into the record of these proceedings; and

WHEREAS, the City Clerk set the time and place for the hearing on the Project and notice of said hearing, together with its purposes given by its publication in a newspaper of general circulation in the City, at least ten days prior to the hearing; and

WHEREAS, pursuant to California Government Code section 65090, the City Council held a duly noticed public hearing on the Project; and

WHEREAS, immediately prior to this action, the City Council certified the FEIR (FEIR20-0002), pursuant to **Resolution No. 2021- A**; and

WHEREAS, the next steps of Project approval will include the consideration of the Sunbow II SPA Plan Amendment (MPA20-0017), Tentative Map (PCS20-0002) and a Development Agreement between the City and Applicant (MPA21-0014).

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

I. COMPLIANCE WITH CEQA

The City Council of the City of Chula Vista finds that, in the exercise of their independent review and judgment, immediately prior to this action, considered the FEIR20-0002 (EIR20-0002) which is attached to this Resolution as Exhibit D.

II. GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Plan, as amended, is internally consistent and shall remain internally consistent following amendments thereof by this Resolution.

III. GENERAL DEVELOPMENT PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Development Plan, as amended, is internally consistent and shall remain internally consistent following amendments thereof by this Resolution.

IV. ADOPTION OF GENERAL PLAN AND GENERAL DEVELOPMENT PLAN AMENDMENTS

In light of the findings above, the General Plan Amendment and General Development Plan Amendment are hereby approved and adopted in the form as presented in Exhibits B and C attached hereto and incorporated herein and on file in the City Clerk's Office.

Presented by:

Approved as to form by:

Tiffany Allen
Director of Development Services

Glen R. Googins
City Attorney