



CITY COUNCIL STAFF REPORT



December 7, 2021

ITEM TITLE

Summary Vacation of Irrevocable Offer of Dedication: Consider Ordering the Summary Vacation of an Irrevocable Offer of Dedication for Open Space and other Public Purposes in the Area of Otay Ranch Village 3 North

Report Number: 21-0216

Location: Heritage Road between Paseo Cultura and Santa Maya

Department: Development Services

Environmental Notice: The Project was adequately covered in previously certified Final Environmental Impact Report, FEIR 13-01 (SCH No. 2013071077) and Addendums to FEIR 13-01 for the Otay Ranch University Villages Sectional Planning Area (SPA) Plans.

Recommended Action

Adopt a resolution ordering the Summary Vacation of an Irrevocable Offer of Dedication for Open Space and other Public Purposes of Lots "D" and "E" Per Final Map 16160, Chula Vista Tract No. 16-02, Otay Ranch Village 3 North.

SUMMARY

This action will vacate the existing Irrevocable Offer of Dedication (IOD) of Lots "D" and "E" of Final Map 16160 so that the Rockefeller Group (the "Developer") can complete a lot line adjustment (LLA) between Lots 814, 815, "D" and "E" of Final Map No. 16160 to accommodate the Heritage Industrial Center construction. 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 through adoption of a resolution. A new IOD will be offered and accepted for the Open Space and Other Public purposes per separate instrument.

ENVIRONMENTAL REVIEW

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 the previously certified Final Environmental Impact Report for the Otay Ranch University Villages Sectional

Planning Area (SPA) Plans (FEIR 13-01) (SCH No. 2013071077) and Addendums to FEIR 13-01. Thus, no further environmental review or documentation is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

The Developer submitted a lot line adjustment between Lots 814, 815, “D” and “E” of Final Map 16160 to accommodate the proposed buildings; provide access to the existing western driveway for both Lots 814 and 815; and enlarge the west side of the existing eastern driveway to conform to the proposed driveway. The existing Lots “D” and “E” IOD was offered by the Developer to the City for Open Space and other public purposes and the offer was rejected on said map (Attachment 2). As part of the requirements made by the City to vacate the IOD, the Developer must provide a new IOD that will reflect the new boundaries of the two Open Space lots being vacated (Attachment 3). After the recordation of the Council Resolution that will vacate any City interest in Lots D and E, the City Clerk will acknowledge, and record the new IOD for the two Open Space Lots.

With this proposed action, the City will vacate the existing IOD recorded with Final Map 16160, December 21, 2016 for Lots “D” and “E” 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 (i.e., a summary vacation) may be performed 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.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the Council members and has found no property holdings within 1,000 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)(7) or (8), 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 Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

All costs associated with processing the summary vacation is borne by the developer, resulting in no current-year fiscal impact to the General Fund or the Development Services Fund.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact associated with the vacation of the IOD to the General Fund or the Development Services Fund.

ATTACHMENTS

Attachment 1: Vicinity Map

Attachment 2: Existing IOD Vacation for Open Space Lots

Attachment 3: New IOD for Open Space Lots

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