

ORDINANCE NO. [REDACTED]

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA
APPROVING A SECOND AMENDMENT TO THE DEVELOPMENT
AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND MCMILLIN
OTAY RANCH, LLC.

WHEREAS, the property which is the subject matter of this ordinance is identified in the Development Agreement attached hereto as Exhibit “A” and commonly known as Lots 1 and 19 of Millenia, formerly the Eastern Urban Center (“Property”); and

WHEREAS, the Project relied in part on the original Otay Ranch General Development Plan (“GDP”) Program Environmental Impact Report 90-01, the Otay Ranch Villages Two, Three and a Portion of Four Section Planning Area (“SPA”) Plan Final Second-Tier Environmental Impact Report (“EIR 02-02”; SCH No. 200.30.91.012), and the Village Two Comprehensive SPA Plan Amendment Final Supplemental Environmental Impact Report (“EIR 12-01”; SCH No. 200.30.91.012) the California Environmental Qualities Act (CEQA) Findings and Mitigation Monitoring and Reporting Program; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Development Agreement 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. December 14, 2022, in the Council Chambers, 276 Fourth Avenue, and the Planning Commission approved the proposed amendments to the Second Development Agreement Between the City of Chula Vista and McMillin Otay Ranch, LLC. and voted X-X-X to adopt Resolution No. XX-XXX and thereby recommended that the City Council adopt an Ordinance amending the Development Agreement; and,

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on the Project held on December 14, 2022 and the minutes and resolution resulting therefrom, are incorporated into the record of this proceedings; and,

WHEREAS, on December 20, 2022, a duly noticed public hearing was scheduled before the City Council of the City of Chula Vista to consider adopting the ordinance to approve the Development Agreement; and

WHEREAS, City staff has reviewed the Development Agreement Amendment and determined it to be consistent with the Otay Ranch General Development Plan and the City’s General Plan.

NOW, THEREFORE, THE CITY COUNCIL of the City of Chula Vista does hereby order and ordain as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on December 14, 2022 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. COMPLIANCE WITH CEQA

The City Council hereby finds that the adoption of the ordinance approving the Development Agreement Amendment was adequately covered in previously certified Final Second Tier Environmental Impact Report (EIR 07-01) – SCH No. 2007041074 for Otay Ranch Eastern Urban Center (EUC) Sectional Planning Area (SPA) Plan and Tentative Map.

III. CONSISTENCY WITH GENERAL PLAN AND OTAY RANCH GENERAL DEVELOPMENT PLAN

The City Council finds that the proposed Second Amendment to the Development Agreement is consistent with the City's General Plan and Otay Ranch GDP. The amended Development Agreement implements the General Plan and GDP by promoting economic growth opportunities to attract industries and business that contribute to diversification and stabilization of the local economy (ED 1.1), and increased office space and additional economic development opportunities to strengthen Millenia's position as a business, cultural and entertainment hub of the City (ED 9.2).

IV. ACTION

The City Council hereby adopts an Ordinance approving the Second Amendment to the Development Agreement between the City of Chula Vista and McMillin Otay Ranch LLC., (a copy of which is on file in the City Clerk's office), finding it consistent with the California Government Code, adopted City policies, the General Plan, and the Otay Ranch GDP.

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

Eric C. Crockett
Deputy City Manager

Glen R. Googins
City Attorney