



CITY COUNCIL STAFF REPORT



February 13, 2024

ITEM TITLE

Agreement: Approve a Park Agreement for the Construction of a 0.5 Acre Public Park Associated with the Chula Vista Center Residential Project, also Known as the Citrus Bay Project, Located at the Former Sears Site at Chula Vista Center

Report Number: 24-0052

Location: Southeast Corner of H Street and 5th Avenue

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act (“CEQA”) State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required. Alternatively, if the subject park agreement is considered a Project under CEQA, then the agreement was adequately covered and addressed under CEQA in the approved January 2023 Addendum to the previously adopted Final Environmental Impact Report for the Urban Core Specific Plan (FEIR06-01; SCH#2005081121; and certified by Resolution No. 2007-097 on April 26, 2007).

Recommended Action

Adopt a resolution approving the Park Agreement for the construction of a public park associated with the Citrus Bay Project located at the former Sears site at Chula Vista Center.

SUMMARY

CWC Broadway CV 256, LLC (“Developer”) is redeveloping the former Sears site located at the Chula Vista Center. As part of the development of 244 market-rate, for sale, attached townhomes on the 15.54 acre site, the Developer is required to provide parkland. The City and Developer desire to enter into a Park Agreement to satisfy the project’s parkland obligations.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the activity for compliance with CEQA and has determined that the activity is not a “Project” under Section 15378; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required. Alternatively, if the subject park agreement is

considered a Project under CEQA, then the agreement was adequately covered and addressed under CEQA in the approved January 2023 Addendum to the previously adopted Final Environmental Impact Report for the Urban Core Specific Plan (FEIR06-01; SCH#2005081121; and certified by Resolution No. 2007-097 on April 26, 2007).

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable

DISCUSSION

On January 25, 2023, the City of Chula Vista Planning Commission approved a project consisting of 244 market-rate, for sale, attached townhomes, a commercial parcel and a 0.5-acre parcel for a future public park on an existing 15.54 acre site within the UC-6 and UC-7 Subdistricts of the Urban Core Specific Plan ("UCSP"). This project is commonly referred to as the Sears site project, as this location is where the former Sears building was located adjacent to Chula Vista Center. The marketing name for the future residential project is Citrus Bay.

The project is required to comply with the City's Parklands and Public Facilities Ordinance, Chula Vista Municipal Code ("CVMC") Chapter 17.10 ("PLDO"). The project's PLDO obligation is 1.91 acres of developed parkland, which can be achieved in a variety of ways consistent with CVMC Chapter 17.10. Due to the urban nature of the area of the project, the City finds that a combination of parkland dedication, parkland development improvements and payment of parkland in-lieu fees of \$565,880.36 paid by the Developer will satisfy the project's PLDO obligations.

The design of the park will follow the City's standard park master plan process which will include public meetings for input on amenities desired by the community, a park design that will be presented at both the Park and Recreation Committee and City Council for final approval. The Park Agreement allows for the City and Developer to move forward in a collaborative way for the park planning process to achieve a "turnkey" 0.5-acre Public Park in the western portion of the City.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City 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 City 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

There are no current year fiscal impacts to the General Fund or the Development Services Fund as a result of this action.

ONGOING FISCAL IMPACT

A one-time maintenance fee of \$309,167 has been negotiated and will be paid by the Developer to the City and deposited to a Special Revenue Fund at the time that the City accepts the turnkey public park. This fee will support ongoing maintenance of the Park and is anticipated to be sufficient to fund such activities for the first 20 years of the park's operations. Upon exhaustion of these funds, operation and maintenance of the park will be absorbed by the City.

Parkland in-lieu fees of \$565,880.36 paid by the Developer will be deposited to the Parkland Acquisition and Development ("PAD") Fee Fund and available to construct qualifying park projects.

ATTACHMENTS

1. Agreement for the Construction of a Public Park for the Chula Vista Center Residential Development Project

Staff Contact: Laura C. Black, AICP, Director of Development Services