

RESOLUTION NO. 2024-03

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF CHULA VISTA RECOMMENDING APPROVAL OF
AMENDMENTS TO THE OTAY RANCH FREEWAY
COMMERCIAL PLANNED COMMUNITY DISTRICT
REGULATIONS

WHEREAS, on September 18, 2023, a duly verified application was filed with the City of Chula Vista by PA-12A, LLC (“Applicant”) requesting approval of amendments to the land use regulations for the Otay Ranch Freeway Commercial Sectional Planning Area (“SPA”) Plan to add medical offices as a permitted use within the C/MU (Commercial Mixed-use) zone and authorize the Zoning Administrator to approve certain modifications to previously approved Design Review permits (“Project”); and

WHEREAS, the area of land that is the subject of this Resolution is generally bounded on the north of Birch Road, east of State Route 125 (SR-125), south of Olympic Parkway, and west of Eastlake Parkway (“Project Site”); and

WHEREAS, the Project is intended to ensure that the Otay Ranch Freeway Commercial SPA Plan is prepared in accordance with the Otay Ranch General Development Plan (“GDP”) to implement the City of Chula Vista General Plan for Eastern Chula Vista, to promote the orderly planning and long-term phased development of the Otay Ranch GDP, and to establish conditions that will enable the Otay Ranch Freeway Commercial SPA to exist in harmony within the community; and

WHEREAS, the Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act (“CEQA”) and determined that the Project is adequately covered in the previously adopted Final Environmental Impact Report for the Otay Ranch Freeway Commercial SPA Plan (FEIR 02-04; SCH #1989010154; adopted by City Council Resolution No. 2003-131 on April 1, 2003). Therefore, no further environmental review is required; and

WHEREAS, the Director of Development Services set the time and place for a hearing before the Planning Commission, 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 property at least ten (10) days prior to the hearing; and

WHEREAS, after review and consideration of the Staff Report and related materials and the Staff recommendation for approval of the Project, the hearing was held before the Planning Commission at 6:00 p.m. on Wednesday, February 28, 2024, in the Chula Vista City Council Chambers, 276 Fourth Avenue, and the hearing was thereafter closed.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Chula Vista that it hereby makes the following findings:

I. SECTIONAL PLANNING AREA FINDINGS

The proposed Sectional Planning Area plan, as amended, is in conformity with the Otay Ranch General Development Plan, as amended, any adopted specific plans, and the Chula Vista General Plan, as amended, and its several elements.

The addition of medical offices as a permitted use is consistent with other permitted commercial uses already specified within the Otay Ranch Freeway Commercial SPA Plan and is consistent with the intent of the General Plan Land Use Designations of Retail Commercial and Mixed Use Residential, as well as the Otay Ranch GDP designations of Freeway Commercial and Mixed Use.

In addition, an administrative process to modify previously approved Design Review permits is consistent with the City's relevant adopted plans established to streamline the development review process. Modifications shall comply with all applicable standards of the Otay Ranch Freeway Commercial SPA Plan.

The proposed Sectional Planning Area plan, as amended, would promote the orderly, sequentialized development of the involved Sectional Planning Area.

The addition of medical offices as a permitted use is consistent with other permitted commercial uses under the Otay Ranch Freeway Commercial SPA Plan, and establishing an administrative review process for most Design Review permit modifications will continue to promote the orderly, sequential development of the Otay Ranch Freeway Commercial SPA Plan. Any proposed modifications shall comply with all applicable standards of the SPA Plan.

The proposed Sectional Planning Area plan, as amended, would not adversely affect adjacent land use, residential enjoyment, circulation, or environmental quality.

The Project will not adversely affect the overall land uses as previously envisioned in the Otay Ranch GDP and Otay Ranch Freeway Commercial SPA Plan. Additionally, it has been determined that the Project is adequately covered in the previously adopted Final Environmental Impact Report for the Otay Ranch Freeway Commercial SPA.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Chula Vista, after hearing public testimony and the Staff presentation, and after reviewing all of the subject documents, hereby recommends that the City Council adopt the attached draft Ordinance approving the Project in accordance with the findings and subject to the conditions contained therein and that a copy of this Resolution and the draft Ordinance be transmitted to the City Council.

II. INVALIDITY; AUTOMATIC REVOCATION

It is the intention of the Planning Commission 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 and

the permit shall be deemed to be automatically revoked and of no further force and effect ab initio.

Presented by

Approved as to form by

DocuSigned by:
Laura C. Black
Laura C. Black, AICP
Director of Development Services

DocuSigned by:
Morgan L. Foley
for Jill D.S. Maland
Lounsbury Ferguson Altona & Peak
Acting City Attorney

PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 28th day of February 2024, by the following vote, to-wit;

AYES: Burroughs, Combs, Felber, Leal, Torres, Zaker, De La Rosa

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:
Michael De La Rosa
Michael De La Rosa, Chair

ATTEST:

DocuSigned by:
Mariluz Zepeda
Mariluz Zepeda, Secretary