



CITY COUNCIL STAFF REPORT



June 11, 2024

ITEM TITLE

Vacation of Public Access Easement: Approve a Summary Vacation of a Portion of a Public Access Easement for Park Use and Other Public Purposes

Report Number: 24-0085

Location: Northeast intersection of Santa Carolina Road and Santa Victoria Road

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The Project is adequately covered in the previously certified Final Supplemental Environmental Impact Report ("FSEIR") for the Otay Ranch Village Two Comprehensive SPA Plan Amendment (FSEIR 12-01; SCH #2003091012; adopted by City Council Resolution No. 2014-207 on November 4, 2014).

Recommended Action

Conduct the public hearing and adopt a resolution Summarily Vacating of a portion of the Public Access Easement for Park Use and other public purposes over Lot 15 Per Map No. 15350, Chula Vista Tract No. 06-05, Otay Ranch Village 2 and Portions of Village 4 "A" Map.

SUMMARY

This action will vacate a portion of the existing Public Access Easement for Park Use and Other Public Purposes (the "Easement") so that the Easement will align with the boundary of the new park lot as defined by the lot line adjustment completed by Baldwin & Sons (the "Developer") between Lots 14 and 15 of Map No. 15350 to accommodate the final park that was designed outside the constraints of the existing lot lines per said map. 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 Irrevocable Offer of Dedication will be offered for the Open Space and Other Public purposes per separate instrument.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the Project for compliance with the California Environmental Quality Act (“CEQA”) and determined that the Project is adequately covered in the previously certified FEIR for the Otay Ranch Village Two SPA Plan (EIR 02-02; SCH#2003091012; and incorporated by reference in the certification of Final SEIR 12-01 by Resolution No. 2014-207 on November 4, 2014). Thus, no further environmental review is necessary.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

The Developer submitted a lot line adjustment so that the Easement will align with the boundary of the new park lot as defined by the lot line adjustment completed by the Developer between Lots 14 and 15 of Map No. 15350 to accommodate the final park that was designed outside the constraints of the existing lot lines per said map. After recordation of the resolution vacating a portion of the Easement in the subject area between Lots 14 and 15 of Map No. 15350, the City Clerk will acknowledge and record the new Public Access Easement for Park Use and other Public Purposes.

With this proposed action, the City will vacate a portion of the existing Public Access Easement for Park Use and Other Public Purposes and record the new Public Access Easement for Park Use and Other Public Purposes 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 to process this request are borne by the Developer, resulting in no current-year fiscal impact to the General Fund or Development Services Fund as a result of this action.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact to the General Fund or Development Services Fund as a result of this action.

ATTACHMENTS

1. Vicinity Map
2. Existing Easement Dedication per Map No. 15350
3. New Public Access Easement for Park Use and other Public Purposes

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