

RESOLUTION NO. 2024-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA APPROVING A TIME EXTENSION OF TENTATIVE SUBDIVISION MAP PCS18-0003 FOR THE DEVELOPMENT OF SIXTEEN FOR-SALE, MULTI-FAMILY RESIDENTIAL UNITS LOCATED AT 354 MOSS STREET

WHEREAS, Wellston Development LLC (the “Owner”), developer of a residential development located at 354 Moss Street within the City of Chula Vista, received approval from the City of Chula Vista Planning Commission for Tentative Map No. PCS18-0003 (“Tentative Map”), on April 28, 2021; and

WHEREAS, the approved Tentative Map was originally due to expire on April 28, 2024; and

WHEREAS, before April 28, 2024, the Owner submitted an extension request under the California Subdivision Map Act [Government Code section 66452.6 (e)] and pursuant to Chula Vista Municipal Code (“CVMC”) sections 18.12.190 and 19.14.600. That request stated that many delays in finalizing the Tentative Map and obtaining various permits for the development project have been incurred, including due to issues in obtaining needed project funding, the death of the project architect, and Covid-related impacts relating to project workforce and materials issues; and

WHEREAS, pursuant to CVMC section 18.12.190, the Owner is requesting approval of a time extension of the approved Tentative Map for an additional two years commencing from April 28, 2024, and expiring April 28, 2026; and

WHEREAS, the Tentative Map remains consistent with the City’s General Plan, Zoning Ordinance, and the policies, and standards that were in place at the time of the Tentative Map’s original approval, and there have been no changes to the Tentative Map; and

WHEREAS, the Subdivision Map Act [Government Code section 66452.6(e)] provides that upon submittal of an application for an extension of a tentative map before expiration of that approved tentative map, “the map shall automatically be extended for 60 days, or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first.” Accordingly, the Tentative Map has been automatically extended under the Subdivision Map Act until up to June 27, 2024, to allow for consideration and action on the extension request by the Planning Commission; and

WHEREAS, the failure to present to the Planning Commission the Owner’s request for the extension of the Tentative Map at an earlier date was as a result of cancellation of regular meetings of the Planning Commission on May 22, 2024 and June 12, 2024, and not due to actions or inactions of the Owner. Therefore, requiring the Owner to have presented the request for the Tentative Map extension at an earlier Planning Commission meeting date would be inequitable, unjust, and unreasonable, resulting in a significant hardship to the Owner; and

WHEREAS, the Director of Development Services has determined under CVMC section 18.12.190 that a public hearing is not required on the requested extension to the Tentative Map because there have been no changes in conditions in the area or to the Tentative Map; and

WHEREAS, the Director of Development Services has reviewed the proposed request to extend the Tentative Map for compliance with the California Environmental Quality Act (“CEQA”) and has determined that the request and its resulting potential environmental impacts were adequately covered and studied in a previously adopted and approved Categorical Exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines as recognized in Planning Commission Resolution No. PCS18-003 dated April 28, 2021. Thus, no further environmental review is required; and

WHEREAS, City staff recommends approval and adoption of the time extension request for Tentative Map No. PCS18-0003; and

WHEREAS, the Director of Development Services set the time and place for a meeting before the Planning Commission to consider the time extension request for Tentative Map PCS18-0003, and notice of the meeting, together with its purpose, was properly given and provided as required by law; and

WHEREAS, the Chula Vista Planning Commission has reviewed and considered all materials for the time extension request for Tentative Map No. PCS18-0003; and

WHEREAS, the meeting was held at the time and place as advertised in the Council Chambers, 276 Fourth Avenue, before the Planning Commission, and the matter was considered.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby (1) finds that the failure to present to the Planning Commission the Owner’s request for the extension of the Tentative Map at an earlier date than this meeting was as a result of cancellation of regular meetings of the City Planning Commission on May 22, 2024 and June 12, 2024, and not due to actions or inactions of the Owner, and (2) adopts this Resolution approving the Tentative Map time extension from April 28, 2024, until April 28, 2026, subject to the same Findings and Conditions of Approval for the Tentative Map contained in Planning Commission Resolution PCS18-003 dated April 28, 2021.

[SIGNATURES ON THE FOLLOWING PAGE]

Presented by

Approved as to form by

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Laura C. Black, AICP  
Director of Development Services

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Marco A. Verdugo  
City Attorney