

RESOLUTION NO. 2024-XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA RECOMMENDING THAT THE CITY COUNCIL MAKE CERTAIN FINDINGS OF FACT, ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, AND CERTIFY ENVIRONMENTAL IMPACT REPORT EIR22-0001 FOR THE NAKANO PROJECT; APPROVE AMENDMENTS TO THE CHULA VISTA GENERAL PLAN FOR THE NAKANO PROJECT (MPA21-0016); ADOPT THE NAKANO SPECIFIC PLAN (MPA21-0017); PLACE AN ORDINANCE ON FIRST READING APPROVING A ZONE CHANGE FOR THE NAKANO PROJECT; APPROVE A TENTATIVE MAP FOR THE NAKANO PROJECT (PCS21-0001); APPROVE A PROPERTY TAX EXCHANGE AGREEMENT AND ANNEXATION AGREEMENT FOR THE NAKANO PROJECT; AND ADOPT A RESOLUTION OF SUPPORT FOR THE PROPOSED REORGANIZATION OF THE NAKANO PROJECT SITE FROM THE CITY OF CHULA VISTA'S JURISDICTION INTO THE JURISDICTION OF THE CITY OF SAN DIEGO

WHEREAS the area of land that is the subject of this Resolution is, for the purpose of general description, the 23.77 acres located south of the Otay River, north of Dennery Road, east of Interstate 805 ("I-805"), and west of the RiverEdge Terrace residential subdivision in the City of San Diego ("Nakano Property" or "Project Site"); and

WHEREAS the Project Site is bounded on the east, south, and west by the City of San Diego and can only be accessed via Dennery Road; and

WHEREAS the Project Site does not have direct access or connections to City of Chula Vista ("City") utilities, services, and/or facilities, and, if developed, would need to be served by the City of San Diego ("San Diego"); and

WHEREAS Tri Pointe Homes ("Applicant" or "Property Owner") wishes to develop the Nakano Property for residential use with infrastructure and public services provided by San Diego, thus requiring reorganization of the Project Site from the City into San Diego; and

WHEREAS, on December 7, 2021, San Diego and the City entered into a Memorandum of Understanding ("MOU") acknowledging that both have substantial claims to be the Lead Agency in the annexation process, that the City would serve as the Lead Agency since the Nakano Specific Plan will be processed within its jurisdiction, and San Diego would serve as a Responsible Agency; and

WHEREAS, on September 16, 2021, a duly verified application was filed with the City's Development Services Department by the Applicant requesting approval of amendments to the Chula Vista General Plan (MPA21-0016) changing the land use designation of the Project Site from Open Space (OS) to Medium Residential (RM), adoption of the Nakano Specific Plan

(MPA21-0017), and approval of a Tentative Map for the Nakano Project (PCS21-0001) (“Project”); and

WHEREAS the Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act (“CEQA”) and has determined that the Project may have a significant effect on the environment and, therefore, requires the preparation of Environmental Impact Report (“EIR”) EIR22-0001; and

WHEREAS City staff recommends that the Planning Commission adopt this Resolution recommending to the City Council that it certify EIR22-0001 and approve the Nakano Project, including amendments to the Chula Vista General Plan for the Nakano Project, the Nakano Specific Plan, a Tentative Map for the Nakano Project, a Property Tax Exchange Agreement, an Annexation Agreement, and a Resolution of Support for the reorganization of the Nakano Property from the jurisdiction of the City into the jurisdiction of San Diego; and

WHEREAS the Director of Development Services set the time and place for a hearing before the Planning Commission to consider the staff recommendation, 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 for this matter, the Planning Commission held a duly noticed public hearing to consider said recommendation to the City Council on October 9, 2024, at 6:00 P.M. in the City Council Chambers, 276 Fourth Avenue, and the hearing was thereafter closed,

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City that it hereby recommends that the City Council adopt a Resolution approving EIR22-0001 with a Statement of Overriding Considerations, amending the General Plan, adopting the Nakano Specific Plan, approving a Tentative Map for the Nakano Project, approving a Property Tax Exchange Agreement, approving an Annexation Agreement, and adoption of a Resolution of Support for the reorganization of the Nakano Property; the Planning Commission further recommends that the City Council place an Ordinance on first reading approving the proposed Zone Change for the Project.

BE IT FURTHER RESOLVED THAT a copy of this Resolution be transmitted to the City Council.

Presented by

Approved as to form by

Laura C. Black, AICP
Director of Development Services

for Marco A. Verdugo
City Attorney

PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 9th day of October 2024, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Michael De La Rosa, Chair

Mariluz Zepeda, Secretary