

Otay Ranch Village Eleven

Sectional Planning Area (SPA) Plan

Original Adoption October 23, 2001



| | |
|---------------|--|
| NO. 1 | II.1 Record of GDP & SPA Amendments |
| NO. 2 | II.2 Sectional Planning Area (SPA) Plan |
| NO. 3 | II.3 Planned Community (PC) District Regulations |
| NO. 4 | II.4 Village Design Plan |
| NO. 5 | II.5 Public Facilities Finance Plan (PFFP) |
| NO. 6 | II.6 Affordable Housing Plan (AHP) |
| NO. 7 | II.7 Air Quality Improvement Plan (AQIP) |
| NO. 8 | II.8 Water Conservation Plan |
| NO. 9 | II.9 Non-Renewable Energy Conservation Plan |
| NO. 10 | II.10 Parks, Recreation, Open Space & Trails Plan |
| NO. 11 | II.11 Development Agreement |
| NO. 12 | II.12 Appendices |

RESOLUTION NO. 2008-045

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING AN AMENDMENT TO THE
OTAY RANCH VILLAGE ELEVEN SECTIONAL PLANNING
AREA (SPA) PLAN AND VILLAGE CORE MASTER PRECISE
PLAN - BROOKFIELD SHEA OTAY PROJECT L.P.

WHEREAS, Exhibit "A" attached here to is commonly known as the Sectional Planning Area (SPA) Plan Site Utilization Plan Map exhibit; and

WHEREAS, an application (PCM-07-05) to amend the Otay Ranch Village Eleven Sectional Planning Area (SPA) Plan was filed with the City of Chula Vista Planning and Building Department on October 2, 2006, by Brookfield Shea Otay Project L.P. (Applicant); and

WHEREAS, the application requests an amendment to the Otay Ranch Village Eleven Sectional Planning Area (SPA) Plan including the Village Core Master Precise Plan (MPP), modifying the text and exhibits as necessary in order to allow for the relocation and reconfiguration of the Town Square Park (P-4) and the Pedestrian Easement across the 5.5 acre Community Purpose Facility (CPF-1) site (Project); and

WHEREAS, the Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was covered in previously adopted Final Second Tier Environmental Impact Report (FEIR) 01-02 for the Otay Ranch Village Eleven Sectional Planning Area Plan Project. The Environmental Review Coordinator has determined that only minor technical changes or additions to this document are necessary and that none of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent document have occurred; therefore, the Environmental Review Coordinator has prepared an addendum to this document; and

WHEREAS, the City Council of the City of Chula Vista has considered the Addendum and FEIR 01-02 before making a decision on this project; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Project 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 all residents and property owners within the boundaries of Otay Ranch Village Eleven at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m., November 14, 2007, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed; and

WHEREAS, the Planning Commission recommended denial by a vote of 6-1-0-0 of the Project and said hearing was thereafter closed; and

WHEREAS, a duly noticed public hearing was scheduled before the City Council of the City of Chula Vista on said Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on November 14, 2007 and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. COMPLIANCE WITH CEQA

The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was covered in previously adopted Final Second Tier Environmental Impact Report (FEIR) 01-02 for the Otay Ranch Village Eleven Sectional Planning Area Plan Project. The Environmental Review Coordinator has determined that only minor technical changes or additions to this document are necessary and that none of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent document have occurred; therefore, the Environmental Review Coordinator has prepared an addendum to this document.

III. ACTION

Based on the evidence and record presented, including the Addendum and FEIR, the City Council concurs with the opinion of the Environmental Review Coordinator, and finds that there is substantial evidence justifying the decision not to prepare a subsequent Negative Declaration or EIR. The City Council hereby approves the amendment to the Otay Ranch Village Eleven SPA Plan, including the Village Core Master Precise Plan, to allow for the relocation and reconfiguration of the Town Square Park (P-2) and the relocation of the recorded Pedestrian Easement from the center of the 5.5 acre Community Purpose Facility (CPF-1) site to the northern boundary of the 5.5 acre Community Purpose Facility (CPF-1) site. The amendment shall incorporate all of the changes in text and exhibits identified on Exhibit "A." The approval of the amendment is based upon findings contained herein and is consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan, and all other applicable Plans. The public necessity, convenience, general welfare and good planning and zoning practice support their approval and implementation.

IV. SPA PLAN FINDINGS

A. THE OTAY RANCH VILLAGE ELEVEN SPA PLAN AMENDMENT IS IN CONFORMITY WITH THE OTAY RANCH GENERAL DEVELOPMENT PLAN AND CITY OF CHULA VISTA GENERAL PLAN.

The SPA amendment is consistent with the Otay Ranch General Development Plan (GDP) and the City of Chula Vista General Plan. In addition, this SPA amendment and the accompanying revised Tentative Map include conditions to ensure conformity with the Otay Ranch GDP and the General Plan.

The amendment requires revisions throughout the Otay Ranch Village 11 SPA Plan and Village Core Master Precise Plan text and exhibits to accommodate the reconfiguration of the Community Purpose Facility (CPF-1), which proposes the relocation of the Town Square Park (P-4) from the center of the CPF-1 site at the terminus of Birch Road to the northwest corner of Discovery Falls Drive and Windingwalk Street, and the relocation of the recorded public easement from the center of the 5.5 acre CPF-1 site to the northern boundary of the CPF site.

With regard to the relocation of the Town Square Park (P-4), a focal point open space accessible to the public shall be provided in the form of a central plaza or square on the CPF-1 site at that same focal point location that the Town Square was originally located as a condition of approval on any site plan submitted for a Conditional Use Permit for the CPF-1 site.

With regard to the relocation of the recorded public easement through the center of the site from the village pathway on Discovery Falls Drive to the west to the Village Paseo to the east, the recorded public easement will be relocated to the northern boundary of the CPF-1 site, and a pedestrian connection accessible to the public shall be provided through the approximate center of the CPF-1 site at the same location that the recorded public easement was previously located, or from the village pathway on Discovery Falls Drive to the west to the Village Paseo to the east as a condition of approval for a Conditional Use Permit for the CPF-1 site.

These requirements are necessary in order to make the findings that the proposed revisions still provide and maintain (1) an open space accessible to the public at and focal point center of the CPF-1 site, and (2) a pedestrian connection accessible to the public at the approximate center of the CPF-1 site, in fulfillment of the Village Eleven SPA Design Plan, Village Core Master Precise Plan, and Otay Ranch General Development Plan policies which call for provision of open space or community gathering places along with pedestrian connections and pedestrian orientation in the village cores of every residential village of Otay Ranch.

In addition, the relocated Town Square Park (P-4) will contain similar landscape elements that were envisioned in the previously approved plans for the Town Square Park (P-4), and will incorporate additional amenities to provide additional programmable uses with the Town Square Park (P-4).

- B. THE PROPOSED AMENDMENTS TO THE OTAY RANCH VILLAGE ELEVEN SPA PLAN WILL PROMOTE THE ORDERLY SEQUENTIALIZED DEVELOPMENT OF THE INVOLVED SECTIONAL PLANNING AREA.

The Otay Ranch Village 11 SPA Plan amendment involves the reconfiguration of the Community Purpose Facility (CPF-1) site through the relocation of the Town Square Park (P-4) and the recorded public easement around a more consolidated 5.5-Acre Community Purpose Facility (CPF-1) site.

However, in order to maintain the orderly sequentialized development of the SPA, the CPF-1 site will be required to maintain an open space accessible to the public as well as pedestrian connection at the approximate center of the CPF-1 site in order to maintain the open space and pedestrian orientation requirements within the village core.

- C. THE PROPOSED OTAY RANCH VILLAGE ELEVEN SPA PLAN AMENDMENT WILL NOT ADVERSELY AFFECT ADJACENT LAND USE, RESIDENTIAL ENJOYMENT, CIRCULATION OR ENVIRONMENTAL QUALITY.

The proposed amendment will not adversely affect adjacent land uses, residential enjoyment, circulation or environmental quality. Residential enjoyment of the CPF-1 site will be maintained as long as the CPF-1 site provides an open space accessible to the public at the same focal point as where the Town Square was originally located at the terminus of Birch Road and provides a pedestrian connection across the approximate center of the CPF-1 site, from the Village Pathway on Discovery Falls Drive to the west to the Village 11 Pedestrian Paseo to the east.

Maintaining the open space accessible to the public and pedestrian connection at the focal point terminus of Birch Road at the approximate center of the CPF-1 site will provide the required open space and pedestrian orientation amenities established in the policies of the Village Eleven SPA Design Plan, Village Core Master Precise Plan, and Otay Ranch General Development Plan.

Through the design review process, the owner and/or operator of the CPF-1 site will work on providing visual and aesthetic treatment to the pedestrian connection from the Village Pathway on Discovery Falls Drive to the west to the Village 11 Pedestrian Paseo to the east.

In addition, it is expected that the owner and/or operator of the CPF-1 site will work with surrounding homeowners and the Windingwalk Homeowner Association to ensure that their expectations for the open space accessible to the public and pedestrian connection at the focal point terminus of Birch Road at the approximate center of the CPF-1 site will be maintained for the residential enjoyment, circulation or environmental quality of the surrounding community. For example, the owner and/or operator of the CPF-1 site will coordinate with the Windingwalk Homeowner Association as to when and how the community will be notified in advance of any temporary closure of the open space accessible to the public and pedestrian connection at the focal point terminus of Birch Road at the center of the CPF-1 site.

The proposed Village Eleven SPA Plan amendment follows all existing environmental protection guidelines through the provision of mitigation measures specified in the Otay Ranch Village Eleven Final Second Tier EIR (EIR-01-02) and the addendum that has been prepared for this amendment.

- D. IN THE CASE OF PROPOSED INDUSTRIAL AND RESEARCH USES, THAT SUCH DEVELOPMENT WILL BE APPROPRIATE IN AREA, LOCATION, AND OVERALL DESIGN AND DEVELOPMENT STANDARDS ARE SUCH AS TO CREATE A RESEARCH OR INDUSTRIAL ENVIRONMENT OF SUSTAINED DESIRABILITY AND STABILITY; AND, THAT SUCH DEVELOPMENT WILL MEET PERFORMANCE STANDARDS ESTABLISHED BY THIS TITLE.

The Project does not involve areas planned for industrial or research uses.

- E. IN THE CASE OF INSTITUTIONAL, RECREATIONAL, AND OTHER SIMILAR NONRESIDENTIAL USES, THAT SUCH DEVELOPMENT WILL BE APPROPRIATE IN AREA, LOCATION AND OVER-ALL PLANNING TO THE PURPOSE PROPOSED, AND THAT SURROUNDING AREAS ARE PROTECTED FROM ANY ADVERSE EFFECTS FROM SUCH DEVELOPMENT.

The Project does not involve these Institutional, Recreational or similar uses.

- F. THE STREET AND THOROUGHFARES PROPOSED ARE SUITABLE AND ADEQUATE TO CARRY THE ANTICIPATED TRAFFIC THEREON.

The circulation system depicted in the Village Eleven SPA Plan is consistent with the Circulation system identified on the City's General Plan and Otay Ranch General Development Plan and contains adequate internal circulation consistent with the policies of the Otay Ranch General Development Plan and the City's General Plan. The Project will not add any new traffic volumes.

- G. ANY PROPOSED COMMERCIAL DEVELOPMENT CAN BE JUSTIFIED ECONOMICALLY AT THE LOCATION (S) PROPOSED AND WILL PROVIDE ADEQUATE COMMERCIAL FACILITIES OF THE TYPES NEEDED AT SUCH PROPOSED LOCATION (S).

The project does not propose commercial development.

- H. THE AREA SURROUNDING SAID DEVELOPMENT CAN BE PLANNED AND ZONED IN COORDINATION AND SUBSTANTIAL COMPATIBILITY WITH SAID DEVELOPMENT.

The area surrounding the proposed amendment areas on the Village Eleven SPA Plan was already planned and is being developed consistent with the approved plans and regulations applicable to surrounding areas and therefore, said development can be planned and is zoned in coordination and substantial compatibility with said development. The proposed amendment to the Village Eleven SPA Plan with conditions is consistent with the Otay Ranch General Development Plan and Chula Vista General Plan.

V. CONDITIONS OF APPROVAL

The City Council hereby grants the Village Eleven SPA Plan Amendment PCM-07-05 subject to the following conditions whereby the Applicant and all subsequent beneficiaries shall:

- A. The applicant for the Conditional Use Permit for the CPF-1 site shall provide an open space accessible to the public in the form of a plaza or square at the same original focal point location of the Town Square Park (P-4) at the terminus of Birch Road, to the satisfaction of the Director of General Services, Engineering and Planning and Building.
- B. The applicant for the Conditional Use Permit for the CPF-1 site shall provide a pedestrian connection across the approximate center of the CPF-1 site from the Village Pathway on Discovery Falls Drive to the west to the Village 11 Pedestrian Paseo to the east, to the satisfaction of the Director of General Services, Engineering and Planning and Building.

VI. CONSEQUENCE OF FAILURE OF CONDITIONS

If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, revoke or further condition issuance of all future building permits issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

VII. CONDITIONED ON SUBSEQUENT ACTION

It is the intention of the City Council that these SPA and Master Precise Plan Amendments are approved subject to and conditioned upon the approval of the Revised Tentative Subdivision Map for the Otay Ranch Village Eleven Section Planning Area, Otay Project L.P., Chula Vista Tract 07-02, and the reversal of the Planning Commission's denial of the Conditional Use Permit (PCC-07-064), both actions to occur on February 5, 2008; otherwise, this action should be automatically revoked and be of no force and effect ab initio.

VIII. INVALIDITY; AUTOMATIC REVOCATION

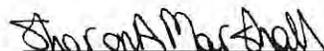
It is the intention of the City Council that its adoption of this Resolution is dependent upon the enforceability of each and every term, provision and condition herein stated; and that in the event that any one or more terms, provisions, or conditions are determined by a Court of competent jurisdiction to be invalid, illegal or unenforceable, this resolution shall be deemed to be automatically revoked and of no further force and effect ab initio.

Presented by

Approved as to form by



Jim Sandoval
Planning and Building Director



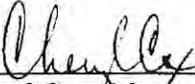
Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 5th day of February 2008 by the following vote:

AYES: Councilmembers: Castaneda, McCann, Ramirez, Rindone, and Cox

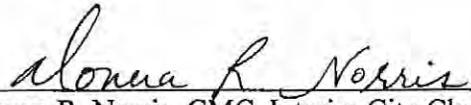
NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:

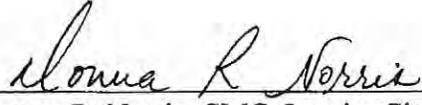


Donna R. Norris, CMC, Interim City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, Interim City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2008-045 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 5th day of February 2008.

Executed this 5th day of February 2008.



Donna R. Norris, CMC, Interim City Clerk



| OTAY RANCH VILLAGE 11 LIST OF REVISED FIGURES AND/OR EXHIBIT | |
|---|----------|
| PLAN & EXHIBIT No. | PAGE No. |
| SPA PLAN | |
| Exhibit II 2.2-1 | 2-6 |
| Exhibit II 2.2-3 | 2-7 |
| Exhibit II 2.2-4 | 2-8 |
| Exhibit II 2.3-1 | 3-4 |
| Exhibit II 2.3-1a | 3-28 |
| Exhibit II 2.3-1b | 3-29 |
| Exhibit II 2.4-2 | 4-7 |
| Exhibit II 2.4-4 | 4-9 |
| Exhibit II 2.4-5 | 4-10 |
| Exhibit II 2.5-1 | 5-5 |
| Exhibit II 2.5-3 | 5-8 |
| Exhibit II 2.8-1 | 6-2 |
| Exhibit II 2.7-1 | 7-14 |
| Exhibit II 2.7-2 | 7-15 |
| Exhibit II 2.7-3 | 7-16 |
| Exhibit II 2.7-4 | 7-17 |
| DESIGN PLAN | |
| II 4.1.2.2 | 1-6 |
| II 4.2.1.2 | 2-5 |
| II 4.2.1.3 | 2-12 |
| II 4.2.3.1 | 2-35 |
| II 4.2.4.1 | 2-51 |
| II 4.2.4.2 | 2-53 |
| II 4.2.6-1 | 2-71 |
| II 4.3.2-1 | 3-13 |
| II 4.3.2-3 | 3-16 |
| PFPF | |
| Exhibit 3 | 15 |
| Exhibit 4 | 17 |
| Exhibit 6 | 33 |
| Exhibit 8 | 73 |
| Exhibit 10 | 88 |
| Exhibit 11 | 88 |
| Exhibit 12 | 87 |
| Exhibit 14 | 100 |
| Exhibit 15 | 101 |
| CORE MASTER PRECISE PLAN | |
| Exhibit 1 | 4 |
| Exhibit 2 | 9 |
| Exhibit 3 | 12 |
| Exhibit 4 | 16 |
| Exhibit 5 | 18 |
| Exhibit 6 | 18 |
| Exhibit 21 | 51 |
| Exhibit 28 | 74 |
| PC DISTRICT REGULATIONS | |
| II 3.2-1 | 2-2 |
| PARKS, REC, OPEN SPACE & TRAILS PLAN | |
| Exhibit 2-1 | 2-5 |
| Exhibit 2-3 | 2-9 |

| OTAY RANCH VILLAGE 11 LIST OF TEXT REVISIONS | |
|---|----------|
| PLAN | PAGE No. |
| SPA PLAN | 5-2 |
| DESIGN PLAN | 2-48 |
| | 3-12 |
| PARKS, REC, OPEN SPACE & TRAILS PLAN | 1-6 |
| | 2-3 |
| | 2-8 |
| CORE MASTER PRECISE PLAN | 17 |
| | 71 |
| | 72 |

Note: Proposed Amendment - The depiction of the Town Square (P-4) and the CPF Site shown on this graphic supercedes all prior versions in all SPA sections. See the list of Figures and/or Exhibits that have been revised.

| NEIGHBORHOOD AREA | LAND USE | APPROX. GROSS ACRES | TARGET DUS/AC | DWELLING UNITS |
|---------------------------------|---------------|---------------------|---------------|----------------|
| R-1 | SF | 26.7 | 6.1 | 163 |
| R-2 | SF | 14.2 | 3.3 | 47 |
| R-3 | SF | 15.3 | 3.0 | 46 |
| R-4 | SF | 12.4 | 4.4 | 55 |
| R-5 | SF | 7.5 | 4.8 | 34 |
| R-6 | SF | 7.5 | 5.1 | 38 |
| R-7 | SF | 11.4 | 5.9 | 67 |
| R-8 | SF | 11.2 | 5.2 | 58 |
| R-9 | SF | 11.6 | 5.2 | 60 |
| R-10 | SF | 16.0 | 4.9 | 89 |
| R-11 | SF | 7.7 | 4.4 | 34 |
| R-12 | SF | 11.1 | 5.1 | 57 |
| R-13 | SF | 11.4 | 4.7 | 64 |
| R-14 | SF | 11.0 | 4.9 | 54 |
| R-15 | SF | 10.3 | 6.5 | 67 |
| R-16 | SF | 6.5 | 6.6 | 50 |
| SUBTOTAL | SF | 196.8 | 6.0 | 982 |
| R-17 | MF | 16.5 | 6.0 | 180 |
| R-18 | MF | 12.5 | 12.5 | 112 |
| R-19 | MF | 11.6 | 18.0 | 107 |
| R-20 | MF | 10.8 | 8.0 | 78 |
| R-21 | MF | 10.5 | 12.5 | 102 |
| R-22 | MF | 8.4 | 15.0 | 90 |
| R-23 | MF | 16.8 | 8.0 | 119 |
| R-24 | MF | 10.2 | 15.0 | 169 |
| R-25 | MF | 10.0 | 25.0 | 190 |
| SUBTOTAL | MF | 109.1 | 11.1 | 1,207 |
| MJ | MJ | 10.0 | 11.5 | 115 |
| SUBTOTAL | RES. | 314.9 | | 2,104 |
| MJ-1 | COMM | 10.0 | | |
| SUBTOTAL | COMM. | 10.0 | | |
| CPF | CPF | 5.5 | | |
| SUBTOTAL | CPF | 5.5 | | |
| P-1 | PARK | 8.9 | | |
| P-2 | PARK | 3.8 | | |
| P-3 | PARK | 3.0 | | |
| P-4 | PARK | 1.0 | | |
| SUBTOTAL | PARK | 16.7 | | |
| S-1 / K-6 | SCHOOL | 11.0 | | |
| S-2 / Jr. HS | SCHOOL | 25.6 | | |
| SUBTOTAL | SCHOOL | 36.6 | | |
| Hante Parkway | ROAD | 24.2 | | |
| Olympic Parkway | ROAD | 9.3 | | |
| Estrella Parkway | ROAD | 7.2 | | |
| W th Circulation Sys | ROAD | 17.4 | | |
| E th Circulation Sys | ROAD | 8.1 | | |
| SUBTOTAL | ROAD | 66.2 | | |
| Green Buffer | O.S. | 27.6 | | |
| Easement thru Property | O.S. | 18.6 | | |
| Passo Area in West | O.S. | 1.5 | | |
| Passo Area in East | O.S. | 1.3 | | |
| SUBTOTAL | O.S. | 49.2 | | |
| TOTAL | | 489 | | 2,304 |

* PROPOSED DENSITY TRANSFER

Exhibit II.2.2-3
Village Eleven SPA Site Utilization Plan

October 23, 2001
Amended May 27, 2003
Amended April 4, 2006
Amended October 10, 2008

EXHIBIT A
Resolution No. 2008-045
Page 9

RESOLUTION NO. 2008-046

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING A REVISED TENTATIVE
SUBDIVISION MAP FOR THE OTAY RANCH VILLAGE
ELEVEN SECTIONAL PLANNING AREA (SPA) PLAN –
BROOKFIELD SHEA OTAY PROJECT L.P., CHULA VISTA
TRACT 07-02

WHEREAS, the property which is the subject matter of this resolution is identified as Exhibit "A" attached to City Council Resolution No. 2008-045, and described on Chula Vista Tract 07-02, and is commonly known as Otay Ranch Village Eleven Tentative Map (Property); and

WHEREAS, a duly verified application for the subdivision of the Property in the form of a tentative subdivision map known as "Otay Ranch Village Eleven Revised Tentative Map, Chula Vista Tract 07-02" (Project), was filed with the City of Chula Vista Planning and Building Department on October 2, 2006, by Brookfield Shea Otay Project L.P. (Applicant); and

WHEREAS, the application requests the approval of revisions to the location and configuration of the Town Square (P-4) and pedestrian easement through the center of the Community Purpose Facility (CPF-1) located at the center of the approximately 489 acre Village Eleven located east of Eastlake Parkway and south of Olympic Parkway; and

WHEREAS, there is an existing blanket pedestrian access easement (Doc. No. 2005-1108997) in the area that was formerly the Town Square Park (P-4). This easement is proposed to be abandoned so that the CPF site is unencumbered; and

WHEREAS, the development of the Property has been the subject matter of the Otay Ranch General Development Plan (GDP) previously approved by the City Council of the City of Chula Vista in October 1993, and as amended in November 1998 and December 2005 wherein the City Council, in the environmental evaluation of said GDP, relied in part on the Otay Ranch General Development Plan, Final Environmental Impact Report No. 90-01, SCH #9010154 (Program FEIR 90-01); and

WHEREAS, the Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was covered in previously adopted Final Second Tier Environmental Impact Report (FEIR) 01-02 for the Otay Ranch Village Eleven Sectional Planning Area Plan Project. The Environmental Review Coordinator has determined that only minor technical changes or additions to this document are necessary and that none of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent document have occurred; therefore, the Environmental Review Coordinator has prepared an addendum to this document; and

WHEREAS, the City Council of the City of Chula Vista has considered the Addendum and FEIR 01-02 before making a decision on this project; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Otay Ranch Village Eleven Revised Tentative Map, Chula Vista Tract 07-02 (PCS-07-02) 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 all residents and property owners within the boundaries of Otay Ranch Village Eleven at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m. on November 14, 2007, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and the Planning Commission recommended denial by a vote of 6-1-0 of the Project and said hearing was thereafter closed; and

WHEREAS, a public hearing was scheduled before the City Council of the City of Chula Vista on proposed Otay Ranch Village Eleven Revised Tentative Map, Chula Vista Tract 07-02 (PCS-07-02).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on November 14, 2007, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. COMPLIANCE WITH CEQA

The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was covered in previously adopted Final Second Tier Environmental Impact Report (FEIR) 01-02 for the Otay Ranch Village Eleven Sectional Planning Area Plan Project. The Environmental Review Coordinator has determined that only minor technical changes or additions to this document are necessary and that none of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent document have occurred; therefore, the Environmental Review Coordinator has prepared an addendum to this document.

III. ACTION

Based on the record and evidence presented, including the Addendum and FEIR, the City Council concurs with the opinion of the Environmental Review Coordinator, and finds that there is substantial evidence justifying the decision not to prepare a subsequent Negative Declaration or EIR. The City Council hereby approves the resolution approving the Otay Ranch Village Eleven Revised Tentative Map, Chula Vista Tract 07-02 (PCS-07-02) involving 489 acres of land known as the Otay Ranch Village Eleven Tentative

Map in this resolution, finding it is consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan, Village Eleven SPA Plan, and all other applicable Plans, and that the public necessity, convenience, general welfare and good planning and zoning practice support their approval and implementation.

IV. TENTATIVE SUBDIVISION MAP FINDINGS

Pursuant to Government Code Section 66473.5 of the Subdivision Map Act, the City Council finds that the Otay Ranch Village Eleven Revised Tentative Map, Chula Vista Tract 07-02 (PCS-07-02) as conditioned, is in conformance with all the various elements of the City's General Plan, the Otay Ranch General Development Plan and Village Eleven Sectional Planning Area (SPA) Plan, based on the following:

1. Land Use

The Project is in a planned area that provides urban village uses authorized by the Village Eleven Sectional Planning Area (SPA) Plan. The Revised Tentative Map reconfigures the Community Purpose Facility (CPF-1) site and relocates the Town Square Park (P-4) to the northeast corner of Discovery Falls Drive and Windingwalk Street.

However, the reconfigured Community Purpose Facility (CPF-1) site will provide a focal point open space accessible to the public in the form of a central plaza or square on the CPF-1 site at that same focal point location that the Town Square was originally located as a conditions of approval on any site plan submitted for a Conditional Use Permit for the CPF-1 site.

2. Circulation

The Revised Tentative Map relocates the recorded public easement through the center of the CPF-1 site, which originally led pedestrians from the village pathway on Discovery Falls Drive to the west across the center of the CPF-1 site and to the Village Paseo to the east, to the northern boundary of the CPF-1 site.

However, in order to maintain the pedestrian orientation of the village core, a condition of Revised Tentative Map requires that a pedestrian connection accessible to the public shall be provided through the approximate center of the CPF-1 site at the same location that the recorded public easement was previously located, from the village pathway on Discovery Falls Drive to the west to the Village Paseo to the east.

In addition, this requirement to provide a pedestrian connection accessible to the public through the approximate center of the CPF-1 site, from the village pathway on Discovery Falls Drive to the west to the Village Paseo to the east, shall also apply to the conditions of approval for the Conditional Use Permit for the CPF-1 site.

3. Housing

The Developer has already entered into an Affordable Housing Regulatory Agreement. The Agreement will set forth the number and location of affordable housing units in Village Eleven.

4. Parks, Recreation and Open Space

The developer shall provide the 1-acre Town Square Park (P-4) site to the satisfaction of the Directors of General Services, Engineering, Planning and Building. The developer will construct the Town Square Park (P-4) site at their own cost, and the developer shall be responsible for delivering the Town Square Park (P-4) site to the Windingwalk Homeowner Association once revised plans are approved by the City of Chula Vista.

The Revised Tentative Map relocates the Town Square Park (P-4) site to the northeast corner of Discovery Falls Drive and Windingwalk Street, in lieu of the previous focal point location of the Town Square (P-4) park in the center of Village Eleven, at the terminus of Birch Road.

Developer shall substantially complete the construction of the Town Square Park (P-4) within 9 months from the approval date of this Revised Tentative Map in accordance with plans approved by the Director of Engineering and General Services. In the event that the Revised Tentative Map is not approved, the Developer shall immediately commence construction of and diligently pursue to completion the Town Square Park (P-4) at the site identified in the original tentative map in conformance with conditions of approval for the original tentative map.

The developer has or will also continue to provide development Park Acquisition and Development (PAD) fees in accordance with CVMC 17.10 as part of their continued residential development.

5. Conservation

The FEIR addressed the goals and policies of the Conservation Element of the General Plan and found development of this site to be consistent with these goals and policies. The Otay Ranch Resource Management Plan requires conveyance of land to the Otay Ranch Preserve for every one-acre of developed land prior to approval of any Final Map.

6. Seismic Safety

The proposed subdivision is in conformance with the goals and policies of the Seismic Element of the General Plan for this site. No seismic faults have been identified in the vicinity of the Project according to the Village Seven SPA Geotechnical Reconnaissance Report.

7. Public Safety

All public and private facilities are expected to be reachable within the threshold response times for fire and police services.

8. Public Facilities

The Applicant will provide all on-site and off-site streets, sewers and water facilities necessary to serve this Project. The developer will also contribute to the Otay Water District's improvement requirements to provide terminal water storage for this Project as well as other major projects in the eastern territories.

9. Noise

All buildings are required to meet the standards of the Uniform Building Code with regard to acceptable interior noise levels.

10. Scenic Highway

The roadway design provides wide landscaped buffers along Eastlake, Hunte and Olympic Parkway. There is no scenic highway adjacent to the Project.

11. Bicycle Routes

Bicyclists will share internal streets with motor vehicles due to the anticipated low traffic volumes and limited speeds allowed on residential streets.

12. Public Buildings

Public buildings are not proposed on the Project site.

V. CONDITIONS OF APPROVAL

The City Council hereby grants the Revised Village Eleven Tentative Map PCS-07-02 subject to the following conditions whereby the Applicant and all subsequent beneficiaries shall:

1. The conditions imposed on the grant of Tentative Map approved October 23, 2001, Revised Tentative Map May 27, 2003 and Revised Tentative Map April 4, 2006 remain and are approximately proportional both in nature and extent to the impact created by the proposed development. The applicant shall continue towards the completion of the development of Otay Ranch Village Eleven in compliance with all of the conditions of Tentative Map approved in association with the Otay Ranch Village Eleven Sectional Planning Area (SPA) Plan on May 23, 2001, to the satisfaction of Directors of General Services, Engineering, Planning and Building.
2. The applicant shall submit revised master sewer study with all proposed changes included by June 2008. Show proposed sewer connections in both Discovery Falls Drive and Windingwalk Street to the satisfaction of the City Engineer.
3. The applicant shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and storm water discharge and any regulations adopted by the City of Chula Vista pursuant to the NPDES regulations or requirements. Further, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity and shall implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. The SWPPP shall include both construction and post-construction pollution prevention and pollution control measures and shall identify funding mechanisms for post-construction control measures to the satisfaction of the City Engineer.
4. The applicant shall comply with the requirements of Section F.1.b. (2) of the NPDES Municipal Permit concerning Standard Urban Storm Water Mitigation Plans (SUSMP), and Numeric Sizing Criteria. The applicant shall comply with those requirements in accordance with the Model Standard Urban Storm Water Mitigation Plan for San Diego County, Port of San Diego, and Cities in San Diego County to the satisfaction of the City Engineer.
5. The applicant shall provide a water quality study is required to identify potential storm water pollutants generated at the project site during and after construction, and propose Best Management Practices (BMPs) to reduce those pollutants to the maximum extent practicable. In addition to general permanent structural and non-structural Best Management Practices, Low Impact Development (LID) principles must be incorporated into the project to the satisfaction of the City Engineer.
6. The Developer shall design, engineer, construct, at its own expense, the 1 acre park site (P-4) (Town Square Park), to be located at the corner Discovery Falls Drive and Winding Walk Street according to approved plans, drawings and specifications. The Developer shall have substantially completed the construction

of the Town Square Park to the satisfaction and subject to the approval of the City Engineer, within nine (9) months from the approval of this Revised Tentative Map. Substantial completion shall not include the maintenance and establishment period for plants, trees, and vegetation (Maintenance and Establishment Period), with such Maintenance and Establishment Period to commence immediately following successful completion of all work and/or correction of any unfinished work, such as punch-list items, to the satisfaction and subject to the approval of the Director of Engineering & General Services. Prior to the end of the Maintenance and Establishment Period, the Developer shall enter into an agreement, which is satisfactory to the City Attorney's Office, with the Windingwalk Homeowner's association for the long-term maintenance of the Town Square Park (Long-Term Maintenance Agreement). Following the inspection and approval of the Town Square Park by the Director of Engineering & General Services at the end of the maintenance/establishment period and the recording of the executed Long-Term Maintenance Agreement, the Director of Engineering & General Services shall release the previously placed Park Bond number 2176553.

7. Prior or during the Town Square Park (P-4) construction, the applicant shall install additional concrete along the relocated Village Pathway to create a minimum 8-ft. wide sidewalk to the satisfaction of the City Engineer and the Director of Planning and Building. If necessary, in the opinion of the City, the applicant shall relocate all transformers and other utility facilities outside and away from the minimum 8-ft. wide sidewalk.
8. The applicant for the development of the CPF-1 site shall be required to provide, to the satisfaction of the Directors of General Services, Engineering, Planning and Building, a focal point open space accessible to the public in the form of a central plaza or square and a pedestrian connection accessible to the public through the approximate center of the CPF-1 site at the same location that the recorded public easement (Document No. 2005-1108997) was previously located, from the village pathway on Discovery Falls Drive to the west to the Village Paseo to the satisfaction of the Planning and Building Director.
9. The applicant for the development of the CPF-1 site shall be subject to a Conditional Use Permit that includes conditions pertaining to a focal point open space accessible to the public in the form of a central plaza or square and a pedestrian connection accessible to the public through the approximate center of the CPF-1 site addressing any exceptions or limitation to public access to the satisfaction of the Planning and Building Director.

VI. CONSEQUENCE OF FAILURE OF CONDITIONS

If any of the previously established conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to

revoke or modify all approvals herein granted, deny, revoke or further condition issuance of all future building permits issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation.

VII. CONDITIONED ON SUBSEQUENT ACTION

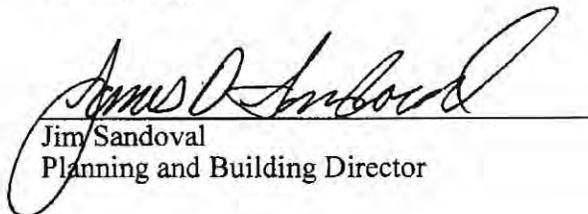
It is the intention of the City Council that this Revised Tentative Subdivision Map for the Otay Ranch Village Eleven Section Planning Area, Otay Project L.P., Chula Vista Tract 07-02 is approved subject to and conditioned upon the approval of the SPA and Master Precise Plan Amendments and the reversal of the Planning Commission's denial of the Conditional Use Permit (PCC-07-064), both actions to occur on February 5, 2008; otherwise, this action should be automatically revoked and be of no force and effect ab initio.

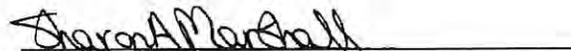
VIII. INVALIDITY; AUTOMATIC REVOCATION

It is the intention of the City Council 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 shall be deemed to be automatically revoked and of no further force and effect ab initio.

Presented by

Approved as to form by


Jim Sandoval
Planning and Building Director


Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 5th day of February 2008 by the following vote:

AYES: Councilmembers: Castaneda, McCann, Ramirez, Rindone, and Cox

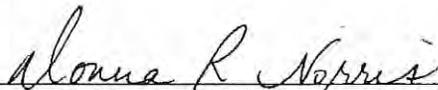
NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:

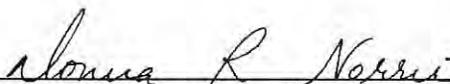


Donna R. Norris, CMC, Interim City Clerk

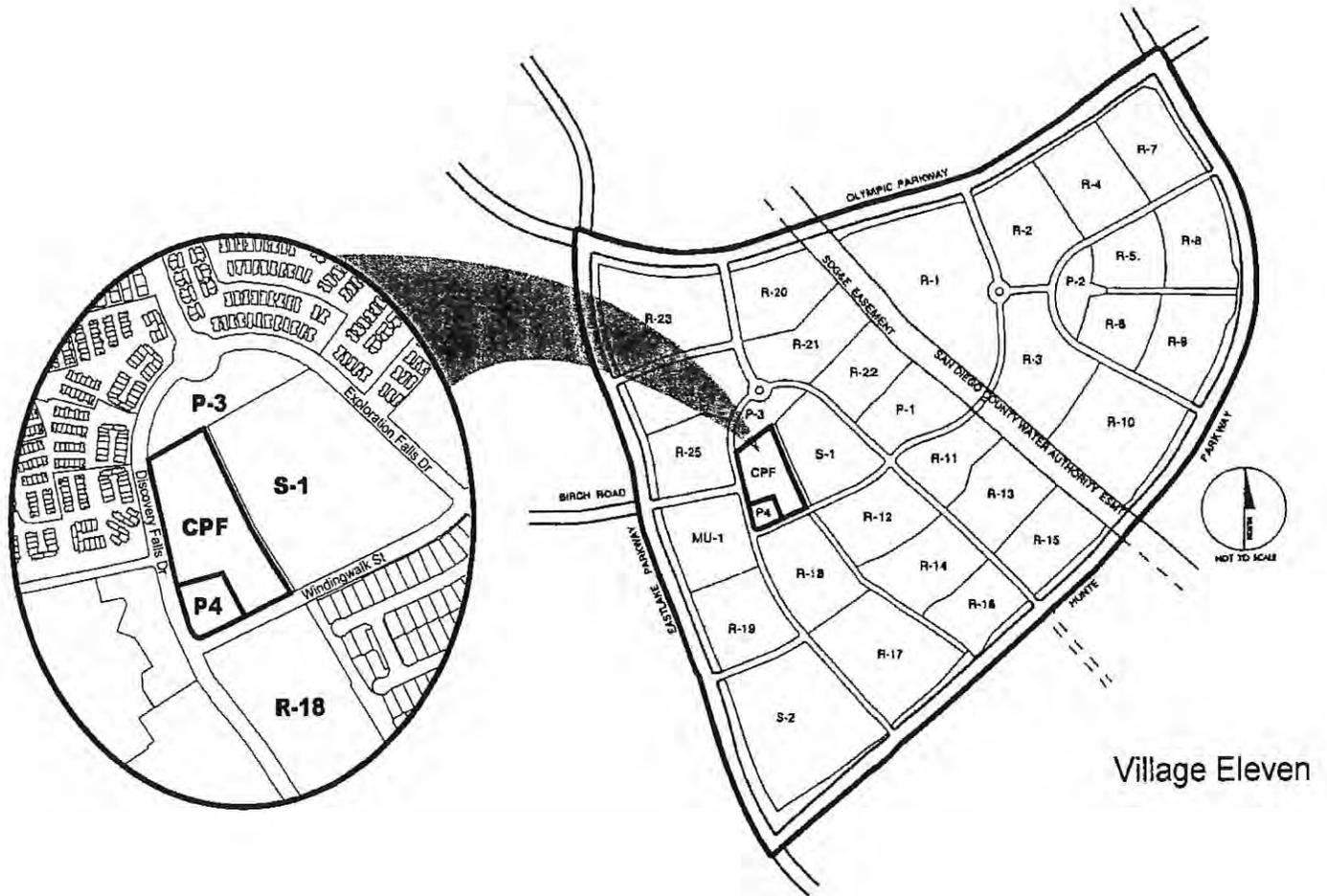
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, Interim City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2008-046 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 5th day of February 2008.

Executed this 5th day of February 2008.



Donna R. Norris, CMC, Interim City Clerk



Village Eleven

RESOLUTION NO. 2008-047

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PARCEL MAP ADJUSTING THE LOT LINES OF LOT 10 AND LOT "B" OF CHULA VISTA TRACT NO. 01-11, OTAY RANCH VILLAGE 11 "A" MAP NO. 2, MAP NO. 14780, WHICH ACCEPTS THE EASEMENT FOR PEDESTRIAN ACCESS GRANTED ON SAID PARCEL MAP, AND VACATES EASEMENTS FOR PEDESTRIAN ACCESS GRANTED PER DOCUMENT RECORDED DECEMBER 28, 2005 AS DOCUMENT NO. 2005-1108997 AND GRANTED PER MAP NO. 14780, RECORDED APRIL 30, 2004, BOTH OF OFFICIAL RECORDS

WHEREAS, the developer, Brookfield, Shea Otay, LP (BSO), has submitted a Lot Line Adjustment Parcel Map for the adjustment of lots associated with the Village Eleven Town Square (P-4) and the CPF-1 site along with a request to vacate the existing easements for Pedestrian Access granted per document recorded December 28, 2005 as Document No. 2005-1108997 and granted per Map No. 14780, Recorded April 30, 2004 both of Official Records; and

WHEREAS, the justification for vacating the existing easement for Pedestrian Access crossing the Town Square and the CPF-1 sites is that a new easement for Pedestrian Access along the CPF-1 sites northern property line is being granted as shown on the proposed parcel map in conjunction with a pedestrian pathway accessible to the public that will be provided through the approximate center of the CPF-1 Site as a condition of the CUP (PCC 07-064); and

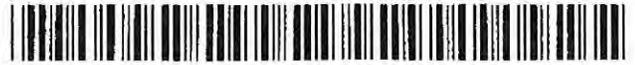
WHEREAS, the amendments to the Otay Ranch Village Eleven SPA Plan and Village Core Master Precise Plan propose to reconfigure the site such that the existing public pedestrian access easements would encumber the CPF site; and

WHEREAS, the proposed amended Tentative Map and the proposed CUP with all the proposed conditions under Council's consideration tonight obviates the need for the existing pedestrian easements; and

WHEREAS, in accordance with the provisions set forth in Section 66445(j) of the Subdivision Map Act, said easements for Pedestrian Access are vacated and abandoned by the filing of said Parcel Map with the County Recorder.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find that the subject Parcel Map is made in the manner and form prescribed by law and conforms to the surrounding surveys; and that said map proposing the lot line adjustments shown thereon is hereby approved and accepted. Boundary of said parcel map is more particularly described as follows:

DOC # 2008-0108920



MAR 03, 2008 9:15 AM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 0.00

PAGES: 4



Recording requested
by:
City of Chula Vista

After recording
return to:
City Clerk's Office
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 91910
Attn: E. Briggs

FB
4P
NF
10/20

This space for Recorder's use only

Resolution No. 2008-047

Document Title

Being a lot line adjustment of Lot 10 and Lot "B" of Final Map No. 14780, filed in the office of the County Recorder of San Diego County on April 30, 2004, all in the City of Chula Vista, County of San Diego, State of California.

Area: 1.175 Acres
Numbered Lots: 1

Total No. Lots: 2
Lettered Lots: 1

BE IT FURTHER RESOLVED that the Resolution shall not become effective unless and until the SPA Plan Amendment, Master Precise Plan Amendment, and the associated CUP (PCC 07-064) are approved. In the event the above-mentioned documents are not approved, this Resolution shall become void and be of no further force or effect.

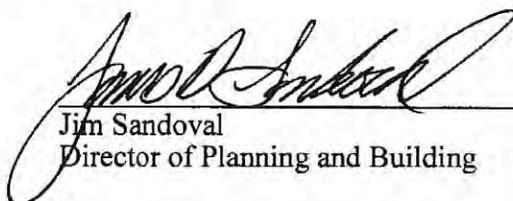
BE IT FURTHER RESOLVED that the City Clerk of the City of Chula Vista is hereby authorized and directed to endorse upon said map the action of said Council; that said Council has approved said parcel map, and that that certain easement, as granted thereon and shown on said parcel map, is accepted on behalf of the City of Chula Vista as herein above stated.

BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista does hereby authorize and direct the City Clerk of the City of Chula Vista to endorse upon said map the certificate vacating the abovementioned easements for Pedestrian Access, due to the finding that they are being replaced, are no longer required for pedestrian access or any other public use and would encumber the proposed uses of the reconfigured lots.

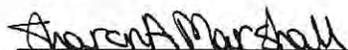
BE IT FURTHER RESOLVED that the City Engineer shall advise the City Clerk of the completion of the aforementioned conditions, and the City Clerk shall then cause a certified copy of this Resolution attested by him under seal, to be recorded in the Office of the County Recorder.

Presented by

Approved as to form by



Jim Sandoval
Director of Planning and Building



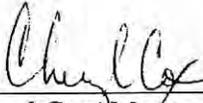
Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 5th day of February 2008 by the following vote:

AYES: Councilmembers: Castaneda, McCann, Ramirez, Rindone, and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:



Donna R. Norris, CMC, Interim City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, Interim City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2008-047 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 5th day of February 2008.

Executed this 5th day of February 2008.



Donna R. Norris, CMC, Interim City Clerk

RESOLUTION NO. 2003-230

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING AN AMENDMENT TO THE
OTAY RANCH VILLAGE 11 SECTIONAL PLANNING AREA
(SPA) PLAN TO AMEND THE SITE UTILIZATION PLAN

WHEREAS, the property which is the subject matter of this resolution is identified as Exhibit "A" attached hereto and described on Chula Vista Tract 01-11A, and is commonly known as Village 11 ("Property"); and

WHEREAS, a duly verified application to amend the Otay Ranch Village 11 SPA Plan was filed with the City of Chula Vista Planning and Building Department on July 29, 2002 by Brookfield Shea Otay LLC, ("Applicant"); and

WHEREAS, the development of the Property has been the subject matter of a Sectional Planning Area Plan ("SPA Plan") previously approved by the City Council on October 23, 2001 by Resolution No. 2001-363, wherein the City Council, in the environmental evaluation of said Village 11 SPA Plan relied in part on the original Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, Final Environmental Impact Report ("FEIR 01-02"); and

WHEREAS, the City's Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has determined that the proposed project was adequately covered in previously adopted Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan FEIR 01-02. Thus, no further environmental review or documentation is necessary; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Otay Ranch Sectional Planning Area (SPA) One Plan amendment (PCM-03-06) 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 project site at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m. on May 14, 2003, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed.

WHEREAS, by a vote of 4-0-0-2, the Planning Commission recommended approval of the project; and

WHEREAS, a public hearing was scheduled before the City Council of the City of Chula Vista on the Otay Ranch Village 11 SPA Amendment to amend the Village 11 SPA Plan, Site Utilization Plan by transferring one dwelling unit from Neighborhood R-1 to Neighborhood R-2.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at the FEIR public hearing held on May 14, 2003, and the minutes and resolutions resulting therefrom,

are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. ACTION

The City Council hereby amends the Village 11 SPA Plan, Site Utilization Plan by transferring one dwelling unit from Neighborhood R-1 to Neighborhood R-2 as set forth on Exhibit "B", attached hereto, finding it is consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan (GDP), and all other applicable plans, and that the public necessity, convenience, general welfare and good planning and zoning practice support the FEIR approval and implementation.

III. CERTIFICATION OF COMPLIANCE WITH CEQA

The City Council hereby finds that the project, as described and analyzed in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, would have no new effects that were not examined in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, [Guideline 15168 (c)(2)].

IV. CEQA FINDING REGARDING PROJECT WITHIN SCOPE OF PRIOR FEIR

The City Council hereby finds that: (1) there were no substantial changes in the project which would require revisions of said report; (2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken since certification of FEIR 01-02; (3) and no new information of substantial importance to the project has become available since the issuance and approval of FEIR 01-02; and that, therefore, no new effects could occur or no new mitigation measures will be required in addition to those already in existence and made a condition for project implementation. Therefore, the City Council approves the project as an activity that is within the scope of the project covered by the FEIR 01-02 [Guideline 15168 (c)(2) and 15162 (a)].

V. INDEPENDENT JUDGMENT OF CITY COUNCIL

The City Council hereby finds that the proposed project was adequately covered in previously adopted Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02. Thus, no further environmental review or documentation is necessary.

VI. INCORPORATION OF ALL CONDITIONS, MITIGATION MEASURES AND ALTERNATIVES

The City Council does hereby re-adopt and incorporate herein as conditions for this approval all applicable conditions, mitigation measures and alternatives, as set forth in the findings adopted in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, and Village 11 SPA Plan document.

VII. NOTICE WITH LATER ACTIVITIES

The City Council gave notice, to the extent required by law, that this project was fully described and analyzed and is within the scope of the Otay Ranch GDP Amendment/ Village 11 Sectional Planning Area Plan, FEIR 01-02, adequately describes and analyzes this project for the purposes of CEQA [Guideline 15168 (e)].

VIII. SECTIONAL PLANNING AREA (SPA) PLAN FINDINGS

The proposed project is consistent with the Otay Ranch Village 11 Sectional Planning Area Plan for the following reasons:

A. THE PROPOSED SECTIONAL PLANNING AREA PLAN IS IN CONFORMITY WITH THE GENERAL DEVELOPMENT PLAN OF THE P-C ZONE, ANY ADOPTED SPECIFIC PLANS, AND THE CITY OF CHULA VISTA GENERAL PLAN AND ITS SEVERAL ELEMENTS.

The request to amend the Village 11 SPA Plan, Site Utilization Plan by transferring one dwelling unit from Neighborhood R-1 to Neighborhood R-2 reflects the land uses, circulation system, open space and recreational uses, and public facility uses consistent with the Otay Ranch General Development Plan and Chula Vista General Plan.

B. THE PROPOSED SETIONAL PLANNING AREA PLAN WOULD PROMOTE THE ORDERLY, SEQUENTIALIZED DEVELOPMENT OF THE INVOLVED SECTIONAL PLANNING AREA.

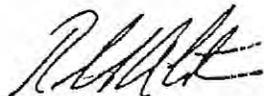
The Otay Ranch Village 11 SPA Plan amendment contains provisions and requirements to ensure the orderly, phased development of the project. The amendment does not modify any phased development of the project and must comply with all development phase thresholds identified in the Otay Ranch Village 11 SPA Plan.

C. THE PROPOSED SETIONAL PLANNING AREA PLAN WOULD NOT ADVERSELY AFFECT ADJACENT LAND USE, RESIDENTIAL ENJOYMENT, CIRCULATION OR ENVIRONMENTAL QUALITY.

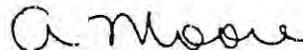
The land uses within Otay Ranch are designed to promote pedestrian-oriented neighborhoods. The amendment does not modify any surrounding land uses and is consistent with the residential land use policies as required by the General Plan and Otay Ranch General Development Plan. A comprehensive street network serves the project and provides for access to off-site adjacent properties. The proposed plan will be required to implement all mitigation measures specified in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02. These mitigation measures will minimize or reduce any identified impacts to land use, circulation and environmental quality.

Presented by

Approved as to form by



Robert A. Leiter
Planning and Building Director



Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 27th day of May, 2003, by the following vote:

AYES: Councilmembers: Davis, McCann, Rindone, Salas and Padilla

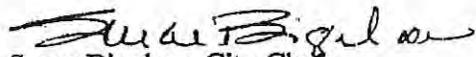
NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Stephen Padilla, Mayor

ATTEST:

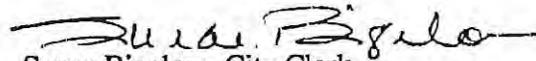


Susan Bigelow, City Clerk

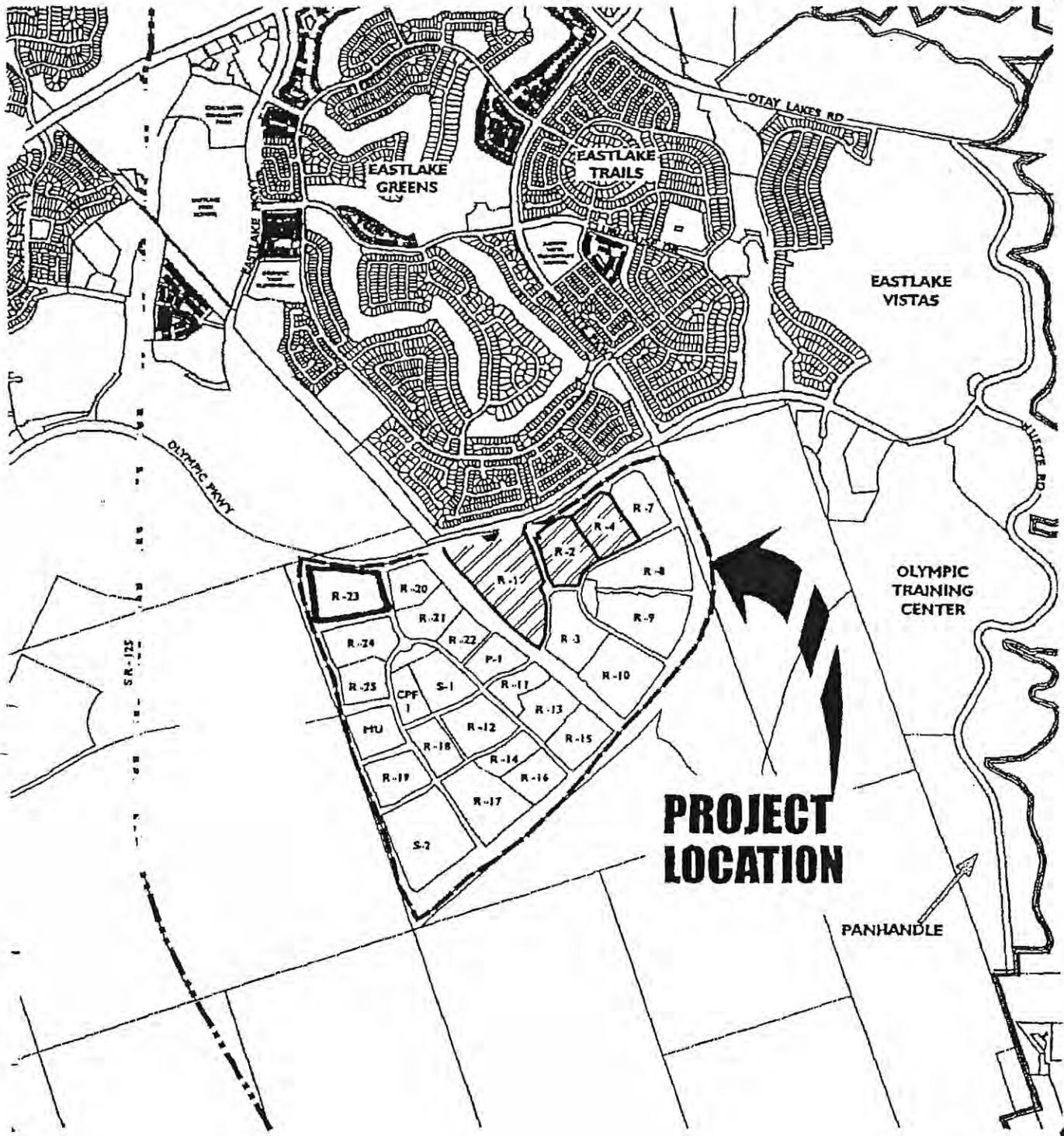
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2003-230 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 27th day of May, 2003.

Executed this 27th day of May, 2003.



Susan Bigelow, City Clerk



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: BROOKFIELD SHEA OTAY, LLC.

PROJECT ADDRESS: OTAY RANCH GDR, VILLAGE 11 OF OR VALLEY

SCALE: No Scale

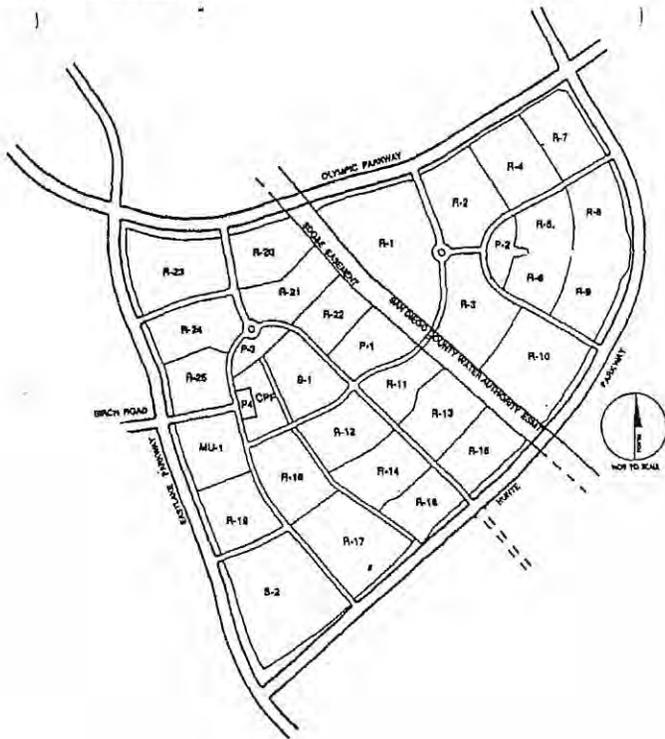
FILE NUMBER: PCM-03-06

PROJECT DESCRIPTION:

MISCELLANEOUS

Request: Village 11 Tentative Map revision to increase R1, R4 and maintenance of R2 at 47 units as shown on approved TM. R1 and R4 increases are within number of units approved in the SPA. TM revision includes grading improvements to lessen transport of cut and fill materials between areas to the east and west of the SDG&E/SDCWA easement.

11/10/03 10:15 AM



| NEIGHBORHOOD AREA | LAND USE | APPROX. GROSS ACREAGE | TARGET DU'S/AC | DWELLING UNITS |
|---------------------|---------------|-----------------------|----------------|----------------|
| R-1 | SF | 20.7 | 6.1 | 125 |
| R-2 | SF | 14.2 | 3.3 | 47 |
| R-3 | SF | 15.3 | 3.0 | 46 |
| R-4 | SF | 12.4 | 4.4 | 55 |
| R-5 | SF | 7.9 | 5.0 | 37 |
| R-6 | SF | 7.5 | 4.7 | 35 |
| R-7 | SF | 11.4 | 6.1 | 70 |
| R-8 | SF | 11.2 | 6.7 | 64 |
| R-9 | SF | 11.8 | 6.2 | 60 |
| R-10 | SF | 18.0 | 4.8 | 86 |
| R-11 | SF | 7.7 | 4.7 | 36 |
| R-12 | SF | 11.1 | 6.2 | 69 |
| R-13 | SF | 11.4 | 4.6 | 53 |
| R-14 | SF | 11.0 | 5.1 | 56 |
| R-15 | SF | 10.3 | 6.6 | 68 |
| R-16 | SF | 8.6 | 7.3 | 62 |
| SUBTOTAL | SF | 198.8 | 6.1 | 908 |
| R-17 | MF | 18.8 | 8.0 | 118 |
| R-18 | MF | 12.5 | 12.5 | 125 |
| R-19 | MF | 11.8 | 18.0 | 167 |
| R-20 | MF | 10.8 | 8.0 | 78 |
| R-21 | MF | 10.3 | 12.5 | 112 |
| R-22 | MF | 8.4 | 15.0 | 105 |
| R-23 | MF | 18.8 | 8.0 | 119 |
| R-24 | MF | 10.2 | 18.0 | 180 |
| R-25 | MF | 10.0 | 25.0 | 200 |
| SUBTOTAL | MF | 109.1 | 10.8 | 118 |
| SUBTOTAL | MJ | 10.0 | 11.5 | 110 |
| SUBTOTAL | RES. | 314.9 | | 2,304 |
| MU-1 | COMM. | 10.0 | | |
| SUBTOTAL | COMM. | 10.0 | | |
| CFF | CFF | 8.6 | | |
| SUBTOTAL | CFF | 8.6 | | |
| P-1 | PARK | 8.0 | | |
| P-2 | PARK | 3.8 | | |
| P-3 | PARK | 3.0 | | |
| P-4 | PARK | 1.0 | | |
| SUBTOTAL | PARK | 18.7 | | |
| S-1 / K-8 | SCHOOL | 11.0 | | |
| S-2 / J. H.S | SCHOOL | 25.8 | | |
| SUBTOTAL | SCHOOL | 36.8 | | |
| Harris Parkway | ROAD | 24.2 | | |
| Olympic Parkway | ROAD | 8.3 | | |
| Eastlake Parkway | ROAD | 7.2 | | |
| W' Circulation Sta | ROAD | 17.4 | | |
| E' Circulation Sta | ROAD | 8.1 | | |
| SUBTOTAL | ROAD | 66.2 | | |
| Green Buffer | O.S. | 27.6 | | |
| Easmt thru Property | O.S. | 18.8 | | |
| Passo Area In West | O.S. | 1.6 | | |
| Passo Area In East | O.S. | 1.3 | | |
| SUBTOTAL | O.S. | 49.2 | | |
| TOTAL | | 488 | | 2,304 |

EXHIBIT "B"

Brookfield Shea O'ay, LLC

RESOLUTION NO. 2003-231

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A REVISED TENTATIVE SUBDIVISION MAP FOR OTAY RANCH VILLAGE ELEVEN TO SUBDIVIDE NEIGHBORHOOD R-23 AND UTILIZE UNUSED VILLAGE ELEVEN SPA DWELLING UNITS IN NEIGHBORHOODS R-1 AND R-4 (CHULA VISTA TRACT 01-11A)

WHEREAS, the property which is the subject matter of this resolution is identified as Exhibit "A" attached hereto and described on Chula Vista Tract 01-11A, and is commonly known as Village 11 ("Property"); and

WHEREAS, a duly verified application for the Otay Ranch Village 11 Revised Tentative Subdivision Map (C.V.T. 01-11A) was filed with the City of Chula Vista Planning and Building Department on July 29, 2002 by Brookfield Shea Otay LLC, ("Applicant"); and

WHEREAS, the application requested the approval for the subdivision of approximately 42.7 acres located on the south side of Olympic Parkway, east of the future extension of Hunte Parkway, west of future extension of Eastlake Parkway and north of future University site in Phase One of the Village 11 SPA area; and

WHEREAS, the development of the Property has been the subject matter of a Tentative Subdivision Map ("C.V.T. 01-11") previously approved with Tentative Map conditions by the City Council on October 23, 2001 by Resolution No. 2001-364, wherein the City Council, in the environmental evaluation of said Village 11 SPA Plan relied in part on the original Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, Environmental Impact ("FEIR 01-02"); and

WHEREAS, the City's Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has determined that the proposed project was adequately covered in previously adopted Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan FEIR 01-02. Thus, no further environmental review or documentation is necessary; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Otay Ranch Village 11 Revised Tentative Subdivision Map (PCS-03-02) 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 Project site at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m. on May 14, 2003, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed.

WHEREAS, by a vote of 4-0-0-2, the Planning Commission recommended approval of the project; and

WHEREAS, a public hearing was scheduled for May 27, 2003 before the City Council of the City of Chula Vista on said Otay Ranch Village 11 Revised Tentative Subdivision Map (PCS-03-02).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at the public hearing held on May 14, 2003, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. ACTION

The City Council hereby adopts said Otay Ranch Village 11 Revised Tentative Subdivision Map (PCS-03-02), which will remain subject to the Tentative Map conditions approved by the City Council on October 23, 2001 pursuant to Resolution No. 2001-364, to subdivide Neighborhood R-23 and utilize unused Village 11 SPA dwelling units in Neighborhoods R-1 and R-4 finding it is consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan, and amended Otay Ranch Village 11 SPA Plan (PCM-03-06) and all other applicable plans, and that the public necessity, convenience, general welfare and good planning and zoning practice support the approval and implementation.

III. CERTIFICATION OF COMPLIANCE WITH CEQA

The City Council hereby finds that the Project, as described and analyzed in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, would have no new effects that were not examined in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, [Guideline 15168 (c)(2)].

IV. CEQA FINDING REGARDING PROJECT WITHIN SCOPE OF PRIOR FEIR

The City Council hereby finds that: (1) there were no substantial changes in the Project which would require revisions of said report; (2) no substantial changes have occurred with respect to the circumstances under which the Project is undertaken since certification of FEIR 01-02; (3) and no new information of substantial importance to the Project has become available since the issuance and approval of FEIR 01-02; and that, therefore, no new effects could occur or no new mitigation measures will be required in addition to those already in existence and made a condition for Project implementation. Therefore, the City Council approves the Project as an activity that is within the scope of the project covered by FEIR 01-02 [Guideline 15168 (c)(2) and 15162 (a)].

INDEPENDENT JUDGMENT OF CITY COUNCIL

The City Council hereby finds that the proposed project was adequately covered in previously adopted Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02. Thus, no further environmental review or documentation is necessary.

VI. INCORPORATION OF ALL CONDITIONS, MITIGATION MEASURES AND ALTERNATIVES

The City Council hereby re-adopts and incorporates herein as conditions for this approval all applicable conditions, mitigation measures and alternatives, as set forth in the findings adopted in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, and Village 11 SPA Plan document.

VII. NOTICE WITH LATER ACTIVITIES

The City Council gave notice, to the extent required by law, that this Project was fully described and analyzed and is within the scope of the Otay Ranch GDP Amendment/ Village 11 Sectional Planning Area Plan, FEIR 01-02, adequately describes and analyzes this project for the purposes of CEQA [Guideline 15168 (e)].

VIII. TENTATIVE SUBDIVISION MAP FINDINGS

Pursuant to Government Code Section 66473.5 of the Subdivision Map Act, the City Council finds that the Otay Ranch Village 11 Revised Tentative Subdivision Map (C.V.T. 01-11A) herein for Applicant, is in conformance with all the various elements of the City's General Plan, the Otay Ranch General Development Plan and the amended Village 11 Sectional Planning Area (SPA) Plan, based on the following:

1. Land Use

The Project is in a planned community that provides single-family residential uses, parkland uses, school uses, and open space. The Project is also consistent with General Plan, Otay Ranch GDP, and amended Otay Ranch Village 11 Sectional Planning Area (SPA) Plan policies related to grading and landforms.

2. Circulation

All of the on-site and off-site public and private improvements required to serve the subdivision are part of the project description or are conditioned consistent with the Otay Ranch General Development Plan, and the amended Village 11 SPA Plan. The Applicant shall construct those facilities in accordance with City and Village 11 Sectional Planning Area (SPA) Plan standards.

3. Housing

An affordable housing agreement between the City and the Otay Ranch Company (Master Developer) has been executed and is applicable to subject Project providing for low and moderate-income households.

4. Parks, Recreation and Open Space

Parks, recreation and open space obligations are conditioned under previously adopted and still applicable Tentative Map conditions. Construction of Park and open space and programmable recreation facilities are the responsibility of the Applicant.

5. Conservation

The preceding Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, addressed the goals and policies of the Conservation Element of the General Plan and found development of this site to be consistent with these goals and policies. The Otay Ranch Phase Two Resource Management Plan requires conveyance of 1.188 acres of land to the Otay Ranch Preserve for every one-acre of developed land prior to approval of any Final Map.

6. Seismic Safety

The proposed subdivision is in conformance with the goals and policies of the Seismic Element of the General Plan for this site. No seismic faults have been identified in the vicinity of the Project according to the Otay Ranch SPA One Geotechnical Reconnaissance Report.

7. Public Safety

All public and private facilities are expected to be reachable within the threshold response times for fire and police services.

8. Public Facilities

The Applicant will provide all on-site and off-site streets, sewers and water facilities necessary to serve this Project. The developer will also contribute to the Otay Water District's improvement requirements to provide terminal water storage for this Project as well as other major projects in the eastern territories.

9. Noise

The Project will include noise attenuation walls pursuant to an approved Acoustical Noise Study for the project. In addition, all units are required to meet the standards of the Uniform Building Code with regard to acceptable interior noise levels.

10. Scenic Highway

The roadway design provides wide landscaped buffers along Olympic Parkway the only General Plan, GDP/SRP scenic highways adjacent to the Project.

11. Bicycle Routes

The Project is required to provide on-site bicycle routes as indicated in the regional circulation system of the General Plan and the Otay Ranch GDP.

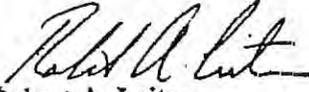
12. Public Buildings

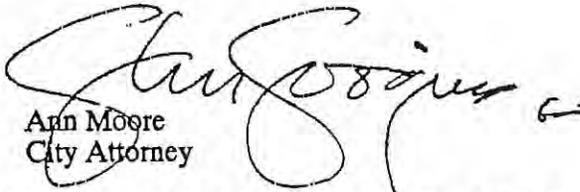
Public buildings are not proposed on the Project site as part of the community purpose facility locations. The Project is subject to appropriate residential fees prior to issuance of building permits.

The conditions herein imposed on the grant of permit or other entitlement herein contained is approximately proportional both in nature and extent to the impact created by the proposed development.

Presented by

Approved as to form by


Robert A. Leiter
Planning and Building Director


Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 27th day of May, 2003, by the following vote:

| | | |
|---------|-----------------|---|
| AYES: | Councilmembers: | Davis, McCann, Rindone, Salas and Padilla |
| NAYS: | Councilmembers: | None |
| ABSENT: | Councilmembers: | None |


Stephen Padilla, Mayor

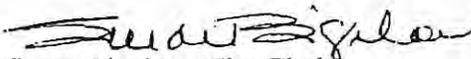
ATTEST:

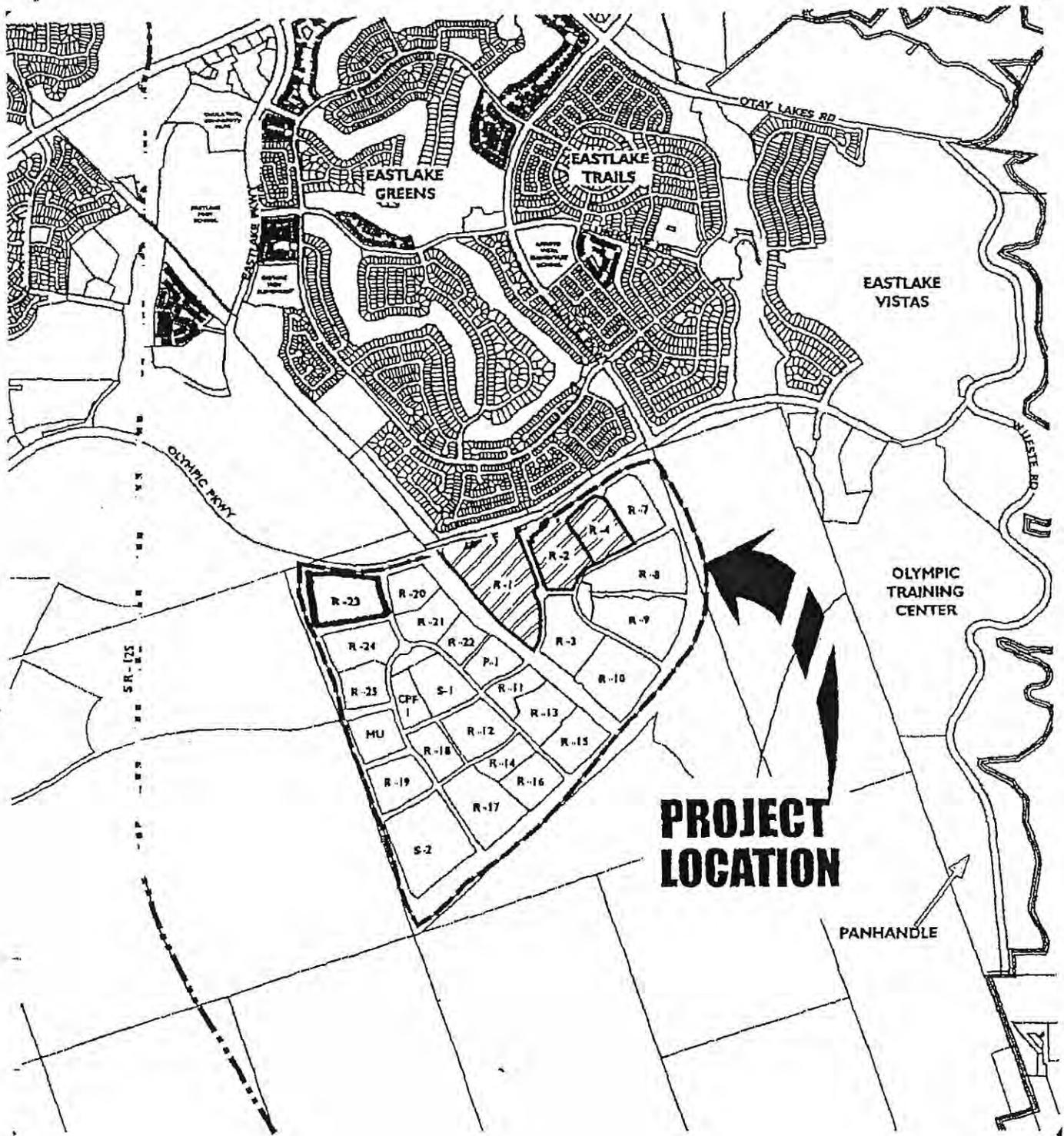

Susan Bigelow, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2003-231 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 27th day of May, 2003.

Executed this 27th day of May, 2003.


Susan Bigelow, City Clerk



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: **BROOKFIELD SHEA OTAY, LLC.**

PROJECT ADDRESS: **OTAY RANCH GDP, VILLAGE 11 OF OR VALLEY**

SCALE: **No Scale**

FILE NUMBER: **PCM-03-06**

PROJECT DESCRIPTION: MISCELLANEOUS

Request: Village 11 Tentative Map revision to increase R1, R4 and maintenance of R2 at 47 units as shown on approved TM. R1 and R4 increases are within number of units approved in the SPA. TM revision includes grading improvements to lessen transport of cut and fill materials between areas to the east and west of the SDG&E/SDCWA easement.

ORDINANCE NO. 2917

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING AN AMENDMENT TO THE
OTAY RANCH VILLAGE ELEVEN SECTIONAL PLANNING
AREA PLAN TO ADD LANGUAGE TO THE PLANNED
COMMUNITY DISTRICT REGULATIONS

WHEREAS, the property which is the subject matter of this ordinance is identified as Exhibit "A" attached hereto and described on Chula Vista Tract 01-11A, and is commonly known as Village 11 ("Property"); and

WHEREAS, a duly verified application to amend the Otay Ranch Village 11 SPA Plan Planned Community District Regulations was filed with the City of Chula Vista Planning and Building Department on July 29, 2002 by Brookfield Shea Otay LLC, ("Applicant"); and

WHEREAS, the amendment to the Otay Ranch SPA One Planned Community District Regulations is intended to ensure that the Otay Ranch SPA One 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 which will enable the amended Otay Ranch Village 11 SPA Plan area to exist in harmony within the community ("Project"); and

WHEREAS, the amended Otay Ranch SPA One Planned Community District Regulations and Zoning District Map is established pursuant to Title 19 of the Chula Vista Municipal Code, specifically Chapter 19.48 (PC) Planned Community Zone, and are applicable to the Otay Ranch Village 11 Site Utilization Plan of the amended Village 11 SPA Plan; and

WHEREAS, the amended Otay Ranch SPA One Planned Community District Regulations enhances the pedestrian-oriented neighborhood design in the village by adding footnotes to the Planned Community (PC) District Regulations, Table II.3.3-2, "Residential Property Development Standards", to allow reduced minimum lot widths and reduced front yard setbacks for a "z-lot" and "zero lot-line" single-family design concept. The applicant proposes to apply for implementation of the z-lot configuration in Neighborhood R-1. The reduced lot widths and front yard setbacks provide design flexibility and implement several Otay Ranch goals and principles; and

WHEREAS, the development of the Property has been the subject matter of a Sectional Planning Area Plan ("SPA Plan") previously approved by the City Council on October 23, 2001 by Resolution No. 2001-363, wherein the City Council, in the environmental evaluation of said Village 11 SPA Plan, relied in part on the original Otay Ranch General Development Plan (GDP) Amendment/Village 11 Sectional Planning Area Plan, Final Environmental Impact Report ("FEIR 01-02"); and

WHEREAS, the City's Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has determined that the proposed project was adequately covered in previously adopted Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan FEIR 01-02. Thus, no further environmental review or documentation is necessary; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Otay Ranch Sectional Planning Area (SPA) One Plan amendment (PCM-03-06) 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 Project site at least 10 days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m. May 14, 2003, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed.

WHEREAS, by a vote of 4-0-0-2, the Planning Commission recommended approval of the project; and

WHEREAS, a public hearing was scheduled for May 27, 2003, before the City Council of the City of Chula Vista on the Otay Ranch Village 11 SPA Amendment to add language (footnotes) to the PC District Regulations to allow reduced setbacks for "z-lot" single-family residential lot configurations.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at the FEIR public hearing on the amended Village 11 SPA Plan held on May 14, 2003 and the minutes and resolutions therefrom, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. ACTION

The City Council hereby approves an amendment to the Village 11 SPA Planned Community District Regulations adding footnotes to the Planned Community (PC) District Regulations, Table II.3.3-2, "Residential Property Development Standards", to allow reduced minimum lot widths and reduced front yard setbacks for a "z-lot" and "zero lot-line" single-family design concept, which implements several Otay Ranch goals and principles finding that they are consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan, Otay Ranch Village 11 SPA Plan, and all other applicable Plans, and that the public necessity, convenience, general welfare and good planning and zoning practice support the FEIR approval and implementation.

III. CERTIFICATION OF COMPLIANCE WITH CEQA

The City Council hereby finds that the Project, as described and analyzed in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, would have no new effects that were not examined in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02, [Guideline 15168 (c)(2)].

IV. CEQA FINDING REGARDING PROJECT WITHIN SCOPE OF PRIOR FEIR

The City Council hereby finds that: (1) there were no substantial changes in the Project from FEIR 01-02, which would require revisions of said report; (2) no substantial changes have

occurred with respect to the circumstances under which the Project is undertaken since certification of FEIR 01-02; (3) and no new information of substantial importance to the Project has become available since the issuance and approval of FEIR 01-02; and that, therefore, no new effects could occur or no new mitigation measures will be required in addition to those already in existence and made a condition for Project implementation. Therefore, the City Council approves the Project as an activity that is within the scope of the project covered by FEIR 01-02 [Guideline 15168(c)(2) and 15162(a)].

V. INDEPENDENT JUDGMENT OF CITY COUNCIL

The City Council hereby finds that the proposed project was adequately covered in previously adopted Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02. Thus, no further environmental review or documentation is necessary.

VI. INCORPORATION OF ALL CONDITIONS, MITIGATION MEASURES AND ALTERNATIVES

The City Council does hereby re-adopt and incorporate herein as conditions for this approval all applicable mitigation measures and alternatives, as set forth in the findings adopted in the Mitigation Monitoring Program for FEIR 01-02.

VII. NOTICE WITH LATER ACTIVITIES

The City Council does hereby give notice, to the extent required by law, that this Project was fully described and analyzed and is within the scope of the FEIR 01-02 adequately describes and analyzes this project for the purposes of CEQA [Guideline 15168(e)].

VIII. SECTIONAL PLANNING AREA (SPA) PLAN FINDINGS

The proposed Project is consistent with the Otay Ranch Village 11 Sectional Planning Area Plan for the following reasons:

A. THE PROPOSED SECTIONAL PLANNING AREA PLAN IS IN CONFORMITY WITH THE GENERAL DEVELOPMENT PLAN OF THE P-C ZONE, ANY ADOPTED SPECIFIC PLANS, AND THE CITY OF CHULA VISTA GENERAL PLAN AND ITS SEVERAL ELEMENTS.

The request to amend the Otay Ranch Village 11 SPA Plan to add language (footnotes) to the PC District Regulations to allow reduced setbacks for "z-lot" single-family residential lot configurations, reflects the land uses, circulation system, open space and recreational uses, and public facility uses consistent with the Otay Ranch General Development Plan and Chula Vista General Plan.

B. THE PROPOSED SETIONAL PLANNING AREA PLAN WOULD PROMOTE THE ORDERLY, SEQUENTIALIZED DEVELOPMENT OF THE INVOLVED SECTIONAL PLANNING AREA.

The Otay Ranch Village 11 SPA Plan amendment contains provisions and requirements to ensure the orderly, phased development of the project. The amendment does not modify any phased development of the project and must comply with all development phase thresholds identified in the Otay Ranch Village 11 SPA Plan.

C. THE PROPOSED SECTIONAL PLANNING AREA PLAN WOULD NOT ADVERSELY AFFECT ADJACENT LAND USE, RESIDENTIAL ENJOYMENT, CIRCULATION OR ENVIRONMENTAL QUALITY.

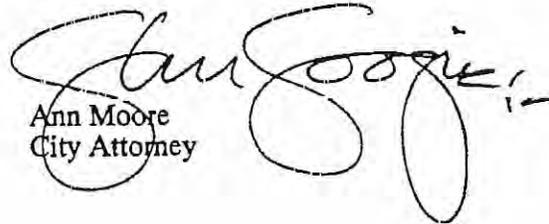
The land uses within Otay Ranch are designed to promote pedestrian-oriented neighborhoods. The amendment does not modify any surrounding land uses and is consistent with the residential land use policies as required by the General Plan and Otay Ranch General Development Plan. A comprehensive street network serves the project and provides for access to off-site adjacent properties. The proposed plan will be required to implement all mitigation measures specified in the Otay Ranch GDP Amendment/Village 11 Sectional Planning Area Plan, FEIR 01-02. These mitigation measures will minimize or reduce any identified impacts to land use, circulation and environmental quality.

Presented by

Approved as to form by



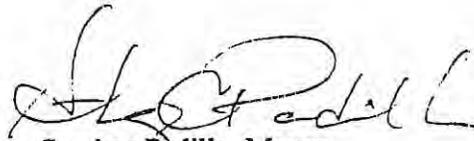
Robert Leiter
Planning and Building Director



Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 3rd day of June, 2003, by the following vote:

AYES: Councilmembers: McCann, Rindone, Salas and Padilla
NAYS: Councilmembers: None
ABSENT: Councilmembers: Davis



Stephen Padilla, Mayor

ATTEST:

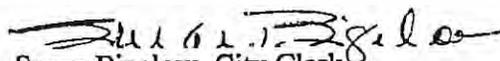


Susan Bigelow, City Clerk

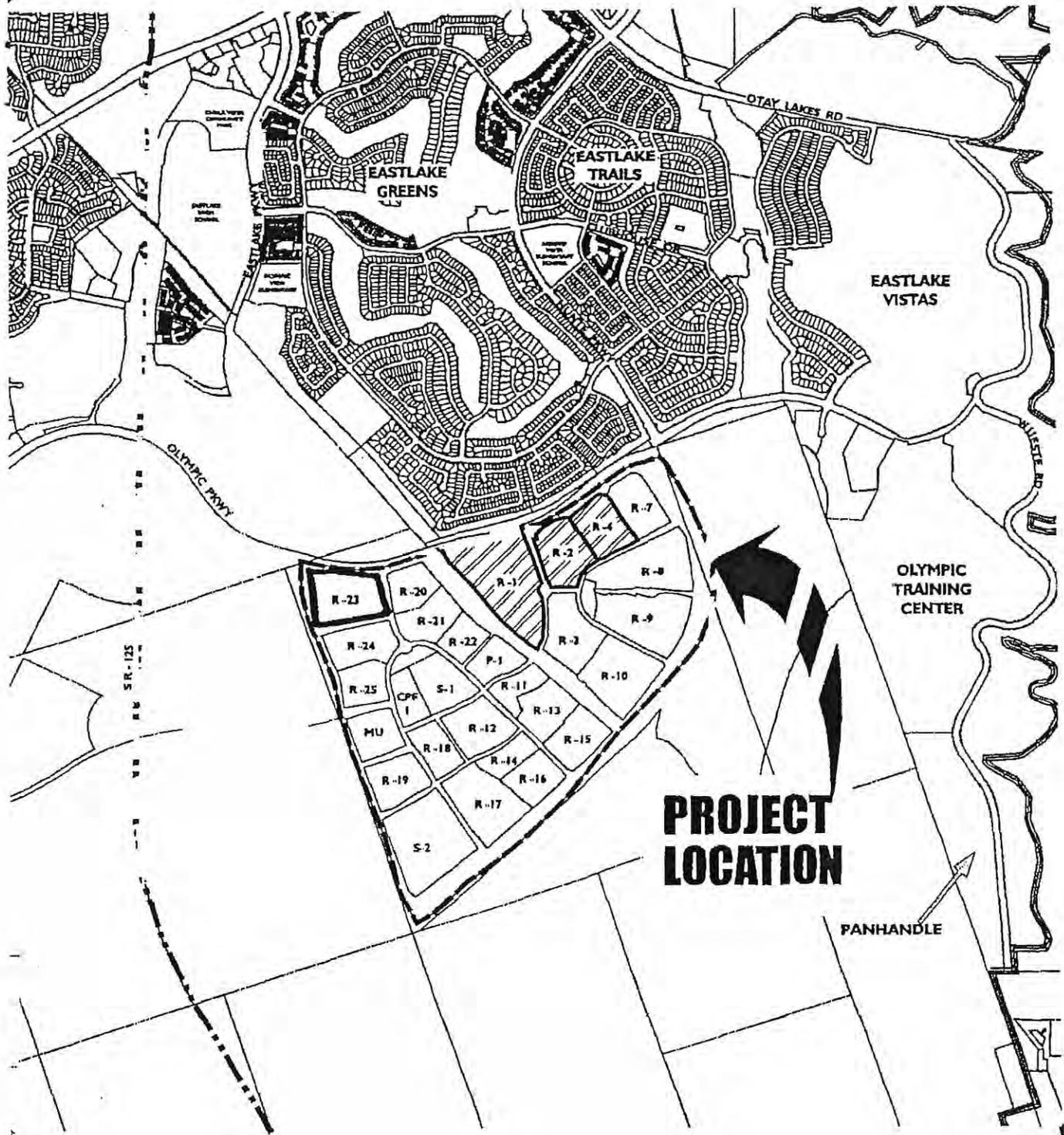
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2917 had its first reading at a regular meeting held on the 27th day of May, 2003 and its second reading and adoption at a regular meeting of said City Council held on the 3rd day of June, 2003.

Executed this 3rd day of June, 2003.



Susan Bigelow, City Clerk



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: **BROOKFIELD SHEA OTAY, LLC.**

PROJECT ADDRESS: **OTAY RANCH GDP, VILLAGE 11 OF OR VALLEY**

SCALE: **No Scale**

FILE NUMBER: **PCM-03-06**

PROJECT DESCRIPTION: **MISCELLANEOUS**

Request: Village 11 Tentative Map revision to increase R1, R4 and maintenance of R2 at 47 units as shown on approved TM. R1 and R4 increases are within number of units approved in the SPA. TM revision includes grading improvements to lessen transport of cut and fill materials between areas to the east and west of the SDG&E/SDCWA easement.