

ORDINANCE NO. 3547

ORDINANCE OF THE CITY OF CHULA VISTA APPROVING  
AN AMENDMENT TO THE DEVELOPMENT AGREEMENT  
BETWEEN THE CITY OF CHULA VISTA, BALDWIN AND  
SONS, LLC AND ITS SUBSIDIARIES FOR PORTIONS OF  
OTAY RANCH VILLAGE TWO

WHEREAS, the property which is the subject matter of this ordinance is identified in the Development Agreement attached hereto as Exhibit “A” and commonly known as portions of Otay Ranch Village Two (“Property”); and

WHEREAS, the Project relied in part on the original Otay Ranch General Development Plan (“GDP”) Program Environmental Impact Report 90-01, the Otay Ranch Villages Two, Three and a Portion of Four Section Planning Area (“SPA”) Plan Final Second-Tier Environmental Impact Report (“EIR 02-02”; SCH No. 200.30.91.012), and the Village Two Comprehensive SPA Plan Amendment Final Supplemental Environmental Impact Report (“EIR 12-01”; SCH No. 200.30.91.012) the California Environmental Qualities Act (“CEQA”) Findings and Mitigation Monitoring and Reporting Program; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Development Agreement 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. February 8, 2023, in the Council Chambers, 276 Fourth Avenue, and the Planning Commission approved the proposed amendments to the Development Agreement Between the City of Chula Vista and Baldwin and Sons, LLC and its Subsidiaries for Portions of Otay Ranch Village Two (“Development Agreement”), and voted 5-0 to adopt Resolution No. 2023-05 and thereby recommended that the City Council adopt an Ordinance amending the Development Agreement; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on the Project held on February 8, 2023, and the minutes and resolution resulting therefrom, are incorporated into the record of this proceedings; and

WHEREAS, on March 7, 2023, a duly noticed public hearing was scheduled before the City Council of the City of Chula Vista to consider adopting the ordinance to approve the Development Agreement; and

WHEREAS, City staff has reviewed the Amendment to the Development Agreement and determined it to be consistent with the Otay Ranch GDP and the City’s General Plan.

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NOW, THEREFORE, THE CITY COUNCIL of the City of Chula Vista does hereby order and ordain as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on February 8, 2023, 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 City Council hereby finds that the adoption of the ordinance approving the Development Agreement for the Project, as described and analyzed in the Final SEIR 12-01, would have no new effects that were not examined in said Final SEIR (CEQA Guideline 15168 (c)(2)).

III. CONSISTENCY WITH GENERAL PLAN AND OTAY RANCH GENERAL DEVELOPMENT PLAN

The City Council finds that the proposed Amendment to the Development Agreement is consistent with the City's General Plan and Otay Ranch GDP. The amended Development Agreement implements the General Plan and GDP by providing a comprehensive program to implement the SPA Plan and Tentative Map. Those plans provide design incorporating a mixture of land uses connected by a walkable system of public streets and pedestrian paths, neighborhood parks and plazas, retail opportunities, and commercial activities designed to promote a safe pedestrian environment. The Village Two site utilization plan, including the density, number of residential units, industrial acreage, and mixed-use area, is consistent with the General Plan and GDP, as amended.

IV. ACTION

The City Council hereby adopts an Ordinance approving the Amendment to the Development Agreement between the City of Chula Vista, Baldwin and Sons, LLC and its Subsidiaries for portions of Otay Ranch Village Two (a copy of which is on file in the City Clerk's office), finding it consistent with the California Government Code, adopted City policies, the General Plan, and the Otay Ranch GDP.


IV. EFFECTIVE DATE


This Ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

[SIGNATURES ON THE FOLLOWING PAGE]

Presented by


Approved as to form

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


DocuSigned by:  
  
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 By: \_\_\_\_\_  
 Jill D.S. Maland  
 Lounsbury Ferguson Altona & Peak  
 Acting City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 28th day of March 2023, by the following vote:

AYES:	Councilmembers:	Cardenas, Chavez, Gonzalez, Preciado, and McCann
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None

DocuSigned by:  
  
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 John McCann, Mayor

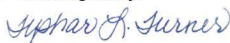
ATTEST:

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 Kerry K. Bigelow, MMC, City Clerk

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

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3547 had its first reading at a regular meeting held on the 7th day of March 2023, and its second reading and adoption at a regular meeting of said City Council held on the 28th day of March 2023 and was duly published in summary form in accordance with the requirements of state law and the City Charter.

4/10/2023  
 \_\_\_\_\_  
 Dated

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 Kerry K. Bigelow, MMC, City Clerk

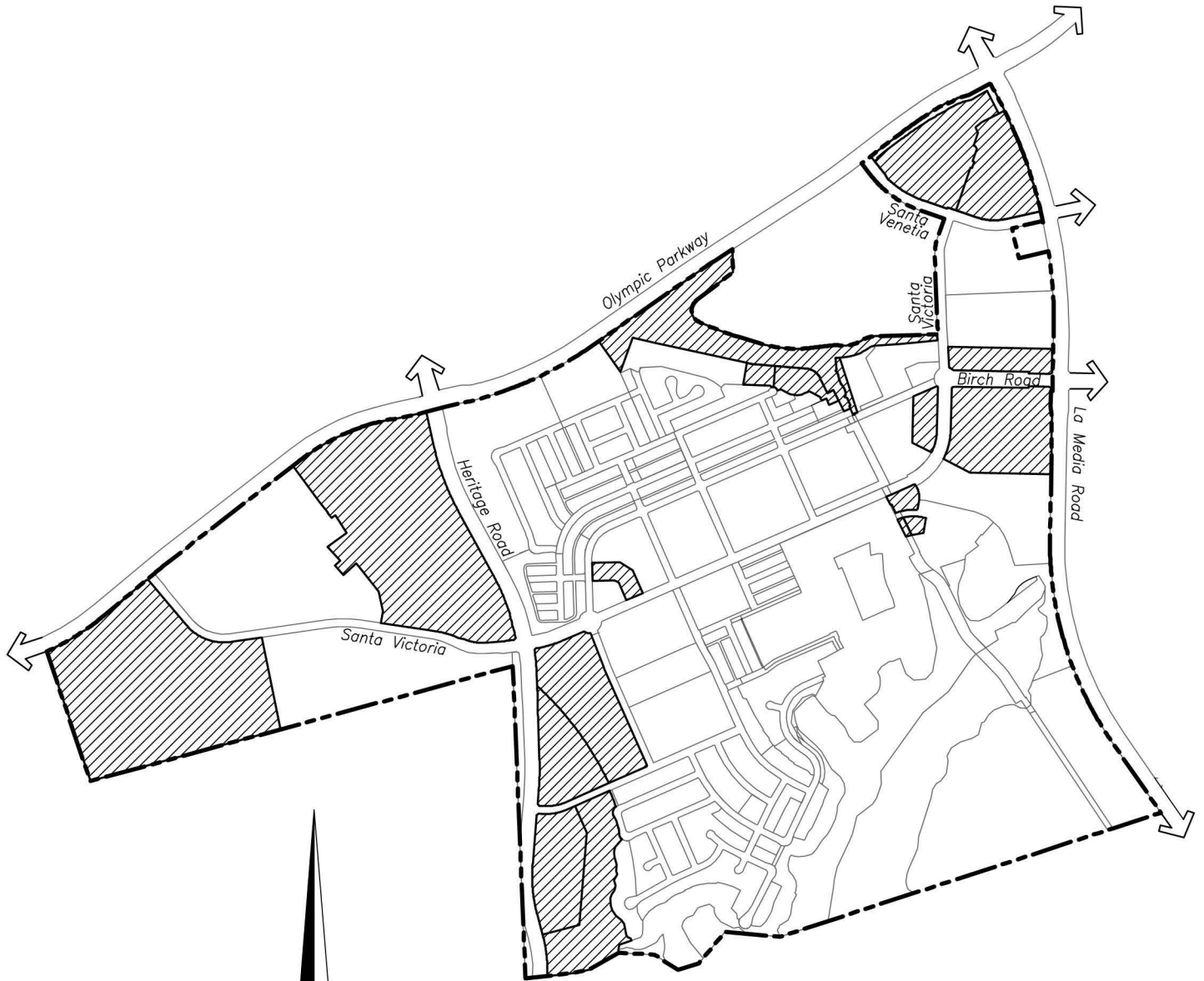
For

**EXHIBIT A****VILLAGE TWO OWNERSHIP – DEVELOPMENT AGREEMENT**

<b>Owner</b>	<b>Legal Description</b>
V2 Mixed Use, LLC	Lots 4, 9, and 14 of Chula Vista Tract No. 06-05, Otay Ranch Village 2 and Portions of Village 4 "A" Map, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 15350, filed in the Office of the County Recorder of San Diego County, May 26, 2006.
V2 Commercial, LLC	Lot 5 of Chula Vista Tract No. 06-05, Otay Ranch Village 2 and Portions of Village 4 "A" Map, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 15350, filed in the Office of the County Recorder of San Diego County, May 26, 2006.
V2 N IND 1(b), LLC	Lot 28 of Chula Vista Tract No. 06-05, Otay Ranch Village 2 and Portions of Village 4 "A" Map, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 15350, filed in the Office of the County Recorder of San Diego County, May 26, 2006.
R-12 A, LLC	Lot 1 of Chula Vista Tract No. 06-05, Otay Ranch Village 2 Neighborhood R-12, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 16060, filed in the Office of the County Recorder of San Diego County, September 21, 2015.
R-12 B, LLC	Lot 2 of Chula Vista Tract No. 06-05, Otay Ranch Village 2 Neighborhood R-12, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 16060, filed in the Office of the County Recorder of San Diego County, September 21, 2015.
Village II of Otay LP	<p>Lot "E" of Chula Vista Tract No. 06-05 Otay Ranch Village 2 Neighborhood R-15A, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 15862, filed in the Office of the County Recorder of San Diego County on April 4, 2012.</p> <p>Parcel B of Certificate of Compliance recorded November 6, 2017 as Instrument No. 2017-0516728, being Lot "F" of Chula Vista Tract No. 06-05 Otay Ranch Village 2 Neighborhood R-15A, according to Map thereof No. 15862 filed in the Office of the County Recorder of San Diego County April 4, 2012 together with a portion of Lot 4 of Chula Vista Tract No. 11-05 Otay Ranch Village 2 Neighborhood R-10B/Pipeline, according to Map thereof No. 16094 filed in the Office of said County Recorder February 22, 2016, all in the City of Chula Vista, County of San Diego, State of California.</p>
Baldwin & Sons, LLC	Lot 5 of Chula Vista Tract No. 11-05 Otay Ranch Village 2 North Neighborhood R-10B/Pipeline, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 16094, filed in the Office of the County Recorder of San Diego County February 22, 2016.


R25A Townhomes, LLC	Parcels 1 and 2 of Parcel Map 21869 in the City of Chula Vista, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, on August 20, 2021.
R25A Flats, LLC	Parcel 3 of Parcel Map 21869, in the City of Chula Vista, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, on August 20, 2021.
Sunranch Capital Partners, LLC	Lots 9, 10, and 11 of Chula Vista Tract No. 12-05 Otay Ranch Village 2 South "A" Map No. 1, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 16112, filed in the Office of the County Recorder of San Diego County, June 22, 2016.
Village II of Otay HB SUB, GP	<p>Lot 26 of Chula Vista Tract No. 06-05, Otay Ranch Village 2 and Portions of Village 4 "A" Map, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 15350, filed in the Office of the County Recorder of San Diego County, May 26, 2006.</p> <p>Lots 34 and 35 of Chula Vista Tract No. 11-05 Otay Ranch Village 2 North "A" Map No. 2 and Otay Ranch Village 2 North Neighborhood R-5B Unit No. 1, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 15865 filed in the Office of the County Recorder of San Diego County May 7, 2012.</p> <p>Lot "I" of Chula Vista Tract No. 11-05 Otay Ranch Village 2 North Neighborhood R-10B/Pipeline, in the City of Chula Vista, County of San Diego, State of California, according to Map thereof No. 16094, filed in the Office of the County Recorder of San Diego County February 22, 2016.</p> <p>Parcel "B" of Certificate of Compliance recorded March 29, 2018 as Instrument No. 2018-0125606, being 1 of Chula Vista Tract No. 11-05 Otay Ranch Village 2 North Neighborhood R-10B/Pipeline, according to Map thereof No. 16094, filed in the Office of the County Recorder of San Diego County February 22, 2016 together with a portion of Lot "A" of Chula Vista Tract No. 11-01 Otay Ranch Village 2 and Portions of Village 4 Neighborhood R-7 Unit No. 2, according to Map thereof No. 15868 filed in the Office of said County Recorder June 6, 2012, all in the City of Chula Vista, County of San Diego, State of California.</p>

# Exhibit A



NOT TO SCALE

## LEGEND

 Owner's Property



**HUNSAKER  
& ASSOCIATES**  
SAN DIEGO, INC.

9707 Waples Street (858)558-4500  
San Diego, CA 92121