

RESOLUTION NO. 2016-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DENYING THE APPEAL BY KENNY RAY AND MITCHELL COMPTON AND AFFIRMING THE ZONING ADMINISTRATOR'S APPROVAL OF THE DESIGN REVIEW PERMIT (DR15-0010) FOR THE VONS BONITA CENTER FAÇADE REMODEL, LOCATED AT 4404 BONITA ROAD IN THE CITY OF CHULA VISTA

WHEREAS, the parcel of land which is the subject matter of this Resolution is depicted in Exhibit "1," attached hereto and incorporated herein by this reference, and for the purpose of general description consists of 4.0 acres located at 4404 Bonita Road, consisting of APN 593-280-06-00, (Project Site); and

WHEREAS, on June 6, 2015, a duly verified application requesting approval of a Design Review Permit was filed with the City of Chula Vista Development Services Department by Donahue Schriber (Applicant); and

WHEREAS, said Applicant requested approval of a Design Review Permit to allow the Applicant to remodel the front façade, including additional improvement elements around and adjacent to the structure, of the Vons Grocery store (Project) on said Project Site; and

WHEREAS, notice of Zoning Administrator consideration of the Project was given by its mailing to property owners within 500 feet of the exterior boundary of the Project Site at least 10 days prior to the hearing; and

WHEREAS, the Zoning Administrator considered all reports and evidence, and on November 3, 2015, approved Design Review Permit DR15-0010, in accordance with the findings and subject to the conditions contained in the Final Notice of Decision for DR15-0010; and

WHEREAS, Kenny Ray and Mitch Compton filed an appeal of the Zoning Administrator's Decision to Approve Design Review Permit DR15-0010 on November 18, 2015; and

WHEREAS, the City Clerk set the time and place for the public hearing on the appeal; and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, its mailing to property owners within 500 feet of the exterior boundary of the Project Site at least 10 days prior to the hearing; and

WHEREAS, the Chula Vista City Council held a duly noticed public hearing to consider said appeal at the time and place as advertised, namely March 15, 2016, at 5:00 p.m. in the Council Chambers, 276 Fourth Avenue; and

WHEREAS, the Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the

project qualifies for a Class 1 Categorical Exemption pursuant to 15301 (Existing Facilities) of the State CEQA Guidelines. The Project qualifies for a Class 1 Categorical Exemption because the Project proposes remodeling of an existing commercial building involving negligible or no expansion of the existing commercial use. Thus, no further environmental review is required.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find and determine that under the provisions of Chula Vista Municipal Code (CVMC) Section 19.14.588.B, the appeal of Design Review Permit DR15-0010 is hereby DENIED based upon the Design Review Permit Findings of Fact, as follows:

- 1. That the proposed development is consistent with the development regulations of the Chula Vista Municipal Code, and other applicable regulatory documents.*

The City Council hereby finds the Project is consistent with the Zoning Ordinance, i.e., Chapter 19 of the CVMC, because the Project proposes architectural design modifications to an existing building used for a commercial retail use that is permitted in the CCD zone. The Project includes remodeling of the entry façade and the front portion of the roof, re-painting of the exterior of the building, and the addition of exterior lighting and landscaping. No change to the existing building footprint, floor area, height, mechanical equipment and parking are proposed. Therefore the Project complies with the applicable development regulations of the Central Commercial-Design Control (CCD) zone.

- 2. The design features of the proposed development are consistent with, and are a cost effective method of satisfying the City of Chula Vista Design and Landscape Manuals.*

The City Council hereby finds that the Project includes replacing the existing wood roof shingles, wooden trellis façade elements, and roof-mounted wall sign, with a new standing seam metal roof with a tower element, new fascia and interior improvements, and an upgraded façade including cement plaster walls, cement plaster and flagstone entry columns, and expansions joints. Removal and re-installation of the existing wall sign is proposed for the tower element. The building will be re-painted with a variety of earth tone colors to match the existing shopping center. The Project also includes installation of new landscaping and lighting at the building entry. The proposed design will be consistent with architectural guidelines regarding compatibility with surrounding architecture, and building, façade and roof articulation. Thus, the proposed Project design is consistent with the commercial design guidelines of the Design Manual.

BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista does hereby find and determine that the determination of the Zoning Administrator is hereby AFFIRMED, in accordance with the applicable design guidelines of the Design Manual and the Conditions of Approval specified in the Zoning Administrator Final Notice of Decision dated November 3, 2015, attached hereto and incorporated herein by this reference (Exhibit “2”).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, this 15th day of March, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Presented by:

Approved as to form by:

Kelly Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney

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