



CITY COUNCIL AGENDA STATEMENT



July 28, 2020

File ID: 20-0292

TITLE

CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A PROPOSED 27,821 SQUARE-FOOT BUILDING PROJECT OFF AUTO PARK PLACE NORTH OF MAIN STREET

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA UPHOLDING THE PLANNING COMMISSIONS DECISION AND APPROVING A DESIGN REVIEW PERMIT, DR19-0025, TO CONSTRUCT A 27,821 SQUARE-FOOT BUILDING WITH A 4,185 SQUARE-FOOT COVERED ENTRYWAY FOR SUPPORTIVE USES TO INCLUDE A VEHICLE COLLISION AND AUTOMOTIVE REPAIR FACILITY ON APPROXIMATELY 2.2 ACRES, LOCATED AT 1880 AUTO PARK PLACE, NORTH OF MAIN STREET, SUBJECT TO THE CONDITIONS CONTAINED HEREIN

RECOMMENDED ACTION

Council conduct the public hearing and adopt the resolution.

SUMMARY

On August 20, 2019, the applicant submitted a Design Review permit for approval of the noted vehicle collision and automotive repair facility (DR19-0025). The use, as proposed, will serve a regional market demand in addition to the already established demand of patrons and visitors to the Chula Vista area. The site is currently vacant (see Locator Map, Attachment 1).

On May 27, 2020, via a virtual Planning Commission meeting, the Planning Commission considered and approved the project. The Planning Commission's approval Motion passed by a vote of 7 – Yes to 0 – No. Subsequently, on June 10, 2020, a local resident (Ms. Kerri Aviles) in opposition of the project filed an Appeal to the City Council citing "Factual Error" and "New Information" provisions of the Appeal Application; specifically alleging inaccurate statements by staff regarding existing uses on adjacent properties.

This Appeal now presents the project for City Council consideration and action. The approval at issue is the Design Review.

ENVIRONMENTAL REVIEW

The Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was adequately covered in previously adopted Mitigated Negative Declaration (IS-02-006), for the Chula Vista Auto Park North Specific Plan. Thus, no further environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

As discussed above, on May 27, 2020 the Planning Commission made a Motion to approve the Project. The Motion passed by a vote of 7 – Yes to 0 – No, resulting in project approval. The Minutes of the Planning Commission Meeting are provided as Attachment 2.

DISCUSSION

The Auto Park North Specific Plan (see Attachment 3) implements the broad policies of the General Plan and the Redevelopment Plan for the Otay Valley Road Redevelopment Project Area by establishing permitted land uses, development standards, design guidelines, and entitlement processes for the expansion of the Chula Vista Auto Park. This Specific Plan supersedes the zone regulations for the project site. Where in conflict with the Zoning Ordinance, this Specific Plan shall apply; and where the Specific Plan does not address a topic, the Zoning Ordinance and other applicable policies and regulations shall apply. The Specific Plan also included a Mitigated Negative Declaration (IS-02-006) and Mitigation Monitoring and Reporting Program as part of its approval and takes into consideration environmental impacts by permitted uses in the area.

The Chula Vista Auto Park is intended to be a regional automobile sales and service destination located within the Otay Valley Road Redevelopment Project Area. Lots to the interior of the site are to be developed with supporting uses such as automotive services and inventory parking lots with each lot developed independently in accordance with the Specific Plan. On page 4 of the Specific Plan the Land Use Distribution is divided into three types of uses: Automobile Sales, Automobile Inventory Parking, and Supporting Services, which are all independent of each other. The uses are allowed based on parcel number and type of use. The proposed project is on parcel 3 of Parcel Map 3306 and is permitted by right with Supporting Services to include collision and automotive repair as referenced on page 5, Section (B) Permitted Uses under item (3) Supporting Services.

The Appellant filed an Appeal on June 10, 2020 following the Planning Commission approval on May 27, 2020 (see Attachment 4). The Appellant has stated that “pertinent information was withheld,” specifically in reference to the adjacent uses on the east and west side of the proposed project. The Appellant has alleged that on these adjacent sites, vehicles utilize back-up alarms, individuals use generated power washing devices, that multiple alarms are set off each day and that tremendous amounts of exhaust and pollution are also generated. The Appellant also states that images showing the adjacent sites demonstrate these issues and were not presented as part of staff’s presentation.

In response, staff has explained to the Appellant that the applicant submitted a Design Review, requiring review of applicable development standards within the Specific Plan and that the use is not in question as it is permitted by right under the permitted use section of the Specific Plan, as previously described. Furthermore, the adjacent uses are not part of the review for this project and any issues that may be potentially noncompliant with the development standards of the Specific Plan or Mitigated Negative Declaration could be reviewed by staff to determine if there are any compliance issues so that the situation can be remedied, if need be. Notwithstanding the foregoing, all uses on the adjacent properties and the project site are permitted in the Specific Plan and have been reviewed under CEQA and found to not have

any significant impacts pursuant to the Mitigated Negative Declaration and accompanying Mitigation Monitoring and Reporting Program.

As described above, the uses on the project site and adjacent properties in question by the Appellant are permitted uses within the Auto Park Specific Plan. Therefore, the Design Review application is all that is being presented for Council’s consideration and action.

The proposal includes the construction of a 27,821 square-foot building with a 4,185 square-foot covered entryway for both vehicle collision and automotive repair service uses. The building will house both uses with the primary use of the building designated as 17,450 square-feet for vehicle collision repair and 6,186 square-feet for automotive repair. The interior for both uses will consist of an open work area with roll-up shutter doors for vehicle access along the north, east and west sides of the building and consist of administrative office space, parts storage, service reception, service bays, tire storage and other associated amenities.

Architecture

The architecture incorporates a contemporary functional style for the proposed uses utilizing materials consisting of a metal panel façade, a corrugated metal roof, and vertical metal side panels with enhanced window glazing. The fenestration of glazed windows is enhanced along the entryway while rolling shutter doors are located away from the entrance and public view. The building is designed with vertical articulation along the entrance of the building with staggering roof lines along the southwest and southeast elevation between the entryway and roof of the main building adding variety to the design.

Pedestrian/Vehicle Access

There is one vehicle and pedestrian ingress and egress access point at the project’s main entrance north of Main Street off of Auto Park Place.

Compliance with Development Standards

The following Project Data Table shows the development regulations along with the applicant’s proposal to meet said requirements:

Assessor’s Parcel Number:	644-041-44-00
Current Zoning:	Industrial (IP)
General Plan Designation:	Limited Industrial
Lot Area:	2.2 acres
PARKING REQUIRED: Parking spaces, broken down as follows: 1 space per 400 sq. ft. Collision Repair 17,450 sq. ft./400 sq. ft. = 44 spaces Auto Repair 6,186 sq. ft./400 sq. ft. = 15 spaces	PARKING PROPOSED: Accessible: 3 spaces (3 accessible; including 1 van-accessible) Compact: 5 spaces Standard: 53 spaces

Total: 59 parking spaces	Total: 61 parking spaces
SETBACKS/HEIGHT REQUIRED: Front: 25 feet Side: 0 feet Rear: 0 feet Height: 45 feet	SETBACKS/HEIGHT PROPOSED: Front: 78 feet Side: 34 & 41 feet Rear: 110 feet Height: 42 feet

ANALYSIS:

Compliance with Chula Vista Municipal Code and Chula Vista Design Manual

Site Planning and Building Placement/Orientation

The Chula Vista Municipal Code (CVMC) includes guidelines and standards for industrial uses. The guidelines promote site building placement, access, site design, siting and orientation, setbacks, and enhanced building elevations. The proposed features throughout the site meet the intent of the Industrial Design Guidelines as described below.

The Project provides a building that is set back from Auto Park Place and provides an enhanced landscape buffer along the frontage. The building will include enhanced fenestration of window glazing along the frontage of Auto Park Place and will conceal roll up doors toward the middle and rear of the building. The building architecture complements the adjacent buildings within the area for a similar yet unique design.

While pedestrian access is a design feature in the Chula Vista Industrial Design Guidelines, increased vehicular access is also important in order to offer a variety of ways to access different areas. Dispersion of automobile traffic also has the effect of making areas more pedestrian friendly as cars and pedestrians have less direct interaction. The project provides a one-way entry for both vehicle and pedestrian ingress/egress access to the site. The entrance is located along Auto Park Place, north of Main Street. Internal circulation is designed for one-way access and designed for traffic to circulate counterclockwise around the building.

Building Design

The Chula Vista Industrial Design Guidelines promote: *A high quality innovative and imaginative architecture. Buildings should be designed to employ variations in form, building details and siting in order to create visual interest.*

The project’s architecture is consistent with the policies of the Chula Vista Industrial Design Guidelines. The industrial architecture is designed to incorporate a functional style for the proposed uses by incorporating a metal panel façade, corrugated metal roof, and vertical metal side panels with enhanced window glazing.

According to the Chula Vista Design Guidelines, enhanced elevations should include: *Varying building elements, roof pitches, and setbacks to avoid monotony. Distinctive building elements shall be oriented toward the street intersection.* Street facing facades are required to incorporate a range of scale-defining elements that relate larger building masses to the scale of the pedestrian. Entrances to buildings shall be enhanced.

For the proposed project, the roofline varies along the southeastern and southwestern elevations with variation in the covered entryway transition to the main building rooftop slope. The enhanced windows glazing fronting Auto Park provides a distinct entrance to the building. Setbacks are provided throughout the building to provide visual interest.

Parking

The CVMC requires 1 space per 400 square feet. With a 23,636 square-foot vehicle collision and automotive repair area, a total of 59 parking spaces are required. The applicant has proposed a total of 61 parking spaces with 53 open parking spaces, 5 compact spaces and 3 accessible spaces (including 1 van-accessible space). The project meets the required parking.

CONCLUSION

The proposed 27,821 square-foot building with a 4,185 square-foot covered entryway for supportive uses, i.e., vehicle collision and automotive repairs is a permitted land use in the Auto Park North Specific Plan. The proposal complies with the policies, guidelines and design standards for the Auto Park North Specific Plan, CVMC, Design Manual as well as the Landscape Manual. Therefore, staff recommends the City Council uphold the Planning Commission's previous action and approve Design Review Permit, DR19-0025 subject to the conditions listed in the attached Resolution.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18705.2(a)(11), for purposes of the Political Reform Act (Cal. Gov't Code §87100, *et seq.*).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

The Appeal fee is borne by the Appellant and the application fees and processing costs are borne by the applicant, resulting in no net fiscal impact to the General Fund or the Development Services Fund as a result of this action.

ONGOING FISCAL IMPACT

The proposed Project is consistent with previously adopted Auto Park North Specific Plan. As such, no site-specific fiscal impact analysis is required. Operation of a vehicle collision and automotive repair business can generally be expected to create greater positive fiscal impacts to the City than the current vacant lot. The applicant anticipates creating 20 permanent jobs.

ATTACHMENTS

1. Locator Map
2. Planning Commission Minutes

3. Auto Park North Specific Plan
4. Appeal
5. Disclosure Statement
6. Project Plan
7. Letters of Opposition

Staff Contact: Oscar Romero, Associate Planner, Development Services