



## Zoning Administrator NOTICE OF DECISION

**Date:** November 3, 2015  
**Applicant:** Donahue Schriber  
**Case No.:** DR-15-0010  
**Site Address:** 4404 Bonita Road, Chula Vista, CA.  
**Project Planner:** Richard E. Zumwalt, A.I.C.P.

Notice is hereby given that on November 3, 2015, the Zoning Administrator considered an Administrative Design Review application filed by Donahue Schriber (Applicant/Property Owner), requesting approval of a Design Review permit for an entry façade remodel and re-painting of the exterior of the Vons grocery store building (Project). The Project site is located within the Bonita Shopping Center on an 8.69 acre lot at 4404 Bonita Road in Chula Vista, CA (Project Site). The site has a zoning designation of Central Commercial-Design Control (CCD), and a General Plan Designation of Commercial Retail (CR), which allows commercial uses.

The Project is a remodel of the front façade of the Vons grocery store building that includes re-painting the sides and rear of the building to match the existing Bonita Center buildings, and the addition of amenities to the store entry, such as exterior lighting and landscaping. The Project also 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. A new wall sign is proposed for the tower element. The remainder of the Vons building and other buildings in the shopping center would not be modified.

The Development Services Director has reviewed the 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 Section 15301 (Existing Facilities) of the State CEQA Guidelines. The project qualifies for a Class 1 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 necessary.

The Zoning Administrator, under the provisions of Chula Vista Municipal Code (CVMC) Section 19.14.582.C, and based on the applicable design guidelines of the Design Manual, has conditionally approved the Project, based upon the following findings:

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

The Project is consistent with the Zoning Ordinance, Chapter 19 of the C.V.M.C. because the Project proposes architectural design modifications to an existing building used for a commercial retail use that is permitted in the CC-D 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 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.

## **CONDITIONS OF APPROVAL**

The following conditions of approval shall be satisfied by the Applicant and/or Property owner to the satisfaction of the Director of Development Services Department prior to the issuance of the building permit for the Project, unless otherwise specified in the conditions of approval:

### **DEVELOPMENT SERVICES DEPARTMENT:**

#### Planning Division:

1. The Project shall be implemented and maintained in accordance with the approved DR15-0010 plans, which include the site plan, elevations, concept landscape plan, color and materials, and roof sections approved November 3, 2015, subject to the following conditions contained herein, and the Zoning Ordinance (Title 19).
2. The Property Owner or authorized representative shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and the Applicant have each read, understood and agreed to the conditions and land use operation modifications contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department within 30 days. Failure to return the signed true copy of this document prior to submittal for building permits to the Development Services Department shall indicate the Property Owner's and Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

3. The Applicant shall obtain approval of a sign permit from the City for construction of any new or modified signage.
4. The Applicant shall submit building plans for review and approval by the City, including the following exterior improvements:
  - a. Roof drains serving the remodeled façade shall be directed to drain into the landscape areas before discharge into storm drainage systems.
  - b. If external down-spouts are proposed for roof- drainage, they shall be painted to match the background wall color.
5. The total landscaping planned for the project is less than 2,500 square feet, therefore the Applicant shall install landscaping and irrigation as shown on the approved conceptual landscape plan.
6. This permit shall become void if not used or extended within three years of the affective date thereof in accordance with Section 19.14.600 of the Chula Vista Municipal Code. Failure to comply with the any conditions of approval shall cause this permit to be reviewed by the City for additional conditions or revocation.
7. Approval of this Project shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Design Review permit.
8. 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, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy 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. The applicant or a successor in interest gains no vested rights by the City's approval of this Design Review Permit.
9. The Applicant shall and does hereby agree to indemnify, protect, defend and hold harmless City, its Council members, officers, employees, agents and representatives,

from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorneys' fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Design Review permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein. Applicant shall acknowledge their agreement to this provision by executing a copy of this design review permit where indicated, above. Applicant's compliance with this provision is an express condition of this Design Review permit and this provision shall be binding on any and all of Applicant's successors and assigns.

10. The Applicant shall pay in full any unpaid balance for the Project, including Deposit Account No. DQ3012

**Building Division:**

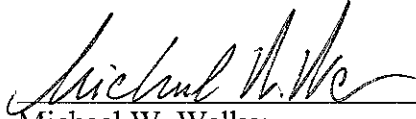
The Applicant shall submit an application for building permits and required fees to the satisfaction of the City Building Official per the following requirements:

11. The building permit shall comply with all applicable codes and requirements, including but not limited to the 2013 California Building Code (CBC), Handicapped Accessibility requirements, 2013 California Electrical Code, 2013 Fire Code, 2013 California Energy Code, and 2013 California Green Building Standards, as adopted and amended by the State of California and City of Chula Vista. Approval from the Planning, Engineering or Fire Department is required prior to permit issuance.

**FIRE DEPARTMENT:**

12. The Applicant shall apply for required building permits. Permits shall comply with applicable codes and requirements, including but not limited to: the current California edition of Building Code (CBC), Fire Code (CFC), Mechanical Code, and Residential Code as adopted and amended by the State of California and the City of Chula Vista.
13. The Applicant shall provide a CVFD detail sheet and reproduce the following details onto the building plans:
  - a. Knox multi-tenant with fire control room.
14. Each suite/tenant space shall include a single horn strobe fire alarm notification device at the main entrance. Building plans shall show the location of the interior horn strobe device for coordination purposes.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,  
CALIFORNIA, this 3<sup>rd</sup> day of November, 2015.

A handwritten signature in cursive script, appearing to read "Michael W. Walker", written over a horizontal line.

Michael W. Walker,  
Zoning Administrator