

RESOLUTION _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA GRANTING A DESIGN REVIEW PERMIT (DRC 13-31) FOR A PROPOSED PARKING STRUCTURE ON A SITE LOCATED AT 751 MEDICAL CENTER COURT.

I. RECITALS

A. Project Site

WHEREAS, the area of land that is subject to this Resolution is diagrammatically represented in Exhibit A attached to this Resolution, and commonly known as Sharp Chula Vista Medical Center campus, located at 751 Medical Center Court (“Project Site”); and

B. Project; Application for Discretionary Approvals

WHEREAS, a duly verified application was filed with the City of Chula Vista Development Services Department on November 26, 2013 by Sharp Chula Vista Medical Center (SCMC) (“Applicant”), (“Owner” and “Developer”) requesting approval of a new parking structure to be developed on the Project Site (“Project”); and

C. Environmental Determination

WHEREAS, the Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for Class 32 categorical exemption pursuant to Section 15332 (In-Fill Development Project) of the State CEQA Guidelines; and

D. City Council Record of Application

WHEREAS, the City Clerk set the time and place for the hearing on the Project application and notices of said hearings, together with its purposes 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 (10) days prior to the hearing; and

WHEREAS, the duly called and noticed public hearing on the Project was held before the City Council of the City of Chula Vista on April 8, 2014, in the Council Chambers in City Hall, Chula Vista Civic Center, 276 Fourth Avenue, at 2:00 p.m. to receive the input of the Planning Commission, and to hear public testimony with regard to the same.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Chula Vista hereby finds, determines, and resolves as follows:

II. CEQA EXEMPTION FINDINGS

That the proposed project complies with the California Environmental Quality Act and qualifies for a Class 32 Categorical Exemption pursuant to Article 19, Section 15332 (In-Fill Development Project) of the State CEQA Guidelines in accordance with the following Findings:

CALIFORNIA ENVIRONMENTAL QUALITY ACT, CALIFORNIA CODE OF REGULATIONS ARTICLE 19, SECTION 15332, CLASS 32 CATEGORICAL EXEMPTION (IN-FILL DEVELOPMENT) FINDINGS:

- A. THAT THE PROJECT IS CONSISTANT WITH THE APPLICABLE GENERAL PLAN DESIGNATION AND ALL APPLICABLE GENERAL PLAN POLICIES AS WELL AS WITH APPLICABLE ZONING DESIGNATIONS AND REGULATIONS.

The Chula Vista General Plan designation for the site is Public and Quasi-Public (PQ). According to General Plan Chapter 5, Section 4.9.6 (Page LUT-54), the PQ designation depicts existing areas used by schools, churches, and hospitals. Because the site has a General Plan designation of PQ, the existing medical facility is acknowledged and expressly allowed in the General Plan. The C-O zone allows medical offices and clinics. Hospitals are allowed on the site, and elsewhere within the City, as an Unclassified Use (CVMC 19.54). The project is allowed as an ancillary use for the medical center, since it will provide parking and improved vehicular access serving the allowed medical center use.

The project includes the request for a precise plan to allow a height that is in excess of the maximum allowed height of 45 feet for the C-O Zone. Because the zone in which the project is located is C-O-P, a precise plan may be applied to the site with City Council approval. According to CVMC Section 19.56.040, the requirements specified in the precise plan shall take precedence over the otherwise applicable regulations of the underlying zone. In this particular case, the applicant is asking to maintain a height of 120 feet, where 45 feet is otherwise allowed. The intent of the precise plan, as described in CVMC Section 19.56.041, is to allow regulatory flexibility in instances where the site has unique attributes and requires special handling. The site has been utilized as a medical center since the 1970's. The COP zoning designation was applied to the site in 1990, when the zoning was changed from residential (R1H). Because the uses allowed in the C-O zone were compatible with the exiting use of the site, the C-O zone was chosen as the most appropriate zoning designation for the site at the time that it was rezoned. Because the CO zone has a height requirement of 45 feet maximum, flexibility in zoning was needed at the time that the site was rezoned in 1990, since the site maintained

structures (hospital towers) in excess of 45 feet. The “P” modifier was applied to the site resulting in a C-O-P Zone, acknowledging the special characteristics of the site and the need for flexibility beyond the requirements of the C-O zone. Consistent with this intent, the applicant is requesting a precise plan to allow a type of facility (parking structure) that is normally associated with a medical center.

- B. THAT THE PROPOSED DEVELOPMENT OCCURS WITHIN CITY LIMITS ON A PROJECT SITE THAT IS NO MORE THAN FIVE ACRES SUBSTANTIALLY SURROUNDED BY URBAN USES.

The site is located within the Chula Vista city limits. The project site, which consists of a parking structure and loop road, is less than 5 acres in size. The total project site is approximately 1.5 acres. The project is surrounded by urban uses on all sides. Surrounding uses consist of medical uses, a veteran’s home, and residential development.

- C. THAT THE PROJECT SITE HAS NO VALUE AS HABITAT FOR ENDANGERED, RARE OR THREATENED SPECIES.

The project site consists of a graded and developed pad, which includes commercial landscaping that does not include flora nor fauna habitat. Therefore, the site has no value as habitat for endangered, rare or threatened species.

- D. THAT APPROVAL OF THE PROJECT WOULD NOT RESULT IN ANY SIGNIFICANT EFFECTS RELATING TO TRAFFIC, NOISE, AIR QUALITY, OR WATER QUALITY.

The parking garage does not generate additional traffic on the site. All on site traffic can be attributed to existing traffic generating uses on the site, such as the hospital and medical offices. As such, the project will not result in any significant effects relating to traffic. Because there would not be any increase in traffic due to the project, there would also not be any significant adverse air quality or noise effects due to the parking garage and loop road. The parking garage and loop road will arguably improve any existing air quality or noise effects attributable to the medical facility, since on-site circulation will be improved resulting in less on-site traffic congestion. A technical letter prepared by LLG Engineers, dated April 10, 2014 states that there are no traffic impacts associated with the project, and that the loop road provides good access to the parking structure. A technical letter dated April 10, 2014 prepared by Atkins, states that there would be no adverse noise impacts associated with the project. The project is required to comply with all City of Chula Vista water quality requirements, and a Water Quality Technical Report has been prepared for the project. The Water Quality Technical Report,

and requirements outlined therein, is in conformance with all standards required by the City's Land Development Section. The project will be required to comply with all water quality requirements outlined in the Water Quality Technical Report, as well as the City of Chula Vista's Municipal Storm Water Permit, and as such, the project will not result in any significant effects to water quality.

- E. THAT THE SITE CAN BE ADEQUATELY SERVED BY ALL REQUIRED UTILITIES AND PUBLIC SERVICES.

The existing medical center site is currently served by all required public utilities and services. The parking structure would result in no additional demand for additional public utilities/services, and will be served with existing utilities and services such as electricity, water, and public safety.

III. DESIGN REVIEW FINDINGS/ APPROVAL

- A. THAT THE PROPOSED DEVELOPMENT, AS CONDITIONED, IS CONSISTENT WITH THE DEVELOPMENT REGULATIONS OF THE COP, OFFICE COMMERCIAL WITH PRECISE PLAN OVERLAY ZONE.

The proposed project complies with all development standards of the COP zone with the exception of building height which is being requested to increase from a maximum of 45 feet to 120 feet in conjunction with a Precise Plan approval for this Project.

- B. THE DESIGN FEATURES OF THE PROPOSED DEVELOPMENT ARE CONSISTENT WITH, AND ARE A COST EFFECTIVE METHOD OF SATISFYING THE CITY OF CHULA VISTA DESIGN GUIDELINES AND THE CITY OF CHULA VISTA DESIGN MANUAL AND LANDSCAPE MANUAL.

The project is in compliance with the Commercial Guidelines of Chapter III of the City Design Manual in that it complies with the Site Planning design guidelines for compatibility, building placement and screening, It also complies with the Architectural design guidelines for compatibility, scale/building façade and roof articulation and materials and colors.

The new parking garage is strategically located in the center of the medical center campus to provide additional parking to the overall campus to support the acute care facilities, as well as the outpatient facilities. The orientation of the parking structure itself is placed to align with the other larger scale buildings nearby. The colors and materials are consistent with the adjacent buildings on the medical campus in order to fully integrate it with the hospital. Buffering and/or screening to reduce the visual impact of the parking structure on the neighboring residential

areas will be provided primarily through the use of heavy landscaping to screen the lower floors of the parking structure. Design features have been incorporated that attempt to minimize the massiveness of the structure, resulting in the visual appearance being that of two separate structures. In addition, the structure is designed to be 65% open to the surrounding environment.

III. APPROVAL OF DESIGN REVIEW PERMIT

Based on the findings above, the City Council approves the Design Review Permit subject to the conditions set forth below:

- A. The following shall be accomplished to the satisfaction of the City, prior to issuance of building permits, unless otherwise specified.

Planning:

1. Prior to, or in conjunction with the submittal of plans for the building permit, pay all applicable fees, including any unpaid balances of permit processing fees for deposit account DQ-1762.
2. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials board approved by the City Council on April 8, 2014, or as subsequently modified per their direction.
3. All ground mounted utility appurtenances such as transformers, AC condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping to the satisfaction of the City.
4. A graffiti resistant treatment shall be specified for first floor and building surfaces. This shall be noted for any building and wall plans and shall be reviewed and approved by the Director of Development Services prior to the issuance of building permits. Additionally, the project shall conform to Section 9.20.055 of the CVMC regarding graffiti control.
5. Prior to issuance of building or grading permits, whichever occurs first, a photometric study shall be submitted for review and approval by the Director of Development Services that indicates there shall be no light spillage beyond the property lines of the project site.

Land Development Engineering/Landscape Architecture Division

6. Applicant shall pay the following fees:

- a. Sewer Capacity Fees
 - b. Traffic Signal Fees
 - c. Development Impact Fees per Master Fee Schedule
7. Prior to issuance of building permits, applicant shall indicate on the site plan an additional sidewalk and ADA compliant ramp to connect to the proposed pedestrian ramp to the medical office facilities.
 8. Prior to issuance of grading permits, the submitted grading plans shall include the following;
 - a. Indication as to how runoff from the slope will be diverted from the proposed retaining wall on the north side of the project.
 - b. The rounding of proposed slope with the natural slope in order to avoid any concentrated flow.
 9. Prior to issuance of grading permits, applicant shall agree to the following:
 - a. That final sizing of the Water Quality BMP's shall be determined during the grading permit process.
 - b. That all drainage facilities shall be privately maintained.
 10. Prior to issuance of grading or building permits permit (whichever occurs first), applicant must submit complete Landscape Improvement Plans for approval to the City of Chula Vista that comply with Chapter 20.12 of the City of Chula Vista Municipal Code, Landscape Manual, and Design Manual. The title sheet of the drawings shall contain a signed statement by the landscape architect as follows:

“I am familiar with and agree to comply with the requirements of the landscape improvement plans as described in Chapter 20.12 of the City of Chula Vista Municipal Code. I have prepared these plans in compliance with those regulations. I certify that the plan implements the regulations to provide efficient water use.”

The plans must also demonstrate the parking garage and utility loop road are adequately screened through the use of planting material.

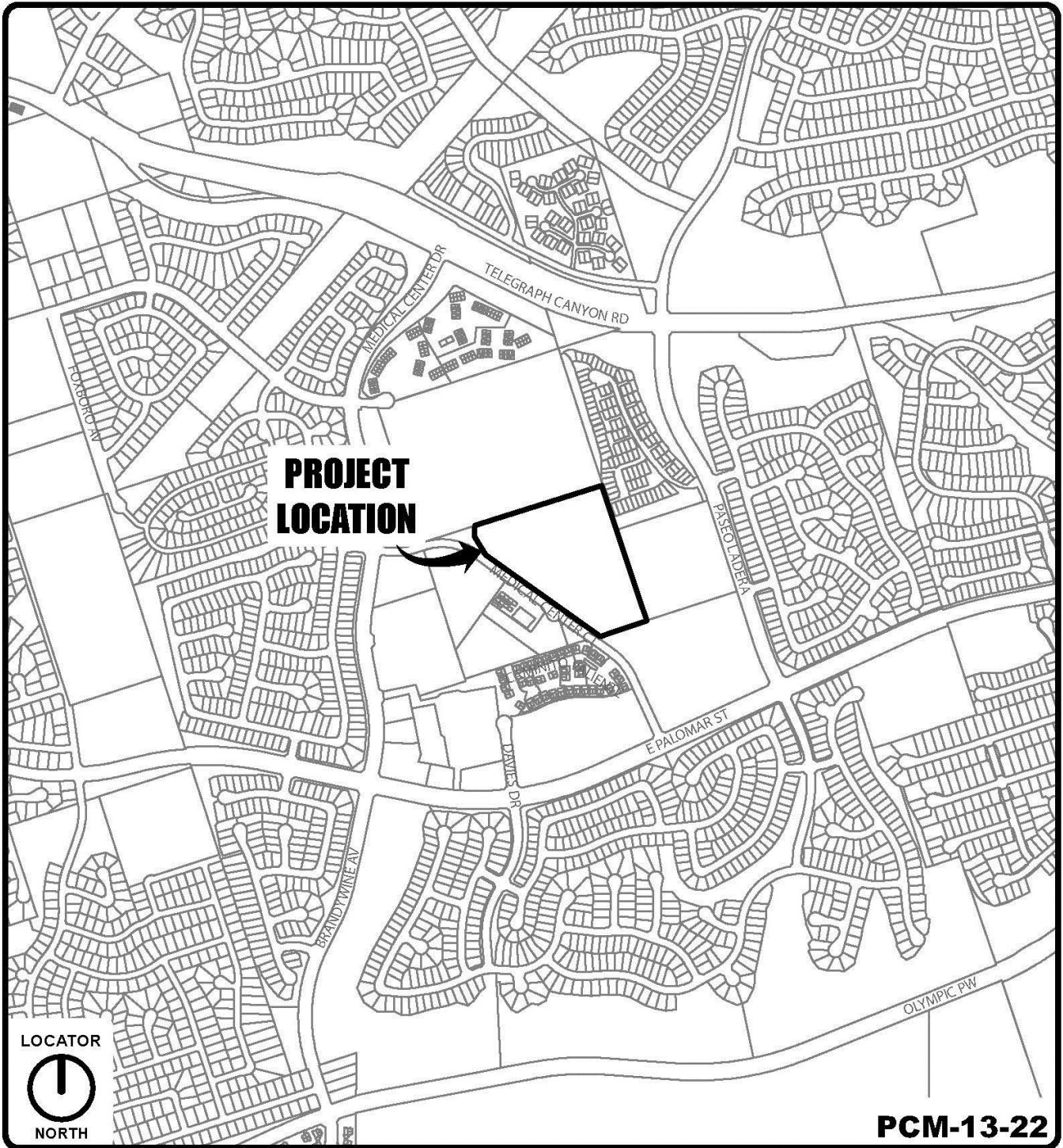
Building:

11. Plans shall comply with Title 24 and 2013 California Building Code (CBC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electric Code (CEC), California Green Building Standards Code (CalGreen) and 2008 California Energy Code.

Fire:

12. Prior to issuance of building permits, applicant shall perform a fire service study that includes a hydraulic water flow analysis. The analysis shall show the actual flow and pressure for all hydrant and and riser stubs. A higher demand or worst case scenario should be used in the flow analysis to avoid upgrades to the fire service loop. The Hazen Williams formula shall be used in the determination of these flows and pressures. The analysis shall show that the required fire flow is available at the hydrants and that independently the sprinkler demand is available at the most demanding sprinkler riser.
- B. The following on-going conditions shall apply to the property as long as it relies on this approval:
 13. This permit shall become void and ineffective if not used or extended by April 1, 2017, in accordance with Section 19.14.600 of the Municipal Code.
 14. All landscape and hardscape improvements shall be installed and maintained in accordance with the approved landscape plan.
 15. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and other applicable City Ordinances in effect at the time of building permit issuance.
 16. The Property Owner and Applicant shall and do agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Design Review Permit and (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated on the Project Site. The Property Owner and Applicant shall acknowledge their agreement to this provision by executing a copy of this Design Review Permit where indicated below. The Property Owner's and Applicant's compliance with this provision shall be binding on any and all of the Property Owner's and Applicant's successors and assigns. This condition may be modified by the Zoning Administrator subject to input from the City Attorney.

Prior to the issuance of any permits required by the City of Chula Vista for the use of the subject property in reliance upon this approval, the Applicant/Representative and property owner shall execute this document by making a true copy of this resolution and signing both this original letter and the true copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement the same. Upon execution, the true copy with original signatures shall be returned to the Project Manager in the Development Services Department. Failure to return the signed copy of



751 Medical Center Ct.
641-010-28

EXHIBIT "A"