

CITY COUNCIL

APPEAL ON VISTA DEL MAR
795 THIRD AVENUE

AUGUST 16, 2016

DEVELOPMENT SERVICES DEPARTMENT





Initial Process

In July 2015 Project Applications were submitted to City

City staff reviewed Project for consistency and compliance

Project presented to Planning Commission on June 22, 2016



Planning Commission Decision

The night of the hearing, Planning Commission took the following actions:

Considered Addendum to UCSP EIR 06-01

Approved Design Review Permit DR15-0015 with conditions

Approved Tentative Map PCS15-0006



Appeal

Appeal filed by the Corridor Coalition on July 6, 2016

Appeal is on the procedure, actions and approval of the Project and Addendum by the Planning Commission

The basis for the Appeal are:

- 1) the statements and evidence relied upon by the Planning Commission were inaccurate;**
- 2) there is new information not previously available that supports denial of the Project; and**
- 3) the findings of the Planning Commission are not supported by the information provided.**



Response to Appeal

Staff's response to the Appeal:

**Statements, as basis for the Appeal, are unsupported
and
do not represent cause to reverse the Planning Commission's decision**

Appeal does not provide any specific evidence of claims

Appeal provides very little in terms of new information



Response to Appeal

Response to first claim related to inaccurate information and evidence

The Planning Commission's decision was based on:

Accurate interpretation of the goals, objectives and policies of General Plan and regulations/development standards of the UCSP and Chula Vista Municipal Code

The Planning Commission considered all the information related to the Project, the goals, objectives, and policies of the City's General Plan, Urban Core Specific Plan, as well as the provisions of the California Environmental Quality Act.



Response to Appeal

Response to claim that the appeal provides new information:

Appeal does not provide any new reliable information

Appeal is based on same information presented to City and Planning Commission

Appeal packet has the following components:

- **Appeal Application Form**
- **Glenda de Vaney's Disclosure Statement**
- **Earl Jentz's Disclosure Statement**
- **Martha Coulsen's Disclosure Statement**
- **Appeal Letter signed by Mr. Everett DeLano with the following attachments:**

- 1. Letter to City from Evelyn Heidelberg on April 15, 2016**
- 2. Letter to City from Everett DeLano on June 22, 2016**
- 3. Letter and materials to City from Evelyn Heidelberg on June 22, 2016**

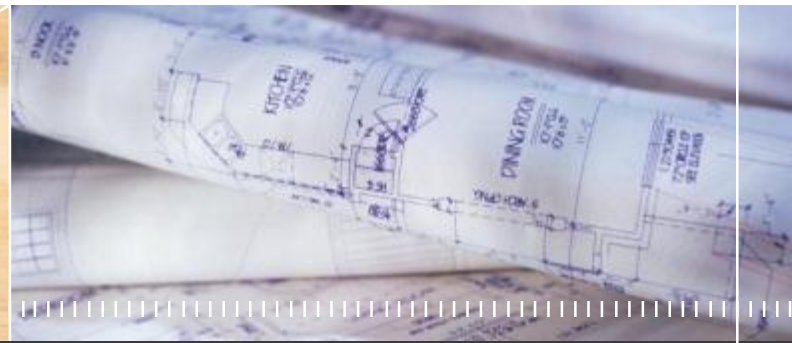


Response to Appeal

The only information in the appeal that is new is related to:

Claim that Geological evaluation of the project does not meet requirements
Geological assessment was prepared according to standard process
Report will incorporate technical information at building permit stage

Claim that staff did not make studies available to Appellant's Counsel
All studies were made available to Appellant
Appellant was able to review all information prior to hearing



Project Description and Analysis

The rest of this presentation contains:

Description of the Site and Project

Public Participation process

Analysis of Project and how it is consistent with General Plan and UCSP

Description of Project Amenities

Exception on the Floor Area Ratio and required findings

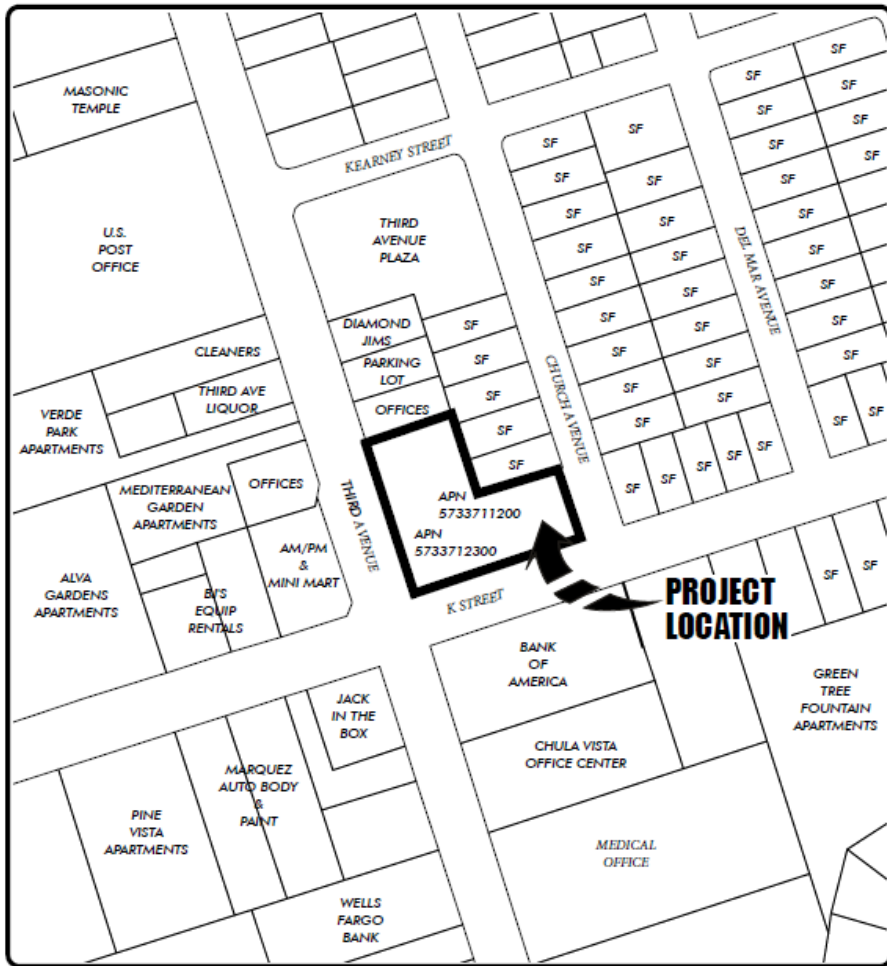
Environmental Determination

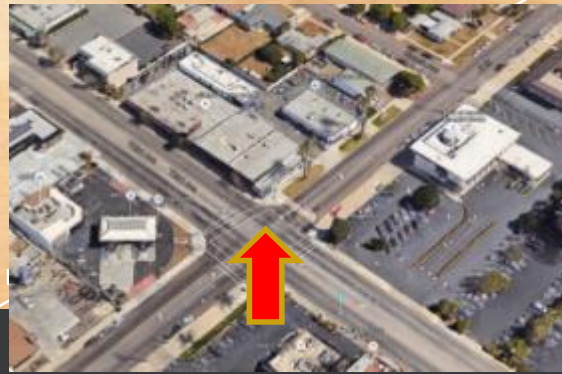
Staff's Recommendation



Proposed Vista del Mar Project

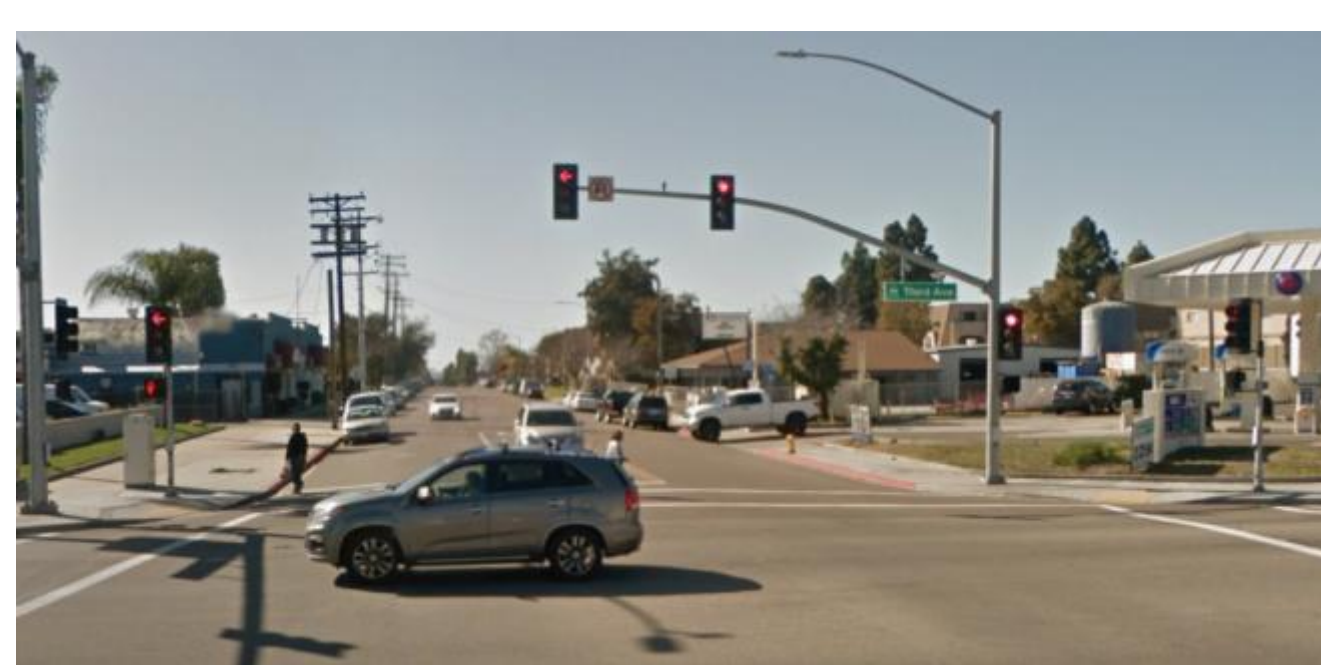
DR15-0015







LOOKING NORTH



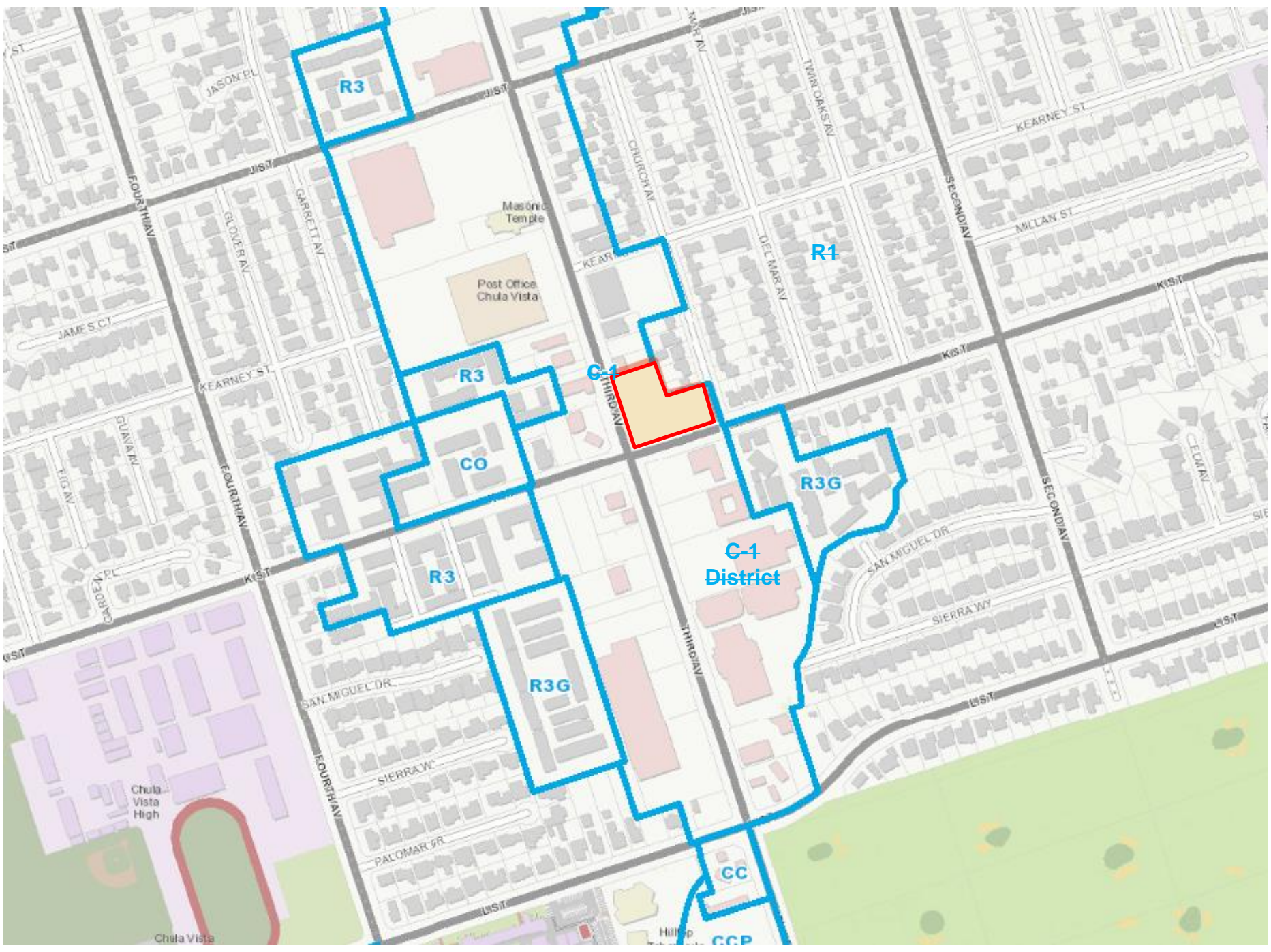
LOOKING WEST



LOOKING SOUTH



LOOKING EAST



R3

R4

R3

C-1

CO

R3G

R3

C-1 District

R3G

CC

CCP

Chula Vista High

Chula Vista

Masonic Temple

Post Office Chula Vista

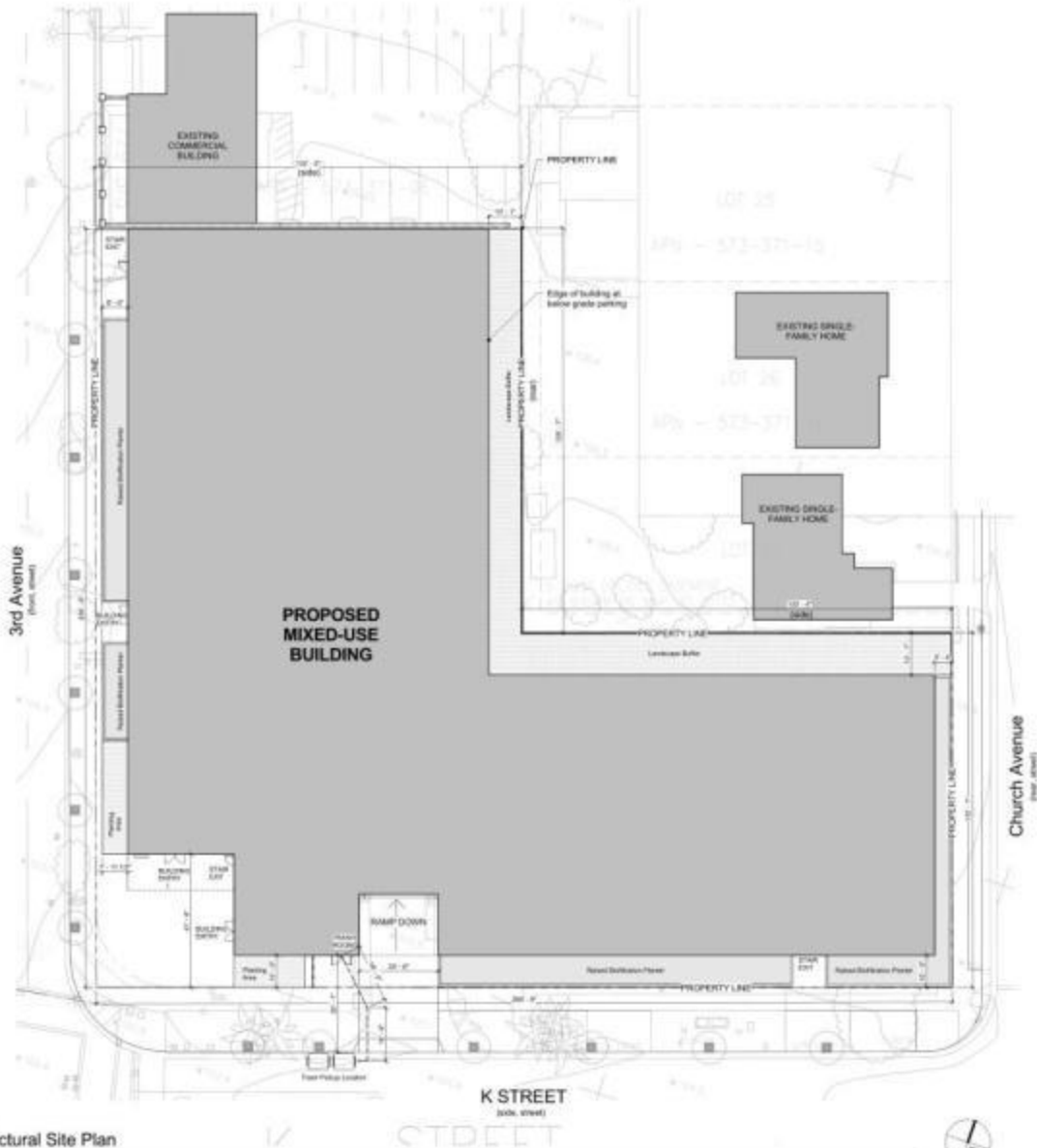
Hilltop



PROJECT DESCRIPTION



- 3 to 5-story (34 to 60 feet in height) structure
- 71 residential condominium units (1 and 2 bedrooms)
- 616 Sq. Ft. of commercial space
- 1,700 Sq. Ft. public plaza at corner of Third & K
- 1,770 Sq. Ft. residential fitness center
- 1,004 Sq. Ft. of lobby & elevator space
- 2,572 Sq. Ft. of residential lounge space
- 142 fully-enclosed parking spaces (subterranean & street-level)
- 17,646 square-feet of common & private open space
- Open terrace on second floor
- 8,500 square-feet of landscaped space



1 Architectural Site Plan
 1/8" = 1'-0"



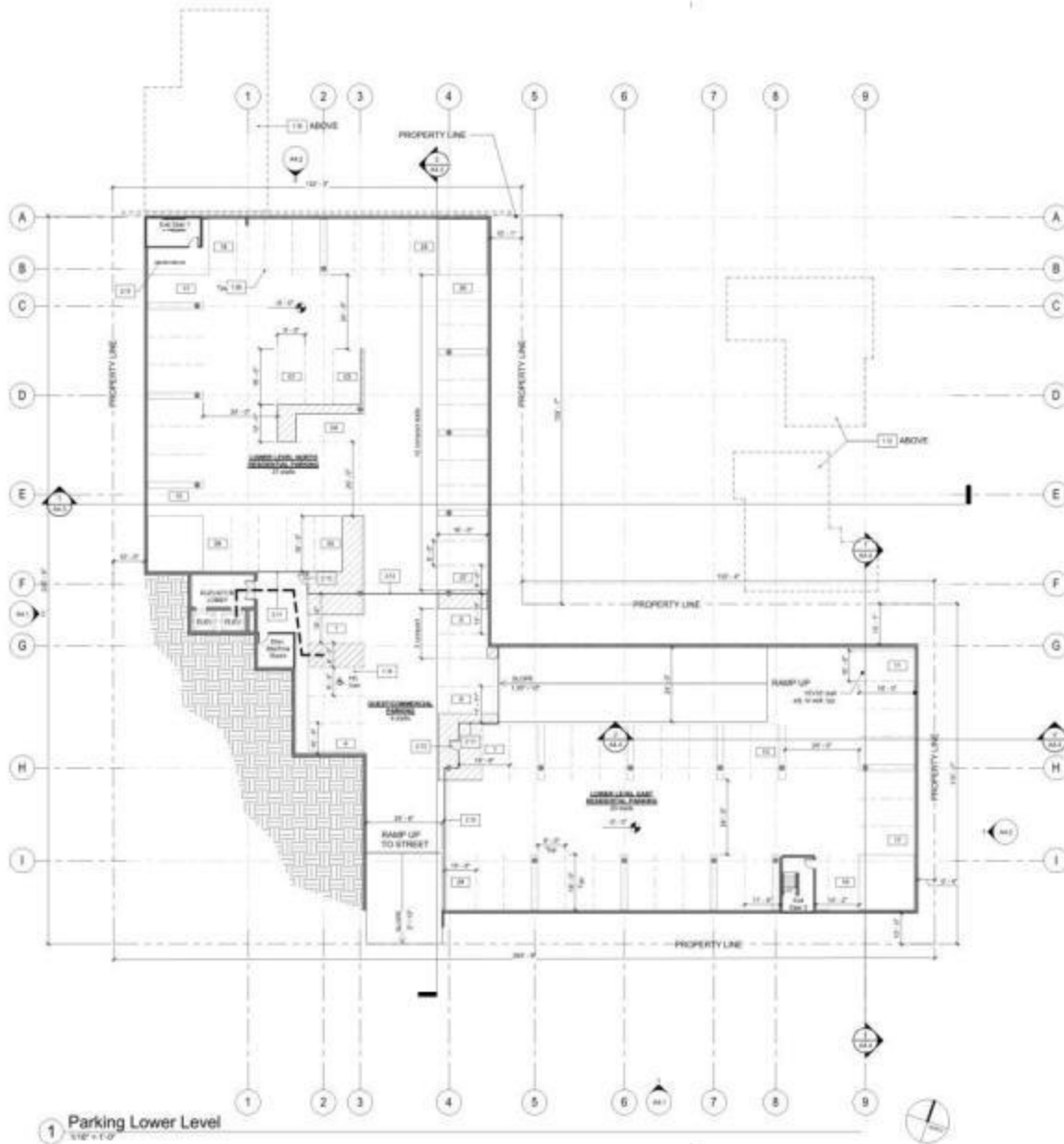
Keynotes

- 1.08 Standard parking stall (8' x 16'), app.
- 1.12 Existing single family home
- 1.14 Handicap parking stall
- 1.16 Existing commercial building
- 2.10 Bicycle rack
- 2.11 Metal fence separating public & resident parking
- 2.12 Vehicle gate, swing up, automatic operation with radio key switch per CIVD
- 2.13 Metal gate with panel hardware

Floor Plan Legend & Notes

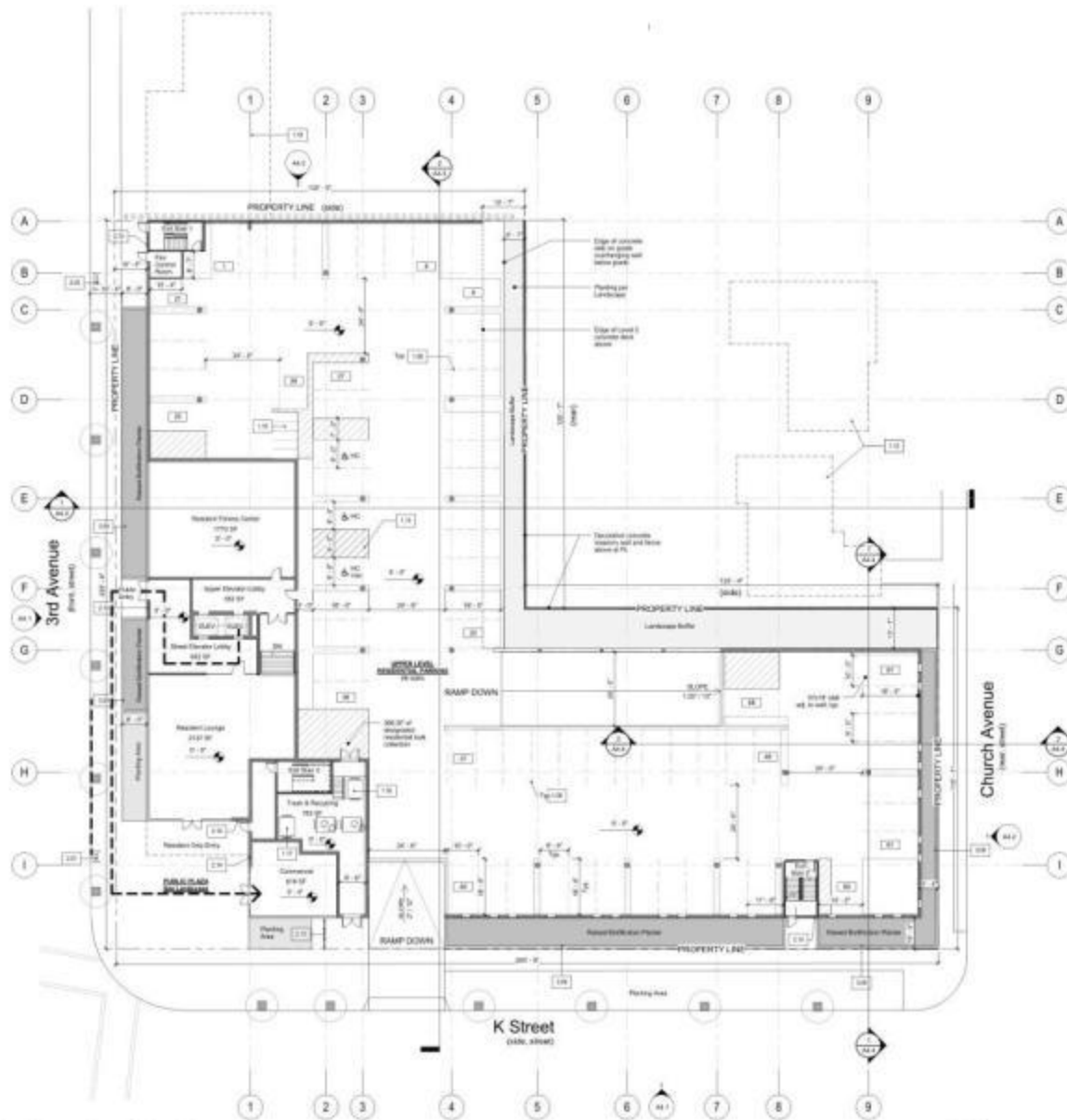
Storage Area; refer to Title Sheet (Sheet T51) for numerical summary

1. Knee boxes shall be installed at all stairwell entrances, the lobby entrance, the resident lounge entrance, the fire control room and for the commercial space entrance in accordance with CIVD details. Any automatic gates that restrict vehicular access into the parking garage shall be provided with a Knee Box Switch.
2. At least one elevator car shall be dimensioned to accommodate a garage in accordance with CBC 902.4.4.



1 Parking Lower Level
1/20/18





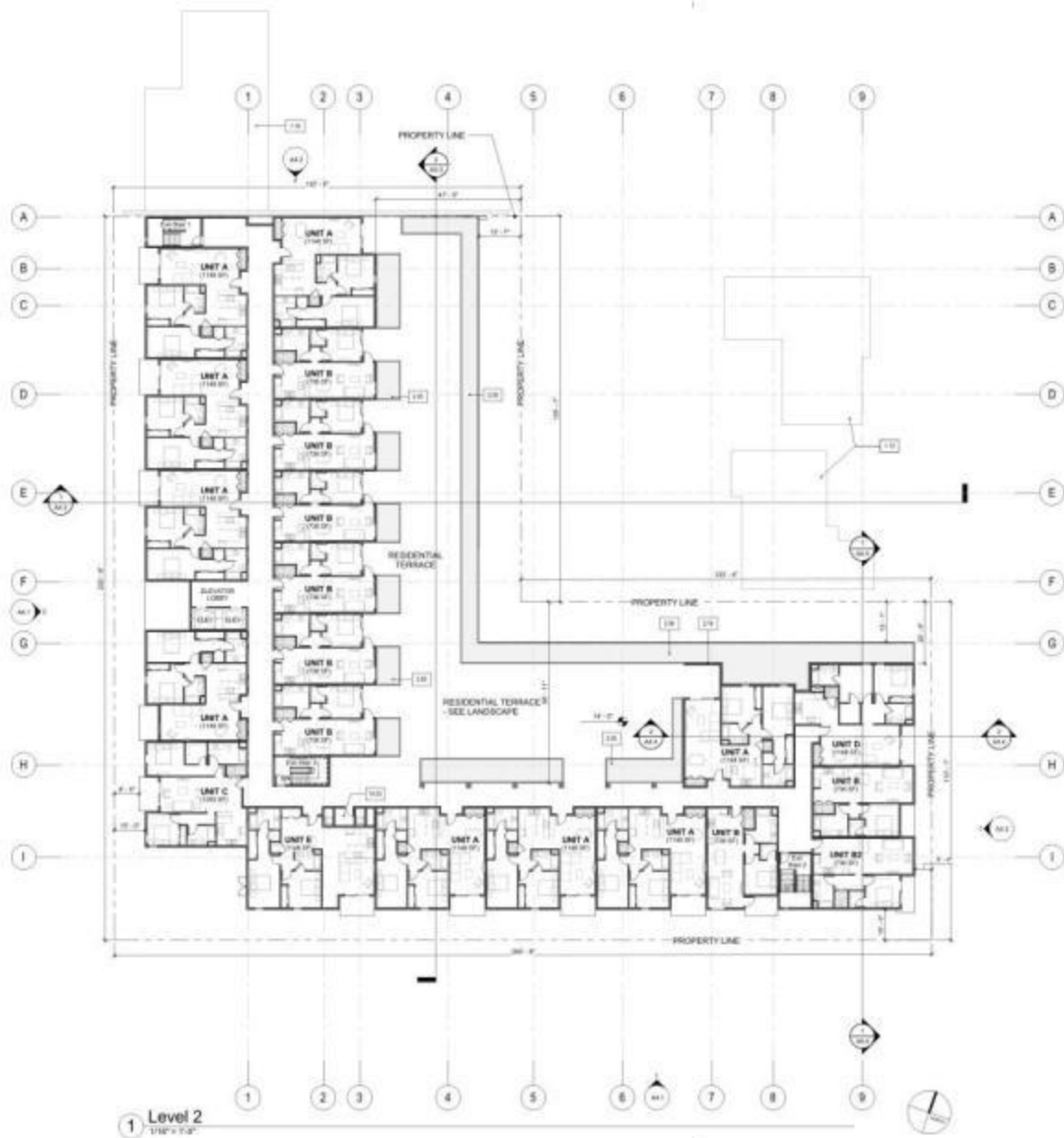
Keynotes

- 1.00 Standard parking stall (2' x 18') hp
- 1.12 Existing single bicycle space
- 1.14 Handicap parking stall
- 1.15 Motorcycle parking stall (2' x 6')
- 1.16 Existing commercial building
- 1.17 # cubic yard trash bin (2' x 4')
- 1.18 # cubic yard recycling bin (2' x 4')
- 2.01 Existing fire hydrant to remain
- 2.02 Proposed fire hydrant
- 2.10 Bicycle rack
- 2.14 Recycled Knox Box per CVFD
- 2.20 Cast-in-place raised concrete planter for beautification

Floor Plan Legend & Notes

- Storage Area: refer to Title Sheet (Sheet TS1) for rumpout summary
1. Knox boxes shall be installed at all stairwell entrances, the lobby entrance, the modular lounge entrance, the fire control room and for the commercial space entrance in accordance with CVFD details. Any automatic gates that restrict vehicular access into the parking garage shall be provided with a Knox Key Switch.
 2. At least one elevator car shall be dimensioned to accommodate a journey in accordance with CSC (3002-RA)

1 Parking Upper Level & Level 1
1/2" = 1'-0"



Keynotes

- 1.12 Existing single family home
- 1.16 Existing commercial building
- 2.06 Planter per landscape
- 2.06 Bufferstone planter per civil and landscape
- 2.16 Full height building wall to screen patio/balcony from adjacent single family
- 14.03 Trash/recycling room, 2 units provided

Floor Plan Legend & Notes

Storage Area, refer to Title Sheet (Sheet TS1) for numerical summary

1. Knox boxes shall be installed at all stairwell entrances, the lobby entrance, the resident garage entrance, the fire control room and for the commercial space entrance in accordance with CFCO details. Any automatic gates that restrict vehicular access into the parking garage shall be provided with a Knox Key Switch.
2. All head over elevator cas shall be dimensioned to accommodate a gateway in accordance with CBC (802.4(a)).



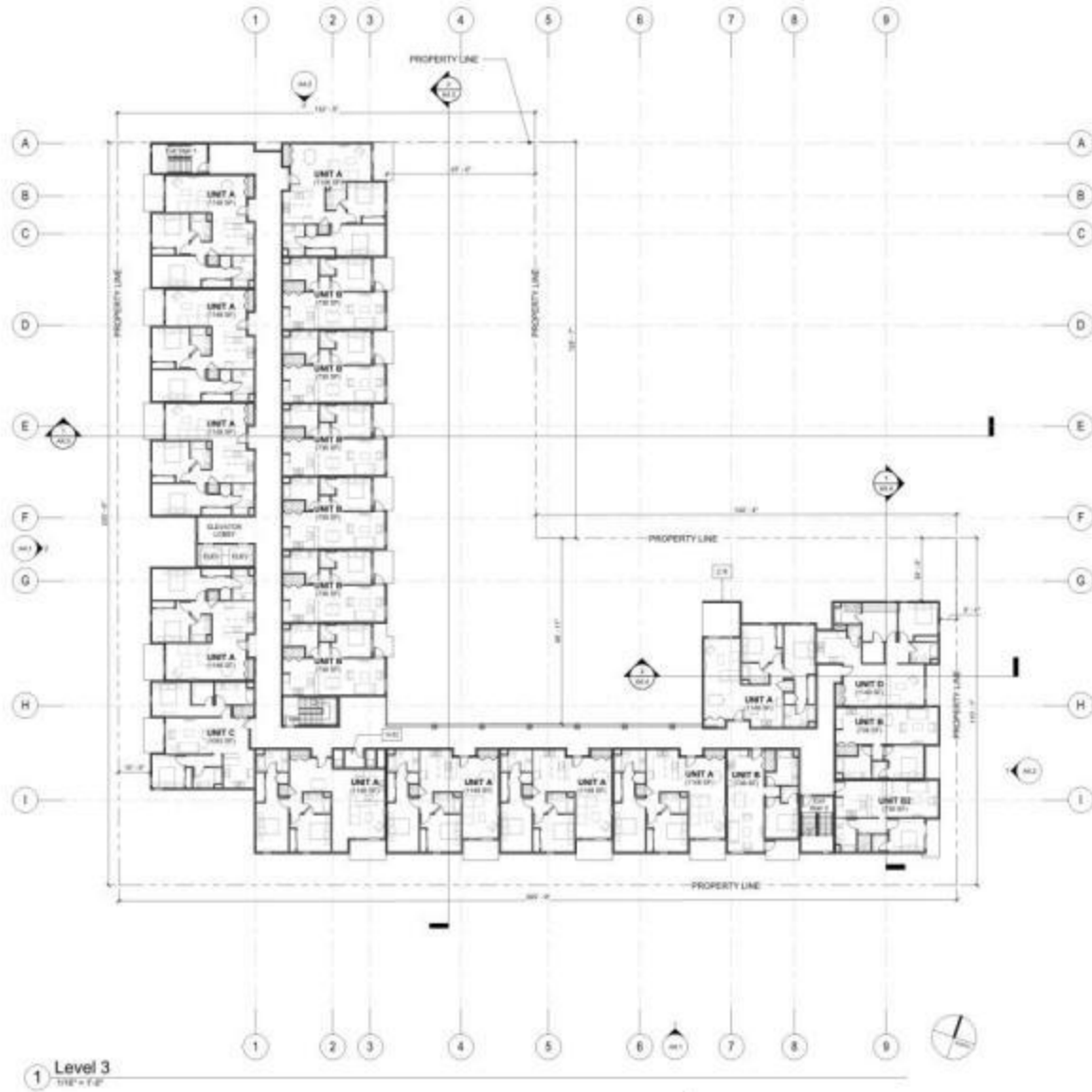
Keynotes

- 2-18 First height building wall to screen public balcony from adjacent single family
- 14-03 Trash/recycling room; 2 chairs provided

Floor Plan Legend & Notes

Storage Area refer to Title Sheet (Sheet T01) for numerical summary

1. Rise boxes shall be installed at all stairwell entrances, the lobby entrance, the resident lounge entrance, the fire control room and for the commercial space entrance in accordance with DVD details. Any automatic gates that restrict vehicular access into the parking garage shall be provided with a Rise Key Switch.
2. At least one elevator car shall be dimensioned to accommodate a gateway in accordance with CRC 9000.4(a).



1 Level 3
3RD FLOOR

Vista del Mar
3rd & K Street LLC
795 Third Ave, Chula Vista

Project 14118

9/15/2015 Design Review
12/3/2015 Resubmit
8/21/2016 Resubmit
9/30/2016 Resubmit


Third Floor
Plan

A2.3

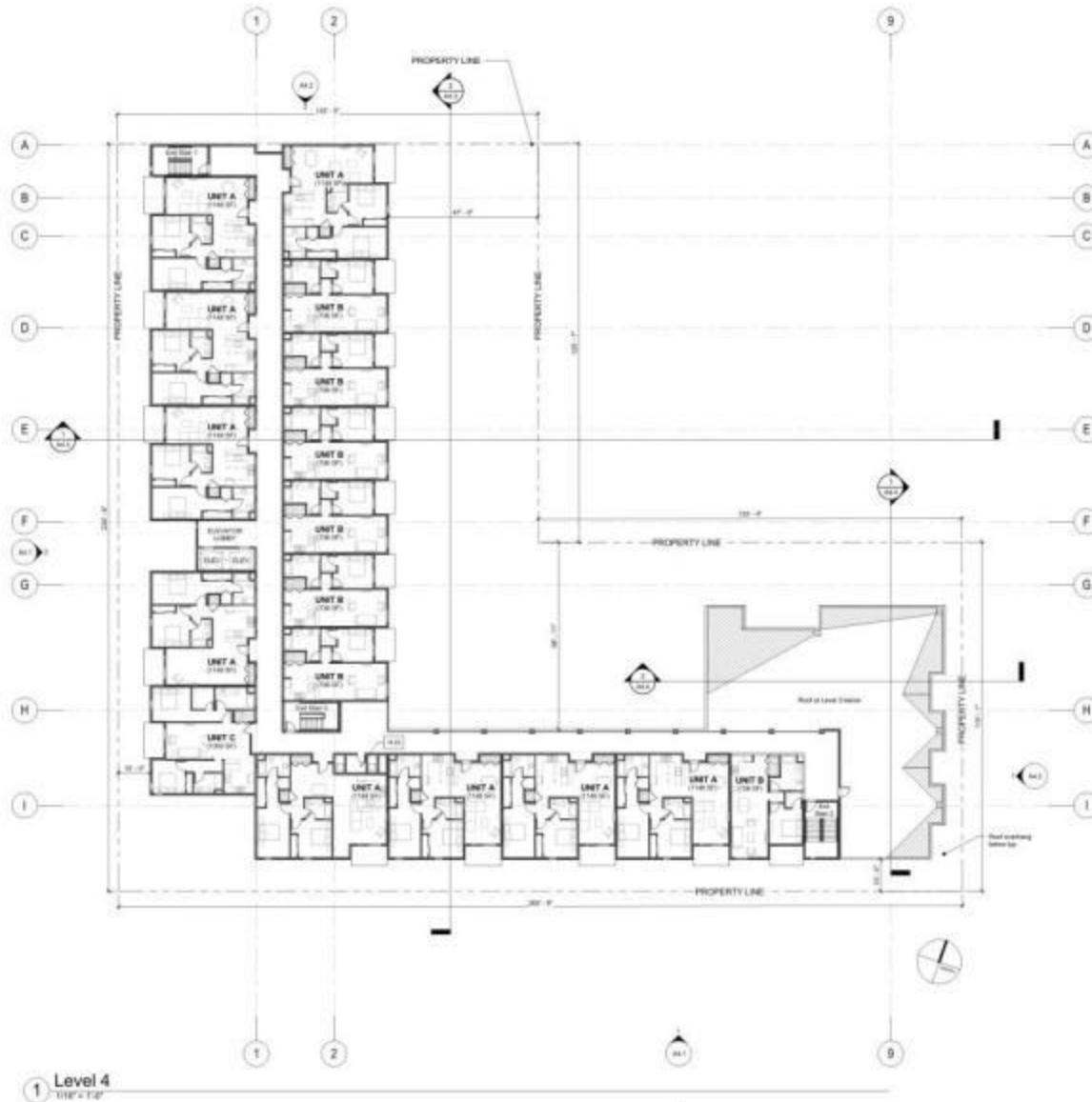
Keynotes

14.03 Trash/recycling rooms 2 shares provided

Floor Plan Legend & Notes

 Storage Area (refer to Title Block/Sheet T81) for numerical summary

1. Knife boxes shall be installed at all stairwell entrances, the utility entrance, the resident lounge entrance, the fire control room and for the commercial space entrance in accordance with CYPD details. Any automatic gates that restrict vehicular access into the parking garage shall be provided with a Knife Key Switch.
2. At least one elevator car shall be dimensioned to accommodate a jury in accordance with CBC 3002.4(a).



1 Level 4
Metric

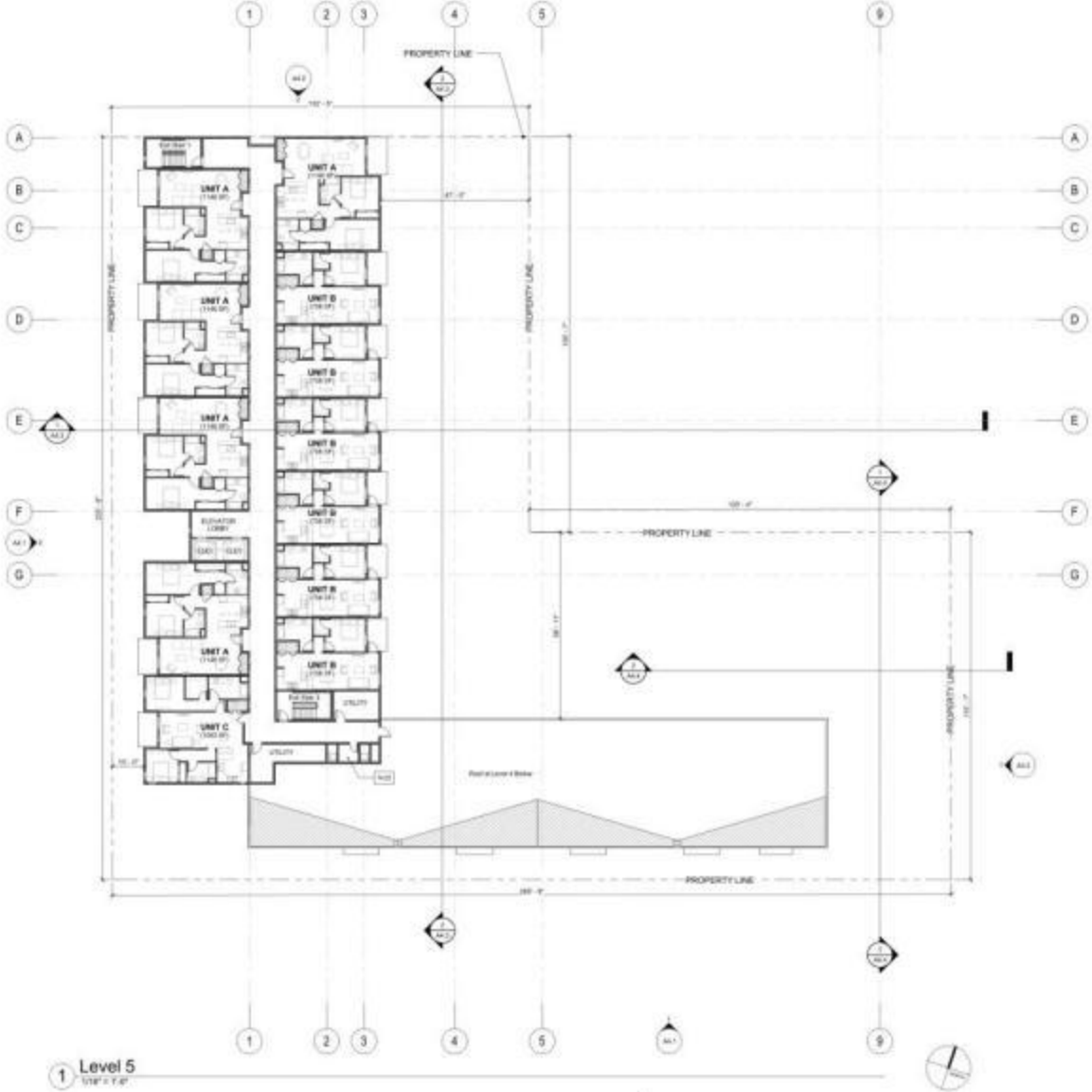
Project 14118

9/15/2015 Design Review
12/3/2015 Resubmit
8/1/2016 Resubmit
9/30/2016 Resubmit



Fourth Floor
Plan

A2.4



1 Level 5
108' x 98'

Keynotes

14.03. Trash/recycling rooms 2 chairs provided

Floor Plan Legend & Notes

Storage Area, refer to Title Sheet (Sheet TS-1) for numerical summary

1. Knee boxes shall be installed at all stairwell entrances, the lobby entrance, the resident lounge entrance, the fire control room and for the commercial space entrance in accordance with CVFD details. Any automatic gates that restrict vehicular access into the parking garage shall be provided with a Knox Box Detail.
2. At least one elevator car shall be dimensioned to accommodate a garage in accordance with CBC 3002.4(a)

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Vista del Mar
3rd & K Street LLC
795 Third Ave, Chula Vista

Project 14118

06/18/2015 Chicago Review
12/03/2015 Resubmit
02/19/2016 Resubmit
04/08/2016 Resubmit

Fifth Floor Plan

A2.5



East Elevation – View from Church Ave



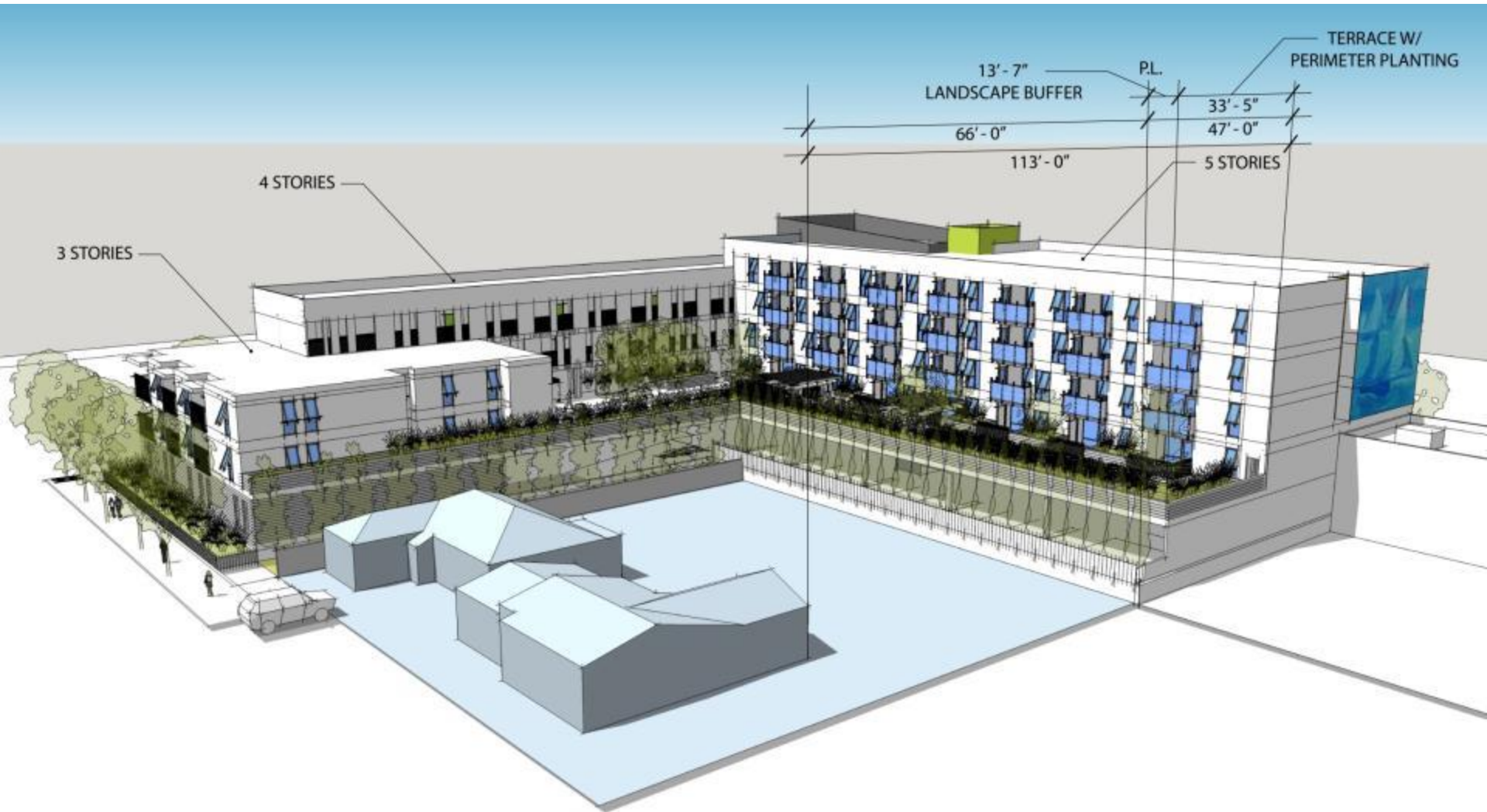
West Elevation – View from Third Ave



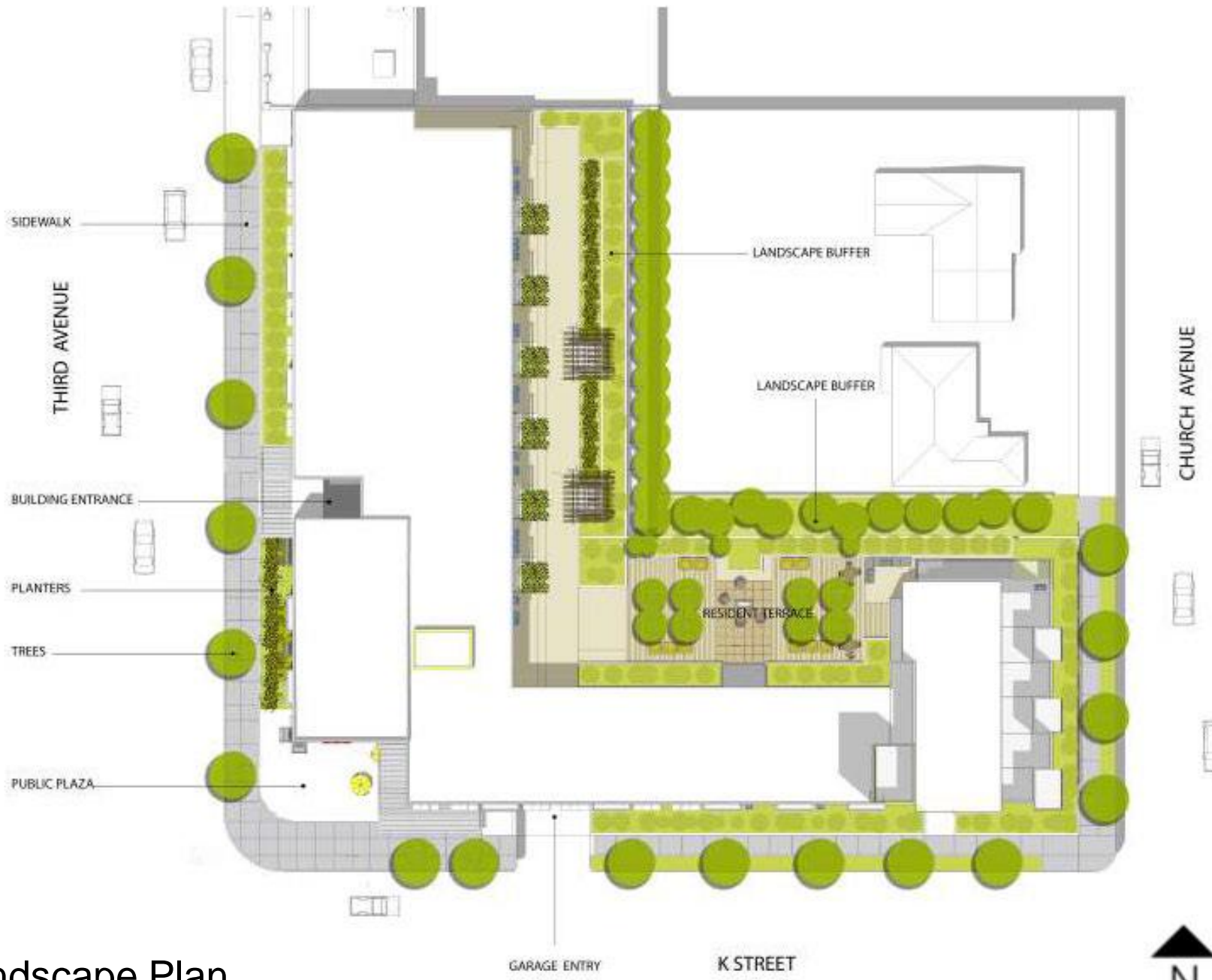
South Elevation – View from K Street



North Elevation – View from the North



View from North East



Landscape Plan



PUBLIC PARTICIPATION

Notice of Application

First Neighborhood Meeting – October 15, 2016 – CV High School

Second Neighborhood Meeting – Dec. 16, 2016 – Hilltop Dr. Elementary

100 Letters from Neighbors

Comment Letter from Heidelberg/Jentz

Richard Schulman w/HechtSolberg Letter

Mr. Peter Watry Letter



PUBLIC PARTICIPATION



Public Comments opposed to Project:

- Project should comply with UCSP and should not request too many deviations.
- Project is too tall and bulky for the adjacent Single-Family Residential (SFR) neighborhood.
- Reduce building FAR.
- Project should respect residents privacy; balconies will view into the SFR's.
- New residents will take over street parking.
- Traffic will increase and create problems at the intersection of Third and K and residential streets.
- Project construction will create dust and noise.
- Building will block sunlight and view of sunsets.
- Parking garage will attract homeless.

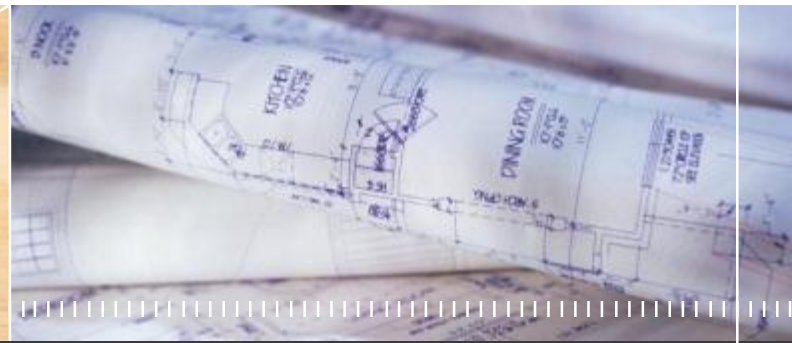


PUBLIC PARTICIPATION



Comments in Favor of Project:

- New housing is needed in the western part of Chula Vista;
- Existing housing is in terrible conditions and unsafe;
- Western Chula Vista needs to change;
- It's difficult to find somewhere to live and everything is so old;
- There are many people who cannot afford to buy a house.
- Parking is difficult everywhere, not just around Third and K.
- Project would serve as an upgrade to the area.
- Project will improve the neighborhood and make it more modern.



PROJECT REVISIONS

- Building height and mass have been reduced.
- Residential units has been reduced from 80 to 71.
- Floor Area Ratio has been reduced from 2.3 to 2.0.
- All required parking has been provided on-site and enclosed.
- 14 residential and guest parking spaces have been added.
- Balconies have been removed and others have been modified.
- Landscaping at property line and second floor terrace has been increased to provide effective screening.



PUBLIC HEARING NOTICE

Notice of the public hearing was sent to the local newspaper for publishing on June 8th; notice was also mailed on June 9th to:

- All property owners and residents within 500 ft. from the site
- All the attendees to the first and second neighborhood meeting
- All the persons who submitted letters on the project

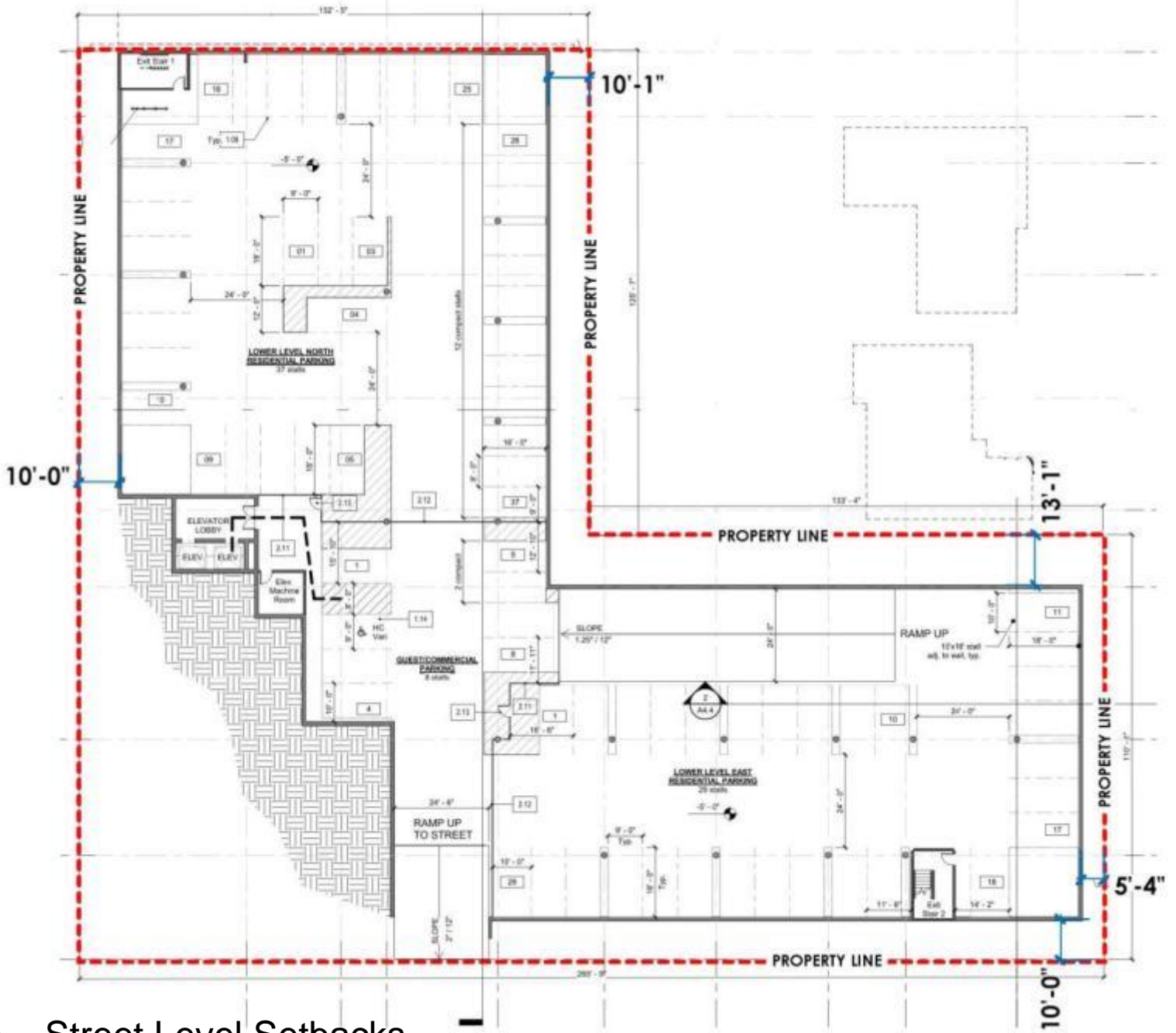


PROJECT ANALYSIS

- UCSP Development Standards
- Special Provisions of the NTCD
- Incentives and Amenities
- Exception to FAR

UCSP Development Standards

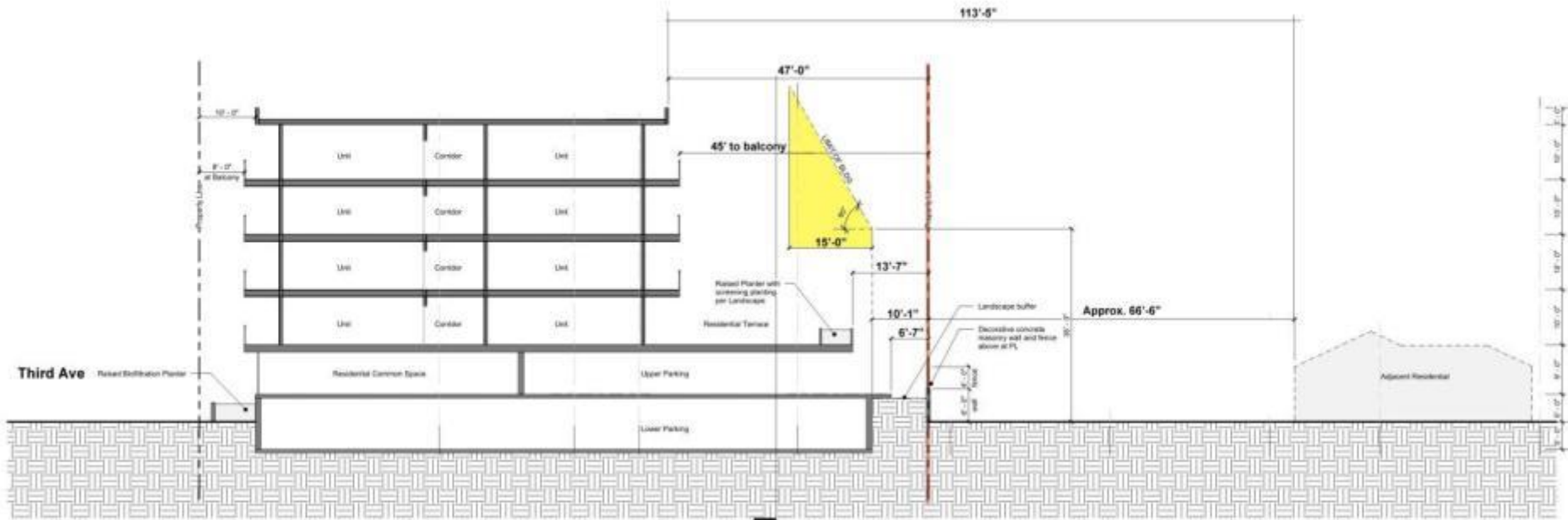
Development Standard	C1 District	Project Proposal
Building Height	60 ft. Max.	34 - 60 ft. (3 to 5 Stories)
Building Setbacks: Front: North Side: South Side: Rear (East):	10 feet 0 feet; 10 feet 10 Feet 10 Feet and 0 along street	10 Feet 0 Feet; 13 feet 10 Feet 10 Ft. and 5'-4" along Church Av
Building FAR:	Base: 1.0 (45,738 sq. ft.) Incentive Bonus: Several Options Dev. Exception: Allowed w/findings	Base: 1.0 Incentive bonus: 0.5 Dev. Exception: 0.5 Proposed FAR: 2.0
Parking Required:	128 spaces	142 spaces
Open Space Required	Not required by C1 District regulations.	17,646 sq. ft.
Landscaping	15% Min. of Site (6,861 Sq. Ft.)	19% (8,500 sq. ft.)



Site Plan – Street Level Setbacks

NTCD Special Provisions

Minimum Side/Rear Setbacks	Project Proposal
Side yard: 10 Ft. from Property line Rear yard: 20 Ft. from street center line	13'-1" Feet 35'-4" Feet
Building Stepback	Project Proposal
15 Ft. for every 35 Ft. in building height	Building is 45 Ft. from property line at 35 Ft. in height
Landscaping	Project Proposal
1 to 3 Small shade trees for every 3,000 Sq. Ft. within rear and side yard (3 trees required within the setbacks)	Project rear and side yard is 2,580, proposal is for approx. 26 trees
Exterior Lighting	Project Proposal
Lighting shall focus within the property	Applicant shall prepare a lighting plan showing all lighting within the property
Fencing	Project Proposal
6 Ft. fence shall be placed on the property line.	Decorative concrete masonry wall and fence along property lines
Balconies	Project Proposal
Building design shall be cognizant of adjacent low density uses. (i.e. avoid balconies overlooking rear yards).	Project was designed to be cognizant of adjacent SFR's by being set-back approx. 45 Ft. from property line and screened by two landscaped planters



Building Cross Section – View from K Street



INCENTIVES AND AMENITIES ZONING

- o Enclosed Parking – 10% (4,574 sq. ft.)
- o Public Plaza – 10% (4,574 sq. ft.)
- o LEED Gold Certification – 30% (13,721 sq. ft.)

Base FAR = 1.0

FAR with three amenities = 1.5



DEVELOPMENT EXCEPTIONS

Project requests one exception to the FAR limit in the amount of 0.5 or 22,738 square-feet

Exceptions may be granted by the Planning Commission in cases where all of the following four findings are made:

1. The proposed development will not adversely affect the goals and objectives of the Specific Plan and General Plan.



DEVELOPMENT EXCEPTIONS

2. The proposed development will comply with all other regulations of the Specific Plan.



DEVELOPMENT EXCEPTIONS

3. The proposed development will incorporate one or more of the Urban Amenities Incentives in section F - Urban Amenities Requirements and Incentives, of this chapter.



DEVELOPMENT EXCEPTIONS

4. The exception or exceptions are appropriate for this location and will result in a better design or greater public benefit than could be achieved through strict conformance with the Specific Plan development regulations.

Evidence to support findings is addressed and substantiated in the Analysis Section of PC Report and City Council Resolution.



ENVIRONMENTAL DETERMINATION

Project was reviewed for compliance with CEQA;

It was determined Proposed Project was adequately covered by FEIR 06-01;

It was determined that only minor technical changes/additions to document are necessary; therefore,

An Addendum to UCSP FEIR 06-01 was prepared.



CONCLUSION

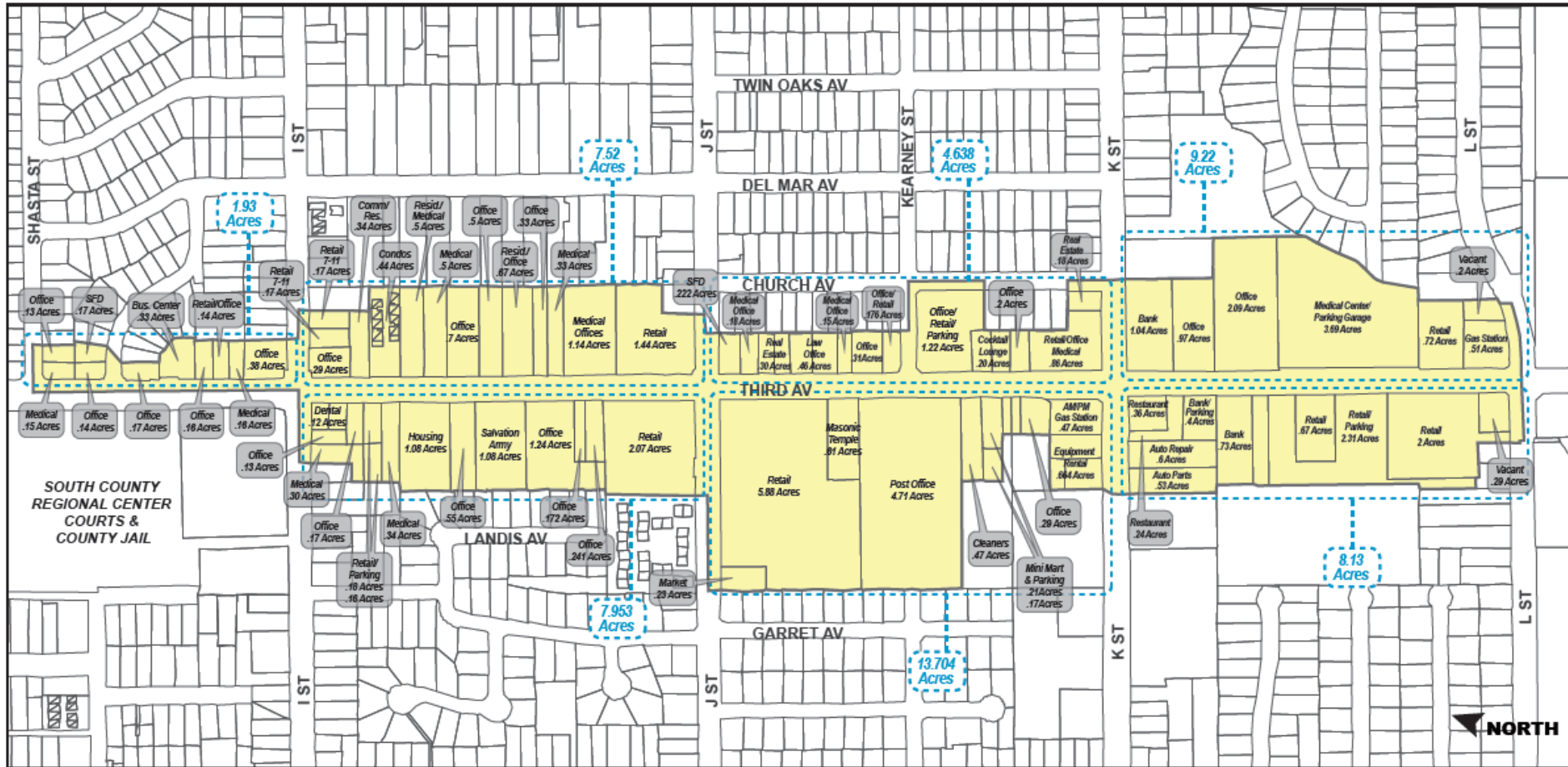
- Vista del Mar Project represents the first opportunity for development of a mixed used project (C1 District).
- Site will be developed with a quality project.
- Project is consistent with the vision, objectives and policies of the General Plan.
- Project has been designed to meet the UCSP development regulations and guidelines.
- Project will provide new investment, modern housing facilities and site improvements.
- The Project is well planned and incorporates the principals of Smart Growth



RECOMMENDATION

That the City Council approve the resolution to:

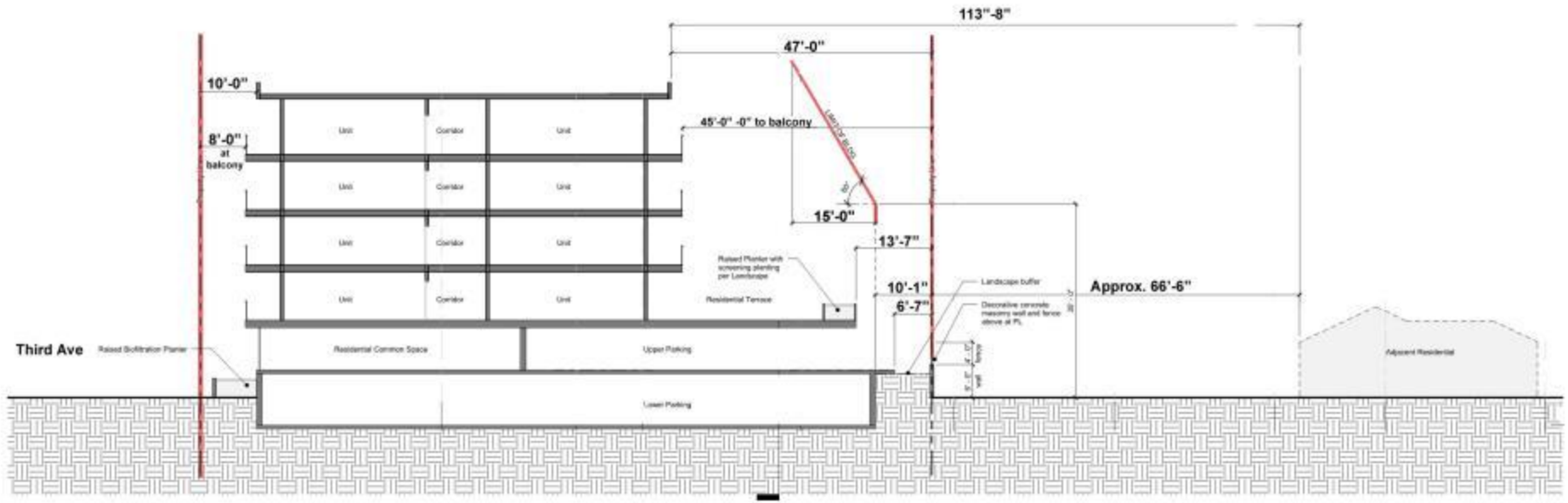
Deny the appeal from the Corridor Coalition, and
Affirm the Planning Commission decision to consider the
Addendum and approve the Project



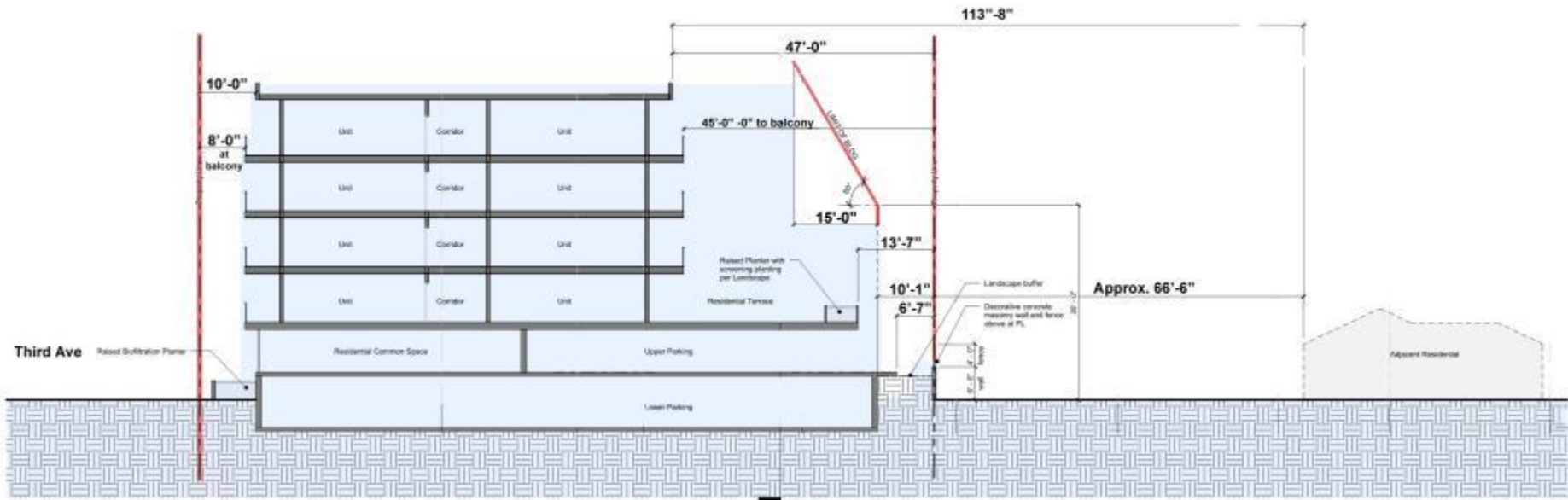
 C1 - Corridor District

Total Acreage: 53.095

C1 - Existing Uses & Acreage



Building Cross Section – View from K Street



Building Cross Section – View from K Street