

**ITEM 3**

**PUBLIC COMMENT(S)**

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Patricia Salvacion

# Item 3 - Public Comment - Oppose

**From:** Stan Donn  
**Sent:** Thursday, June 18, 2020 2:24 PM  
**To:** Patricia Salvacion  
**Subject:** FW: Moss street essential business for the Navy and the ship yards

**Stan Donn, AICP, Project Manager**  
City of Chula Vista, Development Services Department  
278 Fourth Avenue, Chula Vista, CA 91910  
Ph (619) 409-5953  
Fx (619) 409-5859  
Email [sdonn@chulavistaca.gov](mailto:sdonn@chulavistaca.gov)

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**From:** THERESA ACERRO  
**Sent:** Thursday, June 18, 2020 12:48 PM  
**To:** John McCann <[jmccann@chulavistaca.gov](mailto:jmccann@chulavistaca.gov)>; Jill Galvez <[jingalvez@chulavistaca.gov](mailto:jingalvez@chulavistaca.gov)>; Steve C. Padilla <[spadilla@chulavistaca.gov](mailto:spadilla@chulavistaca.gov)>; Mike Diaz <[mdiaz@chulavistaca.gov](mailto:mdiaz@chulavistaca.gov)>; Mary Salas <[MSalas@chulavistaca.gov](mailto:MSalas@chulavistaca.gov)>; Oscar Romero <[oromero@chulavistaca.gov](mailto:oromero@chulavistaca.gov)>; Stan Donn <[sdonn@chulavistaca.gov](mailto:sdonn@chulavistaca.gov)>; Gary Halbert <[GHalbert@chulavistaca.gov](mailto:GHalbert@chulavistaca.gov)>; Eric Crockett <[ECrockett@chulavistaca.gov](mailto:ECrockett@chulavistaca.gov)>; Steve Power <[SPower@chulavistaca.gov](mailto:SPower@chulavistaca.gov)>  
**Subject:** Moss street essential business for the Navy and the ship yards



I talked to Tim at Kleen Blast Abrasives . . . . . are an essential business for the ship yards and the Navy. They need the rail to get what they need to produce what the Navy and the ship yards need. This lot is the **ONLY** place they can be. If they shut down in September the ship yards and the Navy will have to shut down as well. This zone and plan change can **not** be approved. They are afraid of immediate eviction if they participate in process and complain. You can not allow this to happen.

**This entire project should never have gotten this far. Why in the world did no one talk to these people months ago????**

**Patricia Salvacion**

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**From:** THERESA ACERRO <[REDACTED]>  
**Sent:** Thursday, July 2, 2020 5:57 PM  
**To:** Oscar Romero; Tiffany Allen  
**Cc:** Mary Salas; John McCann; Steve C. Padilla; Jill Galvez; Mike Diaz  
**Subject:** another comment on Moss street project

**Warning:**  
**External**  
**Email**

After further reading I want to clarify what I said about monitoring of underground water: they found dry cleaning compounds (cancerous) and many other VOCs in the groundwater. You agree that these are potential concerns and need to be mitigated. The construction could (probably likely would) release these vapors into the community, and they may linger for years even after construction has ceased, and people have moved in. The water needs to be cleaned completely **BEFORE** considering allowing children and adults to live on the land. It's one thing to have exposed industrial yard with limited workers spending limited time on site mostly in the open air, but those vapors could easily intrude and be trapped in garages and homes. The city should not allow the health of residents to be possibly put in risk from a source the city has full knowledge of, making the city totally liable for any and all negative health effects.

Patricia Salvacion

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**From:** THERESA ACERRO [REDACTED]  
**Sent:** Thursday, July 2, 2020 1:48 PM  
**To:** Oscar Romero; Tiffany Allen  
**Subject:** Moss Street project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



I sent you a comment on 6/24 and it was not included with the other comments. I was told I was supposed to send you the comments or Tiffany. I am sending it revised again.

Wed, Jun 24 at 4:12 AM

The fact that there is a channel for Telegraph Canyon creek to which "the property currently drains" (even though it is an underground pipe) running through the property and the developer is given special consideration to move homes closer to the street (which he should not receive) potentially causes a dangerous situation for children to have water in a violent storm backing up out of storm drains near their homes. The monitoring wells for possible pollution of the ground are also a tremendous hazard for any children who would be living in homes here and a health hazard for them and their parents. **Both these conditions clearly show this is an industrial lot, not a residential lot and not appropriate for rezoning.**

Theresa Acerro  
very concerned resident

**Patricia Salvacion**

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**From:** Greg Moore <  
**Sent:** Thursday, July 2, 2020 6:28 PM  
**To:** Oscar Romero; Tiffany Allen; THERESA ACERRO  
**Cc:** Mary Salas; John McCann; Steve C. Padilla; Jill Galvez; Mike Diaz  
**Subject:** Re: another comment on Moss street project



Thanks. I could offer much to both the developer and the opponents from being here everyday but this developer and seller will squash me like the bug I am if I screw up his sale and their development. If I were evicted before I finish its easily 100 grand in damages. I'm just a boat builder. That's a retirement package.

So, I wish everyone well and wish we weren't in this predicament but right now my bread is buttered by the developer and seller and I would be a fool to cross them before yacht is built.

I reply to send notice and to have thanks to James Omalley for recently spending money and more on legal fees to offer us a guaranteed stay until December, which as you know Rapid prep my lessor thought they had until Nov 30th but found out only a month ago that their lease ended this august. OMG, its like the world stopped when I heard that. Because of Theresa work James has technically already helped me. I must hop back on the bus and keep head down.

Please, Send any and all your Artisian top talent friends this way. A couple of gifted contractors could help so much. Upholstery, flooring are a couple things left that outsiders can help with.

Meanwhile, if anyone has an acre or so for 5-10 yr lease, Plan B's 100 grand moving expense might be unavoidable.

Thank you, please have a wonderful day.

Greg Moore  
Boat Yard San Diego  
ph-  
Address:  
Chula Vista Ca. 91911

**Services:**

<http://www.boatyardsandiego.com> boat building, repower, repaint  
<http://www.sandiegoboatelectric.com> est 1983 Drawings, repairs to propulsion controls and switchboards. Electronics and Electrical Engineering for Navy, Pleasure, Commercial, Industrial.

After further reading I want to clarify what I said about monitoring of underground water: they found dry cleaning compounds (cancerous) and many other VOCs in the groundwater. You agree that these are potential concerns and need to be mitigated. The construction could (probably likely would) release these vapors into the community, and they may linger for years even after construction has ceased, and people have moved in. The water needs to be cleaned completely **BEFORE** considering allowing children and adults to live on the land. It's one thing to have exposed industrial yard with limited workers spending limited time on site mostly in the open air, but those vapors could easily intrude and be trapped in garages and homes. The city should not allow the health of residents to be possibly put in risk from a source the city has full knowledge of, making the city totally liable for any and all negative health effects.

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Patricia Salvacion

Item 3 - Public Comment - In favor

Subject:

FW: james great speaking with you

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From: Greg Moore [REDACTED]  
Sent: Tuesday, June 16, 2020 8:20 PM  
To: James O'Malley [REDACTED]  
Subject: james great speaking with you

I appreciate the extra time you have given me to dec 1st 2020. Any and all extra time you can get takes pressure off of me.

We could finish earlier, its just going to be right about that time and I'm trying everything I can to get out of here before that day. Corona stole 3 months from me, that didn't help. Send real talent here, that will help.

I know I've opposed your development in the past due to how hard it was to find land like and all the time and money I spent to build this place to work well for yacht restoration. Most is wasted but had to do it to finish boat. Got about 200 grand into facility just to do projects this big. But after being here 3 years now, I clearly see this land is surrounded by apartments and housing and realize that all the south bay development seems like a good thing for everyone.

Thanks for giving me a solid date, any more time, please let me know. If things stall in bureaucracy like southbays other projects, it took forever but they did it right. I dont think your approval process will go as fast as you think and someones going to need my rent just as bad as I dont need more pressure here at the very end of a 5 years project. I dont know how I plan to move and then stay to pay more if you stall. Almost have to ignore that stalled option and let it sit empty until you finally demo.

My partners entire life has been real estate, hes 60 and been retired 20 years already. If you need funding or help with this development, just make sure he gets his darn yacht done without moving again. LOL His name is James Kaiser, everyone wants to be Jim, hes happy and rich. When he gets unhappy he just waives a check at it and gets it off his desk and onto the pros desk. Hes so happy, Lady Gaga and George Bush fly out to hang out with him. You would like him.

my problem, I can only go so fast. I cant load vessel down with more personal when white fabrics are everywhere but at least we have a new target date we all are agreed on.

my  
world: [https://vimeo.com/376040368?fbclid=IwAR2fQW\\_mGMNdEj2\\_5MX0HHqkQb52JbSHDJBBaW2ekmBgm0vRBCNHlsvkFUo](https://vimeo.com/376040368?fbclid=IwAR2fQW_mGMNdEj2_5MX0HHqkQb52JbSHDJBBaW2ekmBgm0vRBCNHlsvkFUo)

Thank you, please have a wonderful day.

Greg Moore

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**Steve Castaneda**

**Chula Vista, CA**

July 6, 2020

**Reference: Planning Commission Agenda of July 22, 2020 -- 676 Moss Street Condominiums.  
Shopoff Realty Investments, L.P. - Applicant**

Dear Chairman Gutierrez and Members of the Chula Vista Planning Commission:

I am writing to urge your approval of the draft Mitigated Negative Declaration, General Plan Amendment, site rezone, Design Review Permit and tentative map for a 141-unit multifamily residential development located at 676 Moss Street in western Chula Vista. Your approval will have a positive and lasting effect on our community and advance efforts to revitalize and improve the health of Chula Vista's western neighborhoods while supporting environmental justice for the economically disadvantaged families living in this area.

When considering the economic, environmental and land use factors, there is a sound justification for the project's approval. The site is currently occupied by metal fabrication, salvage, and storage operations. The level of negative impact generated from these uses is intensified by the predominant westerly winds that carry noise, heavy vehicle exhaust and dust. By redeveloping an underutilized industrial zoned lot, you will help families living directly to the east and the south by reducing noise and airborne particulate pollution they currently experience. It is well known that exposure to such pollution is directly linked to asthma and other health problems, especially in children.

Citing lack of demand for industrially zoned land in the area, the staff report accurately projects that the future development of high value, job producing operations at the subject location is unlikely. While we all want more good paying clean industrial jobs, more realistic future uses at this location under current zoning would not provide appreciable economic development benefits and likely bring unwelcome and damaging impacts to the adjoining neighborhoods. We are aware of the health problems that result from inconsistent and incompatible use patterns which is often described as an issue of environmental justice. Negative health outcomes are well documented in the neighborhoods of Barrio Logan and western National City due to the comingling of industrial and residential uses.

The existing zone (C.V.M.C. 19.44.010) allows materials processing, storage, warehousing, auto repair, extermination operations, plastics manufacturing, steel fabrication, hazardous waste processing and power plants which would be acutely incompatible with residences directly east and south. You can ensure that the inequities present in other communities do not exist here.

Alternatively, more housing is needed in western Chula Vista and this development provides additional opportunities for working families particularly when thinking about the new jobs that will be created by Chula Vista's Bayfront. This proposal and similar projects will allow working families to live closer to Bayfront jobs and reduce the need for workers to drive into Chula Vista.

The Planning Commission's support will continue the momentum well underway to increase our housing stock and improve the livability and environmental conditions for western Chula Vista residents.

I urge a yes vote.

Sincerely,

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**BUILDING INDUSTRY  
ASSOCIATION OF  
SAN DIEGO COUNTY**

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HomeFed Corporation

**VICE CHAIRMAN**

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Borre Winckel

**AFFILIATES**

California Building  
Industry Association

National Association  
of Home Builders

July 13, 2020

Stan Donn, AICP,  
Project Manager  
City of Chula Vista, Development Services Department  
276 Fourth Avenue, Chula Vista, CA 91910

Dear Mr. Donn:

The Building Industry Association (BIA) represents over 750 companies employing over 40,000 individuals who are engaged in providing the communities in San Diego County. Ever since the 2008 recession, San Diego County's home building activity has never returned to the production levels seen in the first decade of this century.

The consequence of this fact is a shortage of new housing in our region. Couple this to ever expanding state mandates (regulations), NIMBY groups opposed to more housing (they already have theirs), and difficulties in arranging financing for projects that are viable, and you have the perfect storm which has seen building activity at 60% of pre-recession levels.

The BIA engages with every jurisdiction in our County and implores them to approve housing projects that fit within your City's General Plan. Simply put, the market's ability to provide housing (supply) is constrained. Your citizens feel this in higher rents and lack of housing options when looking to purchase a home (demand).

The BIA does not offer an opinion on specific projects, but we would ask your Planning Commission and City Council to approve housing projects as described above. If we can increase supply, we can solve our local housing crisis. We need more attainable housing, so the BIA respectfully requests that you increase the housing supply by approving housing projects in Chula Vista.

Sincerely,

Michael McSweeney  
Sr. Public Policy Advisor  
BIA San Diego

**Building Industry Association of San Diego County**  
9201 Spectrum Center Blvd., Suite 110, San Diego, CA 92123-1407  
P 858-450-1221 F 858-135 - www.biasandiego.org

## Oscar Romero

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**From:** THERESA ACERRO [REDACTED]  
**Sent:** Sunday, July 19, 2020 5:55 PM  
**To:** Gabriel Innocenzi; Oscar Romero; Tiffany Allen  
**Subject:** planning commission meeting July 24

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Warning:  
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I have a comment on Shopoff-zoning change document on agenda for the Planning Commission Wednesday, and it won't allow me to submit it. It says 6PM June 24 was deadline, but the project was not heard on that date it was continued until Wednesday.

It is ridiculous to say this conforms to the General Plan. We lack jobs in Chula Vista- especially good paying jobs like these businesses provide. We have a huge deficit in industrial and commercial zoned property due to constant zone changes in the east and west, which is also why we lack jobs and have a mass exodus of the city normal mornings during normal times. This project will make our situation worse. Also comments in MND about income from different uses do not take into account that development fees pay over half of the city's debt payments they do not provide for yearly expenses for libraries, recreation, police, fire, road repairs, maintenance etc. All of which will increase considerably by adding all these new residents. If an honest analysis were done it would show a large deficit for the city as EIR's for all projects where zoning was changed show. (4.5 million for the Millenium change last year.)  
Theresa Acerro

# City Council Public Comments



**Oscar Romero**

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**From:** Greg Moore [REDACTED]  
**Sent:** Monday, August 03, 2020 7:16 PM  
**To:** Oscar Romero; James O'Malley  
**Subject:** moss st withdraw objection

**Warning:**  
**External**  
**Email**

Oscar thanks, I didnt have a leg to stand on and was worried sick I wouldn't get to finish boat but, looks like James Omalley (shopoff developer) has become sensitive to my needs and has at this time addressed them the best he can and given me time and more hope, given the situation between him and his seller is also difficult. Looks like he had to spend some major money to care for current tenants. I'm satisfied I may get to finish and owe a million thanks to you, James and your associates for thinking of me.

Thank you, please have a wonderful day.

Greg Moore  
Boat Yard San Diego  
[REDACTED]  
[REDACTED]  
[REDACTED]

Services:  
<http://www.boatyardsandiego.com> boat building, repower, repaint  
<http://www.sandiegoboatelectric.com> est 1983 Drawings, repairs to propulsion controls and switchboards, Electronics and Electrical Engineering for Navy, Pleasure, Commercial, Industrial.

## Oscar Romero

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**From:** Tiffany Allen  
**Sent:** Monday, August 03, 2020 3:18 PM  
**To:** 'THERESA ACERRO'  
**Cc:** Oscar Romero  
**Subject:** RE: 676 Moss

Hi Theresa,  
Please submit your comments to Oscar Romero at [oromero@chulavistaca.gov](mailto:oromero@chulavistaca.gov).

Thank you,  
**Tiffany Allen** | Director  
City of Chula Vista | Development Services Department  
276 Fourth Avenue | Chula Vista | CA | 91910  
(t) 619.691.5179 | [tallen@chulavistaca.gov](mailto:tallen@chulavistaca.gov)



**From:** THERESA ACERRO [REDACTED]  
**Sent:** Monday, August 3, 2020 2:48 PM  
**To:** Tiffany Allen <[TAllen@chulavistaca.gov](mailto:TAllen@chulavistaca.gov)>  
**Subject:** Re: 676 Moss

**Warning:**  
**External**  
**Email**

who should I submit my additional comments to?

On Monday, August 3, 2020, 01:29:07 PM PDT, Tiffany Allen <[tallen@chulavistaca.gov](mailto:tallen@chulavistaca.gov)> wrote:

Hi Theresa,

You are correct. The action taken by the Planning Commission is just a recommendation.

The project will next be presented to the City Council for consideration and action. We are tentatively scheduled for this item to go to Council on August 25<sup>th</sup>.

When we take the item to City Council, we will include all of the emails, letters, and e-comments received by the Planning Commission. You can also submit additional emails, letters, e-comments for the City Council item.

Please let me know if you have any additional questions or concerns.

Best,

**Tiffany Allen** | Director

City of Chula Vista | Development Services Department

276 Fourth Avenue | Chula Vista | CA | 91910

(t) 619.691.5179 | [tallen@chulavistaca.gov](mailto:tallen@chulavistaca.gov)



**From:** THERESA ACERRO [REDACTED]  
**Sent:** Saturday, August 1, 2020 5:12 PM  
**To:** Tiffany Allen <[TAllen@chulavistaca.gov](mailto:TAllen@chulavistaca.gov)>  
**Subject:** 676 Moss

**Warning:**  
**External**  
**Email**

Tiffany,

I am not sure if I need to appeal Planning Commission decision or not since it seems to be just a recommendation to the council. Is that correct? There will be another opportunity to submit comments to the council? From wording it appears decision has not been made just a recommendation. Is that correct?

Theresa

**Oscar Romero**

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**From:** THERESA ACERRO [REDACTED]  
**Sent:** Monday, August 03, 2020 4:19 PM  
**To:** Oscar Romero  
**Subject:** 676 Moss  
**Attachments:** 676 Moss.docx

**Warning:**  
**External**  
**Email**

The city council needs to not approve this proposed project as shown in the plans, which is squeezing an inappropriate number of homes into too small of a space, and ignoring required distances from property lines other developers and ordinary home owners are required to abide by as well as building on part of a public road.

[REDACTED]

676 Moss project: Factual error: property lines less than 15 feet; Approval granted without consideration of situation so finding to approve not supported by discussion at meeting

During the Planning Commission meeting details of the project were hardly mentioned. Most of discussion was about the businesses being displaced and questionable financial data presented by staff. No mention was made as to what kind of jobs were being eliminated. I don't know where the 40 number came from, but the type of jobs-engineering, technical, mechanics was never researched and would have been relevant, since these are not minimum wage jobs, and some of the businesses are having a horrible time relocating. For example: Kleen Abrasives needs to have direct access to rail line. With the COVID-19 crisis going on this is the worst possible time to uproot essential businesses-most of whom have been here for between 20 and 30 years. The plans for project were not discussed in detail at Planning Commission meeting. If you look at the plans you will find these problems:

On east side, north side, and one spot on the west the distance from property line is closer than 15 feet (8'7", 12'). Variance was only for front of building (south).

The far west building (1) is right next to the trolley fence. The noise and vibration will be extreme. No decks due to noise violation, but no way can interior of home meet standard that close even with windows closed requiring ventilation system which is wasteful use of energy, which violates the General Plan.

It is a very **wasteful use of energy** building next to trolley tracks where windows would need to be kept closed on hot days and ventilation used to try to meet noise standard. There is a vibration that close as well. (General Plan specifically opposes wasteful energy use.)

**One narrow entrance/exit road (26 feet wide) from/to Moss (and private streets throughout project are no wider than 26 feet) is inadequate for the evacuation of 141 homes in the event of earthquake, fire or other disaster.** (The fire road is only 20 feet wide.) (*What does the fire department think about this? They have a 20-foot wide fire road, but turning a huge truck around on that would be quite an effort.*)

The project appears to be **built over the end of Arizona Street** eliminating the entrance/exit for the Sweetwater bus facility, and eliminating a potential emergency exit from the property. Isn't Arizona a city street after all these years? Has Sweetwater been informed they are losing an exit/entrance from their property?

141 homes on tiny piece of land is way too dense and dangerous. When times return to normal, having a hundred plus people trying to exit at same time in the morning through that one narrow entrance/exit would be an internal nightmare. Same returning in evening.

**MND clearly requires 5 monitoring wells** be kept until future time when they may not be needed. Where are they? Will they, can they be protected in some way from children tampering with them when it appears the channel easement has been covered by roads and sidewalks and is only **37 feet wide** when originally it was stated it **needed to be 45 feet wide when variance was granted** for less set back in the front only? (*"The site is bifurcated from the east side of the parcel to the west side by a channel easement with a double-barreled box culvert **requiring** a 45-foot easement creating substantial site planning constraints."* (from variance ordinance))

**No affordable housing is being provided**, which is desperately needed. It is irrelevant if the neighborhood already has some. The city needs more and every developer **should** be required to provide or pay fee. Why is this developer being treated differently?

Why is there no solar being required on buildings without roof decks? Code says new homes need to have wiring for solar so is that being required?

It needs to be made clear to potential buyers how very expensive the HOA fees will be for these townhouses because of the need to maintain the private roads, roofs, landscaping, sidewalks, landscaping, fire pits, etc..

**Oscar Romero**

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**From:** THERESA ACERRO [REDACTED]  
**Sent:** Friday, August 07, 2020 8:57 PM  
**To:** Oscar Romero  
**Subject:** clarification additional comments on 676 Moss

**Warning:**  
**External**  
**Email**

**1. In the case of the end of Arizona Street: No signs or fences have ever been present to indicate it was private property so adverse possession as a road which has been paved by city seems to be the case.**

Sweetwater Union has been using the end of Arizona street as a public street for over 5 years to enter and exit its property next to the trolley tracks, and others have used it to park or turn around or walk their dogs, etc. therefore it actually is a public street not private property since no fence or sign has ever indicated it was not a public street, and the street is paved just like the rest of the street, so anyone would assume it is a part of Arizona Street.

California state law:

Code Section Adverse Possession	Civ. Proc. §§318, 325, 328
Time Period Required for Occupation	5 yrs. (and Payment of Taxes (not relevant))

**2.** The three inlets to this underground creek are not shown on the plans, where are they?

**3. No affordable housing is being provided**, which is desperately needed. It is irrelevant if the neighborhood already has some. The city needs more and every developer **should** be required to provide or pay fee. Why is this developer being treated differently? **This is a violation of: Chula Vista's Balanced Communities Policy which requires that every new housing development over 50 units sets aside 10 percent of the total units to low- and moderate-income households.**

**4.** State law requires solar on all new homes: The California solar mandate is a new building code that requires new construction homes to have a solar photovoltaic (PV) system as an electricity source. This code, which went into effect on January 1, 2020, applies to both single-family homes and multi-family homes that are up to three stories high.

*It is rather shocking and surprising that this developer has been allowed to submit plans in violation of so many codes. As a homeowner I would not be allowed to build anything less than 15 feet from my property line. Developers in Otay Ranch were required to provide affordable housing just last week.*

*At the public meeting last August, the representative stated he had met with and contributed to the campaigns of the council people. I am hoping this has had no influence in allowing so many exceptions to codes, etc.*

*These plans need to be rejected and brought into compliance with all codes and policies of the city and state.*