

**SECOND READING AND ADOPTION**

ORDINANCE NO. \_\_\_\_\_

ORDINANCE OF THE CITY OF CHULA VISTA APPROVING  
A PRECISE PLAN (MPA 15-0021) TO ALLOW A HEIGHT OF  
120 FEET TO ACCOMMODATE A PROPOSED HOSPITAL  
TOWER TO BE LOCATED AT THE NORTHERN EDGE OF  
THE HOSPITAL CAMPUS LOCATED AT 751 MEDICAL  
CENTER COURT

WHEREAS, the area of land that is subject to this Ordinance is diagrammatically represented in Exhibit A attached to this Ordinance and incorporated herein, and commonly known as Sharp Chula Vista Hospital campus, and consists of a site located at 751 Medical Center Court (Project Site); and

WHEREAS, a duly verified application was filed with the City of Chula Vista Development Services Department on November 30, 2015 by Sharp Chula Vista Medical Center (SCMC) (Applicant) requesting approval of a Precise Plan in order to allow for the maximum building height to be increased from 45 feet to 120 feet; and

WHEREAS, the Applicant has complied with the requirements of Chula Vista municipal Code (CVMC) Section 19.56.042 (Required Maps and Information) by providing an application submittal package that includes detailed site plans and elevations; and

WHEREAS, the project consists of developing a seven story hospital tower that will accommodate 138 beds, 6 operating rooms, and other ancillary uses including a rooftop café (Project); and

WHEREAS, the City Clerk set the time and place for the hearing on the Project application and notices of the hearing, together with its purpose, was 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 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 on October 4, 2016 in the Council Chambers in the City Hall, City of Chula Vista Civic Center, 276 Fourth Avenue, at 5:00 p.m. to hear public testimony with regard to the same; and

WHEREAS, the Development Services Director has reviewed the proposed Project for compliance with the California Environmental Quality Act (CEQA) and has determined that there is substantial evidence, in light of the whole record before the City Council, that the Project may have a significant effect on the environment; therefore, the Development Services Director initiated the preparation of an Environmental Impact Report (EIR15-0002), which City Council certified at this subject meeting.

NOW THEREFORE, the City Council of the City of Chula Vista does hereby

find, determine and ordain as follows:

**Section 1**

**A. PRECISE PLAN FINDINGS**

The City Council hereby finds that:

SUCH PLAN WILL NOT, UNDER THE CIRCUMSTANCES OF THE PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY OR GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE VICINITY, OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE VICINITY

The Precise Plan being requested is limited to allowing a deviation from existing development standards for building height within the existing hospital campus. The hospital campus has been in development for approximately 35 years and contains two existing towers of approximately 68 feet in height and a parking structure of approximately 96 feet in height (as measured to the top of the elevator tower).

The new hospital tower will be located adjacent to or near existing hospital facilities, well within the campus boundaries. The hospital tower is located approximately 225 feet from the nearest residential property located to the northeast of the Project Site. Building design is consistent with City Design Guidelines. While additional traffic will be generated as a result of the hospital tower, mitigation measures have been required which, when implemented, will result in a less than significant impact.

The proposed height increase is to allow development consistent with hospital uses. As discussed above, the existing hospital tower on the site is approximately 68 feet in height and the existing parking structure is approximately 96 feet in height to the top of the elevator tower. The Project will contribute to the well-being and general welfare of the Chula Vista residents by allowing the existing hospital facility to expand to meet the needs of the growing Chula Vista and South Bay community, and as such, will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity of the Project, nor injurious to property or improvements in the vicinity of the Project.

THAT SUCH PLAN SATISFIES THE PRINCIPLE FOR THE APPLICATION OF THE P MODIFYING DISTRICT AS SET FORTH IN CVMC 19.56.041

The Precise Plan (P) Modifying District was attached to the C-O zoning at the time the subject property was rezoned from R-1-H to C-O-P in January 1990. The site has been developed as a hospital campus since approximately 1970. The hospital site had received prior approval for two hospital towers, the latest one being in 1989, with a height of approximately 68 feet, prior to the effective date of this rezone. Given the existing hospital use, the P modifier was added to this new zoning designation in

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anticipation of the need to provide future flexibility in the implementation of the underlying development standards of the C-O zone, especially the ability to provide for structures that exceeded the underlying 45-foot height limit. The Precise Plan will allow for flexibility in building height that will enable the site to be developed consistent with the needs of a state of the art medical facility in accordance with CVMC 19.56.041(A).

THAT ANY EXCEPTIONS GRANTED WHICH DEVIATE FROM THE UNDERLYING ZONING REQUIREMENTS SHALL BE WARRANTED ONLY WHEN NECESSARY TO MEET THE PURPOSE AND APPLICATION OF THE P PRECISE PLAN MODIFYING DISTRICT

Exceptions to the underlying zoning requirements are warranted due to the fact that the site contains an existing hospital campus. Such use is unique within the C-O zone in that hospitals usually contain buildings/towers that are over 45 feet in height. The inability for future development to exceed the current height limit of 45-feet would preclude the ability to provide necessary expansions that meet the needs of the surrounding community.

THAT APPROVAL OF THIS PLAN WILL CONFORM TO THE GENERAL PLAN AND THE ADOPTED POLICES OF THE CITY

Approval of a Precise Plan is consistent with the Public/Quasi-Public designation of the General Plan for the property and General Plan Objective PFS 19 to provide art and culture programs, childcare facilities and health and human services that enhance the quality of life in the City of Chula Vista. A height exceeding the current height restriction of 45 feet under the C-O (Administrative and Professional Office) zone, has been established by the two existing hospital towers and a parking structure on the campus and will allow the site to be developed consistent with the needs of a state of the art medical facility.

NOW THEREFORE, BE IT FURTHER ORDAINED, that the City Council of the City of Chula Vista does hereby adopt the subject Precise Plan, as follows

### **B. ADOPTION OF PRECISE PLAN**

In light of the findings above, the Precise Plan is adopted to increase the existing building height limit of 45 feet to 120 feet for the hospital tower diagrammatically represented in Exhibit "A" and described in Exhibit "B," said Exhibits attached hereto and incorporated herein by this reference, and on file in the office of the City Clerk.

### **Section II. Severability**

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability

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or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

### **Section III. Construction**

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

### **Section IV. Effective Date**

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

### **Section V. Publication**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

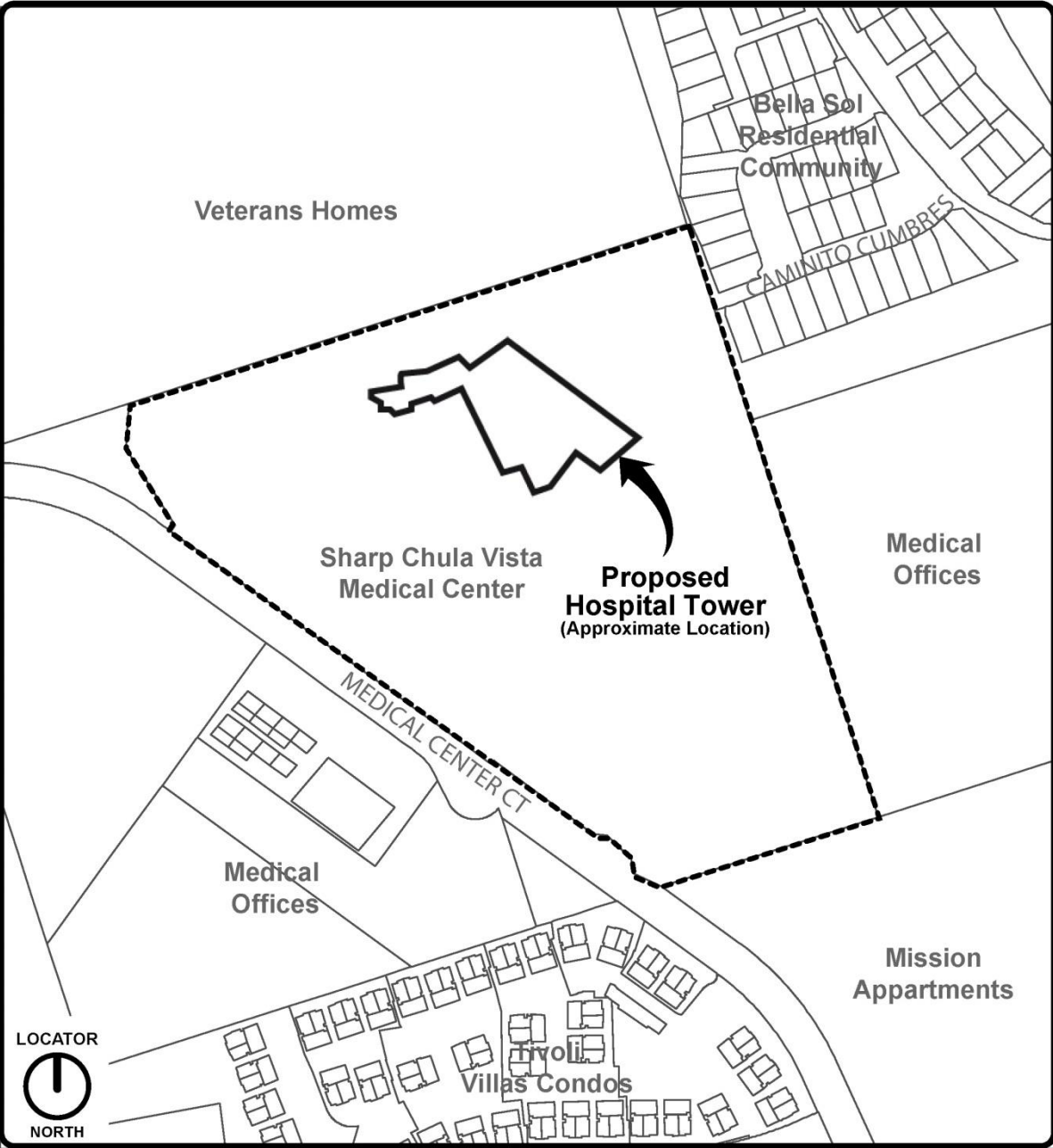
Approved as to form by

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Kelly Broughton  
Director of Development Services

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Glen R. Googins  
City Attorney



 751 Medical Center Ct.  
641-010-28

**EXHIBIT "A"**

**EXHIBIT B**

**PRECISE PLAN  
DEVELOPMENT STANDARDS  
FOR NEW HOSPITAL TOWER**

Building Height:	120 feet
All other development standards:	Subject to the development standards contained in the Chula Vista Municipal Code (CVMC)