



# City of Chula Vista

## Legislation Details (With Text)

**File #:** 16-0354      **Name:** Appeal Lovina Design Review  
**Type:** Public Hearing      **Status:** Passed  
**In control:** City Council  
**On agenda:** 8/9/2016      **Final action:** 8/9/2016  
**Title:** CONSIDERATION OF AN APPEAL BY BALDWIN & SONS OF THE PLANNING COMMISSION'S ACTION OF NO DECISION DUE TO NOT ACHIEVING A MAJORITY VOTE ON DESIGN REVIEW PERMIT DR15-0024 FOR A 78-UNIT MULTI-FAMILY RESIDENTIAL PROJECT IN OTAY RANCH VILLAGE TWO NEIGHBORHOOD R-17B(b)

RESOLUTION NO. 2016-171 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN APPEAL FOR DESIGN REVIEW PERMIT DR15-0024 TO CONSTRUCT A 78-UNIT MULTI-FAMILY DUPLEX DEVELOPMENT WITH TWO-CAR GARAGES, RECREATION AREAS, AND ASSOCIATED OPEN SPACE ON 4.7 ACRES WITHIN THE OTAY RANCH VILLAGE TWO, NEIGHBORHOOD R-17B(b)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Item 9 - Resolution, 2. Item 9 - Attachment 1 Locator Map R-17B, 3. Item 9 - Attachment 2 Disclosure Statement, 4. Item 9 - Attachment 3 R-17B Architectural Plans, 5. Item 9 - Attachment 4 R-17B Civil Engineering Plans, 6. Item 9 - Attachment 5 R-17B Landscape Plans, 7. Item 9 - Presentation

Date	Ver.	Action By	Action	Result
8/9/2016	1	City Council	adopt	Pass

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### RECOMMENDED ACTION

Council conduct the public hearing and adopt the resolution.

### SUMMARY

The applicant, Baldwin & Sons, submitted a Design Review application requesting approval of a 78-unit multi-family project on a 4.7 acre vacant site located in Otay Ranch Village Two, Neighborhood R-17B(b). On June 22, 2016, the Planning Commission voted 3 to 2 with more commissioners in favor of the project but did not achieve a majority vote, resulting in "No Decision." Per Municipal Code Section 19.14, Baldwin & Sons filed this appeal to the City Council on June 27, 2016.

## ENVIRONMENTAL REVIEW

### Environmental Notice

The Project was adequately covered in previously adopted/certified Final Supplemental Environmental Impact Report (FSEIR 12-01) for the Otay Ranch Village Two Comprehensive Sectional Planning Area (SPA) Plan Amendment.

### Environmental Determination

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was adequately covered in previously adopted/certified Final Supplemental Environmental Impact Report (FSEIR 12-01) for the Otay Ranch Village Two Comprehensive Sectional Planning Area (SPA) Plan Amendment. Thus, no further environmental review or documentation is required.

### BOARD/COMMISSION RECOMMENDATION

On June 22, 2016, the Planning Commission took action and voted 3 to 2 on the project. The project did not achieve a majority vote resulting in “No Decision.” Therefore, the project requires the subject appeal to the City Council for a final decision.

### DISCUSSION

#### *Project Site Characteristics:*

The 4.7-acre vacant project site is located in the western portion of Village Two within the Village Secondary Core District, on a vacant parcel south of Santa Victoria Road between Santa Ivy Avenue and Santa Cristina Avenue. Neighborhood R-17B(b) is bordered by the future multi-family residential sites to the east, south, and west, and a future Park site P-2 to the north (Attachment 1, Locator Map). All of the surrounding parcels are currently vacant.

#### *Summary of Surrounding Land Uses:*

General Plan	Zoning	Current Land Use
Site: Mixed-Use Residential	Multi-Family, RM2	Vacant, Future Multi-Family Res.
East: Residential Medium	Multi-Family, RM1	Vacant, Future Multi-Family Res.
North: Parks and Rec.	Multi Family, RM2	Vacant, Future Park
South: Residential Medium	Multi Family, RM1	Vacant, Future Multi-Family Res.
West: Mixed-Use Residential	Multi-Family, RM2	Vacant, Future Multi-Family Res.

#### *Project Description:*

The proposal includes two building plan types with two architectural styles (Tuscan and Spanish Eclectic). The buildings will be two-story with an optional third-story. The proposed height would be a maximum 28'-3" for two story units, and approximately 37 feet for a third story option.

The floor plans, consisting of three and four-bedroom units, are sized at approximately 1,561 square-foot to 1,587 square-foot per unit. Up to (26) of the (39) buildings may include optional 3-story units that will be four to six bedrooms with an open loft, and up to 2,476 square-feet in floor area. Each of the three floor plans will include a two-car garage. Each unit will accommodate a living room, dining room, kitchen and a powder room on the first floor, with bedrooms above on the second floor and optional third floor. Each unit is designed to provide the front entries off of Santa Ivy Avenue, Santa Christina Avenue, and Keck Road, while the garage access is located off of the internal private street (s).

All architecture styles incorporate eight color schemes with materials such as light to dark colored stucco, tiled roofs, wrought iron accents, colored enhanced shutters, decorative foam plaster grill vents, masonry stone pier columns, and arched openings. Required parking is provided through both on-site and on-street parking as permitted by the Village Two Sectional Planning Area (SPA) Plan, subject to Design Review discretion.

Onsite amenities include: a tot lot, BBQ and seating areas, and several open space areas throughout the project site consisting of a passive open space area in-between buildings and at the project entrances. Pedestrian lighted walkways and benches have been placed within the open space areas throughout the project. There are several vehicle and pedestrian accesses on and off the site. Vehicles can access the site through two driveways, one along Santa Ivy and one along Santa Christina Avenue. The front entrances are oriented toward perimeter streets, and along interior paseos and walkways.

*Compliance with Development Standards:*

The following Project Data Table shows the Village Two SPA development regulations along with the applicant's proposal to meet said requirements:

Assessor's Parcel Number:	644-313-03
Current Zoning:	Multi-Family, RM2
General Plan Designation:	Mixed-Use Residential
Lot Area:	4.7 acres
<b>PARKING REQUIRED:</b> 2.25 spaces per 3 or more bedroom unit  78 units x 2.25 = <b>176 spaces</b>	<b>PARKING PROPOSED:</b> 2.25 spaces per 3-bedroom unit, 2.25 spaces per 4-bedroom unit, 2.75 spaces per 5-bedroom unit, 3.25 spaces per 6-bedroom unit  Garage: 156 garage spaces Open onsite spaces: 24 spaces Off-site, on street, parking: 29 spaces Disabled parking spaces: 0 spaces  Total Proposed: <b>209 parking spaces</b> 180 onsite, and 29 off-site public street (out of 58 available street spaces)
<b>Setbacks/height REQUIRED:</b> Front: Subject to Design Review Side: Subject to Design Review Exterior Side: Subject to Design Review Rear: Subject to Design Review Height: 60 feet	<b>SETBACKS/HEIGHT PROPOSED:</b> 6' along Santa Diana, 5' along Keck 10-16 feet (between buildings) 18.7 feet to 23.7 feet (varies) 4.5 feet 28 feet for 2-story, 37' for 3-story
<b>OPEN SPACE REQUIRED:</b> <u>Common Useable:</u> 78 Units x 200 square feet Total = <b>15,600 square feet</b>  <u>Private Useable:</u> 78 three + bdrm. units x 100 square feet Total = <b>7,800 square feet</b>	<b>OPEN SPACE PROPOSED:</b> Common Useable: Total = <b>20,986 square feet</b> (excluding walkways)  Private Useable: Total = <b>30,895 square feet</b> (avg. 396 sq. ft. per unit)
<b>Storage Requirement:</b> 3 bedroom Required: 250 cubic feet 4+ bedroom Required: 300 cu.ft.	<b>STORAGE PROPOSED:</b> 3-br.: 267-491 cu. ft. 4+br.: 317-502 cu. ft.

**ANALYSIS:**

*Compliance with Otay Ranch Village 2 Design Guidelines*

*Site Planning and Building Placement/Orientation:*

The Village Design Plan, Section III Residential District and the Village Core Master Precise Plan (MPP) include guidelines and policies that ensure that multi-family residential buildings will contribute to the pedestrian-oriented "Village Concept" established in the Otay Ranch GDP. Policies relating to pedestrian connections, building orientation, enhanced elevations and vehicular access are listed in each document to implement the visions. The pedestrian features throughout the site meet the intent of the Village Design Plan as described below.

Passive open space areas have been provided between buildings and at street intersections while three parks are located within walking distance of the site; a future park (P1 Park) site to the northwest, future park (P2 Park) to the north and future park (P5 Park) to the southwest for the residents to enjoy. Within the site, two (2) paseos with meandering walkways, canopy trees and

seating benches are provided in a north to south direction and another paseo in an east to west direction provides interconnected pedestrian corridors. Several active open space areas are provided onsite. A small pocket park located at the entrance on Santa Ivy Road with a tot lot, seating benches, canopy trees and low hedge barrier surrounding the tot lot provides easy access and safety for residents. Another small pocket park is located at the main entrance on Santa Cristina Road and contains a barbeque, covered wood trellis over a scored concrete seating area with bench seating and seat walls which allow for variety between the two pocket parks. These amenities are provided for residents and promote pedestrian activities and interaction.

In order to comply with the building siting polices and guidelines included in the Village Two Design Plan and Village Core MPP, buildings have been oriented to front on the perimeter public streets including the future P-2 Park, via semi-covered patios and porches that provide for a pedestrian connection.

While pedestrian access is the most significant feature in the Villages of Otay Ranch, increased vehicular access is also important in order to offer a variety of ways to access different areas. Dispersion of automobile traffic also has the effect of making areas more pedestrian friendly as cars and pedestrians have less direct interaction. Neighborhood R-17B(b) provides two vehicular access points through two private streets, one along Santa Christina Avenue and one along Santa Ivy Avenue.

*Architectural Theme:*

The Village Two SPA Design Plan, Multi-Family Residential Guidelines Section and Village Core MMP identify Santa Barbara, California as the design inspiration for the Village of Montecito (Village Two). As a fundamental component of the village core, the architecture of the proposed multi-family development is focused primarily on the Santa Barbara design theme. Although not mandated, preferred architectural styles for the core's multi-family development include Spanish Eclectic and Spanish Mission to complement the design theme of the remainder of the village.

Neighborhood R-17B(b) is within the Village of Montecito's Secondary Core District and its architecture is consistent with the policies of the Village Design Plan and the Village Core MPP. The proposed Tuscan and Spanish Eclectic architecture styles include eight color schemes with light to dark colored stucco walls, tile roofs, arched openings, decorative iron balcony railings, decorative tile and wrought iron pot shelves, in addition to accent colors for the trim and door/window/garage frame color.

Throughout Otay Ranch, enhanced elevations are required where developments are visible from public rights-of-way as well as pedestrian areas. This regulation is stipulated in the Village Two Planned Community (PC) District regulations and the Village Core MPP. Typically, mullioned windows, pop-outs, and window surrounds were used to meet these standards in previous villages, and these features have become standard in Village Two.

Enhanced elevations should include varying building elements, roof pitches, and setbacks to avoid monotony. In addition, distinctive building elements shall be oriented toward the corners of prominent village core and entry street intersections. Street facing facades are required to incorporate a range of scale-defining elements that relate larger building masses to the scale of the pedestrian. Elements may include columns, archways, doorways, porches or patios and upper floor balconies and windows. For the proposed project, additional design features such as decorative grills, pot shelves, and shutters at windows, wood braces over windows, decorative wood sill, stone veneer, decorative

tile surrounding arched entryways and building offsets were added along the front of the residential buildings to avoid a monotonous design.

*Parking:*

The Village 2 SPA regulations require 2.25 spaces (which includes 0.33 spaces per unit for guest parking) for the RM2 Land Use district. The base parking requirement is 176 spaces on site for the 78 homes planned for this neighborhood. To satisfy the SPA parking requirement, each unit provides a side-by-side two car garage (totaling 156 spaces) and 24 unassigned spaces for a total of 180 on-site spaces. Pursuant to the Otay Ranch Village 2 SPA, Section VIII.3.B, Parking Regulations, the City may allow the use of on-street parking to accommodate portions of a project's required parking, subject to Design Review discretion.

Staff requested the applicant to provide an additional 0.50 space for each bedroom for residential units greater than four bedrooms. The additional parking is to address concerns for the potential additional parking demand resulting from proposed larger homes up to six bedrooms. The applicant has agreed to provide 2.75 parking spaces for five-bedroom homes and 3.25 spaces for 6 bedroom homes, which results in a total parking requirement of 209 spaces. This is 33 spaces above the base parking requirement of 176 spaces. This requirement is identified in Condition # 8 in the attached City Council Resolution, which the applicant has agreed to.

The project provides 180 spaces on-site and proposes to satisfy the remaining required 29 parking spaces by utilizing no more than 50% of the 58 on-street spaces located on the adjoining streets including Santa Victoria Road, Santa Christina Avenue, Santa Ivy Avenue and Keck Street. The project meets required parking and does not propose any compact parking spaces. Staff supports the proposed use of on-street parking for the noted 29. The final design of the project will contain a unit mix that may not exceed the maximum allowance of 209 parking spaces and up to 50% of available on-street spaces.

*Open Space:*

The Village 2 SPA regulations require 200 square-feet of Common Usable Open Space per unit in the RM2 zoning district. The 78 units in this neighborhood require 15,600 square-feet of Common Usable Open Space. This project provides 20,986 square feet. The Village 2 SPA also requires 100 square feet of Private Open Space for homes with three bedrooms and above (x78) for a total requirement of 7,800 sf. The project exceeds this requirement with 30,395 square feet of private open space area, which is almost four times the amount required.

*Storage:*

Each of the duplex residential units will provide storage space. Storage space is required for condominium projects at the rate of 250 cubic feet for each 3 bedroom unit. The project provides a minimum of 267 cu ft. for each 3 bedroom unit, and up to 502 cu. ft. for the optional additional bedrooms.

**DECISION-MAKER CONFLICT**

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 500 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(11), for purposes of the Political Reform Act (Cal. Gov't Code §87100, *et seq.*).

Staff is not independently aware, and has not been informed by any City Council members, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

### **LINK TO STRATEGIC GOALS**

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The Project implements the Strong and Secure Neighborhoods Strategic goal by providing construction of a development project in a manner that ensures code compliance, public health and safety of the community.

### **CURRENT YEAR FISCAL IMPACT**

There are no fiscal impacts during the current fiscal year from the processing of the project. All costs for project processing are covered by the deposit account paid for by the applicant. Costs associated with the processing of future implementing permits will also be covered by permit fees or deposit accounts.

### **ONGOING FISCAL IMPACT**

The Project is privately owned and operated and will not create future expenditures for the City associated with approval of the item, including facility maintenance and operations.

### **ATTACHMENTS**

- 1) Locator Map
- 2) Disclosure Statement
- 3) R-17B Architectural Plans
- 4) R-17B Civil Engineering Plans
- 5) R-17B Landscape Plans

Staff Contact: Stan Donn, AICP, Senior Planner