



**ZONING ADMINISTRATOR
NOTICE OF DECISION**

NOTICE IS HEREBY GIVEN THAT THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA considered a Design Review application for a vehicle storage yard and associated office building within the Limited Industrial – Precise Plan (ILP) zone as further described below:

Date: October 17, 2023
Applicant: Luis Tamayo
Project Number: DR22-0029
Project Location: 3821 Main Street (APN: 629-130-23)
Project Planner: Oscar Romero

The Applicant proposes an outdoor vehicle storage yard and associated two-story, 1,316-square foot office building (“Project”) on a vacant 1.31-acre lot surrounded by primarily industrial uses. The southern portion of the subject property is separated from the rest of the site by a drainage channel running southwesterly through various parcels fronting along Main Street. The proposed vehicle storage yard will not encroach within the drainage channel area, which will be physically blocked off with a solid wall. The proposed Project improvements include installation of water and sewer laterals from the public utility mains to the proposed building, installation of a 24-foot-wide driveway and drive aisle along the western property boundary, and installation of concrete paving for parking area and building pad. Other proposed site improvements include landscaping and on-site bioretention basins.

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (“CEQA”) and determined that the project qualifies for a Class 3 categorical exemption pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines. No further environmental review is required.

The Zoning Administrator, as authorized under the provisions of Chula Vista Municipal Code (“CVMC”) Section 19.14.582(C), makes the following findings pursuant to CVMC Section 19.14.582(B):

The proposed development, as conditioned, is compliant with the development regulations of the CVMC and all other applicable development standards and is consistent with the design guidelines and recommendations contained within the Chula Vista Design Manual.

The following table compares the proposed development to the standards outlined in the CVMC:

	Requirement	Proposed
Lot Coverage	50 percent (maximum)	1,076 square feet (~ 2 percent)
Building Height	45 feet (maximum)	29 feet
Setbacks	Front: 20 feet Side: 50 feet (adjacent to R zoning) Rear: 0 feet	Front: 109 feet Side: 33/38 feet Rear: 443 feet

Parking	1 space / 200 square feet of office space = 5 spaces (minimum)	5 spaces
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While the Chula Vista Design Manual does not recommend a particular architectural “style,” it encourages high-quality, innovative, and imaginative architecture. Projects are expected to incorporate variations in form, building details, and siting to create visual interest. The proposed building design will consist of vertical and horizontal façade articulation, as well as a unique reverse gable roof and corrugated metal panels and stucco as building materials.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves DR22-0029 as described above, subject to the following conditions. Additional requirements may be enforced at the time of development, depending upon the final plans submitted for grading, improvement, and/or building permits. Unless indicated otherwise, the following shall be completed to the satisfaction of the Director of Development Services prior to the issuance of building permits and/or approval by the City of Chula Vista for the use of the subject property in reliance upon this approval.:

Planning

1. The exterior colors and materials specified on the building plans shall match the colors and materials shown on the plans approved by the Zoning Administrator with this permit.
2. A graffiti-resistant treatment shall be specified for all exterior wall and building surfaces. Additionally, the Project shall conform to CVMC Chapter 9.20 regarding graffiti control.
3. All roof appurtenances, including air conditioners and other roof-mounted equipment and/or projections, shall be shielded from view and the sound buffered from adjacent properties and streets as required by the Director of Development Services. Such screening shall be architecturally integrated with the building design.
4. All ground-mounted utility appurtenances (transformers, air conditioning condensers, etc.) shall be located out of public view and adequately screened using a combination of concrete or masonry walls, berming, and/or landscaping.
5. All exterior lighting shall include shielding to reduce any glare onto adjacent properties. Details for said lighting shall be included in the architectural plans.
6. The Applicant shall screen the vehicle storage area with a solid wall no shorter than six (6) feet in height. No vehicle may be stored higher than this wall.
7. The Applicant shall maintain a solid wall as separation from and as a physical buffer between the drainage channel area and the Project.

Landscape Architecture

8. Prior to the second submittal of the building permit set, the Applicant shall submit a complete set of Landscape Improvement plans for review and approval by the Director of Development Services or designee.

9. The Applicant shall finalize landscape and irrigation plans for review and approval by the Landscape Architecture Division in accordance with the City's Landscape Water Conservation Ordinance and Chula Vista Landscape Manual requirements.

Environmental Services

10. The Project shall be developed in accordance with CVMC Chapter 8.24 (Solid Waste) and CVMC Chapter 8.25 (Recycling, Organic Waste, and Edible Food Recovery), as well as the City of Chula Vista Recycling and Solid Waste Planning Manual ("RSWPM").

Land Development

11. The Applicant shall comply with all requirements and guidelines of the CVMC; the Chula Vista Subdivision Manual; the City of Chula Vista Design and Construction Standards; the Development Storm Water Manual for Development and Redevelopment Projects; the City of Chula Vista Grading Ordinance (No. 1797); and the California Subdivision Map Act.
12. Prior to the final building inspection, the infrastructure serving the Project Site shall be constructed and fully operational to the satisfaction of the Director of Development Services.
13. The Applicant shall deposit any applicable fees in accordance with the City Master Fee Schedule for any required submittals per the Subdivision Manual and CVMC.
14. The Applicant shall submit an improvement plan and obtain a construction permit for installing new sidewalk, extending the right edge line and hatched striping from 3817 Main Street, relocating existing chevron signs on Main Street, and providing an accessible ramp transition to the existing grade at the eastern sidewalk. Additional improvements may be required, and a striping and signage plan must be provided prior to issuance of any building permits.
15. Separate permits for other public utilities (gas, electric, water, cable, telephone) shall be required as necessary. Utilities trenching and restoration shall be completed in accordance with Chula Vista Construction Standard GSI-03.
16. Prior to issuance of any City permit, the Applicant shall identify, process, and obtain any additional required permits from any outside agency and/or jurisdiction.
17. Any improvements in the right-of-way beyond the Project limits shall be designed and constructed as to not interfere with adjacent businesses, as approved by the City Engineer.
18. Prior to beginning any earthwork activities at the site and prior to issuance of a building permit, the Applicant shall submit grading plans to the Land Development Division for processing, reviewing, and permitting in accordance with CVMC Chapter 15.04. Plans shall be in conformance with the City's Subdivision Manual and the City's most current Best Management Practices ("BMP") Design Manual.
19. Prior to the issuance of a grading permit, the Applicant shall obtain a letter from the geotechnical engineer indicating that any import material is suitable to be used on the site.

20. The Storm Water Quality Management Plan reviewed with this permit is considered conceptually complete and provides adequate information regarding the Project BMP's objectives to move forward with construction documents. Additional requirements may be imposed at the time of development or when a Land Development permit application is submitted, depending upon the final plans submitted for review and approval.
21. The Drainage Report reviewed with this permit is considered conceptually complete and provides adequate information regarding the Project's drainage objectives to move forward with construction documents. Additional requirements may be imposed at the time of development or when a Land Development permit application is submitted, depending upon the final plans submitted for review and approval.
22. Prior to the issuance of the first of the grading, construction, or building permit(s), the Applicant shall enter into a Storm Water Management Facilities Maintenance Agreement for the perpetual maintenance and funding of all post-construction permanent BMP facilities within the Project to the satisfaction of the City Engineer.
23. The Applicant shall submit a detailed Operation and Maintenance Plan for all permanent BMPs as required by the City to preserve the intended pollution control and/or flow control performance of the BMP. Upon completion of the BMPs/Project, the Applicant shall update/finalize the Operation and Maintenance Plan to reflect the constructed structural BMPs with as-built drawings and baseline photos.
24. Prior to grading permit issuance, the Applicant shall provide a complete and accurate Notice of Intent ("NOI"), filed with the State Water Resources Control Board ("SWRCB"), for the Project as covered under the Construction General Permit (CGP). A copy of the acknowledgement from the SWRCB that a NOI has been received for this Project shall be filed with the City of Chula Vista when received, and a copy of the completed NOI from the SWRCB showing the Permit Number for this Project shall be filed with the City of Chula Vista when received.
25. Right-of-way dedication may be required, based upon the cross-section of the preliminary Main Street Grading Plan. If dedication is required, no City permit shall be issued until the dedication is processed and recorded.
26. Prior to the issuance of any building permit within the Project, the Applicant shall provide the City with proof of Pad Certification.
27. Prior to the issuance of the first building permit, or prior to the first improvement plans approval, the Applicant shall provide a "Will Serve" letter from the Sweetwater Authority District.
28. The onsite sewer and storm drain systems shall be private. All sewer laterals and storm drains shall be privately maintained until the point of connection to public facilities.
29. All proposed sidewalks, walkways, pedestrian ramps, and accessible parking shall be designed to meet the City of Chula Vista Design Standards, Americans with Disabilities Act standards, and Title 24 standards, as applicable.
30. The proposed private water and fire lines shall be submitted on separate building plans and permitted separately by the Building Division and Fire Department.
31. All proposed fire access roads and driveways shall meet H-20 loading requirements or shall be designed for a Traffic Index of five (5).

32. All proposed trash enclosures shall be covered, meeting the standards of the City's most current BMP Design Manual Fact Sheet SC-Q.
33. Prior to the issuance of construction or building permits, the Applicant shall obtain an encroachment permit for any private facilities within public rights-of-way and/or City easements.
34. Prior to grading plan approval, the Applicant shall upload digital files directly to the City's GIS file upload page: <http://www.chulavistaca.gov/goto/GIS>. File should be uploaded in a .dwg or .dxf (AutoCAD version 2000 or above) format, ESRI GIS shapefile, or personal geodatabase (ArcGIS version 9.0 or above). The file upload site only accepts zip formatted files.

The following ongoing conditions shall apply to the Project for as long as it relies upon this approval:

35. The Applicant shall maintain the Project in accordance with the approved plans for DR22-0029, which include a site plan, floor plans, and elevations on file with the Development Services Department. The Project shall also maintain compliance with the conditions contained herein and Title 19 of the CVMC.
36. Approval of this Project shall not waive compliance with any provisions of the CVMC nor any other applicable laws and regulations in effect at the time of building permit issuance.
37. The Applicant shall execute this permit only as the authorized use. Any new use or modification/expansion of uses shall be subject to review and approval by the Zoning Administrator.
38. The Applicant and Property Owner shall and do hereby agree to fully and timely indemnify, protect, defend, and hold harmless the City, its City Council members, Planning Commission members, officers, employees, and representatives from and against any and all liabilities, losses, damages, demands, claims, and costs, including any costs and expenses to prepare the administrative record for any challenge to the Project approvals and/or compiling a response to a Public Records Act request(s) to provide the record of proceedings materials for the Project, the City's costs to retain its own defense counsel to defend any challenge to any Project-related approvals, court costs, and attorney fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) the City's approval and issuance of this permit and (b) the City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and the Applicant shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The Applicant and Property Owner's compliance with this provision is an express condition of this permit and shall be binding on any and all of the Applicant/operator's successors and assigns.
39. This permit shall expire if not utilized within three years of the approval date (October 11, 2026) or the end of any appeal period unless the Applicant initiates an extension prior to expiration of the permit in accordance with CVMC Section 19.14.600.
40. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.
41. If any of the foregoing conditions fail to be met, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; institute and prosecute litigation to

compel their compliance with said conditions; or seek damages for their violation. Neither the Applicant nor a successor in interest gains any vested rights from the City's approval of this permit.

42. The Applicant/Representative and Property Owner shall execute this document by making a true copy and signing this original Notice of Decision and the 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 same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 days shall indicate the Applicant/Representative's and Property Owner's desire that the Project and corresponding application(s) for building permits and/or business license(s) be held in abeyance without approval.

Luis Tamayo (Applicant)

Date

Juan Cortes, Jr. (Property Owner)

Date

APPROVED BY THE ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA, CALIFORNIA, this 17th day of October 2023.



D. Todd Philips
Zoning Administrator