



ZONING ADMINISTRATOR
NOTICE OF DECISION

Date: July 18, 2019
Applicant: Leo's Family Trust
Case No.: DR18-0007
Address: 571 Moss
Project Planner: Genevieve Hernandez, Associate Planner

Notice is hereby given that on July 18, 2019 the Zoning Administrator considered Design Review (DR) application (DR18-0007), filed by Leonidas Kalderimoglou ("Applicant"). The Applicant requests DR approval to construct four new residential units. ("Project"). The Project is located at 571 Moss Avenue ("Project Site") and is owned by Leo's Family Trust ("Property Owner"). The Project Site is zoned Apartment Residential Precise Plan (R3P) with a General Plan designation of Residential High (RH). The Project is more specifically described as follows:

The Project includes demolishing an existing single-family residence and constructing four apartment residential units in two separate buildings on a 12,450 square foot site. One building is a two-story structure located at the rear of the property, that will contain two, three-bedroom units and two-car garages for each unit. The second building is a two-story structure located at the front of the property, that will contain two, three-bedroom units and two-car garages for each unit.

The architectural style features for the units include stucco walls with asphalt shingle roofing and wood fascia trim. Other site improvements include 1,986 square-feet of landscaping, and private and common open space areas for active and passive recreation. A total of 3,867 square-feet of common usable open space is provided at various locations on the property, which includes decorative spaces with a patio and barbeque area. In addition, each unit will have its own private balcony on the second floor, adjacent to the living room.

The following Project Data Table shows the development regulations along with the Applicant's proposal to meet said requirements:

Development Standards:

Assessor's Parcel Number:	618-151-10-00
Current Zoning:	R3P (Apartment Residential)
General Plan Designation:	RH
Lot Area:	12,450 sf

<p>PARKING REQUIRED:</p> <p>Parking spaces, broken down as follows: 2 for every 3-bedroom unit = 2 x 4 = 8 Spaces Total = 8 spaces</p>	<p>PARKING PROPOSED:</p> <p>Covered Spaces = 8 Total = 8</p>
<p>SETBACKS/HEIGHT REQUIRED:</p> <p>Front: 15 feet Side: 5 feet Rear: 15 feet Height: 28/45 feet</p>	<p>SETBACKS/HEIGHT PROPOSED:</p> <p>Front: 15 feet Side: 5 and 5 feet Rear: 15 feet Height: 27'6" feet at its highest</p>
<p>OPEN SPACE REQUIRED</p> <p>Unit 1: 3 Bedrooms = 480 square feet Unit 2: 3 Bedrooms = 480 square feet Unit 3: 3 Bedrooms = 480 square feet Unit 4: 3 Bedrooms = 480 square feet</p> <p>Total Required = 1,920 square feet</p>	<p>OPEN SPACE PROPOSED</p> <p>Front Yard = 784 Middle Yard = 1,237 sf Rear Yard = 1,125 sf Balconies = 721 square feet</p> <p>Total Proposed = 3,867 square feet</p>

Planning staff has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15303 Class 3 (New Construction or Conversion of Small Structures) and Section 15332 Class 32 (Infill Development Projects) of the State CEQA Guidelines; no further environmental review is required.

The Project is consistent with the development regulations of the Chula Vista Municipal Code (R3P Apartment Residential Precise Plan), Design Manual, and Landscape Manual. The Zoning Administrator, under the provisions of CVMC Section 19.14.030.A.2, CVMC Section 19.14.080 has made the findings for approval of the Design Review based upon the following findings of facts:

DESIGN REVIEW FINDINGS:

- 1. The proposed development, as conditioned, is consistent with the development regulations of the Chula Vista Municipal Code and the design guidelines contained in the City's Design Manual.*

The Project includes demolishing an existing single-family residence and constructing four apartment residential units in two separate buildings on a 12,450 square feet site. The project also includes site improvements which are consistent with the Chula Vista Municipal Code development regulations relative to building height, setbacks, parking, landscaping, and performance standards and conditions.

- 2. *The design features of the proposed development are consistent with, and are a cost-effective method of satisfying, the design guidelines contained in the City of Chula Vista Design Manual.*

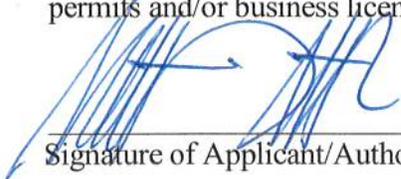
The Chula Vista Design Manual does not recommend a particular architectural style, but it encourages high-quality, innovative, and imaginative architecture. The design will incorporate a traditional design to include asphalt shingle roofing, stucco and wooden fascia trim. The proposed building incorporates a pitched roof as well as multiple balconies and windows to create visual interest and relief. The proposed architecture will blend in with the surrounding residential buildings which is consistent with the design guidelines of the Design Manual.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Design Review DR18-0007, as described above, subject to the following conditions of approval in Sections I and II:

- I. **The following shall be accomplished to the satisfaction of the Development Services Director, prior to issuance of building permits, unless otherwise specified:**

Development Services Department:

- 1. Prior to approval by the City of Chula Vista for the use of the subject property in reliance on this approval, the Applicant/Representative and Property Owner shall execute this Notice of Decision document by making a true copy and signing both the original and the copy on the lines provided below, 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 of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the Project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.



 Signature of Applicant/Authorized Representative

7/18/2019

 Date

MARTIN TARAZ

 Print

Leonidas Kaldarimoglou } 7-18-19

 Signature of Property Owner Date

By: John O. Boyle

 Print his attorney-in-fact

2. Prior to, or in conjunction with the issuance of the first building permit, the Applicant shall pay all applicable fees, including any unpaid balances of permit processing fees for deposit account BL-2774.
3. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials sheet approved by the Zoning Administrator on July 18, 2019.

Engineering Developments Services/Landscape Architecture:

4. The following fees will be required based on the final building plans submitted (see link below to Development Checklist for more information):
<http://www.chulavistaca.gov/home/showdocument?id=8129>
 - a. Sewer Connection and Capacity Fees
 - b. Public Facilities Development Impact Fees (PFDIF)
 - c. Western Transportation Development Impact Fees (WTDIF)
 - d. Other Engineering Fees as applicable per Master Fee Schedule
5. Additional deposits or fees in accordance with the City Subdivision Manual, and Master Fee Schedule will be required for the submittal of the following items:
 - a. Grading Plans
 - b. Construction Permit
6. Prior to obtaining any building permit for the Project, the Applicant shall be required to obtain a construction permit from the Land Development Section of the Development Services Department for Installation of Public Improvements which may include, but is not limited to:
 - a. Installation of a 16-foot driveway on Moss Street, per CVSD GSI-01. Provide dedication of R/w as needed in order for driveway to comply with American Disability Act (ADA) requirements.
 - b. Utilities Trenching and Restoration shall be installed in accordance with GSI—03.
 - c. Replacement of damaged/broken curb, gutter, and sidewalk along the Project's frontage.
7. Separate permits for other public utilities (gas, electric, water, cable, telephone) shall be required, as necessary.
8. The construction and completion of all improvement and release requirements shall be secured in accordance with Section 18.16.180 of the Municipal Code.
9. The onsite sewer and storm drain system shall be private. All sewer laterals and storm drain system shall be privately maintained from each building unit to the City-maintained public facilities.
10. All proposed sidewalks, walkways, pedestrian ramps, and disabled parking shall be designed to meet the City of Chula Vista Design Standards, ADA Standards, and Title 24 standards as applicable.

11. Any private facilities within Public right-of-way or City easement will require an encroachment permit prior to Improvement Plan or building permit approval.
 - a. Utilities trenching, and restoration shall be installed in accordance with CVCS-3 & 4.

12. All driveways shall conform to the City of Chula Vista’s sight distance requirements in accordance with Section 12.12.120 of the Municipal Code. Also, landscaping, street furniture, or signs shall not obstruct the visibility of driver at the street intersections or driveways.

13. Prior to issuance of building permit submit a “landscape documentation package for approval to the City of Chula Vista that demonstrates that the landscape associated with this application complies with the City of Chula Vista Landscape Water Conservation Ordinance, Chapter 20.12 of the Municipal Code. The title sheet of the drawings shall contain a signed statement from the landscape architect as follows:

“I am familiar with and agree to comply with the requirements for landscape improvement plans as described in Chapter 20.12 of the Municipal Code. I have prepared this plan in compliance with those regulations. I certify that the plan implements the regulations to provide efficient landscape water use.”

14. On the landscape plans, the Applicant shall add calculations that demonstrate that the water use of the landscape proposed can be adequately served by the available water budget as defined by the City of Chula Vista Landscape Water Conservation Ordinance. Verify that plant selections are sufficiently drought tolerant for the available water budget.

15. The Applicant shall pay Park Acquisition and Development (PAD) fees per dwelling unit prior to the issuance of the first Building Permit in accordance with CVMC 17.10.100. PAD Fees for Multi-Family projects: New dwelling units generate Park Acquisition and Development (PAD) fees in accordance with Chapter 17.10 of the City of Chula Vista Municipal Code. However, pursuant to Ordinance No. 3324, payment of PAD fees are deferred to prior to final inspection. The PAD fee amount shall be based on the rates in effect at the time in which they are due. The addition of four (4) new multi-family dwelling units in West Chula Vista projects will generate current Park Acquisition and Development (PAD) fees as follows:

West Chula Vista – Multi-Family PAD Fees

Fee Component	Fee per Unit	# Units	Fee
Parkland Acquisition	\$4,994	4	\$19,976
Parkland Development	\$7,894	4	\$31,576
Total	\$12,888	4	\$79,904

Note: PAD fees are adjusted annually on October 1st, and the above noted costs are subject to change at that time. PAD fees are due as set forth in CVMC 17.10.

Prior to final inspection, applicant shall pay PAD fees in accordance with the current rates in effect, as noted above.

16. The construction and completion of all improvements and release requirements shall be secured in accordance with Section 18.16.180 of the Municipal Code.
17. All utilities serving the proposed Project shall be underground pursuant to Municipal Code 15.32.
18. The Applicant shall demonstrate compliance with the California Building Code, minimum sewer grade (2%) from the farthest unit on the site to the sewer main.
19. The Applicant shall complete the applicable forms (Forms 5500, 5501, 5502, 5503 and 5504) prior to building permit approval.
20. Where feasible, storm water runoff from parking areas shall be directed to landscaped areas before discharge to storm drainage systems.
21. Clearly show the existing and proposed sanitary sewer lines and how the site will connect to the City's public sewage system. No sewer lines will be allowed to be located under existing or proposed buildings. Indicate whether sewer lines are public or private.
22. The Public Works Operations Section will need to inspect any existing sewer laterals and connections that are to be used by the new development. Laterals and connections may need replacement as a result of this inspection.
23. The onsite sewer and storm drain system shall be private. All sewer laterals and storm drains shall be privately maintained from each building unit to the City-maintained public facilities.
24. All proposed sidewalks, walkways, pedestrian ramps, and disabled parking shall be designed to meet the City of Chula Vista Design Standards, ADA Standards, and Title 24 Standards, as applicable.
25. Any private facilities, if applicable, within Public right-of-way or City easement will require an encroachment permit prior to Improvement Plan or building permit approval.
26. All utilities serving the subject property and existing utilities located within or adjacent to the subject property shall be undergrounded in accordance with the Chula Vista Municipal Code. Further, all new utilities serving the subject property shall be undergrounded prior to the final inspection approval.

Fire Department

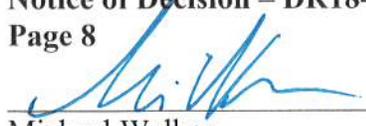
27. This Project is to be protected throughout by an approved automatic fire sprinkler system installed in accordance with NFPA 13R

28. All buildings protected by fire sprinkler systems are required to have a fire control room designed in accordance with CVFD standards. This room shall contain the fire sprinkler system riser and fire alarm control panel only. The room shall be accessible directly from the exterior of the building. Sheet C-0 shows the fire service lateral terminating at a location that has no fire control room shown/designed into the floor plan.

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

28. The Applicant shall maintain the Project in accordance with the approved plans for DR18-0007, date stamped on July 18, 2019, which include site plan and architectural elevations on file in the Development Planning Division, the conditions contained herein, and Title 19.
29. All landscaping and hardscape improvements shall be installed and maintained in accordance with the approved landscape plan.
30. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.
31. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Design Review approval, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/Operator shall acknowledge their agreement to this provision by executing a copy of this Design Review approval where indicated below. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this Design Review approval and shall be binding on any and all of Applicant/Operator's successors and assigns.
32. This Design Review approval shall become void and ineffective if not utilized within 36 months (three years) from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code, unless an extension application is submitted within 30-days of the expiration date of July 18, 2022.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA, CALIFORNIA, this 18th day of July 2019.



Michael Walker
Zoning Administrator