



## Development Services Department

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### ZONING ADMINISTRATOR NOTICE OF DECISION

NOTICE IS HEREBY GIVEN THAT THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA considered an application for Design Review (“DR”) of 196 for-sale condominium units as further described below:

<b>Date:</b>	<b>March 7, 2025</b>
<b>Applicant:</b>	<b>Lennar Homes of California, LLC</b>
<b>Project Number:</b>	<b>DR24-0009</b>
<b>Project Location:</b>	<b>Otay Ranch Village 8 West Parcel L (Portion) (APNs: 644-071-10, -11, -12, and -13)</b>
<b>Project Planner:</b>	<b>Caroline Young</b>

The Applicant proposes to construct 25 three-story condominium buildings with associated amenities (“Project”). The approximately 8.3-acre site is owned by HomeFed Village 8, LLC (“Property Owner”) and is in the TC (Town Center) zone of the Otay Ranch Village Eight West Sectional Planning Area (“SPA”) Plan, with a General Plan designation of TC (Town Center).

Each unit has either a one- or two-car garage, and the Project includes additional open parking spaces throughout the site for resident and guest parking. Enhanced paving is utilized at each driveway entrance. Amenities include a 9,530-square foot recreation area with a play structure, tables and chairs, a shade structure, and an open turf area near Main Street East. Another 3,158-square foot open space area is located in the southwest corner of the site, including a lounge area with a fire pit and seating and fixed tables and chairs.

The Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act (“CEQA”) and determined that the Project is adequately covered in the previously certified Final Environmental Impact Report (“FEIR”) for the Otay Ranch Village Eight West SPA Plan (FEIR 10-03; SCH #2010062093; adopted by City Council Resolution No. 2013-269 on December 17, 2013). No further environmental review or documentation is required.

The Zoning Administrator, under the provisions of Section 9.3.2(A)(6) of the Otay Ranch Village Eight West SPA Plan, makes the following findings as required by Chula Vista Municipal Code (“CVMC”) 19.14.593:

***The proposed Project is consistent with the City of Chula Vista’s General Plan, the Otay Ranch General Development Plan, and the Otay Ranch Village Eight West Sectional Planning Area Plan.***

The subject property is regulated by the Transect 4 (T-4) standards of the Otay Ranch Village Eight West SPA Plan, which encompass the TC zoning district. The proposed multifamily use is permitted and meets all the development standards as stipulated in the Otay Ranch Village Eight West Planned Community (PC) District Regulations as conditioned.

***The proposed Project is consistent with the design requirements and recommendations contained in the Otay Ranch Village Eight West Master Precise Plan.***

The Project complies with the Multi-Family Design Guidelines of the Otay Ranch Village Eight West SPA Master Precise Plan and is consistent with the SPA density requirements. The allowable number of residential units on the site is a total of 196 units, which the Applicant is proposing to

build. Each home includes either a one- or two-car garage. There are also open parking spaces for residents and their guests. A total of 370 parking spaces is required, and the Project proposes 440 spaces. Enhanced architectural details are proposed along the exterior street frontages, and the layout of the site provides for a pedestrian-oriented design consistent with the Otay Ranch Village Eight West SPA Plan. Per the Residential Guidelines, the maximum building height is 60 feet, and the Project proposes a maximum height of 39 feet. The Project also meets the requirements for minimum building separation and parking lane/drive aisle setbacks.

***The Project would not adversely affect the health, safety, or general welfare of the community.***

The proposed residential use will not adversely affect the health, safety, or general welfare of the community as this is an allowed use within the zone and meets all development standards.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Design Review DR24-0009 as described above, subject to the following conditions. Unless stated otherwise, these conditions must be met prior to the issuance of a building permit for the Project. Additional requirements may be imposed at the time of development, depending upon the plans submitted for review:

### **Planning**

1. The Applicant shall maintain the Project in accordance with the approved plans for DR24-0009, which include site plans, floor plans, and elevations on file in the Development Services Department, as well as with the conditions contained herein, CVMC Title 19, and the Otay Ranch Village Eight West SPA Plan.
2. A graffiti-resistant treatment shall be specified for all wall and building surfaces to a minimum of 10 feet above finished grade. This shall be noted on any building and wall plans and shall be reviewed and approved prior to the issuance of building permits. Additionally, the Project shall conform to CVMC 9.20.035 and CVMC 9.20.055 regarding graffiti control unless otherwise approved by the Director of Development Services.
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, berms, and/or landscaping. Transformers in the common areas shall be wrapped to blend in with the surrounding development or otherwise decorated to be unobtrusive.
5. All exterior lighting shall include shielding to reduce glare onto adjacent properties. Details for said lighting shall be included in the architectural plans.
6. The Applicant shall obtain a sign permit from the Development Services Department for each proposed sign. Signs shall comply with all applicable requirements of the CVMC and the Otay Ranch Village Eight West SPA Design Guidelines.

### **Land Development**

7. The Applicant shall comply with all applicable conditions of approval for Tentative Map No. CVT 19-03.
8. The proposed driveways along La Media Parkway and Main Street East shall conform to the City of Chula Vista's sight distance requirements in accordance with CVMC 12.12.130. Landscaping, street furniture, and/or signs shall not obstruct the visibility of drivers at street intersections or driveway entrances.
9. Prior to the issuance of any building permit for the Project, the Applicant shall obtain a construction permit for the two (2) private driveways off of La Media Parkway and Main Street East, which will include associated signage and striping in the City's right-of-way.
10. Prior to the issuance of any building permit for the Project, a lot line adjustment shall be approved.
11. Prior to issuance of the first grading permit for the Project, the Applicant shall record a Supplementary Community Declaration for the Annexable Property (newly developed area) to annex to the Community Declaration that provides for the establishment of the Cota Vera Community Association and imposes upon the Cota Vera community covenants, conditions, restrictions, and easements to benefit the overall Cota Vera community.
12. Prior to the issuance of a construction permit, the Applicant shall submit detailed improvement plans for all proposed work in the City's right-of-way. Improvement plans may be included as part of the grading plans or submitted separately as an improvement plan permit application. Signage and striping plans shall be included with the improvement plans and, at a minimum, shall include the following:
  - a. Installation of new crosswalk and limit line pavement markings. The plans shall also utilize the markings from Detail 22 of Figure 3A-104 from the California Manual on Uniform Traffic Control Devices ("CA-MUTCD") for a minimum of 50 feet along Private Drive "A" and Private Drive "B" from their intersections with Main Street East and La Media Parkway, respectively. All signage and pavement markings shall be in accordance with CA-MUTCD and City of Chula Vista requirements.
  - b. A traffic signal modification plan. The plan shall follow PROWAG, CA-MUTCD, and City of Chula Vista requirements.
  - c. Location of blue pavement markers identifying proposed fire hydrants. (Refer to Figure 3B-102 of the CA-MUTCD, Examples of Fire Hydrant Location Pavement Markers).
  - d. Installation of new stop (R1-1) and no turn (R3-2) signs, and STOP and limit line pavement markings; provide 50-foot minimum of detail 22 at proposed driveways. Sight visibility lines shall be shown on the signage and striping plans, and the plans shall indicate removal of any vegetation within said visibility lines.
13. Prior to establishing a permanent connection to the Otay Ranch Village Eight West sewer system, the Applicant shall:
  - a. Verify, using CCTV, the condition of the existing pipes to be used to re-route flows to the Otay Ranch Village Eight West sewer system;
  - b. Repair any deficiencies in the existing pipes to the satisfaction of the City Engineer; and
  - c. Flush the temporary sewer pipes with potable water before abandoning them.
14. Prior to issuance of the first of a building permit or construction permit for the Project, the Applicant shall provide the City with recorded documentation demonstrating access easement(s) for the proposed shared driveway along La Media Parkway and a fully executed maintenance agreement for all shared utilities

(including storm drain and sewer systems) between the property owners of the eastern and western portions of Parcel “L” within Otay Ranch Village Eight West.

15. The Applicant shall comply with all requirements and guidelines of the CVMC; the City’s Subdivision Manual; the City of Chula Vista Design and Construction Standards; the Development Storm Water Manual for Development and Redevelopment Projects; the City’s Best Management Practices (“BMP”) Design Manual; the Chula Vista Grading Ordinance (No. 1797); and the Subdivision Map Act.
16. Prior to issuance of the first building permit for the Project, the Applicant shall post a bond for the public infrastructure serving the Project site in accordance with the Subdivision Manual. This includes all public streets and utilities serving the Project site. The public infrastructure shall be constructed and fully operational before the final building inspection, to the satisfaction of the City Engineer.
17. Prior to the issuance of any building permit within the Project site, the Applicant shall provide the City with proof of Pad Certification.
18. Prior to issuance of the first building permit for the Project, the Applicant shall document, on applicable plans, compliance with the requirements pertaining to stormwater BMPs. The Applicant shall develop and implement post-construction BMPs in accordance with the regulations in effect at the time of permit issuance.
19. Separate permits for other public utilities (gas, electric, water, cable, telephone) shall be required as necessary.
20. All proposed sidewalks, walkways, pedestrian ramps, and accessible parking shall be designed to meet the City of Chula Vista Design and Construction Standards, Americans with Disabilities Act standards, and California Building Code (“CBC”) Title 24 standards, as applicable.
21. Prior to issuance of the first building permit, or prior to beginning any onsite grading (whichever occurs first), the Applicant shall obtain a grading permit in accordance with CVMC 15.04. The Applicant shall submit grading plans in conformance with the Subdivision Manual and the City’s Development Storm Water Manual requirements, including but not limited to the following:
  - a. Grading plans shall be prepared by a registered Civil Engineer and approved by the City Engineer.
  - b. A drainage study and geotechnical/soils investigations are required with the first submittal of grading plans. The drainage study shall calculate the pre-development and post-development flows and show how downstream properties and storm drain facilities are impacted by the Project. Design shall incorporate detention of storm water runoff if post-development flows exceed pre-development flows. The analysis shall include flows from two-year, 50-year, and 100-year return frequency storms. The drainage study shall also demonstrate that no property damage will occur during the 100-year storm event.
  - c. The drainage study shall show any off-site flows.
  - d. All onsite drainage facilities shall be private.
22. The Design Review Priority Development Project (“PDP”) Storm Water Quality Management Plan (SWQMP) is considered conceptually complete and provides adequate information regarding the Project BMP’s objectives to move forward with construction drawings. Depending upon the final plans submitted

for review and approval, additional requirements may be imposed at the time of development or when a Land Development permit application is submitted.

23. The Design Review drainage report is considered conceptually complete and provides adequate information regarding the Project's drainage objectives to move forward with construction drawings. Depending upon the final plans submitted for review and approval, additional requirements may be imposed at the time of development or when a Land Development permit application is submitted.
24. Prior to the issuance of any grading permit for the Project, the Applicant must file a complete and accurate Notice of Intent ("NOI") with the State Water Resources Control Board ("SWRCB") to ensure the applicable phase of the Project is covered under the Construction General Permit (CGP). A copy of the acknowledgement from the SWRCB that a NOI has been received for the Project shall be filed with the City when received. Further, a copy of the completed NOI from the SWRCB showing the Permit Number for the Project shall be filed with the City when received.
25. Prior to approval of the grading plan and issuance of a grading permit that includes offsite grading, the Applicant shall provide the City with Letters of Permission to Grade from offsite property owners.
26. The following applies to all Project retaining walls:
  - a. Structural wall calculations are required if walls are not built per San Diego Regional Standard Drawings or City of Chula Vista Construction Standard GRD-05.
  - b. Retaining walls that will be part of a building wall must be approved as part of the building permit for the Project.
  - c. Retaining wall drains shall tie into the drainage system.
27. The Applicant shall obtain an improvement plan permit from the Land Development Division for private sewer and/or storm drain systems designed and constructed to public standards and inspected by the Construction Inspection Division.
28. Prior to construction of any private water and fire line/structure systems to be inspected by the Building Services Division and the Fire Department, the Applicant shall obtain a building permit, fire permit, and improvement plan permit for such improvements.
29. The onsite sewer and storm drain systems shall be private. All sewer laterals and storm drains shall be privately maintained from each building unit to the City-maintained public facilities.
30. The Applicant shall obtain a construction permit for all work proposed in the City's right-of-way.
31. Prior to issuance of the first building permit for the Project, the Applicant shall provide the City with a copy of a "Will Serve" letter from Otay Water District.
32. Prior to issuance of the first of the building permit or construction permit for the Project, the Applicant shall enter into an Encroachment Agreement with the City for any private facilities, temporary or permanent, within the public right-of-way or a City easement.

33. The Applicant shall agree not to protest formation of or inclusion in a maintenance district or zone for the maintenance of landscape medians, scenic corridors along streets, and/or public parks within or adjacent to the subject development.
34. With the approval of the grading plan and prior to grading permit issuance, the Applicant shall provide digital files to the City in a format such as AutoCAD .dwg or .dxf (AutoCAD version 2000 or above), ESRI GIS shapefile, or personal geo-database (ArcGIS version 9.0 or above).

### **Landscape Architecture**

35. The first submittal of the building permit plan set shall include a complete set of landscape improvement plans for review and approval by the Development Services Department. For further information about submitting landscape improvement plans, and to download a landscape improvement review packet, see <https://www.chulavistaca.gov/departments/development/services/resources/dsdformsspecifications>. The plans shall conform to the following City documents including, but not limited to:
  - a. Landscape Water Conservation Ordinance (LWCO), CVMC 20.12
  - b. Chula Vista Landscape Manual
  - c. Shade Tree Policy (576-19)
36. Prior to the final building inspection, the Owner shall have installed Landscape Improvements and have had said improvements inspected by City staff, per approved Landscape Improvement Plans, to the satisfaction of the Director of Development Services or designee.
37. New dwelling units generate Park Acquisition and Development (PAD) fees in accordance with Chapter 17.10 of the City of Chula Vista Municipal Code. Payment of the PAD fee per dwelling unit is required in accordance with CVMC 17.10.100; however, pursuant to Ordinance No. 3324, payment of PAD fees is 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.
38. All Landscape Improvement plans shall be approved by the Otay Water District and County of San Diego Department of Environmental Health as applicable, prior to City approval.

### **Fire**

39. The Applicant shall apply for required building permits. Permits shall comply with applicable codes and requirements, including but not limited to the current California edition of the CBC and Fire Code (CFC) as may be amended by the City of Chula Vista.
40. Plans for the design and construction of onsite/private underground fire service utilities shall be included within a permit application submitted to the Development Services Department in the form of Private Utility Permit plans or as a separate permit directly with the Chula Vista Fire Department.
41. Where a portion of any of the proposed buildings is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the building, onsite fire hydrants shall be provided, and/or improvements to the existing public water main shall be made.

42. Fire hydrants shall be located and spaced in accordance with California Fire Code, Appendix C.
43. Fire apparatus access roads shall be provided for every facility or building and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building.
44. Fire apparatus access road dimensions shall be a minimum of 20 feet in width and have an unobstructed vertical clearance of 13 feet, six (6) inches.
45. Dead end fire apparatus access roads longer than 150 feet shall be provided with an approved area for turning around fire apparatus.
46. Grades for any access roadway shall be restricted to the following:
  - Asphalt < 11%
  - Concrete = 11-15%
47. This Project is to be protected throughout by an approved automatic fire sprinkler system in accordance with NFPA 13R.

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

1. 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.
2. The Applicant and Property Owner shall and do hereby agree to fully and timely indemnify, reimburse, 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.
3. If any of the foregoing conditions fails to be met, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fails 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.
4. The Applicant shall comply with all requirements and guidelines of the City of Chula Vista General Plan and the Otay Ranch Village Eight West SPA Plan, as amended from time to time, unless specifically modified by the appropriate department head with the approval of the City Manager.

5. This permit shall expire if not utilized within three years of the approval date or the end of any appeal period unless the Applicant initiates an extension prior to expiration of the permit in accordance with CVMC 19.14.600.
6. All of the terms, covenants, and conditions contained herein shall be binding upon and inure to the benefit of the heirs, successors, assigns and representatives of the Applicant as to any or all of the property.
7. 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.
8. 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 of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the Project and corresponding application(s) for building/grading permits and/or business license(s) be held in abeyance without approval.

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McKenna Layne  
for Lennar Homes of California, LLC  
(Applicant)

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Date

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McKenna Layne  
for TPG AG EH C III (LEN) CA 4, L.P  
(Property Owner)

\_\_\_\_\_  
Date

APPROVED BY THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA, CALIFORNIA, this  
7th day of March 2025.



D. Todd Philips, Ed.D.  
Zoning Administrator