



Development Services Department

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 modifications to an existing commercial building as further described below:

Date:	March 10, 2025
Applicant:	Avni Keshap
Project Number:	DR24-0004
Project Location:	2121 Olympic Parkway (APN: 643-020-70)
Project Planner:	Valeria Tarka

The proposal consists of reducing the building’s footprint and creating a “Y-shaped” drive-through lane for a Starbucks at the subject property (“Project”). The approximately 0.81-acre site (“Project Site”) is owned by Gershman Properties Eastlake Terraces, LLC (“Property Owner”) and is zoned Freeway Commercial (FC) within the Eastlake II Sectional Planning Area (“SPA”) Plan, with a Commercial Retail (CR) designation in the Chula Vista General Plan.

The proposed Project includes reducing the current building size by 1,612 square feet to create a 3,615-square foot restaurant. The Applicant also plans to alter the existing single-lane drive-through to accommodate additional vehicle stacking. As a result of the changes to the building size and drive-through lane, the Applicant will reduce the number of parking stalls provided on the Project Site by two (2). The total number of parking stalls will continue to meet the parking requirements outlined in the previously approved DR for the Eastlake Terraces shopping center and the Eastlake II SPA Plan. Additional site improvements will include new landscaping and an enhanced ADA walkway/ramp in the northeastern portion of the site.

The Director of Development Services has reviewed the Project for compliance with the California Environmental Quality Act (“CEQA”) and determined that the Project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines. No further environmental review is required.

The Zoning Administrator, under the provisions of Section 19.14.582(B) of the Chula Vista Municipal Code (“CVMC”), makes the following findings as required by CVMC 19.14.593:

The proposed project is consistent with the City of Chula Vista’s General Plan, CVMC Title 19, and the Eastlake II SPA Plan.

The use of the site for a restaurant is consistent with the General Plan’s designation for commercial retail. The Project is a permitted use in the FC zone, which includes restaurants with drive-throughs. Additionally, the modification to the Project Site will meet the bulk requirements and performance standards outlined in the Eastlake II SPA Plan and the CVMC. The alterations to the parking lot and drive-through will exceed the minimum requirements for parking and vehicle stacking.

The proposed project is consistent with the design requirements and recommendations contained in the City of Chula Vista’s Design Manual.

The Chula Vista Design Manual does not require a particular architectural style, but it encourages high-quality, innovative, and imaginative architecture. The Project is aligned with the design guidelines outlined in the Chula Vista Design Manual. Specifically, the Project will adhere a stone veneer to the lower portion of the building, and all façade elements will feature a neutral color palette. The materials and colors used within the Project are consistent with the existing structure and other buildings and elements in Eastlake Terraces, ensuring continuity within the shopping center. Additionally, the Project will include enhanced landscaping around the building and adjacent to the drive-through.

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

The Project will be subject to all health, safety, and general welfare standards and regulations set forth by the City of Chula Vista and other applicable agencies.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Design Review DR24-0004 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 and Project Site in accordance with the approved plans for DR24-0004, which include a site plan, floor plans, and elevations on file in the Development Services Department. The colors and materials specified on the building permit drawings shall be consistent with the colors and materials shown on the plans approved with this permit.
2. A graffiti-resistant treatment shall be specified on the building permit drawings for all wall and building surfaces up to 10 feet above finished grade. Additionally, the Project shall conform to CVMC 9.20.060 (Prevention Provisions) and 9.20.055 (Removal Provisions) regarding graffiti control unless otherwise approved by the Director of Development Services.
3. 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 Eastlake II Planned Community District Regulations, the CVMC, the Eastlake Terraces Planned Sign Program (PSP-03-03), and the Chula Vista Design Manual.
4. Buildings shall be designed to minimize energy consumption, in compliance with California Building Energy Efficiency Standards, Title 24, Parts 6 and 11.
5. The Applicant shall execute this permit only as the authorized use. Any new use or modification/expansion of uses shall be subject to the review and approval of the Zoning Administrator.
6. Ground-mounted utility appurtenances such as transformers and/or air conditioning condensers shall be located out of public view and/or adequately screened using a combination of concrete or masonry walls, berming, and/or landscaping. The sound from such appurtenances shall also be buffered from adjacent properties and streets using the same method(s). The method and type of screening shall be specified on the building permit drawings for the Project.

7. 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. Such screening shall be architecturally integrated with the proposed building design. The method and type of screening shall be specified on the building permit drawings for the Project.

Land Development

8. The Applicant shall comply with all applicable requirements and guidelines of the CVMC, the Chula Vista Subdivision Manual, the City's 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 Subdivision Map Act.
9. The Applicant shall be required to pay Development Services fees based upon the final approved building plans for the Project, including but not limited to the following:
 - a. Transportation Development Impact Fees
 - b. Public Facilities Development Impact Fees
 - c. Traffic Signal Fees
 - d. Parkland Acquisition and Development Fees
 - e. Sewer Capacity Fees and Sewer Administration Fees
 - f. Other applicable Engineering fees in accordance with the City's Master Fee Schedule
10. 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.
11. The Applicant shall deposit any applicable fees in accordance with the Master Fee Schedule for any required submittals per the Subdivision Manual and CVMC.
12. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with CVMC 12.12.120 and Chula Vista standard drawing RWY-05 (Sight Distance Requirements). Neither landscaping, street furniture, nor signs shall obstruct the visibility of drivers at street intersections or driveways.
13. Prior to the issuance of any building permit for the Project, the Applicant shall submit an improvement plan and obtain a construction permit to construct sidewalk, curb and gutter, street trees, private driveways, and associated signage and striping for any proposed work in the City's right-of-way.
14. 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 standard drawing GSI-03.
15. Prior to the issuance of any City permit for the Project, the Applicant shall identify, process, and obtain any required permits from any outside agency or/and jurisdiction for the Project.
16. Any improvements in the public right-of-way beyond the Project limits shall be designed and constructed as not to interfere with adjacent businesses, as approved by the City Engineer.
17. Prior to beginning any earthwork activities at the site, and prior to the issuance of a building permit for the Project, if the combined volume of proposed cut and fill is more than 250 cubic yards and/or the cut or fill depth is more than three (3) feet, the Applicant shall submit grading plans to the Land

Development Division for processing, reviewing, and permitting in accordance with CVMC 15.04. Plans shall be in conformance with the City's Subdivision Manual and the City's current Best Management Practices ("BMP") Design Manual.

18. Prior to importing any fill material to the Project Site, the Applicant shall provide a letter from the Project's geotechnical engineer deeming that the estimated 102 cubic yards of imported material is suitable, as well as obtain a transportation permit.
19. The Applicant shall provide technical reports during review of the grading plans, including but not limited to geotechnical, drainage, sewer, and any other required reports. The reports shall be reviewed and approved prior to the issuance of the grading permit.
20. The Design Review stormwater quality management plan (SWQMP) is considered conceptually complete and provides adequate information regarding the Project's BMP objectives to move forward with construction drawings. Additional requirements may be imposed at the time of development and/or at the time of Land Development permit application, depending upon the final plans submitted for review and approval.
21. Prior to issuance of the first City permit for the Project, the Applicant shall enter into a stormwater management facilities maintenance agreement for the perpetual maintenance and funding of all post-construction permanent BMP facilities on the Project Site, to the satisfaction of the City Engineer.
22. Prior to beginning any construction activities, the Applicant shall obtain a demolition permit for any demolition work.
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. Additional requirements may be imposed at the time of development and/or at the time of Land Development permit application, depending upon the final plans submitted for review and approval.
24. The following applies to any retaining wall on the site:
 - a. When grading plans are submitted for a grading permit, all retaining walls shall be noted on the grading plans and include a detailed wall profile.
 - b. Structural wall calculations are required if walls are not built per San Diego Regional Standard Drawings or Chula Vista standard drawing GRD-05.
 - c. Retaining walls that will be part of a building wall must be approved as part of the building permit for the Project.
 - d. Retaining walls around trash bins (if any) shall be noted on the grading plans and called out per standard.
 - e. Retaining wall drains shall tie into the drainage system.
25. Prior to the issuance of any permit for the Project, the Applicant shall provide the City with a "Will Serve" letter from Otay Municipal Water District.
26. 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.

27. All proposed sidewalks, walkways, pedestrian ramps, and parking for people with disabilities, if any, shall be designed to meet Chula Vista design standards, Americans with Disabilities Act (ADA) standards, and Title 24 standards, as applicable.
28. Any proposed private water, sewer, and fire line structures shall be submitted on a separate building plan and permitted by the Building Services Division and Fire Department.
29. Any proposed trash enclosure shall be a covered trash enclosure and meet the requirements of the City's current BMP Design Manual Fact Sheet (SC-Q).
30. The Applicant shall obtain an encroachment permit for any private facilities within public rights-of-way and/or City easements.
31. Submitted site plans shall include and display the location of a grease interceptor, and the location of the grease interceptor must be approved by the San Diego Health Department. Sizing will be reviewed by the City during the processing of the building plans.
32. Prior to grading plan approval, the Applicant shall upload digital files to the City's digital submittal file upload website in a format such as AutoCAD .dwg or .dxf (AutoCAD version 2000 or above), ESRI GIS shapefile, or personal geodatabase (ArcGIS version 9.0 or above). The files should be transmitted directly to the GIS section at <http://www.chulavistaca.gov/goto/GIS>. The upload site only accepts zip-formatted files.

Environmental Services

33. Prior to the issuance of a building permit for the Project, the Applicant shall demonstrate compliance with the construction and demolition debris recycling requirements as set forth in CVMC 8.25.095, including submittal of a Waste Management Report and possible payment of a Performance Deposit.

Landscape Architecture

34. Upon approval of the Conceptual Landscape Plan, landscape improvement plans will be required for the Project. Please visit the City's Landscape Architecture webpage for further instruction on submitting landscape plans: <https://www.chulavistaca.gov/departments/development-services/permit-information/permit-process/project-submittal-process>.
35. Upon approval of this permit, which includes the Conceptual Landscape Plan, and prior to approval and issuance of a building permit for the Project, the Applicant shall submit complete landscape improvement plans for approval.

Transportation Planning/Traffic Engineering

36. If queues from the Project Site are observed on City streets by City personnel or the public, the operator shall meet and confer with City personnel and develop and implement additional traffic control and queue management measures as necessary to avoid stacking onto City streets. These measures may include those described in page 52 of the Local Mobility Analysis (LMA) (attached) and/or additional measures developed in consultation with the City Traffic Engineer.

37. Prior to obtaining the certificate of occupancy for the Project, the Applicant shall contribute 2.8 percent of the total cost toward traffic signal controller upgrades at the Olympic Parkway/Town Center Drive intersection. This cost represents the Applicant's fair share of the total cost of the improvements based upon the Project's expected traffic impacts.
38. No later than 45 days after issuance of the certificate of occupancy for the Project, the Applicant shall conduct a field survey to observe traffic operations at the Olympic Parkway/Town Center Drive intersection and shall provide any recommended signal timing adjustments based on this observation to the City Traffic Engineer for consideration and possible implementation.

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 shall comply with all requirements and guidelines of the City of Chula Vista General Plan, the Eastlake II SPA Plan, the Chula Vista Landscape Manual, the Chula Vista Design Manual, and the Non-Renewable Energy Conservation Plan, all as amended from time to time, unless specifically modified by the appropriate department head with the approval of the City Manager. These plans may be subject to minor modifications by the appropriate department head with the approval of the City Manager; however, any material modifications shall be subject to approval by the Zoning Administrator.
3. 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.
4. This permit shall expire if not utilized within three (3) years of the approval date (March 10, 2028) 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.
5. 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.
6. 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 any successor in interest gains any vested rights from the City’s approval of this permit.

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.

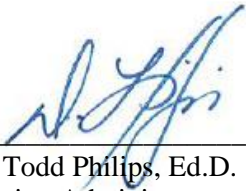
Avni Keshap
Applicant

Date

Valerie Bermudez
for Gershman Properties Eastlake Terraces, LLC
Property Owner

Date

APPROVED BY THE ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA, CALIFORNIA, this
10th day of MARCH 2025.



D. Todd Phillips, Ed.D.
Zoning Administrator

ENCLOSURE 1: Excerpt of Local Mobility Analysis (LMA) - Page 52

Traffic Management Plan

Based on the drive-through queue analysis and the proposed site plan, the following traffic management plan could be implemented if the drive-through lane queue begins to affect the traffic circulation or if the queue from the South Driveway extends to the Starbucks site entrance.

- If the queuing conditions of the drive-through lane begin to affect the traffic circulation, Starbucks stated that staff could begin processing orders prior to the order board using tablets and conduct the orders at the vehicles in the drive-through queue. The orders can then be made sooner, which will enhance the drive-through ordering process (control point at order board). Starbucks can also have motorists with complex or large orders move outside of the drive-through lane and park. Starbucks staff will then deliver the order to the parked vehicle.
- If the westbound queue exiting the South Driveway extends to the Starbucks site entrance and begins to impact the Starbucks internal circulation, Starbucks will redirect the egress project traffic to exit the site via the North Driveway.