



DATE: July 11, 2018

File: UP 18-13

TO: ZONING ADMINISTRATOR

FROM: Kimber Gutierrez, Associate Planner, 530-879-6810, kimber.gutierrez@chicoca.gov

RE: Use Permit 18-13 (Enclave on East), 1266 East Avenue, APN 016-040-020

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from further environmental review and approve Use Permit 18-13 (Enclave on East), based on the findings and subject to the recommended conditions of approval.

BACKGROUND

This is a request to authorize the construction of a multi-family residential development in the OR (Office Residential) zoning district. The project site is designated Office Mixed Use on the General Plan Land Use Diagram and is zoned OR -AOC (Office Residential with an Airport Overflight Zone C overlay). Allowable residential densities within the OR zone district range from 6 to 20 dwelling units per gross acre and allowable residential densities within the – AOC overlay district are less than or equal to 0.2 units per gross acre or greater than or equal to 4.0 units per gross acre.

The 2.7-gross acre project site is located on the north side of East Avenue, between Floral Avenue and Mariposa Avenue (See **Attachment A**, Location Map). There are no existing structures on the property, which is a highly disturbed vacant site. Surrounding land uses include single-family residential uses to the north, east, and south, with office uses to the west.

The proposed development includes the construction of 11 four-plexes (44 dwelling units total), resulting in a gross density of 18 units per gross acre (see **Attachment B**, Plat to Accompany Use Permit 18-13). The development includes 11 new buildings each containing four, two-bedroom, two-story units. The site design is proposing an approximately 0.3-acre commercial lot and guest parking area adjacent to East Avenue on the southerly portion of the site with the multi-family housing situated around a central open space common area on the northerly portion of the site. A drive aisle would create access to the development from East Avenue creating a loop around the central open space common area with each building situated around the drive aisle. The central open space common area would contain parking stalls and trash enclosures to serve the residents. An additional resident parking area would be positioned on the westerly border of the property creating access to the adjacent office use parking area for secondary emergency access.

Detailed site improvements, landscaping, parking and architecture associated with the project will be reviewed by the Architectural Review and Historic Preservation Board (ARHPB) at a future date.

DISCUSSION AND ANALYSIS

Land Use

Pursuant to Chico Municipal Code (CMC) §19.44.020, Table 4-6 (*Allowed Uses and Permit Requirements for Commercial Zoning Districts*), use permit authorization is required to construct multi-family residential in the OR (Office Residential) zoning district. Potential noise and light generation from the proposed use would be typical of a residential development and is considered compatible with the surrounding land uses.

OR Development Standards

As stated, the proposed project is a request to construct 11 four-plexes (44 residential units) on a 2.7 gross acre site. This development would result in a gross density of 18 units per gross acre, which is in the range of allowable density in the OR zoning district (6 to 20 units per gross acre).

The OR zoning district setback requirements are largely determined by the adjacent zoning districts. If an OR zoned parcel abuts a RS (Suburban Residential) or R1 (Low Density Residential) zoning district, an additional five feet is required for each story over the first. The proposed site abuts an R1 zoning district on the rear and east-side property lines resulting in a 15-foot rear and five-foot side setbacks. Consequently, any second storied residential development would require an additional five foot setback. The overall site and building design will be analyzed as part of the architectural review process.

Vehicle Parking

Pursuant to CMC §19.70.040 (*Number of parking spaces required*), multi-family housing must provide 1.75 spaces for each two-bedroom unit and one space per each five units for guest parking. The proposed multi-family housing development includes 44, two-bedroom units resulting in a total of 85 required parking spaces (77 resident spaces and eight guest spaces). The proposed parking areas located throughout the internal drive aisle contains 71 parking stalls not meeting the CMC required number of parking space requirement. The amount of parking space provided is dependent on the site design; therefore, the amount of parking, shading, and landscaping materials for the proposed parking area will be analyzed as part of the architecture review process, which may result in a reduction of on-site parking.

General Plan Consistency

The project is consistent with several General Plan goals and policies, including those that encourage compatible infill development (LU-1, LU-4, and CD-5), rehabilitation and revitalization of existing neighborhoods (LU-3, H.5), and providing adequate supply of rental housing to meet a wide range of renters and future needs throughout the City (H.3, H.3.2, H.3.4).

OTHER ENTITLEMENTS

All proposed improvements, including the building designs, parking, landscaping, and other improvements will be subject to site design and architectural review pursuant to CMC 19.18 (*Site Design and Architectural Review*), as well as review and approval by other City departments.

ENVIRONMENTAL REVIEW

This project is categorically exempt from further review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines §15332 (In-Fill Development Projects). Consistent with this exemption, the project is: consistent with applicable general plan designation and all applicable general plan policies and zoning designation and regulations. The site is within city limits on a project site less than five acres and is surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in significant effects related to traffic, noise, air, or water quality, and the site is adequately served by all utilities and public services.

FINDINGS

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all the following findings can be made:

Use Permit Findings

- A. *The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Chapter 19.24 (Use Permits).*

Chico Municipal Code §19.44.020, Table 4-6, provides for multi-family housing in the OR (Office Residential) zoning district, subject to use permit approval. This use permit has been processed in accordance with the requirements of Chapter 19.24.

- B. *The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.*

No impacts to the health, safety, or welfare of persons residing or working in the neighborhood have been identified as the proposed residential use is consistent with the existing surrounding residential uses. The use is within the OR zoning district, which has established development standards that avoid height and privacy impacts to any adjacent single-family residential development. The project has been conditioned to require design review to ensure that the final design meets all applicable Design Guidelines. No impacts to the health, safety, or welfare of neighborhood residents have been identified.

- C. *The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.*

The surrounding area currently contains single-family residential and office uses, improved public streets, bicycle facilities, and access to public transit (B-Line Route #4 stops along East Avenue at several locations). Existing regulations require that any public improvements damaged during the course of construction be repaired or reconstructed by the applicant. No impacts to property or improvements have been identified.

- D. *The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.*

The project is consistent with several General Plan goals and policies, including those that encourage compatible infill development (LU-1, LU-4, and CD-5), rehabilitation and revitalization of existing neighborhoods (LU-3, H.5), and providing adequate supply of rental housing to meet a wide range of renters and future needs throughout the City (H.3, H.3.2, H.3.4).

- E. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.*

OR zone development standards are intended to provide compatible separation from the neighboring single-family residential development. Design details such as aesthetics, setbacks, parking and landscaping will be evaluated by the Architectural Review and Historic Preservation Board and conditioned as necessary, which will ensure project compatibility with existing adjacent uses.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 18-13 authorizes the construction of a multi-family housing development in the OR (Office Residential) zoning district, in substantial accord with the "Plat to Accompany Use Permit 18-13 (Enclave on East)," as amended by the Architectural Review and Historic Preservation Board and in compliance with all other conditions of approval.
2. The permittee shall comply with all other State and local Code provisions, including those of the Building Division, Public Works Department, Fire Department, and Butte County Environmental Health. The permittee is responsible for contacting these offices to verify the need for permits.
3. Prior to issuance of building permits, the design of all new structures, site improvements, parking, and landscaping for the project shall be subject to review, in compliance with Chico Municipal Code Section 19.18 (Site Design and Architectural Review). Board approval of the final design may result in modifications to the approved plat.

PUBLIC CONTACT

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date and notices were mailed out to all property owners and tenants within 500 feet of the project site.

DISTRIBUTION

Internal

Brendan Vieg, Zoning Administrator
Kimber Gutierrez, Associate Planner

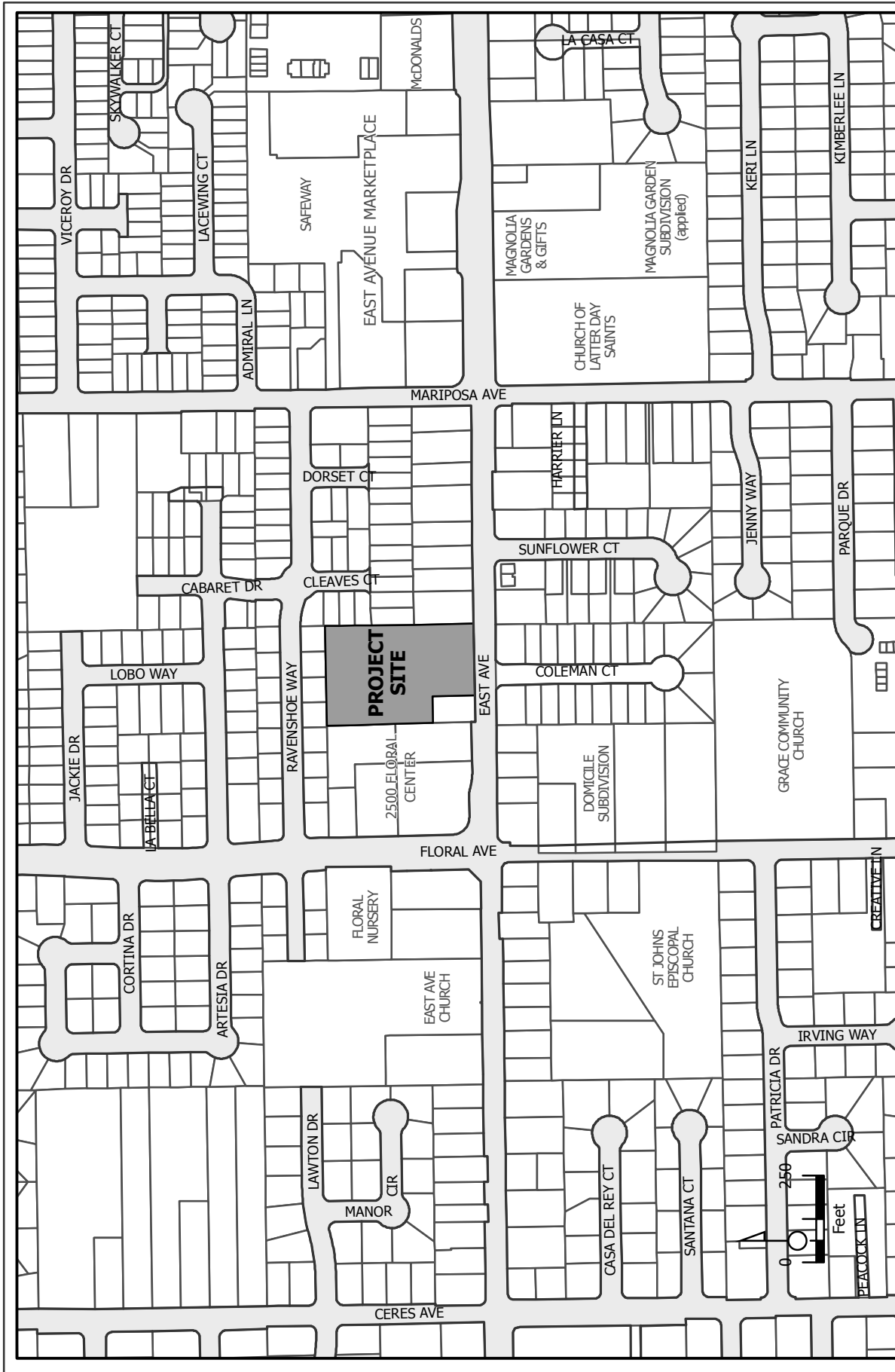
External

Creative Development Solutions, 1552 Winkle Drive, Chico, CA 95926
Roy Engel, 2521 Stephanie Court West, Santa Rosa, CA 95407

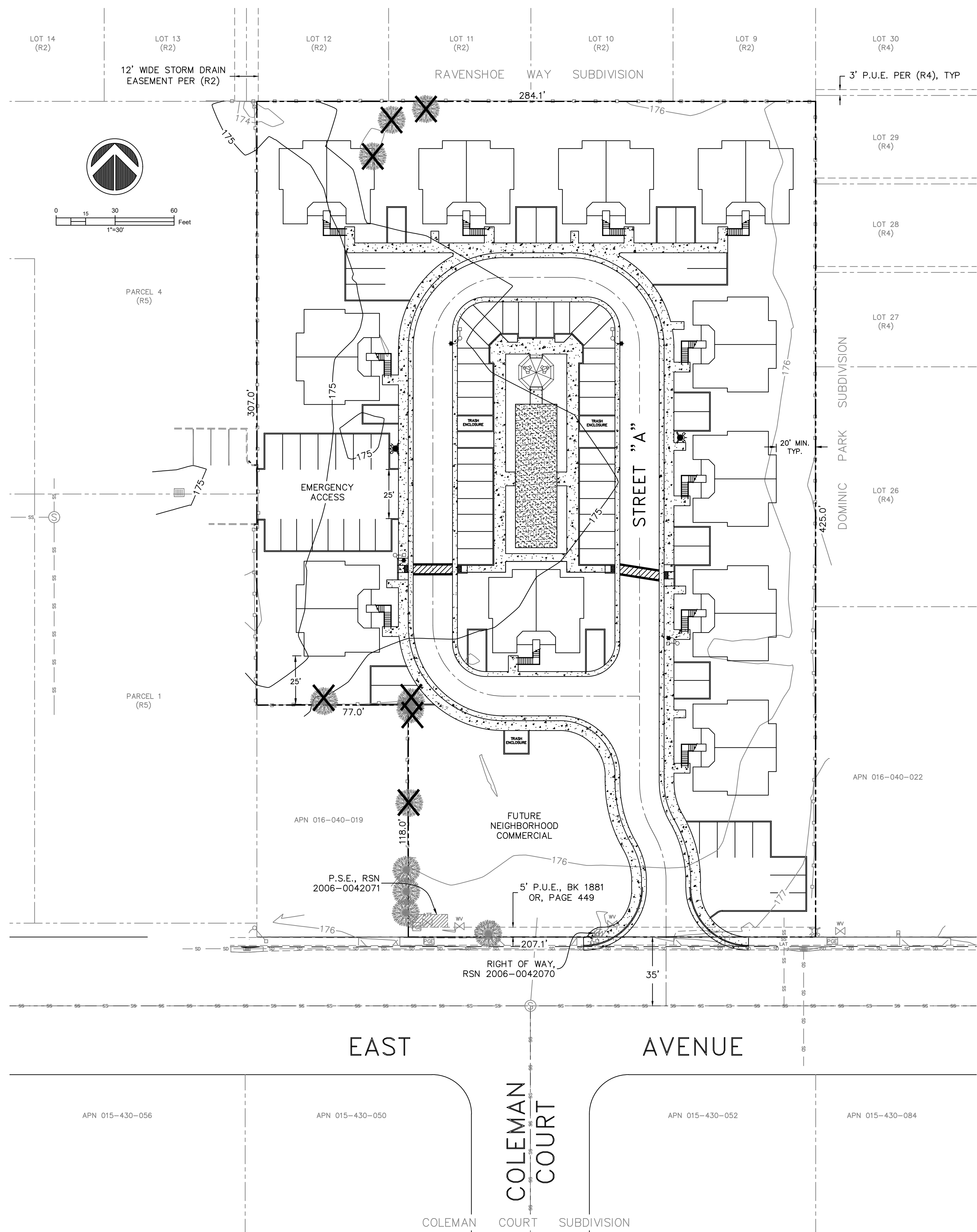
ATTACHMENTS

- A. Location Map
- B. Plat to Accompany Use Permit 18-13 (Enclave on East)

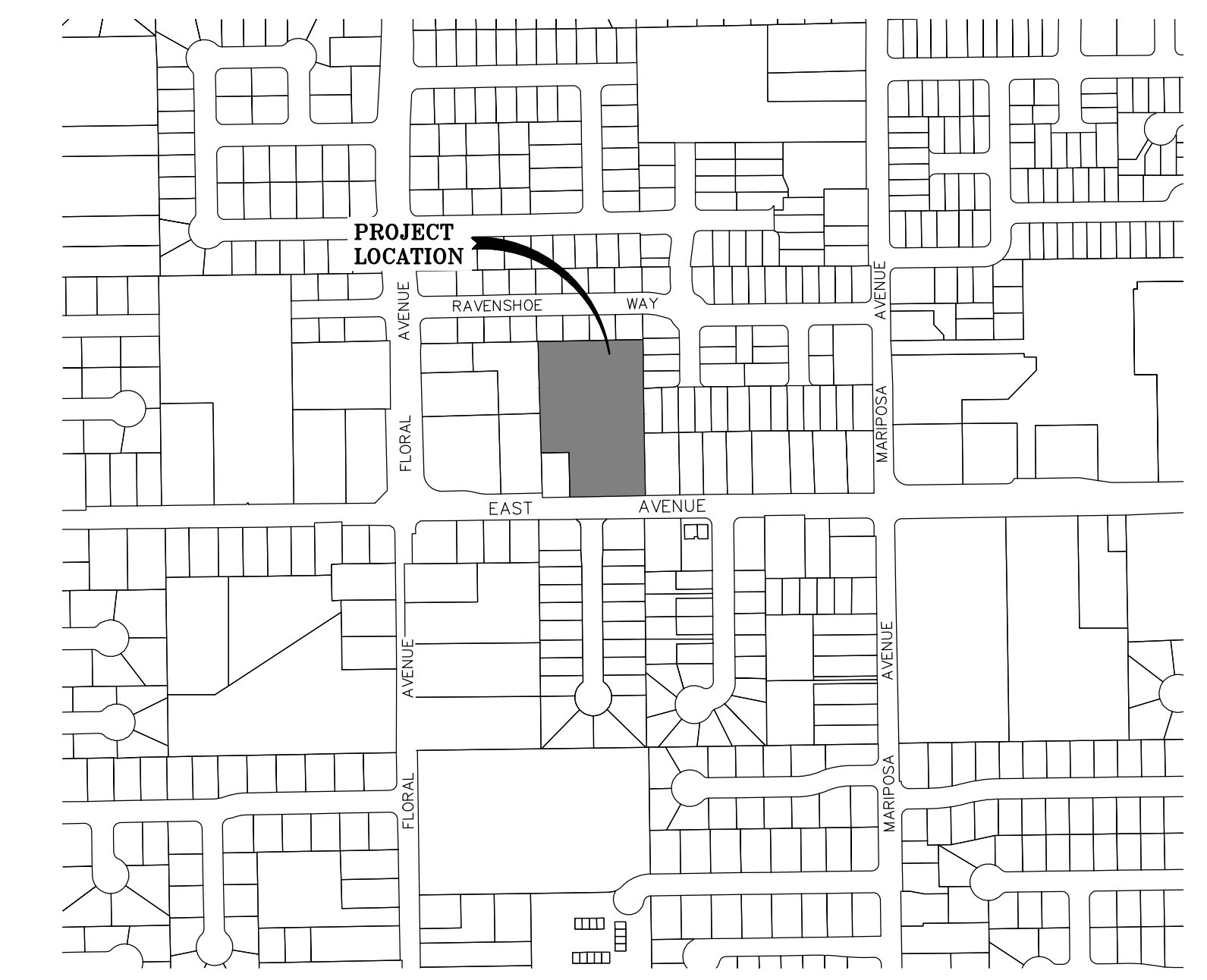
X:\Current Planning\Use Permits\2018\13 Enclave on East\7-24 ZA Mtg\ZA Report UP 18-13 (Enclave on East).doc



UP 18-13 (Enclave on East) 1266
 East Avenue
 APN: 016-040-020-000



- LEGEND:**
- 176— EXISTING GROUND CONTOUR (CITY OF CHICO DATUM)
 - SUBDIVISION BOUNDARY
 - - - PROPOSED LOT LINE
 - - - CENTER LINE
 - - - EXISTING EASEMENT AS NOTED
 - - - PROPOSED EASEMENT AS NOTED (SEE SHEET 3)
 - ==== EXISTING CURB, GUTTER AND SIDEWALK
 - ==== EXISTING SANITARY SEWER MAN HOLE AND SEWER LINE
 - ==== PROPOSED CURB AND GUTTER
 - ==== PROPOSED CONCRETE AREA
 - ==== EXISTING STORM DRAIN DROP INLET
 - P.U.E. PUBLIC UTILITY EASEMENT
 - P.S.E. PUBLIC SERVICE EASEMENT
 - ROW RIGHT OF WAY
 - BOC BACK OF CURB
 - BOW BACK OF WALK
 - ⊗ EXISTING TREE TO REMAIN
 - ⊗ EXISTING TREE TO BE REMOVED
 - ⊗ EXISTING FENCE
 - ⊗ EXISTING FIRE HYDRANT
 - ⊗ PROPOSED FIRE HYDRANT
 - ⊗ EXISTING WATER VALVE
 - ⊗ EXISTING STREET LIGHT
 - ⊗ PROPOSED STREET LIGHT
 - ⊗ EXISTING TREE STUMP
 - ⊗ PROPOSED TURF PER LANDSCAPE DRAWINGS



LOCATION MAP
NTS

- RECORD REFERENCES:**
- (R1) - "MAP OF THE FIFTEENTH SUBDIVISION OF THE JOHN BIDWELL RANCHO, NEAR CHICO, CA" BOOK 6 OF MAPS, PAGE 48
 - (R2) - "RAVENSHOE WAY SUBDIVISION" BOOK 142 OF MAPS, PAGES 47 AND 48
 - (R3) - "COLEMAN SUBDIVISION" BOOK 126 OF MAPS, PAGES 53 AND 54
 - (R4) - "DOMINIC PARK SUBDIVISION" BOOK 152 OF MAPS, PAGES 35-37
 - (R5) - RSN 2001-0041502

OWNER:
ROY ENGEL, ET. AL.
2521 STEPHANIE COURT WEST
SANTA ROSA, CA 95407

SUBVIDER:
CREATIVE DEVELOPMENT SOLUTIONS
1552 WINKLE DRIVE
CHICO, CA 95926
(707) 696-9596

ENGINEER:
W. GILBERT ENGINEERING
WESLEY E. GILBERT, R.C.E. 31689
140 YELLOWSTONE DRIVE, SUITE 110
CHICO, CALIFORNIA 95973
(530) 809-1315

ASSESSOR'S PARCEL NUMBER:
016-040-020

LAND USE:
PRESENT: VACANT
FUTURE: MULTI-FAMILY RESIDENTIAL AND COMMERCIAL

ZONING:
PRESENT: OR
FUTURE: OR

UTILITIES:
SANITARY SEWER: CITY OF CHICO
WATER: CALIFORNIA WATER SERVICE COMPANY
POWER: PACIFIC GAS & ELECTRIC
COMMUNICATIONS: AT&T
CABLE TV: COMCAST
STORM DRAIN: CITY OF CHICO

GENERAL NOTES:

- 1) PARCEL INFORMATION:
TOTAL ACREAGE (TO CL): 2.730
RESIDENTIAL GROSS ACREAGE: 2.348
COMMERCIAL GROSS ACREAGE: 0.382
RESIDENTIAL NET ACREAGE: 2.376
COMMERCIAL NET ACREAGE: 0.287
TOTAL NUMBER OF UNITS: 44
UNITS PER RESIDENTIAL GROSS ACRE: 18.7
- 2) THE PARCEL LIES IN FLOOD ZONE "X" AS SHOWN ON FIRM MAP NUMBER 06007C0339E DATED JANUARY 6, 2011.

PARKING ANALYSIS:

44-2 BEDROOM UNITS - REQUIRED PARKING = 1.75*44 = 77 SPACES

GUEST PARKING = 9 SPACES
TOTAL REQUIRED PARKING = 86 SPACES
TOTAL PARKING SUPPLIED = 76 SPACES

**THE ENCLAVE ON EAST
PRELIMINARY SITE PLAN**

for
CREATIVE DEVELOPMENT SOLUTIONS

BEING A PORTION OF LOT 21 SHOWN ON THE MAP ENTITLED "MAP OF THE FIFTEENTH SUBDIVISION OF THE JOHN BIDWELL RANCHO, NEAR CHICO", RECORDED IN BOOK 6 OF MAPS, AT PAGE 48. CITY OF CHICO, COUNTY OF BUTTE STATE OF CALIFORNIA

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