



**DATE:** October 12, 2017

File: UP 17-16

**TO:** ZONING ADMINISTRATOR

**FROM:** David Young, Senior Planner, 879-6535 or david.young@chicoca.gov

**RE:** Use Permit 17-16 (JR Homes Offices and Apartments)  
269/271 E. 3<sup>rd</sup> Street (APN 004-171-002)

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### **RECOMMENDATION**

Planning staff recommends that the Zoning Administrator approve Use Permit 17-16 (JR Homes Offices and Apartments), based on the required findings and subject to the recommended conditions of approval contained herein.

### **BACKGROUND**

Pursuant to CMC 19.44.020 multi-family housing and two-family housing/duplexes are allowable in the OC zoning district subject to Use Permit (UP) approval. The applicant proposes to construct a vertical, mixed-use building with offices and apartments on a 3,200-square foot site, located on E. 3rd Street, between Wall and Flume Streets, in Downtown Chico. The ground level would contain two office suites, with two townhouse apartments comprising the second and third floors. The density range for residential development within the OC district is 6 to 20 dwelling units per acre. If residential uses are integrated vertically, there is no minimum density requirement. The existing on-site duplex would be demolished and removed.

The site is designated Office Mixed Use (OMU) on the General Plan Land Use Diagram and located in an Office Commercial (OC) zoning district. The site is also located in a Landmark (-L) and Corridor Opportunity Site (-COS) overlay zone. Surrounding land uses include a City parking lot (north), single-family residential (east), and office/commercial uses (south and west) - (see **Attachment A, Location Map**).

All proposed improvements, including the building design, parking layout, and landscaping were subject to site design and architectural review pursuant to Chico Municipal Code (CMC) Chapter 19.18 (Site Design and Architectural Review). The Architectural Review and Historic Preservation Board (ARHPB) approved the design on 9/20/2017.

### **DISCUSSION**

The site is located within the Downtown In-lieu Parking Benefit Area and as such, no parking spaces are required for non-residential uses. One space is required for each residential unit. To meet this requirement the project includes one exterior space in the driveway and one space within an enclosed garage. The applicant also proposes to provide covered bicycle parking for residents, patrons, and office personnel. Vehicle access is provided via an existing driveway from E. 3rd Street. A four-foot wide walkway would connect the entrance to the existing sidewalk on E. 3rd Street, providing safe and easy pedestrian access (see **Attachment B, Site Plan**). The landscaping plan includes a mixture of ornamentals, boxwood hedges, and heavenly bamboo. In accordance with CMC 19.68.040, 15 percent of

a site is required to be landscaped in the OC zoning district. The project is consistent with this requirement as the total proposed landscaping and open space areas comprise approximately 20 percent of the site.

The project is consistent with several General Plan goals and policies, including those that encourage compatible infill development (LU-2.4, LU-4, and LU-4.2), provision of an adequate and mixed supply of rental housing to meet a wide range of renters and future needs throughout the city (H.3 and H.3.3). Additionally, the project's design and craftsman architecture is consistent with the General Plan in that it exhibits timeless character (CD-3.1). The project also reinforces the desirable elements of its neighborhood including architectural scale, style, and setback patterns (CD-5.1).

The project achieves consistency with various Design Guidelines related to exterior lighting, screening, and access. The project's exterior lighting fixtures would minimize glare impacts and energy consumption and are equipped with full cut-off features in accordance with CMC 19.60.050 and DG 1.5.14 and 1.5.15. All mechanical equipment would be shielded and screened from public view (DG 2.1.36, 2.1.37, 2.1.38, and 3.1.35). The site design maintains and enhances strong pedestrian scale and orientation and promotes pedestrian and bicycle access by directly engaging the public sidewalk. Additionally, the site is directly accessible from the public right-of-way, reinforcing a pedestrian-friendly environment regarding building placement and orientation (DG 1.1.13 and 1.1.15).

## **REQUIRED FINDINGS FOR APPROVAL**

### Environmental Review

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects). This exemption applies to infill projects which: are consistent with the general plan and zoning; are on sites less than five acres in size within the City limits; substantially surrounded by urban uses; have no value as habitat for endangered, rare, or threatened species; would not create any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services.

## **FINDINGS**

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).*

CMC 19.44.020, multi-family housing and two-family housing/duplexes are allowable in the OC zoning district subject to the approval of a Use Permit (UP). This use permit

has been processed in accordance with the requirements of Chapter 19.24 of the CMC.

- 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.*

The proposed project request is to construct a three-story, vertical mixed-use building on a site currently developed with a duplex. The proposed uses are offices and residences; as such, no adverse impacts to the health, safety, and welfare of residents working in the area would result.

- 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 project would include demolition of the existing duplex and construction of a mixed-use building on the same site. Existing regulations require that any public or off-site private property or improvement be repaired and/or replaced as needed if damaged during construction. No injurious public or private property impacts are anticipated. The project would not be detrimental to the general welfare of the City as it is an office, mixed use development; thus, would not adversely affect the City or nearby residents or businesses.

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

The site is designated as OMU on the General Plan Land Use Diagram. This designation is characterized by predominantly office uses, but allows the integration of commercial and/or residential uses. The proposed vertical, mixed use offices and apartments are consistent with allowed uses in the OC zoning district with an approved Use Permit. The project includes residential uses that contribute to an economically healthy and vibrant downtown throughout the day and night (DT-2.1). The project design achieves consistency with Policy H.5.3, as it assists in preserving older neighborhoods with a compatible infill project.

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

The design elements of the project are classic craftsman with timeless character, which is representative of the office and mixed uses in the immediate vicinity. Additionally, the vertical, mixed use building with office and residential uses is substantially compatible and consistent with existing and anticipated future land uses in the immediate area of downtown Chico.

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Use Permit 17-16 (JR Homes Offices and Apartments) allows for a multi-family/two-family/duplex in the OC zoning district at E. 3<sup>rd</sup> Street in substantial accordance with

the "Plat to Accompany Use Permit 17-16 (JR Homes Offices and Apartments)" (date stamped July 27, 2017), except as modified by any other condition of approval.

2. The permittee shall comply with all other State and local Code provisions, including those of the Building Division, Fire Department and the Department of Public Works. The permittee is responsible for contacting these offices to verify the need for permits.

## **PUBLIC CONTACT**

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date, and notices were mailed to all property owners and tenants within 500 feet of the project site. At the time of this report being published, staff has not received any public comments.

### **DISTRIBUTION:**

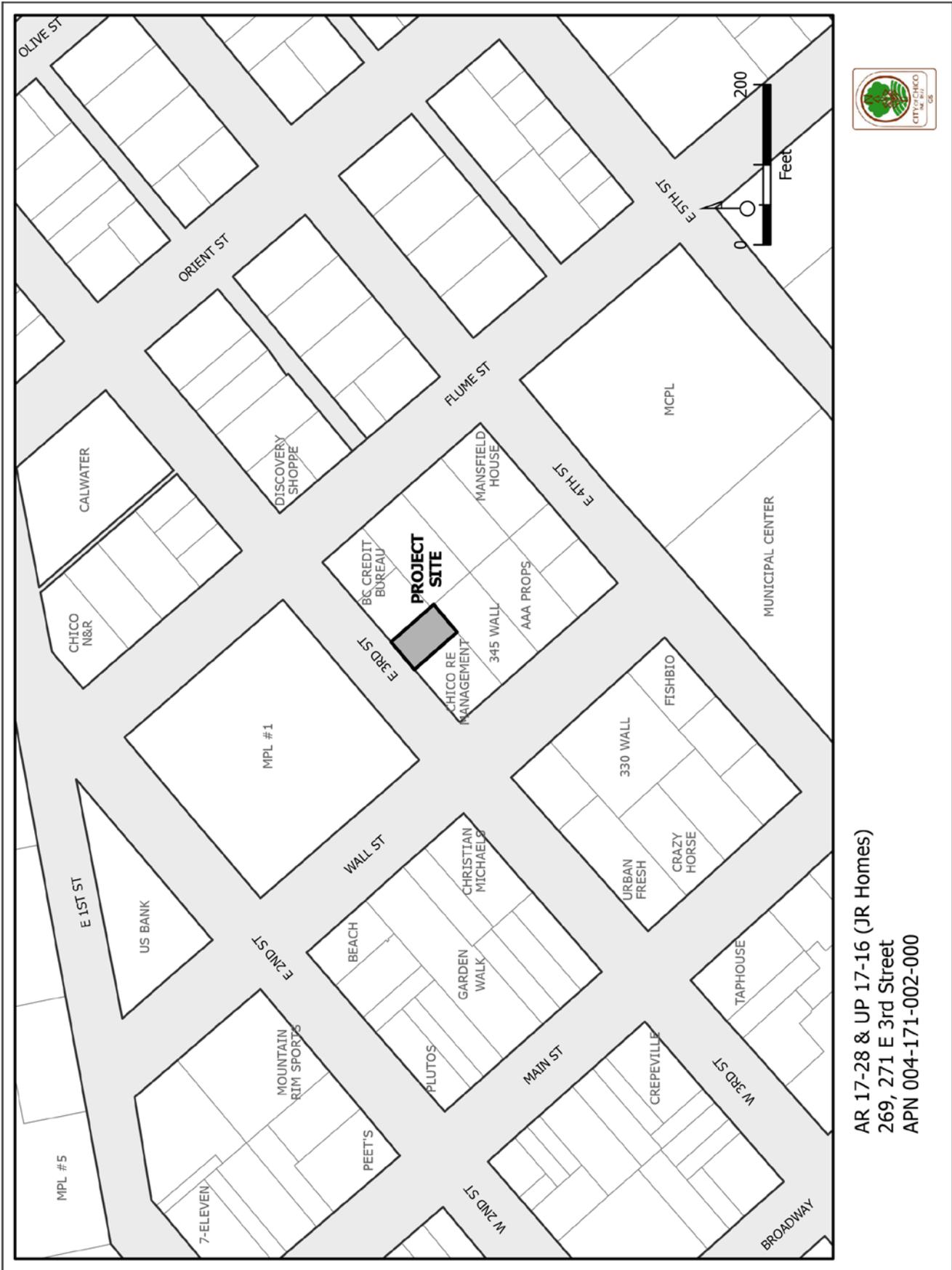
Leo DePaola, Community Development Director  
Brendan Vieg, Zoning Administrator

External

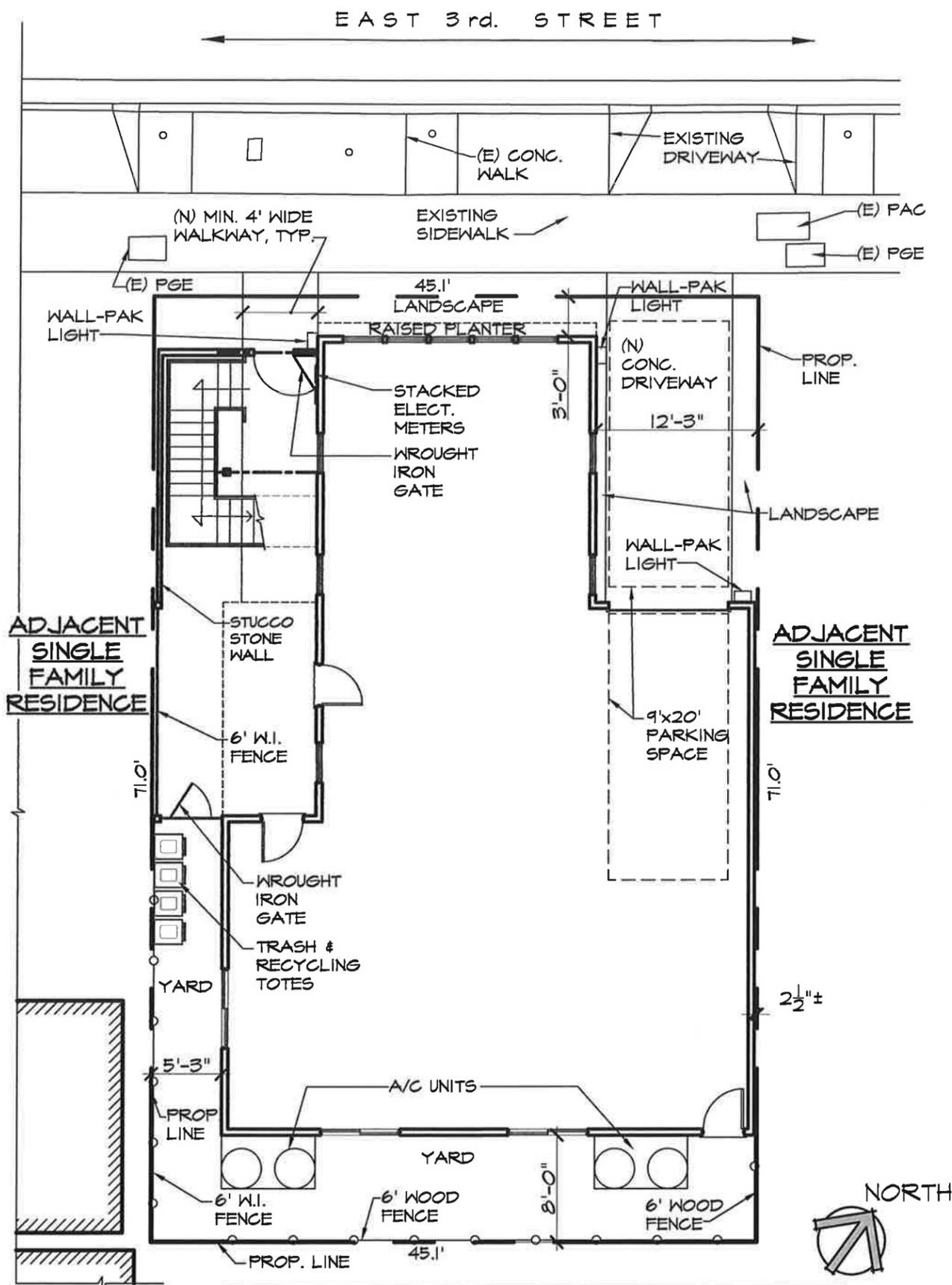
Greg Peitz Architect, 383 Rio Lindo Avenue, Chico, CA 95926  
JR Homes, 1907 Mangrove Avenue, Suite E, Chico CA 95926

### **ATTACHMENTS:**

- A. Location Map
- B. Plat to Accompany Use Permit 17-16 (JR Homes Offices and Apartments)



AR 17-28 & UP 17-16 (JR Homes)  
 269, 271 E 3rd Street  
 APN 004-171-002-000



**SITE PLAN** 1" = 10'-0"

**PARKING**

THE PROJECT IS LOCATED IN THE DOWNTOWN IN-LIEU PARKING BENEFIT AREA. NO PARKING IS REQUIRED FOR NON-RESIDENTIAL USES. ONE SPACE PER UNIT IS REQUIRED FOR RESIDENTIAL USES.

TOTAL REQUIRED: 2  
 PARKING PROVIDED: 2

**SITE:**  
 APN: 004-171-002, 0.08 ACRES

**LOT COVERAGE CALCS:**

LOT AREA: 3228 S.F.  
 BUILDING AREA: 1908 S.F.  
 LOT COVERAGE: 59.1%  
 MAX. PERCENTAGE ALLOWED: 85.0%

**LANDSCAPE OPEN SPACE:**

LOT AREA: 3228 S.F.  
 LANDSCAPE AREA: 1101 S.F.  
 PROPOSED LANDSCAPE AREA: 34.1%  
 REQUIRED LANDSCAPE AREA: 15.0%

**DENSITY:**

GROSS LOT AREA: 4728 S.F.  
 ACREAGE: .109 ACRES  
 MIN. DENSITY (6 UNITS PER ACRE): 1 UNITS  
 MAX. DENSITY (20 UNITS PER ACRE): 2 UNITS

Revision	Date	By

**GREGORY A. PEITZ**  
 ARCHITECT  
 383 Rio Lindo Ave. Chico, CA. 95926 (530) 894-5719

**Offices and Apartments**  
 For: J.R. Homes  
 At: 269/271 E. 3rd Street  
 Chico, California



**J.R. HOMES**  
 OFFICES &  
 APARTMENTS

Date: July 2017  
 Drawn: DAVID S.  
 No: 16-2222

