

Architectural Review and Historic Preservation Board Agenda Report

DATE: July 20, 2022

File: AR 22-08

Meeting date: 08/03/22

TO: Architectural Review and Historic Preservation Board

FROM: Kelly Murphy, Senior Planner, (879-6535, kelly.murphy@chicoca.gov)

Community Development Department

RE: Architectural Review 22-08 (The Commons Social Emporium - Outdoor Expansion) –

2404 Park Avenue; APN 039-430-046

RECOMMENDATION

Planning staff recommends that the Architectural Review and Historic Preservation Board adopt the required findings contained in the agenda report and approve the proposed project, subject to the recommended conditions.

Proposed Motion

I move that the Architectural Review and Historic Preservation Board adopt the required findings contained in the agenda report and approve Architectural Review 22-08 (The Commons Social Emporium – Outdoor Expansion), subject to the recommended conditions.

BACKGROUND

The proposed project would expand the outdoor patio area for an existing alcoholic beverage establishment, The Commons Social Emporium, located at the intersection of Park Avenue and Meyers Street (see **Attachment A**, Location/Notification Map). The site is designated Commercial Services (CS) on the General Plan Land Use Diagram and is located in the CS (Commercial Services) zoning district.

Pursuant to Chico Municipal Code (CMC) Section 19.44.020, Table 4-6 – *Commercial and Office Zone General Development Standards*, alcoholic beverage establishments are allowed in the CS district subject to use permit authorization. Consistent with this requirement, a use permit was approved by the Zoning Administrator at its meeting on September 12, 2017 (see **Attachment B**, Use Permit 17-14).

No alterations to the existing building, parking area or trash enclosure is included in the scope of work. The proposed changes would be concentrated on the corner-most portion of the site historically occupied by the Sub Station sandwich shop, which was recently demolished (see **Attachment C**, Project Overview and **Attachment D**, Site Plan). The project would involve the expansion of the existing outdoor space and seating area, as well as the installation of three (3) converted shipping container structures, one of which would be used as an outdoor serving station (see **Attachment E**, Container Elevations, and **Attachment F**, Colors and Materials).

DISCUSSION

While the proposed improvements are relatively minor in nature, the location is highly visible. There has been an increase in recent years revolving around the use of converted storage

containers for commercial purposes and wanted to provide the Board with an opportunity to review and comment on this particular design feature.

Architectural Design

The incorporation of storage containers into the design of the expanded outdoor area is both creative and functional, evocative of the industrial and commercial character of the surrounding area (DGs 1.1.11, 1.1.34, 1.4.13). At the same time, the industrial aesthetic of the proposed shipping containers is softened by landscaping features and decorative elements affixed to the exterior (street-side) façade of the container structure(s). The containers are designed with corresponding awnings that relate to the existing building architecture but scaled to create a more intimate pedestrian interaction as you move throughout the open outdoor space (DG 1.2.11). The site would be accessible by gates on the north, south and west sides (DG 1.1.13). Bicycle parking is provided at two of the main gate entrances, allowing for greater access and bicycle parking opportunities (DG 1.2.34).

Overall, the proposed project is consistent with the purpose and intent of CMC 19.18.

Parking

Access to the site is provided via an existing driveway off Meyers Street. Parking is provided onand off-site on an adjacent parcel (APN 039-430-047) through an existing Reciprocal Parking Agreement approved under Use Permit 17-14. Non-residential parking facilities may be shared if multiple uses on the same site cooperatively operate the facilities and if uses generate parking demands primarily when other uses are not in operation.

The parking area is currently shared by three other buildings (see **Attachment G**, Parking Layout). Buildings I and II are existing offices with weekday (Monday through Friday) business hours between 7:00AM and 5:00PM. A small distillery operates out of Building III with operating hours between 8:00AM and 5:00PM, weekdays only. The Commons Social Emporium is located in Building IV and would be open for business Tuesday through Sunday, between the hours of 12:00PM and 1:00AM.

Pursuant to CMC Section 19.70.040, the required number of spaces for office uses is calculated at a rate of one space per every 375 square feet, while small beverage production (manufacturing) uses shall provide one space for every 1,250 square feet of gross floor area. Off-street parking for restaurants, cafes, bars and other eating/drinking establishments is calculated at a rate of one space for each five seats, or one space for each 94 square feet of customer floor area, including outdoor dining, whichever is greater.

The total number of required off-street parking spaces for the shared parking area equates to 66 spaces. As proposed, 51 off-street parking spaces would be provided. The applicant is requesting approval of a parking reduction of 14 spaces.

Pursuant to CMC Section 19.70.050, the minimum number of off-street parking spaces may be reduced as part of an entitlement approval when the project site meets one of the following:

- a. The site is zoned RMU or has a -COS overlay zone;
- b. The site is located within an area of mixed-use development;
- c. The project will implement sufficient vehicle trip reduction measures (such as vehicles loan programs and transit passes) to offset the reduction; or
- d. The area is served by public transit, bicycle facilities, or has other features which encourage pedestrian access.

Additionally, applicants proposing a parking reduction shall provide documentation, including quantitative analysis, that justifies the proposed number of parking spaces based on the site and demonstrates that the proposed parking reduction is not likely to overburden public parking supplies in the project vicinity.

The project site is located within an area of mixed-use development including a variety of commercial and industrial uses along Park Avenue and on Meyers Street. There is a B-Line bus stop approximately 800 feet from the project site at the intersection of Fair Street and E. Park Avenue. Additionally, a separate protected bike path beginning at the intersection of E. 20th Street and Park Avenue extends along the north side of Park Avenue to and beyond the project site. The site is also accessible to pedestrians and cyclists from the Barber neighborhood area via a dedicated bike lane connection from W. 22nd Street to Meyers Street. Overall, the site has good bicycle and pedestrian access, and is sufficiently served by public transit. The applicant's parking analysis has been included as **Attachment H**.

As indicated in the Parking Analysis, the number of spaces provided will meet the greatest demand of any of the uses on both parcels. Additionally, the Reciprocal Parking Agreement ensures adequate parking spaces would be provided to meet the peak demands of the proposed project, other uses on the sites, and that the project will not overburden public parking supplies in the area. Planning and Engineering staff have are satisfied with the level of analysis provided and have determined that the proposed parking reduction request is acceptable.

REQUIRED FINDINGS FOR APPROVAL

According to the Chico Municipal Code Section 19.18.060, the Architectural Review and Historic Preservation Board shall determine whether or not a project adequately meets adopted City standards and design guidelines, based upon the following findings:

- 1. The proposed development is consistent with the General Plan, any applicable specific plan, and any applicable neighborhood or area plans.
 - The project is consistent with several General Plan policies that encourage compatible infill development (LU-2.4, LU-4, and CD-5). The proposed project would expand the outdoor gathering, dining and social space for an existing alcoholic beverage establishment on a currently developed site. The project is subject to all City of Chico Municipal Code and California Department of Alcohol and Beverage Control (ABC) requirements for alcoholic beverage establishments. No impacts to the health, safety, or welfare of neighborhood residents have been identified. The site is not located within the bounds of a Neighborhood Plan or area plan.
- 2. The proposed development, including the character, scale, and quality of design are consistent with the purpose/intent of this chapter and any adopted design guidelines.
 - The incorporation of storage containers into the design of the expanded outdoor area is both creative and functional, evocative of the industrial and commercial character of the surrounding area (DGs 1.1.11, 1.1.34, 1.4.13). At the same time, the industrial aesthetic of the proposed shipping containers is softened by landscaping features and decorative elements affixed to the exterior (street-side) façade of the container structure(s). The containers are designed with corresponding awnings that relate to the existing building architecture but scaled to create a more intimate pedestrian interaction as you move throughout the open outdoor space (DG 1.2.11). The site would be accessible by gates

on the north, south and west sides (DG 1.1.13). Bicycle parking is provided at two of the main gate entrances, allowing for greater access and bicycle parking opportunities (DG 1.2.34).

3. The architectural design of structures, including all elevations, materials and colors are visually compatible with surrounding development. Design elements, including screening of equipment, exterior lighting, signs, and awnings, have been incorporated into the project to further ensure its compatibility with the character and uses of adjacent development.

The proposed architectural design reflects colors and materials consistent with the existing building. The project takes care to minimize views of parking areas and exterior lighting would be appropriately shielded and directed downward. The design incorporates creative elements evocative of the industrial and commercial character of the surrounding area. At the same time, the industrial aesthetic of the proposed shipping containers is softened by landscaping features and decorative elements affixed to the exterior (street-side) façade of the structure. Overall, the proposed project is consistent with the purpose and intent of CMC 19.18.

4. The location and configuration of structures are compatible with their sites and with surrounding sites and structures, and do not unnecessarily block views from other structures or dominate their surroundings.

The proposed structure is compatible with the surrounding sites and structures in that it will be of similar size and design as other industrial and commercial buildings located off Park Avenue and Meyers Street. The proposed improvements to the outdoor areas and incorporation of storage containers onsite would be concentrated on a portion of an existing, larger site and would not unnecessarily block views or dominate the surroundings.

5. The general landscape design, including the color, location, size, texture, type, and coverage of plant materials, and provisions for irrigation and maintenance, and protection of landscape elements, have been considered to ensure visual relief, to complement structures, and to provide an attractive environment.

Special design considerations have been made to ensure views from the street frontages would be attractive and cohesive, such as decorative landscaping and fencing. Storage container elevations would be broken up by landscaping details. The project represents an expansion of an existing business on a site that has been previously reviewed for compliance with landscaping and parking lot shading requirements. New trees and shrubs would be planted in the expanded outdoor area, providing shade and visual relief from the adjacent street frontages, further enhancing the existing site.

ENVIRONMENTAL REVIEW

The proposed development project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects). Consistent with this exemption, the project is: consistent with the applicable General Plan designation, zoning regulations, and General Plan policies; is less than five acres in size, substantially surrounded by urban uses; has no habitat value for special status species; will not result in any significant impacts regarding traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services.

RECOMMENDED CONDITIONS OF APPROVAL

- 1. The front page of all approved building plans shall note in bold type face that the project shall comply with and Architectural Review 22-08 (The Commons Social Emporium Outdoor Expansion). No building permits related to this approval shall receive final approval without prior authorization of Community Development Department Planning staff.
- 2. The permittee is authorized to operate an alcoholic beverage establishment at 2404 Park Avenue (APN 039-430-046), in substantial accord with the "Plat to Accompany Use Permit 17-14 (The Commons)" except as modified by any other condition of approval.
- 3. All development shall comply with all other Federal, State and local Code provisions, including those of the California Department of Alcohol and Beverage Control (ABC), Butte County Environmental Health Division, and City of Chico Community Development, Public Works, Police, and Fire Departments. The permittee is responsible for contacting these offices to verify the need for compliance.
- 4. All approved building plans and permits shall note that wall-mounted utilities and roof or wall penetrations, including vent stacks, utility boxes, exhaust vents, gas meters and similar equipment, shall be screened by appropriate materials and colors. All parapet caps and other metal flashing shall be painted, consistent with the approved building colors. Adequate screening shall be verified by Planning staff prior to issuance of a certificate of occupancy.
- 5. Any music being played outside the business shall comply with the City's noise ordinance.

PUBLIC CONTACT

A public hearing notice was mailed to all landowners and residents within 500 feet of the site and a notice placed at the project site at least 10 days prior to the ARHPB meeting. At the time of this report being published, staff has not received any public comments.

DISTRIBUTION:

Internal (2) Mike Sawley, Principal Planner Kelly Murphy, Senior Planner

External (1)

Russell Gallaway and Associates, 115 Meyers Street, Suite 110, Chico, CA 95928; Email: matt@rgachico.com

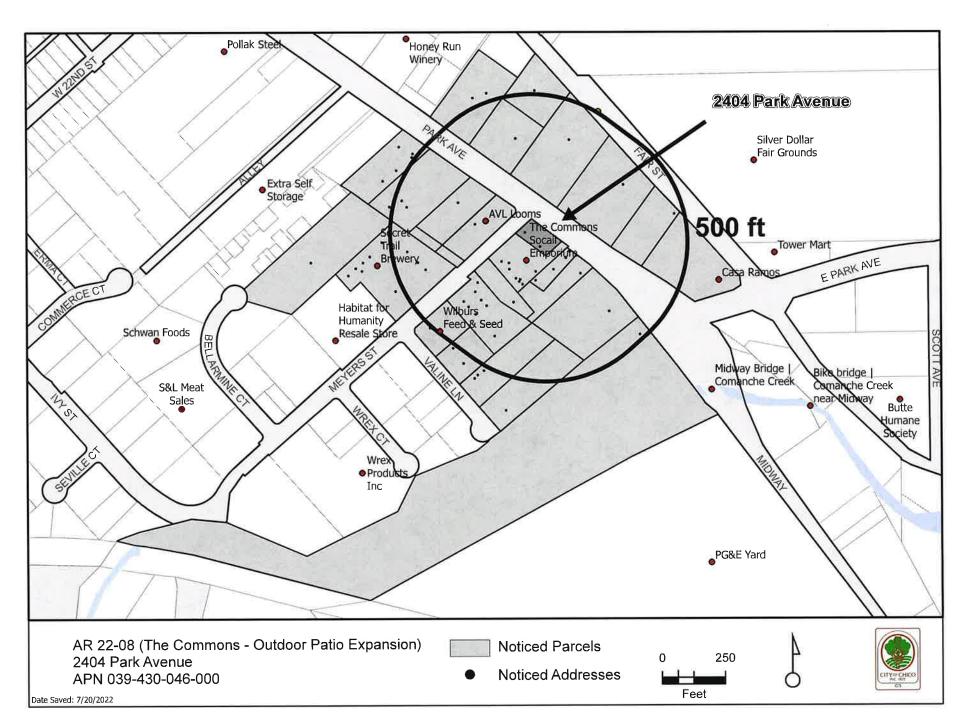
Meyers Properties, 117 Meyers Street, Suite 120, Chico, CA 95928; Email:

jody@gallawayenterprises.com

Jesse Grigg, 2404 Park Avenue, Chico, CA 95928; Email: jesse@thecommonschico.com

ATTACHMENTS:

- A. Location/Notification Map
- B. Issued Permit UP 17-14
- C. Project Overview
- D. Site Plan
- E. Container Elevations
- F. Colors and Materials
- G. Parking Layout
- H. Parking Analysis





COMMUNITY DEVELOPMENT DEPARTMENT

411 Main Street P.O. Box 3420 Chico, CA 95927 (530) 879-6800

PERMIT NO. UP 17-14 (The Commons)

CONDITIONAL USE PERMIT

Permit Description:

In accordance with Chico Municipal Code (CMC) Sections <u>19.24 and 19.44</u> Use Permit Application No. UP 17-14 (The Commons) authorizes the following:

Operation of an alcoholic beverage establishment at 2412 Park Avenue (APN 039-430-046). Alcoholic beverage establishments are allowed in the Community Services (CS) zoning district subject to use permit authorization.

At: 2412 Park Avenue (APN 039-430-046)

Final Action: Approved by the Zoning Administrator, September 12, 2017

In accordance with CMC Section 19.30.020, no permit, certificate, or other entitlement may be issued until the effective date.

Effective Date of the Permit: September 22, 2017

Conditions of Approval:

- 1. The permittee is authorized to operate an alcoholic beverage establishment at 2412 Park Avenue (APN 039-430-046), in substantial accord with the "Plat to Accompany Use Permit 17-14 (The Commons)" and "Reciprocal Parking Agreement between Lots Meyers Properties Lots 039-430-046 and 039-430-047" 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 California Department of Alcohol and Beverage Control (ABC), Butte County Environmental Health Division, and City Building and Development Services Department, Police Department, and Fire Department. The applicant is responsible for contacting these offices to verify the need for permits.
- 3. Final details of the patio area shall be subject to administrative site design and architectural review.
- 4. The permittee shall maintain the business frontage and other exterior areas associated with the use free of litter.
- 5. The permittee shall install and maintain adequate exterior lighting, such that the appearance and conduct of all persons in or about the area are easily discernable.
- 6. The permittee shall regularly police the business frontage area in an effort to prevent loitering.
- 7. The permittee shall keep a copy of the approved use permit on the premises and make these

conditions available upon the demand of any peace officer at all times.

- 8. All servers shall complete responsible beverage service (RBS) training no later than 60 days after the date of hire.
- The business shall provide sufficient staff to control any queue which forms outside the businesses.
 The queue shall be managed to allow free passage on sidewalks adjacent to the business at all times.
- 10. The business shall take action to prevent nuisance activities associated with the sale of alcohol, including: disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.
- 11. The exterior of the business, including the adjacent right-of-way, shall be kept clean. Any litter, detritus, or other mess outside the business shall be cleaned promptly by the business, in no case later than 9 a.m. the following morning.
- 12. Any music being played outside the business shall comply with the City's noise ordinance.
- 13. The business shall comply with all applicable federal, state, and local laws.
- 14. The business shall not sell or serve alcohol earlier than 11 a.m. nor later than 12 a.m. (midnight) on the following days each year:
 - A. St. Patrick's Day, March 17;
 - B. Cesar Chavez Day, March 31;
 - C. The Friday and Saturday of CSU, Chico graduation weekend in May:
 - D. Thursday through Saturday of Labor Day weekend;
 - E. Halloween, October 31.
- 15. Alcoholic beverages to be consumed on-site shall be served in standard sizes that are consistent with the industry.

I hereby agree to accept this Use Permit subject to the provisabove. I am aware that this permit becomes null and void if nas established in CMC 190.050 and may be subject to rev	ot used within one year of the date of approva
Permittee's Signature(s)	Date:

Use Permit 17-14 (The Commons)
Page 3 of 3

This permit is hereby issues subject to the provisions of the CMC and the conditions specified above.

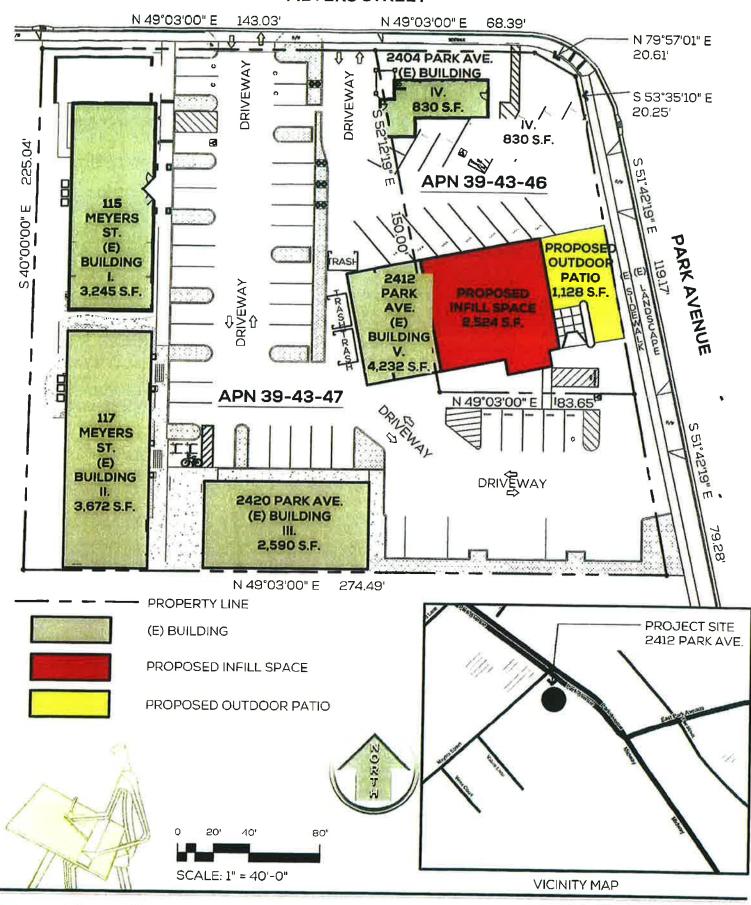
Deputy Director
Community Development Department

Deputy Director
Community Development Department

CC:

Leo DePaola, Building Official,
Brendan Vieg, Deputy Director – Community Development Department
Lieutenant Mike Rodden, Chico Police Department, mike.rodden@chicoca.gov
Kathy Skuris, Department of Alcohol and Beverage Control, 1900 Churn Creek Rd., Suite 215
Redding, CA 96002, kathy.skuris@abc.ca.gov

MEYERS STREET







RECEIVED

Meyers Properties, LLC 115 Meyers Street, Suite 110 Chico, Ca. 95928 (530) 342-0302

AUG n 9 2017 CITY OF CHICO BUILDING DIVISION

RECIPROCAL PARKING AGREEMENT BETWEEN LOTS MEYERS PROPERTIES LOTS 039-430-046 AND 039-430-047

This agreement is set forth to describe the specific terms upon issuance of Use Permit 17-15 (The Commons Taproom) and prior issuance of a Certificate of Occupancy for the use, Meyers Properties LLC will execute and record a deed restriction on the property located at 115 Meyers Street/2420 Park Avenue (APN 039-430-047) for the benefit of property located at 2412 Park Avenue (APN 039-430-046). The deed restriction will guarantee that the alcoholic beverage establishment use located on APN 039-430-046 has an irrevocable right to utilize off-street parking located on APN 039-430-047, to the extent that Chico Municipal Code requirements for off-street parking require more spaces than contained on APN 039-430-046. Only the specific terms outlined in this agreement will be honored. Any alterations, variance or amendment to the agreement must be in writing and signed by the owners of both parcels.

As long as this reciprocating parking agreement remains intact, the agreement will be valid.

TERMS AND CONDITIONS:

- 1. As both parcels are owned by the same entity, the authorizing agent for Meyer's Properties LLC will act on behalf of both properties.
- 2. Hours of operation and parking use shall be in compliance with Tenant leases as issued by Meyers Properties, LLC. Said leases shall address peak parking uses and attempt to homogenize the hourly and daily ebs and flows associated with each tenant on the two parcels.
- 3. It is recognized that parking is a commodity associated with each of the properties and lack of parking results in a lack of marketability. No tenant on either of the properties shall be deprived of parking during their peak use.

4. A parking use study shall be provided prior to the engagement of any lease. This study shall illustrate compliance with the City of Chico Title 19 parking requirements at peak use for the combined properties.

Signature of this agreement indicates that you have read, completely understand and fully agree to all of the aforementioned terms and conditions of this agreement.

Don Russell, Managing Partner

Meyers Properties, LLC

O- Phisall

115 Meyers Street, Suite 110

Chico, Ca. 95928

530-342-0302

Date: August 9, 2017





EX 0 - PROJECT OVERVIEW - THE COMMONS BEER GARDEN

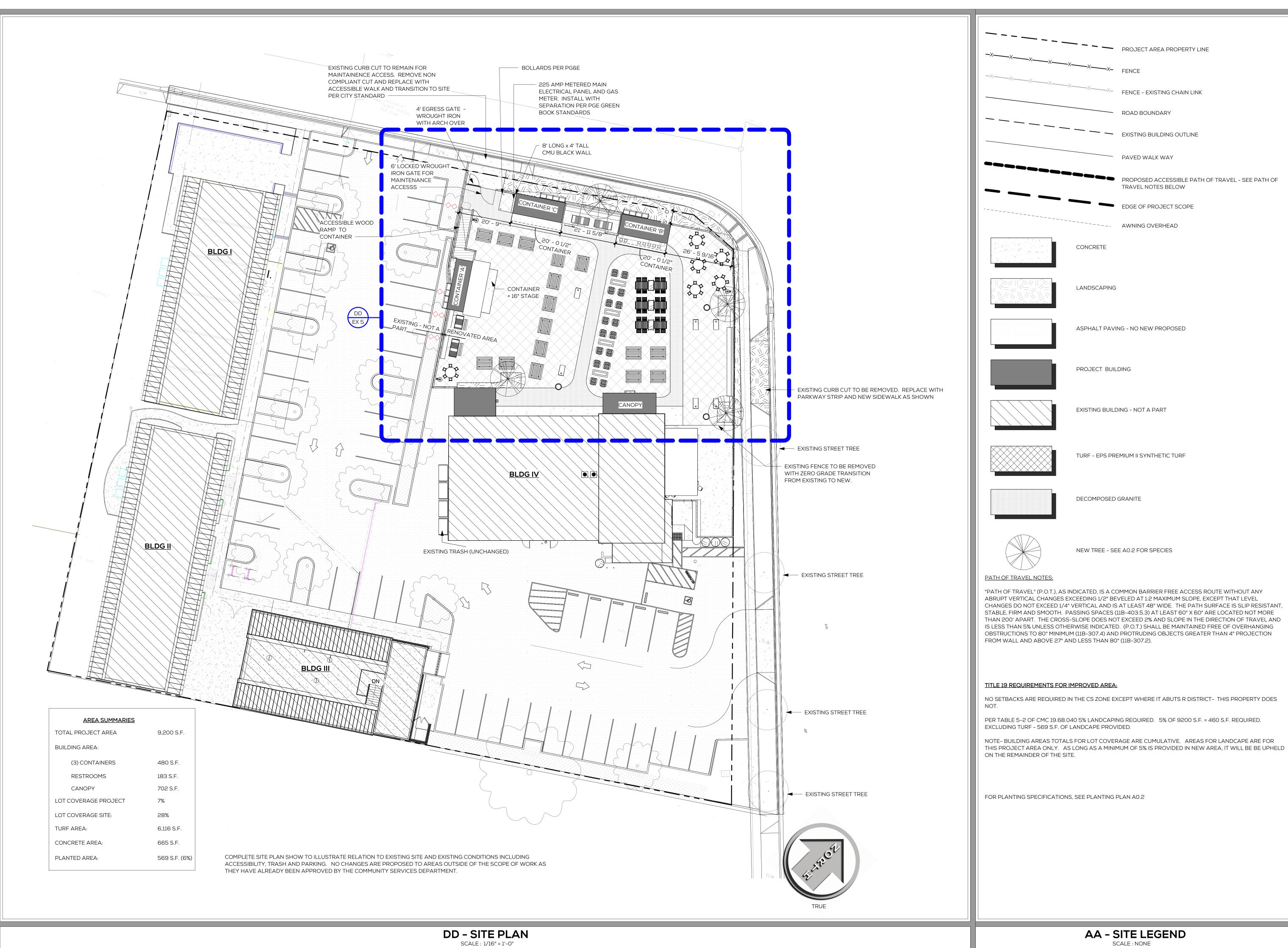
2404/2412 PARK AVE

2022.07.11





EX 3 - COLORED FACILITY SITE PLAN



 $r \cdot g \cdot a$

architecture + engineering

RUSSELL, GALLAWAY ASSOCIATES inc.

115 MEYERS STREET SUITE 110 CHICO, CA 95928 530 342 0302

www.rgachico.com

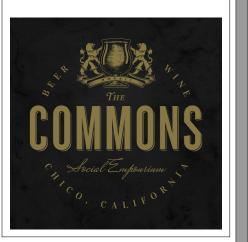
PROJECT EX 8 -**CONTAINER B** EXTERIOR Elter Hatel PROPERTIES, LLC.

2412 PARK AVENUE CHICO, CA 95928

PROJECT ADDRESS

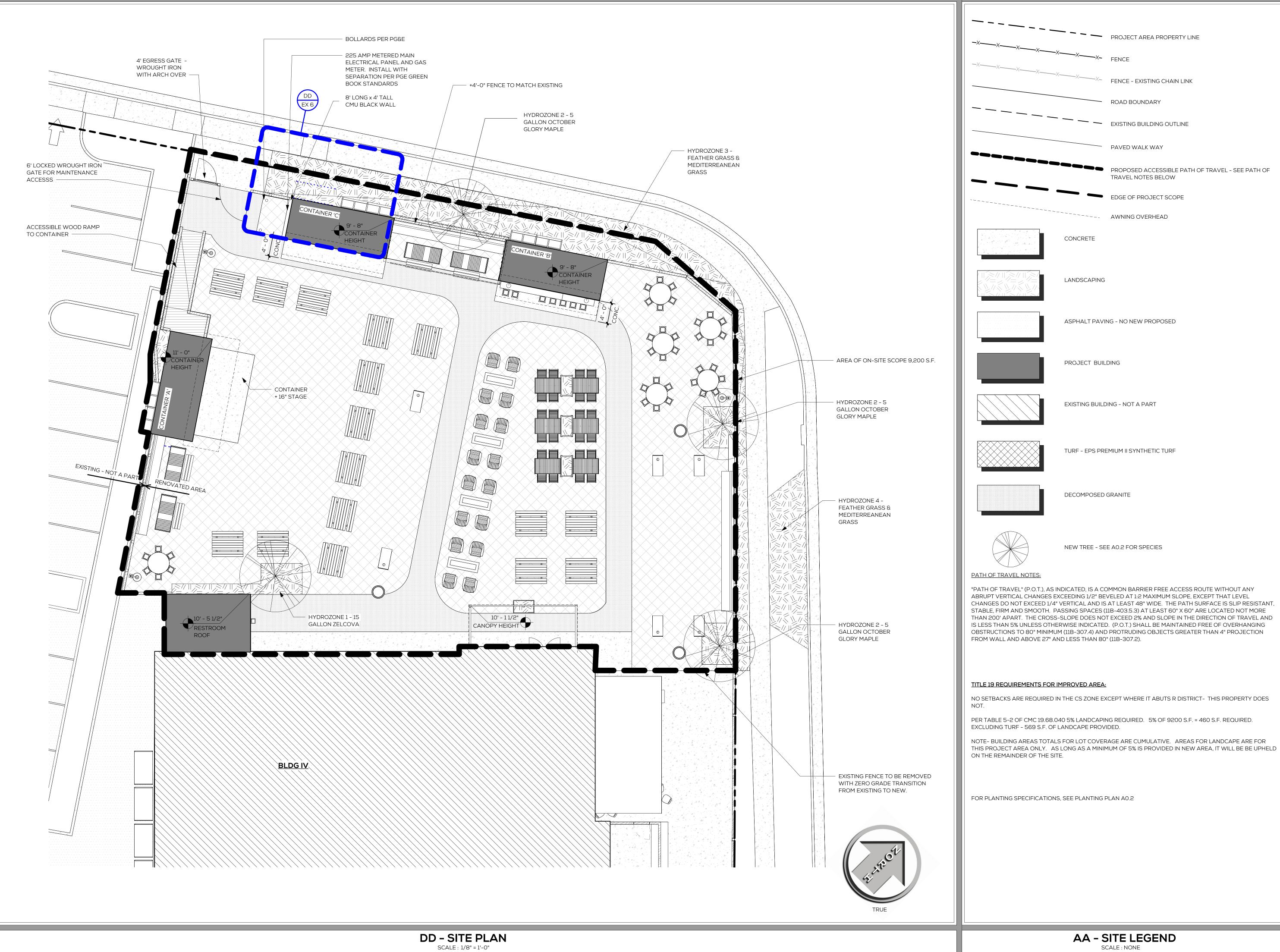
ASSESSORS PARCEL NUMBER

039-430-046



RGA PROJECT# 20-350 PLAN CHECK# DRAWN CHECKED STATUS DATE 2022.07.11 HALTH DEPT. 2022.06.16

OVERALL SITE PLAN



 $r \cdot g \cdot a$ architecture + engineering

RUSSELL, GALLAWAY ASSOCIATES inc.

115 MEYERS STREET SUITE 110 CHICO, CA 95928 530 342 0302

www.rgachico.com

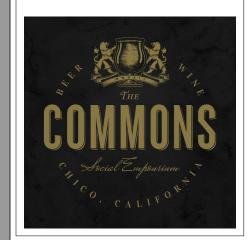
PROJECT EX 8 -**CONTAINER B** EXTERIOR EMEMATING NS PROPERTIES, LLC.

PROJECT ADDRESS **2412 PARK AVENUE** CHICO, CA

ASSESSORS PARCEL NUMBER

95928

039-430-046



RGA PROJECT# 20-350 PLAN CHECK# CHECKED STATUS DATE 2022.07.11 HALTH DEPT. 2022.06.16

> SITE PLAN -**ENLARGED**



	KEYNOTES
03.03	CONTAINER STAGE (REPURPOSED SHIPPING CONTAINER) - P1
03.05	QMIUSA, QOMPACT MOTORIZED ROLL UP DOOR, BLACK FINISH
03.06	AWNING - 20 GA. MTL DECKING OVER TUBE STEEL
03.09	ARTIFICIAL TURF
03.14	METAL TRELLIS w/ ANIT-CLIMB MESH, SEE BB/A3.2
03.15	4' FENCE TO MATCH (E) - W1



EX7 - CONTAINER A EXTERIOR ELEVATIONS

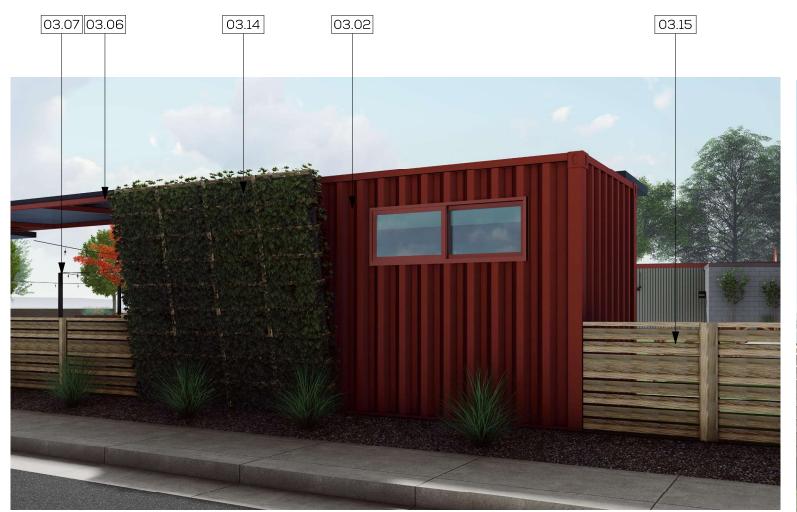


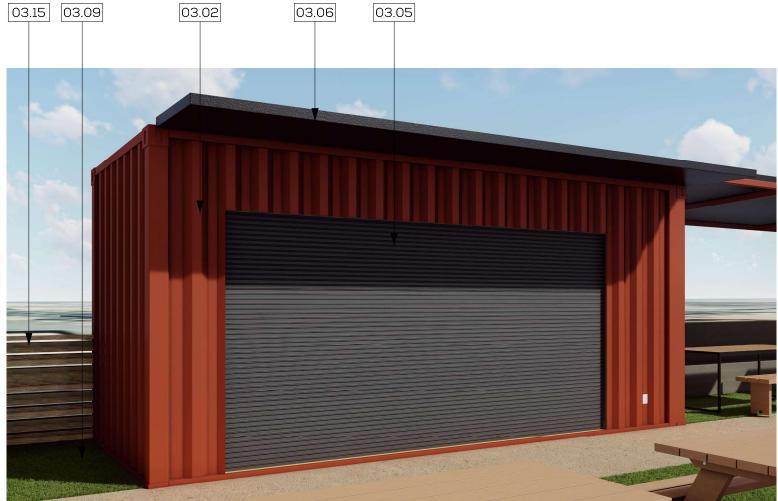


	KEYNOTES						
03.01	CONTAINER BAR (REPURPOSED SHIPPING CONTAINER) - P1						
03.05	QMIUSA, QOMPACT MOTORIZED ROLL UP DOOR, BLACK FINISH						
03.06	AWNING - 20 GA. MTL DECKING OVER TUBE STEEL						
03.07	EXTERIOR LIGHT FIXTURE						
03.11	CHALKBOARD MENU DISPLAY						
03.12	CONCRETE BAR						
03.13	NEW DUTCH DOOR - P4						
03.14	METAL TRELLIS w/ ANIT-CLIMB MESH, SEE BB/A3.2						
03.15	4' FENCE TO MATCH (E) - W1						



EX8-CONTAINER B EXTERIOR ELEVATIONS





KEYNOTES					
03.02	CONTAINER STORAGE (REPURPOSED SHIPPING CONTAINER) - P1				
03.05	QMIUSA, QOMPACT MOTORIZED ROLL UP DOOR, BLACK FINISH				
03.06	AWNING - 20 GA. MTL DECKING OVER TUBE STEEL				
03.07	EXTERIOR LIGHT FIXTURE				
03.09	ARTIFICIAL TURF				
03.14	METAL TRELLIS w/ ANIT-CLIMB MESH, SEE BB/A3.2				
03.15	4' FENCE TO MATCH (E) - W1				



EX9-CONTAINER CEXTERIOR ELEVATIONS



P1 - CONTAINER BODY PAINT COLOR SHERWIN WILLIAMS, SW 0008 CAJUN RED



P3 - AWNING TRIM / DUTCH DOOR SHERWIN WILLIAMS, SW 7069 IRON ORE

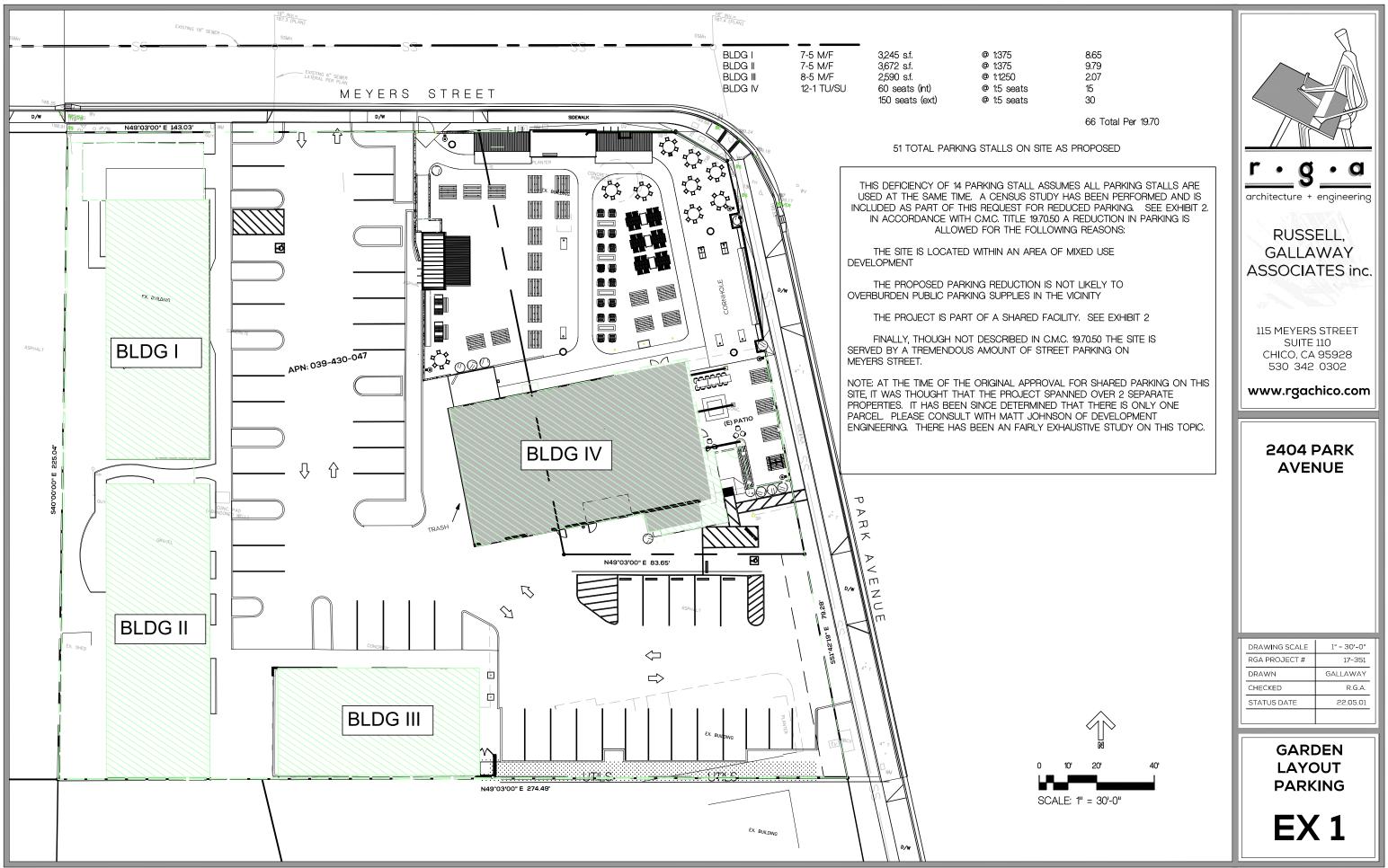


P2 - AWNING BODY PAINT COLOR SHERWIN WILLIAMS, SW 7068 GRIZZLE GRAY



W1 - WOOD FENCE & TRELLIS SHERWIN WILLIAMS, SEMI-TRANSPARENT STAIN BLUE SHADOW, SW 3531





Parking Census- Park & Meyers - Exhibit 2

	<u>rga</u>	<u>GCI</u>	<u>Lawers</u>	<u>Distillery</u>	<u>The Commons</u> (current x 1.5)	<u>TOTAL</u>
<u>Time</u>						
6am	2	5	0	0	0	7
7am	12	11	0	Ο	0	23
8am	14	13	1	0	0	28
9am	14	13	1	0	0	28
10am	14	13	1	2	0	30
11am	14	13	1	4	6	38
12pm	6	13	1	6	16	42
1pm	14	13	1	6	20	54
2pm	14	13	1	6	14	48
3pm	14	13	1	4	6	38
4pm	12	13	1	6	16	48
5pm	4	7	0	6	46	63
6pm	2	5	0	4	52	63
7pm	0	5	0	0	52	57
8pm	0	5	0	0	48	53
9pm	0	5	0	0	40	45
10pm	0	5	0	0	36	41
11pm	0	5	Ο	0	24	29
12pm	0	5	0	0	20	25
1am	0	5	0	0	12	17
2am	0	5	0	0	0	5

