



DATE: June 29, 2021

TO: PLANNING COMMISSION

FROM: Tina Wilson, Associate Planner (879-6807, tina.wilson@chicoca.gov)

RE: Vesting Tentative Parcel Map 21-01 (Bruce Village Commons), Bruce Street, APN 018-390-021

SUMMARY

The applicant proposes to subdivide a previously approved vertical mixed-use project consisting of 60 affordable, senior housing units and approximately 10,000 square feet of commercial space in a three-story structure into condominium units. The 2.5 acre project site is located on the northeast corner of Bruce Road and E. 20th Street. No project issues have been identified. Planning staff recommends approval, subject to conditions.

Recommendation:

Planning staff recommends adoption of Resolution No. 21-05 (**Attachment A**), approving the parcel map, subject to the attached conditions.

Proposed Motion:

I move that the Planning Commission adopt Resolution No. 21-05 approving the parcel map, subject to the attached conditions.

BACKGROUND

The applicant proposes to subdivide a three-story, L-shaped building with a footprint of 20,469 square feet, containing 60 affordable senior housing units and three commercial suites with approximately 10,000 square feet of commercial space into condominium units. The site is located on the northeast corner of the intersection of Bruce Road and E. 20th Street (see Location/Notification Map, **Attachment B**). The site is designated Neighborhood Commercial on the City of Chico General Plan Land Use Diagram and zoned CN (Neighborhood Commercial). The site is currently vacant. Surrounding land uses include residential uses to the north and east and vacant land to the west and south.

The project site consists of a residential parcel that fronts on Bruce Road and is bounded by E. 20th Street to the south and Belgium Avenue to the east. The project site is 325 feet wide by 350 feet deep and is relatively flat. A previous entitlement for the site includes AR 21-03, to authorize the architecture and site design. The Architectural Review and Historical Preservation Board approved AR 21-03 on April 21, 2021.

DISCUSSION

Parcel Map Design

The proposed condominium project would have no effect on the approved mixed-use

development, which has not commenced construction yet. All land use restrictions and conditions were addressed in the previous entitlement (i.e., AR 21-03) on the property. New conditions specific to the condominium project are contained in the Conditions of Approval (Exhibit 1) and the Subdivision Report (Exhibit 2). The applicant has chosen not to include a condominium plan at this time. Pursuant to Section 66427 of the Subdivision Map Act, the City cannot require a plan:

66427. (a) A map of a condominium project, a community apartment project, or the conversion of five or more existing dwelling units to a stock cooperative project need not show the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided, nor shall the governing body have the right to refuse approval of a parcel, tentative, or final map of the project on account of the design or the location of buildings on the property shown on the map that are not violative of local ordinances or on account of the manner in which airspace is to be divided in conveying the condominium.
- (b) A map need not include a condominium plan or plans, as defined in subdivision (e) of Section 1351 of the Civil Code, and the governing body may not refuse approval of a parcel, tentative, or final map of the project on account of the absence of a condominium plan.

Furthermore, findings for approval or denial typically required of a parcel map or tentative map regarding general plan and zoning consistency are not required for condominiums pursuant to Subdivision Map Act Section 66427.2. Since the residential portion of the project is not yet occupied, the extensive tenant notification requirements established in the Subdivision Map Act do not apply to this project at this time. However, staff has recommended conditions of approval which would ensure that the notification procedures are followed if the units are occupied prior to recordation of the final map (see Vesting Tentative Parcel Map, **Attachment C**).

GENERAL PLAN CONSISTENCY

The Neighborhood Commercial land use designation accommodates a mix of business, office, and residential uses that support the needs of residents living in the surrounding neighborhoods. The project is consistent with several policies and actions under Land Use (LU) Goals LU-2 and LU-4 to promote compatible infill development that includes a mix and distribution of uses, as it would provide missing neighborhood elements such as retail, enhanced architectural quality, and circulation improvements for pedestrians, bicycles and vehicles (Action LU-2.3.3 and LU-2.3.4; Policy LU-2.4, LU-4.2 and LU-4.4). Goal LU-3 of the General Plan is to enhance existing neighborhoods with walkable access to recreation, places to gather, jobs, daily shopping needs, and other community services. The project is consistent with policies developed under this goal to encourage the development of complete neighborhoods and neighborhood serving centers with a mix of land uses intended to reduce auto trips and support walking, biking and transit use (Policy LU-3.1 and LU-3.2).

The overall vision for Chico in 2030 is a “livable, healthy, and sustainable community that offers high quality of life with a strong sense of community and place” while maintaining its “small-town character”. The proposed project is consistent with General Plan goals and policies, specifically those found in the Land Use and Housing Elements, that encourage compatible

infill development (CD-5, LU-4 and LU-4.2), and providing new housing opportunities while maintaining neighborhood character (H-1, H-3, and LU-4.3).

In addition, the following General Plan principles and policies are applicable to the project:

- CD-5: Support infill and redevelopment compatible with the surrounding neighborhood.*
- H-1: Increase equal housing opportunities for all persons and households in Chico.*
- H-3: Promote the construction of a range of high-quality housing choices that serve all households, ranging from the workforce to seniors.*
- LU-4: Promote compatible infill development.*
- LU-4.2: Support infill development, redevelopment, and rehabilitation projects that are compatible with surrounding properties and neighborhoods.*
- LU-4.3: For residential infill projects outside of Opportunity Sites and Special Planning Areas, maintaining neighborhood character may take precedence over meeting density goals. It may be necessary to limit project density, within the allowable density range, to ensure compatibility.*

FINDINGS

Environmental Finding

The project has been determined to be categorically exempt under CMC Section 1.40.220 and 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.

Subdivision Findings

Pursuant to Chico Municipal Code Section 18.18.070.B, the Planning Commission shall consider the evidence presented in the application materials, staff report, and public hearing, and shall base its action on the conformity of the subdivision map with the subdivision regulations and on the design of the proposed subdivision. In order to approve a subdivision map, the Planning Commission must find that the subdivision map and its design conform with all applicable requirements of Title 18 and Title 19 of the Chico Municipal Code, and that the subdivision map and its design are consistent with the Chico General Plan.

As supported by the Conditions of Approval, the Subdivision Report (Exhibits I and II to **Attachment A**), and this staff report, the proposed subdivision map and its design conform with the requirements of Title 18 and Title 19 of the Chico Municipal Code, and would be consistent with the Chico General Plan.

PUBLIC CONTACT

A 10-day public hearing notice was mailed to all landowners and residents within 500 feet of the site, and a legal notice was published in the *Chico Enterprise Record*. As of the date of this report no correspondence has been received in response to the public notice.

DISTRIBUTION:

PC Distribution
AP Tina Wilson
Files: PM 21-01

External

Bruce Village Commons, LP, Attn: Allen Knott, Email: aknott@k2dci.com
Gage & Christie Chrysler & James & Susie Obannon Revocable Trust, 1751 Hooker Oak Avenue, Chico CA 95926
Sharrah Dunlap Sawyer, Inc., Attn: Mike Dormer and Josh Martin, Emails:
mdormer@sdsengineering.com and JMartin@sdsengineering.com

ATTACHMENTS:

- A. Planning Commission Resolution No. 21-05
 - Exhibit I Conditions of Approval for PM 21-01
 - Exhibit II Subdivision Report
- B. Location/Notification Map
- C. Vesting Tentative Parcel Map 21-01

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RESOLUTION NO. 21-05

**RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION
APPROVING PARCEL MAP 21-01 (BRUCE VILLAGE COMMONS, LP)**

WHEREAS, an application has been submitted to subdivide a 2.5 acre site on Bruce Road, identified as Assessor’s Parcel No. 018-390-021, into condominium units (the “Project”); and

WHEREAS, the Planning Commission considered the Project, staff report, and comments submitted at a noticed public hearing held on July 15, 2021;

WHEREAS, the Project has been determined to be categorically exempt pursuant to the Guidelines for the California Environmental Quality Act, 14 CCR Section 15332 (Infill Development Projects).

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF CHICO AS FOLLOWS:

1. With regard to the vesting tentative parcel map the Planning Commission finds that:
 - A. The overall density of the Project is 17.3 dwelling units per gross acre, which is consistent with the Chico General Plan Land Use Diagram designation of Neighborhood Commercial and the provisions in Title 19 of the Chico Municipal Code;
 - B. The Project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (Infill Development Projects) because the Project is: 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; on land that has no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services.
 - C. No substantial evidence has been presented that would require disapproval of the Project pursuant to Government Code Section 66474. Specifically, the City finds that:
 - (a) The proposed subdivision map is consistent with applicable general and specific plans;

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- (b) The design and proposed improvement of the subdivision are consistent with applicable general and specific plans;
- (c) The site is physically suitable for the type and density of development proposed;
- (d) The design of the site and proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This Project has been deemed categorically exempt from CEQA review pursuant to CEQA Guidelines Section 15332;
- (e) The design of the subdivision and proposed improvements are not likely to cause serious public health problems.
- (f) The design of the subdivision and proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

D. As supported by the subdivision report and agenda report prepared for this Project, the Project and its design conform with both the requirements of Title 18 and 19 of the Chico Municipal Code and the Chico General Plan.

- 2. Based on all of the above, the Planning Commission hereby approves the Project, subject to the conditions set forth in Exhibit I, and the provisions of the Subdivision Report set forth in Exhibit II, attached hereto.
- 3. The Planning Commission hereby specifies that the materials and documents which constitute the record of proceedings upon which its decision is based are located at and under the custody of the City of Chico Community Development Department.

THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the Planning Commission of the City of Chico held on July 15, 2021, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

1 DISQUALIFIED:

2 ATTEST:

3

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5 _____
6 Bruce Ambo
7 Planning Commission Secretary

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9

APPROVED AS TO FORM:

Vincent C. Ewing, City Attorney*

*Pursuant to The Charter of
the City of Chico, Section 906(E)

EXHIBIT I
CONDITIONS OF APPROVAL
Parcel Map (PM) 21-01 (Bruce Village Commons, LP – Condominiums)

1. This parcel map authorizes the creation of up to 60 residential condominium units, commercial condominium units and a common area in substantial compliance with the “Vesting Tentative Parcel Map (PM) 21-01, Bruce Village Commons, LP,” date-stamped May 10, 2021 by Planning Services, and accompanying project materials, except as revised by any other condition of approval. The expiration date of this Vesting Tentative Parcel Map shall be 36 months from the approval date of Planning Commission Resolution No. 21-05. A final map shall be recorded prior to the expiration of the Vesting Tentative Parcel Map.
2. All development shall comply with all other State and local Code provisions, as well as any applicable requirements of the Fire Department, the Public Works Department, Butte County Environmental Health, and the Community Development Department. The developer is responsible for contacting these offices to verify the need for permits.
3. All conditions of approval for the previous entitlement (AR 21-03) shall remain in full force and effect.

Tentative Map Conditions:

4. Prior to recording the parcel map, any taxes and/or assessments against the property shall be paid.
5. Impacts to school facilities within the Chico Unified School District shall be fully mitigated by payment of school impact fees to the extent permitted by State Law.
6. No tenancy shall be established in the units at the project site prior to recordation of the final map unless the project proponent provides the Planning Division with written verification that all tenant notification requirements have been made pursuant to Government Code Section 66427.1.
7. Prior to recordation of the final map or any offering of a unit for sale, the subdivider shall submit a copy of the required structural pest report to the Planning Division, as required by Chico Municipal Code Section 18.38.060. The subdivider shall make the report available for inspection to any person offering to make the initial purchase of a dwelling unit in the converted building.
8. Prior to recordation of the final map or any offering of a unit for sale, the subdivider shall obtain certification from the City Building Official documenting that the building complies with building code requirements and that each unit complies with the requirements of Chico Municipal Code Section 18.38.070, for smoke detectors, separate gas and electricity meters, and properly mounted mechanical equipment.

Exhibit I

Parcel Map (PM) 21-01 (Bruce Village Commons, LP)
Conditions of Approval
Page 2 of 3

9. Addressing of buildings and units shall comply with current City standards. The permittee shall contact the Building Division to verify the need to bring the existing addressing system for the complex into compliance with City standards within one year of approval of the subdivision map.
10. Prior to recording the final map, any delinquent taxes and/or assessments against the property shall be paid.
11. In the event that all fees have not been paid prior to recordation of the final map, the following notation shall be included on the final map:

“In accordance with the provisions of the Chico Municipal Code, a transportation facility fee, park facility fee, and building and equipment fee may be assessed and levied upon the owner of any lot or parcel within this subdivision at the time a new building or structure is constructed on such lot or parcel, at the time an alteration or addition is made to an existing building or structure constructed on the lot or parcel. In addition, a storm drainage facility fee may be assessed and levied upon the owner of any lot or parcel within this subdivision at the time such lot or parcel is first used for any residential or nonresidential purpose, at the time the area of the lot or parcel devoted to such residential or nonresidential use is expanded, or at the time of a change in the use of the lot or parcel.

Such transportation facility fee, park facility fee, building and equipment fee and storm drainage facility fee will be calculated from the schedule of such fees adopted by resolution of the City Council and in effect on the date of approval of such final map or parcel map, together with any adjustments to such schedules of fees made in accordance with the provisions of the Chico Municipal Code subsequent to the date of approval of the final map or parcel map to account for any changes in the type or extent of transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities which will be required as a result of the development and/or use of real property during the period upon which such fees are based, any change in the estimated cost of the transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities upon which such fees are based, or any change in that portion of the estimated cost of such transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities which cannot be funded from revenue sources available to the City other than such fees.”

12. The applicant shall defend, indemnify, and hold harmless the City of Chico, its boards and commissions, officers and employees against and from any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorney's fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to or claim regarding the legality, validity, processing or adequacy associated with: (i) this requested entitlement; (ii) the proceedings undertaken in connection with the adoption or

Exhibit I

Parcel Map (PM) 21-01 (Bruce Village Commons, LP)
Conditions of Approval
Page 3 of 3

approval of this entitlement; (iii) any subsequent approvals or permits relating to this entitlement; (iv) the processing of occupancy permits and (v) any amendments to the approvals for this entitlement. The City of Chico shall promptly notify the applicant of any claim, action or proceeding which may be filed and shall cooperate fully in the defense, as provided for in Government code section 66474.9.

13. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the applicant or their supervising contractor shall cease all work within the area of the find and notify the Community Development Department. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained by the applicant to evaluate the significance of the find. Community Development Department staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Department, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation.



Subdivision Report

Meeting Date 7/15/21

DATE: 7/1/2021

File: PM 21-01

TO: PLANNING COMMISSION

FROM: Matt Johnson, Senior Development Engineer, 879-6910
Public Works Department

RE: **Vesting Tentative Parcel Map PM 21-01 Bruce Village Commons**

Exhibit "II"

This office has reviewed the vesting Tentative Map (PM 21-01) and herewith submits the following findings and recommendations for same.

A. MODIFICATIONS TO TITLE 18R - DESIGN CRITERIA AND IMPROVEMENT STANDARDS OF THE CHICO MUNICIPAL CODE

The Subdivider has requested no modifications to Titles 18R of the Chico Municipal Code (CMC).

B. PUBLIC FACILITY CONSTRUCTION

1. Streets

The Subdivider shall remove and replace any damaged, and/or unacceptable public improvements that exist along the Bruce Road, East 20th Street, and Belgium Avenue frontages, including compliance with current ADA and Title 24 Accessibility Requirements.

2. Storm Drainage

The Subdivider shall pay a storm drain fee calculated in accordance with the current fee schedule under the requirements of the Chico Municipal Coder, prior to recordation of the final map, if applicable.

3. Sanitary Sewer

The Subdivider shall complete an Application for Sewer Connection.

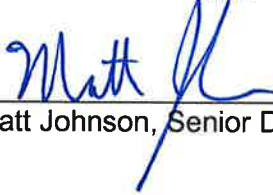
The Subdivider shall pay a sanitary sewer main fee to the City of Chico prior to recording the Final Map, plus applicable trunk line and water pollution control plant capacity fees in conjunction with building permits. All of the aforementioned fees will be subject to the terms and conditions of the Application for Sewer Connection.

If applicable, the Subdivider shall pay the remaining balance owed on any "Assessment In Lieu of Payment of Sewer Connection Fees" prior to recordation of the Final Map.

C. SUBDIVISION FEES

The Subdivider shall pay to the City of Chico a map checking fee upon submitting the Final Map for checking. The final will be equal to actual City costs.

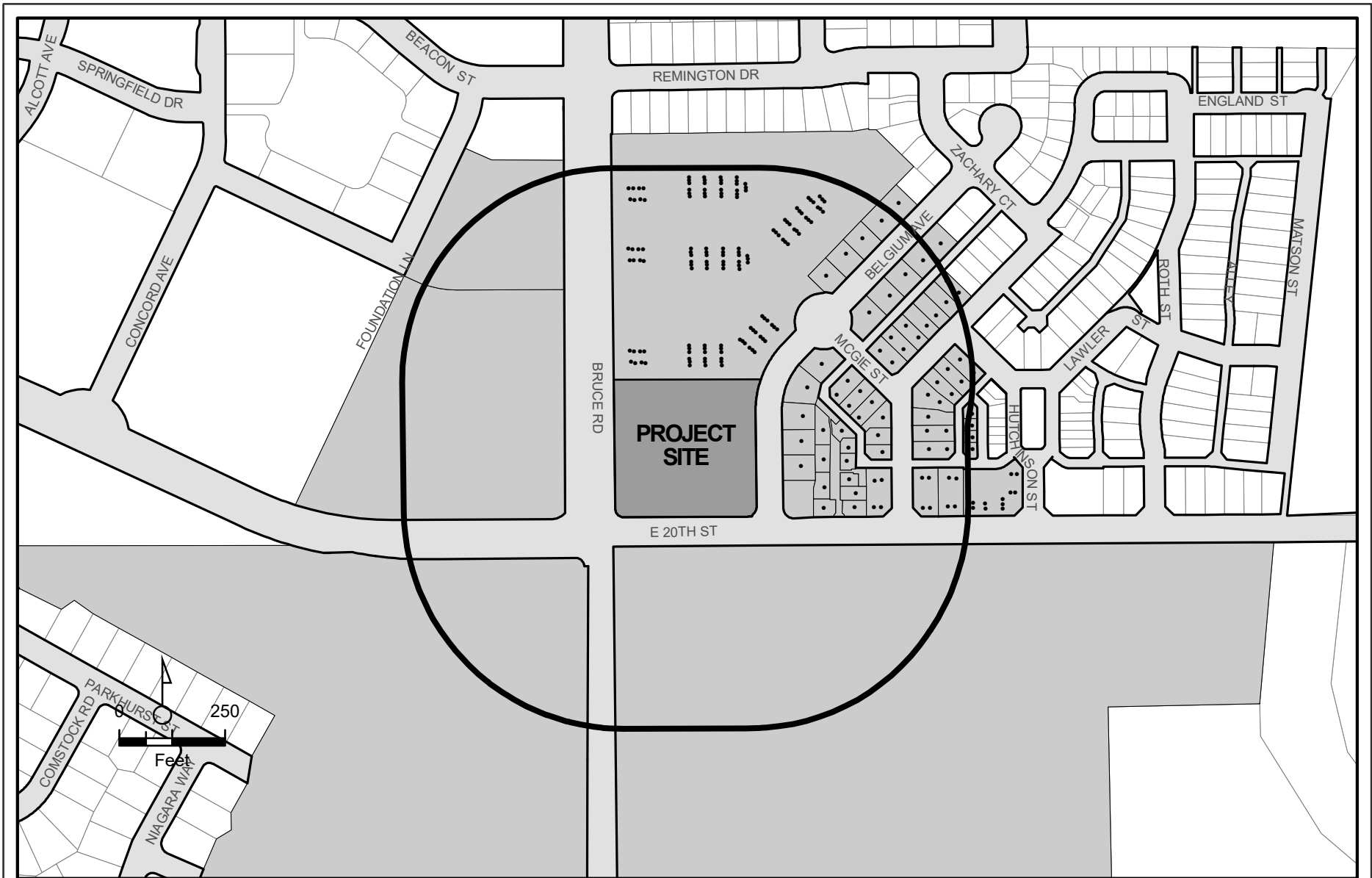
Recommendations and comments of all parties to whom the Tentative Map was circulated for review are on file with the respective parties and in Planning Services Department.



Matt Johnson, Senior Development Engineer

Distribution:

Original - Planning PM 21-01 File
Development Engineering Parcel Map File



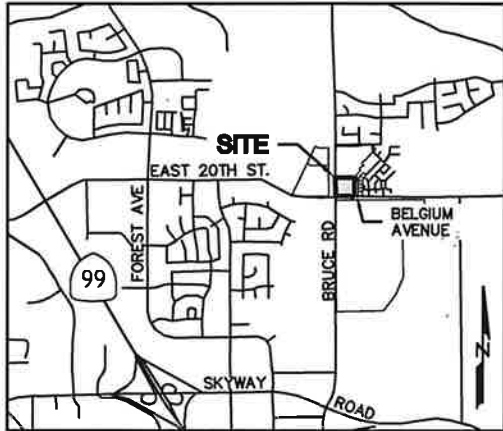
PM 21-01 (Bruce Village Commons)
 Bruce Road
 APN 018-390-021-000

- Noticed Addresses
- Noticed Parcels



ADJACENT PARCEL OWNERS

① 018-390-052
SOUTH CHICO LLC
1975 BRUCE RD
CHICO, CA 95928



SITE MAP
SCALE: NTS

SITE DATA

A.P. #: 018-390-021
EXISTING USE: VACANT LAND
PROPOSED USE:
MIXED COMMERCIAL AND
RESIDENTIAL CONDOMINIUM
PROJECT
SITE AREA: 2.50 ACRES
REMAINDER AREA: N/A
PROJECT AREA: 2.50 ACRES
AREA IN FLOOD PLAIN: N/A
NET PROJECT AREA: 2.50 ACRES
TOTAL PROJECT UNITS: 60
PROJECT DENSITY: 17 UNITS/ACRE
ELECTRICITY: PG&E
WATER: CALIFORNIA WATER SERVICE
WELLS: NO WELLS
SEWER: CITY OF CHICO
NO EXISTING SEPTIC TANKS OR
LEACH FIELDS ON PROPERTY
TREES: NO EXISTING TREES
TELEPHONE: AT&T
GAS: PG&E
CABLE TV: COMCAST
ZONING: CN NEIGHBORHOOD COMMERCIAL
GENERAL PLAN: NC

CLIENT:
BRUCE VILLAGE COMMONS, LP
1011 PARKVIEW AVE SUITE A
REDDING, 96001

OWNER:
GAGE CHRYSLER & CHRISTIE CHRYSLER
& OBANNON JAMES E & SUSIE C
REVOCABLE TRUST ETAL
1751 HOOKER OAK AVENUE
CHICO CA 95926

ENGINEER:
SHARRAH DUNLAP SAWYER, INC.
320 HARTNELL AVENUE
REDDING, CA 96002

RECEIVED

MAY 10 2021

CITY OF CHICO
PLANNING SERVICES

**VESTING TENTATIVE MAP
PM 21-01
BRUCE VILLAGE
COMMONS, LP**

BEING A PORTION OF THE SOUTH 1/2
OF SECTION 29, T.22N., R. 2 E., M.D.B.8M.
CITY OF CHICO - BUTTE COUNTY - CALIF.

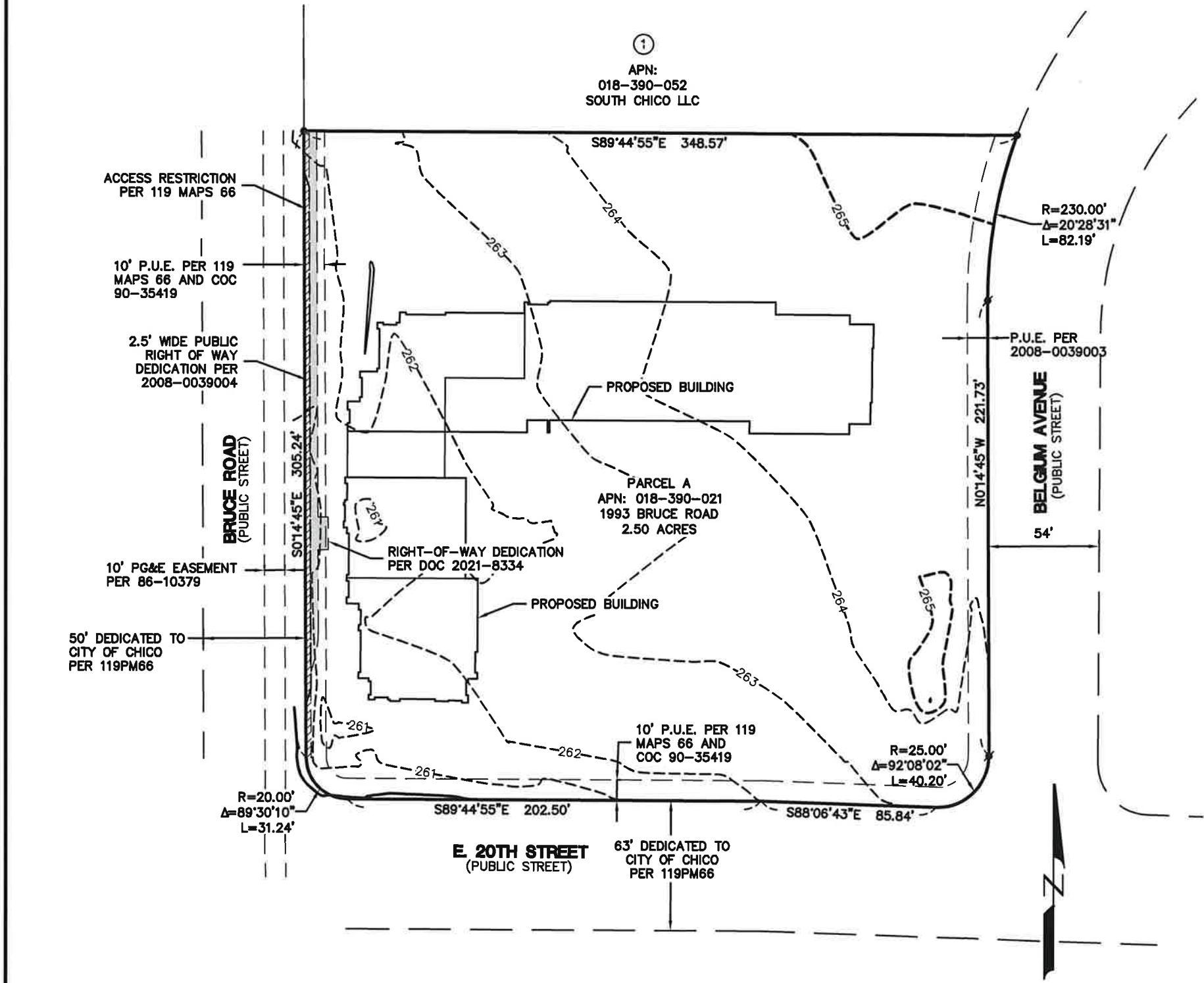
FOR
**BRUCE VILLAGE
COMMONS, LP**

BY

SHARRAH DUNLAP SAWYER, INC.



Civil Engineering • Land Planning • Surveying & Mapping
Landscape Architecture • Presentation Graphics
6590 Lockheed Drive, Redding, CA 96002
530.221.1792 voice • 530.221.8369 fax • info@sdengineering.com



ACCESS RESTRICTION
PER 119 MAPS 66

10' P.U.E. PER 119
MAPS 66 AND COC
90-35419

2.5' WIDE PUBLIC
RIGHT OF WAY
DEDICATION PER
2008-0039004

BRUCE ROAD
(PUBLIC STREET)

10' PG&E EASEMENT
PER 86-10379

50' DEDICATED TO
CITY OF CHICO
PER 119PM66

RIGHT-OF-WAY DEDICATION
PER DOC 2021-8334

PROPOSED BUILDING

PARCEL A
APN: 018-390-021
1993 BRUCE ROAD
2.50 ACRES

PROPOSED BUILDING

10' P.U.E. PER 119
MAPS 66 AND
COC 90-35419

E. 20TH STREET
(PUBLIC STREET)

63' DEDICATED TO
CITY OF CHICO
PER 119PM66

BELGIUM AVENUE
(PUBLIC STREET)

FLOODPLAIN NOTE:

THE PROJECT AREA IS DESIGNATED AS ZONE "X" BEING AN AREA DETERMINED TO BE AREAS OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) 06007C0506E, BUTTE COUNTY, CALIFORNIA, EFFECTIVE DATE JANUARY 6, 2011.

STORM DRAINAGE NOTE

THE PROJECT WILL INCLUDE A STORM WATER DRAINAGE SYSTEM PER THE PRELIMINARY GRADING PLAN PREPARED BY ROLLS, ANDERSON AND ROLLS. IN ADDITION THE PLAN WILL COMPLY WITH THE CITY'S PCSP.

