



**DATE:** April 24, 2017  
**TO:** ZONING ADMINISTRATOR  
**FROM:** Shannon Costa, Assistant Planner, 879-6807  
**RE:** Use Permit 17-07 (Nine Star Properties)  
1005 West 6<sup>th</sup> Street, APN 004-206-005

File: UP 17-07
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**RECOMMENDATION**

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 17-07 (Nine Star Properties), based on the findings and subject to the recommended conditions of approval.

**BACKGROUND**

This is a request to authorize ground-level occupancy for a multi-family residential use on a 0.2-acre site zoned CC-FS (Community Commercial with Fraternity and Sorority overlay) (See **Attachment A**, Location Map, and **Attachment B**, Plat to Accompany Use Permit 17-07). Under the City’s zoning regulations, residential units on the second floor or above are a permitted use in the CC (Community Commercial) zoning district, while ground-level residential occupancy requires a use permit. The site is designated Commercial Mixed-Use by the City’s General Plan Land Use Diagram.

The project site is located on the northwest corner of Cedar Street and West 6<sup>th</sup> Street, and is currently developed with a single-family home and an outbuilding. Surrounding land uses include multi-family residential uses to the north, commercial uses to the south and west and light industrial uses to the east.

This proposed development includes construction of one 3-story building containing five carriage-house style units with first floor garages and living space above. The new building would have front entries facing east, with porches leading to a common walkway connecting out to the public right-of-way along West 6<sup>th</sup> Street. The units would share a common driveway behind the building, and two vehicle parking spaces would be provided for each unit within private garages.

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

**DISCUSSION**

Pursuant to Chico Municipal Code (CMC) section 19.44.020, Table 4-6 (*Allowed Uses and Permit Requirements for Commercial Zoning Districts*), use permit authorization is required to establish ground-level residential occupancy in the CC (Community Commercial) zoning district; residential units on the second floor or above are a permitted use.

This request is to allow 10 residential units. This would result in a density of 12.8 units per acre, which falls within the allowable density range of 6 to 22 units per acre in the CC (Community Commercial) zoning district.

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 (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).

The CMC 19.18 (Site Design and Architectural Review) requires that, prior to issuance of a building permit, the proposed apartment project receive site design and architectural approval from the Architectural Review and Historic Preservation Board (ARHPB).

## **ENVIRONMENTAL REVIEW**

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 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 of 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 Section 19.44.020, Table 4-6, provides for ground-level residential occupancy in the CC (Community Commercial) 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 neighborhood have been identified as the proposed residential use is compatible with the existing surrounding residential uses. Sufficient off-street vehicle parking is demonstrated on the site plan. The project has been conditioned to require design review by the Architectural Review and Historic Preservation Board 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 proposed project is within an area that currently contains ground-floor residential uses and structures, improved public streets, bicycle facilities, and access to public transit (B-Line Route #9 stops at West 4<sup>th</sup> Avenue/Cedar Street). 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 proposed 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 (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). Ground-floor residential use is compatible with the surrounding commercial and residential uses and would not significantly decrease available commercial land in the surrounding area.

- 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 proposed residential apartment project will be compatible with existing multi-family residential uses across West 6<sup>th</sup> Street. As conditioned, design details will be evaluated by the Architectural Review and Historic Preservation Board and conditioned as necessary, which will further ensure project compatibility with existing adjacent uses.

## **CONDITIONS OF PROJECT APPROVAL**

1. Use Permit 17-07 authorizes ground-level residential occupancy, in substantial accord with the "Plat to Accompany Use Permit 17-07 (Nine Star Properties)" 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, and landscaping for the project shall be subject to review by the Architectural Review and Historic Preservation Board, 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.

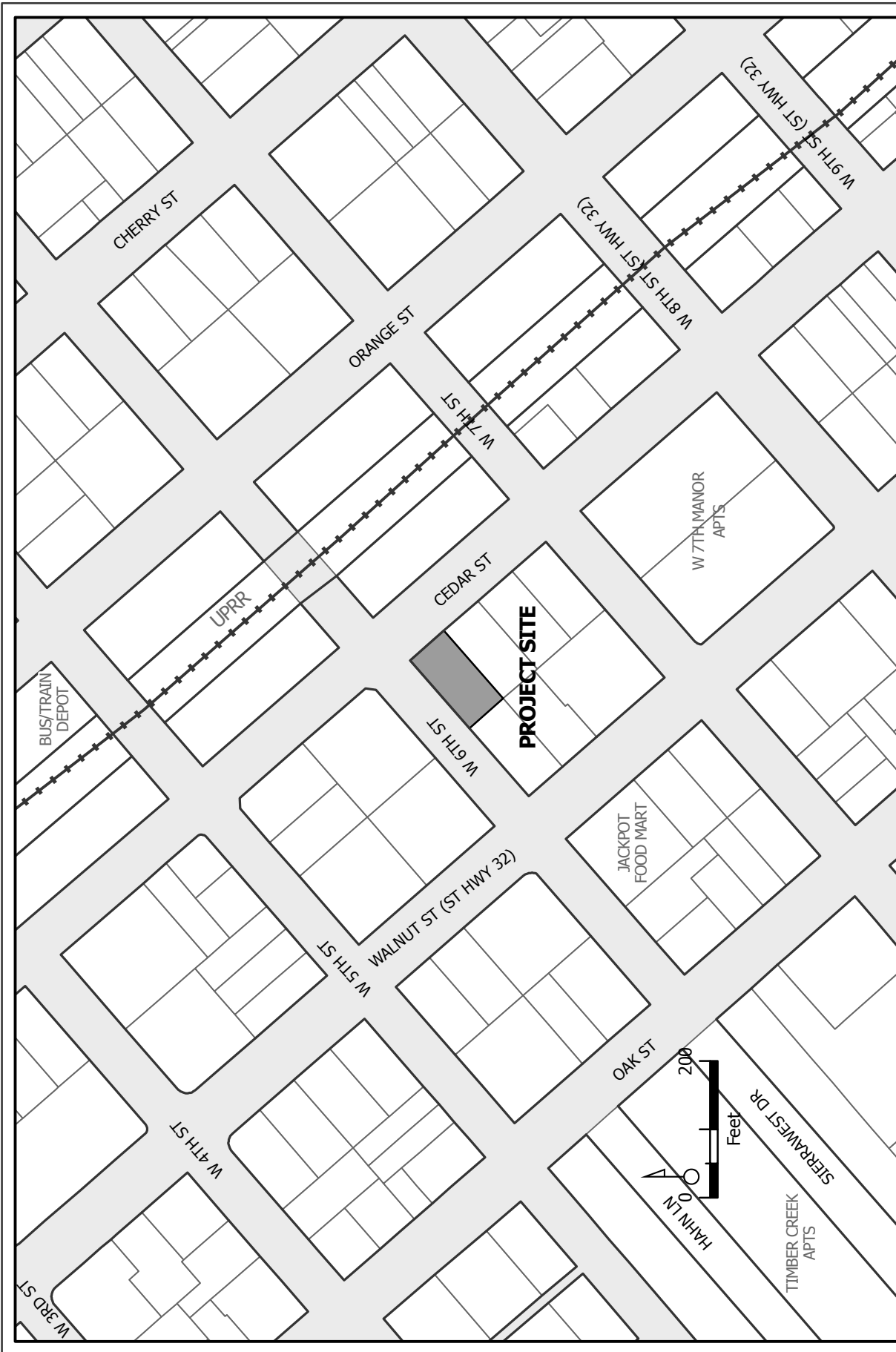
**DISTRIBUTION:**

Mark Wolfe, Zoning Administrator  
Shannon Costa, Assistant Planner  
Nine Star Properties, Attn: Chris Jennings, 655 Coyote Way, Chico, CA 95928  
Greg Peitz, 383 Rio Lindo Ave, Chico, CA 95926

**ATTACHMENTS:**

- A. Location/Notification Map
- B. Plat to Accompany Use Permit 17-07 (Nine Star Properties)

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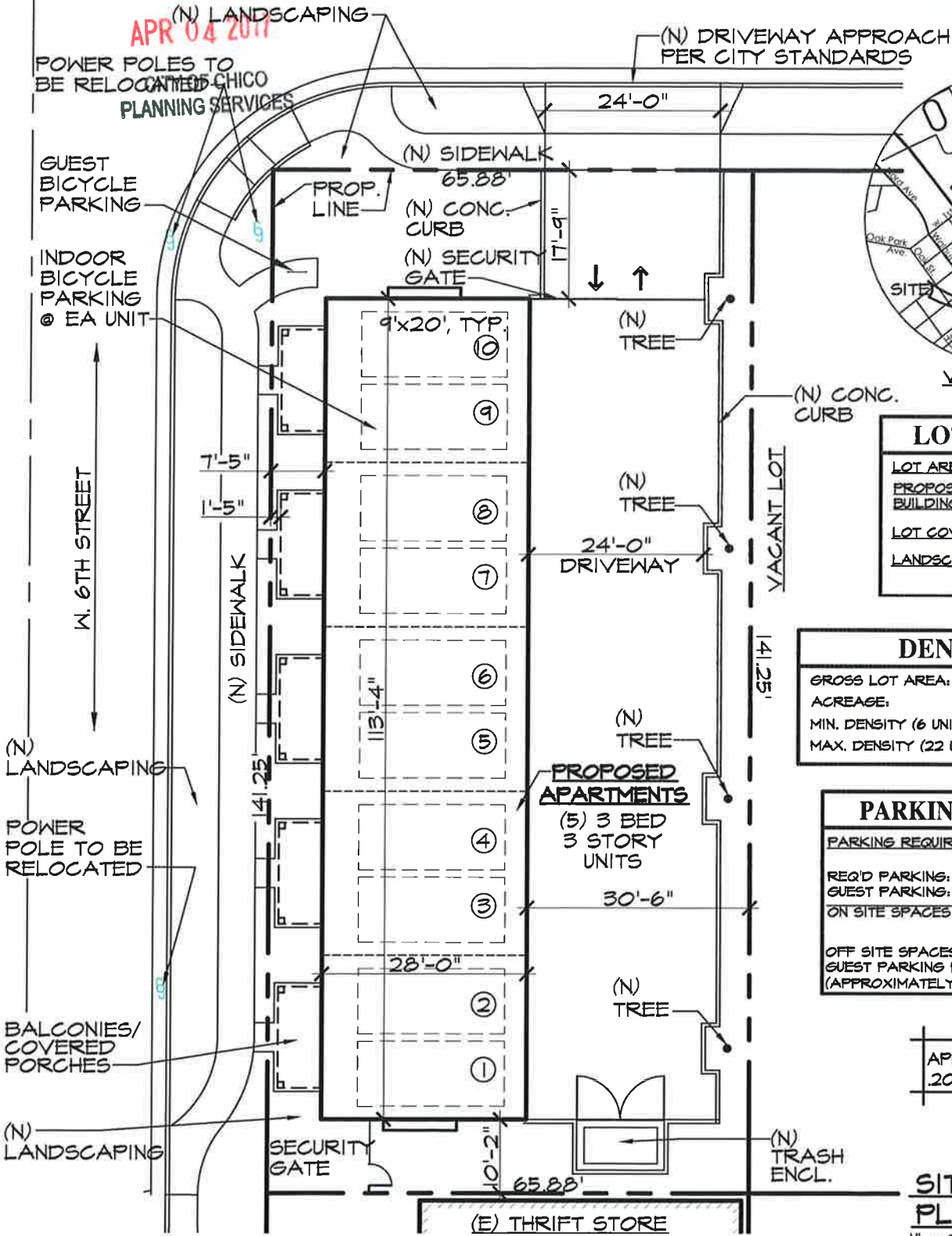
UP 17-07 (Nine Star Properties)  
1005 West 6th Street  
APN 004-206-005-000

RECEIVED

EDAR STREET



APR 04 2017



**LOT COVERAGE:**

LOT AREA:	= 9306 SQ. FT.
PROPOSED BUILDING AREA:	= 3173 SQ. FT.
LOT COVERAGE:	= 34.1 %
LANDSCAPE AREA:	= 2361 SQ. FT.
	= 25.4 %

**DENSITY:**

GROSS LOT AREA:	= 17131 SQ. FT.
ACREAGE:	= .39 ACRES
MIN. DENSITY (6 UNITS) PER ACRE:	= 2 UNITS
MAX. DENSITY (22 UNITS) PER ACRE:	= 8 UNITS

**PARKING ANALYSIS:**

**PARKING REQUIREMENTS:**

REQ'D PARKING: (5)(2)	= 10 REQ'D.
GUEST PARKING: (1/5)(5)	= 1 REQ'D.
ON SITE SPACES PROVIDED:	10 SPACES

OFF SITE SPACES PROPOSED TO FULFILL GUEST PARKING REQ. (APPROXIMATELY (6) SPACES AVAILABLE)

APN:004-206-005  
20 ACRES



<p><b>GREGORY A. PEITZ ARCHITECT</b> 383 Rio Lindo Ave. Chico, CA. 95926 (530) 894-5719</p>	<p>USE PERMIT for: <b>NINE STAR PROPERTIES</b> 1005 W. 6TH ST., CHICO CA</p>	<p>SHEET <b>1</b> of: three</p>
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