



File: UP 16-05

**DATE:** May 23, 2017  
**TO:** ZONING ADMINISTRATOR  
**FROM:** Shannon Costa, Assistant Planner  
**RE:** Use Permit 16-05 (Esplanade Apartments) 1731 Esplanade, APN 003-574-005

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## RECOMMENDATION

Planning staff recommends that the Zoning Administrator find that the project is categorically exempt from environmental review and approve Use Permit 16-05 (Esplanade Apartments), based on the findings and subject to the recommended conditions of approval contained in the agenda report.

## BACKGROUND

This is a request to authorize expansion and alteration of a non-conforming use, and to allow ground-level residential occupancy in a CC (Community Commercial) zoning district located at 1731 Esplanade (See **Attachment A**, Location Map, and **Attachment B**, Plat to Accompany Use Permit 16-05). The site is zoned CC-SD4 (Community Commercial with Special Design Considerations West Avenue Neighborhood Area overlay) and is designated Commercial Mixed Use by the General Plan Diagram. The 0.27-acre site is located on the west side of Esplanade, south of West 8<sup>th</sup> Avenue and is currently developed with multi-family units in various states of disrepair.

The proposal includes the demolition of an existing 560 square-foot duplex at the rear of the property and reestablishing the units within an existing building elsewhere on the site. The proposal also includes the expansion of an existing building containing two units that is located within three feet of the southern property line. The building would be enlarged from 668 square-feet to 1,187 square-feet. Proposed setbacks for the additional square-footage would be five (5) feet from the property line, which is consistent with setbacks for a multi-family development. Other existing units on the site would be remodeled within their existing footprints and a new 72 square-foot laundry facility is proposed at the rear of the property.

The site plan locates all parking spaces at the rear of the site and accessed from the adjacent alley via a 24-foot-wide drive isle. The parking analysis provided notes that ten (10) parking spaces are required, with 11 spaces proposed on-site. Bicycles parking is provided on the private patio of each unit for a total of ten bike parking spaces. A tree removal permit has been obtained by the applicant for the removal of a single tree.

Detailed site improvements and architecture associated with the apartment project will be reviewed under a separate application.

## 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.

The request is to allow 9 residential ground-floor units resulting in an overall density of \*\* units per gross acre, which falls within the allowable density range of 6 to 22 units per acre in the CC (Community Commercial) zoning district.

Chico Municipal Code (CMC) 19.08.030 requires that any addition, enlargement, or relocation of an existing non-conforming use can be authorized through a use permit.

The request is to relocate the units from the demolished structure (Building D) to an existing building onsite (Building 2) (see **Attachment C**, Site Demo Plan). The request also includes the expansion of a non-conforming structure located within less than three feet of the southern property line. The proposed expansion conforms to current setback requirements. The interiors of other buildings on the site would be remodeled within their existing footprints.

#### 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 and Changes to a Structure or Site Improvement 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. Chico Municipal Code 19.08.030 provides that any addition, enlargement, or relocation of an existing non-conforming use can be authorized through a use permit. 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.*

Ground-floor residential uses have existed compatibly at the site and within the neighborhood for many years. Sufficient parking is proposed on-site and the project has been conditioned to require additional Architectural Review to ensure the project meets all applicable design guidelines.

- 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 site is within an area that currently contains both single-family and multi-family uses and structures, commercial services and access to public transit. The proposed multi-family use is consistent with the historic use of the site. 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) 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.*

The proposed ground-floor residential use has existed compatibly within the neighborhood. As conditioned, design details will be evaluated and conditioned as necessary, which will further ensure project compatibility with existing adjacent uses.

#### **CONDITIONS OF PROJECT APPROVAL**

1. Use Permit 16-05 (Esplanade Apartments) authorizes expansion and alteration of a non-conforming use, and ground-level residential occupancy in a CC (Commercial Services) zoning district in substantial accordance with the "Plat to Accompany Use Permit 16-05 (Esplanade Apartments)", 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 Community Development, Public Works, and Fire Departments. The permittee is responsible for contacting these offices to verify the need for permits.
3. Site Design and Architectural Review in compliance with CMC 19.18 shall be conducted by Planning Division staff prior to the issuance of any building or grading permits. All tree preservation or removal shall be in compliance with City regulations, including Chapter 19.68 and 16.66.

**PUBLIC CONTACT**

All landowners and occupants within 500 feet of the subject property were noticed and a legal notice was published in the *Chico Enterprise Record*. As of the date of this report, no comments have been received from the public.

**DISTRIBUTION:**

Internal (2)

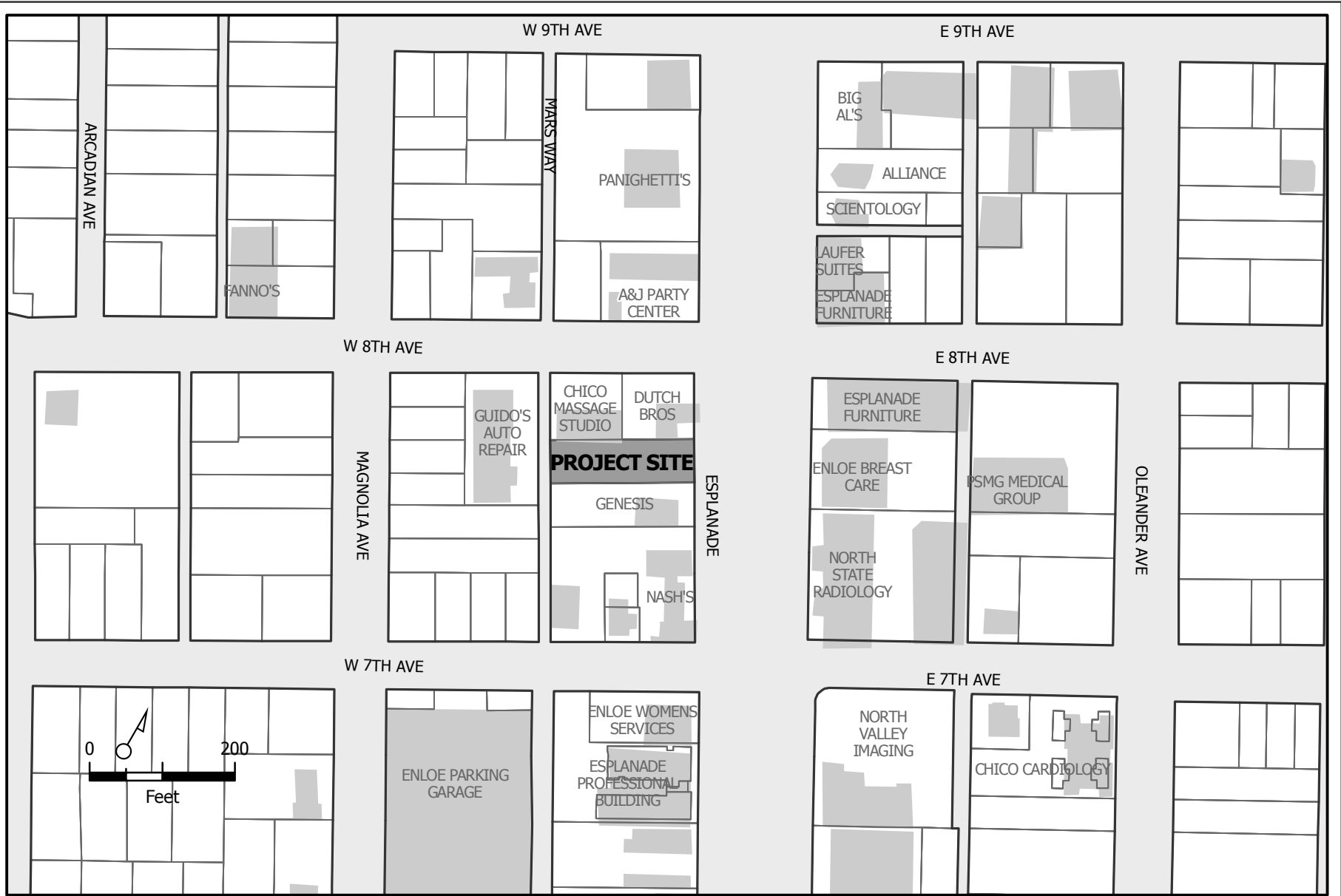
Mark Wolfe, Zoning Administrator  
Shannon Costa, Assistant Planner

External (3)

South Chico Chicas, LLC, 763 Hill View Way, Chico, CA 95926  
Mike Trolinder, 132 Meyers St, Suite 110, Chico, CA 95926  
Pat Conroy, 1350 E. 9<sup>th</sup> St. - Suite 100, Chico, CA 95928

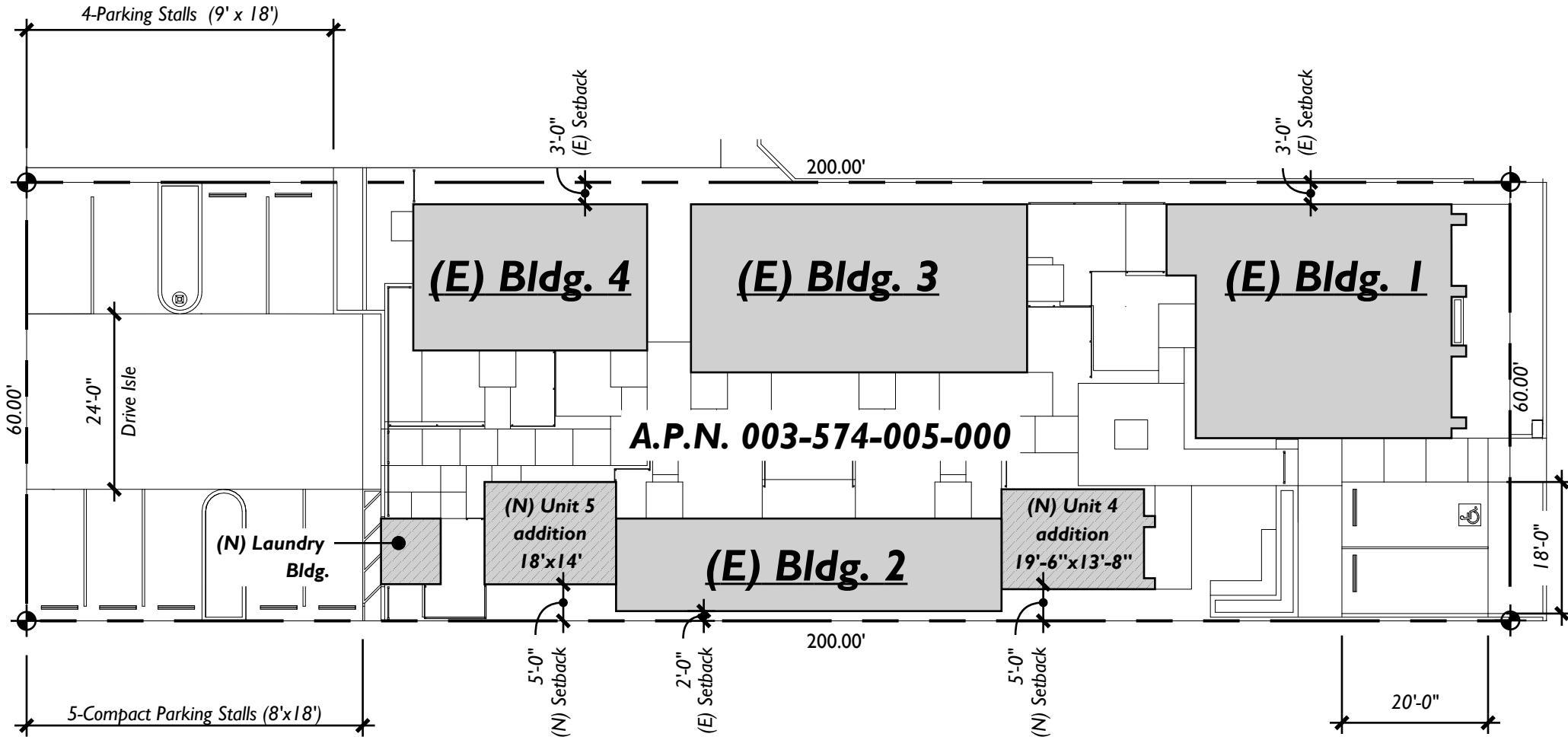
**ATTACHMENTS:**


- A. Location/Notification Map
- B. Plat to Accompany Use Permit 16-05 (Esplanade Apartments)
- C. Site Plan Demo



UP 16-05 (Esplanade Apartments)  
 1731 Esplanade  
 APN 003-574-005-000





**Plot Plan**  N  
1" = 20'