



DATE: May 30, 2018

File: UP 18-03

TO: ZONING ADMINISTRATOR

FROM: Kimber Gutierrez, Associate Planner, 530-879-6810, kimber.gutierrez@chicoca.gov

RE: Use Permit 18-03 (McGuire Apartments), 632 Cedar Street
APNs 004-206-002, -008, and -011

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from further environmental review and approve Use Permit 18-03 (McGuire Apartments), 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 0.9 gross acre (0.6 net acre) site zoned CC (Community Commercial) and to reduce the number of required off-street parking for the proposed development. The site is designated Commercial Mixed-Use (CMU) by the City's General Plan Land Use Diagram and is zoned CC (Community Commercial) with –COS (South Campus Corridor Opportunity Site) and -FS (Fraternity and Sorority) overlays. Allowable residential densities within the City's CC zone range from 6 to 22 dwelling units per gross acre and under the –COS overlay, CMU General Plan designations may have up to 60 units per gross acre.

The project site is located on the west side of Cedar Street between West 6th Street and West 7th Street (See **Attachment A**, Location Map). Structures on the property include two vacant buildings that appear to have been used for manufacturing and storage uses. Surrounding land uses include multi-family residential uses to the north and south, commercial uses to the west and light industrial uses to the east.

The proposed development includes construction of a 20-unit apartment complex, resulting in a gross density of 22 units per gross acre (see **Attachment B**, Plat to Accompany Use Permit 18-03). The development includes four new buildings each containing five, three-story townhouse-style units with first floor garages and living space above. The site design situates the four buildings into rows, with the side of the buildings and two new entrance drives facing Cedar Street. Each set of buildings would share a common driveway and two vehicle parking spaces would be provided for each unit within private garages. The two interior buildings would have their front entries facing each other with a common pedestrian walkway connecting to the Cedar Street public right-of-way. A six-foot wood fence would be constructed along the rear (west) property line to create a physical separation between the existing commercial development and the proposed residential development.

A Certificate of Merger was approved by the Map Advisory Committee on May 10, 2018, which will result in the three existing parcels merging to become one parcel. An abandonment of public right-of-way is also necessary to create the proposed property configuration (198 feet by 141.25 feet). Detailed site improvements and architecture associated with the apartment project will be reviewed by the Architectural Review and Historic Preservation Board (ARHPB) at a future date.

DISCUSSION AND ANALYSIS

Land Use

Pursuant to Chico Municipal Code (CMC) §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.

As stated, the proposed project is a request to construct 20 residential units on a 0.9 gross acre site. This would result in a gross density of 22 units per gross acre, which is the maximum allowable density in the CC zoning district (6 to 22 units per gross acre). However, under the –COS overlay, CMU General Plan designations may have up to 60 units per gross acre and must meet a minimum density based on the midpoint of 14 units per acre pursuant to General Plan Action LU-5.1.2.

The subject site is located on a seven block corridor that is zoned CC; the corridor is bounded by West 1st Street, Cedar Street, West 9th Street and Walnut Street (see **Attachment C**, Residential Uses in Community Commercial Corridor Map). Allowing ground-level occupancy for an exclusively multi-family residential project would likely eliminate commercial opportunity for the subject site. The adjacent blocks and parcels along Cedar Street contain solely multi-family residential developments with the adjacent half block along Walnut Street containing commercial development. In the larger context, allowing the proposed exclusively multi-family residential project would contribute to an on-going de-commercialization of the CC-zoned corridor. As shown on **Attachment C**, approximately eight parcels (2.5 acres) in the identified CC corridor have been entitled for ground-level residential occupancy, adding to the approximately 6.4 acres of existing residential development. This leaves approximately nine acres of commercial property in the corridor. The existing land use pattern of the corridor involves more commercial uses established along the northern portion of Walnut Street with predominately residential uses established in the southern portion and along Cedar Street. The creation of residential development near existing commercial uses provides convenient shopping opportunities for residents in the area and promotes implementation of General Plan policies that encourage development of neighborhood-serving centers within walking distance of nearby residents (LU-3.1, LU-3.2 and CIRC-4). Approving the subject use permit would not result in an inadequate supply of commercial lands in the project area, although it would contribute to the ongoing trend of eliminating commercial opportunities along the Walnut-Cedar Street corridor.

Vehicle Parking

Pursuant to CMC §19.70.040 (*Number of parking spaces required*), multi-family housing must provide two spaces for each three bedroom unit and one space per each five units for guest parking. Additionally, one bicycle space per unit for residences and one bicycle space per 10 units for guests are required.

CMC §19.70.050(A) establishes the City's parking reduction requirements.

- A. *The minimum number of off-street parking spaces may be reduced as part of an entitlement approval or through subsequent approval of a use permit. Applicants*

proposing a parking reduction shall provide documentation, including quantitative analysis, that justifies the proposed number of parking spaces based on the site and proposed land use(s). A reduction of off-street parking pursuant to this section may be allowed only if both of the following findings can be made:

1. *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.*
2. *The proposed parking reduction is not likely to overburden public parking supplies in the project vicinity.*

The project site is within the South Campus Corridor Opportunity Site overlay zone and therefore meets the first parking reduction criterion. The proposed parking reduction would not likely overburden public parking supplies in the project vicinity as there is ample vacant and underutilized on-street parking available adjacent to the site on Cedar Street and West 7th Street.

Bicycle Parking and Transit

The proposed project includes two indoor bicycle parking spaces in the garage of each unit and guest bike racks in the center common space (**Attachment B**). The amount of proposed bicycle parking exceeds the CMC requirement of one bicycle space per unit for residences and one bicycle space per 10 units for guests. Access to convenient transit routes is available on both Oak Street and Ivy Street.

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).

OTHER ENTITLEMENTS

On May 10, 2018, the Map Advisory Committee approved a Certificate of Merger for the proposed project site.

All proposed improvements, including the building designs, landscaping, and other improvements will be subject to site design and architectural review pursuant to CMC 19.18

(*Site Design and Architectural Review*), as well as review and approval by other City departments.

ENVIRONMENTAL REVIEW

This project is categorically exempt from further review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines §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 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 §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 persons residing or working in the neighborhood have been identified as the proposed residential use is consistent with the existing surrounding residential uses. The use is within the South Campus Corridor Opportunity Site overlay zone, which has established development standards that encourage a safe and pleasant pedestrian environment with an attractive streetscape, and limits conflicts between vehicles and pedestrians. Sufficient off-street vehicle parking is demonstrated on the site plan for the residents and the project meets the City's parking reduction requirements. 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 surrounding area 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 7th Street and Oak Street). Additionally, having an active use on the site will avoid blight and reduce the likelihood of vandalism and other potential undesirable behaviors on the site. Existing regulations require that any public improvements damaged during the course of construction be repaired or reconstructed by the applicant. 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).

- 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 multi-family residential use will be consistent and compatible with existing adjacent multi-family residential uses. As conditioned, design details such as setbacks and landscaping 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 18-03 authorizes ground-level residential occupancy, in substantial accord with the "Plat to Accompany Use Permit 18-03 (McGuire Apartments)" 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

Internal

Brendan Vieg, Zoning Administrator
Kimber Gutierrez, Associate Planner

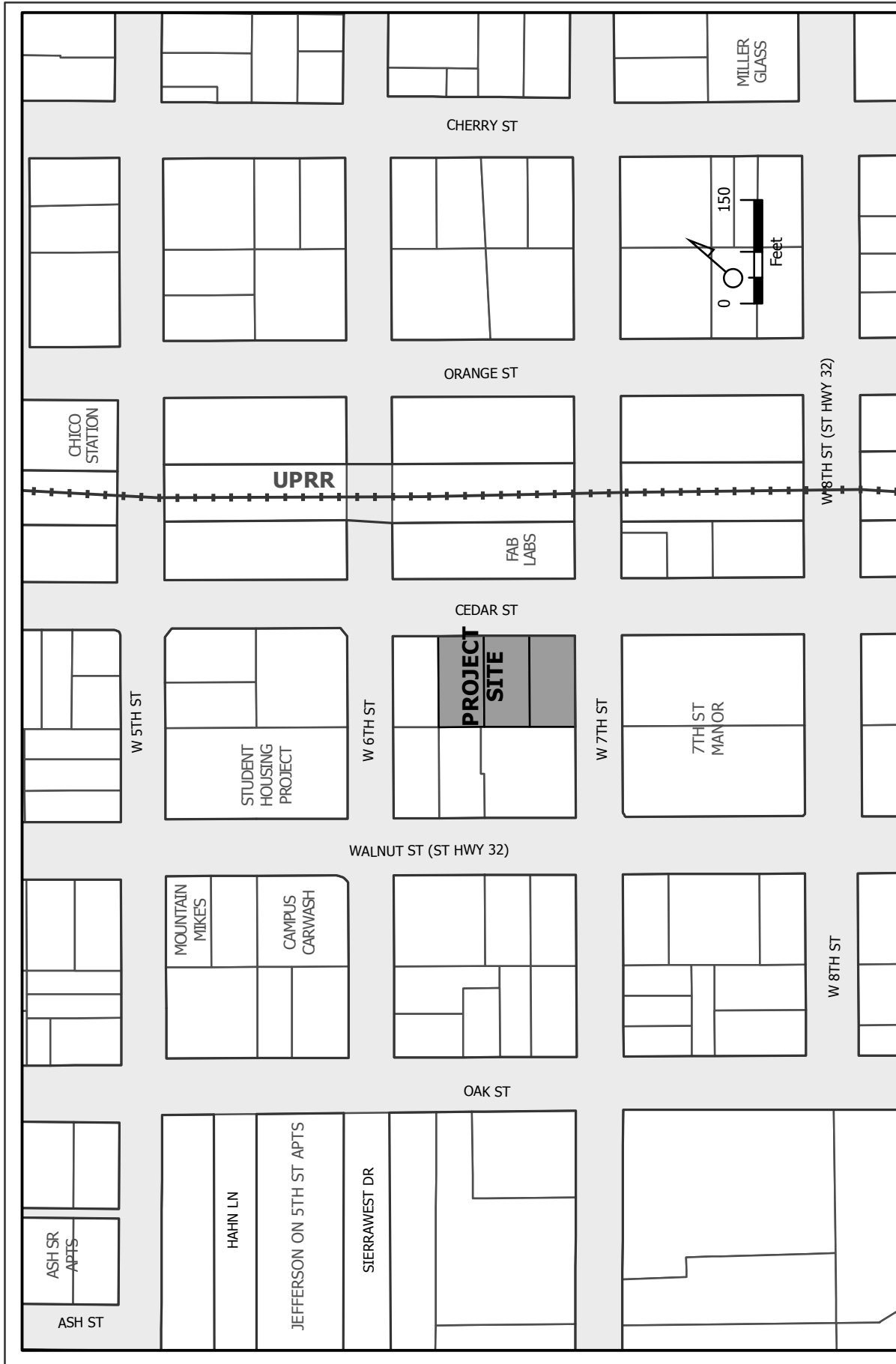
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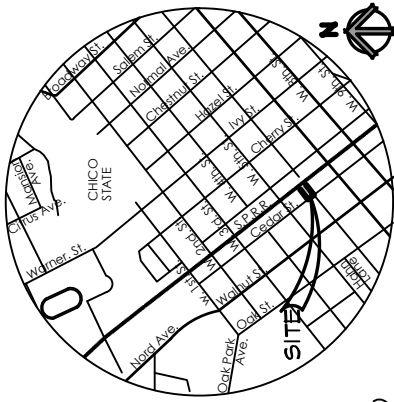
ATTACHMENTS

- A. Location Map
- B. Plat to Accompany Use Permit 18-03 (McGuire Apartments)
- C. Residential Uses in a Community Commercial Corridor Map

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UP 18-03 (McGuire Apartments)
 632 Cedar Street
 APNs 002-206-(002, 008, 011)-000

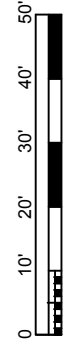
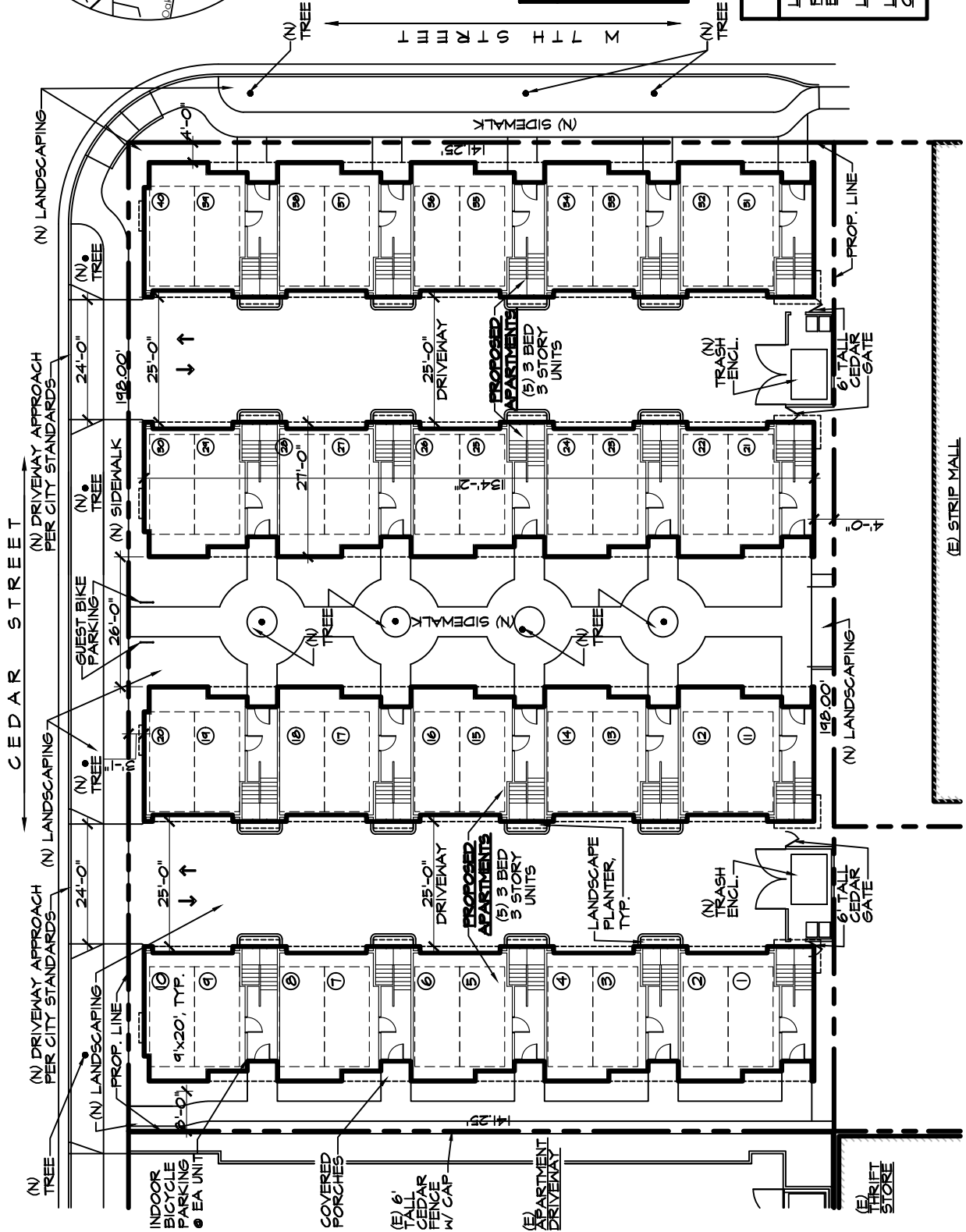


VICINITY MAP

DENSITY	
GROSS LOT AREA:	40,021 SQ. FT.
ACREAGE:	0.92 ACRES
MIN. DENSITY:	6 UNITS/ACRE
MAX. DENSITY:	22 UNITS/ACRE
ACTUAL DENSITY:	22 UNITS/ACRE

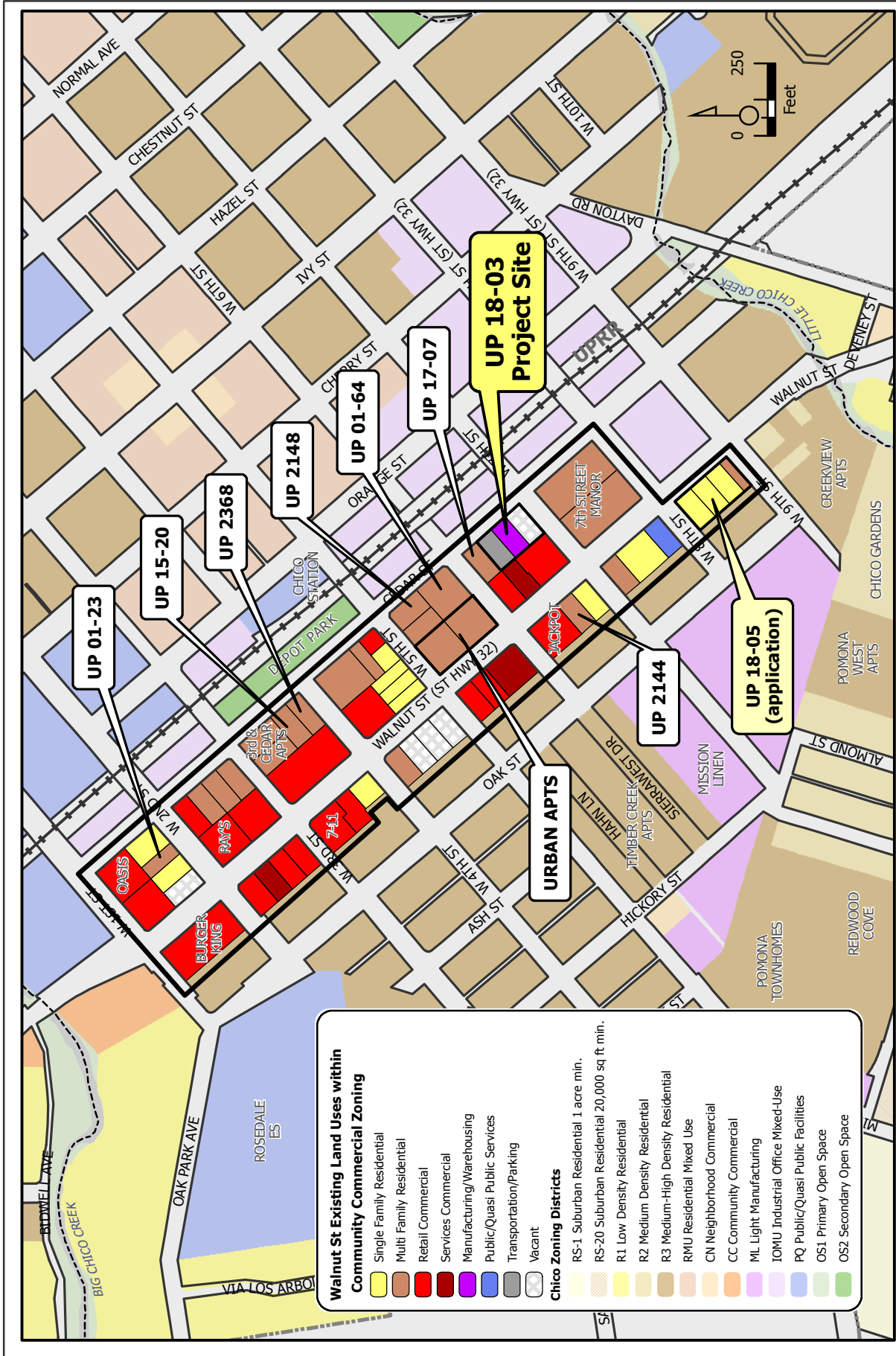
LOT COVERAGE	
LOT AREA:	= 27,968 SQ. FT.
PROPOSED BUILDING AREA:	= 13,804 SQ. FT.
LOT COVERAGE:	= 49.4 %
LANDSCAPE OPEN SPACE:	= 6,441 SQ. FT.
	= 23.2 %

PARKING ANALYSIS	
PARKING REQUIREMENTS:	
REG'D PARKING: (20/2)	= 40 REG'D.
GUEST PARKING: (1/5/20)	= 4 REG'D.
ON SITE SPACES PROVIDED: 40 SPACES	
OFF SITE SPACES PROPOSED TO FULFILL GUEST PARKING REG.: (APPROXIMATELY (10) SPACES AVAILABLE)	



SITE PLAN
1" = 30'-0"

<p>USE PERMIT for: BILL MCGUIRE 632 CEDAR ST., CHICO CA</p>	<p>APN: 004-206-002, 004-206-008, 004-206-011 0.64 ACRES</p>
	<p>SHEET 1 of three</p>



Walnut St Existing Land Uses within Community Commercial Zoning

[Yellow]	Single Family Residential
[Light Brown]	Multi Family Residential
[Red]	Retail Commercial
[Dark Red]	Services Commercial
[Purple]	Manufacturing/Warehousing
[Blue-Gray]	Public/Quasi Public Services
[Light Blue]	Transportation/Parking
[White]	Vacant

Chico Zoning Districts

[Light Yellow]	RS-1 Suburban Residential 1 acre min.
[Light Orange]	RS-20 Suburban Residential 20,000 sq ft min.
[Yellow]	R1 Low Density Residential
[Light Green]	R2 Medium Density Residential
[Green]	R3 Medium-High Density Residential
[Light Blue-Gray]	RMU Residential Mixed Use
[Blue-Gray]	CN Neighborhood Commercial
[Blue]	CC Community Commercial
[Light Blue]	ML Light Manufacturing
[Light Purple]	IOMU Industrial Office Mixed-Use
[Purple]	PQ Public/Quasi Public Facilities
[Dark Purple]	OS1 Primary Open Space
[Dark Blue]	OS2 Secondary Open Space

Residential Use Permit

UP 18-03 (McGuire Apartments)
 APNs 004-206-(002, 008, 011)-000