



DATE: June 25, 2018

File: UP 18-11

TO: ZONING ADMINISTRATOR

FROM: Shannon Costa, Assistant Planner, 530-879-6807 (shannon.costa@chicoca.gov)

RE: Use Permit 18-11 (Skyline Luxury Apartments), northeast corner of intersection at Bruce Road and California Park Drive; APN 018-250-001

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from further environmental review and approve Use Permit 18-11 (Skyline Luxury Apartments) based on the findings and subject to the recommended conditions of approval.

BACKGROUND

This is a request to authorize ground-level residential occupancy for a multi-family residential development on a 5.6-acre site zoned CN (Neighborhood Commercial) (See **Attachment A**, Location Map, and **Attachment B**, Plat to Accompany Use Permit 18-11). The site is designated Neighborhood Commercial on the City's General Plan Land Use Diagram and is zoned CN (Neighborhood Commercial). Pursuant to Chico Municipal Code (CMC) 19.44.020, Table 4-6 (*Allowed Uses and Permit Requirements for Commercial Zoning Districts*) a use permit is required to establish a ground-floor residential use in the CN zoning district. Residential uses on the second floor or above are permitted.

The project site is located on the northeast corner of the intersection at Bruce Road and California Park Drive. The site is currently undeveloped. Surrounding land uses include multi-family and single-family residential uses to the north, east and west and medical office and commercial uses to the south and southwest.

This proposed development includes the construction 104 residential units. The site plan demonstrates access to the site provided by two new driveway entrances from California Park Drive. 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 AND ANALYSIS

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 CN (Neighborhood Commercial) zoning district. Residential units on the second floor or above are a permitted use. Overall gross density for the site would be 14.6 units per acre, which is within the allowable density range for the CN zoning district (6-22 units per acre).

The site is located within the bounds of the California Park Homeowners Association (the "Association") who administer the homeowner covenants, conditions and restrictions (CC&Rs), in addition to privately reviewing and approving property improvement requests

within their jurisdiction. Historically, the Association has been non-supportive of exclusively commercial uses at the project site as they did not feel it was compatible with the adjacent multi-family residential developments. The Association has reviewed and provided a written letter of support for the proposed project (see **Attachment C**, California Park Association Letter).

The CN (Neighborhood Commercial) zoning district is applied to areas appropriate for a wide range of retail sales, businesses, institutions and serves the daily needs of nearby residents. Allowing ground-level occupancy for an exclusively multi-family residential project would likely reduce commercial development opportunity at the subject site. However, neighborhood serving commercial uses currently exist on the southwest corner of the same intersection, including a coffee house, pizza parlor and convenience store. A commercial node also exists directly south of the project site, within the Lakeside Village Center that provides medical and other office opportunities.

Developing the site with an exclusively multi-family residential project would be consistent with the existing surrounding land uses which include multi-family and single-family homes and is supported by the California Park Neighborhood Association. The creation of residential development at the site implements General Plan policies that emphasize on neighborhood compatibility by maintaining neighborhood character (LU-4.3). Approving the subject use permit would not result in an inadequate supply of commercial lands in the project area.

ENVIRONMENTAL REVIEW

This project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15183.3 (Streamlining for In-Fill 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 would include a renewable energy feature; the site is not on any list compiled pursuant to Section 65962.5 of the Government Code; and is not located within 500-feet of a high-volume roadway or significant source of air pollution. 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 CN (Neighborhood 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. 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 surrounding area currently contains ground-floor residential uses and structures, improved public streets and bicycle facilities. 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.*

Chico Municipal Code 19.44.020, Table 4-6, provides for ground-level residential occupancy in the CN (Neighborhood Commercial) zoning district, subject to use permit approval. The proposed project is consistent with several General Plan goals and policies, including those that encourage compatible infill development (LU-1, LU-4), maintaining neighborhood compatibility (LU-4.3) 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 18-11 authorizes ground-level residential occupancy, in substantial accord with the "Plat to Accompany Use Permit 18-11 (Skyline Luxury 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 (3)

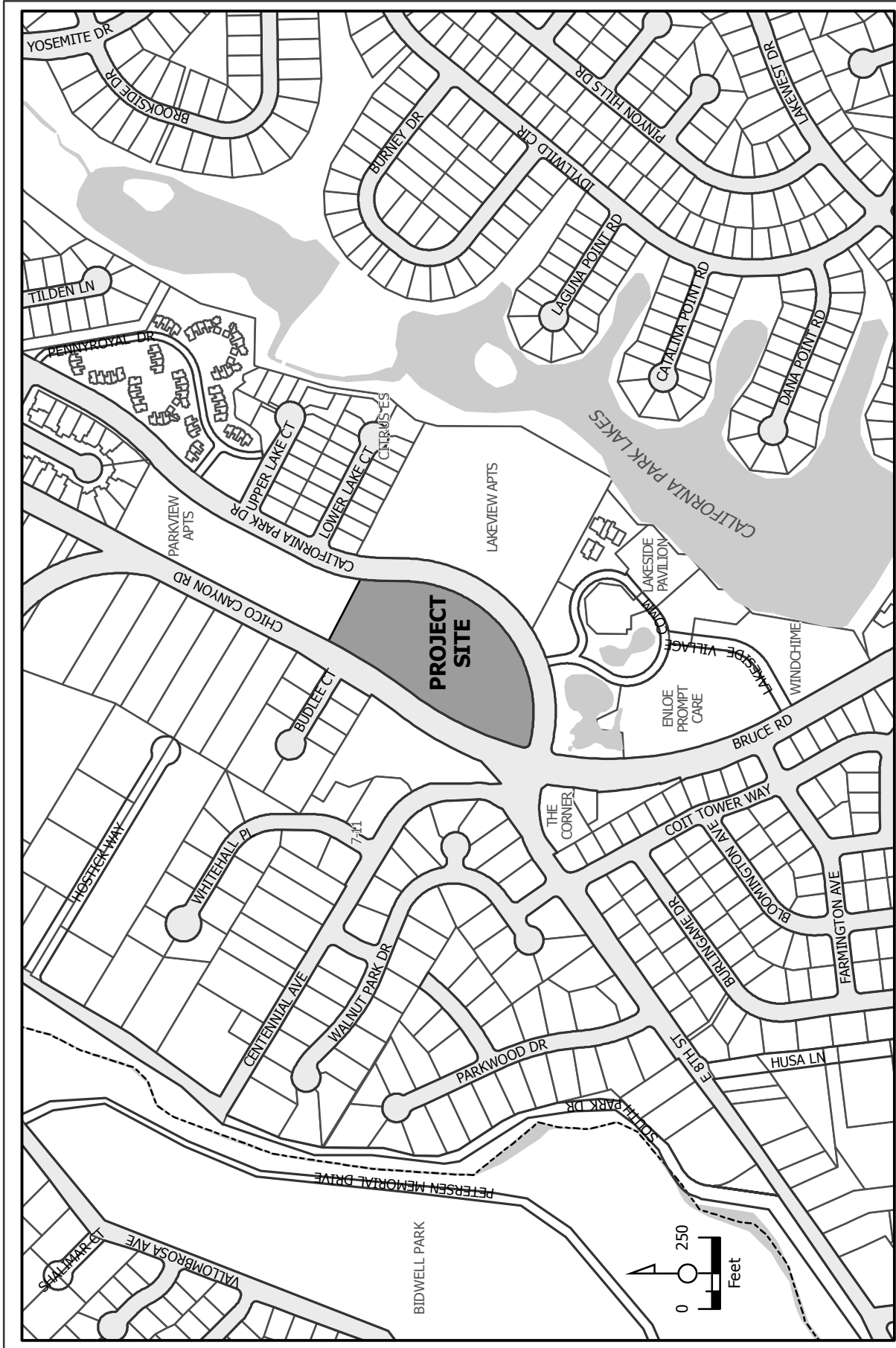
Brendan Vieg, Zoning Administrator
Bruce Ambo, Principal Planner
Shannon Costa, Assistant Planner

External (2)

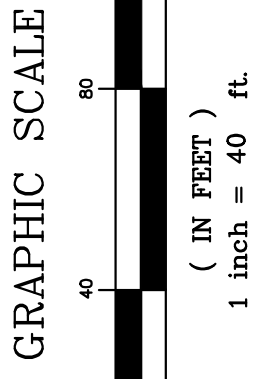
Chuck Tatreau Construction, email: chuck.tatreau@yahoo.com
Chico Properties, LLC, 3201 Danville Blvd, Suite 245, Alamo CA, 94507
Wes Gilbert Engineering, email: wes@wgilbertengineering.com

ATTACHMENTS

- A. Location Map
- B. Plat to Accompany Use Permit 18-11 (Skyline Luxury Apartments)
- C. Letter from California Park Association



UP 18-11 (Skyline Luxury Apartments)
NE corner of intersection at Bruce Road and California Park Drive
APN 018-250-001-000



- LEGEND:**
- 270— EXISTING GROUND CONTOUR (CITY OF CHICO DATUM)
 - - - - SUBDIVISION BOUNDARY
 - - - - PROPOSED PARCEL LINE
 - ==== EXISTING EDGE OF PAVEMENT
 - ==== EXISTING CURB, GUTTER AND SIDEWALK
 - ⊗ EXISTING FIRE HYDRANT
 - ⊗ EXISTING WATER VALVE
 - ⊗ EXISTING STREETLIGHT
 - ⊗ EXISTING UTILITY POLE
 - ⊗ EXISTING GUY WIRE
 - ⊗ EXISTING SANITARY SEWER LINE
 - ⊗ EXISTING STORM DRAIN LINE
 - ⊗ EXISTING FENCE LINE
 - ⊗ PROPOSED CURB, GUTTER AND SIDEWALK
 - * PROPOSED FIRE HYDRANT (4 TOTAL)
 - PROPOSED AREA LIGHT (32 TOTAL)
 - PROPOSED BOLLARD
 - ⊗ PROPOSED EMERGENCY ACCESS
 - ⊗ PROPOSED CITY OF CHICO DEDICATION
 - 25' WIDE NON-EXCLUSIVE PRIVATE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY EASEMENT
 - PUE PUBLIC UTILITY EASEMENT
 - PSE PUBLIC SERVICE EASEMENT
 - FOC FACE OF CURB
 - ROW RIGHT OF WAY

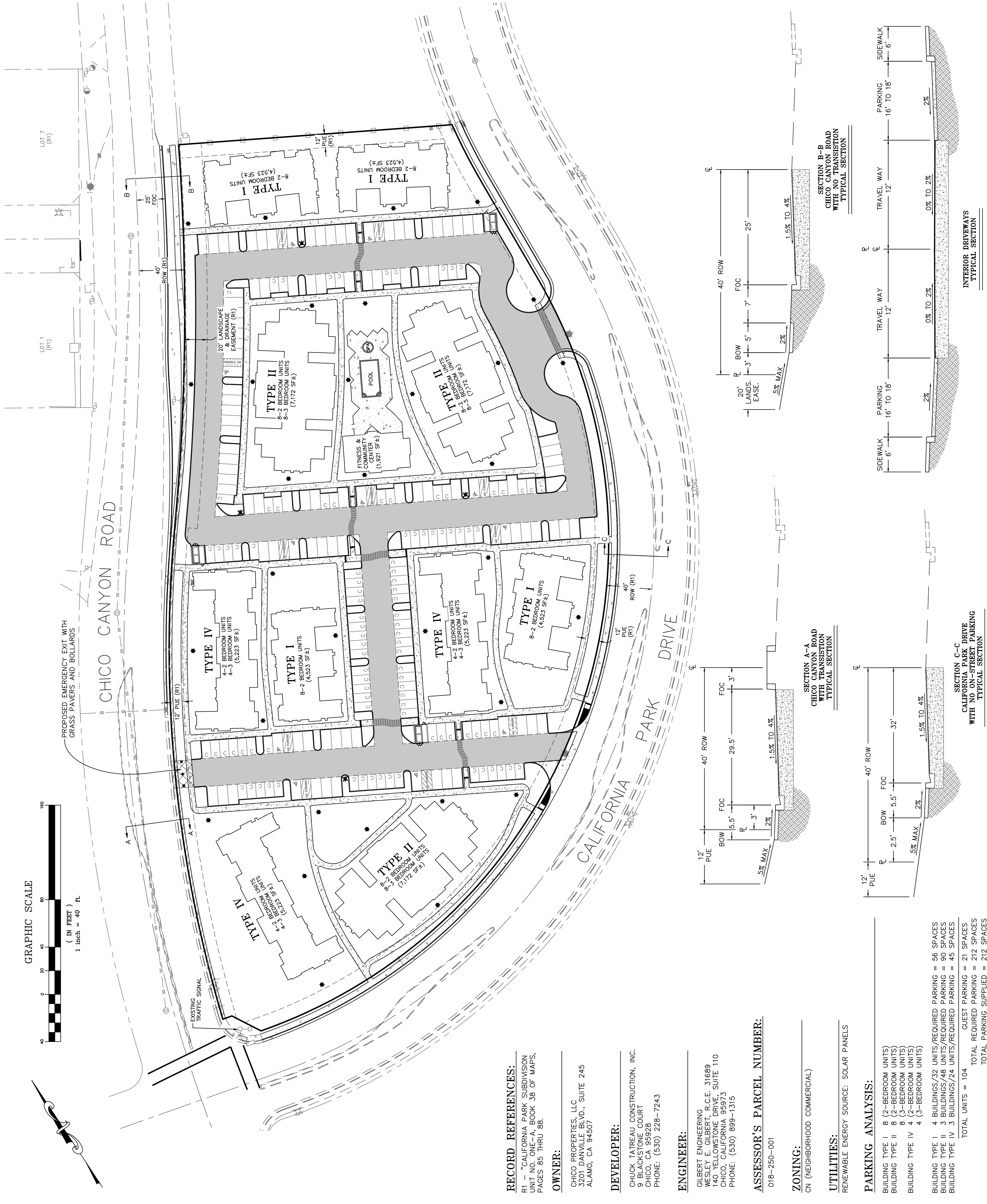
SKYLINE LUXURY APARTMENTS AT CALIFORNIA PARK PRELIMINARY SITE PLAN

FOR
CHUCK TATREAU CONSTRUCTION, INC.
A SUBDIVISION OF LOT 68 AS SHOWN ON THAT CERTAIN MAP ENTITLED
"CALIFORNIA PARK SUBDIVISION" THAT IS RECORDED IN BOOK 38
OF MAPS, AT PAGE 18, OF THE COUNTY OFFICIAL RECORDS
CITY OF CHICO, CALIFORNIA
STATE OF CALIFORNIA

PREPARED BY:
W GILBERT ENGINEERING
140 YELLOWSTONE DRIVE, SUITE 110
CHICO, CALIFORNIA 95973
(530) 899-1315

JULY 10, 2018

SHEET 1 OF 1



RECORD REFERENCES:
R1 - "CALIFORNIA PARK SUBDIVISION
UNIT NO. ONE-A, BOOK 38 OF MAPS,
PAGES 85 THRU 88."

OWNER:
CHICO PROPERTIES, LLC
3201 DANVILLE BLVD., SUITE 245
ALAMO, CA 94507

DEVELOPER:
CHUCK TATREAU CONSTRUCTION, INC.
9 BUCKSTONE COURT
CHICO, CA 95928
PHONE: (530) 228-7243

ENGINEER:
GILBERT ENGINEERING
WESLEY E. GILBERT, P.C.E. 31689
140 YELLOWSTONE DRIVE, SUITE 110
CHICO, CALIFORNIA 95973
PHONE: (530) 899-1315

ASSESSOR'S PARCEL NUMBER:
018-250-001

ZONING:
CN (NEIGHBORHOOD COMMERCIAL)

UTILITIES:
RENEWABLE ENERGY SOURCE: SOLAR PANELS

PARKING ANALYSIS:

BUILDING TYPE I	8 (2-BEDROOM UNITS)
BUILDING TYPE II	8 (2-BEDROOM UNITS)
BUILDING TYPE III	8 (3-BEDROOM UNITS)
BUILDING TYPE IV	4 (3-BEDROOM UNITS)
BUILDING TYPE I	4 BUILDINGS/32 UNITS/REQUIRED PARKING = 56 SPACES
BUILDING TYPE II	3 BUILDINGS/48 UNITS/REQUIRED PARKING = 90 SPACES
BUILDING TYPE IV	3 BUILDINGS/24 UNITS/REQUIRED PARKING = 45 SPACES
TOTAL UNITS	= 104
GUEST PARKING	= 21 SPACES
TOTAL REQUIRED PARKING	= 212 SPACES
TOTAL PARKING SUPPLIED	= 212 SPACES

CALIFORNIA PARK ASSOCIATION
1750 Humboldt Road
Chico, CA 95928
(530) 894-0404

April 26, 2018

City of Chico
c/o Chuck Tatreau

RECEIVED

MAY 31 2018

CITY OF CHICO
PLANNING SERVICES

To whom it may concern,

The Board of directors for the California Park Association has reviewed the concept and potential plan for building all residential units at the approximate five acre parcel at the corner of Bruce Road and California Park Drive. They have spoken to Mr. Tatreau about the concept and the desired plan. Upon review, the Board was unanimous in their support for the proposed project, with the understanding that the Board feels this project would be appropriate for that parcel.

If you should have any questions, or would like to discuss any matters related to the proposed project, please contact me at the address or phone number above.

Thank you.

On Behalf of the Board of Directors,

Gary Taylor

Gary Taylor, CCAM-PM ®
Community Association Manager
The Hignell Companies