



**DATE:** October 7, 2019

File: PDP 16-01 and AR 15-34

**TO:** ZONING ADMINISTRATOR

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

**RE:** Extension of Time for Planned Development Permit 16-01 and AR 15-31 (Lava Ridge Apartments) – 2796 Native Oak Drive (APN 018-600-078)

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## RECOMMENDATION

Planning staff recommends that the Zoning Administrator approve an extension of time for which to exercise Planned Development Permit 16-01 and Architectural Review 15-31 (Lava Ridge Apartments) for a total of 24 months, resulting in a new expiration date of October 31, 2021.

## BACKGROUND AND ANALYSIS

Planned Development Permit 16-01 and Architectural Review 15-31 (Lava Ridge) was approved by the Planning Commission on 10/20/2016, resulting in an initial expiration date of 10/31/2016. The project consists of the construction of nine new residential buildings containing a total of 98 residential units, community center, park, swimming pool and parking area. The project site is a 4.97-acre parcel located to the south of State Highway 32, west of Yosemite Drive, north of Humboldt Road, and east of Bruce Road. The site is designated MDR (Medium Density Residential) in the General Plan and is zoned R2-SD2 (Medium Density Residential with Special Design Consideration Humboldt Road-Foothill overlay)

The applicant submitted a timely request on 9/17/2019 for an extension of time for which to exercise an approved entitlement (see **Attachment A**, Extension Request). Pursuant to Chico Municipal Code (CMC) 19.28.070 (*Expiration*), a Planned Development Permit shall be exercised (construction commenced) within three years of permit approval. CMC 19.30.040 (*Permit Implementation – Commencement of Use*), provides that the Zoning Administrator may extend the time for an approved entitlement to be exercised for up to two years when it has been determined that the permittee has demonstrated a good-faith effort to comply with the permit in a timely manner. The applicant submit construction drawings to the Building Division in early 2017. The plans were reviewed by City staff and approved, pending payment of remaining fees; to date, building permits have not been issued. Staff believes the applicant, in submitting the construction drawings to the Building Division, has made a good-faith effort to pursue the entitlement and warrants an extension of time of two years from the original expiration date.

## ENVIRONMENTAL REVIEW

The previously approved project is within the scope of a previously certified Environment Impact Report (SCH#1998032048) for the Oak Valley Subdivision and pursuant to California Environmental Quality Act (CEQA) Guidelines section 15162, no subsequent environmental review is necessary because no new significant environmental effects or increases to previously identified environmental effects due to the implementation of the Project have

been identified, and none of the mitigation measures or project alternatives contained within the certified EIR have been found to be infeasible or considerably different due to the implementation of the proposed project.

## **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

Mike Sawley, Zoning Administrator  
Shannon Costa, Associate Planner

External

Stromer Realty Company, c/o Pat Laughlin, 591 Colusa Avenue, Yuba City, CA 95991  
(pat@stromerrealty.com)

### **ATTACHMENTS:**

- A. Extension Request



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September 17, 2019

Ms. Shannon Costa  
Planning Department  
City of Chico  
P. O. Box 3420  
Chico, CA 95927

Via Email: [shannon.costa@chicoca.gov](mailto:shannon.costa@chicoca.gov)

RE: 98 Units - Lava Ridge Apartments  
Chico, CA (APN: 018-600-078)

Dear Ms. Costa,

We understand that our Planning Department's approval will expire October 20, 2019 for our 98 unit apartment project known as Lava Ridge Apartments. We are now working with builders in Chico and need more time to construct the project. We would like to extend our project for two (2) additional years and enclosed is a check to the City of Chico for \$631.00. Please call or email me with any questions at (530) 671-2770 or [pat@stromerrealty.com](mailto:pat@stromerrealty.com).

Sincerely,  
Stromer Realty Company

A handwritten signature in blue ink that reads "Pat Laughlin".

Pat Laughlin  
PL:ps

Attached: AP Map