



DATE: May 23, 2017

File: UP 17-09

TO: ZONING ADMINISTRATOR

FROM: Shannon Costa, Assistant Planner, 530-879-6807

RE: Use Permit 17-09 (Jerry's Advanced Automotive)
2819 Esplanade, APNs 006-350-022 and -028

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 17-09 (Jerry's Advanced Automotive), based on the findings and subject to the recommended conditions of approval.

BACKGROUND

This is a request to authorize a vehicle repair and maintenance facility in the CC (Community Commercial) zoning district (See **Attachment A**, Location Map, and **Attachment B**, Plat to Accompany Use Permit 17-09). Under the City's zoning regulations, vehicle repair and maintenance is a permitted use in the CC (Community Commercial) zoning district with use permit authorization. The site is designated Commercial Mixed-Use by the City's General Plan Land Use Diagram and is zoned CC-AOD-COS (Community Commercial with Aircraft Operations Zone D and Corridor Opportunity Site overlay).

The project site is located on the west side of Esplanade, north of West Lassen Avenue and is currently developed with a single commercial building. Surrounding land uses include multi-family residential uses to the north and west, and commercial uses to the south and east.

The proposal includes utilization of the existing 2,700-square foot building on the site that is situated less than three feet from the rear property line. The building currently provides roll up doors and service bays; no alterations to the structure are proposed at this time. According to the City's building permit history, the site had historically been used as an auto repair shop within a structure that has since been demolished. The remaining building had been utilized as storage space. Other elements of the proposal include an outdoor vehicle storage area on an adjacent parcel with a 6-foot-high chain link fence, new customer parking area, drive aisle and security lighting.

An Underground Storage Tank Closure Assessment Report dated November 30, 2016 was provided by the applicant. This report documents the removal of one (1) underground gasoline storage tank, one (1) underground diesel storage tank and the removal of 16 tons of impacted soil from the site. The report concludes that the primary and secondary sources of residual hydrocarbons (tanks and soil) have been successfully removed from the site and that no further action is needed. The California State Water Resources Control Board GeoTracker website identifies the cleanup site as a closed case as of 3/9/2017.

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 a vehicle repair and maintenance facility in the CC (Community Commercial) zoning district.

Potential issues related to vehicle repair facilities adjacent to established residential neighborhoods can include noise, excessive light and the aesthetics vehicle storage. To promote compatibility with the neighboring residential property, the applicant proposes limiting hours of operation from 8 am to 5 pm. To address potential noise issues, staff recommends a condition of approval limiting all vehicle repair activity to within the structure; no outdoor activity is permitted. Further, conditions of approval and site design review would ensure that the outdoor storage yard is sufficiently screened from view and complies with Chico Municipal Code 19.60.060, and that any proposed security lighting is consistent with 19.60.050 (Exterior lighting).

The project is consistent with several General Plan goals and policies, including those that encourage development and redevelopment of the designated Opportunity Sites (including North Esplanade) (LU5.1), promote compatible infill development (LU-4), and rehabilitation and revitalization of existing neighborhoods (H.5).

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. The California State Water Resources Control Board GeoTracker website identifies the site as a cleanup site, and that the case was closed as of 3/9/2017.

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 Section 19.44.020, Table 4-6, provides for vehicle repair and maintenance 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 commercial uses. Sufficient off-street vehicle parking is demonstrated on the site plan. The outdoor storage area has been conditioned to require design review to ensure that the final design meets all applicable Design Guidelines and is consistent with Chico Municipal Code (CMC) 19.60.060 (Fencing and Screening). 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 use consists of repurposing an existing building for an auto repair facility. Having an active business on the site will remove blight and reduce the likelihood of vandalism and other potential undesirable behaviors on the site. No impacts to the health, safety, or welfare of neighborhood residents 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 rehabilitation and revitalization of existing neighborhoods (H.5) and ED-1.3), ensuring that regulations and permitting processes for the conduct of commerce and land development do not unreasonably inhibit local business activity.

- 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 use is consistent with other commercial uses in the vicinity. To ensure compatibility with the adjacent residential property, the applicant is proposing hours of operation to be limited to 8 am to 5 pm. Further, conditions of approval and site design review will ensure that the outdoor storage yard is sufficiently screened from view and that no excessive light will spill on to adjacent properties.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 17-09 authorizes a vehicle repair and maintenance facility in the CC zoning district, in substantial accord with the "Plat to Accompany Use Permit 17-09 (Jerry's Advanced Automotive)" 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 opening for business, the applicant shall submit an application for Site Design

and Architectural review to address components of the outdoor storage area, including lighting, screening and other security measures.

4. Regular business hours shall not begin prior to 8 a.m. nor extend past 5 p.m.
5. All outdoor vehicle storage shall be located within the designated vehicle storage area which is enclosed by a 6-foot-tall, site obscuring fence (chain link with wood slats or solid wood).
6. All vehicle repair activity shall be conducted within the structure. No outdoor activity is permitted.
7. Prior to opening for business, the applicant shall coordinate with Planning staff to conduct a site visit to ensure all elements of the site plan have been executed, including, but not limited to: installation of the new concrete drive aisle, concrete parking area, vehicle storage screening and lighting.

PUBLIC CONTACT

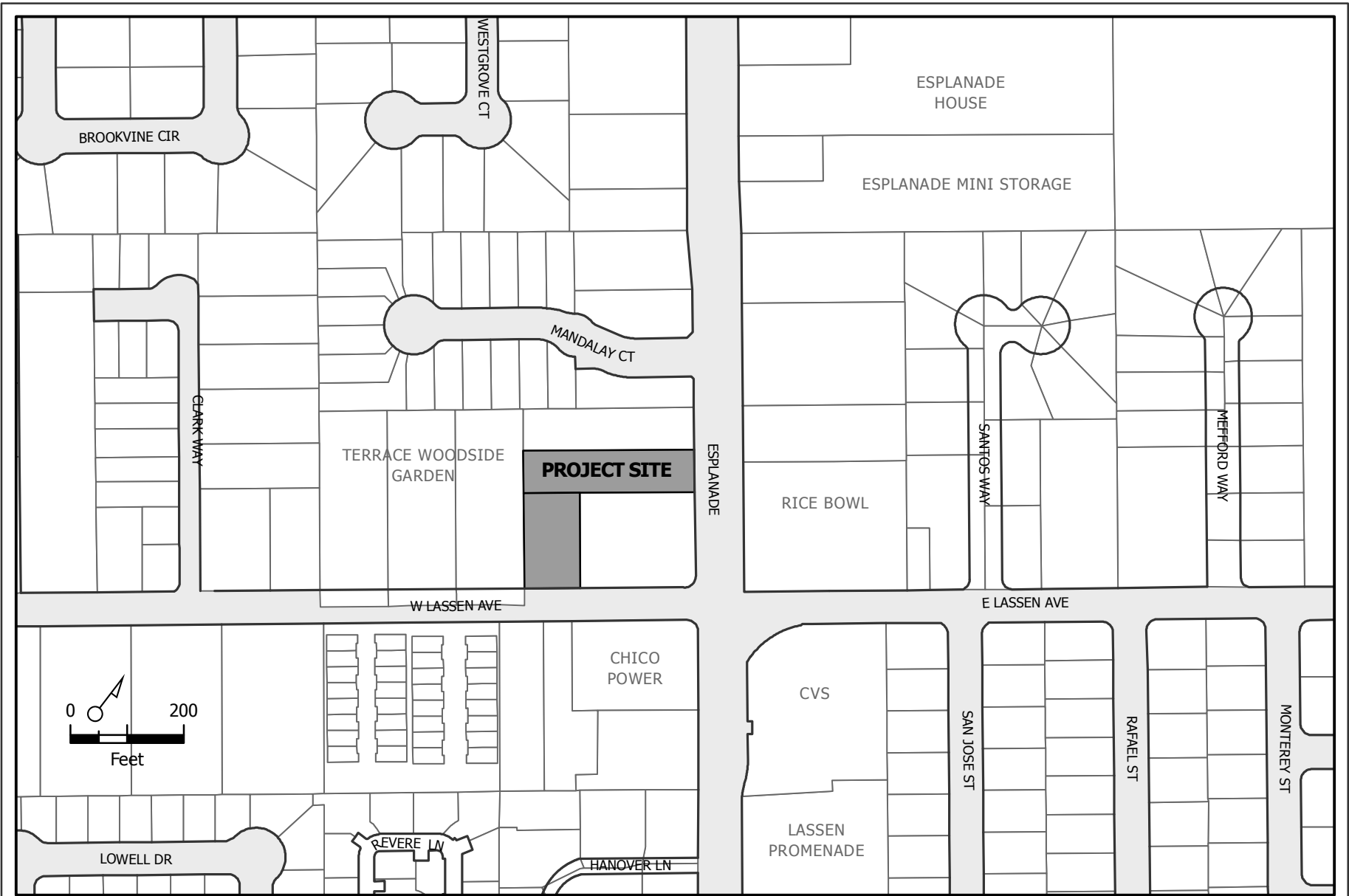
A notice was published in the Chico Enterprise Record 10 days prior to the meeting date, and notices were mailed out to all property owners and tenants within 500 feet of the project site.

DISTRIBUTION:

Mark Wolfe, Zoning Administrator
Shannon Costa, Assistant Planner
Jerry Worswick, 3023 Calistoga Drive, Chico, CA 95973

ATTACHMENTS:

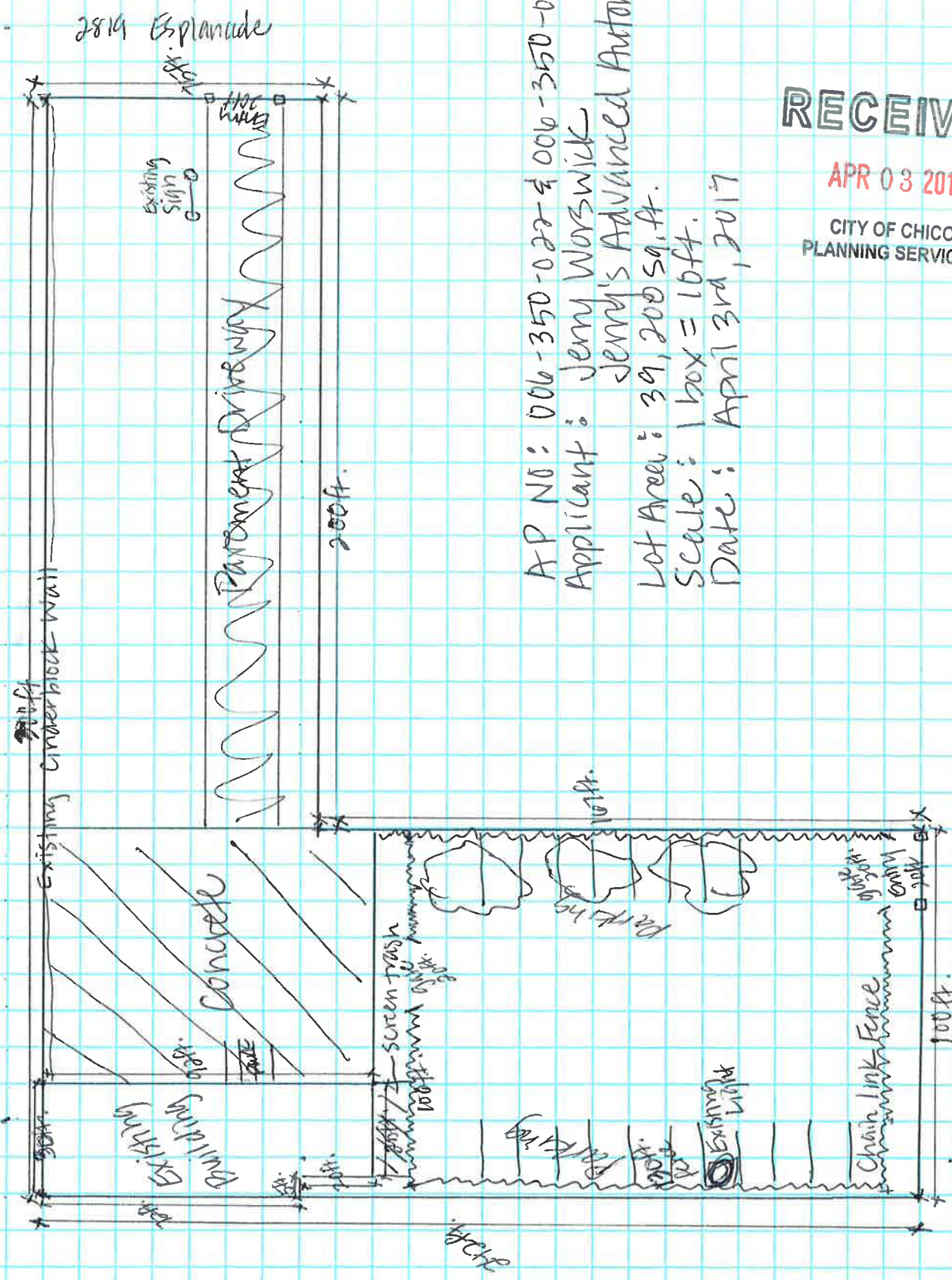
- A. Location/Notification Map
- B. Plat to Accompany Use Permit 17-09 (Jerry's Advanced Automotive)



UP 17-09 (Jerry's Advanced Automotive)
 2819 Esplanade
 APNs 006-350-(022, 028)-000



Site Plan 2819 Esplanade & Parcel # 006-350-028



2819 Esplanade

Existing Sign

Payment driveway

200ft.

Existing cinderblock wall

Concrete

Existing Building

Screen trash
100 sq ft

10ft.

Parking

Existing Light

Chain Link Fence

100ft.

W. Lassen Ave



AP No: 006-350-028 & 006-350-028
 Applicant: Jenny Worswick
 Jenny's Advanced Automotive
 Lot Area: 39,200 sq. ft.
 Scale: 1 box = 10 ft.
 Date: April 3rd, 2017

RECEIVED

APR 03 2017

CITY OF CHICO
 PLANNING SERVICES