



DATE: June 27, 2018

File: UP 18-07

TO: ZONING ADMINISTRATOR

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

RE: Use Permit 18-07 (Odiase Duplexes), 1157 East Avenue, APN 015-260-003

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from further environmental review and approve Use Permit 18-07 (Odiase Duplexes), based on the findings and subject to the recommended conditions of approval.

BACKGROUND

This is a request to authorize the construction of two-family housing or duplexes in the OR (Office Residential) zoning district. The project site is designated Office Mixed Use on the General Plan Land Use Diagram and is zoned OR -AOC (Office Residential with an Airport Overflight Zone C overlay). Allowable residential densities within the OR zone district range from 6 to 20 dwelling units per gross acre.

The project site is located on the south side of East Avenue, one parcel east of Ceres Avenue (See **Attachment A**, Location Map). Structures on the property include one single-family residence facing East Avenue. Surrounding land uses include single-family residential uses to the north, west, and south, with office uses to the east.

The proposed development includes construction of two duplexes (four dwelling units total) behind the existing on-site single-family residence, resulting in a gross density of 10 units per gross acre (see **Attachment B**, Plat to Accompany Use Permit 18-07). The development includes two new buildings each containing two, two-story units (one, two-bedroom unit; and three, three-bedroom units). The site design situates the two buildings facing the back of the existing single-family residence in the southern half of the site. The units would share a common driveway located along the east property line providing access to a parking area with eight parking stalls, trash enclosure, and bicycle parking. A six-foot high wood fence would be constructed between the existing residence and the proposed duplexes creating a physical separation between the residences.

Detailed site improvements, landscaping, and architecture associated with the 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 construct duplexes in the OR (Office Residential) zoning district.

OR Development Standards

As stated, the proposed project is a request to construct two duplexes (four residential units) on a 0.55 gross acre site. This development in addition to the existing single-family residence would result in a gross density of nine units per gross acre, which is in the lower range of allowable density in the OR zoning district (6 to 20 units per gross acre).

The OR zoning district setback requirements are largely determined by the adjacent zoning districts. If an OR zoned parcel abuts a RS (Suburban Residential) or R1 (Low Density Residential) zoning district, an additional five feet is required for each story over the first. The proposed site abuts an R1 zoning district on the rear and west-side property lines resulting in a 20-foot rear and 10-foot side setbacks. The second story of the duplexes meet these setback requirements, with the first story meeting the 15-foot rear and five-foot side setbacks. The proposed duplexes comply with the minimum development standards set forth in CMC §19.44.030, Table 4-7 (*Commercial and Office Zone General Development Standards*). The overall site and building design will be analyzed as part of the architectural review process.

Vehicle Parking

Pursuant to CMC §19.70.040 (*Number of parking spaces required*), multi-family housing must provide 1.75 spaces for each two bedroom unit, two spaces for each three bedroom unit and one space per each five units for guest parking. The existing single-family residence has an existing driveway and two-car garage located on the west side of the site, meeting the two space requirement for single-family housing. The proposed duplex development includes one, two-bedroom unit and three, three-bedroom units resulting in a total of eight required parking spaces (seven resident spaces and one guest space). The proposed parking area located on the east portion of the site contains six standard parking stalls and two compact parking stalls meeting the CMC required number of parking spaces and compact parking space requirements. Shading and landscaping materials for the proposed parking area will be analyzed as part of the architecture review process.

Bicycle Parking and Transit

One bicycle space per unit for residences and one bicycle space per 10 units for guests are required. The proposed project includes an outdoor bicycle parking space within a covered patio of each unit and a guest bike rack in the parking area (**Attachment B**). The amount of

proposed bicycle parking meets the CMC requirement of bicycle spaces for multi-family development. Access to convenient transit routes is available on East Avenue.

General Plan Consistency

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) 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).

OTHER ENTITLEMENTS

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 duplexes in the OR (Office Residential) 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 OR zoning district, which has established development standards that avoid height and privacy impacts to any adjacent single-family residential development. Sufficient off-street vehicle parking is demonstrated on the site plan for the residents. 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 single-family residential and office uses, improved public streets, bicycle facilities, and access to public transit (B-Line Route #4 stops along East Avenue at several locations). 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) 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 duplexes conform to the OR development standards, which are intended to provide compatible separation from the neighboring single-family residential development. As conditioned, design details such as aesthetics 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 18-07 authorizes the construction of two-family housing or duplexes in the OR (Office Residential) zoning district, in substantial accord with the "Plat to Accompany Use Permit 18-07 (McGuire Apartments)," as amended by the Architectural Review and Historic Preservation Board 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

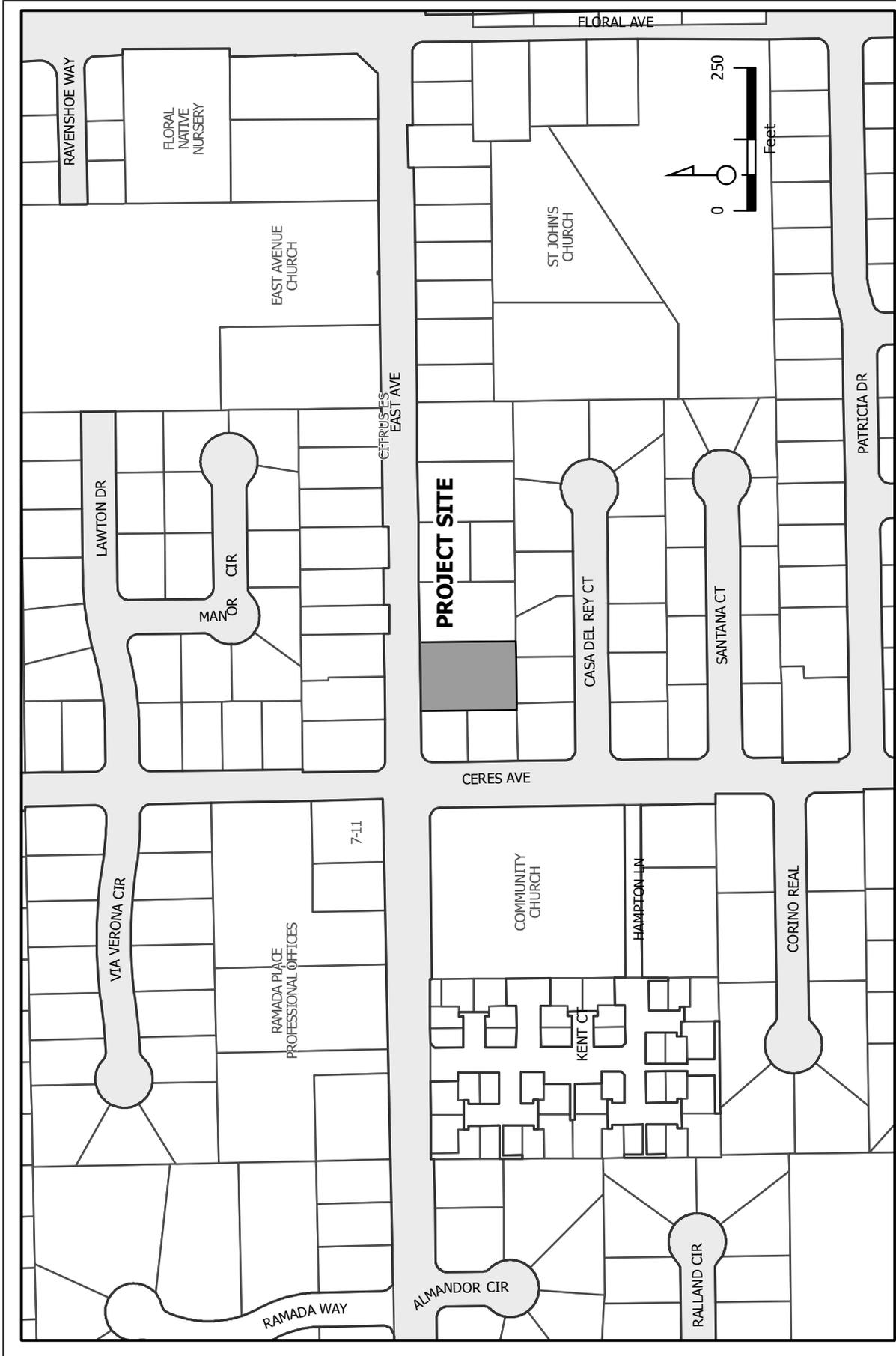
External

Osamede Odiase, Email: osamede101@comcast.net
Greg Peitz, Email: gregpeitz@sbcglobal.net

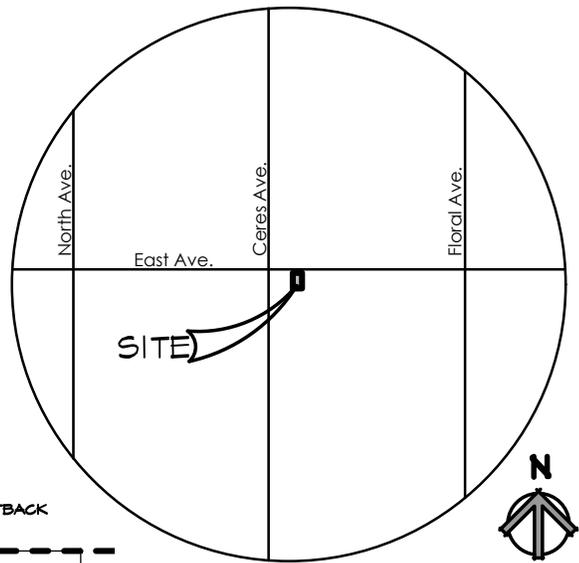
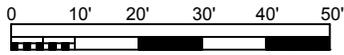
ATTACHMENTS

- A. Location Map
- B. Plat to Accompany Use Permit 18-07 (Odiase Duplexes)

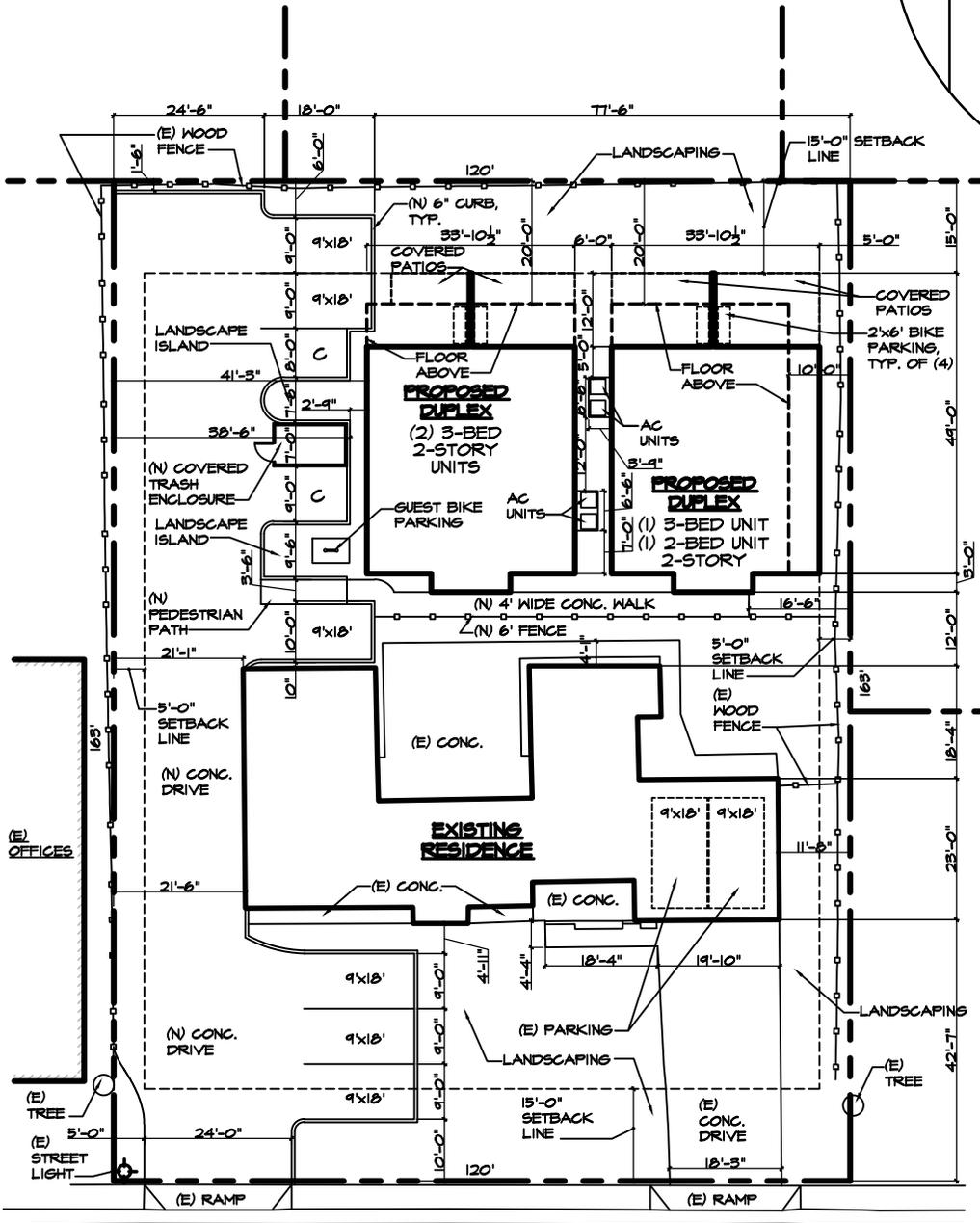
X:\Current Planning\Use Permits\2018\07 Odiase Duplexes\7-10 ZA Mtg\ZA Report UP 18-07 (Odiase Duplexes).doc



UP 18-07 (Odiase)
 1157 East Avenue
 APN 015-260-003-000



VICINITY MAP



EAST AVENUE

SITE PLAN

1" = 30'-0"



DENSITY	
GROSS LOT AREA:	19,560 SQ. FT.
ACREAGE:	0.46 ACRES
OR ZONE	
MIN. DENSITY:	6 UNITS/ACRE
MAX. DENSITY:	20 UNITS/ACRE
ACTUAL DENSITY:	10 UNITS/ACRE

LOT COVERAGE	
LOT AREA:	= 19,560 SQ. FT.
BUILDING AREAS:	
EXISTING:	= 2,663 SQ. FT.
PROPOSED:	= 3,252 SQ. FT.
TOTAL:	= 5,915 SQ. FT.
LOT COVERAGE:	= 30.24 %
LANDSCAPE	= 6,962 SQ. FT.
OPEN SPACE:	= 35.59 %

PARKING ANALYSIS	
PARKING REQUIREMENTS:	
(E) 3-BED RESIDENCE	= 2 REQ'D.
	2 EXISTING
(N) (3) 3-BED APT. @ (2)/UNIT	= 6 REQ'D.
(N) (1) 2-BED APT. @ (1.75)/UNIT	= 1.75 REQ'D.
GUEST PARKING	= 1 REQ'D.
TOTAL (N) PARKING REQUIRED	= 8
(N) ON SITE SPACED PROVIDED	= 8

GREGORY A. PEITZ
ARCHITECT
 383 Rio Lindo Ave. Chico, CA. 95926 (530) 894-5719

USE PERMIT
 for:
OSAMEDE ODIASE
 1157 EAST AVE., CHICO CA

APN: 015-260-003
 0.46 ACRES

SHEET
1
 of: three