



STAFF REPORT

PLANNING COMMISSION MEETING

October 22, 2019

TO: Honorable Chair and Commissioners

FROM: David Loya, Director of Community Development

PREPARER: Joe Mateer, Senior Planner

DATE: October 17, 2019

TITLE: **Approve a Design Review Permit for the Isackson's multi-family housing project on the northern portion of Assessor's Parcel Number 021-163-006.**

RECOMMENDATION:

Staff recommends the Planning Commission approve the proposed Design Review Permit for the development and operation of a multi-family affordable housing project by adopting: 1) proposed Planning Commission Action including the Findings of Approval and Conditions of Approval (Attachment A); and 2) California Environmental Quality Act Categorical Exemption per §15332 – Infill Development.

INTRODUCTION:

The applicant seeks a Design Review Permit for the development of forty-four dwelling units on a commercial property in the City of Arcata Downtown area. The Planning Commission previously approved a subdivision and Coastal Development Permit to create two separate parcels. The four-story building (~45 feet) will contain forty-three (43) income restricted residential units and a manager's unit. New utilities, sidewalks, driveway access, landscaping, playground, parking, open space areas, and off-site public transportation improvements are proposed (Attachment B). Demolition of two existing residences and accessory structures are also proposed.

DISCUSSION:

The project melds together many City policies to encourage infill development that is sustainable and affordable. This project represents a paradigm shift in regards to many of our previous projects. The City is balancing the needs of our community with mandates from the State of California to address housing shortages, air quality impacts and the sustainability of development projects. Several off-site community benefits related to reducing our dependence on automobiles and reducing our carbon footprint are included as part of the complex financing involved.

The Planning Commission considered the project on June 11, and 25, 2019, and approved the Minor Subdivision and Coastal Development Permit aspect of the project. The Planning Commission deferred action on the Design Review Permit to allow the applicant to redesign the site layout to improve solar access to properties across 7th St. The staff reports for the previous hearings should be referenced and are available on the City's "watch live meetings" link. The main concerns the community brought forth were related to parking, solar shading, and neighborhood compatibility.

The revised site lay out shifts the main structure away from the north property line and redesigns the driveway, parking and other site amenities. The attached Findings of Approval outline compliance with the city codes and development standards, as does the zoning compliance table (Attachment C).

DESIGN REVIEW.

The current review is related to the Design Review aspect of the proposal. The proposed Action provides recommended findings of approval that outline the project compliance with the City's Land Use Code and General Plan design review policies and development standards. The high density residential project is proposed on a site with virtually no pervious surfaces or landscaping as the site was a former automobile dealership. It is located in the downtown area where goods, services and infrastructure are readily available for the residents.

The project includes on- and off- site amenities for both the residents and the community at large. On-site amenities include indoor exercise room, laundry facilities, community center, and service area. Outdoor amenities include a community garden, open courtyard plaza area, and playground areas. Street trees and landscape areas are provided along the north property and throughout the development. Off-site improvements include updated sidewalks, bus stops, pedestrian crossing, bike lanes and trails.

Both the landscaping and structures are designed by licensed architects. The building design incorporates multiple wall planes, surface materials and paint colors to break up the four story building. The project uses roof top mounted solar collectors and energy efficient measures to achieve net zero energy consumption.

The proposed project comports with the City's design element for multifamily buildings and the zoning requirements, including the building's height.

SOLAR ACCESS AND SITE DESIGN.

There were several considerations about how to modify the project to address neighbors' concerns over solar access. On June 25, 2019, the Planning Commission considered a site plan sketch concept that shifted the structure further south to provide increased solar access to properties to the south. This concept is further refined as shown on Sheet A1.1 (Attachment B). The Planning Commission asked that the project be shifted up to 20 feet to the south to address solar access to the neighboring buildings. The project has been shifted south but still accommodates site constraints for development standards and site amenities. The building ranges between 8 and 19 feet south of the property line. To accommodate the downtown design element requirements, the sidewalk have been shifted as well. This change had the added benefit of adding eight new parking spaces on street. The proposed site plan also reconfigured the I Street motor vehicle access to the property by reducing the number of driveways to one.

The City's solar access requirements are codified in Land Use Code (LUC) Chapter 9.56 to implement state solar rights and shade control requirements, as well as the City's energy goals. Although the City standards require a solar access analysis, it does not have any specific standards for development unless the project involves a subdivision. As noted in the June 25, 2019, staff report, the subdivision standards require primary dwellings within the subdivision to accommodate solar on at least 80% of the new lots. The provisions also provide protection of existing solar access to primary dwellings off site (§9.56.040.C). Though these provisions do not apply in this case, the Commission should note that there is an exemption from the requirements when their application would reduce density below "that which would normally be allowed at the time the application is filed" (LUC Section 9.56.040.E.1).

As noted in the June 25, 2019, Planning Commission staff report, the Solar Right Act does not apply to the approval of this permit. Nonetheless, the project does comport with the Act's intent. The project would not impact more than 10% of the efficiency of the system since it will only shade a portion of the solar hot water system for a few hours in the late afternoon during a portion of the year.

Finally, the Solar Shade Control Act, which is incorporated in the LUC under §9.56.060, regulates shading from vegetation. Specifically, the act states: "After the installation of a solar collector, a person owning or in control of another property shall not allow a tree or shrub to be placed or, if placed, to grow on that property so as to cast a shadow greater than 10 percent of the collector absorption area upon that solar collector surface at any one time between the hours of 10 a.m. and 2 p.m." (PRC Sec. 25982). Again, this is not applicable because the act does not have any standards for structures. Nonetheless, the project comports with the intent of the Solar Shade Control Act.

The existing site conditions limit the area of development to the northern portion of the site. The infill development project is developed at the maximum height for the zoning district as a means to minimize the building footprint while providing required access, parking, solid waste/recycling/organics collection, and other on-site amenities.

The City's General Plan Land Use Element Guiding Principles and Goals state: "Encourage retail, service, and professional businesses to locate and stay in the Commercial-Central area by increasing the amount of housing there"; and "Encourage infill development as a way of meeting housing and employment needs without major extensions of infrastructure and services". Growth management policies also establish the City's preference for infill development instead of sprawl. Vertical development is a reality to our community's sustainability.

The revised site layout improves but doesn't completely eliminate shading impacts on neighboring properties (Attachment B, Sheets A4.3-5). Certainly an individual's concern about loss of solar access or privacy are valid concerns, however the project is consistent with the City's General Plan and Land Use Code. Therefore, staff recommends the Planning Commission adopt the Action including the Findings and Conditions of Approval.

ENVIRONMENTAL REVIEW:

The project qualifies for a Class 32 Categorical Exemption from environmental review per California Environmental Quality Act §15332, In-Fill Development (Findings of Approval - Environmental Review).

ATTACHMENTS:

- A. Action, Findings for Approval, and Conditions of Approval (PDF)
- B. Plan Set (PDF)
- C. Commercial Central Zoning Compliance Table (PDF)