



CITY OF YUBA CITY
PLANNING COMMISSION
STAFF REPORT

- Meeting Date:** February 27, 2019
- To:** Chair and Planning Commission Members
- From:** Development Services Department
- Presentation By:** Darin Gale, Interim Development Services Director
- Public Hearing:** Consideration of Development Plan (DP) 17-04 for New Haven Court, a 40-residence publically owned apartment facility for homeless and mentally disabled individuals. The applicant is AMG & Assoc., LLC and the Regional Housing Authority of Sutter & Nevada Counties.
- Project Location:** The project is located at 448 Garden Highway, which is the northeast corner of Garden Highway and Miles Avenue. Assessor's Parcel Numbers 53-470-053 and 53-443-008 (**Attachment 1**).
- Recommendation:** Conduct a public hearing and, following the close of the hearing, take the following actions:
1. Determine the project is categorically exempt from CEQA pursuant to California Environmental Quality Act Section 15332, In-fill Development Projects.
 2. Approve DP 17-04, the proposed New Haven Court, a 40-unit apartment facility for homeless and mentally disabled individuals, subject to the conditions of approval.

Project Proposal:

The project consists of the following components:

1. An environmental review of the project that determined the project is categorically exempt pursuant to California Environmental Quality Act Section 15332, In-fill development projects.
2. DP 17-04: For New Haven Court, a 40-unit residential apartment facility for homeless and mentally disabled individuals (the term Permanent Supportive Housing (PSH) is the terminology utilized for these apartments). The facility will be located at 448 Garden Highway.

Project Information:

The applicants, AMG & Associates and the Regional Housing Authority, are proposing to construct a three-story, 40-unit residential apartment facility for PSH usage. It will consist of a mix of 20 studio apartments, 18 one-bedroom apartments and 2 two-bedroom apartments. One apartment will be reserved for an on-

site manager. The project also includes a community center, 14 on-site and 5 on-street parking spaces. The site will be fully landscaped per City standards. No on-site restaurant/community food service area will be provided.

Project Background

The project site is zoned Multiple-Family Residential (R-3), which permits multiple-family residences, and senior congregate care facilities. The proposal meets both criteria (senior congregate care also includes disabled individuals). Due to the size of the project, Planning Commission review and approval is required. The property is located within the Richland Housing complex, which is publically owned housing. The site currently is occupied with the now abandoned administrative offices of the Regional Housing Authority, which has since relocated to Butte House Road in Yuba City. The site will be cleared if this project goes forward.

Project Description

The 40 PSH residences will consist of a mix of 20 studio apartments, 18 one-bedroom apartments and 2 two-bedroom apartments as well as a community center and manager’s office. All will be located within a three-story building. One apartment will be reserved for an on-site manager. The project also includes a community center, 14 on-site and 5 on-street parking spaces (20 on-site required – discussed in staff comments). The site will be fully landscaped per City standards. The site also will have 8,722 square feet (sf) of open space.

The site is 0.67 acres in size (29,344 sf). The percent lot coverage for the building is approximately 36 percent (10,532 sf). The total floor area of the facility will be 21,665 sf. The floor area ratio (FAR), which is the total building square footage divided by the property size, is about 0.74. This will likely be the highest density building in Yuba City.

Property Description:

The relatively flat site currently has on it a vacant office building, which was previously utilized by the Regional Housing Authority. That office building will be demolished as part of this project. There are existing curbs, gutters and sidewalks along the Garden Highway and Miles Avenue street frontages. The site is served by City water and sewer, and drainage into the Gilsizer Canal.

Bordering Information:

The corner site is bordered by Garden Highway along its western frontage with Miles Avenue on the south side. The Regional Housing Authority, which owns this site, also owns the properties to the east and across Miles Avenue to the south. These properties contain rented duplex residences. On the north are heavy commercial/light industrial type uses.

The following table provides the General Plan land use and zoning for adjacent properties:

<i>Table 1: Project and Bordering Site Information</i>			
	General Plan Land Use Classification	Zoning	Existing Land Use
<i>Project Site</i>	Medium/Low Density Residential	Multiple-Family Residence (R-3) Zone District	Vacant

<i>North</i>	Regional Commercial	General Commercial (C-3) Zone District	Various heavy commercial/light industrial uses
<i>East</i>	Medium/Low Density Residential	R-3 Zone District	Duplex residences
<i>West</i>	Regional Commercial	C-3 Zone District	Garden Highway with commercial uses across the street
<i>South</i>	Medium/Low Density Residential	R-3 Zone District	Duplex residences

General Plan:

Existing Land Use Designation: Low/Medium Density Residential (MDR)

This land use category typically applies to residential development of 6-14 residences per gross acre. All of the land within the Richland Housing Complex has this designation, which includes numerous lower density residences. If each senior apartment were considered a standard residence the project density would be almost 67 units per acre, far exceeding the MDR land use designation’s intent. But this is not the case for two reasons. First, these PSH residences are part of the larger adjoining Housing Authority property known as the Richland Housing Area. This area also contains many duplexes and considerable park/open space areas, thereby lowering the overall density. Secondly, a PSH residence does not have the same intensity or impacts as a single-family residence, as significantly less traffic is generated (the majority of residents do not have vehicles), there are no school impacts, water use and wastewater generation is less, etc. The overall density of the entire Regional Housing Authority property is within the allowed density range. There is no proposal to amend the General Plan.

Zoning District Classification:

Existing Zoning: Multiple-Family Residence (R-3) Zone District.

The R-3 Zone District is intended to provide areas for higher density multiple-family residential development. The R-3 Zone District is consistent with the Medium/Low Density Residential General Plan designation. As discussed above, the R-3 Zone District permits both apartments and a senior congregate care facility. The proposal is similar in character and impact to both. There is no proposed change to the zoning.

Previous Commission Action:

On August 8, 2012 the Planning Commission approved a similar project consisting of 45 senior apartments which is a higher density project than what is currently being proposed. That project was not built and the permit has since expired.

Staff Comments:

This will be a well designed, aesthetically pleasing public housing project. It sets an example of how nice the appearance of public housing can be.

Density of Development

A project’s Floor area ratio (FAR) relates to the intensity of the development. It is the amount of building square footage compared to the property’s size. For example, a 25,000 square foot building on a 100,000 square foot property has a FAR of 0.25. If the building were 100,000 square feet on the 100,000 square

foot lot it would be a FAR of 1 (and numerous stories tall). This project has a FAR of .67, which is likely the densest project in the City. It will have a distinct urban look.

The density of the project can also be considered by residences per acre. If each apartment were considered a standard residence, this project would have a density of approximately 60 residences per acre, which may be the highest residential density in the City. While this on the surface exceeds the General Plan density standards, it is appropriate in this situation. As described above, the practical density is much lower because the apartments are limited to PSH usage and the project is density averaged throughout the Richland Housing area. But more importantly the facility will be dedicated to residences that are homeless or mentally disabled, which creates significantly less impact than typical one-family residences. The majority of the tenants do not have a vehicle so minimal space is dedicated to parking, there is no impact on schools, there is less water usage, and wastewater generation is typically lower.

Compatibility with neighboring uses

The three-story apartment building is not expected to impact the commercial uses to the north. Regarding the abutting duplex residences to the east, the Housing Authority owns and manages those units. The same is true for the residences across Miles Avenue. Because the Regional Housing Authority owns those rental units, compatibility is not expected to be an issue.

Parking

Per the Zoning Regulations a standard apartment project of this size would require 42 parking spaces. But for non-traditional residences such as the PSH units that are proposed, the Zoning Regulations also provides that if a parking study is provided that indicates a different parking ratio, the required ratio can be modified accordingly. The applicant has provided that information (copy attached), indicating the 14 on-site and 5 on-street spaces will be adequate. Also affecting this is that there is a transit stop in front of the building and, because the Regional Housing Authority controls the uses around this project, the on-street parking will unlikely be utilized by other parties.

Access

The project will provide only a single point of vehicle access off of Garden Highway. Typically two vehicle access points are desired. As noted above though, this use is a low traffic generator. This design feature has been reviewed by the Public Works Department and Fire Department and found to be acceptable.

Environmental Determination:

Pursuant to California Environmental Act (CEQA) Article 19. *Categorical Exemptions*, and after reviewing and considering the project in its entirety, a determination has been made that the Project is categorically exempt from CEQA pursuant Section 15332 Infill Development Projects, Class 32 of the CEQA Guidelines. Class 32 consists of projects characterized as in-fill development meeting the conditions described below:

- (1) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations
- (2) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (3) The project site has no value as habitat for endangered, rare or threatened species.
- (4) Approval of the project would not result in any significant effects relating to traffic, noise, air

quality, or water quality.

- (5) The site can be adequately served by all required utilities and public services.

The proposed PSH apartments at this location meet these criteria.

Recommended Commission Actions:

The appropriateness of the proposed DP 17-04 has been examined with respect to its consistency with goals and policies of the General Plan and the standards of the R-3 Zone District. The project is expected to be compatible with the surrounding neighborhood. Therefore, staff recommends that the Planning Commission take the following actions:

A. Adopt the following findings:

- 1. *Environmental:*** Because the proposed facility will be located within an urban area and all public services, including public transit, is available to the site the project is exempt per Section 15332 (Infill Projects) of the California Environmental Quality Act (CEQA) Guidelines.

- 2. *Development Plan 17-04:*** Yuba City Municipal Code Sections 8-5.7001(c)(4) requires that findings be made in order to approve a Development Plan. Provided below is an evaluation of the findings required to approve the project. The required findings are in *italics*. Based upon analysis of the Development Plan application and subject to the applicant's compliance with the conditions of approval, the following required findings of Section 8-5.7001(c)(4) of the Municipal Code can be made:

- a. The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping and other features required by this chapter.*

The site is 0.67 acres in size and has frontage on Garden Highway and Miles Avenue. The single point of access has been reviewed and approved by both the Public Works Department and Fire Department. Because the apartment's usage will be limited to homeless and mentally disabled people, the reduced parking is expected to be adequate based on the experience of other facilities. The project will provide adequate open space as required by the Zoning Regulations, as well as a community center.

- b. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.*

This use is a low traffic generator, as most of the residents do not own vehicles. Most of the traffic will be by employees and some family visits. Access is via Garden Highway, which is designated as an arterial in the General Plan, can accommodate the low volume of traffic that this project will generate.

- c. The site design, design of the building, and scale of the project will complement neighboring facilities.*

The new facility's exterior will be a high quality design that sets the standard for multiple-family living in this area. It also sets an example that public housing can have a nice appearance and be complimentary to the neighborhood in which it is located. As it will have a nicer appearance than surrounding buildings, it may encourage others to do the same.

d. The project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity.

Based on the review of DP 17-04, which considered impacts on the site and neighboring properties, and assuming that all applicable laws and standards are followed, there are no known health or safety issues created by the completion of this project.

B. Approve DP 17-04, subject to the conditions of approval provided in Attachment 2.

Attachments:

1. Aerial photo/Location Map
2. Site Plan, Elevations and Exterior Views
3. Parking Justification

Conditions of Approval: DP 17-04

Planning

1. The New Haven Court is a three-story 40 unit apartment complex intended to house homeless and mentally disabled individuals, with 14 on-site parking stalls and approximately 8,700 square feet of landscape area/open space. The site is located at 448 Garden Highway, which is at the northeast corner of Garden Highway and Miles Avenue. The project shall be constructed as shown on the approved site plan and elevations attached to this report. Due to the reduced parking that is provided, this permit is not valid for typical residential use, but is acceptable for conversion to senior use or other residential use for which auto use is limited.
2. Approval of this permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. The City shall not assume responsibility for any deletions or omissions resulting from the permit review process or for additions or alterations to construction plan not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
3. The applicant/property owner agrees to defend, indemnify and hold harmless the City, its officers, agents and employees, from any and all claims, damages, liability or actions arising out of or connected with this Agreement, except to the extent such liabilities are caused by actions of the City.
4. Approval of Development Plan 17-04 shall be null and void without further action if either the project has not been substantially commenced within two years of the approval date of the Development Plan or that a request for an extension of time, pursuant to Section 8-5.7106 of the Yuba City Municipal Code (YCMC) has been submitted to the City prior to the two year expiration date.
5. The approved project shall be constructed per the plans approved by the Planning Commission, except as provided by the conditions below.

Public Works

General

6. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department.
7. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
8. The Developer, at their expense, shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other

required special testing/inspections. The City will only perform necessary testing to insure compliance.

9. Storage of construction material is not allowed in the travel way.

Prior to issuance of Grading Permit

10. The improvement plans for the development of the subject property shall include all measures required to ensure that no drainage runoff resulting from the development of the property flow onto the adjacent lands or impede the drainage from those lands.

Prior to approval of Improvement Plans

11. An Improvement Agreement outlining any costs (hot tap, connection fee, fair share contribution, etc.) associated with the development shall be accepted by the City prior to approval of plans.
12. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
13. Where an excavation for a trench and/or structure is 5 feet deep or more, the contractor shall conform to O.S.H.A. requirements. The contractor shall provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by California licensed structural engineer to the Public Works Department.
14. Required Improvement Plan Notes:
 - a. "Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."
 - b. "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."
 - c. "If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies."
 - d. "The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours, and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the CalTrans "Manual of Traffic Safety Controls for Construction and Maintenance Work Zones." The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s)."
 - e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."

Prior to acceptance of Public Improvements

15. The contractor shall maintain record drawings of the improvements and keep them on site at all times. When the project is complete, the contractor shall deliver a marked set of plans to the Engineer of Record. The Engineer of Record shall update the improvement plans with the record information. Once the changes have been added to the plans, the Engineer of Record shall submit both an electronic copy (AutoCad version 2007 or newer) and a hard copy to the City. The City will not accept the completion of the improvements until the electronic copy and hard copy have been submitted.
16. Provide a City approved streetlight at the northeasterly corner of the parcel near the proposed driveway on Garden Highway.
17. The property shall petition for formation of a Zone of Benefit of the Yuba City Lighting Maintenance District for the purpose of maintaining the streetlights. The Engineering Division shall be reimbursed actual costs associated with the formation of the district.
18. All public street lighting shall be dedicated to the City of Yuba City.
19. A 10-foot public utility easement shall be provided along the Garden Highway property frontage.
20. A grease removal device, approved by the City's Pretreatment Coordinator, shall be installed as part of the project.
21. Any new utility service (e.g. electric, telephone, cable, communications) shall be installed underground.
22. Coordinate with Yuba-Sutter Transit (Keith Martin) to install requested bus loading/unloading facilities along Garden Highway.

Prior to Building Permit

23. The Developer's Superintendent/Representative shall submit three sets of Pacific Gas and Electric approved utility plans showing joint trench locations and distribution lines prior to issuance of first building permit.
24. All street lighting shall be energized prior to the issuance of any building permits.

Prior to Certificate of Occupancy

25. The development shall pay for operations and/or maintenance for police, fire, parks, drainage, and ongoing street maintenance costs. This condition may be satisfied through participation in a Mello-Roos Community Facilities District, by payment of cash in an amount agreed to by the City, by another secure funding mechanism acceptable to the City, or by some combination of those mechanisms. The City shall be reimbursed actual costs associated with the formation of, or annexation to, the district.
26. The curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk, which is not in accord with City standards or is damaged before or during

construction, shall be replaced. All sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.

27. Prior to the issuance of a certificate of occupancy, all reduced pressure backflow preventers shall be tested and a back flow preventer certification performed by an AWWA licensed tester shall be submitted to the Public Works Department.
28. Prior to issuance of any certificate of occupancy, all underground utilities, public improvements, and site improvements, including rough grading, shall be completed.

Please note that project area outline is approximate.



Pacific West Architecture Responded with the following on January 15th 2019:

Provide justification for reduced parking. What state statute are you proposing to employ?

Response: The residents of Permanent Supportive Housing (PSH) developments are typically individuals that do not have a stable means of income and could be classified as 'housing challenged'. When an individual is chronically homeless their access to locations sufficient for parking their home, in some instances cars, trucks, or tents, is categorically less significant an issue than a dwelling unit.

The developer of this project has recently completed two other PSH projects, one in Culver City, California, and another in Boise, Idaho. At the Culver City project the facility was designed with a minimal amount of parking spaces and the on-site manager has reported that out of twenty two residents, only four had vehicles parked at the facility. Similarly, the PSH project in Boise was opened with forty units for homeless and the City of Boise allowed a parking reduction of .34 per unit. That is, for the forty units, the city allowed a parking reduction to 14 stall spaces, which includes two ADA parking stalls. At both of these projects, the majority of residents commute on bicycles or take readily accessible public transportation.

Furthermore, during our due diligence for the Boise PSH project, we reached out to PSH developments in Salt Lake City, Utah, and Portland, Oregon. Anecdotal information provided by the resident directors and management at these facilities stated that the range of parking utilization for the three properties was a low of 3% (Portland) to a high of 25% at Sunrise in Salt Lake City, with a mean average at Grace Mary Manor, also in Salt Lake City, of approximately 7.5% utilization. That is, on average, approximately 11.83 or 12% of the parking provided at these facilities was being utilized at any given time by residents, guests and *staff*.

We believe that the current site plan parking ratio of .48 per unit is appropriate for the intended use of the facility and targeted resident profile.