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| Title: | Sunny Avenue Acquisition |
| Project: | Property Acquisition PA-23-0001 |
| Location: | 1429 Sunny Avenue |
| APN: | 006-191-015 |
| Applicant: | City of Eureka |
| Property Owner: | Bank of New York Mellon |
| Purpose/Use: | Acquisition of ~5 acre property |
| Application Date: | January 27, 2023 |
| General Plan: | LDR – Low Density Residential |
| Zoning: | R1 – Residential Low |
| CEQA: | Exempt under §15061(b)(3) Common Sense |
| Staff Contact: | Kristen M. Goetz, Principal Planner |
| Recommendation: | Receive report; and Adopt a Resolution finding the acquisition by the City of Eureka of 1429 Sunny Avenue is exempt from CEQA and conforms with the City of Eureka’s 2040 General Plan. |
| Motion: | “I move the Planning Commission adopt a Resolution finding the acquisition of 1429 Sunny Avenue is exempt from CEQA and conforms with the City’s 2040 General Plan, and direct Staff to report the Commission’s determination, and any comments, to the City Council.” |

Figure 1: Location Map

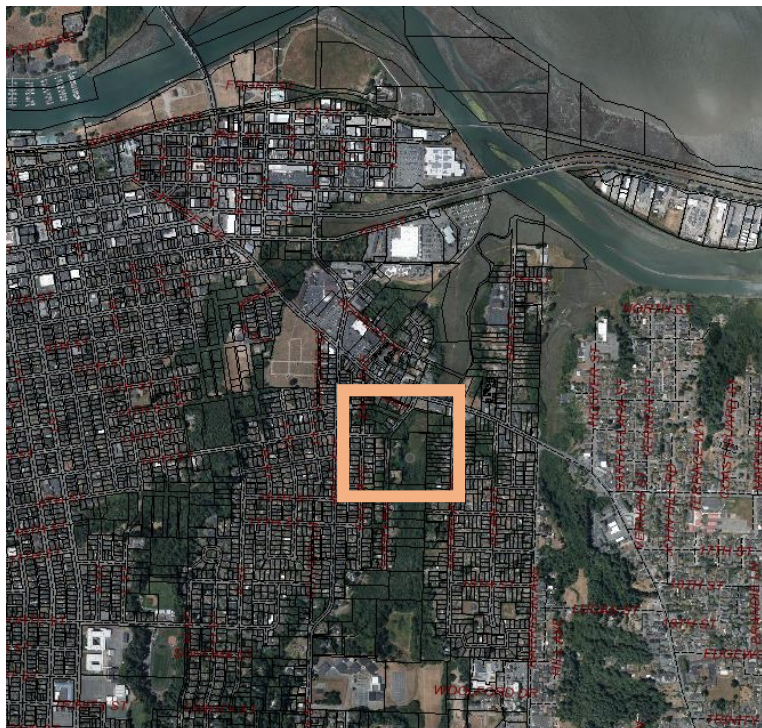
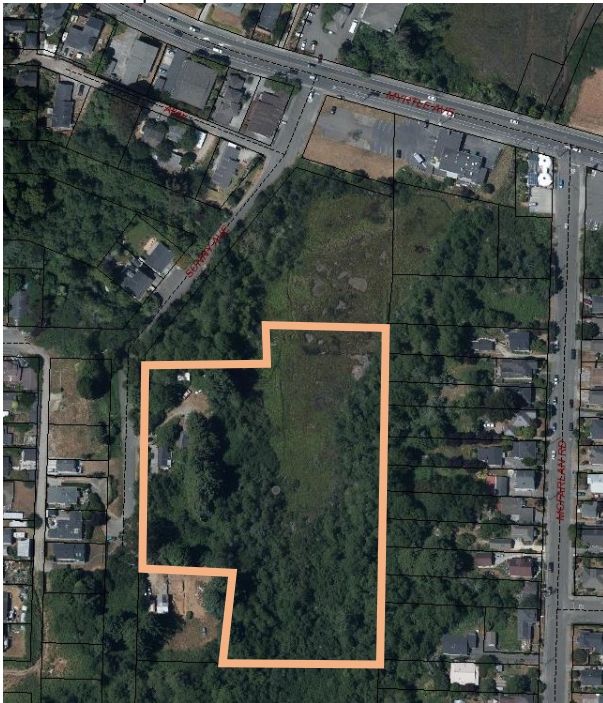


Figure 2: Site Map



PROJECT SUMMARY

The City of Eureka is proposing to acquire an approximately 223,898 square foot/5.14 acre property located on the east side of Sunny Avenue, south of Myrtle Avenue. The site has approximately two acres of upland area and three acres of wetlands. The site contains an existing sewer easement along a portion of the eastern property line, which aligns with the planned Bay to Zoo Trail. The City intends to use the lowland area for the Trail and required mitigation. The upland area may be used for other City projects in the future, such as City facilities or housing.

Background

The subject property is located on the east side of Sunny Avenue, south of Myrtle Avenue. A portion of Second Slough flows through the site.

The City learned of the pending sale of the foreclosed property and, since it was reasonably priced, and can support a portion of the Bay to Zoo Trail, determined there is value to the City, especially since it is not located in the Coastal Zone.

The subject property and surrounding parcels have a land use designation of Low Density Residential (LDR). Parcels to the west, south, and east are developed with residences, and north of the site is vegetated open space, and the future site of the Myrtle and Sunny Linc Housing project. A portion of Second Slough flows through the site.

The site is currently developed with a metal storage-type structure, and two residential structures, both of which are vacant and, at least from the exterior, appear to be in poor condition and are likely not suitable for occupancy. The property is not on the Local Register of Historic Places or included in Eureka, An Architectural View (Green Book) as part of the historical inventory.

APPLICABLE REGULATIONS

Title 15, Chapter 152, of the Eureka Municipal Code, Section 152.01 specifies the powers and duties of the Planning Commission, which include advising with and recommending to the City Council the acquisition, use, or disposition of all city owned real property. In addition, California Government Code Section 65402 states no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, if the adopted general plan or part

thereof applies thereto, until the location, purpose and extent of such acquisition has been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof.

ANALYSIS

2040 General Plan Land Use Designation

The land use designation for the subject property is Low Density Residential (LDR). The LDR land use designation is defined as follows in the City's 2040 General Plan:

Single-family detached and attached homes, accessory dwelling units and compatible public/quasi-public uses. Intended to be suburban in character and located in proximity to parks, schools, and public services. Limited neighborhood serving market-commercial uses may be allowed where they enhance the quality of life of the neighborhood and as provided by the applied zoning district. Density: Up to one primary unit and one accessory dwelling unit per lot; greater density may be allowed through a special permit as provided by the applied zoning district.

Currently, the anticipated use of the site is for a portion of the Bay-to-Zoo Trail, which is a public use. And, since the future trail will be a quiet, non-motorized pedestrian and bicycle trail, the use of the site as part of the Trail is compatible with the residential and open space uses on and surrounding the property.

2040 General Plan Goals and Policies

Goals and policies in the City's 2040 General Plan were reviewed for applicability to the proposed acquisition, and the following goals and policies were identified for Planning Commissions' consideration:

LU-1.3 Beneficial Development. Support development that affords benefits to all segments of the community that: [...]

- (c) Develops underutilized or vacant parcels.[...]
- (f) Encourages people to walk, bike, or use transit.[...]
- (h) Integrates development with public rights-of-way, parks, open spaces, plazas, boardwalks, trails, and other public spaces.
- (i) Preserves and/or enhances valuable natural, historic, or cultural resources.
- (j) Applies practices that help to reduce development's carbon footprint.

LU-1.16 Public Access. Maintain and improve physical linkages from the community to the coastline, gulches, forests and Eureka's other distinct recreational resources where feasible by creating/preserving view corridors, enhancing trail and roadway connections, and providing signage and other wayfinding cues.

Consistent. The proposed acquisition allows for development of a portion of the Bay-to-Zoo Trail on City-owned property, instead of private property, and provides a location for required

mitigation. The Bay to Zoo Trail will link the Waterfront Coastal Trail to Sequoia Park and Zoo via gulches, forests, and City streets. Acquisition of the property supports development of the Trail, and therefore is supported by Land Use Policy LU-1.3 and the sub-policies noted above, and Policy LU-1.16.

NR-3.5 Recreational Use and Nature Study. Within open space areas, develop compatible recreational uses and opportunities for nature study, such as trails, canopy walks, interpretive centers, viewing platforms, and other compatible uses, especially when such uses provide enhanced opportunities for acquisition, management, and enhancement of the City's public recreation and nature-study opportunities.

NR-3.7 Trails in Gulches and Greenways. Encourage and stimulate the development of public trails within Eureka's gulches and greenways.

Consistent. The 2040 General Plan generally promotes recreational uses, nature study, and trails in gulches and greenways. Acquisition of the property supports development of the Bay to Zoo Trail and therefore is supported by Natural Resource Policies NR-3.5 and NR-3.7.

E-6.3 Year-Round Tourism Destination. Encourage increased year-round and multi-day tourism by promoting Eureka as a cultural-tourism destination rich in local architecture, history, dining, arts, and entertainment and by promoting and developing Eureka as an ecotourism and adventure tourism destination with activities such as bay kayaking, the Eureka waterfront coastal trail, Zoo, and forested city-parks.

Consistent. The Bay to Zoo Trail will add to the activities available for eco- and adventure-tourism, and provide access between the Waterfront Coastal Trail and Sequoia Park and Zoo, which is a forested City-park. Acquisition of the property supports development of the Bay to Zoo Trail and therefore is supported by Economy; Tourism and Regional Visitation Policy E-6.3.

M-3.2 Extend Facilities. Provide for the extension of sidewalks, trails, and walking/bicycling facilities throughout the City to allow for convenient and safe pedestrian and cyclist movement and to promote walking and bicycling as viable modes of transportation for all types of trips.

Consistent. The Bay to Zoo Trail will extend between the Waterfront Coastal Trail and Sequoia Park and Zoo which will allow and promote safe, convenient, walking and bicycle opportunities. Acquisition of the property supports development of the Bay to Zoo Trail and therefore is supported by Mobility; Pedestrians and Bicyclists Policy M-3.2.

Consistency Determination

The review identified applicable goals and policies of the 2040 General Plan and found acquisition of the property at 1429 Sunny Avenue is consistent with, and supported by, the applicable goals and policies.

Environmental

The decision of the City Council to acquire this real property, a decision for which the Planning Commission is providing analysis pertaining to the conformance of the acquisition with the City

of Eureka's 2040 General Plan, is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA). However, pursuant to CEQA Guidelines Section 15061(b)(3), where it can be seen with certainty there is no possibility the acquisition itself may have a significant effect on the environment, the project can therefore be found exempt from further CEQA review. Additionally, the intended use of the site for the Bay to Zoo Trail has already undergone CEQA review. If additional projects are proposed for the site in the future, those projects would be subject to separate CEQA analysis.

STAFF CONTACT

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(707) 441-4160

DOCUMENTS ATTACHED

Attachment 1: Planning Commission Resolution 2023-____
Attachment 2: 2040 General Plan Goals and Policies