

CITY OF ARCATA

ACTION OF THE PLANNING COMMISSION

ACTION: Following a public hearing conducted on January 28, 1992, the Planning Commission denied the following Conditional Use Permit, by Resolution PC-92-03 [Graves moved; Moore seconded; 7 - 0]:

APPLICANT: Shirley Chisum
11202 West Road
Potter Valley, CA 95459

REPRESENTATIVE: Denis Cosby
5000 West End Road, Suite 4
Arcata, CA 95521

REQUEST: Applicant request a Use Permit to construct residential units on a commercially-zoned property. Residential units will be an apartment complex with either forty-four (44) with residential floor area not to exceed 46% of the lot area.

FILE NUMBER: UP-91-10

LOCATION: vacant lot east of 1990 Eleventh Street (Greenview Market)
AP#(s): 505-201-01 [portion]

ZONING: G-C, General Commercial

COASTAL STATUS: The project site is not located within the California Coastal Zone.

ENVIRONMENTAL: This project requires environmental review per the California Environmental Quality Act (CEQA). Based on an initial study, a *Negative Declaration* of significant environmental impact will be prepared.

Said request is denied for the reasons that the Planning Commission cannot make the required and proposed findings from the staff report (Memorandum dated January 22, 1992 for January 28, 1992 hearing) as noted below:

Finding A: While the project could be found necessary or desirable for the community, it is not compatible with or desirable for this neighborhood.

Finding B: Access, parking, and noise could make the project

one bedroom units

file:
APPEAL FILE

"... detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity ..."

Finding D: Two people at the public hearing testified to personal knowledge that motor oil was dumped on the site, in the past, raising the issue of potential contamination. The Planning Commission indicated that this issue raised the only concern on the proposed environmental document; otherwise the Negative Declaration is adequate.

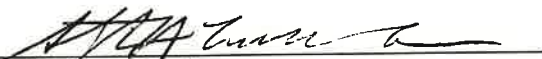
Finding G: The Commission indicated that bicycle parking would not compensate for inadequate off-street parking.

The Planning Commission indicated that Findings C, E, F and H could be met. These finding address LUDG and General Plan Compliance (C); *de minimis* impact on fish and wildlife resources (E); increasing the project parking over that required by the LUDG (F); and limiting construction noise (H).

APPEALS: Any action of the Planning Commission with respect to the above mentioned project may be appealed to the City Council. Appeals shall be filed in the office of the City Clerk within ten (10) days following the date of the Planning Commission action which is being appealed. Appeals shall be addressed to the City Council on the prescribed form and shall state the reasons for the appeal. Appeals shall be accompanied by a filing fee as set by the City Council. The final appeal authority on this project is the Arcata City Council.

The appeal period ends Friday, February 7, 1992.

DATED: January 28, 1992


Stephan A. Lashbrook
Community Development Director

cc: Applicant
Applicant's representative
Property Owners within 300 feet of project site
Persons given comment or signing the submitted petition

File