

DESIGN REVIEW COMMITTEE  
 STAFF REPORT

May 8, 2024

<b>Title:</b>	ACGC Five-Unit Multi-Family Residential Development
<b>Project:</b>	DR-24-0001
<b>Location:</b>	Address TBD
<b>APN:</b>	008-022-028
<b>Applicant:</b>	ACGC, Inc.
<b>Property Owner:</b>	Northern Humboldt Property Development LLC
<b>Purpose/Use:</b>	Construct a two-story, five-unit multi-family residential development
<b>Application Date:</b>	March 26, 2024
<b>General Plan:</b>	MDR – Medium Density Residential
<b>Zoning:</b>	R2 – Residential Medium
<b>CEQA:</b>	Exempt under §15332, Class 32 In-Fill Development Projects
<b>Staff Contact:</b>	Millisa Smith, Assistant Planner
<b>Recommendation:</b>	Hold a public hearing; and Adopt a resolution finding the project exempt from CEQA and approving with conditions
<b>Motion:</b>	<i>“I move the Design Review Committee adopt a resolution finding the project exempt from CEQA and conditionally approving the ACGC five-unit multi-family residential development at APN 008-022-028.”</i>

Figure 1: Location Map

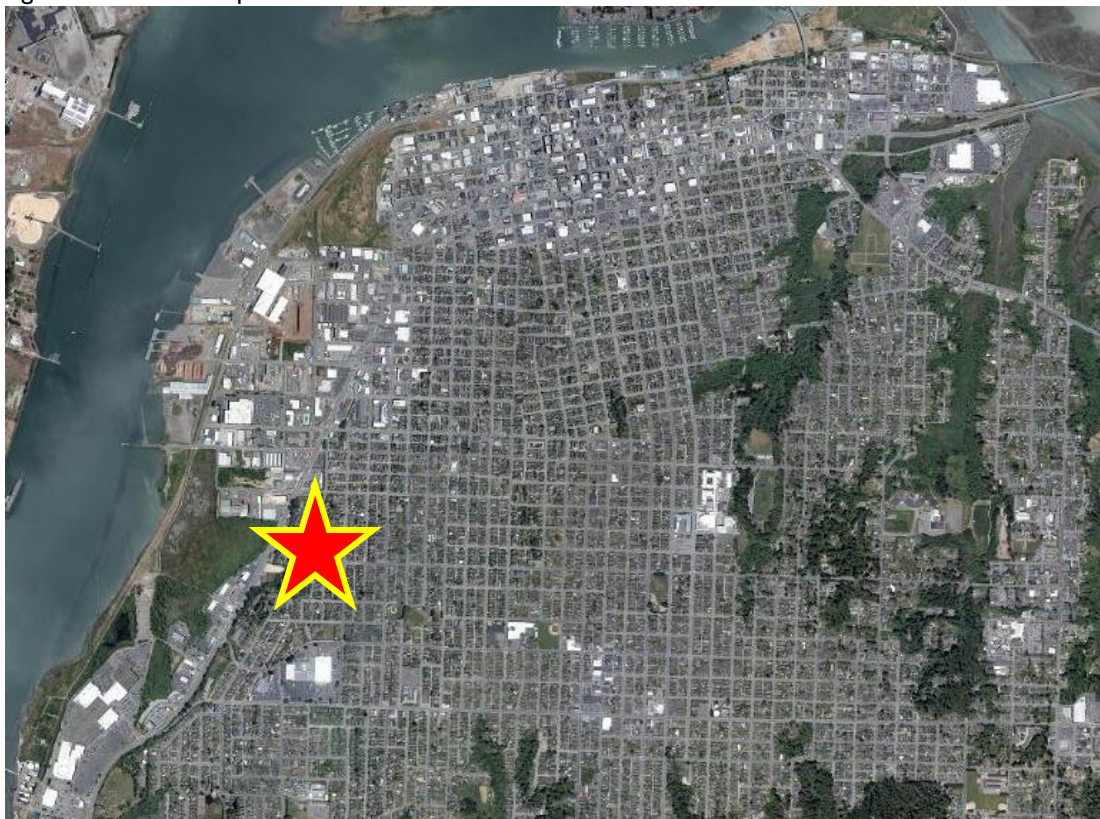


Figure 2: Site Map



### **PROJECT SUMMARY**

The applicant, ACGC Inc, is proposing to develop a vacant 9,960-sf (0.23-acre) parcel with a multi-family residential structure having a 3,494-square-foot (sf) footprint, a total floor area of 7,072 sf, and containing five two-story dwelling units (one one-bedroom unit, three two-bedroom units, and one three-bedroom unit), each with their own attached garage and long-term bicycle parking space (Figure 3). The project site is located next to other multi-family and single-family residential properties (Figure 2) in the Residential Medium (R2) zoning district. Additional site improvements include landscaping, enclosed outdoor areas for each dwelling unit, a shared paved driveway, and screened waste storage (Figure 3). Pursuant to Eureka Municipal Code (EMC) §155.412.040 (Design Review), new buildings which are 500 sf or more in size in the R2 zoning district require Design Review. Design Review is the only discretionary approval required for this project.

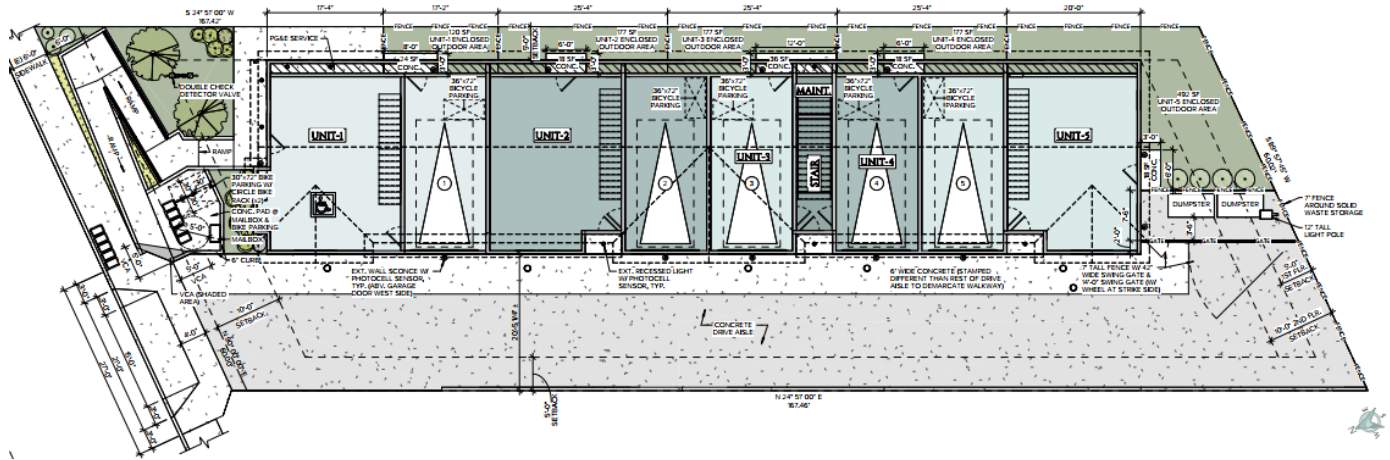
### **ANALYSIS**

To approve a Design Review application, the Design Review Committee (DRC) must make the following findings:

- I. The proposed development will not be detrimental to public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

- The proposed project complies with all seven Design Review criteria in EMC §155.412.040.I (Design Review Criteria) to the extent they apply.

Figure 3: Site Plan (page A-1.1 of submitted plans [Attachment 2])



### I. Public Health, Safety, and Welfare

The proposed development, as conditioned (see DRC Resolution [Attachment 1]), complies with all of the development standards of the Zoning Code, and, per EMC §155.104.040.B.2, the purpose of the Zoning Code is to implement the General Plan and to protect the public health, safety, and welfare.

The site and surrounding neighborhood are served by 12-foot (ft) wide sidewalk areas, with 6 ft of paved sidewalk area directly adjacent to the site abutting Buhne Street. The new building replaces a vacant lot and provides bicycle storage for each dwelling as well as a short-term bicycle parking area in front of the proposed building adjacent to Buhne Street (Figure 3 and 4). The site is in close proximity to an existing Class II bike lane four blocks (.20 miles [mi]) south on West Henderson Street (running east/west) and an existing Class III bike route six blocks (.35 mi) east on California Street (running north/south). The site is also in close proximity to Eureka Transit System bus stops, located 0.34 mi to the east, on the corner of California and Buhne Streets, and

Figure 4: Design rendering of north and west-facing façades



0.25 mi south at the Eureka Mall. For all these reasons, the proposed multi-family residential development will promote transportation alternatives, reduce reliance on automobiles, and increase opportunities to walk, bike, or take transit to destinations, which contributes positively to public health, safety, and welfare.

Furthermore, referrals were sent to agencies and City departments with interest or jurisdiction over the property and the proposed development. No comments were received that indicate the design of the five-unit multi-family residential development, or other proposed improvements, would be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

A referral response was received from the Bear River Band Tribal Historic Preservation Officer stating the project activities “do not appear to represent a source of significant impact on cultural resources” and requested standard inadvertent discovery protocol be in place for any ground disturbing activities, which has been added as a Condition (j).

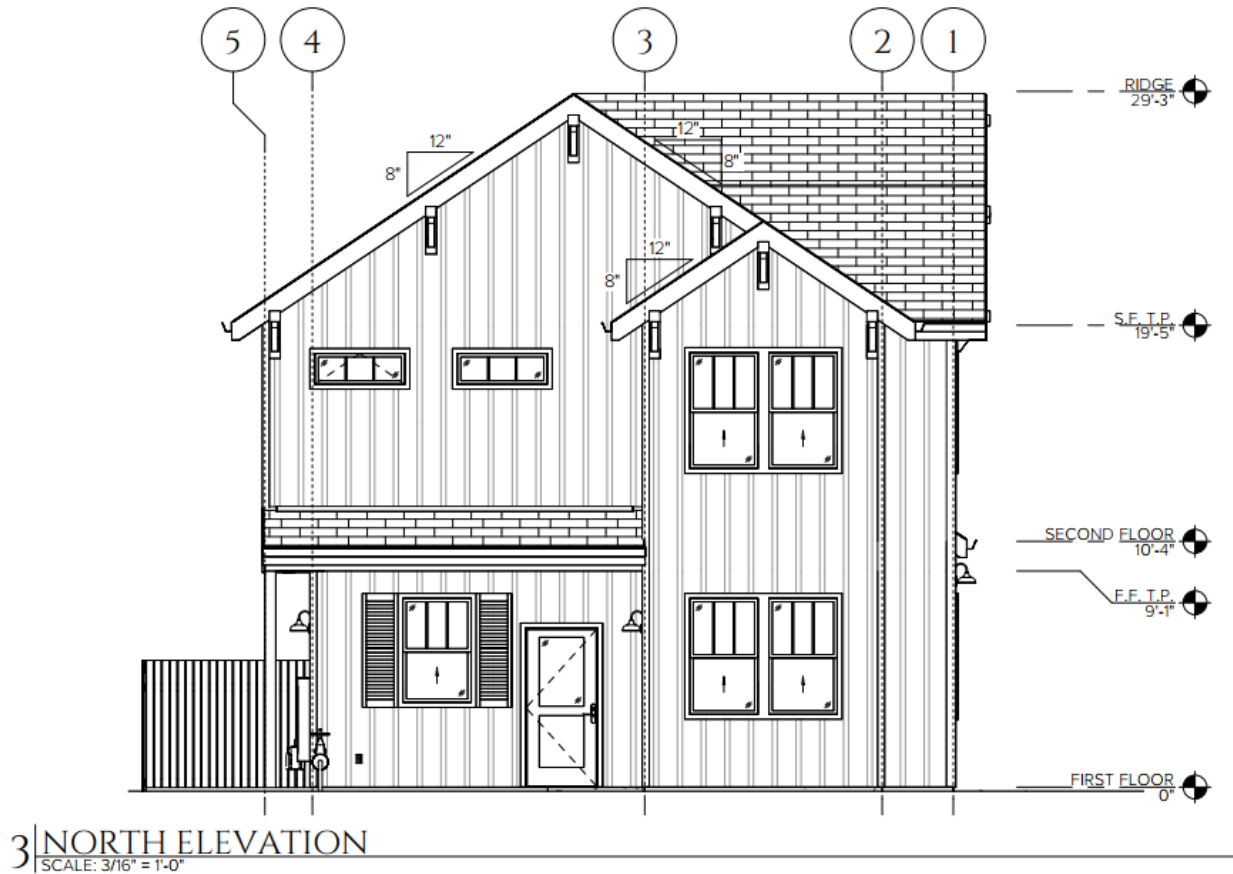
Comments were received from Public Works – Engineering (Attachment 3) indicating, due to the creation of 5,000 sf or more of impervious surface, the project is required to comply with the City’s stormwater program requirements, which includes providing a Stormwater Information Sheet and a Stormwater Control Plan to meet the requirements of the Humboldt LID Manual for Regulated Projects, and an Erosion and Sediment Control Plan is required to demonstrate how non-stormwater runoff will be prevented from leaving the construction site. Both have been included as Condition (e).

Additional comments from Public Works – Engineering indicated the design of the drop curb of the driveway needs to be amended so the drop curb apron (or where the curb starts to slope downward) is contained completely on the parcel and does not cross over the western property line as currently proposed. Condition (f) has been added requiring the applicant slightly alter the design of the driveway drop curb apron to meet City standards to the extent possible, given site constraints, including having the entire drop curb apron contained on the parcel. Additionally, the ADA ramp from the front door of Unit One to the sidewalk along Buhne Street is partially located within the City right-of-way, thus the property owner will be required to enter into a Hold Harmless Agreement with the City for the proposed ramp, and ongoing insurance for the ramp will be required for the agreement (Condition [h]). Public Works – Engineering also commented the site will need water and sewer connections, the location and design of which will be reviewed during the Building Permit review. Condition (g) has been added requiring all utilities be constructed to the City’s standards at the time of development.

Pacific Gas and Electric (PG&E) provided comments indicating the proposed project is within the same vicinity of PG&E’s existing facilities, and relocating existing PG&E gas and electric facilities may be required. The Impact Response received from PG&E (Attachment 4) outlines that the applicant must contact PG&E to apply for the relocation of any existing PG&E gas and electric services on the parcel. Condition (i) has been included requiring the applicant to submit evidence of an approved relocation application from PG&E with their Building Permit application, which is also included as Condition (a). Lastly, per the City’s Finance Department, any apartment complex with four or more dwelling units not being managed by a property management company must have a business license. Therefore, Condition (b) has been added to inform the applicant of this requirement.

Conditions of approval resulting from referral comments related to the health, safety, and welfare of the community have been added; however, the conditions do not substantially affect the project's overall design. Therefore, because no potential impacts were identified by any agency, by City Staff, or through analysis; and, through the application of the conditions of approval and enforcement of other existing City regulations; and based on the discussion herein, the finding can be made that the proposed development will not be detrimental to public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

Figure 5: North elevation showing the street-facing façade



## 2. Design Review Criteria

To approve a Design Review application, the Design Review Committee must find that the proposed project complies with all of the following Design Review Criteria to the extent they apply:

1. **Surrounding Context.** *The overall project and associated buildings enhance the design quality of the area where they are located, and enhance Eureka's unique character and distinctive sense of place. New buildings may "fit in" with traditional architecture that matches or complements the surrounding context or "stand out" with a contemporary and contrasting style. All buildings must minimize adverse impacts on neighboring properties when possible.*
2. **Pedestrian Environment.** *Buildings incorporate design features that support an active public realm and an inviting pedestrian environment.*

- 3. **Architectural Style.** Buildings demonstrate a coherent and successfully executed architectural style. Building architecture may be traditional or modern. Buildings are not required to conform to any dominant architectural style or local vernacular. Creative architectural and artistic expression is encouraged.*
- 4. **Articulation and Visual Interest.** Building facades are distinctive, create visual interest, and relate to the human scale through vertical and horizontal articulation, varied building planes, distinctive building elements, and/or noticeable architectural details. Building elements such as roofs, doors, windows, and porches are part of an integrated design and relate to the human scale. Architectural details such as articulation, trim, eaves, window boxes, and brackets contribute to the visual interest of the building.*
- 5. **Materials.** Building façades feature high-quality materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.*
- 6. **Safety.** The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility, and features that promote a sense of ownership of outdoor space.*
- 7. **Landscaping.** Landscaping features low-water-use plants appropriate for the local climate, contains native plants in compliance with 155.328.050.D (Native Plants), and does not include any invasive species that would be harmful to native plants and habitat, in compliance with 155.328.050.D (Invasive Plants).*

The overall project design is contemporary, but it incorporates architectural features (with modern materials) seen in other craftsman style residences surrounding the site and in the greater Eureka area, including board and batten siding, decorative roof brackets, pitched roof form variation, projecting building walls creating horizontal articulation and visual depth, one over one windows with divided light sections, and window and door trim. All of these design elements demonstrate a coherent architectural style and create visual interest (Criteria 4 and 5). These design elements also enhance the design quality of the neighborhood by complementing the architecture of the surrounding area (consisting of a mix of late 19<sup>th</sup> century architecture to early, mid, and late 20<sup>th</sup> century development), including other single-family homes and a similarly designed multi-family residential development abutting the property to the west, which also features decorative roof brackets, horizontal articulation, and board and batten siding like this project is proposing (Criteria 1).

The proposed development incorporates features that support an active pedestrian realm and inviting pedestrian environment; such as, Unit One, the only street-facing unit, has a street-facing entrance featuring a covered recessed entry with a rigid canopy and a porch that is clearly visible from the street (Figure 5), a pedestrian walkway connecting all units to the adjacent sidewalk on Buhne Street, and Unit One will include an Americans with Disabilities Act (ADA) compliant ramp (Figure 3 and 4) to the sidewalk (Criteria 2).

Furthermore, as discussed above in the required finding for public health, safety, and welfare, the project site's use of a vacant lot, neighborhood sidewalks, the addition of secure short-term and long-term bicycle parking (as required by the Zoning Code), and the proximity of the project site to both bike lanes and transit/bus stops allow residents to easily walk, bike, and take transit to destinations. This, coupled with the street-facing windows, entrance design elements, and

pedestrian walkway, will provide development which supports an active public realm and an inviting pedestrian environment (Criteria 3).

Hardie Brand vertical siding in a board-and-batten style (which will consist of separate boards and battens installed together onto the building walls, as required by the Zoning Code) will be utilized. Other materials include smooth Hardie brand trim boards, painted decorative window shutters on all north, south, and western facing windows, wood finished garage doors, and cedar accent roof brackets, all quality materials that are visually compatible with the surrounding development from various eras, which likely used Redwood or Cedar lap siding. Also, the roof will be comprised of architectural grade Asphalt composite shingles with a painted Miratec composite fascia, and windows will be vinyl double-pane single-hung windows with trim and divided light accents. All the proposed materials for the building façade are appropriate to the architectural style, enhance building articulation, and are compatible with the surrounding development (Criteria 5).

The overall project provides many features to promote safety. Unit One, or the northern most dwelling unit, has street-facing entrance and windows, which puts “more eyes on the street,” and there are windows facing all areas of the property including the driveway, street, and waste storage area (Criteria 6). All areas between the building and the street not used for access are landscaped, and each unit has a rear yard enclosed with five-ft tall fencing, both of which promote a sense of ownership of the outdoor space (Criteria 6).

Additionally, the five-unit multi-family residential development also incorporates enclosed vehicle and long-term bicycle parking. Pursuant to EMC §155.308.070 (Solid Waste/Recyclable Material Storage), solid waste and recyclable material storage is provided on the parcel in the rear of the site between the south-facing building wall and the south property line and is fenced and screened from view (Figure 4) which reduces the ability for wildlife or uninvited persons to rummage through waste and recycle bins (Criteria 6). Submitted plans indicate one 12-ft-tall light pole will be erected in the solid waste collection area. Proposed exterior light fixtures along all façades of the residential structure are wall sconces in a “gooseneck style” (Criteria 6). Although it’s more than likely the proposed outdoor light fixtures comply with EMC §155.308.050 (Outdoor Lighting) because they appear to be shielded and directed down, specifications for all fixtures have not been provided; therefore, Condition (d) has been included requiring the project comply with all outdoor lighting standards. For all of these reasons it can be concluded the proposed project will promote public healthy and safety and minimize opportunities for crime (Criteria 6).

The proposed landscaping plan (Page A-1.1 of Attachment 2) indicates a variety of planting types including trees, shrubs, and ground cover, all of which are not on the California Invasive Plant Council’s Cal-IPC inventory of invasive plants (Criteria 7). EMC §155.328.050.D (Native Plants) requires that at least 75% of plantings, by count, involve the use of species native to Eureka as listed by the California Native Plant Society. Four individual species of plants are identified on the landscaping plan, as well as a native California wildflower seed mix, which will act as ground cover in three landscaped locations. Of the 20 species listed in the seed mix, five are not native to Eureka, making the seed mix 75% native species. Of the five types of plantings identified, 23 plants by count are proposed, three (13%) are Canyon Dudleya (*Dudleya Cymosa*), which is not native to Eureka. These proportions of native to non-native plantings are compliant with the 75% native plant count provision of the EMC. Also, landscaping features include low-water use plants and will provide variations in height at maturity, adding a sense of visual articulation and texture to

the street-facing façade (Criteria 7). Although the proposed planting complies with landscaping standards identified in EMC §155.328.050 (General Landscape Requirements), the applicant submitted materials do not include a Water Efficiency in Landscaping Ordinance (WELO) certificate as required by EMC §155.328.060 (which is not a required finding in Criteria 7). Therefore, Condition (c) has been included requiring the applicant to submit with the building permit application the WELO certificate. Irrigation and maintenance guidelines for proposed landscaping are provided on page A-1.1 of the submitted plan set (Attachment 2).

In conclusion, the proposed project, as conditioned, complies with all seven applicable Design Review criteria in the inland Zoning Code.

### **ENVIRONMENTAL ASSESSMENTS**

The City of Eureka, as Lead Agency, has determined the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to §15332, In-Fill Development Projects, Class 32 of the CEQA guidelines because: (a) the project is consistent with the General Plan policies and, as conditioned, is consistent with the Zoning Code standards; (b) the project is within City limits on a site less than five acres in size (at 0.23 acres) and is surrounded by urban uses; (c) the site does not contain any habitat for rare or endangered species as no comments were received from the California Department of Fish and Wildlife during referral period; (d) the project will not result in significant effects relating to traffic, noise, air quality, or water quality because the project site adjoins Buhne Street, a major collector roadway, which has adequate carrying capacity for the project and is expected to produce more noise than a typical multi-family residential use, the project promotes alternative modes of transportation by being located near transit/bus stops and bike lanes (there is an existing Class II bike lane four blocks [0.20 miles] south on West Henderson Street [running east/west] and an existing Class III bike route six blocks [0.35 miles] east on California Street [running north/south]), both of which can decrease greenhouse gas emissions and improve air quality, and the project will not impact water quality because the project is conditioned to provide construction-phase erosion control and a post-construction stormwater control plans; and (e) the site is adequately served by all required utilities and public services.

### **PUBLIC HEARING NOTICE**

Public notification consisted of notification by mail of property owners within a 300-foot radius of the site on or before April 26, 2024. In addition, the notice was posted on the City's website and bulletin boards. A public hearing notice sign was posted on the site on or before April 26, 2024.

### **CONCLUSION**

Based on the analysis above, the proposed five-unit multi-family residential development will not be detrimental to public health, safety, or welfare; and complies with all applicable Design Review criteria in Eureka Municipal Code §155.412.040.J (Design Review Criteria).

### **DOCUMENTS ATTACHED**

- Attachment 1: Design Review Committee Resolution
- Attachment 2: Submitted Plan Set
- Attachment 3: Public Works – Engineering Referral Response
- Attachment 4: PG&E Impact Response