



CITY OF EUREKA
DEVELOPMENT SERVICES DEPARTMENT
Rob Holmlund, AICP, Director

531 K Street, Third Floor
Eureka, California 95501-1146
(707) 441-4160 • planning@ci.eureka.ca.gov
www.ci.eureka.ca.gov

NOTICE OF PUBLIC HEARING
EUREKA DESIGN REVIEW COMMITTEE

NOTICE IS HEREBY GIVEN that the Eureka Design Review Committee will hold a public hearing on **September 11, 2019**, at 8:30 a.m., or as soon thereafter as the matter can be heard, in the Council Chamber, Eureka City Hall, 531 “K” Street, Eureka, California, to consider the following application:

Project Title: *Abrahamsen Multifamily Residential Development*

Project Applicant: CleekCo. **Case No:** AA-19-0008

Project Location: Southwest corner of 8th St. and D St. **APN:** 004-152-002,-003

Project Zoning and Land Use: DW (Downtown West)/DC (Downtown Commercial)

Project Description: The applicant is proposing to construct a new 2-story multifamily residential structure containing 15 units on an existing vacant lot. The project requires Design Review as it consists of a new building with 500 square feet or more in a mixed-use zoning district. Design Review is the only discretionary approval required for this project.

All interested persons are invited to comment either in person at the scheduled public hearing, or in writing. Written comments may be submitted prior to or during the hearing by mailing or delivering them to the Development Services Department, Third Floor, 531 K Street, Eureka. Appeals to the Planning Commission of the action of the Design Review Committee, may be made within 10 calendar days of the action by filing a written Notice of Appeal, along with the filing fees as set by the City Council, with the City Clerk.

If you challenge any decision made by a review authority through administrative appeal or in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the review authority at, or prior to, the public hearing. Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting. The project file is available for review at the Development Services Department. If you have questions regarding the project or this notice, please contact Raquel Menanno, Assistant Planner, rmenanno@ci.eureka.ca.gov or (707) 441-4113.



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CITY OF EUREKA DESIGN REVIEW COMMITTEE

STAFF REPORT

September 11, 2019

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Materials include:

- Asphalt Composition Roof
- Almond colored Milgard vinyl windows
- Hardie panel siding with vertical hardietrim batts
- Hardie shingles
- Decorative knee brace
- Decorative timber truss
- Milgard vinyl windows
- Hardie plank lap siding with standard reveal
- Gel stained fiberglass exterior doors
- Landscaping: Pacific Rhododendron, October Glory Maple, Lithodora Grace Ward

Analysis:

The project requires Design Review as it consists of new buildings with 500 square feet or more containing a multi-family land use. Approval of the Design Review application, requires that the following findings be made to ensure the project complies with the Design Review criteria.

Design Review Criteria:

Community Character	The overall project design enhances Eureka’s unique character and distinctive sense of place. A variety of building types and styles respects Eureka’s architectural heritage and embraces forward-looking creative expression;
	The project site for the proposed multifamily residential structures is currently vacant. The addition of this project will create a distinctive sense of place by providing housing for the residents of Eureka. The building type and style respects Eureka’s architectural heritage through its design with articulated facades and varied roof lines.
Surrounding Context	The overall project and associated buildings enhance the design quality of the area where they are located. New buildings may “fit in” with traditional architecture that matches or compliments the surrounding context or “stand out” with a contemporary and contrasting style. All buildings must minimize adverse impacts on neighboring properties when possible;
	The addition of the two new buildings will activate the current dead space or vacant lot, thus enhancing the design quality of the area. The new buildings match the surrounding context in that they are similar to the design of the adjacent residential structures.
Pedestrian Environment	Buildings incorporate design features that support an active public realm and an inviting pedestrian environment;
	Currently, the site does not have a paved area for pedestrians on D St. and the paved area along 8th St. is not maintained. The proposed project will incorporate new paving for the sidewalk area creating an inviting pedestrian environment. Design features include street furniture in the form of landscaping and articulate facades to create an active public realm and inviting pedestrian environment.
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;
	The buildings demonstrate coherent and successful architectural style through variation in materials, roof lines, and facades.
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;
	The proposed project includes a range of vertical and horizontal articulation, such as: covered entries, balconies, varied roof lines, decorative timber truss, decorative knee brace, and trim.
Materials	Building facades feature high-quality materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development;

	Building façade materials include hardie shingles, hardie trim, timber truss, hardie plank lap siding compatible with the surrounding development featuring hardie lap siding. Building articulation is enhanced through the differentiation of external materials on each level of the building façade.
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.
	The buildings have a multitude of windows and balconies that face the street which place more “eyes on the street” leading people to naturally monitor the street creating increased visibility to promote public safety. Additionally, there is a lack of thick shrubbery which creates less space for unwanted activity to occur.
Landscaping	Landscaping features low water-use plants appropriate for the local climate and does not include any invasive species that would be harmful to native plants and habitat in compliance with Section 155.320.050.D (Invasive Plants).
	Landscaping features includes October Glory Maple trees, Pacific Rhododendron shrubs, and Lithodora Grace Ward shrubs all of which are not invasive plants.

Findings

Objective 1	The proposed project is consistent with the General Plan, any applicable specific plan or area plan, and other design policies and regulations adopted by the City Council;
	The proposed project is consistent with the General Plan because it ensures that the street-facing facades of proposed developments exhibit high quality design, complement neighboring properties, and contribute to Eureka’s distinctive identity and unique sense of place, as implemented by the Zoning Code.
Objective 2	The proposed project complies with all applicable provisions of the Zoning Code and Municipal Code;
	The proposed project complies with all applicable provisions of the Zoning Code and Municipal Code as reviewed by staff.
Objective 3	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 development seeks to enhance public health, safety, and welfare through providing additional residential units in compliance with the Zoning Code. The project was referred to additional agencies of which none identified concerns that the proposed development would be detrimental to public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.
Objective 4	The proposed project complies with all applicable Design Review criteria in Division 155.408.030.H (Design Review Criteria)
	The proposed project complies with all applicable Design Review criteria as findings can be made to support each criteria.

Abrahamsen Multiplex Complex; Case No: AA-19-0008; Project Location: Southwest corner of 8th St. and D St.

Environmental: The Design Review process is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA). However, the project qualifies for the “common sense” exemption from CEQA, because it can be seen with certainty that there is no possibility of a significant environmental impact from the Design Review process. This is because the Design Review committee has the authority only to address aesthetic considerations not otherwise regulated by the zoning code (e.g. roof pitch, decorative façade features, etc.). The Design Review authority does not have the authority to modify the density or intensity of any development e.g. number of residential units permitted, building heights, setbacks, on-site parking requirements, etc. which may affect the environment. (CEQA Guideline §15061)

The project also qualifies for a Class 32 categorical exemption from CEQA because it meets all of the conditions as described in §15332 for in-fill development projects and it is not barred by any of the exceptions.

Agency and Departmental Comments: Referrals were sent to several Tribes, agencies and City departments with interest or jurisdiction over the property or the intended use of the property. The following Agencies/Departments commented:

1. [Not available at time of publication. Any comments received to be presented at meeting]

Staff Recommendation and Motion:

1. Hold a Public Hearing; and
2. Approve the Design Review application as submitted at APN’s 004-152-002,-003.

Staff Contact Person: Raquel Menanno, Assistant Planner; phone: (707) 441-4113; email: rmenanno@ci.eureka.ca.gov

Attachments:

Attachment 1	Resolution
Attachment 2	Project Plans

DESIGN REVIEW COMMITTEE RESOLUTION NO. 2019-___

A RESOLUTION OF THE DESIGN REVIEW COMMITTEE OF THE CITY OF EUREKA APPROVING THE PROPOSED MULTIFAMILY RESIDENTIAL DEVELOPMENT AT APN's 004-152-002, -003

WHEREAS: The applicant is proposing to construct a new 2-story multifamily residential structure containing 15 units on an existing vacant lot; and

WHEREAS: The property at APN's 004-152-002, -003 is zoned Downtown West (DW) and has a land use designation of Downtown Commercial (DC); and

WHEREAS: The proposed project is principally permitted; and

WHEREAS: The Eureka Municipal Code §155.412.040(B)(1) requires that all new buildings 500 square feet or more in the mixed-use zoning district receive Design Review Committee approval prior to construction.

The following findings of fact are based on information submitted with the permit application, agency comments, available records, public comment, and staff research and analysis.

FINDING 1: The proposed project is consistent with the required Design Review findings found in §155.412.040(J) *FINDINGS*, as described in the staff report.

FINDING 2: The Design Review process is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA). However, the project qualifies for the "common sense" exemption from CEQA, because it can be seen with certainty that there is no possibility of a significant environmental impact from the Design Review process. This is because the Design Review committee has the authority only to address aesthetic considerations not otherwise regulated by the zoning code (e.g. roof pitch, decorative façade features, etc.). The Design Review authority does not have the authority to modify the density or intensity of any development e.g. number of residential units permitted, building heights, setbacks, on-site parking requirements, etc. which may affect the environment. (CEQA Guideline §15061)

FINDING 3: The project also qualifies for a Class 32 categorical exemption from CEQA because it meets all of the conditions as described in §15332 for in-fill development projects and it is not barred by any of the exceptions.

NOW THEREFORE, BE IT RESOLVED by the Design Review Committee of the City of Eureka that the project, as described in the Staff Report, is approved subject to the following conditions of approval. The violation of any term or requirement of this conditional approval may result in the revocation of the permit.

CONDITION 1: Prior to commencement of any demolition, remodeling or construction, the applicant will obtain all required Building permits to the satisfaction of the City of Eureka Public Works Building Department.

CONDITION 2: In the event a building permit involving any ground disturbing activity is issued, the City's standard protocol for incidental archeological discovery (cultural or historical artifacts) shall be followed:

- a) If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist will be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19th century building foundations; structure remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.
- b) If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.
- c) In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code Section 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code Section 5097.98. In part, PRC Section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code Section 5097.98 shall be complied with as may be required.

PASSED, APPROVED AND ADOPTED by the Design Review Committee of the City of Eureka in the County of Humboldt, State of California, on September 11, 2019 by the following vote:

AYES: COMMISSIONER
NOES: COMMISSIONER
ABSENT: COMMISSIONER
ABSTAIN: COMMISSIONER

Kassidy Banducci, Chair, Design Review Committee
Attest:

Rob Holmlund, Director of Development Services

Abrahamsen Multiplex Complex; Case No: AA-19-0008; Project Location: Southwest corner of 8th St. and D St.