



PUBLIC WORKS DEPARTMENT

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NOTICE OF PUBLIC HEARING

EUREKA DESIGN REVIEW COMMITTEE

NOTICE IS HEREBY GIVEN that the Eureka Design Review Committee will hold a public hearing on **Wednesday, July 22, 2020**, at 8:30 a.m., or as soon thereafter as the matter can be heard, Pursuant to Executive Order N-29-20, by Governor Gavin Newsom, this meeting will be conducted telephonically through Zoom. Please be advised that pursuant to the Executive Order and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, City Hall will not be open for the meeting.

Project Title: MOCA Humboldt Design Review

Project Applicant: MOCA Humboldt – MHEKA LLC **Case No:** DR-20-0002

Project Location: 210 4th Street (AKA 204 4th St.) **APN's:** 001-103-001

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

Project Description: The applicant is proposing to infill a portion of the existing glass storefront in order to improve the building aesthetic and enhance safety/security. The proposed storefront is located on a Pedestrian-Focused Frontage (PFF) and any exterior modification to a building façade that faces a PFF requires Design Review.

The public is invited to participate in the following manner:

1. You can view the Design Review Commission meetings live on the City of Eureka's website at www.ci.eureka.ca.gov or on Cable Channel 10. To view from the website, select Agendas, Meeting and Videos on the home page.
2. If you wish to speak and be heard during the hearing or oral communications, please submit your name, phone number and name of the item you would like to comment on by e-mail to planning@ci.eureka.ca.gov or leave a message at 707-441-4160 on or before July 21, 2020 at 12:00 p.m. A Development Services staff member will call you during the public hearing for the item.
3. If you don't want to participate during the meeting but want to submit comment on a project or for oral communications, please submit your comment via email to planning@ci.eureka.ca.gov or you may leave a message at 707-441-4160 prior to July 21, 2020 at 12:00 p.m to ensure that the Commission receives your comment before the meeting. All comments received by email or mail will be part of the public record for consideration but will not be read aloud during the meeting.

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 with the Planning Division of the Public Works Department, along with the filing fees as set by the City Council.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing or written correspondence received during 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 Planning Division of the Public Works Department. If you have questions regarding the project or this notice, please contact Lisa Savage, Project Manager, lsavage@ci.eureka.ca.gov or (707) 441-4186.

Subject:	MOCA Humboldt Design Review DR-20-0002
Location:	210 4 th Street (AKA 204 4 th St.)
APN:	001-103-001
Applicant:	MOCA Humboldt – MHEKA LLC
Property Owner:	Carter Properties
Purpose/Use:	Change to storefront- window infill
Application Date:	July 6, 2020
General Plan:	DC - Downtown Commercial
Zoning:	DW - Downtown West
CEQA:	Exempt under §15301, Class 1 Existing Facilities
Staff Contact:	Lisa Savage, Project Manager
Recommendation:	Hold a public hearing; adopt a resolution to conditionally approve the application.
Motion:	<i>“I move the Design Review Committee adopt a Resolution to conditionally approve the MOCA storefront window infill at 210 4th Street in the DW Downtown West zone district.”</i>

Figure 1: Location Map

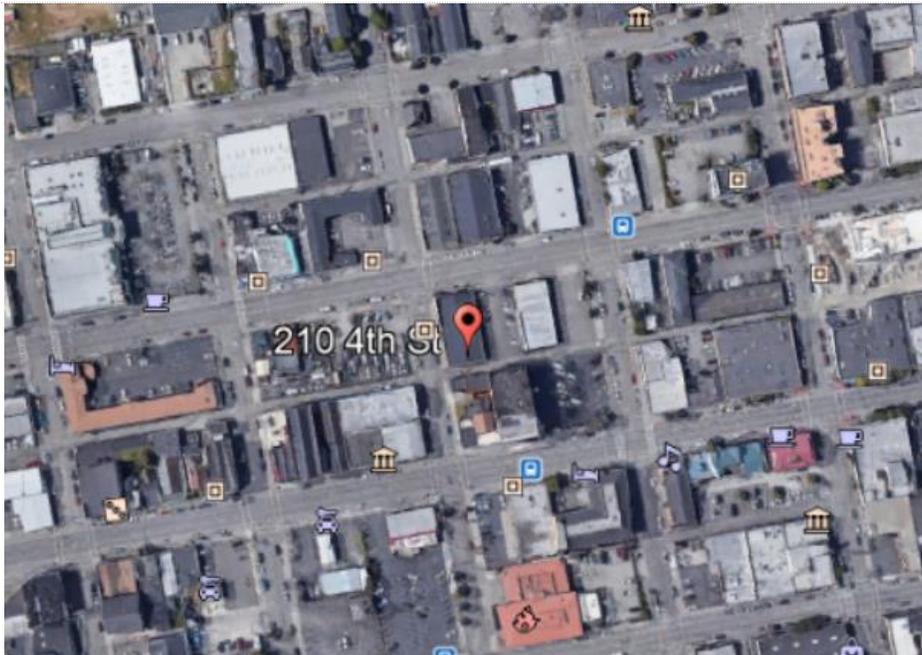
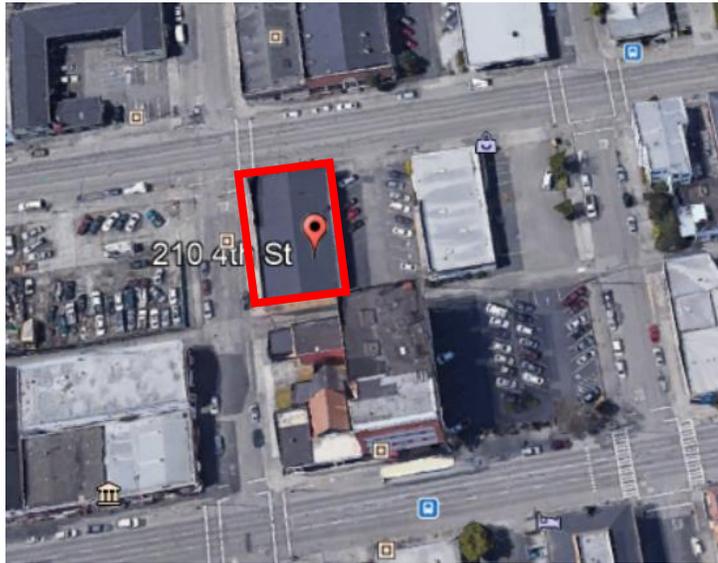


Figure 2: Site Map



PROJECT SUMMARY

The applicant is requesting Design Review to make changes to the storefront by infilling windows and replacing the siding. At the present time, the west side of the front façade is covered in multi-colored decorative tile and the east side is multi-colored decorative tile below the windows and horizontal wood panel above the windows. The proposed changes to the façade include painting the entire building white (including the multi-colored decorative tiles), removing the decorative tiles from below the windows on the east side and the wood panels from above the windows and replacing everything with smooth Hardie Plank siding. The windows will be partially in-filled for

enhanced security and to deter vandalism. The site is located on the southeast corner of 4th and C Streets, and 4th Street is a Pedestrian-Focused Frontage (PFF). Eureka Municipal Code 155.208.040.B requires Design Review for any exterior modifications to a building façade that faces a Pedestrian-Focused Frontage (PFF).

Figure 3: 4th Street Building Façade



ANALYSIS

To approve a Design Review application, the Design Review Committee must make all of the following findings:

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.
2. The proposed project complies with all applicable provisions of the Zoning Code and Municipal Code.

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.

4. The proposed project complies with all applicable Design Review criteria in 155.412.040.I (Design Review Criteria).

1. Plan and Code Consistency

General Plan

The General Plan Designation for the site is DC (Downtown Commercial). The DC land use designation is intended to have a “mix of retail, restaurants, lodging, entertainment, cultural, visitor services, offices, and upper floor residential uses” as well as “promote a vibrant pedestrian environment.” The area surrounding the storefront contains a mix of uses, including, motels, offices, retail, and the new Eureka Veterans Village. The Downtown Commercial land use designation supports “high intensity urban form” and promotes a pedestrian environment. The storefront provides another retail business in an urban walkable area; and therefore, extends the pedestrian environment from the Downtown and Old Town areas. The change to the storefront does not change the use of the property and is consistent with the purpose of the General Plan.

Zoning Code

The zoning district for the site is Downtown West (DW). The specific purpose of the Downtown West (DW) zoning district is as an extension of the Downtown (DT) zoning district with a broader range of allowed land uses to further encourage investment and development and to provide a transition zone from Broadway to Downtown. The Downtown (DT) zoning district should maintain, promote, enhance, and build upon Eureka’s Downtown as a vibrant center for residents, businesses, the arts, local/regional visitors, and out-of-town tourists. Vertical mixed-use development with a diversity of uses promote daytime and evening activity, including residential, cultural, lodging, civic, professional office, entertainment, retail, and other customer-serving and employment-intensive uses. Multi-story buildings built to lot lines fully utilize available land and support a high-intensity economic and cultural center for the surrounding region. Existing buildings are fully utilized with uses that serve residents, employees, visitors, and the broader region. A diversity of building types and architectural styles, many with active ground-floor uses, support a vibrant pedestrian environment and active and inviting public spaces.

The building is permitted for indoor cannabis cultivation, non-volatile manufacturing, and a cannabis retail and delivery facility. The proposed use meets many of the purposes of the zoning code by reusing an existing single-story structure in an appropriate DW zoning district. The reuse of the building will enhance the appearance of the surrounding area and encourage an active and inviting street-scape by upgrading and improving the appearance of the property. The location of the facility is in an urban area, that is easily walkable from the Downtown Core and Old Town areas. The building is built to the lot lines, fully utilizes available land, and supports high-intensity customer-serving and employment uses for the surrounding region. The retail cannabis use will serve residents, visitors, and the broader region, by providing an active ground-floor use, support a vibrant pedestrian environment and active and inviting public spaces. The proposed change to the storefront does not change the use of the property, and therefore, is consistent with the purpose of the DW zone district.

Specific or Area Plan

The proposed modification to the storefront is consistent with the Economic Development Strategic Plan's (EDSP) overarching goal to "Improve the quality of life for Eureka's residents, businesses and employees, and visitors through positive actions to attract, retain, and expand businesses within the city." The proposed modification supports three of four EDSP Sub-Goals because it proposes to create a new business (Sub Goal A: Maintain and Create High Quality Jobs), it supports the local cannabis community (Sub-Goal C: Create a Diverse and Resilient Economy), and it will contribute to sales tax revenue and may indirectly contribute to the Transient Occupancy Tax by out-of-town visitors (Sub-Goal D: Strengthen the City's Revenue Base).

2. Design Policies and Regulations

The site is located on the corner of 4th and C Streets, and 4th Street is a Pedestrian-Focused Frontage (PFF). Eureka Municipal Code 155.208.040.B requires Design Review for any exterior modifications to a building façade that faces a Pedestrian-Focused Frontage (PFF). The façades of buildings facing these street frontages are subject to special land use regulations and development standards to maintain and enhance an active and engaging pedestrian environment.

The applicant is proposing changes to the storefront which results in a reduction to the storefront transparency (in-filling portions of the windows). The applicant has been granted an Administrative Adjustment (ADJ-20-0001) for the in-filling of the windows as Eureka Municipal Code 155.208.040.E requires a minimum of 65% of the façade between three and seven feet above the sidewalk to be transparent. The infill of the windows results in the reduction of the transparent window and door area to approximately 76 sf, which is 31% of the total transparency façade area. Based on the analysis contained in the Administrative Adjustment, the findings required by Eureka Municipal Code 155.412.030.F and 155.208-040.E.3 were made and the Administrative Adjustment was approved (ADJ-20-0001).

3. Public Health, Safety, and Welfare

The facility is presently permitted under the following Conditional Use Permits: C-18-0002, and C-17-0005. Through the enforcement of the conditions of approval in the use permits, and other existing City regulations, the use presently does not allow cannabis odors to be detectable outside of the facility, does not allow cannabis plants to be seen from outside the facility, and ensures the facility will not generate an unusual risk of fire, explosion, noxious fumes, or other hazards. For additional security and safety, lighting will be added to the parking lot and to the alcove under the awning on the corner of 4th and C Streets. The infill of portions of the windows does not change the above requirements; and therefore, will not be materially detrimental to the public health, safety, or welfare.

4. 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.

Throughout the Downtown West area, you can find a multitude of architectural styles from Victorian to modern (Eureka Veterans Village). The project location is a single-story mid-20th century building. The exterior is wood panel, stucco, and colored decorative tile. The decorative

tile is similar to the decorative tile found on both the County Courthouse and Eureka City Hall. The building fits with the context of the area, as the area contains a wide variety of building types, styles, and heights. The proposed change to the building façade will retain the mid-20th century style, while updating the exterior to enhance building safety and security.

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 complements the surrounding context or “stand out” with a contemporary and contrasting style. All buildings must minimize adverse impacts on neighboring properties when possible.

As discussed above, the Downtown West area contains a multitude of architectural styles from Victorian to modern (Eureka Veterans Village). The project location is a single-story mid-20th century building, with an exterior of wood panel, stucco, and decorative tile. In relation to the surrounding area that is comprised of diverse architecture, the mid-century style blends/fits seamlessly into the area. The building is located on a corner (4th and C Streets), and is separated from the building to the west by C Street, from the building to the east by parking lots that serve each building, from the buildings to south by an alley, and from the buildings to the north by 4th Street. None of the neighboring properties are adversely impacted by the proposed exterior changes.

Pedestrian Environment

Buildings incorporate design features that support an active public realm and an inviting pedestrian environment.

The location of the facility is in an urban area, that is easily walkable from the Downtown Core and Old Town areas. The retail cannabis use will serve residents, visitors, and the broader region, by providing an active ground-floor use, support a vibrant pedestrian environment and active and inviting public spaces in the Downtown West area. The building is served by sidewalks, and crosswalks are provided at either end of the block to allow for safe pedestrian passage across 4th Street, and both C and D Streets.

In-filling portions of the storefront windows and doors could potentially make the property appear less open and inviting to pedestrians; however, the reduction in transparency is required to enhance security by reducing the chance of the windows being broken/vandalized, and preventing packaged retail product from being visible from the street.

The applicant will add landscaping to the alcove on 4th and C Streets, provide additional pedestrian scaled lighting in the parking area and above the alcove, and add murals to both the C Street and parking lot sides of the building; all of which will serve to improve the pedestrian environment, and may offset the reduction in transparency.

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 building is a single-story, rectangular, mid-20th century building with an exterior of wood panel, stucco, and decorative tile. The building encompasses the entire site, and is located in an urban area

with a mixture of single and multi-story structures. Although the buildings in the area do not conform to any particular architectural style, they meld comfortably together. The size, shape, and mass, of the structure is appropriate for a downtown site. The mid-century style, along with the proposed pedestrian-scaled lighting, landscaping, mural, and façade upgrades, add a distinctive style to the site. The minor changes to the façade will not deter from the character of the building.

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 mid-century architecture of the building exhibits a variety of exterior characteristics. Presently, the façade siding is a mix of vertical wood panel, storefront windows, and colored decorative tile. Once the proposed changes are implemented, one side of the building façade will be decorative tile (painted white), and the other side will be smooth Hardie Plank siding. The differences in siding create visual interest. The tile and smooth Hardie Plank sides of the building are clearly defined by both the change from wood siding to tile and by vertical wood trim. There are also two wood awnings that project from the structure. Although the roof is pitched, it appears flat from the 4th Street façade; however, horizontal wood trim between the façade and the roof line softens the appearance of the flat roof from the street. The addition of a planter in the alcove at 4th and C Streets, and pedestrian scaled lighting will make the building relatable on a human scale. Although some of the façade windows will be infilled, portions will remain to break up the vertical plane.

Materials

Building facades feature high-quality materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.

At the present time, the west side of the front façade is covered in multi-colored decorative tile and the east side is multi-colored decorative tile below the windows and vertical wood above the windows. The proposed changes to the façade include painting the entire building white (including the multi-colored decorative tiles), removing the decorative tiles below the windows on the east side and the vertical wood from above the windows and replacing everything with smooth Hardie Plank siding. The windows will be partially in-filled for enhanced security and to deter vandalism. The changes to the building façade are both appropriate to the mid-century style and compatible with the surrounding development.

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 building is permitted for indoor cannabis cultivation, non-volatile manufacturing, and a cannabis retail and delivery facility, and the uses at the site were referred to the Humboldt Bay Fire Department, the City of Eureka Building Department, and the Eureka Police Department, each of which has review and approval authority for specific Safety and Security Standards.

Previously approved and operating cannabis retail facilities in the surrounding area and zone district, have not proved to be a nuisance or negatively impact public health, safety, and welfare. There is no indication that the addition of a similar facility in the same zone district would be different.

While the act of cannabis consumption can create certain personal health risks, those risks are taken willingly by the individual who chooses to consume cannabis or a cannabis product. Odor control systems will meet all applicable standards and conditions set by the Eureka Cannabis Review Panel.

The in-filling of the windows will enhance security by both reducing the chance of the windows being broken/vandalized, and preventing packaged retail product from being visible from the street. In addition, the proposed project will add landscaping to the alcove on 4th and C Streets, provide additional lighting in the parking area and above the alcove, and add murals to both the C Street and parking lot sides of the building, all of which will serve to improve the safety of the area by enhancing the outdoor space and making the building more inviting.

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 155.328.050.D (Invasive Plants).

The applicant proposes adding planter box(s) to the alcove at the corner of 4th and C Streets. The planter boxes will provide perennial plants in a variety of heights, that are non-invasive, water-tolerant, and preferably native.

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, in accordance with CEQA Guidelines pursuant to Section 15301, Existing Facilities, Class 1 of the CEQA Guidelines. The Class 1 exemption consists of the operating of private structures involving negligible or no expansion of use. As there is no proposed expansion to the existing building, the proposal for a change to the existing storefront is exempt from the California Environmental Quality Act.

PUBLIC HEARING NOTICE

Public notification consisted of notification by mail of property owners within a 300-foot radius of the site on July 10, 2020. 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 July 10, 2020.

CONCLUSION

Based on the analysis above, the proposed changes to the storefront are consistent with the General Plan, Zoning Code, and the Economic Development Plan. The project is suitable for the site, and is compatible with existing and planned land uses in the vicinity. The modifications are not detrimental to the public health, safety, and welfare, and the site is properly located within the city and adequately served by existing utilities and infrastructure.

DOCUMENTS ATTACHED

- Attachment 1: Design Review Committee Resolution..... pages 8-9
- Attachment 2: Applicant Submitted Material.....pages attached

RESOLUTION NO. 2020-__

A RESOLUTION OF THE DESIGN REVIEW COMMITTEE OF THE CITY OF EUREKA APPROVING THE PROPOSED CHANGES TO THE STOREFRONT AT 210 4th STREET, APN, 001-103-001

WHEREAS, the applicant, MOCA Humboldt has submitted an application, and requested approval for changes to the storefront, located at 210 4th Street, APN: 001-103-001; and

WHEREAS, the site is located on a Pedestrian-Focused Frontage (PFF) and per Eureka Municipal Code §155.208.040.B(1) any exterior modifications to a building façade that faces a Pedestrian-Focused Frontage (PFF) requires Design Review; and

WHEREAS, the Design Review Committee of the City of Eureka did hold a duly noticed public hearing at City Hall in the City of Eureka on July 22, 2020, at 8:30 a.m. in Council Chambers, to consider the application; and

WHEREAS, the Design Review Committee of the City of Eureka has reviewed the subject application in accordance with Eureka Municipal Code §155.412.040, and after due consideration of all testimony, evidence, and reports offered at the public hearing, does hereby find and determine the following facts:

1. The proposed modification is consistent with the General Plan, the Economic Development Plan and design policies and regulations adopted by the City Council.
2. The proposed modification complies with all applicable provisions of the Zoning Code and Municipal Code.
3. The proposed modifications will not be detrimental to public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.
4. The proposed modification complies with all applicable Design Review criteria in Eureka Municipal Code §155.412.040(I) (Design Review Criteria).
5. The Design Review process is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA) and the project is categorically exempt from the provisions of the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1 of the CEQA Guidelines.

WHEREAS, in the opinion of the Design Review Committee of the City of Eureka, the proposed application should be approved subject to the following condition:

- A. The applicant will landscape the alcove on the corner of 4th and C Streets utilizing planter boxes and including water tolerant and native plants.

NOW THEREFORE, BE IT RESOLVED the Design Review Committee of the City of Eureka does hereby approve the application, subject to the condition listed above.

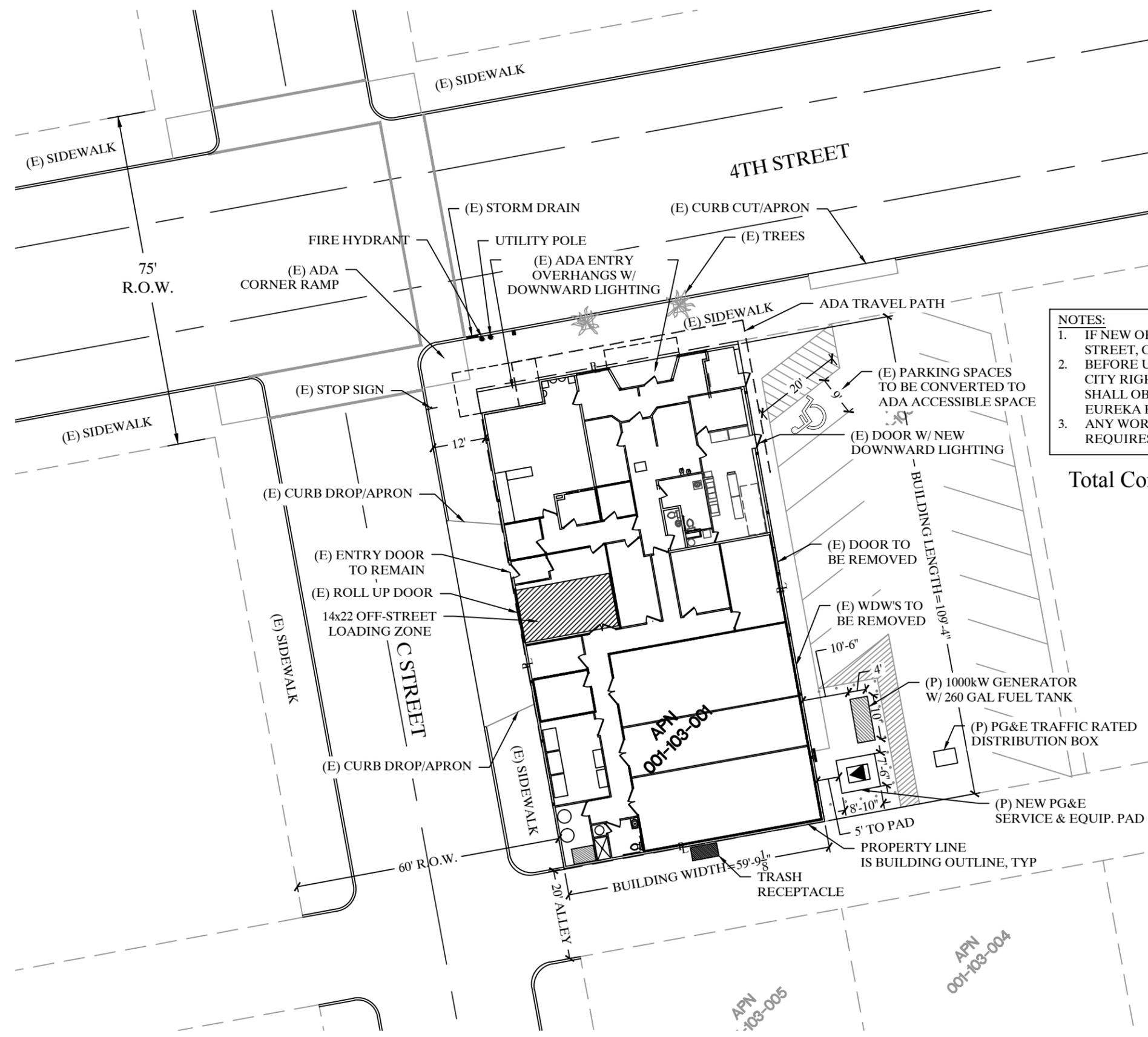
PASSED, APPROVED AND ADOPTED by the Design Review Committee of the City of Eureka in the County of Humboldt, State of California, on the 22nd day of July, 2020 by the following vote:

AYES: COMMITTEE MEMBER
NOES: COMMITTEE MEMBER
ABSENT: COMMITTEE MEMBER
ABSTAIN: COMMITTEE MEMBER

Kassidy Banducci, Chair,
Design Review Committee

Kristen M. Goetz
Executive Secretary

PROJECT DESCRIPTION:
REMODEL EXISTING WAREHOUSE INTO MEDICAL CANNABIS
CULTIVATION AND DISPENSARY FACILITY.



NOTES:

1. IF NEW OR UPGRADED WATER SERVICE IS REQUIRED AT 'C' STREET, CONTACT CITY OF EUREKA ENGINEERING DEPARTMENT.
2. BEFORE USING ANY EQUIPMENT OR BEGINNING WORK WITHIN CITY RIGHT-OF-WAY ON 'C' STREET OR ALLEY, EACH CONTRACTOR SHALL OBTAIN AN ENCROACHMENT PERMIT FROM THE CITY OF EUREKA ENGINEERING DEPARTMENT.
3. ANY WORK CONDUCTED IN THE FOURTH STREET RIGHT-OF-WAY REQUIRES A CALTRANS ENCROACHMENT PERMIT.

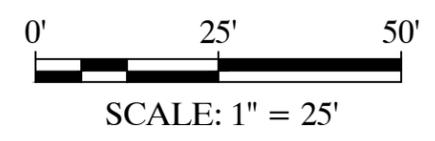
Total Construction Value - \$9,500

PLOT PLAN
MOCA HUMBOLDT-PHASE II
204 4TH STREET EUREKA, CA 95503
APN 001-103-001

Date:	6/28/18
Revision No.:	9/4/18
	12/1/18

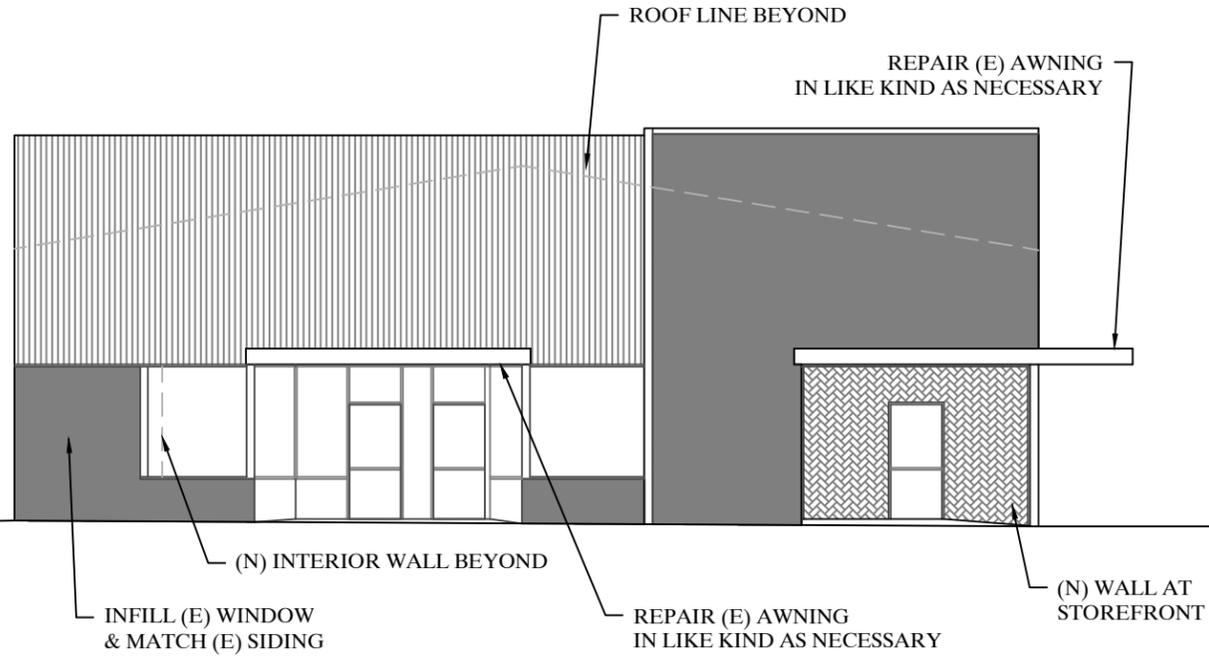
Revision No.:	Plan Check
	Plan Check
	Plan Check

Date: 3/5/2020
Project #: 16141
Drawn by: CDG
Scale: As Noted



Sheet No.
C1

Currently Approved Storefront

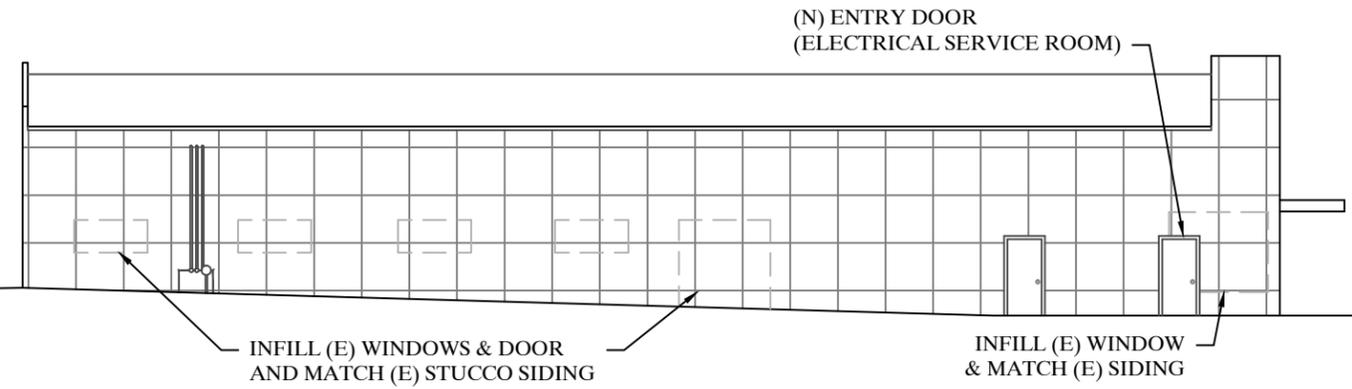


NORTH ELEVATION

3/32"=1'-0"

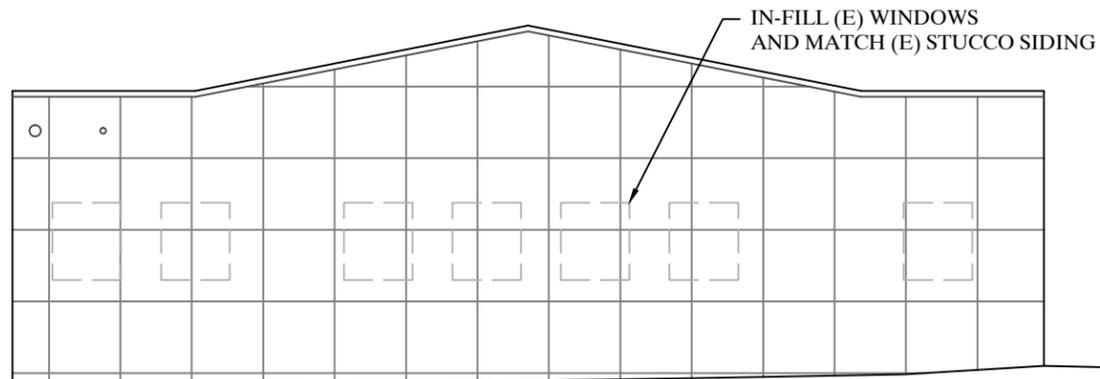
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EAST ELEVATION



1/16"=1'-0"

2

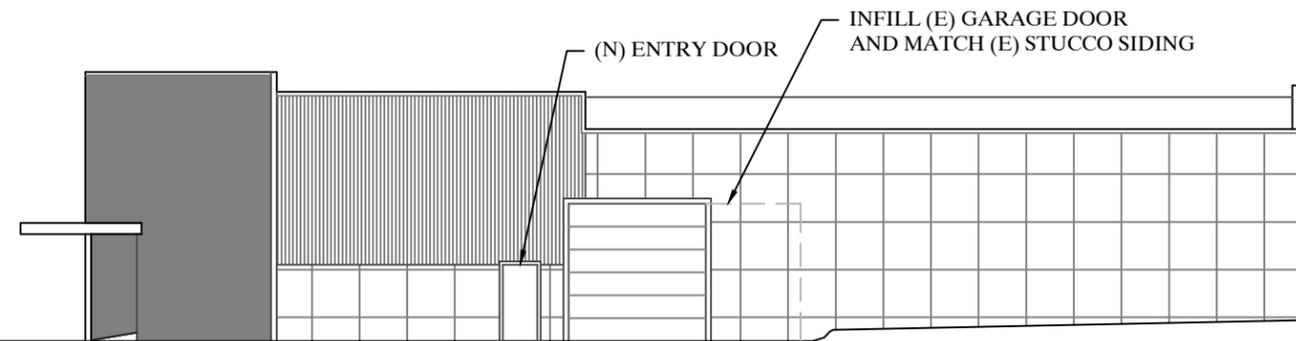


SOUTH ELEVATION

3/32"=1'-0"

3

WEST ELEVATION



1/16"=1'-0"

4

Date:	6/28/18
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Revision No.:	Plan Check
	Plan Check
	Plan Check

Date: 3/5/2020

Project #: 16141

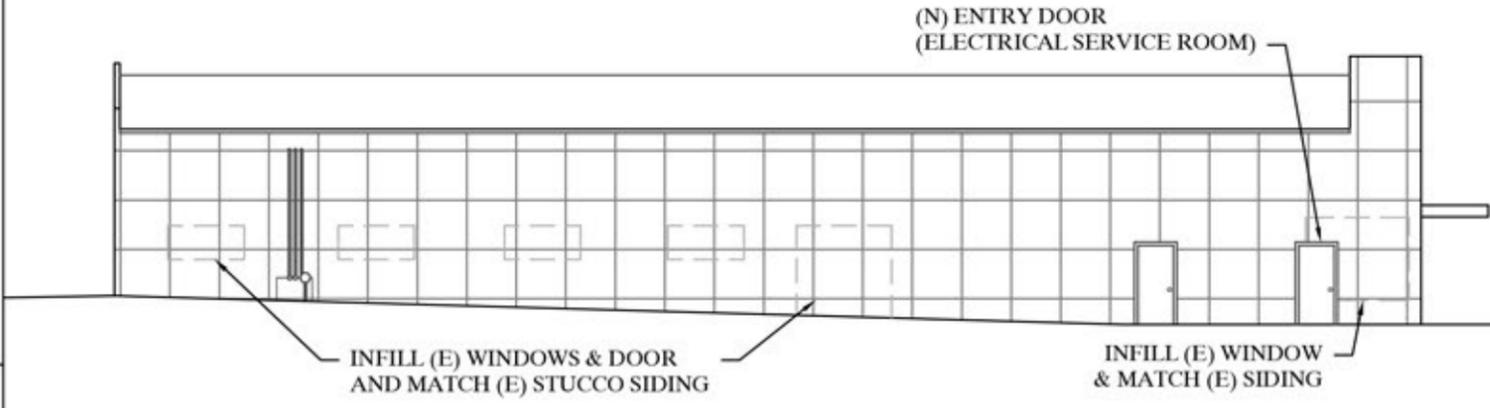
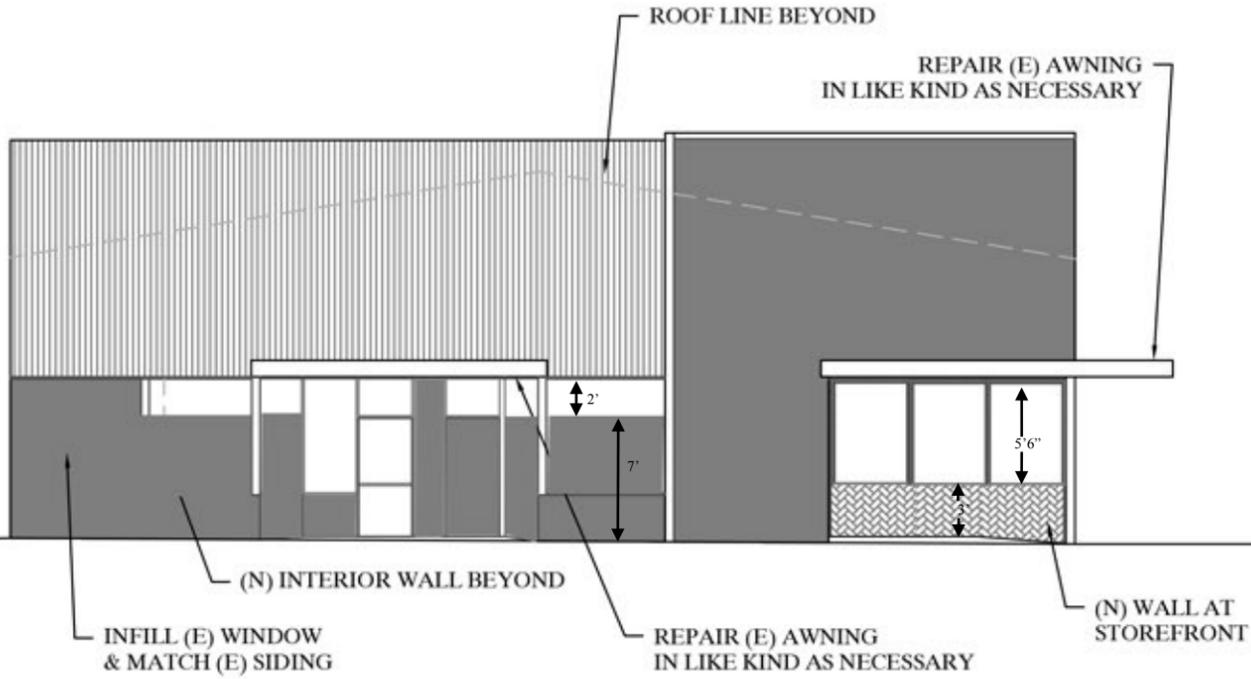
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Sheet No.

A4

Newly Proposed Storefront



NORTH ELEVATION

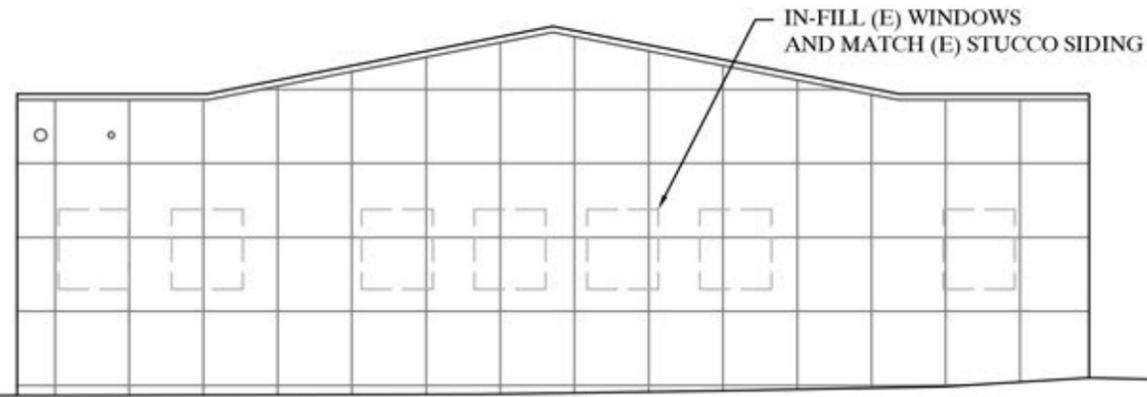
3/32" = 1'-0"

1

EAST ELEVATION

1/16" = 1'-0"

2

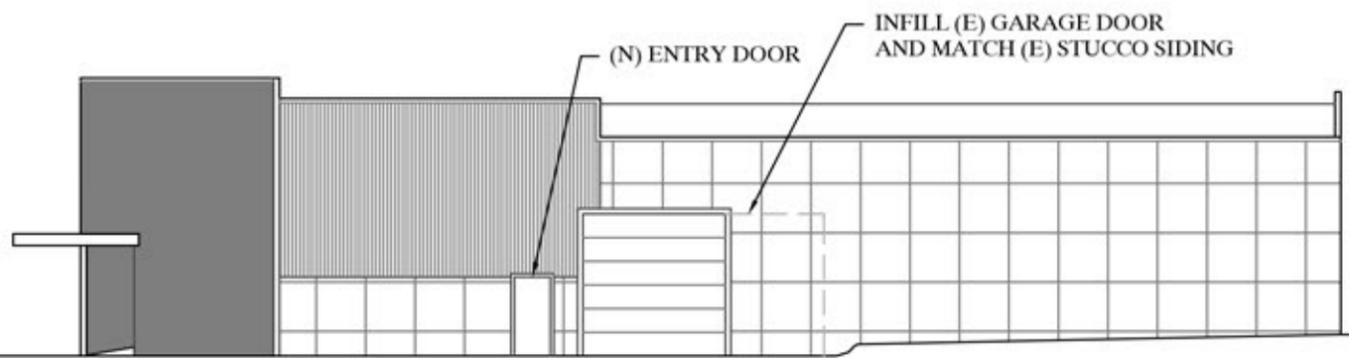


SOUTH ELEVATION

3/32" = 1'-0"

3

WEST ELEVATION



1/16" = 1'-0"

4

PROPOSED ELEVATIONS
MOCA HUMBOLDT-PHASE II
 204 4TH STREET EUREKA, CA 95503
 APN 001-103-001

Revision No.:	Date:
Plan Check	6/28/18
Plan Check	9/4/18
Plan Check	12/1/18

Date: 3/5/2020

Project #: 16141

Drawn by: CDG

Scale: As Noted

Sheet No.

A4.1