



City of Yuba City

Council Chambers

June 28, 2017

6:00 p.m.

The meeting was called to order at 6:00 P.M.

Roll Call:

Present: Commission Members Michele Blake, Jana Shannon, John Sanbrook, Jackie Sillman, and Chairperson Daria Ali.

Absent: Commissioner Dale Eyeler.

Also present were Arnoldo Rodriguez, Development Services Director/Recording Secretary and Edwin Palmeri, Senior Planner.

Pledge of Allegiance to the Flag:

Led by Commissioner John Sanbrook

Public Communication:

No comments made during this time.

Presentation:

Item #3. Recognition of Paul Basi's service as Sutter County liaison to the Planning Commission

This item was continued to the next meeting.

Approval of Minutes:

Commissioner Sanbrook corrected the word "electron" to "electronic" on the first paragraph of Item #7, page 6 for the Minutes of May 24, 2017. Sanbrook motioned to approve the minutes of March 22, 2017 and May 24, 2017 with the noted correction for the May, 2017 meeting. Commissioner Shannon seconded the motion. Commissioners voted 5-0 with one absent in favor.

Public Hearing:

Item #5. Consideration of Use Permit No. UP 17-01 and Environmental Assessment No. EA 17-04: HoopsLand USA, Inc

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri provided an overview of the project indicating that the applicant is requesting approval of a Use Permit to allow the operation of a sports facility at 1100 Garden Highway, Suite 1700, Yuba City. The site is developed with a manufacturing/warehouse complex and is zoned C-M

(Heavy Commercial/Light Industrial District). The facility is approximately 5,500 square feet in area and will operate a private indoor court for basketball, badminton, dodgeball, or volleyball court. The facility will be available for youth and adult use on a space rental basis.

Palmeri indicated that the occupancy of the building is limited to a maximum of 49 people at any one time. He noted there would be no stands for parents or guests. He noted that staff is recommending that the Planning Commission make a determination that the project is categorically exempt pursuant to California Environmental Quality Act Section 15301 Existing Facilities.

Commissioner Sandbrook expressed concern about using industrial sites for land uses other than industrial uses. Senior Planner Palmeri indicated that although there is a limited supply of improved industrial sites, the subject space is relatively small and the Commission had recently approve a 38-acre industrial site on Garden Highway adjacent to the airport.

Commissioner Sanbrook inquired about truck traffic in the interior of the industrial complex and about on-site parking. Palmeri stated there is no designated parking in the industrial complex parking area, and that sports facility users would use parking spaces outside of the gated area.

Commissioner Shannon asked if the sports facility had insurance and liability insurance. Palmeri responded the applicant would need to respond regarding insurance. Palmeri noted the applicant is to provide a contact phone should an incident occurred. Commissioner Shannon also inquired if racquetball was offered. Palmeri indicated racquetball was not listed on their venue.

Commissioner Shannon asked what the does the assembly permit do for the City and if there were any fire department issues. Palmeri responded noted the assembly permit limits the number of occupants and Yuba City Fire Department reviewed the permit and required the assembly permit allowing up to 49 persons in the facility.

Commissioner Sillman inquired as to what security is provided. Planner Palmeri noted the area is gated, there are lights, and there are security cameras.

Chairperson Ali asked if the security lights were on timers and who is responsible for landscaping. Palmeri indicated the applicant would be better able to respond to the questions. Planner Palmeri noted that the owner is responsible for landscaping and there is a condition of approval to maintain the landscaping.

Chairperson Ali opened the public hearing and requested persons in favor or opposition to speak.

The property owner John Occhipinti, 2319, Lincoln Road, Yuba City, spoke in favor of the project. He stated the gates are locked at night after regular business hours. There are security cameras outside. He also noted there has never been a parking problem. He noted that most traffic is on Sunday morning when religious services are held at one of the buildings in the complex however parking is never more than 50 percent full at any time.

Commissioner Sanbrook asked about insurance and about fire protection. Mr. Occhipinti responded they had a \$1,000,000 insurance policy, the building provides fire sprinklers, and is constructed of metal.

Chairperson Ali asked how lighting is activated and if there is lighting in the parking lot. Mr. Occhipinti indicated that there are motion sensors that automate the lights and that the lights remain on throughout the night. In addition, there are security cameras throughout the complex.

Commissioner Sanbrook inquired as to what happens if they have a medical emergency and there is no staff. Mr. Occhipinti stated people would use their cell phones and call 911 like any other emergency.

Jot Sergha, President of Hoopsland briefed the Commission on their business indicating they are from Canada. He stated that he started Hoopsland after reviewing their children's program working with schools in three Canadian cities. He noted there are no more than eight people per team and the teams are small for most playing times.

Commissioner Shannon asked if Hoopsland provides coaches. Mr. Sergha stated they do have coaches. He said anyone could rent the facility at \$25.00 an hour. No more than 12-13 people play per hour. There are no high school parties and most children are under 14 years of age. It is a very private personal event.

Commissioner Blake asked how you ensure that only 12-13 persons will be playing at a time. Commissioner Blake also asked if Hoopsland is coordinating with the Parks Department. Mr. Sergha noted there are security cameras. He also noted that all coaches are subjected to police background checks. He noted the lights and doors are remotely controlled. Mr. Sergha indicated Hoopsland would be willing to partner with the City Parks and Recreation Department.

Commissioner Blake stated she likes the concept and thanked Hoopsland for willing to invest in Yuba City. She asked if Hoopsland was tobacco free. Mr. Sergha responded in the affirmative. He also noted their program is primarily for youth and typically open after 4 PM and not past 9 or 10 PM.

No one spoke in opposition the project.

Chairperson Ali closed the public hearing and called for the question.

Commissioner Blake moved to determine the project was categorically exempt and approve the project subject to compliance with conditions of approval as outlined in the staff report.

Commissioner Shannon seconded the motion. The Commission voted to approve the project by a vote of 5 yes and 0 no.

Item #6. Consideration of Use Permit No. UP 17-02 and Environmental Assessment No. EA 17-06: Antonio Lozano.

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri provided an overview of the project indicating that the applicant is requesting approval of a Use Permit to allow the operation of a sports facility at 1256 Garden Highway, Suite C, Yuba City. The site is developed with a manufacturing/warehouse complex and is zoned M-2 (Industrial District). The sports facility is approximately 5,000 square feet in area and will provide various fitness programs without fixed machines and indicated there were some cross training components. He

noted there were some similarities between this use and the previous action taken by the Commission with the Hoopsland project.

Commissioner Sanbrook asked who owned the property and if there is a cross-easement agreement for trucks that allow them to traverse the shared property line immediately to the property to the east. Planner Palmeri indicated the applicant could answer who owns the property and noted there is a cross-easement agreement between the subject site and the property to the east.

Commissioner Blake asked if it was possible to place a conditions of approval that alcohol and tobacco were not allowed on the site. Development Services Director Rodriguez discussed the regulation of alcohol and tobacco with respect to local authority.

Chairperson Ali opened the public hearing and requested persons in favor or opposition to speak.

Ryan Wheeler, manager and head coach, 1256 Garden Highway, for the proposed gym briefed the Commission on the type of training they would be providing. Mr. Wheeler, in response to a question from Commissioner Shannon, noted the X-Fit exercise gym was a different franchise.

Commissioner Sanbrook asked who was the property owner, what was their business format, and if they had insurance. Mr. Wheeler stated Dave Owen is the property owner; the business is a Limited Liability Corporation; and they have a \$1,000,000 insurance policy per occurrence.

Commissioner Blake inquired if this was a new franchise. Mr. Wheeler responded it is a new franchise.

Chairperson Ali asked if there was security lighting in the area. Mr. Wheeler indicated there was security lighting for the parking area.

No one spoke in opposition to the project.

Chairperson Ali closed the public hearing.

Commissioner Blake indicated she was excited to see the gym come to our community in that area and noted it would provide an additional health opportunity for residents in the area.

Commissioner Shannon moved to determine the project was categorically exempt and approve the project with conditions of approval.

Commissioner Blake seconded the motion. The Commission voted to approve the project by a vote of 5 yes and 0 no.

Item #7. Consideration of Subdivision Map Revision to Subdivision Map No. SM 14-05: Faith Christian Schools, Inc.

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri reviewed the project indicating that the applicant is request a revision to a previously approved tentative subdivision map for approximately 13.1 acres located at 3105 Colusa

Highway. The subdivision was originally approved for 15 single-family residential lots on March 11, 2015. A portion of the site is developed with a private school, including a 3.72-acre athletic field. Approximately 4.87 acres are zoned C-O (Office Commercial) while 8.23 acres are zoned R-1 (One-Family Residence District). The applicant is requesting a five-unit reduction in the number of single-family homes. The applicant also requested a modification to the original conditions of project approval and requested that the sidewalk be attached to the sidewalk, without a landscape parkway. Planner Palmeri noted that the applicant indicated that they indicated a desire to increase the lot sizes to allow for larger homes in the gated subdivision. He also noted that CEQA allowed for the use of a previously adopted mitigated negative declaration when sufficient for the proposed project changes.

Commissioner Sanbrook inquired why the applicant is requesting a reduction in the number of single-family home lots. Commissioner Sanbrook also inquired about condition of approval #79 that requires relinquishment of vehicular access rights for Lots 1 and 2 along Monroe Road and a portion of Faith Court. In terms of the former, Planner Palmeri expressed that it may be market driven and indicated the applicant desired larger lots, while Palmeri noted that staff did not want additional driveways along Monroe Road or near the gate mechanism, which serves as the lone access point into the subdivision. Thus, in an attempt to minimize traffic conflicts, it is best to prohibit vehicular access. Palmeri indicated that a masonry wall is required along the Monroe Road frontage.

Commissioner Sanbrook asked if there would be access from the Lots 5 and 6 onto Lot 11. Palmeri responded that the subdivision provides no access from the residential area onto Lot 11, and noted a solid wall will separate Lot 11, a commercial lot, from the residential Lots.

Chairperson Ali opened the public hearing and requested persons in favor or opposition to speak.

Pat Laughlin, Stromer Realty, 591 Colusa Realty, expressed that he would like to sell the lots. He attempted to sell the 15-lot subdivision for custom home development. He indicated the 15 lots are very small with a narrow 92 foot depth and the detached sidewalks take more land making it difficult to sell the lots. Mr. Laughlin stated it cost \$900,000 to 1 million dollars to bring utilities to the site. The 10 lots will allow for a more upscale project. He noted the detached sidewalks take away 6 feet in lot depth. The developer had tried to buy a 20 to 40 foot strip of adjacent land to increase the project area, but the owner was not interested in selling the land. Mr. Laughlin noted other subdivisions on Cobblestone and Woodridge have deeper lots and contiguous sidewalks. He asked about allowing a seven-foot high fencing. Planner Palmeri responded that higher fencing would require a use permit.

Commissioner Sanbrook stated he appreciated where the applicant was coming from with the request, inquired as to the pricing of the lots, if there would be an HOA, and monthly HOA fees. Commissioner Sanbrook noted his HOA monthly fee is \$150 per lot. Mr. Laughlin responded he liked detached sidewalks but they made it difficult for this project. Mr. Laughlin noted the lots would cost between \$140 to \$150 thousand dollars per lot to develop the gated community and he was unsure of the HOA fees for the project.

Commissioner Shannon noted that this was a gated private subdivision with a different dynamic. The detached sidewalks would not provide additional advantage for safety and she felt the detached sidewalk were required.

Commissioner Sanbrook stated Woodridge was constructed approximately 13 years ago and he was not certain if the examples of Cobblestone and Woodridge are applicable.

Commissioner Sillman indicated that the project is gated and she concurs with Commissioner Shannon. She also noted that people prefer the larger lots and supports the elimination of the parkway given that it is gated.

Commissioner Blake concurred with the previous comments.

Chairperson Ali indicated that it was a gated cul-de-sac and there would not be a through traffic flow. She noted that future homeowners were buying a certain lifestyle with a country feel and liked the concept.

Tim Nickelson spoke in favor of the project

City Councilman Manny Cardoza indicated that Teal Court consisted of eight homes, was not gated, and does not provide sidewalks.

Commissioner Shannon mentioned that Graystone Court was built in 2002 and provides detached sidewalks. She noted that sometimes Graystone Court does not have a good appearance. She is supportive of this requests but not in all applications.

Commissioner Blake briefly discussed about the sale of the lots and indicated she liked the concept of allowing a 7-foot high wall.

No one spoke in opposition to the project.

Chairperson Ali closed the public hearing and called for the motion.

Commissioner Shannon moved to determine the previous Mitigated Negative Declaration was sufficient for the project and approve the project with a modification to the conditions of approval to modify Condition of Approval No. 42 to delete the parkway strip and allow attached sidewalks.

Commissioner Sillman seconded the motion. The Commission voted to approve the project by a vote of 5 yes and 0 no.

Development Service Director Reports

Director Rodriguez informed the Commission that the Valencia Subdivision, a 39lot residential subdivision broke ground on Elmer Street.

Report of Actions of the Planning Commission

There were no reported action items.

Adjournment:

There being no further business, the meeting was adjourned at 7:55 p.m. to the next regular meeting by Chairperson Ali.

Arnoldo Rodriguez, Secretary
YUBA CITY PLANNING COMMISSION