



City of Yuba City

Council Chambers

August 23, 2017

6:00 p.m.

The meeting was called to order at 6:01 P.M.

Roll Call:

Present: Commission Members Jana Shannon, John Sanbrook, Dale Eyeler, and Chair Daria Ali.

Absent: Commissioner Michele Blake and Commissioner Jackie Sillman.

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

Pledge of Allegiance to the Flag:

Led by Commissioner Jana Shannon

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

On behalf of Mayor Cleveland, Chair Ali presented Paul Basi with a proclamation in recognition for his service on the Yuba City Planning Commission.

Approval of Minutes:

Planning Commission minutes for June 28, 2017 was continued to the next meeting.

Public Hearing:

Item #5. Consideration of Use Permit No. UP 17-03 and Environmental Assessment No. EA 17-03: Orlando Sanchez

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri reviewed the project requesting approval of a use permit to allow the operation of a Jiu Jitsu training center (dojo) at 990 Klamath Lane, Suite D, Yuba City. The site is developed with an office/commercial complex and is located in the C-M (Heavy Commercial/Light Industrial District) zoning district. The applicant will provide Jiu Jitsu training (e.g. martial arts), in a dojo setting by an instructor versed in the Brazilian martial art. A group of up to 10 persons will work with a training coach

in one-hour settings. There will be a maximum of three groups per day. Class times will be between 4:00 p.m. and 10:00 p.m., Monday through Saturday.

There are 21 parking spaces provided on the site, and access to an additional 60 available parking sites on adjacent properties. Palmeri noted the staff is recommending the Planning Commission make a determination that the project is categorically exempt pursuant to California Environmental Quality Act Section 15301 Existing Facilities.

Commissioner Sanbrook inquired as to why Condition Number 8 requiring compliance with Building Code was included in the conditions of approval. Commissioner Sanbrook also noted that he liked Condition Number 15, the indemnification clause. Planner Palmeri responded that Condition Number 8 alerted the applicant to the fact that tenant improvements would need to comply with 2016 Building Code requirements.

Commissioner Eyeler thanked staff for addressing parking. Planner Palmeri explained there is parking in front of the training center and most businesses, with exception of Cambridge Junior College, are closed when the training center is operating. Palmeri noted there was adequate parking to operate the existing businesses and the training center.

Chair Ali asked if there was lighting in the parking area that would be on at night when the training center is operating. Palmeri noted there is lighting in the parking area but indicated the applicant may be able to address what lighting and location there is on the site.

Commissioner Eyeler inquired why the training center required a use permit. Development Services Director Rodriguez indicated a use permit insures that a use permit allows for the adoption of conditions of approval that ensures compatibility with other uses in the area.

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

The training center operator, Tyson Scholl, P.O. Box 321, Yuba City, CA 95992, briefly explained the operation and it is for all ages but most students are under 15 years old. He indicated not being able to operate the business for three months was challenging and he thanked staff for processing his use permit quickly.

No one spoke in opposition the project.

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

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

Commissioner Eyeler seconded the motion. The Commission voted to approve the project by a vote of 4 yes and 0 no.

Item #6. Consideration of General Plan Amendment GP 17-01, Rezone RZ 17-04, Tentative Parcel Map TM 17-01, and Environmental Assessment No. EA 17-03: Mike Singh.

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri reviewed the project indicating that the applicant is requesting approval of a General Plan amendment, rezone, tentative parcel map, and environmental assessment to allow future industrial development in an eight lot subdivision with a cul-de-sac. The undeveloped 9.52 acre site is located at 3142 Colusa Frontage Road, Yuba City. Palmeri reviewed planned land use and zoning for the site and existing development in the area. He noted that the demand for retail centers has changed and there is sufficient commercial acreage to the west that will have direct access to SR 20 with the future extension of Western Parkway. Planner Palmeri briefly discussed the public improvements and requirement for a wall and landscaping along Colusa Frontage Road. More specifically, Palmeri indicated that the project included the follow entitlements:

1. *General Plan Amendment (GPA) 17-01*: To redesignate 9.52 acres from the Regional Commercial designation to the Business, Technology & Light Industry designation;
2. *Rezoning (RZ) 17-04*: To rezone 9.52 acres from the C-3 (General Commercial District) zone district to the M-1 (Light Industrial District) zone district;
3. *Tentative Parcel Map (TM) 17-01*: Tentative map map to create 8 lots for industrial development; and
4. *Environmental Assessment (EA) 17-03*: Environmental assessment of the proposed project.

Palmeri indicated that an environmental assessment (EA 17-03) that included an initial study and mitigated negative declaration was prepared for the project and circulated to the State Clearinghouse for review by state agencies and circulated for Native American tribal consultation. He noted that staff is recommending adoption of the mitigated negative declaration and mitigation monitoring plan.

Commissioner Sanbrook indicated he had visited the site and adjacent uses. He also noted there was already a sign on the site indicating the land was for sale and zoned for industrial use. Commissioner Sanbrook stated there is sufficient land for manufacturing and industrial use and was not a need for additional industrial land. He pointed out the General Plan Figure 3-1 identifies eight areas for light industrial use and added that 433 acres, or 6% of the City, is designated for manufacturing use and 521 acres for industrial use within the urban boundary.

Commissioner Shannon noted that the City Council would make the decision as to if the project should be approved. Commissioner Shannon pointed out the request is not “spot zoning” and is not an island of industrial zoning. She indicated this is a good opportunity for industrial development.

Commissioner Sanbrook stated that he could not make the necessary finding of “public interest” to approve a General Plan amendment.

Commissioner Eyeler stated that industrial lots are difficult to locate and this project is next to a highway. Commissioner Eyeler noted that industrial jobs are better paying than many service related jobs and that rents received for industrial space was generally less than commercial space.

Chair Ali discussed the development pattern in the area and indicated the site lends itself well to industrial development. Chair Ali noted that industry creates more jobs. Chair Ali inquired if there was an access easement on the property to the south to allow future extension of the proposed subdivision street.

Senior Planner Palmeri briefly discussed the industrial area to the south and the need to provide for potential future extension of the subdivision street to the south in order to provide some traffic relief for North George Washington Boulevard.

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

Project Engineer George Musallam, North Valley Engineering and Surveying, 1547 Starr Drive Suite J, Yuba City, indicated they concurred with the conditions of approval. He noted the applicant/property owner Mike Singh thought the property is zoned for industrial use and put the sale up several years ago. Mr. Musallam state that since adoption of the General Plan there has not been enough industrial sites and many of the industrial sites are difficult to develop. Mr. Musallam went on to say that, industrial and manufacturing uses create job opportunities.

Commissioner Sanbrook responded that the staff report indicated the applicant would develop the site. Commissioner Sanbrook pointed out the General Plan set aside 944 acres as Light Industry and Industry planned use and questioned why more land that is industrial was needed.

Mr. Musallam stated that from a technical perspective the site is more feasible for quick industrial development.

Commissioner Eyeler commented that people are looking at industrial lots and this is encouraging in that there are very few industrial lots available.

No one spoke in opposition to the project.

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

Commissioner Eyeler moved to recommend City Council adopt General Plan Amendment GP 17-01, Rezone RZ 17-04, Tentative Parcel Map TM 17-01, and Environmental Assessment EA 17-03.

Commissioner Shannon seconded the motion. The Commission voted to approve the recommendation by a vote of 3 yes and 1 no.

Item #7. Consideration of General Plan Amendment GP 17-03, Specific Plan Amendment SPA 17-01, Rezone RZ 17-02, Tentative Parcel Map TM 17-02, and Environmental Assessment No. EA 17-07: Ryan Dusa.

Presented by Senior Planner Edwin Palmeri

Senior Planner Edwin Palmeri reviewed the project indicating that the applicant is requesting approval of a General Plan amendment, specific plan amendment, rezone, tentative parcel map, and environmental assessment to allow creation of four lots for development with single-family residences. Palmeri reviewed previous actions on the site, noting that the Buttes Vista Neighborhood Plan had anticipated a small neighborhood commercial development for the site. He pointed out that although the neighborhood

commercial center is a good concept market conditions have changed and there has been no commercial development proposed for the site. Palmeri discussed the orientation of the lots, shared access for Lots 3 and 4. He indicated that the units would be single story and had incorporated design features into the homes that are compatible with the surrounding single story residences. More specifically, Palmeri indicated that the project included the follow entitlements:

1. *General Plan Amendment (GP) 17-03*: To redesignate 1.21 acres from the Neighborhood Commercial designation to the Low Density Residential designation;
2. *Specific Plan Amendment (SPA) 17-01*: To amend 1.21 acres of the Buttes Vista Neighborhood Plan from Commercial to Single Family;
3. *Rezoning (RZ) 17-02*: To rezone 1.21 acres from the C-1/SP (Neighborhood Commercial/Specific Plan District) zone district to the R-1/SP/X (One-Family Residence/Specific Plan/Combining District) zone district;
4. *Tentative Parcel Map (TM) 17-02*: Tentative map to create 4 lots for single-family residential development; and
5. *Environmental Assessment (EA) 17-07*: Environmental assessment of the proposed project.

Palmeri indicated that an environmental assessment (EA 17-07) that included an initial study and mitigated negative declaration was prepared for the project and circulated to the State Clearinghouse for review by state agencies and circulated for Native American tribal consultation. He noted that staff is recommending adoption of the mitigated negative declaration and mitigation monitoring plan.

Commissioner Sanbrook asked about the access for Lot 3. Planner Palmeri responded that a shared driveway with access easement would be used since no driveways would be allowed on Stabler Lane. He pointed out there was landscaping adjacent to the driveway and a six foot decorative wall running the length of the driveway adjacent to the property immediately east of the driveway.

Director Rodriguez pointed out that although there was no direct vehicle access from the lots onto Stabler Lane there was pedestrian access through a fence located along Stabler Lane.

Chair Ali inquired as to the height of the fence proposed along Stabler Lane. Palmeri responded that the fence would be three feet in height.

Commissioner Eyeler noted the 1.21 acres was small for commercial use and asked what the concept was behind the commercial property. Planner Palmeri noted it was anticipated that the site would be developed with small boutique shops such as a Star Bucks.

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

The project applicant, Ryan Dusa, 784 Long Horn Trail, Plumas Lake, CA 95961, discussed the project history indicating the original intent to develop the site with commercial uses and then several efforts to change the site General Plan designation and zoning to allow development of single-family residential units at a higher density than the proposed four units.

Chair Ali expressed a concern about traffic backing onto Stabler Lane and indicated she liked the proposed design, including Lots 3 and 4 shared driveway that exits onto Butte Vista Lane.

Commissioner Shannon expressed that she was very pleased that Mr. Dusa listened to Commission and neighbors and modified the project to respond to concerns about compatibility with the neighborhood.

Commissioner Eyeler indicated that he would have preferred that the site remain commercial however it did not look like commercial use of the site was feasible.

Commissioner Sanbrook congratulated Mr. Dusa for not giving up with the project and coming back with a new plan that was acceptable.

Brenda Hayward, 1592 Mehar Court, Yuba City, thanked Mr. Dusa for listening to the neighborhood concerns. She expressed that she was happy with the new project. Ms. Hayward stated she did not like the commercial that proposed in 2001.

No one spoke in opposition to the project.

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

Commissioner Shannon moved to recommend City Council adopt General Plan Amendment GP 17-03, Specific Plan Amendment SPA 17-01, Rezone RZ 17-02, Tentative Parcel Map TM 17-02, and Environmental Assessment EA 17-07.

Commissioner Sanbrook seconded the motion. The Commission voted to approve the recommendation by a vote of 4 yes and 0 no.

Development Service Director Reports

Director Rodriguez informed the Commission about progress on several projects and that Ulta make-up was about to open.

Report of Actions of the Planning Commission

Chair Ali, serving as City representative on the Sutter County Planning Commission, briefly discussed the Sutter County Planning Commission action to deny a rezone on farm land located near Live Oak, CA that would have allowed development of the site with a residential use.

Adjournment:

There being no further business, the meeting was adjourned at 8:02 p.m. to the next regular meeting by Chair Ali.

Arnoldo Rodriguez, Secretary
YUBA CITY PLANNING COMMISSION