



City of Yuba City

Council Chambers

October 11, 2017

6:00 p.m.

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

**Roll Call:**

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

Also present was Arnolando Rodriguez, Development Services Director/Recording Secretary.

**Pledge of Allegiance to the Flag:**

Led by Commissioner Jana Shannon

**Public Communication:**

No comments made during this time.

**Approval of Minutes**

Commissioner Sillman motioned to approve the minutes from the June 28, 2017 meeting. Commissioner Shannon seconded the motion. Commissioners voted unanimously 5-0 in favor. Commissioner Eyeler abstained.

**Public Hearing:**

Item #4. Consideration of General Plan Amendment No. GP 17-02, Rezone No. RZ 17-03, Development Plan No. DP 17-03 and Environmental Assessment No. EA 17-08: Dr. Jerry Toller

Presented by Director Rodriguez

Director Rodriguez reviewed the project requesting approval of a General Plan Amendment, Rezone, and Development Permit to allow development 41 unit apartment complex on 4.99 acres. Director Rodriguez noted the site is located on the east side of Tharp Road approximately 580 feet south of Butte House Road immediately south of single-family structure and the New Earth Market parking area. More specifically, Rodriguez indicated that the project included the follow entitlements:

1. *General Plan Amendment (GPA) 17-02:* To redesignate 4.99 acres from the Community Commercial designation to the Medium/Low Residential designation;
2. *Rezoning (RZ) 17-03:* To rezone 4.99 acres from the C-2 (Community Commercial District) zone district to the R-2 (Two-Family Residence District) zone district;
3. *Development Plan (DP) 17-03:* Development Plan for a 41 unit apartment complex; and

4. *Environmental Assessment (EA) 17-08*: Environmental assessment of the proposed project.

Rodriguez indicated that an environmental assessment (EA 17-08) 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.

Director Rodriguez reviewed the property history noting that the site was rezoned from the R-3 (Multiple-Family Residence District) zoning district to the C-2 zoning district in February 2008. Rodriguez noted that a Development Plan for a 74,000 square foot health club and 4,500 square foot office complex was approved by the Planning Commission in December 2007.

Director Rodriguez reviewed the existing improvements in place and indicated some required upgrades are included in the conditions of approval. Director Rodriguez stated that all public services are available to the site and then reviewed the adjacent uses.

Director Rodriguez reviewed the site plan including complex circulation, building locations, and amenities. He noted there are three proposed access points to the site that include gated vehicle and pedestrian entrances on Tharp Road, to the north into the New Earth Market parking lot, and a pedestrian entrance on the east side into the Feather Down shopping center. Rodriguez noted that in addition to the existing masonry wall along the easterly side of the project the applicant is required to install a decorative masonry wall is required along the south, west, and north project boundary. Rodriguez noted that a five-foot landscaped buffer is required along the proposed northerly wall.

Director Rodriguez reviewed the single and two-story building elevations. He noted that the elevations show a variety of materials and colors. Rodriguez also noted that ground mounted HVAC equipment would be shielded from view by landscaping. Rodriguez briefly reviewed the previous La Bella Viata project and the location of the previously approved health club and office building. He also noted that the project will require improvements to the property to the north given that it will alter the parking lot, and will require the installation of a wall, landscaping, vehicle turn-around area.

Rodriguez indicated staff is recommending the conditions of approval include a covenant for "Right to Farm" and notification of adjacent industrial area and retail/commercial uses be recorded. It was also noted that the residential project participate in Community Facilities District No. 2017-1. Rodriguez briefly discussed and environmental assessment and staff recommendations.

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

Project Engineer Garry Laughlin, Laughlin and Spence Civil Engineers, indicated they concurred with staffs report and the conditions of approval.

Commissioner Sanbrook inquired as to what the rents would be for the units. Laughlin deferred to the project applicant Dr. Jerry Toller who responded that the rents would be approximately \$1,600 dollars per month.

Commissioner Eyeler asked Laughlin if the applicant had spoken with the neighbors, including the single-family residence and New Earth Market. Laughlin responded that they had met with New Earth Market and modified the project because of the solar/shade covers in the parking area. He noted there have been discussions regarding modify the plan for truck access.

Commissioner Sanbrook inquired if the project required a lot line adjustment with the New Earth Market property. Laughlin replied that the project did require a lot line adjustment.

No one spoke in opposition the project.

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

Commissioner Sillman stated that people are excited about the project in that it is next to a shopping center and it is a "great fit" for the area.

Chair Ali noted the projects walkability, access to shopping is a great benefit, and the project will be a benefit to the community.

Commissioner Sanbrook stated that he is confident the project will be first class and he is supportive of the project.

Commissioner Blake said that after reading the staff report she felt it was a great fit.

Commissioner Shannon moved to recommend City Council adopt General Plan Amendment 17-03, Rezone 17-03, Development Plan 17-03, and Environmental Assessment 17-08.

Commissioner Blake seconded the motion. The Commission voted to unanimously approve the project by a vote of 6 yes.

### **Development Service Director Reports**

Director Rodriguez reminded the Commission of the Yuba City Board and Commission Appreciation Dinner on October 19, 2017. Rodriguez reviewed upcoming October 25, 2017 Commission Agenda that includes a Substance Abuse Treatment Facility Use Permit, the Cannabis Ordinance, and possibly the Bars & Nightclubs Ordinance.

### **Report of Actions of the Planning Commission**

There were no reports.

### **Adjournment:**

There being no further business, the meeting was adjourned at 6:58 p.m. to the next regular meeting by Chair Ali.

---

Arnoldo Rodriguez, Secretary  
YUBA CITY PLANNING COMMISSION