



City of Yuba City

Council Chambers

February 15, 2018
6:00 p.m.

The meeting was called to order at 6:02 P.M.

Roll Call:

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

Also present was Arnolando Rodriguez, Development Services Director/Recording Secretary, Ben Moody, Deputy Director, Public Works, Diana Langley, Public Works Director, Steve Kroeger, City Manager, Denis Cook, Consultant

Pledge of Allegiance to the Flag:

Led by Vice Chair Eyeler

Public Communication:

No comments made during this time.

Public Hearing:

Item #3. Consideration of Environmental Assessment 17-05, Development Plan 17-01, and Use Permit 17-05 filed by Simon Gill.

Presented by Director Rodriguez

Director Rodriguez reviewed the project requesting approval of a four-story, 83 room hotel, along with a 6,000 square foot banquet hall. Director Rodriguez noted the site is located on the south side of Woodward Street, approximately 450 feet west of State Route 99, and that the 2-acre property will accommodate the hotel, conference/banquet hall, and hotel parking. An adjoining, approximately 0.6-acre property (leased from Caltrans) will accommodate the conference/banquet hall parking.

More specifically, Director Rodriguez noted that the project included the follow entitlements:

1. *Development Plan (DP) 17-05:* For a four-story, 83 room hotel, associated hotel facilities, a 6,000 square foot convention/banquet hall, and parking and landscaping on a 2.1-acre property and an adjoining 0.6-acre property leased from Caltrans for additional needed parking.
2. *Use Permit (UP) 17-08:* To allow the occupied portion of the building to exceed the 52-foot height limit by three feet.

3. *Environmental Assessment (EA) 17-05*: A Mitigated Negative Declaration determining that the proposed project will not create any significant environmental impacts.

Director Rodriguez indicated that the applicant submitted two plans.

- ✓ Plan A calls for a 83-room hotel with a 6,000 square foot banquet and 167 parking spaces, 85 of which are located on a site controlled by Caltrans immediately to the west of the hotel site.
- ✓ Plan B calls for an 88-room hotel; however, the 6,000 square foot banquet room would be reduced to a 3,000 square foot banquet room while the excess 3,000 square feet would be converted to 5 guest rooms. Regardless of which option, the building footprint would remain the same given that only interior spaces would be altered.

Staff noted that they visited approximately a dozen hotels in the San Jose area with the applicant where they discussed building materials and the urban massing of the hotel. Staff indicated that they are comfortable with the modern architectural design of the building; however, they have, per the conditions of project approval, requested additional details on several items. Staff noted that Woodward Street, at State Route 99, provides for full vehicle movements and Caltrans, at their discretion, may limit future access.

Staff also noted that the applicant will be required to make off-site improvements to Woodward Street. While the project provides access, it may ultimately be modified to accommodate the future State Route 99/20 interchange. As a result, the applicant will also be required to pay their fair-share for improvements for the future Civic Center Boulevard given that the City's General Plan identifies Civic Center Boulevard as a future road.

Staff noted that the applicant has held discussions with Caltrans for the use of their 0.60-acre parcel for parking. Staff noted that regardless of the status of the Caltrans property, the applicant would provide ample parking.

Chair Ali opened the public hearing and invited persons in favor to speak.

The project's engineer, Sean Minard of MHM Engineering, spoke in support of the project and noted that they are requesting the elimination of draft condition #78, which requires that the applicant contribute their fair-share for the future construction of Civic Center Boulevard. Mr. Minard noted that their preference is to have the condition eliminated, or as a compromise, to remove their fair-share portion eliminated for the Caltrans frontage given that they do not control said property.

Commissioner Sanbrook inquired why the applicant is opposed to entering into a deferment agreement or providing a letter of credit. Mr. Minard noted that banks generally prefer unencumbered property and that deferment agreements have the potential of "cloud[ing] the title", and that should they provide a letter of credit, the applicant would still be required to provide a check. He continued by stating that should the left turn lane to northbound State Route 99 be eliminated, the applicant would not oppose, and that they understand that it is a "real possibility."

Bill Meagher, representing Meagher and Tomlinson, spoke in support of the project. Mr. Meagher noted that he and his business partner own the parcel immediately to the north.

Commissioner Sanbrook asked Mr. Meagher if they would be open to providing access to the hotel via his property which provides direct access to SR 20. Mr. Meagher stated that he is not prepared to speak on potential access.

Bill Sperbeck, of Sperbeck's Nursery, inquired if the existing tree on the north side of Woodward St. would remain as part of future street improvements. Ben Moody, Deputy Public Works Director, stated that street improvements are proposed for the south half of the street thus, the tree will remain; however, it may require trimming to accommodate the said improvements.

Chair Ali opened the public hearing and invited persons in opposition to speak.

James Eerie, 1008 Lawler Street, Chico, noted that his grandfather purchased the adjacent home in 1946 and that he is not necessarily opposed to the project; rather, he has concerns. Mr. Eerie noted that his property has two active water wells and he is concerned about ground subsidence during the construction and that should it occur, it could lead to soil compaction and have a negative impact on groundwater recharge. He further noted that there are red shouldered hawks that nest in the tree and surrounding trees, and that the existing view shed from his property to the Sutter Buttes would be impacted by the construction of the hotel. Mr. Eerie continued by noting that parking is a challenge, and that State Routes 20 and 99 are currently heavily impacted. He suggested that the City purchase the former railroad property from Union Pacific.

Commissioner Sanbrook inquired if each of the two homes provide individual water wells. Mr. Eerie responded in the affirmative, and noted that one well is 70 feet deep while the other is over 100 feet.

Commissioner Sanbrook asked Mr. Eerie to clarify his concerns regarding groundwater. Mr. Eerie noted soil compaction. Mr. Eerie continued by noting that he is requesting that the Commission extend the public comment period. He continued by inquiring if the CEQA document examined potential impacts to surrounding water wells.

Deputy Director Moody noted that the hotel would be required to connect to City infrastructure.

Public Works Director, Diana Langley, noted that sewer and water lines are fairly shallow, approximately three feet deep, thus there will be minimal ground disturbance, and that Mr. Eerie would not be required to connect to City services.

Chair Ali closed the public meeting.

Commissioner Shaffer expressed that while he is sensitive to Mr. Eerie's concerns, parking should not be an issue given that hotel occupancy rates range between 60-65 percent.

Chair Ali noted that she is excited about the project and that Yuba City is in need of a banquet room. Chair Ali noted that while she would not personally like to live adjacent to a hotel, she also understands that this is a commercial area.

Commissioner Shaffer asked staff to clarify condition #78. Deputy Director Moody noted that because the General Plan depicts Civic Center Boulevard as a future roadway, staff must require that the applicant pay their fair-share for the future improvements.

Commissioner Sanbrook noted that he likes the project, and that the staff has properly conditioned the project.

Commissioner Eyler noted that he favors the project, sans the left turn pocket onto State Route 99 from Woodward Street.

There being no further discussion, Commissioner Jana moved to adopt the Environmental Assessment. Commissioner Eyler seconded the motion. The Commission voted to unanimously adopt the Environmental Assessment by a vote of 6-0.

Commissioner Jana moved to adopt the Development Plan. Commissioner Shaffer seconded the motion. The Commission voted to approve the Development Plan by a vote of 6-0.

Commissioner Eyler moved to adopt the Use Permit, subject to the following modifications to the Conditions of Approval:

Condition #8 (page 11)

During peak use periods of the convention/banquet hall in which needed parking will exceed the available on-site parking, the facility operator shall utilize valet parking, closing hotel rooms or other alternative parking methods or locations, to the extent that guests are not forced to park on neighboring properties without the neighboring property owner's permission. The condition for valet parking shall be recorded in an agreement, in the form of a covenant.

Condition #51 (page 15)

The applicant shall provide evidence that a Notice of Intent has been submitted and received by the local Water Quality Control Board for a General Construction Activity Storm Water Permit. Two copies of the project Storm Water Pollution Protection Plan shall be provided to the City.

Commissioner Shannon seconded the motion. The Commission voted to approve the Use Permit by a vote of 6-0.

Planning Commission Bylaws:

- A. Amendment to Planning Commission Bylaws relating to Sections E-1 and E-2 which states that the Commission shall elect a new Chairperson and Vice Chairperson annually.

Commissioner Shannon noted that she favors the Bylaws, as written, given they do not preclude the Chair from serving a second term as Chair. Chair Ali agreed with Commissioner Shannon.

Commissioner Sanbrook noted that, historically, the Planning Commission Chair position rotates, which he prefers.

Vice Chair Eyler stated that he agrees with Commissioner Shannon's assessment.

There being no changes, the Bylaws remain as written.

Development Service Director Reports:

Director Rodriguez provided the Commission with an update on the Planning Commissioner's conference in Monterrey scheduled for the first week of April.

Report of Actions of the Planning Commission:

There were no reports.

Adjournment:

There being no further business, the meeting was adjourned at 7:24 p.m. to the next regular meeting by Chair Ali.

Arnoldo Rodriguez, Secretary
YUBA CITY PLANNING COMMISSION