



City of Yuba City

Council Chambers

February 28, 2018
6:00 p.m.

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

Roll Call:

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

Also present was Arnoldo Rodriguez, Development Services Director/Recording Secretary and Ben Moody, Public Works Deputy Director

Pledge of Allegiance to the Flag:

Led by Commission member Shaffer

Public Communication:

No comments made during this time.

Public Hearing:

Item #3: Consideration of a Use Permit to construct an 800 square foot coffee kiosk with drive-through and walk-up service. The site is 0.61 acre in area and is located on the northeast corner of Colusa Avenue (State Route 20) and Shasta Street (APN: 51-384-001 & 006)

Presented by Director Rodriguez

Director Rodriguez reviewed the project requesting approval of an 800 square foot building coffee kiosk. Staff noted that the site would provide a drive-thru with a capacity of 18 vehicles. Staff noted that the existing restaurant would be demolished as part of this project while the five existing drive-approaches will be consolidated to two, however the drive approach on Highway 20 will be a right out only. Staff noted that the proposed building provides a contemporary design with considerable articulation of walls and rooflines. The building façade design incorporates several materials, which will stimulate visual interest, while the building's base and columns that support the porte-cochere over the drive-through will be brick. Staff indicated that the applicant is also willing to install a yet to be determined community sign on their property.

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

Property owner, Dan Jacuzzi, spoke in favor of the project and noted that the Fish & Chips restaurant slated for demolition is currently on a month-to-month lease.

Dutch Bros representative Bob Fulton noted that the average drive-thru time is 40 seconds and their goal is to keep vehicles moving in response to a Commission inquiry.

Chair Ali opened the public hearing and invited persons in opposition to speak. No persons spoke in opposition.

Chair Ali closed the public meeting.

Several Commission members noted their support. There being no further discussion, Commissioner Sandbrook moved to approve the project. Commissioner Blake seconded the motion. The Commission voted to unanimously approve the project by a vote of 7-0.

Item #4: Consideration of a General Plan Amendment, Rezone, Development Plan, and Environmental Assessment to facilitate to the development of a 38-unit apartment complex. The 4.68-acre project is located on the east side of Tharp Road approximately 580 feet south of Butte House Road (APN: 59-010-116 (as adjusted) and 59-010-117).

Prior to the hearing, Commissioner Shaffer recused himself for a potential future conflict of interest. Upon recusing himself, Commissioner Shaffer left the City Council Chamber.

Director Rodriguez noted that this project was previously considered by the Planning Commission. More specifically, he noted that on October 11, 2017, the Commission conducted a public hearing for the proposed apartment complex on Tharp Road, just south of New Earth Market. Following the close of the public hearing the Planning Commission recommended approval of the project to the City Council however prior to the Council hearing, new information was provided by the neighboring business to the north (New Earth Market). Concerns were expressed by New Earth Market regarding impacts on truck access to their business, and perimeter landscaping along the north side of the proposed neighboring apartment complex (common boundary between the apartments and New Earth Market parking lot).

The applicant requested a delay in the Council hearing to allow time to address their concerns. As a result of the discussions between the property owners, the project was revised. Staff noted that the revisions warranted reconsideration by the Commission prior to the project being considered by the Council.

Staff noted the following modifications:

- Reduction in the number of units from 41 to 38
- An amendment to the area in the northeast corner of the project to accommodate truck parking for New Earth Market
- The elimination of the 2nd point of vehicle access via the New Earth Market parking lot.
- A pedestrian path from the site to New Earth Market would still be provided.

Vice Chair Eyeler expressed concern regarding the elimination of the 2nd point of access. Commissioner Sanbrook echoed Vice Chair Eyeler's comments.

Commissioner Blake noted that if the Fire Department was amenable to a single vehicle access, she has no concerns.

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

Mike Marsh was in favor of the project and inquired if the existing travel lanes, 2 northbound lanes and one southbound lane on Tharp Road were adequate.

Deputy Public Works Director Ben Moody noted that when the property on the west side of the street is developed, an additional southbound travel lane would be constructed.

Garry Laughlin, representing Dr. Toller, noted that the Fire Department favored removing the previously approved vehicle access drive between the subject site and the New Earth Market parking lot.

Commissioner Shannon expressed that she liked the proposed covenants.

Vice Chair Eyeler inquired why the Fire Department was in favor of removing the second vehicle access.

Garry Laughlin noted that the existing carports in the New Earth Market parking lot were too low and fire equipment could run in to them and the double throat entrance at Tharp Ave. will provide adequate vehicle stacking.

Barbara Grover, 1687 Poole Blvd., noted that the area is subject to excessive noise due to proximate industrial and commercial uses and that a number of people experiencing temporary homelessness linger in the area.

Chair Ali closed the public meeting.

Commissioner Sanbrook asked Dr. Toller if he would be filing condominium subdivision. Dr. Toller noted that not today.

Vice Chair Eyeler noted that while he likes the project, recommended that Dr. Toller consider an emergency exit.

There being no further discussion, Commissioner Shannon moved to recommend approval of the project, as outlined in the staff report. Commissioner Sillman seconded the motion. The Commission, by a vote of 6-1, with Vice Chair Eyeler voting no due to the lack of an emergency access, to approve the project.

Item #5: Request to initiate a Text Amendment to the City's Municipal code to update the regulations pertaining to truck terminals and commercial repair.

Director Rodriguez noted that this was a staff request and that while the City has not received a formal request, staff is being proactive given that such facilities have the potential to create land use conflicts if not properly regulated. Staff noted that it has not conducted research given that this is the initial step in the process.

Commissioner Shannon made a motion to initiate the text amendment. Commissioner Blake seconded the motion. By a vote of 7-0, the Commission voted to initiate the text amendment.

October 25, 2017 Minutes.

Staff noted that the record was unclear in terms of which Commissioner made a motion and seconded to approve the cannabis text amendment. The Commission could not recall.

The Commission noted that on page 5 of the minutes, Commissioner Shannon, rather than Chair Ali, recommended that the City consider permitting cannabis delivery services of medical marijuana. Further, it was noted that Commissioner Shannon voted to not support the proposed ordinance rather than Chair Ali.

Commissioner Shannon made a motion to approve the minutes, subject to the modifications above. Commissioner Blake seconded the motion. By a vote of 7-0, the Commission voted to approve the minutes.

December 13, 2017 Minutes.

Commissioner Sillman made a motion to approve the minutes. Commissioner Shannon seconded the motion. By a vote of 7-0, the Commission voted to approve the minutes.

January 10, 2018 Minutes.

Vice Chair Eyeler made a motion to approve the minutes. Commissioner Blake seconded the motion. By a vote of 7-0, the Commission voted to approve the minutes.

February 15, 2018 Minutes.

Commissioner Blake made a motion to approve the minutes. Commissioner Shannon seconded the motion. By a vote of 6-0, with Commissioner Sillman abstaining given that she did not attend the meeting, the Commission voted to approve the minutes.

Report of Actions of the Planning Commission:

Chair Ali requested that staff schedule a discussion regarding drive-thru restaurants. She noted her concerns regarding diabetes and obesity, and the role of quick service restaurants.

Adjournment:

There being no further business, the meeting was adjourned at 7:40 p.m. to the next regular meeting by Chair Ali.

Arnoldo Rodriguez, Secretary
YUBA CITY PLANNING COMMISSION