



**MINUTES  
PLANNING COMMISSION  
CITY OF YUBA CITY  
September 26, 2018  
6:00 P.M. – REGULAR MEETING**

Materials related to an item on this Agenda, submitted to the Commission after distribution of the agenda packet, are available for public inspection at City Hall at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at [www.yubacity.net](http://www.yubacity.net), subject to staff's availability to post the documents before the meeting.

**Call to Order**

Chairperson Ali called the meeting to order.

**Roll Call:**

Commissioners in Attendance:

Daria Ali (Chairperson)

Dale Eyeler (Vice Chairperson)

Jana Shannon

John Sanbrook

John Shaffer

Jackie Sillman (Sutter County Representative)

Commissioners Absent:

Michele Blake

**Pledge of Allegiance to the Flag:**

Led by a Commissioner.

**Public Communication**

The Planning Commission welcomed those in attendance and encouraged them to participate in the meeting. Public comment is taken on items listed on the agenda when they are called. Public comment on items not listed on the agenda will be heard at this time. Comments on controversial items may be limited and large groups are encouraged to select representatives to express the opinions of the group.

**1. Written Requests**

*Members of the public submitting written requests, at least 24 hours prior to the meeting, will be normally allotted five minutes to speak.*

## 2. Appearance of Interested Citizens

*Members of the public may address the Planning Commission on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements to three minutes.*

### **Public Hearings**

After the staff report for each agenized item, members of the public shall be allowed to address the Planning Commission regarding the item being considered. Any person wishing to testify should first state their name and address.

All interested parties are invited to attend the hearing and express their opinions on this project. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

### **3. Consideration of General Plan Amendment 18-01, Rezone 18-01, Development Plan 18- 01, and Environmental Assessment 18-05.**

#### **Public Comment:**

Joe Carwell, 2145 Colusa commented on concerns affecting his quality of life such as nearby promotional music, bright lighting and intercom calls. He requested that the promotional music be banned.

Commissioner John Sanbrook asked if there had been noise at 5:00 AM.

Mr. Carwell indicated that sound was audible three to four times a month.

Linda Baker, 1261 Kimberly, commented on lighting, vegetation and Sullivan Grove. She read an email to the Commission authored by Bill Ransaur.

Mal Montoya stated he is in favor of the topics discussed. He used to live in Yuba City. He commented that auto dealers will have bright lights. He mentioned that there are no new speakers. He discussed additional inventory (no new sales), and that the light would not be as intense.

Commissioner Jana Shannon asked why music is playing at 5:00 AM

Mr. Montoya then let Mr. Sullivan speak.

Chair Ali clarified the expansion area.

Mr. Sullivan commented he is in favor. He expressed his confusion regarding music being played at 5:00 AM. No one was supposed to be at the business during this hour. He will ensure music is turned off in the future. He will minimize lighting, have fencing along the west property line. He quoted a timeline of 4-1/2 years. He commented on there being 116 employees and \$23 million dollars in employee compensation and \$18 million in sales tax. He spoke of a tree that was dying on the property. He had

an arborist inspect the tree and the roots had been rotting. The rotted branches had caused the tree to fall and destroy custom cars and the fence. He asked if he doesn't remove the tree will the City cover his exposure. The answer was no so he had taken action. He asked about City requirements. He had mentioned he was an advocate for saving the environment. Someone commented that they did not recall any trees being torn down.

Mr. Sullivan stated that a tree died and rotted and had become a liability. He commented on the need for mitigation. He then agreed to plant 10 trees along Spirit Way. Then someone commented that they felt he wasn't being treated fairly. Mr. Sanbrook asked if there are buildings being proposed. Mr. Sullivan answered no. Then, Vice Chair Eyeler commented the speakers are on all day long as well as lights. Mr. Sullivan commented on a shield being added. He will add trees to Spirit Way.

The Planning Commission requested that he plant an oak species. Mr. Sullivan agreed to this request. He had planned to plant them along the western property line.

Commissioner Jana Shannon asked what the landscaping on the western property line would accomplish. Then Mr. Sanbrook indicated that it will provide a screen for the church. Next, Commissioner John Shaffer asked if it were necessary to use the loud speaker. Mr. Sullivan obliged to turn the volume down. Ms. Shannon closed the public hearing.

Ms. Shannon stated there was no mitigation. There had been a drought and no timeline was stated. She commented she was married to an insurance agent and was exposed to property damage. She added that not all trees make sense and that Walmart generated light and noise too. She commented that she acted in good faith. Then Mr. Eyeler agreed with the mitigation. A comment was made by (not recorded) and there was encouragement to hear more about the tree. Then, clarification was provided regarding the three conditions.

Sutter County Representative Jackie Sillman commented that he (the applicant) seemed to be being punished for removing the tree. Mr. Sanbrook indicated they would like to be reasonable. He would cut the tree and there would be no penalty for this. He has paid a lot of money to remove the tree already.

He is concerned for the church and believes the plans are compatible with the general area and this is in the public's best interest. Mr. Shaffer agreed with Mr. Sanbrook. He felt two acres will not make an impact.

**Motion:** Remove condition number 10 which stated "The applicant shall do one of the following, or a combination thereof: Provide funding for valley oak tree plantings in either the new City park that is proposed just north of this site, across the street from Wal-Mart, or to plant oak trees to complement the existing oak tree planting..."

**Moved by:** Commissioner Shannon

**Seconded by:** Representative Sillman

**Vote:** Daria Ali, aye, Dale Eyeler aye, Jana Shannon, aye, John Sanbrook, aye, Jackie Sillman aye, John Shaffer, aye

**The vote passed 7:0**

**4. Development of Planning Commission Strategic Plan**

No comments recorded.

Adjournment

Meeting was adjourned at 8:05 PM by a Commissioner.