
TO ADDRESS THE COMMISSION
PLEASE STEP TO THE ROSTRUM &
STATE YOUR NAME & ADDRESS

YUBA CITY PLANNING COMMISSION
AGENDA

Regular Meeting
January 26, 2005 - 7 p.m.
City Hall Council Chambers
1201 Civic Center Boulevard

Welcome Commissioner Tejinder Maan to the Planning Commission.

Roll Call.

Pledge of Allegiance.

Election of Officers (also a representative to the County Planning Commission).

Approval of the minutes of the meeting held December 8, 2004.

Appearance of Interested Citizens*

Correspondence:

1. Public Hearing: Tentative Map 04-15 to divide property at 1166 El Margarita Road; R-1 Zone; A.P. No. 62-082-002; applicant, Neil Kumar.
2. Public Hearing: Tentative Map 04-17 to divide property at 940 Carolina Ave; R-1 Zone; A.P. No. 53-120-029; applicant, Todd Retzloff.
3. Commission Consideration: Street name change in the Garden Gate Estates subdivision to change Clear Creek Road, Cave Creek Road and Prescott Drive to Mossburg Loop in honor of former Mayor Mossburg; applicant, Valley Development.
4. Commission Review: UP 00-11, review access and parking at Jimboy's Tacos located at 920 Colusa.
5. Commission Consideration: Meritorious Awards Program.
6. Other Business: Adoption of a Resolution for John Dukes.

(over)

7. Report on Actions of the City Council.
8. Adjournment.

Persons dissatisfied with any decision of the Planning Commission may appeal such action to the City Council. Appeals, accompanied by a fee of \$713 (\$343 if the project concerns a single-family residence), must be filed with the City Clerk, 1201 Civic Center Boulevard, Yuba City, CA 95993 within 10 days of such action. If no appeal is filed within this time limit, the Commission action becomes final. The exception to this is rezonings--please check with the Planning Department, 1201 Civic Center Boulevard, Yuba City for the procedure. Mailed notices of the Council hearings will be accomplished in the same manner as the Planning Commission hearings unless additional notice is deemed necessary.

If you require auxiliary aids or services (e.g., signing services) to make a presentation to the Planning Commission, the City will be glad to assist you. Please contact the City offices (530/822-4601) at least 72 hours in advance so such aids or services can be arranged. City Hall TDD: 530/822-4732.

*Members of the public may address the Planning Commission on items of interest that are within the City's jurisdiction whether or not such items of interest are on the agenda for this meeting. Members of the Commission will respond as best as they can to public comments but cannot take action or enter into a discussion on items not contained on the agenda. Public comment on public hearing agenda items will be permitted during the hearing.

January 20, 2005

TO: YUBA CITY PLANNING COMMISSION
FROM: DENIS COOK, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: AGENDA REPORT–MEETING OF JANUARY 26, 2005

1. PUBLIC HEARING: TENTATIVE PARCEL MAP 04-15 OF NEIL KUMAR – WEST SIDE OF EL MARGARITA ROAD BETWEEN JEFFERSON AVENUE AND COLUSA HIGHWAY – SUBDIVIDER, NEIL KUMAR - PROPERTY OWNER, DARIO FERNANDEZ

Project Description:

A request to subdivide a single parcel with a total site area of 2.52 acres into a single residential parcel and the remaining area agricultural land. Project standards will accommodate curb, gutter, and sidewalk improvements along the western edge of the property along El Margarita Road via the use of a deferred improvement agreement. Provisions concerning abandonment of an existing septic tank and leach field are addressed in the staff report, including provisions in the conditions of approval.

Property Description:

The subject property is identified as Assessor's Parcel No.17-222-002. The 2.52 acre parcel is located on the western side of El Margarita Road, between Jefferson Avenue and Colusa Highway. The subject property is presently developed with a single family residence, detached shed, well, and septic system. The property is located in a mixed residential and agricultural area.

General Plan Designation:

The subject property has a General Plan designation of Low Density Residential (LDR).

Zoning Classification:

The subject property is zoned One-Family Residence (R-1) District.

Surrounding Land Use:

Land use to the north and south consists of ranchette style lots containing single family dwellings. To the east of the project site, across El Margarita Road, is a residential area containing single family dwellings. Land use to the west is dedicated to agricultural operations. (See Study Sketch)

Previous Commission Action and/or Policies:

No actions to report.

Environmental:

The proposed tentative parcel map has been determined to be exempt from the California Environmental Quality Act (CEQA) per §15315 Minor Land Divisions.

The division of properties into four or fewer parcels in urbanized areas is allowed to proceed without an initial study if the proposed use is in conformance with the General Plan designation and zoning, no variances or exceptions are required, and all services and access to the proposed parcel are available.

The situation withstanding, the property is not of considerable size, and services are readily accessible by the current occupant and will be by the occupant of the new structure. It is therefore determined that no significant effect on the environment will result from the minor land division being proposed in this application.

Staff Comments:

Staff supports the applicant's request to subdivide. Sutter County Environmental Health expressed concerns regarding the proximity of the well to the existing leach field, or rather, the lack of replacement area for the leach field if the system were to fail. Additional area would need to be added to the parcel. City Staff and Mr. Kumar have agreed to continue with the subdivision process with the caveat that either Mr. Kumar abandon the well and connect with city water, eliminating the need for replacement area, or he expand the boundaries of Parcel 1 to fully comply with Sutter County Environmental Health Requirements. A condition will clearly outline this requirement in the following list.

Recommended Actions:

- A) Adopt the following recommended findings:
 - 1. The approval of the tentative map and subdivision of said parcel is consistent with the Guiding and Implementing Policies, as well as the Low Density Residential designation of the Yuba City General Plan.
 - 2. The tentative map is consistent with and meets the minimum standards for the R-1 District.

- B) Approve the tentative parcel map subject to the following conditions of approval:

1. Prior to the recordation of the parcel map provisions shall be made for the construction of required street improvements along the El Margarita Road frontage.
2. Prior to the recordation of the parcel map, a public utility easement shall be provided along the El Margarita Road street frontage extending ten feet behind back of future sidewalk.
3. Prior to recordation of the map, provisions shall be made for either the abandonment of the current well and connection to city water services or the expansion of parcel 1 map boundaries to fully comply with Sutter County Environmental Health Requirements.

2. PUBLIC HEARING: TENTATIVE PARCEL MAP 04-17 OF TODD RETZLOFF; SOUTH SIDE OF CAROLINA AVENUE BETWEEN JONES ROAD AND BUNCE ROAD – SUBDIVIDER, TODD RETZLOFF

Project Description:

A request to subdivide a single parcel with a total site area of 0.37 acres into two single-family residential lots, resulting in a project density of 5.4 dwelling units per acre. Project standards will accommodate curb, gutter, and sidewalk improvements along the north edge of the property on Carolina Avenue via the use of a deferred improvement agreement. The abandonment of an existing septic tank and leach field will also occur per Sutter County Environmental Health requirements as well as those of the Yuba City Building Department.

Property Description:

The subject property is identified as Assessor's Parcel No. 53-120-029. The .37 acre parcel is located on the south side of Carolina Avenue, between Jones and Bunce Roads. The subject property is presently developed with a single family residence, detached garage, and fence. The property is located in an area with suburban residential development.

General Plan Designation:

The subject property has a General Plan designation of Low Density Residential (LDR). This General Plan designation provides for a development density of no less than 2 dwelling units per acre and no more than 8 dwelling units per acre.

Zoning Classification:

The subject property has a zoning classification of One-Family Residence (R-1) District.

Surrounding Land Use:

Land use to the north, west, and east are identical to the project site, large lot single family residences. The southern border of the property is adjacent to a multiple family project (see study sketch).

Previous Commission Action and/or Policies:

No actions to report.

Environmental:

The proposed tentative parcel map has been determined to be exempt from the California Environmental Quality Act (CEQA) per §15315 Minor Land Divisions.

The division of properties into four or fewer parcels in urbanized areas is allowed to proceed without an initial study if the proposed use is in conformance with the General Plan designation and zoning, no variances or exceptions are required, and all services and access to the proposed parcel are available.

The situation withstanding, the property is not of considerable size, and services are readily accessible by the current occupant and will be by the occupant of the new structure. It is therefore determined that no significant effect on the environment will result from the minor land division being proposed in this application.

Staff Comments:

Staff supports the applicant's request to subdivide. The division of the parcel will allow it to connect to city sewer as well as contribute to the improvement of Carolina Avenue. The property is already served by city water services.

The lots surrounding the project site are similar in both zone and size, total areas which by one-family residence standards would be considered quite large, anywhere from a fourth to a third of an acre. The construction of single family dwellings on the newly created parcels, relatively smaller than those within the established neighborhood, may be considered a contributing factor to the disruption of an otherwise base characteristic to that existing neighborhood. But, it is also to be said that both newly created lots exceed One-Family Residence District site area standards.

Recommended Actions:

- A) Adopt the following recommended findings:
 - 1. The approval of the tentative map and subdivision of said parcel is consistent with the Guiding and Implementing Policies, as well as the Low Density Residential designation of the Yuba City General Plan.
 - 2. The tentative map is consistent with and meets the minimum standards for the R-1 District.

- B) Approve the tentative parcel map subject to the following conditions of approval:
 - 1. Prior to the issuance of a building permit, all existing well(s) and septic systems shall be destroyed in accordance with the requirements of the Sutter County Environmental Health Department and Yuba City Building Departments, respectively.
 - 2. Prior to the recordation of the parcel map, a public utility easement shall be provided along the Carolina Avenue street frontage extending ten feet behind back of future sidewalk.

3. Per city regulations, provisions shall be made for the existing and future residence to be connected to city water and sewer services as needed to serve the lots created by this map.
4. Prior to the recordation of the parcel map provisions shall be made for the construction of required street improvements along the Carolina Avenue frontage of the property.

3. COMMISSION CONSIDERATION: STREET NAME CHANGES IN GARDEN GATE ESTATES SUBDIVISION #04-04: SOUTHWEST CORNER OF BOGUE ROAD AND GARDEN HIGHWAY, APPLICANT, VALLEY DEVELOPMENT CO., INC.

Project Description:

The subdivider has requested that the street names Cave Creek Road, Clear Creek Road, and Prescott Drive, all within the Garden Gate Estates subdivision, be deleted and the three street names be renamed to Mossburg Loop in honor of former Yuba City Mayor Perry Mossburg.

Property Description:

The subdivision consists of 14.69 acres, which was approved by the Commission to be divided into 69 single-family residential lots on May 12, 2004.

Recommended Findings:

The proposed street names do not conflict with any existing street names in our current street name system.

Recommended Action:

Approve the subdivider's request for renaming the three streets within the Garden Gate Estates subdivision.

4. COMMISSION REVIEW: REVIEW USE PERMIT 01-11 OF RUBEN GONZALES – NORTH SIDE HIGHWAY 20 BETWEEN ROCCA WAY AND GRAY AVENUE – APPLICANT, RUBEN GONZALES

SUBJECT:

Renewal of Use Permit 00-11, 920 Colusa Avenue, Unit D

RECOMMENDATION:

Allow continued use of Jimboy's Drive-Thru

ALTERNATIVE:

Deny continued use of Jimboy's Drive-Thru

PROJECT BACKGROUND:

A use permit was granted to Ruben Gonzales for the creation of a drive-thru for Jimboy's Tacos on January 24, 2001. The use permit was approved and conditioned to be reviewed by the Planning Commission after 4 years, in order to determine if during that time, impacts associated with traffic ingress and egress, negative or otherwise, had occurred.

DISCUSSION:

The planning department, previously concerned with stacking problems that may occur along State Highway 20 during peak hour operations, has received no complaints to that effect, or obtained any evidence that the drive-thru has negatively impacted the circulation of traffic into and out of the establishment or along the highway.

5. MERITORIOUS AWARDS PROGRAM - 2005

Subject:

The Planning Commission annually reviews projects completed during the past year for worthiness of an award for outstanding development. The purpose of the award program is to call attention to and stimulate quality development in the City. The awards are usually presented in January of each year to try to show the best development(s) in the preceding year.

It is time for the Commission to review the best of the 2004 construction year. If you see a project while driving around town that you think is outstanding, make a note of it for consideration. Included with your agenda packet is a list from the Building Division listing all commercial and industrial projects completed in 2004. Categories you might consider may include, but are not limited to, new construction or renovated properties landscaping, signage, exterior remodel residential, office, commercial or industrial projects, etc.

PREVIOUS AWARDS

Date	Name	Project	Award
2002	El Zarape Restaurant	1005 Stafford Way	Outstanding Renovation
2002	City Medical Center Plaza	481 Plumas Blvd.	Outstanding Design
2002	Percy Ave. Barber Shop	200 Percy Avenue	Outstanding Design
2001	First Lutheran School	850 Cooper Avenue	Building Design
2000	None presented	--	--
1999	Giraud Interiors	640 Plumas Street	Building Design
1999	Gaiser Pets	714-722 Plumas Street	Building Design
1999	Office Building	939 Live Oak Blvd.	Building Design
1998	Young's Jewelers	716-720 Plumas Street	Building Design
1997	Waremart/Littlejohn House	1300 & 1350 Franklin Rd.	Building Design
1997	Lotties Bakery/Barber Shop	725 & 727 Plumas Street	Building Design
1996	S & D Enterprises	76 Station at 1466 Colusa Ave.	Outstanding building design
1996	William Meagher	667 & 669 Plumas Street	Outstanding building Design
1995	Foundation Health/Forrar Williams Architects	Foundation Health Building 480 Plumas Boulevard	Outstanding design and development
1995	John Cook	McDonalds-1254 Stabler Lane	Outstanding design
1994	Fremont-Rideout Health Group	Feather River Surgery Center- 370 Del Norte	Outstanding design and development
1994	Feather River State Bank	1221 Bridge Street	Outstanding design and redevelopment
1994	Roy & Shannon Newlove	"Woodworth House" - 222 B St.	Outstanding restoration

1993	KCS Development	Feather Down Shopping Center	Outstanding design and development
1992	Tom Pfeffer	Fidelity Plaza - 1445 Butte House Road	Outstanding remodeling
1992	Bi-County Radiology MRI Medical Group	Sutter Buttes Imaging - 945 Shasta Street	Outstanding remodeling

YUBA CITY PLANNING COMMISSION
MINUTES

Regular Meeting
January 26, 2005
City Hall Council Chambers

The meeting was called to order by Vice Chairman Cartoscelli at 7 p.m. All the Planning Commissioners and staff formally welcomed Tejinder Maan to the Planning Commission.

Members present were as follows:

PRESENT

Commissioner Melia Campbell	Commissioner Maynard Dunn
Commissioner Jeffrey Spencer	Commissioner Satwant Takhar
Commissioner Craig Starkey	Commissioner Tej Maan
Vice Chairman Mike Cartoscelli	

Also present were Community Development Director Denis Cook, Assistant Planner Vicrim Chima & Administrative Clerk Stacey Baker.

The Pledge of Allegiance was led by Commissioner Starkey.

Election of Officers: Commissioner Takhar nominated Commissioner Starkey to serve as Chairman of the Planning Commission for the year 2005. Commissioner Starkey accepted the nomination. The motion was seconded by Commissioner Campbell. Following a unanimous voice vote, Commissioner Starkey was elected to serve as Chairman.

Commissioner Spencer then nominated Commissioner Cartoscelli to serve as Vice Chairman of the Planning Commission for 2005. Commissioner Takhar seconded the nomination. Commissioner Cartoscelli was elected to serve as Vice Chairman of the Planning Commission for 2005 by a unanimous voice vote.

The minutes of the December 8, 2004, meeting were approved as submitted.

APPEARANCE OF INTERESTED CITIZENS: None.

CORRESPONDENCE: None.

1. PUBLIC HEARING: TENTATIVE PARCEL MAP 04-15 OF NEIL KUMAR – WEST SIDE OF EL MARGARITA ROAD BETWEEN JEFFERSON AVENUE AND COLUSA HIGHWAY – SUBDIVIDER, NEIL KUMAR - PROPERTY OWNER, DARIO FERNANDEZ

Assistant Planner Vicrim Chima briefly reviewed the staff report and the public hearing was opened and closed with no testimony offered.

Commissioner Campbell requested clarification as to whether or not city water and sewer services are readily available to the proposed site. Mr. Chima responded that city water was currently available but city sewer was not. Mr. Chima stated that he had discussed the issue of sewer connection with Public Works and indications were that city sewer would be available within a short period of time.

Commissioner Cartoscelli moved to adopt the recommended findings and approve the tentative map subject to the three conditions as outlined in the staff report. The motion was seconded by Commissioner Dunn and carried by a roll call vote of 6 to 1 with Commissioner Campbell voting negatively. Chairman Starkey reviewed the appeal procedures.

2. PUBLIC HEARING: TENTATIVE PARCEL MAP 04-17 OF TODD RETZLOFF; SOUTH SIDE OF CAROLINA AVENUE BETWEEN JONES ROAD AND BUNCE ROAD – SUBDIVIDER, TODD RETZLOFF

Chairman Starkey noted that the applicant, Todd Retzloff, requested that this item be continued to the February 9, 2005, meeting to allow him to work out differences with surrounding property owners. The public hearing was then opened.

LeeAnn Halle of 941 Carolina Avenue, addressed staff and Commissioners regarding her feeling that even though this project meets the specifications for a parcel split, the project does not conform with the surrounding parcels in the neighborhood.

Commissioner Dunn praised Mrs. Halle on her letter to the Commission regarding this project and touched on the General Plan and the process of infill development and the vision of City Staff for growth.

Joel Halle, also of 941 Carolina Avenue, echoed his wife's statements. Mr. Halle stated that he had lived in Yuba City as a child and has only recently returned to the area and that the main reason they chose their property was due to the larger lot size and not having to be so close to their neighbors. Mr. Halle also indicated that there were others present at the hearing who had lived in the project neighborhood for over 40 years. Mr. Halle has concern that Mr. Retzloff, as a non-resident owner, might be allowed to disrupt a 50 year old neighborhood and cut it up into 'postage-stamp' lots.

Paul "Al" Bartlett, spoke also about the large lot sizes and having a great deal of space between houses, instead of the five foot on each side and twenty feet backyard setbacks currently seen in many of the newer housing developments. Mr. Bartlett believes that if this project is approved, that it will become an eyesore in the area, and not fit in with the surrounding homes.

Joy Dillon of 921 Carolina Avenue spoke about the fact that she and her husband moved from Del Wayne Estates and how they were drawn to their current home because of the large lot size, the large house and that they didn't want to be around renters. She commented that all the surrounding properties are owner occupied.

Doris Edwards of 974 Carolina Avenue advised that she has lived in her home for 43 years. She stated that for over 10 years, the parcel in question was used as a rental. Mrs. Edwards also does not want renters in the neighborhood.

Timothy Dillon of 921 Carolina Avenue, re-iterated his wife’s comments about renters coming into the neighborhood. They are concerned that renters often do not respect the property of the surrounding homeowners.

Commissioner Spencer questioned staff about differences between infill, character, and scale. Community Development Director Denis Cook broadly addressed the issue of balance between preserving neighborhoods and encouraging infill development. The item was continued to the meeting of February 9, 2005.

3. COMMISSION CONSIDERATION: STREET NAME CHANGES IN GARDEN GATE ESTATES SUBDIVISION #04-04: SOUTHWEST CORNER OF BOGUE ROAD AND GARDEN HIGHWAY, APPLICANT, VALLEY DEVELOPMENT CO., INC.

Community Development Director Denis Cook gave a brief staff report and the item was opened to the Commissioners for comment. Commissioner Spencer commented that he is often frustrated when driving down a street and suddenly the name changes; he also commented that this application lends to the history of our city.

Upon motion by Commissioner Spencer and second by Commissioner Dunn and a unanimous voice vote, the Commission voted to approve the street name changes from Cave Creek Road, Clear Creek Road and Prescott Drive to Mosburg Loop, in honor of former Yuba City Mayor Perry Mosburg.

4. COMMISSION REVIEW: REVIEW USE PERMIT 01-11 OF RUBEN GONZALES – NORTH SIDE HIGHWAY 20 BETWEEN ROCCA WAY AND GRAY AVENUE – APPLICANT, RUBEN GONZALES

Community Development Director Denis Cook gave a brief staff report and the item was opened to the Commissioners for comment.

Discussion ensued between Commissioner Dunn and Community Development Director Denis Cook as to the potential future ramifications of approving the use permit in perpetuity. Mr. Cook assured Commissioners that should a problem arise, the issue could be brought back to the Planning Commission and the use permit revoked if necessary.

Upon motion by Commissioner Takhar, second by Commissioner Campbell and unanimous voice vote, the Commission voted to approve the continued use of the drive-thru use permit.

5. MERITORIOUS AWARDS PROGRAM - 2005

Community Development Director Denis Cook gave a brief overview of the program. Commissioners were encouraged to drive around town and discuss with staff any questions they may have.

The item was continued to the meeting of February 23, 2005, to allow the Commissioners the time necessary to research for award nominations.

6. OTHER BUSINESS: Adoption of a Resolution for John Dukes

- A) The resolution was signed by all Planning Commissioners. Mr. Dukes will be invited to the next meeting for presentation of the resolution.
- B) Mr. Cook reviewed the flyer that was received by all Commissioners regarding the Annual Planners Institute Conference in April. With the exception of Commissioner Cartoscelli, all members indicated their desire to attend the conference.

8. REPORT ON ACTIONS OF THE CITY COUNCIL:

Mr. Cook indicated that the next study session with City Council is tentatively scheduled for Tuesday, February 8, 2005. Additional information will be distributed as soon as it is available.

Commissioner Dunn indicated that he would like to see the staff and Commission work together on mandatory design guidelines for residential development. Current guidelines are optional to the developers. Commissioner Dunn expressed his belief that if this were done, then Yuba City would become more of a 'premier city'.

Mr. Cook indicated that he would attempt to get funding into the 2005-2006 budget for a project to address the issue.

9. ADJOURNMENT:

The meeting was adjourned at 8:07 p.m.

Respectfully submitted,

DENIS COOK, Secretary
YUBA CITY PLANNING COMMISSION