

YUBA CITY PLANNING COMMISSION
MINUTES

Regular Meeting
May 14, 2008
City Hall Council Chambers

The meeting was called to order by Chairman Starkey at 7:00 p.m. Members present were as follows:

PRESENT

Chairman Craig Starkey	Commissioner Preet Didbal
Commissioner John Sanbrook	Commissioner Satwant Takhar
Commissioner Mike Tomlinson	Commissioner John Dukes
Commissioner Jana Shannon	

ABSENT

None

Also present were Aaron Busch, Community Development Director; Katie Ertmer, Associate Planner; Paulla Hyatt-McIntire, Counsel; and Traci Sloan, Recording Secretary.

The Pledge of Allegiance was led by Arriana Didbal.

The meeting minutes of April 9, 2008, were approved as written (Dukes & Tomlinson abstained).

Appearance of Interested Citizens: - None

Correspondence: - None

Chairman Starkey deviated from the order of the agenda to hear the Commission Consideration item first.

Commission Consideration:

- 1. REQUEST FOR A SECOND AND FINAL EXTENSION OF TIME FOR FILING THE FINAL MAP FOR SUBDIVISION MAP #SM 04-10 OF VISTA ESTATES; APPLICANT, ROGER W. BORRELL.**

Katie Ertmer, Associate Planner, presented a staff report.

Commissioner Sanbrook asked what the reason as for the delay on this project.

Ms. Ertmer stated that Mr. Borrell should respond to that question, but she suspects it is because of the current market situation.

Commissioner Sanbrook asked Ms. Ertmer if there was an access problem related to this project. Ms. Ertmer stated she believes it has to do with construction of offsite improvements that would be necessary to complete the project, and her understanding is that in order for Mr. Borrell to have his lots, there would have to be considerable offsite improvements, construction of which for his property, just wouldn't be feasible in this market.

Roger Borrell, 2032 Blevin Road, stated the problem is that the access for his lots comes through a subdivision to the south (Domain Estates) which was originally to be done in one phase, but he suspects because of market conditions, they were given permission to do a first phase, then a second phase. Mr. Borrell said unfortunately for him, the access to his lots comes through phase two. Mr. Borrell said Domain Estates is currently in the process of building out phase one, and hopes they will get to phase two fairly soon, and said as soon as they do, he is ready to proceed with his map, but until they do, he has no ingress/egress, which is why he needs another extension.

Commissioner Sanbrook moved to approve the second and final extension for the filing of the final map for Subdivision Map #SM 04-10 to November 10, 2009, was seconded by Commissioner Tomlinson, and the motion passed unanimously.

Public Hearings:

- 1. USE PERMIT UP 08-01 FOR WAIVER OF A PORTION OF THE ONSITE PARKING REQUIREMENTS TO ACCOMMODATE A 4,558 SQUARE FOOT RETAIL BUILDING AT 601 PLUMAS STREET; ASSESSOR'S PARCEL NUMBER 52-231-012; APPLICANT/OWNER: BALJIT GILL.**

Commissioner Tomlinson recused himself to avoid a conflict of interest.

Ms. Ertmer presented a staff report.

Commissioner Sanbrook asked if the applicant has any problems with condition #5.

Ms. Ertmer stated the applicant did not have a problem with condition #5, and have already provided an easement on their site and are still searching the records to try to find an easement on the other site to the east.

Commissioner Sanbrook asked in reference to condition #6, if staff was speaking of completion or commencement of Bridge Street construction.

Ms. Ertmer stated the City has a plan to reconstruct Bridge Street in fiscal year 2008-2009, and said what would happen is if construction of the applicant's proposed project commences prior to completion of the City's planned reconstruction of Bridge Street, the applicant shall be responsible for the construction of Bridge Street in accordance of the City's plans.

Chairman Starkey asked what the likelihood of that happening would be.

Ms. Ertmer said in discussions with the applicant, the likelihood of that happening would be small.

Chairman Starkey opened the public hearing.

Julio Tinajero of Milestone and Associates, Inc., 950 Tharp Road, spoke about the access with the other parcel, and stated currently the parcel to east uses the exit and there is a mutual agreement between the property owners to use it, but to this date, he has not found a recorded document for that easement. Mr. Tinajero stated that both parties have expressed agreement to make it a legal document, and showed the Commissioners where the common driveway is on the map.

Commissioner Dukes asked if Suite C was for a Subway store, and asked what would occupy the other two suites.

Mr. Tinajero said that was correct and that the other two spaces are not planned as of yet.

Mr. Dukes asked how the parking will be impacted when the other two spaces have tenants.

Mr. Tinajero said the parking calculation accounts for commercial use in both of the spaces.

Chairman Starkey asked if employees of these three businesses that will eventually come will have to park across the street at Reeves in order to allow customer parking.

Mr. Tinajero stated most likely the business owner would ask their employees to do just that.

Commissioner Dukes asked if the turnout in front of the proposed project was a bus stop.

Ms. Ertmer stated that was correct.

Don Covey, 6698 Plumas Street, spoke in support of the request on behalf of the DBA and said the project would be the gateway to Downtown, and is very important, and spoke about the various parking issues. Mr. Covey stated that the City and the DBA are working together to devise a solution to the parking issues in the Downtown as a whole.

There being no further testimony, Chairman Starkey closed the public hearing.

Commissioner Dukes asked how many parking spaces were waived for the Padres Restaurant project.

Aaron Busch, Community Development Director stated the practice has been if there is an existing building that had one use and then was vacated, and a new use wants to come in, it is allowed to if it is a permitted use. Mr. Busch said in some cases that new use may have a more intensive parking requirement than the use that was there before, but in an effort to keep things moving in the downtown area and encourage revitalization and business there, it has been the practice if a new permitted use comes into an existing building, there was no need to analyze the parking. Mr. Busch said in this particular case, there is new construction and that is why the project has come before the Commission. Mr. Busch said in regards to the Padres Restaurant, it was an existing building and a permitted use and was allowed to come in.

Commissioner Dukes stated he has concerns with the City continuing to make exceptions on parking, and asked at what point the issue will finally be addressed.

Mr. Busch said staff will be evaluating and looking at the downtown to address the overall parking demand and stated there is plenty of parking for the downtown area, it's just not always as convenient as being able to park right in front of the business.

Commissioner Dukes said the property owners are having the problem of the customer not seeing this as an issue, and said they will park where they find a parking space and do not realize they are going into another neighboring parking area that is for those other businesses. Commissioner Dukes agreed that there is plenty of parking spaces, it just a matter of access to those spaces and where they are located.

Commissioner Sanbrook stated he appreciates Commissioner Dukes' comments, and said there is a need for a quality project at Plumas and Bridge Streets, but said the ongoing parking issue needs to be addressed now, and said that every time the City grants an exception, the problem is intensified. Commissioner Sanbrook stated that in spite of his concerns, he does support the project.

Commissioner Shannon said this would be a wonderful gateway project to Downtown, and spoke further about the parking situation, and said that the 22 spaces added at that end on the Downtown should provide some kind of relief and said if employers and employees would park across in the 22 spaces, there should not be a big parking problem.

Commissioner Didbal stated she likes the concept of a gateway to Downtown, but is concerned about parking, and said there needs to be thinking "outside the box". Commissioner Didbal also stated that this is not an advertised "walking" district, and suggested considering a parking garage which has been done in many communities and has been successful.

Commissioner Takhar stated he supports the project, but there needs to be a long term solution for the ongoing parking issues.

Chairman Starkey stated he would not have a problem with the parking situation had Padres Restaurant not gone in, which was never brought before the Commission, and said Padres is creating a lot of problems for the shopping center next door. Commissioner Starkey asked staff when the 22 spaces would be available.

Ms. Ertmer stated many of them are available now, and have been temporarily stripped and said there are probably 15 or 16 there at this time, and the entire 22 will be finished out when the remainder of the Plumas Street project is done.

Chairman Starkey stated this is a great project and the design is good, but said he would rather see the parking issues addressed and resolved before approving the project so there isn't an issue later.

Commissioner Dukes asked if the two storage containers taking up two parking spaces at Padres Restaurant were permanent or temporary, and said he thought the containers were taking up two of the parking spaces.

Ms. Ertmer stated she wasn't aware there were any storage containers taking up the parking spaces, and said staff will follow up with the Code Enforcement Officer, and thanked Commissioner Dukes for bringing that to her attention.

Commissioner Takhar moved to A. Adopt the 5 findings; and B. Approve Use Permit #UP 08-01 subject to 8 conditions of approval, was seconded by Commissioner Shannon, and the motion failed by a 3-3-1 vote (Commissioners Sanbrook, Takhar and Shannon voted yes, Commissioners Didbal, Dukes, and Chairman Starkey voted no, Commissioner Tomlinson was recused).

2. USE PERMIT UP 08-03 FOR USE OF A COMMERCIAL COACH FOR A TEMPORARY SALES TRAILER FOR VEHICLE SALES AT 955 HARTER PARKWAY; ASSESSOR'S PARCEL NUMBER: 63-010-100; APPLICANT: YUBA CITY TOYOTA; OWNER: SUTTER PARTNERS, LLC.

Commissioner Tomlinson returned to the dais.

Ms. Ertmer presented a staff report.

Chairman Starkey opened the public hearing.

Steve Downing, Yuba City Toyota, spoke about his project, and thanked staff for helping him through the process. Mr. Downing stated the purpose of the request was a desire to relieve the congestion at his current location by moving some of his sales operation to the recently acquired property, which would relieve some of the congestion at least for the summer selling season, and said he wouldn't expect to continue temporary sales at that location past the Labor Day weekend. Mr. Downing said he is willing to comply with all of the conditions of approval.

There being no further testimony, Chairman Starkey closed the public hearing.

Commissioner Dukes moved to A. Adopt the 5 findings; and B. Approve Use Permit #UP 08-03 subject to 8 conditions of approval, was seconded by Commissioner Tomlinson, and the motion passed unanimously.

Commission Discussion: - None

Other Business: - None

Report on Actions of the City Council: - None

Adjournment: There being no further business, the meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Roberta Kyle for Traci Sloan
YUBA CITY PLANNING COMMISSION