

YUBA CITY PLANNING COMMISSION
MINUTES

Regular Meeting
May 28, 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 John Sanbrook
Commissioner Mike Tomlinson

Commissioner Preet Didbal
Commissioner Jana Shannon
Commissioner John Dukes

ABSENT

Commissioner Satwant Takhar

Also present were Brian Trudgeon, Principal Planner; Paulla Hyatt-McIntire, Counsel; and Roberta Kyle, Recording Secretary.

The Pledge of Allegiance was led by Commissioner Sanbrook.

The meeting minutes of May 14, 2008, were approved with one correction on page 1, the spelling of Ariana should be "Arriana".

Appearance of Interested Citizens: - None

Correspondence: - None

Commission Consideration:

- 1. REQUEST FOR AN 18-MONTH EXTENSION OF TIME FOR FILING THE FINAL MAP FOR PARCEL MAP #TM 06-02; APPLICANT/OWNER: JOGINDER AND MANJIT DULAI.**

Brian Trudgeon, Principal Planner, presented a staff report.

Commissioner Sanbrook moved to approve the request for an 18-month extension of time for the filing of the final parcel map for #TM 6-02, was seconded by Commissioner Tomlinson, and the motion passed by a voice vote of 6-0-1 (Commissioner Takhar absent).

Public Hearings:

- 1. USE PERMIT #UP 07-14 FOR A DRIVE-THRU LANE WITH 2 DRIVE-THRU WINDOWS ON AN EXISTING BUILDING; LOCATED AT 995 THARP ROAD; APN 58-050-041; APPLICANT/OWNER, RUSS CLARK/R&D FOODS.**

Commissioner Tomlinson recused himself to avoid a conflict of interest.

Mr. Trudgeon presented a staff report.

Commissioner Sanbrook asked how much money was contributed for the construction of the right turn lane, and does it take care of the total cost of construction of the right turn lane that is needed there.

Mr. Trudgeon said there was in excess of \$300,000 which is sufficient to cover the construction of the right turn lane, and that Public Works will be following along within a year after this project is completed and put the right turn lane in.

Commission Sanbrook asked where the traffic would ultimately exit out of the drive thru.

Mr. Trudgeon showed on the map where it would wrap around and exit back into the parking lot.

Commissioner Dukes asked if the right-of-way lane is put in, will the existing trees have to be removed.

Mr. Trudgeon said the applicant would be removing existing trees, and that new trees would be put in after the drive-thru lane is constructed.

Commissioner Sanbrook asked about the 10' PUE.

Mr. Trudgeon said the PUE will still be part of the landscaping and that the total dedication used for construction will be 12 feet.

Chairman Starkey opened the public hearing.

Julio Tinajero of Milestone and Associates, Inc., 950 Tharp Road, offered to answer questions.

The Commissioners had no questions for Mr. Tinajero.

Russ Clark, 631 Daniel Drive, offered to answer questions.

Commissioner Dukes asked if the current Carl's Jr. restaurant would remain open.

Mr. Clark said it would.

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

Commissioner Sanbrook moved to A. Adopt the 5 findings; and B. Approve the requested use permit for a drive-thru facility on an existing building subject to 9 conditions of approval; was seconded by Commissioner Dukes, and the motion passed by a vote of 5-1-1 (Commissioner Takhar absent, Commissioner Tomlinson recused).

Commissioner Tomlinson returned to the dais.

2. USE PERMIT #UP 08-02. USE PERMIT FOR THE CONTINUED USE OF A MODULAR CLASSROOM; LOCATED AT 1764 TIERRA BUENA ROAD; APN 62-052-024; APPLICANT/OWNER, RIVER VALLEY CHRISTIAN FELLOWSHIP.

Mr. Trudgeon presented a staff report.

Chairman Starkey commented that he is glad to see that this is being done in phases and that the applicant is doing what they can and are doing a great job in beautifying the area.

Commissioner Sanbrook asked Mr. Trudgeon if he expects a permanent building would be constructed within the 2 year period.

Mr. Trudgeon stated that is the applicant's goal depending on how much money they can raise towards that effort.

Chairman Starkey opened the public hearing.

Bill Lindholm, River Valley Christian Fellowship, 1764 Tierra Buena Road, spoke about the request and said they are planning on making progress in getting a permanent building constructed during the 2 year time frame.

Commissioner Shannon asked if the reason for the delay on the construction was the infrastructure for the sewer line.

Mr. Lindholm stated the main reason for the delay is mostly the financial end of it.

Commissioner Shannon asked if it could be expected that the temporary building would remain until there is a sewer trunk line in the area.

Mr. Lindholm stated that he imagines that would be correct.

Commissioner Dukes asked where the current sewer line is.

Mr. Trudgeon said it is on Butte House in the vicinity of Tharp Road, but is still a long distance away from the site.

Commissioner Sanbrook asked if the main building is serviced by a septic tank.

Mr. Lindholm stated that was correct and that there are actually three septic tanks on the site.

Commissioner Sanbrook asked if they could connect the permanent building where the modular building currently is to one of the current septic tanks.

Mr. Lindholm stated he isn't sure, and said that all three septic tanks are very old and need to be reconstructed.

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

Commissioner Tomlinson moved to A. Adopt the 5 findings; and B. Approve the requested use permit to continue using a 1,440 sq. ft. modular building, subject to 2 conditions of approval, was seconded by Commissioner Shannon, and the motion passed by a vote of 6-0-1 (Commissioner Takhar absent).

3. **TENTATIVE SUBDIVISION MAP #SM 05-06. REQUEST TO CREATE A SUBDIVISION TOTALING 50 LOTS FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON AN 11.30 ACRE PROJECT SITE; LOCATED ON THE EAST SIDE OF TOWNSHIP ROAD AND APPROXIMATELY ONE-QUARTER MILE NORTH OF COLUSA HIGHWAY (SR 20), SOUTH OF THE SUTTER COUNTY BICYCLE PATH; APN 62-020-079. IN ADDITION TO THE TENTATIVE SUBDIVISION MAP, THE APPLICATION ALSO INCLUDES A PROPOSED DEVELOPMENT AGREEMENT WITH THE CITY AND A DEVELOPER-PREPARED TOWNSHIP ROAD AREA TECHNICAL MASTER PLAN. THE MASTER PLAN RESPONDS TO A CITY-IDENTIFIED NEED TO PREPARE AN ALL-INCLUSIVE MASTER PLAN DOCUMENT FOR THE PROJECT SITE AND FOR ADJOINING LANDS. APPLICANT/OWNER, A&G MONTNA PROPERTIES, LP.**

Mr. Trudgeon stated the applicant has requested a continuation to the June 11, 2008 Planning Commission meeting due to work still being done on the Development Agreement.

Chairman Starkey opened the public hearing.

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

Commissioner Dukes moved to continue Tentative Subdivision Map #SM 05-06 to the June 11, 2008 Planning Commission meeting, was seconded by Commissioner Sanbrook, and the motion passed by a voice vote of 6-0-1 (Commissioner Takhar absent).

4. **GENERAL PLAN AMENDMENT #GP 08-02 AND SUBDIVISION MAP #SM 08-01. GENERAL PLAN AMENDMENT AND TENTATIVE SUBDIVISION MAP TO ACCOMMODATE A 25-LOT SUBDIVISION; LOCATED ON 5.65 ACRES NORTH OF SMITH ROAD AND WEST OF GILSIZER SLOUGH; APN 56-030-065; APPLICANT, DARRELL BOLOGNESI; OWNER, BRADDOCK AND LOGAN.**

Mr. Trudgeon stated staff is requesting a continuation of #GP 08-02 and #SM 08-01 to a date unspecified due to work still being done on the Development Agreement.

Commissioner Sanbrook asked if the request is a re-division of the project previously approved.

Mr. Trudgeon stated that was correct, and said there was a portion at the southeast corner that was medium density residential, and at that point and time they were going to put some sort of multiple family on it. Mr. Trudgeon said that is why they have asked for a General Plan Amendment to take the 5.6 acres and re-subdivide it into single family homes since that is the better market for that area.

Commissioner Shannon asked if it was in fact originally subdivided to include multi-family, was that part of the reason it was originally approved.

Mr. Trudgeon stated the site was shown as high density on the 2004 General Plan, so they followed the map as it was consistent with the General Plan at that time, and they are now requesting that be modified.

Commissioner Shannon asked if the amount of property that is zoned for multi-family be in the best interest for the City by meeting their housing element.

Mr. Trudgeon stated the City is going through that process at this time with HCD, and have completed a land inventory for medium and high density and feels there is sufficient land within the Sphere of Influence to cover the City's requirements.

Commissioner Shannon asked if the land within the Sphere of Influence is adequately zoned.

Mr. Trudgeon stated not at this point and time because a good portion of it is still in the unincorporated area of the County.

Chairman Starkey opened the public hearing.

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

Commissioner Shannon moved to continue General Plan Amendment #GP 08-02 and Tentative Subdivision Map #SM 08-01 to a date unspecified, was seconded by Commissioner Dukes, and the motion passed by a voice vote of 6-0-1 (Commissioner Takhar absent).

Commission Discussion: - None

Other Business: - None

Report on Actions of the City Council:

Mr. Trudgeon talked about the Flex Zone request and the outdoor dining standards that went before the City Council and explained that during their discussions, they decided to drop the Flex Zone at this point and time and to bring it back under the overall review of the Central City Specific Plan that will be reviewed later this year and said the ordinance and standards were modified to only cover sidewalk dining at this point and time.

Mr. Trudgeon shared with the Commissioners that Baljit Gill has filed an appeal for his Use Permit #UP 08-01, which will go before the City Council on June 17, 2008.

Adjournment: There being no further business, the meeting was adjourned at 7:27 p.m.

Respectfully submitted,

Roberta Kyle, Secretary
YUBA CITY PLANNING COMMISSION