

YUBA CITY PLANNING COMMISSION
MINUTES

Regular Meeting
June 25, 2008
City Hall Council Chambers

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

PRESENT

Commissioner Satwant Takhar
Commissioner Mike Tomlinson

Commissioner John Sanbrook
Commissioner Jana Shannon

ABSENT

Chairman Craig Starkey

Commissioner Preet Didbal
Commissioner John Dukes

Also present were Aaron Busch, Community Development Director and Roberta Kyle, Recording Secretary.

The Pledge of Allegiance was led by Commissioner Shannon.

The meeting minutes of June 11, 2008, were approved as written with Commissioners Takhar and Sanbrook abstaining, and Chairman Starkey, and Commissioners Didbal and Dukes absent.

Appearance of Interested Citizens: - None

Correspondence: - None

Public Hearing:

- 1. CONTINUED PUBLIC HEARING: TENTATIVE SUBDIVISION MAP #SM 05-06 TO DIVIDE 11.30 ACRES INTO 50 RESIDENTIAL LOTS, DEVELOPMENT AGREEMENT AND THE WALNUT PARK WEST MASTER PLAN/NORTH TOWNSHIP ROAD TECHNICAL MASTER PLAN FOR PROPERTY LOCATED ON THE EAST SIDE OF TOWNSHIP ROAD APROXIMATELY ONE-QUARTER MILE NORTH OF COLUSA HIGHWAY (SR 20); ASSESSOR'S PARCEL NUMBER: 62-020-079; APPLICANT/PROPERTY OWNER: A&G MONTNA PROPERTIES, LP**

Aaron Busch Community Development Director, presented a staff report.

Commissioner Sanbrook asked what the original phasing was that the City Council approved.

Mr. Busch stated there was a one year freeze effective January 1, 2008 with annual inflationary and levee fees, and stated that at the end of year one, the fee will be 33 1/3% each year until the ultimate fee amount is reached in the fourth year.

Commissioner Sanbrook asked if there were any comments from the County.

Mr. Busch stated that there have been comments from the County and that the City has been coordinating with the County on the project.

Commissioner Sanbrook asked if the General Plan designates Township Road as a 4 lane arterial.

Mr. Busch stated it does.

Commissioner Sanbrook asked if there is a requirement for additional right-of-way from the developer to improve Township Road.

Mr. Busch stated if necessary, additional right-of-way will be dedicated.

Commissioner Sanbrook asked if according to the traffic study that was done, is there no need for Township Road to be more than two lanes.

Mr. Busch stated that was correct.

Commissioner Sanbrook asked if the impact of State Hwy. 20 and Township Road has been studied.

Mr. Busch stated it has.

Commissioner Sanbrook asked if there will need to be an amendment.

Mr. Busch stated yes if it is necessary, and said it will need to be evaluated.

Commissioner Sanbrook referred to various fees the developer is required to pay, and asked about the in-lieu fee.

Commissioner Takhar said this also applies to a CFD, and stated there is no CFD in place.

Mr. Busch stated there was a CFD formed for Braddock and Logan project.

Commissioner Takhar referred to the affordable housing fee and in-lieu fee on page 11, section 3.5 of the development agreement, and suggested the second sentence be deleted.

Commissioner Sanbrook asked if the applicant is home free if no in-lieu fee is adopted, and asked if there was ever an Ad Hoc committee formed to discuss the issue.

Mr. Busch stated that this is covered in terms of language and is in there because the City Council did not adopt an affordable housing fee, and did not establish the \$3,500 fee amount. Mr. Busch said this is something that the Planning Commission can forward on to the City Council for consideration, and said they hope to have an Affordable Housing Ad Hoc committee organized soon.

Commissioner Sanbrook referred to page 3, #3. under "Staff Analysis" and stated he is confused about that paragraph that talks about future development.

Mr. Busch stated that the recommended improvements are not triggered until improvement plans are received.

Commissioner Sanbrook asked if the drainage for this project will tie into the project immediately to the east.

Mr. Busch said that was correct.

Commissioner Sanbrook referred to condition #46 and asked if that was in regards to filing of the final map.

Mr. Busch said that was correct.

Commissioner Sanbrook referred to condition #60, and asked where public area parcel (A) is located.

Mr. Busch indicated on the map where the parcel is located.

Commissioner Sanbrook referred to condition #64, and asked at what point and time will the City require the developer to enter into the agreement.

Sean Minard, MHM Engineering, said it is at the issuance of building permits.

Commissioner Sanbrook referred to condition #73 and asked what it meant.

Mr. Busch stated he does not know the specifics of the improvements, but said the fees have been paid.

Commissioner Sanbrook asked if the fees were covered by way of reimbursement.

Mr. Busch said yes.

Commissioner Takhar asked if this is a 7-year phase in.

Mr. Busch said that is correct, and that it was the original City Council approval.

Commissioner Tomlinson asked if only the pipeline projects are getting the 7 year advance, and asked why that is.

Mr. Busch said yes, and that it is because of the investment the developer is making, and that they are development agreement projects.

Commissioner Sanbrook referred to the 15% that is added to the \$12,000 fee for each year until the impact fee equals the fee being charged by the city, and asked if the annual inflationary increase based on the construction cost index is on top of the 15%.

Mr. Busch stated it was the City Council's decision to have an annual inflationary adjustment each year, and stated beyond the freeze time, should there be any units under construction, the fee will increase 15% each year.

Commissioner Sanbrook asked if the sewer and water connection fees were also frozen.

Mr. Busch stated they were not.

Commissioner Takhar opened the public hearing.

George Carpenter, representative for A & G Montna Properties introduced Sean Minard and John Munger, and spoke about the history of the project, and addressed items brought up, and talked about impact fees and affordable housing.

Commissioner Takhar stated language on page 11 of the development agreement should be amended.

Mr. Busch said if that is the desire of the Planning Commission, they can forward that recommendation on to the City Council.

Sean Minard, MHM Engineering, referred to the Township Road issue and condition #73 that was brought up by the Commission, and said the traffic study clearly stated that two lanes were enough, and the reason is because most of the traffic will be funneled through Western Parkway when it is constructed. Mr. Minard stated that improvements done by KB home at the intersection of Township Road and Hwy. 20 are the ultimate improvements which have some excess capacity. Mr. Minard said the road section through the 168 foot buffer would accommodate a four lane road if they wanted to build it, and that as of now, the roadway is consistent with the traffic study and the General Plan in this area.

Commissioner Tomlinson asked if they would have to come back before the Planning Commission to obtain the right-of-way.

Mr. Minard said no, that they are dedicating the right-of-way, which could accommodate and four-lane road if they wanted to build it.

Commissioner Sanbrook asked if all the property within the Master Plan development will be using Township Road.

Mr. Minard said that is correct.

Commissioner Takhar asked if the Township Road soundwall will be similar to what Cresleigh Homes and Interwest Homes built.

Mr. Minard stated this soundwall will have more landscaping.

Commissioner Sanbrook asked why there is a difference in the width of the public utility easement, and said it varies from 12 to 35 feet.

Mr. Minard said it goes back to how the sidewalk meanders and that the actual width is all the same.

Mr. Minard asked if the amendment to condition #86 was included.

Commissioner Takhar stated it is included.

There being no further testimony, Commissioner Takhar closed the public hearing.

Commissioner Tomlinson stated that the three issues he had, have been satisfied with explanations given.

Commissioner Sanbrook referred to page 10 of the development agreement regarding impact fees and asked Mr. Carpenter what that fee is.

Mr. Carpenter said that he tried to get that language out, but thinks the intent of that provision is if the City adopts a city-wide fee and makes it applicable to everybody equally, the developer should be obligated to also pay the fee, and said although they are not happy with that, they have accepted the language.

Commissioner Sanbrook stated he is satisfied with explanation given to his questions.

Commissioner Shannon had no comment.

Commissioner Sanbrook moved to 1. A. Adopt the Mitigated Negative Declaration; 2. A. Recommend to the City Council adoption of the Master Plan; 3. A. Recommend to the City Council adoption of the Development Agreement with amended Section 2.9.1 Impact Fees, and the 7 findings; 4. A. Adopt the 4 findings for approval of Tentative Subdivision Map #SM 05-06; and B. Approve Tentative Subdivision Map #SM 05-06 subject to 95 conditions of approval and with an amendment to Condition #86 to read *“All street lighting as shown on the improvement plans for each unit of development shall be energized prior to the issuance of the first certificate of occupancy within that unit of development.”* The Motion was seconded by Commissioner Tomlinson, and the motion passed by a vote of 3-1-3 (Commissioner Takhar voted no, Chairman Starkey and Commissioners Dukes and Didbal were absent).

2. CONSIDERATION OF AN UPDATE TO THE HARTER SPECIFIC PLAN FINANCING PLAN AND AN AMENDMENT TO THE HARTER SPECIFIC PLAN DEVELOPMENT AGREEMENT REGARDING INFRASTRUCTURE OBLIGATIONS AND FEE CREDITS.

Commissioner Tomlinson recused himself due to conflict of interest.

Mr. Busch stated this item would have to be continued to the July 9, 2008 Planning Commission meeting because of the lack of a quorum due to Commissioner Tomlinson’s recusal.

By a voice vote of 3-0-1 (Commissioner Tomlinson recused), the Commission continued the item to the July 9, 2008 meeting.

Commission Discussion: - None

Other Business: - None

Report on Actions of the City Council:

Mr. Busch talked about the Baljit Gill use permit appeal and stated that the City Council granted the appeal and allowed the parking waiver with the condition that should there be a parking district or in-lieu fee established for parking, they would be required to participate.

Mr. Busch stated that he met with the newly formed Downtown Parking Committee and said there is now an Ad Hoc committee working on the global issue of downtown parking, and will be working on updating a study from 2003.

Mr. Busch stated that the City Council once again continued the Flex Zone item and furniture issue, and asked staff to come back with more information addressing the type of furniture that can be allowed in the sidewalk areas and to provide a list of three to four product types, so there will be uniformity along the street. Mr. Busch said that item will be brought back to the July 15th Council meeting.

Mr. Busch talked about the workshop with the City Council on June 24, 2008 regarding the Feather River Mill site, and said they obtained some good information and direction from the Council in terms of what their vision is for that property. Mr. Busch stated that once the notes are completed, he would have them sent out to the Planning Commissioners.

Adjournment: There being no further business, the meeting was adjourned at 8:04 p.m.

Respectfully submitted,

Roberta Kyle, Secretary
YUBA CITY PLANNING COMMISSION