

YUBA CITY PLANNING COMMISSION
MINUTES

Regular Meeting
September 9, 2009
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 George Parker
Commissioner Preet Didbal
Commissioner John Hager III

ABSENT

Commissioner Satwant Takhar (Excused)
Commissioner Jose Flores (Excused)

Also present were Katie Ertmer, Senior Planner, Paul Klein, Chief Building Official, and Roberta Kyle, Recording Secretary.

The Pledge of Allegiance was led by Commissioner Hager.

The meeting minutes of August 12, 2009, were approved as written.

Appearance of Interested Citizens: - None

Correspondence: - None

Election of Officers:

Commissioner Sanbrook nominated Commissioner Didbal as Vice Chair for the remainder of the year, Commissioner Didbal accepted the nomination, and by a voice vote the nomination was approved (Commissioners Takhar and Flores absent).

Commission Consideration:

- 1. REQUEST FOR AN 18-MONTH EXTENSION OF TIME FOR FILING THE FINAL MAP FOR TENTATIVE SUBDIVISION MAP #SM 06-04; APPLICANT/OWNER: HARTER PACKING COMPANY, LLC.**

Commissioner Sanbrook moved to grant an 18-month extension for Subdivision Map #SM 06-04, was seconded by Commissioner Hager, and the motion passed by a vote of 5-0-2 (Commissioners Takhar and Flores absent).

Chairman Starkey stated that Item II, Specific Plan #SP 09-01 would be continued per the request of staff.

Public Hearing:

- 1. GENERAL PLAN AMENDMENT #GP 09-03 TO CHANGE THE GENERAL PLAN DESIGNATION FROM MANUFACTURING, PROCESSING & WAREHOUSING TO BUSINESS, TECHNOLOGY, AND LIGHT INDUSTRIAL AND, REZONE #RZ 09-02 TO CHANGE THE ZONING FROM INDUSTRIAL (M-2) TO HEAVY COMMERCIAL/LIGHT INDUSTRIAL (C-M) DISTRICT; ADDRESS: 1100 GARDEN HIGHWAY; ASSESSOR'S PARCEL NUMBER: 54-081-002; APPLICANT: MILAN INVESTMENTS, LLC; PROPERTY OWNER: JOHN OCHIPINTI.**

Ms. Ertmer presented a staff report.

Commissioner Sanbrook asked how office floor area affects parking space requirements.

Ms. Ertmer stated it applies to all zoning districts not just CM and explained that an office use has a parking demand of one space per 300 square feet, as opposed to manufacturing or warehousing which demands one space per 2,000 square feet that before an office is approved, there needs to be adequate parking. Ms. Ertmer said that this property was developed to accommodate some office space.

Chairman Starkey stated he understands that this opens it up a bit as far as retail goes.

Ms. Ertmer stated it does, and that the current zoning allows retail uses in 15% of the space as long as the merchandise is produced on site. Ms. Ertmer said the proposed zoning would not limit the square footage that could be dedicated to retail as long as there is adequate parking.

Commissioner Parker asked what would be the typical parking criteria for the amount of floor area, and how much is it deficient.

Ms. Ertmer stated that the site is not deficient right now as long as the entire project doesn't convert into an office space. Ms. Ertmer said the project is 60,000 square feet now and is divided up among 3 buildings, and stated the city will have to keep track of parking on a tenant by tenant basis, but as long as there aren't tenants coming in trying to convert their entire space into office space, it won't be a problem.

Commissioner Parker said he has concerns about, for example, a car repair business that may have cars stacking up, which may encroach on other businesses and restrict them from utilizing their share of parking.

Ms. Ertmer stated staff will continue to monitor the project to make sure that doesn't happen.

Chairman Starkey asked what means can be used to cut off additional uses if it becomes too much.

Ms. Ertmer stated that business licenses are reviewed and tenant improvements are reviewed when they come in for changes to the inside of a building which has worked well for the city with the first 8 tenants that have come in to make sure they do not exceed the 15% limit imposed by the current zoning.

Chairman Starkey made the statement that when the parking is maxed out, future uses will be dictated by parking availability.

Ms. Ertmer said that is correct and that this issue is not only limited to this project, but happens throughout the City.

Chairman Starkey asked if staff was comfortable with this.

Ms. Ertmer stated they are.

Commissioner Sanbrook asked what the parking criteria is for retail sales.

Ms. Ertmer stated it depends on the type of retail, and said it is one space per every 250 square feet for general retail, and for furniture or large appliances it is one space per every 1,000 square feet of sales floor or display area plus one space for every 2,000 square feet of warehouse.

Chairman Starkey opened the public hearing.

Jeff Helm, 1710 Hastings Way, stated that the property owner enforces private rules and regulations that prohibit anyone from parking in the lot after hours, and said all vehicles have to be inside after hours.

Commissioner Sanbrook asked what happened to the idea to condo the project.

Mr. Helm said the idea has not gone away, and that the project was built to condo standards with separate meters, etc. Mr. Helm said it gives business owners the opportunity to own their own building, and said he has hopes they will get to condo the project eventually.

John Ochipinti, 2319 Lincoln Road, explained that it is very difficult to get insurance for a condo project, but once the project has been in operation for a year, the rules and regulations for that change, and said it is the intention to condo the project as soon as possible.

Mr. Helm said that in Building A, which is 80-90% occupied, of the 24,000 square feet, only 5,700 square feet is office space, which is a 23% ratio, and said that is actually more than what they would like to have for office. Mr. Helm said this project will most likely never contain more than 50% office.

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

Commissioner Sanbrook moved to A. Adopt the Negative Declaration; B. Recommend the City Council adopt the finding that General Plan Amendment #GP 09-03 is in the public interest; C. Recommend the City Council approve General Plan Amendment #GP 09-03; D. Recommend the City Council adopt the three findings for Rezone #RZ 09-02; and E. Recommend the City Council approve Rezone #RZ 09-02. The motion was seconded by Commissioner Hager, and the motion passed by a vote of 5-0-2 (Commissioners Takhar and Flores absent).

Commission Discussion: Flood Control Strategy for New Development

Paul Klein, Chief Building Official, presented a staff report and went over the Draft Flood Control Strategy.

Chairman Starkey said he suspects there is a plan to educate the general public about the FEMA changes that are forthcoming.

Mr. Klein stated there will be a multi-agency as well as a City effort on educating the public about impending insurance requirements on existing homes, etc.

Chairman Starkey asked if there are preliminary maps that can be consulted.

Mr. Klein said he believes that public works has those maps, and said they are on the Sutter County website and thinks they are also on the City's website as well. Mr. Klein said anyone from the public can come in and look at those maps.

Chairman Starkey stated that everything south of Bogue Road has been adopted, and asked if these maps will be looking at the northern section of the City.

Mr. Klein said yes, and said ultimately they will cover basically the entire City.

Commissioner Sanbrook asked what the City's position will be between now and August of 2010 when the City receives the letter of final determination on the FIRM maps, and asked how the city will handle those projects and those entitlements, and if they will somehow be conditioned to require a hold harmless not withstanding even though we don't have the maps legally in effect.

Mr. Klein said the City will get disclosures developed to be included in building permit applications in order to notify developers of impending changes that will affect properties.

Commissioner Sanbrook asked if a "hold harmless" will be required.

Mr. Klein said it would, and said once the Strategy goes before the City Council and gets adopted, it will be part of the building approval process.

Commissioner Sanbrook stated it seems the City is exposed to potential liability before the letter of final determination is legally adopted.

Mr. Klein said the goal is to get the Strategy adopted as soon as possible, get the workshops going, and start getting disclosures on permits for projects.

Other Business: - None

Report on Actions of the City Council:

Ms. Ertmer stated that the Neighborhood Stabilization Program (NSP) and the Annual Community Development Block Grant Report (CAPER) will go before the City Council at their next meeting. Ms. Ertmer also said that Mr. Busch will be giving the same presentation at the next City Council meeting that Mr. Klein gave tonight regarding the Flood Control Strategy for New Development.

Adjournment:

There being no further business, the meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Roberta Kyle, Secretary
YUBA CITY PLANNING COMMISSION