

# PLANNING COMMISSION MEETING AGENDA



**THURSDAY, NOVEMBER 7, 2013 – 6:00 PM**  
**City of Turlock, Yosemite Community Room**  
**156 South Broadway**  
**Turlock, California**

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Commission Chair  
**Mike Brem**

Commission Members

**Elvis Dias**  
**Jeanine Bean**  
**Nick Hackler**

**Jeff Hillberg**  
**Alex Salcedo**  
**Soraya Fregosi**  
Vice Chair

Deputy Director Development Services  
**Debra A. Whitmore**

Alternate Members

**Alice Pollard**

**Ashour Badal**

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Turlock Planning Commission meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the Planning Division at (209) 668-5640. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the Planning Commission on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the Planning Commission's consideration of the item.

AGENDA PACKETS: Prior to the Planning Commission meeting, a complete Agenda Packet is available for review on the City's website at [www.cityofturlock.org](http://www.cityofturlock.org) and at the Planning Division office at 156 S. Broadway, Suite 120, Turlock, CA during normal business hours. Materials related to an item on this Agenda submitted to the Commission after distribution of the Agenda Packet are also available for public inspection in the Planning Division Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

## A. CALL TO ORDER

## B. APPROVAL OF MINUTES

1. Special Meeting of July 18, 2013 [View Item](#)
2. Regular Meeting of October 3, 2013 [View Item](#)

## C. ANNOUNCEMENTS *(Debbie Whitmore)*

1. **Special Meeting on December 19 will not be needed:** The applicant has agreed to wait until the January 16, 2014, special meeting date.
2. **City Hall Holiday Closures:** City Hall will be closed Thanksgiving week (November 25-29) and Christmas week thru New Year's Day (December 23 – January 1)
3. **Downtown Community Visioning Workshop:** Scheduled for special meeting on November 21, 2013

## D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

## E. PUBLIC PARTICIPATION

*This is the time set aside for members of the public to directly address the Commission on any item of interest to the public, before or during the Commissioner's consideration of the item, that is within the subject matter jurisdiction of the Commission. You will be allowed five (5) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Commission addresses the matter. No action or discussion may be undertaken on any item not appearing on the posted agenda, except that the Commission may refer the matter to staff or request it be placed on a future agenda.*

## F. CONSENT CALENDAR

*Information concerning the consent items listed herein below has been forwarded to each Commissioner prior to this meeting for study. Unless the Chair, a Commissioner or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Commission. The action taken by the Commission in approving the consent items is set forth in the explanation of the individual items.*

None

## G. PUBLIC HEARINGS (\*Consent Items)

### \*CONSENT ITEMS

*These are items on this agenda designated by an asterisk (\*) next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing City policy and the City General Plan and are, therefore, **recommended for routine approval**. Prior to actual Planning Commission consideration, the Chairman will open the public hearing and ask if anyone present wishes to discuss any of the items. If you want a particular agenda item removed from "Consent", please speak up and advise the Chairman. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.*

\* None

### NONCONSENT ITEMS

*These items will be individually discussed and reviewed in detail.*

1. **AMENDMENT TO CONDITIONAL USE PERMIT 99-03 (GONZALES)** To permit operation of a private preschool, Monday through Friday, from approx. 6:00 AM to 6:00 PM at the Cornerstone Covenant Church, 4105 Crowell Road (APN: 071-001-011). The proposed project is Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 [Existing Facilities]. [View Item](#)
  - a) Planning Commission determination that the amendment to Conditional Use Permit 99-03 (Gonzales) is Exempt from CEQA.
  - b) Planning Commission action on the amendment to Conditional Use Permit 99-03 (Gonzales).
  
2. **CONDITIONAL USE PERMIT 2013-03 (WELTY & ASSOCIATES)** To add 1,200 square feet to an existing 2,400 square foot warehouse building and the addition of a new parking lot and outdoor employee break area, at 213 C Street (APN: 043-049-053 & 054). The proposed project is Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15305 [Minor Alterations in Land Use Limitations]. [View Item](#)
  - a) Planning Commission determination that Conditional Use Permit 2013-03 (Welty & Associates) is Exempt from CEQA.

- b) Planning Commission action on Conditional Use Permit 2013-03 (Welty & Associates).

**3. APPEAL OF THE DENIAL OF A REQUEST TO REMOVE CONDITION #60 OF THE 2010 TIME EXTENSION FOR MINOR DISCRETIONARY PERMIT 2008-08. (MONTE VISTA CROSSINGS LLC)** This is a request to remove Condition of Approval #60 of the 2010 Time Extension Permit for Minor Discretionary Permit (MDP) 2008-08. The approved development in Minor Discretionary Permit 2008-08 is the construction of a shopping center consisting of approx. 209,155 sq. ft. of commercial/retail floor area (Monte Vista Crossings South) on approx. 19.29 acres located at 2701 Countryside Drive, Turlock. Condition of Approval #60 would require that the approved development provide an access point and access agreement with the property to the east (APN 088-002-005, addressed as 2531 W. Tuolumne Avenue). [View Item](#)

- a) If the Planning Commission grants the appeal, the Planning Commission will be required to first make a determination that no new environmental review is required pursuant to Section 15162 (Subsequent EIRs and Negative Declaration) of the California Environmental Quality Act Guidelines. *(An environmental determination is not required if the Planning Commission denies the appeal and therefore denies the proposed amendment to the MDP.)*
- b) Planning Commission action on the appeal of the denial to amend the 2010 Time Extension of Minor Discretionary Permit 2008-08 by removing Condition #60 of the permit.

#### H. OTHER MATTERS

- 1. Consideration of a Resolution of Intention to initiate any and all proceedings to Study and Amend, if appropriate, Turlock Municipal Code 9-2-125 regarding Mobile Food Facilities [View Item](#)

#### I. COMMISSIONER'S CONSIDERATION

- 1. Adoption of the Planning Commission 2014 Calendar of Meeting Dates [View Item](#)

#### J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None

#### K. COMMISSIONERS COMMENTS

*Commissioners may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the Commission.*

#### L. STAFF UPDATES (Debbie Whitmore)

- 1. **Avena Bella:** Update on the status of the apartment project on Linwood Avenue

## **M. ADJOURNMENT**

AT THE ABOVE TIME AND PLACE ALL INTERESTED PARTIES WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. ANYONE MAY PRESENT HIS OR HER VIEWS ON THESE MATTERS IN PERSON, BY WRITING, OR BY REPRESENTATIVE. IF YOU CHALLENGE ANY OF THE ABOVE MATTERS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING(S) DESCRIBED IN THIS AGENDA, OR WRITTEN CORRESPONDENCE DELIVERED TO THE PLANNING COMMISSION OF THE CITY OF TURLOCK AT, OR PRIOR TO, THE PUBLIC HEARING. ANY MATERIALS SUBMITTED TO THE PLANNING COMMISSION FOR CONSIDERATION (PHOTOGRAPHS, SLIDES, PETITIONS, LETTERS, ETC.) BECOME THE PROPERTY OF THE CITY OF TURLOCK AND WILL BE RETAINED AS PART OF THE PUBLIC RECORD AND ARE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY OF TURLOCK PLANNING DIVISION, CITY HALL, 156 SOUTH BROADWAY, TURLOCK. INFORMATION MAY ALSO BE OBTAINED BY CALLING THE CITY OF TURLOCK PLANNING DIVISION AT (209) 668-5640. WRITTEN CORRESPONDENCE MAY BE MAILED TO THE CITY OF TURLOCK PLANNING DIVISION, 156 SOUTH BROADWAY, SUITE 120, TURLOCK, CA 95380-5454.

### **--APPEAL--**

Anyone who is dissatisfied with the action(s) of the Planning Commission may file an appeal within **TEN (10) DAYS** following the decision of the Planning Commission. The appeal must be written and filed with the Turlock City Clerk. Appeal Application Forms are available in both the City Clerk and Planning Division Offices, 156 South Broadway, Turlock. There is a \$500.00 filing fee for the Appeal Application. If an Appeal Application is filed, a Public Hearing will be scheduled by the City Council to consider the appeal.

### **--CONTINUANCE--**

#### **-- APPLICANT REQUESTS-- EFFECTIVE NOVEMBER 27, 1989**

An applicant may request the continuance of a pending application or scheduled matter set for consideration by the Planning Commission by filing a request for a continuance not less than three (3) hours prior to the scheduled consideration of the application pursuant to City Council Resolution No. 89-248. The request must be written and filed with the City of Turlock Planning Division. Continuance Request Application Forms are available in both the City Clerk and Planning Division Offices, 156 South Broadway, Turlock. There is a \$355.00 Filing Fee Deposit for the Continuance Request Application. **The granting of a request for a continuance of a pending application is discretionary on the part of the City of Turlock. The applicant's compliance with the regulations does not imply, guarantee, or otherwise supersede the City of Turlock's authority to deny the request.**