

PLANNING COMMISSION MEETING AGENDA



THURSDAY, AUGUST 4, 2011 – 7:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California

Commission Chair
Mike Brem

Commission Members

Elvis Dias
Soraya Fregosi
Nick Hackler

Jeff Hillberg
Alex Salcedo
Jeanine Bean
Vice Chair

Deputy Director Development Services
Debra A. Whitmore

Alternate Members

Victor Pedroza

Aben Williams

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 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. Regular Meeting of July 7, 2011. [View Item](#)

C. ANNOUNCEMENTS (*Debbie Whitmore*)

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 hereinbelow 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.

1. Planning Commission Consideration of the **2010/2011 REVIEW OF PUBLIC WORKS PROJECTS FOR CONSISTENCY WITH THE TURLOCK GENERAL PLAN.** To review the 2010/2011 list of public works projects for consistency with the Turlock General Plan, pursuant to Government Code §65401. The annual review facilitates the coordination of public works projects undertaken by the City of Turlock and other public agencies with facilities located within the City's boundaries. [View Item](#)
 - a) The project is "exempt" from the provisions of the California Environmental Quality Act (CEQA) under Section 15061 (b) (3) [General Rule] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part VI.
 - b) Planning Commission action on the 2010/2011 Review of Public Works Projects for Consistency with the Turlock General Plan.

2. Planning Commission Consideration of the **2011/2012 REVIEW OF PUBLIC WORKS PROJECTS FOR CONSISTENCY WITH THE TURLOCK GENERAL PLAN.** To review the 2011/2012 list of public works projects for consistency with the Turlock General Plan, pursuant to Government Code §65401. The annual review facilitates the coordination of public works projects undertaken by the City of Turlock and other public agencies with facilities located within the City's boundaries. [View Item](#)
 - a) The project is "exempt" from the provisions of the California Environmental Quality Act (CEQA) under Section 15061 (b) (3) [General Rule] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part VI.
 - b) Planning Commission action on the 2011/2012 Review of Public Works Projects for Consistency with the Turlock General Plan.

3. Planning Commission Consideration of the **FIVE YEAR CAPITAL IMPROVEMENT PROGRAM FOR CONSISTENCY WITH THE TURLOCK GENERAL PLAN.** To determine that the Five Year Capital Improvement Program (CIP), spanning the years 2011/2012 through 2015/2016, is consistent with the Turlock General Plan's goals and policies, pursuant to Government Code §65401. [View Item](#)
 - a) The project is "exempt" from the provisions of the California Environmental Quality Act (CEQA) under Section 15061 (b) (3) [General Rule] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part VI.
 - b) Planning Commission action on the Five Year Capital Improvement Program (2011/2012 through 2015/2016), for Consistency with the Turlock General Plan.

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.*

1. **AMENDMENT TO CONDITIONAL USE PERMIT NO. 1989-36 (TURLOCK COVENANT CHURCH)** The Turlock Covenant Church is proposing to amend their existing Conditional Use Permit to allow a K-12 private school to operate on the second floor of the Education Building. The total school enrollment will be no more than 140 students. Typical school hours would be 8:00 am – 4:00 pm, Monday through Friday. The project is located at 260 High Street, more specifically described as Stanislaus County Assessor's Parcel No. 050-024-027. [View Item](#)
 - a) This project is "exempt" from the provisions of the California Environmental Quality Act (CEQA) Section 15301 [Existing Facilities] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part VI.
 - b) Planning Commission action on the Amendment to Conditional Use Permit No. 1989-36 (Turlock Covenant Church).

2. ***The applicant has requested that this item be continued to the September 1, 2011 Planning Commission meeting.*** **AMENDMENT TO PLANNED DEVELOPMENT 230 (SAMA PROPERTIES, LLC)** To amend Planned Development 230, "Liberty Industrial Park," in order to allow a change from the approved building elevations and site plan for this development, and permit a 36,900 square foot new building. The property is located at 3350, 3400, 3450, 3500 Liberty Square Parkway, more particularly described as Stanislaus County Assessor's Parcel Numbers 044-066-007, 008, 009, 010. [View Item](#)

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

3. **AMENDMENT TO CONDITIONAL USE PERMIT NO. 2004-07 (TWO GUYS CATERING)** To amend the existing Conditional Use Permit to allow for indoor and outdoor live entertainment and to extend the hours of operation until 1:30 a.m. for the bar and restaurant located at 153 S. Broadway, Stanislaus County APN 61-16-46. [View Item](#)
 - a) This project is "exempt" from the provisions of the California Environmental Quality Act (CEQA) Section 15301 [Existing Facilities] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part VI.
 - b) Planning Commission action on the Amendment to Conditional Use Permit No. 2004-07 (Two Guys Catering)

H. OTHER MATTERS

None

I. COMMISSIONER'S CONSIDERATION

None

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. **SB 2 HOMELESS SHELTER ORDINANCE:** Staff will update the Commission on the Council's adoption of the ordinance and discuss implementation steps.
2. **CALIFORNIA HIGH SPEED RAIL:** Staff will provide an update on the California High Speed Rail and Altamont Commuter Express projects and how they affect the Turlock General Plan Update.
3. **MORGAN RANCH MASTER PLAN:** Staff will provide an update on the Morgan Ranch Master Plan.
4. **NEW WORLD COMMUNITY DEVELOPMENT AND CODE ENFORCEMENT PACKAGE:** Staff will provide an update on the New World software that the City has selected as a replacement for its existing I-Series database.
5. **DEVELOPMENT COLLABORATIVE UPDATE:** Staff will provide an update on the activities of the Development Collaborative Advisory Committee.

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 ISSUE 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 \$125.00 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 \$305.00 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.**