

# PLANNING COMMISSION MEETING AGENDA



**THURSDAY, OCTOBER 4, 2012 – 7:00 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

**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](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. Regular Meeting of September 6, 2012 [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.*

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. GENERAL PLAN AMENDMENT 2012-02, REZONE 2012-02, MINOR**

**DISCRETIONARY PERMIT 2012-16 (Yosemite Farm Credit)** To amend the General Plan designation for APN 071-006-014 from Medium Density Residential to Office and Rezone this same property to C-O (Commercial Office), to allow for the development of a 15,000 square foot administration office building, and to allow a 4,000 square foot addition to an existing bank building. The proposed project is located at 900 W. Monte Vista Ave, Stanislaus County Assessor Parcel Nos. 071-006-014, 019 & 020. A Notice of Intent to Adopt a "Mitigated Negative Declaration" has been prepared and posted for review with the Stanislaus County Clerk declaring that the project will not have a significant effect on the environment because of mitigation measures applied to the project. [View Item](#)

- a) Planning Commission recommendation that the City Council adopt a Mitigated Negative Declaration of environmental effect.
- b) Planning Commission recommendation to the City Council concerning GENERAL PLAN AMENDMENT 2012-02, REZONE 2012-02, MINOR DISCRETIONARY PERMIT 2012-16 (Yosemite Farm Credit) 900 W. Monte Vista Avenue.

**2. CONDITIONAL USE PERMIT 2012-01 (The Brick Bar & Grill)** To permit a restaurant and bar, including an area for a disc jockey and dancing, and an outdoor dining area with a "mobile taco cart" at 146 W. Main Street (APN 061-016-022). The restaurant would serve lunch (11 a.m. to 2 p.m.) and dinner (5 p.m. to 10 p.m.), and the bar/dancing activities are requested to take place until 2:00 a.m. The proposed project is "EXEMPT" from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 [Existing Facilities] of the CEQA Guidelines. [View Item](#)

- a) Planning Commission determination that the project is Exempt from CEQA.
- b) Planning Commission action on CONDITIONAL USE PERMIT 2012-01 (The Brick Bar & Grill)

**3. CONDITIONAL USE PERMIT 2006-04 AMENDMENT (Sikh Temple)** Request to construct a new two story approximately 21,000 square foot building. The first floor will consist of a dining area and a kitchen and the second floor will have a conference room, priest residence and guest rooms. A six foot tall externally illuminated monument sign is also proposed. The proposed project is located at 1391 Fifth Street (Stanislaus County Assessor's Parcel Number 043-017-026). The proposed project is Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 [Existing Facilities] of the CEQA guidelines. [View Item](#)

- a) Planning Commission determination that the project is Exempt from CEQA.
- b) Planning Commission action on CONDITIONAL USE PERMIT 2006-04 AMENDMENT (Sikh Temple).

**H. OTHER MATTERS - NONE**

**I. COMMISSIONER'S CONSIDERATION - NONE**

**J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

1. Report on Stanislaus County Nuisance Abatement Hearing for 1301 and 1113 Washington Road, Turlock CA held on September 27, 2012

**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. **General Plan Update:** Staff will report on the City Council action on the General Plan Update and its associated Citywide Rezone action. Next step in the process is the update to the Citywide Capital Facility Fee Program and development of a General Plan Implementation Program. Staff will also notify the Planning Commission that there is property owner interest in updating the Northwest Triangle Specific Plan to implement recommendations in the new General Plan.
2. **Stanislaus LAFCo Public Hearing on Ag Preservation Policy:** Staff will report on the action by the Stanislaus Local Agency Formation Commission (LAFCo) on a proposed policy to encourage agricultural preservation.
3. **APA Central Section Award for Journalism:** Presented to Turlock Journal's Alex Cantatore.
4. **San Joaquin Valley Blueprint Award of Merit for the Historical Districts for the Carnegie Arts Center:** To be awarded at an awards luncheon scheduled on October 12th at the San Joaquin Valley Fall Policy Conference held at the Tachi Palace hotel in Lemoore.

5. **Downtown Plan Update:** Barriers to development of higher density development in Downtown Turlock to be identified by the Development Collaborative Advisory Committee at the request of the City Council.
6. **City Slurry Seal Schedule:** Mike Pitcock will answer any questions about the schedule.

## 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.**