

PLANNING COMMISSION MEETING AGENDA



THURSDAY, November 3, 2016 – 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California



Commission Chair
Victor Pedroza

Commission Members

Elvis Dias
Jeanine Bean
Soraya Fregosi

Eric Gonsalves
Geoff Powers
Nick Hackler
Vice Chair

Deputy Director of Development Services
Debra A. Whitmore

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. 1. CALL TO ORDER

2. SALUTE TO THE FLAG

B. APPROVAL OF MINUTES

1. Regular Meeting of October 6, 2016.

[View Item](#)

C. ANNOUNCEMENTS

D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

Planning Commission should disclose the following information for each item listed below:

- *State, for the public record, the nature of the communication;*
- *Identify with whom the ex parte communication was made; and*
- *Provide a brief statement as to the substance of the communication.*

The following agenda items are subject to the requirement for disclosure of Ex Parte Communications:

Planning Commissioners will disclose Ex Parte Communications immediately following the introduction of each of these items by the Planning Commission Chair, as they appear on the agenda below.

- **G.1- CONDITIONAL USE PERMIT 2016-09 – 39 MILESTONE, LLC**
- **G.2– VARIANCE 2016-04 – MARIA SALAS (779 E OLIVE AVENUE)**

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.

G. PUBLIC HEARINGS

***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. **CONDITIONAL USE PERMIT 2016-09 – 39 MILESTONE, LLC:** To authorize the operation of a bar at 128 S. Center Street, formerly Al's Billiards. The proposed business hours are seven days a week 11:00 a.m. to 2:00 a.m. 39 Milestone is proposing to offer billiards, electronic darts, shuffleboard, and live entertainment within the existing billiards hall. The tin building at the rear of the building will be removed and the area reconfigured as an outdoor seating area that will be enclosed with a six-foot tall wrought iron fence. Additional outdoor seating is also proposed at the entrance to the bar on the public sidewalk. 39 Milestone will be removing the existing Al's Billiards blade sign and replacing it with a new projecting sign. *(Whitmore)*
 - a) Planning Commission determination that Conditional Use Permit No. 2016-09 (39 Milestone) to be "Categorically Exempt" from the provisions of CEQA) under the CEQA Guidelines Section 15301 [Existing Facilities].
 - b) Planning Commission action on Conditional Use Permit 2016-09 (39 Milestone) having determined the appropriate findings can be made and subject to the conditions contained in the Draft Resolution No. 2016-28.

[View Item](#)

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

- 2. VARIANCE 2016-04 – MARIA SALAS (779 E Olive Avenue):** To authorize a reduction of the required five foot side-yard setback to two and a half feet along the northwestern property line and a reduction in the 15% landscape requirement to 13% to facilitate the development of two offices totaling approximately 1,139 square feet and one approximately 758 square foot house. A 5' tall 6' wide monument sign is also proposed. *(Quintero)*
- a) Planning Commission determination that Variance No. 2016-04 (779 East Olive Avenue) to be “Exempt” from the provisions of the California Environmental Quality Act (CEQA).
 - b) Planning Commission action on Variance Application No. 2016-04 (779 East Olive Avenue) having determined the appropriate findings can be made and subject to the conditions contained in the Draft Resolution No. 2016-29.

[View Item](#)

H. OTHER MATTERS

1. ZONING ORDINANCE AMENDMENT INITIATION FOR PARKING

RECREATIONAL VEHICLES IN RESIDENTIAL DISTRICTS: Consideration of a request to initiate an amendment to Title 9 of the Turlock Municipal Code (Zoning Ordinance) to address standards for parking recreational vehicles, boats and similar items in residential districts. *(Quintero)*

- a) Planning Commission declares intention to initiate a Zoning Ordinance Text Amendment to address the permitted locations of recreational vehicles, boats and other similar items subject to the conditions of approval listed in Draft Resolution No. 2016-30.

-or-

- b) Planning Commission makes motion not to move forward with initiating the investigation into potential changes in the ordinance regarding the permitted locations of recreational vehicle, boats, and other similar items within residential districts.

[View Item](#)

I. COMMISSIONER’S CONSIDERATION

None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

This section allows staff to update the Commission on proposed projects in the unincorporated area within or surrounding the City of Turlock. These items are presented for information only. No action will

be taken on these items. Members of the public interested in these projects should contact the County Planning and Community Development Department at (209) 525-6330 to obtain information or provide comments.

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

None

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. CHALLENGES IN COURT TO ANY OF THE ITEMS LISTED ABOVE MAY BE LIMITED TO ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE TURLOCK PLANNING COMMISSION 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 \$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.**