

PLANNING COMMISSION MEETING AGENDA

THURSDAY, APRIL 5, 2018 – 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California



Commission Members

Elvis Dias	Jim Reape
Geoff Powers	Constance Anderson
Kristin Bettencourt	Matthew Davis
Nick Hackler	

Principal Planner
Katie Quintero

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 March 1, 2018.

[View Item](#)

C. ANNOUNCEMENTS

D. 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.

E. 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.

- **F.1 2017 GENERAL PLAN IMPLEMENTATION REPORT**
- **G.1 ONE YEAR TIME EXTENSION FOR CONDITIONAL USE PERMIT NO. 2016-09 (39 MILESTONE)**
- **G.2 THREE-YEAR TIME EXTENSION OF VESTING TENTATIVE SUBDIVISION MAP 2014-04 (FAIRBANKS RANCH)**
- **G.3 THREE-YEAR TIME EXTENSION OF VESTING TENTATIVE SUBDIVISION MAP 2014-03 (RBK DEVELOPMENT INC - LES CHATEAUX)**
- **G.4 CONDITIONAL USE PERMIT 2018-01-MASACAJA MGMT**
- **G.5 PLANNED DEVELOPMENT 275 (PD 275) and VESTING TENTATIVE SUBDIVISION MAP (VTSM 2018-02) MISSION RANCH**

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.

1. 2017 GENERAL PLAN IMPLEMENTATION REPORT: The California Government Code (Section §65400 (b)) requires that an annual report on the implementation of the General Plan be submitted to the Legislative Body. (Quintero) [View Item](#)

- a) Planning Commission to determine if the acceptance of the 2017 General Plan Implementation Report is “exempt” from the provisions of CEQA in accordance with Section §15060(c)(2) of the CEQA Guidelines.
- b) Planning Commission to determine if the 2017 General Plan Implementation Report is in compliance with California Government Code Section §65400 (b) and accepting the report.

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. **ONE YEAR TIME EXTENSION FOR CONDITIONAL USE PERMIT NO. 2016-09 (39 MILESTONE):** 39 Milestone is requesting a one-year time extension for the previously approved Conditional Use Permit to operate a bar at 128 S. Center Street, formerly Al's Billiards. 39 Milestone is proposing to offer billiards, electronic darts, shuffleboard, and live entertainment within the existing billiards hall. There is a tin building attached to the rear of the building that is proposed as an outdoor seating area that will be enclosed with six-foot tall wrought iron fencing. Additional outdoor seating is also proposed at the entry. 39 Milestone will be removing the existing Al's Billiards blade sign and replacing it with a new projecting sign. The proposed business hours are seven days a week 11:00 a.m. to 2:00 a.m. There are no proposed changes to the original approval. (Werner) [View Item](#)
 - a. Planning Commission to determine if the one-year time extension for Conditional Use Permit No. 2016-09 (39 Milestone) is "Categorically Exempt" from the provisions of CEQA pursuant to CEQA Guidelines Section §15301 (Existing Facilities)
 - b. Planning Commission action on the one-year time extension for Conditional Use Permit No. 2016-09 (39 Milestone).

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

2. **THREE-YEAR TIME EXTENSION OF VESTING TENTATIVE SUBDIVISION MAP 2014-04-(FAIRBANKS RANCH):** A three year time extension for a previously approved subdivision map to subdivide approximately 40.6 acres into 129 single-family residential lots and one approximately 2.33 acre storm drainage basin within the East Tuolumne Master Plan (ETMP) Area. The project will be developed in accordance with the standards established for the R-L (ETMP) zoning district. Typical lot sizes range from approximately 7,855 square feet to 17,030 square feet. The subject property is located at 2707 East Tuolumne Road (Stanislaus County APN 073-013-003). If granted, this time extension will change the expiration of this subdivision map from March 5, 2018 to March 5, 2021. (Quintero) [View Item](#)
 - a. Planning Commission to determine if the time extension for VTSM 2014-04 is "Categorically Exempt" from the provisions of CEQA pursuant to CEQA Guidelines Section §15162 (Subsequent EIRs and Negative Declarations).
 - b. Planning Commission action on the three year Time Extension for VTSM 2014-04 (Fairbanks Ranch).

- 3. THREE-YEAR TIME EXTENSION OF VESTING TENTATIVE SUBDIVISION MAP 2014-03-(RBK DEVELOPMENT INC - LES CHATEAUX):** A three year time extension for a previously approved subdivision map to subdivide approximately 19.7 acres into 60 single-family residential lots and one approximately 1.22 acre storm drainage basin within the East Tuolumne Master Plan (ETMP) Area. The project will be developed in accordance with the standards established for the R-L (ETMP) zoning district consistent with the property's Low Density Residential General Plan land use designation. Typical lot sizes range from approximately 7,103 square feet to 21,196 square feet. The subject property is located at 3007 East Tuolumne Road (Stanislaus County APN 073-013-004). If granted, this time extension will change the expiration of this subdivision map from March 5, 2018 to March 5, 2021. *(Quintero)* [View Item](#)
- a. Planning Commission to determine if the time extension for VTSM 2014-05 is "Categorically Exempt" from the provisions of CEQA pursuant to CEQA Guidelines Section §15162 (Subsequent EIRs and Negative Declarations).
 - b. Planning Commission action on the three year Time Extension for VTSM 2014-05 (Mission Ranch).
- 4. CONDITIONAL USE PERMIT 2018-01-MASACAJA MGMT:** The applicant is requesting approval to operate a banquet hall/event center at 137 W. Main Street (Stanislaus County APN: 061-016-009). The 2,500 square foot space (a portion of the former CSU Stanislaus Art Gallery) will be available to rent for business meetings, conferences, and social events. Dancing, live entertainment/performances, and amplified live or recorded music may be an element of the events that rent the space. There are no kitchen or food preparation facilities; any events providing food and beverages, including alcohol, will have outside catering. The event center will operate seven days a week from 5:00 a.m. to 1:00 a.m. *(Werner)* [View Item](#)
- a. Planning Commission to determine if Conditional Use Permit 2018-01(Masacaja Management – Soho on Main) is "Categorically Exempt" from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities).
 - b. Planning Commission action on Conditional Use Permit 2018-01(Masacaja Management– Soho on Main).
- 5. PLANNED DEVELOPMENT 275 (PD 275) and VESTING TENTATIVE SUBDIVISION MAP (VTSM 2018-02)-MISSION RANCH:** To subdivide two parcels totaling approximately 1.79 acres into six single-family residential lots. The lots will be developed generally consistent with the RL zoning district standards. The applicant is requesting a Planned Development to allow the development to be a residential gated community with a gated entrance leading to the private cul-de-sac. The applicant is also requesting a reduction from the 15' corner side yard setback to 10' for the lots adjacent to Berkeley Avenue and a reduction in the 20' required driveway length to 15' for side loaded garages and for additional RV parking. The properties are located at 2220 & 2230 N Berkeley Avenue, Stanislaus County APN 073-014-050 & 051. The properties are currently zoned Low Density Residential (RL). *(Quintero)*

[View Item](#)

- a. Planning Commission to determine if Rezone 2018-01, Planned Development 275, and VTSM 2018-02 are “Categorically Exempt” from the provisions of CEQA pursuant to Section 15332 (In-fill Development Projects) of the CEQA Guidelines.
- b. Planning Commission action on recommending the City Council approve Rezone 2018-01, Planned Development 275, and VTSM 2018-02, having determined that the appropriate findings can be made, subject to the conditions of approval listed in Draft Planning Commission Resolution Nos. 2018-07 & 2018-08.

H. OTHER MATTERS

I. COMMISSIONER’S CONSIDERATION

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.

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

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 95380-5456.

--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 \$390.00 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.**