



## TURLOCK CITY PLANNING COMMISSION MEETING AGENDA

**THURSDAY, JANUARY 6, 2011 – 7:00 PM**  
**City of Turlock, Yosemite Community Room**  
**156 South Broadway**  
**Turlock, California**

**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**

- Oath of Office for Re-Appointed Planning Commissioners (*Deputy City Clerk*)
- Commission Seated

### **B. APPROVAL OF MINUTES**

1. Regular Meeting of December 2, 2010. [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.*

1. **\*AMENDMENT TO CONDITIONAL USE PERMIT NO. 1992-37 (Monte Vista Optometry)** To amend the previously approved 6' tall X 4' wide, 24 square foot single sided monument sign located fifteen feet behind the sidewalk to allow for a 6' tall X 7' wide, 18 square feet per side, double sided monument sign, to be located adjacent to the property line. The subject property is located at 991 East Monte Vista Avenue (primary), Stanislaus County Assessor's Parcel Number 072-045-037. The proposed project is "EXEMPT" from the provisions of the California Environmental Quality Act (CEQA) under Section 15311 [On-Site Signs] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part IV (b). [View Item](#)
  - a) Planning Commission determination that the proposed project is "EXEMPT" from the provisions of the California Environmental Quality Act (CEQA).
  - b) Planning Commission action on the amendment to Conditional Use Permit 1992-37 (Monte Vista Optometry).

### **NONCONSENT ITEMS**

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

2. **REZONE 2010-03, PLANNED DEVELOPMENT 268 (TARGET CORPORATION – GROCERY AREA EXPANSION)** The applicant proposes to expand the proportion of sales floor area devoted to nontaxable merchandise from 4.9% to approximately 8.4% of the sales floor area within the existing 136,800 square foot retail store. A planned development is requested to allow the project to have more than 5% of the total sales floor area devoted to nontaxable merchandise. Under current City zoning regulations, retail stores with centralized cashing that exceed 100,000 square feet of gross floor area and devote at least 5% of the sales floor area to nontaxable merchandise are not permitted in the Heavy Commercial (CH) zoning district. Approval of the planned development would allow the Target retail store to expand its nontaxable floor area beyond the 5% limit.

The project is under review pursuant to the California Environmental Quality Act (CEQA). Staff has completed an Initial Study (in accordance with section 15063), to determine whether a "Negative Declaration" is appropriate from an environmental standpoint (in accordance with CEQA §15177-Subsequent Projects within Scope of Master EIR). [View Item](#)

- a) Planning Commission consideration of a "Negative Declaration" for the project.
- b) Planning Commission recommendation to the City Council concerning Rezone 2010-03 (Planned Development 268).

#### 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)

- Downtown Plan Update Contract scheduled for January 11, 2011 City Council meeting
- Update on Big Box Ordinance Review by City Council
- February 8 Joint City Council/Planning Commission Meeting on Senate Bill 2 – Zoning Ordinance Revision to allow Homeless Shelters by Right
- March 1 Joint City Council/Planning Commission Meeting on the General Plan EIR Alternatives and Draft General Plan Document

#### 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.**