

PLANNING COMMISSION MEETING AGENDA



THURSDAY, JULY 16, 2015 – 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California

Commission Chair
Soraya Fregosi

Commission Members

Elvis Dias
Nick Hackler
Victor Pedroza

Eric Gonsalves
Jeff Hillberg
Jeanine Bean
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. CALL TO ORDER

- Oath of Office for Newly Appointed Planning Commissioner (*City Clerk*)

B. APPROVAL OF MINUTES

1. Regular Meeting of June 4, 2015

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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:

- **G.1 - CONDITIONAL USE PERMIT 2015-03 – LANDER CROSSINGS SIGN PROGRAM**
- **G.2 - MINOR DISCRETIONARY PERMIT 2015-08 – rePLANET BUYBACK CENTER**

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.

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**

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. CONDITIONAL USE PERMIT 2015-03 – LANDER CROSSINGS SIGN PROGRAM

To establish a Common Sign program for the Lander Crossings commercial center. Lander Crossings is a freeway oriented commercial center with approximately 30,000 square feet of retail space including an 85-room, 3-story hotel. Typical signs will include tenant wall signs, low profile monument signs and a freeway oriented pylon sign. The subject properties are located at 1811-1991 Lander Avenue, more particularly described as Stanislaus County Assessor's Parcel Numbers 044-064-

013, 014, 021, 022, 025 and 026. **Proposed Environmental Determination:** This project is “**Exempt**” from the provisions of the California Environmental Quality Act (CEQA) under Section 15311 (a) - Accessory Structures of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part LV (b). (*Brent Gibbons*)

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a) Planning Commission determination that Conditional Use Permit 2015-03 – Lander Crossings Sign Program, is “Exempt” from CEQA pursuant to Section 15311(a) Accessory Structures of the CEQA Guidelines.

b) Planning Commission action on Conditional Use Permit 2015-03 – Lander Crossings Sign Program.

2. **MINOR DISCRETIONARY PERMIT 2015-08 – rePLANET BUYBACK CENTER - A** proposal to install an approximately 500 square foot pre-fabricated State certified CRV buyback center in the rear parking lot of Target. Accepted recyclables are limited to aluminum, plastic, and glass. The proposed project is located at 3000 Countryside Drive more particularly described as Stanislaus County Assessor's Parcel Number 088-003-020. **Proposed Environmental Determination:** This project is “**Exempt**” from the provision of the California Environmental Quality Act (CEQA) under Section 15311 Accessory Structures of the CEQA Guidelines. (*Debbie Whitmore*)

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a) Planning Commission determination that Minor Discretionary Permit 2015-08 – rePlanet Buyback Center, is “Exempt” from CEQA pursuant to Section 15311 Accessory Structures of the CEQA Guidelines.

b) Planning Commission action on Minor Discretionary Permit 2015-08 – rePlanet Buyback Center.

3. **GENERAL PLAN AMENDMENT 15-03; REZONE 15-01 (PD 272) THE VISTA STUDENT HOUSING:** The proposed project is located at 900 W. Monte Vista Ave; 3000 Crowell Road; 1010 W. Monte Vista Ave, Stanislaus County APNs: 071-006-021; 071-073-007 & 009. The applicant is requesting a General Plan Amendment and Rezone of the property from Community Commercial to High Density Residential to allow for the construction of a 180-unit, 600-bed student housing complex on three parcels totaling approximately 9.7 acres. Scheme 1 would result in the construction of four, three-story buildings approximately 40 feet in height and required parking. Scheme 2 would result in the construction of three, four-story buildings approximately 50 feet in height and required parking. The site will also include the construction of an approximately 6,460 square foot club house with outside volleyball and basketball courts and a swimming pool. **Proposed Environmental Determination:** The Planning Commission will consider adoption of a “**Mitigated Negative Declaration**”, pursuant to Section 15074 of the CEQA Guidelines, that identifies the potentially significant effect and the mitigation measures necessary to reduce or avoid the potential project-level impacts of the proposed project. (*Debbie Whitmore*)

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a) Planning Commission consideration of a Mitigated Negative Declaration for General Plan Amendment 15-03; Rezone 15-01 (PDD272) - The Vista

Student Housing, declaring that the project will not have a significant effect on the environment.

- b) Planning Commission recommendation to City Council on General Plan Amendment 15-03 - The Vista Student Housing.
- c) Planning Commission recommendation to the City Council on Rezone 15-01 (PD272) and Conditions of Approval for PD 272 - The Vista Student Housing.

H. OTHER MATTERS

- 1) **Zoning Ordinance requirement for undergrounding of utilities:** Staff will discuss recent requests for exemption from this requirement. No action will be taken on this item; however, the Planning Commission may choose to recommend that this item be placed on a future agenda.

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

- 1) **Implementation of the new Municipal Separate Storm Water and Sewer Permit (MS4) regulations:** Staff will provide an update on the implementation of the MS4 permitting requirements. The regulations went into effect on July 1.
- 2) **New Counter Hours:** The Development Services Department is now open 5 days per week from 8 AM to 5 PM.

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.**