

PLANNING COMMISSION MEETING AGENDA



THURSDAY, OCTOBER 1, 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

B. APPROVAL OF MINUTES

1. Regular Meeting of September 3, 2015

[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:

- **G.1 THREE-YEAR TIME EXTENSION OF VESTING TENTATIVE SUBDIVISION MAP 2006-05 and REZONE 2006-05 (PLANNED DEVELOPMENT 256) - VALLEY DEVELOPMENT**
- **G.2 AMENDMENT TO CONDITIONAL USE PERMIT 2008-06 – THE UDDER PLACE EXPANSION**

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.*

- *1. THREE-YEAR TIME EXTENSION OF VESTING TENTATIVE SUBDIVISION MAP 2006-05 and REZONE 2006-05 (PLANNED DEVELOPMENT 256) - VALLEY DEVELOPMENT** – The proposed project located at 3131 Colorado Avenue (Stanislaus County APN 072-012-056) is a request for a one-year extension of a previously approved vesting tentative subdivision map for the subject site. Typical lot sizes range from approximately 3,100 square feet to slightly over 5,000 square feet. If granted, this time extension will change the expiration of this subdivision map from September 7, 2015 to September 7, 2018. [View Item](#)

- a) Planning Commission determination that Vesting Tentative Subdivision Map No. 2006-05 (Valley Development) is "Categorically Exempt" from the provisions of CEQA, and Planning Commission action on the extension of Vesting Tentative Subdivision Map No. 2006-05 (Valley Development).

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

- 2. AMENDMENT TO CONDITIONAL USE PERMIT 2008-06 – THE UDDER PLACE EXPANSION:** The applicant is requesting an amendment to an approved Conditional Use Permit to allow an expansion of The Udder Place into an adjoining vacant tenant space at 108 W. Main Street referred to as Stanislaus County APN 061-016-027. The applicant is proposing the hours of operation being 10:00am to 2:00am seven (7) days a week. The expanded space will add live entertainment, dancing, food, and an outdoor dining component for those over the age of twenty-one (21). Proposed live entertainment will be both in the form of acoustic and amplified music ending at midnight. This project is EXEMPT from the California Environmental Quality Act pursuant to Section 15301 (e) (Existing Facilities). [View Item](#)
- a) Planning Commission determination that the Amendment to Conditional Use Permit 2008-06 – The Udder Place Expansion, is “Categorically Exempt” from the provisions of CEQA, and Planning Commission action on the Amendment to Conditional Use Permit 2008-06 – The Udder Place Expansion.
- H. OTHER MATTERS**
None
- I. COMMISSIONER’S CONSIDERATION**
- 1. TURLOCK UNIFIED SCHOOL DISTRICT: SCHOOL FACILITIES FEES** The Planning Commission is being provided a copy of a letter from the Turlock Unified School District to the City with the new fees that will be collected to support the construction of school facilities. The “School Facilities Needs Analysis” is attached to and provides the justification for the fees. This information is provided for informational purposes only. No action will be taken by the Planning Commission regarding this item. [View Item](#)
- 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

- 1) **DOWNTOWN PARKING STUDY REQUEST FOR PROPOSALS** (Katie Quintero) Staff will provide a brief update on the request for proposals that is being issued to examine parking needs and future facilities in Downtown Turlock.
- 2) **TRAFFIC CALMING PROGRAM** (Mike Pitcock) Staff will provide an update on the policies and procedures to address public requests for traffic calming improvements on residential streets.

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.**