

PLANNING COMMISSION MEETING AGENDA



THURSDAY, April 7, 2016 – 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California



Commission Chair
Victor Pedroza

Commission Members

Elvis Dias
Geoff Powers
Jeanine Bean

Eric Gonsalves
Soraya Fregosi
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 March 3, 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:

- **G.1 CONTINUANCE OF AMENDMENT TO CONDITIONAL USE PERMIT 2000-16 – (1400 EAST AVENUE, TURLOCK CENTRAL CONGREGATION OF JEHOVAH’S WITNESS)**
- **G.2 CONDITIONAL USE PERMIT 2003-18 – TIME EXTENSION (3155 NIAGRA STREET – SAM DAVID)**
- **G.3 AMENDMENT TO CONDITIONAL USE PERMIT 97-09 (2918 W. TUOLUMNE RD. AND 2001 AUTO MALL DRIVE – NEW LIFE CHRISTIAN 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 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. **2015 GENERAL PLAN IMPELMENTATION 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.
 - a) Planning Commission determination that the 2015 General Plan Implementation Report is in compliance with the California Government Code [Section 65400 (b)] having determined that this action is “exempt” from the provisions of CEQA. [View Item](#)
2. **REVIEW OF PUBLIC WORKS PROJECTS FOR CONSISTANCY WITH THE TURLOCK GENERAL PLAN:** To determine that the Five Year Program, spanning the years 2016/2017 through 2020/2021, for Capital Improvement Projects, (CIP) is consistent with the Turlock General Plan’s goals and policies.
 - a) Planning Commission determination that the proposed project is “Exempt” from the provisions of the California Environmental Quality Act (CEQA) and

that 2016-2021, Five Year Capital Improvement Program, is in conformance with the Turlock General Plan. [View Item](#)

3. 2015/2016 REVIEW OF PUBLIC WORKS PROJECTS FOR CONSISTANCY WITH THE TURLOCK GENERAL PLAN: Pursuant to California Government Code Section 65401, an annual review of public works projects is required in order to provide early coordination between public agencies and to ensure that the proposed projects conform to the Turlock General Plan.

- a) Planning Commission determine that the proposed 2015/2016 Public Works projects are in conformance with the Turlock General Plan having determined that this action is “exempt” from the provisions of CEQA. [View Item](#)

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. The staff has requested that this item be continued to a future date. CONTINUANCE OF THE AMENDMENT TO CONDITIONAL USE PERMIT 2000-16 – (1400 EAST AVENUE, TURLOCK CENTRAL CONGREGATION OF JEHOVAH’S WITNESS): The Turlock Central Congregation of Jehovah’s Witnesses has requested that the Amendment to Conditional Use Permit 2000-16 be continued off calendar to allow them time to work with staff to revise the building elevations. Once the issues have been resolved and they are ready to move forward the project will be scheduled for a public hearing.

- a) Planning Commission determination to continue **the Amendment to Conditional Use Permit 2000-16 (Turlock Central Congregation of Jehovah’s Witnesses)** off calendar to allow the Applicant more time to work with staff to revise the building elevations. [View Item](#)

2. CONDITIONAL USE PERMIT 2003-18 – TIME EXTENSION (3155 NIAGRA STREET – SAM DAVID): The applicant is requesting a one year time extension to the established development schedule for Planned Development 152 to authorize the development of the remaining 17 units (three fourplexes, one triplex, and one duplex of a previously approved and partially developed 40-unit apartment complex. The applicant is proposing to redesign the originally approved exterior of the buildings to a stucco finish rather than lap siding. The remainder of the 40-unit apartment complex will be refinished to match the new exterior.

- a) Planning Commission determination that Conditional Use Permit 2003-18-Time Extension (3155 Niagra Street – Sam David) is Categorically Exempt pursuant to Section 15332 (Infill Development Projects).
- b) Planning Commission action on Conditional Use Permit 2003-18-Time Extension (3155 Niagra Street – Sam David). [View Item](#)

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

3. **AMENDMENT TO CONDITONAL USE PERMIT 97-09 (2918 W. TUOLUMNE AND 2001 AUTO MALL DRIVE - NEW LIFE CHRISTIAN CENTER):** The New Life Christian Center has approval to construct a new approximately 54-foot tall, 39,039 square foot worship center and 13,500 youth center on an approximately 12.55 acre site, and a recreational field for baseball and soccer on an adjacent approximately 3.19 acre site. The existing 23,988 square foot auditorium and four classrooms are to remain. An existing approximately 2,500 square foot maintenance building is being relocated as shown on the site plan. The parking area will be expanded by approximately 230,000 square feet to accommodate at total of approximately 626 paved parking stalls.

The facility will operate seven days a week typically from 8 a.m. to 10 p.m. A total of 18 to 20 employees work on site. Services are conducted throughout the week as well as on weekends. The current auditorium will be reused as offices, and for smaller group meetings and office space. The new two-story sanctuary building will have seating for up to 1,600 people, including a large reception foyer area, four classrooms, a prayer room and a raised platform area for a 20- to 40-member worship team. The second floor will have seven or eight classrooms and additional restroom facilities. The new youth center will accommodate up to 400 people and includes our classrooms. The new maximum occupant load for both buildings is approximately 2,100 people when both buildings are being occupied.

- a) Planning Commission consideration of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Amendment to Conditional Use Permit 97-09 (New Life Christian Center), declaring that the project will not have a significant effect on the environment.
- b) Planning Commission action on the Amendment to Conditional Use Permit 97-09 (New Life Christian Center). [View Item](#)

H. OTHER MATTERS:

1. **ACTIVE TRANSPORTATION PROGRAM (ATP)** Wayne York will present information regarding the Active Transportation Program (Cycle 3) funding. This program provides federal and state grant funds to cities and counties throughout California to encourage and promote biking and walking. The Planning Commission will provide input in identifying high-priority areas in the City needing improvement. No action will be taken on this item. [View Item](#)

2. WORKSHOP ON ELECTRONIC MESSAGE BOARDS: Staff will present a comparison of regulations adopted by various jurisdictions that allow electronic message boards for commercial advertising purposes. The Planning Commission will provide comments to staff on several issues that would need to be addressed if the City is to allow such signs. No action will be taken on this item. [View Item](#)

3. WORKSHOP ON LANDSCAPING ORDINANCE: Staff will present as part of the Zoning Ordinance update Turlock Municipal Code Section 9-2-109 “Landscape and Irrigation” and TMC Section 9-2-124 “Parking Lot Landscaping” need to be looked at to ensure compliance with State law, to clarify any areas that are unclear and to assess the communities’ values about landscape areas. No action will be taken on this item. [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

1. STREET TREE ORDINANCE AND STANDARDS REVIEW COMMITTEE: A subcommittee of the City Council is currently reviewing the standards for the installation and maintenance of street trees. In addition to reviewing the type and size of trees that are required in residential development, the subcommittee is reviewing the current General Plan policy that requires street trees to be planted in parkway strips in residential areas.

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.**