

MINUTES

TURLOCK CITY PLANNING COMMISSION THURSDAY, SEPTEMBER 6, 2012 7:00 PM

YOSEMITE COMMUNITY ROOM
TURLOCK CITY HALL, 156 SOUTH BROADWAY

COMMISSIONERS PRESENT: Pedroza, Salcedo, Brem, Bean, Fregosi, Dias

COMMISSIONERS ABSENT: Hackler, Hillberg, (Alternate Commissioner Williams)

STAFF PRESENT: Debra Whitmore, Deputy Director of Development Services; Mike Pitcock, Director of Development Services; Phaedra Norton, City Attorney; Rose Stillo, Senior Planner; Katie Melson, Associate Planner; Dorinda Soiseth, Staff Services Technician

A. CALL TO ORDER The meeting was called to order at 7:03 p.m.

B. APPROVAL OF MINUTES

Chairman Brem asked for corrections or a motion for approval of the minutes of the August 2, 2012 Planning Commission meeting. Motion by Commissioner Pedroza, seconded by Commissioner Dias, and carried unanimously with Commissioner Salcedo abstaining and Commissioners Hackler and Hillberg absent.

C. ANNOUNCEMENTS - None

D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

Chairman Brem advised that he has a conflict with Item G2 – the Turlock General Plan Update and resulting rezone of parcels located at 300 and 400 Dianne Drive due to the property being his business interest and providing him a source of income.

Commissioner Dias advised that he has a conflict with Item G2 – the Turlock General Plan Update and resulting rezone of parcels located at 700 N. Tully Road due to the fact that this property is owned by his employer.

Commissioner Pedroza advised that he has a conflict with Item G2 – the Turlock General Plan Update and the resulting rezone of properties located at 1104, 1128, 1204, 1208 Colorado Ave due to the fact that he lives within 500' of these parcels.

E. PUBLIC PARTICIPATION - None

F. CONSENT CALENDAR

1. 2012/2013 REVIEW OF PUBLIC WORKS PROJECTS FOR CONSISTENCY WITH THE TURLOCK GENERAL PLAN. To review the 2012/2013 list of public works projects for consistency with the Turlock General Plan, pursuant to Government Code §65401. The annual review facilitates the coordination of public works projects undertaken by the City of Turlock and other public agencies with facilities located

within the City's boundaries.

- a) Planning Commission determination that the project is "exempt" from the provisions of the California Environmental Quality Act (CEQA) under Section 15061 (b) (3) [General Rule] of the CEQA Guidelines and the City of Turlock CEQA Implementing Procedures Part IV (c).
- b) Planning Commission action on the 2012/2013 Review of Public Works Projects for Consistency with the Turlock General Plan.

MOTION: Commissioner Fregosi moved, Commissioner Pedroza seconded, that the Planning Commission approve the Consent Calendar as presented. Motion carried unanimously with Commissioners Hackler and Hillberg absent.

G. PUBLIC HEARINGS

CONSENT ITEMS*:

*1. **AMENDMENT TO CONDITIONAL USE PERMIT 2009-07 (UNITED SIGN SYSTEMS – ARCO AM/PM)** Request to authorize the re-facing of an existing non-conforming, 50' tall freeway sign. The portion of the freeway sign advertising the "Barrel Store" will be removed, the "Restaurant and Lounge" sign will remain and the existing 7'8" tall, 26' wide top portion of the sign will be refaced with an "Arco/AM/PM" sign and a L.E.D illuminated price sign to advertise the price of E.C unleaded fuel. The project is located at 2219 Lander Ave, more particularly described as Stanislaus County Assessor's Parcel No. 044-017-048. The proposed 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 IV (b).

MOTION: Commissioner Fregosi moved, Commissioner Bean seconded, that the Planning Commission approve the Public Hearing Consent Calendar as presented. Motion carried unanimously with Commissioners Hackler and Hillberg absent.

NONCONSENT ITEMS:

2. **CITY OF TURLOCK GENERAL PLAN AMENDMENT 2012-03, REZONE 2012-03 (TURLOCK GENERAL PLAN UPDATE).** Debbie Whitmore introduced the consultants who have been preparing the new Turlock General Plan, Leslie Gould and Sophie Martin of Dyett & Bhatia.

Leslie Gould provided an overview of the General Plan document and reviewed the themes of the Plan - Theme 1: Agriculture and Growth Management; Theme 2: Variety of Housing Types; Theme 3: Business Attraction and Jobs; Theme 4: Improve Circulation System; Theme 5: Sustainable Development; Theme 6: Infill and Revitalization; Theme 7: New Master Plan Areas – Growth; and Theme 8- Recreation and Culture. She noted that areas identified for growth include Montana West, Southeast 1, Southeast 2, Southeast 3, Southeast 4, Southeast 5 and the Northwest. The new General Plan identifies seven new master plan areas for new neighborhoods – five in the southeast (including Morgan Ranch), one in the northwest and the Montana West county island. Leslie said that the Plan establishes phasing of master plans and triggers for annexation. Phase 1 is infill, including Montana West and SE 1, 2 and 3; Phase 2 includes SE 4 and 5, and/or the NW. She said that Phase 1, 2 and 3 will be developed first, and provided overhead slides showing maps of the boundaries for the areas identified for growth.

Debbie Whitmore advised the audience that these maps are conceptual plans only, and still need to go through a Master Planning process prior to any development taking place.

Sophie Martin provided information about the Environmental Impact Report (EIR) adoption process, and the environmental impacts and mitigation plan that will be adopted to mitigate the impacts of adopting a new General Plan. She talked about unavoidable impacts to transportation, agriculture and farmland; air quality and greenhouse gases; and noise from new development. Sophie reviewed the alternative plans required by the EIR, and also reviewed the comments and responses to the Final Environmental Impact Report (FEIR).

Debbie noted the actions required of the Planning Commission as follows:

#1 – Certify the FEIR and adopt the Findings of Fact and Statement of Overriding Considerations.

#2 – Adopt the new General Plan excluding the properties identified as conflicts by Commissioners Brem, Dias and Pedroza.

#3 – Take a separate action to recommend the City Council incorporate properties located at 300 and 400 Dianne Drive into the new General Plan and Citywide Rezone.

#4 – Take a separate action to recommend the City Council incorporate a property located at 700 N. Tully into the new General Plan and Citywide Rezone.

#5 – Take a separate action to recommend the City Council incorporate properties located at 1104, 1128, 1204 and 1208 Colorado Ave into the new General Plan and Citywide Rezone.

PUBLIC HEARING:

Chairman Brem opened the public hearing.

Milt Trieweiler, a Turlock resident and business owner, read a prepared statement about population growth, the Smart Growth Movement, and the decline in the amount of farmland per-capita. He asked the Planning Commission to recommend leaving the City limits as they are and adopt the No Project Alternative.

Juan Orosco commented on the cumulative impacts of growth, the mitigation measures needed to reduce these impacts, and the cost of providing infrastructure.

Bob Endsley commented that growth impacts our climate and farmland, and spoke of the pressure to develop on prime farmland in the San Joaquin Valley and the need to preserve it.

John Stavrianodakis commented that his property on Colorado Ave. will be rezoned to medium density residential as part of this action. He was concerned that the irregular size of his lot may not be suitable for the development of apartments. He stated that the adjacent property owners are concerned that this rezone will change the nature of the area.

Tom Rose commented that he is adjacent to 1128 Colorado Ave and said the area is already impacted with noise because the neighborhood is congested with apartments. He spoke against the rezone of the properties on Colorado Ave.

David Zollinger commented that he lives near the Colorado Ave properties and spoke against their proposed rezone to Medium Density Residential. He was concerned about the impact to the water pressure in the area from additional units, and said the traffic congestion on Colorado Ave. needs to be considered.

Doug Wachous commented that he owns the property at 1208 Colorado and said that he requested the rezone because of the existing traffic and noise in the area. He said that he is ready to sell his property as a residential use, but traffic has made people not want to buy it. Mr. Wachous suggested that converting the area to Commercial Office zoning may reduce noise, and said he would like his property at 1208 Colorado rezoned as recommended by staff.

David T. Mendonca commented that his family owns property at 1807 Geer Road and asked that the current General Plan designation of Commercial Office/High Density Residential not be changed.

Debbie Whitmore responded to Mr. Mendonca and said that as a result of comments received from the neighbors, his property was not included in the resolution before the Planning Commission, thus the property's designation would not be changed.

Ken Schroeder asked when the County Islands will be annexed and if the action to adopt a new General Plan would be done without reaching an agreement with the Denair Fire Department.

Debbie Whitmore responded that there is a cost associated with the annexation of a County Island, and agreements with rural fire departments are generally done at the time of property annexation as required under State Law for local agency formation commissions.

Tom Tickenoff, Ed Lazar and Vincent Lazar spoke against development in the Southeast 2 area as it will change the nature of that neighborhood. Vincent Lazar commented that the land east of Daubenberger is prime farmland and said he supports the No Project Alternative.

Juan Orosco commented that mitigation measures need to be established to replenish the diminishing water supply, and expressed concern that a lack of water would impact the quality of the food grown in the area.

Chairman Brem closed the public hearing.

8:37 PM – Chairman Brem asked for a 5 minute recess.

8:48PM - Chairman Brem reconvened the meeting.

The Commission discussed development in the Northeast in relation to the Phasing Plan outlined in the New General Plan.

Chairman Brem commented about the Northwest area being included as an option.

Debbie Whitmore said that this area was included due to concerns of the cost to construct the Southeast Interchange and the then-Council's concern was that this would, in turn, delay implementation of Southeast Master Plans 4 and 5. The Northwest area was added with a policy that would allow the City Council to consider the feasibility of continuing with development in the

Southeast and provides the option to go to the Northwest Master Plan area should the interchange construction create a barrier to further development in the Southeast.

Commissioner Fregosi said the comments received at the General Plan public workshops favored no residential growth west of Highway 99, and that the Planning Commission voted unanimously to not allow residential development west of Highway 99.

Commissioner Dias asked for clarification of the difference of the No Project Alternative and Alternative 1.

Leslie Gould noted the No Project Alternative had about 3000 less housing units than Alternative 1, and is a lower density over a larger area.

Sophie Martin responded that Alternative 1 has less of an impact, and the No Project Alternative does allow development in the Southeast area.

The consensus of the Commission was to not allow residential development west of Highway 99.

Commissioner Fregosi thanked staff and the consultants for their work on the new General Plan, but commented that the feedback from the community did not get translated in to its vision.

The Commission discussed requiring 70% of building permits to be issued in the Southeast 1, the Northeast Turlock Master Plan and the East Tuolumne Master Plan areas, combined, before allowing development to begin in the Southeast 2 area.

MOTION: Commissioner Bean moved, Commissioner Fregosi seconded, that the Planning Commission Recommend the City Council Certify the Final Environmental Impact Report for the New General Plan for the City of Turlock, adopting Findings of Fact, and adopting Statement of Overriding Considerations as required by the California Environmental Quality Act. Motion carried unanimously by the following roll call vote:

AYES:	Commissioners Dias, Fregosi, Bean, Pedroza, Salcedo and Chairman Brem
NOES:	None
ABSTAIN:	None
ABSENT:	Commissioners Hackler, Hillberg
NOT PARTICIPATING:	None
NON-VOTING:	None

MOTION: Commissioner Dias moved, Commissioner Salcedo seconded, that the Planning Commission recommend the City Council adopt a new General Plan for the City of Turlock (GPA 2012-03) with the Alternative 1 Land Use Diagram and add a policy that the planning and construction of Southeast Master Plan 2 would not begin until 70% of building permits have been issued for Southeast Master Plan 1, the Northeast Turlock Master Plan, and East Tuolumne Master Plan, cumulatively, and excluding properties located at 300 and 400 Dianne Drive, 700 N. Tully Road and 1104, 1128, 1204, 1208 Colorado Ave). Motion carried unanimously by the following roll call vote:

AYES: Commissioners Dias, Fregosi, Bean, Pedroza, Salcedo and Chairman Brem
NOES: None
ABSTAIN: None
ABSENT: Commissioners Hackler, Hillberg
NOT PARTICIPATING: None
NON-VOTING: None

MOTION: Commissioner Dias moved, Commissioner Bean seconded, that the Planning Commission Recommend the City Council Adopt the Citywide Rezone 2012-03 (General Plan Update) excluding properties located at 300 and 400 Dianne Drive, 700 N. Tully Road and 1104, 1128, 1204, 1208 Colorado Ave. Motion carried unanimously by the following roll call vote:

AYES: Commissioners Dias, Fregosi, Bean, Pedroza, Salcedo and Chairman Brem
NOES: None
ABSTAIN: None
ABSENT: Commissioners Hackler, Hillberg
NOT PARTICIPATING: None
NON-VOTING: None

To avoid the appearance of a conflict of interest, Chairman Brem leaves the room for the action on the Dianne Drive property.

MOTION: Commissioner Pedroza moved, Commissioner Salcedo seconded, that the Planning Commission recommend the City Council include two properties owned by Supherb Farms, located at 300 and 400 Dianne Drive, into the New General Plan and Citywide Rezone 2012-13. Motion carried by the following roll call vote:

AYES: Commissioners Pedroza, Salcedo, Bean, Fregosi and Dias
NOES: None
ABSTAIN: None
ABSENT: Commissioners Hackler, Hillberg
NOT PARTICIPATING: Chairman Brem
NON-VOTING: None

Chairman Brem is re-seated.

To avoid the appearance of a conflict of interest, Commissioner Dias leaves the room for the action on the Tully Road property.

MOTION: Commissioner Bean moved, Commissioner Salcedo seconded, that the Planning Commission Recommend the City Council include Property owned by the Turlock Cemetery Association, located at 700 N. Tully Road, into the New General Plan and Citywide Rezone 2012-03. Motion carried unanimously by the following roll call vote:

AYES: Commissioners Bean, Fregosi, Pedroza, Salcedo and Chairman Brem
NOES: None
ABSTAIN: None
ABSENT: Commissioners Hackler, Hillberg
NOT PARTICIPATING: Commissioner Dias
NON-VOTING: None

Commissioner Dias is re-seated.

To avoid the appearance of a conflict of interest, Commissioner Pedroza leaves the room for the action on the Colorado Ave properties.

Chairman Brem re-opened the public hearing.

Doug Wachous, owner of the Colorado Ave properties, stated that he requested his property be rezoned to Commercial Office, not Medium Density Residential/Commercial Office as recommended by staff.

Debbie Whitmore explained that the Medium Density Residential zoning would allow for 7-15 units per acre, but a straight Commercial Office zoning would make the existing houses non-conforming and staff did not want to put the property owners in that position.

Chairman Brem closed the public hearing.

MOTION: Commissioner Bean moved, Commissioner Salcedo seconded, that the Planning Commission Recommend the City Council include and rezone property located at 1104 Colorado Ave from Low Density Residential to High Density Residential, and to include and rezone property, located at 1128, 1204, 1208 Colorado Ave from Low Density Residential to Medium Density Residential/Commercial Office, into the New General Plan and Citywide Rezone 2012-03. Motion carried unanimously by the following roll call vote:

AYES: Commissioners Bean, Dias, Fregosi, Salcedo, and Chairman Brem
NOES: None
ABSTAIN: None
ABSENT: Commissioners Hackler and Hillberg
NOT PARTICIPATING: Commissioner Pedroza
NON-VOTING: None

Commissioner Pedroza is re-seated.

H. OTHER MATTERS - None

I. COMMISSIONER'S CONSIDERATION - None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS - None

K. COMMISSIONER'S COMMENTS

Commissioner Pedroza commented that he was surprised to hear that by 2018 our groundwater may be drawn down, and said he would encourage us as a City to oppose sending our underground water "anywhere but here".

Commissioner Fregosi commented that human sign "flippers" are still present around town, and commented that we need to follow through with enforcement of this type of sign activity.

L. STAFF UPDATES - None

M. ADJOURNMENT: Having no further business Chairman Brem adjourned the meeting at 9:44 PM

Respectfully Submitted,



MIKE BREM
Chair



DEBRA A. WHITMORE
Deputy Director of Development Services,
Secretary of the Turlock Planning Commission