

MINUTES

TURLOCK CITY PLANNING COMMISSION
THURSDAY, MARCH 6, 2014
6:00 PM

YOSEMITE COMMUNITY ROOM
TURLOCK CITY HALL, 156 SOUTH BROADWAY

COMMISSIONERS PRESENT: Bean, Dias, Fregosi, Hackler, and Pedroza

ALTERNATE COMMISSIONERS PRESENT: Badal, Pollard

COMMISSIONERS ABSENT: Brem, Hillberg

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

A. CALL TO ORDER The meeting was called to order at 6:02 p.m.

B. APPROVAL OF MINUTES

Chairwoman Fregosi asked for corrections or a motion to approve the minutes of the February 6, 2014 meeting. Motion and second (Pollard/Bean) to approve the minutes as submitted. Carried unanimously with Commissioners Brem and Hillberg absent.

C. ANNOUNCEMENTS (*Debbie Whitmore*)

1. There is a "green sheet" on item G1, Monte Verde Subdivision.
2. The Avena Bella grand opening is scheduled for March 20.

D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS
There were none.

E. PUBLIC PARTICIPATION
None.

F. CONSENT CALENDAR
None.

G. PUBLIC HEARINGS

CONSENT ITEMS*:

* None.

NONCONSENT ITEMS:

1. **REZONE 2013-03, PLANNED DEVELOPMENT 270, VESTING TENTATIVE SUBDIVISION MAP 2013-01 (MONTE VERDE SUBDIVISION)** Katie Quintero presented the staff report and noted that the project is located at 2531 W. Tuolumne Road and 2750 Countryside Drive. She said that the

applicant is proposing to subdivide two parcels totaling 17.84 acres into 107 single family residential lots. The property is designated Low Density Residential in the Turlock General Plan and zoned RL-4.5, allowing a minimum lot size of 4,500 square feet and a residential density ranging between five and seven dwelling units per acre. Katie advised that the lots will range in size from 4,500 to 12,170 square feet, and the overall density of the project is six dwelling units per acre.

Katie said that a green sheet has been provided to address the revised map showing a portion of parcel number 088-002-005 as a remainder. She noted that a lot line adjustment will be processed to create a separate lot for the portion of this parcel that lies west of Countryside Drive. This property is zoned Community Commercial and is not a part of this subdivision.

Katie reported that the applicant originally requested a Planned Development to allow for an eight foot sound wall proposed along the western portion of Countryside Drive to be setback four feet from the existing ten foot sidewalk. The Turlock Irrigation District commented that the four foot landscaped area was not wide enough to accommodate their utilities. The City Engineer was consulted and the project was revised to reduce the sidewalk along Countryside Drive from ten feet to five feet, which creates a nine foot landscaped area adjacent to the sound wall.

Debbie Whitmore noted that the referenced lot line adjustment is not a part of this application, and will create a remainder parcel that is not part of the subdivision map.

Katie noted that the developer is also required to install a seven foot tall masonry wall along the northern property line to create a buffer between the residential lots and the adjacent commercial property, and that an eight foot sound wall will be installed along Countryside Drive and Tuolumne Road as a noise mitigation measure. She advised of technical revisions made to the initial study as per the "green sheet", and noted a letter from an adjacent resident in support of the project.

Scott Dorius advised that he was representing the applicant and offered to answer questions.

PUBLIC HEARING:

Chairwoman Fregosi opened the public hearing. No one spoke. Chairwoman Fregosi closed the public hearing.

Commission and staff discussion included the requirement for an acceleration and deceleration lane along Countryside; sidewalk width along Countryside Drive; landscape requirements; the need to utilize water and energy saving appliances in the new homes; and the vining requirement for the wall along Countryside Drive.

MOTION: Commissioner Dias moved, Commissioner Bean seconded, that the Planning Commission adopt a Mitigated Negative Declaration of environmental effect as amended, having made the findings in draft Planning Commission Resolution 2014-04 and 2014-05. Motion carried unanimously with Commissioners Brem and Hillberg absent.

MOTION: Commissioner Dias moved, Commissioner Bean seconded, that the Planning Commission recommend that the City Council approve Rezone 2013-03 and Planned Development 270 (Florsheim Homes – Monte Verde) having determined that the

appropriate findings can be made, subject to the conditions of approval contained in draft Resolution No. 2014-04. Motion carried unanimously with Commissioners Brem and Hillberg absent.

MOTION: Commissioner Dias moved, Commissioner Bean seconded, that the Planning Commission approve Vesting Tentative Subdivision Map No. 2013-01 as amended, having determined that the appropriate findings have been made, subject to the conditions of approval listed in draft Resolution No. 2014-05. Motion carried unanimously with Commissioners Brem and Hillberg absent.

1. ***Continued from February 6, 2014. COMPREHENSIVE UPDATE OF THE CITY'S ZONING REGULATIONS.*** Debbie Whitmore presented the staff report and said the focus will be on the two items continued from the last meeting: cargo container permitting and the issue of prohibiting mobile food vendors in the downtown area. She advised that an amnesty program for cargo containers would include a reduced fee and allow time for a business owner to come in to compliance without facing a penalty. The Commission will also consider a prohibition of mobile food vendors in the Downtown Core, Downtown Core Transition and Office Residential overlay districts as part of this update. Debbie said that the goals of the zoning regulations and design guidelines need to be considered when the Planning Commission makes their decision.

Commission and staff discussion included the method used for calculating reduced fees for cargo container entitlement permits, and the fact that this is the public's last opportunity to provide comments to the Planning Commission on whether or not to allow mobile food vendors in the downtown area, before a recommendation is made to the City Council.

PUBLIC HEARING:

Chairwoman Fregosi opened the public hearing. No one spoke. Chairwoman Fregosi closed the public hearing.

Commission comments included surprise that no one came to speak in favor of allowing food trucks in the downtown area, the establishment and purpose of the Downtown Design Guidelines, and the role that food trucks play in the life of a city.

A member of the public asked to make a comment.

Chairwoman Fregosi re-opened the public hearing.

Ignacio Rico, owner of Catering Support Services, said his facility supports food trucks. He commented on the process for approving a mobile food truck in Turlock including the requirement to indicate which commissary is used. He said not all commissaries approved by the County meet State regulations, and asked the Commission to require that any food truck approved to operate in Turlock be required to use a commissary that meets all regulations, such as Catering Support Services.

Debbie Whitmore advised that this is not a question that can be answered at this meeting, and said she will consult with the City Attorney and respond to Mr. Rico's request.

Chairwoman Fregosi closed the public hearing.

Commissioner Pedroza stated that he does not favor prohibiting mobile food vendors in the downtown area and asked that this issue be considered separately.

MOTION: Commissioner Pedroza moved, Commissioner Bean, seconded, that the Planning Commission not prohibit mobile food vendors in the Downtown Core, Downtown Core Transition or Office Residential zoning districts. Motion failed 3 / 4 by the following vote:

AYES: Bean, Pedroza and Chairwoman Fregosi
NOES: Badal, Pollard, Dias and Hackler
ABSTAINED: None
NOT PARTICIPATING: None
ABSENT: Brem, Hillberg
NON-VOTING: None

Commissioner Hackler noted that mobile food vendors at Farmer's Markets and other special events are excluded from the downtown area prohibition.

MOTION: Commissioner Hackler moved, Commissioner Pollard, seconded, that the Planning Commission recommend that the City Council repeal Title 9 (Zoning Regulations) and replace the title with the proposed amendments, including an amnesty program for cargo containers, described in the staff report, having determined that the amendments are exempt from CEQA pursuant to Section 15061(b)(3) and 15183 of the CEQA Guidelines and pursuant to the findings contained in draft Planning Commission Resolution No. 2014-01. Motion carried 4 / 3 by the following vote:

AYES: Badal, Pollard, Dias and Hackler
NOES: Bean, Pedroza and Chairwoman Fregosi
ABSTAINED: None
NOT PARTICIPATING: None
ABSENT: Brem, Hillberg
NON-VOTING: None

H. OTHER MATTERS

1. **Approving the 2014 Update to the City of Turlock CEQA Implementation Guidelines.** Rose Stillo presented the staff report and outlined the purpose of CEQA and the implementation guidelines.

MOTION: Commissioner Bean moved, Commissioner Pedroza seconded, that the Planning Commission determine that the 2014 Update to the City of Turlock CEQA Implementation Guidelines is in compliance with the California Government Code Section 15022 having determined that this action is exempt from the provisions of CEQA. Motion carried unanimously with Commissioners Brem and Hillberg absent.

I. COMMISSIONER'S CONSIDERATION

None.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS - None.

K. COMMISSIONER'S COMMENTS

Commissioner Pedroza commented on the status of the upcoming Planning Commissioners workshop that will address water issues.

Chairwoman Fregosi commented on the upcoming road work for Monte Vista Avenue, and the problem of cars parked for sale on Monte Vista and Berkeley Avenues.

Commissioner Hackler commented on the condition of the crosswalk on Monte Vista Avenue, near Brookstone Avenue.

L. STAFF UPDATES

1. AVENA BELLA GRAND OPENING ANNOUNCEMENT: Debbie Whitmore noted that the grand opening event for this housing development is scheduled for March 20.

2. REGIONAL TRANSPORTATION SALES TAX MEASURE: Mike Pitcock noted that the City Council approved the draft expenditure plan at their February 25 meeting. He said that if approved by the voters, a one-half cent sales tax will be collected for 25 years, with Turlock receiving \$2.6 million annually for road improvements. A potential total of \$970 million will be collected County-wide over 25 years.

3. REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY: Debbie Whitmore noted that StanCOG anticipates the release of the draft Regional Transportation Plan and associated draft Environmental Impact Report in March.

4. STRATEGIC GROWTH COUNCIL GRANT APPLICATION FOR DOWNTOWN MASTER PLAN, PATTERN BOOK AND IMPLEMENTATION STRATEGY: Debbie Whitmore noted that staff has submitted a grant application for the State Sustainable Communities Planning Grant program. If awarded, these funds will help to initiate a new master plan, zoning regulations, and implementation program for the downtown planning area.

5. ACTIVE TRANSPORTATION PLAN: Debbie Whitmore said that Senior Planner Rose Stillo is heading up this effort which will include a citizen's advisory committee that will initiate a bicycle and pedestrian project implementation. This plan will come to Planning Commission for action and the Parks Commission as an informational item.

M. ADJOURNMENT: Chairwoman Fregosi adjourned the meeting at 7:14 p.m.

Respectfully Submitted,



SORAYA FREGOSI
Chair



DEBRA A. WHITMORE

Deputy Director of Development Services,
Secretary of the Turlock Planning Commission