

- A. **CALL TO ORDER** – Chairwoman Fregosi called the meeting to order at 6:03 p.m.
PRESENT: Commissioners Bean, Gonsalves, Hillberg and Chairwoman Fregosi
ABSENT: Commissioners Hackler and Pedroza

The Oath of Office for Newly Appointed Planning Commissioner Elvis Dias is being continued to the meeting of July 16, 2015.

B. **APPROVAL OF MINUTES**

1. **Regular Meeting of May 7, 2015** – Motion and Second (Gonsalves/Bean), to approve the minutes as submitted. Motion carried with Commissioners Hackler and Pedroza absent.

C. **ANNOUNCEMENTS** (*Debbie Whitmore*)

1. The Planning Commissioners' Annual Workshop is scheduled for October 10, 2015.
2. There is a "Green Sheet" for Item G.2 - Conditional Use Permit 2015-01 Turlock Town Center, requesting a continuance to the June 18 meeting.
3. There is a "Green Sheet" for Item G.1 – Conditional Use Permit 2015-02 Blossom Valley Center Signs, expressing opposition to the proposed monument sign.
4. The meeting of July 2 is cancelled. The Planning Commission will meet on July 16 in lieu of July 2.
5. A Special Joint Meeting of the Turlock City Council and Planning Commission is scheduled for August 11.

- D. 1. **DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**
There were none.

2. **DISCLOSURE OF EX PARTE COMMUNICATIONS**

- **G.1 - CONDITIONAL USE PERMIT 2015-01 – TURLOCK TOWN CENTER SIGNS** – *This project is being continued to the June 18, 2015 Planning Commission meeting.*
- **G.2 - CONDITIONAL USE PERMIT 2015-02 – BLOSSOM VALLEY CENTER SIGNS** – Ex Parte communications concerning this project will be disclosed prior to the hearing on the project.

E. **PUBLIC PARTICIPATION**

Milt Trieweiler spoke about the recent meeting of the Stanislaus County Mayors held at Turlock City Hall. Mr. Trieweiler also commented that the Regional Housing Needs Assessment (RHNA) mandate may create a burden on cities.

- F. **CONSENT CALENDAR**
None.

G. PUBLIC HEARINGS

***CONSENT ITEMS**

*None.

NONCONSENT ITEMS

There were no declared ex parte communications concerning this project.

- 1. CONDITIONAL USE PERMIT 2015-02 – BLOSSOM VALLEY CENTER SIGNS** - Ad Art Sign Company is proposing a new center identification monument sign for the Blossom Valley Shopping Center, located at 2810-2930 Geer Road (Stanislaus County APNs 072-014-055). Brent Gibbons presented the staff report and provided information about the previously approved sign program for this center. He said that the proposed height for the sign is 12 feet, which will allow space for six tenants. Brent said that signs permitted on Geer Road have been restricted to less than 15 feet in height, and provided pictures of approved signs in this area. He reviewed the findings that need to be made and said that staff is recommending approval.

Mike McClure, representing Ad Art Sign Company, offered to answer any questions.

Chairwoman Fregosi commented on the location of the Raley's panel on the sign.

Public Hearing:

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

Chairwoman Fregosi acknowledged the letter received by staff in opposition to this sign.

MOTION: Commissioner Hillberg moved, Commissioner Gonsalves seconded, that the Planning Commission grant Conditional Use Permit Amendment No. 2015-02 (Blossom Valley Monument Sign), having determined that the project is "Categorically Exempt" from the provisions of CEQA, and that all of the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution No. 2015-14. Motion carried unanimously with Commissioners Hackler and Pedroza absent.

- 2. CONDITIONAL USE PERMIT 2015-01 – TURLOCK TOWN CENTER SIGNS** - A new Master Sign Program for Turlock Town Center, located at 503 – 783 N. Golden State Blvd (Stanislaus County APNs 061-041-001, 02, 03, 04, 05, 06, 07, 08, 09, and 10). Staff advised that the applicant has requested this item be continued to the June 18, 2015 Planning Commission meeting.

MOTION: Commissioner Bean moved, Commissioner Hillberg seconded, that the Planning Commission continues Conditional Use Permit 2015-01 – Turlock Town Center Signs, to the June 18, 2015 meeting. Motion carried unanimously with Commissioners Hackler and Pedroza absent.

3. ZONING ORDINANCE AMENDMENTS TO UPGRADE THE PERMIT REQUIREMENTS FOR DRIVE-THROUGH RESTAURANTS IN THE TRANSITIONAL COMMERCIAL OVERLAY ZONE, REQUIRE DOUBLE-STRIPING OF PARKING SPACES FOR FUTURE DEVELOPMENT, AND “GRANDFATHERING” CARGO CONTAINER PERMIT REQUIREMENTS.

Debbie Whitmore presented the staff report and said that the City Council had approved the Comprehensive Zoning Regulations Update, but requested that three issues be brought back to the Planning Commission for further consideration. The first is to upgrade the permit approval process for drive-through restaurant facilities in the Transitional Commercial Overlay District from a Minor Discretionary Permit to a Conditional Use Permit.

Public Hearing:

Chairwoman Fregosi opened the public hearing for the drive-through restaurant permitting process upgrade. No one spoke. Chairwoman Fregosi closed the public hearing.

Commissioner Hillberg asked if a Minor Discretionary Permit could be brought to the Commission for action. Debbie Whitmore said that notices are sent to adjacent properties for a Minor Discretionary Permit, and if staff receives comments in opposition to a project, it will automatically be taken to the Planning Commission for a public hearing. Commissioner Hillberg commented that requiring a Conditional Use Permit for a drive-through in the Transitional Commercial Overlay District would create additional fees for applicants that are not necessary.

Debbie Whitmore said the second issue is to require double-striping of parking spaces and removing the provision that allows parking spaces to be single striped. She advised that the Development Collaborative Advisory Committee is not recommending a change to the current Zoning Regulations to require double-striping of parking lot spaces. Staff is recommending that the Planning Commission not support the proposed change.

Public Hearing:

Chairwoman Fregosi opened the public hearing for the double-striping of parking spaces. No one spoke. Chairwoman Fregosi closed the public hearing.

Debbie Whitmore said the third issue is whether to exempt existing cargo containers from Zoning, Building and Fire Code requirements. She noted that the City is not legally able to exempt development projects from the requirements of the Building or Fire Codes because they are State laws that cannot be overridden. A cargo container that is permanently located on private property for storage or other purposes and is 120 square feet or larger, requires a building permit. She said that under the California Building Code, once a structure is located on a property for 90 days or more it becomes permanent. She advised that cargo containers cannot be exempted from the requirement to obtain a building permit, but that the Code does allow for leniency in design when located out of public view. Debbie said staff is recommending that the Planning Commission recommend that the City Council not implement additional “grandfathering” measures and express the Commission’s support for the approved amnesty program.

Steve Mort, of Don’s Mobile Glass, said he has a cargo container located at his business, and asked what would be required to bring it in to compliance. Debbie Whitmore advised Mr. Mort to schedule a predevelopment meeting to get this information.

Steve Mort asked if a cargo container was allowed to be “grandfathered”, would the requirements still apply. Debbie Whitmore advised that Building Code requirements could not be “grandfathered” because the City does not have legal authority to override State law.

Chairwoman Fregosi spoke about previous comments made by the Fire Marshal concerning cargo containers and fire fighter safety.

MOTION: Commissioner Hillberg moved, Commissioner Bean seconded, that the Planning Commission not upgrade the permitting process for drive-through restaurants in the Transitional Commercial Overlay District (TMC 9-4-103) from a Minor Discretionary Permit to a Conditional Use Permit; and, not modify the amended Section 9-2-214(j) to require double-striping of parking spaces or remove the provision that allows parking spaces to be single-striped. Motion carried unanimously with Commissioners Hackler and Pedroza absent.

MOTION: Commissioner Hillberg moved, Commissioner Bean seconded, that the Planning Commission recommend the City Council not adopt any additional “grandfathering” provisions for cargo container permits, having found that such a proposal would cause the City to be in violation of State Building and Fire Code requirements and that the reduced permitting fee approved in the adopted amnesty program provides sufficient relief from the planning permit costs that would have otherwise been required. Motion carried unanimously with Commissioners Hackler and Pedroza absent.

H. OTHER MATTERS

None

I. COMMISSIONERS’ CONSIDERATION

None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None

K. COMMISSIONERS COMMENTS

Commissioner Bean commented about the status of the Conditional Use Permit for the Larsa Hall project that is located in the County’s jurisdiction. Debbie Whitmore advised that the Stanislaus County Planning Commission continued the public hearing and will be considering the addition of conditions to the existing use permit.

L. STAFF UPDATES

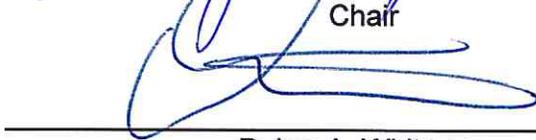
None

- M. ADJOURNMENT** Chairwoman Fregosi asked for a motion (Hillberg/Bean) to adjourn the meeting at 6:45 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED



Soraya Fregosi
Chair



Debra A. Whitmore
Deputy Director of Development Services