

- A. CALL TO ORDER** – Chairwoman Fregosi called the meeting to order at 6:00 p.m.  
PRESENT: Commissioners Bean, Dias, Hillberg, Pedroza and Chairwoman Fregosi.  
ABSENT: Commissioners Gonsalves and Hackler

**B. APPROVAL OF MINUTES**

1. **Regular Meeting of July 16, 2015** - Chairwoman Fregosi noted a correction to the minutes. Commissioner Pedroza was in attendance at the meeting but was not listed as such. Motion/Second (Pedroza/Hillberg) to approve the minutes as corrected. Carried unanimously with Commissioners Gonsalves and Hackler absent.

**C. ANNOUNCEMENTS**

None

**D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**

None

**2. DISCLOSURE OF EX PARTE COMMUNICATIONS**

Chairwoman Fregosi noted that any Ex Parte Communications for Item G.1. - AMENDMENT TO CONDITIONAL USE PERMIT 2004-07 (REFERRED TO AS CUP 2015-04) – CALVARY CHAPEL OF TURLOCK, would be disclosed prior to discussion of the project.

**E. PUBLIC PARTICIPATION**

None.

**F. CONSENT CALENDAR**

None

**G. PUBLIC HEARINGS**

**\*CONSENT ITEMS**

None

**NONCONSENT ITEMS**

Disclosure of Ex Parte communications for the amendment to Conditional Use Permit 2004-07 – Calvary Chapel of Turlock. Chairwoman Fregosi advised that she had met with Deputy Directory Debbie Whitmore to review the agenda.

1. **AMENDMENT TO CONDITIONAL USE PERMIT 2004-07 (REFERRED TO AS CUP 2015-04) – CALVARY CHAPEL OF TURLOCK** – An amendment to an approved Conditional Use Permit to allow an approximately 9,500 square foot tenant space and 4,700 square foot outdoor venue, currently occupied by the Two Guys Catering and Red Brick café and addressed as 153 S. Broadway, (Stanislaus County APN: 061-016-046) to provide for an additional use to be used at a future date as a church and worship center with an outdoor venue. The project is Exempt from the California Environmental Quality Act pursuant to Section 15301 (e) (Existing Facilities).

Assistant Planner Brenton Gibbons presented the staff report and provided a history of the approvals and current authorized uses for the property, and said that the proposed amendment to Conditional Use Permit 2007-04 would permit the eventual expansion of the church from its existing location at 147 S. Broadway into 153 S. Broadway. He advised that Two Guys Catering/Red Brick Café currently has a multi-year lease agreement to continue business at this location, and the proposed amendment will allow Two Guys Catering/Red Brick Café to continue operating under the existing approved Conditional Use Permit until such time that the use is discontinued. He said that typically an applicant has one (1) year to start construction or begin the use on the project, but since the current lease for Two Guys Catering and Red Brick Café is not set to expire for approximately five (5) years staff is proposing that the church be given additional time to initiate their use at the site. The church will need to apply for a time extension from the Planning Commission if the church use is not initiated in five (5) years. Brenton noted that the applicant is proposing to limit attendance during the week and on Saturday to reduce the parking demand created by the project. He reviewed the findings that need to be made to approve the project, and said staff is recommending approval.

There was discussion about the number of parking spaces available downtown.

Jim Shaw, the architect representing Calvary Chapel, said that parking in the downtown area is currently sufficient and should not be impacted by the church operations because the vehicle loads will be on different week nights and on Sunday mornings.

**Public Hearing:**

Chairwoman Fregosi opened the public hearing. Hearing no comments, Chairwoman Fregosi closed the public hearing.

**MOTION:** Commissioner Pedroza moved, Commissioner Hillberg seconded, that the Planning Commission grant the Amendment to Conditional Use Permit Amendment No. 2004-07 (referred to as CUP 2015-04) Calvary Chapel of Turlock, 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. 2015-23. Motion carried unanimously with Commissioners Gonsalves and Hackler absent.

2. **GENERAL PLAN AMENDMENT 2015-02 – ACTIVE TRANSPORTATION PLAN:** The City of Turlock is proposing to adopt an Active Transportation Plan ("Plan") to implement Policy 5.3-k of the Turlock General Plan which calls for the preparation of a Bicycle Master Plan. This project is EXEMPT from the California Environmental Quality Act pursuant to Section 15162 (Projects consistent with a previous EIR); Section 15183 (Projects consistent with the General Plan); and/or Section 15162 (Feasibility and planning studies).

Debbie Whitmore acknowledged Wayne York and Rose Stillo for their work and effort on this project.

John Leiswyn, of Alta Planning, acknowledged Omni Means for their work on the plan. Mr. Leiswyn provided information on the Plan development; data collection; existing conditions; project sheets; how the Plan will be implemented; the public draft Plan review

process, and Plan approval. He thanked the Citizens Advisory Team for their participation, including the Claes family, Rose Stillo, and City staff. Mr. Leiswyn provided an outline of the Active Transportation Plan structure; the percentages of people carpooling and using public transportation; the number of bicycle and pedestrian trips at various intersections; a gap analysis that showed a need for additional sidewalks, bike lanes and maintenance needs. He also reviewed the priority projects that had been identified as part of the review process.

Commissioner Pedroza asked if grant funds were available to fund any of the priority projects.

Capital Project Coordinator Wayne York advised that funds may be available in 3-year cycles, as well as other funding sources identified in the Plan. He advised that certain funds must be spent on specific projects, and that these funding programs might not be available to fund a priority project.

There was discussion about funding and grant sources and the availability for funds based on new development.

**Public Hearing:**

Chairwoman Fregosi opened the public hearing.

Elizabeth Claes commented about the Active Transportation Plan process that included community meetings and the ideas generated from these meetings. She asked if the Plan could be modified to meet any new laws, and invited members of the community to join her in biking around Turlock.

Development Services Director Mike Pitcock advised that the City will update the document as needed.

Jeffrey Sparks shared his perspective of biking in Turlock, including the potential this area has for young people to want to relocate here due to the amenities young professionals look for in a community.

Rose Stillo expressed her concern that, if the roadway typologies are not included in the General Plan, staff would not have any backing to require developers to install bicycle and pedestrian improvements as described in the Active Transportation Plan.

Hearing no additional comments, Chairwoman Fregosi closed the public hearing.

Commissioner Pedroza commented that the Active Transportation Plan should not conflict with the General Plan.

Development Services Director Mike Pitcock advised that the Commission could recommend the City Council amend the General Plan to include the standards of the Active Transportation Plan.

Commissioner Pedroza commented about traffic problems around the Dutcher School entrance on Colorado and Hawkeye Avenue.

Development Services Director Mike Pitcock said that if the school is interested in a left-turn only movement at that entrance the City will pursue it.

**Chairwoman Fregosi re-opened the public hearing.**

Roger Smith, representing Turlock Unified School District, advised that the school Board has authorized a new location for the central kitchen which is currently located on the Dutcher School site. This will provide for additional classrooms, driveways and entrances in to the school which will alleviate some of the traffic congestion in the area. Mr. Smith commended the City for the effort put in to this Plan, and noted that the School District is looking forward to working with the City on the various projects.

Hearing no further comment, Chairwoman Fregosi closed the public hearing.

Commissioner Dias commented that the Plan will allow the Commission to look not only at parking, but what type of bike and pedestrian amenities could be provided with a new project.

There was discussion that this Plan, along with public education, will encourage more bike riding and walking, and will require new development to provide new amenities and roads that would be consistent with the Active Transportation Plan.

**MOTION:** Commissioner Hillberg moved, Commissioner Bean seconded, that the Planning Commission finds the action to approve the Active Transportation Plan and General Plan Amendment 2015-02 is exempt from the California Environmental Quality Act pursuant to Section 15162 (Projects consistent with a previous EIR); Section 15183 (Projects consistent with the General Plan); and/or Section 15162 (Feasibility and planning studies). Motion carried unanimously with Commissioners Gonsalves and Hackler absent.

**MOTION:** Commissioner Hillberg moved, Commissioner Pedroza seconded, that the Planning Commission recommend the City Council approve the Active Transportation Plan and General Plan Amendment 2015-02, having made the findings contained in the draft Planning Commission Resolution 2015-24 and recommending the General Plan be amended to include the roadway typologies. Motion carried unanimously with Commissioners Gonsalves and Hackler absent.

Deputy Director Debbie Whitmore noted that this item will be presented to the City Council for final approval on September 22.

## **H. OTHER MATTERS**

1. **INITIATION OF AN OMNIBUS ZONING ORDINANCE AMENDMENT:** Deputy Director Debbie Whitmore said that staff has identified a number of issues to review including the undergrounding of utilities, refining the definitions section, establishing an annual permit for a bar/nightclub and landscaping ordinance revisions.

**MOTION:** Commissioner Bean moved, Commissioner Dias seconded, that the Planning Commission approve Resolution 2015-25 declaring the Planning Commission's intention to initiate an omnibus amendment to Title 9 of the Turlock Municipal Code (Zoning Ordinance). Motion carried unanimously with Commissioners Gonsalves and Hackler absent.

## **I. COMMISSIONERS' CONSIDERATION**

1. **AUGUST 11 JOINT MEETING WITH THE TURLOCK CITY COUNCIL:**  
Chairwoman Fregosi reviewed possible discussion topics for the upcoming joint meeting.

J. **STANISLAUS COUNTY PLANNING REFERRAL ITEMS - NONE**

K. **COMMISSIONERS COMMENTS**

Commissioner Dias commented that he was pleased with the traffic flow at the new Taco Bell restaurant located on N. Golden State Blvd.; that downtown Turlock is becoming very vibrant; a recent Modesto Bee series of articles concerning the drought; and a City of Modesto program that gives residential property owners a rebate for removing their lawns.

Commissioner Hillberg asked that the Municipal Services Division provide drought and water supply information at the next Planning Commission meeting. He also asked about the construction work being done at the intersection of Canal and Main Streets.

Municipal Services Director Mike Pitcock responded with information about the trenching project being done down East Main Street, and explained the process of keeping the water mains clean.

Commissioner Pedroza commented about the recent National Night Out events and the Hawkeye Road overlay and sidewalk installation.

Chairwoman Fregosi commented about National Night Out; the Active Transportation Plan; the watering of City trees around town; a vacant property at Berkeley and Alex Way; an upcoming community water meeting in Denair; and the downtown Farmer's Market.

L. **STAFF UPDATES**

- 1) **PROPOSED CHANGES TO THE STATE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE:** Deputy Director Debbie Whitmore provided a review of the changes that became effective on July 15 to the State Model Water Efficient Landscape Ordinance regarding the drought including a mandatory reporting requirement.

- M. **ADJOURNMENT:** Chairwoman Fregosi asked for a motion (Hillberg/Bean) to adjourn the meeting at 7:42 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED



Soraya Fregosi  
Chair



Debra A. Whitmore  
Deputy Director of Development Services