

# PLANNING COMMISSION MEETING AGENDA



**THURSDAY, MAY 5, 2011 – 7:00 PM**  
**City of Turlock, Yosemite Community Room**  
**156 South Broadway**  
**Turlock, California**

---

Commission Chair  
**Mike Brem**

Commission Members

**Elvis Dias**  
**Soraya Fregosi**  
**Nick Hackler**

**Jeff Hillberg**  
**Alex Salcedo**  
**Jeanine Bean**  
Vice Chair

Deputy Director Development Services  
**Debra A. Whitmore**

Alternate Members

**Victor Pedroza**

**Aben Williams**

**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](http://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. CALL TO ORDER**

- Oath of Office for Re-Appointed Alternate Planning Commissioners (*Adrienne Werner*)
- Commission Seated

## **B. APPROVAL OF MINUTES**

1. Special Meeting of March 1, 2011 [View Item](#)
2. Special Meeting of March 29, 2011 [View Item](#)
3. Regular Meeting of April 7, 2011 [View Item](#)
4. Special Meeting of April 21, 2011 [View Item](#)

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

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

## 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 hereinbelow 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. 2010 GENERAL PLAN IMPLEMENTATION REPORT** – The California Government Code (Section 65400 (b)) requires that the Planning Agency prepare an annual report on the implementation of the General Plan for approval by the Legislative Body. The report must include the status of the existing General Plan and progress made in its implementation, including the progress in meeting its share of the regional housing needs determined pursuant to Section 65584 of the Government Code. This 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). [View Item](#)

a) Motion Accepting the 2010 General Plan Implementation Report.

## G. PUBLIC HEARINGS (\*Consent Items)

### **\*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.*

None

### **NONCONSENT ITEMS**

*These items will be individually discussed and reviewed in detail.*

**1. This item was continued from April 7, 2011. MINOR DISCRETIONARY PERMIT 2011- 02 (1300 W. Main)** To authorize an approximately 37,000 square foot "Mi Pueblo" grocery store on this property. The grocery store would include a deli component, including customer seating for on-site food consumption. The grocery store would be located within two tenant spaces that formerly housed a "Dollar City" and a furniture store. This project also includes a change in use of an approximately 32,000 square foot tenant space within the same commercial building, from "Light Industrial" to "Retail," thereby requiring additional parking. A new parking lot, located where the current storm water basin exists, would be constructed as part of this project to provide additional parking for the grocery store and the change in use from the current light industrial user. The applicant would be required to either install an on-site underground storm water

percolation system or develop a system to connect to the City's storm water system. Architectural changes to the building elevations are also proposed. The project address is 1300 West Main Street, more particularly described as Stanislaus County Assessor's Parcel Number 050-001-034. [View Item](#)

- a) Planning Commission consideration of a "Mitigated Negative Declaration" for **MINOR DISCRETIONARY PERMIT 2011-02 (1300 W. Main)**
- b) Planning Commission action on **MINOR DISCRETIONARY PERMIT 2011-02 (1300 W. Main)**

**2. REZONE 2011-01 (PLANNED DEVELOPMENT 269) – EAH, Inc. (Avena Bella)**

To authorize the phasing of a previously approved project to develop a 141-unit multi-family residential project on an approximate 6.7 acre parcel and to permit a deviation from the High Density Residential lot dimensions to allow the creation of a subservient lot without street frontage. The project will be developed in two phases and the lot will be split into one 4.32 acre parcel fronting onto Linwood and one subservient parcel for phasing and financing purposes. The project is located at 500 W. Linwood Ave, more specifically described as Stanislaus County Assessor's Parcel No. 044-064-004. [View Item](#)

Phase I consists of the construction of 80 units on approximately 4.32 acres. The community center building, pool, tot lot, a common recreation area and 140 parking stalls will be constructed as part of Phase I

Phase II is the construction of the remaining 61 units on the remaining 2.21 acres. The balance of the multi-family units will be clustered around a common recreation area and a second tot lot. The balance of 107 parking stalls will be constructed as part of Phase II bringing the total parking stalls on-site to 247.

- a) Planning Commission recommendation to the City Council that no changes in the project have been made, no changes have occurred in the circumstances under which the project is to be undertaken, and no new information has become available after the adoption of the Mitigated Negative Declaration on March 3, 2010, that would require preparation of a subsequent negative declaration or environmental impact report as required under Section 15162(a) of the CEQA Guidelines.
- b) Planning Commission recommendation to the City Council concerning REZONE 2011-01 (PLANNED DEVELOPMENT 269) – EAH, Inc. (Avena Bella).

**H. OTHER MATTERS**

None

## I. COMMISSIONER'S CONSIDERATION

1. **SUMMARY OF APRIL 21, 2011, COMMUNITY MEETING TO DISCUSS POTENTIAL BOUNDARY AND STANDARDS FOR HOMELESS SHELTERS UNDER SB 2 PERMITTING PROCESS** [View Item](#)

## J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

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 (Debbie Whitmore)

- **TURLOCK PARTNERSHIP PROGRAM IMPLEMENTATION:** Update on the staff's progress in implementing a new program to provide \$1,000 to businesses occupying vacant storefronts in the City of Turlock.

## 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. IF YOU CHALLENGE ANY OF THE ABOVE MATTERS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUE YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING(S) DESCRIBED IN THIS AGENDA, OR WRITTEN CORRESPONDENCE DELIVERED TO THE PLANNING COMMISSION OF THE CITY OF TURLOCK 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 \$305.00 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.**