

MINUTES

TURLOCK CITY PLANNING COMMISSION THURSDAY, JULY 2, 2009 7:00 PM

YOSEMITE COMMUNITY ROOM
TURLOCK CITY HALL, 156 SOUTH BROADWAY

COMMISSIONERS PRESENT: Hackler, Hillberg, Brem, Fregosi, Dias, Pedroza

ALTERNATE COMMISSIONERS (Non Voting): None

COMMISSIONERS ABSENT: Bean, Salcedo, Williams

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

A. CALL TO ORDER The meeting was called to order at 7:00 p.m.

B. APPROVAL OF MINUTES

Chairman Brem asked for corrections or a motion for approval of the minutes of the June 4, 2009 meeting.

MOTION: Commissioner Fregosi moved, Commissioner Hackler seconded that the Planning Commission approve the minutes from the June 4, 2009 meeting as submitted.

AYES: Hackler, Hillberg, Fregosi, Dias and Pedroza

NOES: None

ABSTAIN: Brem

ABSENT: Bean, Williams, Salcedo

NOT PARTICIPATING: None

Due to lack of a voting quorum the minutes from the special meeting of June 18, 2009 will be held over until the August 6, 2009 meeting.

C. ANNOUNCEMENTS –

Debbie Whitmore announced that staff will be conducting a workshop with mobile food vendors on July 7, and that there will be a special meeting of the Planning Commission and General Plan consultants on July 16 concerning the Draft Housing Element Update.

D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

None

E. PUBLIC PARTICIPATION

None

F. CONSENT CALENDAR

None

G. PUBLIC HEARINGS

CONSENT ITEMS*:

* None

NONCONSENT ITEMS:

1. CONDITIONAL USE PERMIT NO. 2009-01 (SIGN DESIGNS – HAROLD BROWN)

To authorize a double sided (43.3 square feet per side), twenty (20) foot tall monument sign for Turlock Memorial Park and Funeral Home. Staff requested that this item be continued to August 6, 2009.

MOTION: Commissioner Hillberg moved, Commissioner Fregosi seconded, that the Planning Commission continue Conditional Use Permit No. 2009-01 to the August 6, 2009 Turlock Planning Commission meeting to allow staff and the applicant time to complete their analysis and finalize prospective designs.

AYES: Hackler, Hillberg, Fregosi, Dias, Pedroza and Brem

NOES: None

ABSTAIN: None

ABSENT: Bean, Salcedo, Williams

NON-VOTING: None

NOT PARTICIPATING: None

2. GENERAL PLAN AMENDMENT 2009-02, REZONE 2009-02, PLANNED DEVELOPMENT 265 (THE GROVE - CAMPUS CREST DEVELOPMENT LLC)

To authorize the construction of a 192-unit residential complex consisting of ten three-story buildings, a clubhouse, a pool, a pavilion, a volleyball court, a fire pit, a barbeque area, a basketball court, and open parking totaling 538 parking spaces. The complex is designed to accommodate up to 504 students. The proposed project is located at 900 and 950 W. Monte Vista Avenue.

Staff Report:

Rose Stillo presented the staff report and identified the project location and surrounding neighborhood uses. She said the project includes a rezoning and a land use redesignation of 900 W. Monte Vista, from Medium Density Residential to High Density Residential. Rose provided information on the amenities of the project and said the plan is to accommodate up to 504 students. A Planned Development is proposed primarily to allow a gated residential community and to include a 2.3 acre future commercial component in this residential project. She noted that the applicant has submitted a preliminary site plan for the commercial component but a formal Design Review will be required prior to issuance of a City permit. Rose said she received a revised site plan that moved the basketball court closer to the homes on Cole Ave. This change was made to provide more efficient fire department accessibility. Rose noted that fencing and a solid line of evergreen trees would provide privacy for the adjacent residential neighborhood. Staff is recommending approval.

When asked by the Commission Rose noted that no comments had been received from the University.

Commissioner Pedroza referred to the letters received concerning noise problems from prior projects in this area and asked how the City planned to address future concerns.

Mike Pitcock noted that any complaints would be addressed by the project inspector.

Jamie Flynn, Campus Crest Development, provided information on the project and their property management policies. When asked she said their policy does not say a tenant must be a student but they do primarily market to students. She said they rent by the bedroom and the units are fully furnished and include utilities.

Public Hearing:

Chairman Brem opened the public hearing.

Betty Price, a resident of the neighborhood, asked if there was a limit to the number of students per bedroom and bathroom.

Jamie Flynn stated that each student would have their own bedroom and bathroom, but would share a kitchen and living room.

Todd Wright, a resident of the neighborhood, asked what the impact in five years would be if the company does not survive; if alcohol was to be permitted; and expressed concern with possible traffic impacts.

Jamie Flynn defined the alcohol policy and said no underage drinking would be permitted, and no alcohol is allowed in the public areas of the complex.

The Commission discussed the traffic impacts to the neighborhood, the vehicle stacking length at the entrances, and the project lighting.

Mike Pitcock addressed the traffic concerns and noted a regular apartment complex would generate more "trips" than this project.

Rose Stillo advised that a lighting plan would be submitted with the improvements plans to regulate lighting spilling over into adjacent residential properties.

John Minior, a resident of the neighborhood, expressed concern with traffic, the location of the driveway, and that the project is not compatible with the neighborhood. He said his major concern is that property values will suffer.

Hearing no additional comment, Chairman Brem closed the public hearing.

Commissioner Hackler asked why the project exit is not on Monte Vista Avenue.

Mike Pitcock said General Plan policy and sound transportation planning require that intersections located on arterials be kept to a minimum.

Commissioner Dias asked when the commercial component of the project would be developed.

Rose Stillo responded that an application for the commercial component would need to be submitted and would be conditioned to be complimentary to the University.

The consensus of the Commission is that this is a good project and is appropriate for the area near the university, and is the best option from a traffic standpoint.

MOTION: Commissioner Pedroza moved, Commissioner Fregosi seconded, that the Planning Commission adopt a Mitigated Negative Declaration of Environmental Effect, having determined that the City of Turlock, as lead agency for the proposed project, has prepared an Initial Study to make the findings contained in Draft Planning Commission Resolutions 2009-22 and 2009.23.

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

MOTION: Commissioner Pedroza moved, Commissioner Fregosi seconded, that the Planning Commission recommend the City Council approve Rezone 2009-02 and General Plan Amendment 2009-02, having determined that the appropriate findings can be made, subject to the conditions contained in Draft Planning Commission Resolutions 2009-22 and 2009-23.

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

H. OTHER MATTERS

None

I. COMMISSIONER'S CONSIDERATION

None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None

K. COMMISSIONER'S COMMENTS

Commissioner Pedroza read the following prepared statement:

"I would like to take this time to apologize to staff in regards to comments made last Tuesday night at the City Council meeting. You were criticized for bringing a recommendation to the City Council denying the Planned Development concerning the fence at Johnson and El Capitan. Staff did not deserve to be chastised in a public forum for doing their jobs as per those parameters set forth by this council and prior councils when developing our master plan and city ordinances.

You (staff), must follow the same parameters as we (Planning Commission) when addressing issues such as this Planned Development. If we are tasked with recommending approval, the governing body (City Council) must revise the parameters we must use to access the Planned Development.

I publically state that I commend your efforts and understand the difficult situations you all face in the performance of your duties. I know we all have the best interests of the entire community at heart.”

Commissioner Fregosi commented that the Planning Commission is obligated to make certain findings.

Chairman Brem commented about a house that is under construction on Tuolumne Road.

Mike Pitcock noted that construction had ceased and the building permit has expired.

Commissioner Pedroza commented on an unfinished remodel of a house on East Main.

Commissioner Fregosi commented on the tall weeds at the Tuolumne Road house.

L. STAFF UPDATES

Debbie Whitmore updated the Commission on the following items:

- The U.S. Cold Storage facility on Fransil Lane is nearing completion.
- The Beautification projects are back on schedule. The Committee will meet soon to review the designs.

M. ADJOURNMENT: Having no further business Chairman Brem adjourned the meeting at 8:09 p.m.

Respectfully Submitted,

MIKE BREM
Chair

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