

MINUTES

TURLOCK CITY PLANNING COMMISSION THURSDAY, OCTOBER 4, 2012 7:00 PM

YOSEMITE COMMUNITY ROOM
TURLOCK CITY HALL, 156 SOUTH BROADWAY

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

COMMISSIONERS ABSENT: Bean, Salcedo and Alternate Commissioner Williams

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

A. CALL TO ORDER The meeting was called to order at 7:02 p.m.

B. APPROVAL OF MINUTES

Chairman Brem asked for corrections or a motion for approval of the minutes of the September 6, 2012 Planning Commission meeting. Motion by Commissioner Fregosi, seconded by Commissioner Pedroza, and carried unanimously with Commissioners Bean and Salcedo absent.

C. ANNOUNCEMENTS

There were two announcements from Debbie Whitmore.

1. A green sheet on item G1, the Yosemite Farm Credit project.
2. Minutes from public hearings on Tentative Parcel Map 12-02 and Tentative Parcel Map 11-03 have been provided to the Commission as required by the Turlock Municipal Code.

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. GENERAL PLAN AMENDMENT 2012-02, REZONE 2012-02, MINOR DISCRETIONARY PERMIT 2012-16 (Yosemite Farm Credit) Rose Stillo presented the staff report and said that the request is to amend the General Plan designation for property located at 900 W. Monte Vista Ave, from Medium Density Residential to Commercial Office and rezone this same property to C-O (Commercial Office), to allow for the development of a 17,000 square foot office building and a 4,000 square foot addition to an existing bank building. Design review (Minor Discretionary Permit 2012-16) is also a part of this project. Rose noted that staff has received comments from the adjacent property owner regarding access easement concerns between property owners, but has received written confirmation that these issues have been worked out to the satisfaction of both parties. Staff is recommending approval of the project.

Tracy Sparks, representing Yosemite Farm Credit, thanked staff for their help during the predevelopment and public hearing processes.

PUBLIC HEARING:

Chairman Brem opened the public hearing. No one spoke. Chairman Brem closed the public hearing.

The consensus of the Commission is that this is a well-designed project and good for the area.

MOTION: Commissioner Dias 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 2012-18, 2012-19 and 2012-20. Motion carried unanimously with Commissioners Bean and Salcedo absent.

MOTION: Commissioner Dias moved, Commissioner Pedroza seconded, that the Planning Commission recommend the City Council adopt General Plan Amendment 2012-02 and approve Rezone 2012-02, and Minor Discretionary Permit 2012-16, having determined that the appropriate findings can be made, subject to the conditions contained in Draft Planning Commission Resolutions 2012-18, 2012-19 and 2012-20. Motion carried unanimously with Commissioners Bean and Salcedo absent.

2. CONDITIONAL USE PERMIT 2012-01 (The Brick Bar & Grill) Rose Stillo presented the staff report and said the request is for a restaurant and bar on the first floor of the building, including an area for a disc jockey and dancing, and an outdoor dining area at 146 W. Main Street. The restaurant would serve lunch (11:00 a.m. to 2:00 p.m.) and dinner (5:00 p.m. to 10:00 p.m.), and the bar/dancing activities are requested to take place until 2:00 a.m. Conditions have been added that require on-site security dedicated to The Brick Bar & Grill at a rate of 1 per 100 patrons. Rose noted that on-site security would be immediately recognizable and a minimum of one security personnel would survey the perimeter of the building every half an hour. Since the site is located within the "Downtown Core" zoning district, on-site parking is not required, but a parking analysis was completed and it was found that adequate parking is available. Rose said that a public notice was mailed to property owners within 500' of the project and no comments were received.

Commissioner Fregosi asked if the Police Department provided comments on the hours of operation.

Rose noted that Police Department conditions are outlined in the resolution and allow the business to remain open until 2:00AM.

PUBLIC HEARING:

Chairman Brem opened the public hearing.

Stephen Backus, co-owner of The Brick Bar & Grill, thanked staff for their help with this project.

Troy Barson, owner of the Union Block building located at 122 – 124 W. Main Street, said he appreciates that security is being provided. He would like to see the rear parking lot checked out on a regular basis because he has received complaints from his tenants about trash and extra people loitering in that parking lot late at night. Mr. Barson also requested that the business owners make themselves available if problems do arise.

Chairman Brem commented that Mr. Backus's existing business is well run.

Commissioner Pedroza asked about the frequency of the perimeter checks.

Stephen Backus said that a perimeter check would be done every half hour, and that an owner is always on-site during business hours.

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

MOTION: Commissioner Pedroza moved, Commissioner Hillberg seconded, that the Planning Commission find Conditional Use Permit No. 2012-01 (The Brick Bar & Grill) to be Categorically Exempt from the provisions of CEQA, and approve Conditional Use Permit No. 2012-01, having determined that the appropriate findings have been made, subject to the conditions of approval listed in Draft Resolution No. 2012-17. Motion carried unanimously with Commissioners Bean and Salcedo absent.

3. CONDITIONAL USE PERMIT 2006-04 AMENDMENT (Sikh Temple) Katie Melson presented the staff report and said the request is for a new two story approximately 21,000 square foot building, with a dining area and a kitchen on the first floor; a conference room, priest residence and guest rooms on the second floor. A six foot tall externally illuminated monument sign is also proposed. The proposed project is located at 1391 Fifth Street.

Katie reported that in 2006 the Planning Commission granted a conditional use permit for the construction of a 42 foot tall, 20,000 square foot, two-story temple located on the subject site and it was completed in 2011. She said that all of the parking and the majority of the landscaping for the site was installed with that project and will be shared between the temple and this new building. Katie noted that a condition has been placed on the project to ensure the facility will not be used as an event center available for reservation by the general public for non-temple related events. The site plan submitted with the application shows the wall along the southern and western property lines as being removed. This would allow access through all three of the sites and would make all of the sites part of this project. The applicant no longer wishes to remove the wall and has agreed to replace the section of the wall that was removed. Katie advised that there is a condition of approval

that states if they do want to remove the wall to have connectivity between sites, it could be approved at the staff level.

Katie said she received a phone call from a member of the public who expressed concern about a parade held by temple members that resulted in the road being closed without notifying the neighbors. She noted that in the future a road closure / parade permit would need to be obtained prior to similar events being held.

Katie said that a six foot tall, externally illuminated monument sign is proposed and is in addition to the existing sign on the building.

Paul Bagha, architect for the Sikh Temple, thanked staff for their help at the predevelopment meeting and said the new structure will be for congregational use only and not open to the public.

PUBLIC HEARING:

Chairman Brem opened the public hearing.

Gunan Hayre and Sukminder Deol spoke in favor of the project.

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

The Commission discussed the size and illumination of the sign compared to similar signs located in residential districts.

MOTION: Commissioner Hackler moved, Commissioner Pedroza seconded, that the Planning Commission grant Conditional Use Permit No. 2006-04 Amendment (Sikh Temple), having determined that the project is Categorically Exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities), and that all of the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution No. 2012-21. Motion carried unanimously with Commissioners Bean and Salcedo absent.

H. **OTHER MATTERS** – None.

I. **COMMISSIONER'S CONSIDERATION** – None.

J. **STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

1. Debbie Whitmore reported on the Stanislaus County Nuisance Abatement Hearing for 1301 and 1113 Washington Road, Turlock CA held on September 27, 2012. She said that a follow up hearing by the County Board of Supervisors is scheduled for October 30.

K. **COMMISSIONER'S COMMENTS**

Commissioner Pedroza commented about new development and good projects underway in Turlock, and said that he appreciates the positive comments about staff.


Commissioner Fregosi commented on the Edgar Degas exhibit at the Carnegie Center. She also commented about signage at a new restaurant on West Main Street.

L. STAFF UPDATES


- **General Plan Update:** Debbie Whitmore reported on the City Council's action on the General Plan Update and its associated Citywide Rezone. The next step in the process is to update the Citywide Capital Facility Fee Program and develop a General Plan Implementation Program. She noted that the new General Plan document will be available at the end of the month.
- **Stanislaus LAFCo Public Hearing on Ag Preservation Policy:** Debbie Whitmore reported that LAFCo did take action to establish stringent standards for future annexations including one-to-one ag mitigation or enacting a voter approved urban growth boundary.
- **APA Central Section Award for Journalism:** The Journalist of the Year was presented to Turlock Journal's Alex Cantatore.
- **San Joaquin Valley Blueprint Award of Merit for the Historical Districts for the Carnegie Arts Center:** Debbie Whitmore said the award will be presented on October 12th at the San Joaquin Valley Fall Policy Conference held at the Tachi Palace hotel in Lemoore.
- **Downtown Plan Update:** Debbie Whitmore said that the City Council has directed the Development Collaborative Advisory Committee to identify building issues related to the development of second floor uses in downtown buildings.
- **November Planning Commission meeting** – will include a public hearing on the Turlock Poker Room's proposed expansion request. Commissioner Fregosi will chair this meeting in Chairman Brem's absence.
- **City Slurry Seal Schedule:** Mike Pitcock reported on the status of this project. He advised that Assessment Districts are paying the cost for the work being done. Mike also reported on various landscape median projects that have been recently awarded.

M. ADJOURNMENT: Having no further business Chairman Brem adjourned the meeting at 8:06 p.m.

Respectfully Submitted,



MIKE BREM
Chair



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