

MINUTES

TURLOCK CITY PLANNING COMMISSION THURSDAY, NOVEMBER 1, 2012 7:00 PM

YOSEMITE COMMUNITY ROOM
TURLOCK CITY HALL, 156 SOUTH BROADWAY

COMMISSIONERS PRESENT: Salcedo, Hillberg, Brem, Bean, Fregosi, Dias
ALTERNATE COMMISSIONERS: Pedroza, Williams
COMMISSIONERS ABSENT: Hackler
STAFF PRESENT: Debra Whitmore, Deputy Director of Development Services; Mike Pitcock, Director of Development Services; Rose Stillo, Senior Planner; Adrienne Werner, Planning Technician; 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 October 4, 2012 minutes. Motion and second (Hillberg/Fregosi) and carried unanimously with Commissioners Bean and Salcedo abstaining and Commissioner Hackler absent.

C. ANNOUNCEMENTS

Debbie Whitmore said there is a green sheet for item G1, Turlock Poker Room, outlining additional conditions from the Police Department.

D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

Chairman Brem advised that he has a conflict of interest with item G1, Turlock Poker Room.

E. PUBLIC PARTICIPATION

John Rudd, representing Volvo Rents located at 1400 South Ave, asked the Commission to consider amending the Turlock Municipal Code to allow electric fencing in certain zoning districts, and place this matter on the December Planning Commission agenda for discussion.

F. CONSENT CALENDAR

None

G. PUBLIC HEARINGS

CONSENT ITEMS*:

* None

To avoid the appearance of a conflict of interest, Chairman Brem leaves the room for this item.

NONCONSENT ITEMS:

1. AMENDMENT TO CONDITIONAL USE PERMIT 2008-03 (TURLOCK POKER ROOM)

Request to expand the Turlock Poker Room's total footprint and add a bar as a service provided at the Turlock Poker Room. The Turlock Poker Room is located at 2321 W. Main Street, Suite #C in the Turlock Cinema Center. Adrienne Werner presented the staff report and identified existing uses in the area. She said the expansion will include moving in to the adjacent suite, an outdoor patio and an additional restroom. She noted that live entertainment is not part of this amendment, and staff is recommending approval.

Vice Chair Fregosi asked if alcohol would be served in the new patio area.

Phillip Rheinschild, of the Turlock Poker Room, said they anticipate serving alcohol in the patio area, pending State approval of their liquor license.

Vice Chair Fregosi opened the public hearing.

Commissioner Pedroza said he was concerned about alcohol being served so close to the movie theater.

Commissioner Salcedo said he was concerned with the patio area being right next to the movie theater and the possibility of children being exposed to drinking and foul language.

Sergeant Steve Webb said the business would be responsible for any loud and unruly patrons, and if the Police Department is called they will respond to any problems.

Mr. Rheinschild said he understands the concerns expressed by the Commissioners and said their goal is to be good neighbors to the cinema. He noted that an on-site security officer is stationed outside of the business "24/7" in addition to an inside security officer.

Commissioner Dias asked if alcohol would be consumed at the tables.

Mr. Rheinschild responded that alcohol will be served at the tables, and patrons can access the bar from a separate entrance, or from the gaming table area.

Commissioner Dias asked if the business will be required to serve food.

Debbie Whitmore replied that the type of alcohol license being obtained does not require food service.

Mr. Rheinschild said that snack type food will be available, but food will not be served as part of the business.

Hearing no additional comment, Vice Chair Fregosi closed the public hearing.

MOTION: Commissioner Salcedo moved, Commissioner Hillberg seconded, that the Planning Commission find amendment to Conditional Use Permit No. 2008-03 (Turlock Poker Room) to be Categorically Exempt from the provisions of CEQA, and approve the proposed amendment, having determined that the appropriate findings have been made, subject to the conditions of approval listed in Draft Resolution No. 2012-22 as amended by the green sheet. Motion carried unanimously.

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

Chairman Brem is reseated.

H. OTHER MATTERS
None

I. COMMISSIONER'S CONSIDERATION
None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

1. CUP 2012-17 DAN AVILA & SONS: Debbie Whitmore reported on Stanislaus County CEQA referral for Conditional Use Permit Application for Dan Avila & Sons to permit the establishment of a 180,000 square foot warehouse at 1301 Washington Road. She noted that the City of Turlock will be providing comments on this use permit.

K. COMMISSIONER'S COMMENTS

Commissioner Fregosi commented on a mechanical "human" sign she noticed on Geer Road.

Commissioner Dias commented on construction work being done in the median on Golden State Blvd.

Chairman Brem commented about the underground work being done on Monte Vista Ave and Geer Road. Commissioner Hillberg commented on work being done on Center Street and Olive Ave. City Engineer Mike Pitcock said that PG&E has been testing gas lines in these areas.

Commissioner Pedroza commented on a Fresno Bee article about growth.

L. STAFF UPDATES

Debbie Whitmore updated the Commission on the following items:

- General Plan – the implementation report is being prepared and will be posted on the City's

web site. Staff is updating the Capital Facility Fee Program; staff has met with both the Denair Fire and Turlock Rural Fire Districts about potential impacts of future annexations. Debbie noted that Denair Fire has asked to meet with City staff every year to discuss what is happening with Turlock growth and master plan processes. Debbie advised that the California Clean Energy Committee has filed a lawsuit against the City for the recently adopted General Plan. The issues are energy conservation and ag mitigation/fees.

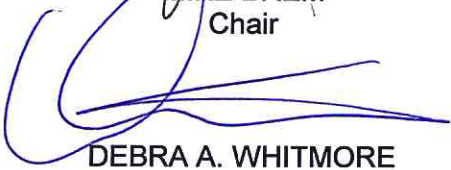
- Planning Legislation – Senate Bill 244 requires counties, cities and LAFCOs to plan for disadvantaged communities. There is a new bill concerning rainwater capture; new solar permit fee legislation; Assembly Bill 1616, Cottage Food Industry, that permits certain types of foods to be prepared in private homes; and a bill requiring a 10-day turnaround for pipeline project permits; and new CEQA legislation.
- Countywide Agricultural Preservation mini-conference - Tentatively scheduled for Saturday, January 26, 2013. The County Planning Directors are working with the Mayors to schedule this as part of the annual Planning Commissioners Workshop.

M. ADJOURNMENT: Having no further business Chairman Brem adjourned the meeting at 7:54 p.m.

Respectfully Submitted,



MIKE BREM
Chair



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