

A. CALL TO ORDER – Chairman Pedroza called the meeting to order at 6:00 p.m.

PRESENT: Commissioners Jeanine Bean, Nick Hackler, Elvis Dias, Eric Gonsalves, Geoff Powers, and Chairman Victor Pedroza

ABSENT: Commissioner Soraya Fregosi

B. APPROVAL OF MINUTES

1. Accepting minutes of regular Planning Commission meeting of November 3, 2016.

MOTION: Commissioner Dias seconded by Commissioner Bean to accept the minutes as submitted. Motion carried unanimously with Commissioner Hackler and Gonsalves abstaining and Commissioner Fregosi absent.

C. ANNOUNCEMENTS

None

D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

DISCLOSURE OF EX PARTE COMMUNICATIONS

Commissioner Hackler declared a conflict of interest for item G.1-Variance 2016-05 Salvation Army.

E. PUBLIC PARTICIPATION

James Hapgood addressed the Commissioners stating he moved in his home 65 years ago and has had several RV's and never had one complaint from his neighbors. He spoke to the gentleman who talked about the RV's and was told he didn't like to look at the RV's. Mr. Hapgood told him maybe he should move to another town. James feels we shouldn't do anything about the RV's in Turlock.

Michael Puffer advised the Commission that his home sits between two homes where RV's are parked in their driveways and they don't have a problem with it.

F. CONSENT CALENDAR

None

G. PUBLIC HEARINGS

***CONSENT ITEMS**

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

To avoid the appearance of a conflict of interest, Commissioner Hackler steps down at 6:09 p.m.

-
1. **VARIANCE 2016-05 – THE SALVATION ARMY (893 & 865 Lander Avenue):** The Salvation Army is requesting approval to construct a six-foot tall perimeter fence around the multipurpose building and chapel/auditorium building, similar to the existing wrought iron fencing at Silvercrest Apartments. The new fencing will be constructed of wrought iron and will have swinging automobile gates at the Lander Avenue and South Avenue entrances, two pedestrian gates on Lander Avenue and one pedestrian gate on South Avenue. The automobile gates will open daily at 7:00 a.m. The Lander Avenue automobile gate will close nightly at 8:00 p.m. The South Avenue automobile gate will stay open until 10:00 p.m. to accommodate evening programs. All pedestrian gates will remain closed at all times and will be equipped with inside panic bar hardware and key access.

Associate Planner Adrienne Werner advised Commission that 6 foot fences are not allowed in residential areas. The Lander Avenue fence is in the setback area. If they maintain the required 20 foot setback, it will not give them the security they are looking for. This is the only residential zoned property that fronts to Lander Ave. In 1978, a planned development for this location zoned it commercial for a shopping center. The Planned Development expired and the property reverted back to residential. There is a wall constructed in back of the Salvation Army building by the Silvercrest Apartments. The fencing will be along Lander and on the South area. Staff believes not allowing them to build the fence would prohibit the Salvation Army from taking advantage of the development standards that adjacent property owners are able to use to provide additional security to their properties.

Major Debbie Shrum from Salvation Army said this is a safety issue. They are cleaning up garbage almost every day on the property, finding needles and pipes, the flag ropes were stolen and signs were ripped off. Also, they need 75 square feet per child of outdoor space to receive state licensing for their afterschool program. They would have to cut it by three days a week without the extra space.

Public Hearing:

Robert Puffer asked if there is a fence on the south side of the parking lot by Dollar General. He worried about the visual clearance when turning on Lander Avenue. Turlock Christian's fence has no setback so why don't they rezone their property?

City Engineer Mike Pitcock stated they would still need to meet the clear vision triangle of 30 feet on each corner and 15 feet back from driveways.

Deputy Director Debra Whitmore explained that Turlock Christian is on a commercial property that has different setback requirements. Although Salvation Army is a type of commercial use allowed in the High Density Residential zoning district, all uses are subject to the setback requirement for a residential use.

Gil Esquer commented that he considers the fence to be a safety precaution and knows what this area is like and recommends it.

Commissioner Dias asked if the corner of South Ave and Lander Ave will have setbacks. Ms. Werner responded that the posts would have to be moved to be in compliance with the conditions of the variance, if approved.

Commissioner Pedroza understands the safety issue and did question about not rezoning but thinks this is the best solution for today.

MOTION: Motion by Commissioner Dias, seconded by Commission Powers that Variance No. 2016-05 (The Salvation Army) to be "Categorically Exempt" from the provisions of CEQA and approved Variance 2016-05. Motion approved unanimous with Commissioner Fregosi absent.

Ms. Debra Whitmore explained to the applicant the option to appeal within 10 days to the City Council.

Commissioner Hackler was reseated at 6:32.

2. **PD 229 TIME EXTENTION-HEALTH & WELLNESS**-The applicant is requesting an amendment to the development schedule for Planned Development 229 to construct up to 13,000 square feet of additional medical office space on a vacant pad in an existing medical office complex. A temporary mobile magnetic resonance imaging (MRI) trailer and storage containers on the site are to be removed upon construction of the new building. The new permit will allow up to five years to begin construction of the new building. Parking lot and street improvements have been completed. Additional landscaping will be installed at the base of the building. The property is located at 1801 Colorado Avenue, Turlock (Stanislaus County APN 072-040-46).

Deputy Director of Development Services Debra Whitmore stated this planned development was originally approved in August 2003. Phase 1, construction of the first building, was built with phase 2 to be built within 1 year. Phase 2 was not done so the permit expired in 2009. The new time extension would allow the Phase 2 building to be constructed within five years of the Commission's approval. The building has been reduced from 18,000 square feet to 13,000 square feet. It will house an imaging center, medical offices and storage. A mobile MRI trailer and cargo containers will be removed when the new building is completed. Elevations will match what is out there now. Traffic issues and parking are the only concern. The Turlock General Plan has been amended since the original Planned Development and the new standards would need to be met as the new building will result in more traffic. A traffic study would need to be done prior to construction. The City of Turlock will manage all traffic issues, signal timing, school crossing, turn movements from Delbon, and visibility constraints on Colorado. Parking is fully developed with 311 parking spaces with 152 spaces being used during peak times which shows adequate parking. This project meets all general plan requirements.

Mike Navarro spoke representing the applicant stating the new building will take 6-8 months to design, and two to three years to build completely out. Storage containers have office supplies in them and will be moved into the new building. Employees are asked to park on the street to alleviate parking issues.

Public Hearing:

No additional comments was made.

MOTION: Motion by Commissioner Bean, seconded by Commission Powers that the Planning Commission determined amendment to PD 229

(Tower Health and Wellness Center), is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) and approved the amendment to PD 229 (Tower Health and Wellness Center). Motion approved unanimous with Commissioner Fregosi absent.

- 3. AMENDMENT TO PLANNED DEVELOPMENT 126 – SEE’S CANDIES (2962 GEER ROAD):** The applicant is requesting approval to amend Planned Development 126 to allow façade modifications to a portion of an existing building. Specifically, the applicant is requesting to install an awning, stucco over the existing red and green tile band, add black and white tile to the existing entry archway, and add vinyl graphics to the existing wall arches. These modifications are part of the branding image for See’s Candies and are only proposed on half of the existing building.

Associate Planner Adrienne Werner explained See’s brand awnings are only going on a portion of the building. See’s wants to show their signature brand of advertising for corporate identity with black and white tile and awnings. The City has approved three signs for See’s on the buildings elevations facing Geer Road, the Raley’s supermarket and the main entry driveway to the center. Signs in windows are not counted as signs but graphics in the arches do. They are requesting 28 square feet more signage than allowed.

Staff shows these findings are not consistent with the general plan and commercial design guidelines. Window awnings, sign designs in the arches and color separate the two buildings. Applicants were given these options:

- Option 1- install awning, tile and paint on entire building.
- Option 2- install awning just over doors and windows not entire building
- Option 3- install awning only over main entrance, stucco over tile
- Option 4- approve as applicant submitted.

Richard Escalante, representative for See’s Candies, explained they are limited on improvements made to the building and have no control over the other side. Brand image is important to them. Option 4 is their preference. If this is not possible, he would need to take it back to See’s.

Commissioner Gonsalves stated that the tile band is of concern. The main intent is that the tile is the same on the entire building. Also, if they allow graphics in the archway, GameStop will want to put their signage in the archway too.

The Commissioners discussion concluded that the applicant should work with staff to develop an alternative that is more consistent with the City’s Design Guidelines and the center. The building needs to show continuity on all four sides and be treated as one building.

Richard Escalante agreed to continue the item to the Commission’s next regular meeting and stated it would not affect the store opening.

Public Hearing:

None

MOTION: Motion by Commissioner Hackler, seconded by Commission Bean to continue this item to the January 19, 2017 meeting. Motioned carried unanimously with Commissioner Fregosi absent.

H. OTHER MATTERS

None

I. COMMISSIONERS CONSIDERATION

1. **Adoption of 2017 Planning Commission meeting calendar.** Staff Services Technician Joanne Foster presented the Planning Commission calendar for meetings in 2017.

MOTION: Motion by Commissioner Hackler, seconded by Commission Dias. Motioned carried unanimously with Commissioner Fregosi absent.

2. **Annual Permit and Application report for August-December 2015 and January-November 2016.** Assistant Planner Scott Quyle presented the report showing all applications received from August to December 2015 and January to November 2016. This report is done quarterly.

Deputy Director of Development Services Debra Whitmore advised Commission a joint meeting with City Council is scheduled for August 8, 2017.

Ms. Whitmore also reminded the Commissioners that the AB1234 training must but done.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

1. **PLN2016-0107- DTL LOGISTICS - 2515 LANDER AVENUE (north of W. Greenway, south of State Highway 99, in the Turlock area):** Stanislaus County CEQA referral for a request to establish a truck parking facility for 12 truck-tractors and 12 trailers on an 0.86± acre portion of 8.86± acre parcel. Hours of operation are 7:00 a.m.–5:00 p.m. The site is currently developed with a single family dwelling, and planted in row crops. All vehicle maintenance will be done off-site. The Planning Commission will not take any action on this item, but may offer comments to staff. Senior Planner Katie Quintero stated this project is in the County but Lander Avenue is identified as a gateway into Turlock. The City is asking for frontage improvements, employee parking, a driveway, and have sent comments on to the County.

K. COMMISSIONERS COMMENTS

Commissioner Hackler stated it has been a pleasure to serve with Commissioner Jeanine Bean. Commission Pedroza stated she will be missed and thanked her for all her years of service.

L. STAFF UPDATES

None

M. ADJOURNMENT

MOTION: Commissioner Pedroza, seconded by Commissioner Bean to adjourn the meeting at 7:40 p.m.

RESPECTFULLY SUBMITTED

Victor Pedroza
Commission Chair

Debra A. Whitmore
Deputy Director of Development Services