

**A. 1. CALL TO ORDER** – Chairman Jim Reape called the meeting to order at 6:00 p.m.

Chairman Reape explained that the Commission and staff were participating in the meeting via zoom and that staff would provide instructions on how members of the public would be able to participate during public participation and public hearing discussion items.

**2. SALUTE TO THE FLAG**

**3. ROLL CALL:**

Commissioner Souza	Commissioner Davis	Commissioner Anderson	Commissioner Varani	Commissioner Dias	Chairman Reape
Yes	Yes	Yes	Absent	Yes	Yes

PRESENT: Commissioners Ray Souza, Matthew Davis, Constance Anderson, Elvis Dias, and Chairman Jim Reape

ABSENT: Commissioner Anokeen Varani

**B. APPROVAL OF MINUTES**

1. Chairman Reape asked for corrections or a motion to approve the minutes of the Regular Meeting of August 6, 2020.

**MOTION:** Commissioner Anderson moved, seconded by Commissioner Dias to accept the minutes as submitted. Motion carried 5/1 by the following vote:

Commissioner Souza	Commissioner Davis	Commissioner Anderson	Commissioner Varani	Commissioner Dias	Chairman Reape
Yes	Yes	Yes	Absent	Yes	Yes

**C. ANNOUNCEMENTS**

Deputy Director of Development Services Katie Quintero explained that members of the public will be given the opportunity to speak during public participation concerning any item not on the agenda but within the scope of the Commission as well as provide public comment on any items on the agenda. She explained, once public participation is opened, those interested in addressing the Commission can press the “raise hand” feature on their screen or press \*9 from their telephone keypad to be allowed to speak.

**D. PUBLIC PARTICIPATION**

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Chairman Reape opened the floor for public participation. Hearing no one, Chairman Reape closed the floor for public participation.

**E. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**  
**2. DISCLOSURE OF EX PARTE COMMUNICATIONS:**

Chairman Reape asked the Planning Commission if there were any conflicts of interest or disclosures of ex parte communications. There were none.

**F. PUBLIC HEARING CONSENT CALENDAR**

Chairman Reape stated there was one public hearing consent calendar item:

- 1. GENERAL PLAN CONFORMITY FOR PUBLIC STREET ABANDONMENT (20-01) OF ISAAC WAY AND THE PUBLIC UTILITY EASEMENT:** Senior Planner Adrienne Werner explained this item is to determine if the abandonment of the 600 block of Isaac Way and approximately 206 feet of the Public Utilities Easement, along the west side of Isaac Way, is in conformance with the Turlock General Plan pursuant to the Government Code.

Senior Planner Werner explained further that the Planning Division has received a request for construction of a 27,000 square foot office and warehouse building to be built on three parcels located on Liberty Square Parkway across from Alpha Poultry. The applicant is requesting the abandonment of Isaac Way to enable Alpha Poultry to consolidate their operations across the parcels and provide a more efficient movements between the two facilities.

Senior Planner Werner explained that the Planning Commission will be voting on whether the abandonment represents a proper balance of General Policies and is therefore consistent and complies with the General Plan and its policies. Things to consider are: encouragement of infill and protection of farmland, support the existing businesses and sustain fiscal health with the expansion of Alpha Poultry; encourage land assembly; keeping the roadway systems safe and efficient; allow agricultural to continue for the property to south, and continue the gridded street network by providing a safe movement in the industrial area.

Senior Planner Werner stated that during the public noticing for this project, staff received a letter from the property owner of the 10-acre parcel to the south expressing concerns that their agriculture equipment would no longer have access to their property through Isaac Way. However, Senior Planner Werner said if the abandonment is approved, access for the Fire Department, Turlock Scavenger, and the agriculture equipment will still be allowed. She further explained she also received a telephone call today stating concern that this abandonment would not permit access to the utilities: water, sewer, and electricity for any future developments of the adjacent lot.

Chairman Reape asked if there were gates on Isaac Way now.

Senior Planner Werner stated there are none.

Commissioner Anderson asked if the easement allows the movement of the agriculture equipment to the property to the south.

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Interim Development Services Director Nathan Bray stated access is allowed on Isaac Way through the easement for farm equipment to avoid less conflict with traffic. If the property changes from agriculture, the access with the easement will be removed. Director Bray continued stating that with the abandonment of Isaac Way, the setbacks required for the new building were reduced allowing the new building to be built closer to the current Alpha Poultry building and allowing a larger building to be constructed.

Commissioner Anderson asked if the South property has pulled any permits for development and asked if it can stay agriculture.

Interim Director Bray answered no permits have been pulled and yes, the property can stay agriculture.

Commissioner Dias asked why they would use the easement if there is access from Ruble Rd.

Interim Director Bray stated it is difficult to drive the farm equipment on Ruble Road in its current configuration.

Chairman Reape opened the floor for public participation

Hermanta Agarwala, applicant, stated this approval will help with access to the new proposed building and stated he is willing to work with City officials to allow access for the neighbors to the South.

Milt Trieweiler, caller, asked if the City of Turlock is the owner of Isaac Way and if Isaac Way was abandoned, who would be responsible to repair the street and if the owner of the property south of Isaac Way will be able to access the utilities.

Interim Director Bray answered the City of Turlock owns the easement for the utilities only, the adjacent property owners own from the property line to ten feet in the roadway. If the abandonment goes through, the property owner will be responsible for all repairs of the street, but the City will still have access to the utilities, however the property to the south will get their utilities from Ruble Road not Isaac Way.

Brian Jones, caller, stated the utilities down Isaac Way are very important for the back property and if abandoned, the utility lines would have to run south down Tegner Rd to Ruble Rd.

Commissioner Anderson asked what the process would be to get access for water and sewer to the property to the south.

Interim Director Bray explained utilities can be accessed from Ruble Road for the property to the South and even if a utility easement is added to allow the property to access water and sewer it would not diminish the improvements needed on Ruble Road.

Commissioner Dias asked due to the concerns of the abandonment, could this project have been brought as a variance.

Deputy Director Quintero stated if it was a deviation from the development standards, and a desire for a campus like development, it would require a Planned Development with a rezone and would be a six to eight month process with the approval from the Planning Commission and City Council.

Hermanta Agarwala, the applicant stated he would be willing to issue a utility easement.

Mr. Baptista, caller, appreciated the utility easement cited concern with the access as well.

Chairman Reape asked if plans have been submitted to develop the southern property.

Mr. Baptista stated no plans have been submitted at this point.

Lon Baptista caller, owns property to the Southwest, stated if Isaac Way access could extend through to Ruble Rd, he would be interested in installing the improvement now.

Chairman Reape closed the public hearing.

Commissioner Dias asked how General Plan policy #6 grid street network is in conformity.

Interim Director Bray stated in industrial areas, the grids are larger and this abandonment would conform with the General Plan.

Commissioner Dias asked when this area was developed.

Deputy Director Quintero stated is was developed in 2003.

Interim Director Bray stated this new development will merge three lots in the subdivision eliminating a large parcel of vacant land.

Chairman Reape stated there is concerns with the conflicting needs for this street. The general plan intent is to develop this area with large projects; the vision for Isaac Way was to give access to Ruble Road, and it meets the policies of the General Plan but asked if the amendment can allow the access to the utilities.

Deputy Director Quintero explained the Planning Commissioners are only voting on the General Plan conformity but a condition can be added to recommend to add utilities.

**MOTION:**

Commissioner Reape moved, seconded by Commissioner Davis determining the proposed project is "Exempt" from the provisions of the California Environmental Quality Act (CEQA) under the CEQA Guidelines Section 15061(b)(3)[Review for Exemption] as this determination does not have the potential to generate a significant effect on the environment and determined that the proposed abandonment of Isaac Way is in conformance with the adopted General Plan of the City of Turlock, pursuant to CA Government Code Section §65402, having made findings in Draft Resolution 2020-19 with the added recommendation to allow a utility easement. Motion carried 4/2 by the following vote:

Commissioner Souza	Commissioner Davis	Commissioner Anderson	Commissioner Varani	Commissioner Dias	Chairman Reape
Yes	Yes	Yes	Absent	No	Yes

**G. PUBLIC HEARINGS  
 \*CONSENT ITEMS**

Chairman Reape noted there were none.

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**H. OTHER MATTERS:**

Chairman Reape noted there were none.

**I. COMMISSIONER'S CONSIDERATION**

Chairman Reape noted there were none.

**J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

Chairman Reape noted there were two items for discussion. Deputy Director Katie Quintero explained these items are for discussion only for County projects within one mile of the Turlock City limits.

1. **OUT-OF BOUNDARY SERVICE APPLICATION NO.12 - BEST RV (KEYES COMMUNITY SERVICES DISTRICT):** Deputy Director Quintero explained that Keyes Community Services District has applied to LAFCO for an out-of-boundary service extension to provide water to Best RV Center for its sales office and service facility located at 5340 Taylor Ct. The State of California is requiring this water service due to the number of employees at this location. The proposed extension would be for a 2-inch water line that will travel across Golden State Blvd. and under Highway 99.

Chairman Reape opened the floor for any questions or comments.

Commissioner Dias asked if Keyes Community Services receives services from City now.

Director Quintero answered sewer only, Keyes has its own water.

2. **REZONE APPLICATION PLN 2020-0073 - ELUM INC:** Deputy Director Quintero explained that a CEQA referral was received from Stanislaus County for a rezone application for 4918 Taylor Ct for a new development. The project would use the existing building for a beverage labeling machine company as well as construction of a new 25,000 square foot building.

Chairman Reape opened the floor for any questions or comments.

Caller Nikki asked if we knew the name of the beverage facility for this application.

Deputy Director Quintero said the name on the application is Elum Inc. and the entire application can be viewed on Stanislaus County's webpage.

**K. COMMISSIONERS COMMENTS**

Chairman Reape asked the Commission for any comments. None were heard.

**L. STAFF UPDATES**

Deputy Director Quintero stated the Planning Commissioner vacancy may go to the City Council meeting in late October or November.

**M. ADJOURNMENT**

Chairman Reape asked for a motion to adjourn the meeting. Motion by Commissioner Dias and motion was carried unanimously. The meeting was adjourned at 7:19 p.m.

**RESPECTFULLY SUBMITTED**

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Jim Reape  
Chairman

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Katie Quintero  
Deputy Director of Development Services