



## TURLOCK CITY PLANNING COMMISSION MEETING AGENDA

**THURSDAY, January 7, 2010 – 7:00 PM**  
**City of Turlock, Yosemite Community Room**  
**156 South Broadway**  
**Turlock, California**

**NOTICE REGARDING NON-ENGLISH SPEAKERS:** The Turlock Planning Commission meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

**EQUAL ACCESS POLICY:** If you have a disability which affects your access to public facilities or services, please contact the Planning Division at (209) 668-5640. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

**NOTICE:** Pursuant to California Government Code Section 54954.3, any member of the public may directly address the Planning Commission on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the Planning Commission's consideration of the item.

**AGENDA PACKETS:** Prior to the Planning Commission meeting, a complete Agenda Packet is available for review on the City's website at [www.cityofturlock.org](http://www.cityofturlock.org) and at the Planning Division office at 156 S. Broadway, Suite 120, Turlock, CA during normal business hours. Materials related to an item on this Agenda submitted to the Commission after distribution of the Agenda Packet are also available for public inspection in the Planning Division Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

### A. CALL TO ORDER

### B. APPROVAL OF MINUTES

1. Regular Meeting of December 3, 2009 [View Item](#)

### C. ANNOUNCEMENTS (*Debbie Whitmore*)

### D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

### E. PUBLIC PARTICIPATION

*This time is set-aside for the public to address the Planning Commission on current issues. If requested by letter one week prior to a Planning Commission meeting, any subject of interest or concern may be placed on the Planning Commission agenda for consideration by the Planning Commission.*

### F. CONSENT CALENDAR

None

*The notice of public hearing for the following item was published on Wednesday, December 23, 2009.*

### G. PUBLIC HEARINGS (\*Consent Items)

#### **\*CONSENT ITEMS**

*These are items on this agenda designated by an asterisk (\*) next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing City policy and the City General Plan and are, therefore, **recommended for routine approval**. Prior to actual Planning Commission consideration, the Chairman will open the public hearing and ask if anyone present wishes to discuss any of the items. If*

*you want a particular agenda item removed from "Consent", please speak up and advise the Chairman. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.*

1. **AMENDMENT TO CONDITIONAL USE PERMIT 2008-03 (TURLOCK POKER ROOM)**  
To amend Condition of Approval #1 for an existing card game business in an existing shopping center to change the maximum number of card tables allowed at the site from 10 to 14 card tables in operation at any one time, if permitted by local ordinance. The project site is located at 2321 West Main Street (Stanislaus County Assessor's Parcel Number 089-014-041). The project is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with CEQA § 15183 (c)(1)(B) (Projects Consistent with a Community Plan, General Plan, or Zoning) and/or Section 15301 [Existing Facilities]. [View Item](#)
  - a) Planning Commission determination that the proposed project is "EXEMPT" from the provisions of the California Environmental Quality Act (CEQA).
  - b) Planning Commission action on the Amendment to Conditional Use Permit 2008-03 (Turlock Poker Room).

*The notice of public hearing for the following items was published on Saturday, December 12, 2009.*

#### **NONCONSENT ITEMS**

*These items will be individually discussed and reviewed in detail.*

2. **GENERAL PLAN AMENDMENT 2009-02, REZONE 2009-02, PLANNED DEVELOPMENT 265 (THE GROVE - CAMPUS CREST DEVELOPMENT LLC)** This is a revision of a previously submitted application for the "Grove" student housing project. The subject property is located at 900 & 950 W. Monte Vista Avenue (Stanislaus County Assessor's Parcel Nos. 071-006-014 & 071-073-002.) ***The applicant has requested this item be continued off-calendar.*** [View Item](#)
  - a) Planning Commission action on the request to continue GENERAL PLAN AMENDMENT 2009-02, REZONE 2009-02, PLANNED DEVELOPMENT 265 (THE GROVE - CAMPUS CREST DEVELOPMENT LLC) off-calendar.
3. **AMENDMENT TO CONDITIONAL USE PERMIT 2008-06 (DANIEL GRAY / VINTAGE LOUNGE))** Request to amend Condition of Approval #16 restricting the hours of operation for an existing cocktail lounge featuring live, non-amplified music from 11 AM to 12 midnight. The applicant is requesting an extension of the closing hours of the lounge from 12 midnight to 1:30 AM, seven days a week. The proposed project is "EXEMPT" from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 [Existing Facilities] of the CEQA Guidelines. [View Item](#)
  - a) Planning Commission determination that the proposed project is "EXEMPT" from the provisions of the California Environmental Quality Act (CEQA) under Section 15301 [Existing Facilities] of the CEQA Guidelines.
  - b) Planning Commission action on Amendment to Conditional Use Permit 2008-06 (Daniel Gray / Vintage Lounge).

4. **GENERAL PLAN AMENDMENT 2009-03 (DRAFT 2007-14 HOUSING ELEMENT)** –  
The City of Turlock is required by the State of California (§ 65580 – 65589.8 of the California Government Code) to prepare a Housing Element as one of the required seven mandatory elements contained in its General Plan. The purpose of the Housing Element is to encourage the provision of an adequate and diverse supply of safe and affordable housing in all communities, consistent with Statewide housing goals. [View Item](#)
- a) Planning Commission recommendation to the City Council on the proposed Negative Declaration, declaring that the project could not have a significant effect on the environment.
- b) Planning Commission recommendation to the City Council on **GENERAL PLAN AMENDMENT 2009-03 (DRAFT 2007-14 HOUSING ELEMENT)**.

#### **H. OTHER MATTERS**

1. **CARGO CONTAINER WORKSHOP – RESIDENTIAL DISTRICTS**

#### **I. COMMISSIONER’S CONSIDERATION - None**

#### **J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

1. **CONDITIONAL USE PERMIT 2009-22 – AVILA & SONS** [View Item](#)

#### **K. COMMISSIONERS COMMENTS:**

#### **L. STAFF UPDATES:** (*Debbie Whitmore*)

#### **M. ADJOURNMENT**

AT THE ABOVE TIME AND PLACE ALL INTERESTED PARTIES WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. ANYONE MAY PRESENT HIS OR HER VIEWS ON THESE MATTERS IN PERSON, BY WRITING, OR BY REPRESENTATIVE. IF YOU CHALLENGE ANY OF THE ABOVE MATTERS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUE YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING(S) DESCRIBED IN THIS AGENDA, OR WRITTEN CORRESPONDENCE DELIVERED TO THE PLANNING COMMISSION OF THE CITY OF TURLOCK AT, OR PRIOR TO, THE PUBLIC HEARING. ANY MATERIALS SUBMITTED TO THE PLANNING COMMISSION FOR CONSIDERATION (PHOTOGRAPHS, SLIDES, PETITIONS, LETTERS, ETC.) BECOME THE PROPERTY OF THE CITY OF TURLOCK AND WILL BE RETAINED AS PART OF THE PUBLIC RECORD AND ARE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY OF TURLOCK PLANNING DIVISION, CITY HALL, 156 SOUTH BROADWAY, TURLOCK. INFORMATION MAY ALSO BE OBTAINED BY CALLING THE CITY OF TURLOCK PLANNING DIVISION AT (209) 668-5640. WRITTEN CORRESPONDENCE MAY BE

MAILED TO THE CITY OF TURLOCK PLANNING DIVISION, 156 SOUTH BROADWAY, SUITE 120,  
TURLOCK, CA 95380-5454.

**--APPEAL--**

Anyone who is dissatisfied with the action(s) of the Planning Commission may file an appeal within **TEN (10) DAYS** following the decision of the Planning Commission. The appeal must be written and filed with the Turlock City Clerk. Appeal Application Forms are available in both the City Clerk and Planning Division Offices, 156 South Broadway, Turlock. There is a \$125.00 filing fee for the Appeal Application. If an Appeal Application is filed, a Public Hearing will be scheduled by the City Council to consider the appeal.

**--CONTINUANCE--  
-- APPLICANT REQUESTS--  
EFFECTIVE NOVEMBER 27, 1989**

An applicant may request the continuance of a pending application or scheduled matter set for consideration by the Planning Commission by filing a request for a continuance not less than three (3) hours prior to the scheduled consideration of the application pursuant to City Council Resolution No. 89-248. The request must be written and filed with the City of Turlock Planning Division. Continuance Request Application Forms are available in both the City Clerk and Planning Division Offices, 156 South Broadway, Turlock. There is a \$305.00 Filing Fee Deposit for the Continuance Request Application. **The granting of a request for a continuance of a pending application is discretionary on the part of the City of Turlock. The applicant's compliance with the regulations does not imply, guarantee, or otherwise supersede the City of Turlock's authority to deny the request.**