

# MINUTES

## TURLOCK CITY PLANNING COMMISSION THURSDAY, APRIL 7, 2011 7:00 PM

YOSEMITE COMMUNITY ROOM  
TURLOCK CITY HALL, 156 SOUTH BROADWAY

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**COMMISSIONERS PRESENT:** Pedroza, Hillberg, Brem, Bean, and Fregosi

**ALTERNATE COMMISSIONERS (Non Voting):** None

**COMMISSIONERS ABSENT:** Dias, Hackler, Salcedo and Alternate Commissioner Williams

**STAFF PRESENT:** Debra Whitmore, Deputy Director of Development Services; Mike Pitcock, Director of Development Services; Phaedra Norton, City Attorney; Rose Stillo, Senior Planner; Dorinda Soiseth, Staff Services Technician

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**A. CALL TO ORDER** The meeting was called to order at 7:03 p.m.

**B. APPROVAL OF MINUTES**

**1. Regular Meeting of February 3, 2011.**

**MOTION:** Commissioner Hillberg moved, Commissioner Bean seconded, to approve the minutes of the February 3, 2011 meeting as submitted. Chairman Brem asked for a roll call vote.

**AYES:** Pedroza, Hillberg, Brem, Bean and Fregosi

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Dias, Hackler, Salcedo and Williams

**NOT PARTICIPATING:** None

**NON-VOTING:** None

**2. Special Meeting of February 8, 2011**

**MOTION:** Commissioner Hillberg moved, Commissioner Bean seconded, to approve the minutes of the February 8, 2011 meeting as submitted. Chairman Brem asked for a roll call vote.

**AYES:** Pedroza, Hillberg, Brem, Bean and Fregosi

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Dias, Hackler, Salcedo and Williams

**NOT PARTICIPATING:** None

**NON-VOTING:** None

### 3. Special Meeting of March 1, 2011

Commissioner Fregosi asked that comments made at this meeting concerning the General Plan themes and feedback from Community workshops be added to the minutes of the March 1 Special Meeting.

**MOTION:** Commissioner Pedroza moved, Commissioner Fregosi seconded, to continue the approval of the March 1 Special Meeting Minutes to the May 5, 2011 Planning Commission meeting. Carried unanimously with Commissioners Dias, Hackler, Salcedo and Alternate Commissioner Williams absent.

#### C. ANNOUNCEMENTS

Debbie Whitmore provided the following announcements:

- Parcel map public hearing minutes have been provided to the Commissioners.
- A letter and green sheet have been provided for item G2 (MDP 2011-02 – 1300 W. Main, Mi Pueblo).

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

There were none.

#### E. PUBLIC PARTICIPATION

None

#### F. CONSENT CALENDAR

None

#### G. PUBLIC HEARINGS

##### CONSENT ITEMS\*:

- \*1. **CONDITIONAL USE PERMIT 2011 - 01 (Emanuel Helistop Relocation)** The project consists of relocating the existing helipad on the Emanuel Medical Center site from the current location on the ground in the northwest quadrant of the campus, to the rooftop of the 60-foot-tall Emergency Services building. The flight path(s) and the Final Approach and Take-Off Area (FATO) will change along with the relocation. The project address is 825 Delbon Ave., more particularly described as Stanislaus County Assessor's Parcel Numbers 072-033-05 & 072-036-002.

##### PUBLIC HEARING:

Chairman Brem asked for public comment.

Bob McGregor, a resident of Covenant Village, spoke in favor of this project.

##### MOTION:

Commissioner Fregosi moved, Commissioner Pedroza seconded, that the Planning Commission adopt a Mitigated Negative Declaration of Environmental Effect, declaring that the project will not have a significant effect on the environment, incorporating the mitigation measures identified in the Initial Study and the Mitigation Monitoring Program prepared for this project, and having made the findings contained in Draft Planning Commission Resolution 2011-04. Motion carried unanimously with Commissioners Dias, Hackler, Salcedo and Alternate Commissioner Williams absent.

**MOTION:** Commissioner moved, Commissioner seconded, that the Planning Commission approve Conditional Use Permit No. 2011-01 (Emanuel Medical Center – Helipad Relocation), having determined that the appropriate findings can be made, subject to the conditions contained in Draft Planning Commission Resolution No. 2011-04.. Motion carried unanimously with Commissioners Dias, Hackler, Salcedo and Alternate Commissioner Williams absent.

**NONCONSENT ITEMS:**

2. **MINOR DISCRETIONARY PERMIT 2011- 02 (1300 W. Main)** to authorize an approximately 37,000 square foot “Mi Pueblo” grocery store on this property. The grocery store would include a deli component, including customer seating for on-site food consumption. The grocery store would be located within two tenant spaces that formerly housed a “Dollar City” and a furniture store. This project also includes a change in use of an approximately 32,000 square foot tenant space within the same commercial building, from "Light Industrial" to "Retail," thereby requiring additional parking. A new parking lot, located where the current storm water basin exists, would be constructed as part of this project to provide additional parking for the grocery store and the change in use from the current light industrial user. The applicant would be required to either install an on-site underground storm water percolation system or develop a system to connect to the City’s storm water system. Architectural changes to the building elevations are also proposed. The project address is 1300 West Main Street, more particularly described as Stanislaus County Assessor’s Parcel Number 050-001-034.

**STAFF REPORT:**

Rose Stillo presented the staff report and noted that at the Planning Commission’s request, this project was elevated to Planning Commission review due to concerns raised by the public. She outlined the findings that need to be made to approve this project, the history of the site and uses of the adjacent properties.

Rose said that some of the concerns received from the neighbors include possible increased traffic, noise and litter from customers of the Mi Pueblo store. She advised that the developer is negotiating with the adjacent property owner to the south on a reciprocal parking agreement as the owner to the south contends that a new truck loading dock proposed for this project would violate an easement agreement between the two parties. She said this issue will need to be resolved and included as a condition of approval for the project and that no permits will be issued until it is resolved.

Rose advised, per the green sheet, that Condition #46 has been deleted since this component is no longer part of the project.

Chairman Brem asked if Minor Discretionary Permits generally require Planning Commission approval. Rose replied that these are staff level permits but when concerns are received they would be brought to the Planning Commission for a public hearing.

There were questions and discussion about how trucks would enter and leave the center and the conditions of the roadways that would be used by the trucks. City Engineer Mike Pitcock advised that Soderquist Road is rated for truck load traffic.

Commissioner Fregosi commented that this project is across the street from Osborn School and asked if the school district was consulted. Rose advised that they were notified but did not provide comment.

Reed Onate, representing the applicant New Urban Community Partners (NUCP) LLC, provided a

power point presentation that included pictures of the project site. Mr. Onate said he has spoken with some of the neighbors in an effort to address their concerns. He outlined the site improvements that will be made as part of the project and said the store will be a full service supermarket and provide approximately 125 jobs.

There was discussion about the location of the loading dock and the easements on the property to the south.

Perla Rodriguez, Vice President of Public Affairs for Mi Pueblo Food Centers, addressed the Commission and provided the history of how Mi Pueblo began, their operational practices, store layout and products that are offered for sale. She said that shuttle service is available to customers that need a ride home and that there is onsite security at all stores.

Commissioner Pedroza asked Ms. Rodriguez how they would measure the impact to existing similar businesses and how would this be mitigated.

Ms. Rodriguez responded that Mi Pueblo stores bring quality businesses to the area and provided examples of how existing businesses have improved and continue to thrive in centers where Mi Pueblo has located.

There was discussion about the regional draw of a Mi Pueblo store, the shuttle service and road maintenance around the center.

Commissioner Pedroza commented that he was concerned with trucks making right turns on to Soderquist Road.

**PUBLIC HEARING:**

Chairman Brem opened the public hearing.

Jolynn DeGrazia, Director of West Side Ministries, spoke in favor of Mi Pueblo locating in this area as it will bring pride into the neighborhood.

Jesse Gutierrez, owner of La Rancherita, spoke against the project due to negative financial impacts to his business.

Eileen Marrone said she currently shops at Mi Pueblo in another town and supports the store locating in this area.

Barbara Hetrick said she owns property on South Soderquist and read a letter to the Commission outlining her concerns and questions. She asked for written responses to her questions concerning the initial study and provided a copy of her letter to the Commission and staff.

Manuel Aguiniga spoke in favor of Mi Pueblo locating in the area and said this project may positively impact neighboring businesses.

Patricia Lewis, a resident on South Soderquist across the street from the project, read a letter to the Commission. She has visited other Mi Pueblo stores and has concerns with loud music and special events that are held. Ms. Lewis expressed concern about the safety of students walking home from school via Soderquist due to a lack of sidewalks in area.

Kathy Hobbs, a resident on South Soderquist, said her driveway is right across the street from center's driveway and said she has installed a 40' fence to prevent trash from entering her yard. She also spoke about the lack of sidewalks on Soderquist Road.

Rosemary Silva, an instructor at the Adrian's Beauty College located in this center, said the problems described by the neighbors have existed for a number of years and spoke in favor of a Mi Pueblo store locating in this center.

Reed Onate addressed the concerns of the audience members who spoke, and said they are willing to meet with the neighbors annually.

There was discussion about shopping cart containment and the retrieval service used by Mi Pueblo stores and the concern about amplified sound from special events at the store.

Perla Rodriguez stated they will follow City procedures in the case of a special event and will be respectful of the neighbors.

Chairman Brem closed the public hearing.

Commissioner Bean commented on the letter from Ms. Hetrick and asked that her concerns be addressed.

Mike Pitcock advised that the trucks will enter off of West Main, and due to the layout of the current facility it is not feasible to flip flop the loading docks.

Chairman Brem said he has concerns with traffic and other neighborhood issues

Commissioner Pedroza commented on prior discussion and decisions about floor area square footage devoted to grocery sales, and said a Mi Pueblo store would be a good project for Turlock but we need to address the economic impacts to existing stores.

Commissioner Fregosi agreed that there may be economic impacts and that the Planning Commission needs to consider what is already in place. She commented that the current population and economy can only support so many grocery stores, and that the traffic and easement issues need to be resolved before moving forward with a decision on this project.

Chairman Brem commented that other types of businesses are not held to the same economic standard. He said he is concerned with potential impacts to traffic and the neighborhood.

Commissioner Bean said she agrees with Chairman Brem and is also concerned with potential impacts to traffic and the neighborhood.

Commissioner Hillberg agreed that the concerns of the neighbors need to be addressed.

Reed Onate commented that many of the concerns that have been voiced have been reviewed by the professional traffic engineer, and said they are committed to work with the neighbors. He said they can not get a building permit until the easement issue is resolved, and would like to see proper conditions established tonight as many of the concerns that have been expressed are happening now.

Chairman Brem said he is concerned with the turn on to Soderquist from West Main, and would like this and the concerns of Ms. Hetrick addressed prior to approval of the project.

Commissioner Pedroza asked how this compares to the Village Center located at Canal and Johnson Road.

Mike Pitcock advised that the centers are similar and both adjacent to residential and a school. He

said a condition that a truck template to the West Main and Soderquist Road intersection can be added to the approval for the project.

**MOTION:** Commissioner Fregosi moved, Commissioner Bean seconded, to continue this item to the May 5, 2011 Planning Commission meeting. Carried unanimously with Commissioners Dias, Hackler and Salcedo, and Alternate Commissioner Williams absent.

**H. OTHER MATTERS**

None

**I. COMMISSIONER'S CONSIDERATION**

None

**J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

None

**K. COMMISSIONER'S COMMENTS**

Commissioner Fregosi commented on the status of the recently approved Ten Pin Fun Center. Debbie Whitmore responded that the applicant continues to work on financing but no building plans have been submitted.

**L. STAFF UPDATES**

Debbie Whitmore updated the Commission on the following items:

- The SB2 Community Meeting with the Planning Commission is scheduled for Thursday, April 21, starting at 6:00 PM at the First Baptist Church on West Olive.
- There is a LAFCO Agriculture Mitigation Workshop scheduled for June 22 at 6:00 PM, and includes discussion between LAFCO Commissioners and the 9 mayors of the County.
- The City received two planning grants: one for \$40,000 under Prop 84 grant and the other for approximately \$200,000 under the HUD Sustainable Communities Grant. Under the Prop 84 grant, Turlock will implement a Countywide model to evaluate the fiscal impacts of various land use alternatives and evaluate up to 5 alternatives for the Turlock General Plan Update. Under the HUD grant, Turlock will receive \$200,000 to fund staff for the General Plan Update.
- Hwy 165 PSR – in the process of reviewing the document to provide feedback.

**M. ADJOURNMENT:** Having no further business Chairman Brem adjourned the meeting 9:00 p.m.

Respectfully Submitted,

MIKE BREM  
Chair

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