

PLANNING COMMISSION MEETING AGENDA



THURSDAY, December 7, 2023– 6:00 PM
City of Turlock, Yosemite Community Room
156 South Broadway
Turlock, California

Commission Chair
Ray Souza

Commission Members
Matthew Davis
Sukhminder Deol
Constance Anderson
Vice Chair

Jim Reape
Mark Reese
Patrick Johnson

Planning Manager
Adrienne Werner

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 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. 1. CALL TO ORDER

2. SALUTE TO THE FLAG

B. APPROVAL OF MINUTES

1. Regular Meeting of November 2, 2023

[View Item](#)

C. ANNOUNCEMENTS

D. PUBLIC PARTICIPATION

This is the time set aside for members of the public to directly address the Planning Commission concerning any item that has been described in the notice for this meeting, including Consent Calendar items. You will be allowed five (5) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Commission addresses the matter.

E. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

Planning Commission should disclose the following information for each item listed below:

- State, for the public record, the nature of the communication;
- Identify with whom the ex parte communication was made; and
- Provide a brief statement as to the substance of the communication.

The following agenda items are subject to the requirement for disclosure of Ex Parte Communications:

Planning Commissioners will disclose Ex Parte Communications immediately following the introduction of each of these items by the Planning Commission Chair, as they appear on the agenda below.

- **G.1 MINOR DISCRETIONARY PERMIT NO. 2023-06 (MCG ARCHITECTURE)**
- **G.2 ANNUAL REVIEW OF CONDITIONAL USE PERMIT NO. 2020-01 and DEVELOPMENT AGREEMENT FOR NATURAL HEALING CENTER (NHC)**
- **G.3 VARIANCE NO. 2023-01 (2560 & 2562 MOONEYHAM COURT – REDUCED SETBACKS FOR TEA HOUSE)**
- **G.4 PLANNED DEVELOPMENT 281, REZONE 2022-02, and VTSM 2022-02 (MONARCH PLACE)**
- **G.5 ORDINANCE AMENDMENT 2023-01 (Accessory Dwelling Unit)**

F. CONSENT CALENDAR

Information concerning the consent items listed herein below has been forwarded to each Commissioner prior to this meeting for study. Unless the Chair, a Commissioner or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Commission. The action taken by the Commission in approving the consent items is set forth in the explanation of the individual items.

G. PUBLIC HEARINGS

These items will be individually discussed and reviewed in detail.

- 1. MINOR DISCRETIONARY PERMIT NO. 2023-06 (MCG ARCHITECTURE)** The project proposal is for the construction of a 2,192 square foot Starbucks restaurant with a drive-through and outdoor patio space at 1100 W. Monte Vista Ave (Stanislaus County APN 071-073-003). (Werner) [View Item](#)
 - Planning Commission to determine if the project is “Categorically Exempt” from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section §15332 [In-fill Developments].
 - Planning Commission action on Minor Discretionary Permit No. 2023-06 (MCG Architecture).
- 2. ANNUAL REVIEW OF CONDITIONAL USE PERMIT NO. 2020-01 and DEVELOPMENT AGREEMENT FOR NATURAL HEALING CENTER (NHC):** In accordance with City Council Resolution 2020-145 the Planning Commission will review Conditional Use Permit 2020-01 for compliance with the conditions of approval for the operation of the cannabis retail dispensary located at 3401 W. Monte Vista Avenue, Stanislaus County APN 087-003-039. Furthermore, in accordance with Turlock Municipal Code Section 9-5-912, the Planning Commission will review and make a recommendation to the City Council regarding whether or not NHC has complied in good faith with the terms and conditions of their Development Agreement. (Werner) [View Item](#)
 - Planning Commission to determine if the project is “Categorically Exempt” from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section §15301 [Existing Facilities].

b. Planning Commission action on Annual Review of Conditional Use Permit No. 2020-01.

c. Planning Commission action on Annual Review of Development Agreement.

- 3. VARIANCE NO. 2023-01 (2560 & 2562 MOONEYHAM COURT – REDUCED SETBACKS FOR TEA HOUSE):** The property owner is requesting a variance from the required rear and side yard setbacks to allow the existing 10'x10', 13'5" tall accessory structure (tea house) to remain in its current location of 20" from the rear property line and 33" from the side property line. The property is located at 2560 & 2562 Mooneyham Court, Stanislaus County APN: 073-043-007 and zoned Planned Development 216, with an underlying zoning designation of Residential Estate (RE). (Werner) [View Item](#)

a. Planning Commission to determine if the project is "Categorically Exempt" from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section §15305 [Minor Alterations in Land Use Limitations].

b. Planning Commission action on Variance No. 2023-01 (2560 & 2562 Mooneyham Court).

- 4. PLANNED DEVELOPMENT 281, REZONE 2022-02, and VTSM 2022-02 (MONARCH PLACE):** The applicant has submitted an application requesting to subdivide a 2.7-acre parcel into 16 single family residential lots and divide two existing commercial lots into four lots and a remainder. A Planned Development is being requested for the residential subdivision to allow exceptions to the 5,000 square foot lot size and 5-foot interior side yard setbacks established in the low density residential (RL) zoning district. Residential lots will range in size from 3,785 square feet to 8,237 square feet and will have 4-foot interior side yard setbacks. A new cul de sac, constructed to City standards, will provide access from Roberts Road to the new subdivision. The subject property is located at 2630 Roberts Road, Stanislaus County APNs 087-027-001 through 087-027-016.

Additionally, the request for the Planned Development includes the division of two commercial lots into 4 lots and 1 remainder. As proposed, the existing commercial buildings on proposed parcels 3, 4, and 5, would not meet the side and rear yard building setbacks established in the Northwest Triangle Specific Plan heavy commercial (CH) zoning district.

The request for a reduction to the setbacks for parcels 3,4 and 5 is detailed below:

Parcels 3 & 4: Side yard setbacks reduced from 20' to 10'.

Parcel 5: Front building (auto repair shop) side yard setbacks reduced from 20' to 11' on the north side of the building and from 20' to 16' on the south side of the building.

Rear building - side yard setback reduced from 20' to 5' and the rear yard setback reduced from 20' to 5'.

Future development on Parcels 1 and 2 are required to meet the setbacks established in the Northwest Triangle Specific Plan.

The subject property is located at 3436-3448 N. Golden State Boulevard, Stanislaus County APN 087-027-08. (Werner) [View Item](#)

- a. Planning Commission determination if the project is “Categorically Exempt” from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section §15332 [In-Fill Developments].
- b. Planning Commission recommendation to City Council on Planned Development 281 and Rezone 2022-02 Monarch Place.
- c. Planning Commission action on VTSM 2022-02 (Monarch Place).

5. ORDINANCE AMENDMENT 2023-01 (Accessory Dwelling Unit) Amendments to various sections of the Turlock Municipal Code related to land use and zoning regulations for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). (*Quintero*) [View Item](#)

- a. Planning Commission determination if the project is “Categorically Exempt” from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section §15061(b)(3) [General Rule].
- b. Planning Commission recommendation to City Council to adopt the amendments to Turlock Municipal Code.

H. OTHER MATTERS

I. COMMISSIONER’S CONSIDERATION

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

This section allows staff to update the Commission on proposed projects in the unincorporated area within or surrounding the City of Turlock. These items are presented for information only. No action will be taken on these items. Members of the public interested in these projects should contact the County Planning and Community Development Department at (209) 525-6330 to obtain information or provide comments.

K. COMMISSIONERS COMMENTS

Commissioners may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the Commission.

L. STAFF UPDATES

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. CHALLENGES IN COURT TO ANY OF THE ITEMS LISTED ABOVE MAY BE LIMITED TO ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE TURLOCK PLANNING COMMISSION 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 95380-5456.

--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 \$550.00 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 \$390.00 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.