

# PLANNING COMMISSION MEETING AGENDA

**AMENDMENT No.1**  
**Date: 11/30/2022**



THURSDAY, DECEMBER 1, 2022– 6:00 PM  
City of Turlock, Yosemite Community Room  
156 South Broadway  
Turlock, California

\*\* and via telephone  
201 State Park Dr  
Aptos, CA 95003

Commission Chair  
**Matthew Davis**

Commission Members  
**Constance Anderson**  
**Elvis Dias\*\***  
**Jim Reape**  
Vice Chair  
**Ray Souza**  
**Sukhminder Deol**  
**Mark Reese**

Director of Development Services  
**Katie Quintero**

**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. 1. CALL TO ORDER

### 2. SALUTE TO THE FLAG

## B. APPROVAL OF MINUTES

1. Regular Meeting of November 3, 2022

[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

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## 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 DEVELOPMENT AGREEMENT FOR THE EVERGREEN MARKET (TURLOCK), INC.

### G.2 APPEAL OF CITY ENGINEER'S DENIAL OF APPLICANT'S WAIVER REQUEST FOR UNDERGROUNDING OVERHEAD UTILITIES

## 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. **DEVELOPMENT AGREEMENT FOR THE EVERGREEN MARKET (TURLOCK), INC.** Staff requests a continuance of the Development Agreement between the City of Turlock and The Evergreen Market (Turlock), Inc. to the January 5, 2023 Planning Commission meeting. This continuance is requested to allow additional time for staff and the applicant to address language in the Development Agreement to operate a cannabis dispensary business located at 101 E Glenwood Avenue, Stanislaus County APN: 044-022-013, within the City of Turlock. *(Quintero)*  
[View Item](#)
- a. Planning Commission action to continue the Development Agreement to January 5, 2023 meeting.
2. **APPEAL OF CITY ENGINEER'S DENIAL OF APPLICANT'S WAIVER REQUEST FOR UNDERGROUNDING OVERHEAD UTILITIES-1525 W. MONTE VISTA AVENUE:** An appeal of the City Engineer's denial of a request to waive the requirement to underground the overhead utility lines along N. Walnut Road as part of Minor Discretionary Permit 2021-08 at 1525 N. Walnut Road (Stanislaus APN: 071-004-009). *(Quintero)*  
[View Item](#)
- a. Planning Commission to determine if the item is exempt from CEQA in accordance with Section 15162(a) of the CEQA Guidelines.
- b. Planning Commission action on undergrounding utilities appeal.

## H. OTHER MATTERS

1. **ADOPTION OF THE 2023 PLANNING COMMISSION MEETING CALENDAR** [View Item](#)

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a. Planning Commission action on the 2023 Planning Commission calendar

**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 \$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 \$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.**