

Thursday, September 19, 2019
6:00 p.m.
City of Turlock Yosemite Conference Room
156 S. Broadway, Turlock, California

MINUTES
Regular Meeting
Turlock Planning Commission

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

PRESENT: Commissioner Geoff Powers, Jim Reape, Constance Anderson,
Matthew Davis, Elvis Dias, Anokeen Varani and Ray Souza

ABSENT: None

B. APPROVAL OF MINUTES

1. Accepting minutes of Planning Commission meeting of August 11, 2019.

MOTION: Commissioner Souza seconded by Commissioner Anderson to accept the minutes.

AYES: Commissioners Powers, Reape, Dias, Varani, Souza, Anderson and Davis

NOES: None

ABSTAIN: None

ABSENT: None

2. Accepting minutes of Special Planning Commission meeting of August 19, 2019.

MOTION: Commissioner Anderson seconded by Commissioner Reape to accept the minutes.

AYES: Commissioners Powers, Reape, Dias, Varani, Souza, Anderson, and Davis

NOES: None

ABSTAIN: Davis

ABSENT: None

C. ANNOUNCEMENTS

Deputy Director Katie Quintero explained the green sheet at the dais is for item G.1.

D. PUBLIC PARTICIPATION

Chairman Powers opened the floor for public participation. No one spoke
Chairman Powers closed the floor for public participation

E. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

Chairman Powers asked the Planning Commission if there were any conflicts of interest or disclosure of ex parte communications. Commissioner Davis stated he had a conflict with item G.3 JDI Farms Inc.

F. CONSENT CALENDAR

Chairman Powers noted there were no consent calendar items.

G. PUBLIC HEARINGS

***CONSENT ITEMS**

Chairman Powers noted there were no public hearing consent items.

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

1. CONDITIONAL USE PERMIT 2019-02 (CUP 19-02) – JESSICA'S HOUSE:

Chair Powers introduced the item. Deputy Director Quintero explained the applicant has requested that this item be continued to the October 3, 2019 Special Planning Commission Meeting.

Public Hearing: Chairman Powers opened the public hearing. No one spoke. Chairman Powers closed the public hearing.

Chairman Powers called for a motion to continue this item.

MOTION: Commissioner Reape moved, seconded by Commissioner Anderson to continue Conditional Use Permit 2019-02 to the October 3, 2019 Planning Commission Meeting.

AYES:	Commissioners Davis, Reape, Varani, Anderson, Powers and Dias
NOES:	None
ABSTAIN:	None
RECUSED:	None
ABSENT:	None

2. Ordinance approving a Development Agreement by and between the City of Turlock and Kings Happy Farm.

Deputy Director Quintero explained this item was pulled from the agenda and no motion was needed.

Commissioner Anderson asked if it was pulled off by applicant or staff.

Deputy Director Quintero answered it was pulled by staff.

3 Ordinance approving a Development Agreement by and between the City of Turlock and JDI Farms.

Commissioner Davis stepped down from the dais at 6:05 pm.

Deputy Director Quintero introduced the item.

Chair Powers opened the public hearing and asked in the applicant would like to speak.

Darren Silva, owner of JDI Farms, stated he plans to open a vertically integrated operation allowing total control of the product from seed to sale. He explained he currently owns two retail stores and has one being built in Patterson.

Commissioner Souza asked about his participation in youth programs as described in the RFQ.

Darren Silva answered he volunteers on his personal time with no business advertisement. Mr. Silva stated all donations are made anonymously.

Commissioner Souza asked if the 600 D Street location is owned or leased.

Darren Silva answered he was in the process of purchasing the building.

Commissioner Reape inquired about the proposed philanthropy plan.

Darren Silva answered his company donates time to youth and organizations such as Letters to Santa, backpacks for kids, Christmas Shopping for kids, as well as continued education for the community on cannabis.

Commissioner Anderson inquired if cannabis is currently being delivered.

Darren Silva answered he has product currently delivered all over California.

Commissioner Souza asked if the law prohibits delivery in Turlock within 600 feet of schools.

Liah Burnley, representing City Attorney White, stated it is prohibited to deliver to a school or government office but can be delivered to residence next door to a school.

Darren Silva stated he abides by all the laws.

Commissioner Dias asked for clarification on if this location is just cultivation.

Darren Silva stated this location will have growing, manufacturing and distributing.

Commissioner Anderson asked for clarification of the manufacturing process.

Darren Silva explained the two types of processes; a water nonvolatile process and a honey lab volatile extracting process.

Public Hearing: Chairman Powers opened the public hearing. No one spoke. Chairman Powers closed the public hearing.

Commissioner Souza explained he understood the development agreement was an approval of the public benefit amount but asked if more conditions and limitations should be included in the development agreement.

Liah Burnley answered the CUP is where the project specifics are worked out.

Commissioner Souza and Commissioner Dias asked about what type of signs would be allowed and if additional regulations could be put in place.

Director Quintero answered all sign regulations must be content neutral.

Commissioner Sousa stated these development agreements were put through very quickly and the Commission needs to take a cautious approach.

MOTION:

Commissioner Reape moved, seconded by Commissioner Dias determining that the project is "Categorically Exempt" from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3) of Title 14 of the California Code of Regulations and approved the proposed Development Agreement for JDI Farms.

AYES: Commissioners Anderson, Reape, Dias, Souza, Powers, and Varani
NOES: None
ABSTAIN: None
RECUSED: Commissioner Davis
ABSENT: None

Commissioner Davis was reseated at dais at 6:31 p.m.

H. OTHER MATTERS

Chairman Powers noted there were none.

I. COMMISSIONERS CONSIDERATION

Chairman Powers noted there were none.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

Chairman Powers noted there were none.

K. COMMISSIONERS COMMENTS

Commissioner Dias questioned if an amendment to sign ordinance could be made to address cannabis businesses.

Director Quintero answered sign regulations must be content neutral and cannot establish different criteria for specific to business types.

Commissioner Powers asked if signs could be regulated in the development agreement or as part of the pilot program ordinance.

Liah Burnley stated she would have to look at first amendment concerns and report back to the Commission on what could be done.

L. STAFF UPDATES

City Engineer Nathan Bray updated the Commission on the status of the West Main project stating paving and striping will be done next week.

Commissioner Reape asked how much the project has cost compared to what was estimated.

City Engineer Bray answered the project came in at 7.3 million, and is expected to stay within the contingency amount.

Commissioner Reape asked where the next Measure L project was going to be.

City Engineer Bray stated a special workshop will be held on 9/26 with City Council to discuss Measure L and revisit the list of projects.

Commissioner Dias stated the median landscaping and parks are not being mowed as often. He further stated the City is a great place and needs to maintain its beauty and he wants the City Council to understand the importance of that.

City Engineer Bray explained it is due to the current budget issues.

M. ADJOURNMENT

Chairman Powers asked for a motion to adjourn the meeting. Motion by Commissioner Reape and carried unanimously. The meeting was adjourned at 6:43 p.m.

RESPECTFULLY SUBMITTED

Geoff Powers
Chairman

Katie Quintero
Deputy Director of Development Services