

## MINUTES

TURLOCK CITY PLANNING COMMISSION  
THURSDAY, MAY 1, 2014  
6:00 PM

YOSEMITE COMMUNITY ROOM  
TURLOCK CITY HALL, 156 SOUTH BROADWAY

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**COMMISSIONERS PRESENT:** Bean, Brem, Fregosi, Hackler, Hillberg and Pedroza  
**ALTERNATE COMMISSIONERS PRESENT:** Pollard  
**COMMISSIONERS ABSENT:** Badal, Dias  
**STAFF PRESENT:** Debra Whitmore, Deputy Director of Development Services; Mike Pitcock, Director of Development Services; Katie Quintero, Associate Planner; Dorinda Soiseth, Staff Services Technician

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- A. CALL TO ORDER** The meeting was called to order at 6:00 p.m.
- B. APPROVAL OF MINUTES**  
Chairwoman Fregosi asked for corrections or a motion to approve the minutes of the April 3, 2014 meeting. Motion and second (Brem/Hillberg) to approve the minutes as submitted. Motion carried unanimously with Commissioners Badal and Dias absent.
- C. ANNOUNCEMENTS** (*Debbie Whitmore*)
1. The Stanislaus County Planning Director's Annual Workshop is scheduled for Saturday May 10<sup>th</sup> at the Oakdale Senior Center.
  2. The July 3<sup>rd</sup> meeting will be cancelled and rescheduled to July 17<sup>th</sup> if needed.
  3. Staff has received nine letters regarding the County referral item, R.A.M. Farms, SAA 2014-41.
- D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**  
There were none.
- E. PUBLIC PARTICIPATION**  
None.
- F. CONSENT CALENDAR**  
None.
- G. PUBLIC HEARINGS**

**CONSENT ITEMS\*:**

\* None.

**NONCONSENT ITEMS:**

1. **CONDITIONAL USE PERMIT 2014-01 – VERIZON WIRELESS.** Debbie Whitmore asked the Commission to continue this item off-calendar due to a change of project location. She noted that this item will be re-noticed due to the fact that it is not being continued to a specific date.

**MOTION:** Commissioner Hackler moved, Commissioner Bean seconded, that the Planning Commission continues Conditional Use Permit 2014-01 – Verizon Wireless to a future meeting. Motion carried unanimously with Commissioners Badal and Dias absent.

**G. OTHER MATTERS**

None

**I. COMMISSIONER'S CONSIDERATION**

None

**J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

**R.A.M. Farms, Stanislaus County SAA 2014-41 (Pumpkin Patch/Christmas Tree Lot/Ice Rink):**

Debbie Whitmore presented the staff report and advised that this is not a public hearing, but an opportunity to comment on the request to expand a current use permit for a pumpkin patch, ice skating rink, corn maze, and other seasonal activities at 716 N. Daubenberger Road. She advised that this is a request to extend the operating season of the ice skating rink; expand the current ice skating rink from 4,800 square feet to 9,600 square feet; install a temporary tent to partially cover the existing ice skating rink; and expand the parking lot from 28 parking spaces to approximately 58 parking spaces. She said that the Planning Commission's role is to make a recommendation to the City Council on the project's consistency with the Turlock General Plan. If the Planning Commission determines that the expansion is consistent they will need to decide if conditions should be added to address any potential impacts. She provided information on the public noticing process, the request for expansion of the ice rink, the proposed site plan, and County standards for this type of use including similar approved projects. Debbie noted staff received letters from four people supporting the project, and four letters expressing concern about the project. She reviewed the current R.A.M. Farms operation requirements, and the conditions for the existing use permit. Debbie also reviewed the City General Plan designation and policies related to this property and said the issue is whether or not this is the right use for this property. She emphasized that, based on an earlier conversation with the Stanislaus County Planning Director, the County staff does not view the proposed use as an "agricultural use" and that it is up to the City to determine if this is an appropriate use of an agricultural property adjacent to the City. She stated that the existing use would not cease if the expansion was found to be inconsistent with the General Plan.

Commissioner Pollard asked the applicant if they could accommodate additional parking if needed.

Michael Macedo, of R.A.M. Farms Inc., replied yes, they could utilize the entire 20 acres.

Commissioner Brem commented on the need for dedicated parking.

Angela Freitas, Stanislaus County Planning Director, offered to answer questions.

Commissioner Brem asked how the noise from the ice rink is monitored. Angela Freitas replied that City of Turlock noise standards would apply, and that the County's monitoring would be complaint driven. She advised that they did not receive any complaints during the past operating season.

Commissioner Hackler commented about the design of the parking lot. Angela Freitas commented

that the design was reviewed by both agencies.

Commissioner Pedroza commented about the requirement to have the water tested.

Ron Macedo, owner of R.A.M. Farms, stated he did not receive any complaints and that he has addressed the parking needs. He said that the proposed tent may help with sound from the chilling unit that runs 24 hours per day, and there will be a corral type fence on Daubenberger along the parking lot, and that he is willing to mitigate the concerns of the neighborhood.

Commissioner Pedroza asked about average daily attendance. Ron Macedo replied there was an average of 800 skaters per day, and that part of the reason for the expansion request is because a larger rink would be safer and more enjoyable for the skaters.

Chairwoman Fregosi commented that a tent would help with noise and asked why it would only partially cover the rink. Ron Macedo advised that two-thirds of the rink would be covered, leaving a portion available so people could see the stars. He noted that the speakers, lighting and chilling unit would be under the tent.

Chairwoman Fregosi commented about traffic that may be generated from school field trips. Ron Macedo responded that children are bussed in, and also walk in, and that the field trips are scheduled earlier than the normal operating hours so parking is ample.

Commissioner Brem said that the physical amount of parking and the need to make sure people use the parking are the two issues that need to be addressed.

Commissioner Pedroza asked the applicant if there were plans for future growth. Ron Macedo replied, "This is it.", and that he has no plans for future growth. Mr. Macedo said that this request is what he can handle and "It is not the plan to grow larger than what is proposed."

Commissioner Pollard said the complaint she heard last year was that the rink was too small.

Chairwoman Fregosi invited members of the public to speak.

Charles Rickard stated that he lives in the area and did not complain because he wanted to see what the impacts would be. He commented on the noise from the chiller, the amount of trash left on his property, and the amount of cars parked in front of his home the entire time the ice rink was operating. He said that he is not opposed to the use, but asked that the original conditions of approval be followed, and expressed concerns with the proposed expansion.

There was discussion about redesigning the site to relocate the parking lot and main entrance.

Commissioner Hackler commented that there are issues that need to be addressed to protect the neighborhood and create a safer traffic environment.

Mary Leonard said she also lives in the area but didn't complain because she wanted to see how things would go. She said the amount of traffic made it difficult to get in and out of her driveway, and there were many near-miss accidents. She commented about the amount of trash left around the neighborhood, and said that it was difficult having an additional 800-900 people in the area on a daily

basis. Ms. Leonard stated that her main concern was the traffic, including kids crossing the street at night during the months of December and January while the ice rink was open.

Michael Ireland Jr. said that his family spent time at rink and also worked there, and commented that a larger ice rink may not necessarily bring in more skaters as there are only so many skates available to rent.

Ron Macedo commented that there were approximately 160 skaters on the ice during a two-hour session and that a larger rink may accommodate 200 to 225 skaters per session.

Michael Ireland Jr. commented that additional signage may help some of the parking problems in the neighborhood, and also establishing some operating procedures. He stated that the operators are committed to complying with their regulations.

Olga Kiehl, a resident near the ice rink, said that although neither the operator nor the County received any complaints, the neighbors were complaining to each other. She said that the biggest problem is the noise and traffic, and commented that this is the wrong location for this operation as it is in a quiet residential neighborhood. She stated that she is not opposed to a skating rink, but this one is a problem for the neighborhood and not in the right location.

Commissioner Pedroza asked if the rink and parking lot could be relocated on the site when the season restarts to encourage attendees to use the parking lot. Ron Macedo said moving things around could be a problem with irrigation.

Chairwoman Fregosi suggested that the Planning Commission could decide not to approve the expansion request at this time which would allow the business to operate as is to work out the issues this season, and have the request for expansion come back the following year.

Ron Macedo commented that they have had their trial run and it is not feasible to put off or delay the expansion. He said they will address the concerns of the neighbors, and that enlarging the rink will only enhance the safety of the skaters. He stated that he will install signage regarding parking in the neighborhood.

There was additional discussion of moving the entrance and location of the parking lot. Ron Macedo said that his was not feasible due to irrigation and farming issues.

Pete Peterson said that he volunteered at the rink and heard from neighbors who were thrilled to have it in their area. He said the applicant will work with the neighbors to address their concerns.

Betty Ireland said that the rink was too small for the different level and ages of the skaters, and that her relative, that lives directly across the street, did not have problem with trash or noise.

Chairwoman Fregosi noted that the Planning Commission is here to deal with the land use issue of a commercial operation on property with an agricultural designation.

Carol Skoogland, a resident in the area, spoke in favor of the business and said she did not have problem as a neighbor.

Ron Macedo commented that the ice rink was open from 10:00AM to 10:00PM daily, and the pumpkin patch until was open until 6:00PM.

Mike Macedo offered to meet with the neighbors to address their concerns, and said they would be willing to provide minor off-site improvements to address these concerns.

Chairwoman Fregosi asked the applicant if they witnessed any close calls with pedestrians. Mike Macedo said that he did not witness any near misses or accidents, but did notice cars stopping to allow pedestrians to cross Daubenberger.

Commissioner Brem commented that the project is consistent with the General Plan as it is already there, and is in favor of the additional conditions as recommended by staff.

Commissioner Pollard commented that expanding the rink will not create more people.

**MOTION:** Commissioner Brem moved, Commissioner Hackler seconded, that the Planning Commission find the expansion is consistent with the General Plan. Motion carried unanimously with Commissioners Badal and Dias absent.

Mike Pitcock commented about using signs for parking management saying that a parking attendant is a better option. He said that it is a parking, not traffic issue because the public cannot be prohibited from parking on a public street.

Commissioner Pedroza asked the applicant to continue his dialog with the neighbors to address their concerns.

Commissioner Hillberg asked how long the permit would be valid. Angela Freitas replied that this is a permanent, not annual, permit.

Angela Freitas advised that the County has revocation procedures, and if complaints are received the County would work with the City to address any problems.

There was discussion about dedicated versus overflow parking, and the need to make sure there are enough dedicated parking spaces.

**MOTION:** Commissioner Brem moved, Commissioner Pedroza seconded, that the Planning Commission approve the four additional conditions of approval listed below to the existing Use Permit:

1. Require an acoustic analysis immediately before beginning operations to verify that the sound from the loud speakers and music system does not violate City or County Noise Ordinances
2. Final inspection by County staff at the close of each season to ensure that conditions are met
3. Parking management plan to ensure that vehicles park in designated spaces and on-site parking including at least one parking attendant to monitor traffic and redirect traffic from the adjacent neighborhood. Parking entrances and exits shall have directional signs with night lighting.

4. The overflow parking lot shall be improved prior to the operation of the business.

Motion carried unanimously with Commissioners Badal and Dias absent.

**K. COMMISSIONER'S COMMENTS**

Commissioner Brem commented about the traffic hazards on Monte Vista Ave as a result of vehicles being parked there for sale, and said that this is an accident waiting to happen and could be a liability issue for the City.

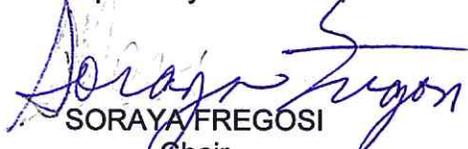
Chairwoman Fregosi commented on the road improvement project in front of CSUS.

**L. STAFF UPDATES**

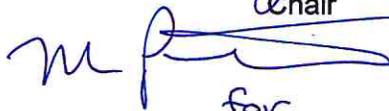
1. **ACTIVE TRANSPORTATION PLAN:** Debbie Whitmore said that staff will provide the Commission with a list of upcoming dates/events associated with this plan by e-mail.
2. **HERO FINANCING PROGRAM:** Debbie Whitmore provided information on the HERO financing program for residential energy efficiency upgrades and said there are four Turlock projects using this program.
3. **MORGAN RANCH MASTER PLAN:** Debbie Whitmore provided information about the release of the Environmental Impact Report and Master Plan document for public review, and said the master plan is complete.
4. **MAR ADDAI (LARSA EVENT CENTER) PUBLIC HEARING:** Katie Quintero said she attended the Stanislaus County Planning Commission meeting for this item, and that three complaints had been received during the six month review period. The review period will be extended by six months and will be brought back to the Stanislaus County Planning Commission in September.

- M. ADJOURNMENT:** Chairwoman Fregosi asked for a motion to adjourn the meeting at 7:48PM.

Respectfully Submitted,



SORAYA FREGOSI  
Chair



for

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