

MINUTES

**TURLOCK CITY PLANNING COMMISSION
THURSDAY, NOVEMBER 6, 2014
6:00 PM**

**YOSEMITE COMMUNITY ROOM
TURLOCK CITY HALL, 156 SOUTH BROADWAY**

COMMISSIONERS PRESENT: Brem, Dias, Fregosi, Hackler, Pedroza

ALTERNATE COMMISSIONERS PRESENT: Badal, Pollard

COMMISSIONERS ABSENT: Bean, Hillberg

STAFF PRESENT: Roy Wasden, City Manager; Phaedra Norton, City Attorney; Mike Pitcock, Director of Development Services; Rose Stillo, Senior Planner; Katie Quintero, Associate Planner; Adrienne Werner, Assistant Planner; Dorinda Soiseth, Staff Services Technician

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 October 16, 2014 meeting. Motion and second (Pollard/Dias) to approve the minutes as submitted. Carried unanimously with Commissioners Bean and Hillberg absent.

C. ANNOUNCEMENTS

Chairwoman Fregosi advised that Mike Brem will reach the end of his term as a Commissioner on December 31st, and read a proclamation honoring and thanking him for his service.

D. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

There were none.

E. PUBLIC PARTICIPATION

Joel Campos said he was in the Master of Urban Planning Program at CSUS and spoke about Turlock's Downtown.

F. CONSENT CALENDAR

None.

G. PUBLIC HEARINGS

CONSENT ITEMS*:

*None

NONCONSENT ITEMS:

1. CONDITIONAL USE PERMIT 2013-06 – DUST BOWL BREWING COMPANY -

Adrienne Werner presented the staff report and said the proposed project consists of the development of approximately 5.4 acres for the construction of the new Dust Bowl Brewery. The first phase will include the construction of an approximately 30,000 square foot primary brewery and operations building. The building will house the brewing, bottling, storage, shipping, business offices, retail visitor center known as the "Tasting Room", and a large open patio area. The facility is expected to operate 24 hours per day. The project is located at 3000 Fulkerth Road and 1501 Dianne Drive, Stanislaus County Assessor's Parcel Nos. 089-019-025 & 089-019-024. Adrienne advised that any expansion of the facility over 1,000 s.f. in size will require a Conditional Use Permit. She reviewed the findings that need to be made to approve the project and noted that signs are not a part of this approval. Staff is recommending approval.

Commissioner Dias commented on the square footage of the production area of the building and the phasing of the project.

There was discussion regarding the side of the building that would be visible from the freeway, and the location of the entrances.

Brett Tate and Brett Honore, project applicants, provided information about the project and commented on the requirement for a Conditional Use Permit for future expansion. They asked that future expansion be reviewed at staff level via the Minor Discretionary Permit process.

There was discussion about the construction time frame, and the Conditional Use Permit process as required by the current Ordinance.

Commissioner Hackler commented that he likes the design of the project and would feel comfortable allowing staff to permit future expansions via the Minor Discretionary Permit process.

Adrienne Werner said that a Minor Discretionary Permit is still subject to environmental review which can take some time.

Mike Pitcock advised that an amendment to the Conditional Use Permit is the only mechanism to allow a sizable expansion and is subject to the public hearing process.

Phaedra Norton advised that a condition could be added to this approval that states if the Turlock Municipal Code is amended to allow a larger expansion with a staff level approval, that this project will have the benefit of this amendment.

Public Hearing: Chairwoman Fregosi opened the public hearing.

Desiree Cuenca-Silva said her family lives adjacent to this site and commented about security issues, lighting and noise from a 24-hour operation that would impact the surrounding residences.

Julio Hallack said he owns property on Fulkerth Road, and commented on the allowed uses in a community commercial zoning district and said the proposed use does not seem to fit in.

Adrienne Werner advised that is why it is before the Planning Commission. The project is a mix of retail and commercial, and also has a production portion, which is not spoken to in the ordinance or

Specific Plan, so a Conditional Use Permit is required.

Julio Hallack commented that the neighbors continue to endure the impacts of the surrounding development and be exposed to the challenges of growth that affect their privacy and property values.

Mike Pitcock noted that Fulkerth Road will be widened as part of the project approval, and advised that the project's traffic projections fall within the scope of the General Plan traffic study.

Commissioner Pollard asked how traffic would flow in and out of the site.

Mike Pitcock noted that Dianne Drive would be primary entrance due to the future traffic signal at that intersection, and that there will be an access point off of Fulkerth Road.

Julio Hallack commented that numerous accidents have occurred in this area due to the heavy traffic.

Mike Pitcock noted that as development occurs the corridor will be improved as soon as possible.

Larry Smith, of Smith Chevrolet, a neighbor to the north of the project, spoke in favor of project saying the new brewery would bring jobs and revenue to Turlock.

Hearing no additional comment, Chairwoman Fregosi closed the public hearing.

Commissioner Hackler spoke in favor of the project and said that the business owners need to address the concerns of the neighbors.

Commissioner Pollard commented that the project may increase property values in the area.

MOTION: Commissioner Pollard moved, Commissioner Hackler seconded, that the Planning Commission adopt a Mitigated Negative Declaration of Environmental Effect and a Mitigation Monitoring Program having made the findings in draft Planning Commission Resolution 2014-14. Motion carried unanimously with Commissioners Bean and Hillberg absent

City Attorney Phaedra Norton advised that the Commission could amend Condition 6 of Resolution 2014-14 as follows: "The project shall be developed according to the site plan and elevations received by the Planning Division as part of the application (Attachment 1). Any expansion or future development of the site, including Phase II, will require an amendment to this Conditional Use Permit and approval by the Planning Commission, unless the Turlock Municipal Code is amended to allow review by the Minor Discretionary Permit process."

MOTION: Commissioner Hackler moved, Commissioner Brem seconded, that the Planning Commission approve Conditional Use Permit 2013-06, having determined that the appropriate findings have been made, subject to the conditions of approval listed in Draft Planning Commission Resolution No. 2014-14, amending Condition No. 6 to read: The project shall be developed according to the site plan and elevations received by the Planning Division as part of the application.

Any expansion or future development of the site, including Phase II, will require an amendment to this Conditional Use Permit and approval by the Planning Commission, unless the Turlock Municipal Code is amended to allow review by the Minor Discretionary Permit process. Motion carried unanimously with Commissioners Bean and Hillberg absent

2. **REZONE 2014-02 (PD 271), VESTING TENTATIVE SUBDIVISION MAP 2014-02 POTTER'S LANDING** - To rezone and subdivide a 1.57 acre parcel into 9 single family residential lots. The property is designated Low Density Residential in the Turlock General Plan and zoned RL. The proposed lots will range in size from 5,500 to 7,120 square feet. The applicant is requesting to rezone the property to a Planned Development to allow for deviations in the minimum lot dimensions, setbacks and street width. The project is located at 205 E. Hawkeye Ave, Stanislaus County Assessor's Parcel No. 072-032-005.

Adrienne Werner presented the staff report and reviewed the exceptions being made as part of the planned development. She said the private street width shall measure a minimum of 29-feet and advised that the Fire Marshal is requesting a portion of the street to be red-curbed for no parking.

There was discussion of how the traffic would flow in the area of Crowell School; the houses that face Hawkeye Avenue; red curbing in front of houses that front Hawkeye Avenue; the driveway and fence separating this property from the school; and the future signal at Hawkeye and Denair Avenues.

Cary Pope, the project applicant, commented on the design challenges of this site to accommodate residential uses.

Chairwoman Fregosi commented that this project meets the priority of General Plan for infill development.

Public Hearing: Chairwoman Fregosi opened the public hearing.

Alan Marchant, President of Turlock Scavenger, said he would like the entire project "red-curbed" to eliminate the street parking on Lane to allow garbage trucks the ability to navigate the site.

There was discussion about limiting parking in front of specific lots on garbage days as acceptable to Turlock Scavenger and the City of Turlock.

Commissioner Hackler suggested modifying this request to prohibit parking in front of lots 1 and 2 on certain days, and Alan Marchant agreed this may be an option.

Hearing no additional comment, Chairwoman Fregosi closed the public hearing.

Commissioner Hackler asked if the chain link fence would be replaced.

Cary Pope said it will be replaced with a decorative wrought iron fence and a small landscaped area.

MOTION: Commissioner Dias moved, Commissioner Pollard seconded, that the Planning

Commission adopt a Mitigated Negative Declaration of Environmental Effect and the Mitigation Monitoring Program having made the findings in draft Planning Commission Resolution 2014-15 and 2014-16. Motion carried unanimously with Commissioners Bean and Hillberg absent

MOTION: Commissioner Dias moved, Commissioner Badal seconded, that the Planning Commission recommend that the City Council approve Rezone 2014-02 and Planned Development 271 (Cary Pope – Potter’s Landing) having determined that the appropriate findings can be made, subject to the conditions of approval contained in Draft Planning Commission Resolution No. 2014-16. Motion carried unanimously with Commissioners Bean and Hillberg absent.

MOTION: Commissioner Dias moved, Commissioner Brem seconded, that the Planning Commission approve Vesting Tentative Subdivision Map No. 2014-02, as amended by adding Condition No. 5 “No Parking” signs shall be posted on Lots 1 and 2 as mutually agreed upon by the Turlock Scavenger and the City of Turlock, having determined that the appropriate findings have been made, subject to the conditions of approval listed in Draft Planning Commission Resolution No. 2014-15, as amended. Motion carried unanimously with Commissioners Bean and Hillberg absent.

3. ***This project was continued from the October 16th meeting.***
EAST TUOLUMNE MASTER PLAN AMENDMENT - General Plan Amendment 2014-01, Rezone 2014-01. To re-designate 3007 East Tuolumne Road, Stanislaus County APN 073-013-004 and 2707 East Tuolumne Road, Stanislaus County APN 073-013-003 from Very Low Density Residential (VLDR) to Low Density Residential to allow these two properties to develop at 3 to 4 units to the acre instead of .2 - 3.0 dwelling units to the acre. All other properties in the Master Plan will remain Very Low Density Residential. This re-designation will allow for an increase from an estimated 200 lots to approximately 278 lots at Master Plan build out. The Master Plan area is in the City limits. The proposed project is located at 2606, 2620, 2736 & 2772 N Quincy Rd, 2707, 3007, 2930, and 3130 E. Tuolumne Road, Turlock, CA (Stanislaus County APNs 073-13-03, 073-13-04, 073-13-09, 073-13-10, 073-13-15, 073-13-16, 073-16-06, 073-16-07).

Katie Quintero presented the staff report and said the proposed amendment would re-designate two parcels from Very Low Density Residential to Low Density Residential to allow for approximately 67 additional lots between the two parcels. She said the Master Plan would provide lots larger than allowed in a typical Low Density Residential zoning district, and reviewed the findings needed for a general plan amendment and a rezone. She provided a rendering of the proposed fence along Waring Road and information on the General Plan circulation element that designates the area as the location for a potential expressway. She said that combining the two required storm basins would make a larger recreational area, but it is not feasible to locate the basin along Waring Road due to drainage issues and the burden placed on one of the properties.

There was discussion about the height, design, landscaped area and setback of the proposed wall along Waring Road.

Katie Quintero advised that the adoption of the Master Plan will not force property owners to develop.

She noted that the Master Plan layouts are conceptual, and that each property will go through the subdivision map process and be brought back to the Commission for review and approval. She said the masonry wall along the northern boundary of the Master Plan has been added as a condition of approval. The concerns with parking along Waring Road were addressed in the initial study that was done which found there would be no significant impact to the area.

There was discussion about traffic thresholds; the effect of the revised conceptual map layouts on lot sizes; and the proposed bike lanes designated for Tuolumne and Waring Roads.

Recess: Chairwoman Fregosi called for a 5-minute break at 8:00PM.

Reconvene: Chairwoman Fregosi called the meeting back to order at 8:08 PM.

Katie noted that staff is recommending approval.

Scott Dorius, representing the applicant, said this amendment complies with the updated General Plan. He commented that the setbacks along Waring Road have been increased, and that the issues of density, traffic and the block wall on Waring Road have been addressed. The existing Plan needed to be revised to comply with the updated General Plan policies and that any new development will increase traffic but these increases were addressed in the Level of Service standards in the General Plan environmental documents. He noted that General Plan policy states residential development cannot front onto agricultural land. Mr. Dorius asked the Commission to apply the law as it has been written and apply it to this project as it is the duty of Planning Commission to rely on the General Plan as adopted.

Rick Ringler, of GDR Engineering, commented that locating the storm drain basin in the center of the project is good for drainage, natural water flow, maintenance and engineering purposes.

Public Hearing: Chairwoman Fregosi opened the public hearing.

Alan Marchant spoke in favor of the project and said his concerns have been addressed.

Hearing no additional comments, Chairwoman Fregosi closed public hearing.

Commissioner Pollard commented that she favors the design of the wall along Waring Road.

Commissioner Brem commented that the applicant has done a great job of addressing the concerns of the neighbors and meeting the requirements of the General Plan.

Chairwoman Fregosi noted that this is a request to amend the General Plan.

There was discussion about the lighting proposed for Waring Road, and the minimum and average lots sizes proposed in the Master Plan.

Commissioner Pedroza expressed concern that the minimum lot size has been set at 7,000 square feet.

Katie Quintero advised that the Master Plan designates project density, but the Commission could

add a standard to require a threshold for an average minimum lot size.

Kevin Berger said that the average lot size may be 9,800 square feet, but most are larger and there won't be houses on zero lots lines. He commented that costs to develop on large lots is not feasible and this amended Plan better fits the General Plan policy of higher density without comprising principle, and the design matches the surrounding neighborhoods.

MOTION: Commissioner Hackler moved, Commissioner Dias seconded, that the Planning Commission adopt a Mitigated Negative Declaration of Environmental Effect, having determined that the City of Turlock, as lead agency for the project, has prepared an Initial Study to make the findings contained in Draft Planning Commission Resolutions 2014-11 and 2014-12. Motion carried unanimously with Commissioners Bean and Hillberg absent.

MOTION: Commissioner Brem moved, Commissioner Pollard seconded, that the Planning Commission recommend the City Council adopt General Plan Amendment 2014-01 and approve Rezone 2014-01, East Tuolumne Master Plan, having determined that the appropriate findings can be made, subject to the conditions contained in Draft Planning Commission Resolutions No. 2014-11 and 2014-12. Motion carried with Commissioner Pedroza dissenting, with Commissioners Bean and Hillberg absent.

H. OTHER MATTERS

None

I. COMMISSIONER'S CONSIDERATION

1. Adoption of the Planning Commission 2015 calendar of meeting dates.

MOTION: Commissioner Pollard moved, Commissioner Pedroza seconded, that the Planning Commission adopt the 2015 calendar as presented. Motion carried unanimously with Commissioners Bean and Hillberg absent.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None.

K. COMMISSIONER'S COMMENTS

Commissioner Hackler commented that it has been an honor to serve with Mike Brem on the Commission.

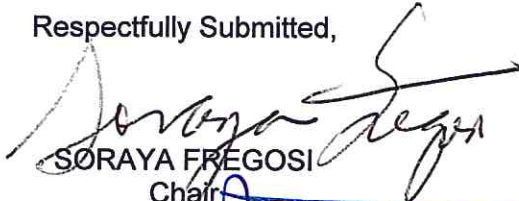
Chairwoman Fregosi commented about a business on East Main that is displaying merchandise for sale on the sidewalk, and also commented on the status of the Sign Ordinance update.

L. STAFF UPDATES (*Mike Pitcock*)

- The December 4 Planning Commission meeting has been cancelled.
- The Morgan Ranch EIR is ready for public comment; a scoping meeting is scheduled for December 4th.
- The Comprehensive Zoning Ordinance Update (Title 9 Repeal and Replace), has been continued to the January 13th City Council meeting.
- The Development Services Department has implemented new software for permitting.
- The Fulkerth Road paving project is nearing completion.

M. ADJOURNMENT: Chairwoman Fregosi asked for a motion (Pollard/Pedroza) to adjourn the meeting at 8:45 p.m.

Respectfully Submitted,



SORAYA FREGOSI
Chair



MICHAEL G. PITCOCK
Director of Development Services,
Secretary of the Turlock Planning Commission