

A. 1. CALL TO ORDER – Chair Matthew Davis called the meeting to order at 6:00 p.m.

PRESENT: Commissioners Constance Anderson, Jim Reape, Sukhminder Deol, Mark Reese, Ray Souza, Elvis Dias and Chair Matthew Davis

ABSENT: None

2. SALUTE TO THE FLAG

Chair Davis led those in attendance in the Pledge of Allegiance.

B. APPROVAL OF MINUTES

1. Chair Davis asked for corrections or a motion to approve the minutes of the Regular Meeting of August 4, 2022.

MOTION:

Commissioner Reape moved, seconded by Commissioner Anderson to accept the minutes as submitted. Motion carried 5/2 by the following vote:

Commissioner Reese	Commissioner Souza	Commissioner Anderson	Commissioner Reape	Commissioner Dias	Commissioner Deol	Chair Davis
Yes	Abstain	Yes	Yes	Abstain	Yes	Yes

C. ANNOUNCEMENTS

Director of Development Services Katie Quintero stated included in the Planning Commissioner's agenda were the minutes taken at a public hearing for parcel map 2022-01 and was provided for information purposes only.

D. PUBLIC PARTICIPATION

Chair Davis opened the floor for public participation. Hearing no one, Chair Davis closed the floor for public participation.

E. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS:

Chair Davis asked the Planning Commission if there were any conflicts of interest or disclosures of ex parte communications. There were none.

F. PUBLIC HEARING CONSENT CALENDAR

Chair Davis stated there was nothing on the public hearing consent calendar.

G. PUBLIC HEARINGS
***CONSENT ITEMS**

Chair Davis noted there were two items:

1. DEVELOPMENT AGREEMENT AND CONDITIONAL USE PERMIT 2022-07-THE EVERGREEN MARKET

Director of Development Services Katie Quintero explained staff is requesting the Development Agreement and Conditional Use Permit 2022-07 for The Evergreen Market, be taken off the Planning Commission calendar until the required background check process, with the Turlock Police Department, is completed. Once the process is complete staff will schedule the project for public hearing with the Planning Commission and the project will be re-noticed.

2. CONDITIONAL USE PERMIT 2022-06 (BM5 Hospitality, LLC) Senior Planner Adrienne Werner provided a staff report stating the CUP application was requesting an exception to the 35-foot height limit established in the Westside Industrial Specific Plan for the Community Commercial (CC) zoning District to construct a 91-room, 4-story hotel on a 2.0-acre parcel located at 201 N. Tully Road. A reduction of parking spaces of 3% or 88 spaces was shown as part of this exception. A noise study was required and an 8-foot wall is required around the patio and pool area.

A letter was received from a resident concerned with the height of hotel causing a line of sight into the adjacent homes. Planner Werner explained that due to the setbacks, the closest home would be 85-100 feet away and with the required 10-foot landscape strip.

Commissioner Reape asked what road improvements would be required.

Director of Development Services Katie Quintero stated the applicant is only responsible for the road fronting the parcel. Tully Road is on the City of Turlock roads plan to be fixed in the future.

Commissioner Anderson asked who is responsible if there is damage to the roadway due to the new construction.

Director of Development Services Katie Quintero said the applicant is responsible for any damage.

Commissioner Souza asked about the fencing around the swimming pool and was concerned with the resident's letter about the line of site from the hotel.

Senior Planner Werner stated the pool will be fenced and have an 8-foot barrier along its perimeter. A line of site study was not asked for from the applicant but can be added as a condition.

Commissioner Anderson asked if there was street parking available for the hotel.

Senior Planner Werner said there is not any parking on Tully Road but the Comfort Suites hotel next door had the same owners and there could be an agreement between the two hotels.

Commissioner Dias questioned the amount of available parking.

Director of Development Services Katie Quintero stated there could be street parking available. However, there could be a loss of parking if the separation between the hotels is eliminated.

Public Hearing

Chairman Davis opened the floor for public participation.

Architect for the applicant stated the hotels occupancy is typically at 80-85%.

Commissioner Anderson asked if there was a line of site study done.

The applicant stated one was not done but could be provided if needed.

Chairman Davis closed the floor for public participation.

Commissioner Reape stated the project will have a positive impact on this site but would like a line of site study done.

Commissioner Souza clarified the fence around the pool will be 8 feet tall.

Senior Planner Werner stated it would be 8 feet around the entire pool.

MOTION:

Commissioner Reape moved, seconded by Commissioner Souza determining that the proposed project is Exempt from the provisions of the California Environmental Quality Act (CEQA) and that all of the appropriate findings can be made subject to the conditions of approval contained in draft Planning Commission Resolution 2022-06 with the added condition to request a line of site analysis. Motion carried 7/0 with the following vote:

Commissioner Reese	Commissioner Souza	Commissioner Anderson	Commissioner Reape	Commissioner Dias	Commissioner Deol	Chair Davis
Yes	Yes	Yes	Yes	Yes	Yes	Yes

H. OTHER MATTERS:

Chair Davis noted there were none.

I. COMMISSIONER’S CONSIDERATION

Chair Davis noted there were none.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

Chair Davis noted there were none.

K. COMMISSIONERS COMMENTS

Chair Davis asked the Planning Commission for any comments.

Commissioner Anderson asked what the rules were for semi-truck parking.

Director of Development Services Katie Quintero stated it varies depending on the location. On private property, complaints are responded to on a complaint basis through our Code enforcement process. On land located in the County, up to 12 trucks can be parked on it with a CUP, if there is a house on the property. Planning does require the surfaces to be paved if used for parking.

Commissioner Dias asked for an update on the waffle shop sign on Main Street.

Director of Development Services Katie Quintero stated an enforcement letter was drafted on Monday and was given to the City Attorney to be reviewed. The Development agreements for the cannabis projects are being brought to the Planning Commission for review.

Commissioner Souza asked about the status of the old Jura's pizza buildings on Olive Ave and on Center Street.

Director of Development Services Katie Quintero stated the building on Olive Ave has an active building permit that expires in December. The building on Center Street had a demo permit issued in the last few days and Turlock Police is working with the owner to clean up the site.

L. STAFF UPDATES

Director of Development Services Katie Quintero stated Associate Planner Mark Marshall's last day was tomorrow.

M. ADJOURNMENT

Having no further business, Chair Davis asked for a motion to adjourn the meeting. Motion by Commissioner Reape. Motion carried unanimously by a voice vote. The meeting was adjourned at 6:43 p.m.

RESPECTFULLY SUBMITTED

Matthew Davis
Planning Commission Chair

Katie Quintero
Director of Development Services