

RECORDING REQUESTED BY:
CITY OF TURLOCK

When Recorded Mail to:

City of Turlock
Development Services
Planning Division
156 S. Broadway, Suite 120
Turlock, CA 95830-5456

The above space reserved for recorder's office



CITY OF TURLOCK DEVELOPMENT SERVICES
PLANNING DIVISION
156 S. BROADWAY, SUITE 120
TURLOCK, CA 95380-5456 209/668-5640

ADMINISTRATIVE AGREEMENT

☒ MINOR ADMINISTRATIVE APPROVAL
☐ MINOR DISCRETIONARY PERMIT
☐ OVERALL SIGN PROGRAM
☐ OTHER

PERMIT NO. 2017-15

APPLICANT: Deanna Lascano PHONE NO. (209) 664-3311
PROPERTY OWNER: Vierra Family 1991 Trust PHONE NO. (209) 664-3311
PROJECT SITE ADDRESS: 137 West Main Street Turlock, CA 95380
ASSESSOR'S PARCEL NUMBER: 061-016-009 ZONING DISTRICT: Downtown Core (DC)

AUTHORIZATION FOR to operate an assembly hall at 137 W. Main Street (Stanislaus County APN 061-016-009). The assembly hall will accommodate business meetings and parties. The assembly hall will operate Monday through Thursday from 8 a.m. to 10 p.m. and 8 a.m. to midnight Friday through Sunday. Dancing and live entertainment are not permitted as part of this application.

ADMINISTRATIVE AGREEMENT APPROVAL DATE: December 21, 2017

FINDINGS:

1. The proposal is consistent with the Turlock General Plan, the Downtown Design Guidelines, the Zoning Ordinance, and all other adopted plans for the site.
2. The proposal is in harmony with the existing or proposed development in the general area or neighborhood and will be compatible with adjacent structures and uses, including those on adjoining property.
3. The proposal is consistent with the development plan, terms, conditions, and / or intent of any planned development or conditional use permit currently in effect on the property.
4. Any structural elements contained within the proposal is of high quality design consistent with the intent of the City Design Element of the Turlock General Plan, Downtown Design Guidelines, and the exterior design, appearance, materials, and colors will not cause the nature of the neighborhood to materially

depreciate.

5. The proposal will not otherwise constitute a nuisance or be detrimental to the public safety, health and welfare of the neighborhood and community.
6. The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing or future development will not result in vehicular and / or pedestrian hazards and provides a desirable environment for occupants, visitors, and neighbors.
7. The architectural design of the proposed project is compatible with the character of the surrounding neighborhood and will implement the General Plan by insuring harmonious, orderly, and attractive development.

ENVIRONMENTAL DETERMINATION:

The proposed project is consistent with the zoning regulations as well as the Turlock General Plan. The project will not result in any significant effects relating to traffic, noise, air quality, or water, nor does the site have any habitat value for endangered, rare, or other threatened species. The site can be adequately served by all required utilities and public services and the project's addition to existing structures will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. Therefore, pursuant to California Environmental Quality Act (CEQA) 15301 [Existing Facilities], this project is Categorically Exempt from the provisions of CEQA.

CONDITIONS OF APPROVAL:

1. The applicant is requesting approval to operate an assembly hall at 137 W. Main Street (Stanislaus County APN 061-016-009). The assembly hall will accommodate business meetings and parties. The assembly hall will operate Monday through Thursday from 8 a.m. to 10 p.m. and 8 a.m. to midnight Friday through Sunday. Dancing and live entertainment are not permitted as part of this application.
2. Minor amendments to the site layout and other conditions contained within this approval may be authorized by the Development Services Director on a case-by-case basis, provided that such amendments are consistent with the overall intent and purpose of the conditions contained herein.
3. All "Standard Conditions of Approval" contained in Turlock Planning Commission Resolution 91-54 are conditions of approval for this project, except as amended herein by reference.
4. The project shall be developed consistent with the standards and uses established for the Downtown Core (DC) zoning district in TMC §9-4-100 ART *Downtown Overlay Regulations*, Downtown Design Guidelines and the adopted Design Guidelines.
5. All events must comply with the Turlock Municipal Code §5-28-100ART: Noise Standards.
6. Pursuant to Turlock Municipal Code (TMC) §9-5-305.1 this approval shall expire one (1) year from the date of approval, **December 21, 2018**, if construction has not begun or the use commenced. If requested prior to the date of expiration, the minor administrative approval (Administrative Agreement) may be extended upon a finding of good cause when the applicant presents proof of unusual conditions not of his own making.
7. In the event the city determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the city, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the city should otherwise agree with applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails on every issue in the enforcement proceeding.
8. The property owner and operator shall comply with all applicable local, State and federal laws and regulations at all times.

Planning Division (668-5640)

9. The project shall be developed in accordance with the floor plan submitted to the City of Turlock Planning Division on November 29, 2017, except as amended herein. (Attachment 1)

10. No live performances, such as musical, dance, cabaret, or comedy acts; any form of dancing by patrons or guests available to the general public; or amplified live or recorded music is permitted regardless of whether or not a fee is charged. Prior to any entertainment specified above, the applicant shall first obtain a Conditional Use Permit from the Planning Division.
11. Noise generated within the premises shall not be audible beyond the area under the control of the applicant.
12. No exterior signs have been approved as part of this permit. Any request for exterior signs must be reviewed and approved by the Planning Division prior to the installation of any signs. All signs must comply with the Turlock Municipal Code, City adopted design guidelines, and the Downtown Design Guidelines. Cabinet signs, pole signs, and roof mounted signs are prohibited.

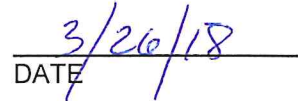
Building Division (668-5560)

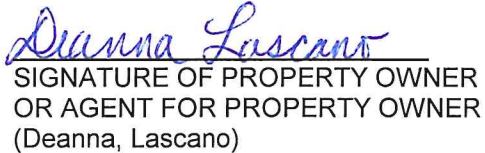
13. An occupancy inspection is required.

This Permit is accepted upon the express terms and conditions hereof, and the undersigned agrees to conform to and comply with all of the said terms and conditions.

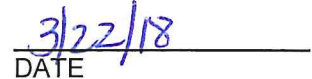

PROJECT PLANNER
CITY OF TURLOCK


PRINT NAME


DATE


SIGNATURE OF PROPERTY OWNER
OR AGENT FOR PROPERTY OWNER
(Deanna, Lascano)


PRINT NAME


DATE

The signatures above require notarization. Please ensure that the person who signs this page as property owner or agent is listed on the front page of this agreement.

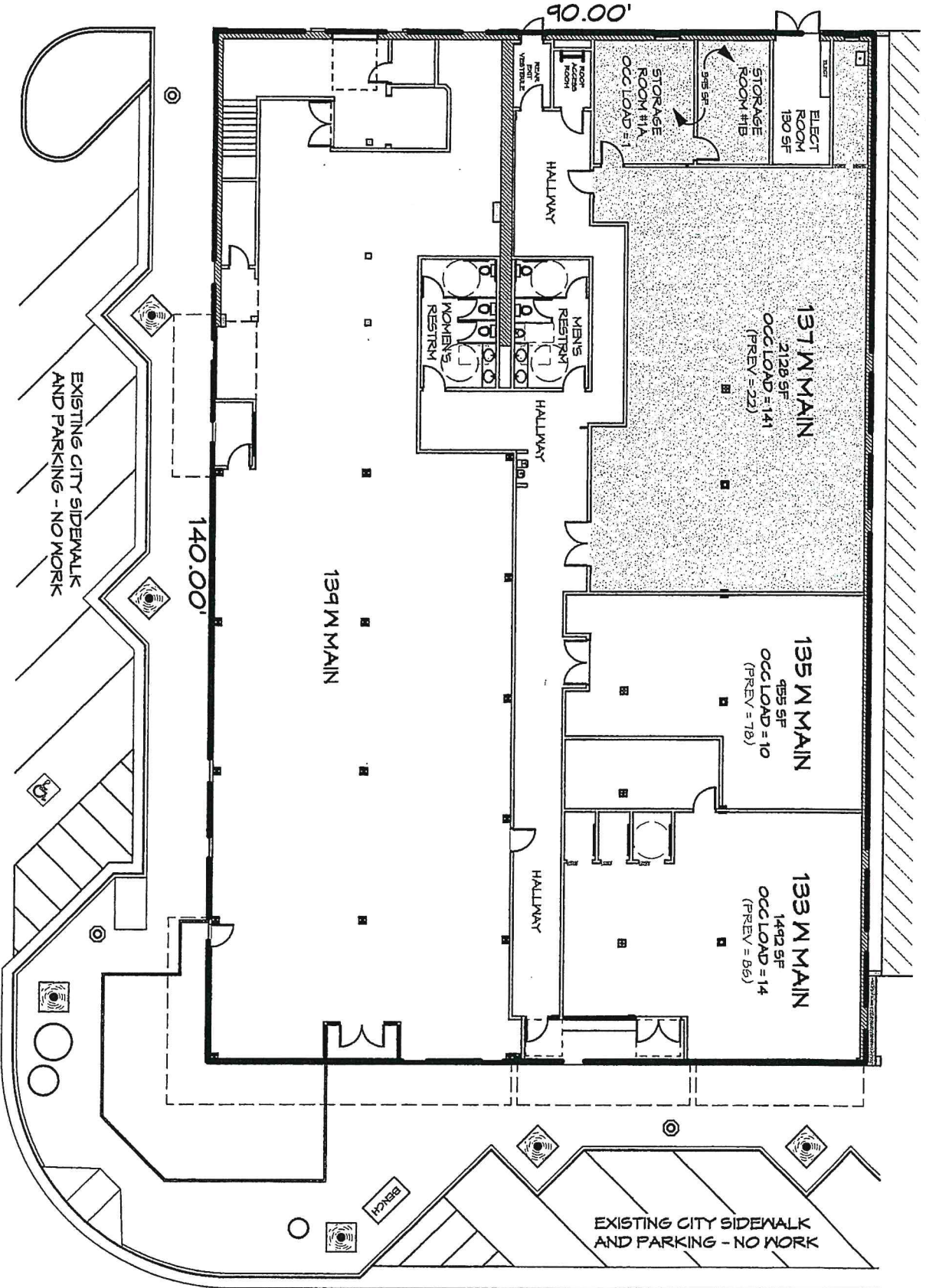
In addition, the printed name noted on the front page and this signature page needs to be exactly the same as the name used on the notarial certificate (i.e., if the name on the front of this document includes a middle initial or name, the notarial certificate must be written using that initial or name).

Please attach the appropriate notarial certificate(s) – (all-purpose acknowledgement).

20' ALLEY

NORTH BROADWAY AVENUE

WEST MAIN STREET



1 SITE/BLDG PLAN
SCALE: 1" = 20'-0"



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Stanislaus)On March 22 2018 before me, Laura Christine Corgiat, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared Deanna Lascano
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Stanislaus)
On March 26, 2018 before me, Sherry Touitou, Notary Public,
Date Here-Insert Name and Title of the Officer
personally appeared Scott Dwyer
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Sherry Touitou
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Administrative Agreement Document Date: 12-21-17
Number of Pages: 7 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____