

## MINUTES

**TURLOCK CITY PLANNING COMMISSION  
THURSDAY, OCTOBER 16, 2014  
6:00 PM**

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

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

**ALTERNATE COMMISSIONERS PRESENT:** Badal, Pollard

**COMMISSIONERS ABSENT:** Bean, Hillberg

**STAFF PRESENT:** Mike Pitcock, Director of Development Services; Michael Cooke, Municipal Services Director; Rose Stillo, Senior Planner; Katie Quintero, Associate Planner; Dorinda Soiseth, Staff Services Technician

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**A. CALL TO ORDER** The meeting was called to order at 6:03 p.m.

**B. APPROVAL OF MINUTES**

Chairwoman Fregosi asked for corrections or a motion to approve the minutes of the August 7, 2014 meeting. Motion and second (Hackler/Badal) to approve the minutes as submitted. Carried unanimously with Commissioners Brem and Pedroza abstaining, and Commissioners Bean and Hillberg absent.

*Chairwoman Fregosi noted a change to the order of the agenda. Item L.1, a report from Municipal Services Director Michael Cooke, will be provided at the beginning of the meeting under Announcements.*

**C. ANNOUNCEMENTS**

**L.1. WATER SITUATION/DROUGHT EFFECTS/CONSERVATION EFFORTS**

Michael Cooke provided information on groundwater wells; confined and unconfined aquifers, including their depth and quality; Turlock's groundwater sub-basin; water recharge areas east of Denair; and groundwater usage from 1991 through 2006. Michael noted that 90% of groundwater use is for agriculture. He also provided information on water production in 2013 versus 2014; per capita water use (noting that residential use is decreasing and that most residential water use is for landscaping); information on water level contours; cone of depression; well closures; water storage tanks; and the Regional Surface Water Project.

Curtis Hennings, owner of a local well drilling company, commented on the irrigation wells used for the parks, the water quality in the east and west parts of the County, and the good water quality in Turlock.

**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. AMENDMENT TO PLANNED DEVELOPMENT 190 (LANDER CROSSINGS)** To extend the development schedule, modify the building elevations for the hotel, change the use of the building on parcel four from retail to medical office, and approve moderate changes to the site plan including the addition of a swimming pool for the hotel. The project is located at 1851 Lander Avenue, Turlock, CA (Stanislaus County APNs 044-064-021 - 026). Rose Stillo presented the staff report and said that the current amendment would build the hotel and a medical office building during the first phase of construction. The remaining three buildings would be constructed as tenants are secured. She said that an 85-room Hampton Inn is now proposed for the center which will require some minor changes to the approved site plan. She said the proposed site plan and building elevations comply with the City's development standards and architectural design guidelines and staff recommends approval.

Commissioner Brem asked if the phasing schedule was date specific. Rose advised that a specific phasing schedule was not applied in this case.

Commissioner Dias asked if there would be a connection to the existing shopping center to the north of this project. Mike Pitcock advised that an agreement between the property owners was never reached, so there will be only one entrance to this project with no reciprocal access to the adjacent property.

Dave Romano, representing the applicants, provided information on the development including a Hampton Inn and an allergy clinic in the medical building. Mr. Romano stated they support the staff recommendations and ask for approval from the Commission.

There was discussion about using a pool cover to conserve water, the hotel occupancy rate in Turlock and the anticipated start of construction.

**Public Hearing:** Chairwoman Fregosi opened the public hearing. No one spoke. Chairwoman Fregosi closed the public hearing.

**MOTION:** Commissioner Brem moved, Commissioner Pollard seconded, that the Planning Commission find this Amendment to Planned Development 190 to be Categorically Exempt from CEQA, in accordance with Section 15305, Minor Alterations in Land Use Limitations. Motion carried unanimously with Commissioners Bean and Hillberg absent

**MOTION:** Commissioner Brem moved, Commissioner Pedroza seconded, that the Planning Commission approve this Amendment to Planned Development 190 (Lander Crossings), having determined that all of the appropriate findings can be made, subject to the conditions of approval contained in Draft Planning Commission Resolution No. 2014-13. Motion carried unanimously with Commissioners Bean and Hillberg absent

- 2. 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 noted that staff had received a phone call from Joe Bernardi opposing the project, as referenced on the green sheet. Katie said that in 2005 the East Tuolumne Master Plan was approved, and at that time all 100 acres were designated as Very Low Density Residential to allow for single-family development at a maximum density of three (3) dwelling units per acre and a minimum lot size of 14,500 square feet. She advised that the applicant is requesting an amendment to the Master Plan to re-designate two of the parcels to Low Density Residential to allow for the properties to develop at a density of 3-4 units per acre instead of the maximum density of three units to the acre. This will allow for a total of approximately 69 more lots to be developed between these two properties.

Katie provided a comparison of the existing Residential Estate (RE) development standards in the Master Plan area, the proposed Master Plan Low Density Residential (RL) Development Standards and what is typically allowed under the zoning ordinance for the Low Density Residential Zoning District. She noted that the proposed RL lots are smaller than the typical RE lot, but larger than a standard RL lot.

Katie presented a conceptual layout of lots in the Master Plan, and said that some lots will keep an RE designation. She reviewed the findings that need to be made to approve this request, and said that these findings emphasize the importance of General Plan consistency to ensure the project does not cause substantial damage to the environment. Katie noted that the General Plan identified updating the ETMP area as a high priority. The General Plan also *says that we should "require development at densities higher than typical in recent years in order to limit conversion of agricultural land and minimize the urban/agriculture interface."* The General Plan describes the purpose of East Tuolumne Master Plan area as *creating a smooth transition from urban to rural land uses along the City's eastern border, while creating a distinct boundary between Turlock and Denair.*

Katie said that to create this transition the original Master Plan called for large lots to create a rural, ranchette like area. This Master Plan update tries to find a balance between the General Plan policies that promote more compact, denser development with the goal of creating a buffer and a transition to the agricultural land and Denair to the east. The amended Master Plan allows for smaller lots and higher

density than allowed for in the previous Master Plan, but it still requires larger lots than required in typical Low Density Residential subdivisions.

Katie noted that the General Plan also calls for the implementation of an agriculture buffer design to minimize the impact of urban development near active agricultural operations, and to do this housing cannot front on to agricultural properties. To achieve this buffer lots will not be allowed to front onto Waring Road because of the agricultural land across the street. A wall will be constructed along Waring Road with a fifteen foot landscape bed adjacent to the wall to help enhance this buffer area. Lots along the northern edge of the Master Plan area which are adjacent to agricultural properties are also required to increase the rear yard setback by 10 feet to create additional distance between the living area and the agricultural land. A Right to Farm Notice will also be recorded on the title of each newly created lot in the Master Plan area. Katie concluded her report by saying that an initial study was prepared to analyze the potential environmental impacts and staff is recommending approval.

Commissioner Brem commented on the language in the Right-to-Farm notice. Katie responded that the language comes from the Turlock Municipal Code.

Attorney Scott Dorius spoke representing the applicants. He said that the change in density complies with the updated 2012 General Plan. The original plan allowed for 2.41 lots per acres, and this amendment will allow for 3.18 lots per acre, which will help the City meet State demands outlined in the Housing Element. He compared the size of the lots proposed in this amendment to what currently exists in the Bristol Park area. He said that he has heard concerns that if the lots are smaller the houses will be smaller, but does not see that as an impact as design criteria is outlined in the Master Plan. He noted that market conditions will determine the final outcome of the development. He commented about the transition from urban to agriculture saying that what is proposed is a 26' space from the edge of curb to wall.

Commissioner Brem commented about moving the detention basin to the east side of the project. Mike Pitcock said that an analysis was done and each property owner gave up enough land to meet their storm water basin needs. As a result, it is not feasible to build the basin on the east side.

There was discussion about the type of bike lanes proposed; the 26' landscaped buffer area; and the potential for increased traffic on Tuolumne and Waring Roads due to the additional homes proposed.

Mike Pitcock said that Capital Facility Fees collected on the homes built in this area will be used to improve the intersection of Monte Vista Avenue and Quincy Road, and that the Master Plan calls for an entire overlay of Tuolumne Road from Quincy Road to Waring Road, and that Quincy and Waring Roads to Monte Vista Avenue will be widened and repaved.

**Public Hearing:** Chairwoman Fregosi opened the public hearing.

Curtis Hennings said that he owns the property on the northwest corner of the Master Plan, and said that he opposes this amendment to the original ETMP, including the drainage basin proposed on his property. He said he built in this area because the original plan was for "high end" homes, and that he supports the original plan as was adopted. Mr. Hennings stated he is also speaking for Richard Gemperle who owns property in the area.

Joanne Hennings spoke against the proposed amendment.

Ray Romero spoke against the amendment and said he favors a greenbelt but does not favor the proposed wall on Waring Road. He said he is concerned with a potential increase in traffic and asked the Commission to "stick with the original plan."

Scott Atherton said that he owns property along Waring Road and commented that if there was a 25' easement along Waring it would encroach in to his house, and that his neighbors are currently planting 30 acres of walnuts adjacent to this project.

Alan Marchant said that he owns the parcel north of this project and is concerned that parcels adjacent to his property will be changed from Very Low Density, to Low Density Residential. He said that a wall on Waring Road is not the look he would like to see, but if a wall is required then parking should be prohibited along Waring. He also commented on the Right-to-Farm issue saying that the use of fertilizers, disking and dust will be an issue.

Dave Williams, of Reed Realty, spoke in favor of the project and commented that new houses will stimulate economy; farming activity is not new; and that he favors a wall along Waring Road and would like to see Quincy Road widened. He said that the proposed amendment is a better use of the land.

Scott Dorius commented that the maps and plan are conceptual at this time, and that nothing will happen unless a property owner sells their land. He said this amendment complies with the requirements for design of a master plan.

Max Garcia, of GDR Engineering, noted the average lot size of the two parcels being rezoned is 9900 s.f., and that the changes are being proposed to comply with the updated General Plan. He advised that General Plan Section 6.1.k does not allow housing to abut agricultural properties.

Commissioner Dias asked about the minimum lot size. Mr. Garcia responded that the minimum lot size was approximately 7900 s.f.

Curtis Hennings commented that a road is proposed along his property line, and that he has a detached garage and fence on that side of his property.

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

Commissioner Pollard said that traffic could increase due to the additional homes proposed, and that a wall is not an aesthetically good buffer from agricultural land.

Commissioner Badal noted that the proposed wall conforms to General Plan policy but he does not like it.

Commissioner Pedroza said that he has received numerous calls on his project and he does not think a wall makes a smooth transition to agricultural property. He commented on the proposed lot sizes, the traffic study used for the project, and said he has concerns with the project as presented.

Commissioner Hackler commented on the importance of providing a smooth transition to agricultural land while remaining consistent with the existing neighborhood and the policies of the 2012 General

Plan Update. He said the project is good overall but there are inconsistencies that need attention.

Commissioner Brem said he is not in favor of the wall, that he would prefer a detention basin along Waring Road, and is not concerned with the higher density proposed in the amendment.

Commissioner Dias said that the proposed higher density would fit in with the existing residential development because the quality will remain high. He commented on the roadway improvements that will be made as a result of this project, and said he does not favor a wall along Waring Road.

There was discussion about the original layout of the Master Plan, and the proposed wall and how it compares to walls in existing residential areas.

Chairwoman Fregosi said that she favors the smaller lots and higher density of the proposed amendment, but does not favor the wall. She commented that consideration should be given to people who bought property and were aware of the original ETMP, and now the proposal is being amended in a significant way, as they had a certain vision of what would develop and now that is being changed.

Commissioner Pollard commented that she also has a problem that rules are now being changed because people in good faith bought their property and built based on the Master Plan as it existed.

Commissioner Brem commented on the economic realities of the housing market.

Scott Dorius spoke and asked that this item be continued to a future Planning Commission meeting.

**MOTION:** Commissioner Brem moved, Commissioner Badal seconded, that the Planning Commission continue the EAST TUOLUMNE MASTER PLAN AMENDMENT - General Plan Amendment 2014-01, Rezone 2014-01, to a future date to allow the applicant to work with City staff to address the concerns of the Commission. Motion carried unanimously with Commissioners Bean and Hillberg absent.

Commissioner Brem commented about the fence proposed for the north portion of the project and said he is concerned that it is not a masonry fence.

Commissioner Hackler commented that he would like the project better designed using curved roadways.

**H. OTHER MATTERS**

None

**I. COMMISSIONER'S CONSIDERATION**

None.

**J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS**

None.

**K. COMMISSIONER'S COMMENTS**

Commissioner Brem commented about the status of the sign ordinance update; the number of snipe signs around town; and the process to identify the need for a crosswalk.

Commissioner Pedroza commented on the status of the Highway 165 project.

Commissioner Dias commented on the roadwork done on Walnut Road near the junior high school.

Commissioner Hackler commented about traffic and turning issues in front of Walnut Elementary School.

Chairwoman Fregosi commented on the new signal light at Monte Vista & Colorado Avenues, and the recent League of Women Voters candidate forum.

**L. STAFF UPDATES** (Mike Pitcock)

1. **WATER SITUATION/DROUGHT EFFECTS/CONSERVATION EFFORTS** (This item was presented under Announcements)
2. **SOUTH COUNTY CORRIDOR STUDY UPDATE** – Mike Pitcock provided information on the status of the study, saying that nine proposals were received and a contractor will be chosen. They will have 12 months to prepare the document, and numerous public comment meetings will be scheduled. He reported that West Main will be the best route to the south county corridor industrial park.

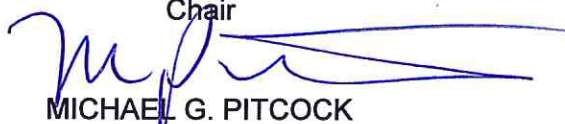
**M. ADJOURNMENT:** Chairwoman Fregosi asked for a motion (Hackler/Pollard) to adjourn the meeting at 8:37 p.m.

Respectfully Submitted,



SORAYA FREGOSI

Chair



MICHAEL G. PITCOCK

Director of Development Services,  
Secretary of the Turlock Planning Commission