

Thursday, March 2, 2023
6:00 p.m.
City of Turlock Yosemite Room
156 S Broadway, Turlock, California

MINUTES
Regular Meeting
Turlock Planning Commission

A. 1. CALL TO ORDER – Vice Chair Jim Reape called the meeting to order at 6:00 p.m.

PRESENT: Commissioners Constance Anderson, Sukhminder Deol, Mark Reese, Ray Souza, Patrick Johnson and Vice Chair Jim Reape

ABSENT: Commissioner Matthew Davis

2. SALUTE TO THE FLAG

Vice Chair Reape led those in attendance in the Pledge of Allegiance.

B. APPROVAL OF MINUTES

1. Vice Chair Reape asked for a motion to approve the minutes of the Regular Meeting of February 2, 2023 with a change on a green sheet that was handed out correcting the date shown in the header to 2/2/2023.

MOTION:

Commissioner Anderson moved, seconded by Commissioner Reese to accept the minutes with the correction to be made. Motion carried 5/2 by the following vote:

Commissioner Reape	Commissioner Reese	Commissioner Souza	Commissioner Anderson	Commissioner Deol	Commissioner Johnson	Chair Davis
Abstain	Yes	Yes	Yes	Yes	Yes	Absent

C. ANNOUNCEMENTS

Director of Development Services Katie Quintero introduced Sergeant Michael Parmley and Captain Miguel Pacheco of the Turlock Police Department to the Planning Commissioners. She announced that Senior Planner Adrienne Werner was promoted to Planning Manager on 2/16/2023 and invited the Planning Commissioners to attend the yearly Planning Commission Academy to be held in March.

D. PUBLIC PARTICIPATION

Vice Chair Reape opened the floor for public participation.

Hearing no one else, Vice Chair Reape closed the floor for public participation.

E. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS:

Vice Chair Reape 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

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

G. PUBLIC HEARINGS

***CONSENT ITEMS**

Vice Chair Reape noted there is one item:

- 1. CUP 2022-08 DAN LEONIS (39 MILESTONE):** Planning Manager Adrienne Werner presented the staff report explaining the applicant is requesting to authorize the operation of a bar/nightclub at 128 S. Center Street, formerly Al's Billiards. This project was originally granted a CUP in 2016 with a one-year time extension taken out in 2017 but both entitlements have expired. No major changes were made from the original CUP but the zoning ordinance was updated in 2019 changing the definition of bars, restaurants and live entertainment.

New changes to the project included a recessed entrance ten feet back from the sidewalk to add an outdoor seating area.

Planning Manager Werner explained that due to the increase in police calls for service after 2:00 a.m., the Turlock Police Department has asked for some conditions to be added to the CUP. The conditions are:

- Closing time for this establishment will be at 1:00 a.m. with last call at 12:30 a.m.
- One (1) security personal will be required for every fifty (50) patrons.
- Customers will be scanned with a new patron scan when entering the establishment
- Maximum occupancy is limited to 150 people.

Planning Manager Werner spoke regarding parking explaining that in the downtown core zoning district on-site parking is not required.

Commissioner Johnson asked why the change in security requirements and in the closing time since this could cause an influx of customers leaving one bar to another one.

Captain Pacheco explained this new change in closure time will make it manageable for the Police Department to better secure the local businesses and they are looking to the business owners to monitor the amount of people and security requirements.

Director Quintero stated this is not a new concept as previous CUP's requirement was one (1) security guard to every one hundred (100) patrons.

Commissioner Reese asked what the criteria is to change the closing time for a business.

Captain Pacheco stated the Police Chief can amend conditions administratively.

Public Hearing

Vice Chair Reape opened the floor for public hearing.

Dan Leonis, applicant, stated the use of the tin building in the back has changed as it will be used as a bathroom with stairs leading up to a storage room. It will not be used for outdoor seating; the only outdoor seating will be in the front of the building.

Commission Anderson inquired about the new patron scan requirement.

Director Quintero stated this is a new technology and is being required at the other bars located downtown to deter criminal activity.

Captain Pacheco stated the Police Department does not have a live feed from the scan but can look at the recordings at any time upon request to the business.

Sergeant Parmley stated that these scans will notify the operator if a person has any outstanding warrants against them.

Commissioner Souza asked if this technology was new.

Sergeant Parmley said yes and there are only two locations using it at this time.

Commissioner Souza asked about the Al's Billiard's sign and the allowable signage.

Planning Manager Werner stated the Al's Billiards sign would need to be reduced in size but the sign permit is not included in the CUP and it would need to be applied for separately.

Commissioner Anderson asked where the name 39 Milestone came from.

Dan Leonis stated it was named after his cabin located in the Eldorado National Forest.

Vice Chair Reape closed the floor to public hearing.

Commissioner Anderson asked about the requirement for an annual dance permit.

Sergeant Parmley stated the permits are for public dances and are reviewed annually.

Director Quintero stated the dance permit is reviewed annually and is a way to review business operations annually to be sure it is still in compliance.

Commissioner Anderson asked what happens if a business has found to have issues

Sergeant Parmley stated that ABC will be notified which may cause a business to be fined or even a suspension of the liquor license.

Director Quintero stated they must follow the requirements in the CUP or it also can be revoked.

MOTION:

Commissioner Anderson moved, seconded by Commissioner Reese finding Conditional Use Permit No. 2022-08 (39 Milestone) to be “Categorically Exempt” from the provisions of CEQA, and granting Conditional Use Permit 2022-08, having determined that all of the appropriated findings can be made, subject to the conditions of approval contained in draft Resolution No. 2023-04, and adding the word “front” to the Police Department’s condition #13. Motion carried 6/1 by the following vote:

Commissioner Reape	Commissioner Reese	Commissioner Souza	Commissioner Anderson	Commissioner Deol	Commissioner Johnson	Chair Davis
Yes	Yes	Yes	Yes	Yes	Yes	Absent

H. OTHER MATTERS:

Vice Chair Reape noted there were none.

I. COMMISSIONER’S CONSIDERATION

Vice Chair Reape noted there were none.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

Vice Chair Reape noted there was one:

PLN2018-0057 (KAMIR INCORPORATED, E KEYES RD., (Stanislaus County APN: 045-050-007): Stanislaus County CEQA referral for a request to rezone 5.15-acres from General Agriculture to Planned Development to develop various commercial uses for the traveling public. Specifically, the request includes a 4,800 square foot convenience store, two 3,000 square foot and one 2,000 square foot shell buildings for future fast food restaurants, six fueling stations for automobiles, six fueling stations for diesel engine vehicles including a truck scale and thirty overnight truck-trailer parking spaces. The Planning Commission will not take any action on this item, but may offer comments to the staff.

Commissioner Reape expressed concern with the access off Golden State Blvd.

Commissioner Johnson suggested traffic control and signalization at this location.

Planning Manager Werner stated the focus was not emphasized on traffic but will add this our response.

K. COMMISSIONERS COMMENTS

Commissioner Deol reported large pot holes on Berkeley Ave and Golf Road.

Director Quintero advised Commissioner Deol that area is a shared jurisdiction with Stanislaus County and there is a design approved to fix this area which is expected to begin in 2024.

Commissioner Reape asked for an update on the roads program project

Director Quintero stated Wayside Drive is currently under construction where the water line is being replaced at the same time. Bids to fix the other 14 roads have just gone out and work will begin in the spring.

Director Quintero also explained that Turlock is going to run the plant for SRWA water project which has added several new jobs to be filled.

Commissioner Reese asked what can be done to fix the flooding at Geer Road and Taylor Road.

Director Quintero explained that this is a difficult area since it is next to the canal and part of it is located outside of the City limits.

Commissioner Anderson asked Commission Reape to report on the Cannabis Adhoc meeting.

Commissioner Reape said he attended the meeting where there were discussions regarding the continuance of the cannabis program and how the program should be processed through Development Agreements and Conditional Use Permits.

L. STAFF UPDATES

Director of Development Services Katie Quintero stated there will be another joint Planning Commission and City Council meeting in April to discuss the Housing Element.

M. ADJOURNMENT

Having no further business, Vice Chair Reape asked for a motion to adjourn the meeting. Motion by Commissioner Anderson. Motion carried unanimously by a voice vote. The meeting was adjourned at 7:12 p.m.

RESPECTFULLY SUBMITTED

Jim Reape
Planning Commission Vice Chair

Katie Quintero
Director of Development Services