

Thursday, November 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 – Chair Ray Souza called the meeting to order at 6:00 p.m.

PRESENT: Commissioners Sukhminder Deol, Constance Anderson, Patrick Johnson, Mark Reese, Matthew Davis, Jim Reape, and Ray Souza.

ABSENT: none

2. SALUTE TO THE FLAG

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

B. APPROVAL OF MINUTES

1. Chair Souza asked for a motion to approve the minutes of the Regular Meeting of August 3, 2023.

MOTION:

Commissioner Reape moved, seconded by Commissioner Anderson to accept the minutes of the August 3, 2023 meeting. Motion carried 7/0 by the following vote:

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

C. ANNOUNCEMENTS

Planning Manager Adrienne Werner stated the minutes from the Engineering public hearing for Tentative Parcel Map 23-02 was handed out at the dais. She explained that the Engineering Division conducts the Public Hearing for parcel maps and the minutes from the public hearing are provided to the Planning Commission for informational purposes only.

D. PUBLIC PARTICIPATION

Chair Souza opened the floor for public participation.

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

E. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS:

Chair Souza asked the Planning Commission if there were any conflicts of interest or disclosures of ex parte communications. There were two.

Commissioner Davis stated he has a conflict of interest with item G2
Commissioner Deol stated he has a conflict of interest with item G3

F. PUBLIC HEARINGS
***CONSENT CALENDAR**

Chair Souza noted there were none.

G. PUBLIC HEARINGS
***NON-CONSENT ITEMS:**

Chair Souza notes there were three items:

- 1. AMENDMENT TO CONDITIONAL USE PERMIT NO. 2013-06 (DUST BOWL BREWING COMPANY)** Planning Manager Adrienne Werner presented the staff report. She explained the applicant is requesting to amend the existing Conditional Use Permit to allow the distilling of spirits, wine, and cider within the footprint of the existing brew house building. No expansion of the existing brewery building, parking or outdoor areas is proposed. The distilling operation and equipment will occupy 30 square feet within the existing brew house building. She stated that a report was provided to the Fire Department, by an Engineer retained by Dust Bowl, explaining that Dust Bowl is limited to storing a maximum of 240 gallons of distilled spirits without making modifications to the building.

Public Hearing

Chair Souza opened the floor for public hearing.

Brett Honore, co-owner and founder of Dust Bowl, explained that the craft beer industry is changing and offering distilled spirits, wine and cider will allow them to stay relevant in the industry.

Brett Tate, the co-owner and founder of Dust Bowl Brewing Company stated they are very excited for the opportunity to distill spirits, wine and cider. The infrastructure is in place except for the high level 40-gallon German still. They are ready to start once they get the approval and permits for the equipment.

Chair Souza closed the floor to public hearing.

MOTION:

Commissioner Reape moved, seconded by Commissioner Davis determining that the project is Categorical Exempt from the provisions of CEQA Section 15301 [Existing Facilities], and grant the Amendment to Conditional Use Permit 2013-06 having determined that the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution No. 2023-19. Motion carried 7/0 by the following vote

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

2. AMENDMENT TO CONDITIONAL USE PERMIT NO. 2016-06 (TEN PIN FUN CENTER)

Commissioner Davis stepped down at 6:14 p.m.

Planning Manager Adrienne Werner presented the staff report explaining the applicant is requesting to amend the existing Conditional Use Permit to allow live entertainment, as defined by Turlock Municipal Code Section 9-1-202, to be offered throughout the various venues in the bowling center and the outdoor seating areas. Ten Pin has been approached by corporate clients asking to provide entertainment opportunities during their events. In the past Ten Pin has had to refuse these requests. Ten Pin is asking to offer karaoke, comedy acts, small bands and similar entertainment opportunities throughout the facility. These types of entertainment opportunities and dancing are included in the definition of a nightclub. A nightclub requires a Conditional Use Permit. Although Ten Pin does not operate or intends to operate as a night club the types of entertainment they want to offer are listed in the definition for a nightclub. If the amendment is granted, Ten Pin would be able to offer entertainment throughout the fun center; however, no entertainment activities are permitted in the outdoor areas. The amendment would not permit dancing.

Commissioner Anderson asked if the conditions that the Commission would be approving would classify Ten Pin as a nightclub.

Planning Manager Werner answered no. She explained a nightclub requires a CUP and the type of entertainment Ten Pin wants to offer is included in the definition of a nightclub. The amendment, if granted, would allow live entertainment in the fun center and not for Ten Pin to operate as a nightclub.

Public Hearing

Chair Souza opened the floor for public hearing.

Rod Scott spoke in favor of the amendment explaining that their corporate customers have requested to have live entertainment and they have had to say no. Being able to allow entertainment opportunities is something their guests have been wanting.

Chair Souza closed the floor to public hearing.

MOTION:

Commissioner Reape moved, seconded by Commissioner Anderson determining that the project is Categorical Exempt from the provisions of CEQA pursuant to CEQA

Guidelines Section 15301 [Existing Facilities], and grant the Amendment to Conditional Use Permit No. 2016-06 (Ten Pin Fun Center), having determined that all the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution No. 2023-21. Motion carried 6/1 by the following vote

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

Commissioner Davis was reseated at the dais at 6:27 p.m.

3. AMENDMENT TO CONDITIONAL USE PERMIT NO. 2006-04 (SIKH TEMPLE)

Commissioner Deol stepped down at 6:27 p.m.

Planning Manager Adrienne Werner presented the staff report explaining the applicant is requesting to amend the previously approved Conditional Use Permit to allow for the construction of a new two-story approximately 18,654 square foot dining hall and kitchen building. The Sikh Temple was granted a 2012 amendment to construct a 21,000 square foot, two-story dining hall and kitchen building but did not go forward with the project and the 2012 amendment expired

Planning Manager Adrienne Werner explained the first floor of the new proposed building is approximately 15,252 square feet and consists of a porch which leads into the lobby, dining hall, kitchen and storage areas and an outdoor patio area located at the rear of the building. The second floor is approximately 3,402 square feet and includes a conference room, offices, restrooms, storage, and outdoor patio roof area. A portion of the second floor is open to the first floor. The dining hall and kitchen building will be used for events for the congregants of the temple. The dining hall cannot be rented out for events not associated with the temple. A connecting corridor ties the new proposed dining hall and kitchen building to the existing 20,000 square foot, two-story temple building.

Commissioner Anderson asked if the new dining hall would change the parking requirements.

Planning Manager Werner answered that 62 new parking spaces are proposed to be constructed with the new dining hall. The new proposed parking spaces and the existing parking spaces are enough to support the temple and new dining hall. Typically, temple worship and separate activities based on the factors and existing parking, they would not be over impacted to require additional parking.

Commissioner Anderson asked if any special requirements for the rooftop area.

Planning Manager Werner answered there are no restrictions or specific conditions in the resolution regarding the outdoor patio areas.

Commissioner Reese asked if additional parking will be required.

Planning Manager Werner answered no, they are proposing 63 new parking spaces with the construction of the new dining hall building. There are 197 existing parking spaces and with the

new parking spaces they will have enough parking spaces to support the temple and new dining hall and comply with the Municipal Code parking requirements.

Chair Souza asked if the drainage basin will be used for anything such as sporting activities.

Planning Manager Werner answered there is no proposal or previous approvals to use the basin for activities other than stormwater retention.

Commissioner Souza asked if the basin could be abandoned.

Planning Manager Werner answered that an engineer would need to analyze whether or not the drainage basin was still needed prior to it being abandoned or used for something other than stormwater retention.

Public Hearing

Chair Souza opened the floor for public hearing.

Hearing no one Chair Souza closed the floor to public hearing.

MOTION:

Commissioner Davis moved, seconded by Commissioner Reape determining that the project is Categorically Exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 [Existing Facilities], and grant the Amendment to Conditional Use Permit No. 2006-04 (Sikh Temple), having determined that all of the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution No. 2023-20). Motion carried 6/1 by the following vote

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

Commissioner Deol was re-seated at the dais at 6:41 p.m.

H. OTHER MATTERS:

Chair Souza noted there was one.

1. California Farmland Trust

Planning Manager Werner explained that the Stanislaus County Planning Department forwarded a letter from the California Farmland Trust notifying the County of their intent to purchase an agricultural conservation easement on approximately 316 acres of farmland in the county. She explained that the agricultural conservation easement limits nonagricultural uses on the property and prohibits subdivision of the property. The property is not located in the City

limits and outside of the sphere of influence but is within the General Plan study area. The item is informational only and the Commission will take no action.

Commissioner Anderson asked if the parcels are the vertical rectangle north of Harding Road.

Planning Manager Werner answered yes.

I. COMMISSIONER'S CONSIDERATION

Chair Souza noted there were none.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

Chair Souza noted there were two.

1. **PLN2023-0031 - Secured Space South Storage at 5024, 5028, and 5030 Rohde Road (Stanislaus County APN: 041-059-001 and 041-059-002):** Planning Manager Werner explained this is a request to amend the Community Plan designation and zoning designation of a five-acre parcel from Medium Density Residential and General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility. The Planning Commission will not take any action on this item, but may offer comments to the staff.

Planning Manager Werner explained that the County sends project referrals to the City of Turlock for comment anytime there is a project proposed within a 1-mile radius of the city limits. The subject property is not within the 1-mile radius of the city limits and is not within the sphere of influence. The Keyes Community Plan needs to be amended which is why the County referred the project to the City for comment. Staff had no comments and provided a no comment letter to County Planning.

2. **PLN2023-026 – Singh Trucking at 6816 North Washington Road, between West Taylor Road and East Barnhart Road, in the Keyes area (Stanislaus County APN: 045-053-012):** Planning Manager Werner explained the applicant is requesting to permit an existing truck operation on a 15.9+ acre parcel, in the General Agriculture (A-2-40) zoning district. The truck parking operation will take place within an existing 1.27+ acre paved area and will include up to 12 truck-tractors and 24 trailers, all owned by the applicant. The Planning Commission will not take any action on this item, but may offer comments to the staff.

Planning Manager Werner stated that this project site is within the 1-mile radius of the city limits just North of Taylor Road on Washington Road. Staff explained the project was forwarded to the City Engineer to ensure he had no concerns that the trucking operations would have negative impacts on the City's roads. He explained to staff that any impacts would be to the Taylor Road/Highway 99 interchange which is under Caltrans' authority. The Planning staff sent a no comment letter to the County Planning Department.

K. COMMISSIONERS COMMENTS

Commissioners may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the Commission.

Commissioner Reape was curious about how county referrals come about. Are they due to complaints or code enforcement?

Planning Manager Werner answered some are a result of County code enforcement activities and some are projects that need a County use permit and are within the 1-mile radius of the City limits.

Commissioner Reese commented on the Taylor Road underpass and northbound traffic possibility that the truck traffic could affect the interchange in the future.

Planning Manager Werner answered that County projects are sent to Caltrans for review and comment much in the same way we send Caltrans our projects for comments. Most likely the County sent a project referral to Caltrans as well.

Chair Souza asked for an update on the pole sign located on the Firehouse site.

Planning Manager Werner answered the matter it is still with the City Attorney. Adrienne stated she would follow up with the city attorney.

Commissioner Anderson gave thanks and appreciation to Commissioner Davis and Commissioner Reape for their efforts on the ad hoc cannabis committee.

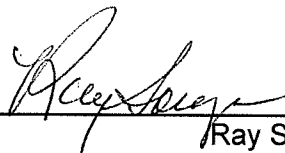
L. STAFF UPDATES

There were none.

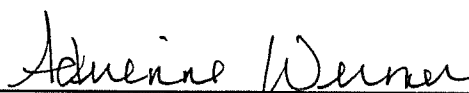
M. ADJOURNMENT

Having no further business, Chair Souza asked for a motion to adjourn the meeting. Motion by Commissioner Reese. Motion carried unanimously by a voice vote. The meeting was adjourned at 6:51 p.m.

RESPECTFULLY SUBMITTED



Ray Souza
Planning Commission Chair



Adrienne Werner
Planning Manager
Development Services