

Thursday, March 21, 2024
6:00 p.m.
City of Turlock Yosemite Room
156 S Broadway, Turlock, California

MINUTES
Special Meeting
Turlock Planning Commission

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

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

ABSENT: Patrick Johnson

2. SALUTE TO THE FLAG

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

B. APPROVAL OF MINUTES

Chair Davis asked for a motion to approve the minutes of the Regular Meeting of February 1, 2024.

MOTION:

Commissioner Souza moved, seconded by Commissioner Reape to accept the minutes of the February 1, 2024 meeting. Motion carried 6/0 by the following vote:

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

C. ANNOUNCEMENTS

Senior Planner Katie Quintero noted a green sheet at the dais for public hearing item G.3 for a correction to the findings of Resolution 2024-08 that would be explained further during the public hearing.

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 HEARINGS *CONSENT CALENDAR

Chair Davis noted there was none.

G. *NON-CONSENT ITEMS:

Chair Davis noted there were four items:

1. **ANNUAL REVIEW OF PUBLIC WORKS PROJECTS FOR CONFORMANCE WITH THE TURLOCK GENERAL PLAN FOR FISCAL YEAR 2024/2025:** Assistant Planner Joanne Foster explained that pursuant to California Government Code Sections 65103(c) and 65401, an annual review of local public works projects of other agencies within the Turlock planning area is required in order to provide early coordination between public agencies and to ensure that the proposed projects conform to the Turlock General Plan. Assistant Planner Foster explained that the report includes all Public Works projects defined by construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility. The report does not include maintenance work.

Commissioner Reape thanked staff for the work put into the project.

Public Hearing

Chair Davis opened the floor for public hearing.

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

MOTION:

Commissioner Anderson moved, seconded by Commissioner Reape determining that the General Plan Conformity Finding is not a project as defined by the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378 and determined the Annual Review of the Public Capital Improvement Projects is in conformance with the Turlock General Plan. Motion carried 6/0 by the following vote.

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

2. 2023 GENERAL PLAN IMPLEMENTATION REPORT: Assistant Planner Kate Bailey explained that the California Government Code (Section §65400 (b)) requires that an annual report on the implementation of the General Plan be submitted to the Legislative Body. Assistant Planner Bailey explained that there are three sections highlighted in the annual report. The first section includes land use entitlement applications submitted to the Planning Division and shows the number of units submitted in 2023 as well as building permit application in plan check. She explained that there was a large decrease in the number of applications submitted in 2023 with 23 applications submitted for a total of 23 units proposed and 5 approved compared to 230 applications submitted in 2022 for a total of 917 proposed units with 94 approved. The decrease in submittals in 2023 can largely be explained by the change in the Building Code that went into effect in January 2023. The second section of the report is the General Plan Implementation items and status. She explained within the General Plan there are goals established and this tells how each department plans on attaining those goals. The last part section is the Housing Element Implementation Report and included is the data required by the State.

Commissioner Anderson asked if the changes to building code could be explained.

Senior Planner Quintero said there were changes in solar requirements. She explained that delays in the building permitting process can occur due to contractors and designers needing to update plans or incorporate new building code requirements.

Public Hearing

Mary Jackson asked if the issued building permits are for single family homes or apartment complexes and if construction has started.

Senior Planner Quintero responded that the report indicated the number of units permitted. One application for a land use entitlement was submitted and approved to permit 261 units located at Geer Rd. and Christofferson Parkway. The developer had not yet submitted building permit applications.

Mary Jackson asked what the former Del Taco restaurant on Fulkerth Rd. was going to be.

Senior Planner Quintero said she was unsure if tenant specific building permits had been submitted.

MOTION:

Commissioner Reape moved, seconded by Commissioner Souza determining that acceptance of the 2023 General Plan Implementation Report is “exempt” from the provisions of CEQA in accordance with Section 15060(c)(2) of the CEQA Guidelines and the Planning Commission finds the report is in compliance with the California Government Code [Section 65400 (b)] and accepts the report. Motion carried 6/0 by the following vote.

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

3. GENERAL PLAN AMENDMENT NO. 2023-02, REZONE 2023-02, and MINOR DISCRETIONARY PERMIT NO. 2024-01: Senior Planner Katie Quintero explained the applicant is requesting to amend the General Plan land use designation from Community Commercial (CC) to Community Commercial and High Density Residential (CC/HDR) and Rezone the property from Community Commercial to Community Commercial and High Residential (CC/RH) to allow for the development of two parcels located at 1620 N. Tully Road, Stanislaus County APN 088-030-004 and 005 totaling approximately 2.52-acres for amenities for the Oak Park Apartment residents. Amenities will include 53 covered parking spaces, 17 single-car garage units, a dog park and outdoor picnic area and trash enclosure. The entrance to the area will be gated and will be limited to Oak Park residents only. She explained that although parking lots can be permitted in the CC zoning district with a Minor Discretionary Permit and commercial recreational uses may be permitted in the Community Commercial zoning district with a CUP, the proposed parking, dog park and outdoor amenities are all indented to be only used by the Oak Park residents and accessory uses to the residential use and therefore would not be permitted in the CC zoning district. She said that adding the High-Density Residential zoning to the properties makes the parking and recreational use a permitted use with an MDP and leaving the Community Commercial zoning on the property allows the front proposed pad area to be developed in the future with an office use that could be used for Oak Park Apartments or as a separate office or commercial use. She noted that if the property does not develop for any reason, any uses permitted in the CC and HDR zoning district could be proposed in the future and would be subject to the process required in the Turlock Municipal Code. She also explained that as part of the application a Minor Discretionary Permit had been submitted for the design review of the parking area and dog park. The MDP establishes the conditions the project would have to meet in order to develop the parking and dog park. Mrs. Quintero further explained the green sheet at the dais was to correct the findings in Resolution 2024-08 and findings 6,7, and 8 were deleted as they would only apply to Rezone actions with a Planned Development. Since a Planned Development is not proposed these findings do not apply to this project.

Public Hearing

Applicant Ron West spoke about the proposal to add parking and electric vehicle chargers to offer self-sustained, low impact, high importance amenities available to the Oak Park apartment complex residents. He made himself available for any questions.

Commissioner Reape thanked Mr. West for his explanation for the project.

Commissioner Souza asked if the amenities would only be available for Oak Park residents.

Mr. West said yes, the amenities would be for residents only and gates would be installed, that residents would have a key card to gain access to the parking lot.

Milton Trieweiler asked how many electric vehicle chargers would be installed and if the project qualified for any TID programs that would pay for the installation of the EV chargers.

Mr. West answered that 26 EV chargers are proposed and will have enough power on site to possibly add more in the future.

Commissioner Anderson asked if level 2 chargers will be installed.

Mr. West answered yes.

Commissioner Anderson said TID does have programs available and would be glad to share TID contact information.

Commissioner Anderson asked about Engineering Division condition of approval #33 and how the limit of driveway approaches on N. Tully Rd. and Fulkerth Rd. would work with the undeveloped parcels.

Senior Planner Quintero answered that in the past one parcel was split into 5 parcels and all parcels were subject to these conditions.

Commissioner Anderson asked if all conditions from the previous parcel map are included in the resolution.

City Engineer Bill Morris answered that the conditions are somewhat identical.

MOTION:

Commissioner Reape moved, seconded by Commissioner Anderson determining that the project is "Categorically Exempt" from the provisions of CEQA pursuant to Section 15332 "In-Fill Development Projects" of the CEQA Guidelines, having made the findings in draft Planning Commission Resolutions 2024-06. Motion carried 6/0 by the following vote.

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

MOTION:

Commissioner Reape moved, seconded by Commissioner Anderson to recommend the City Council adopt General Plan Amendment 2023-02 and approve Rezone 2023-02, having determined that the appropriate findings can be made, subject to the conditions contained in Draft Planning Commission Resolutions 2024-07 and 2024-08 as amended. Motion carried 6/0 by the following vote.

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

MOTION:

Commissioner Reape moved, seconded by Commissioner Anderson to approve Minor Discretionary Permit 2024-01 having determined that the appropriate findings can be made subject to the conditions of approval listed in draft Planning Commission Resolution No. 2024-09. Motion carried 6/0 by the following vote.

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

- 4. CONDITIONAL USE PERMIT NO. 2024-01 (ASPIRANET):** Senior Planner Katie Quintero explained that the applicant has submitted an application to construct a 2,223 square foot residence to be used as a short term residential therapeutic program (STRTP) for up to 6 youths and a 3,674 square foot learning center that will serve approximately 72 youths, annually, at 521 W. Linwood Avenue. The project will be licensed through the California Department of Social Services (CDSS) and staffed 24 hours per day 7 days a week. The learning center will operate from 9:00 am to 6:00 pm and will offer, counseling, life skill-building classes, outpatient behavioral health services and other supportive services provided to the youth and families involved in the program. The existing residence and garage will be demolished. Onsite improvements include a new driveway with a gate and new fencing, 9 parking spaces, parking lot lighting, landscaping, onsite fire hydrant, a water feature behind the learning center, and the relocation of a portion of the retention basin from the rear of the property to the front of the property along Linwood Avenue. Frontage improvements including curb, gutter, and sidewalk are already installed. Mrs. Quintero explained that although the residential facility is permitted by right, the learning center is classified as a private school and the TMC allows the development of schools in residential districts with a conditional use permit granted by the Planning Commission.

Public Hearing

Vernon brown, the CEO of Aspiranet, spoke to clarify that the property next to proposed project is Fusion Charter School and not Excell Center. Mr. Brown said the purpose of the residence and learning center is to assist youths in their transition from foster care. Aspiranet received a grant so that they could build the residential therapeutic program and learning center. Mr. Brown said they have contracted with Simile Construction who also built Jessica’s House which is why the contractor was selected. He made himself available for any questions.

Commissioner Anderson asked if the youths have graduated out of foster care.

Mr. Brown responded that the youths would still be in foster care. He said there could be 4 youths that could stay more than 4-6 months.

Commissioner Anderson asked if Fusion Charter is also owned by Aspiranet.

Mr. Brown said Fusion Charter is a credit recovery program and approximately 20% of Fusion Charter students are homeless. He said some students may be able to access the learning program as well.

Commissioner Deol asked about the youths age range.

Mr. Brown answered 16-18 years old.

Commissioner Reape asked if the youths would be from Turlock area.

Mr. Brown answered the program is available to youths in the County.

Commissioner Reese asked if the learning center is just for residents of the short term residential therapeutic program and what is the capacity for other students.

Mr. Brown replied that 4 youths could be using it on a regular basis, with at the most 10 students.

Commissioner Souza asked how the maximum number of 72 youths served at the learning center was determined.

Mr. Brown answered that this is the maximum possible that could be served annually, but they expect fewer.

Commissioner Souza asked about the therapeutic program.

Mr. Brown answered that counselors and therapists would be available to address traumatic experiences and supervise and provide support to help prepare youths for adulthood and independent living.

Commissioner Souza asked about the water feature and its significance.

Mr. Brown said the water feature is a calming aesthetic.

Commissioner Souza asked if students would be coming from the San Francisco area since Aspiranet has its headquarters there.

Mr. Brown answered no, most services are provided in Central Valley.

Community member Elizabeth Ladine asked if students will be going to Fusion Charter or to a school in Turlock Unified School District and if it was known if TUSD can support additional students.

Mr. Brown said they already have a holding charter and interact with TUSD and there are existing services available for education at TUSD and Fusion Charter.

Commissioner Anderson asked if the youths would be attending other school districts.

Mr. Brown said the youths would be going to TUSD and their learning facility as well for services.

Mary Jackson spoke as a community member in support of the services offered by Aspiranet.

Jeannie Imelio with Aspiranet spoke in response to Elizabeth Ladine that currently they do not have anyone enrolled in a junior high or high school. She spoke about 16–18-year-olds that don't receive as much support and their program helps youth with life skills to help transition to adulthood.

Commissioner Souza said he was not in support due to the maximum number of youths that could be served annually.

Commissioner Reape voiced appreciation to Aspiranet as an organization.

MOTION:

Commissioner Reape moved, seconded by Commissioner Reese determining that the project is Categorically Exempt from the provisions of CEQA Section 15332 [Infill Development Projects] and grant Conditional Use Permit 2024-01 having determined the appropriate findings can be made, subject to the conditions of approval contained in draft Planning Commission Resolution 2024-10. Motion carried 5/1 by the following vote.

Commissioner Reese	Commissioner Souza	Commissioner Anderson	Commissioner Reape	Commissioner Deol	Commissioner Johnson	Chair Davis
Yes	No	Yes	Yes	Yes	Absent	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 was one.

- 1. General Plan Amendment and Rezone Application No. PLN2023-0124 – Aspiranet at 2513, 2517 and 2519 Youngstown Road, Stanislaus County APN 044-032-007:** Senior Planner Quintero explained that the applicant is requesting to amend the Stanislaus County General Plan and zoning designation of a 10.56+ acre parcel from Agriculture and Planned

Development 305 (PD 305) to Planned Development to allow for the expansion of the Excell Center residential treatment facility. Senior Planner Quintero explained that the Planning Commission will not take any action on this item but may offer comments to the staff.

Milton Trieweiler spoke in support of the project and asked if there will be State or Federal funding for individuals living or using the facility.

Vernon Brown said funding is being provided by Department of Health Care Services and is a 33-million-dollar project. He was willing to meet with City of Turlock Police Chief to clarify information to his opposition. He explained that with the state-of-the-art locked facility, they will have the ability to deal with youth rather than calling the sheriff's office when a child is in crisis.

Commissioner Reese asked if the facility would be serving multiple counties.

Mr. Brown answered yes, the award was based on a recommendation from the County and is one of a few projects in the state of California.

Elizabeth Ladine asked about increasing their licensure to 19 youths.

Mr. Brown responded that is their proposal.

Mary Jackson spoke in favor of the project. She expressed appreciation for the Planning Commission's civility during the meeting and the time allowed to speak.

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 Souza asked about the sign at Firehouse on W. Main Street.

Mrs. Quintero spoke with Interim Development Services Director Hampton and a meeting has been scheduled with the property owner to address the sign.

Commissioner Reape received the Community Housing Survey in the mail and was curious about the General Plan update and where, if at all, in the process is the Planning Commission is involved.

Mrs. Quintero answered that the survey was specific to the housing element update. She explained the General Plan spans to 2030 and the housing element, environmental justice element, and safety element are key components. There have been discussions on putting out an RFP (request for proposal) for a consultant. It takes a matter of years to update and adopt the General Plan and will be starting within the next year or two.

Commissioner Reese asked if the Community Housing Survey results will be shared with the Planning Commission.

Mrs. Quintero responded that the HCD requires community input in their standards for the housing element update and results will be shared with the Planning Commission.

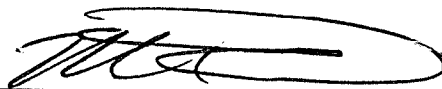
L. STAFF UPDATES

Senior Planner Quintero announced Gary Hampton is now the Interim Development Services Director and Adrienne Werner remains the Planning Manager. She introduced Police Chief Jason Hedden who was present for the meeting. She congratulated Assistant Planners Kate Bailey and Joanne Foster for presenting their items before the Planning Commission.

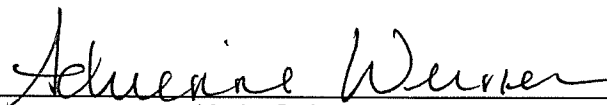
M. ADJOURNMENT

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 7:37pm.

RESPECTFULLY SUBMITTED



Matthew Davis
Planning Commission Chair



Katie Quintero
Senior Planner
Development Services