

Thursday, August 1, 2024  
6:00 p.m.  
City of Turlock Yosemite Room  
156 S Broadway, Turlock, California

MINUTES  
Regular Meeting  
Turlock Planning Commission

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**A. 1. CALL TO ORDER**

Chair Davis called the meeting to order at 6:01 p.m.

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

ABSENT: None

**2. SALUTE TO THE FLAG**

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

**B. APPROVAL OF MINUTES**

Chair Davis noted there were none.

**C. ANNOUNCEMENTS**

Planning Manager Adrienne Werner announced that it was brought to the attention of staff that Commissioner Johnson and Souza did not receive the agenda packets in the mail. She explained that the agenda packets are hand delivered to the Post Office for mailing and asked the Commissioners to notify staff if they do not receive their packet by Monday or Tuesday. She said the agenda and related staff reports are also posted on the City of Turlock website the Friday before the meeting.

Planning Manager Werner said Senior Planner Katie Quintero will be starting maternity leave and is expected to return after the first of the year.

Planning Manager Werner introduced the City Engineer Bill Morris, and noted that the minutes from the Engineering public hearing on Tentative Parcel Map 24-01 located at 223 N Center St. and Tentative Parcel Map 24-02 located at 2630 W. Tuolumne Rd. were handed out at the dais. She explained that the Engineering Division holds public hearings for parcel maps and provides the report to the Planning Commission for informational purposes.

Planning Manager Werner announced that the Turlock City Council chose not to put the ballot initiative for the cannabis tax on the November ballot. The Development Agreements are coming up on the 5-year expiration. The cannabis operators will be applying for time extensions for the Development Agreements. Staff is anticipating bringing the time extensions to the first Planning Commission meeting of October. The request for the DA time extensions will give staff, the City Attorney and the cannabis operators opportunity to meet and discuss possible amendments to the DAs and/or the cannabis ordinance. The amendments will come

to the Planning Commission for recommendation to the City Council sometime after the first of the year.

Planning Manager Werner also explained the Mayor has requested staff and the Planning Commission revisit the sign ordinance regarding digital signs. Staff will be researching and will probably schedule a workshop after the first of the year.

#### **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.

Commissioner Souza had a conflict with non-consent item number G.1 and said he would be recusing himself.

#### **F. PUBLIC HEARINGS**

##### **\*CONSENT CALENDAR**

Chair Davis noted there were none.

#### **G. \*NON-CONSENT ITEMS**

Chair Davis noted there was one item.

Commissioner Souza stepped down from the dais at 6:09pm.

**1. CONDITIONAL USE PERMIT 2024-02 (MIRAGE BANQUET HALL):** Planning Manager Werner explained that the applicant is requesting approval to develop two properties, totaling approximately 7-acres, with a 2-story 23,723 square foot banquet hall/event center, 5-story 120-room hotel and a 4,040 square foot commercial building. She explained that hotels/motels and retail stores are permitted uses in the Community Commercial zoning district after obtaining a Minor Discretionary Permit, however, the hotel and banquet hall exceed the 35' height limit established in the Westside Industrial Specific Plan. She explained that staff can approve a building that exceeds the district height limit by no more than 25% or 43.75' through a Minor Discretionary Permit (MDP) which is a staff level permit. A building that exceeds the 43.75' height limit that staff can approve must obtain a Conditional Use Permit.

She explained staff initially had concerns with the outdoor 17,668 square foot landscaped area and the potential the area could be used as a separate event area at the same time indoor events are occurring. The applicant explained to staff that the intent for the outdoor area is for private use for guests attending events that may want to take photos or for sitting to enjoy the landscaping. Planning Manager Werner explained that the area could be used as

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an event area at the same time as the indoor space and there was not enough onsite parking to support the project. During the project review and environmental review process the landscaped outdoor area was evaluated as a park which reduced the amount of required parking for the project. She added the outdoor landscaped area has been conditioned so that no events, amplified music, dancing, live entertainment or catering is permitted to ensure sufficient parking is provided for the overall project.

Planning Manager Werner said that the proposed retail building in front of the banquet hall is compatible in architecture with the hotel and banquet hall. She said at this time, specific tenants have not been identified and a construction schedule has not been proposed. She explained the timing of construction of the building is at the discretion of the developer. Any future tenants/uses would have to comply with the uses established in the Community Commercial zoning district.

Planning Manager Werner noted the memorandum included in the staff report regarding the environmental review and the Initial Study. As part of the environmental review staff had run an air quality analysis using the California Emissions Estimator Model (CalEEMod). The initial study and the air quality analysis report were circulated to the San Joaquin Valley Air Pollution Control District (Air District) for review and comment. Air District staff contacted staff because the criteria pollutants significantly exceeded the District thresholds. After reviewing the data sets inputted into CalEEMOD the Air District found an error in the size of the retail building. CalEEMod was rerun with the correct square footage of the retail building which reduced the criteria pollutants below the District threshold.

Commissioner Deol asked if there are any other 5-story hotels in Turlock.

Planning Manager Werner answered no; that 4-stories is currently the tallest the Planning Commission has approved. She noted the height of previously approved and constructed hotels and that the Vista Apartments across from the University are 3-4 stories tall and noted the Fire Department had no concerns regarding the 5-story hotel.

Commissioner Reese asked what the height limit is for approval.

Planning Manager Werner responded that 35-feet is the height limit for the community commercial zoning district and staff level can approve up to 25% through a minor discretionary permit. This project requires approval by the Planning Commission since the proposed hotel and banquet exceeds the 25% that staff can approve.

Commissioner Anderson asked if the design of retail building is at the discretion of the developer and if they can deviate from what has been shown.

Planning Manager Werner answered the review of the retail building can go straight to the building permit process because it has been reviewed and evaluated as part of the CUP. She noted there is a review/construction schedule included in the resolution outlining the type of review process required based on when a building permit application is received. Part of the review process is to ensure the building is still architecturally compatible with the overall project.

Commissioner Anderson wanted to confirm that the access on W. Main Street was right in and right out.

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City Engineer Morris answered that there is a median on W. Main Street which is why access right in- right out-.

Commissioner Deol asked if there is a traffic signal at the intersection.

City Engineer Morris answered that there is a traffic signal on W. Main Street.

Commissioner Anderson asked to have the language revised in condition #2 in the draft resolution to read "outdoor space" since not events are permitted in this area.

### **Public Hearing**

Chair Davis opened the floor for public hearing.

The applicant, Raja Singh, introduced his architect and engineer Jaspal Sidhu. Raja said he has a banquet hall venue in Sacramento and eventgoers enjoy more outdoor space. His intent for this project is to have a venue available with enough outdoor space for the guest to use and enjoy. He asked if there would be any issue if food and drinks from the banquet hall could be served in the outdoor landscaped area.

Planning Manager Werner answered that condition #3 of the resolution states live music, dancing, and catering is prohibited in the outdoor area. The outdoor space could be used for attendees to go outdoors with maybe a drink to enjoy the outdoor space, but no catering or serving would be permitted.

Raja stated that the guests attending events like the amenity of outdoor spaces. He said he is open to limiting the project to only two events at a time if they could also use the outdoor area for events.

Mr. Sidhu clarified that only two events would be happening at the same time.

Commissioner Johnson asked about the number of events for the banquet halls. He asked if the applicant is asking if the outdoor space could be used for events.

Planning Manager Werner answered there are two banquet halls inside and the 17,668 square foot outdoor space. She said there can be one event in each hall at the same time. She explained that the outdoor space was not reviewed or evaluated as an area for events. Using the area as a third event space would require additional parking. She explained a parking analysis was requested of their other venues but it was never.

Raja said all events would be private and said there would not be three events at one time, but would like the Commission to consider allowing one event inside the hall and one event outside in the landscape area.

The Commissioners were in support of the project, however, agreed they were not comfortable approving the use of the outdoor area for events without having the project re-evaluated.

Commissioner Anderson asked if the project was approved as is and not allow outdoor events, would it prevent the applicant from being able to request a change later.

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Planning Manager Werner said the applicant can apply for an amendment to the CUP and provide information for evaluating the area.

Commissioner Anderson asked if a condition could be added that an outdoor ceremony can be held at same time as one indoor event.

Planning Manager Werner answered staff will need to have a clear understanding of the use of the outdoor space. She said that during conversations over the months, this has been discussed but that is not how the applicant and proposed to use the space and it was not reviewed for allowing events in the area.

The Commissioners discussed approving the project tonight and the applicant can come back with an amendment for the outdoor space or continuing the project to a later date to give the applicant time to work with staff regarding the outdoor area.

Commissioner Deol asked about the capacity of the banquet hall.

Planning Manager Werner answered 500 and 1,000 guests total can be accommodated between the two halls.

Commissioner Reese asked if a condition could be included that the same guests attending an event in the hall could use the outdoor area for a specific amount of time and then have to return to the event inside.

Planning Manager Werner answered that the area hasn't been evaluated for outdoor events to take place so a condition could not be added at this time.

Milton Trieweler spoke in favor of project.

Gloria Rodriguez, a resident and caterer spoke in favor of the project.

Raja asked if he re-submitted the project for re-evaluation if he would have to pay additional fees.

Planning Manager Werner explained if the project is approved tonight and he chooses to request an amendment, a new application, filing fee and a public hearing would be required.

Raja said he would like to have the project continued so he can get staff the information needed to evaluate the outdoor area for events.

The Commissioners agreed they would like to see the full extent of the applicant's proposal and allow the staff to re-evaluate the project before coming back to the Planning Commission.

Commissioner Anderson asked if the applicant can request a continuance.

Planning Manager Werner responded that he can request the Commissioners grant a continuance to a future date that will be determined once the information needed for evaluation has been received.

Commissioner Reape said he was more concerned with fire regulations than parking.

Mr. Sidhu said they are willing to meet the requirements but didn't think more parking was needed.

Planning Manager Werner said the parking is adequate for this proposal, but not for outdoor events which is why the project would need to be re-evaluation for the space to be used for events or ceremonies.

Raja Singh requested that the Commissioners grant a continuance.

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

**MOTION:**

Commissioner Anderson moved, seconded by Commissioner Reape to continue the matter to a future date. Motion carried 6/0 by the following vote:

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

Commissioner Souza returned to dais at 7:20 p.m.

**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 were none.

**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 Anderson commented that she would like to see all cannabis Development Agreements brought together rather than at different times.

Planning Manager Werner said that she is working with the City Attorney to bring them all together to the same meeting.

Commissioner Johnson asked if she could share any information on the construction on Montana Avenue and West Avenue as there appears to be about 25 new homes that are fenced off.

Planning Manager Werner answered that residential homes are being built by Self-Help Enterprises. She said that 9 of the homes are almost ready for occupancy.

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Commissioner Reape asked if staff can review the building height limits in the zoning districts for a possible amendment.

Planning Manager Werner said that in a zoning district that is not in a specific plan, a structure can be approved up to the height limit at the staff level. She said staff can review and research possibly amending the ordinance.

**L. STAFF UPDATES**

Planning Manager Werner stated there were none.

**M. ADJOURNMENT**

Having no further business, Chair Davis asked for a motion to adjourn the meeting. Motion by Commissioner Souza. Motion carried unanimously by a voice vote. The meeting was adjourned at 7:26 p.m.

**RESPECTFULLY SUBMITTED**



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Matthew Davis  
Planning Commission Chair



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Adrienne Werner  
Planning Manager  
Development Services