

MINUTES

TURLOCK CITY PLANNING COMMISSION THURSDAY, JUNE 5, 2014 6:00 PM

YOSEMITE COMMUNITY ROOM TURLOCK CITY HALL, 156 SOUTH BROADWAY

COMMISSIONERS PRESENT: Bean, Brem, Dias, Fregosi, Hackler, Hillberg and Pedroza

ALTERNATE COMMISSIONERS PRESENT: Badal

COMMISSIONERS ABSENT: Pollard, Pedroza

STAFF PRESENT: Mike Pitcock, Director of Development Services; Katie Quintero, Associate Planner; Adrienne Werner, Assistant Planner; Rose Stillo, Senior Planner, Dorinda Soiseth, Staff Services Technician

- A. CALL TO ORDER** The meeting was called to order at 6:01 p.m.
- B. APPROVAL OF MINUTES**
Chairwoman Fregosi asked for corrections or a motion to approve the minutes of the May 1, 2014 meeting. Motion and second (Hillberg/Bean) to approve the minutes as submitted. Motion carried with Commissioners Pedroza and Pollard absent and Commissioner Dias abstaining.
- C. ANNOUNCEMENTS** (*Mike Pitcock*)
1. Staff Recognition – Katie Quintero has received a Masters of Public Administration degree.
 2. No Planning Commission meetings are scheduled for July.
- 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. **VESTING TENTATIVE SUBDIVISION MAP 2014-01 (Traditions 6)** To subdivide a 2.2 acre parcel, located in the North Turlock Master Plan area, into 15 single family residential lots. The project will be developed in accordance with the RL (Low Density Residential) zoning district standards allowing a minimum lot size of 5,000 square feet and a residential density ranging between three (3) and seven

(7) dwelling units per acre. The property is located at 2920 Sandstone Street, more particularly described as Stanislaus County APN 087-026-003. Adrienne Werner presented the staff report and said there will be 15 residential lots along Sandstone Street. She said the property had been rezoned from CO/HDR to LDR, and the elevations will complement the existing residential development and meet the design guidelines. Staff is recommending approval.

Commissioner Brem commented about the property to the east of this project and the current width of Sandstone Street. Mike Pitcock advised that curb, gutter and sidewalk will be installed as part of this project, and that Sandstone will be a standard 56' wide street when built out.

Dennis Fitzpatrick, of Fitzpatrick Homes, offered to answer questions.

Public Hearing:

Chairwoman Fregosi opened the public hearing.

Greg Adams, an area resident, commented that Sandstone Street is very narrow and he is concerned with the traffic flow and speed. He asked for traffic calming measures on Sandstone due to the existing and future amount of traffic.

Mike Pitcock advised that it is not the City's policy to construct speed control at this time, but he will ask the Police Department to enforce the area for speeding.

Nicole Adams said that she has contacted the Police Department due to the heavy morning school traffic and said there is no posted speed limit sign in the area. She asked if the neighbors could get together and install some sort of speed control.

Commissioner Brem noted that the existing traffic problem is not a part of this project.

Mike Pitcock advised that it is not City policy to install speed limit signs in residential neighborhoods.

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

MOTION: Commissioner Brem moved, Commissioner Hackler seconded, that the Planning Commission adopt a Mitigated Negative Declaration of environmental effect, having made the seven findings in draft Planning Commission Resolution 2014-07. Motion carried unanimously with Commissioners Pedroza and Pollard absent.

MOTION: Commissioner Brem moved, Commissioner Hackler seconded, that the Planning Commission approve Vesting Tentative Subdivision Map No. 2014-01, having determined that the appropriate findings have been made, subject to the conditions of approval listed in draft Planning Commission Resolution 2014-07. Motion carried unanimously with Commissioners Pedroza and Pollard absent.

2. **MINOR DISCRETIONARY PERMIT 2014-01 (Taco Bell)** To construct a 2,601 square foot drive-thru restaurant on an approximately 1.27 acre site. A double sided, internally illuminated 13' tall 5' wide monument sign is proposed as well as 103 square feet of wall signs. The project is located at 3606

N. Golden State Blvd, more particularly described as Stanislaus County Assessor's Parcel No. 087-030-008.

Katie Quintero presented the staff report and noted the green sheet correcting the drive-thru restaurant square footage in Resolution 2014-08, to 2,601 square feet. She noted that a sign program is included in this project approval. Katie said that this property was annexed in 1995 as part of Northwest Triangle Specific Plan, and advised that in the Heavy Commercial zoning district fast food restaurants are permitted with a staff level Minor Discretionary Permit. The Turlock Municipal Code (TMC) 9-5-311(c) requires "...if any responses are received in opposition to the request, the Community Development Director shall forward the application to the Planning Commission for formal public hearing and consideration". Katie noted that two letters were received in response to the adjacent property notices expressing concerns with traffic, noise, and parking. Katie said that a traffic study has been completed determining it will not create a significant impact to traffic in the area.

There was discussion about what would constitute a significant impact and the level of service analysis done in the area of Roberts Road, Golden State Blvd, Mountain View, and Christoffersen.

Katie said that a petition had been signed by residents of the neighborhood asking that the site plan be amended to remove any ingress or egress onto Roberts Road. A copy of the petition was provided to the Commission.

Mike Pitcock said that from the City' perspective all three driveways could be installed as designed because they meet current standards, but all three are not necessary.

Katie reported that the project meets the TMC parking requirements, and that a noise study was conducted that found the projected noise levels would not exceed the ambient noise levels. The sign program includes an internally illuminated, 13' tall, 5' wide monument sign that is double sided, and 103 square feet of wall signs. Katie advised that any additional signage would require a Conditional Use Permit. She said that staff recommends approval and offered to answer questions.

There was discussion about the improvements that will be made to the Roberts Road and Golden State Blvd intersection; the width of the right turn on Roberts Road; access to the site if traveling south on Golden State Blvd; and the possibility of limiting access from Mountain View Road.

Phillip Moss, the architect representing the project, said there will be sidewalks on all of the property frontages, and a large landscape buffer on Mountain View. He said they prefer not to do any work in the public right-of-way, and commented on the request for an entrance/exit on Roberts Road, and also explained why the project was designed with a driveway on Mountain View.

Commissioner Brem stated he was concerned with the impact the project would have on the neighborhood.

Phillip Moss commented there will be an impact to the neighbors, but the site is zoned commercial and designated as such in the General Plan.

There was discussion about the entrance on Mountain View; the sharp right turns from the driveway on to Roberts Road, and the proposed up-lighting on the tower.

Commissioner Dias asked where the drive-thru order board would be placed. Phillip Ross replied that it would be on the Golden State Blvd side of the property, and that the speaker would face away from the residences and that the proposed up-lighting on the tower could be eliminated.

There was discussion on the raised median that was proposed for Roberts Road.

Phillip Moss also commented that the light standards have been moved away from the neighbors and have cut off shields.

Public Hearing:

Chairwoman Fregosi opened the public hearing.

Ray Franco, a property owner in the area, said he was concerned that the property values of the houses on Mountain View would decline as a result of a fast food restaurant being located across the street. He said he was also concerned that the lights from vehicles exiting the restaurant from the driveway on Mountain View would shine in the windows of the adjacent homes, and commented that sound walls have been required on other projects approved in Turlock.

Katie Quintero reviewed the TMC requirements for a separation wall between commercial and residential development, and said that because a street (Mountain View Road) separates the project and the homes, a wall is not required.

Jeff Doernbrack expressed concerns about the restaurant being open 24-hours per day; public hanging out in the parking lot after school and late at night; traffic; and trash from the business. He suggested that Roberts Road should be closed at Mountain View Road.

Pam Franco spoke against the project and said she owns eight rental houses in the area that will be impacted by the project. She commented about existing traffic problems in the area and the condition of the Golden State Blvd and Roberts Road intersection. She expressed concern that headlights from vehicles exiting the restaurant from the driveway on Mountain View would shine in the windows of the adjacent homes; noise from trash bins being opened and closed at night; and the width of Mountain View Road.

Phillip Moss advised that Taco Bell does not take out trash after 10:00PM, and that the bins will be surrounded by a masonry wall. He said the site is designed to mitigate light and noise impacts to the neighborhood, and the turning radius designed to make traffic work. He said they would be willing to close the restaurant at midnight if necessary, but would prefer to be open 24 hours.

There was discussion about the existing commercial zoning of the property; adding a condition to remove the up-lighting on the tower; adding a condition to close at midnight; removing the Mountain View Road driveway; landscaping may mitigate the glare from the vehicle headlights; and redesigning the parking lot to remove the island to help the traffic flow from the drive-thru.

Mike Pitcock made a suggestion to redesign the drive-thru aisle to encourage exiting onto Roberts Road.

Chairwoman Fregosi commented that she sympathizes with the residents who spoke, but as a

Planning Commission they are charged with enforcing the TMC regulations, and the project will include mitigation measures that will reduce the impact to the neighborhood.

The Commission discussed the 24 hour operation request and the consensus was to allow it.

Phillip Moss said they agreed with the re-design suggestion for the drive-thru aisle to exit on to the Roberts Road side, and will also install a partial wall 3' tall that would block the headlights at that corner. Mike Pitcock commented that the wall needs to be out of the clear vision triangle.

MOTION: Commissioner Brem moved, Commissioner Hillberg seconded, that the Planning Commission adopt a Mitigated Negative Declaration of environmental effect, incorporating the mitigation measures found in the Initial Study and Mitigation Monitoring Program prepared for this project, and having made the findings contained in Draft Planning Commission Resolution 2014-08. Motion carried unanimously with Commissioners Pedroza and Pollard absent.

MOTION: Commissioner Brem moved, Commissioner Hillberg seconded, that the Planning Commission approve Minor Discretionary Permit No. 2014-01 (3606 N. Golden State Blvd – Taco Bell), having determined that the appropriate findings can be made, subject to the conditions contained in amended Draft Planning Commission Resolution 2014-08 adding the following conditions:

1. The drive-thru exit shall be reconfigured to encourage exiting onto Roberts Road.
2. The tower element and slat wall shall not be illuminated with up-lighting.
3. A three foot tall decorative wall shall be installed in the landscaped bed in the southeast corner of the site, along Mountain View to screen the headlights of the cars exiting the drive-thru.

Motion carried unanimously with Commissioners Pedroza and Pollard absent.

G. OTHER MATTERS

None

I. COMMISSIONER'S CONSIDERATION

None.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None.

K. COMMISSIONER'S COMMENTS

Commissioner Brem commented about the recent overlay done on Monte Vista Avenue.

Chairwoman Fregosi wished Mike Brem luck with the upcoming mayoral race, and said she appreciates mayoral candidate Gary Soiseth's positive comments.

Chairwoman Fregosi and Commissioner Brem commented on the annual Planning Commissioners workshop.

L. STAFF UPDATES (*Mike Pitcock*)

1. **CROSSWALK AT MONTE VISTA AND BROOKSTONE.** City maintenance staff will be painting this crosswalk.

2. **MONTE VISTA PARKING ALONG SOUTH SIDE FROM COLORADO TO BERKELEY.** During construction of the intersection, work equipment and vehicles will be parked in this area. Staff will be meeting again with the Police Department on this issue.

Mike Pitcock also provided information about the signalization of the Monte Vista and Colorado Ave intersection and upcoming overlay projects.

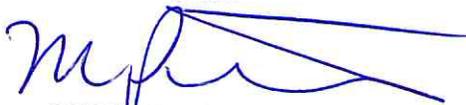
M. ADJOURNMENT: Chairwoman Fregosi (motion/second) adjourned the meeting at 7:58 p.m.

Respectfully Submitted,



SORAYA FREGOSI

Chair



MICHAEL G. PITCOCK

Director of Development Services,
Secretary of the Turlock Planning Commission