

A. 1. CALL TO ORDER – Chairman Dias called the meeting to order at 6:00 p.m.

PRESENT: Commissioners Elvis Dias, Kristin Bettencourt, Constance Anderson, Nick Hackler, Jim Reape and Matthew Davis

ABSENT: Commissioner Geoff Powers

2. SALUTE TO THE FLAG

B. APPROVAL OF MINUTES

1. Chairman Dias introduced the minutes of the July 19, 2018 meeting.

MOTION: Commissioner Hackler moved, seconded by Commissioner Anderson to accept the minutes as submitted.

AYES: Commissioners Bettencourt, Anderson, Davis, Dias, Hackler, and Reape

NOES: None

ABSTAIN: None

ABSENT: Commissioner Powers

C. ANNOUNCEMENTS

Principal Planner Katie Quintero advised the Commissioners that due to a lack of items the September 20th Planning Commission meeting is cancelled. She also reminded the Commissioners that the Joint City Council meeting is scheduled for August 14th and asked Commissioners to advise her of any items they would like to discuss at that meeting.

D. PUBLIC PARTICIPATION

Chairman Dias opened the floor for Public Participation. Hearing no one, Chairman Dias closed the floor for Public Participation.

E. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

DISCLOSURE OF EX PARTE COMMUNICATIONS

- **G.1 CONDITIONAL USE PERMIT 2018-03 – VENTANA DESIGN & DEVELOPMENT**

F. CONSENT CALENDAR

None

G. PUBLIC HEARINGS

***CONSENT ITEMS**

NONCONSENT ITEMS

1. CONDITIONAL USE PERMIT 2018-03 – VENTANA DESIGN & DEVELOPMENT:

Associate Planner Adrienne Werner explained that the applicant is requesting an exception to the 35-foot height limit established in the Northwest Triangle Specific Plan (NWTSP) for the Heavy Commercial (CH) zoning District to facilitate the construction of an 85-room, 4-story hotel on a 1.85-acre parcel. Planner Werner explained that the proposed hotel located at 4475 N. Golden State Boulevard is within the Northwest Triangle Specific Plan (NWTSP) area. As part of the 2017 NWTSP update the property was rezoned from Commercial Thoroughfare (CT) to Heavy Commercial (CH). The rezoning better reflects the current development in the area and the type of development inquiries staff received for the area. Hotels are allowed uses in both zoning districts. The 45,139 square foot hotel measures 61'6" from grade to the highest point at the tower elements and 51-feet to the top of the parapet. The hotel will exceed the height limit established by the NWTSP by 26-feet and 16-feet at the towers and parapet respectively.

Comparison of height limits established for properties zoned Heavy Commercial in the Turlock Municipal Code (TMC) reveals no maximum height limit. In other words, if the hotel was proposed on property similarly zoned and not located in the NWTSP area a conditional use permit would not be required. Also, if the Commercial Thoroughfare zoning was still in place a conditional use permit would not be required. The height limit established in the NWTSP was likely in recognition that residentially zoned property is mixed in with commercially zoned property in the specific plan area.

Planner Werner noted that the hotel is located within the Highway 99 noise contour requiring that a noise study be done. The noise study identified mitigation measures such as an 8-foot wall around the outdoor area, construction materials such as dual pane windows and doors, glazing and insulation. The mitigation measures have been incorporated as conditions of approval and are required to be implemented in the construction of the hotel.

Chairman Dias asked the applicant if he would like to address the commission.

Raymond Mendez, applicant, thanked staff stating that the request for the height exception is to maximize the number of rooms. They are unable to construct 85-rooms within a 3-story building. Mr. Mendez made himself available to answer questions.

Chairman Dias opened the public hearing.

Milt Trieweiler, spoke in favor of the project stating the General Plan calls for this type of development and building up will save valuable farmland.

Matt Bonander, representing Bonander Truck Sales, spoke in opposition of the project. Mr. Bonander expressed several concerns with the project:

1. The height of the building would block freeway visibility for his business from southbound travelers.
2. The taller building may impact the wireless data connection that is important for the operation of his business.

3. The noise from the refrigerated trucks parking on his property may have a negative impact on hotel guests.
4. The potential for limited or no left turn movements from his property because of the future proposed median.
5. How the construction of the hotel will impact the Turlock Irrigation District (TID) irrigation easement. He stated noise report lacks consideration for 85 room hotel traffic and truck parking. Highway interchange will be moved due to landscape medium and questioned the TID canal under proposed project.

Mr. Mendez addressed Mr. Bonander's concerns explaining that they are working with TID to relocate the easement to ensure no structures on built in the easement. Mr. Mendez also offered to include equipment on top of the hotel to ensure that the wireless data connection for Bonander is not negatively impacted.

Hearing no further comment, Chairman Dias closed the public hearing.

Commissioner Reape asked where the closest residence is located in relation to the proposed hotel.

Planner Werner answered that the closest residence is over ¼-mile away across North Golden State Boulevard.

Commissioner Anderson inquired why the zoning was changed from Commercial Thoroughfare (CT) to Heavy Commercial (CH).

Planner Quintero explained the CT zoning has more limited uses than CH zoning. Furthermore, they type of development in the area and the inquiries staff received regarding development made sense to rezone the property to allow a broader commercial uses.

Commissioner Anderson asked about condition of approval 108 of the resolution and the closure of the median.

Senior Civil Engineer Anthony Orosco answered that the hotel project is not required to close the median at this time. Condition 108 is included as notice that at some point in the future the City will close the median and left hand turn movements will be eliminated.

Chairman Dias inquired if there will be a highway sign.

Planner Werner answered that no freeway sign is proposed at this time. A monument sign is proposed at the entrance on Golden State Boulevard.

Planner Quintero added that the new sign ordinance does not allow a freeway oriented sign on properties or developments less than 20-acres.

Chairman Dias and Commissioner Hackler spoke in favor of the project noting that the, project fits in with the community and will be a positive project for the area.

Commissioner Hackler requested that the applicant be a good neighbor and work with Mr. Bonander to address his concerns.

MOTION: Commissioner Hackler moved, seconded by Commissioner Reape that the Planning Commission adopt a Mitigated Negative Declaration of Environmental Effect, declaring the project will not have a significant effect on the environment, incorporating the mitigation measures identified in the Initial Study, and adopt the Mitigation Monitoring Program prepared for this project, and having made the findings contained in Planning Commission Resolution 2018-16.

AYES: Commissioners Dias, Anderson, Reape, Hackler, Davis, and Bettencourt
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: Commissioner Powers

MOTION: Commissioner Hacker moved, seconded by Commissioner Reape granting Conditional Use Permit 2018-03 (Ventana Design & Development) having determined that the appropriate findings can be made, subject to the conditions of approval contained in Planning Commission Resolution 2018-16.

AYES: Commissioners Dias, Anderson, Reape, Hackler, Davis, and Bettencourt
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: Commissioner Powers

H. OTHER MATTERS
None

I. COMMISSIONERS CONSIDERATION
None

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

1. TIME EXTENSION APPLICATION NO PLN 2018-0056 FOR USE PERMIT PLN 2012-0017 AVILA AND SONS NORTH WASHINGTON ROAD WAREHOUSE:

Principal Planner Katie Quintero explained the City had received a referral item from the County for a 6-month time extension for Use Permit Application No. 2012-0017 – Avila and Sons located on North Washington Road.

K. COMMISSIONERS COMMENTS

Principal Planner Katie Quintero presented Commissioner Nick Hackler with a plaque thanking him for his service as a Planning Commissioner.

Commissioner Hackler addressed the Commission and thanked everyone. He added that being a Planning Commissioner was a great experience the past 11-years and felt they had accomplished a lot during his tenure.

L. STAFF UPDATES

Principal Planner Katie Quintero stated the Planning Division has received several complaints regarding the size and location of political signs in residential areas. Planner Quintero explained that staff is researching and responding to the complaints.

M. ADJOURNMENT

Chairman Dias asked for a motion to adjourn the meeting. Motion by Commissioner Hackler carried unanimously. The meeting was adjourned at 6:53 p.m.

RESPECTFULLY SUBMITTED

Elvis Dias
Commission Chair

Katie Quintero
Principal Planner