

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

PRESENT: Commissioners Elvis Dias, Geoff Powers, Constance Anderson, Jim Reape, Kristin Bettencourt, and Chairman Victor Pedroza

ABSENT: Commissioner Nick Hackler

B. APPROVAL OF MINUTES

1. Accepting minutes of regular Planning Commission meeting of February 2, 2017.

Motion by Commissioner Powers seconded by Commissioner Reape to accept the minutes as submitted. Motion carried unanimously with Commissioner Hackler absent.

C. ANNOUNCEMENTS

1. The Annual Planning Commission Meeting is on March 18th in Newman. Deputy Director of Development Services Debbie Whitmore advised the Commissioners to let herself or Staff Services Technician, Joanne Foster know if they are able to attend.
2. Planning Commission Secretary Assignment: Debbie Whitmore advised the Commission that Senior Planner, Katie Quintero will be the acting Secretary for next month's meeting.
3. Debbie Whitmore noted two handouts: a Green sheet related to item G1 and information on the approved Tentative Parcel Map 17-01 for 2901 Sun Valley Ct.

D. 1. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

2. DISCLOSURE OF EX PARTE COMMUNICATIONS

The following agenda items are subject to the requirement for disclosure of Ex Parte Communications:

Planning Commissioners will disclose Ex Parte Communications immediately following the introduction of each of these items by the Planning Commission Chair, as they appear on the agenda below.

- **F.1 2016 GENERAL PLAN IMPELMENTATION REPORT**
- **G.1 VESTING TENTATIVE SUBDIVISION MAP 2016-01 (VTSM 2016-01)
FITZPATRICK HOMES-2118 E TUOLUMNE RD**

E. PUBLIC PARTICIPATION

None

F. CONSENT CALENDAR

Information concerning the consent items listed herein below has been forwarded to each Commissioner prior to this meeting for study. Unless the Chair, a Commissioner or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Commission. The action taken by the Commission in approving the consent items is set forth in the explanation of the individual items.

- 1. 2016 GENERAL PLAN IMPLEMENTATION REPORT:** 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.

MOTION: Motion by Commissioner Anderson, seconded by Commissioner Reape accepting that the 2016 General Plan Implementation Report is “exempt” from the provisions of CEQA in accordance with Section 15060(c)(2) of the CEQA Guidelines and that the report is in compliance with the California Government Code [Section 65400 (b)]. Motion carried unanimously with Commissioner Hackler absent.

G. PUBLIC HEARINGS

***CONSENT ITEMS**

None

NONCONSENT ITEMS

These items will be individually discussed and reviewed in detail.

- 4. VESTING TENTATIVE SUBDIVISION MAP 2016-01 (VTSM 2016-01) FITZPATRICK HOMES – THE CLASSICS - 2118 E TUOLUMNE RD:** To subdivide a 4.9-acre parcel, located in the northeast quadrant of Turlock, into 20 single-family residential lots. Assistant Planner Scott Quyle presented the project and explained that the subdivision lots and improvements are consistent with the property’s Low Density Residential General Plan Land Use Designation and Zoning. Scott noted that the map meets the density range of 3-7 units to the acre. Scott noted an error in the staff report showing the density at 3.88 units per acre but the project is actually 4.1 units per acre. The Planning Division received several comments from the public concerning the increased traffic on Johnson Road, lot sizes, and the size and design of the homes.

Deputy Director of Development Services Debbie Whitmore stated Fitzpatrick Homes is requesting to build a double-sided wood fence with metal posts instead of the masonry wall as suggested by staff to allow for repairs on both sides as well as provide noise attenuation. The double-sided wood fence is an acceptable alternative and staff is agreeable with this proposed change. Debbie also noted that lots 19 and 20 will have vines planted along the fence to deter graffiti.

Dennis Fitzpatrick of Fitzpatrick Homes addressed the Commission and thanked staff for working with them on this project. Mr. Fitzpatrick explained that the subdivision meets and in most cases exceeds the low-density residential

development standards. He noted that the average lot size is over 8,000 square feet. The minimum lot size in the low-density residential zoning district is 5,000 square feet. While Fitzpatrick Homes is still in the design process of the homes, Mr. Fitzpatrick provided examples of homes they have built in other areas of the City and noted that the homes for this subdivision would be of the same high quality design, similar to the homes built in the Milestone subdivision.

Commissioner Pedroza asked if he had considered increasing the lot sizes that back up to Castleview Drive. Mr. Fitzpatrick stated that increasing the width of the lots by a couple of feet would not substantially change the configuration of the lots abutting the rear yards of the houses on Castleview Drive. Also, the offset of property lines from the existing homes is intended to provide more privacy by not having a direct line of sight into the existing homes. Furthermore, the houses in this subdivision could be set back up to 50 feet from the rear property line providing additional space between homes.

Connie Alldrin spoke about her concerns with automobile lights shining in her bedroom as they enter the cul-de-sac. She suggested that a pie shaped lot at the end of the cul-de-sac would be more likely to mitigate the lights shining into the bedroom. She also expressed her concern with cars driving down the cul-de-sac and not realizing that it was not a through street and running into her property.

Mark Hillerman addressed the Commission and expressed his concern with the increased traffic on Johnson Road. Mr. Hillerman explained that his side yard will abut the new homes impacting him more than the lots that are back to back. He believes lots should be larger and suggested that Fitzpatrick reduce the number of lots to 16.

Gordon Alldrin provided the Commissioner's a signed petition from the neighbors opposing the project. He stated the lots are too small and believes the lots should be larger and custom homes built similar to other custom homes built in the area. Mr. Alldrin also would like to see 12 homes built instead of the 20 home proposed by Fitzpatrick Homes.

Mike Brem stated he lives at the end of Castleview Drive and has enjoyed the empty lot behind him for several years. However, he also expected that it could be developed at any time. Mr. Brem expressed some of the same concerns as his neighbors and expressed a desire to not have two-story homes built at the end of the cul-de-sac that would potential be looking into the back yards of the existing homes on Castleview Drive. Mr. Brem also expressed the need for in-fill development and noted that Fitzpatrick Homes was achieving the City requirements for such a development.

Darlene Pizzella, speaking on behalf of neighbors on East Tuolumne Road, stated constructing in smaller lots would devalue their homes. Ms. Pizzella also expressed concern about an increase in noise from cars traveling on East Tuolumne Road.

Carl Bankston addressed the Commission and explained that his house abuts up to new development and it appears that the new parcels are foot lower than the existing lots. He also inquired about the fencing along the rear property line.

Jeff Spinardi submitted a letter to the Planning Division asking for the project to be re-designed. Mr. Spinardi acknowledged that the project meets the development requirements but it does not address the esthetics of the project and he feels the developer should come back with a new design.

Milt Treweiler addressed the Commission and stated that the project is a well-planned subdivision. Mr. Treweiler stated that times and the market change and developers have to react to those changes. Mr. Treweiler spoke in support of the project as submitted.

Neil Callas also expressed concern regarding the lot sizes and believes they should be larger.

Commissioner Pedroza closed the public hearing.

Commissioner Pedroza expressed his concern with the automobile lights shining into the homes on Castlevue.

Development Services Director Mike Pitcock explained that there will be a fence and streetlight at the end of the cul-de-sac that visually will deter cars.

Commissioner Dias stated that he understands that the church owns the property and has right to sell. He also noted that in-fill projects are very important but is concerned with the layout of the lots in the cul-de-sac and the lot sizes. He asked when designing the subdivision if the developer played with different lot sizes and configurations to fit with the current neighborhood style.

Debbie noted that larger and fewer lots may not fit the zoning requirements for this property.

Commissioner Reape also expressed concerned that the lots sizes and cul-de-sac design were not the same as the existing houses on Castlevue. He asked if additional landscaping could be added at the end of the cul-de-sac to lessen the impact to the neighbors on Castlevue Drive.

Dennis Fitzpatrick stated they designed this in-fill project with larger back yards so they will be farther away from the existing homes to give them more space. If the lots were wider and shallower the homes would be closer to the property line. Mr. Fitzpatrick noted a similar subdivision recently approved down the street with smaller lots. Mr. Fitzpatrick stated that they will work with staff to ensure that lots 1, 10, 11, and 20 will be developed with single-story homes. Mr. Fitzpatrick noted that the area between the sidewalk and the fence at the back of the cul-de-sac is 20 feet wide. Mr. Fitzpatrick proposed installing enhanced landscaping in this area to help prevent headlights from spilling into adjoining lots. Dirt will be raised on the lot to address grade differential, and they will build brand new 6-foot tall standard fences on the new site abutting existing fencing on Castlevue and Nordic. Larger lots are not consistent with current zoning.

MOTION: Motion by Commissioner Dias, seconded by Commissioner Reape that the proposed subdivision is Categorically Exempt from CEQA, pursuant to Section 15332, "In-Fill Development Projects." Commissioner Dias, Seconded by Commissioner Reape, Motion carried unanimously with Commissioner Hackler absent.

MOTION: Motion by Commissioner Powers, seconded by Commissioner Reape approving Vesting Tentative Subdivision Map No. 2016-01 (Fitzpatrick Homes – The Classics) with amended conditions to lots 1, 10, 11 and 20 will be single story homes only, and enhanced landscaping at end of cul-de-sac, and construction of new fences adjacent to Castleview and Nordic. Motion passes 5-1 with Commissioner Dias voting Nay and Commissioner Hacker absent.

Debbie Whitmore noted that an appeal can be filed within 10 days of approval by contacting the City Clerk.

H. OTHER MATTERS

Commissioner Dias inquired about the truck parking on Golden State from Pedras to Divanian on railroad's right of way. He stated that some trucks are double-parked and leave just the trailers there.

Mike Pitcock stated that if they are in the public right of way, the Police Department should be contacted. Debbie Whitmore added that if the trucks are parked more than 72 hours, they would be considered abandoned and should be referred to Neighborhood Services for further action.

I. COMMISSIONERS CONSIDERATION

- 1. CHAIR REPORT ON MEETING WITH TURLOCK UNIFIED SCHOOL DISTRICT:** Chairman Victor Pedroza reported on a meeting with Martell Taylor, from Turlock School District, Mike Pitcock, and Debbie Whitmore to discuss plans the school district has for improvement of traffic issues on Hawkeye Ave, Colorado Ave, and the immediate area. A bond was passed to try to address the problems. Chairman Pedroza noted that two workshops will be held on March 30 at 2:00 p.m. and 6:00 p.m. at City Hall. He noted that Mr. Martell is looking forward to working with the City to alleviate the traffic issues.

J. STANISLAUS COUNTY PLANNING REFERRAL ITEMS

None

K. COMMISSIONERS COMMENTS

None

L. STAFF UPDATES

1. **WEST MAIN CORRIDOR STUDY PUBLIC MEETING:** Mike Pitcock updated the Commissioners on the public meeting held on February 1, 2017, to discuss improvement options for the West Main Corridor between Highway 99 and Downtown Turlock. After three meetings, they are taking the information to the City Council for final consensus. They are requesting to shift the road and put trees behind new sidewalk. No widening or taking of properties is necessary and will help with the storm drain problems. With the passing of Measure L, the West Main corridor is the number one priority as a gateway into Turlock. Mike explained that the goal is to begin construction later this year.
- M. ADJOURNMENT:** Motion by Commissioner Reape, seconded by Commissioner Anderson to adjourn the meeting at 8:08 p.m.

RESPECTFULLY SUBMITTED

Victor Pedroza
Chair

Debra A. Whitmore
Deputy Director of Development Services