



Re-Referral Early Consultation

Date: March 3, 2022

To: Distribution List (See Attachment A)

From: Emily Basnight, Assistant Planner
Planning and Community Development

Subject: USE PERMIT APPLICATION NO. PLN2021-0029 – OASIS CARDROOM

Respond By: March 18, 2022

******PLEASE REVIEW REFERRAL PROCESS POLICY******

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant: Benchmark Engineering, Inc.

Project Location: 5001 McHenry Avenue, on the northwest corner of Kiernan and McHenry Avenues, in the Modesto area.

APN: 004-094-010

Williamson Act Contract: N/A

General Plan: Planned Development

Current Zoning: Planned Development (P-D) (210)

Project Description: Request to amend the uses permitted in P-D (210), to allow for the sale and service of alcohol for on-site consumption at an existing cardroom and restaurant on a 2.32± acre parcel. The property was rezoned from A-2-40 to P-D (210) in 1994, under Rezone No. 93-08 – Mathew Bruno, to allow H-1 (Highway Frontage) uses and a cardroom to be operated on-site. While the operation of a cardroom was permitted under Rezone 93-08, a cardroom was never operated on the site prior to 2011. As such, an amendment to the development plan for P-D (210) was approved by the Planning Commission on July 7, 2011, under Use Permit No. 2011-04 – Oasis Investments for operation of the existing cardroom. Rezone No. 93-08 did not permit the sale or service of alcohol on-site therefore a Use Permit is required to amend the permitted uses of P-D (210).

The project site is currently improved with 27,005± square feet of building space consisting of three apartment buildings, a cardroom, and restaurant. No construction or changes to the businesses

are proposed as part of this request. The current hours of operation for the cardroom are 24 hours a day, seven days a week; and the restaurant is operated from 2:30 p.m. to 9:00 p.m., Tuesday through Sunday. The project site is served by a private well and septic system and has access to State Route 219 (Kiernan Avenue), and State Route 108 (McHenry Avenue). A previous proposal to amend the uses permitted in P-D (210) to allow for the on-site sale and service of alcohol within the cardroom only was circulated as an Early Consultation Referral from April 22, 2021 to May 7, 2021. Following the referral period, the applicant revised their project description to include the on-site sale and service of alcohol within the restaurant as well.

Full document with attachments available for viewing at:
<http://www.stancounty.com/planning/pl/act-projects.shtm>



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
 Planning Phone: (209) 525-6330 Fax: (209) 525-5911
 Building Phone: (209) 525-6557 Fax: (209) 525-7759

USE PERMIT APPLICATION NO. PLN2021-0029 – OASIS CARDROOM

Attachment A

Distribution List

X	CA DEPT OF ALCOHOLIC BEVERAGE CONTROL		STAN CO ALUC
	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ANIMAL SERVICES
X	CA DEPT OF FISH & WILDLIFE	X	STAN CO BUILDING PERMITS DIVISION
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO CEO
X	CA DEPT OF TRANSPORTATION DIST 10		STAN CO CSA
X	CA OPR STATE CLEARINGHOUSE	X	STAN CO DER
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO ERC
	CA STATE LANDS COMMISSION		STAN CO FARM BUREAU
	CEMETERY DISTRICT	X	STAN CO HAZARDOUS MATERIALS
	CENTRAL VALLEY FLOOD PROTECTION		STAN CO PARKS & RECREATION
X	CITY OF: MODESTO	X	STAN CO PUBLIC WORKS
	COMMUNITY SERVICES DIST:		STAN CO RISK MANAGEMENT
X	COOPERATIVE EXTENSION	X	STAN CO SHERIFF
	COUNTY OF:	X	STAN CO SUPERVISOR DIST #4: GREWAL
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN COUNTY COUNSEL
X	FIRE PROTECTION DIST: SALIDA	X	StanCOG
X	GSA: STANISLAUS AND TUOLUMNE RIVERS	X	STANISLAUS FIRE PREVENTION BUREAU
	HOSPITAL DIST:	X	STANISLAUS LAFCO
X	IRRIGATION DIST: MODESTO	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
X	MOSQUITO DIST: EASTSIDE		SURROUNDING LAND OWNERS
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	TELEPHONE COMPANY: AT&T
	MUNICIPAL ADVISORY COUNCIL:		TRIBAL CONTACTS (CA Government Code §65352.3)
X	PACIFIC GAS & ELECTRIC		US ARMY CORPS OF ENGINEERS
	POSTMASTER:		US FISH & WILDLIFE
	RAILROAD:		US MILITARY (SB 1462) (7 agencies)
	SAN JOAQUIN VALLEY APCD	X	USDA NRCS
X	SCHOOL DIST 1: STANISLAUS UNION		WATER DIST:
X	SCHOOL DIST 2: MODESTO UNION		
	WORKFORCE DEVELOPMENT		
	STAN CO AG COMMISSIONER		

STANISLAUS COUNTY CEQA RE-REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: USE PERMIT APPLICATION NO. PLN2021-0029 – OASIS CARDROOM

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- _____ Will not have a significant effect on the environment.
_____ May have a significant effect on the environment.
_____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:

Name	Title	Date
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OASIS CARDROOM

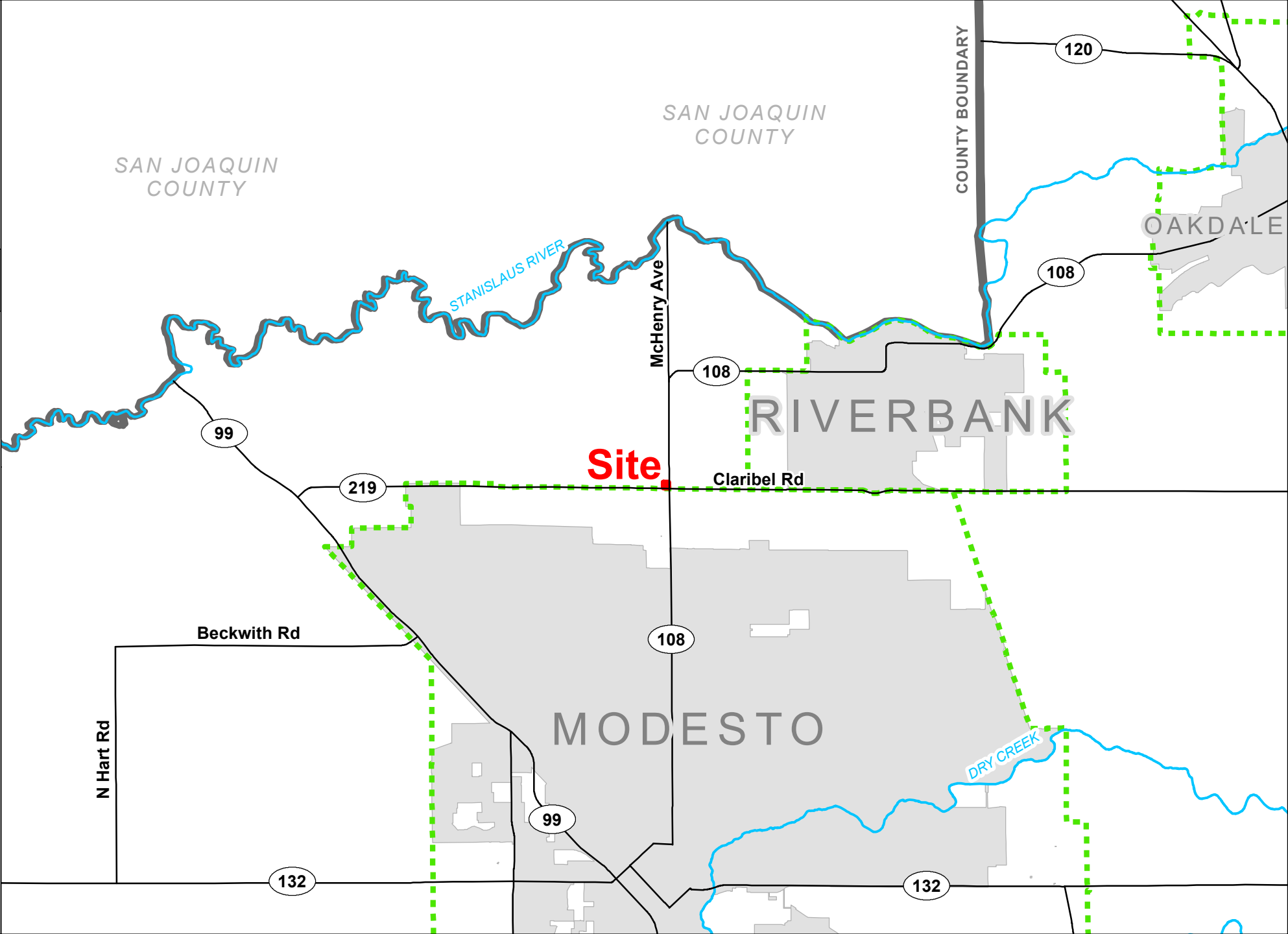
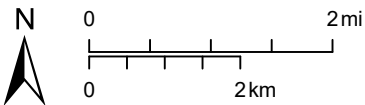
UP

PLN2021-0029

AREA MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  City
-  Road
-  River



OASIS CARDROOM
UP
PLN2021-0029

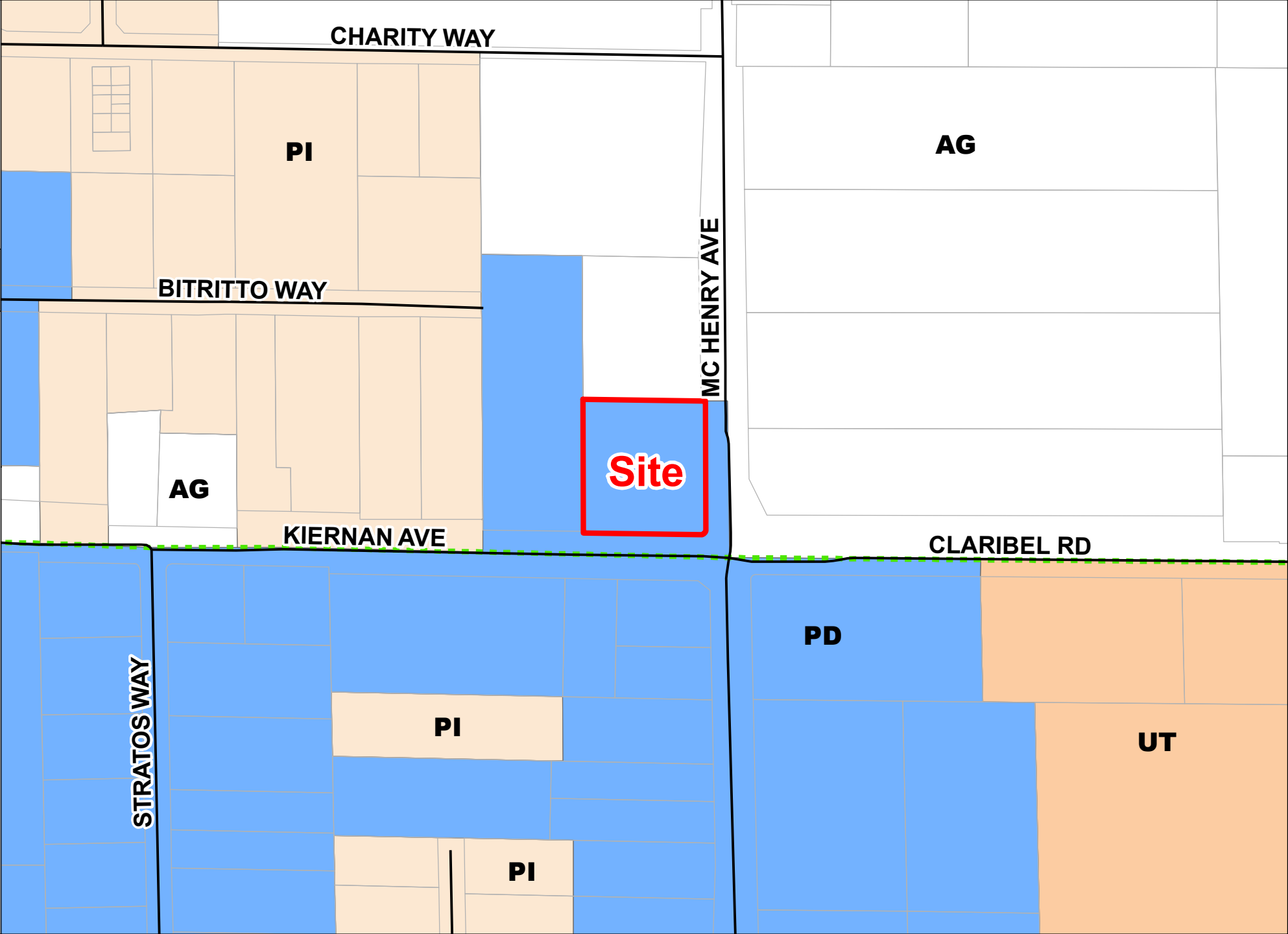
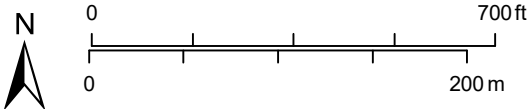
GENERAL PLAN MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  Parcel
-  Road

General Plan

-  Agriculture
-  Urban Transition
-  Planned Development
-  Planned Industrial



OASIS CARDROOM
UP
PLN2021-0029

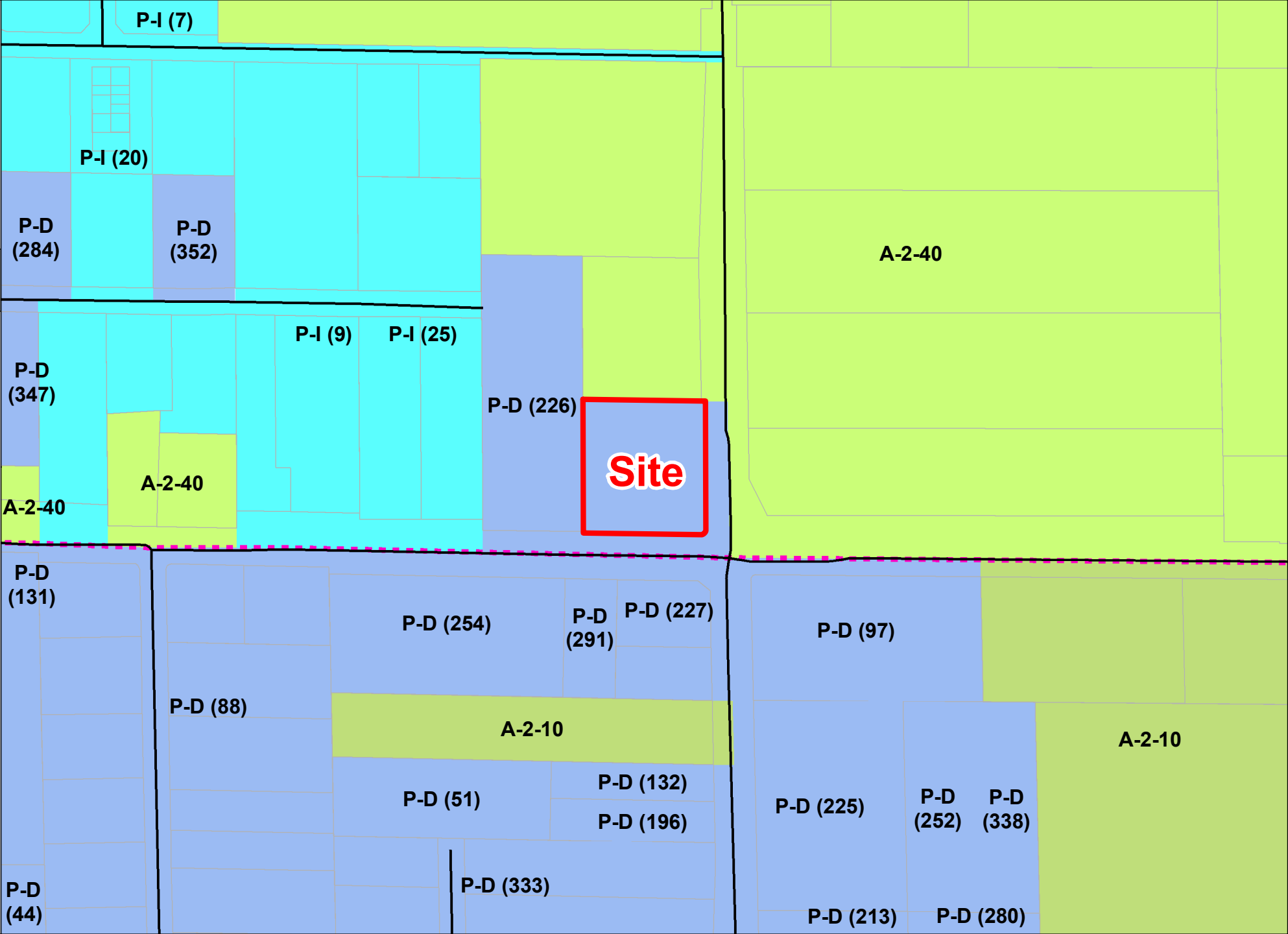
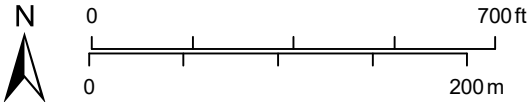
ZONING MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  Parcel
-  Road

Zoning Designation

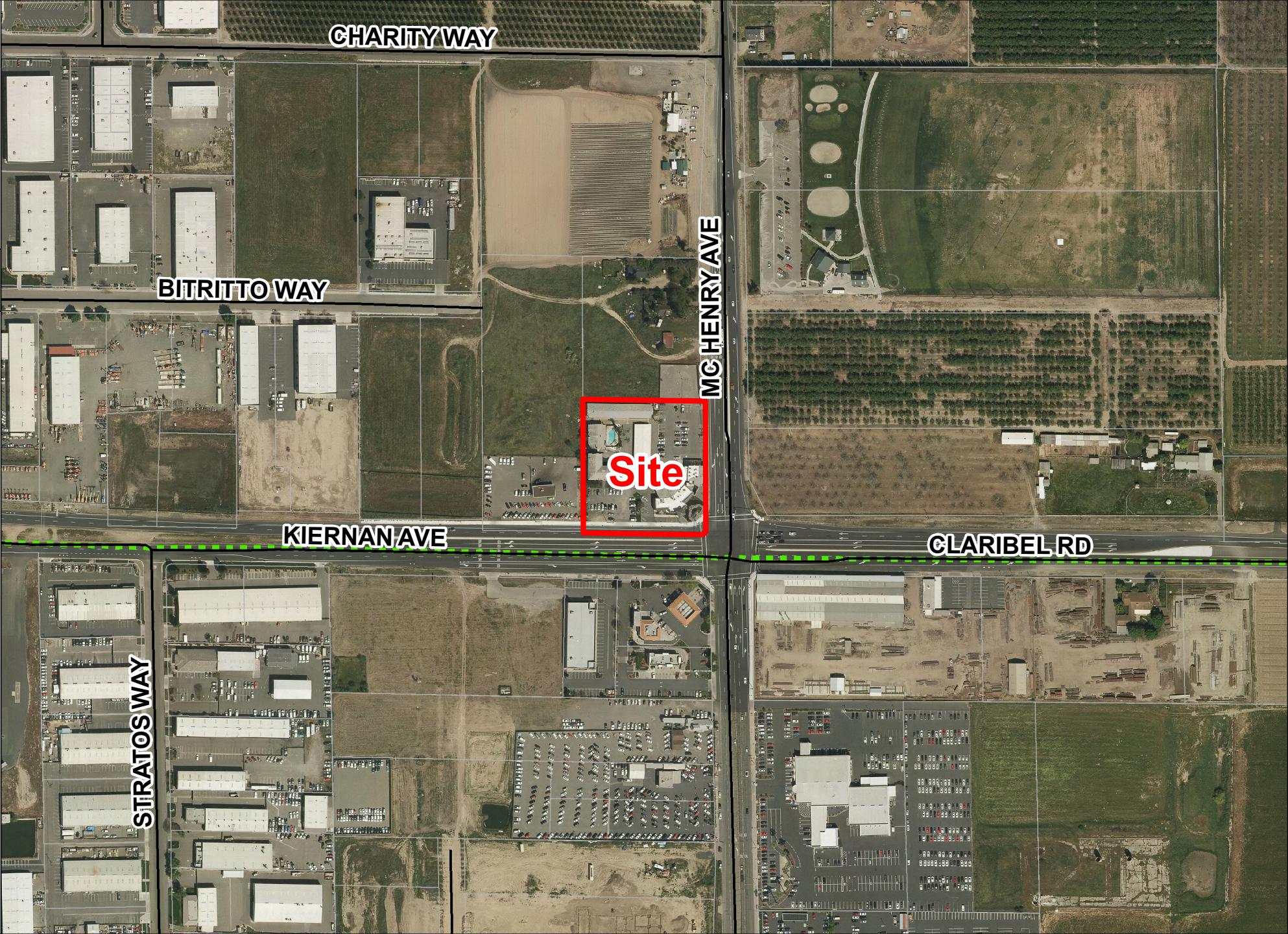
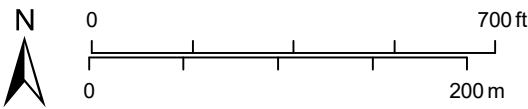
-  General Agriculture 10 Acre
-  General Agriculture 40 Acre
-  Planned Development
-  Planned Industrial



OASIS CARDROOM
UP
PLN2021-0029

2017 AERIAL AREA MAP

- LEGEND
-  Project Site
 -  Sphere of Influence
 -  Road



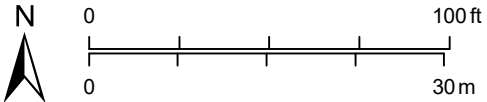
OASIS CARDROOM

UP
PLN2021-0029

2017 AERIAL SITE MAP

LEGEND

-  Project Site
-  Road
-  Canal

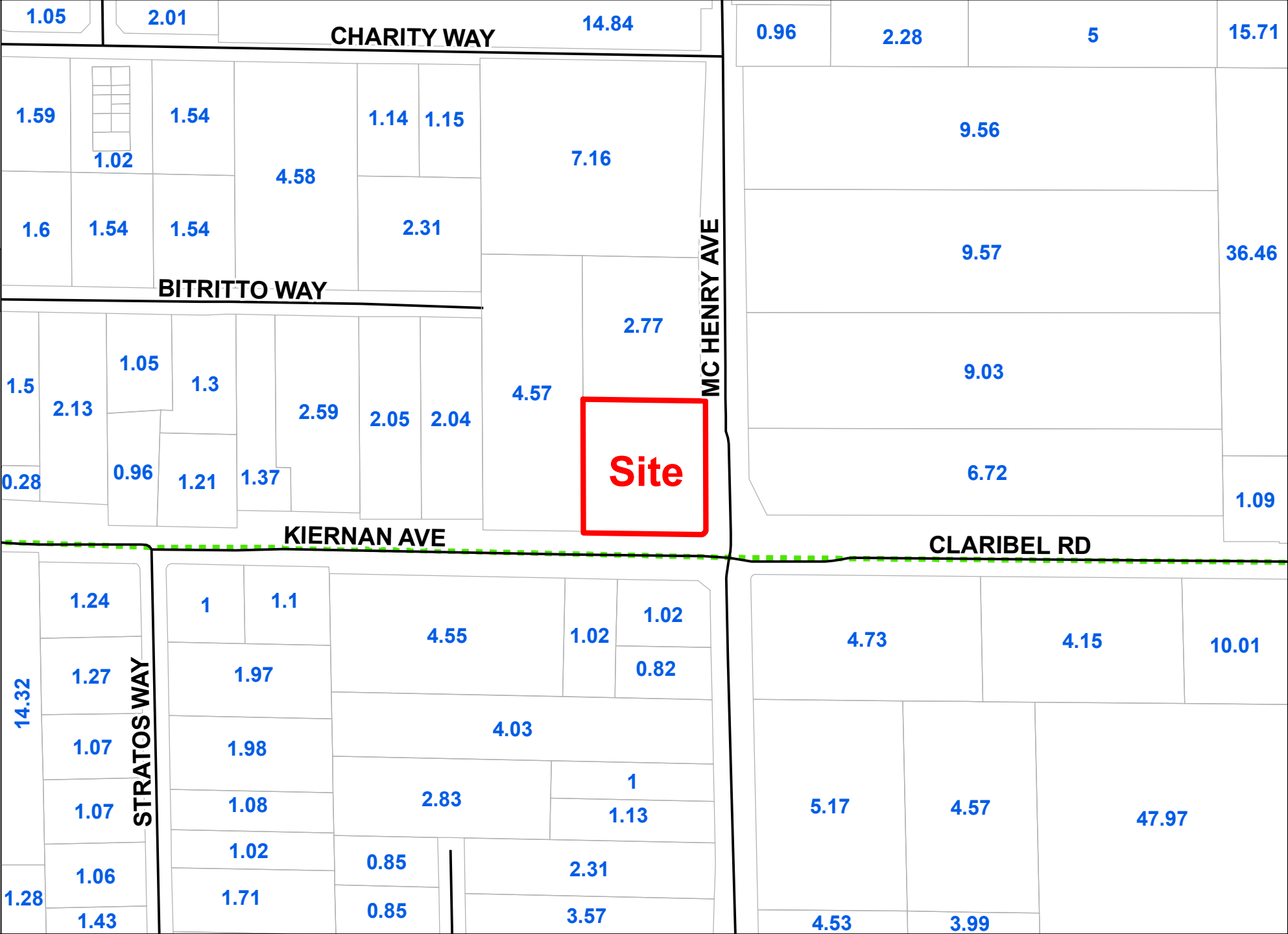
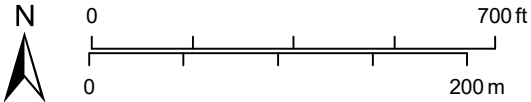


OASIS CARDROOM
UP
PLN2021-0029

ACREAGE MAP

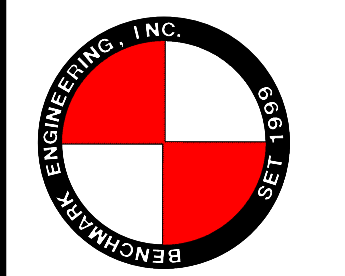
LEGEND

-  Project Site
-  Sphere of Influence
-  Parcel/Acres
-  Road





BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
915 17th STREET • MODESTO, CALIFORNIA • 95354
(209) 548-9300 FAX: (209) 548-9305



AREA MAP
OASIS SPORTSMAN CLUB
MODESTO, CALIFORNIA

JOB NO. 154602
DATE 2/16/21
DR BY MR
CK BY RM
SCALE AS SHOWN

SHEET NUMBER
1
OF 1 SHEETS



004-094-009
M&B BRUNO FAMILY LP
4.3 ACRES

004-094-011
M&B BRUNO FAMILY LP
2.84 ACRES

004-094-010
OASIS INVESTMENTS
2.32 ACRES

FUTURE IMPROVEMENTS TO BE
PREPARED THROUGH STANISLAUS
COUNTY UNDER SEPERATE PERMIT

MAINTENANCE PAVING INSTALLED

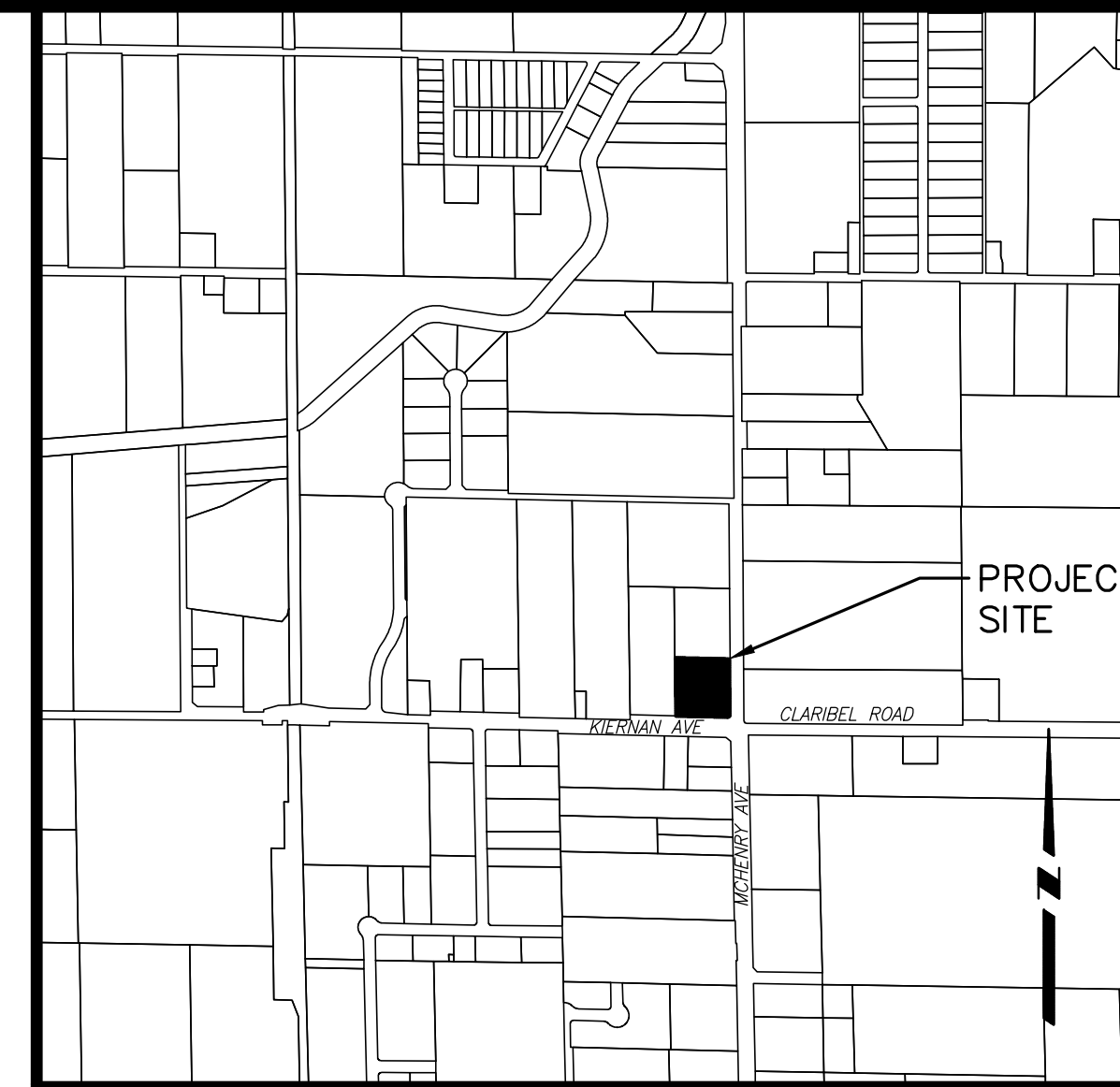
KIERNAN AVENUE

SCALE 1" = 20'

OWNER:
OASIS INVESTMENTS
P.O. BOX 1530
TURLOCK, CA 95381

NOTES:

1. SITE ADDRESS: 5001 MCHENRY AVE. MODESTO, CA 95356
2. APN: 004-094-010
3. SITE AREA: 2.32 ACRES
4. EXISTING GENERAL PLAN: P-D (PLANNED DEVELOPMENT)
5. EXISTING ZONING: P-D (210)
6. SITE STATISTICS:
BUILDING AREA: 27,005 SQ.FT.
PAVING AREA: 47,100 SQ.FT.
*PAVED AREA FOR MAINTENANCE 1,994 SQ.FT. (4% OF 47,100 SQ.FT.)
LANDSCAPING/OPEN SPACE: 23,092 SQ.FT.
PARKING REQUIREMENT: 84
PARKING PROVIDED: 86
PARKING ELIMINATED: 14

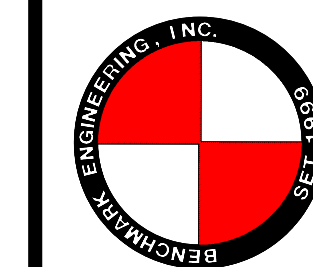


VICINITY MAP
N.T.S.

REVISIONS		DATE	APPROVED
NO	DESCRIPTIONS		

PREPARED UNDER THE DIRECTION OF:

BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
915 17th STREET • MODESTO, CALIFORNIA • 95354
(209) 548-9300 FAX: (209) 548-9305



SITE PLAN
OASIS SPORTSMAN CLUB
MODESTO, CALIFORNIA

JOB NO. 154602
DATE 2/16/21
DR BY MR
CK BY RM
SCALE AS SHOWN

SHEET
NUMBER
1
OF 1 SHEETS





DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354

Planning Phone: (209) 525-6330 Fax: (209) 525-5911

Building Phone: (209) 525-6557 Fax: (209) 525-7759

Form Available Online: <http://www.stancounty.com/planning/applications.shtm>

APPLICATION QUESTIONNAIRE

Please Check all applicable boxes

APPLICATION FOR:

Staff is available to assist you with determining which applications are necessary

- | | |
|---|--|
| ☐ General Plan Amendment | ☐ Subdivision Map |
| ☐ Rezone | ☐ Parcel Map |
| ☒ Use Permit | ☐ Exception |
| ☐ Variance | ☐ Williamson Act Cancellation |
| ☐ Historic Site Permit | ☐ Other _____ |

PLANNING STAFF USE ONLY:

Application No(s): UPPLN 2021-0029

Date: 3/19/2021

S 32 T 2 R 9

GP Designation: PD

Zoning: P-D 210

Fee: \$ 4751.00

Receipt No. 559565

Received By: KA/mail

Notes: _____

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i – v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

PROJECT INFORMATION

PROJECT DESCRIPTION: (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

***Please note:** A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).

This project intends to amend the Planned Development to allow the sale of liquor.

PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10th Street – 3rd Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): Book 004 Page 094 Parcel 010

Additional parcel numbers: _____

Project Site Address
or Physical Location: 5001 McHenry Avenue, Modesto

Property Area: Acres: 2.32 or Square feet: _____

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)

P-D (210), Apartments, Card Room

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

Existing General Plan & Zoning: Planned Development (PD) & Planned Development District (P-D)

Proposed General Plan & Zoning: _____
(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: McHenry Avenue, golf driving range, agricultural uses, and Bambacigno Steel Company

West: P-D (226) and Planned Industrial parcels

North: Parking Lot/Single Family Residence, outbuildings, vacant land

South: Kiernan Avenue, Gas Station, Restraunt

WILLIAMSON ACT CONTRACT:

Yes ☐ No ☒

Is the property currently under a Williamson Act Contract?

Contract Number: _____

If yes, has a Notice of Non-Renewal been filed?

Date Filed: _____

Yes ☐ No ☐

Do you propose to cancel any portion of the Contract?

Yes ☐ No ☐

Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: _____

SITE CHARACTERISTICS: (Check one or more)

Flat ☒

Rolling ☐

Steep ☐

VEGETATION: What kind of plants are growing on your property? (Check one or more)

Field crops ☐

Orchard ☐

Pasture/Grassland ☐

Scattered trees ☒

Shrubs ☒

Woodland ☐

River/Riparian ☐

Other ☐

Explain Other: Landscaped grass

Yes ☐ No ☒

Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)

GRADING:

Yes ☒ No ☒

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) _____

STREAMS, LAKES, & PONDS:

Yes ☐ No ☒

Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes ☐ No ☒

Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) _____

Yes ☐ No ☒

Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes ☐ No ☒

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUCTURES:

- Yes ☒ No ☐ Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.)
- Yes ☐ No ☒ Will structures be moved or demolished? (If yes, indicate on plot plan.)
- Yes ☐ No ☒ Do you plan to build new structures? (If yes, show location and size on plot plan.)
- Yes ☐ No ☒ Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) _____

PROJECT SITE COVERAGE:

Existing Building Coverage: 27,005 Sq. Ft. Landscaped Area: 23,092 Sq. Ft.
Proposed Building Coverage: 0 Sq. Ft. Paved Surface Area: 47,100 Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) _____

Number of floors for each building: Existing Apartments = 2 Story, Sportman Club = 1 story, Grill = 1 Story

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) _____

Existing Apartments = 18', Sportsman Club = 18', Grill 9'

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary) _____

Light Poles = 17'

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) n/a

UTILITIES AND IRRIGATION FACILITIES:

- Yes ☒ No ☐ Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: <u>MID</u>	Sewer*: <u>On-site septic</u>
Telephone: <u>Various Providers</u>	Gas/Propane: <u>PG&E</u>
Water**: <u>Private Domestic Well</u>	Irrigation: <u>N/A</u>

***Please Note: A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.**

****Please Note: A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.**

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

N/A

Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes ☐ No ☒ Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes ☐ No ☒ Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes ☐ No ☒ Does the project require extension of utilities? (If yes, show location and size on plot plan.)

AFFORDABLE HOUSING/SENIOR:

Yes ☐ No ☒ Will the project include affordable or senior housing provisions? (If yes, please explain)

RESIDENTIAL PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots: _____ Total Dwelling Units: _____ Total Acreage: _____

Net Density per Acre: _____ Gross Density per Acre: _____

<i>(complete if applicable)</i>	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/ Townhouse
Number of Units:	_____	_____	_____	_____
Acreage:	_____	_____	_____	_____

COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): Apartment Building 1 = 3,984 SF, Apartment Building 2 = 2,240 SF, Apartment Building 3 = 5,302 SF, Sportsman Club = 7,278 SF, Grill = 2,843 SF

Type of use(s): Buildings 1-3 are Apartment Buildings, Building 4 is a Commercial Business, and Building 5 is a Restaurant

Days and hours of operation: Sportsmen Club = 24/7, Grill = Tues-Sunday 2:30pm-9pm

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: n/a

Occupancy/capacity of building: 176

Number of employees: (Maximum Shift): 14 (Minimum Shift): 10

Estimated number of daily customers/visitors on site at peak time: 50

Other occupants: None

Estimated number of truck deliveries/loadings per day: 0.2 daily

Estimated hours of truck deliveries/loadings per day: 0.04 hours daily

Estimated percentage of traffic to be generated by trucks: less than 1%

Estimated number of railroad deliveries/loadings per day: n/a

Square footage of:

Office area: 426

Warehouse area: _____

Sales area: 3,962

Storage area: 1,179

Loading area: _____

Manufacturing area: _____

Other: (explain type of area) _____

Yes ☐ No ☐ Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

ROAD AND ACCESS INFORMATION:

What County road(s) will provide the project's main access? (Please show all existing and proposed driveways on the plot plan)

The site will be accessed indirectly through PD (226) from driveways on California Highway 108 (McHenry Avenue)

and California Highway 219 (Kiernan Avenue)

- Yes ☐ No ☒ Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)
- Yes ☐ No ☒ Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)
- Yes ☐ No ☒ Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.

STORM DRAINAGE:

How will your project handle storm water runoff? (Check one) ☐ Drainage Basin ☐ Direct Discharge ☐ Overland

☒ Other: (please explain) Existing Underground Drain

If direct discharge is proposed, what specific waterway are you proposing to discharge to? _____

Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.

EROSION CONTROL:

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.

ADDITIONAL INFORMATION:

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)
