

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

February 15, 2007

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Chair Jim Poore, Marie Assali, Robert Hardie, Arsenio Mataka, Michael Navarro, John Shores, and Ray Souza

Absent: Allen Layman, Annabel Gammon

Staff Present: Ron E. Freitas, Director; Kirk Ford, Assistant Director; Bob Kachel, Senior Planner; Bill Carlson, Senior Planner; Joshua Mann, Assistant Planner; Javier Camarena, Assistant Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Crystal D. Rein, Administrative Assistant III
- II. **PLEDGE OF ALLEGIANCE**
- III. **CITIZEN'S FORUM**
 - A. No one spoke.
- IV. **APPROVAL OF MINUTES**
 - A. February 1, 2007
Hardie/Mataka, 6-0, **APPROVED AS AMENDED**
Commissioner Navarro abstained.
- V. **CORRESPONDENCE**

Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:

 - A. Memo and map dated February 9, 2007 from Department of Public Works, requesting replacement of Conditions of Approval on Item VII-H - Use Permit Application No. 2006-39 - Grover Landscape Services, Stoddard Road.
 - B. Memo dated February 15, 2007 from Salida Fire Protection District, regarding Item VII-H - Use Permit Application No. 2006-39 - Grover Landscape Services, Stoddard Road.
- VI. **CONFLICT OF INTEREST** - None

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Poore informed the public of the consent items and procedure.
Public hearing opened.
Public hearing closed.

*** CONSENT ITEMS**

- *A. PARCEL MAP APPLICATION NO. 2006-49, VARIANCE APPLICATION NO. 2006-05, EXCEPTION APPLICATION NO. 2006-06 - SCHWARTZ PARCEL MAP - Requesting Continuance to March 1, 2006.** This is a request to create 4 residential lots, ranging in size from 36,725 to 52,009 square feet, with a 2.44 acre remainder (total of 5 parcels) from three existing parcels, in the R-A (Rural Residential) zoning district. Two parcels will be served by public water, the other three parcels will be served by private water wells. All the lots will be served by private septic systems. A variance is needed to create three parcels with less than 65 feet of width along the street frontage. The exception is to allow for three lots to be served by private water wells. The project is located at the southwest corner of Scarlet Oak Drive and Black Oak Court, east of Oakdale. This project is exempt from CEQA.
APN: 010-025-076, 010-025-101, and 010-025-102
Staff Report: Bill Carlson Recommends **CONTINUING TO MARCH 1, 2006.**
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Souza, Unanimous (7-0), **CONTINUED TO MARCH 1, 2006.**

Item VII-B - Parcel Map Application No. 2006-39 - Roscoe & Cindy Anderson was removed from the consent calendar and will have a full hearing.

- *C. PARCEL MAP APPLICATION NO. 2006-36 - ANTHONY & FRANK DENIZ -** Request to create two parcels of 35.95 and 33.41 acres from a 69.36 acre site under the Williamson Act, in the A-2-3 (General Agriculture) zoning district located at 5230 Patterson Road, between Eleanor Road and Langworth Road, in the Oakdale area. The Planning Commission will consider approval of a Negative Declaration for this item.
APN: 062-025-001
Staff Report: Javier Camarena Recommends **APPROVAL.**
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Souza, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

- *D. TIME EXTENSION FOR PARCEL MAP NO. 2004-28 - OLD GERMAN BAPTIST BRETHREN CHURCH** - This is a request for a one-year time extension to December 16, 2007, to record the map for Parcel Map No. 2004-28. The project was approved to create a 3.9 acre parcel for the church site and a 14.80 acre remainder parcel from 18.65 acres in an A-2-40 (General Agriculture) zoning district. The project is located at 6306 Covert Road, in the Salida area. This project is exempt from CEQA.
APN: 012-007-013
Staff Report: Bill Carlson Recommends **APPROVAL OF TIME EXTENSION**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Souza, Unanimous (7-0), **APPROVED THE TIME EXTENSION AS OUTLINED IN THE STAFF REPORT.**
- *E. TIME EXTENSION FOR GENERAL PLAN AMENDMENT NO. 2001-01 AND REZONE NO. 2001-01 - JIM MESSNER** - This is a request for a two year time extension to complete Phase II of the development for Planned Development 261 (PD 261) zoning district, first approved in December of 2001. Phase II, consisting of approximately ten (10) acres south of Piranha Produce was approved for commercial/warehouse type uses. The applicant is requesting a two year time extension, to begin construction by January 1, 2009, and to be completed by January 1, 2012. This project is exempt from CEQA.
APN: 045-052-032 and 045-052-033
Staff Report: Javier Camarena Recommends **APPROVAL OF THE TIME EXTENSION**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Souza, Unanimous (7-0), **APPROVED THE TIME EXTENSION AS OUTLINED IN THE STAFF REPORT.**
- *F. PARCEL MAP APPLICATION NO. 2006-55 - SUNCREST II** - This is a request to create two parcels of 8,292 and 9,198 square feet from a 17,490 square foot parcel in the R-A (Rural Residential) zoning district. The parcels will be served by the Denair Community Services District for water and sewer. This parcel is part of the final map for Tentative Map No. 2005-03 - Suncrest II (Lot No. 2). The property is located at the northeast corner of Chica Avenue and Zeering Road, in the Denair area. This project is exempt from CEQA.
APN: 024-017-022
Staff Report: Carole Maben Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Souza, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

- *G. PARCEL MAP APPLICATION NO. 2006-48 - WILLIAM POOLEY** - This is a request to create two parcels of 1.0± and 0.74± acres from a 1.74± acre site in R-A (Rural Residential) zoning district located at 9806 Black Oak Court, south of Scarlet Oak Court, east of Oakdale. The project will be served by public water (Oakdale Irrigation District) and private septic systems. This project is exempt from CEQA. APN: 010-025-071

Staff Report: Bill Carlson Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Souza, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

NON-CONSENT ITEMS

Item VII-B was removed from the Consent Calendar.

- *B. PARCEL MAP APPLICATION NO. 2006-39 - ROSCOE & CINDY ANDERSON** - This is a request to create a 19,650 and a 27,873 square foot parcel from a 1.09 acre parcel in the R-A (Rural Residential) zoning district, designated as LDR (Low-Density Residential) on both the County General Plan and the Denair Community Plan. The property is located at 4316 Sperry Road, north of Zeering Road and south of Taylor Road, within the Community of Denair. This project is exempt from CEQA.

APN: 024-016-001

Staff Report: Joshua Mann Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Roscoe Anderson.

Public hearing closed.

Assali/Hardie, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

- H. USE PERMIT APPLICATION NO. 2006-39 - GROVER LANDSCAPE SERVICES, STODDARD ROAD** - This is a request to relocate Grover Landscape Services' main business office and a portion of the wholesale nursery to a 9.6 acre parcel in an A-2-40 (General Agriculture) zoning district. The parcel, enrolled in a Williamson Act Contract, is located at 6224 Stoddard Road, on the east side of Stoddard Road, just south of Ladd Road, north of Modesto. The site is now occupied by B & B Trucking,

approved by a Use Permit as an agricultural trucking business, with buildings totaling 28,200 square feet, an acre of paving, an acre of landscaping, two drainage ponds and acres of compacted road base & gravel parking & drive areas. A 6,000 square foot office is to be constructed, 2-3 acres of existing parking area would be used as a nursery area to store large specimen box trees. Trucks used would change from 18 wheelers to pickups. This project is exempt from CEQA.

APN: 003-021-017

Staff Report: Bob Kachel Recommends **APPROVAL, ALONG WITH AMENDED CONDITIONS OF APPROVAL 17 THROUGH 27 AND 31.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Mark Grover

Public hearing closed.

Souza/Hardie, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, ALONG WITH AMENDED CONDITIONS OF APPROVAL 17 THROUGH 27 AND 31:**

17. **The project site shall have one point of access on Stoddard Road (excluding the residential driveway). A paved driveway approach shall be installed to a county "Collector" standard at the access point. The gravel driveway area along the frontage shall be closed to prohibit vehicle access by means of some access control measure, such as landscaping or a fence. The driveway approach shall be constructed in a manner as to prevent runoff from going into the county road right-of-way. The approach shall be installed prior to final and/or occupancy of the new office or prior to the opening of the landscaping services business, whichever occurs first.**
18. **In order to mitigate traffic impacts, the applicant shall pay for and install a 12 foot wide paved right turn deceleration lane with a minimum storage of 100 feet on Stoddard Road at the driveway entrance. The right turn deceleration lane shall have a 4 foot wide paved shoulder. If any power poles or other facilities are required to be relocated as a result of the construction of this road improvement, the costs of any relocation shall be the sole responsibility of the applicant. This road improvement shall be installed prior to final and/or occupancy of the new office or prior to the opening of the landscaping services business, whichever occurs first.**
19. **Off-site improvement plans for the right turn deceleration lane and driveway approach shall be approved by the Department of Public Works prior to the issuance of any building permit for the new office or prior to using the property for its approved use, whichever occurs first.**

20. If construction of the right turn lane requires additional right-of-way, the applicant shall dedicate sufficient right-of-way, as determined by the Department during the improvement plan review process. The applicant's engineer shall prepare the Road Easement document, if required.
21. An acceptable financial guarantee for the road improvements shall be provided to the Department of Public Works or the Department of Planning and Community Development prior to the issuance of a building permit for the new office and/or the issuance of an encroachment permit.
22. An Engineer's Estimate shall be provided for the construction of the driveway approach and deceleration lane so that the amount of the financial guarantee can be determined.
23. An encroachment permit must be obtained prior to the start of any work within the county right-of-way.
24. All driveway locations and widths shall be approved by this Department. Access to the employee parking lot shall be provided on-site and not via Stoddard Road.
25. No parking, no loading or unloading of vehicles shall be permitted within the right-of-way of Stoddard Road. The developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
26. Prior to the issuance of a building permit, a Grading and Drainage Plan shall be approved that provides sufficient information to verify all runoff will be kept from going onto adjacent property and into the county road right-of-way. The existing drainage problem of water ponding along the frontage shall be addressed. After the plan is determined to be acceptable, the plan shall be implemented prior final and/or occupancy of the new office.
27. The employee parking area shall be paved and double striped per county standards. The parking, loading, and unloading areas for service vehicles, trucks, and trailers may have gravel or road base treatment in lieu of pavement.
31. Buildings of 5,000 square feet and greater shall be required to have fire sprinklers or other method(s) of meeting fire protection requirements. The final fire protection system must be approved by the Salida Fire Protection District.

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF FEBRUARY 6, 2007

- A. The Board set a hearing for February 27th, 9:20 a.m., to consider introduction waiving the reading and the adoption of an ordinance amending chapters 21.08, 21.104 of the county code relating to yard setbacks and expiration of variances.
- B. The Board considered Williamson Act Cancellation 2006-01, Use Permit Application 2006-03, Turlock Sportsman's Club. This was a request to cancel a Williamson Act to allow operation of a recreational vehicle camp with electrical and sewer hook-ups for use by individual recreational vehicles on a 13 acre parcel. Your Planning Commission had recommended approval and the Board approved this item.

BOARD OF SUPERVISORS' ACTIONS OF FEBRUARY 13, 2007

- A. The Board approved an agreement between Stanislaus County and the Housing Authority of Stanislaus County to administer a sewer lateral connection program in the Robertson Road neighborhood and authorized of the director of Planning and Community Development to execute an agreement. This is a project where we have installed, using Block Grant funds, sewer lines in the Robertson Road neighborhood and now these homes will be able to connect to public sewer system.
- B. The Board heard proposals for a future master developer at the former military air facility, Crows Landing, on the west side of the county. They heard proposals from PCCP Westpark and Hillwood Group. They will take action on February 27, 2007 to pick one of those two companies to develop a master plan and developer for the Crows Landing Facility.

MISCELLANEOUS & ON THE HORIZON

March 1, 2006

- 1. One Parcel Map, with a Variance and an Exception
- 2. General Plan Consistency Finding for a Proposed School Site
- 3. Status Report for El Rematito Marketplace

March 15, 2006

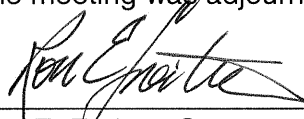
- 1. One General Plan Amendment with a Rezone
- 2. One Use Permit
- 3. Two Rezone Applications, one with a Parcel Map
- 4. Three Parcel Map Applications, one with a Variance

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X. **ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN** - None

XI. **ADJOURNMENT**

The meeting was adjourned at 6:40 p.m.



Ron E. Freitas, Secretary

(The above is a summary of the minutes of the Planning Commission. Complete tape(s) of the meeting are available from the Planning Director.)

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