

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

March 15, 2007

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Jim Poore, Marie Assali, Annabel Gammon, Robert Hardie, Allen Layman, Arsenio Mataka, John Shores, and Ray Souza
- Absent: Michael Navarro
- Staff Present: Ron E. Freitas, Director; Kirk Ford, Assistant Director; Bob Kachel, Senior Planner; Angela Freitas, Senior Planner; Joshua Mann, Associate Planner; Javier Camarena, Assistant Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Transportation Project Coordinator, Public Works Department; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk; Michelle Alfaro, Administrative Clerk II
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** - No one spoke.
- IV. APPROVAL OF MINUTES**
- A. March 1, 2007  
Mataka/Gammon, 4-0, **APPROVED**  
Commissioners Assali, Souza, Hardie, and Layman abstained.
- V. CORRESPONDENCE** - None
- VI. CONFLICT OF INTEREST**
- A. Commissioner Shores has a casual acquaintance with Dennis Wilson, but this will not cause a conflict.
- B. Commissioner Poore is also familiar with Dennis Wilson, but this will not cause a conflict.
- C. Commissioner Layman has a conflict with Item VII-F, Golden State Commercial Center, and will be stepping down during this hearing.
- D. Commissioner Souza is familiar with Mr. Powell and Mr. Buchanan, Item VII-F, Golden State Commercial Center, but this will not cause a conflict.

**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. GENERAL PLAN AMENDMENT APPLICATION NO. 2005-13, REZONE APPLICATION NO. 2005-17 - THE PIAZZA @ VELLA-FERRINI - *Requesting an indefinite continuance.*** Request to change the General Plan designation of a 1.35 acre parcel and a 5.95 acre portion of another 24 acre parcel from Agriculture (AG) to Planned Development (PD) and to change the zoning from General Agriculture (A-2-40) to Planned Development (PD) for the purpose of developing a four phase commercial establishment consisting of a Produce Market, Bakery, Deli, Mezzanine, Plaza, Gift Shop, Restaurant, Banquet facility, and on-site parking, on the northeast corner of Dale Road and State Highway 219 (Kiernan Avenue), Salida area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.  
APN: 003-009-044 and 003-009-045  
Staff Report: Bill Carlson Recommends **CONTINUING INDEFINITELY.**  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Souza/Hardie, Unanimous (8-0), **CONTINUED INDEFINITELY.**
- \*B. PARCEL MAP APPLICATION NO. 2006-30 - HAWKINS FAMILY TRUST - *Requesting continuance to April 5, 2007.*** Request to divide two parcels totaling 366.47 acres into three parcels of 122.3, 122.6, and 127.5 acres in an A-2-40 (General Agriculture) zoning district on Williamson Act property (Contract No. 71-0071 & 94-4258). Located at 1601 Hawkins Road, south of Lake Road, in the Waterford / Hickman area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.  
APN: 020-001-008 and 020-003-024  
Staff Report: Joshua Mann Recommends **CONTINUING TO APRIL 5, 2007.**  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Souza/Hardie, Unanimous (8-0), **CONTINUED TO APRIL 5, 2007.**
- \*C. VESTING PARCEL MAP APPLICATION NO. 2006-53 - MARY T. MORRIS RANCH**  
- Request to divide a 268± acre parcel into three parcels of 68.41, 69.09, and 130.18 acres in an A-2-40 (General Agriculture) zoning district on Williamson Act property (Contract No. 73-1208). Located at 1538 Orchard Road, at the southwest

corner of Orchard and River Roads, in the Vernalis area. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 016-008-041

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

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Souza/Hardie, Unanimous (8-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

**\*D. USE PERMIT APPLICATION NO. 2006-34 - DANIEL FARMS ALMOND HULLER -**

Request to establish an almond huller with two 40-foot high bag houses and two conveyers on a 315.20 acre parcel in the A-2-40 (General Agriculture) zoning district, under Williamson Act Contract No. 70-0027. The project location is 10800 E. Monte Vista Avenue in the Denair area. Parcel Map Application No. 2005-01 was approved in March of 2006 to create seven parcels ranging in size from 40.1 to 48.6 acres. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 024-005-011

Staff Report: Javier Camarena Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Souza/Hardie, Unanimous (8-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

**NON-CONSENT ITEMS**

**E. REZONE APPLICATION NO. 2004-11 AND PARCEL MAP APPLICATION NO.**

**2004-30 - VALLEY LEXUS** - Request to rezone 9.07 acres from A-2-10 (General Agriculture) to PD (Planned Development) to allow a new automobile dealership, and as yet unspecified commercial uses at the rear of the property. Site is located at 4701 McHenry Avenue (State Route 108), south of Kiernan Avenue (State Route 219), Modesto. The property is to be split into four parcels sized from 0.18 to 4.67 acres with the auto dealership occupying the largest parcel. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 046-011-014

Staff Report: Bob Kachel Recommends **APPROVAL TO THE BOARD OF SUPERVISORS**.

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** Dennis Wilson, Horizon Consulting

Public hearing closed.

Assali/Hardie, Unanimous (8-0), **RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND TO DELETE THE WORDS “AND LOCATED” FROM CONDITION OF APPROVAL NO. 52.**

7:00 p.m. Commissioner Layman left the Chambers.

- F. **REZONE APPLICATION NO. 2006-07 - GOLDEN STATE COMMERCIAL CENTER** - This is a request to rezone a 2.55 acre site from A-2-10 (General Agriculture) to a Planned Development to allow for a variety of commercial type businesses. The site will be served by a well and septic system. There are five proposed buildings, a landscape plan which provides adequate screening and landscaping, and two large signs. The project is located east of the Highway 99 on-ramp and west of N. Golden State Boulevard, in the Turlock area. The Planning Commission will consider a CEQA Negative Declaration on this project.  
APN: 045-062-014  
Staff Report: Carole Maben Recommends **APPROVAL TO THE BOARD OF SUPERVISORS.**  
**Report presented by Angela Freitas.**  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** Jerry Powers, Turlock.  
Public hearing closed.  
Souza/Mataka, Unanimous (7-0), **RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND TO ADD THE FOLLOWING SENTENCE TO CONDITION OF APPROVAL NO. 4:**

**Maximum height of any sign shall not exceed 35 feet.**

7:15 p.m. Commissioner Layman returned to Chambers.

- G. **PARCEL MAP APPLICATION NO. 2006-47 AND VARIANCE APPLICATION NO. 2006-04 - GREWAL PARCEL MAP** - This is a request to create a 41.5± acre parcel and a 22± acre parcel from a 63.5± acre parcel in the A-2-40 (General Agriculture) zoning district. A Variance has been requested since the 22± acre parcel is less than the required 40-acre minimum zoning requirement for the proposed project. The property is located on the north and south sides of Spencer Road, east of McCracken Road and west of Highway 33, south of Vernalis. The Planning Commission will consider a CEQA Negative Declaration on this project.  
APN: 016-006-011 and a portion of 016-008-001  
Staff Report: Carole Maben Recommends **DENIAL.**  
**Report presented by Angela Freitas.**  
Public hearing opened.  
**IN FAVOR OF PROJECT:** Dennis Wilson, Horizon Consulting.

**IN OPPOSITION OF PROJECT:** No one spoke.

Public hearing closed.

Assali/Gammon, Unanimous (8-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND DENIED THE PROJECT.**

**VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) - None**

**IX. REPORT OF THE DIRECTOR**

**BOARD OF SUPERVISORS' ACTIONS OF MARCH 6, 2007**

- A. The Board approved the formation of an ad hoc committee of the Board of Supervisors to oversee negotiations regarding a process for the development of the Crows Landing Naval Air Facility project and appointed Supervisors DeMartini and Monteith to the ad hoc committee.
- B. The Board approved an agreement between Stanislaus County and StanTec Consulting, Inc. to provide design consulting services for the Empire Infrastructure Improvement Project. This is a project to install storm drainage systems within the community of Empire.

**BOARD OF SUPERVISORS' ACTIONS OF MARCH 13, 2007**

- A. The Board did not meet this date.

**MISCELLANEOUS & ON THE HORIZON**

700 forms are due. Commissioners will need to complete them and return to Eva Rosa, Planning Commission Clerk.

**April 5, 2007**

- 1. One Use Permit
- 2. One GPA (the Ag Element Update)
- 3. Two Parcel Maps, one with a Variance, and Exception

**April 19, 2007**

- 1. One Use Permit
- 2. One Variance with a Lot Line Adjustment
- 3. One Parcel Map
- 4. An Appeal of a Staff's Denial of a Staff Approval Application and a Lot Line Adjustment

Director Freitas informed the Commissioners of the upcoming retirement of Bob Kachel; the retirement of Jim Duval, Deputy Director of Planning; that Sara Lytle-Pinhey is now part of LAFCO; the return of Rachel Wyse from maternity leave; and introduced Michelle Alfaro as our new employee.

**X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN**

- A. Chair Poore asked Commissioner Assali to give a report on the California County Planning Commissioners Association's spring conference held in Stockton on March 10<sup>th</sup>.

**XI. ADJOURNMENT**

The meeting was adjourned at 8:15 p.m.

  
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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.)