

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

May 17, 2007

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Jim Poore, Marie Assali, Annabel Gammon, Robert Hardie, Arsenio Mataka, Michael Navarro, and John Shores
- Absent: Allen Layman and Ray Souza
- Staff Present: Kirk Ford, Assistant Director; Bill Carlson, Senior Planner; Dana McGarry, Senior Planner; Rachel Wyse, 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
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM**
- A. No one spoke.
- IV. APPROVAL OF MINUTES**
- A. April 19, 2007  
Assali/Navarro, 6-0, **APPROVED**  
Commissioner Gammon abstained.
- B. May 3, 2007 - **UNABLE TO APPROVE DUE TO LACK OF QUORUM.**  
Commissioners Assali, Poore, Hardie, and Navarro abstained.
- V. CORRESPONDENCE**  
Assistant Director Kirk Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Notice that Airport Land Use Commission meeting of May 17, 2007, has been cancelled due to lack of agenda items.
- B. Letter received May 11, 2007 from Mid-Valley Engineering regarding Variance Statement of Findings for Item VII-D - Variance Application No. 2006-03 and Lot Line Adjustment Application No. 2006-47 - Hardister.

**VI. CONFLICT OF INTEREST**

- A. Commissioner Assali knows Mr. Hendley, Items VII-A and VII-B, 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. PARCEL MAP APPLICATION NO. 2006-43 - W. DAVID HENDLEY - WASHINGTON ROAD** - This is a request to divide an existing 91.88 acre parcel into two parcels (41.92 and 49.96 acres), in the A-2-40 (General Agriculture) zoning district. The site is currently enrolled under Williamson Act Contract No. 2003-4528 and will remain in the Williamson Act. The property is located on the west side of Washington Road, between Roeding Road and Whitmore Avenue, east of Ceres. The Planning Commission will consider a Negative Declaration for this project.  
APN: 018-044-032  
Staff Report: Bill Carlson Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Mataka/Assali, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- \*B. PARCEL MAP APPLICATION NO. 2006-46 - W. DAVID HENDLEY - CLINTON ROAD** - This is a request to divide an existing 86.1 acre parcel into two parcels (43.03 and 43.07 acres), in the A-2-40 (General Agriculture) zoning district. The site is currently enrolled under Williamson Act Contract No. 2004-4565 and will remain in the Williamson Act. The property is located between Clinton and Baldwin Roads, with frontage on the north side of Whitmore Avenue, west of Hughson. The Planning Commission will consider a Negative Declaration for this project.  
APNs: 018-015-038 and 018-016-040  
Staff Report: Bill Carlson Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Mataka/Assali, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

**NON-CONSENT ITEMS**

- C. APPEAL OF MOBILE HOME APPLICATION NO. 2007-12 - STERLING** - Appeal of denial of a request to allow a temporary mobile home on a 20-acre parcel to provide housing for the care of Leroy Sterling. The project site is located at 2930 Downie Road, in the Denair area.  
APN: 019-015-023  
Staff Report: Rachel Wyse Recommends **DENIAL**.  
Public hearing opened.  
**IN FAVOR OF APPEAL:** Florine Sterling, 2930 Downie Road, Denair; Tim Eiland, CRR Enterprises.  
**IN FAVOR OF DENIAL:** No one spoke.  
Public hearing closed.  
Navarro/Hardie, 5-2 (Mataka and Gammon), **DENIED THE APPEAL AND SUPPORTED THE STAFF'S RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- D. VARIANCE APPLICATION NO. 2006-03 AND LOT LINE ADJUSTMENT APPLICATION NO. 2006-47 - HARDISTER** - This is a request to adjust parcel lines of three parcels (0.05, 2.7 and 608.75 acres) to form three parcels ranging in size from 5.4, 5.9 and 601 acres. Two proposed parcels (5.4 and 5.9 acres) are spilt-zoned between A-2-5 and A-2-40 (General Agriculture) zoning districts. The variance is needed to allow the 5.4 and 5.9 acre parcels to be below the minimum lot size of 40 acres. The property is located on the northeast corner of Rodden and Orange Blossom Roads, east of Oakdale. This project is exempt from CEQA.  
APN: 010-047-030, 002-023-010, 002-023-011, 010-049-001, and 010-027-008  
Staff Report: Bill Carlson Recommends **DENIAL**.

7:20 p.m. Recessed  
7:25 p.m. Reconvened

Public hearing opened.  
**IN FAVOR OF PROJECT:** David Mensonides, 710 Castle Street, Modesto; Ben Hardister, 7104 Del Rio Drive, Modesto; Virgil Thompson, 12311 Horseshoe Road, Oakdale.  
**AGAINST PROJECT:** No one spoke.  
Public hearing closed.  
Assali/Gammon, 6-1 (Navarro), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND DENIED THE PROJECT.**

**VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)**

- A. None.

**IX. REPORT OF THE ASSISTANT DIRECTOR**

**BOARD OF SUPERVISORS' ACTIONS OF MAY 8, 2007**

- A. While the Board met this date, there were no items that effected the planning function.

**BOARD OF SUPERVISORS' ACTIONS OF MAY 15, 2007**

- A. The Board set a public hearing for June 5, 2007 at 9:15 a.m. to consider an appeal of the Planning Commission's denial of the Appeal of Staff Approval Application No. 2007-09 & Lot Line Adjustment Application No. 2006-45, Cilion, Inc.
- B. The Board approved a resolution initiating an expansion of the Stanislaus Enterprise Zone by approximately 120 acres to include Bronco Winery.
- C. The Board, setting as the Redevelopment Agency, approved the expenditure of \$60,000 of Redevelopment Housing Set-Aside Funds for the purchase of a single-family lot in the Airport Neighborhood, which we will then partner with Habitat for Humanity for the construction of a home.
- D. The Agency approved the 2007-2008 Fiscal Year Budget for the Redevelopment Agency.

**MISCELLANEOUS & ON THE HORIZON**

June 7, 2007

- 1. Two Use Permits
- 2. A Time Extension Request

June 21, 2007

- 1. A Variance
- 2. An appeal of a Condition of Approval for a Parcel Map
- 3. A Use Permit
- 4. A Parcel Map


Assistant Director queried the Planning Commissioners, and it was decided that due to a lack of quorum, the meeting of July 5, 2007 would be cancelled.

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

- A. Commissioner Assali requested information on Valley Advocates, the non-profit public benefit corporation Mr. Harriman is representing in the appeal of the Cilion, Inc. Ethanol Facility/A.L. Gilbert Company, Inc. project. Research will be done, and be presented to the Planning Commission at a later date.

**XI. ADJOURNMENT**

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

  
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Kirk Ford, Assistant Director

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