

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

February 2, 2006

I. **ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Chair Ray Souza, Marie Assali, Tony Cusenza, Rob Hardie, Allen Layman, Arsenio Mataka, Mike Navarro, and Jim Poore

Absent: Annabel Gammon

Staff Present: Ron E. Freitas, Director; Kirk Ford, Deputy Director; Bob Kachel, Senior Planner; Debra Whitmore, Senior Planner; Angela Freitas, Senior Planner; Bill Carlson, Senior Planner; Sara Lytle-Pinhey, 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; Eva Rosa, Planning Commission Clerk, Crystal Rein, Administrative Clerk III.

II. PLEDGE OF ALLEGIANCE

Chair Souza welcomed new commissioner, Rob Hardie.

III. CITIZEN'S FORUM

A. No one spoke.

IV. APPROVAL OF MINUTES

A. January 19, 2006
Poore/Layman, 7-0, **APPROVED**
Commissioner Hardie abstained.

V. CORRESPONDENCE

Director Freitas informed the Commissioners on various correspondence placed before them this evening:

A. Memo dated January 31, 2006 from Department of Public Works regarding Item VII-D, Tentative Parcel Map Application No. 2005-31 - Marty De La Motte.

B. Memo dated January 31, 2006 from Department of Public Works regarding Item VII-F, Tentative Parcel Map Application No. 2005-28 - Lloyd Walton.

VI. CONFLICT OF INTEREST

- A. Commissioner Jim Poore is acquainted with the Galas Family, Item VII-B - Time Extension No. 2005-05 for Parcel Map No. 2003-01 - Tim Galas, but this will not cause a conflict.

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. PARCEL MAP APPLICATION NO. 2005-21 - SHEREE VEGAS - Continued from January 19, 2006.** Request to create a 60-acre and a 40-acre parcel from a 100-acre site in the A-2-40 (General Agriculture) zoning district. The property is located at 4236 Crow Road, south of Claribel Road and west of Ellenwood Road, in the Oakdale area. A Negative Declaration will be considered.
APN: 015-001-009
Staff Report: Carole Maben Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- *B. TIME EXTENSION NO. 2005-05 FOR PARCEL MAP NO. 2003-01 - TIM GALAS - Requesting Continuance to March 2, 2006.** Request for a one year time extension for Parcel Map 2003-01 - Tim Galas, which was approved by the Planning Commission on December 4, 2003. This was a request to create nine 40+ acre parcels in the A-2-40 (General Agriculture) zoning district located at 10031 Frankenheimer Road in the Oakdale area. This project is exempt from CEQA.
APN: 002-021-032 and 002-021-052
Staff Report: Bob Kachel Recommends **CONTINUANCE TO MARCH 2, 2006**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Cusenza, Unanimous (8-0) **CONTINUED TO MARCH 2, 2006.**

- *C. USE PERMIT APPLICATION NO. 2005-30 - McPHEE WHOLESALE NURSERY AND LANDSCAPING CONTRACTOR BUSINESS** - Request to operate a wholesale nursery and landscape contracting business on a 12.63 acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located on the north side of Highway 108/120, west of Kennedy Road, in the Knights Ferry area. The Planning Commission will consider a Negative Declaration for this item.
APN: 002-046-009
Staff Report: Angela Freitas Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- *D. PARCEL MAP APPLICATION NO. 2005-31 - MARTY DE LA MOTTE** - Request to create four parcels (11,111 square feet, 8,883 square feet, 8,836 square feet, and 8,788 square feet) from a 0.86 acre parcel in the R-A (Rural Residential) zoning district. Water and sewer will be provided by the Denair Community Services District. The property is located on the east side of Derr Road in Denair. This project is exempt from CEQA
APN: 024-050-025
Staff Report: Bob Kachel Recommends **APPROVAL ALONG WITH AMENDED CONDITION OF APPROVAL NO. 4**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, ALONG WITH AMENDED CONDITION OF APPROVAL NO. 4 TO READ:**
- 4. Prior to the parcel map being recorded, the owner/subdivider shall enter into a "Subdivision Improvement Agreement" with Stanislaus County and post the required financial guarantees and certificates of insurance for the required road improvements, unless the improvements have already been installed and accepted for maintenance by the Stanislaus County Board of Supervisors.**
- *E. USE PERMIT APPLICATION NO. 2005-34 - DENAIR COMMUNITY SERVICES DISTRICT CORPORATION YARD BUILDING** - Request to construct a 4,000 square foot metal building to be used for vehicle and equipment storage and a small office, and build five 10' x 10' masonry bins for materials storage at the southeast corner of a 2.3 acre parcel, located in the R-A (Rural Residential) zoning district. Parcel already contains the Denair Community Services District main building and

the Denair Library. It is designated Low Density Residential (LDR) on the General Plan and Commercial in the Denair Community Plan. The property is located at 3850 N. Gratton Road, Denair. This project is exempt from CEQA.

APN: 024-024-018

Staff Report: Bob Kachel Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- *F **PARCEL MAP APPLICATION NO. 2005-28 - LLOYD WALTON** - Request to create two parcels of 13,870 and 25,548 square feet in the R-A (Rural Residential) zoning district. The property is located at 3540 Story Road, in the Denair area. This project is exempt from CEQA.

APN: 024-053-042

Staff Report: Bill Carlson Recommends **APPROVAL ALONG WITH AMENDED CONDITION OF APPROVAL NO. 7.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, ALONG WITH AMENDED CONDITION OF APPROVAL NO. 7 TO READ:**

7. **Prior to the parcel map being recorded, the owner/subdivider shall enter into a "Subdivision Improvement Agreement" with Stanislaus County and post the required financial guarantees and certificates of insurance for the required road improvements, unless the improvements have already been installed and accepted for maintenance by the Stanislaus County Board of Supervisors.**

NON-CONSENT ITEMS

- G. **APPEAL OF STAFF'S DETERMINATION - 6137 McCRACKEN ROAD, WESTLEY**
Request to appeal staff's determination regarding the legal status of a structure located on a one-acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located at 6137 McCracken Road, in the Westley area. This project is exempt from CEQA.

APN: 016-036-024

Staff Report: Sara Lytle-Pinhey Recommends **DENIAL OF APPEAL**.

Public hearing opened.

OPPOSITION OF DENIAL: Don Cose, 17 East 16th Street, Tracy; Dale Cose, 17 E. 16th Street, Tracy. Exhibits 1 thru 6 were presented to the Commission.

FAVOR OF DENIAL: No one spoke.

Public hearing closed.

Public hearing opened.

OPPOSITION OF DENIAL: Dale Cose

Public hearing closed.

Layman/Poore, Unanimous (8-0) **DENIED THE APPEAL.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

A. APPOINTMENTS TO THE GENERAL PLAN UPDATE COMMITTEE

Commissioners Assali and Cusenza were appointed to the General Plan Update Committee, along with Commissioner Navarro as the alternate.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF JANUARY 24, 2006

- A. The Board appointed Robert Hardie to the Planning Commission.
- B. The Board upheld the approval of Vesting Tentative Subdivision Map No. 2005-03, Suncrest II.

BOARD OF SUPERVISORS' ACTIONS OF JANUARY 31, 2006

- A. The Board approved a rescission of some Williamson Act Contracts and entered into new contracts to effectuate lot line adjustment.
- B. The Board continued approval of a finding that the City of Hughson's proposed Sphere of Influence expansion is logical and orderly.

MISCELLANEOUS & ON THE HORIZON

- A. Reminder that this Saturday, February 4th, is the 29th Annual Stanislaus County Planning Directors' Annual Planning Commissioners Workshop to be held in Newman. Registration begins at 8:30. It will be held at the West Side Theater located in downtown Newman at 1331 Main Street.

February 16, 2006 - MEETING TO BE HELD IN KNIGHT'S FERRY

- 1. Historical Site Permit Application in Knight's Ferry

March 2, 2006

- 1. Two General Plan Amendments, one with a Rezone, Parcel Map and an Exception
- 2. Two Ordinance Amendments
- 3. Four Parcel Maps
- 4. One Time Extension
- 5. Diablo Grande Hotel Site Review

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

A. None.

XI. ADJOURNMENT

The meeting was adjourned at 7:20 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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