

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

May 2, 2024

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.

Present: Dale Boucher, Neill Callis, Thomas Maring, Carmen Morad, Wayne Pacheco, Jose Sabala, Lars Willerup, and Wayne Zipser

*6:02 p.m. Commissioner Sabala entered the Chambers and took his seat at the dais following approval of the minutes.*

Absent: Becky Campo

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristy Doud, Deputy Director; Kristen Anaya, Associate Planner; Emily DeAnda, Associate Planner; Elijah Chambers, Assistant Planner, Marcus Ruddicks, Assistant Planner, and Angelica Duenas, Planning Commission Clerk. The following Stanislaus County staff were also present: Rob Taro, Assistant County Counsel; Isael Ojeda, Assistant Engineer/Surveyor, Department of Public Works; and Alondra Estrada, Environmental Health Specialist III, Department of Environmental Resources.

2. **PLEDGE OF ALLEGIANCE**

3. **CITIZEN'S FORUM** – No one spoke.

4. **MINUTES**

- A. April 18, 2024  
Callis/Boucher (7/0) **ACCEPTED THE MINUTES WITH THE FOLLOWING AMENDMENT:**

Meeting called to order and chaired by Commissioner ~~Zipser~~ **Willerup**.

5. **CORRESPONDENCE**

- A. Campaign Disclosure (Levine Act) forms, received April 26, 2024, from Manny Sousa, regarding Non-Consent Item 7.B. – Use Permit Application No. PLN2021-0104 – Kooistra Dairy.
- B. Memo, dated May 2, 2024, from the Stanislaus County Planning and Community Development Department, regarding Non-Consent item 7.D. – Use Permit Application Number PLN2023-0123 – Great Valley Academy.

**6. CONFLICT OF INTEREST**

- A. Commissioner Sabala – Non-Consent item 7.D. – Use Permit Application No. PLN2023-0123 – Great Valley Academy.

*Commissioner Sabala declared the conflict of interest during the public hearing for the item as noted below in the minutes.*

**7. PUBLIC HEARINGS (\* - Consent Items)**

Commissioner Pacheco informed the public of the consent item and procedures.

**\* CONSENT ITEMS**

- \*A. **PARCEL MAP APPLICATION NO. PLN2023-0114 – ROCHA** – Request to subdivide a 180± acre parcel into two parcels, 45± acres each in size, and a 90± acre remainder in the General Agriculture (A-2-40) zoning district. The project site is located at 1401 and 1403 Lundy Road, between McClintock and Villa Manucha Roads, in the Newman area. The Planning Commission will consider finding that no further analysis is required pursuant to California Environmental Quality Act Guidelines Section 15183 (Consistency with a General Plan or Zoning Ordinance for which an EIR was prepared) and that the project is CEQA Exempt under CEQA Guidelines Section 15061 (Common Sense Exemption). APN: 049-033-001. Staff Report: Kristen Anaya, Associate Planner, Recommends **APPROVAL**. Maring/Sabala (8/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

**NON-CONSENT ITEMS**

- B. **USE PERMIT APPLICATION NO. PLN2021-0104 – KOOISTRA DAIRY** – Request to expand an existing dairy facility located on a 19.11± acre parcel, in the General Agriculture (A-2-40) zoning district, to allow the herd size to increase from 436 mature cows to 1,000, and to allow construction of a 14,352± square-foot new free stall barn. The property is located at 5831 and 5837 Hultberg Road, between Ehrlich and Bradbury Roads, in the Turlock area. The Planning Commission will consider adoption of a California Environmental Quality Act Mitigated Negative Declaration for the project. APN: 057-017-005. Staff Report: Emily DeAnda, Associate Planner Recommends **APPROVAL**. Public hearing opened. **OPPOSITION:** None. **FAVOR:** Manny Sousa, Applicant Representative. Public hearing closed. Callis/Zipser (8/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**  
Roll Call Vote: Ayes – Boucher, Callis, Maring, Morad, Pacheco, Sabala, Willerup, and Zipser  
Noes – None  
Abstaining – None  
Absent – Campo

- C. **USE PERMIT APPLICATION NO. PLN2023-0060 – AEMETIS BIOGAS, LLC – FAITH HOME ROAD** – Request to operate a temporary facility to oversee construction of off-site dairy digesters and a related biogas pipeline network, consisting of 4,320± square-foot office trailer, an 800± square-foot employee breakroom, and a 2-acre outdoor construction materials storage yard, on an 8.28± acre parcel in the General Agriculture (A-2-40) zoning district. The property is located at 6042 Faith Home Road, between East Keyes and East Barnhart Roads, in the Keyes area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 045-045-026.  
Staff Report: Kristen Anaya, Associate Planner Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** None.  
Public hearing closed.  
Zipser/Boucher (8/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**  
Roll Call Vote: Ayes – Boucher, Callis, Maring, Morad, Pacheco, Sabala, Willerup, and Zipser  
Noes – None  
Abstaining – None  
Absent – Campo
- D. **USE PERMIT APPLICATION NO. PLN2023-0123 – GREAT VALLEY ACADEMY** – Request to expand an existing charter school with the addition of a grass athletic field, paved parking lot with 332 parking spaces, and construction of four new classrooms to allow up to 100 additional students (for a new max of 950 students) on a 23.33 acre parcel located in the Salida Community Plan Low-Density Residential zoning district (SCP–R-1). The property is located at 5901 and 6019 Sisk Road, between Pirrone Road and the MID Main Canal, in the community of Salida. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 136-032-037.  
Staff Report: Kristy Doud, Deputy Director, Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Paul Van Konynenburg.  
**FAVOR:** Dave Romano, Applicant Representative; and Tom Anderson, Superintendent, Great Valley Academy.

*7:11 p.m. Recessed called by Chair Pacheco.*

*7:16 p.m. Meeting called to order by Chair Pacheco and the public hearing resumed for Non-Consent item 7.D. – Use Permit Application No. PLN2023-0123 – Great Valley Academy.*

*7:16 p.m. Commissioner Sabala declared a potential conflict with Non-Consent item 7.D. – Use Permit Application No. PLN2023-0123 – Great Valley Academy and left the Chambers.*

**FAVOR (Continued):** Jeremy Coe, President, Great Valley Academy School Board.

Public hearing closed.

Willerup/Morad (7/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE MAY 2, 2024 PLANNING COMMISSION STAFF REPORT, WITH MODIFICATIONS TO CONDITIONS OF APPROVAL (COA) NOS. 12, 21, 25, 27, 28, 29, 34 AS OUTLINED IN THE MAY 2, 2024 PLANNING COMMISSION MEMO AND WITH THE ADDITIONAL AMENDMENT TO COA NO. 25, AS PRESENTED BY STAFF AT THE PUBLIC HEARING, TO READ AS FOLLOWS:**

12. A grading permit for the **new** parking lot shall be applied for within three (3) months of project approval and finalized within 12 months of project approval. The parking lot shall be paved and striped and shall have dedicated drop-off and pick-up areas. The parking lot shall also provide for a 59-foot setback from the centerline of Sisk Road and the setback area shall be landscaped. **The parking lot shall be developed as presented in Exhibit B-7 of the May 2, 2024 staff report with only two driveways and no access to the project site north of the end of County-maintained Sisk Road (located approximately 552 feet south of the project site's northern property line). A Circulation Plan shall be prepared for review and approval by the Department of Public Works prior to any modification to the parking lot layout, including driveways and/or access points.**

**The Circulation Plan shall take into account, if applicable, the 30-foot access easement which runs along the length of the northern property line and then extends along the eastern property line to the end of County-maintained Sisk Road. Use of the paved loop drive, which connects from the end of County-maintained Sisk Road to the northeast corner of the proposed parking lot, shall not be permitted without approval of a Circulation Plan. Prior to use of this loop for access to the new parking lot the following shall be met: input from all property owners utilizing the existing 30-foot wide access easement shall be obtained; a Circulation Plan shall be provided to the Department of Public Works for review and approval; and a grading permit shall be obtained.**

21. All driveway locations and widths shall be approved by the Department of Public Works. The existing south driveway shall be modified to improve sight distance for drivers exiting the site, and to improve pedestrian safety at the **Modesto Christian** driveway, **located just north of the Sun Ridge West subdivision/Sisk Road intersection.**
25. Prior to issuance of a building or grading permit, a complete set of improvement plans **for the parking lot improvements**, that are consistent with the Salida PD Guidelines and the Stanislaus County Standards and Specifications, shall be submitted and approved by Stanislaus County Public Works. The improvement plans shall include, but not be limited to streetlights, curb, gutter, and sidewalk, positive storm drainage (storage, percolation, and treatment), pavement, pavement markings, road signs, and accessible ramps from a point approximately 630 feet north of Sun

West Drive to the north end of the project site, an approximate total length of 1,460 feet. **Prior to final of any building or grading permit, the parking lot improvements shall be completed and the street improvement plans shall be submitted and approved; street improvements shall be completed within three months of final of the grading permit for the parking lot improvements.**

27. Sisk Road is identified as an 88-foot collector in the Salida Community Plan. The required half width dedication ~~is of~~ 44 feet ~~west~~east of the centerline of the roadway **along the entire frontage of the project site shall be dedicated as an Irrevocable Offer of Dedication prior to project development.** ~~The existing right-of-way is 44 feet for beginning at the south property line extending north approximately 805 feet. The remaining property frontage (approximately 552 feet north of said point) shall be dedicated as an Irrevocable Offer of Dedication 44 feet west of the centerline of the roadway.~~
28. An Engineer's Estimate shall be provided for the improvements **outlined in Conditions of Approval Nos. 25 and 26** so the amount of the bond/financial security can be determined. The Engineer's Estimate shall be stamped and signed by a licensed Civil Engineer.
29. The developer shall then provide a financial guarantee in the form of a deposit for the proposed improvements as outlined in ~~Public Works~~ **Conditions of Approval Nos. 25 and 26.**
34. A six-foot-tall masonry wall/**fencing, as specified by MID, located outside of the 30-foot access easement running along the MID Lower Main Canal,** shall be installed along the south side of ~~the MID's Lower Main Canal.~~ No access shall be allowed from within MID's right-of-way. Plans shall be approved by MID prior to issuance of **any** building or grading permit and the wall shall be installed prior to final of **any** building or grading permit.

Roll Call Vote:       Ayes – Boucher, Callis, Maring, Morad, Pacheco,  
                                  Willerup, and Zipser  
                                  Noes – None  
                                  Abstaining – Sabala  
                                  Absent – Campo

*7:26 p.m. Commissioner Sabala returned to the Chambers.*

8.     **OTHER MATTERS (NOT PUBLIC HEARINGS)** – None.
9.     **REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

April 30, 2024: Set a public hearing on May 14, 2024 to consider the Planning Commission's recommendation of approval for Development Agreement Application No. PLN2023-0161 – Irish City Farms.

Public hearings to introduce and waive the first reading of ordinances to amend existing fees for planning and building permit services.

**MISCELLANEOUS AND ON THE HORIZON**

Planning Commission

May 16, 2024: No items currently scheduled.

June 6, 2024: One new development agreement in the Patterson area.

June 20, 2024: One general plan amendment and rezone in the Vernalis area and one rezone in the Denair area.

Director Freitas introduced Elijah Chambers and Marcus Ruddicks, new planners to Planning Department, to the Planning Commission.

**10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR**

**11. ADJOURNMENT**

The meeting was adjourned at 7:27 p.m.

Signature on file.  
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Angela Freitas, Secretary

(The above is a summary of the minutes of the Planning Commission. Complete audio recordings and videos of the meeting are available from the Planning Department or on our website: <http://www.stancounty.com/planning/agenda/index.shtm>.)

AF/ad