

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

June 20, 2024

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

Present: Neill Callis, Becky Campo, Thomas Maring, Carmen Morad, Wayne Pacheco, and Lars Willerup

Absent: Jose Sabala and Wayne Zipser

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristy Doud, Deputy Director; Jeremy Ballard, Senior Planner; Teresa McDonald, Associate Planner; and Angelica Duenas, Planning Commission Clerk. The following Stanislaus County staff were also present: Jesus Mendoza, Deputy County Counsel; Andrew Malizia, Deputy Director, Department of Public Works; 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. June 6, 2024
Willerup/Callis (6/0) **ACCEPTED**

5. **CORRESPONDENCE**

- A. Letter, dated June 19, 2024, from Jeff Barnes, regarding Non-Consent Item 7.C. – Rezone Application No. PLN2023-0065 – Caloy Company, LP.
- B. Memo, dated June 20, 2024, from the Stanislaus County Planning and Community Development Department, regarding Non-Consent Item 7.C. – Rezone Application No. PLN2023-0065 – Caloy Company, LP.

6. **CONFLICT OF INTEREST** – None.

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

* CONSENT ITEMS - None.

NON-CONSENT ITEMS

- A. APPEAL OF A STAFF DETERMINATION RELATING TO BUILDING PERMIT APPLICATION NO. BLD2023-2145 – KEYES TRUCK CENTER– Requesting a continuance to July 18, 2024.** Consideration of an appeal of a Planning staff determination relating to a building permit application to construct a 10-foot-tall electric perimeter fence at the site of the Keyes Truck Center facility, in the Planned Development (P-D) (332) zoning district. The project site is located at 4845 North Golden State Boulevard, south of Nunes Road, east of Highway 99, in the Community of Keyes. This request is considered Exempt from the California Environmental Quality Act. APNs: 045-074-001, 045-074-002, and 045-074-003. Staff Report: Kristen Anaya, Associate Planner Recommends **APPROVAL**. Morad/Campo (6/0) **APPROVED THE CONTINUANCE TO JULY 18, 2024, AS RECOMMENDED IN THE STAFF MEMO.**
- B. GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2020-0123 – 132 INVESTMENTS** – Request to amend the General Plan of a 15.66 acre parcel from Agriculture to Planned Development and zoning designation from Planned Development (P-D) (23) to a new Planned Development, to allow for the development of a fueling station, convenience market, and two shell suites for future retail uses. The property is located at 15101 Maze Boulevard (State Route 132), between McCracken Road and the County border, in the Vernalis area. The Planning Commission will consider adoption of a California Environmental Quality Act Mitigated Negative Declaration for this project. APN: 016-001-001. Staff Report: Jeremy Ballard, Senior Recommends **APPROVAL**. Public hearing opened.
OPPOSITION: None.
FAVOR: Amin Vohra, Representative; and Abdo Almolaiki, Applicant. Public hearing closed.
Willerup/Campo (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**
Roll Call Vote: Ayes – Callis, Campo, Maring, Morad, Pacheco, and Willerup
 Noes – None
 Abstaining – None
 Absent – Sabala and Zipser
- C. REZONE APPLICATION NO. PLN2023-0065 – CALOY COMPANY, LP** – Request to rezone 14.64± acres from Planned Development (P-D) (312) and General Agriculture (A-2-40) to a new P-D, to allow for the expansion of an existing nut oil and cattle feed processing facility. The property is located at 5425 Montpelier Road, between E Keyes Road and E Monte Vista Avenue, in the Denair area. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 019-041-027 and a portion of 019-024-050. Staff Report: Teresa McDonald, Associate Planner, Recommends **APPROVAL**. Public hearing opened.
OPPOSITION: Mike McCauley, Loren Haile, Pamela Haile, Casandra and Travis Olson, and Blake Santos.

FAVOR: Dave Romano, Applicant Representative.

7:27 p.m. Recess called by Chair Pacheco.

7:35 p.m. Meeting called to order by Chair Pacheco and the public hearing resumed for Non-Consent item 7.C. – Rezone Application No. PLN2023-0065 – Caloy Company, LP.

FAVOR (Continued): Dave Romano, Applicant Representative, and Wayne McCalley.

Public hearing closed.

Willerup/Maring (3/3) **MOTION TO DELETE DEVELOPMENT STANDARD NO. 29.**

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

Motion failed due to a lack of majority.

Maring/Willerup (3/3) **MOTION TO RECOMMEND APPROVAL OF THE PROJECT TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE PLANNING COMMISSION STAFF REPORT.**

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

Motion failed due to a lack of majority.

8:00 p.m. Recess called by Chair Pacheco at the request of Director Freitas.

8:05 p.m. Meeting called to order by Chair Pacheco.

Direct Freitas confirmed that, in accordance with Stanislaus County Planning Commission Rules and Regulations, in the case of a tie vote and where less than a majority vote is cast on a motion, the motion fails, and a new motion is in order. As an alternative action was not possible, the request will be presented to the Board of Supervisors as a recommendation to deny.

- D. DEVELOPMENT AGREEMENT APPLICATION NO. PLN2024-0052 – CENTRAL VALLEY GROWERS, LLC.** – Request to adopt a new Development Agreement (DA) for Use Permit No. PLN2018-0114, a previously permitted commercial cannabis operation. The project site is located at 3501 Howard Road, between California Interstate 5 and California Highway 33, in the Westley area. The Planning Commission will consider finding that the request is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines 15061 (Common Sense Exemption). APN: 016-019-036.
Staff Report: Jeremy Ballard, Senior Planner, Recommends **APPROVAL**.
Public hearing opened.

OPPOSITION: None.

FAVOR: None.

Public hearing closed.

Callis/Morad (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF MEMO.**

Roll Call Vote: Ayes – Callis, Campo, Maring, Morad, Pacheco, and Willerup

Noes – None

Abstaining – None

Absent – Sabala and Zipser

8. **OTHER MATTERS (NOT PUBLIC HEARINGS)** – None.

9. **REPORT OF THE PLANNING DIRECTOR**

BOARD OF SUPERVISORS ACTIONS

Since the last Planning Commission meeting there have been no Board of Supervisors meetings.

MISCELLANEOUS AND ON THE HORIZON

Planning Commission

July 4, 2024: Holiday; no meeting scheduled.

July 18, 2024: One general plan amendment and rezone in the Turlock area; and development agreement in the Hickman area.

August 1, 2024: One general plan amendment and rezone in the Modesto area; and one use permit in Newman area.

10. **ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR** – None.

11. **ADJOURNMENT**

The meeting was adjourned at 8:12 p.m.

Signature on file. _____

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