

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

May 20, 2004

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Tony Cusenza, Rachelle Antinetti, Kathleen Griffin, Allen Layman, Jim Poore, Andrew Souza, and Helen White
- Absent: Marie Assali, Ray Souza
- Staff Present: Kirk Ford, Deputy Director; Bob Kachel, Senior Planner; Debra Whitmore, Senior Planner; Sara Lytle-Pinhey, Assistant Planner; Jack Doering, Assistant County Counsel; Paul Saini, Department of Public Works; Bella Badal, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk

Chair Cusenza welcomed members of Boy Scout Troop No. 197, Jordan Griffin and Connor Bryant, who will be observing the meeting as part of their "Citizenship in the Community" merit badge.

**II. PLEDGE OF ALLEGIANCE**

**III. CITIZEN'S FORUM**

- A. No one spoke.

**IV. APPROVAL OF MINUTES**

- A. May 6, 2004  
A. Souza/Poore, 5-0, **APPROVED**  
Rachelle Antinetti and Kathleen Griffin abstained.

**V. CORRESPONDENCE**

Deputy Director Ford informed the Commissioners that Director Freitas is attending a conference for California County Planning Directors this week. He also informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:

- A. Information and registration form for "Role of the Planning Commissioner" to be held June 4, 2004 in Sacramento.
- B. Information and registration form for California County Planning Commissioners Association Spring Conference to be held June 4, 2004 in Columbia State Park.

- C. Memo from Department of Planning and Community Development dated May 19, 2004, requesting an indefinite continuance for Item VII-D, Parcel Map Application No. 2004-06 - Bill Houck.
- D. Memo from Department of Planning and Community Development, dated May 20, 2004, regarding Item VII-E, Time Extension Application No. 2004-03 for Tentative Map No, 99-01, Naranjo Estates, and Tentative Map No. 99-07, Tuolumne Meadows.
- E. Tuolumne River Regional Park Commission Agenda for May 26, 2004 and Minutes from April 28, 2004.
- F. Directions to the Stanislaus County Agriculture Center, where a Williamson Act workshop will be held Saturday, May 22, 2004.

**VI. CONFLICT OF INTEREST**

- A. None.

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

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

**CONSENT ITEMS**

- \*A. **USE PERMIT APPLICATION NO. 2003-22 - PAUL & SANDY WALL** - Request to establish a horse boarding and riding facility on 17 acres zoned A-2-40 (General Agriculture) zoning district. The property is located at 1631 Oakdale-Waterford Highway, north of Waterford. This project is Exempt from CEQA.  
APN: 015-03-03  
Staff Report: Bob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Griffin/Poore, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- \*B. **PARCEL MAP APPLICATION NO. 2003-36 - JOE'S TRAVEL PLAZA** - Request to create five parcels (1.0, 1.04, 1.5, 1.3 and 2.7 acres) in Planned Development #104. The property is located at the northwest corner of Howard Road and Ingram Creek Road, in the Westley area. This project is Exempt from CEQA.  
APN: 016-42-26 (a portion of)

Item \*B is removed from Consent Calendar and will be heard under the Non-Consent Calendar.

- \*C. **PARCEL MAP APPLICATION NO. 2004-08 - EDWARD CASTRO** - Request to

create two parcels of 3.02 acres each in an A-2-3 (General Agriculture) zoning district. The property is located at 4901 California Avenue, east of Eleanor Avenue in the Riverbank area. This project is Exempt from CEQA.

APN: 062-23-25

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

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Griffin/Poore, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- \*D. **PARCEL MAP APPLICATION NO. 2004-06 - BILL HOUCK** - Request to create two parcels of 1.26 and 2.00 acres in a R-A (Rural Residential) zoning district. The property is located on the southwest corner of Scarlet Oak Drive and Black Oak Court in the Oakdale area. This project is Exempt from CEQA.

APN: 010-25-75

Staff Report: Bill Carlson Recommends **INDEFINITE CONTINUANCE**.

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Griffin/Poore, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION OF INDEFINITE CONTINUANCE.**

- \*E. **TIME EXTENSION APPLICATION NO. 2004-03 FOR TENTATIVE MAP NO. 99-01 - NARANJO ESTATES AND TENTATIVE MAP NO. 99-07 - TUOLUMNE MEADOWS** - Request for a one-year extension to April 18, 2005 to allow Tentative Maps No. 99-01 and 99-07, located in the PD 247, 248, and 249 (Planned Development) zoning districts, to remain active. The properties are located west of Gratton Road, north of Tuolumne Road in Denair.

APN: 024-036-030, 024-036-10, and 024-036-027

Staff Report: Sara Lytle-Pinhey Recommends **APPROVAL OF TIME EXTENSION NOT TO EXCEED 2 YEARS.**

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Griffin/Poore, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION OF TIME EXTENSION NOT TO EXCEED 2 YEARS.**

- \*F. **PARCEL MAP APPLICATION NO. 2004-07 - ROBERT WATSON** - Request to create parcels of 10.15, 10.06, 17.4, and 10.9 acres in an A-2-10 (General Agriculture) zoning district. The property is within the Sphere of Influence of the City of Modesto and is located at 4005 Litt Road, north of Sylvan Avenue, Modesto. This project is Exempt from CEQA.

APN: 084-02-42

Staff Report: Sara Lytle-Pinhey Recommends **APPROVAL**.  
Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Griffin/Poore, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

### **VIII. NON-CONSENT ITEMS**

Item B was removed from Consent Calendar.

- B. PARCEL MAP APPLICATION NO. 2003-36 - JOE'S TRAVEL PLAZA** - Request to create five parcels (1.0, 1.04, 1.5, 1.3 and 2.7 acres) in Planned Development #104. The property is located at the northwest corner of Howard Road and Ingram Creek Road, in the Westley area. This project is Exempt from CEQA.

APN: 016-42-26 (a portion of)

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

Public hearing opened.

**OPPOSITION:** Dorothy Arnaud, Filbin Land and Cattle Company.

**FAVOR:** John Miller, Hawkins & Associates, representing the applicant.

Public hearing closed.

#### **MOTION TO AMEND CONDITION NO. 6 TO READ:**

6. All legal easements and interests of records shall be shown on the tentative parcel map and shall be shown on the parcel map to be recorded.

Laymen/Antinetti, Unanimous (7-0) **APPROVED**.

#### **MOTION TO APPROVE PARCEL MAP APPLICATION NO. 2003-36 - JOE'S TRAVEL PLAZA, WITH AMENDED CONDITION NO. 6.**

Griffin/White, Unanimous (7-0) **APPROVED**.

- IX. ADJOURN AS PLANNING COMMISSION AT 6:52 P.M.**
- X. CONVENE AS AIRPORT LAND USE COMMISSION**
- XI. RECONVENE AS PLANNING COMMISSION AT 7:00 P.M.**
- XII. OTHER MATTERS (NOT PUBLIC HEARINGS)**
- A. None.
- XIII. REPORT OF THE DIRECTOR**

**BOARD OF SUPERVISORS' ACTIONS OF MAY 11, 2004**

- A. The Board adopted the final Annual Work Plan for the \$2.28 million Block Grant Program, the \$85,000 Emergency Shelter Grant Program, and the \$541,000 Home Investment Partnership Program.
- B. The Board approved and set aside and void the approvals of the March 30, 2004 Addendum to the Diablo Grande Specific Plan Environmental Impact Report and the Modified Condition No. 57 for Vesting Tentative Map No. 97-01, Diablo Grande Unit One; made additional findings necessary to re-approve a modified addendum to the Diablo Grande Specific Plan EIR and to incorporate the Kern County Water Agency water supply into Condition of Approval No. 57 for Vesting Tentative Map No. 97-01, Diablo Grande Unit One.

**BOARD OF SUPERVISORS' ACTION OF MAY 18, 2004**

- A. The Board set a public hearing for June 8, 2004, 9:30 a.m., to consider Rezone Application 2003-13, Millefiore Landscape Materials.
- B. The Board authorized the Chairman of the Board to send a letter in opposition to SB 744 - Dunn.
- C. The Board approved and introduced and waived the first reading of an ordinance establishing Department of Planning and Community Development 2004 Fee Schedule.

**MISCELLANEOUS & ON THE HORIZON**

- A. Please remember that May 22<sup>nd</sup> is our workshop which will be held at the Stanislaus County Ag Center, starting at 9 a.m.
- B. Department of Environmental Resources will conduct a workshop after our regularly scheduled meeting on July 1<sup>st</sup>. Mike Newton will discuss how the new Nuisance Abatement Hearing Board will work, introduction of new Ordinances, and added responsibilities.

**ON THE HORIZON**

**June 3, 2004**

- 1. One Use Permit
- 2. One Parcel Map with an Exception
- 3. A Temporary Mobile Home Permit to be heard as "Other Matters"
- 4. Sonya Harrigfeld, Deputy Director of DER, will provide information regarding Proposed Aerobics Changes

**June 17, 2004**

1. Two Use Permits
2. Two Parcel Maps

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

- A.** A discussion was held regarding "The Role of the Planning Commissioner" class being held June 4<sup>th</sup> in Sacramento. Commissioner Cusenza requested that Eva Rosa contact commissioners in regards to car-pooling.

**XV. ADJOURNMENT**

The meeting was adjourned at 7:07 p.m.

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Kirk Ford, Deputy 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.)

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