

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

December 2, 2004

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Vice Chair Andrew Souza, Rachelle Antinetti, Marie Assali, Mike Navarro, Jim Poore, Ray Souza, and Helen White.
- Absent: Tony Cusenza, Allen Layman
- Staff Present: Ron E. Freitas, Director; Kirk Ford, Deputy Director; Bob Kachel, Senior Planner; Angela Freitas, Senior Planner; Bill Carlson, Associate Planner; Sara Lytle-Pinhey, Assistant Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Mike Newton, Manager, Code Enforcement Unit, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM**
- A. Sohan Singh Sahota, 10443-5 Vincent Road, Delhi, urged the Planning Commission to plan the entire south area of Golden State Blvd., instead of just one parcel.
- IV. APPROVAL OF MINUTES**
- A. November 18, 2004
White/R. Souza, 6-0, **APPROVED**
Assali abstained.
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. California Planning & Development Report, Vol. 19, No. 11 - November 2004.
- B. Planning Commissioners Journal, Number 56, Fall 2004.
- VI. CONFLICT OF INTEREST**
- A. Commissioner Antinetti is familiar with Mr. and Mrs. Harvey, Item VII-B, Use Permit Application No. 2004-15, Lance Harvey Cattle Business, but will have no impact on her decision.
- B. Commissioner Poore is familiar with Mr Hughes, Item VII-D, Kelly Business Park,

but will have no impact on his decision.

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. GENERAL PLAN AMENDMENT APPLICATION NO. 2000-09, REZONE APPLICATION NO. 2002-12 - VALLEY WOOD PRESERVING** - Request to rezone and amend the General Plan designation of a 13.1-acre property from Agriculture to Planned Development (PD) zoning district for parking and storage of trucks, recreational vehicles, and equipment and remodel three existing buildings for office use, warehousing, and storage. The proposed project will be done in three (3) phases. The project is located on Golden State Blvd., Turlock. A Mitigated Negative Declaration will be considered. **(Requesting Indefinite Continuance.)**
APN: 044-031-004 & 044-031-005.
Staff Report: Bill Carlson Recommends **INDEFINITE CONTINUANCE**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Assali, Unanimous (7-0), **APPROVED INDEFINITE CONTINUANCE**.
- *B. USE PERMIT APPLICATION NO. 2004-15, LANCE HARVEY CATTLE BUSINESS**
Request to construct a single family dwelling on a 10.82 acre site, zoned A-2-40 (General Agriculture) and general planned for agriculture, located south of Claribel Road between Ellenwood and Crow Roads, southeast of Oakdale. The parcel does not have direct access to any road, but is served by an easement to Ellenwood Road. This project is Exempt from CEQA.
APN 015-014-018
Staff Report: Bob Kachel Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Assali, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT**

NON-CONSENT ITEMS

- C. PARCEL MAP APPLICATION NO. 2004-27, USE PERMIT APPLICATION NO. 2004-24 - ANDERSON STABLES** - Request to create a 3.0 acre parcel and a 12.88 acre remainder in an A-2-40 (General Agriculture) zoning district. The 3.0-acre

parcel proposed separates a horse boarding stable approved by the Planning Commission in March of 2004 (UP 2003-37 Anderson Stables). The current application includes a Use Permit to amend the approved horse boarding stable and clarify its independent operation on the proposed 3.0-acre parcel. The project is located at 5036 Eleanor Avenue, in the Oakdale area. This project is exempt from CEQA.

APN 062-030-020

Staff Report: Sara Lytle-Pinhey Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Kelly Anderson, 5036 Eleanor Avenue, Oakdale; Jeff Anderson, 5036 Eleanor Avenue, Oakdale.

Public hearing closed.

R. Souza/Navarro, 6-1 (Antinetti) **FOUND THE PROJECT NOT CONSISTENT WITH THE GENERAL PLAN AND ZONING ORDINANCE AND DENIED THE PARCEL MAP AND USE PERMIT APPLICATIONS.**

D. REZONE 2004-05 AND TENTATIVE PARCEL MAP 2004-14 - KELLY BUSINESS

PARK - Request to rezone 4.35 gross acres from A-2 (General Agriculture) to PD (Planned Development) to allow a 28,095 square foot commercial shell building for designated PI (Planned Industrial) type uses and a 6000 square foot gymnasium/multi-purpose building for use by an existing church. The proposed parcel map would separate the uses onto 2.0 and 1.48 net acre parcels. Property is located at 5580 and 5584 Pirrone Road in Salida. A Mitigated Negative Declaration will be considered.

APN: 136-008-003

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

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Gerry Hughes, 7440 Del Cielo Way, Modesto; Nannette Montez.

Public hearing closed.

Assali/White, Unanimous (7-0) **RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

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

- *A. General Plan Consistency Finding Regarding the Proposed Purchase of Real Property at 1019 S. Santa Cruz Avenue, Modesto, presented by Public Works Department.
Poore/Assali, Unanimous (7-0) **FOUND CONSISTENT WITH GENERAL PLAN.**
- *B. General Plan Consistency Finding for Frank Raines Regional Park Proposed Acquisition of Real Property For Expansion, presented by Parks Department.
Poore/Assali, Unanimous (7-0) **FOUND CONSISTENT WITH GENERAL PLAN.**
- C. Change of Nuisance Abatement Hearing Board Members, presented by Mike Newton, Code Enforcement Unit Manager.
New members: Marie Assali, Ray Souza, and Jim Poore as alternate.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF NOVEMBER 23, 2004

- A. The Board did not meet this date.

BOARD OF SUPERVISORS' ACTIONS OF NOVEMBER 30, 2004

- A. Set a public hearing for December 14, 2004 at 9:30 a.m. to consider Specific Plan Amendment 2004-01, Diablo Grande Sewer Line Extension.
- B. Set a public hearing for December 21, 2004 at 6:40 p.m. to consider General Plan Amendment 2004-01, Rezone 2004-03, Parcel Map 2004-11, Carl & Terri Hagens.
- C. Set a public hearing for December 21, 2004 at 6:45 p.m. to consider General Plan Amendment 2004-02, Rezone 2004-07, Jacob Auto Sales.
- D. Continued a public hearing to consider Rezone 2003-06, Vesting Tentative Subdivision Map 2003-02, Del Rio Lago to December 14, 2004 at 9:35 a.m.

ON THE HORIZON

December 16, 2004

1. Three Parcel Maps, one with a Use Permit
2. One Use Permit for a Produce Stand

January 6, 2004

1. Two Use Permits, one with a Tentative Map
2. One Parcel Map

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. None.

XI. ADJOURNMENT

The meeting was adjourned at 6:45 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.)