

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

December 16, 2004

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Tony Cusenza, Rachelle Antinetti, Marie Assali, Allen Layman, Mike Navarro, Jim Poore, Andrew Souza, Ray Souza, and Helen White.
- Absent: No one.
- Staff Present: Ron E. Freitas, Director; Kirk Ford, Deputy Director; Bob Kachel, Senior Planner; Debra Whitmore, Senior Planner; Angela Freitas, Senior Planner; Bill Carlson, Associate Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Bella Badal, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM**
- A. No one spoke.
- IV. APPROVAL OF MINUTES**
- A. December 2, 2004  
Poore/A. Souza, 7-0, **APPROVED**  
Cusenza, Layman abstained.
- V. CORRESPONDENCE**  
Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Email received December 13, 2004 from Karen Shoup, regarding Item VII-D - Use Permit Application No. 2004-18 - Loretelli Produce Market.
- B. Letter dated December 13, 2004 from "An old and loyal Loretelli customer" regarding Item VII-D - Use Permit Application No. 2004-18 - Loretelli Produce Market.
- C. Letter dated December 14, 2004 from Marty Hess, regarding Item VII-D - Use Permit Application No. 2004-18 - Loretelli Produce Market.
- D. Email received December 15, 2004 from Kati Koos Bari, regarding Item VII-D - Use Permit Application No. 2004-18 - Loretelli Produce Market.

- E. Email received December 15, 2004 from Peter & Judy Sheppard, regarding Item VII-D - Use Permit Application No. 2004-18 - Loretelli Produce Market.
- F. Packet of information presented by Dave Romano, regarding Item VII-D - Use Permit Application No. 2004-18 - Loretelli Produce Market.
- G. Information regarding Stanislaus County Planning Commissioners Workshop for 2005, to be held Saturday, January 22, 2005.
- H. 2005 Planning Commission Meeting Calendar

**VI. CONFLICT OF INTEREST**

- A. Commissioner Layman is acquainted with many members of the Old German Baptist Church, but this will not effect his decision.
- B. Commissioner Cusenza has known the Loretelli family for 4 generations, has no financial involvement with them, and will be able to render an impartial decision.

**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. **PARCEL MAP APPLICATION NO. 2004-26 - DIABLO GRANDE** - Request to divide a 157.69 acre property to create four parcels of 31.10, 30.79, 86.08, and 9.72 acres zoned Specific Plan (SP) #1 located at Diablo Grande, west of Interstate 5, approximately 10 miles southwest of Patterson. The map is for the purpose of allowing the processing of four subsequent tentative subdivision maps to develop subject property consistent with SP #1. The project is part of an approved Specific Plan and therefore exempt from CEQA.  
APNs: 025-011-007, 025-011-008, & 025-015-006.  
Staff Report: Bob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Assali/A. Souza, Unanimous (9-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- \*B. **PARCEL MAP APPLICATION NO. 2004-25 - ROEN RANCH** - Request to create a 120 acre parcel and a 565 acre remainder in the A-2-40 (General Agriculture) zoning district. The project is located at 14954 Tim Bell Road, northeast of the City of Waterford, and is under Williamson Act Contract 72-0647. A Negative

Declaration will be considered.

APN: 015-015-034

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

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Assali/A. Souza, Unanimous (9-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

### **NON-CONSENT ITEMS**

**C. PARCEL MAP APPLICATION NO. 2004-28, USE PERMIT APPLICATION NO. 2004-17 - OLD GERMAN BAPTIST BRETHERN CHURCH - Request to construct**

a 15,171 square foot church building on a 3.9 acre portion of a 18.65 acre parcel in an A-2-40 (General Agriculture) zoning district. The project is located at 6306 Covert Road, in the Salida area. The church would not include any weekday school activities. Capacity would be 803 people. A parking lot for 318 vehicles is planned. A Parcel Map application is requested to subdivide 18.65 acres into one 3.9 acre parcel for the church site and a 14.80 acre remainder parcel. A Negative Declaration will be considered.

APN: 012-007-013

Staff Report: Bill Carlson Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** Dennis Wilson, Horizon Consulting; Merlyn Garber, property owner.

Public hearing closed.

R. Souza/Poore, 7-2 (A. Souza, White) **MODIFY CONDITION OF APPROVAL NO. 24 TO READ:**

24. The Parking lot shall be paved (~~not rubberized chip seal~~) and double striped to County standards **to allow a minimum of 90 parking spaces and road base treatment for the remaining parking area.**

R. Souza/Poore, 7-2 (A. Souza, White) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, AND WITH MODIFIED CONDITION NO. 24.**

**D. USE PERMIT APPLICATION NO. 2004-18 - LORETELLI PRODUCE MARKET-**

Request to establish a 3,000 square foot produce market on a 16.2 acre parcel in an A-2-10 (General Agriculture) zoning district. The project is located on the north side of Claratina Avenue, west of Coffee Road, in the Modesto area. A Negative Declaration will be considered.

APN: 082-007-006

Staff Report: Angela Freitas Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** George Osner, City of Modesto Planning Manager; Jeff Barnes, City

of Modesto Traffic Engineer.

**FAVOR:** Dave Romano, 1020 10<sup>th</sup> Street; Bill Loretelli, Jr; Marty Hess, 1641 Montclair Drive; Judy Sortino; Bob Loretelli; Phillip Ludwig, 1471 Fernwood Drive; Elizabeth Szabo, 1012 Wellesley; Sue Houser, 4621 Via Breeza; Ron Larby, Mable Avenue; Judy Lang; Georgia Magoulas.

**OPPOSITION:** George Osner; Brad Kilger, City of Modesto Economic Director.  
Public hearing closed.

Navarro/Antinetti, 5-4 (Assali, Cusenza, Layman, White), **CONTINUE TO JANUARY 20, 2005, ALLOWING TIME FOR APPLICANT AND CITY OF MODESTO TO CONTINUE TO WORK ON ROAD IMPROVEMENT ISSUES.**

#### **VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)**

- A. None.

#### **IX. REPORT OF THE DIRECTOR**

##### **BOARD OF SUPERVISORS' ACTIONS OF DECEMBER 7, 2004**

- A. The Board set a public hearing for December 21, 2004 at 6:50 p.m. to consider an appeal of Planning Commission's denial of Parcel Map Application No. 2004-15, Variance Application No. 2004-01, and Exception 2004-03 - Gary & Deanna Autry.
- B. The Board set a public hearing for January 11, 2005 at 9:25 a.m. to consider an appeal of Planning Commissions' approval of Use Permit No. 2004-13 - McHenry Golf Center.

##### **BOARD OF SUPERVISORS' ACTIONS OF DECEMBER 14, 2004**

- A. The Board set a public hearing for January 11, 2005 at 9:30 a.m. to consider Rezone Application No. 2004-05, Parcel Map Application No. 2004-14 - Kelly Business Park.
- B. The Board approved the inflationary increase to the County's Public Facility Fee Program.
- C. The Board, sitting as the Redevelopment Agency, approved the adoption of the 2005-2009 Redevelopment Implementation Plan which sets forth the programs and projects that the Redevelopment Agency will pursue for the next 5 years.
- D. The Board conducted a public hearing to consider approval of Specific Plan Amendment No. 2004-01 - Diablo Grande Sewer Line Extension and utilization of the city of Patterson's off-site wastewater treatment facility to serve Diablo Grande. The Board approved this item.

- E. The Board conducted a public hearing to consider Rezone Application No. 2003-06, Vesting Tentative Subdivision Map Application No. 2003-02 - Del Rio Lago Subdivision. This item rezoned approximately 44 acres from RA (Rural Residential) to a planned development which will allow construction of a 47-lot subdivision to be located on an on-site sewer system and a public water system located on the east side of Carver Road, in the Del Rio area. The Board approved this item.

**A. On the Horizon**

Director Freitas reminded the Commission of the annual Stanislaus County Planning Commissioners Workshop, to be held January 22, 2005 in Hughson at the Samaritan Village, from 8:00 a.m. to 1:30 p.m., and requested they advise Eva Rosa if they will be attending.

**January 6, 2005**

- 1. Two Use Permits, one with a Tentative Map
- 2. One Parcel Map
- 3. A General Consistency Finding for Joseph A. Gregori High School, located in Salida.

**January 20, 2005**

- 1. Four Use Permits

Director Freitas presented Commissioner Helen White with a plaque in appreciation of her service from 1997 to 2004 to the Planning Commission. Several commissioners joined in congratulating Commissioner White, who spoke of her years on the Commission.

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

- A. None.

**XI. ADJOURNMENT**

The meeting was adjourned at 8:51 p.m.

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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.)