

# STANISLAUS COUNTY PLANNING COMMISSION

## AGENDA

February 17, 2005

6:00 P.M.

CHAMBERS - BASEMENT LEVEL  
TENTH STREET PLACE  
1010 10TH STREET, MODESTO



<http://www.co.stanislaus.ca.us/planning/planningagenda.pdf>

The Planning Commission welcomes you to its meetings which are regularly scheduled the first and third Thursday of each month, and your interest is encouraged and appreciated.

**NOTICE REGARDING NON-ENGLISH SPEAKERS:** Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedure Section 185 which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Stanislaus County Planning Commission shall be in English and anyone wishing to address the Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

**CONSENT CALENDAR: CONSENT ITEMS** are items on this agenda designated by an asterisk (\*) next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing County policy and the County General Plan and are, therefore, **recommended for "routine" approval**. Prior to actual Planning Commission consideration, the Chairman will open the public hearing and ask if anyone present wishes to discuss any of the items. If you want a particular agenda item removed from "Consent", please speak up and advise the Chairman. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.

**ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE PLANNING COMMISSION REGARDING A MATTER ON THE AGENDA:** While the Planning Commission welcomes and encourages participation in the Commission meetings, it would be appreciated if comments are limited to five minutes so that everyone may be heard. Matters under the jurisdiction of the Commission and not on the posted agenda may be addressed by the general public following the completion of the regular agenda and any off-agenda matters before the Commission for consideration. However, California law prohibits the Commission from taking any action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors.

New agenda items will not be heard after 11:00 p.m. If agenda item is not fully discussed by 12:30 a.m., it will be continued at the discretion of the Chairman.

**AMERICANS WITH DISABILITIES ACT:** Hearing devices are available for public use. If hearing devices are needed, please contact the Planning Commission Clerk at (209) 525-6330. Notification 24 hours prior to the meeting will enable the Clerk to make arrangements.

- I. **ROLL CALL:** Chair Andrew Souza, Rachelle Antinetti, Marie Assali, Tony Cusenza, Annabel Gammon, Allen Layman, Mike Navarro, Jim Poore, and Ray Souza.
- II. **PLEDGE OF ALLEGIANCE**
- III. **CITIZEN'S FORUM**

**IV. MINUTES**

- A. Revised Minutes of November 18, 2004
- B. January 20, 2005
- C. February 3, 2005 Workshop

**V. CORRESPONDENCE**

- A. California Planning & Development Report, Vol. 20, No. 1 - January 2005
- B. Reprint of Land Use Alert from Bingham McCutchen, "City Council's Inattention Deprived Applicant of Right to be Heard"

**VI. CONFLICT OF INTEREST DECLARATION**

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

**\*CONSENT ITEMS**

- \*A. **TIME EXTENSION APPLICATION NO. 2004-04 - JOHN VARNI PARCEL MAP APPLICATION NO. 2001-03** - Request for a one year time extension for Parcel Map No. 2001-30 which will create four parcels of 1.1 acres and two parcels of 2.1 acres in Planned Industrial zoning district, (PI No. 25). The property is located north of Kiernan Avenue, west of Mc Henry Avenue, north of Modesto. This project is Exempt from CEQA.  
APN: 004-071-016 & 004-071-017
- \*B. **PARCEL MAP APPLICATION NO. 2004-36 - MOHAMMED SALEM** -Request to divide an existing 1.4 acre parcel into parcels of 0.5 and 0.9 acres general planned Commercial and zoned C-2 located at 5100 Elm Street and 4525 Broadway Avenue in Salida. This project is Exempt from CEQA.  
APN: 135-046-058

**VIII. ADJOURN AS PLANNING COMMISSION**

**IX. CONVENE AS AIRPORT LAND USE COMMISSION**

**X. RECONVENE AS PLANNING COMMISSION**

**XI. PUBLIC HEARINGS (CONTINUED)**

**NON-CONSENT ITEMS**

- C. USE PERMIT APPLICATION NO. 2004-20 - STANISLAUS WILDLIFE CARE CENTER** - Request to expand an existing wildlife care center by approximately 14,305 square feet to provide flight recovery and release cages, holding pens, barns and an education pergola for various types of wildlife, including raptors, birds, and deer on a portion of a parcel totaling approximately 32 gross acres in size, known as the Fox Grove Fishing Access. The existing facility operates under Use Permit No. 90-36 and Staff Approval Application No. 2001-75. The facility operates seven days per week throughout the year and is open from 9 a.m. to 8 p.m., March through September, and from 10 a.m. to 3 p.m., October through February. Up to 20 employees, volunteers, and other workers may be on the site at any one time. In addition, the facility is open daily to the public during operating hours. Special educational classes for groups of up to 20 visitors may be held up to five times per year during operating hours. The project is located at 1220 Geer Road, in the Hughson area. The Planning Commission will consider a Mitigated Negative Declaration on this project.  
APN 018-005-003
- D. PARCEL MAP APPLICATION NO. 2004-35 - KIERNAN STATION** - Request to create 15 air space condominiums, ranging in size from 420 to 3,405 square feet in recently approved PD (Planned Development) located at 5037 Kiernan Avenue in Salida. This project is Exempt from CEQA.  
APN: 136-007-015

**XII. OTHER MATTERS (Not Public Hearings)**

**XIII. REPORT OF DIRECTOR**

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

**XV. ADJOURNMENT**

***ALL ACTIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION CAN BE APPEALED TO THE BOARD OF SUPERVISORS BY 5 P.M., FEBRUARY 28, 2005. THE FEE FOR APPEAL IS \$535.00.***