

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

April 7, 2005

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Andrew Souza, Rachelle Antinetti, Marie Assali, Tony Cusenza, Annabel Gammon, Mike Navarro, Jim Poore, and Ray Souza.
- Absent: Allen Layman
- Staff Present: Ron E. Freitas, Director; Bob Kachel, Senior Planner; Angela Freitas, Senior Planner; Joshua Mann, Assistant Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Bella Badal, Senior Environmental Health Specialist, 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. March 17, 2005
R. Souza/Poore, Unanimous (8-0) **APPROVED**
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Memo dated April 7, 2005 from the Planning Department, requesting indefinite continuance for Use Permit Application No. 2004-28 - Salida Billboard, Item VII-E.
- B. Tuolumne River Regional Park Commission Agenda for March 21, 2005.
- C. California County Planning Commissioners Association Newsletter, 2005 Volume 1.
- VI. CONFLICT OF INTEREST**
- A. No conflicts were mentioned.

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. USE PERMIT APPLICATION NO. 2004-26 - SPYRES BUSINESS PARK** - Request to modify Planned Industrial Zone No. 23 to change the allowed uses to include Planned Industrial permitted uses compatible with the City of Modesto's C-3 Highway Commercial Zone and allow the construction of three shell buildings sized: 13,200; 16,950, and 8,320 square feet. The project site is located at 4629 Spyres Way, west of Mc Henry Avenue between Bangs Avenue and Kiernan Avenue, Modesto. This project is Exempt from CEQA.
APN: 046-011-030
Staff Report: Michael Wilson Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- *B. USE PERMIT APPLICATION NO. 2005-03 - JIM & MICHELLE BAIROS** - Request to construct a single family dwelling on an approximately 4.75 acre portion of a 9.3 acre Assessor's Parcel. The 9.3 acres contains two legal lots zoned A-2-40 (General Agriculture) located at 524 Root Road, in the Empire area. This project is Exempt from CEQA.
APN: 009-008-011
Staff Report: Joshua Mann Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- *C. TIME EXTENSION APPLICATION NO. 2004-05 - NARANJO ESTATES & TUOLUMNE MEADOWS** - Request to grant a one year time extension for implementation of Tentative Map No. 99-01 Naranjo Estates (PD 249) and Tentative Map No. 99-07 Tuolumne Meadows, (PD's 247 and 248) on the north side of Tuolumne Road, in the Denair area. This project is Exempt from CEQA.
APN: 024-036-030, 024-036-027, and 024-036-010
Staff Report: Bob Kachel Recommends **APPROVAL OF ONE YEAR TIME EXTENSION TO APRIL 18, 2006.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Cusenza, Unanimous (8-0) **APPROVED STAFF RECOMMENDATION OF ONE YEAR TIME EXTENSION TO APRIL 18, 2006 AS OUTLINED IN THE STAFF REPORT.**

- *D. USE PERMIT APPLICATION NO. 2004-33 - WARREN WORD - Continued from March 3, 2005 Planning Commission meeting.** Request to construct a single family residence on a 0.22 acre parcel in an A-2-40 (General Agriculture) zoning district. The project is located at the northwest corner of Keyes Road and Bystrum Road, south of Ceres. This project is Exempt from CEQA.

APN: 041-030-013

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

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- *E. USE PERMIT APPLICATION NO. 2004-28 - SALIDA BILLBOARD - Continued from March 3, 2005 Planning Commission meeting. (Requesting indefinite continuance.)** Request to modify an existing legal non-conforming 12' x 40' single-sided (advertisement) billboard. The modification will include the installation of a second side to the existing billboard. The 1.34-acre parcel is in the PD-260 (Planned Development) zoning district. The property is located at 5057 Kiernan Court, east of Highway 99, and north of Kiernan Avenue, in the Salida area. This project is Exempt from CEQA.

APN: 136-018-002

Staff Report: Joshua Mann Recommends **INDEFINITE CONTINUANCE.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION OF AN INDEFINITE CONTINUANCE AS OUTLINED IN THE STAFF REPORT.**

- *F. USE PERMIT APPLICATION NO. 2004-32 - STEPHEN A. FIELDS AND NEAVE - Continued from March 3, 2005 Planning Commission meeting.** This is a request to construct one single-family dwelling on each of the two 15+/- acre parcels in the A-2-40 (General Agriculture) zoning district. These two parcels are part of an Antiquated Subdivision. The property is located at the north end of Eaton Road, north of Rodden Road, in the Oakdale area. This project is Exempt from CEQA.

APN: 002-022-008 and 002-022-009

Staff Report: Carole Maben Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Cusenza, Unanimous (8-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

NON-CONSENT ITEMS

- G. REZONE APPLICATION NO. 2004-09 - BILLY R. JONES** - This is a request to rezone a 2.5 acre parcel to a new planned development to allow use of the existing building for a transport refrigeration operation and to construct a new building for the operation of a heavy-duty equipment and truck air condition repair and installation operation. The parcel is located at the north end of Taylor Court, north of Taylor Road, in the Keyes/Turlock area. The Planning Commission will consider a Negative Declaration.

APN: 045-050-014

Staff Report: Angela Freitas Recommends **APPROVAL TO THE BOARD OF SUPERVISORS.**

Public hearing opened.

OPPOSITION: Phil Rogers, 5400 Dale Road, Modesto (presented photos to the Planning Commission)

FAVOR: Billy R. Jones, Mrs. Jones, 740 Thompson Road, Modesto

Public hearing closed.

R. Souza/Poore, Unanimous (8-0) to **AMEND CONDITION OF APPROVAL NO. 8 TO READ:**

8. A landscape plan consistent with Section 21.102, landscape and irrigation standards, of the Stanislaus County Zoning Ordinance, shall be submitted and approved by the Planning Director prior to issuance of building permit or within (6) six months of project approval. All landscaping shall be installed prior to occupancy of proposed building "B" or within (1) one year of project approval. **The landscape plan shall comply with City of Turlock's standards as set forth in February 17, 2005 letter from the City of Turlock.**

Poore/R. Souza, Unanimous (8-0) to **AMEND CONDITION OF APPROVAL NO. 24 TO READ:**

24. No parking, loading or unloading of vehicles shall be permitted within the right-of-way of Taylor Court. The developer will be required to install or pay for the installation of all required signs and/or markings, if warranted. **No reverse gear for backing purposes shall be used by trucks or other vehicles to access property from Taylor Court.**

Assali/Antinetti, Unanimous (8-0) **RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT ALONG WITH AMENDED CONDITIONS OF APPROVAL.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF MARCH 22, 2005

- A. Set a public hearing for April 12th at 9:30 a.m. to consider an appeal of Planning Commission denial of Use Permit Application 2004-29, DB Truck Parking.
- B. Approved a rehearing for Rezone 2004-05 and Parcel Map 2004-15, Kelly Business Park.

BOARD OF SUPERVISORS' ACTIONS OF MARCH 29, 2005

- A. The Board set a public hearing for April 19th at 6:50 p.m. to consider General Plan Amendment 2004-05, Rezone 2004-12 - Sequoia Apartments.
- B. Set a public hearing April 19th at 6:55 p.m. to consider General Plan Amendment 2000-09, Rezone 2000-12 - Valley Wood Preserving.
- C. Rescinded and approved new Williamson Act Contracts for Lot Line Adjustments in the Patterson area.

BOARD OF SUPERVISORS' ACTIONS OF APRIL 5, 2005

- A. Set a public hearing regarding Community Development Block Grant Consolidated Plan Update for May 10, 2005 at 9:25 a.m.
- B. Approved a Williamson Act Contract, Lot Line Adjustment.
- C. A public hearing to considered an appeal of Planning Commission Condition of Approval No. 29 for Use Permit 2002-24 - Silveira Organic Materials was withdrawn by the applicant. The Board accepted the withdrawal.
- D. Approved Specific Plan Amendment and Vesting Tentative Subdivision Maps for Diablo Grande, on a 4-1 vote.

On the Horizon

April 21, 2005

No hearings scheduled. Meeting cancelled.

May 5, 2005

1. One Tentative Map with an Exception
2. Three Use Permits
3. Three Parcel Maps

Director Freitas reported that Marie Assali would not be able to attend the California County Planning Commissioners Association Spring Conference on April 30th, and if anyone would like to go in her place to please contact him.

A discussion was held regarding a future workshop, which will feature presentations by fire agencies.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. None.

XI. ADJOURNMENT

The meeting was adjourned at 7:15 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.)