

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

May 19, 2005

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
Present: Chair Andrew Souza, Rachelle Antinetti, Marie Assali, Tony Cusenza, Mike Navarro, Jim Poore, and Ray Souza  
  
Absent: Annabel Gammon, Allen Layman  
  
Staff Present: Kirk Ford, Deputy Director; Bob Kachel, Senior 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. May 5, 2005  
Poore/Assali, 4-0, **APPROVED**  
Commissioners Ray Souza, Rachelle Antinetti, and Mike Navarro abstained.
- V. **CORRESPONDENCE**

Deputy Director Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:

  - A. Memo dated May 19, 2005 from Planning Department regarding Item VII-B, Parcel Map Application No. 2005-04 - Summit Corporate Center, along with memo from MID requesting amending Condition of Approval No. 17.
  - B. Letter dated May 6, 2005 from San Joaquin Valley Air Pollution Control District
  - C. Planning Commissioners Journal, Number 58 / Spring 2005
- VI. **CONFLICT OF INTEREST**
  - A. None.

**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. 2004-21 - KENNEDY FARMS PRODUCE MARKET** - Request to establish and operate a 2400 square foot produce market on a 7.5 acre parcel located in an A-2-40 (General Agriculture) zoning district, at the northeast corner of Kiernan Avenue (State Route 219) and Tully Road, north of Modesto. A Negative Declaration will be considered for this project  
APN: 004-071-029  
Staff Report: Bob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Cusenza/R. Souza, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- \*B. PARCEL MAP APPLICATION NO. 2005-04 - SUMMIT CORPORATE CENTER** - Request to create parcels of 0.42, 0.53, 0.48, 0.28, 0.24, and 1.66 acres in Planned Industrial (PI) #24, at the southwest corner of North Star Way and Bangs Avenue, Modesto. To be served by Modesto water and septic tanks. This project is Exempt from CEQA.  
APN: 046-004-049  
Staff Report: Bob Kachel Recommends **APPROVAL WITH AMENDED CONDITION OF APPROVAL NO. 17 AS LISTED IN MEMO DATED MAY 19, 2005.**  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Cusenza/R. Souza, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, WITH CONDITION OF APPROVAL NO. 17 TO READ:**
- 17. The district does not have any objection to maintaining the existing 12.5 foot PUE along the westerly side of the property provided that any buildings or attachments there do not exceed 20 feet in height within 15 feet of the centerline of the existing pole line. These clearances are required to meet criteria set forth in the National Electrical Safety Code and the State of California General Order No. 95.**

Item VII-C is removed from Consent Calendar and will be heard as a Non-Consent Item.

- \*C. **USE PERMIT APPLICATION NO. 2005-08 - DAN AVILA & SONS** - Request to build a 16,000 square foot warehouse building on a 2.6 acre parcel to be used for storage of sweet potatoes, watermelons as well as for repair and storage of applicant's farm equipment in A-2-40 (General Agriculture) zoning district. Property located at 2718 Roberts Road in the Ceres/Turlock area. This project is Exempt from CEQA.
- \*D. **USE PERMIT APPLICATION NO. 2004-27 - LESTER WILLIAMS - AG RECYCLE** - Request to establish a business that picks up ash, dirt, rock and concrete washout, collected from businesses in Stanislaus and neighboring counties, and distributes the materials to dairies in Stanislaus and neighboring counties. The business will occupy approximately half of 7.0 acre property located in an A-2-40 (General Agriculture) zoning district at 5748 Albers Road, south of Oakdale. A Negative Declaration will be considered for this project. **Requesting Continuance to June 2, 2005.**  
APN: 064-032-023  
Staff Report: Michael Wilson Recommends **CONTINUANCE TO JUNE 2, 2005.**  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Cusenza/R. Souza, Unanimous (7-0), **CONTINUED TO JUNE 2, 2005.**

### **NON-CONSENT ITEMS**

Item C was removed from the Consent Calendar.

- C. **USE PERMIT APPLICATION NO. 2005-08 - DAN AVILA & SONS** - Request to build a 16,000 square foot warehouse building on a 2.6 acre parcel to be used for storage of sweet potatoes, watermelons as well as for repair and storage of applicant's farm equipment in A-2-40 (General Agriculture) zoning district. Property located at 2718 Roberts Road in the Ceres/Turlock area. This project is Exempt from CEQA.  
APN: 022-014-022  
Staff Report: Bob Kachel Recommends **APPROVAL.**  
Public hearing opened.  
**OPPOSITION:** Bob Kachel spoke regarding concerns from a neighbor who couldn't attend the meeting. Her concerns were regarding the condition of Roberts Road and not the project itself.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Assali/Poore, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

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

- A. None.

**IX. REPORT OF THE DIRECTOR**

**BOARD OF SUPERVISORS' ACTIONS OF MAY 10, 2005**

- A. The Board approved the adoption of the 2002-2007 Stanislaus County Community Development Block Grant Consortium Consolidated Plan Update and the Annual Work Plan, which includes \$2.8 million Community Development Block Grant Funds, \$83,600 Emergency Shelter Grant, and a \$460,000 Home Investment Partnership Grant for a total of almost \$3.4 million for Fiscal Year 2005-2006.
- B. The Board introduced and waived the first reading of an ordinance establishing Planning and Community Development Department 2005 fee schedule.

**BOARD OF SUPERVISORS' ACTIONS OF MAY 17, 2005**

- A. The Board unanimously approved Rezone Application 2004-09, Billy R. Jones. This was a request to rezone a 2.5 acre parcel from Planned Development No. 241 to a new planned development to allow the use of an existing building for transport refrigeration operation and construct a new building for the operation of a heavy duty equipment and truck air condition repair and installation operation located at 6400 Taylor Court in the Keyes/Turlock area.

**MISCELLANEOUS & ON THE HORIZON**

**June 2, 2005**

- 1. Two Use Permits
- 2. Two Parcel Maps
- 3. One Variance with a Temporary Mobile Home Permit

**June 16, 2005**

- 1. One Use Permit
- 2. Two Parcel Maps, one with a Variance

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

- A. None.

**XI. ADJOURNMENT**

The meeting was adjourned at 6:21 p.m.



Deputy Director Kirk Ford

(The above is a summary of the minutes of the Planning Commission. Complete tape(s) of the meeting are available from the Planning Director.)