

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

June 16, 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, Allen Layman, Mike Navarro, and Jim Poore.
- Absent: Ray Souza
- Staff Present: Ron E. Freitas, Director; Kirk Ford, Deputy Director; 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, 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. June 2, 2005
Poore/Assali, 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 June 16, 2005 from Planning and Community Development adding Condition of Approval for Item VII-A, Parcel Map Application No. 2002-28 - Nancy Abdallah.
- B. Tuolumne River Regional Park Commission Agenda for June 8, 2005
- C. Notice of Public Meeting for Tuolumne River Regional Park Gateway Parcel Precise Plan and Draft Initial Study

VI. CONFLICT OF INTEREST

- A. Commissioner Andrew Souza is acquainted with David Harris, this will not cause a conflict.

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. PARCEL MAP APPLICATION NO. 2002-28 - NANCY ABDALLAH** - Request to create seven 40± acre parcels from a 287.1 acre site in the A-2-40 (General Agriculture) zoning district. This project site is currently enrolled in a Williamson Act Contract and any development resulting from this project will be served by individual well and septic systems. The property is located less than one mile west of Sonora Road, east of Frankenheimer Road and north of Orange Blossom Road, in the Oakdale area. A Mitigated Negative Declaration will be considered. **Continued from June 2, 2005.**

APN: 002-063-040

Staff Report: Carole Maben Recommends **APPROVAL WITH ADDED CONDITION OF APPROVAL AS LISTED IN MEMO DATED JUNE 2, 2005.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Cusenza/Navarro, Unanimous (8-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT, WITH ADDITIONAL CONDITION OF APPROVAL TO READ:**

22. **Prior to issuance of building permit(s), the applicant/developer shall contact the California Department of Forestry (Sonora Division) to see if an automatic engineered fire sprinkler system should be installed in any building having a total floor area under one roof of 120 square feet or more, including all horizontal projections.**

- *B. PARCEL MAP APPLICATION NO. 2005-03 - RED RIM LLC** - This is a request to divide a 161-gross acre parcel into parcels of 40, 40, 40.5, and 40.5-gross acres located in the A-2-40 (General Agriculture) zoning district at the southwest corner of Whitmore Avenue and Ustick Road, in the South Modesto area. This project is Exempt from CEQA.

APN: 056-058-001

Staff Report: Michael Wilson Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Cusenza/Navarro, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- *C. **USE PERMIT APPLICATION NO. 2005-10 - ESSAM A. SOLIMAN** - Request to construct a single-family dwelling on a 13.8 acre parcel located in the A-2-40 (General Agriculture) zoning district and is part of an Antiquated Subdivision. The property is located on the south side of Donkin Road, west of Rogers Road, in the Patterson area. This project is Exempt from CEQA.

APN: 021-019-010

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

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

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

6:05 p.m. Recessed due to technical difficulties

6:10 p.m. Reconvened

NON-CONSENT ITEMS

- D. **PARCEL MAP APPLICATION NO. 2005-02 AND VARIANCE 2005-01 - RIFENBURG RANCH** - This is a request to create parcels of 12.2 and 3.9 acres in the A-2-40 (General Agriculture) zoning district. A request for a variance has been applied for due to the fact that both proposed parcels are less than the 40-acre minimum requirement. There is currently a single-family dwelling on each of the proposed parcels. The property is located at 1118 Bent Road, in the Modesto/Empire area. A Mitigated Negative Declaration will be considered.

APN: 014-041-022

Staff Report: Carole Maben Recommends **DENIAL.** *Report presented by Angela Freitas, Senior Planner.*

Public hearing opened.

IN FAVOR OF PROJECT: Ervin Rifenburg; Carol Bogren; Dave Bogren; Ann Vlach; Steve Farr; Shannon Easter.

IN OPPOSITION OF PROJECT: No one spoke.

Public hearing closed.

Layman/Assali, 6-2 (Cusenza, Gammon) **DENIED PARCEL MAP APPLICATION AND VARIANCE.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF JUNE 7, 2005

- A. While the Board did meet this date, there were no items effecting the Planning Department and Planning Commission on the agenda.

BOARD OF SUPERVISORS' ACTIONS OF JUNE 14, 2005

- A. The Board approved a Lot Line Adjustment, and Williamson Act recessions and new Williamson Act.
- B. The Board adopted the preliminary budget for fiscal year 2005-2006.

MISCELLANEOUS & ON THE HORIZON

- A. The Planning Commission will need to appoint a 5-person Historical Site Subcommittee.
Commissioners Poore, Layman, Assali, Antinetti, and Andrew Souza were appointed to a Historical Site Subcommittee.

July 7, 2005

1. One General Plan Amendment and Rezone
2. One Use Permit
3. One Appeal of a Staff's Decision

July 21, 2005

1. Three Use Permits
2. Annual Review of a Use Permit

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. None.

XI. ADJOURNMENT

The meeting was adjourned at 7:12 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.)