

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

July 7, 2005

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Andrew Souza, Annabel Gammon, Allen Layman, Mike Navarro, Jim Poore, and Ray Souza
- Absent: Marie Assali, Tony Cusenza
- Staff Present: Kirk Ford, Deputy Director; Bob Kachel, Senior Planner; Angela Freitas, Senior Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Kit L. McClurg, Senior Environmental Health Specialist, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk; Roxanne Hubbs, Administrative Clerk III.
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM**
- A. No one spoke.
- IV. APPROVAL OF MINUTES**
- A. June 16, 2005
Layman/Navarro, 5-0, **APPROVED**
Ray Souza abstained.
- V. CORRESPONDENCE**
- Deputy Director Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. California Planning & Development Report - Vol. 20, No. 6 - June 2005
- B. Copy of Article from July 1, 2005 *Modesto Bee*, "Antinetti Joins Oakdale Council"
- VI. CONFLICT OF INTEREST**
- A. Commissioner Layman is familiar with the applicant, item VII-B, Use Permit Application No. 2005-12 - Don Wolf, but this will not cause a conflict.

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Souza informed the public there were no consent items.
Public hearing opened.
Public hearing closed.

*** CONSENT ITEMS**

No Consent Items.

NON-CONSENT ITEMS

- A. APPEAL OF STAFF DECISION - CHARLES PRINGLE** - Appeal of Staff's denial of the placement of 2nd dwelling as it relates to Section 21.20.020"B" of the County Ordinance Code (Building Permit Application BLD2003-03573). Property is 20 acres located at 3713 Geer Road, Hughson, and zoned A-2-40 with a Williamson Act Contract.
APN: 018-054-043
Staff Report: Ron Freitas Recommends **DENIAL OF THE APPEAL.** *Report presented by Kirk Ford.*
Public hearing opened.
OPPOSITION: Charles Pringle , 3042 7th Street, Hughson, CA, spoke.
FAVOR: No one spoke.
Public hearing closed.
Layman/Poore, 3-3 (Navarro, R. Souza, Gammon) **MOTIONED TO APPROVE THE APPEAL. MOTION FAILED.**
Layman/Poore, 3-3 (Navarro, R. Souza, Gammon) **MOTIONED TO APPROVE THE APPEAL. MOTION FAILED.**

NO DECISION DUE TO A LACK OF MAJORITY VOTE. DECISION REVERTS TO PLANNING DIRECTOR'S DETERMINATION TO DENY THE PLACEMENT.

7:10 p.m. Recessed
7:20 p.m. Reconvened

- B. USE PERMIT APPLICATION NO. 2005-12 - DON WOLF** - Request to construct a single-family dwelling on a 4.67 acre parcel in the A-2-40 (General Agriculture) zoning district, located on the north side of Edsel Lane, west of Hart Road, in the west Modesto area. This project is Exempt from CEQA.
APN: 012-023-004
Staff Report: Joshua Mann Recommends **APPROVAL.** *Report presented by Bob Kachel.*
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Dennis Wilson, Horizon Consulting, representing Don Wolf.
Public hearing closed.
R. Souza/Gammon, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- C. **GENERAL PLAN AMENDMENT APPLICATION NO. 2005-06 AND REZONE APPLICATION NO. 2005-07 - LARRY TURNER** - Request to change general plan and zoning designations of a 5.16 acre parcel, located at 3730 Dakota Avenue, west of Highway 99, west of Modesto. Site is currently general planned Agriculture and zoned A-2-40 (General Agriculture) and would have both designations changed to Planned Development (PD) to allow the partially developed site to be used for commercial trucks associated with a concrete supply business to park on the site, and to permit future phases for commercial and office uses. The Planning Commission will consider a Negative Declaration on this project.
APN: 076-068-016
Staff Report: Bob Kachel Recommends **DENIAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Larry Turner, 3730 Dakota Avenue, Modesto.
Public hearing closed.
Layman/Souza, 4-2 (Poore, Navarro) **RECOMMEND DENIAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF JUNE 21, 2005

- A. The Board approved a Williamson Act Contract recession and a new contract as part of a minor lot line adjustment.

BOARD OF SUPERVISORS' ACTIONS OF JUNE 28, 2005

- A. The Board met on this date, however, there were no items affecting the Department of Planning and Community Development or the Planning Commission.

BOARD OF SUPERVISORS' ACTIONS OF JULY 5, 2005

- A. The Board did not meet on this date.

MISCELLANEOUS & ON THE HORIZON

July 21, 2005

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

August 4, 2005

1. One Rezone Application
2. An Appeal of a Denial of a Staff Approval Application

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A.** None.

XI. ADJOURNMENT

The meeting was adjourned at 8:08 p.m.



Kirk Ford, Deputy Director

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