

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

July 21, 2005

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.  
Present: Chair Andrew Souza, Marie Assali, Tony Cusenza, Allen Layman, Mike Navarro, Jim Poore, and Ray Souza.
- Absent: Annabel Gammon.
- Staff Present: Ron E. Freitas, Director; 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; Roxanne Hubbs, Administrative Clerk III.
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM**
- A. No one spoke.
- IV. APPROVAL OF MINUTES**
- A. July 7, 2005  
Souza/Poore, 6-0, **APPROVED.**  
Marie Assali abstained.
- V. CORRESPONDENCE**
- A. No correspondence.
- VI. CONFLICT OF INTEREST**
- A. Commissioner Cusenza recused himself from item VIII-A, Annual Review Use Permit 90-26 - Thom Holmquist.
- B. Commissioner Poore stated he lives in the same neighborhood as the Holmquist's but does not feel it would hamper his ability to make a fair decision.
- C. Commissioner Assali knows the Lundell and Hammond families, and have discussed the two Use Permit applications, but my decision will have no bearing on this.

**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. 2005-13 - LUNDELL RESIDENCE** - Request to construct a single family residence on a 0.62 acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located on the north side of Fox Road, between Euclid Road and Geer Road in the Hughson area. This project is exempt from CEQA.  
APN: 018-022-014  
Staff Report: Bob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Layman/Assali, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- \*B. USE PERMIT APPLICATION NO. 2005-14 - HAMMOND RESIDENCE** - Request to construct a single family residence on a 3.6 acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located on the east side of Mountain View Road, north of Hatch Road, in the Hughson area. This project is exempt from CEQA.  
APN: 018-002-078  
Staff Report: Bob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Layman/Assali, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

**NON-CONSENT ITEMS**

- C. USE PERMIT APPLICATION NO. 2004-30 - TOP NOTCH KENNEL** - Request to expand an existing dog boarding kennel facility to allow a new 4,095 square foot kennel (for approximately 35-40 dogs), an existing 1,456 square foot office and a new 1,030 square foot office. On-site training and grooming services will be performed. The applicant is requesting to modify the hours of operation to Monday thru Friday 7 a.m. to 6 p.m.; Saturday 9 a.m. to 3 p.m.; Sunday 2 p.m. to 6 p.m. A parking lot with 2 access points and 14 spaces is included. The 14,375 square foot parcel is in the A-2-40 (General Agriculture) zoning district. The property is located at 3302 Beckwith Court, west of Highway 99 and south of Beckwith Avenue, in the Modesto area. A CEQA Mitigated Negative Declaration will be considered on this project.

APN: 005-034-021

Staff Report: Joshua Mann Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** Peter Smith, 3436 Beckwith Road, Modesto.

**FAVOR:** Bob Braden, PMB 185, 2900 Standiford Avenue, Suite 16-B, Modesto, CA 95350.

Public hearing closed.

**MOTION TO APPROVE SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL AND MITIGATION MEASURES ON PAGE 45 & 46.**

Assali/Navarro. No formal vote taken, returned to Planning Commission discussion.

**MOTION TO AMEND ORIGINAL MOTION TO ADD ENTRANCE AND EXIT SIGNS TO BE POSTED AND NO PARKING SIGNS WHEN APPROVED BY COUNTY.**

Assali/no second.

**MOTION TO REVISE CONDITION OF APPROVAL NO. 16 TO READ AS FOLLOWS:**

- 16. The Department of Public Works initiate a "No Parking" zone along the Beckwith Court frontage, of the project.** No parking, loading or unloading of vehicles shall be permitted within the right-of-way of Beckwith Court. The developer will install or pay for the installation of any signs and/or markings ~~if warranted~~. **Entrance and exit signs to be posted.**

Assali/Navarro, (6-1), (R. Souza).

**PLANNING COMMISSION RETURNED TO ORIGINAL MOTION TO APPROVE PROJECT WITH AMENDED CONDITIONS.**

Assali/Navarro, Unanimous, (7-0).

6:53 p.m. Recessed.

6:59 p.m. Reconvened.

7:00 p.m. Commissioner Cusenza left the Chambers

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

- A. **ANNUAL REVIEW USE PERMIT 90-26 - THOM HOLMQUIST** - Annual Review of Modified Use Permit No. 90-26 - Thom Holmquist Co.

Andrea and Thom Holmquist, 5835 Chenault Drive, Modesto, owners of property, spoke regarding what had been done to bring the property into compliance.

7:12 p.m. Recessed to review the Holmquist letter, which was submitted by the Holmquist's at the Planning Commission meeting.

7:16 p.m. Reconvened.

Planning Commissioners directed staff to work with property owners to develop a program/schedule to address the concerns with landscape screening, storage of equipment in road right-of-way and front parking area, the loading and unloading of equipment, and to bring the matter back for review in six months.

Commissioner Cusenza returned to the meeting.

**IX. REPORT OF THE DIRECTOR**

**BOARD OF SUPERVISORS' ACTIONS OF JULY 12, 2005**

- A. The Board set a Public Hearing for July 26, 2005 at 9:30 a.m. to consider the Appeal of Planning Commission denial of Parcel Map Application No. 2005-02, Variance Application No. 2005-01 - Rifenburg Ranch.

**BOARD OF SUPERVISORS' ACTIONS OF JULY 19, 2005**

- A. The Board on a 4-1 vote directed staff to continue the planning efforts for the adoption of a Salida Community Plan, laying out a number of parameters to be followed in the planning of the Community of Salida.

**MISCELLANEOUS & ON THE HORIZON**

**August 4, 2005**

1. One Rezone Application
2. An Appeal of a Denial of a Staff Approval Application
- C. Planning Commission Workshop (not a public hearing)

**August 18, 2005**

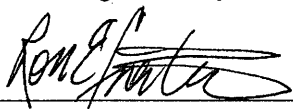
1. One Use Permit Application
2. Airport Land Use Commission

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

**A.** None.

**XI. ADJOURNMENT**

The meeting was adjourned at 8:23 p.m.



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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.)

