

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

January 5, 2006

- I. **ROLL CALL:** Meeting called to order at 6:02 p.m.  
Present: Andrew Souza, Marie Assali, Tony Cusenza, Annabel Gammon, Allen Layman, Jim Poore, and Ray Souza  
  
Absent: Mike Navarro  
  
Staff Present: Ron E. Freitas, Director; Kirk Ford, Deputy Director; Debra Whitmore, Senior Planner; Angela Freitas, 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, Crystal Rein, Administrative Clerk II
- II. **PLEDGE OF ALLEGIANCE**
- III. **ELECTION OF 2006 PLANNING COMMISSION OFFICERS**
  - A. Assali/Cusenza Motion to Nominate Ray Souza As Chair, Unanimous (7-0)  
**APPROVED RAY SOUZA AS CHAIR.**
  - B. Assali/Gammon Motion to Nominate Jim Poore as Vice Chair, Unanimous (7-0)  
**APPROVED JIM POORE AS VICE CHAIR.**
- IV. **CITIZEN'S FORUM**
  - A. No one spoke.
- V. **APPROVAL OF MINUTES**
  - A. December 15, 2005  
Layman/A. Souza, 6-0, **APPROVED**  
Commissioner Poore abstained
- VI. **CORRESPONDENCE**

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

  - A. 2006 Planning Commission Meeting Calendar

- B. Farmland Working Group Newsletter - Fall / Winter 2005
- C. Planning Education Brochure from Division of Continuing and Global Education, California State University, Fresno

**VII. CONFLICT OF INTEREST**

- A. None.

**VIII. PUBLIC HEARINGS ( \* - Consent Items )**

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

**A member of the public requested Item VIII-E, Use Permit Application No. 2005-01 - River Haven Nursery be removed from the Consent Calendar and will be heard as a Public Hearing.**

Public hearing closed.

**\* CONSENT ITEMS**

- \*A. USE PERMIT APPLICATION NO. 2005-25 - PETROGULF CORPORATION - VANDA PROSPECT** - This is a request to drill a natural gas well on a small portion of a 171 acre parcel located in the A-2-40 (General Agriculture) zoning district. The property is located at 1530 Oaklea Road, west of River Road in the Vernalis / Westley / Grayson area. This project is exempt from CEQA.  
APN: 016-008-006  
Staff Report: Rob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Poore/A. Souza, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**
- \*B. USE PERMIT APPLICATION NO. 2005-26 - PETROGULF CORPORATION - VANESSA PROSPECT** - This is a request to drill a natural gas well on a small portion of a 91.6 acre parcel located in the A-2-40 (General Agriculture) zoning district. The property is located at the southeast end of Burkhard Road, west of River Road, east of Highway 33 in the Westley / Grayson area. This project is exempt from CEQA.  
APN: 016-011-008  
Staff Report: Bob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.  
Public hearing closed.  
Poore/A. Souza, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- \*C. USE PERMIT APPLICATION NO. 2005-27 - PETROGULF CORPORATION - VERA PROSPECT** - This is a request to drill a natural gas well on a small portion of a 21.78 acre parcel located in the A-2-40 (General Agriculture) zoning district. The property is located east of Highway 33 & west of River Road in the Vernalis / Westley / Grayson area. This project is exempt from CEQA.

APN: 016-011-017

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

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Poore/A. Souza, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

- \*D. USE PERMIT APPLICATION NO. 2005-31 - PETROGULF CORPORATION - VELVET PROSPECT - BOGETTI NO. 1-35** - This is a request to drill an exploratory natural gas well on a small portion of a 40-acre parcel located in the A-2-40 (General Agriculture) zoning district. This is not a gas storage project. The property is located on the west side of McCracken Road between Maze Boulevard (State Highway 132) and Highway 33, in the Vernalis area. This project is exempt from CEQA.

APN: 016-002-051

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

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Poore/A. Souza, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

Item to be heard as a Public Hearing.

- \*E. USE PERMIT APPLICATION NO. 2005-01 - RIVER HAVEN NURSERY** - To be heard under the Non-Consent Calendar.

- \*F. PARCEL MAP APPLICATION NO. 2005-22 - JACK WEBSTER CONSTRUCTION** - This is a request to create four parcels consisting of 11,855, 9,005, 9,006, and 8,879 square feet in the R-A (Rural Residential) zoning district. Water and sewer for these proposed parcels will be provided by the Denair Community Services District. The project is located at 4932 Zeering Road, southwest corner of Zeering and Story Roads, in the Denair area. A Mitigated Negative Declaration will be considered.

APN: 024-024-032  
Staff Report: Carole Maben Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Poore/A. Souza, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

**NON-CONSENT ITEMS**

Item VIII-E removed from Consent Calendar.

- E. USE PERMIT APPLICATION NO. 2005-01 - RIVER HAVEN NURSERY** - Request to establish a wholesale nursery on a 9.09 acre parcel in the A-2-10 (General Agriculture) zoning district. The property is located on the south side of Yosemite Avenue, just east of Skyline Blvd, in the Waterford area. The nursery will include a dry storage/office building, shade structure, cold-frame greenhouse, and shop building. The Planning Commission will consider adopting a Mitigated Negative Declaration.  
APN 080-034-016  
Staff Report: Angela Freitas Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Tom Broderick, 13918 Yosemite Blvd., Waterford  
**FAVOR:** Michael Kirk, 13834 Yosemite Blvd., Waterford  
Public hearing closed.  
Assali/A. Souza, Unanimous (7-0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

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

- A. None.

**X. REPORT OF THE DIRECTOR**

**BOARD OF SUPERVISORS' ACTIONS OF DECEMBER 20, 2005**

- A. The Board appointed Ray Souza to a second term on the Planning Commission.
- B. The Board approved two lot line adjustments, and rescission and new Williamson Act contracts.
- C. The Board approved a Memorandum of Understanding to cooperatively prepare a Project Study Report for transportation improvements involving State Route 165, Lander Avenue and State Route 99, along with City of Turlock and Merced County.

- D. The Board approved General Plan Amendment Application 2005-11, Rezone Application 2005-12 for Zansco Properties. This was located at the southeast corner of Pentecost Drive and Bitritto Way. Your planning commission had recommended approval.
- E. The Board approved General Plan Amendment Application 2005-07, Rezone Application 2005-08, C.G. Properties. This was a request to allow for professional office uses with accessory warehouse storage space on property located at the northeast corner of Kiernan and Pentecost Drive in the Modesto area. Your planning commission had recommended approval.
- F. The Board approved General Plan Amendment Application 2005-08, Community Plan Amendment Application 2005-03, Vesting Tentative Subdivision Map 2005-04 for Hideaway Terrace. This was for property located at the northeast corner of E. Monte Vista and N. Waring Road, in the town of Denair. Your planning commission had recommended approval.
- G. The Board approved General Plan Amendment Application 2005-10, Rezone Application 2005-11, Vesting Tentative Subdivision Map 2005-06, Wenstrand Ranch, for property located on Main Street at the corner of E. Monte Vista, Lester Road, and Main Street in Denair. Your planning commission had recommended approval.

**BOARD OF SUPERVISORS' ACTIONS OF DECEMBER 27, 2005**

- A. The Board did not meet this date.

**BOARD OF SUPERVISORS' ACTIONS OF JANUARY 3, 2006**

- A. The Board did not meet this date.

**MISCELLANEOUS & ON THE HORIZON**

- A. Stanislaus County Planning Directors' Annual Planning Commissioners Workshop will be held on Saturday, February 4, 2006. This event will be hosted by the City of Newman. It will be held at the Newman Theater. As we have more information we will pass that information on to you with more specifics as to location and program.

**January 19, 2006**

- 1. Three Parcel Maps
- 2. Revocation of Use Permit No. 92-02 - Resendiz Farms

**February 2, 2006**

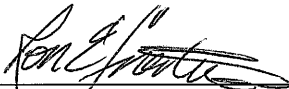
- 1. One Time Extension for a Parcel Map
- 2. Two Use Permits
- 3. Two Parcel Maps

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

**A.** None.

**XII. ADJOURNMENT AND RECONVENED TO WORKSHOP.**

The meeting was adjourned at 6:41 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.)