

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

August 17, 2006

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Chair Ray Souza, Marie Assali, Tony Cusenza, Annabel Gammon, Robert Hardie, Allen Layman, Arsenio Mataka, Michael Navarro, and Jim Poore
- Absent: None
- Staff Present: Ron E. Freitas, Director; Kirk Ford, Deputy Director; Bob Kachel, Senior Planner; Angela Freitas, Senior Planner; Sara Lytle-Pinhey, Assistant Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Kit McClurg, 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. August 3, 2006
Poore/Assali, 6-0, **APPROVED**
Commissioners Cusenza, Gammon, and Mataka abstained.
- V. **CORRESPONDENCE**
Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Tuolumne River Regional Park Commission Agenda for August 10, 2006.
- B. Memo dated August 10, 2006 from Department of Public Works regarding Parcel Map Application No. 2006-20 - Diablo Grande Ranch Golf Course, Item VII-B.
- VI. **CONFLICT OF INTEREST**
- A. No conflicts.

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. APPEAL OF DENIAL OF BUSINESS LICENSE FOR D&L CONCRETE PUMPING, INC.** - Appeal of a staff decision to deny the issuance of a business license for D&L Concrete Pumping, Inc. The property is located at 3730 Dakota Avenue, in the Modesto area. **Applicant's attorney is requesting continuance to September 7, 2006.**

APN: 076-068-016

Staff Report: Kirk Ford Recommends **CONTINUANCE TO SEPTEMBER 7, 2006.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Gammon, Unanimous (9-0) **APPROVED CONTINUANCE TO SEPTEMBER 7, 2006, AS OUTLINED IN THE STAFF MEMO.**

- *B. PARCEL MAP APPLICATION NO. 2006-20 - DIABLO GRANDE RANCH GOLF COURSE** - Request to create parcels of 134.7, 39.5, 6.1, and 5.1 acres within the Diablo Grande Specific Plan area (SP-1), located within the Diablo Grande Planned Residential / Resort Community. The property is located at the westerly end of Diablo Grande Parkway, west of Interstate 5, approximately 10 miles southwest of Patterson.

APN: 025-010-009, 025-011-020, 025-023-014

Staff Report: Bob Kachel Recommends **APPROVAL WITH REPLACED CONDITION OF APPROVAL NO. 5, AS REQUESTED IN MEMO FROM DEPARTMENT OF PUBLIC WORKS.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Assali/Gammon, Unanimous (9-0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, WITH CONDITION OF APPROVAL NO. 5 TO READ:**

5. The Public Road, as indicated on Sheets 3 and 4 of the tentative parcel map, shall be identified as "Upper Oak Flat Road (not maintained by County)" on the final parcel map to be recorded. Any reference to dedication or offer of dedication of this road to the County, as shown on the tentative parcel map, shall be omitted from the final parcel map to be recorded.

NON-CONSENT ITEMS

- C. USE PERMIT APPLICATION NO. 2006-18 - ROSE VALLEY KENNEL** - Request to operate a dog kennel, which will include breeding (2-3 litters per year), to house up to a maximum of 20 dogs on a 1.5 acre parcel in the A-2-40 (General Agriculture) zoning district. The property is located at 3219 S. Waring Road, in the Denair area.
APN: 018-057-015
Staff Report: Sara Lytle-Pinhey Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Aaron Rose, 3219 S. Waring Road, Denair
Public hearing closed.
Layman/Poore, Unanimous (9-0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- D. REZONE APPLICATION NO. 2006-05 - EXCELL CENTER** - Request to change zoning from Planned Development No. 40 to a new Planned Development to allow expansion of a residential treatment center for troubled boys on a 10.56± acre site. The property is located at 2513 Youngstown Road, in the south Turlock area.
APN: 044-032-007
Staff Report: Bob Kachel Recommends **APPROVAL TO THE BOARD OF SUPERVISORS**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Terry McAlister, 1349 Oregon Drive, Merced
Public hearing closed.
Poore/Assali, Unanimous (9-0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF AUGUST 8, 2006

- A. The Board did not meet this date.

BOARD OF SUPERVISORS' ACTIONS OF AUGUST 15, 2006

- A. The Board considered the report regarding the impact of the proposed 30-year Land Use Restriction Initiative and approval to place the measure on the ballot for voter consideration.

MISCELLANEOUS & ON THE HORIZON

September 7, 2006

1. Appeal of Staff Decision
2. Lake Road Grizzly Ranch - to approve or disapprove a Statement of Overriding Considerations
3. One Use Permit
4. School Site Consistency Report

September 21, 2006

1. One Tentative Map Application
2. One Use Permit
3. Two Parcel Map Applications

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

A. None.

XI. ADJOURNMENT

The meeting was adjourned at 6:31 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.)