

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

November 2, 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; Bob Kachel, Senior Planner; Angela Freitas, Senior Planner; Javier Camarena, Assistant Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Mike Newton, Manager of Code Enforcement, 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. October 19, 2006
Gammon/Assali, 8-0, **APPROVED**
Commissioner Navarro abstained.
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Correspondence received October 31, 2006, from John R. Scheuber, Scheuber Farm, regarding Item VIII-A, El Rematito Marketplace.
- B. Letter dated November 1, 2006, from the City of Ceres regarding Item VIII-A, El Rematito Marketplace.
- C. Letter dated November 1, 2006 (received November 2, 2006 at 3:30 p.m.) from Benchmark Engineering, Inc. regarding Item VIII-A, El Rematito Marketplace.
- VI. CONFLICT OF INTEREST**
- A. Commissioner Layman has a conflict with Item VII-A, Parcel Map Application No. 2006-33 - Beard Land Improvement Company, and will recuse himself.

Chair Souza welcomed a group of seniors from Beyer High School, who are observing a public meeting as part of their government class.

VII. PUBLIC HEARINGS (* - Consent Items)

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

***CONSENT ITEMS**

Due to a conflict, Items VII-A and VII-B were heard out of order.

- *B. TENTATIVE MAP APPLICATION NO. 2006-02 - LESTER ROAD SUBDIVISION (Requesting Continuance to December 7, 2006)** - Request to divide a 4.58 acre parcel, containing one house into 15 residential lots located at the southwest corner of Lester Road and E. Zeering Road, in Denair. There will be a multiple use drainage basin / open space lot. Project is zoned R-A (Rural Residential) and designated Low Density Residential on the Land Use Element map in the General Plan. The parcel sizes would range from 8,022 to 13,578 square feet. Public sewer & water service will be provided by the Denair Community Services District. The Planning Commission will consider a Mitigated Negative Declaration for this project.
APN: 024-012-004
Staff Report: Bob Kachel Recommends **CONTINUANCE TO DECEMBER 7, 2006**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Layman, Unanimous (9-0), **APPROVED CONTINUANCE TO DECEMBER 7, 2006.**

6:07 p.m. Commissioner Layman left the chamber.

- *A. PARCEL MAP APPLICATION NO. 2006-33 - BEARD LAND IMPROVEMENT COMPANY** - Request to divide an existing 1.52 acre parcel in the industrial (M) zone into a 1.085 acre parcel and a new 0.437 acre parcel located at 2200 Hoover Avenue in the East Modesto area. This project is exempt from CEQA.
APN: 036-001-031
Staff Report: Javier Camarena Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Assali, Unanimous (8-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

6:08 p.m. Commissioner Layman returned to chambers.

NON-CONSENT ITEMS

- C. **REZONE APPLICATION NO. 2006-01 - AMIRKHAS VEHICLE STORAGE** - This is a request to rezone a 0.79 acre portion of expired Planned Development No. 115 to a new Planned Development to allow a vehicle storage yard for repossessed vehicles. It is expected to have one to two deliveries per day. The property is located on the northeast side of Taylor Court, between Keyes Road and Taylor Road, in the Keyes/Turlock area. A Negative Declaration will be considered.
APN: 045-053-037
Staff Report: Carole Maben Recommends **APPROVAL. Report presented by Angela Freitas.**
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: Edmond Jacobs; Art Amirkhas, 300 Primo Way, Modesto.
Public hearing closed.
Layman/Poore, Unanimous (9-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS.**
- D. **GENERAL PLAN AMENDMENT APPLICATION NO. 2006-01 & REZONE APPLICATION NO. 2006-03 - JOHNNY & NINWA DECKER** - Request to change General Plan designation from Urban Transition to Low Density Residential, and Zoning from A-2-10 (General Agriculture) to R-1 (Single Family Residential) of a 26,072.5 square foot parcel located at 844 River Road, Modesto. Future lots would be served with public sewer and water. The Planning Commission will also consider a Negative Declaration for this project.
APN: 038-008-030
Staff Report: Bob Kachel Recommends **APPROVAL TO THE BOARD OF SUPERVISORS.**
Public hearing opened.
OPPOSITION: Stephanie Voortman, 916 River Road; Daryl Parson, 909 River Road
FAVOR: John Decker; David Harris, Aspen Survey
Public hearing closed.
Hardie/Navarro, 7-2 (Assali and Gammon), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, AND RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

VIII. OTHER MATTERS (Not Public Hearings)

- A. Request to initiate a zone change from "Planned Development" (PD No. 285) to "General Agriculture" (A-2-40) due to non-compliance with the approved development schedule, located at 3113 Crows Landing Road, El Rematito Marketplace.
APN: 056-055-004 and 056-055-005

Report presented by Michael Newton, Code Enforcement.

PUBLIC COMMENTS:

Barbara Savery, Petrulakis Jensen & Friedrich, LLP, attorney for El Rematito Marketplace; Joe Monte, Commercial Loan Officer, Bryco Funding, Inc; David Leamon, Benchmark Engineering

8:05 p.m. Recessed
8:16 p.m. Reconvened

Rick Mummert, Benchmark Engineering; Salvador Pleitez; Tony Diaz, Hispanic Chamber of Commerce; Reynando Mora; John Scheuber; Raul Garcia, El Concilio; Balvino Irrizarry; Jorge Fernandez; Victor Marquez, vendor; Ivan Marquez.

Navarro/Assali, Unanimous (9-0), **CONTINUE TO DECEMBER 7, 2006, AT WHICH TIME THE APPLICANT SHALL PROVIDE DOCUMENTATION THAT THE LOAN FOR CONSTRUCTION HAS BEEN FULLY FUNDED, AND SHALL PROVIDE A REVISED, DETAILED PROJECT SCHEDULE FOR APPROVAL. AT THAT TIME THE COMMISSION WILL DETERMINE WHETHER THE DOCUMENTATION RECEIVED IS SUFFICIENT FOR THE PROJECT TO PROCEED, OR WILL ADOPT A RESOLUTION TO INITIATE THE ZONE CHANGE.**

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS' ACTIONS OF OCTOBER 24, 2006

- A. The Board did meet on this date, however, there were no items directly related to the Planning Commission on this agenda.

BOARD OF SUPERVISORS' ACTIONS OF OCTOBER 31, 2006

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

MISCELLANEOUS & ON THE HORIZON

- A. You have an invitation to attend the 5th Annual Community Retreat, November 4, 2006, from 8 a.m. to 1 p.m., entitled "Working Together." This is an event sponsored by Stanislaus County to provide leaders in the county with a comprehensive look at Stanislaus County and its programs, services, and new initiatives.
- B. The Stanislaus County Planning Directors Annual Planning Commission retreat will be held on Saturday, January 27, 2007. More information will be forthcoming, and the host agency this year will be Stanislaus County.

November 16, 2006

1. One Use Permit
2. Five Parcel Maps
3. One General Plan Amendment with a Rezone

December 7, 2006

1. One Ordinance Amendment
2. One Subdivision Map
3. Two Parcel Maps, one with a Variance
4. Continuation of the request to initiate a zone change for El Rematito Marketplace

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. None

XI. ADJOURNMENT

The meeting was adjourned at 10:25 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.)