

STANISLAUS COUNTY PLANNING COMMISSION

AGENDA

AUGUST 7, 2008

6:00 P.M.

CHAMBERS - BASEMENT LEVEL
TENTH STREET PLACE
1010 10TH STREET, MODESTO
www.stanco-planning.org



The Planning Commission welcomes you to its meetings which are regularly scheduled the first and third Thursday of each month, and your interest is encouraged and appreciated.

The agenda is divided into two sections:

CONSENT CALENDAR: These are items on this agenda designated by an asterisk (*) next to the item number, requiring a Planning Commission public hearing but which, following an initial evaluation by staff, have been found to be consistent with existing County policy and the County General Plan and are, therefore, **recommended for "routine" approval**. Prior to actual Planning Commission consideration, the Chair will open the public hearing and ask if anyone present wishes to discuss any of the items. If you want a particular agenda item removed from "Consent", please speak up and advise the Chair. That item will then be withdrawn from "Consent" and reviewed in detail as scheduled. The remaining "Consent" items for which there are no voice objections will be handled by a single action of the Commission.

NON-CONSENT CALENDAR: These items will be individually discussed and reviewed in detail.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE PLANNING COMMISSION REGARDING A MATTER ON THE AGENDA: While the Planning Commission welcomes and encourages participation in the Commission meetings, it would be appreciated if comments are limited to five minutes so that everyone may be heard.

PUBLIC COMMENT PERIODS: Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Planning Commission for consideration. However, California law prohibits the Commission from taking any action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors. Any member of the public wishing to address the Commission during the "Citizen's Forum" period will be limited to a maximum of 5 minutes.

New agenda items will not be heard after 11:00 p.m. If agenda item is not fully discussed by 12:30 a.m., it will be continued at the discretion of the Chair.

PLANNING COMMISSION AGENDAS AND MINUTES: Commission Agendas, Minutes, and copies of items to be considered by the Planning Commission are typically posted on the Internet on Friday afternoons preceding the meeting at the following website: www.stanco-planning.org. All materials, including materials related to an item on this Agenda, submitted to the Commission after distribution of the agenda packet are available for public inspection in the Planning Department at 1010 10th Street, Suite 3400, Modesto, during normal business hours.

NOTICE REGARDING NON-ENGLISH SPEAKERS: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedure Section 185 which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Stanislaus County Planning Commission shall be in English and anyone wishing to address the Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Commission Clerk at (209) 525-6330. Notification 72 hours prior to the meeting will enable the Clerk to make arrangements to ensure accessibility to this meeting.

- I. **ROLL CALL:** Chair Marie Assali, Annabel Gammon, Allen Layman, Arsenio Mataka, Michael Navarro, Jim Poore, John Shores, and Ray Souza
- II. **PLEDGE OF ALLEGIANCE**

III. CITIZEN'S FORUM

IV. MINUTES

A. July 17, 2008 [\[View Item\]](#)

V. CORRESPONDENCE

VI. CONFLICT OF INTEREST DECLARATION

VII. PUBLIC HEARINGS (* Consent Items)

***CONSENT ITEMS**

*A. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2007-33 - BEARD LAND IMPROVEMENT COMPANY** - Request to create three parcels from a 44.86 acre vacant industrial site on Garner Road, located in the (M) Industrial zoning district. Project is located on the northwest corner of Leckron and Garner Roads, just south of Yosemite Boulevard, along the Modesto and Empire Traction, on the southeast edge of Modesto. This project is exempt from CEQA.
APN: 036-016-035 [\[View Item\]](#)

*B. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2008-02, EXCEPTION APPLICATION NO. 2008-01 - CICCARELLI** - Request to create four 10-gross acre parcels from a 38.56 net acre parcel located in the A-2-10 (General Agriculture) zoning district. The property is currently under the Williamson Act. An Exception is requested since proposed Parcel "1" does not have direct access to a county-maintained road. The property is located at 2513 Shoemake Avenue, south of North Avenue and west of Brink Avenue, in the Modesto area. A CEQA Negative Declaration will be considered on this project.
APN: 005-052-002 [\[View Item\]](#)

NON-CONSENT ITEMS

C. **USE PERMIT APPLICATION NO. 2008-05 - STEWART & JASPER** - Request to expand an existing nut processing facility by adding two storage buildings (14,000 square feet each) and a retail store, selling mostly almond related products. The project site consists of three parcels totaling 271± acres, under Williamson Act Contract and located in the A-2-40 (General Agriculture) zoning district, at 3506 & 3119 Shiells Road, in the Newman area. A CEQA Negative Declaration will be considered on this project.
APN: 026-020-027, 026-025-037 and 026-025-049 [\[View Part\]](#)

- D. USE PERMIT APPLICATION NO. 2006-19 - ISLAMIC CENTER OF MODESTO -**
Request to construct a new 17,030 square feet church; and removal of all existing buildings on a 2.28-acre parcel. The project is located in a R-A (Rural Residential) zoning district. The project is located within the City of Modesto Sphere of Influence, at 1445 N. Carpenter Road, north of Shaddox Avenue. The project will consider a CEQA Negative Declaration.

APN: 081-028-014 & 081-028-015

[\[Staff Report & Conditions of Approval\]](#)

[\[Maps\]](#)

[\[Applicant Project Information\]](#)

[\[Initial Study & Negative Declaration\]](#)

[\[Environmental Review Referrals\]](#)

[\[Neighborhood Letters\]](#)

- E. USE PERMIT APPLICATION NO. 2008-15 - MONTESSORI AT HOME -** Request to operate large family daycare from a residential home located on a 6050 square foot lot in the P-D (177) zoning district. The project is located at 5005 San Felice Drive, between San Marino and San Vito Drives, in the Salida area. This project is exempt from CEQA.

APN: 135-015-074

[\[Staff Report\]](#)

[\[Photographs\]](#)

[\[Letters in Support\]](#)

- VIII. OTHER MATTERS (Not Public Hearings)**
- IX. REPORT OF DIRECTOR**
- X. ADDITIONAL MATTERS AT DISCRETION OF CHAIR**
- XI. ADJOURNMENT**

ALL ACTIONS OF THE STANISLAUS COUNTY PLANNING COMMISSION CAN BE APPEALED TO THE BOARD OF SUPERVISORS BY 5 P.M., AUGUST 18, 2008. THE FEE FOR APPEAL IS \$580.00.