

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

September 4, 2008

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Marie Assali, Annabel Gammon, Allen Layman, Arsenio Mataka, and Ray Souza
- Absent: Michael Navarro, and Jim Poore
- Staff Present: Kirk Ford, Interim Director; Bill Carlson, Senior Planner; Sean Purciel, Associate Planner; Kristin Doud, Assistant Planner; Thomas E. Boze, Deputy County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Tod Woodward, Code Enforcement Unit Manager, 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 21, 2008
Souza/Layman, 5-0, **APPROVED**
- V. CORRESPONDENCE**
- Director Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Article from Modesto Bee, dated September 3, 2008, "Community activist John Shores, 81, dies."
- B. Memo dated September 3, 2008, from Public Works, regarding Item VII-A, Tentative Parcel Map Application No. 2008-06 - Ronald Martella.
- C. Memo dated September 4, 2008, from Planning Department, requesting indefinite continuance of Item VII-B, Use Permit Application No. 2008-09 - AT&T Wireless - Star Avenue.
- D. Email received September 4, 2008, from Leslie Brennecke, regarding Item VII-C, Use Permit Application No. 2008-08 - AT&T Wireless - Prairie Flower Road.

VI. CONFLICT OF INTEREST

- A. Commissioner Assali knows Ronald Martella and will step down during this hearing.

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Assali informed the public of the consent items and procedure.

Public hearing opened.

Public hearing closed.

*** CONSENT ITEMS**

***A. TENTATIVE PARCEL MAP APPLICATION NO. 2008-06 - RONALD MARTELLA -**

This is a request to subdivide two parcels totaling 166.20 acres into four parcels of approximately 40 acres each, in an A-2-40 (General Agriculture) zoning district, with a portion of the project enrolled under the Williamson Act. The property is located on the north end of Goodwin Road, west of Albers Road, and south of Dry Creek, in the Modesto area. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 009-012-032 and 009-013-004

Staff Report: Sean Purciel Recommends **APPROVAL, ALONG WITH ADDED CONDITION OF APPROVAL FROM PUBLIC WORKS.**

Souza/Gammon, Unanimous (5-0) **CONTINUED TO SEPTEMBER 18, 2008, DUE TO LACK OF QUORUM.**

***B. USE PERMIT APPLICATION NO. 2008-09 - AT&T WIRELESS - STAR AVENUE -**

This is a request to construct and operate a wireless collocation communication facility in the A-2-40 (General Agriculture) zoning district, on a 12.54 acre parcel. The proposal includes a 130' tall monopole tower, with an equipment building. The property is located at 11912 Star Avenue, adjacent to Reinway Avenue, within the Sphere of Influence of Waterford. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 080-002-021

Staff Report: Kristin Doud Recommends **INDEFINITE CONTINUANCE.**

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Layman/Souza, Unanimous (5-0), **APPROVED INDEFINITE CONTINUANCE.**

NON-CONSENT ITEMS

C. USE PERMIT APPLICATION NO. 2008-08 - AT&T WIRELESS - PRAIRIE

FLOWER ROAD - This is a request to construct and operate a wireless collocation communication facility in the A-2-40 (General Agriculture) zoning district, on a 79+ acre parcel enrolled under the Williamson Act. The proposal includes a 130' tall lattice tower, with an equipment building. The property is located at 7215 S. Prairie

Flower Road, adjacent to Hilmar Road and east of Mitchell Road, in the Turlock area. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 057-013-015

Staff Report: Bill Carlson Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: James Singleton, AT&T Wireless

Public hearing closed.

Souza/Layman, Unanimous (5-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. Change of Nuisance Abatement Hearing Board Members, presented by Tod Woodward, Code Enforcement Unit Manager.

Chair Assali appointed the following to the Nuisance Abatement Hearing Board:

Commissioner Navarro - Chair

Commissioner Mataka - Member

Commissioner Gammon - Alternate

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF AUGUST 26, 2008

- A. Authorized release of the 2007-2008 Draft Consolidated Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant Program for a public review to end on September 23, 2008, and request to set a public hearing on September 23, 2008, at 9:15 a.m. for adoption of the Report.

BOARD OF SUPERVISORS ACTIONS OF SEPTEMBER 2, 2008

- A. The Board did not meet this date.

MISCELLANEOUS & ON THE HORIZON

Remember to take the on-line ethics training course, which is required by the FPPC every two years. Be sure to print the Certification of Completion at the end of the training, and return it to our office. See Eva if you need the website information.

The Annual California County Planning Commissioner's Conference is scheduled for October 24th to the 25th, in Bakersfield. The topic will be Land and Water Planning. The Planning Department can send two Commissioners.

September 18, 2008

1. Two Use Permits
2. Two Parcel Map

October 2, 2008

1. One Use Permit

Mr. Ford expressed his deepest sadness regarding Commissioner Shores' passing, and his thoughts, and the thoughts of our entire staff are with John's family. Commissioner's Shores' memorial will be September 18th at 11:00 a.m. at St. Paul's Episcopal Church.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. Chair Assali also expressed her sorrow, and noted that Commissioner Shores will be deeply missed on the Commission.

XI. ADJOURNMENT

The meeting was adjourned at 6:35 p.m.



Kirk Ford, 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.)