

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

October 16, 2008

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Marie Assali, Allen Layman, Arsenio Mataka, Michael Navarro, and Jim Poore
- Absent: Annabel Gammon and Ray Souza
- Staff Present: Kirk Ford, Interim Director; Angela Freitas, Senior Planner; Sean Purciel, Associate 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; Eva Rosa, Planning Commission Clerk

II. PLEDGE OF ALLEGIANCE

Chair Assali asked Vice Chair Layman to conduct the meeting.

III. **CITIZEN'S FORUM** - No one spoke.

IV. APPROVAL OF MINUTES

- A. October 2, 2008
Poore/Assali, 5-0, **APPROVED**

V. **CORRESPONDENCE** - No correspondence.

VI. **CONFLICT OF INTEREST** - No conflicts.

VII. PUBLIC HEARINGS (* - Consent Items)

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

Item VII-A was requested to be removed from the Consent Calendar. A full hearing will take place.

* CONSENT ITEMS

- *A. MODIFICATION OF USE PERMIT NO. 2006-19 - ISLAMIC CENTER OF MODESTO - Will be heard as a Non-Consent Item.

NON-CONSENT ITEMS

- A. **MODIFICATION OF USE PERMIT NO. 2006-19 - ISLAMIC CENTER OF MODESTO** - This is a request from the Stanislaus County Department of Public Works, to amend three (3) and rescind seven (7) Conditions of Approval related to improvements on Watts Avenue and Carpenter Road. The Use Permit for the Islamic Center of Modesto was approved by the Planning Commission on August 7, 2008, authorizing a church on a 2.28 acre parcel in the R-A (Rural Residential) zoning district, at 1445 N. Carpenter Road, north of Shaddox Avenue, in the City of Modesto Sphere of Influence. A Negative Declaration was approved for this project on August 7, 2008.
APN: 081-028-014 & 081-028-015
Staff Report: Sean Purciel Recommends **APPROVAL OF MODIFICATION OF CONDITIONS OF APPROVAL.**
Public hearing opened.
OPPOSITION: Robert Sargent 1624 Shaddox Avenue, Modesto
FAVOR: Firoz Vohra
Public hearing closed.
Assali/Navarro, Unanimous (5-0), **APPROVED THE MODIFICATIONS TO THE CONDITIONS OF APPROVAL AS FOLLOWS:**

46. A Grading and Drainage Plan with engineering calculations shall comply with City of Modesto standards **and shall be approved or found to be acceptable prior to issuance of any building permit. The plan shall be implemented prior to final and/or occupancy of the building.**
47. No parking, loading or unloading of vehicles shall be permitted within the right-of-way of Carpenter Road or Watts Avenue. The developer will be required to install or pay for the installation of all required signs and/or markings, if warranted.
48. **Prior to issuance of a building permit**, the property owner shall sign a Road Easement document that will dedicate sufficient right-of-way to Stanislaus County to provide 30-feet east of the existing centerline of Watts Avenue along the parcel's frontage ~~along with sufficient right-of-way for an off-set cul-de-sac, per City of Modesto Standards.~~
- ~~49. Full improvements shall be installed along the frontage of Watts Avenue per City of Modesto Standards that shall include, but not be limited to, curb, gutter, storm drainage, matching pavement, and striping and signage as needed. Driveways will not be allowed onto Watts Avenue. This shall be installed and approved before occupancy of any structure built on the property.~~
- ~~50. The median on Carpenter Road shall be lengthened 10-feet south. This work will tie into the existing median and be part of the off-site improvement plans. If possible, use City of Modesto Standards. This shall be installed and approved before occupancy of any structure built on the property.~~

51. Signs shall be posted at the driveways showing right turns only onto Carpenter Road.
- ~~52. Off-site improvement plans for the frontage of the parcel and the median lengthening on Carpenter Road shall be submitted and approved prior to the issuance of any building or grading permit.~~
53. An encroachment permit shall be taken out prior to any work done in the right-of-way.
- ~~54. An Engineer's Estimate shall be provided so the amount of the financial guarantee can be determined. This will be based on the County approved street improvement plans. This shall be submitted prior to issuance of a building permit and once the improvement plans have been approved by the County.~~
- ~~55. A Financial Guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvement installation along the frontage of the new parcel on Main Street with the Department prior to the issuance of the grading or building permit, whichever is first.~~
- ~~56. Prior to the approval of the off-site improvement plans, the developer shall file a Notice of Intention (NOI) with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works.~~
57. All parking areas shall be paved and striped per County Standards.
- 58. Prior to the issuance of a building permit, the property owners shall sign an Irrevocable Offer of Dedication document that will dedicate sufficient right-of-way to Stanislaus County to provide 55 feet west of the existing centerline of Carpenter Road along the parcel's frontage.**
- ~~59. A Financial Guarantee in a form acceptable to the Department of Public Works shall be deposited for the street improvement installation along the frontage of the parcel on Carpenter Road and Watts Avenue with the Department prior to the issuance of the grading or building permit, whichever is first.~~

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) - None.

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF OCTOBER 7, 2008

- A. There were no items related to Planning and Community Development.

- B. The Board heard a Report on the Estimated Local Impact of the 2008-2009 State Budget on Stanislaus County Programs including the impact to the County's Redevelopment Agency's Programs.

BOARD OF SUPERVISORS ACTIONS OF OCTOBER 14, 2008

- A. The Board did not meet this day.

MISCELLANEOUS & ON THE HORIZON

November 6, 2008

1. One Use Permit Application
2. One Parcel Map Application

November 20, 2008

1. Two Use Permit Applications
2. One Parcel Map Application
3. One Minor Text Amendment to the Safety Element of the General Plan

Director Ford informed the Commissioners that an update on the improvements to El Rematito Marketplace will be presented to the Commission in December.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN - None.

XI. ADJOURNMENT

The meeting was adjourned at 6:59 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 Department.)