

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

February 5, 2009

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Vice Chair Allen Layman, Tom DeLaMare, Annabel Gammon, Arsenio Mataka, Michael Navarro, Greg Pires, Jim Poore, and Ray Souza

Absent: Marie Assali

Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Bill Carlson, Senior Planner; Joshua Mann, Associate Planner; Javier Camarena, Assistant Planner; Kristin Doud, Assistant Planner; Thomas E. Boze, Deputy County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Judy Lindsey, Senior Engineering Tech, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk
- II. **PLEDGE OF ALLEGIANCE**
- III. **CITIZEN'S FORUM** - No one spoke
- IV. **APPROVAL OF MINUTES**
 - A. December 4, 2008
Poore/Navarro, 5-0, **APPROVED**
Commissioners DeLaMare, Mataka, and Pires abstained
 - B. January 15, 2009
Souza/Poore, 6-0, **APPROVED**
Commissioners Layman and Navarro abstained
- V. **CORRESPONDENCE**

Director Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:

 - A. Email dated January 26, 2009, from M. Jean Dyer, regarding Item VII-C, Vesting Tentative Subdivision Map Application No. 2006-06 & Exception Application No.2008-02 - Knights Ferry Overlook
 - B. Letter received January 29, 2009, from Knights Ferry Municipal Advisory Council, regarding Item VII-C, Vesting Tentative Subdivision Map Application No. 2006-06 & Exception Application No. 2008-02 - Knights Ferry Overlook
 - C. Letter received January 30, 2009, from Department of Public Works, regarding Item VII-C, Vesting Tentative Subdivision Map Application No. 2006-06 & Exception Application No. 2008-02 - Knights Ferry Overlook

- D. Hand-outs from Karen Eakin, regarding Item VII-C, Vesting Tentative Subdivision Map Application No. 2006-06 & Exception Application No. 2008-02 - Knights Ferry Overlook
- E. Draft Agenda for the Workshop on Agricultural Land Preservation to be held February 27th
- F. Memo dated February 5, 2009, from Department of Planning and Community Development regarding Item VII-C, Vesting Tentative Subdivision Map Application No. 2006-06 & Exception Application No. 2008-02 - Knights Ferry Overlook

VI. CONFLICT OF INTEREST - None

VII. PUBLIC HEARINGS (* - Consent Items)

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

***CONSENT ITEMS** - No Consent Items

NON-CONSENT ITEMS

- A. USE PERMIT APPLICATION NO. 2008-04 - APOSTOLIC ASSEMBLY** - This is a request to convert an existing 3,020 square foot single-family home to a Bible Study Center with five (5) classrooms, on a one-acre parcel, in the R-A (Rural Residential) zoning district. The project site is located at 431 S. Abbie Street, in the south Empire area. The Planning Commission will consider a Negative Declaration on this project.

APN: 133-019-024

Staff Report: Javier Camarena Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Al Puga, 1810 San Gabriel Drive, Hughson; Lydia Barron

Public hearing closed.

Souza/Mataka, 7-1 (Poore), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, AND MODIFIED CONDITION OF APPROVAL NO. 13 TO READ:**

- 13. A six foot high solid block wall shall be installed along the northern property line up to the side yard setback, **or the existing cyclone fence may be fitted with slats as an alternative.**

- B. USE PERMIT APPLICATION NO. 2008-12 AND VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2008-14 - BEN HUDELSON FARMS ALMOND PROCESSING FACILITY** -This is a request for a warehouse expansion of an existing almond processing facility on a 51.80-acre parcel, in the A-2-40 (General Agriculture) zoning district, for the storage of raw and packaged almonds in three phases, each consisting of the construction of a 15,000 square foot warehouse building. The parcel map portion of this request would create an 12.21-acre parcel

containing the processing facility and a 40.54 (40.54-gross) acre parcel containing the orchard. The property is located at 10665 E. Whitmore Avenue, east of Sperry Road, in the Hughson area. The property is enrolled under a Williamson Act Contract. The Planning Commission will consider a Negative Declaration for this project.

APN: 019-018-045

Staff Report: Kristin Doud Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Elwyn Heinam, Advanced Design Group, Inc., 1128 Sixth Street, Modesto

Public hearing closed.

Souza/DeLaMare, Unanimous (8-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

C. VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. 2006-06 & EXCEPTION APPLICATION NO. 2008-02 - KNIGHTS FERRY OVERLOOK - This

is a request to divide a 33.70-acre parcel to create 8 parcels ranging in size from 0.50 to 5.00 acres with a 12.03 acre "Remainder." The property is split zoned, consisting of both A-2-5 (General Agriculture) and H-S (Historical Site District). An Exception is being requested on the four 1.00 acre parcels which would not have municipal water service/connection from Knights Ferry Community Services District. The property is located at the southeast corner of Cemetery and Frymire Roads, in the Community of Knights Ferry. The Planning Commission will consider a Mitigated Negative Declaration on this project.

APN: 002-044-003 & 002-044-004

Staff Report: Joshua Mann Recommends **APPROVAL ALONG WITH AMENDED CONDITION OF APPROVAL NO. 6.**

Public hearing opened.

OPPOSITION: Eric Feichter; Lisa Frymire-Dolling; Michael McKibben, 17367 Cemetery Road; Shavon Haskell, 17510 Ellen Road; Karen Eakin, 6142 Dale Road, Modesto; Sally Goehring, 17560 Sonora Road; Carol Davis, 1707 Hwy 120, Oakdale; Richard Bell, Morrison Road; Sharon Page, Morrison Road

FAVOR: Nick Honchariw, 3 Via Paraiso West, Tiburon

Public hearing closed.

Navarro/Poore, 6-2 (Layman, DeLaMare), **DENIED THE PROJECT BASED ON AN INABILITY TO MAKE FINDINGS AS REQUIRED BY THE SUBDIVISION MAP ACT AND THE STANISLAUS COUNTY CODE SECTION 20.64.030.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) - None

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF JANUARY 20, 2009

A. The Board did not meet this date.

BOARD OF SUPERVISORS ACTIONS OF JANUARY 27, 2009

A. There were no items related to Planning and Community Development on the Agenda.

BOARD OF SUPERVISORS ACTIONS OF FEBRUARY 3, 2009

- A. The Board approved a minor lot line adjustment on Williamson Act property in the Crows Landing area, but otherwise, there were no items related to Planning and Community Development on the Agenda.

MISCELLANEOUS & ON THE HORIZON

February 19, 2009

1. Discussion of the Preliminary Redevelopment Plan for the Crows Landing Air Facility
2. Use Permit for a Mine in the Lake Road/LaGrange area
3. General Plan Amendment, Rezone and Parcel Map request

March 5, 2009

1. Airport Land Use Meeting
 - A. Crows Landing Airport LayOut Plan
 - B. Crows Landing Airport Land Use Compatibility Plan
2. General Plan Amendment, Rezone, Parcel Map, and Williamson Act Cancellation

Mark your calendars for Friday, February 27 for the Workshop on Agricultural Land Preservation to be held at the Agricultural Center on Cornucopia Way beginning at 9 a.m. A draft Agenda and Registration Form has been provided to Commissioners. Registration fees for Commissioners will be covered by the Department. Please contact Eva Rosa to sign up, **by 4:30 next Wednesday, February 11th**.

X. ELECTION OF CHAIR AND VICE CHAIR FOR 2009

Poore/Souza, (8-0), elected Allen Layman as Chair and Michael Navarro as Vice Chair.

XI. APPOINTMENT OF COMMISSIONERS TO THE GENERAL PLAN UPDATE COMMITTEE

Poore/Gammon, 8-0, **POSTPONED TO FEBRUARY 19, 2009 MEETING.**

XII. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN - None

XIII. ADJOURNMENT

The meeting was adjourned at 8:27 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.)