

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

March 19, 2009

- I. ROLL CALL:** Meeting called to order at 6:02 p.m.
- Present: Chair Allen Layman, Marie Assali, Tom DeLaMare, Greg Pires, Jim Poore, and Ray Souza
- Absent: Annabel Gammon and Michael Navarro
- Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Joshua Mann, Associate 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; Vickie Jones, 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. March 5, 2009
DeLaMare/Assali, 5-0, **APPROVED**
Commissioner Souza abstained.
- V. CORRESPONDENCE**
Director Ford informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Letter dated March 12, 2009, from Ed Felt, Turlock Unified School District, regarding Item VII-C, Use Permit Application No. 2008-10 - Turlock Golf Center
- B. Letter dated March 11, 2009, from Matt Jeans, regarding Item VII-C, Use Permit Application No. 2008-10 - Turlock Golf Center
- C. Memo dated March 19, 2009, from Department of Planning and Community Development, regarding Item VII-B - General Plan Amendment Application No. 2007-04, Rezone Application No. 2007-04, Tentative Parcel Map Application No. 2008-11, and Williamson Act Cancellation Application No. 2007-03 - Sun Dry Products / Jim Davis

VI. CONFLICT OF INTEREST

- A. Commissioner Souza is familiar with Mr. Lemos, and will be stepping down during the hearing for Vesting Tentative Parcel Map Application No. 2006-45 - Lemos Family.

6:07 p.m. - Commissioner Souza left the Chambers

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2006-45 - LEMOS FAMILY** - Request to create three (3) parcels of 43±, 40± and 40± acres in size from an existing 123± acre parcel (Williamson Act Contract No. 72-0779) in the A-2-40 (General Agriculture) zoning district, designated as Agriculture in the County General Plan. The property is located on the east side of Tim Bell Road, northeast of Hazeldean Road and north of Yosemite Blvd, in the Waterford area. A CEQA Negative Declaration will be considered on this project.
APN: 008-003-005
Staff Report: Joshua Mann Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: No one spoke.
Public hearing closed.
Poore/Pires, Unanimous (5-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

6:09 p.m. - Commissioner Souza returned to the Chambers

NON-CONSENT ITEMS

- B. **GENERAL PLAN AMENDMENT APPLICATION NO. 2007-04, REZONE APPLICATION NO. 2007-04, TENTATIVE PARCEL MAP APPLICATION NO. 2008-11, AND WILLIAMSON ACT CANCELLATION APPLICATION NO. 2007-03 - SUN DRY PRODUCTS / JIM DAVIS - Continued from March 5, 2009.** This is a request to amend the General Plan and rezone 114.8 acres of a 200± acre parcel from Agriculture/A-2-40 (General Agriculture) to P-D (Planned Development) to allow the continued operation of the reclamation and recycling of agricultural products and add an industrial hauler, processing of commercial feed products and construction debris (such as pallets, and sulfur and gypsum wall board). A parcel map is being requested to subdivide the total 200± acre parcel into four parcels

(63.69, 51.11, 42.87, and 42 acres respectively). The two larger parcels require a Williamson Act Cancellation. The two proposed smaller parcels will continue in agricultural uses. The project is located at 3401 Gaffery Road, on the north side of Gaffery Road, east of Koster Road, adjacent to the Delta Mendota Canal, in the Westley area. The project is also located in San Joaquin County, which splits the property, leaving a small amount in San Joaquin County. The Planning Commission will consider a Mitigated Negative Declaration on this project.

APN: 016-003-009 (San Joaquin County APN: 265-001-009)

Staff Report: Sean Purciel Recommends: **FORWARD FOR APPROVAL TO THE BOARD OF SUPERVISORS, SUBJECT TO THE ACTIONS OUTLINED ON PAGES 16-19 OF THE STAFF REPORT AND MODIFICATION TO DEVELOPMENT STANDARDS 7-9, 11, AND 55 AS OUTLINED IN THE PLANNING COMMISSION MEMO.**

Report Presented by Angela Freitas.

Public hearing opened.

OPPOSITION: Salam Aziz, 2460 Gaffery Road; Joe Rarden, 3515 Welty Road; Cheryl Santos, 348 Orchard Road

FAVOR: Mike Normoyle, representing Sun Dry Products

Public hearing closed.

Public hearing opened.

FAVOR: Jim Davis, Sun Dry Products

Public hearing closed.

Public hearing opened.

FAVOR: Jim Davis, Sun Dry Products

Public hearing closed.

Poore/Assali, Unanimous (6-0), **FORWARD FOR APPROVAL TO THE BOARD OF SUPERVISORS, SUBJECT TO THE ACTIONS OUTLINED ON PAGES 16-19 OF THE STAFF REPORT AND MODIFICATION TO DEVELOPMENT STANDARDS 7-9, 11, AND 55 AS OUTLINED IN THE MARCH 19, 2009 PLANNING COMMISSION MEMO.**

- C. **USE PERMIT APPLICATION NO. 2008-10 - TURLOCK GOLF CENTER** - Request to establish a golf driving range on a 39± acre parcel in the A-2-40 (General Agriculture) zoning district, designated as Agriculture in the County General Plan. The development will include the construction of a 1,000 square foot maintenance building, a 2,000 square foot office/pro-shop, and a covered tee area. The project is located on the north side of Taylor Road, east of Highway 99 and west of Mountain View Road, in the Turlock area. A CEQA Negative Declaration will be considered on this project.

APN: 045-053-008

Staff Report: Joshua Mann Recommends **DENIAL.**

Public hearing opened.

OPPOSITION OF DENIAL: Dennis Wilson, 909 14th Street, Shane Balfour; Henry Solario, 1500 Del Monte

IN FAVOR OF DENIAL: Phil Mouzes, 3436 W. Barnhart

Public hearing closed.

Poore/DeLaMare, 5-1 (Assali), **APPROVED THE PROJECT BY TAKING ACTIONS 1-5 AS OUTLINED IN THE STAFF REPORT, PAGE 8, SUBJECT TO ALL CONDITIONS OF APPROVAL WITH THE EXCEPTION OF DELETED CONDITION OF APPROVAL NO. 49:**

~~49. Improvements (curb, gutter, and streetlights) shall be installed along the entire frontage of the proposed golf center in accordance with the encroachment permit to be issued by the City of Turlock (see No. 51 below).~~

AND AMENDED CONDITION OF APPROVAL NO. 53 TO READ:

53. Prior to the issuance of an encroachment permit by the City of Turlock, the applicant shall execute and record ~~an~~ **a deferral** agreement with the City to install **improvement (curb, gutter, and streetlights) and** sidewalks in accordance with City of Turlock standards along the entire frontage of the property at a future date to be determined by the City.

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) - None

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF MARCH 10, 2009

A. Set a Public Hearing on March 31, 2009, at 9:15 a.m., to Consider an Appeal of the Planning Commission's Approval of Use Permit Application No. 2008-03 - Delaney Aggregates.

BOARD OF SUPERVISORS ACTIONS OF MARCH 17, 2009

A. The Board did not meet this date.

MISCELLANEOUS & ON THE HORIZON

April 2, 2009

1. Use Permit Application No. 2008-25 - Verizon Wireless - Santa Fe Cell Tower
2. Time Extension for Vesting Tentative Map No. 2005-06 - Wenstrand Ranch
3. Airport Land Use Commission meeting

April 16, 2009

1. Use Permit No. 2008-23 - Denair Community Services District
2. A Time Extension for Use Permit 2006-23 - Unitarian Universalist Church

Director Ford reminded the Commissioners that FPPC 700 Forms are due back in our office on Monday, March 23.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN - None

XI. ADJOURNMENT

The meeting was adjourned at 7:46 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.)