

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

August 20, 2009

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Allen Layman, Tom DeLaMare, Annabel Gammon, Michael Navarro, Jim Poore, John Ramos, and Ray Souza
- Absent: Marie Assali, Greg Pires
- Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Bill Carlson, Senior Planner; Joshua Mann, Associate Planner; Javier Camarena, Assistant Planner; Thomas E. Boze, Deputy County Counsel; Judy Lindsay, Senior Engineering Tech, Public Works; Firoz Vohra, Traffic Engineer, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Crystal Rein, Administrative Clerk III
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM**
- A. No one spoke.
- IV. APPROVAL OF MINUTES**
- A. August 6, 2009
Poore/Gammon, 6-0, **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. Fax received August 11, 2009 from Robert F. Farrace, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- B. Fax received August 13, 2009 from William and Leanne Donahue, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- C. Letter dated August 7, 2009 from Mike and Stephanie Gase, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- D. Letter dated August 5, 2009 from Tina Reed, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.

- E. Letter dated August 5, 2009 from David Reed, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- F. Letter dated September 30, 2009 from Steve and Debbie Dunnegan, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- G. Letter dated August 4, 2009 from Tim and Teri Beattie, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- H. Letter dated July 30, 2009 from Mark and Sarah Partida, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- I. Letter dated August 4, 2009 from Ron and Jennifer Stahl, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- J. Letter dated July 31, 2009 from Jennifer Zuniga, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- K. Letter dated August 12, 2009 from Sam Nichols Sr., regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- L. Email received August 18, 2009 from Paul Konsdorf, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- M. Email received August 18, 2009 from Debra Konsdorf, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- N. Letter dated August 14, 2009 from Irene Murata, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- O. Fax received August 18, 2009 from Kelly & Shelly Bizzini & Family, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- P. Letter dated August 12, 2009 from Alan D. Reynolds, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- Q. Letter dated August 14, 2009 from Michael C. Dumars, M.D., regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- R. Email received August 19, 2009 from Chris Oar, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- S. Fax received August 20, 2009 from John Machado, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.
- T. Memo dated August 20, 2009, from Department of Planning and Community Development, requesting Condition of Approval No. 50a be added to Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.

- U. Email received August 20, 2009 from Rafael Munoz & Rosa Martin, regarding Item VII-B - Use Permit Application No. 2008-26 - Eastlake Baseball Complex.

VI. CONFLICT OF INTEREST

- A. Commissioner Souza knows Mr. Oar, but this will not cause a conflict.

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Layman informed the public there were no consent items.

***CONSENT ITEMS** - No Consent Items

NON-CONSENT ITEMS

A. VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2009-04, EXCEPTION

APPLICATION NO. 2009-02 - COSTA - This is a request to divide a 9.6± acre parcel to create a 3.1± and 3.5± acre parcel with a 3.0± “remainder” parcel in the A-2-3 (General Agriculture) zoning district. An exception to the Subdivision Ordinance is being requested due to the fact that Parcel 1 does not front on a county-maintained road and is under 20 acres in size. The project site is located at 4930 Santa Fe Street in the Oakdale/Riverbank area. The Planning Commission will consider a CEQA Negative Declaration on this project.

APN: 062-018-011

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

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: Bill Morris, 334 S. Yosemite Avenue, Oakdale

Public hearing closed.

Poore/Souza, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

B. USE PERMIT APPLICATION NO. 2008-26 - EASTLAKE BASEBALL COMPLEX -

This is a request to convert an existing golf driving range into a three (3) field baseball complex to include a 6,000 square foot training center and a 2,500 square foot concession and restroom facility, on a 15.7± acre parcel in the A-2-40 (General Agriculture) zoning district. The site is located at 4925 Parker Road in the east Modesto area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.

APN: 014-026-037

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

Public hearing opened.

OPPOSITION: Ron Frank, 1621 Church Street, Modesto; Bill Donahue, 5100 Parker Road, Modesto; Steve Ciraolo, 1716 Church Street, Modesto; Ron Frank, 1621 Church Street, Modesto; Debbie Konsdorf, 1713 Church Street, Modesto; Robert Farrace, 2360 Scenic Drive, Modesto; Wyley Cashman, 1300 10th Street, Suite A, Modesto, on behalf of Roger & Andrea Whaley; Eleanor Vinson, 1700 Dewitt Road, Modesto; Bret Vinson, 2000 Dewitt Road, Modesto; Glenn Patten, 1643 Dewitt Road, Modesto; Eldon Kidd, 5017 Parker Road, Modesto

FAVOR: David Butz, 2705 Marlboro Place, Modesto; Sam Nichols Jr., 2421 Meadow Rue Drive, Modesto; Karen Garcia, No address given; Jeff Johnson, 1508 Ramsgate Drive, Modesto; Alan Reynolds, 1326 Sycamore Avenue, Modesto; Daniel Ayala, 2108 Mable Avenue, Modesto
Public hearing closed.
Ramos/Gammon, 5-2 (Souza, DeLaMare), **BASED ON THE INABILITY TO MAKE THE NECESSARY FINDINGS TO APPROVE THE USE PERMIT, DENIED USE PERMIT APPLICATION NO. 2008-26 - EASTLAKE BASEBALL COMPLEX.**

8:50 p.m. - Recessed
8:55 p.m. - Reconvened

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. Consideration of the Consistency of the Stanislaus County Preliminary Capital Improvement Plan for Fiscal Year 2009-2010 with the Stanislaus County General Plan.
Poore/DeLaMare, Unanimous (7-0), **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS**

IX. REPORT OF THE DIRECTOR

BOARD OF SUPERVISORS ACTIONS OF AUGUST 11, 2009

- A. The Board accepted a presentation of the 2008 Agricultural Crop Report. (\$2,473,843,000 Agricultural commodity value for 2008).
- B. Approved General Plan Amendment Application No. 2008-06, Rezone Application No. 2008-06, Use Permit Application No. 2008-27 and Vesting Tentative Parcel Map Application No. 2008-15, O'Brien Veterinary Hospital.

BOARD OF SUPERVISORS ACTIONS OF AUGUST 18, 2009

- A. The Board held a Special Joint meeting with the City of Patterson City Council in Patterson. There were no items on the Agenda directly related to Planning and Community Development, however they did hear an update on the South County Corridor Feasibility Study Project.

MISCELLANEOUS & ON THE HORIZON

September 3, 2009

- 1. Time Extension Request for a GPA and Rezone for an office complex on Kiernan Ave.
- 2. Tentative Subdivision Map Application for two parcels in the Salida Area.

September 17, 2009

- 1. A Use Permit with a Variance for the Burbank-Paradise Fire District facility on Beverly Drive in Modesto.

Miscellaneous

1. El Rematito Update

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

- A. None.

XI. ADJOURNMENT

The meeting was adjourned at 9:17 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.)