

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

September 3, 2009

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.  
Present: Chair Allen Layman, Marie Assali, Tom DeLaMare, Annabel Gammon, Greg Pires, John Ramos, and Ray Souza
- Absent: Michael Navarro and Jim Poore
- Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Carole Maben, Associate Planner; Javier Camarena, 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; Eva Rosa, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** - No one spoke.
- IV. APPROVAL OF MINUTES**
- A. August 20, 2009  
DeLaMare/Souza, 5-0, **APPROVED**  
Commissioners Assali and Pires abstained.
- V. CORRESPONDENCE** - None.
- VI. CONFLICT OF INTEREST**
- A. Commissioner Souza is familiar with Mr. Hayes, Item VII-A, Time Extension for General Plan Amendment 2005-07 and Rezone 2005-08 - CG Properties, but this will not cause a conflict.
- 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. TIME EXTENSION FOR GENERAL PLAN AMENDMENT 2005-07 AND REZONE 2005-08 - CG PROPERTIES** - This is a request for a four-year time extension to June 20, 2013, to begin construction of the allowed development of Planned Development PD (301). PD (301) was approved to allow development of

professional office uses with accessory warehouse/storage on a 1.16 acre parcel. In 2007, a two-year time extension was approved to allow until June 20, 2009, to begin construction. The property is located at 625 Kiernan Avenue, northeast corner of Kiernan Avenue and Pentecost Drive, in the Modesto area. This project is exempt from CEQA.

APN: 004-094-029

Staff Report: Carole Maben Recommends **APPROVAL OF TIME EXTENSION.**

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Assali/Gammon, Unanimous (7-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND GRANTED THE TIME EXTENSION.**

**\*B. VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. 2009-01 - ELM**

**STREET** - This is a request to divide an 18,663 square foot (.42-acre) property into two parcels in the R-2 (Medium Density Residential) zoning district. Proposed parcel "1" will be 7,340± square feet and proposed parcel "2" will be 11,323± square feet. The project is located at 5345 Elm Street, Salida. This project is exempt from CEQA.

APN: 135-004-079

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

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

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

**NON-CONSENT ITEMS** - None.

**VIII. OTHER MATTERS (Not Public Hearings)**

A. El Rematito Marketplace (PD 285) - Update of Development Activities and Modification of the Development Schedule

Report Presented by Kirk Ford.

DeLaMare/Souza, Unanimous (7-0), **GAVE AUTHORITY TO THE DIRECTOR, OR HIS DESIGNEE, TO MODIFY THE DEVELOPMENT SCHEDULE ASSOCIATED WITH THE DRAINAGE BASIN/SOCCER FIELD UNTIL IT CAN BE ADDRESSED AS PART OF THE PENDING USE PERMIT.**

**IX. REPORT OF THE DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS OF AUGUST 25, 2009**

A. The Board did not meet this date.

**BOARD OF SUPERVISORS ACTIONS OF SEPTEMBER 1, 2009**

- A. Approved the finding that the proposed City of Hughson's Sphere of Influence expansion is logical and orderly; and, directed the Chief Executive Officer to notify the Local Agency Formation Commission of the County's agreement with the expansion request.
- B. Authorized the release of the Fiscal Year 2008-2009 Draft Consolidated Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant Program for a public review to end on September 22, 2009; and set a public hearing on September 22, 2009, at 9:15 a.m., to consider adoption of the Community Development Block Grant Fiscal Year 2008-2009 Consolidated Annual Performance Evaluation (CAPER).

**MISCELLANEOUS & ON THE HORIZON**

**MISCELLANEOUS**

The Board of Supervisors received an Appeal of the Planning Commission's decision to deny Use Permit Application 2008-26 - Eastlake Baseball Complex. The appeal is scheduled for the October 6<sup>th</sup> Board meeting, at 9:15 a.m.

**ON THE HORIZON**

September 17, 2009

- 1. Proposed County-wide Noise Ordinance

October 1, 2009

- 1. Use Permit to establish a swine farm on Simmons Road in the Turlock area

**X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN - None.**

**XI. ADJOURNMENT**

The meeting was adjourned at 6:11 p.m.

  
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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.)