

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

December 3, 2009

- I. **ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Allen Layman, Marie Assali, Tom DeLaMare, Annabel Gammon, Michael Navarro, Greg Pires, Jim Poore, and John Ramos
- Absent: Ray Souza
- Staff Present: Kirk Ford, Director; Angela Freitas, Deputy Director; Bill Carlson, Senior Planner; Joshua Mann, Associate Planner; Sean Purciel, Associate Planner; John Doering, 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

6:02 p.m. - Commissioner Souza entered the meeting.

## III. CITIZEN'S FORUM

- A. No one spoke.

## IV. APPROVAL OF MINUTES

- A. November 19, 2009  
Assali/Gammon, 9-0, **APPROVED**

## V. CORRESPONDENCE

Director Ford informed the Commissioners on various correspondence placed before them this evening:

- A. Memo from Public Works, dated December 2, 2009, regarding Item VII-D - Use Permit Application No. 2009-08 - Amerine Systems
- B. Fax received December 2, 2009, from Jack B. Clinton, regarding Item VII-D - Use Permit Application No. 2009-08 - Amerine Systems
- C. Petition received December 1, 2009, with 20 signatures of neighbors of Amerine Systems, Inc, supporting the project, Item VII-D - Use Permit Application No. 2009-08 - Amerine Systems

**VI. CONFLICT OF INTEREST**

- A. Commissioner DeLaMare knows Mr. Braden, Item VII-B, Vesting Tentative Parcel Map Application No. 2007-12 - Shiraz Ranch, but this will not cause a conflict.
- B. Commissioner Ramos receives compensation from Verizon Wireless, and will recuse himself from Item VII-A, Use Permit Application No. 2009-14 - Verizon Wireless - Faith Ranch.

**VII. PUBLIC HEARINGS ( \* - Consent Items )**

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

**\* CONSENT ITEMS**

Items heard out of order.

- \*B. VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2007-12 - SHIRAZ RANCH** - Request to create eight (8) 40± acre parcels from three (3) parcels totaling 320± acres, currently under Williamson Act Contract (Nos. 2007-01, 86-4081 & 83-3861). The project site is located in the A-2-40 (General Agriculture) zoning district, between the Delta Mendota Canal and California Aqueduct, south of Anderson Road, north of Stuhr Road, in the Crows Landing / Newman area. The Planning Commission will consider a CEQA Mitigated Negative Declaration on this project.  
APN: 026-013-034, 047, & 049  
Staff Report: Joshua Mann Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Poore/Ramos, Unanimous (9-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

6:07 p.m. - Commissioner Ramos left the chambers.

- \*A. USE PERMIT APPLICATION NO. 2009-14 - VERIZON WIRELESS - FAITH RANCH** - Request to construct a wireless communication facility with a 100-foot monopole and equipment shelter in the A-2-40 (General Agriculture) zoning district on a 160-acre parcel. The facility's lease area is 1,156 square feet. The site is located on the east side of River Road, south side of Orchard Road, at 3106 River Road, in the Vernalis area. The Planning Commission will consider a CEQA Negative Declaration on this project.  
APN: 016-009-031  
Staff Report: Sean Purciel Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

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

6:08 p.m. - Commissioner Ramos returned to the chambers.

**NON-CONSENT ITEMS**

- C. **TENTATIVE PARCEL MAP APPLICATION NO. 2007-28, EXCEPTION APPLICATION NO. 2007-02 - OSEGUERA** - Request to divide a 2.92-acre parcel into three parcels of 0.83, 0.82 and 1.27 acres in the R-A (Rural Residential) zoning district. An Exception is requested to allow a 30-foot access easement on two lots that do not front on a county-maintained road. The applicant has waived the right to construct new dwellings on all parcels until cumulative impacts of further development are considered by a Specific Plan and/or an Environmental Impact Report is approved. The project is located on the west side of Dillwood Road (9553 Dillwood Road) and 300 feet north of Hwy 108/120, in the east Oakdale area. The Planning Commission will consider a CEQA Negative Declaration on this project. APN: 010-033-021  
Staff Report: Sean Purciel Recommends **DENIAL**.  
Public hearing opened.  
**IN FAVOR OF PROJECT:** Jesse Stanley, 440 S. Yosemite Avenue, Oakdale  
**IN OPPOSITION OF PROJECT:** Tim Peterson, 9643 Dillwood, Oakdale  
Public hearing closed.  
Assali/Souza, 8-1 (Ramos), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT AND DENIED THE PROJECT.**
- D. **USE PERMIT APPLICATION NO. 2009-08 - AMERINE SYSTEMS - Continued from November 19, 2009.** Request to expand an existing agricultural sprinkler/irrigation business, on a 13± acre site in the A-2-40 (General Agriculture) zoning district. The site is located at 10866 Cleveland Avenue, between Lon Dale Road (SR 120) and Valley Home Road, in the Oakdale/Valley Home area. The Planning Commission will consider a Mitigated Negative Declaration on this project. APN: 006-005-003  
Staff Report: Sean Purciel Recommends **DENIAL**. Report presented by Bill Carlson.  
Public hearing opened.  
**IN FAVOR OF PROJECT:** Dennis Wilson, Horizon Consulting; Emerson Johnson; Ken Beuhner, Paradise Avenue, Patterson; Dan Perdue, 804 Kimball, Oakdale; Joe (inaudible), Oakdale; Gary Barton, Barton Ranches; Gary Amerine, 10866 Cleveland, Oakdale  
**IN OPPOSITION OF PROJECT:** Janet Roberts, 10837 Cleveland, Oakdale; Richard Roberts, 10837 Cleveland, Oakdale  
Public hearing closed.

**Souza/Assali, Unanimous (9-0), DENIED THE STAFF RECOMMENDATIONS AND APPROVED THE PROJECT, ALONG WITH DELETING CONDITION OF APPROVAL NO. 18 AND AMENDED CONDITIONS OF APPROVAL:**

15. The applicant shall provide slats in the chain link fence, including on the gates, screening the property on Cleveland Avenue.
- ~~18. All driveways and parking areas (both customer and employee) shall be paved and striped per county standards within 6 months of use permit approval. Prior to paving any parking located within the Burnett Lateral Easement, an encroachment agreement between Oakdale Irrigation District and the applicant shall be recorded. If the applicant is unable to obtain an encroachment agreement, a revised site plan showing re-located parking shall be approved by the Planning Director or his appointed designee. The Planning Director may extend the 6-month time frame by up to 12 months for paving if the applicant is making every effort to obtain an encroachment agreement and additional time is needed.~~
27. ~~All shrubs and trees must be located outside the ultimate rights-of-way of Cleveland Avenue (30 feet from centerline).~~  
**Cleveland Avenue is classified in the General Plan as a 60-foot local road. The following are Public Works conditions for Cleveland Avenue:**
  - a. **The applicant's engineer or surveyor shall prepare an Irrevocable Offer of Dedication for 30-feet east of the centerline of Cleveland Avenue along the entire frontage of the project's parcel. The Irrevocable Offer of Dedication will be submitted prior to the issuance of any building permit for the project.**
  - b. **The applicant shall make road frontage improvements along the entire parcel frontage. This improvement shall include additional paving to provide a 12' wide paved vehicle lane and a 4' wide paved asphalt shoulder to bring the roadway in front of the parcel to meet County standard requirements. Improvement plans are to be submitted to the Public Works Department for approval.**
28. ~~All driveway, locations, widths, and employee parking area shall be approved by this Department.~~  
**All driveway locations and widths shall be paved and approved by the Public Works Department via a County encroachment permit.**
32. ~~All driveways and employee and customer parking areas shall be paved and striped per county standards. The designated parking for vehicles with trailers shall be paved and striped appropriately.~~  
**Employee and customer parking areas shall be delineated to clearly show the number and location of required parking spots as per the County Standard Drawing 6A-1.**

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

**IX. REPORT OF THE DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS OF NOVEMBER 24, 2009**

A. There were no items related to Planning and Community Development on this date.

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

A. The Board of Supervisors did not meet this date.

**MISCELLANEOUS & ON THE HORIZON**

**ON THE HORIZON**

December 17, 2009

1. Two Parcel Maps in the Industrial zoning district.
2. A Parcel Map creating four 5-acre parcels in the R-A, Estate Residential zoning district on Rodden Road.
3. A Use Permit to install a restroom and five RV sites for private family use on Yosemite Blvd, in Waterford.
4. Change of Nuisance Abatement Hearing Board Members, presented by Tod Woodward, Code Enforcement Unit

There will be no Planning Commission meeting on January 7, 2010. The first meeting in 2010 will be January 21.

The offices at 1010 10<sup>th</sup> Street will be closed from noon on Christmas Eve through New Years, and will re-open on Monday, January 4<sup>th</sup>.

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

**XI. ADJOURNMENT**

The meeting was adjourned at 8:20 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.)