

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

May 7, 2015

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Richard Gibson, Katherine Borges, Marc Etchebarne, Tom Orvis, Ron Peterson, Bobby Yamamoto
- Absent: Steve Boyd, Kenneth Buehner
- Staff Present: Angela Freitas, Director; Miguel Galvez, Senior Planner; Rachel Wyse, Associate Planner; Kristin Doud, Associate Planner; Timothy Vertino, Assistant Planner; Thomas E. Boze, Deputy County Counsel; David Leamon, Deputy Director, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Danise Huey, Planning Commission Clerk
- County Consultants
Present: Brian Smith, Noise Consultant, Acoustical Engineering Consultant (AEC); Heather Minner, Shute, Mihaly & Weinberger, LLP, Contract Counsel
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** – No one spoke
- IV. APPROVAL OF MINUTES**
- A. April 2, 2015
Borges/Orvis, 5/0, **APPROVED**
Commissioner Peterson abstained.
- V. CORRESPONDENCE**
Director Freitas listed the items of correspondence included in the agenda packet and the following items of correspondence received too late for the agenda and placed before the Planning Commission this evening:
- A. Letter from Brad Christian, dated April 8, 2015, regarding item VIII-A - Use Permit No. 2002-21 - Mar, Addai Church (Larsa Event Center).
- B. Fax from Brett Dickerson, dated April 14, 2015, regarding item VIII-A - Use Permit No. 2002-21 - Mar, Addai Church (Larsa Event Center).
- C. Email from Gloria Ortega, dated May 5, 2015, regarding item VII-C – Use Permit No. PLN2013-0078 – Central Valley Recycling, Inc.

- D. Email from Debbie Miller, dated May 5, 2015, regarding item VII-C – Use Permit No. PLN2013-0078 – Central Valley Recycling, Inc.
- E. Letter from J.B. Anderson, dated May 6, 2015, regarding item VII-C – Use Permit No. PLN2013-08 – Central Valley Recycling, Inc.
- F. Letter from Debra A. Whitmore, City of Turlock, Deputy Director of Development Services, dated April 29, 2015, regarding item VIII-A - Use Permit 2002-21 – Mar Addai Church (Larsa Event Center).
- G. Fax from Brett L. Dickerson, Dickerson Law, Inc., dated May 7, 2015, regarding item VIII-A - Use Permit No. 2002-21 - Mar, Addai Church (Larsa Event Center).
- H. Farmland Working Group Newsletter.

VI. CONFLICT OF INTEREST - None

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Gibson informed the public of the consent items and procedure.

*** CONSENT ITEMS**

- *A. TENTATIVE PARCEL MAP APPLICATION NO. PLN2014-0113 - STEWART & JASPER ORCHARDS – *Requesting indefinite continuance.*** Request to divide a 148± acre parcel into two parcels of 69± and 79± acres in the A-2-40 (General Agriculture) zoning district. The property is located at 20737 Armstrong Road, south of E. Marshall Road, in the Newman area. The parcel is currently improved with an existing barn and single-family dwelling, planted in almond orchards, and will remain in agricultural production. The project site is currently enrolled in Williamson Act Contract No. 71-234. Proposed Parcels 1 and 2 will have access to County maintained Armstrong Road. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project.

APN: 027-002-007

Staff Report: Timothy Vertino Recommends **APPROVAL.**

Peterson/Yamamoto, 6/0 (Unanimous), **APPROVED THE STAFF RECOMMENDATION TO CONTINUE INDEFINITELY**

- *B. TENTATIVE PARCEL MAP APPLICATION NO. PLN2014-0019 - BURROUGHS** - Request to create a 5-acre parcel and an 8.81-acre parcel from a 13.81 acre parcel in the A-2-5 zoning district. The property is located at 15960 Orange Blossom Road, between Morrison Rd. and Grape Arbor Rd., near the community of Knight's Ferry, northeast of the City of Oakdale. The Planning Commission will consider adoption of a CEQA Mitigated Negative Declaration for the project.

APN: 002-063-018

Staff Report: Kristen Doud, Recommends **APPROVAL.**

Peterson/Yamamoto, 6/0 (Unanimous), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT**

NON-CONSENT ITEMS

- C. **USE PERMIT APPLICATION NO. PLN2013-0078 – CENTRAL VALLEY RECYCLING, INC.** – Request to intensify a California Redemption Value (CRV) and Scrap Metal Recycling facility on a 2.2± acre property in the C-2 (General Commercial) zoning district. The site is located at 522 and 524 S. 9th Street, on the east side of S. 9th Street, north of Hosmer Avenue, in the Ceres area. The Planning Commission will consider adoption of a Mitigated Negative Declaration for this project.

APNs: 038-012-008 and 038-012-009

Staff Report: Miguel Galvez Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: Mathew Harrington, 522 Bystrom, Cynthia Carillo. The following correspondence was provided by Mr. Harrington to staff following his testimony:

Letter from Rebecca A. Harrington, on behalf of John A. and Emily Ortega, dated May 6, 2015, regarding Item VII-C – Use Permit No. PLN2013-0078, Central Valley Recycling, Inc.

Letter from Maggie Mejia, President, Latino Community Roundtable, dated May 6, 2015, regarding item VII-C – Use Permit No. PLN2013-0078 – Central Valley Recycling, Inc.

Letter from Alfred L. Garcia, Commander – USMC Veteran, American GI Forum, PFC Oscar Sanchez Modesto Chapter, dated May 6, 2015, regarding item VII-C – Use Permit No. PLN2013-0078 – Central Valley Recycling, Inc.

Letter from Barbara V. England, dated May 5, 2015, regarding item VII-C – Use Permit No. PLN2013-0078 – Central Valley Recycling, Inc.

Letter from Martin and Oralia Martinez, dated May 6, 2015, regarding item VII-C – Use Permit No. PLN2013-0078 – Central Valley Recycling, Inc.

Letter from Julia Martinez, dated May 5, 2015, regarding item VII-C – Use Permit No. PLN2013-0078 – Central Valley Recycling, Inc.

Upon receipt by staff, the correspondence provided by Mr. Harrington was circulated to the Planning Commission members.

FAVOR: Mark Niskanen, 139 S. Stockton Ave., Ripon, Paul Bollard, 3551 Bankhead Road, Loomis

Public hearing closed.

Orvis/Etchebarne 5/1 (Gibson), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. **USE PERMIT NO. 2002-21 - MAR. ADDAI CHURCH (LARSA EVENT CENTER)** - Report to the Planning Commission on the status of County efforts to address project's compliance with Conditions of Approval and the Stanislaus County Noise Ordinance. UP 2002-21 was approved on January 16, 2003,

allowing the construction of a church, multi-purpose building, and single-family dwelling on a 9.63 acre site in the A-2-10 (General Agriculture) zoning district. The site is located at 2107 E. Monte Vista Avenue, between Amethyst Way and N. Quincy Road, in the Turlock area. This item will be heard as Other Matters.

APN: 073-007-005

Public hearing opened.

OPPOSITION: Brad Christain, 3280 Amethyst Way, Kevin and Tracy Storms, 3360 Amethyst Way, Gary Toombs, 3320 Amethyst Way, Turlock

Meeting recessed at: 8:25 p.m.

Meeting resumed at: 8:40 p.m.

FAVOR: Brett Dickerson, 332 West F Street, Oakdale

Public hearing closed.

Peterson/Etchebarne 6/0 (Unanimous), **DIRECTED STAFF TO SCHEDULE A PUBLIC HEARING TO CONSIDER AMENDING THE CONDITIONS OF APPROVAL AS RECOMMEND BY ACOUSTICAL ENGINEERING CONSULTANTS (AEC) IN THE NOISE STUDY DATED MARCH 17, 2015**

IX. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

April 21, 2015 Approved General Plan Application and Rezone Application No. PLN2014-0080, Salida Market, a Request to Amend the General Plan and Rezone a .33+/- Acre Parcel to Allow Replacement of a Building to be Used for a Retail Market at 4600 Broadway Avenue, in the Salida Area.

Approved General Plan Amendment and Rezone Application No. PLN2014-0077, BPL Properties, a Request to Modify the Current Legal Non-conforming Use to Allow for Commercial Uses and Construction of a New Building, Located at 5801 McHenry Avenue, North of the City of Modesto.

MISCELLANEOUS & ON THE HORIZON

Planning Commissioners Workshop – Save the Date – Saturday, October 10, 2015:

The topic is 'Health and the Built Environment' with guest speaker Richard J. Jackson a Professor of Environmental Health Sciences at the Fielding School of Public Health at UCLA. He is the co-author of *Urban Sprawl and Public Health and Making Healthy Places* published in 2004 by Island Press.

The Workshop is being planned in partnership with the County's Health Services Agency.

Planning Commission

Recruitment for a Planning Commission Clerk is underway

May 21, 2015 Three Use Permit applications, two in the Modesto area and one
in the Patterson area.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN

XI. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Signature of file _____
Angela Freitas, 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.)