

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

April 7, 2016

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Chair Ron Peterson, Steve Boyd, Kenneth Buehner, Marc Etchebarne, Scott Hicks, Tom Orvis
- Absent: Katherine Borges, Richard Gibson, Bobby Yamamoto
- Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Jeremy Ballard, Assistant Planner; Timothy Vertino, Assistant Planner; Thomas E. Boze, Assistant County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Jennifer Akin, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** – No one spoke.
- IV. APPROVAL OF MINUTES**
- A. March 17, 2016
Orvis/Hicks (5/0) **APPROVED.**
Commissioner Boyd abstained.
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners of two items of correspondence placed before them this evening:
- A. Memo dated April 7, 2016, from the Stanislaus County Department of Planning and Community Development regarding item VII-B – Use Permit Application No. PLN2015-0114 – G & G Transportation.
- B. Memo dated April 7, 2016, from the Stanislaus County Department of Planning and Community Development regarding item VII-C - Rezone & Parcel Map Application No. PLN2015-0027 – Valley BMW/KIA.
- VI. CONFLICT OF INTEREST** – None.
- VII. PUBLIC HEARINGS (* - Consent Items)**
- * CONSENT ITEMS**
Commissioner Peterson informed the public that there were no consent items.

NON-CONSENT ITEMS

- A. **USE PERMIT APPLICATION NO. PLN2015-0087 – ARTIFICIAL TURF & LANDSCAPING CO. – Requesting indefinite continuance.** Request to establish a wholesale nursery and landscape contractor operation with 7-12 employees, on a 2.93± acre parcel in the A-2-40 (General Agriculture) zoning district. The project site is located at 1467 Crawford Road, north of Claribel Road, east of Coffee Road, west of Oakdale Road, in the Riverbank area. No structures are being proposed at this time, and the wholesale nursery will not be open to the general public. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 074-012-013
Staff Report: Timothy Vertino, Assistant Planner, Recommends **INDEFINITE CONTINUANCE.**
Orvis/Buehner (6/0) **APPROVED THE STAFF RECOMMENDATION FOR AN INDEFINITE CONTINUANCE.**
- B. **USE PERMIT APPLICATION NO. PLN2015-0114 – G&G TRANSPORTATION -** Request to establish a truck parking facility for 12 tractors and 12 trailers on a 2.00± acre parcel in the A-2-40 (General Agriculture) zoning district. Hours of operation are 3:00 a.m. to 3:00 p.m. daily, with a maximum of 12 employees. The project site is located at 2013 N. Tegner Road, south of W. Tuolumne Road, north of Fulkerth Road, in the Turlock area. The Planning Commission will consider adoption of a CEQA Negative Declaration for this project. APN: 088-009-026
Staff Report: Timothy Vertino, Assistant Planner, Recommends **APPROVAL.**
Public hearing opened.
OPPOSITION: None
FAVOR: Rick Mummert, Benchmark Engineering, Inc., 1121 Oakdale Road, Modesto, CA
Public hearing closed.
Orvis/Boyd (6/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT, INCLUDING THE ADDITION OF CONDITION OF APPROVAL NUMBER 26 AS OUTLINED IN THE MEMO DATED APRIL 7, 2016, TO READ AS FOLLOWS:**

Department of Planning and Community Development

26. **Any operational changes and/or construction of any structures not identified under this Use Permit shall be referred to the City of Turlock for review and comment.**

- C. **REZONE & PARCEL MAP APPLICATION NO. PLN2015-0027 – VALLEY BMW/KIA** - Request to rezone a 9.0± acre parcel from A-2-10 (General Agriculture) to PD (Planned Development) and subdivide the property into five parcels for the development of two auto dealerships and the future development of similar auto related uses. The project is within the City of Modesto's Sphere of Influence. The project site is located 4761 McHenry Avenue (State Route 108), between Claribel Road and East Bangs Avenue, north of the City of Modesto. The Planning Commission will consider adoption of a CEQA Mitigated Negative Declaration for the project. APN: 046-010-020
Staff Report: Jeremy Ballard, Assistant Planner, Recommends **APPROVAL.**

Public hearing opened.

OPPOSITION: None

FAVOR: Dennis Wilson, Horizon Consulting Services, 1220 A 6th Street, Modesto, CA

Public hearing closed.

Hicks/Buehner (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT, INCLUDING THE AMENDMENTS TO DEVELOPMENT STANDARDS AS OUTLINED IN THE MEMO DATED APRIL 7, 2016, TO READ AS FOLLOWS:**

17. Road right-of-way shall be deeded to Stanislaus County to provide for:
 - a. 55 feet of right-of-way west of the centerline of McHenry Avenue, or as required to comply with Caltrans requirements for State Route 108 along the frontages of Parcel "1" and "2";
 - b. 70 feet of right-of-way for the new road extensions of ~~Galaxy Way~~ and Spyres Way as shown on the ~~revised~~ tentative parcel map.
27. Prior to the ~~parcel map being recorded~~ **issuance of a final occupancy permit for any structure**, a County Service Area (CSA) shall be formed to provide funds to ensure future maintenance of the **Spyres Way** storm drainage system. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved. The formation process takes approximately 6 months and requires LAFCO approval.
30. Prior to the Department of Public Works doing any plan review or inspections associated with the development, the subdivider shall sign a "Subdivision Processing/Inspection Agreement" and post a ~~\$10,000~~ **5,000** deposit with Public Works.
38. Prior to the **issuance of a** ~~parcel map being recorded~~ **final occupancy permit for any new structure**, a dead end fire apparatus access road turnaround shall be installed on the north end of Spyres Way. The turnaround shall comply with Section 503.2.5 and Appendix D of the 2013 California Fire Code.

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) – None.

IX. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

April 5, 2016: Approved the Planning Commission's recommendation for Approval of General Plan Amendment Application No. PLN2014-0104 – 2015-2023 Housing Element Update.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

April 21, 2016: Rezone & Merger Application PLN2015-0113 – Derrel's Mini Storage, in the Modesto area. Applicant is Paul Ridenour, Derrel's Mini Storage. Property Owner is Equitybak, LP.

Parcel Map Application PLN2015-0104 – Ciccarelli, in the Modesto area. Applicant is Dennis Wilson, Horizon Consulting Services. Property owner is the Barbara Joan Ciccarelli Trust.

Indefinite Continuance of Use Permit Application PLN2014-0044 – KB Dairy, in the Modesto area

May 5, 2016: One Use Permit, a Variance Application, and the continued Use Permit from April 21, 2016.

Director Freitas introduced Desiree Depuy and congratulated her on her appointment as Confidential Assistant to the Planning Department.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN – None.

XI. ADJOURNMENT

The meeting was adjourned at 6:31 p.m.

Signature on 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.)