

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

June 16, 2016

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Kenneth Buehner, Marjorie Blom, Marc Etchebarne, Scott Hicks, Tom Orvis, Bobby Yamamoto
- Absent: Katherine Borges, Steve Boyd and Richard Gibson
- Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Jeremy Ballard, 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. June 2, 2016
Yamamoto/Hicks (5/0) **APPROVED.**
Commissioner Orvis abstained.

V. CORRESPONDENCE

Director Freitas informed the Commissioners of two items of correspondence placed before them this evening:

- A. Flyer from Caltrans State Route 99/State Route 219 Kiernan Avenue Interchange Reconstruction
- B. Memo dated June 16, 2016 from the Stanislaus County Planning Department, regarding Non-Consent item VII-B, Use Permit Application No. PLN2012-0017 – Avila & Sons

Correspondence was provided to the Planning Commission out of order. The flyer from Caltrans was provided by Director Freitas as part of the Report of the Planning Director and the Memo dated June 16, 2016, was provided prior to a 6:17 p.m. meeting recess.

VI. CONFLICT OF INTEREST – None

The Conflict of Interest declaration was heard out of order. Director Freitas asked for the Planning Commissioners to confirm that there were no conflicts of interest prior to the motion for - Non-Consent item VII-A, Use Permit Application No. PLN2015-0137 – Growers Direct Nut Co. Inc., and

prior to the 6:17 p.m. recess before Non-Consent item VIII_B, Use Permit Application No. PLN2012-0017 – Avila and Sons

VII. PUBLIC HEARINGS (* - Consent Items)

Commissioner Buehner informed the public that there were no consent items.

*** CONSENT ITEMS** – None

NON-CONSENT ITEMS

A. USE PERMIT APPLICATION NO. PLN2015-0137 – GROWERS DIRECT NUT CO.

INC. – Request to expand an existing walnut shelling, processing, and storage facility by constructing 181,300 square feet of building space on 23.58± acres in the A-2-40 (General Agriculture) zoning district. The project site is generally located at 2288 Geer Road, between E. Whitmore Avenue and Fox Road, east of the City of Hughson. The Planning Commission will consider adoption of a CEQA Mitigated Negative Declaration. APN: 018-010-026, 018-010-025 and 018-010-021

Staff Report: Jeremy Ballard, Assistant Planner, Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: None

FAVOR: Jim Freitas, Associated Engineering

Public hearing closed.

Etchebarne/Yamamoto (6/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

6:17 p.m. – Planning Commission recessed to allow the Commission time for review of the June 16, 2016, Stanislaus County Planning Department Memo regarding item VII-B – Use Permit Application PLN2012-0017 – Avila and Sons.

6:31 p.m. – Planning Commission reconvened and returned to hearing item VII-B.

B. USE PERMIT APPLICATION NO. PLN2012-0017 – AVILA AND SONS – Request

to construct a 180,000 square-foot warehouse and associated facilities in order to conduct receiving, storing, packaging and shipping of watermelons, sweet potatoes, beans, wheat, pumpkins and squash on a 26+/- acre portion of 61.7 acre property, in the A-2-40 (General Agriculture) zoning district. The property is generally located on the west side of N. Washington Road, south of Fulkerth Road, at 1301 N. Washington Road in the Turlock area. The Planning Commission will consider Certification of a Final EIR, including final CEQA Findings and Statement of Overriding Considerations. APN: 023-039-017 & 018.

Staff Report: Miguel Galvez, Deputy Director, Desmond Johnston, Quad Knopf, Recommends **CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT AND APPROVAL OF THE PROJECT.**

Public hearing opened.

OPPOSITION: None

FAVOR: Dan Avila, Owner, Avila & Sons; Debbie Whitmore, City of Turlock

Public hearing closed.

Orvis/Blom (6/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT AND THE CONDITIONS OF APPROVAL OUTLINED IN THE STANISLAUS COUNTY PLANNING DEPARTMENT MEMO DATED, JUNE 16, 2016, WITH AMENDMENTS TO CONDITIONS OF APPROVAL NUMBERS 35**

& 37 AND THE ADDITION OF CONDITIONS OF APPROVAL NUMBERS 70, 71, 72 & 73 TO READ AS FOLLOWS:

35. ~~N. Washington Road is classified as a 110 foot expressway in the City of Turlock's General Plan and Westside Industrial Specific Plan. The required 1/2 width of N. Washington Road is 55 feet west of the centerline of the roadway. Currently there is an existing right-of-way of 20 feet. This means that 35 feet of the road right-of-way shall be dedicated with Irrevocable Offer of Dedication for the parcel frontage along Washington Road prior to issuance of a building or grading permit. Washington Road is designated a 4-lane expressway in the City of Turlock General Plan. Prior to occupancy, the property owner/developer shall fully construct all frontage improvements and the canal crossing immediately adjacent to the property on the south in accordance with City of Turlock Standards for the area of development. For the remaining frontage of the property, prior to issuance of a building or grading permit, the property owner/developer shall dedicate to the City of Turlock the right-of-way necessary to construct Washington Road to full City Standard through an Irrevocable Offer of Dedication. Improvement plans shall be submitted to the City of Turlock Engineering Division for review prior to the issuance of a grading or encroachment permit by either the County of Stanislaus or City of Turlock. For further information, please contact the Turlock Engineering Division at (209) 668-5520.~~
37. ~~The employee entrance may have left turn movements in the short term. A raised concrete median is planned for N. Washington Road that will restrict left turn movements in the future. The employee and residence driveway entrances shall be restricted to right-in, right-out only upon completion of frontage improvements along Washington Road. Upon conversion of the single -family residence to another use or the demolition of the residence, the property owner or operator of the facility shall close the residence driveway entrance and install frontage improvements in accordance with City of Turlock Standards. This requirement shall be a condition of approval for any permit required by the County of Stanislaus to implement the change of use. Improvement plans shall be submitted by the County to the City of Turlock Engineering Division for review prior to the issuance of a grading or encroachment permit by either the County of Stanislaus or the City of Turlock. For further information, please contact the Turlock Engineering Division at (209) 668-5520.~~

PLANNING COMMISSION

70. **This approval authorizes construction of a new 180,000 square foot metal building to be used in conjunction with the applicant's farming operation, which produces watermelons, sweet potatoes, on other properties located in both Stanislaus and Merced counties. The agricultural warehouse will be constructed in three phases of approximately 60,000 square feet in each phase for the storage and shipping-of sweet potatoes beans, wheat, pumpkins and squash—and watermelons on approximately 26 acres of a 61.7-acre site currently enrolled under a Williamson Act contract. Produce processed at the site shall not be limited to produce grown by the applicant.**

A maximum of 75 employees would be on-site at any time. Hours of operation during the peak season, which runs between June and October, will generally be

between 6 AM to 6 PM from June to October but could operate 24 hours during the harvest seasons. An estimated 70 truck deliveries per day are anticipated.

All truck and visitor traffic will utilize a single driveway entrance at a new signalized entrance that would be shared with the Blue Diamond almond facility on North Washington Road. The applicant is required to install traffic signalization and frontage improvements to City of Turlock standards. A driveway approximately 230 feet north of the new signalized truck entrance (that currently provides access to the existing fruit stand) will be maintained as right-in, right-out only to provide an entrance that will be used exclusively by employees. The access for the single-family residence located approximately 350 feet south of the new signalized truck entrance will be allowed to remain to support residential use of the structure only. Both the residential access and employee driveways will be restricted to right-in, right-out only upon completion of the Washington Road improvements.

Dedication and street improvements along North Washington Road will be constructed to City of Turlock development standards including, but not limited to, curb, gutter, sidewalk, lighting, street re-striping, a left turn lane and road widening to accommodate acceleration and deceleration lanes onto North Washington Road.

- 71. The project shall be constructed in accordance with the project description contained within the staff report and environmental impact report; the site plans and elevations attached hereto as Exhibit B; and the conditions contained herein.**
- 72. Any significant deviation in the operation of the facility from the project description contained within the staff report and the environmental impact report (such as an increase in the number of employees, the type of agricultural operations being served, the number of truck deliveries, etc.) shall require an amendment to this use permit. This determination shall be made by the Stanislaus County Director of Planning and Community Development.**
- 73. The developer/property owner shall pay city-wide transportation, and police and fire services impact fees. These fees shall be based upon industrial rates.**

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS) – None

IX. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

June 14, 2016: Approved a Public Hearing for June 28, 2016, to consider Williamson Act Cancellation Application No. PLN2016-0046 – McHenry Bridge.

MISCELLANEOUS & ON THE HORIZON

Director Freitas informed the Planning Commission of the Flyer from Caltrans State Route 99/State Route 219 Kiernan Avenue Interchange Reconstruction provided as Correspondence.

Planning Commission

July 7, 2016: Due to the lack of scheduled items, this meeting will be cancelled.

July 21, 2016: General Plan Amendment Application No. PLN2014-0051 -
General Plan Update, County wide. Applicant is Stanislaus
County.

General Plan Amendment and Rezone Application No. PLN2016-
0013 – Findlay Automotive Group, in the Modesto area. Applicant
is Tyler Corder, Findlay Automotive Group. Property owners are
Burchell Nursery, Inc.

X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN – None

XI. ADJOURNMENT

The meeting was adjourned at 7:24 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.)