

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

July 21, 2016

- I. ROLL CALL:** Meeting called to order at 6:02 p.m.
- Present: Chair Kenneth Buehner, Marjorie Blom, Katherine Borges, Steve Boyd, Richard Gibson, Tom Orvis, Bobby Yamamoto
- Absent: Commissioners Marc Etchebarne and Scott Hicks
- Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Rachel Wyse, Associate 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 16, 2016  
Orvis/Yamamoto (4/0) **APPROVED.**  
Commissioner(s) Borges, Boyd and Gibson abstained.
- V. CORRESPONDENCE**  
*Director Freitas informed the Commissioners of one item of correspondence placed before them this evening:*
- A. Memo dated July 21, 2016, from the Stanislaus County Planning and Community Development Department regarding item VII-A – Williamson Act Contract Cancellation, General Plan Amendment, and Rezone Application No. PLN2016-0013 – Findlay Automotive Group.
- Correspondence was presented to the Planning Commission out of order. Director Freitas presented the item prior to the staff report presentation of item VII-A.*
- VI. CONFLICT OF INTEREST**
- A. Commissioner Blom, regarding item VII-B – General Plan Amendment Application No. PLN2014-0051 – General Plan Update.
- B. Commissioner Gibson, regarding item VII-A – Williamson Act Contract Cancellation, General Plan Amendment, and Rezone Application No. PLN2016-0013 – Findlay Automotive Group.

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

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

**\* CONSENT ITEMS** – None.

6:04 p.m. – Commissioner Gibson left Chambers.

**NON-CONSENT ITEMS**

**A. WILLIAMSON ACT CONTRACT CANCELLATION, GENERAL PLAN AMENDMENT, AND REZONE APPLICATION NO. PLN2016-0013 – FINDLAY AUTOMOTIVE GROUP**

– Request to cancel Williamson Act Contract No. 75-2013 on a .71 acre parcel, amend the General Plan designation on a 9.42 acre parcel from Urban Transition to Planned Development (PD), and rezone four parcels totaling 11.06 acres from General Agriculture and PD 143 to a new PD zone to allow development of an auto dealership. The project site is located at the southwest corner of Pelandale and McHenry Avenues in the Modesto area. The Planning Commission will recommend adoption of a CEQA Negative Declaration for this project. APN: 046-008-024, 046-008-016, 046-005-010, 046-005-014

Staff Report: Rachel Wyse, Associate Planner, Recommends **APPROVAL WITH AMENDED DEVELOPMENT STANDARDS AS PROPOSED IN THE STANISLAUS COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT MEMO DATED, JULY 21, 2016.**

Public hearing opened.

**OPPOSITION:** None

**FAVOR:** Dave Romano, Engineer, Newman & Romano; Bill Burchell, Property Owner.

Public hearing closed.

**Borges/Orvis (6/0) RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT AND WITH AMENDED DEVELOPMENT STANDARDS NOS. 16, 27 & 54, AS PROPOSED IN THE STANISLAUS COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT MEMO DATED, JULY 21, 2016, TO READ AS FOLLOWS:**

16. Road right-of-way shall be deeded to Stanislaus County or the City of Modesto by road easement 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 the parcel. The road easement shall be offered to the City of Modesto;
  - b. The City of Modesto is asking for a deceleration lane along Pelandale Avenue to Detroit Lane that shall be designed per the California Highway Design Manual and current City of Modesto Standards. If any additional right-of-way is required, it shall be provided as a road easement to the City of Modesto;
  - c. Prior to the issuance of a building permit, Detroit Lane and the "Future" Road shall be 60-feet wide and provide enough length to allow for a driveway a minimum of ~~350~~**230**-feet away from the

Pelandale Avenue/Detroit Lane intersection. This road easement shall be offered to Stanislaus County.

27. An acceptable financial guarantee for the road improvements for Detroit Lane and Pelandale Avenue shall be provided to the Department of Public Works prior to the issuance of ~~any building, grading or encroachment permit~~ **an occupancy permit or a final inspection on any building permit**. This may be deferred if the work in the right-of-way is done prior to the issuance of **an occupancy permit or final inspection on any ~~any grading or building permit~~ on the project site**.
54. The proposed driveway along Detroit Lane shall be a minimum of ~~350~~ **230** feet away from the Pelandale Avenue/Detroit Lane intersection, ~~as per City standards~~.

6:17 p.m. – Commissioner Gibson returned to Chambers. Commissioner Blom left Chambers.

**B. GENERAL PLAN AMENDMENT APPLICATION NO. PLN2014-0051 – GENERAL PLAN UPDATE**

– An update to the Stanislaus County General Plan, which is a comprehensive, long-term general plan to guide physical development within Stanislaus County. The project includes updates to the following elements of the Stanislaus County General Plan: Land Use, Circulation, Conservation/Open Space, Noise, Safety, and Agricultural Elements. The update does not include any changes in Land Use map designations, but rather is a ‘clean up’ of the General Plan to incorporate changes in state law, code, and local standards. The update also includes revisions to General Plan language and some new goals/policies/implementation measures designed to enhance and support existing goals/policies/implementation measures. No development project is proposed as part of the General Plan Update. The Planning Commission will also consider certification of a Final EIR, including final CEQA Findings and Statement of Considerations, for the General Plan Update and Airport Land Use Compatibility Update.

Staff Report: Kristin Doud, Associate Planner, Recommends **CONTINUANCE TO AUGUST 4, 2016**.

Orvis/Boyd (6/0) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE PLANNING COMMISSION MEMO.**

6:19 p.m. Commissioner Blom returned to Chambers.

**VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)**

**IX. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

June 28, 2016: Authorized the submission of an Administrative Entity Award Recommendation Package for 2016-2017 Fiscal Year to the California Department of Housing and Community Development for the State of California Emergency Solutions Grant Program.

**MISCELLANEOUS & ON THE HORIZON**

Planning Commission

August 4, 2016: General Plan Amendment Application No. PLN2014-0051 – General Plan Update, County wide. Applicant is Stanislaus County. Continued from July 21, 2016.

Vesting Tentative Parcel Map Application No. PLN2015-0105 – Issaco Estates, in the Turlock area. Applicant is Solaria Technologies, LLC. Property owner is Sam David.

Variance Application No. PLN2016-0037 – Byrd in the Modesto area. Property Owner/Applicant is Timothy A. & Suzanne P. Byrd.

August 18, 2016: One Ordinance Amendment, One Use Permit and a Staff Approval in the Turlock area, Revocation proceedings of a Use Permit in the Modesto area, and a Variance in the Oakdale area.

Commissioner Orvis requested an update on UP PLN2012-0017 – Avila & Sons – North Washington Road Warehouse. Deputy Director Galvez reported that Mr. Avila filed an Appeal to the Board of Supervisors because he wished to make amendments to the Conditions of Approval, but has since withdrawn the Appeal. The applicant continues to work the City of Turlock and is moving forward with the Use Permit as approved by the Planning Commission.

**X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN**

**XI. ADJOURNMENT**

The meeting was adjourned at 6:23 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.)