

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

January 3, 2019

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
Present: Marjorie Blom, Kenneth Buehner, Marc Etchebarne, Scott Hicks, Wayne Mott, Wayne Zipser  
  
Absent: Thomas Maring  
  
Staff Present: Angela Freitas, Director; Miguel Galvez, Deputy Director; Kristin Doud, Senior Planner; Alice Mimms, County Counsel; Angie Halverson, Senior Land Development Coordinator, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Timothy Fedorchak, Senior Management Consultant, Chief Executive Office, Capital Projects Division; Jennifer Akin, Planning Commission Clerk
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **APPROVAL OF MINUTES**
  - A. December 20, 2018  
Zipser/Buehner (5/0) **APPROVED.**  
Commissioner Etchebarne abstained.
5. **CORRESPONDENCE**  
Director Freitas informed the Commissioners that there was no correspondence.
6. **CONFLICT OF INTEREST** – None.
7. **PUBLIC HEARINGS (\* - Consent Items)**  
Commissioner Hicks informed the public that there were no consent items.

**\* CONSENT ITEMS** – None.

### **NON-CONSENT ITEMS**

- A. **REZONE APPLICATION NO. PLN2018-0055 – DJM INVESTMENTS** – This is a request to rezone a 0.71 acre parcel from A-2-10 (General Agriculture) to P-D (Planned Development), to allow the expansion of an existing car sales operation on the adjacent northern parcel, with additional vehicle sales area. The project site is located at 4313 McHenry Avenue (SR 108), located between Bangs Avenue and Pelandale Avenue, in the City of Modesto area. The Planning Commission will consider adoption of a CEQA Negative Declaration for the project. APN: 046-008-009.

Staff Report: Kristin Doud, Senior Planner, Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** Mike Warda, applicant representative

Public hearing closed.

Blom/Etchebarne (6/0) **APPROVED THE STAFF RECOMMENDATIONS TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT AND INCLUDING THE DELETION OF DEVELOPMENT STANDARDS NO. 14 AND 15, AS RECOMMENDED BY STAFF IN THE STAFF PRESENTATION.**

**B. GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2017-0134 – MO’S OASIS** – Request to amend the General Plan designation of a 1.7

acre parcel from Agriculture to Planned Development and the Zoning designation from A-2-40 (General Agriculture) to P-D (Planned Development) to allow for the addition of a fueling station to an existing legal non-conforming (LNC) convenience store. The project is located at 8000 E. Whitmore Ave., on the southeast corner of E. Whitmore Ave. and Geer Rd., in the City of Hughson area. The Planning Commission will consider adoption of a CEQA Negative Declaration for the project. APN: 018-055-001.

Staff Report: Kristin Doud, Senior Planner, Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** Melody McGill, County resident

**FAVOR:** Ken Kaestner, engineer/applicant; Dan Byker, fuel supplier; Bonnie Tomasovich, County resident

Public hearing closed.

Buehner/Zipser (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

**C. CAPITAL IMPROVEMENT PLAN (CIP) GENERAL PLAN CONFORMITY FINDING:** A County-initiated request to consider a General Plan conformity

review and conformity findings for the approved Stanislaus County Bi-Annual Capital Improvement Plan Project List for Budget Years 2018-2019 and 2019-2020 in accordance to California Government Code Section 65401. This project is Exempt from further CEQA review pursuant to Section 15061(b) in that CEQA only applies to projects that have the potential for causing a significant effect on the environment.

Staff Report: Miguel Galvez, Deputy Director, Recommends **A FINDING OF CONFORMITY AS OUTLINED IN THE STAFF MEMO.**

Public hearing opened.

**OPPOSITION:** None.

**FAVOR:** None.

Public hearing closed.

Blom/Etchebarne (5/1), (Buehner), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF MEMO.**

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

*Director Freitas explained that, according to Planning Commission Rules and Regulations, Article 2, Section 3a, election of the Chair and Vice-Chair shall take place at the second meeting in January, Item 8 A-C will; therefore, be postponed to the January 17, 2019, Planning Commission Meeting.*

- A. Election of Chair and Vice Chair for 2019
- B. Assignment of Nuisance Abatement Hearing Board Members
- C. Appointment of Commissioner to the General Plan Update Committee for 2019

**9. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

The Board of Supervisors did not meet since the last Planning Commission meeting.

**MISCELLANEOUS & ON THE HORIZON**

Planning Commission

January 17, 2019: One Use Permit in the Turlock area; and three Use Permits and Development Agreements in the Modesto area.

February 7, 2019: One Parcel Map in the Ceres area; four Use Permits and Development Agreements in the Modesto area.

**10. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN – None.**

**11. ADJOURNMENT**

The meeting was adjourned at 6:42 p.m.

Signature on file.  
Angela Freitas, Secretary

(The above is a summary of the minutes of the Planning Commission. Complete audio recordings and videos of the meeting are available from the Planning Department or on our website: <http://www.stancounty.com/planning/agenda/index.shtm>.)