

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

April 16, 2020

1. **ROLL CALL:** Meeting called to order at 6:02 p.m.

Present: Chambers: Marjorie Blom, Erika Durrer, Thomas Maring, Wayne Mott, Lars Willerup

Teleconference: Kenneth Buehner, Scott Hicks, Perfecto Munoz, Wayne Zipser

Absent: None.

Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Principal Planner; Kristen Anaya, Assistant Planner; Teresa McDonald, Assistant Planner; Emily Basnight, Assistant Planner; and Jennifer Akin, Planning Commission Clerk. The following Stanislaus County staff were also present by teleconference: Michael Ziman, Deputy County Counsel.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **APPROVAL OF MINUTES**
 - A. March 19, 2020
Willerup/Mott (8/0) **APPROVED.**

Roll Call Vote: Ayes - Commissioners Blom, Buehner, Durrer, Hicks, Maring, Mott, Willerup, Zipser
Noes – None.
Absent – None.
Abstained – Commissioner Munoz
5. **CORRESPONDENCE**

Director Freitas informed the Commissioners of various items of correspondence provided to them this evening:

 - A. E-mail from Brad Johnson dated April 13, 2020 regarding Consent Item 7-A - Vesting Tentative Parcel Map Application No. PLN2020-0003 – Genasci Parcel Map

- B. Memo dated April 16, 2020 from Stanislaus County Department of Planning and Community Development regarding Non-Consent Item 7-D – Use Permit and Development Agreement Application No. PLN2019-0092 – Pacific Botanical Laboratories, LLC
- C. Memo dated April 16, 2020 from Stanislaus County Department of Planning and Community Development regarding Non-Consent Item 7-E – General Plan Amendment, Rezone, Use Permit, and Development Agreement Application No. PLN2018-0093 – The Genezen Project

6. CONFLICT OF INTEREST

- A. Commissioner Durrer - Consent Item 7-A – Vesting Tentative Parcel Map Application No. PLN2020-0003 – Genasci Parcel Map

7. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

6:11 p.m. – Commissioner Durrer left Chambers

At the request of a member of the public, Brad Johnson's April 13, 2020 correspondence, item 7-A – Vesting Tentative Parcel Map Application No. PLN2020-0003 – Genasci Parcel Map was removed from the Consent calendar and a Public Hearing was held.

- *A. **VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2020-0003 – GENASCI PARCEL MAP** – Request to subdivide a 104.25± gross acre parcel into two parcels of 42.57± and 61.68± gross acres in size in the A-2-40 (General Agriculture) zoning district. The project site is located at 3213 Jackson Road, between Beckwith Road and Bacon Road, in the Modesto area. The Planning Commission will consider finding that no further analysis is required pursuant to California Environmental Quality Act Guidelines Section 15183 (Consistency with a General Plan or Zoning Ordinance for which an EIR was prepared) and that the project is CEQA Exempt under CEQA Guidelines Section 15061 (Common Sense Exemption). APN: 012-018-025.
Staff Report: Emily Basnight, Assistant Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: Kevin Genasci, applicant representative
Public hearing closed.
Mott/Maring (8/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

Roll Call Vote: Ayes – Commissioners Blom, Buehner, Hicks, Maring, Mott, Munoz, Willerup, Zipser
Noes – None.
Absent – None
Abstained – Commissioner Durrer

6:28 p.m. – Commissioner Durrer returned to Chambers

NON-CONSENT ITEMS

- B. GENERAL PLAN AMENDMENT & REZONE APPLICATION NO. PLN2019-0045 – BEELER DEVELOPMENT** - Request to amend the General Plan, Community Plan, and Zoning designations of a 1.08± acre parcel from Low Density Residential and A-2-10 (General Agriculture) to Planned Development (P-D) to allow for construction of a 19,652 square foot warehouse building to allow for low-people intensive light industrial, office, and commercial uses. The project site is located at 4731 Kiernan Court, north of the Highway 99 and Kiernan Interchange, west of Sisk Road, in the Community of Salida. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for the project. APN: 136-019-001.
Staff Report: Kristen Anaya, Assistant Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: Dennis Wilson, consultant; Bret Hughes, applicant
Public hearing closed.
Maring/Durrer (9/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

Roll Call Vote: Ayes – Commissioners Blom, Buehner, Durrer, Hicks, Maring, Mott, Munoz, Willerup, Zipser
Noes – None.
Absent – None
Abstained – None

- C. REZONE APPLICATION NO. PLN2019-0093 – TENAYA BANQUET HALL** - Request to rezone a 2.91 acre parcel from an Industrial (M) zoning district to a Planned Development (P-D) zoning district to establish a catering and wedding event venue, with two separate event spaces, in an existing 34,720 square foot commercial building. The project involves use of 191 on-site parking spaces and 54 off-site spaces, located 0.4 miles away southeast of the project site. The project site is located at 2206 Tenaya Drive on the southeast corner of Mitchell Road and Tenaya Drive, in the Modesto area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 036-001-048.
Staff Report: Teresa McDonald, Assistant Planner, Recommends **APPROVAL**.
Public hearing opened.

OPPOSITION: None.
FAVOR: Roop Purewal, property owner
Public hearing closed.
Zipser/Munoz (9/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**
Roll Call Vote: Ayes – Commissioners Blom, Buehner, Durrer, Hicks, Maring, Mott, Munoz, Willerup, Zipser
Noes – None.
Absent – None
Abstained – None

- D. USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2019-0092 – PACIFIC BOTANICAL LABORATORIES, LLC – Request for**

an indefinite continuance. - Request to obtain a Use Permit and Development Agreement, to operate a commercial cannabis and hemp testing lab within an existing suite of a two-story building on a 2.28 acre parcel in the P-D 180 (Planned Development) zoning district. The project site is located at 4100 Bangs Avenue, east of Sisk Road, between Pelandale and Kiernan Avenue, in the Community of Salida. The Planning Commission will consider finding that no further analysis is required pursuant to California Environmental Quality Act Guidelines Section 15183 (Consistency with a General Plan or Zoning Ordinance for which an EIR was prepared) and that the project is CEQA Exempt under CEQA Guidelines Section 15061 (Common Sense Exemption). APN: 135-043-031.

Staff Report: Angela Freitas, Director, Recommends **INDEFINITE CONTINUANCE.**

Public hearing opened.

OPPOSITION: None.

FAVOR: None.

Mott/Maring (9/0) **APPROVED INDEFINITE CONTINUANCE AS OUTLINED IN THE STAFF MEMO DATED APRIL 16, 2020.**

Roll Call Vote: Ayes – Commissioners Blom, Buehner, Durrer, Hicks, Maring, Mott, Munoz, Willerup, Zipser
Noes – None.
Absent – None
Abstained – None

E. GENERAL PLAN AMENDMENT, REZONE, USE PERMIT, AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0093 – THE GENEZEN PROJECT - *Request for an indefinite continuance.* - Request to amend the General Plan and zoning designation of a 1.53-acre property from Planned Industrial (P-I) to Planned Development (P-D), and to obtain a use permit and development agreement to allow indoor commercial cannabis cultivation, manufacturing (volatile), distribution, and potential future retail activities in an existing 25,758 square-foot warehouse building. The project is located at 485 Bitritto Way, between Charity Way and Kiernan Avenue, in the Modesto area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 004-094-017.

Staff Report: Angela Freitas, Director, Recommends **INDEFINITE CONTINUANCE.**

Public hearing opened.

OPPOSITION: None.

FAVOR: None.

Willerup/Maring (9/0) **APPROVED INDEFINITE CONTINUANCE AS OUTLINED IN THE STAFF MEMO DATED APRIL 16, 2020.**

Roll Call Vote: Ayes – Commissioners Blom, Buehner, Durrer, Hicks, Maring, Mott, Munoz, Willerup, Zipser
Noes – None.
Absent – None
Abstained – None

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

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

April 7, 2020: Set the Public Hearing for April 28,2020 to consider the Planning Commission recommendation of Approval for General Plan Amendment & Rezone Application No. PLN2019-0077 – Derrel’s Mini Storage. The project is located at 5024, 5038, and 5118 Tunson Road and 907 Kiernan Avenue, on the north side of Kiernan Avenue, in the Modesto area.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

May 7, 2020: One Rezone in the Turlock area and one Time Extension request in the Oakdale area.

May 21, 2020: No items scheduled at this time.

Director Freitas thanked her Staff for all their hard work in keeping the meeting moving forward.

Commissioner Willerup asked of the timeline when the continued cannabis items will be brought before the Commission. Director Freitas informed the Commissioners that it is anticipated that cannabis items will not be before the Commission before June.

10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR

A. Commissioner Blom thanked Planning staff and congratulated new Staff for their excellent job presenting their first report to the Planning Commission.

11. ADJOURNMENT

The meeting was adjourned at 7:08 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>.)