

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

May 15, 2014

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
Present: Kenneth Buehner, Robert Crabtree, Marc Etchebarne, Richard Gibson, Greg Pires

Absent: Steve Boyd, Ron Peterson, Bobby Yamamoto

Staff Present: Angela Freitas, Director; Miguel Galvez, Senior Planner; Rachel Wyse, Associate Planner; Thomas E. Boze, Deputy County Counsel; Matt Machado, Director, Public Works; Colt Esenwein, Deputy Director, Public Works; Angie Halverson, Senior Land Development Coordinator, Public Works; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Crystal D. Rein, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM** – No one spoke.
- IV. APPROVAL OF MINUTES**
- A. April 17, 2014
Buehner/Crabtree, 5-0 (Unanimous), **APPROVED**
- V. CORRESPONDENCE**
Director Freitas informed the Commissioners of various items of correspondence mailed in their agenda packet or placed before them this evening:
- A. Farmland Working Group Newsletter - Spring 2014
- B. Memo from the Stanislaus County Department of Planning and Community Development regarding item VII-B - Use Permit Application No. PLN2013-0077 - Universal Service Recycling, Inc.
- C. Letters of support for item VII-B - Use Permit Application No. PLN2013-0077 - Universal Service Recycling, Inc.
- D. Letter of support from John and Emily Ortega dated May 10, 2014, for item VII-B - Use Permit Application No. PLN2013-0077 - Universal Service Recycling, Inc.
- VI. CONFLICT OF INTEREST** – None.

VII. PUBLIC HEARINGS (* - Consent Items)

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

*** CONSENT ITEMS**

- *A. VESTING TENTATIVE PARCEL MAP APPLICATION NO. PLN2014-0018 – GEORGE te VELDE** – Request to conduct a lot line adjustment by way of a parcel map for Assessor Parcel Numbers 003-024-006 and 003-024-009 to create a new parcel of 59.1± acres and a remainder parcel of 234.7± acres for estate planning purposes in the A-2-40 (General Agriculture) zoning district. The project is located at 3601 Ladd Road, on the northeast corner of Ladd and Stoddard Roads, west of Dale Road, in the Modesto area. The Planning Commission will consider a CEQA Negative Declaration on the proposed project. APN: 003-024-006 & 003-024-009
Staff Report: Miguel Galvez Recommends **APPROVAL**.
Pires/Etchebarne, 5-0, (Unanimous) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT**

NON-CONSENT ITEMS

- B. USE PERMIT APPLICATION NO. PLN2013-0077 - UNIVERSAL SERVICE RECYCLING, INC.** - Request to expand a permitted California Redemption Value (CRV) recycling business to construct a 16,100± square foot metal building and allow the on-site collection of scrap metal on a 1.44 acre parcel, in the C-2 (General Commercial) zoning district. The property is located at 570 S. 9th Street, on the southeast corner of S. 9th Street and Hosmer Avenue, in the Modesto area. The Planning Commission will consider a CEQA Mitigated Negative Declaration.
APN: 038-012-018
Staff Report: Rachel Wyse Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: No one spoke.
FAVOR: George Petrulakis, 1130 12th Street, Modesto; Rebecca Harrington.
Public hearing closed.
Crabtree/Buehner, 5-0 (Unanimous), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT INCLUDING AMENDED CONDITIONS OF APPROVAL AS FOLLOWS:**

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances. ~~Conditions of Approval from previously approved discretionary permits shall remain in effect.~~

Department of Public Works

15. ~~Prior to the final of any building or grading permit, the applicant shall make road frontage improvements along the entire parcel length along South 9th Street. These improvements shall include sidewalk along the project frontage along South 9th Street and a curb return (per County Standard plate 3-D4A and 3-D8) at the corner of Hosmer Avenue and South 9th Street. Improvement plans are to be submitted to this department for approval. The structural section and cross slopes shall meet Stanislaus County Public Works Standards and Specifications.~~ **Within three months of the project's approval, the applicant shall submit improvement plans for the installation of sidewalk along the project frontage along 9th Street and a curb return at Hosmer Road and 9th Street. The current County Standards shall be used for the improvements.**
16. **Once the plans are approved by the Stanislaus County Department of Public Works,** an acceptable financial guarantee for the ~~road~~ **sidewalk** improvements shall be provided to the Department of Public Works prior to the issuance of any building permit. This may be deferred if the work in the right-of-way is done prior to the issuance of any building permit.
17. An Engineer's Estimate shall be provided to **and approved by Public Works** for the ~~road~~ **sidewalk** improvements so that the amount of the financial guarantee can be determined.
19. ~~The applicant shall pay all applicable Public Facility Fees.~~

VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)

A. **NORTH COUNTY CORRIDOR PROJECT UPDATE**

IX. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

April 29, 2014: Set a public hearing for May 20, 2014, at 6:40 p.m. to consider approval of a Williamson Act Cancellation associated with a Lot Line Adjustment Application needed to address a septic system encroaching across property lines.

April & May 2014: Approved five (5) separate requests to rescind portions of Williamson Act contracts and authorize reentry into new contracts needed for final approval of Lot Line Adjustment applications.

May 13, 2014: Approved the terms of a settlement agreement to resolve a lawsuit filed by the Stanislaus Audubon Society challenging the County's approval of Vesting Tentative Parcel Map No. 2006-44 – Willms Ranch, LLC. The Parcel Map allows for the creation of 42 parcels, ranging in size from 40 to 69.9 acres, with a 277.7 acre remainder. Approved by the Planning Commission on December 6, 2012, and upheld by the Board of Supervisors on January 29, 2013.

MISCELLANEOUS & ON THE HORIZON

Planning Commission

June 5, 2014: One Use Permit and Parcel Map application and one Parcel Map application, both in the Modesto area.

June 19, 2014: One Use Permit application in the Vernalis area and one Rezone application in the Denair area.

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.)