

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

April 18, 2019

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
  
Present: Chair Scott Hicks; Kenneth Buehner; Marc Etchebarne; Thomas Maring; Wayne Mott; Perfecto Munoz; and Lars Willerup.  
  
Absent: Marjorie Blom and Wayne Zipser.  
  
Staff Present: The following Planning & Community Development staff were present: Miguel Galvez, Deputy Director; Rachel Wyse, Senior Planner; Jeremy Ballard, Associate Planner; and Angelica Duenas, Confidential Assistant IV. The following Stanislaus County staff were also present: Rob Taro, Assistant County Counsel; Tera Chumley, Senior Management Consultant, Chief Executive Office; Angie Halverson, Senior Land Development Coordinator, Public Works; and Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **APPROVAL OF MINUTES**
  - A. April 4, 2019  
  
Etchebarne/Munoz (7/0) **APPROVED.**
5. **CORRESPONDENCE**  
  
Deputy Director Miguel Galvez informed the Commissioners that there is one non agenda item of correspondence placed before them this evening:
  - A. Spring/Summer 2019 Newsletter received April 18, 2019, from Farmland Working Group.
6. **CONFLICT OF INTEREST**
  - A. Commissioner Etchebarne – Non-Consent Item 7-B – Use Permit and Development Agreement Application No. PLN2018-0162 – Phenos Cooperative, Inc.

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

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

**\* CONSENT ITEMS**

- \*A. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0117 – THE HONEST CHOICE** – *Request continuance to May 2, 2019* – Request to establish a commercial cannabis retail business, within an 850 square-foot suite of an existing building in the C-2 (General Commercial) zoning district. A Development Agreement is included in this project request. The project is located at 4701 Main Street, Suite D, between San Joaquin and Alameda Avenues, in the Community of Denair. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN:024-027-022  
Staff Report: Jeremy Ballard, Associate Planner, Recommends **CONTINUANCE**.  
Buehner/Munoz (7/0) **APPROVED CONTINUANCE TO MAY 2, 2019 PLANNING COMMISSION MEETING.**

**NON-CONSENT ITEMS**

**6:03 p.m. Commissioner Etchebarne left the Chambers.**

- B. **USE PERMIT AND DEVELOPMENT AGREEMENT APPLICATION NO. PLN2018-0162 – PHENOS COOPERATIVE, INC.** – Request to establish an indoor commercial cannabis cultivation, processing, and distribution operation within an existing building in the P-D 143 (Planned Development) zoning district. A Development Agreement is included in this project request. The project is located at 304 Motor City Court, between Detroit Lane and McHenry Avenue, in the Modesto area. The Planning Commission will consider finding that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan or Zoning for which an EIR was certified). APN:046-008-018.  
Staff Report: Kristin Doud, Senior Planner, Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** None.  
**FAVOR:** Mike Warda, applicant representative.  
Public hearing closed.  
Buehner/Willerup (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

**6:22 p.m. – Commissioner Etchebarne returned to Chambers.**

8. **OTHER MATTERS (NOT PUBLIC HEARINGS)** – None.  
9. **REPORT OF THE PLANNING DIRECTOR**

### **BOARD OF SUPERVISORS ACTIONS**

April 16, 2019: **Set Public Hearing for May 7, 2019** to Introduce and Waive the First Reading of an Ordinance to Establish a New Fee and Amend Existing Fees for Planning Services.

**Set Public Hearing for April 30, 2019** to consider the Planning Commission's Recommendation for Approval of Use Permit and Development Agreement application No. PLN2018-0159, Stockton Business Strategies, located at 1837 Welty Road, between Spencer and West Blewett Roads, in the Vernalis area.

**Approved** the Planning Commission's Recommendation for General Plan Amendment and Rezone application No. PLN2017-0134, Mo's Oasis, located at 8000 E. Whitmore Avenue, on the southeast corner of E. Whitmore Avenue and Geer Road, in the Hughson area.

**Approved** the Planning Commission's Recommendation for Approval of Williamson Act Cancellation and Use Permit application No. PLN2015-0081, Sullivan Road Solar, located approximately .5 miles west of Interstate 5, north and west of Sullivan Road, and bisected by Pete Miller Road, in the Newman area; and adoption of a Mitigated Negative Declaration.

**Approved** the Planning Commission's Recommendation for Approval of Use Permit and Development Agreement application No. PLN2018-0111, Medallion Wellness, located at 4213 McHenry Avenue, northwest of McHenry and Pelandale Avenues, in the Modesto area.

### **MISCELLANEOUS & ON THE HORIZON**

#### Planning Commission

May 2, 2019: Three Use Permits and Development Agreement applications, in each of the following areas: Modesto, Denair, and Patterson.

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

11. **ADJOURNMENT**

The meeting was adjourned at 6:24 p.m.

Signature on file.  
Miguel Galvez, Acting 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>.)