

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

May 20, 2021

1. **ROLL CALL:** Meeting called to order at 6:00 p.m.  
  
Present: Matt Beekman, Kenneth Buehner, Thomas Maring, Wayne Mott, Perfecto Munoz, Wayne Pacheco, Wayne Zipser  
  
Absent: Erika Durrer, Lars Willerup  
  
Staff Present: The following Planning & Community Development staff were present: Angela Freitas, Director; Kristin Doud, Principal Planner; Teresa McDonald, Associate Planner; Emily Basnight, Assistant Planner, Kristen Anaya, Assistant Planner. The following Stanislaus County staff were also present: Michael Ziman, Deputy County Counsel; Ramon Salinas, Assistant Engineer/Surveyor, Department of Public Works; Andrew Malizia, Senior Civil Engineer, Department of Public Works; Jennifer Akin, Staff Services Analyst, Department of Public Works; and Parminder Dhillon, Senior Environmental Health Specialist, Department of Environmental Resources.  
  
*Deputy County Counsel, Michael Ziman; Senior Environmental Health Specialist, Parminder Dhillon; and Senior Civil Engineer, Andrew Malizia participated remotely.*
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** – No one spoke.
4. **ACCEPTANCE OF MINUTES**
  - A. April 15, 2021  
Maring/Mott (5/0) **ACCEPTED.**  
Commissioners Beekman and Buehner abstained.
  - B. May 6, 2021  
Pacheco/Munoz (4/0) **ACCEPTED.**  
Commissioners Beekman, Maring, and Mott abstained.
5. **CORRESPONDENCE**

Director Freitas informed the Commissioners of two items of correspondence placed before them this evening:

- A. Letter received May 20, 2021, from Kenneth Edwards, regarding Non-Consent Item 7-B General Plan Amendment and Rezone Application No. PLN2020-0014 – Gonzales Ready-Mix.
- B. Memo dated May 20, 2021, from the Department of Planning and Community Development, regarding Non-Consent Item 7-C - Rezone and Williamson Act Cancellation Application No. PLN2019-0061 – Bronco Wine Company.

**6. CONFLICT OF INTEREST**

- A. Commissioner Munoz – Non-Consent Item 7-C – Rezone and Williamson Act Cancellation Application No. PLN2019-0061 – Bronco Wine Company.

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

**\* CONSENT ITEMS** - None.

**NON-CONSENT ITEMS**

- A. **VARIANCE APPLICATION NO. PLN2020-0079 – FRITO-LAY, INC.** – Request for a variance to the (M) Industrial zoning district height limit to allow for the construction of a 97-foot-tall 39,000± square-foot warehouse building at an existing manufacturing facility. The site is located at 600 Garner Road, between SR 132 (Yosemite Boulevard) and Finch Road, in the Modesto area. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for the project. APN: 009-018-055.  
Staff Report: Emily Basnight, Assistant Planner, Recommends **APPROVAL**.  
Public hearing opened.  
**Opposition:** None.  
**FAVOR:** None.  
Buehner/Mott (7/0) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**  
**Roll Call Vote:** Ayes – Beekman, Buehner, Maring, Mott, Munoz, Pacheco, Zipser  
Noes – None.  
Absent – Durrer, Willerup  
Abstained – None.

6:27 p.m. – Recess

A recess was called by the Chair to allow staff time to address some technical issues being experienced with the remote portion of the meeting and to allow the Planning Commission time to review correspondence placed before them.

6:30 p.m. – Reconvene

- B. **GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2020-0014 – GONZALES READY-MIX AND LANDSCAPING SUPPLY** - Request to amend the Denair Community Plan designation from Residential – Estate Residential to Commercial and the zoning designation from expired Planned Development (256) to a new Planned Development, to allow for a landscaping and concrete supply and delivery service on two parcels totaling 1.79 acres in size.

The project site is located on Monte Vista Avenue, at the southeast corner of E. Monte Vista Avenue and N. Santa Fe Avenue, in the Community of Denair. The Planning Commission will consider adoption of a California Environmental Quality Act Negative Declaration for this project. APN: 024-039-012 and 024-039-013. Staff Report: Teresa McDonald, Associate Planner, Recommends **APPROVAL**. Public hearing opened.

**Opposition:** Kenneth Edwards, resident.

**FAVOR:** Jaimie Gonzales, owner/applicant; Grizelda Valencia, resident.

Munoz/Maring (7/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE STAFF REPORT.**

**Roll Call Vote:** Ayes – Beekman, Buehner, Maring, Mott, Munoz, Pacheco, Zipser  
Noes – None.  
Absent – Durrer, Willerup  
Abstained – None.

6:56 p.m. Commissioner Munoz left the Chambers.

- C. **REZONE AND WILLIAMSON ACT CANCELLATION APPLICATION NO. PLN2019-0061 – BRONCO WINE COMPANY** - Request to cancel Williamson Act Contract numbers 1972-0838 and 1974-1790, on two parcels totaling 38.58 acres, and to rezone three (3) parcels, consisting of 157.98 total acres, from P-D (336) and A-2-40 (General Agriculture) to a new P-D to allow for an expansion of the Bronco Winery facilities. The project site is located at 800, 1000, and 1130 E. Keyes Road and 6342 Bystrum Road, east of Crows Landing Road, west of State Highway 99, and south of the City of Ceres. The Planning Commission will consider adoption of a CEQA Mitigated Negative Declaration for this project. APNs: 041-046-022, 041-046-012, and 041-046-013. Staff Report: Kristin Doud, Principal Planner, Recommends **APPROVAL**. Public hearing opened.
- Opposition:** Michael Dini, attorney for Gemperle Brothers and Golden Essence Eggs, LLC Pat Titus, resident
- FAVOR:** Dan Leonard, Bronco Winery  
Buhner/Beekman (6/0) **RECOMMENDED APPROVAL TO THE BOARD OF SUPERVISORS AS OUTLINED IN THE MAY 20, 2021 PLANNING COMMISSION MEMO, INCLUDING AMENDED DEVELOPMENT STANDARDS NO. 19, AND THE PLANNING COMMISSION AMENDMENT TO DEVELOPMENT STANDARDS NO. 26 TO READ AS FOLLOWS:**

19. In no case shall truck traffic use East Barnhart Road ~~or the 20-foot panhandle (Pike Road) Extending from the east side of the subject property to E. Keyes Road.~~
26. The abandonment of Bystrum Road is contingent upon **(i) applicant** obtaining all necessary County approvals, **and (ii) all affected parcels having necessary alternative access prior to any abandonment. The abandonment shall be at no cost to other affected parcels.**

**Roll Call Vote:** Ayes – Beekmen, Buehner, Maring, Mott, Munoz, Pacheco, Zipser  
Noes – None.  
Absent – Durrer, Willerup  
Abstained – Munoz

7:30 p.m. Commissioner Munoz returned to the Chambers.

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

**9. REPORT OF THE PLANNING DIRECTOR**

**BOARD OF SUPERVISORS ACTIONS**

May 11, 2021: Conducted public hearings to introduce and waived the first reading of Ordinances to amend existing fees for building permit and planning services; and to establish new fees and eliminate existing for Commercial Cannabis activities.

Conducted a public hearing to updated County Public Facilities Fees pursuant to Title 23 of the Stanislaus County Ordinance Code addressing Accessory Dwelling Units.

**MISCELLANEOUS & ON THE HORIZON**

Planning Commission

June 3, 2021: No items scheduled.

June 17, 2021: One use permit in the Modesto area.

**10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR – None.**

**11. ADJOURNMENT**

The meeting was adjourned at 7:33 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>.)