

STANISLAUS COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

July 15, 2021

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

Present: Matt Beekman, Kenneth Buehner, Thomas Maring, Wayne Mott, Wayne Pacheco, Lars Willerup, Wayne Zipser

Absent: Erika Durrer, Perfecto Munoz

Staff Present: The following Planning and Community Development staff were present: Angela Freitas, Director; Kristin Doud, Principal Planner; Teresa McDonald, Associate Planner; and Debbie Trujillo, Planning Commission Clerk. The following Stanislaus County staff were also present: Todd James, Deputy County Counsel; Dave Leamon, Director of Public Works; Ramon Salinas, Assistant Engineer/Surveyor, Department of Public Works; and Parminder Dhillon, Senior Environmental Health Specialist, Department of Environmental Resources.
2. **PLEDGE OF ALLEGIANCE**
3. **CITIZEN'S FORUM** (None)
4. **MINUTES**
 - A. June 17, 2021
Maring/Willerup (5/0) **APPROVED.**
Commissioners Beekman and Buehner abstained.
5. **CORRESPONDENCE**

Director Freitas informed the Commissioners of 12 items of correspondence placed before them this evening:

 - A. Non-Consent Item 7-A - General Plan Amendment and Rezone Application No. PLN2018-0081 – Libitzky Management Corporation
 - i. Letter dated July 15, 2021 from Caltrans District 10
 - B. Non-Consent Item 7-C - General Plan Amendment and Rezone Application No. PLN2019-0079 – Cal Sierra Financial, Inc.
 - i. Email dated July 12, 2021 from Ara Iv.
 - ii. Email dated July 12, 2021 from Claudia Rawlinson.
 - iii. Email dated July 13, 2021 from Katherine Borges.

- iv. Email dated July 13, 2021 from Debby Schneider.
- v. Email dated July 13, 2021 from Amanda Waymire.
- vi. Letter dated July 13, 2021 from Steve C. Mothersell, Sr, SCM Homes of California.
- vii. Email dated July 14, 2021 from Paul and Bonney Boney.
- viii. Email dated July 15, 2021 from Bonney Boney.
- ix. Email with attached letter dated July 15, 2021 from Woody Hastings, Coalition Opposing New Gas Stations (CONGAS).
- x. Email dated July 15, 2021 from Frosty Gaming.
- xi. Email dated July 15, 2021 from Meredith Berry.

6. **CONFLICT OF INTEREST** – None.

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

*** CONSENT ITEMS** – None.

NON-CONSENT ITEMS

A. **GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2018-0081 – LIBITZKY MANAGEMENT CORPORATION** – Request to amend the General Plan and zoning designation of a 17.16 acre site, from Urban Transition and A-2-10 (General Agriculture) to Planned Development, to allow the construction of a 300,000 square-foot building for various light industrial uses. The project site is located at 1224 Kiernan Avenue (SR 219), at the southeast corner of Tully Road and Kiernan Avenue, in the Modesto area. The Planning Commission will consider a California Environmental Quality Act Negative Declaration. APN: 046-001-001.
Staff Report: Teresa McDonald, Associate Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Helder Garcia, resident; Susan Wedegaertner, resident; Fred Luchessa, resident; Joel Frank Degraef, resident; Brad Johnson, resident.
FAVOR: Dave Romano, applicant representative.
Public hearing closed.
Willerup/Beekman (6/1) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT AND MEMO DATED JULY 15, 2021, INCLUDING THE REVISION OF DEVELOPMENT STANDARD 21 AS FOLLOWS:**

- 21. Prior to the installation of any ~~private~~ public water **system** infrastructure for the site, the property owner shall provide to the Department of Environmental Resources an application for amended water supply permit along with a full technical report

demonstrating that the water system will meet all requirements of a Non-transient Non-community water system: capacity, source water, treatment plant modifications, water works standards, and the California Environmental Quality Act (CEQA).

Roll Call Vote: Ayes - Beekman, Maring, Mott, Pacheco, Willerup, Zipser
Noes – Buehner
Absent – Durrer, Munoz

- B. GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2021-0001 – PARK PLACE RV STORAGE** – Request to amend the General Plan and zoning designations of two parcels, totaling 19.2 total acres in size, from Agriculture and A-2-40 (General Agriculture) to Planned Development (PD) to allow for the development of a recreational vehicle (RV) parking facility. The project site is located at 5150 McHenry Avenue (SR 108), between Kiernan Avenue and Charity Way, in the Modesto area. The Planning Commission will consider a California Environmental Quality Act Negative Declaration. APN: 074-015-016 and 074-015-017.
Staff Report: Kristin Doud, Principal Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None
FAVOR: Dave Romano, applicant representative; Brad Johnson, resident
Public hearing closed.
Buener/Maring (7/0) **APPROVED STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

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

- C. GENERAL PLAN AMENDMENT & REZONE APPLICATION NO. PLN2019-0079 – CAL SIERRA FINANCIAL, INC.** – Request to amend the General Plan and zoning designation of a 9.6 acre site, from Commercial and Salida Community Plan General Commercial (SCP-2) to Planned Development, to allow for development of a convenience store/community market, gas station, restaurant, retail building, and mini-storage facility to be developed on approximately four acres. The project site is located on Pirrone Road, on the east side of the Pirrone Road and Hammett Road intersection, east of Highway 99, in the Community of Salida. The Planning Commission will consider a California Environmental Quality Act Mitigated Negative Declaration. APN: 003-014-007.
Staff Report: Kristin Doud, Principal Planner, Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: John Martin, resident; Mary Stephenson, resident; Donald Stephenson, resident; Suzanne Rosebrough, resident; Bill Parks, resident; Debby Schneider, resident; Brad Johnson, resident; Robert Henson, resident; Kevin Beyer, resident.
FAVOR: Roman Acosta, applicants representative; John Anderson, applicants representative; and Pat Burns, Salida Fire Protection District.

Public hearing closed.

Willerup/Maring (4/3) **APPROVED THE STAFF RECOMMENDATION AS OUTLINED IN THE STAFF REPORT.**

Roll Call Vote: Ayes – Beekman, Maring, Pacheco, Willerup
Noes – Buehner, Mott, Zipser
Absent – Durrer, Munoz

8. OTHER MATTERS (NOT PUBLIC HEARINGS) - None

9. REPORT OF THE PLANNING DIRECTOR

BOARD OF SUPERVISORS ACTIONS

June 29, 2021: Cancelled the Public Hearing to consider the Planning Commission's recommendation of approval for Use Permit and Development Agreement Application No. PLN2020-0023 – Vulture Farms. This project is located at 4612 Glass Court, between Glass Lane and Galaxy Way, south of Kiernan Avenue, in the Modesto area. The applicant withdrew their application prior to the public hearing.

July 13, 2021: Conducted a public hearing to consider the Planning Commission's recommendation of approval for Rezone and Williamson Act Cancellation Application No. PLN2019-0061 – Bronco Wine Company and approved Staff's recommendations which included an amendment to Development Standard (DS) No. 19, no access on Barnhart Road. The Board of Supervisors did not approve the Planning Commission's recommended amendment to DS 26 relating to the abandonment of Bystrum Road; and amended the Development Schedule as proposed by the project applicant, after the Planning Commission hearing, to complete construction within ten years.

MISCELLANEOUS AND ON THE HORIZON

Planning Commission

August 5, 2021: One Rezone in the in the Turlock area. One General Plan Amendment and Rezone in the Denair area. One Time Extension for a Vesting Tentative Subdivision Map in the Knights Ferry area. One Time Extension in the Keyes area.

August 19, 2021: No items scheduled.

Director Freitas introduced the Planning Commission to Debbie Trujillo, the County's new Planning Commission Clerk.

10. ADDITIONAL MATTERS AT DISCRETION OF THE CHAIR - None

11. ADJOURNMENT

The meeting was adjourned at 8:55 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>.)

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