

# STANISLAUS COUNTY PLANNING COMMISSION

## MINUTES

REGULAR MEETING

August 3, 2006

- I. ROLL CALL:** Meeting called to order at 6:00 p.m.
- Present: Chair Ray Souza, Marie Assali, Robert Hardie, Allen Layman, Michael Navarro, and Jim Poore
- Absent: Tony Cusenza, Annabel Gammon, and Arsenio Mataka
- Staff Present: Ron E. Freitas, Director; Angela Freitas, Senior Planner; Sara Lytle-Pinhey, Assistant Planner; Jack Doering, Assistant County Counsel; Ron Cherrier, Senior Land Development Coordinator, Public Works Department; Bella Badal, Senior Environmental Health Specialist, Department of Environmental Resources; Eva Rosa, Planning Commission Clerk
- II. PLEDGE OF ALLEGIANCE**
- III. CITIZEN'S FORUM**
- A. No one spoke.
- IV. APPROVAL OF MINUTES**
- A. July 20, 2006  
Assali/Hardie, 5-0, **APPROVED**  
Commissioner Navarro abstained.
- V. CORRESPONDENCE**  
Director Freitas informed the Commissioners on various correspondence mailed in their agenda packet or placed before them this evening:
- A. Fax received July 25, 2006 from A.J. and Sue Silva, regarding UP 92-31, Sisk Recycling.
- B. Fax received July 31, 2006 from A.J. and Sue Silva, regarding UP 92-31, Sisk Recycling.
- VI. CONFLICT OF INTEREST**
- A. Commissioner Layman has a conflict with Item VII-B, Parcel Map Application No. 2006-16 - Navdeep Bali, and will remove himself from the chambers during this hearing.

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

Commissioner Souza informed the public of the consent items and procedure.  
Public hearing opened.  
Public hearing closed.

6:04 p.m. - Commissioner Layman left the chambers

**\* CONSENT ITEMS**

Item B was heard first, due to Commissioner Layman declaring a conflict with this item.

- \*B. PARCEL MAP APPLICATION NO. 2006-16 - NAVDEEP BALI** - Request to create 11 air-space condominiums within one building on a 1.03 acre parcel in PI-7 (Planned Industrial No. 7). The property is located at 5278 Jerusalem Court, north of Charity Way, in the north Modesto area. This project is exempt from CEQA.  
APN: 004-065-020  
Staff Report: Bob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Poore/Hardie, Unanimous (5-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

6:06 p.m. - Commissioner Layman returned to chambers

- \*A. USE PERMIT APPLICATION NO. 2006-17 - EEAS LIMITED PARTNERSHIP** - Request to construct a single family dwelling on a 39,201 square foot A-2-40 (General Agriculture) zoned parcel located at the northeast corner of Tully Road and St. Francis Avenue (5800 Tully Road), north of Modesto. Existing buildings on the property, including the large 7,548 square foot pole structure, will be removed. This project is exempt from CEQA.  
APN: 004-070-002  
Staff Report: Bob Kachel Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Navarro/Assali, Unanimous (6-0), **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**
- \*C. PARCEL MAP APPLICATION NO. 2006-13 - ALLEN MARTIN** - Requesting **Indefinite Continuance**. Request to create parcels of approximately 40.1 and 41.9 acres in the A-2-40 (General Agriculture) zoning district, located at 742 Charles Street, adjacent to the Tuolumne River, in the Hughson area. A Mitigated Negative Declaration will be considered on this project.

APN: 009-029-017

Staff Report: Sara Lytle-Pinhey Recommends **APPROVAL OF INDEFINITE CONTINUANCE.**

Public hearing opened.

**OPPOSITION:** No one spoke.

**FAVOR:** No one spoke.

Public hearing closed.

Navarro/Assali, Unanimous (6-0) **APPROVED THE STAFF RECOMMENDATIONS AND CONTINUED INDEFINITELY.**

#### **NON-CONSENT ITEMS**

- D. VESTING TENTATIVE MAP APPLICATION NO. 2006-01 - PALM ESTATES -**  
Request to subdivide a 4.03 acre parcel currently zoned R-A (Rural Residential), Low-Density Residential on the General Plan, into 12 single-family lots, ranging in size from 8,007 to 10,675 square feet, plus a drainage basin / open space lot. The project is located at 2600 Lester Road, north of E. Tuolumne Road, in Denair. A Mitigated Negative Declaration will be considered on this project.

APN: 024-050-016

Staff Report: Sara Lytle-Pinhey Recommends **APPROVAL.**

Public hearing opened.

**OPPOSITION:** Deidra Thomas, 2632 Lester Road, Denair

**FAVOR:** Dave Leaman, Benchmark Engineering

Public hearing closed.

Poore/Layman, 5-1 (Assali) **APPROVED THE STAFF RECOMMENDATIONS AS OUTLINED IN THE STAFF REPORT.**

#### **VIII. OTHER MATTERS (NOT PUBLIC HEARINGS)**

- A. None

#### **IX. REPORT OF THE DIRECTOR**

##### **BOARD OF SUPERVISORS' ACTIONS OF JULY 25, 2006**

- A. The Board set a public hearing for August 15, 2006 as the date to consider the report regarding the impacts of the proposed 30-Year Land Use Restriction Initiative.
- B. The Board approved the introduction and waiving of the reading and adoption of Planning and Community Development Ordinance Amendment 2006-03, Ordinance Amendment amending Title 21 of the Stanislaus County Code relating to the regulation of produce stands and produce markets.

##### **BOARD OF SUPERVISORS' ACTIONS OF AUGUST 1, 2006**

- A. The Board approved an ordinance adopted by the Stanislaus County Transportation Authority establishing the Stanislaus County Traffic Relief, Safety and Road Maintenance Program, and formally requested the Stanislaus County Clerk Recorder/Elections Office to place the Transportation Tax Initiation on the November 2006 ballot and designated it as Measure K.
- B. The Board received a letter from the US Department of Housing and Urban Development regarding the approval of the County's Annual Action Plan and the amount of grant assistance of 2.5 million dollars in Community Development Block Grant funds which are administered by this department.

**MISCELLANEOUS & ON THE HORIZON**

**August 17, 2006**

- 1. Request for Continuance of Appeal of Staff Decision (per request of Applicant's attorney)
- 2. One Parcel Map
- 3. One Use Permit
- 4. One Rezone

**September 7, 2006**

- 1. Appeal of Staff Decision
- 2. Lake Road Grizzly Ranch - to approve or disapprove a Statement of Overriding Considerations
- 3. One Use Permit

**X. ADDITIONAL MATTERS AT DISCRETION OF CHAIRMAN**

- A. None

**XI. ADJOURNMENT**

The meeting was adjourned at 6:46 p.m.



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Ron E. 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 Director.)