

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-3

Urgent Routine

AGENDA DATE April 14, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing on May 5, 2009, at 9:15 a.m., to Consider an Appeal of the Planning Commission's Approval of Use Permit No. 2008-10 - Turlock Golf Center

STAFF RECOMMENDATIONS:

Approve setting a public hearing on May 5, 2009, at 9:15 a.m., to consider an appeal of the Planning Commission's approval of Use Permit No. 2008-10 - Turlock Golf Center.

FISCAL IMPACT:

There is no fiscal impact associated with this request.

BOARD ACTION AS FOLLOWS:

No. 2009-206

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

CR # 1365
#580⁰⁰
Mar. 30, 2009
E Rood
March 26, 2009

PLEASE SEE AMENDED LETTER

Stanislaus County Board of Supervisors,

We are appealing the decision of the Stanislaus County Planning Commission to allow a golf driving range on Taylor Road in Turlock. This project is not compatible with agriculture. We own and farm land near this proposed project. The planning department recommended to deny this project. As stated in the planning staff report this is prime farmland surrounded by agricultural properties.

Allowing this project will transform our farming as we know it today. We will have complaints with our normal farming operations throughout the year. This rezoning will open the door for more problems in the future. We would like to see this area stay as it is; a farming community acting as the buffer between Turlock and Keyes.

Thank you and we look forward to a future discussion concerning this rezoning project.

Gregory Nascimento
Teri Nascimento
3507 W. Barnhart Road
Turlock, CA 95382

Robert Nascimento
MaryLou Nascimento
3730 W. Barnhart Road
Turlock, CA 95382

Phillip Mouzes
Margaret Mouzes
3436 W. Barnhart Road
Turlock, CA 95382

Mike Ferreira
Wendy Ferreira
3018 W. Barnhart Road
Turlock, CA 95382

Chuck Freitas
3325 w. Barnhart Road
Turlock, CA 95382

Joann Speckens

Gilbert Teixeira
Linda Teixeira
5601N. Mountain View
Turlock, CA 95382

Robert Teixeira
Lindsay Teixeira
3201W. Barnhart Road
Turlock, CA 95382

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Wendy Ferreira
Chuck Freitas
Joann Speckens
Gilbert Teixeira
Linda Teixeira
Robert Teixeira
Lindsay Teixeira

RECEIVED
MAR 30 2009
STANISLAUS CO. PLANNING & COMMUNITY DEVELOPMENT DEPT.

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BOARD OF SUPERVISORS

RECEIVED

APR 07 2009

STANISLAUS CO PLANNING & COMMUNITY DEVELOPMENT DEPT.

AMENDED

March 26, 2009

BOARD OF SUPERVISORS

2009 APR - 7 1 P 4: 24

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Allowing this project will transform our farming as we know it today. We will have complaints with our normal farming operations throughout the year. This decision will open the door for more problems in the future. We would like to see this area stay as it is; a farming community acting as the buffer between Turlock and Keyes.

Thank you and we look forward to a future discussion concerning this project.

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BOARD OF SUPERVISORS

*William O'Brien, 1st District
Vito Chiesa, 2nd District
Jeff Grover, 3rd District
Dick Monteith, 4th District
Jim DeMartini, 5th District*

1010 10th Street, Suite 6500, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4410

April 1, 2009

Gregory and Teri Nascimento
3507 W. Barnhart Road
Turlock, CA 95382

Joann Speckens
(no address provided)

Robert and MaryLou Nascimento
3730 W. Barnhart Road
Turlock, CA 95382

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Turlock, CA 95382

Robert and Lindsay Teixeira
3201 W. Barnhart Road
Turlock, CA 95382

RE: Appeal of Planning Commission's approval of Use Permit 2008-10 – Turlock Golf Center

Dear Appellant:

We received your Letter of Appeal regarding the Planning Commission's approval of Use Permit 2008-10 – Turlock Golf Center. An item requesting the Board of Supervisors schedule a public hearing on Tuesday, **May 5, 2009 at 9:15a.m...**, to consider this appeal, will be on the Board of Supervisors' April 14, 2009, agenda.

For further information, please call the Planning and Community Development Department at 525-6330 or the Board of Supervisors at 525-6415.

Sincerely,


Elizabeth A. King
Assistant Clerk of the
Board of Supervisors

cc: Supervisor Vito Chiesa, District 2
Planning & Community Development Department
Fred Adams, Property Owner
Dennis Wilson, Horizon Consulting
Ken Miller, McHenry Golf Center

NOTICE OF PUBLIC HEARING
APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF USE PERMIT
APPLICATION NO. 2008-10 - TURLOCK GOLF CENTER

NOTICE IS HEREBY GIVEN that on May 5, 2009 at the hour of 9:15 a.m., the Stanislaus County Board of Supervisors will meet in the Chambers, Basement Level, Tenth Street Place, 1010 10th St., Modesto, CA, to consider an appeal of the Planning Commission's approval of Use Permit Application No. 2008-10 - Turlock Golf Center, a request to establish a golf driving range on a 39± acre parcel in the A-2-40 (General Agriculture) zoning district, designated as Agriculture in the County General Plan. The development will include the construction of a 1,000 square foot maintenance building, a 2,000 square foot office/pro-shop, and a covered tee area. The project is located on the north side of Taylor Road, east of Highway 99 and west of Mountain View Road, in the Turlock area. A CEQA Negative Declaration will be considered on this project. APN: 045-053-008

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the above application is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: April 14, 2009

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California.



BY: _____
Elizabeth A. King, Assistant Clerk



BOARD OF SUPERVISORS

William O'Brien, 1st District
Vito Chiesa, 2nd District
Jeff Grover, 3rd District
Dick Monteith, 4th District
Jim DeMartini, 5th District

1010 10th Street, Suite 6500, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4410

April 28, 2008

TO: PROJECT APPLICANT AND PROJECT APPELLANTS

FROM: STANISLAUS COUNTY CLERK OF THE BOARD

**SUBJECT: RESETTING OF STANISLAUS COUNTY BOARD OF SUPERVISORS
MAY 5, 2009 PUBLIC HEARING TO CONSIDER APPEAL OF USE
PERMIT APPLICATION NO. 2008-10 - TURLOCK GOLF CENTER**

The hearing to consider an appeal of Use Permit Application No. 2008-10 - Turlock Golf Center was originally scheduled to be heard by the Board of Supervisors at a public hearing on May 5, 2009 at 9:15 a.m. Due to an error by the newspaper to publish the required public notice of the May 5th hearing, it is anticipated the Board of Supervisors will reset the hearing on the appeal to May 19, 2009 at 6:35 p.m. Public notice of the new public hearing date and revised landowner notices will be published and mailed following an action by the Board of Supervisors.

Please contact Joshua Mann, Associate Planner, at 209-525-6330 if you have any questions regarding this letter or the subject project in general.

cc: Dennis Wilson, Project Representative