

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

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent

Routine

AGENDA DATE July 21, 2009

CEO Concurs with Recommendation YES NO

(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing on August 11, 2009, at 9:15 a.m. to Consider Planning Commission's Recommendation of Approval for General Plan Amendment Application #2008-06, Rezone Application #2008-06, Use Permit Application #2008-27 and Vesting Tentative Parcel Map Application #2008-15, O'Brien Veterinary Hospital

STAFF RECOMMENDATIONS:

Set a public hearing on August 11, 2009, at 9:15 a.m. to consider Planning Commission's recommendation of approval for General Plan Amendment Application #2008-06, Rezone Application #2008-06, Use Permit Application #2008-27 and Vesting Tentative Parcel Map Application #2008-15, O'Brien Veterinary Hospital, a four-part request to consider: 1) approval of a Use Permit to allow a large animal veterinary hospital to be established; 2) approval of a Vesting Tentative Parcel Map to subdivide 24.36 acres into a 2.22-acre parcel and a 22.14-acre "remainder" parcel; 3) approval to amend the 2.22-acre parcel's General Plan designation from Agriculture to P-D (Planned Development); and, 4) approval to amend the 2.22-acre
(Continued on page 2)

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2009-502

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:


ELIZABETH A. KING, Assistant Clerk

ATTEST:

File No. **ORD-55-K-2**

Approval to Set a Public Hearing on August 11, 2009, at 9:15 a.m. to Consider the Planning Commission's Recommendation of Approval for General Plan Amendment Application #2008-06, Rezone Application #2008-06, Use Permit Application #2008-27 and Vesting Tentative Parcel Map Application #2008-15, O'Brien Veterinary Hospital

STAFF RECOMMENDATIONS: (Continued)

parcel's zoning designation from A-2-40 (General Agriculture) to a P-D (Planned Development) zone to allow the large animal facility to also be used as a small animal veterinary hospital, on property located at 3254 Beckwith Court, just west of Hwy 99, in the Modesto area (APNs: 005-034-009, 010, 011). A Negative Declaration will be considered for this project.

NOTICE OF PUBLIC HEARING FOR
GENERAL PLAN AMENDMENT APPLICATION #2008-06,
REZONE APPLICATION #2008-06,
USE PERMIT APPLICATION #2008-27 & VESTING TENTATIVE
PARCEL MAP APPLICATION #2008-15
O'BRIEN VETERINARY HOSPITAL

NOTICE IS HEREBY GIVEN that on August 11, 2009, at 9:15 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, Lower Level, 1010 10th St., Modesto, CA, to consider the Planning Commission's recommendation for approval of GPA # 2008-06 and REZ 2008-06, UP #2008-27 and PM 2008-15, O'Brien Veterinary Hospital, a four-part request consisting of the following: 1) A request for a Use Permit to allow a large animal veterinary hospital to be established; 2) A request for a Vesting Tentative Parcel Map to subdivide 24.36 acres into a 2.22-acre parcel and a 22.14-acre "Remainder" parcel; 3) A request to amend the 2.22-acre parcel's General Plan designation from Agriculture to P-D (Planned Development); 4) A request to amend the 2.22-acre parcel's zoning designation from A-2-40 (General Agriculture) to a P-D (Planned Development) zone to allow the large animal facility to also be used as a small animal veterinary hospital. The General Plan and Zoning designation of the 22.14-acre "Remainder" parcel would not change nor is any development proposed to take place on this parcel. The proposed development includes a 14,000 square foot veterinary hospital and office, a 5,000 square foot "Treatment" Barn, parking lot, and landscaping. The 24+ acre site is currently zoned A-2-40 (General Agriculture) and is located at 3254 Beckwith Court, just west of Hwy 99, in the Modesto area (APN: 005-034-009, 010, 011). A CEQA Negative Declaration will be considered on this project.

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: July 21, 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



July 31, 2009

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS
2009 AUG - 51 A 11:42

NOTICE IS HEREBY GIVEN THAT the Stanislaus County Board of Supervisors will hold a public hearing on **Tuesday, August 11, 2009**, starting at **9:15 A.M.** in the Joint Chambers, 1010 10th Street, Basement Level, Modesto, California, to consider the following:

Planning Commission's recommendation of approval for General Plan Amendment Application #2008-06, Rezone Application #2008-06, Use Permit Application #2008-27 and Vesting Tentative Parcel Map Application #2008-15, O'Brien Veterinary Hospital, a four-part request to consider: 1) approval of a Use Permit to allow a large animal veterinary hospital to be established; 2) approval of a Vesting Tentative Parcel Map to subdivide 24.36 acres into a 2.22-acre parcel and a 22.14-acre "remainder" parcel; 3) approval to amend the 2.22-acre parcel's General Plan designation from Agriculture to P-D (Planned Development); and, 4) approval to amend the 2.22-acre parcel's zoning designation from A-2-40 (General Agriculture) to a P-D (Planned Development) zone to allow the large animal facility to also be used as a small animal veterinary hospital, on property located at 3254 Beckwith Court, just west of Hwy 99, in the Modesto area.

The property is further identified as Assessor's Parcel No. 005-034-009, 010, 011

The Board of Supervisors will also consider approval of a Negative Declaration for this item.

At the above noticed time and place, all interested persons will be given an opportunity to speak.

Materials submitted to the Board of Supervisors for consideration (i.e., photos, slides, petitions, letters, etc.) will be retained by the County and cannot be returned.

If you challenge the above item in court, you may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors, at or prior to, the public hearing.

For further information, please call (209) 525-6330, or email: planning@mail.co.stanislaus.ca.us.

PROOF OF SERVICE BY MAIL - CCP 1013a, 2015.5

I declare that: I am employed in the County of Stanislaus, California.

I am over the age of eighteen years and not a party to the within entitled cause; my business address is:

Stanislaus County Administration Building
Department of Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354


On July 31, 2009, I served the attached Notice of Public Hearing
(Date)

GENERAL PLAN AMENDMENT APPLICATION NO. 2008-06, REZONE APPLICATION NO. 2008-06, USE PERMIT APPLICATION NO. 2008-27 AND VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2008-15 - O'BRIEN VETERINARY HOSPITAL on the parties listed below in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Modesto, California, addressed as follows:

SEE ATTACHED LIST

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on July 31, 2009, at Modesto, California.
(Date)

Crystal D Rein
(Type or print name)


Signature

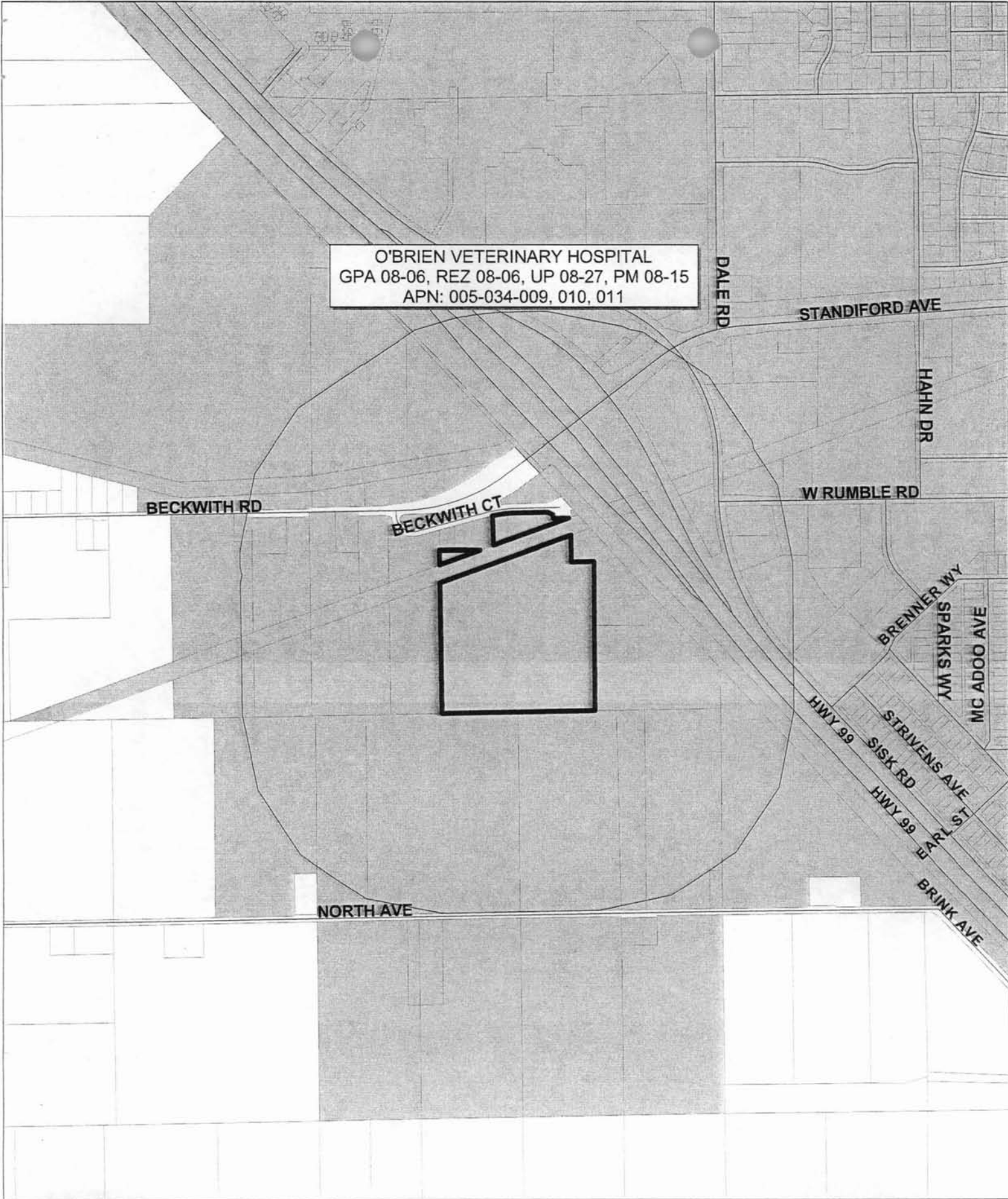
GENERAL PLAN AMENDMENT APPLICATION NO. 2008-06, REZONE APPLICATION NO. 2008-06, USE PERMIT APPLICATION NO. 2008-27 AND VESTING TENTATIVE PARCEL MAP APPLICATION NO. 2008-15 - O'BRIEN VETERINARY HOSPITAL

Attachment A

Distribution List

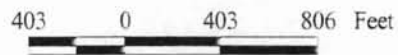
X	AGRICULTURE COMMISSIONER		NATURAL RESOURCES CONSERVATION
X	AIRPORT LAND USE COMMISSION	X	PACIFIC GAS & ELECTRIC
	ALLIANCE	X	PARKS & FACILITIES
	ANIMAL SERVICES		POSTMASTER:
X	BUILDING PERMITS DIVISION - STEVE TREAT	X	PUBLIC WORKS - ANGIE HALVERSON JUDY LINDSAY - DRAINAGE BILL CARDOZA - MORGAN RD TRAFFIC
X	CAL TRANS DISTRICT 10	X	PUBLIC WORKS - TRANSPORTATION
	CEMETERY DISTRICT		RAILROAD
	CENTRAL VALLEY FLOOD PROTECTION		REDEVELOPMENT
X	CHIEF EXECUTIVE OFFICE	X	REGIONAL WATER QUALITY CONTROL
X	CITY OF: MODESTO		RISK MANAGEMENT
	COMMUNITY SERVICES AGENCY (CSA)	X	SAN JOAQUIN VALLEY APCD
	COMMUNITY SERVICES / SANITARY DIST	X	SCHOOL DIST 1: HART-RANSOM
X	COOPERATIVE EXTENSION	X	SCHOOL DIST 2: MODESTO
	CORPS OF ENGINEERS	X	SHERIFF
X	COUNTY COUNSEL	X	StanCOG
	COUNTY OF:	X	STAN CO ERC
	DEPARTMENT OF CONSERVATION Land Resources / Mine Reclamation	X	STAN CO FARM BUREAU
	DEPT OF FORESTRY	X	STANISLAUS FIRE PREVENTION BUREAU
X	ENVIRONMENTAL RESOURCES	X	STATE CLEARINGHOUSE
X	FIRE PROTECTION DIST: SALIDA		STATE LANDS COMMISSION
X	FISH & GAME	X	SUPERVISOR DIST 3: GROVER
X	HAZARDOUS MATERIALS	X	SURROUNDING LAND OWNERS (on file w/the Clerk to the Board of Supervisors)
	HOSPITAL DIST:	X	TELEPHONE COMPANY: AT&T
X	IRRIGATION DIST: MODESTO	X	TRIBAL CONTACTS
X	LAFCO		TUOLUMNE RIVER TRUST
X	MOSQUITO DIST: EASTSIDE	X	UNITED STATES MILITARY AGENCIES (SB 1462) (5 agencies)
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES		US FISH & WILDLIFE
	MUNICIPAL ADVISORY COUNCIL:		WATER DIST:

O'BRIEN VETERINARY HOSPITAL
GPA 08-06, REZ 08-06, UP 08-27, PM 08-15
APN: 005-034-009, 010, 011



LANDOWNER NOTIFICATION AREA

JULY 14, 2009



This map is for display purposes only.



Map printed: 7/14/2009

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO** , County of **STANISLAUS** , State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS** , State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Aug 01, 2009

**NOTICE OF PUBLIC HEARING
FOR GENERAL PLAN AMENDMENT
APPLICATION #2008-06, REZONE AP-
PLICATION #2008-06, USE PERMIT AP-
PLICATION #2008-27 & VESTING TEN-
TATIVE PARCEL MAP APPLICATION
#2008-15, O'BRIEN VETERINARY HOS-
PITAL**

NOTICE IS HEREBY GIVEN that on August 11, 2009, at 9:15 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, Lower Level, 1010 10th St., Modesto, CA, to consider the Planning Commission's recommendation for approval of GPA #2008-06 and REZ 2008-06, UP #2008-27 and PM 2008-15, O'Brien Veterinary Hospital, a four-part request consisting of the following: 1) A request for a Use Permit to allow a large animal veterinary hospital to be established; 2) A request for a Vesting Tentative Parcel Map to subdivide 24.36 acres into a 2.22-acre parcel and a 22.14-acre "Remainder" parcel; 3) A request to amend the 2.22-acre parcel's General Plan designation from Agriculture to P-D (Planned Development); 4) A request to amend the 2.22-acre parcel's zoning designation from A-2-40 (General Agriculture) to a P-D (Planned Development) zone to allow the large animal facility to also be used as a small animal veterinary hospital. The General Plan and Zoning designation of the 22.14-acre "Remainder" parcel would not change nor is any development proposed to take place on this parcel. The proposed development includes a 14,000 square foot veterinary hospital and office, a 5,000 square foot "Treatment" Barn, parking lot, and landscaping. The 24± acre site is currently zoned A-2-40 (General Agriculture) and is located at 3254 Beckwith Court, just west of Hwy 99, in the Modesto area (APN: 005-034-009, 010, 011). A CEQA Negative Declaration will be considered on this project. 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: July 21, 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

Pub Dates Aug 1, 2009

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

August 4th, 2009

(Signature)

