

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

DEPT: Planning and Community Development

BOARD AGENDA # *D-2

Urgent

Routine

AGENDA DATE March 30, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing for April 20, 2010 at 6:45 p.m. to Consider Planning Commission's Recommendation for Approval of Rezone Application No. 2009-04, Bronco Wine Co.

STAFF RECOMMENDATIONS:

1. Set a public hearing for April 20, 2010 at 6:45 p.m. to consider Planning Commission's recommendation for approval of Rezone Application No. 2009-04, Bronco Wine Co., a request to rezone the parcel from A-2-40 (General Agriculture) to PD (Planned Development) on property located at 800 E. Keyes Road, southeast corner of E. Keyes and Bystrum Roads, in the Ceres area. APN: 041-046-019.
2. Authorize the Clerk of the Board to publish notice of hearing as required by law.

FISCAL IMPACT:

There are no fiscal impacts associated with setting the public hearing. Impacts associated with the rezone will be evaluated and will be included in the subsequent report for the public hearing.

BOARD ACTION AS FOLLOWS:

No. 2010-168

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

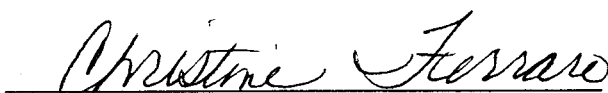
1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-L-17

DISCUSSION:

This is a request to rezone a 35.78-acre parcel from A-2-40 (General Agriculture) to P-D (Planned Development) for expansion of the adjoining Bronco Wine facility by conversion of an existing house into an office, construction of two (2) new 14,400 square foot office buildings, an associated parking lot and two (2) driveways on E. Keyes Road.

The project site is located at 800 E. Keyes Road, south of Ceres, and is improved with a single-family dwelling and a vineyard. The surrounding area consists of agricultural uses, primarily orchards and vineyards. Bronco Wine Co. is south of and adjacent to the project site. There are scattered single-family dwellings in the area, with the closest off-site dwelling being approximately 60 feet from the project site's eastern property line.

The applicants are proposing to begin construction on the driveways and parking lots by fall of 2010. No development schedule was provided for the 14,000 square foot offices as the applicants are not proposing to construct those buildings at this time. They are requesting to "reserve" the footprints of the office buildings to allow the administrative portion of the business to be relocated as necessary to accommodate the expansion of the adjacent wine processing facility located at 6342 Bystrum Road.

Days and hours of operation from December to June are Monday thru Friday, 24 hours a day, and from July to November, seven (7) days a week, 24 hours a day. Currently, there are 180 employees on a maximum shift, 10 customers/visitors on site at peak times, 60 truck deliveries/loadings per day off-season, and 300 truck deliveries/loadings per day during peak season. Peak seasonal operation hours are from mid-July to mid-November. The project will be served by a private well for water and on-site septic facilities will provide for sewage disposal.

On March 18, 2010, the Planning Commission held a public hearing and unanimously recommended the Board of Supervisors approve the request.

This item simply sets the date and time for a hearing on the matter before the Board of Supervisors.

POLICY ISSUES:

The Board should determine if setting a hearing for this proposed rezone furthers the goals of efficient delivery of public services.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Kirk Ford, Director. Telephone: (209) 525-6330



CLERK OF THE BOARD OF SUPERVISORS

Christine Ferraro Tallman

1010 Tenth Street, Suite 6700, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420

**NOTICE OF PUBLIC HEARING
FOR REZONE APPLICATION NO. 2009-04 - BRONCO WINE CO.**

NOTICE IS HEREBY GIVEN that on April 20, 2010, at 6:45 p.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider a request to rezone a 35.78 acre parcel from A-2-40 (General Agriculture) to P-D (Planned Development) to allow expansion of the adjoining Bronco Wine facility by conversion of an existing house into an office, construction of two (2) new 14,400 square foot office buildings, an associated parking lot and two (2) driveways on E. Keyes Road. The project site is located at 800 E. Keyes Road, at the southeast corner of E. Keyes and Bystrum Roads, in the Ceres area. APN: 041-046-019. A CEQA Mitigated Negative Declaration will be considered.

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: March 30, 2010

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

BY: _____

Elizabeth A. King, Assistant Clerk

**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:

Apr 09, 2010

**NOTICE OF PUBLIC HEARING
FOR REZONE APPLICATION
NO. 2009-04 BRONCO WINE CO.**

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Pub Dates Apr 9, 2010

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

April 9th, 2010

(Signature)

Marie Dieckman