

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 December 7, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing for December 21, 2010 at 6:35 p.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01, El Rematito Marketplace

STAFF RECOMMENDATIONS:

1. Set a public hearing for December 21, 2010 at 6:35 p.m. to consider Planning Commission's recommendation for approval of General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01, El Rematito Marketplace, a request for a General Plan Amendment and Rezone to Planned Development (P-D) to allow development of a new parking area (overflow) and driveway for 930 cars for the El Rematito Marketplace on property located at 3025 Crows Landing Road, in the Ceres area, APN: 056-055-003
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 general plan amendment and rezone will be evaluated and included in the subsequent report for the public hearing.

BOARD ACTION AS FOLLOWS:

No. 2010-740

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

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-N-5

DISCUSSION:

This is a request for a general plan amendment and a rezone to Planned Development (P-D). The project would allow development of a new parking area (overflow) and driveway for 930 cars for the El Rematito Marketplace. The project is proposed to be developed in two phases with all existing structures (three (3) dwellings, a barn, and a shop) to be removed.

The applicant proposes to incorporate this 9.35 acre parcel with the existing El Rematito Marketplace located adjacent to the south. Phase I will be a total of 488 parking stalls and Phase II will add 442 stalls for a total of 930 parking stalls.

The project site is located at 3025 Crows Landing Road, in the Ceres area. The site is just north of the existing El Rematito Marketplace and other surrounding uses are: Agriculture to the north, and west; single-family residential to the northwest; G3 (commercial), Stanislaus County Community Services Agency, and Sheriffs' offices to the east and is within the City of Ceres Sphere of Influence.

On November 18, 2010, the Planning Commission held a public hearing and on a 9-0 vote recommended the Board of Supervisors approve the request.

At this time, this item simply sets the date and time for a hearing on the matter before the Board of Supervisors to consider the proposed request.

POLICY ISSUES:

The Board should determine if setting a hearing for this proposed general plan amendment and rezone furthers the goals of Efficient Delivery of Public Services.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

Bill Carlson, Senior Planner. Telephone: (209) 525-6330
Kirk Ford, Planning & Community Development Director. Telephone: (209) 525-6330

NOTICE OF PUBLIC HEARING FOR
GENERAL PLAN AMENDMENT NO. 2010-01 AND
REZONE APPLICATION NO. 2010-01
EL REMATITO MARKETPLACE

NOTICE IS HEREBY GIVEN that on December 21, 2010, at 6:35 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 Planning Commission's recommendation for approval of a request to amend the General Plan from Agriculture to P-D (Planned Development) and rezone from A-2-40 (General Agriculture) to P-D to allow additional parking for 930 cars, in two phases, to serve the El Rematito Marketplace. The 9.35± acre property is located at 3025 Crows Landing Road, south of Whitmore Avenue, in the Ceres area. A CEQA Mitigated Negative Declaration will be considered for this project. APN: 056-055-003.

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: December 7, 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



BOARD OF SUPERVISORS

2010 DEC 13 P 12: 04

December 10, 2010

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Stanislaus County Board of Supervisors will hold a public hearing on **Tuesday, December 21, 2010**, starting at **6:35 P.M.** in the Joint Chambers, 1010 10th Street, Basement Level, Modesto, California, to consider the following:

Planning Commission's recommendation for approval of General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01 - El Rematito Marketplace - Request to amend the General Plan from Agriculture to P-D (Planned Development) and rezone from A-2-40 (General Agriculture) to P-D to allow additional parking for 930 cars, in two phases, to serve the El Rematito Marketplace. The 9.35± acre property is located at 3025 Crows Landing Road, south of Whitmore Avenue, in the Ceres area.

The property is further identified as Assessor's Parcel No. 056-055-003

The Board of Supervisors will also consider approval of a Mitigated 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 December 10, 2010, I served the attached Notice of Public Hearing:
(Date)

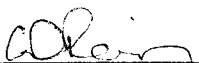
GENERAL PLAN AMENDMENT APPLICATION NO. 2010-01 AND REZONE APPLICATION NO.

2010-01 - EL REMATITO MARKETPLACE 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 December 10, 2010, at Modesto, California.
(Date)

Crystal D Rein
(Type or print name)


Signature

GENERAL PLAN AMENDMENT APPLICATION NO. 2010-01 AND REZONE APPLICATION NO. 2010-01 - EL REMATITO AND USE PERMIT APPLICATION NO. 2009-17 - EL REMATITO 2009

Attachment A

Distribution List

X	AGRICULTURE COMMISSIONER		NATURAL RESOURCES CONSERVATION
	AIRPORT LAND USE COMMISSION	X	PACIFIC GAS & ELECTRIC
X	ALLIANCE	X	PARKS & FACILITIES
	ANIMAL SERVICES		POSTMASTER:
X	BUILDING PERMITS DIVISION - STEVE TREAT	X	PUBLIC WORKS - ANGIE HALVERSON
X	CAL TRANS DISTRICT 10	X	PUBLIC WORKS - DAVID LEAMON
	CEMETERY DISTRICT		RAILROAD
	CENTRAL VALLEY FLOOD PROTECTION		REDEVELOPMENT
X	CHIEF EXECUTIVE OFFICE	X	REGIONAL WATER QUALITY CONTROL
X	CITY OF: CERES		RISK MANAGEMENT
	COMMUNITY SERVICES AGENCY (CSA)	X	SAN JOAQUIN VALLEY APCD
	COMMUNITY SERVICES / SANITARY DIST	X	SCHOOL DIST 1: MODESTO
X	COOPERATIVE EXTENSION		SCHOOL DIST 2:
	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: WESTPORT		STATE LANDS COMMISSION
X	FISH & GAME	X	SUPERVISOR DIST 5: DeMARTINI
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: TURLOCK	X	TRIBAL CONTACTS
X	LAFCO		TUOLUMNE RIVER TRUST
X	MOSQUITO DIST: TURLOCK	X	UNITED STATES MILITARY AGENCIES (SB 1462) (5 agencies)
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	US FISH & WILDLIFE
X	MUNICIPAL ADVISORY COUNCIL: SOUTH MODESTO		WATER DIST:

**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:

Dec 11, 2010

NOTICE OF PUBLIC HEARING
GENERAL PLAN AMENDMENT
NO. 2010-01 AND REZONE
APPLICATION NO. 2010-01
EL REMATITO MARKETPLACE

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BY ORDER OF THE BOARD OF SUPERVISORS. DATED: December 7, 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
Pub Dates Dec. 11, 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

December 13th, 2010

(By Electronic Facsimile Signature)

Marie Dickman