

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

DEPT: Planning and Community Development AF

BOARD AGENDA # *D-1

Urgent Routine

AGENDA DATE October 20, 2015

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set a Public Hearing for November 3, 2015, at 9:05 A.M. to Consider the Planning Commission's Recommendation for Approval of Rezone Application No. PLN2015-0032, Belkorp AG

STAFF RECOMMENDATIONS:

1. Set a public hearing for November 3, 2015, at 9:05 A.M. to consider the Planning Commission's recommendation for approval of Rezone Application No. PLN2015-0032, Belkorp AG, a request to rezone a 17.3± acre project site, from expired P-D 302 (Planned Development) and A-2-10 (General Agriculture) to a new P-D zone, to allow H-1 (Highway Frontage) uses, establish an agricultural equipment dealership, construct a two story 57,000 square-foot building, and allow outdoor display areas for agricultural equipment on property located at 4618 Nunes Road, east of Highway 99, north of E. Keyes Road, in the Keyes area; and to consider the introduction and waiving of the reading of an ordinance for the proposed rezone ordinance upon approval.
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 included in the subsequent report for the public hearing.

BOARD ACTION AS FOLLOWS:

No. 2015-476

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa

and approved by the following vote,

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

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
CHRISTINE FERRARO TALLMAN, Clerk

DISCUSSION:

This is a request to rezone a 17.3± acre project site from expired P-D 302 (Planned Development) and A-2-10 (General Agriculture) to a new P-D, to allow H-1 (Highway Frontage) type uses. The project will establish an agricultural equipment dealership consisting of a 57,000 square-foot two-story building for service maintenance, retail sales, parts, and administrative offices; allow outdoor display areas for agricultural equipment; develop a 74-space parking lot; and construct an approximately one-acre drainage basin south of the proposed building. The project site is located at 4618 Nunes Road, east of Highway 99, north of E. Keyes Road, in the Keyes area. The project will be served with public water and sewer by the Keyes Community Services District (CSD).

On October 1, 2015, the Planning Commission held a public hearing and on an 8-0 vote, recommended the Board of Supervisors approve the request as proposed. There were no persons present at the hearing to speak in opposition of the proposed project.

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

POLICY ISSUES:

The proposed rezone furthers the Board's priorities of A Well Planned Infrastructure System and A Strong Local Economy by providing a land use determination consistent with the overall goals and policies of the Stanislaus County General Plan.

STAFFING IMPACT:

Planning and Community Development Department staff is responsible for preparing all reports and attending meetings associated with the proposed rezone application.

CONTACT PERSON:

Angela Freitas, Planning and Community Development Director
Telephone: (209) 525-6330

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

STANISLAUS COUNTY NOTICE OF
PUBLIC HEARING FOR REZONE
APPLICATION NO. 2015-0032
BELKORP AG

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

NOTICE IS HEREBY GIVEN that on November 3, 2015, at 9:05 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 a request to rezone a 17.3± acre project site, from expired P-D 302 (Planned Development) and A-2-10 (General Agriculture) to a new P-D zone, to allow H-1 (Highway Frontage) uses and to establish an agricultural equipment dealership with outdoor display area for new equipment. The site is located at 4618 Nunes Road, east of Highway 99, north of E. Keyes Road, in the Keyes area. APN: 045-049-011, 045-049-012, 045-050-001, 045-050-011, and 045-050-012.

This NOTICE also serves as a NOTICE OF INTENT to adopt a Mitigated Negative Declaration for the 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: October 20, 2015. ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Pam Villarreal, Deputy Clerk. Pub Dates Oct 24, 2015

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:

Oct 24, 2015

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

October 24th, 2015

(By Electronic Facsimile Signature)

Cynthia A. Villarreal