

PLANNING COMMISSION
RESOLUTION NO. 2024-04

A RESOLUTION GRANTING A TWO-YEAR EXTENSION OF TIME FOR THE
FILING OF A FINAL MAP OF THE SNOW PROPERTY (TIVOLI)
SUBDIVISION (NEWMAN-ROMANO, LLC)

WHEREAS, by Resolution No. 2022-11 adopted on March 21, 2022, the Planning Commission approved the Vesting Tentative Subdivision Map of the Snow Property (Tivoli) subdivision (Snow Properties, LP); and

WHEREAS, said approval expires on March 21, 2024; and

WHEREAS, prior to expiration of the Vesting Tentative Subdivision Map approval, David Romano of Newman-Romano, LLC on behalf of Snow Properties, LP submitted a letter requesting a two-year extension of time for filing the Final Map of the Snow Property (Tivoli) Vesting Tentative Subdivision Map; and

WHEREAS, a public hearing was held by the Planning Commission on February 26, 2024, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Planning Commission certifies it received and reviewed the Initial Study, Environmental Assessment No. EA/C&ED 2021-32, which concluded that the project is within the scope of the Tivoli Specific Plan Final EIR (SCH No. 2005072125) and that pursuant to Sections 15162, 15168(c), and 15182 of the CEQA Guidelines, no new environmental review is required.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it finds and determines as follows:

1. Conditions affecting the Vesting Tentative Subdivision Map have not substantially changed since the Vesting Tentative Subdivision Map was approved.
2. An Initial Study was prepared by the City of Modesto that analyzed whether the subsequent project may cause any significant effect on the environment that was not examined in the Tivoli Specific Plan Final EIR and whether the subsequent project was described in the Final EIR as being within the scope of the report.
3. As per Sections 15162, 15168(c), and 15182 of the California Environmental Quality Act ("CEQA") Guidelines, this project is within the scope of the projects covered by the Tivoli Specific Plan Final EIR and no new environmental document or findings are required by CEQA.
4. The project will have no new effects which were not examined in the Tivoli Specific Plan Final EIR and no new mitigation measures will be required.

5. There are no substantial changes proposed in the project, which will require major revisions of the Tivoli Specific Plan Final EIR.
6. There are no substantial changes occurring with respect to the circumstances under which the project is being undertaken which will require major revisions in the Tivoli Specific Plan Final EIR.
7. No new information, which was not known and could not have been known at the time the Tivoli Specific Plan Final EIR was certified as complete, has become available.
8. There are no specific features that are unique to the proposed project that require project-specific mitigation measures. Accordingly, the certified mitigation measures identified in the Final EIR will be sufficient for this project.
9. All feasible mitigation measures set forth in the Final EIR which are appropriate to the project shall be incorporated in the project.
10. The Initial Study, Environmental Assessment No. EA/C&ED 2021-32 provides the substantial evidence to support findings 3-9, noted above.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby grants to Snow Properties, LP a two-year extension of time to March 21, 2026, for filing the Final Map of the Snow Properties Subdivision, subject to the conditions contained in Planning Commission Resolution No. 2022-11.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on February 26, 2024, by Commissioner Black, who moved its adoption, which motion was seconded by Commissioner Silva and carried by the following vote:

Ayes: Birring, Black, Grewal, Russell, Shanks, Silva, Vazquez
Noes: None
Absent: None
Recused: None

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD
Jessica Hill, Secretary