

PLANNING COMMISSION
RESOLUTION NO. 2025-03

A RESOLUTION APPROVING THE TENTATIVE PARCEL MAP OF PROPERTY
LOCATED AT 3955 COFFEE ROAD (VVH CONSULTING ENGINEERING)

WHEREAS, VVH Consulting Engineering has filed an application for a Tentative Parcel Map to divide a 22.71-acre parcel developed with existing commercial uses and an existing residential mobile home park into five (5) commercial parcels and a Remainder parcel on property located at 3955 Coffee Road; and

WHEREAS, said Tentative Parcel Map was received in the office of the Secretary of the Planning Commission on June 11, 2024, and was accepted for filing and deemed complete on July 1, 2024, in accordance with the provisions of Section 4-4.502 of the Modesto Municipal Code; and

WHEREAS, copies of said Tentative Parcel Map have been sent to internal departments and local external agencies for review and comment; and

WHEREAS, City services, including sewer and water facilities, are available; and

WHEREAS, a public hearing was held by the Planning Commission on January 27, 2025, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Commission requested the project be continued to the February 3, 2025, Planning Commission hearing, to allow for City staff to research street frontage requirements for the Remainder Parcel; and

WHEREAS, a continued public hearing was held by the Planning Commission on February 3, 2025, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, an Initial Study, EA/C&ED No. 2024-34 has been prepared by staff, as required by CEQA; and

WHEREAS, the Initial Study concluded that the proposed project could not have a significant effect on the environment and a Negative Declaration was prepared; and

WHEREAS, a 20-day public review period for the proposed Initial Study/Negative Declaration began on January 6, 2025, and concluded on January 26, 2025; and

WHEREAS, the City received no public comments on the draft Initial Study/Negative Declaration and no changes to the document were necessary as a result; and

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

1. The Tentative Parcel Map to create five (5) commercial parcels and a remainder is consistent with the General Plan of the City of Modesto, the

Coffee-Claratina Specific Plan and the Subdivision Map Act of the State of California.

2. The proposed tentative parcel map will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity or zone in which the property is located and will not nullify the intent and purpose of the General Plan or regulations within the City of Modesto Municipal Code.
3. The discharge of waste as a result of the proposed tentative parcel map into the existing sewer system will not result in a violation of existing requirements by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code of the State of California.
4. The proposed tentative parcel map complies with all applicable requirements of the Subdivision Map Act and of Title 4 of the Modesto Municipal Code regarding the subdivision of land.
5. An Initial Study/Negative Declaration, Environmental Assessment No. EA/C&ED No. 2024-34, has been prepared by the City of Modesto that analyzed the proposed Tentative Parcel Map, and the Planning Commission has determined that, on the basis of the whole record before it, found that the proposed project could not have a significant effect on the environment and that nothing further is required.

BE IT FURTHER RESOLVED by the Planning Commission that the Tentative Parcel Map of property located at 3955 Coffee Road, accepted for filing in the office of the Secretary of the Planning Commission on July 1, 2024, is hereby approved as submitted and as shown in red on the face of the map and subject to the following conditions:

1. Prior to or concurrent to the recordation of a Parcel Map, utility and access easements shall be dedicated from the Remainder Parcel to the Coffee Road frontage, as shown on the Tentative Map.
2. Prior to or concurrent with Parcel Map recordation, existing access and utility easements to remain shall be documented on the Parcel Map.
3. All future development shall be required to adhere to the review processes and development standards as established by the Coffee-Claratina Specific Plan and the City's Zoning Codes and Standards.
4. At the time of development, all existing underground and aboveground utilities, irrigation, and electrical lines shall be protected, relocated, or removed as required by the City Engineer or designee. Easements for utilities, irrigation, and electrical lines to remain shall be reserved as required.
5. Prior to and after development, the parcels shall be maintained in good condition, and the premises shall be kept free of weeds, trash, and other debris.

6. At the time of development, Low Impact Development (LID) control and treatment measures shall be planted with vegetation for erosion protection and sediment entrapment to collect/treat storm water run-off before entering the storm drain system. Storm drainage basins shall be appropriately landscaped and irrigated to address the specific type of storm water control measure.
7. The property owner and developer shall, at their sole expense, defend, indemnify, and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

BE IT FURTHER RESOLVED that the applicant is hereby further notified that the ninety (90) day approval period in which a protest of these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a) can be filed, begins on February 3, 2025, and that if a protest is not filed within this ninety (90)-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on February 3, 2025, by Commissioner Russell, who moved its adoption, which motion was seconded by Commissioner Goriel, and carried by the following vote:

Ayes:	Arroyo, Black, Goriel, Grewal, Hauselmann, Russell, Shanks
Noes:	None
Absent:	None
Recused:	None

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

Signed copy on file in CEDD

Tristan Osborn, AICP, Secretary