

PLANNING COMMISSION
RESOLUTION NO. 2017-10

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO PRECISE PLAN AREA NO. 23 OF THE VILLAGE ONE SPECIFIC PLAN, TO AMEND THE CONFIGURATION OF 57 SINGLE-FAMILY RESIDENTIAL LOTS WITH ALLEY ACCESS TO 59 STREET-ACCESSED SINGLE-FAMILY RESIDENTIAL LOTS, PROPERTY LOCATED WEST OF CLAUS ROAD AND NORTH OF FLOYD AVENUE (NEW FH, LLC)

WHEREAS, the City Council, on October 16, 1990, adopted the Village One Specific Plan, pursuant to California Government Code Section 65450 et. seq., to implement the Modesto Urban Area General Plan in this area; and

WHEREAS, the Village One Specific Plan is divided into 35 precise plan areas, and a precise plan is required prior to development in each area; and

WHEREAS, Precise Plan No. 23 was approved by the City Council by Ordinance No. 3373-C.S. on December 7, 2004; and

WHEREAS, an application has been filed by NewFH, LLC for an amendment to Precise Plan No. 23 to amend the configuration of 57 single-family residential lots with alley access to 59 street-accessed single-family lots, property located west of Claus Road and North of Floyd Avenue; and

WHEREAS, a public hearing was held by the Planning Commission on May 1, 2017, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the Planning Commission has considered an Initial Study, Environmental Assessment No. EA/C&ED 2017-10, which concluded that the proposed Precise Plan and rezoning are within the scope of the previously certified Village One Specific Plan Program EIR as amended by the Village One Supplemental EIR (SCH No. 90020181), and that, pursuant to Sections 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 hereby finds and determines as follows:

1. The proposed Precise Plan Amendment to amend the configuration of 57 alley-accessed single-family residential lots to allow for 59 street-accessed single-family residential lots and facilitate the re-subdivision of said lots into a 59-lot single-family residential subdivision is consistent with the Village One Specific Plan and Modesto Urban Area General Plan. The Modesto Area General Plan designates the proposed development site as Village Residential (VR), which allows for a mixture of uses, including single-family residential uses of an average of 6.5 dwelling units to the acre.
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 Master EIR and whether the

subsequent project was described in the Master EIR as being within the scope of the report.

3. The subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the Master EIR.
4. No new or additional mitigation measures or alternatives are required.
5. The subsequent project is within the scope of the project covered by the Master EIR.
6. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.
7. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.
8. The Initial Study, Environmental Assessment No. EA/C&ED 2017-10, provides the substantial evidence to support findings 2-8 noted above.

BE IT FURTHER RESOLVED by the Planning Commission that it recommends to the City Council adoption of an amendment to Precise Plan No. 23 as stamped approved by the Planning Commission on May 1, 2017, and on file in the office of the Community Development Department.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on May 1, 2017, by Commissioner Smith, who moved its adoption, which motion was seconded by Commissioner Morad, and carried by the following vote:

Ayes:	Birring, Lucas, Morad, Pollard, Smith, Vohra
Noes:	None
Absent:	Escutia-Braaton
Recused:	None

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

Original, signed copy on file in CEDD

Patrick Kelly, Secretary