

PLANNING COMMISSION
RESOLUTION NO. 2018-13

A RESOLUTION GRANTING A TWO-YEAR EXTENSION OF TIME FOR FILING PARCEL MAP TPM-05-016 WITH THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT, LAND DEVELOPMENT ENGINEERING DIVISION, FOR PROPERTY LOCATED ON THE SOUTH SIDE OF KIERNAN AVENUE, WEST OF THE INTERSECTION OF DALE ROAD AND KIERNAN AVENUE (GURPREET SINGH)

WHEREAS, in 2005 Ronald Malik filed an application for a Vesting Tentative Parcel Map (TPM-05-016) to subdivide 24 acres located on the south side of Kiernan Avenue, west of Dale Road, into 13 parcels; and

WHEREAS, an Initial Study (EA/C&ED 2006-03) was prepared for the VTPM, which concluded that the project was within the scope of the Kaiser Modesto Medical Center Cornerstone Business Park Final EIR (SCH No. 2003072085) and that pursuant to Section 21166 of the Public Resources Code, no new environmental review was required; and

WHEREAS, on January 23, 2006 by Resolution No. 2006-03 the Planning Commission approved the VTPM to divide 24 acres located on the south side of Kiernan Avenue, west of Dale Road; and

WHEREAS, on November 9, 2007 the subdivider requested that the Planning Commission consider a two year time extension for recording a Parcel Map, as authorized by Section 4-4.503(a) of the Modesto Municipal Code, which allows the Planning Commission to grant an extension of time to tentative maps; and

WHEREAS, on January 27, 2007 by Resolution No. 2008-02 the Planning Commission granted a two year extension of time to the VTPM, extending the expiration of said tentative parcel map to January 23, 2010; and

WHEREAS, Government Code Section 66452.21 has extended the expiration of said tentative parcel map to January 23, 2011; and

WHEREAS, Government Code Section 66452.22 has extended the expiration of said tentative parcel map to January 23, 2013; and

WHEREAS, Government Code Section 66452.23 has extended the expiration of said tentative parcel map to January 23, 2015; and

WHEREAS, Government Code Section 66452.24 has extended the expiration of said tentative parcel map to January 23, 2017; and

WHEREAS, Government Code Section 66452.25 has extended the expiration of said tentative parcel map to January 23, 2019; and

WHEREAS, on November 1, 2018, Dr. Gurpreet Singh filed an application for a time extension of two years for filing of a Parcel Map with the Land Development Engineering Division, as authorized in Sec. 4-4.503(a) of the Modesto Municipal Code; and

WHEREAS, the Planning Commission considered the requested time extension at its regularly scheduled meeting on December 3, 2018, in Chambers, Tenth Street Place, 1010 Tenth Street, Modesto, California; and

WHEREAS, the Planning Commission has determined that conditions affecting Vesting Tentative Parcel Map TPM-05-016 have not substantially changed, since the tentative parcel map was originally approved.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it finds and determines, as per Modesto Municipal Code Section 4-4.503(a), that good cause for a two-year parcel map time extension exists as follows:

1. Conditions affecting Vesting Tentative Parcel Map TPM-05-016 have not substantially changed since the tentative parcel map was approved, as there have been no amendments to the Kiernan Business Park Specific Plan that significantly impact the subject property and no physical development has occurred in the vicinity of the project site since approval of the parcel map.
2. There are no substantial changes proposed in the parcel map which result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects and, therefore, no major revisions to the Initial Study EA/C&ED 2006-03, are required.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby grants an extension of time to January 23, 2021, for filing Vesting Tentative Parcel Map TPM-05-016 with the Community and Economic Development Department, Land Development Engineering.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on December 3, 2018, by Commissioner Pollard, who moved its adoption, which motion was seconded by Commissioner Lucas, and carried by the following vote:

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

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

Signed original on file at CEDD
Steve Mitchell, Acting Secretary