

PLANNING COMMISSION
RESOLUTION NO. 2019-26

A RESOLUTION AMENDING PLANNED DEVELOPMENT ZONE P-D (403) FOR A REVISED DEVELOPMENT PLAN INCLUDING A FOUR-STORY BUILDING WITH MORE MOTEL ROOMS AND ADDITIONAL AMENITIES, PROPERTY LOCATED AT 1720 SISK ROAD (HARRINDER SINGH)

WHEREAS, Planned Development Zone, P-D(403), was approved by City Council by Ordinance No. 2428-C.S., which became effective on May 27, 1986, to allow for the construction of a shopping center for all C-3 commercial uses, a motel of up to 250 rooms, and parking on property located at 1720 Sisk Road; and

WHEREAS, by Resolution No. 86-505 adopted on May 27, 1986, the City Council approved a development plan for P-D(403); and

WHEREAS, the one-story lobby building identified as Building A on the development plan for the motel site was demolished in 2016 to allow for additional development; and

WHEREAS, an application for an amendment to P-D(403) was filed by Harrinder Singh on April 22, 2019, to allow for the expansion of the motel to add 30 guest rooms, two meeting rooms of no more than 1,650 square feet, a rooftop terrace, various dining and entertaining areas for the exclusive use of motel patrons, a new lobby in a new four-story building of up to 26,950 square feet, and a total of 177 parking spaces; and

WHEREAS, a public hearing was held by the Planning Commission on September 9, 2019, in the Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, the proposed project is categorically exempt from the California Environmental Quality Act as defined by Section 15332 of the California Code of Regulations, which exempts infill development projects that meet certain criteria.

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

1. The requested amendment will not be detrimental to the public health, safety or welfare because the project will dedicate and widen Sisk Road to eliminate an existing traffic hazard.
2. The requested amendment will result in an orderly planned use of land because the project will allow for the expansion and reuse of an existing motel.
3. The requested amendment to allow 177 on-site parking spaces in accordance with the requirements of the Modesto Municipal Code, thereby avoiding parking impacts on adjacent properties.

4. The requested amendment is consistent with the community objectives as set forth in the General Plan because the expanded motel will have fewer rooms than were originally approved as part of P-D(403) by City Council by Ordinance No. 2428-C.S.
5. The proposed project is categorically exempt from the California Environmental Quality Act as defined by Section 15332 of the California Code of Regulations, which exempts infill development projects that meet certain criteria.

BE IT FURTHER RESOLVED by the Planning Commission as follows: that P-D(403) be amended to permit the addition of a four-story building of no more than 26,950 square feet, containing no more than 30 new guest rooms, two meeting rooms of no more than 1,650 square feet, a rooftop terrace, various dining and entertaining areas for the exclusive use of motel patrons, a new lobby, and a total of 177 dedicated parking spaces provided.

IT IS FURTHER RECOMMENDED that a revised development plan for P-D(403) be approved subject to the following conditions:

General

1. Prior to the issuance of a building permit, all proposed development shall conform to the development plan, stamped approved by the Planning Commission on September 9, 2019.
2. All conditions of approval in accordance with City Council Resolution No. 86-505 not in conflict with this action shall remain in full force and effect.
3. Any public improvements that are missing, damaged, or that are not consistent with current City standards shall be designed and constructed to City standards in accordance with Modesto Municipal Code Section 7-1.701. Such improvements may include, but may not be limited to, curb and gutter, drive approach, sidewalk, ADA access ramps, fire hydrants, and street lights. All public improvement plans shall be designed by a Registered Engineer and reviewed and approved by the City Engineer prior to issuance of an Encroachment Permit.
4. Prior to issuance of a Building Permit, applicant shall demonstrate to the satisfaction of the Director of Community & Economic Development dedicated parking sufficient to serve the approved project.
5. Prior to issuance of a building permit, the applicant shall execute a Reciprocal Access and Parking Agreement, which shall provide for shared access and parking spaces between the site and the parcels adjacent to the site (APNs 005-053-026, -032 and -033) to the satisfaction of the Director of Community and Economic Development or designee. Alternatively, if such agreement is already executed, a copy shall be provided to the City for review and determination that the above sharing of accesses and parking is in place, to the satisfaction of the Director of Community and Economic Development or designee.

Water and Sewer

6. If any new water or wastewater service, or an increase in the size of the existing service, is requested, then an Encroachment Permit must be obtained from the City and all connection fees shall be paid prior to the issuance of a Building Permit.

Storm Water Drainage

7. The proposed development will be required to manage all storm water runoff generated from this development through an on-site system in accordance with current City standards.
8. Prior to the issuance of a Grading, Demolition, or Building Permit, developer shall submit improvement plans that integrate Low Impact Development (LID) measures into a design that conforms to the requirements of the most current edition of the City of Modesto Guidance Manual for Development, Stormwater Quality Control Measures, and the City of Modesto Municipal Code. The plans shall retain, treat, and infiltrate the first 0.5" of stormwater runoff on site and incorporate pervious landscape features into the project design, wherever possible.
9. Prior to the issuance of a Grading, Demolition, or Building Permit, developer shall submit a plan to provide permanent, post-construction treatment (grass swale, bioretention, vegetative strip, or other approved proprietary device) to remove pollutants from the first 0.5" of stormwater runoff from site, consistent with the City's NPDES permit.
10. Prior to the issuance of a Grading, Demolition, or Building Permit, developer shall submit a plan for trash enclosures to be sufficiently elevated to prevent stormwater run-on from the parking lot. Floor of enclosures shall be graded to drain into adjacent landscape areas.
11. Prior to the issuance of a Grading, Demolition, or Building Permit, developer shall provide a signed and notarized Stormwater Treatment Device Access and Maintenance Agreement to Land Development Engineering, Stormwater, for recording.
12. Prior to the issuance of a Grading, Demolition, or Building Permit, developer shall prepare and submit a Water Pollution Control Plan (WPCP) or Local SWPPP to Land Development Engineering, Stormwater, for review. The WPCP or Local SWPPP shall include a description of all erosion, sediment, and pollution control BMPs to be used at the construction or demolition site to prevent sediment and other sources of pollution from entering the City storm drain system, as well as a site plan showing their placement.

Transportation

13. Additional 20-foot right-of-way for Sisk Road is required along the frontage of APN 005-053-026. Dedication to the satisfaction of the City Engineer will be required prior to issuance of a building permit.

14. Existing improvements along the Sisk Road frontage of APN 005-053-026 including, but not limited to, curb, gutter, sidewalk, drive approaches, and existing utilities, as applicable, shall be removed and reconstructed to the ultimate right-of-way to the satisfaction of the City Engineer prior to issuance of a certificate of occupancy.

Parks, Recreation, and Neighborhoods

15. Applicant shall submit Landscape and Irrigation (L&I) plans for review and approval by the City's Parks Planning and Development Division. L&I plans shall meet current State of California water use requirements, Modesto Municipal Code requirements and City of Modesto standards at time of submittal.
16. Applicant shall provide a minimum ten foot (10') front landscape setback on Sisk Road.
17. Applicant shall provide street trees along Sisk Road where missing / feasible. Trees shall be spaced thirty five (35') feet on center and located within seven feet (7') of the sidewalk or curb.
18. Applicant shall install parking lot shade trees per MMC requirements; one (1) shade tree for every eight (8) parking spaces, continuous and intermitted stall locations, within seven feet (7') of stalls.
19. Applicant shall install the required three-foot-tall (3') screening for vehicle headlights in parking areas facing Sisk Road.
20. Applicant shall install climbing vines on all walls, in the landscape area, and around the trash enclosure to discourage tagging.
21. LID control and treatment measures shall be vegetated 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. Provide total square feet of landscape area in project information on the building plans.
22. Applicant shall install bicycle parking racks as part of the project development in accordance with the Modesto Municipal Code and Green Building Code.

The following conditions are mitigation measures from the City of Modesto Urban Area General Plan Master EIR, and policies in the Urban Area General Plan, that will be applied to the project:

1. Review of new development shall be coordinated with SJVAPCD staff to ensure all projects subject to the SJVAPCD Rule 9510 (Indirect Source Review) comply fully with the rule. This rule fulfills the SJVAPCD's emission reduction commitments in the PM10 and Ozone Attainment Plans through emission reductions from the construction and use of development projects through design features and onsite measures. Rule 9510 applies to any

applicant that seeks to gain a final discretionary approval for a development project, or any portion thereof, which meets certain minimum thresholds. (AQ-85, Policy VII.H.2.u)

2. Require all access roads, driveways, and parking areas serving new commercial and industrial development to be constructed with materials that minimize particulate emissions in accordance with the requirements of SJVAPCD Regulation VIII and are appropriate to the scale and intensity of use. (AQ-101, Policy VII.H.2.kk)
3. Effectively stabilize dust emissions using water, chemical stabilizer / suppressant, cover with a tarp or other suitable cover or vegetative ground cover, all disturbed areas, including storage piles, which are not being actively utilized for construction purposes. (AQ-103, Policy VII.H.2.mm)
4. Effectively stabilize dust emissions using water or chemical stabilizer / suppressant, all onsite unpaved roads and off-site unpaved access roads. (AQ-104, Policy VII.H.2.nn)
5. Effectively control fugitive dust emissions utilizing application of water or by presoaking all land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities. (AQ-105, Policy VII.H.2.oo)
6. When materials are transported off site, cover all materials, or effectively wet them to limit visible dust emissions, and maintain at least six inches of freeboard from top of container. (AQ-107, Policy VII.H.2.qq)
7. Limit operations or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions). (Use of blower devices is expressly forbidden.) (AQ-108, Policy VII.H.2.rr)
8. Following the addition of materials to, or the removal of material from, the surface of outdoor storage piles, effectively stabilize said piles for fugitive dust emissions utilizing sufficient water or chemical stabilizer / suppressant. (AQ-109, Policy VII.H.2.ss)
9. Within urban areas, immediately remove trackout when it extends 50 or more feet from the site and at the end of each workday. (AQ-110, Policy VII.H.2.tt)
10. Prevent carrount and trackout for any site with 150 or more vehicle trips per day. (AQ-111, Policy VII.H.2.uu)
11. Limit traffic speeds on unpaved roads to 15 miles per hour. (AQ-112, Policy VII.H.2.vv)
12. Install wind breaks at windward side(s) of construction areas. (AQ-115, Policy VII.H.2.yy)

13. Suspend excavation and grading activity when winds exceed 20 miles per hour (regardless of windspeed, an owner / operator must comply with Regulation VIII's 20 percent opacity limit). (AQ-116, Policy VII.H.2.zz)
14. Limit the area subject to excavation, grading, and other construction activity at any one time. (AQ-117, Policy VII.H.2.aaa)
15. Construction activities are to comply with Modesto Municipal Code, Title 4, Chapter 9. (Noise-3, Policy VII-G.3.a)
16. Use the most recent noise contour map (Figure VII-2 in the Urban Area General Plan) to implement the requirements of Noise Insulation Standards contained in Title 24 of the California Code of Regulations. Developers may be allowed to demonstrate that detailed noise studies and / or mitigation are not necessary due to local conditions, changes in the expected future noise environment, or inapplicable assumptions made in the Master EIR. (Noise-6, Policy VII-G.3.d)
17. Construction activities shall comply with the requirements of the City's Stormwater Management Plan under its municipal NPDES stormwater permit, and the State Water Resources Control Board's General Permit for Discharges of Storm Water Associated with Construction Activity. (SD-10, Policy VI.G.3) (See also Table V-9-2 in the Master EIR for examples of construction site best practices.)

IT IS FURTHER RECOMMENDED that the entire construction program be accomplished in one phase, building permit to be issued within two years of Planning Commission approval and construction to be completed within two years of building permit issuance.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on September 9, 2019, by Smith , who moved its adoption, which motion was seconded by Pollard and carried by the following vote:

Ayes: Lucas, Pollard, Smith, Morad

Noes: None

Absent: Escutia-Braaton, Vohra

Recused: Birring

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

Original, signed copy on file in CEDD

Steve Mitchell, Secretary

