

PLANNING COMMISSION  
RESOLUTION NO. 2020-20

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO PRECISE PLAN NO. 30 TO ALLOW FOR THE AMENDMENT OF THE CIRCULATION AND UTILITY PLANS OF THE PRECISE PLAN, PROPERTY LOCATED ON SHARON DRIVE SOUTH OF YELLOWHAMMER LANE (NRB INVESTMENTS)

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. 30 was approved by the City Council by Ordinance No. 3409-C.S. on May 9, 2006; and

WHEREAS, an application has been filed by NRB Investments, LLC for an amendment to the circulation and utility plans of Precise Plan No. 30, to facilitate the development of a 3.75-acre vacant property with a single-family residential subdivision of 24 lots, property located on Sharon Avenue south of Yellowhammer Lane; and

WHEREAS, a public hearing was held by the Planning Commission on December 7, 2020, in the 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 has received and reviewed the Initial Study, Environmental Assessment No. EA/C&ED 2020-16, which concluded that the project is within the scope of the General Plan Master EIR (SCH No. 2007072023) and that pursuant to Section 21157.1 of the Public Resources Code, 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 amendment to Precise Plan No. 30 is consistent with the Village One Specific Plan and the General Plan, because the amendment to the Circulation, Water, Sanitary Sewer and Storm Water plans would allow for the development of single-family residential uses that is consistent with the Village One Specific Plan. The amendment would provide for a more efficient layout of residential lots throughout the Precise Plan area, and provide for utility connections for the northerly portion of the Precise Plan to the existing facilities in Sharon Avenue, thereby facilitating the development of 3.75 acres on Sharon Avenue with 24 new residential lots. The General Plan designates the proposed development site as Residential (R), which allows for single-family residential uses.

2. 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.
3. No new or additional mitigation measures or alternatives are required.
4. The subsequent project is within the scope of the project covered by the Master EIR.
5. 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.
6. The Initial Study, Environmental Assessment No. EA/C&ED 2020-16, provides the substantial evidence to support findings 2-7 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. 30 as stamped approved by the Planning Commission on December 7, 2020, 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 December 7, 2020, by Commissioner Smith, who moved its adoption, which motion was seconded by Commissioner Birring and carried by the following vote:

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| Ayes:    | Morad, Pollard, Shanks, Smith, Vohra, Birring |
| Noes:    | None  |
| Absent:  | None  |
| Recused: | None  |

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

Original, signed copy on file in CEDD  
Steve Mitchell, Secretary