

PLANNING COMMISSION
RESOLUTION NO. 2021-22

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF SPECIFIC PLAN AMENDMENT NO. 4 TO THE FAIRVIEW VILLAGE SPECIFIC PLAN TO CHANGE THE LAND USE AND CIRCULATION PLANS AND REVISIONS TO MAKE THE SPECIFIC PLAN CONSISTENT WITH THE URBAN AREA GENERAL PLAN (STL COMPANY LLC)

WHEREAS, Government Code Section 65450 et. seq. permits cities and counties to adopt specific plans for the systematic implementation of the General Plan and to provide for a greater level of detail in planning sites or areas of special interest or value; and

WHEREAS, on December 12, 1995, the City Council by Resolution No. 95-584 adopted the Fairview Village Specific Plan; and

WHEREAS, on March 18, 1997, the City Council by Resolution No. 97-135 adopted Amendment #1 to the Fairview Village Specific Plan; and

WHEREAS, on March 18, 1997, the City Council by Resolution No. 97-138 adopted Amendment #2 to the Fairview Village Specific Plan; and

WHEREAS, on November 4, 1997, the City Council by Resolution No. 97-622 adopted Amendment #3 to the Fairview Village Specific Plan; and

WHEREAS, Government Code Section 65453 permits the amendment of specific plans as often as deemed necessary by the legislative body and ensure adequate area for the planned elementary school, neighborhood park, and central stormwater drainage basin; and

WHEREAS, STL Company LLC has filed an application to amend the Land Use Plan of the Fairview Village Specific Plan to change the land use designation of 12 acres located at the southeast corner of Hatch Road and Carpenter Road from Commercial (C) to Village Residential (VR) and the Circulation Plan to realign connector streets, ensure adequate area for the planned elementary school, neighborhood park, and central stormwater drainage basin, increase connectivity to the external roadway network, establish an agricultural preservation policy and other policies consistent with the General Plan and make other minor amendments; and

WHEREAS, a public hearing was held by the Planning Commission on December 20, 2021, 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 2021-31, which concluded that the potential environmental effects of the proposed specific plan amendment have been adequately addressed within the context of the previously-certified General Plan Master EIR (SCH No. 2014042081), and that, pursuant to Section 15182 of the CEQA Guidelines/Section 21166 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 the Fairview Village Specific Plan is consistent with the Village Residential (VR) Land Use Designation in the City's Urban Area General Plan, because the amendment would allow for Village Residential uses.
2. The specific plan amendment 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 General Plan Master EIR (SCH No. 2014042081).
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/or 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 2021-31, provides the substantial evidence to support findings 2-5, noted above.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby recommends to the City Council adoption of the proposed Fairview Village Specific Plan Amendment No. 4 as described in Exhibit "A," attached hereto and incorporated herein by reference.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on December 20, 2021, by Commissioner Vohra, who moved its adoption, which motion was seconded by Commissioner Morad, and carried by the following vote:

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

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

Original, signed copy on file C&EDD

Steve Mitchell, Secretary

Exhibit "A"

Fairview Village Specific Plan Amendment No. 4