

PLANNING COMMISSION
RESOLUTION NO. 2015-13

A RESOLUTION DETERMINING GENERAL PLAN CONFORMITY FOR THE
DISPOSITION OF THE REAL PROPERTY LOCATED AT 800 McCLURE
ROAD

WHEREAS, the City of Modesto is proposing to dispose of a portion of a former park site, located at 800 McClure Road (APN 079-001-001); and

WHEREAS, California Government Code Section 65402(a) states that a local agency shall not dispose of real property in any City that has an adopted General Plan applicable to the area until the location, purpose and extent of the disposition have been submitted to and reported upon by the planning agency as to the conformity with the General Plan; and

WHEREAS, the City of Modesto Urban Area General Plan designation for the property at 800 McClure Road is open space located within the Dry Creek Comprehensive Planning District; and

WHEREAS, the proposal for sale of property does not include a change in land use; therefore, the use of the property will continue to be in conformance with the City of Modesto Urban Area General Plan; and

WHEREAS, the City of Modesto has requested that the Planning Commission render for the subject property, located at 800 McClure Road, a report of conformity with the City's General Plan; and

WHEREAS, the disposition of the property is exempt from CEQA under CEQA Guidelines Section 15061(b) (3) because it is an administrative activity and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, on May 4, 2015, at its regularly scheduled meeting in the Council Chambers at 1010 Tenth Street in Modesto, California, the Planning Commission reviewed and considered the request to dispose of most of the real property located at 800 McClure Road.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Modesto that it hereby renders a report finding that the location, purpose and extent of the disposition by the City of Modesto of a portion of the former park site, located at 800 McClure Road, is in conformance with the City's adopted General Plan.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on May 4, 2015, by Rosa Escutia-Braaton, who moved its adoption, which motion was seconded by Mani Grewal, and carried by the following vote:

Ayes:	Carter, Escutia-Braaton, Grewal, Lucas, Morad, Tyler
Noes:	None
Absent:	Smith
Recused:	None

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

Original, signed copy on file in CEDD

Patrick Kelly, Secretary