

PLANNING COMMISSION
RESOLUTION NO. 2016-17

A RESOLUTION GRANTING AN EXTENSION OF THE DEVELOPMENT SCHEDULE FOR P-D(598), FOR THE PROPERTY LOCATED AT 1600 WISDOM WAY (WISDOM PLACE LLC)

WHEREAS, the City Council by Ordinance No. 3613-C.S., effective January 9, 2015, rezoned property located at 1600 Wisdom Way from Planned Development P-D(522) to Planned Development P-D(598) to allow for 16 Medium-Density Residential Units and residential uses as allowed in the Medium Density (R-2) Zone; and

WHEREAS City Council Resolution No. 2014-494, which approves the development plans and contains the conditions of approval and the development schedule specifies construction to be as follows:

The entire construction program be accomplished in one phase, construction to begin on or before November 4, 2016, and completion to be not later than November 4, 2017.

WHEREAS, a verified application was filed by Wisdom Place LLC on September 28, 2016, for an extension of the development schedule for the expired Planned Development Zone, P-D(598); and

WHEREAS, the Planning Commission considered the requested extension on November 7, 2016, in the Chambers, 1010 Tenth Street, Modesto, California; and

WHEREAS, the Planning Commission certifies it has received and reviewed the Initial Study, Environmental Assessment No. EA/C&ED 2014-24, 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. That the extension of the development schedule as proposed, is required by public necessity, convenience, and general welfare for the following reasons:
 - a. The proposed extension will not result in any additional development beyond what has previously been approved for the site.
 - b. The proposed development will provide for a greater variety of development opportunities at the site that is compatible with the surrounding land uses.
2. An Initial Study was prepared by the City of Modesto that analyzed whether the subsequent project may cause any significant effect on the environment that was not examined in the Master EIR and whether the subsequent project was described in the Master EIR as being within the scope of the report.

3. 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.
4. No new or additional mitigation measures or alternatives are required.
5. The subsequent project is within the scope of the project covered by the Master EIR.
6. 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.
7. No substantial changes have occurred with respect to the circumstances under which the Master EIR was certified, and no new information, which was not known and could not have been known at the time that the Master EIR was certified as complete, has become available.

BE IT FURTHER RESOLVED by the Planning Commission that it hereby grants an extension of the development schedule for Planned Development Zone, P-D(598), as follows:

The entire construction program be accomplished in one phase, construction to begin on or before November 4, 2017, and be completed by not later than November 4, 2018.

IT IS FURTHER RECOMMENDED that the extension of the development schedule be approved subject to the following conditions:

1. All development shall conform to the site plan titled "Wisdom Place" as amended and stamped approved by the Planning Commission.
2. That the new development schedule for P-D(598) shall be subject to the previous conditions set forth with City Council Resolution No. 2014-494.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on November 21, 2016, by Sandra Lucas, who moved its adoption, which motion was seconded by Amin Vohra and carried by the following vote:

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

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

Original, signed copy on file in CEDD
Patrick Kelly, Secretary