

PLANNING COMMISSION
RESOLUTION NO. 2019-19

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO SECTION 10-03-09 OF THE ZONING MAP TO REZONE FROM PROFESSIONAL OFFICE (P-O) ZONE TO NEIGHBORHOOD COMMERCIAL (C-1) ZONE, PROPERTY LOCATED ON AT THE NORTHWEST CORNER OF SYLVAN AVENUE AND FOREST GLENN DRIVE (LESLIE MINSON)

WHEREAS, a verified application for an amendment to Section 10-03-09 of the Zoning Map was filed by Leslie Minson on April 23, 2019 to reclassify from Professional Office Zone, (P-O), to Neighborhood Commercial, (C-1), property located at the northwest corner of Sylvan Avenue and Forest Glenn Drive described as follows:

Parcel 2

Parcel 4 as shown on map filed on February 19, 1999, in Book 49 of Parcel Maps, Page 33, Stanislaus County Records, located in a portion of Lot 1, Block 12571, of "Sylvan Meadows East No. 5" filed in Volume 26 of Maps, Page 40, Stanislaus County Records, located in Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California.

Together with Parcel 3 as shown on said map filed in Book 49 of Parcel Maps, Page 33.

Excepting Therefrom the west 119.18 feet of said Parcel 3.

WHEREAS, a public hearing was held by the Planning Commission on June 3, 2019, 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 2019-14, which concluded that the project is within the scope of the General Plan Master EIR (SCH No. 2014042081) 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 requested change will not be detrimental to the public health, safety, or welfare because the proposed C-1 Zone provide for new commercial uses at small scale without causing substantial impact to nearby residential uses.
2. The requested change will result in an orderly planned use of land because the proposed C-1 Zone will allow new commercial uses that are compatible with nearby commercial uses located west of the project site.

3. The requested change is in accordance with the community's objectives as set forth in the General Plan and any applicable specific plan(s) because the C-1 Zone allow both commercial and office uses which are consistent with the MU designation that allows a mixture of uses include residential, commercial, office, and institutional.
4. 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.
5. 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.
6. No new or additional mitigation measures or alternatives are required.
7. The subsequent project is within the scope of the project covered by the Master EIR.
8. 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.

BE IT FURTHER RESOLVED by the Planning Commission that it recommends to the City Council that the application of Leslie Minson to amend Section 10-03-09 of the Zoning Map to reclassify the property located at the northwest corner of Sylvan Avenue and Forest Glenn Drive described above from Professional Office Zone, (P-O), to Neighborhood Commercial, (C-1), be approved.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on June 3, 2019, by Commissioner Vohra, who moved its adoption, which motion was seconded by Commissioner Pollard and carried by the following vote:

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

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

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