

**City of Modesto
NOTICE OF DETERMINATION**

FILED

2019 OCT -4 PM 1:20

STANISLAUS CO. CLERK-RECORDER

Shonice Tenbrink

**ATTENTION COUNTY CLERK:
PLEASE DO NOT REMOVE BEFORE NOVEMBER 7, 2019**

TO: County Clerk-Recorder
County of Stanislaus
1021 I Street
Modesto, CA 95354

FROM: City of Modesto
Community & Economic Development Dept.
Planning Division
P.O. Box 642
Modesto, CA 95353

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code

Project Title: PDZ-17-001 Rezone 2.25 acres from Low Density Residential (R-1) Zone to Planned Development P-D(601) to allow construction of a new 49 unit apartment complex.

State Clearinghouse Number: Modesto Urban Area General Plan Master EIR (SCH No. 2014042081)

Contact Person: Jonnie Lan, AICP, Associate Planner (209-577-5267)

Applicants: J.B. Anderson Land Use Planning, Ripon, CA, 95366 (209-599-8399)

Owner: Scenic Village Apartments, LLC

Project Location: 1432 and 1442 Scenic Drive

Project Description: The applicant is proposing to develop a 49 unit multi-family development project on 4 separate parcels totaling 2.25 acres, for an overall density of 21.77 dwelling units per acre. Of the proposed six new residential buildings, five are proposed to be three stories in height, and the other one is proposed to be two stories in height. The dwellings are a mix of one- and two-bedroom apartment units. Off-street parking will be provided consistent with City standards. The project proposal includes onsite and offsite improvements, landscaping, private and public open space areas and a limited access gate to the Dry Creek Trail.

This is to advise that the City of Modesto, the lead agency, has approved the above-described project on October 1, 2019, and has made the following determinations, pursuant to Section 21157.1 of the CEQA Guidelines:

The project is within the scope of the Master EIR and no new environmental document or Public Resources Code Section 21081 findings are required. The following findings have been found to be true:


1. 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.
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, which 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. 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.

The Initial Study, Environmental Assessment No. EA/C&ED 2017-11, on file at the City of Modesto, Community and Economic Development Department, provides substantial evidence to support findings 1 thru 6, noted above.

This is to certify that the Master EIR is available to the general public at:

City of Modesto, Community & Economic Development Department, Planning Division,
1010 Tenth Street, Modesto, CA 95354



Jonnie Lan, City of Modesto

Date: October 4, 2019

Title: Associate Planner

Governor's Office of Planning & Research

OCT 04 2019

STATE CLEARINGHOUSE

REC'T # 0004333708
October 04, 2019 ----- 13:20:25

Stanislaus, County Recorder
Denna Linder Co Recorder Office

Environ # 19-171 -

Check Number 9671
READ BY
County Adain Fee \$57.00

Total fee \$57.00
Amount Tendered... \$57.00

Change \$0.00
SCT,C2/1/0



State of California - Department of Fish and Wildlife
 2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

RECEIPT NUMBER:
 50 — 2019 — 035
 STATE CLEARINGHOUSE NUMBER (If applicable)
 SCH No. 2014042081

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF MODESTO	LEAD AGENCY EMAIL	DATE 03/06/2019
COUNTY/STATE AGENCY OF FILING Stanislaus	DOCUMENT NUMBER 50-2019-035	

PROJECT TITLE

CITY OF MODESTO GENERAL PLAN AMENDMENT 2040

PROJECT APPLICANT NAME BRAD WALL, MPA, AICP, PRINCIPAL PLANNER	PROJECT APPLICANT EMAIL		PHONE NUMBER (209) 577-5273
PROJECT APPLICANT ADDRESS P.O. BOX 642	CITY MODESTO	STATE CA	ZIP CODE 95353

PROJECT APPLICANT (Check appropriate box)

<input checked="" type="checkbox"/> Local Public Agency	<input type="checkbox"/> School District	<input type="checkbox"/> Other Special District	<input type="checkbox"/> State Agency	<input type="checkbox"/> Private Entity
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CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$	<u>3,271.00</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$	<u>0.00</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,112.00	\$	<u>0.00</u>

- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee		\$	<u>57.00</u>
<input type="checkbox"/> Other		\$	<u> </u>

PAYMENT METHOD:

- Cash
- Credit
- Check
- Other

TOTAL RECEIVED \$ 3,328.00

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE CLERK RECORDER-ADAM LOERA-LEGAL CLERK
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State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

Print **StartOver** **Finalize&Email**

RECEIPT NUMBER:
 50 — 2019 — 171
 STATE CLEARINGHOUSE NUMBER (if applicable)
 2014042081

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY City of Modesto	LEAD AGENCY EMAIL	DATE 10/04/2019
COUNTY/STATE AGENCY OF FILING Stanislaus	DOCUMENT NUMBER 50-2019-171	

PROJECT TITLE

PDZ-17-001 Rezone 2.25 acres from Low Density Residential (R-1) Zone to Planned Development

PROJECT APPLICANT NAME J.B Anderson	PROJECT APPLICANT EMAIL	PHONE NUMBER (209) 599-8399
PROJECT APPLICANT ADDRESS PO Box 642	CITY Modesto	STATE CA
		ZIP CODE 95353

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,271.00 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,354.75 | \$ | 0.00 |
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| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | 57.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash Credit Check Other **TOTAL RECEIVED \$ 57.00**

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Shanice TenBrink, Legal Clerk
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