



## Referral Early Consultation

**Date:** May 24, 2023  
**To:** Distribution List (See Attachment A)  
**From:** Emily Basnight, Assistant Planner  
 Planning and Community Development  
**Subject:** PARCEL MAP AND VARIANCE APPLICATION NO. PLN2022-0063 – TOVAR  
**Respond By:** June 8, 2023

**\*\*\*\*PLEASE REVIEW REFERRAL PROCESS POLICY\*\*\*\***

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

**Applicant:** Jose Zepeda  
**Project Location:** 300 and 304 Kerr Avenue, at the southeast corner of the Mono Drive and Kerr Avenue intersection, in the Modesto area.  
**APN:** 035-035-001  
**Williamson Act Contract:** N/A  
**General Plan:** Industrial Transition  
**Current Zoning:** Multiple Family Residential (R-3)

**Project Description:** Request to subdivide a 13,571± square-foot parcel into two parcels, 7,523± and 6,048± square feet in the Multiple Family Residential (R-3) zoning district. A Variance to the Zoning Ordinance is included in this request to allow for the creation of two parcels below the Multiple Family Residential (R-3) zoning district minimum lot-width of 65 feet. Proposed Parcel 1 will have a lot-width of 63 feet and proposed Parcel 2 will have a lot-width of 53.7 feet. The R-3 Zoning Ordinance, §21.36.050(D) requires a minimum lot-width of 65 feet for newly created parcels. The reduced lot-width for each proposed parcel is being requested in order to maintain the existing dwellings on the individual parcels. Both proposed parcels meet the minimum site area requirement of the R-3 zoning district (6,000 square feet) and are connected to public sewer and water facilities. Proposed Parcel 1 is improved with a 2,057± square-foot single-family dwelling and 280± square-foot detached garage and Proposed Parcel 2 is improved with a 1,171± square-foot single-family dwelling and 322± square-foot detached garage. The parcel is located within the

**LAFCO adopted Sphere of Influence (SOI) for the City of Modesto. The current parcel receives both public sewer and water services from the City of Modesto. Both proposed parcels have an existing driveway on each parcel and will have access from Kerr Avenue, a County-maintained road.**

**Full document with attachments available for viewing at:  
<http://www.stancounty.com/planning/pl/act-projects.shtm>**



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354  
 Planning Phone: (209) 525-6330 Fax: (209) 525-5911  
 Building Phone: (209) 525-6557 Fax: (209) 525-7759

**PARCEL MAP AND VARIANCE APPLICATION NO. PLN2022-0063 – TOVAR**

Attachment A

Distribution List

	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation	X	STAN CO ALUC
X	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	X	STAN CO BUILDING PERMITS DIVISION
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO CEO
X	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
X	CA RWQCB CENTRAL VALLEY REGION	X	STAN CO DER
	CA STATE LANDS COMMISSION	X	STAN CO ERC
	CEMETERY DISTRICT		STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO HAZARDOUS MATERIALS
X	CITY OF: MODESTO	X	STAN CO PARKS & RECREATION
	COMMUNITY SERVICES DIST:	X	STAN CO PUBLIC WORKS
X	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS – SURVEY
	DER GROUNDWATER RESOURCES DIVISION		STAN CO RISK MANAGEMENT
X	DISPOSAL DISTRICT: GILTON SOLID WASTE	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: STANISLAUS CONSOLIDATED	X	STAN CO SUPERVISOR DIST 4: GREWAL
X	GSA: STANISLAUS AND TUOLUMNE RIVERS	X	STAN COUNTY COUNSEL
	HOSPITAL DIST:		StanCOG
X	IRRIGATION DIST: MODESTO	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOSQUITO DIST: EASTSIDE	X	STANISLAUS LAFCO
X	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES		STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
	MUNICIPAL ADVISORY COUNCIL:		SURROUNDING LAND OWNERS
X	PACIFIC GAS & ELECTRIC		INTERESTED PARTIES
	POSTMASTER:	X	TELEPHONE COMPANY: AT&T
X	RAILROADS: MODESTO & EMPIRE TRACTION; BURLINGTON NOTHERN SANTA FE; AND UNION PACIFIC		TRIBAL CONTACTS (CA Government Code §65352.3)
X	SAN JOAQUIN VALLEY APCD		US ARMY CORPS OF ENGINEERS
X	SCHOOL DIST 1: MODESTO UNION	X	US FISH & WILDLIFE
	SCHOOL DIST 2:		US MILITARY (SB 1462) (7 agencies)
	WORKFORCE DEVELOPMENT		USDA NRCS
X	STAN CO AG COMMISSIONER	X	MODESTO CITY – COUNTY AIRPORT



## STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** \_\_\_\_\_

**SUBJECT:** PARCEL MAP AND VARIANCE APPLICATION NO. PLN2022-0063 – TOVAR

Based on this agency’s particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

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Response prepared by:

Name	Title	Date
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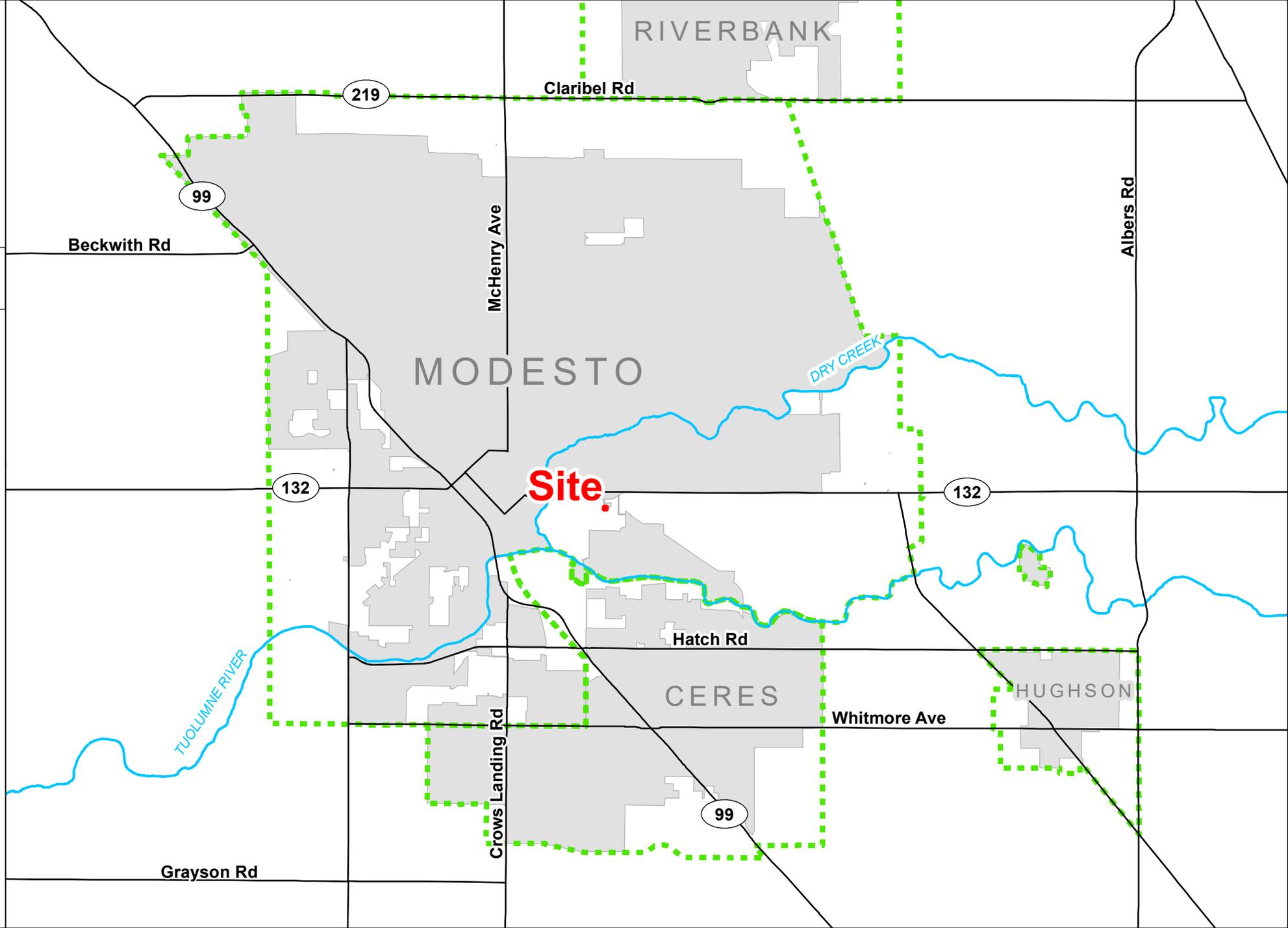
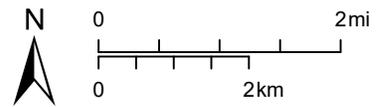
**TOVAR**

**PM  
PLN2022-0063**

*AREA MAP*

LEGEND

-  Project Site
-  Sphere of Influence
-  City
-  Road
-  River



**TOVAR**

**PM  
PLN2022-0063**

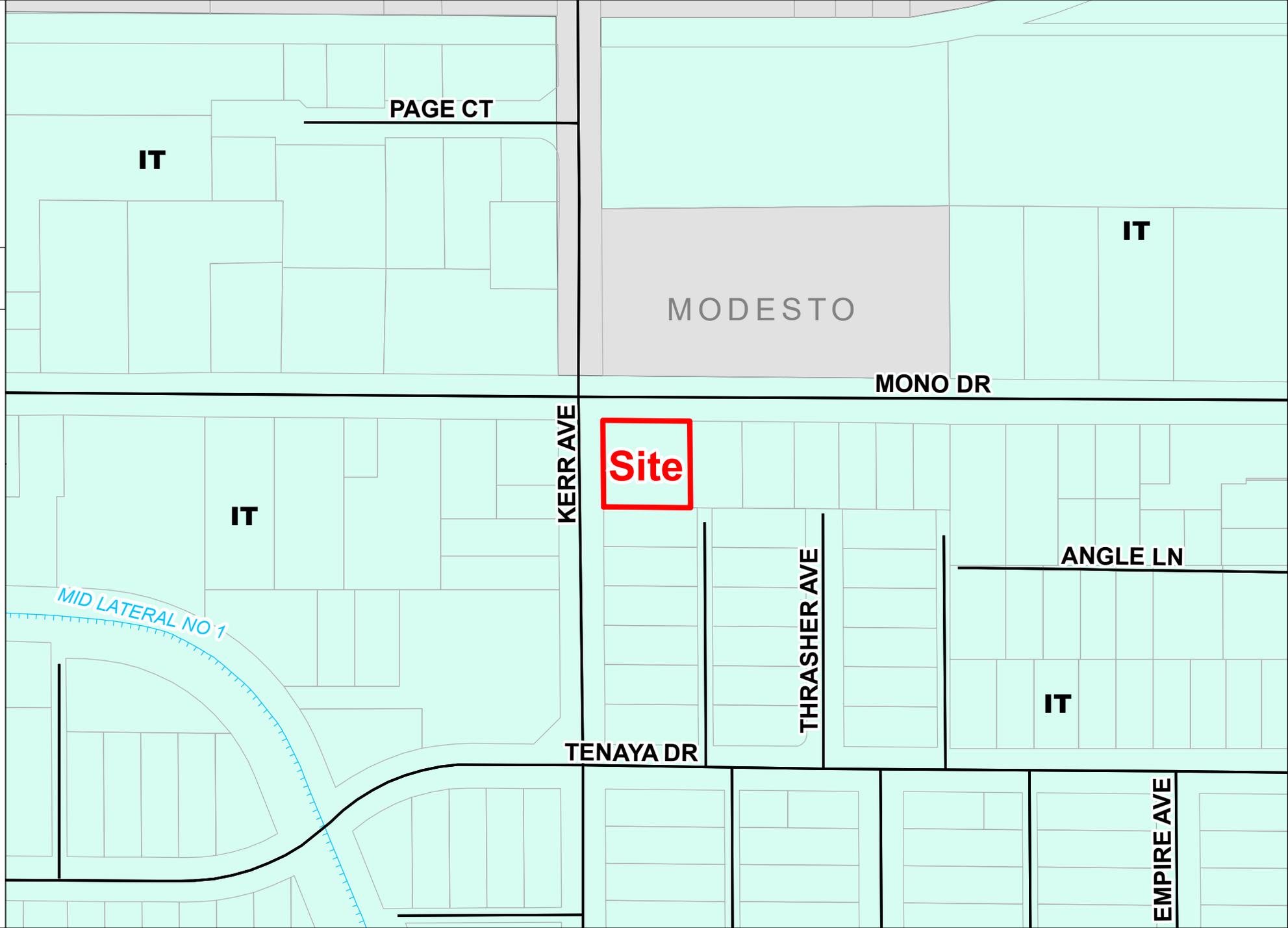
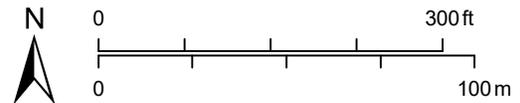
*GENERAL PLAN MAP*

LEGEND

-  Project Site
-  City of
-  Parcel
-  Road
-  Canal

**General Plan**

-  Industrial Transition



# TOVAR

## PM PLN2022-0063

### ZONING MAP

#### LEGEND

 Project Site

 City of

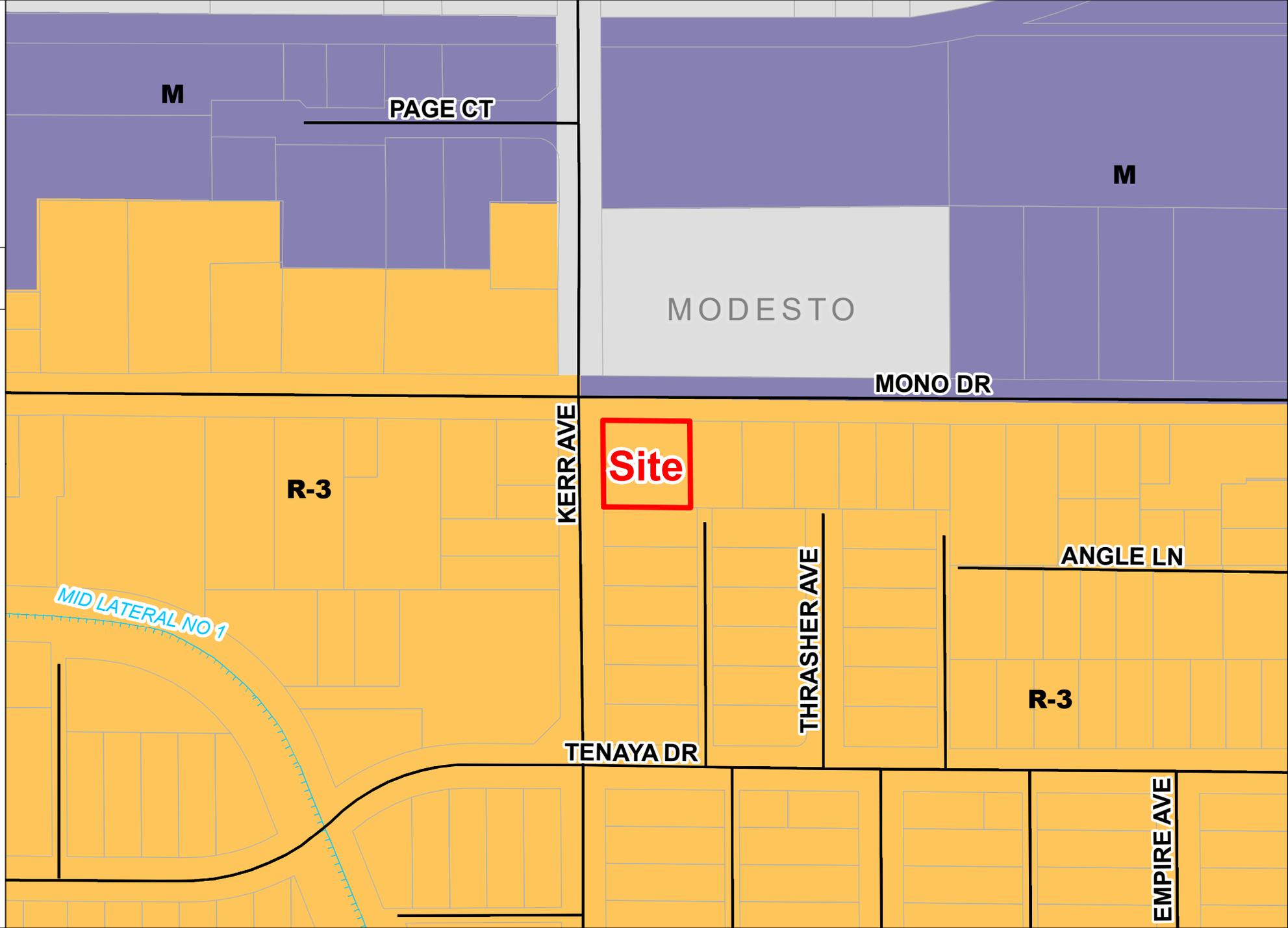
 Parcel

 Road  Canal

#### Zoning Designation

 Industrial

 Multiple Family



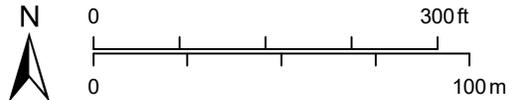
TOVAR

PM  
PLN2022-0063

2022 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road
-  Canal



Source: Planning Department GIS

Date: 12/27/2022



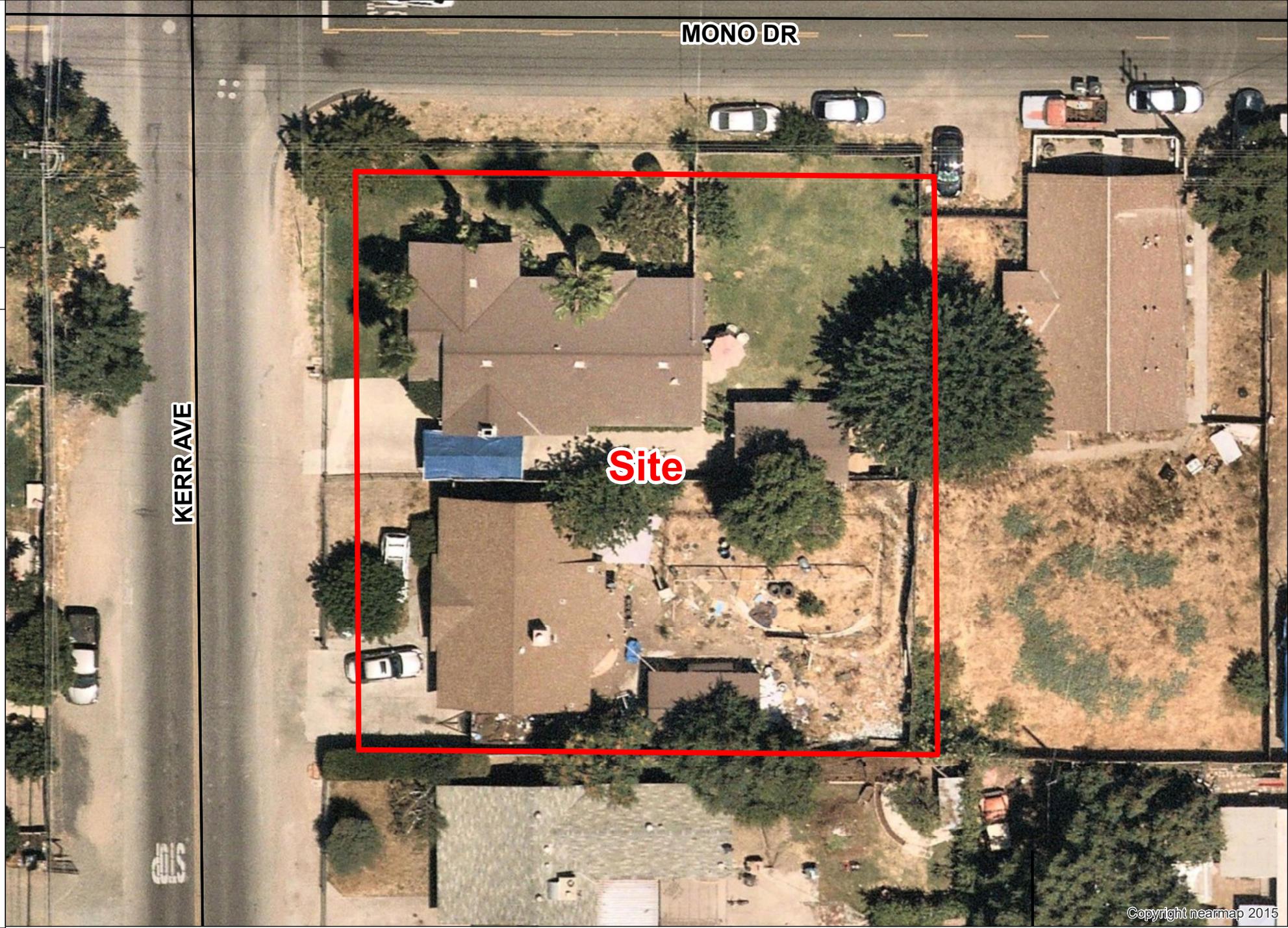
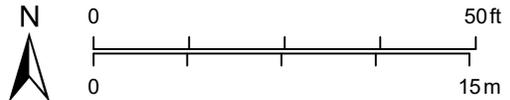
TOVAR

PM  
PLN2022-0063

2022 AERIAL SITE MAP

LEGEND

-  Project Site
-  Road





DAAS GROUP  
APN 035-028-012

KEHOE  
APN 035-028-007

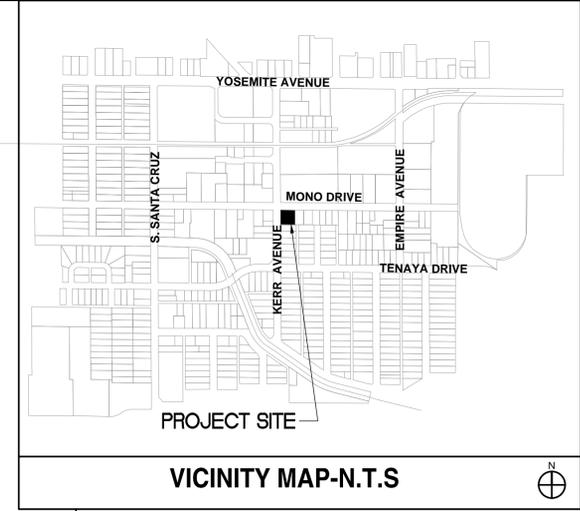
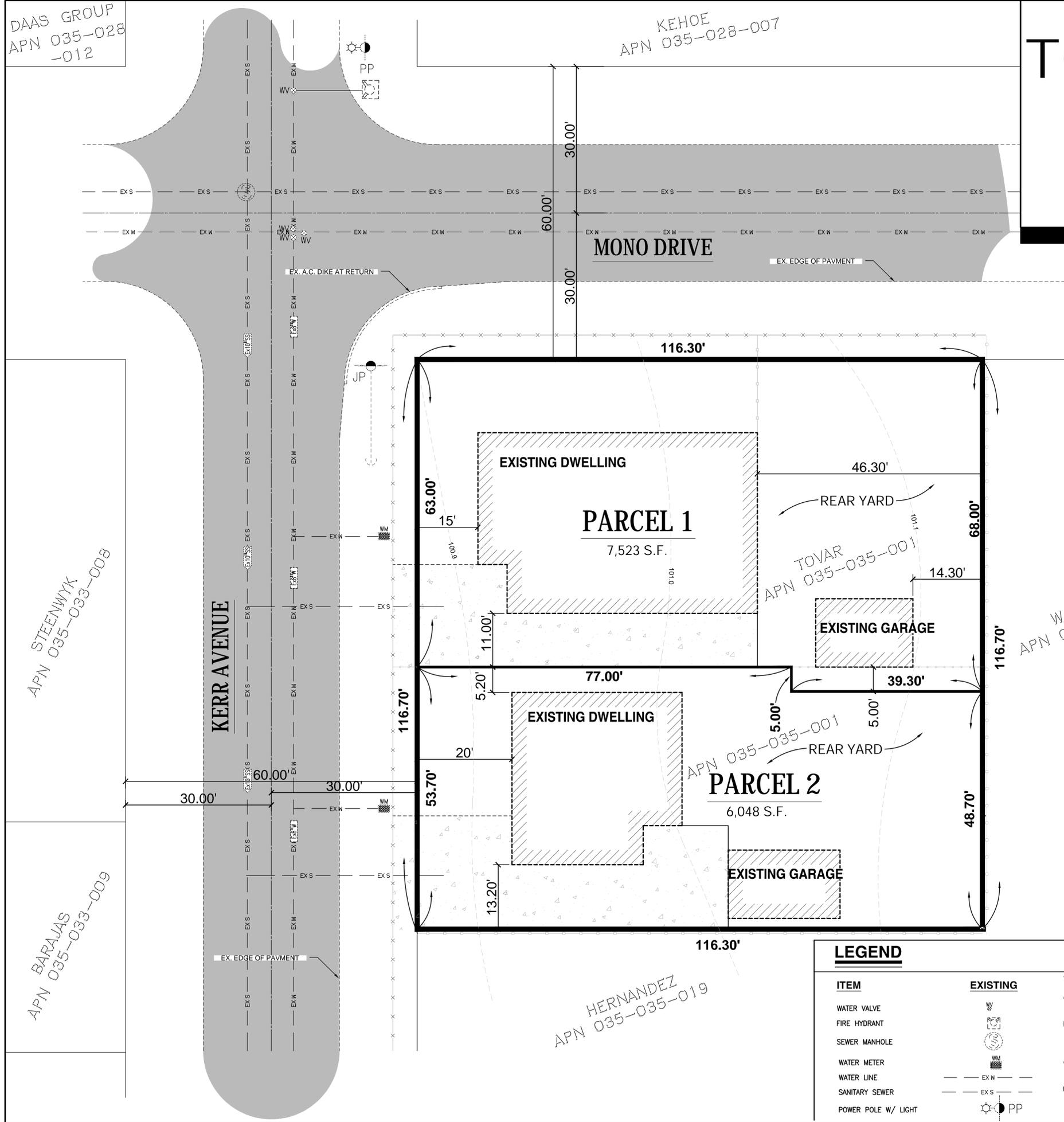
# tentative parcel map TOVAR parcel map

THE NORTH 1 1/4 ACRES OF LOT 1 IN BLOCK 7 OF MODESTO COLONY, AS PER MAP FILED IN JULY 30, 1888 IN BOOK 1 OF MAPS, PAGE 33, SITUATE IN NW 1/4 SECTION 34, T. 3 S., RANGE 9 E., MOUNT DIABLO BASE & MERIDIAN STANISLAUS COUNTY RECORDS

APN STEENWYK  
035-033-008

APN BARAJAS  
035-033-009

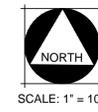
HERNANDEZ  
APN 035-035-019



VICINITY MAP-N.T.S

**NOTES**

- OWNER: FRANCISCO TOVAR AND FIDELIA TOVAR WITH MANUEL TOVAR AND ROSIE TOVAR  
1705 CHANEY DRIVE  
MODESTO, CA. 95351
- APPLICANT: ELEVATION DESIGN + CONSULTING  
615 13TH STREET, SUITE B5  
MODESTO CA. 95354  
209-872-2099
- SURVEYOR: EPIC LAND SURVEYING  
P.O. BOX 11930  
OAKDALE, CA. 95361  
209-845-2594
- NO. OF LOTS: 2
- LAND USE: EXISTING: (2) SINGLE FAMILY DWELLINGS  
PROPOSED: (2) SINGLE FAMILY DWELLINGS
- ZONING: R-3 (MULTIPLE FAMILY RESIDENTIAL)
- GENERAL PLAN: MULTI FAMILY RESIDENTIAL
- UTILITIES: WATER: CITY OF MODESTO  
SEWER: CITY OF MODESTO  
TELEPHONE: ATT  
GAS/ELECTRIC: PGE
- APN: 035-035-001
- THIS SUBDIVISION CONTAINS 2 LOTS ON 13,571 S.F. +
- THE PROPERTY HAS A GENTLE SLOPE TOWARDS TO THE FRONTAGE
- BOUNDARY LINES ARE BASED ON RECORD INFORMATION
- EXISTING UTILITIES BASED ON RECORD INFORMATION AND TOPOGRAPHIC SURVEY
- PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL STREET FRONTAGES
- UTILITIES TO BE LOCATED WITHIN PUBLIC UTILITY EASEMENTS AND SHALL BE MAINTAINED BY GOVERNING AGENCIES
- STORM DRAINAGE SHALL BE BY COLLECTION SYSTEM PER CITY OF STOCKTON MASTER PLAN
- DOMESTIC WATER BY CONNECTION TO CITY WATER SYSTEM
- SEWAGE DISPOSAL BY CONNECTION TO CITY SEWER SYSTEM



**LEGEND**

ITEM	EXISTING	
WOOD FENCE		
CHAIN LINK FENCE		
PAVEMENT		
CONCRETE		
UTILITY POLE		
WATER VALVE		
FIRE HYDRANT		
SEWER MANHOLE		
WATER METER		
WATER LINE		
SANITARY SEWER		
POWER POLE W/ LIGHT		

Rev. #	Date	Description

TENTATIVE PARCEL MAP  
300 / 304 KERR AVENUE  
MODESTO CA.  
A.P.N. 035-035-01

**elevation**  
DESIGN + CONSULTING  
PO BOX 1159 CERES, CA 95307  
PH 209-872-2099  
EMAIL elevation-dc@outlook.com

Job#:	20-025
Scale:	AS NOTED
Date:	03/23/22
Drawn By:	SCU
Checked By:	JM

Documents prepared by Elevation Design + Consulting are to be used for the specific project and site for which they were prepared. Any extension of use to other projects, by owner or any other party, without the written consent of Elevation Design + Consulting is done at the user's own risk. If used in a way other than that specified, Elevation Design + Consulting shall be held harmless from all claims and losses.



DATE: \_\_\_\_\_  
SHEET: **TPM1**

**LEGAL DESCRIPTION**

THE NORTH 1 1/4 ACRES OF LOT 1 IN BLOCK 7 OF MODESTO COLONY, AS PER MAP FILED IN JULY 30, 1888 IN BOOK 1 OF MAPS, PAGE 33, SITUATE IN NW 1/4 SECTION 34, T. 3 S., RANGE 9 E., MOUNT DIABLO BASE & MERIDIAN STANISLAUS COUNTY RECORDS.  
EXCEPTING THEREFROM THE EAST 350 FEET THEREOF, AS CONVEYED TO ROY BALL AND JULIA MAY BALL, HUSBAND AND WIFE, AS JOINT TENANTS, BY DEED RECORDED NOVEMBER 10, 1944, INSTRUMENT NO. 1644, STANISLAUS COUNTY RECORDS.



# elevation

DESIGN + CONSULTING

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**SABINO URRUTIA**  
**615 13<sup>th</sup> Street, Suite B5**  
**Modesto, CA. 95354**  
**209-872-2099**  
[Elevation-dc@outlook.com](mailto:Elevation-dc@outlook.com)

## REQUEST FOR VARIANCE

This letter is for the request of a Variance at subject property 300 & 304 Kerr Avenue, Modesto Ca. We are applying for a Parcel Split. Our Proposed Parcel Split does not conform to the Minimum Lot width of 65-feet. But we do comply with the minimum Lot Size of 6,000 s.f. and the Lot Depth of 100'. Being that the 2 existing homes have been around for over 10 years, they have been granted separate addresses and each have their own sewer / water connections. Since the development of these 2 homes, there has been no impact to the neighborhood or any impact to improvements. As mentioned, each has their own sewer / water connection. Per the Stanislaus County Variance, this property has the elements to address findings as stated below:

3. That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

**Sabino Urrutia, Elevation Design + Design, LLC.**

4/1/23



# APPLICATION QUESTIONNAIRE

<p><b>Please Check all applicable boxes</b>  <b>APPLICATION FOR:</b>  <i>Staff is available to assist you with determining which applications are necessary</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> General Plan Amendment  <input type="checkbox"/> Rezone  <input type="checkbox"/> Use Permit  <input checked="" type="checkbox"/> Variance  <input type="checkbox"/> Historic Site Permit         </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Subdivision Map  <input checked="" type="checkbox"/> Parcel Map  <input type="checkbox"/> Exception  <input type="checkbox"/> Williamson Act Cancellation  <input type="checkbox"/> Other _____         </td> </tr> </table>	<input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Rezone <input type="checkbox"/> Use Permit <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Historic Site Permit	<input type="checkbox"/> Subdivision Map <input checked="" type="checkbox"/> Parcel Map <input type="checkbox"/> Exception <input type="checkbox"/> Williamson Act Cancellation <input type="checkbox"/> Other _____	<p><b>PLANNING STAFF USE ONLY:</b>          Application No(s): <u>PLN 2022-0063</u>          Date: <u>4/21/2023</u>          S <u>34</u> T <u>3</u> R <u>9</u>          GP Designation: <u>Industrial Transition</u>          Zoning: <u>R-3</u>          Fee: <u>\$4,653.00</u>          Receipt No. <u>566414/571405</u>          Received By: <u>EB</u>          Notes: <u>VAR+PM</u></p>
<input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Rezone <input type="checkbox"/> Use Permit <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Historic Site Permit	<input type="checkbox"/> Subdivision Map <input checked="" type="checkbox"/> Parcel Map <input type="checkbox"/> Exception <input type="checkbox"/> Williamson Act Cancellation <input type="checkbox"/> Other _____		

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i – v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

## PROJECT INFORMATION

**PROJECT DESCRIPTION:** (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

*\*Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).*

THE SPLIT OF 1 LOT INTO 2 LOTS. EXISTING LOT CONTAINS 2 EXISTING HOMES WITH THERE OWN  
SEWER / WATER / GAS CONNECTIONS FROM THE STREET. EACH HAVE THERE OWN ADDRESS,  
300 & 304 KERR AVENUE

# PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicate this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10<sup>th</sup> Street - 3<sup>rd</sup> Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): Book 035 Page 035 Parcel 001

Additional parcel numbers: \_\_\_\_\_

Project Site Address  
or Physical Location:

300 KERR AVENUE, 304 KERR AVENUE

Property Area: Acres: \_\_\_\_\_ or Square feet: 13,571

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)

CURRENT & PREVIOUS LAND USE: MULTIPLE (2) SINGLE FAMILY DWELLINGS

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

NONE

Existing General Plan & Zoning: R-3

Proposed General Plan & Zoning: R-3  
(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: RESIDENTIAL

West: RESIDENTIAL

North: COMMERCIAL STORAGE

South: RESIDENTIAL

WILLIAMSON ACT CONTRACT:

Yes  No

Is the property currently under a Williamson Act Contract?

Contract Number: \_\_\_\_\_

If yes, has a Notice of Non-Renewal been filed?

Date Filed: \_\_\_\_\_

Yes  No

Do you propose to cancel any portion of the Contract?

Yes  No

Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: \_\_\_\_\_

**SITE CHARACTERISTICS:** (Check one or more)

Flat

Rolling

Steep

**VEGETATION:** What kind of plants are growing on your property? (Check one or more)

Field crops

Orchard

Pasture/Grassland

Scattered trees

Shrubs

Woodland

River/Riparian

Other

Explain Other: \_\_\_\_\_

Yes  No

Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)

**GRADING:**

Yes  No

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) \_\_\_\_\_

**STREAMS, LAKES, & PONDS:**

Yes  No

Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes  No

Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) \_\_\_\_\_

Yes  No

Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes  No

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

**Please note:** If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

**STRUCTURES:**

Yes  No  Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.)

Yes  No  Will structures be moved or demolished? (If yes, indicate on plot plan.)

Yes  No  Do you plan to build new structures? (If yes, show location and size on plot plan.)

Yes  No  Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) \_\_\_\_\_

**PROJECT SITE COVERAGE:**

Existing Building Coverage: 3840 Sq. Ft.                      Landscaped Area: 7597 Sq. Ft.

Proposed Building Coverage: 0 Sq. Ft.                      Paved Surface Area: 2134 Sq. Ft.

**BUILDING CHARACTERISTICS:**

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) NA

NO NEW STRUCTURES. SEE ATTACHED PHOTOS

Number of floors for each building: NA

EX. HOME 1-STORY

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) NA

16' @ RIDGE

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary) NA

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) NA

**UTILITIES AND IRRIGATION FACILITIES:**

Yes  No  Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: M.I.D

Sewer\*: CITY

Telephone: ATT

Gas/Propane: CITY

Water\*\*: CITY

Irrigation: NONE

**\*Please Note:** A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.

**\*\*Please Note:** A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

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**Please Note:** Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes  No  Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes  No  Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes  No  Does the project require extension of utilities? (If yes, show location and size on plot plan.)

**AFFORDABLE HOUSING/SENIOR:**

Yes  No  Will the project include affordable or senior housing provisions? (If yes, please explain)

**RESIDENTIAL PROJECTS:** (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots: \_\_\_\_\_ Total Dwelling Units: \_\_\_\_\_ Total Acreage: \_\_\_\_\_

Net Density per Acre: \_\_\_\_\_ Gross Density per Acre: \_\_\_\_\_

<i>(complete if applicable)</i>	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/Townhouse
Number of Units:	_____	_____	_____	_____
Acreage:	_____	_____	_____	_____

**COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS:** (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): \_\_\_\_\_

Type of use(s): \_\_\_\_\_

Days and hours of operation: \_\_\_\_\_

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: \_\_\_\_\_

Occupancy/capacity of building: \_\_\_\_\_

Number of employees: (Maximum Shift): \_\_\_\_\_ (Minimum Shift): \_\_\_\_\_

Estimated number of daily customers/visitors on site at peak time: \_\_\_\_\_

Other occupants: \_\_\_\_\_

Estimated number of truck deliveries/loadings per day: \_\_\_\_\_

Estimated hours of truck deliveries/loadings per day: \_\_\_\_\_

Estimated percentage of traffic to be generated by trucks: \_\_\_\_\_

Estimated number of railroad deliveries/loadings per day: \_\_\_\_\_

Square footage of:

Office area: \_\_\_\_\_

Warehouse area: \_\_\_\_\_

Sales area: \_\_\_\_\_

Storage area: \_\_\_\_\_

Loading area: \_\_\_\_\_

Manufacturing area: \_\_\_\_\_

Other: (explain type of area) \_\_\_\_\_

Yes  No  Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ROAD AND ACCESS INFORMATION:**

What County road(s) will provide the project's main access? (Please show all existing and proposed driveways on the plot plan)

SEE ATTACHED PLOT PLAN

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Yes  No  Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)

Yes  No  Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)

Yes  No  Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

**Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.**

**STORM DRAINAGE:**

How will your project handle storm water runoff? (Check one)  Drainage Basin  Direct Discharge  Overland

Other: (please explain) STAYING EXISTING, NO PROPOSED DRAINAGE PLAN, NO WORK BEING DONE

If direct discharge is proposed, what specific waterway are you proposing to discharge to? \_\_\_\_\_

**Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.**

**EROSION CONTROL:**

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

NA

**Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.**

**ADDITIONAL INFORMATION:**

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

WE WOULD LIKE TO APPLY FOR A VARIANCE DUE TO THE WIDTHS OF THE PROPOSED PARCELS.

THEY ARE NOT MEETING THE COUNTYS STANDARD 65-FEET WIDTH.



## CENTRAL CALIFORNIA INFORMATION CENTER

*California Historical Resources Information System*

Department of Anthropology – California State University, Stanislaus

One University Circle, Turlock, California 95382

(209) 667-3307

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*Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties*

**Date: 12/23/2021**

**Records Search File #: 12016N**

**Project: 300-304 Kerr Avenue,  
Modesto, CA 95351**

**Francisco Tovar  
1705 Cheney Drive  
Modesto, CA 95351  
209-985-7453**

**franktovar980@gmail.com**

Dear Mr. Tovar:

We have conducted a non-confidential extended records search as per your request for the above-referenced project area located on the Riverbank USGS 7.5-minute quadrangle map in Stanislaus County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the following:

National Register of Historic Places (NRHP)  
California Register of Historical Resources (CRHR)  
*California Inventory of Historic Resources (1976)*  
*California Historical Landmarks*  
California Points of Historical Interest listing  
Office of Historic Preservation Built Environment Resource Directory (BERD) and the  
Archaeological Determinations of Eligibility (ADOE)  
*Survey of Surveys (1989)*  
Caltrans State and Local Bridges Inventory  
General Land Office Plats  
Other pertinent historic data available at the CCaIC for each specific county

The following details the results of the records search:

**Prehistoric or historic resources within the project area:**

- There are no formally recorded prehistoric or historic archaeological resources or historic buildings or structures within the project area.
- The General Land Office Survey Plat for T3S R9E shows the NW ¼ of Section 34 divided into a 160-acre parcel. No historic features are shown.

- The Official Map of the County of Stanislaus, California (1906) shows the NW ¼ of Section 34, T3S R9E, divided into 9 parcels; no specific landowner is referenced.
- The 1916 edition of the Riverbank USGS quadrangle references the route of the Modesto and Empire Traction Railroad north of the project area, but does not reference any historic features within the project.
- The 1953 edition of the Riverbank USGS quadrangle references the current street layout, but does not reference any specific historic features.

**Prehistoric or historic resources within the immediate vicinity of the project area:** None have been formally reported to the Information Center, but please be advised that prehistoric and historic archaeological resources as well as historic buildings and structures have been documented elsewhere with the Riverbank USGS quadrangle. Buildings constructed between 1925-1948 have been documented in the 500-800 blocks of Kerr Avenue (Office of Historic Preservation Built Environment Resource Directory [BERD]).

**Resources that are known to have value to local cultural groups:** None has been formally reported to the Information Center.

**Previous investigations within the project area:** None has been formally reported to the Information Center.

#### **Recommendations/Comments:**

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. Since the project area has not been subject to previous investigations, there may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

If the current project does not include ground disturbance, further study for archaeological resources is not recommended at this time. If ground disturbance is considered a part of the current project, we recommend further review for the possibility of identifying prehistoric or historic-era archaeological resources.

If the proposed project contains buildings or structures that meet the minimum age requirement (45 years in age or older) it is recommended that the resource/s be assessed by a professional familiar with architecture and history of the county. Review of the available historic building/structure data has included only those sources listed above and should not be considered comprehensive.

If at any time you might require the services of a qualified professional the Statewide Referral List for Historical Resources Consultants is posted for your use on the internet at

<http://chrisinfo.org>

If archaeological resources are encountered during project-related activities, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources.

If human remains are discovered, California Health and Safety Code Section 7050.5 requires you to protect the discovery and notify the county coroner, who will determine if the find is Native American. If the remains are recognized as Native American, the coroner shall then notify the Native American Heritage Commission (NAHC). California Public Resources Code Section 5097.98 authorizes the NAHC to appoint a Most Likely Descendant (MLD) who will make recommendations for the treatment of the discovery.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the State Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Thank you for completing the **Access Agreement Short Form**.

**Note:** Billing will be transmitted separately via email from the Financial Services office (\$150.00), payable within 60 days of receipt of the invoice.

**If you wish to include payment by Credit Card, you must wait to receive the official invoice from Financial Services so that you can reference the CMP # (Invoice Number), and then contact the link below:**

<https://commerce.cashnet.com/ANTHROPOLOGY>

Sincerely,

*E. A. Greathouse*

E. A. Greathouse, Coordinator  
Central California Information Center  
California Historical Resources Information System

\* Invoice Request sent to: [ARBilling@csustan.edu](mailto:ARBilling@csustan.edu), CSU Stanislaus Financial Services