

PLANNING COMMISSION  
RESOLUTION NO. 2009-05

A RESOLUTION DENYING THE APPEAL OF DAVE ROMANO TO THE PLANNING COMMISSION OF A STAFF DECISION APPROVING AN AMENDMENT OF P-D(537) AND P-D(540), PROPERTY LOCATED ON THE NORTH SIDE OF PELANDALE AVENUE, EAST OF CHAPMAN ROAD

WHEREAS, on September 12, 2008, John Johannson submitted a revised site plan for P-D(537) located on the north side of Pelandale Avenue, east of Chapman Road, and

WHEREAS, on October 24, 2008, John Johannson submitted a revised site plan for P-D(537) and P-D(540) to address comments from staff, located on the north side of Pelandale Avenue, east of Chapman Road, and

WHEREAS, Section 10-2.1709 of the Municipal Code allows the Secretary to the Planning Commission to administratively approve minor revisions to an approved Planned Development Zone, and

WHEREAS, on November 25, 2008, the Community and Economic Development Director issued a letter of approval of the revised site plan for P-D(537) and P-D(540), to the applicant, and

WHEREAS, on December 10, 2008, Dave Romano on behalf of John Johannson filed an appeal to the decision of the Planning Commission pursuant to Section 10-2.3005(a) of the Municipal Code contesting a condition of approval limiting parking along a reciprocal accessway, and

WHEREAS, a public hearing was held by the Planning Commission on January 5, 2009, in Chambers, 1010 Tenth Street, Modesto, at which meeting evidence both oral and documentary was received and considered, and

WHEREAS, after said public hearing, the Planning Commission found and determined that said appeal to a staff decision should be denied, and the decision of staff approving a revised site plan for P-D(537) and P-D(540) located on the north side of Pelandale Avenue, east of Chapman Road should be affirmed, and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that the appeal of Dave Romano of a staff decision to approve a revised site plan for P-D(537) and P-D(540) located at on the north side of Pelandale Avenue, east of Chapman Road is denied, and the decision of staff is hereby affirmed for the reason set forth above.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on January 5, 2009, by Chris Tyler, who moved its adoption, which motion was seconded by Tom Berglund, and carried by the following vote:

Ayes:	Berglund, Bernal, Brandvold, Gillum, Sanders, and Tyler
Noes:	None
Absent:	None

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

Original, signed copy on file in CEDD

Patrick Kelly, Secretary