

DRAFT
RESOLUTION NO. 2011-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERES
APPROVING THE WEST LANDING SPECIFIC PLAN AND FINANCING PLAN,
AREA BOUNDED BY THE UNION PACIFIC RAILROAD RIGHT-OF-WAY, SERVICE
ROAD, USTICK ROAD, AND WHITMORE AVENUE. APPLICATION NUMBER 07-37.**

THE CITY COUNCIL
City of Ceres, California

WHEREAS, an application was received from B. S. Boyle, Jr. Family L. P., G3 Enterprises, Inc, and Rutland Properties, Inc. for a Specific Plan (“SPA”) for adoption of a Specific Plan to guide the development of property bounded by Whitmore Avenue on the north, UPRR right-of-way on the east, Service Road on the south, and Ustick Road on the west; and,

WHEREAS, in conjunction with proposed Specific Plan a Financing Plan is proposed and a General Plan amendment, and rezoning/Sphere of Influence amendment/annexation is proposed; and,

WHEREAS, the City’s Zoning Code requires that the Planning Division investigate the facts bearing on any case involving such approval to provide the Planning Commission and City Council with data essential for action consistent with the intent of the City’s General Plan; and,

WHEREAS, the City’s Planning Division has completed this investigation and the results of this investigation are included in the Draft and Final Environmental Impact Reports (together “EIR”) prepared for the West Landing Specific Plan Project under the California Environmental Quality Act (“CEQA”), in the Staff Report, and as was otherwise communicated to the Planning Commission and City Council by Planning Department Staff at the public hearings for this project; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on May 16, 2011 at 6:00 p.m. and considered all testimony and comment presented whether orally or in writing and by a 5-0 vote, recommended the City Council approve the proposal; and,

WHEREAS, the City Council held a duly noticed public hearing on June 27, 2011 at 7:00 p.m. and considered all testimony and comment presented whether orally or in writing; and,

WHEREAS, the properties affected by this resolution encompass the entirety of the area bounded by Whitmore Avenue on the north, UPRR right-of-way on the east, Service Road on the south, and Ustick Road on the west; and,

WHEREAS, the properties affected by this resolution consist of Assessor Parcel Numbers: 056-055 – All Parcels, 056-056 – All Parcels, 056-057 – All Parcels, 086-015 – All Parcels, as described in Stanislaus County Assessor Maps; and,

WHEREAS, properties affected by this resolution are described as:

BEING the West Half of Section 16 and all of Section 17, situate in Township 4 South, Range 9 East, Mount Diablo Base and Meridian, County of Stanislaus, State California, more particularly described as follows:

BEGINNING at the North Quarter Corner of above said Section 16, said corner also being the intersection of the centerline of Whitmore Avenue with the centerline of the Union Pacific Railroad Right-of-Way; thence South $0^{\circ}25'36''$ West along the North-South quarter section line of said section 16 and the centerline of said Union Pacific Railroad Right-of-way, a distance of 5285.96 feet to the South Quarter Corner of said Section 16, said corner also being the intersection of the centerline of Said Union Pacific Railroad Right-of-Way with the centerline of Service Road; thence North $89^{\circ}37'06''$ West along said centerline of Service Road and the south line of said Section 16, a distance of 2660.27 feet to the Southwest Corner of said Section 16; thence continuing along the centerline of said Service Road and the south line of above said Section 17 the following 2 courses: 1) North $89^{\circ}10'58''$ West, 2648.41 feet to the south Quarter Corner of said Section 17; 2) South $89^{\circ}11'53''$ East, 2648.59 feet to the Southwest Corner of said Section 17, said corner also being the intersection of the centerline of Service Road with the Centerline of Ustick Road; thence along the centerline of Ustick Road and the west line of said Section 17 the following 2 courses: 1) North $0^{\circ}29'53''$ East, 2643.21 feet to the West Quarter Corner of said Section 17; 2) North $0^{\circ}30'24''$ East, 2643.11 feet to the Northwest Corner of said Section 17, said corner also being the intersection of the centerline of Ustick Road with the centerline of Whitmore Avenue; thence along the centerline of Whitmore Avenue and the North Line of said Section 17 the following 2 courses: 1) South $89^{\circ}12'51''$ East, 2643.37 feet to the North Quarter Corner of said Section 17; 2) South $89^{\circ}12'37''$ East, 2643.42 to the Northeast Corner of said Section 17; thence South $89^{\circ}34'03''$ East along the north line of above said Section 16 and the centerline of Whitmore Avenue, a distance of 2663.91 feet to the POINT OF BEGINNING.

The land referred to herein is situated in the State of California, County of Stanislaus; and,

WHEREAS, notice of a public hearing of the City Council of the City of Ceres to consider applicant's application was given in accordance with the City's Codes and applicable law; and,

WHEREAS, at the June 27, 2011 meeting, in compliance with the requirements of California Environmental Quality Act (CEQA) the City Council, as the decision-making body for the City and lead agency for the project, carefully reviewed and considered the information contained in the EIR and certified the EIR and adopted a Statement of Overriding Considerations for the project determining that the considerations identified therein outweigh and render acceptable the significant environmental impacts of the project which cannot be fully mitigated.

NOW THEREFORE, the City Council of the City of Ceres does hereby find as follows:

The proposal meets the intent of the General Plan in that it provides for annexation and

development of new area pursuant to master planning, and is consistent with General Plan Policies. The project EIR, Chapter 13-Land Use and Planning includes an assessment of consistency with the policies of the General Plan. Specifically, adoption of the West Landing Specific Plan and the related General Plan Amendment and rezoning actions would implement and be consistent with the following General Plan Goals and underlying Policies:

Goal 1.A To maintain Ceres' small-town character and to create a distinctive city identity as the city grows.

The proposed specific plan provides for a mix of uses consistent with the established character of Ceres and providing well-laid-out neighborhoods in close proximity to schools, shopping, and employment. The specific plan provides opportunities for entry monumentation at the transitions from Ceres to Modesto along Whitmore Avenue.

Goal 1.B: To grow in an orderly pattern consistent with economic, social and environmental needs, maintaining Ceres' small town character and preserving surrounding agricultural lands.

The proposed specific plan provides a balanced mix of land uses consistent with the needs of the community and providing a balance of jobs and housing, and provides an area-wide master plan to guide development. All proposed development is within the established General Plan area.

Goal 1.C: To provide adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in Ceres, while ensuring high quality of residential development.

The proposed Specific Plan provides a mix of residential densities ranging from very-low single-family density designation in the Carol Lane area to typical single family density and with provision for medium and higher density residential sites and mixed-use development.

Goal 1.D: To provide for the development of new residential areas in planned neighborhoods to be developed at an orderly pace and designed to promote transit, walking, and bicycling.

Residential neighborhoods in the proposed specific plan are organized around school/park sites. The entire plan area is tied together with a system of enhanced multi-use pedestrian/cycling pathways.

Goal 1.E: To maintain and enhance the best qualities of existing residential areas as the city grows.

The proposed specific plan makes specific provision for the existing Carol Lane residential enclave, making provision to preserve its quasi-rural character while at the same time providing for upgrade of the infrastructure serving it to a modified city standard compatible with the character of the neighborhood.

Goal 1.F: To designate adequate commercial land for and promote development of commercial uses compatible with surrounding land uses to meet the present and future needs of Ceres residents and visitors and to maintain economic vitality.

The proposed specific plan provides for the commercial development of the area along Crows Landing Road for retail and business park development and provides design guidelines to ensure a high level of quality of development.

Goal 1.G: To designate adequate land for and promote development of industrial uses to meet the present and future needs of Ceres residents for jobs and to maintain economic vitality.

The proposed specific plan recognizes the existing industrial/commercial development at the southeast corner of Crows Landing Road and Whitmore Avenue, and makes provision for Business Park development in the southeast quadrant of the area west of Crows Landing Road, and provides design guidelines to ensure a high level of quality of development.

Goal 1.H To regulate future development near the airport to provide for protection of public health and safety.

The proposed specific plan is entirely outside the designated Airport Safety Zones.

Goal 1.I: To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, public safety, and service needs of Ceres residents and to expand the economic base to better serve the needs of residents.

The proposed specific plan provides a balanced mix of land uses consistent with the needs of the community. The plan specifically provides areas set aside for future employment, shopping, recreational, public safety, and service needs. The substantial commercial, business park, and industrial portions of the Specific Plan will enhance the economic base of the City.

Goal 1.J: To maximize and balance the transportation function and aesthetic image of the city's major corridors.

The proposed specific plan is entirely consistent with the General Plan Transportation and Circulation Element as to designation of arterial and expressway roads. The plan makes provision for enhanced roadway cross sections with landscaped medians and parkway strips.

Goal 1.N To maintain land as Residential and Industrial Reserve within the Planning Area for consideration for accommodation of development projected to occur beyond 2015.

The proposed specific plan includes 320 acres currently designated as Rural Residential. Consistent with General Plan policy, this area is the subject of a proposed General Plan amendment, recognizing city needs and requirements in the coming years.

Goal 2. C To protect residential areas from high volume and high-speed traffic and its effects and promote bicycling and walking on residential streets.

The Plan incorporates the use of walls and landscaping adjacent to arterial streets and expressways to separate residential areas from high-speed/volume traffic. The Plan incorporates a network of enhanced pedestrian/cycling pathways.

Goal 2. E To promote provision of safe and efficient transit service to reduce congestion, improve the environment, and provide viable non-automotive means of transportation in and through Ceres.

The Plan incorporates provision for transit routes and stops to provide convenient service with reasonable walking distance throughout the Plan area.

Goal 2. F To provide a safe, comprehensive, and integrated system of facilities for non-motorized transportation.

The Plan provides for an integrated system consisting of sidewalks on minor streets, a network of enhanced pedestrian/cycling paths on major collector streets, and a Class I path along the Service Road expressway.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Ceres resolves as follows:

1. That the aforementioned findings are hereby approved.
2. The West Landing Specific Plan and the associated Public Facilities Financing Plan are hereby approved and are attached as Exhibit "A" and on file in the Planning Division.

PASSED AND ADOPTED by the Ceres City Council at a regular meeting thereof held on the 27th day of June, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Chris Vierra, Mayor

ATTEST:

Cindy Heidorn, City Clerk, CMC