



**CITY OF MODESTO
PLANNING COMMISSION AGENDA
MONDAY, JANUARY 26, 2026 6:00 PM
BASEMENT CHAMBERS
1010 TENTH STREET – MODESTO, CA**

I. ROLL CALL

THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC AND THE MEETING CAN BE VIEWED BY ZOOM VIDEOCONFERENCING OR TELEPHONE

***Public comment must be in person**

Effective March 1, 2023, if a technical issue arises with Zoom or the phone dial-in option, the Planning Commission meeting will continue unless the meeting is being held pursuant to the provisions of Assembly Bill 2449. Alternative viewing options are listed below, and the meeting is physically open to the public. You may participate in the meeting as indicated below.

Joining the Planning Commission meeting via Zoom

The City of Modesto is offering the ability to view Planning Commission meetings via telephonic conferencing via “Zoom” video conferencing computer technology. The meeting may be accessed through the use of Zoom using the following options:

- Enter the following link into an Internet Browser <https://modestogov.zoom.us/j/86128333602?pwd=f6VK7ZrbNT3sQ1SNJ5nbbzboryYtPZ.1>
- Enter the following link into an Internet Browser <https://zoom.us/> and using the Webinar ID 861 2833 3602 Password 444640
- To use Zoom, please visit: <https://zoom.us/> and either sign-up for a free Zoom account or continue as a guest. Once you have downloaded the app onto your mobile device, joined from your web browser, or downloaded the Zoom software on your computer you will be ready for the upcoming Commission meeting.

Submitting Comments by Email

Written comments may be submitted via email to planning@modestogov.com (include Agenda Item Number in the subject line). All comments will be shared with the Commission and placed in the record but will not be read aloud during the meeting. Written comments must be received two hours before the meeting.

This Agenda is on file in the Planning Division, 3rd Floor, 10th Street Place, on the Posting Board at entry of 10th Street Place, and is available on the City’s Web site at www.modestogov.com.

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Planning Division during normal business hours. Such documents are also available online, subject to staff’s ability to post the documents before the meeting, at the following website <https://modestogov.com/AgendaCenter>.

In accordance with the requirements of Title II of the Americans with Disabilities Act (“ADA”) of 1990, the Fair Employment & Housing Act (“FEHA”), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto (“City”) will not discriminate against individuals on the basis of disability in the City’s services, programs, or

activities. For more information, please visit the City of Modesto website at <https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA>.

II. PUBLIC COMMENT PERIOD

Three-minute time limit per speaker.

Only interested persons in the audience may present these matters. Under State law, Commissioners may respond to matters being presented under this item only as follows:

- a. Briefly respond to statements made or questions raised.
- b. Ask a question for clarification.
- c. Provide a reference to staff or other resources for factual information.
- d. Request staff to report back at a subsequent meeting.
- e. Finally, a Commissioner or the Planning Commission itself may take action to direct staff to place a matter of business on a future agenda.

III. APPROVAL OF MINUTES

Minutes of the regular meeting of January 5, 2026.

IV. CONFLICT OF INTEREST DECLARATION

Committee Members and staff may now declare conflicts of interest related to any item on the agenda.

V. CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Committee Member. Unless withdrawn from consent, items are approved at one time.

None.

VI. PUBLIC HEARING

Published in the Modesto Bee January 4, 2026

Item A Hearing to consider an amendment of Area Plan No. 6 of the Tivoli Specific Plan and approve a Tentative Subdivision Map to divide a 21.15-acre portion of Area Plan No. 6 into 99 standard single-family residential lots. (APNs 083-004-008, 083-004-043, 083-004-044, 083-004-072) (Funding Source: Application Fees)
Contact Info: Radha Hayagreev, 209-577-5267 rhayagreev@modestogov.com

VII. OTHER BUSINESS

VIII. MATTERS TOO LATE FOR THE AGENDA

These may be presented by members of the Planning Commission and staff, upon determination by a majority vote that an emergency exists, as defined by State law, or by a 2/3 vote that: 1) there is a need to take immediate action, and 2) that the need for action came to the City's attention after the agenda was posted.

IX. ADJOURNMENT

Copies of the agenda are on file at the in the office of the Planning Division, Third Floor, 1010 Tenth Street, Modesto, CA., and online at <https://www.modestogov.com/AgendaCenter/Planning-Commission-11>.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Commission Secretary at 209.577.5267. Assistive listening devices are available upon request to the Planning Commission Secretary. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. In accordance with the requirements of Title II of the Americans with Disabilities Act (“ADA”) of 1990, the Fair Employment & Housing Act (“FEHA”), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto (“City”) will not discriminate against individuals on the basis of disability in the City’s services, programs, or activities. For more information, please visit the City of Modesto website at <https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA>

Notice: Persons who wish to speak to the Planning Commission regarding any item on the printed agenda, including oral communications, are encouraged to please submit your comment, to the Recording Secretary at planning@modestogov.com. All comments will be shared with the Commission and placed in the record. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.

Posted pursuant to Government Code Section 54954.2 on _____ at _____

by _____ on the bulletin board at Tenth Street Place.

**LIST OF INVOLVED PARTIES FOR THE PLANNING COMMISSION
AGENDA OF JANUARY 26, 2026**

At the Commission's request, staff has compiled a list of persons having a personal/financial interest in the matters contained in the accompanying agenda report to help identify potential conflicts of interest.

ITEM A Amendment of Area Plan No. 6 of the Tivoli Specific Plan and approve a Tentative Subdivision Map to divide a 21.15-acre portion of Area Plan No. 6 into ninety-nine (99) standard single-family residential lots (Richard Deponte, Tesoro Homes, Inc)

<u>Relationship</u>	<u>Name/Address</u>
Applicant	Tesoro Homes, Inc. P.O. Box 909 Inc. Ripon CA 95366
Owner's	McReynold Farm, LLC, 11401 Valley Oak, Oakdale, CA 95361
	Harwinder Kaur, PO Box 577800, Modesto, CA 95357
	Jason & Lyndsay Skeen, 3554 McReynolds Ave Modesto CA 95357
	Albert & Monica Gonzales, 709 Strathmore Dr Modesto CA 95355
Engineer	Benchmark Engineering, Inc. 4265 Spyres Way, Suite A, Modesto, CA 95356

City of Modesto Planning Commission

Minutes

January 5, 2026

Being the hour of 6:00 pm, the meeting was called to order by Chairperson Shanks.

I. ROLL CALL

Commissioners Arroyo, Black, Goriel, Grewal, Russell, and Shanks, present

Commissioner Hauselmann, absent

It was moved by Commissioner Goriel, seconded by Commissioner Russell, and carried unanimously (6-0) that Commissioner Hauselmann, be excused from this meeting.

II. APPROVAL OF MINUTES

It was moved by Commissioner Grewal, seconded by Commissioner Goriel, and carried unanimously (6-0) that the minutes of the regular meeting of December 15, 2025, be approved. Commissioner Black abstained due to being excused from the December 15, 2025, meeting.

III. PUBLIC COMMENT PERIOD

None.

IV. CONFLICT OF INTEREST DECLARATION

None.

V. CONSENT

None.

VI. PUBLIC HEARINGS

Item A Hearing to consider approving a tentative parcel map to subdivide an existing 1.29-acre lot into two independent lots, located in the low density residential (R-1) zone at 2513 Woodland Ave (APN: 081-018-069) (Andres Brambila) (Funding Source: Application Fees)
Contact Info: Michael Schubert, Assistant Planner, 577-5267,
mschubert@modestogov.com

Motion/Action (Approved)

It was moved by Commissioner Black, seconded by Commissioner Russell, and carried unanimously (6-0) (Arroyo, Black, Goriel, Grewal, Russell, Shanks, ayes; None, noes; Hauselmann, absent; None, recused) that the Planning Commission adopt **Resolution No. 2026-01** A RESOLUTION APPROVING A TENTATIVE PARCEL MAP TO SUBDIVIDE EXISTING 1.29-ACRE LOT INTO TWO INDEPENDENT LOTS, LOCATED IN THE LOW DENSITY RESIDENTIAL (R-1) ZONE AT 2513 WOODLAND AVENUE (APN 081-018-069)

Item B Hearing to consider a resolution recommending to the City Council approval of an amendment to the Circulation Element of the Modesto Urban Area General Plan,

and a resolution recommending to the City Council the approval of Specific Plan Amendment No. 6 to the Street Hierarchy Diagram of the Tivoli Specific Plan, to reclassify Oakdale Road between Scenic Drive and Claratina Avenue between McHenry Avenue and Claus Road from six-lane Principal Arterial Streets to four-lane Principal Arterial Streets, together with text amendments to Chapter 9 of the Tivoli Specific Plan relative to major Specific Plan amendment policies
Contact Info: Edwin Borquez, 577-5267 eborquez@modestogov.com

Motion/Action (Approved)

It was moved by Commissioner Grewal, seconded by Commissioner Goriel, and carried unanimously (6-0) (Arroyo, Black, Goriel, Grewal, Russell, Shanks, ayes; None, noes; Hauselmann, absent; None, recused) that the Planning Commission adopt **Resolution No. 2026-02** A RESOLUTION RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN AMENDMENT TO THE CIRCULATION ELEMENT OF THE MODESTO URBAN AREA GENERAL PLAN TO CHANGE THE DESIGNATION OF OAKDALE ROAD BETWEEN SCENIC DRIVE AND CLARIBEL ROAD FROM SIX-LANE PRINCIPAL ARTERIAL STREET TO FOUR-LANE MINOR ARTERIAL STREET, AND TO CHANGE THE DESIGNATION OF CLARATINA AVENUE BETWEEN MCHENRY AVENUE AND CLAUS ROAD FROM SIX-LANE PRINCIPAL ARTERIAL STREET TO FOUR-LANE MINOR ARTERIAL STREET (CITY OF MODESTO)

Motion/Action (Approved)

It was moved by Commissioner Grewal, seconded by Commissioner Goriel, and carried unanimously (6-0) (Arroyo, Black, Goriel, Grewal, Russell, Shanks, ayes; None, noes; Hauselmann, absent; None, recused) that the Planning Commission adopt **Resolution No. 2026-03** A RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF SPECIFIC PLAN AMENDMENT NO. 6 TO THE TIVOLI SPECIFIC PLAN TO AMEND THE STREET HIERARCHY DIAGRAM TO CHANGE THE CLASSIFICATION OF OAKDALE ROAD AND CLARATINA AVENUE FROM SIX LANE ARTERIAL STREETS TO FOUR LANE ARTERIAL STREETS, AND TO AMEND TEXT IN CHAPTER 9 RELATIVE TO SPECIFIC PLAN ADMINISTRATION AND REAFFIRM PRIOR MAJOR AMENDMENTS TO THE TIVOLI SPECIFIC PLAN ADOPTED BY CITY COUNCIL RESOLUTION (CITY OF MODESTO)

VII. OTHER BUSINESS

None.

VIII. MATTERS TOO LATE FOR THE AGENDA


None.

XI. ADJOURNMENT

The meeting was adjourned at 6:30 pm.

Original, signed copy on file in CEDD

Michael Hren, AICP, Secretary

 <p>CITY OF MODESTO CALIFORNIA</p>	<p>CITY OF MODESTO</p> <p>COMMITTEE AGENDA REPORT</p>	<p>DATE OF MEETING:</p> <p>January 26, 2026</p>
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Date: December 22, 2025

- TO:** Chairperson Shanks and Members of the Planning Commission
- THROUGH:** Jessica Hill, Community and Economic Development Director
- FROM:** Radha Hayagreev, Principal Planner
- SUBJECT:** Amendment of Area Plan No. 6 of the Tivoli Specific Plan and approval of a Tentative Subdivision Map to divide a 21.15-acre portion of Area Plan No. 6 into 99 standard single-family residential lots.
- CEQA:** This project is categorically exempt from further review under the California Environmental Quality Act (CEQA), pursuant to Section 15182(c) Residential Projects implementing Specific Plans.
- CONTACT:** Katharine Martin, Senior Planner,
kmartin@modestogov.com, 209-577-5465
- APPLICANT:** Richard Deponete, Tesoro Homes, Inc.

DESCRIPTION:

Hearing to consider an amendment of Area Plan No. 6 of the Tivoli Specific Plan and approve a Tentative Subdivision Map to divide a 21.15-acre portion of Area Plan No. 6 into 99 standard single-family residential lots. (APNs 083-004-008, 083-004-043, 083-004-044, 083-004-072) (Funding Source: Application Fees)

This project is categorically exempt from further review under the California Environmental Quality Act (CEQA), pursuant to Section 15182(c) Residential Projects Implementing Specific Plans.

STRATEGIC PLAN ELEMENT:

The recommended action supports the City’s 2025-26 Strategic Plan Goal E: “Economic Vitality” Area of Focus that retain and attract residential, commercial, and industrial development to meet the community’s need today and for the next generation.

BACKGROUND:

The Tivoli Specific Plan (Specific Plan) was adopted by the City Council on February 26, 2008, by Ordinance No. 3479-C.S. The Specific Plan encompasses approximately 454 acres bounded by the future Claratina Avenue to the north, Sylvan Avenue to the south, Oakdale Road to the west and Roselle Avenue to the east. The Specific Plan provides for

uses including commercial, school, parks, and residential development of a variety of densities as outlined by the land use diagram and development standards of the Specific Plan.

Similar to the Village One Specific Plan to the south, the Tivoli Specific Plan is divided into multiple Area Plans. Each Area Plan is intended to facilitate development conformance with the street circulation, utility infrastructure, land use, density and the design principles of the Specific Plan. The Planning Commission must approve each Area Plan before new development can occur within the Area Plan boundary. The Specific Plan also authorizes the Planning Commission to approve or deny Tentative Subdivision Maps.

On April 10, 2025, Tesoro Homes, Inc. (Applicant), applied for a Tentative Subdivision Map to divide a 21.15-acre portion of Area Plan No. 6 into 99 single-family residential lots. Of the 99 lots, two are existing single-family residences along McReynolds Avenue (Lot 1 and Lot A), and 97 are newly proposed single-family residential lots which are part of the development application.

The proposed subdivision also includes two common landscape lots (Lots B and C) adjacent to the public rights-of-way on Roselle Avenue and proposed Via Belconte. Refer to Attachment 5 for more details.

The project also includes an amendment to the previously approved Area Plan No. 6, AREA-25-001, approved by the Planning Commission on April 21, 2025. The previously approved Area Plan includes a circulation plan and connections for electrical, irrigation, water distribution, and storm water systems for the Olivewood subdivision in the northern portion of Area Plan No. 6. For the southern portion of Area Plan No. 6, the previously approved Area Plan reflected a simple circulation plan and utility connections, but it did not reflect mapping for future subdivision of lots. This project includes the subdivision on the south side of the Area 6 Boundary, identified below in a red box in Figure-2 Area Plan 6 Showing Belconte Boundary.

Figure 1 – Area Plan Overview for Tivoli Specific Plan

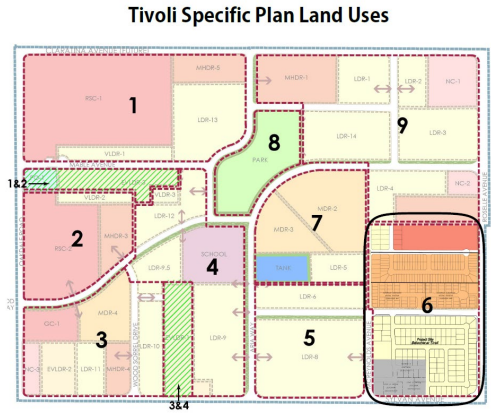
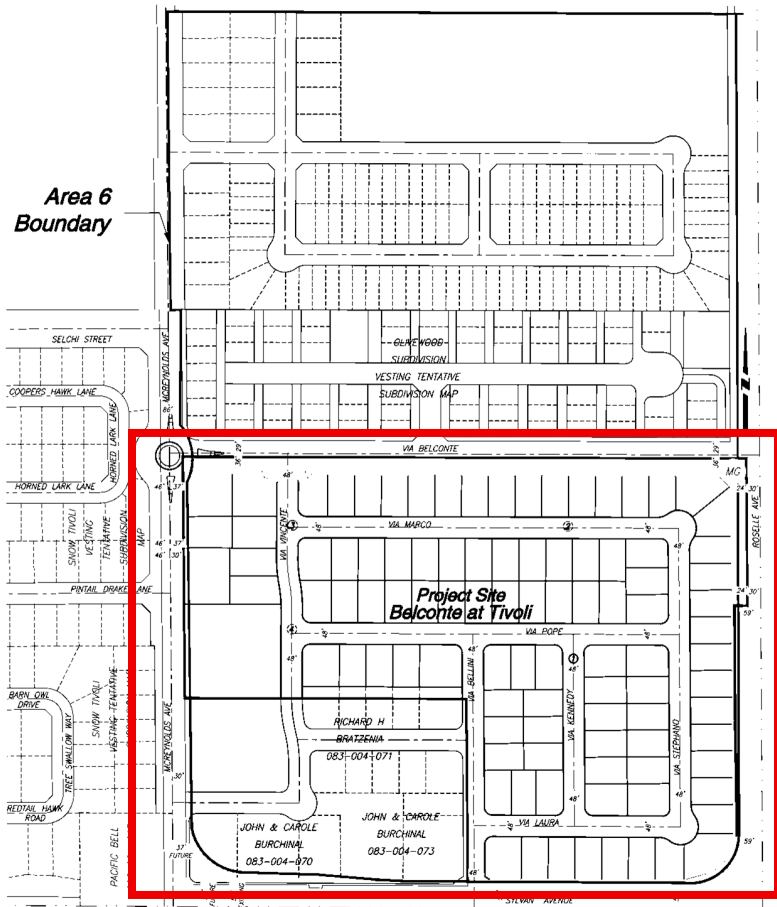


Figure 2 – Area Plan 6 Showing Belconte Project Boundary



DISCUSSION:

Area Plan No. 6: The Tivoli Specific Plan is comprised of nine Area Plans, each of which require consideration and approval by the Planning Commission prior to development. Area Plan No. 6 is comprised of multiple parcels totaling approximately 58 acres, located between McReynolds Avenue and Roselle Avenue, and bounded by Sylvan Avenue to the south. The Area Plan outlines utility placement, street circulation and landscaping, and the variety of residential densities within.

The proposed amendments to Area Plan No. 6 include some changes to the southern portion of the area where the proposed Belconte subdivision is located, such as shifting the entrance of the proposed Belconte subdivision to the west so it is no longer directly across from the entrance to the approved Olivewood subdivision on Via Belconte and proposing a total of seven local streets within the Belconte subdivision area. Other amendments include updated connections to the electrical, irrigation, water distribution, and stormwater system to support the Belconte subdivision, as well as gateway signage at the intersection of Via Belconte and Roselle Avenue and neighborhood entrance signage at the subdivision entry point on Via Belconte.

Tentative Subdivision Map:

The proposed subdivision includes merging and subdividing existing four parcels totaling 21.15-acres within the southern portion of Area No. 6, into 99 single-family residential lots, including two lots with existing single-family residences along McReynolds Avenue and 97 lots for future residential development, plus two common lots for right-of-way improvements.

There are approximately 13 agriculture-related structures that would be removed from the project site prior to development of the new single-family residential lots created by the subdivision map. The General Plan Designation of this proposed projects is Residential, and the Zoning is Tivoli Specific Plan. In particular, the Area Plan no. 6 is zoned for Low Density Residential (LDR) housing. Per Table 4.2 Residential Development Standard summary of the Tivoli Specific Plan, LDR is allowed to have a density range of 4-8 du/acre. The proposed density for the 21.15 acres is approximately 5 du/acre.

The proposed lots for residential development vary in size from 5,281 square feet to 9,784 square feet in area, averaging about 6,000 square feet. The proposed corner lots are at least 6,000 total square feet and 60 feet in width, and interior lots are at least 50 feet in width, as required by the Development Standards for standard Low Density Residential lots in Chapter 4 of the Tivoli Specific Plan. All the proposed 97 new lots comply with the development standards for lot size and lot widths for interior/corner lots as required under Chapter 4, Table 4.2 of the Tivoli Specific Plan for Low Density Residential Homes.

The subdivision is divided into six groups of lots, including four internal blocks, one block along McReynolds, and a U-shaped group of 35 lots along Via Belconte, Roselle Avenue, and Sylvan Avenue. There would be two proposed entrances to the subdivision, including

one stop-controlled T-intersection from Sylvan Avenue onto Via Bellini and one stop-controlled T-intersection from Via Belconte onto Via Vicente.

Existing homes are shown as Lots 1 and Lot A of the proposed subdivision, fronting McReynolds Avenue on the west. Future phases of the subdivision would include the development of homes, garages, driveways, individual landscaping for each lot, and the implementation of all public landscaping including all parkway edges and the paseo/greenway along Via Belconte.

Staff recommends that approval of the Tentative Subdivision Map be conditioned to include a requirement that the future developer provide detailed plans showing that all aspects of the development, including architectural variety of homes and amenities such as landscaping, walls, fences, and neighborhood and major/minor gateway entries, would comply with the Development Standards and Design Guidelines and Standards of the Tivoli Specific Plan at the time of application for a building permit.

Infrastructure Improvements:

Infrastructure for the proposed project includes installation of new utilities and improvements on the existing perimeter streets of McReynolds Avenue, Sylvan Avenue, and Roselle Avenue, and the development of the new Via Belconte at the northern project boundary. Refer to Attachment 5 for more details.

Perimeter streets are proposed to be built to a part-width standard with new utility lines within the streets' alignments. The part-width standard includes the full improvements including curb, gutter, landscaped parkway, and sidewalk or bike/pedestrian path along the project's street frontages, plus a travel lane on the other side, to allow for two-way vehicle travel. Street sections reflected on the Tentative Subdivision Map include minor deviation from street sections depicted in the Specific Plan (e.g., parking lanes and driveway access for two lots on McReynolds Avenue). However, the street sections generally align with the Specific Plan and reflect the direction provided by staff of the City's Land Development Engineering Department. Refer to Sheet 2 of Attachment 5 of the report for more details.

The new Via Belconte Street public right-of-way would adjoin the northern project boundary. Along the project frontage, Via Belconte would include a 16-foot-wide travel lane with no on-street parking, plus a 30-foot-wide paseo/greenway consisting of an 8-foot-wide parkway behind the street curb, 12-foot-wide proposed Class 1 bike path, and 10-foot wide landscape lot and public utility easement (PUE) just outside the edge of the right-of-way. This landscape lot and PUE, as well as other landscaped parkway edges along the project frontages, are recommended to be dedicated to the City for future maintenance (see recommended condition of the proposed resolution of approval, Attachment 1). An 8-foot-tall masonry wall that would be installed behind the landscaped lot/PUE would separate Via Belconte from the residential lots to the south.

McReynolds Avenue would be developed to a 30-foot half-width along the project frontage with existing homes at Lot 1 and Lot A, and a 37-foot half-width along the remaining project frontage on McReynolds. The Belconte project side of McReynolds Avenue would include a 12-foot-wide travel lane, 7-foot wide on-street parking lane, and a 6-foot-wide sidewalk.

The 37-foot half-width would include an 8-foot-wide parkway edge that would separate the Class 1 bike path from the roadway curb and a 7-foot wide on street parking, while the 30-foot half-width would have a monolithic 6-foot-wide sidewalk next to a 7-foot wide on-street parking with no parkway separation from the curb.

Roselle Avenue would be developed to a maximum 59-foot half-width beginning at the intersection with Sylvan Avenue, where there is an existing two-lane travel lane in each direction with an 8-foot wide median, tapering down to a 54-foot half-width including a two-way left turn lane at the intersection with Via Belconte. Roselle Avenue would include a parkway edge ranging in width from 5 to 7 feet depending on existing improvements and an 8-foot-tall masonry wall outside of the right-of-way and abutting residential lots. Sylvan Avenue would be developed to a 59-foot half-width, including two travel lanes, a parkway edge ranging in width from 3 to 10 feet depending on existing improvements, no on street parking, and an 8-foot-tall masonry wall outside of the right-of-way and abutting residential lots. Existing sidewalk along the project frontage on McReynolds Avenue and Sylvan Avenue would be removed and replaced with a 12-foot-wide Class I bike path.

Internal streets would be developed to a width of 48 feet, allowing for two lanes of travel and roll-over curbs with on-street parking on both sides of the street. Internal streets would not include a parkway edge in alignment with previously proposed Olivewood subdivision in the same Area Plan. The subdivision includes two standard street knuckles with 40-foot radii.

Within the subdivision boundaries, 8-inch water lines, 8-inch sanitary sewer lines, and 18-inch storm drain lines would be installed within the rights-of-way of the internal streets. Internal sewer and storm drain lines would connect to a future 8-inch sewer line and a future 24-inch storm drain line to be constructed in the future Via Belconte right-of-way when development occurs on the project site in the future. These planned sewer and storm drain lines would connect to the area sewer and storm drain system via connections to existing 10-inch sewer and 30-inch storm drain lines in the right-of-way of McReynolds Avenue. Stormwater would ultimately discharge to the Tivoli detention basin planned to be built at Bridgewood Way and Aria Way northwest of the project site. For water service to the development, 8-inch water lines within the internal street rights-of-way would connect to a new 8-inch water line also proposed to be constructed in the future Via Belconte right-of-way, with future development. The new water line in Via Belconte would connect to existing 12-inch water lines in Roselle Avenue and McReynolds Avenue to create a looped system.

The parcel is within the future annexation boundary of the City of Modesto Community Facilities District (CFD) No. 2024-1 (Tivoli), which was established by the City Council on September 24, 2024, with adoption of Resolution No. 2024-354. Owners of properties within CFD 2024-1 must contribute their developments' fair share of costs for construction of infrastructure and ongoing maintenance of certain Specific Plan amenities and improvements including but not limited to the central storm drain basin and public park near Bridgewood Way and Aria Way.

Within the vicinity of the project site, improvements to be funded by CFD 2024-1 include wastewater and storm drain lines in the Roselle Avenue right-of-way, a roundabout to be

constructed at the intersection of McReynolds Avenue and Via Belconte, and additional traffic lanes (beyond those proposed along the project frontages) on Roselle Avenue and Sylvan Avenue.

FISCAL IMPACT:

All environmental review fees and entitlement fees for this item have been paid by the project applicant in accordance with the fee schedule adopted by the Council. In addition, the project will be subject to all applicable adopted development impact fees prior to building permit issuance to offset the City's fiscal impact of development.

Recommended conditions of the proposed resolution of approval would require the owner of the property to annex the project site into CFD 2024-1, prior to recordation of the Final Map, to facilitate the property owners' contribution toward Specific Plan area improvements that would serve future development on the project site.

CEQA REQUIREMENTS:

The project was previously studied by the Tivoli Specific Plan Final Environmental Impact Report (State Clearinghouse No. 2005072125), certified by the City Council on February 26, 2008, by Resolution No. 2008-141.

Staff has determined that project is exempt from CEQA in accordance with CEQA Guidelines Section 15182(c) – Residential Projects implementing Specific Plans and has prepared the required findings in accordance with CEQA Guidelines Section 15162, included with this Staff Report as Attachment 3 and 4.

RECOMMENDED PLANNING COMMISSION ACTION:

Staff Recommendations:

Motion to certify and adopt the CEQA Notice of Exemption EA/C&ED 2025-18;

Resolution approving the amendment to Area Plan No. 6 of the Tivoli Specific Plan, for property located at the northwest corner of Roselle Avenue and Sylvan Avenue (Tesoro Homes, Inc.); and

Resolution approving the Tentative Subdivision Map for Belconte at Tivoli (Tesoro Homes, Inc.).

Attachments:

1. Resolution 2026-XX approving the Amendment to Area Plan No. 6 of the Tivoli Specific Plan, for Property Located at the Northwest Corner of Roselle Avenue and Sylvan Avenue (Tesoro Homes, Inc.)
2. Resolution 2026-XX approving the Tentative Subdivision Map for Belconte at Tivoli (Tesoro Homes, Inc.)
3. CEQA Notice of Exemption EA/C&ED 2025-18
4. CEQA Guidelines Section 15162 Findings
5. Diagrams: Belconte Tentative Subdivision Map
6. Diagrams: Tivoli Specific Plan Land Use and Area Plan Map
7. Financial Interest Disclosure Form
8. Levine Form

**PLANNING COMMISSION
RESOLUTION NO. 2026-XX**

**RESOLUTION APPROVING THE AMENDMENT TO AREA PLAN NO. 6 OF
THE TIVOLI SPECIFIC PLAN, FOR PROPERTY LOCATED AT THE
NORTHWEST CORNER OF ROSELLE AVENUE AND SYLVAN AVENUE
(TESORO HOMES, INC.)**

WHEREAS, the City Council adopted the Tivoli Specific Plan, a 454-acre area of land adjoining the northeast portion of the City of Modesto, by Ordinance No. 3479-C.S. on February 26, 2008; and

WHEREAS, Section 9.4.1 of the Tivoli Specific Plan establishes nine subareas, each of which has a unique Area Plan that is subject to review and approval by the Planning Commission; and

WHEREAS, each Area Plan outlines the key features and characteristics of future development within the subarea and how future development within the subarea will relate and be connected to neighboring properties with respect to circulation, infrastructure, land use, density, project design and other provisions of the Tivoli Specific Plan; and

WHEREAS, the southern portion of Area Plan No. 6 includes low density residential land uses as part of the Tivoli Specific Plan; and

WHEREAS, on April 10, 2025, in accordance with Section 9.4.1 of the Tivoli Specific Plan, Tesoro Homes, Inc. filed an application for Planning Commission consideration and approval of an amendment to Tivoli Area Plan No. 6, located at the northwest corner of the intersection of Sylvan Avenue and Roselle Avenue; and

WHEREAS, said application was made concurrently with an application for a Tentative Subdivision Map (Project ID: TSM-25-006) to divide 21.15 acres into 99 single-family residential lots, two common landscape lots within Area Plan No. 6, located between McReynolds Avenue and Roselle Avenue, north of Sylvan Avenue; and

WHEREAS, a scheduled and noticed public hearing on October 20, 2025, Planning Commission meeting was continued indefinitely; and

WHEREAS, a scheduled and noticed public hearing was held by the Planning Commission on January 26, 2026 in Chambers, Tenth Street Place, 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 Environmental Assessment No. EA/C&ED 2025-18, which concluded that the project is within the scope of the Tivoli Specific Plan Final Environmental Impact Report (EIR) (State Clearinghouse No. 2005072125) and that pursuant to Sections 15162 and 15182(c) of California Environmental Quality Act Guidelines (CEQA Guidelines), no new environmental review is required.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it hereby finds and determines as follows:

1. An Environmental Assessment was prepared by the City of Modesto that analyzed whether the subsequent project might cause any significant effect on the environment that was not examined in the Tivoli Specific Plan Final EIR and whether the subsequent project was described in the Final EIR as being within the scope of the report.
2. Pursuant to Sections 15162 and 15182(c) of the CEQA Guidelines, this project is within the scope of the projects covered by the Tivoli Specific Plan Final EIR and no new environmental document or findings are required by CEQA.
3. The project will have no new effects which were not examined in the Tivoli Specific Plan Final EIR, and no new mitigation measures would be required.
4. There are no substantial changes proposed in the project that would require major revisions of the Tivoli Specific Plan Final EIR.
5. There are no substantial changes occurring with respect to the circumstances under which the project is being undertaken that would require major revisions in the Tivoli Specific Plan Final EIR.
6. No new information, which was not known and could not have been known at the time the Tivoli Specific Plan Final EIR was certified as complete, has become available.
7. There are no specific features that are unique to the proposed project that require project-specific mitigation measures. Accordingly, the certified mitigation measures identified in the Final EIR will be sufficient for this project.
8. All feasible mitigation measures set forth in the Final EIR which are appropriate to the project shall be incorporated in the project.
9. CEQA Notice of Exemption EA/C&ED 2025-18 provides the substantial evidence to support Findings 3-8, noted above.

BE IT FURTHER RESOLVED by the Planning Commission as follows:

That the amendment to Area Plan No. 6 as described in **Exhibit "A,"** attached hereto and incorporated herein by reference, be approved subject to the following conditions:

1. Except as amended herein, or by reference, all development shall be in accordance with the amended Area Plan No. 6 (AREA-25-001) and the Belconte at Tivoli Tentative Subdivision Map (TSM-25-006), as set forth in Planning Commission Resolutions No. 2025-xx and 2025-xx, adopted on October 20, 2025.
2. The property owner and developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Modesto shall promptly notify the developer of any such claim, action, or proceeding and shall cooperate fully in the defense.

BE IT FURTHER RESOLVED that the conditions of project approval set forth herein include certain fees, dedication requirements, reservations requirements, and other exactions, and that pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions.

BE IT FURTHER RESOLVED that the applicant is hereby further notified that the 90 days approval period in which a protest of these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a) can be filed, begins on October 20, 2025, and that if a protest is not filed within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

BE IT FURTHER RESOLVED by the Planning Commission that the Secretary of the Planning Commission is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on the 26th day of January 2026, by Commissioner _____, who moved its adoption, which motion was seconded by Commissioner _____, and carried by the following vote:

Ayes:
Noes:
Absent:
Recused:

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

Signed copy on file in CEDD

Michael Hren, AICP, Secretary

**PLANNING COMMISSION
RESOLUTION NO. 2025-XX**

**RESOLUTION APPROVING THE TENTATIVE SUBDIVISION MAP FOR
BELCONTE AT TIVOLI (TESORO HOMES, INC.)**

WHEREAS, the City Council adopted the Tivoli Specific Plan, a 454-acre area of land adjoining the northeast portion of the City of Modesto, by Ordinance No. 3479-C.S. on February 26, 2008; and

WHEREAS, Section 9.4.1 of the Tivoli Specific Plan establishes nine subareas, each of which has a unique Area Plan that is subject to review and approval by the Planning Commission; and

WHEREAS, each Area Plan outlines the key features and characteristics of future development within the subarea and how future development within the subarea will relate and be connected to neighboring properties with respect to circulation, infrastructure, land use, density, project design and other provisions of the Tivoli Specific Plan; and

WHEREAS, the southern portion of Area Plan No. 6 includes low density residential land uses as part of the Tivoli Specific Plan; and

WHEREAS, by adoption of Resolution No. 2025-xx on October 20, 2025, the Planning Commission approved an amendment to Area Plan No. 6 to allow additional development in this area of the Tivoli Specific Plan, in accordance with the requirements of the Tivoli Specific Plan (Project AREA-25-001), and making findings pursuant to Sections 15162 and 15182(c) of the California Environmental Quality Act Guidelines (CEQA Guidelines) that no new environmental analysis is required for the project; and

WHEREAS, Tesoro Homes, Inc. filed an application for a Tentative Subdivision Map, Belconte at Tivoli, to divide 21.15 acres located on McReynolds Avenue north of Sylvan Avenue into 100 single-family residential lots and three landscaped common area lots; and

WHEREAS, said Tentative Map was received in the office of the Secretary of the Planning Commission on April 10, 2025, and was accepted for filing and deemed complete on August 19, 2025, in accordance with the provisions of Section 4-4.401 of the Modesto Municipal Code; and

WHEREAS, copies of said tentative map have been referred to the Sylvan Elementary School and Modesto High School Districts, Modesto Irrigation District (“MID”), the local utility companies, Modesto City Fire Department, and the City Engineering and Transportation Department; and

WHEREAS, on September 2, 2025, in response to departmental and agency review comments, Tesoro Homes, Inc. submitted a revised Tentative Subdivision Map that reduced the number of new single-family residential lots from 100 to 99; and

WHEREAS, City services, including sewer and water facilities, are available to the property within the proposed subdivision boundaries; and

WHEREAS, the area can be served by elementary schools in the Sylvan School District and by Fire Station No. 7 at 1800 Mable Avenue, two miles distant; and

WHEREAS, a public hearing was held by the Planning Commission on October 20, 2025, in Chambers, Tenth Street Place, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it hereby finds and determines as follows:

1. The proposed tentative subdivision map, together with the provisions for its design and improvements, is consistent with the General Plan of the City of Modesto, and the Subdivision Map Act of the State of California.
2. The discharge of waste as a result of the proposed tentative subdivision map into the existing sewer system will not result in a violation of existing requirements by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code of the State of California.
3. WHEREAS, staff performed an evaluation, EA/C&ED No. 2025-18 in accordance with the requirements of Section 15162 of the CEQA Guidelines; and
4. WHEREAS, staff concluded in EA/C&ED No. 2025-18 that no further documentation with regard to CEQA is required for this project;
5. WHEREAS, due to the conclusion reached in EA/C&ED No. 2025-18, City staff determined that the project is exempt from CEQA pursuant to Section 15182(c)(1) of the CEQA Guidelines, which exempts residential projects implementing Specific Plans that are undertaken pursuant to and in conformity to the associated Specific Plan, and has prepared a Notice of Exemption; and
6. WHEREAS, the Planning Commission certifies it has received and reviewed the analysis conducted in EA/C&ED 2025-18, which concluded that the project is exempt from CEQA pursuant to Section 15182(c)(1) of the CEQA Guidelines.

BE IT FURTHER RESOLVED by the Planning Commission that the Tentative Map of Belconte at Tivoli be accepted for filing in the office of the Secretary of the Planning Commission on August 19, 2025, revised on September 2, 2025, and it is hereby approved as submitted subject to the following conditions:

1. Prior to recordation of a Final Map, improvement plans for required improvements shall be prepared by a Registered Civil Engineer and submitted for approval by the City Engineer or designee.
2. Any public improvements that are missing, damaged, or not to current City standards shall be designed and constructed per City standards in accordance with City Code (Article 7-1.701) and in accordance with the Tivoli Specific Plan. Such improvements may include, but not be limited to curb and gutter, drive approach, sidewalk, Americans with Disabilities Act (ADA) compliant access ramps, fire hydrants and streetlights. All public improvement plans shall be designed by a Registered Engineer, and reviewed and approved by the City Engineer prior to issuance of an encroachment permit.

3. All existing underground and aboveground utilities, irrigation, and electrical lines shall be protected, relocated, or removed as required by the City Engineer or the City Engineer's designee.
4. The project shall be designed to function independently with complete and operational pedestrian/vehicular circulation, utility infrastructure, and other required improvements in accordance with the Tivoli Specific Plan and the City Standards. The subdivider shall coordinate with other phases of development to ensure seamless connectivity and continuity of infrastructure. All required improvements must be completed to ensure full public accessibility/safety and operational functionality of each development phase. Final design shall be reviewed and approved by the City Engineer.
5. The improvement plans shall include but not be limited to the following utility infrastructure improvements:

Water:

- a. Water lines shall be constructed as per the Facilities Master Plan (FMP) and the Tivoli Specific Plan. All applicable water connection fees shall be paid, and an encroachment permit obtained from the City prior to any connection being made in the City's public Right-of-Way.
- b. All existing properties that are being subdivided as part of this map shall connect to public water and properly abandon any existing wells per City Standards and per Environmental Resources Standards.
- c. Water main shall be extended on Roselle Avenue across the property frontage.
- d. All open ended cul-de-sacs must loop their water mains, as dead ended water mains in these circumstances will not be allowed. Attached Water Design Special Provisions MUST be adopted during the design process.

Wastewater/Sanitary Sewer:

- e. Sewer lines shall be constructed as per the Facilities Master Plan (FMP) and the Tivoli Specific Plan. Design and installation shall consider the commercial development to the west of this subdivision. Plans and calculations shall be submitted for review. All applicable sewer connection fees shall be paid, and an encroachment permit must be obtained from the City prior to any connection being made in the City's public Right-of-Way.
- f. All existing properties that are being subdivided as part of this map shall connect to public sewer and properly abandon any existing septic tank system per City Standards and per Environmental Resources Standards.
- g. The sewer main shall be extended along Belconte Drive and continue south on Roselle Avenue, terminating at the point where the existing center median ends on Roselle Avenue.

- h. All sewer mains listed as 6-inches must be upsized to meet the minimum 8-inch requirement.

Storm Drainage:

- i. The existing basin is not sized to include drainage from this project. Prior to approval of the Final Development Plan for the project site, the project developer shall submit to the City Engineer a calculation of stormwater runoff volume from the project site, and a quantification (cubic yards of the additional excavation in the Tivoli detention basin that will be necessary to accommodate stormwater from this project.
- j. Prior to approval of the Final Development Plan for the project site, the project developer shall provide plans and calculations for storm water basin(s) and storm water management per City Standards to serve this development and provisions for buildout of the Tivoli Specific Plan. Volume and water quality requirements must be met per City Standards and the 2011 Modesto Stormwater Guidance Manual. The project developer shall provide storm drainage calculations for the proposed conveyance system all the way to the proposed storm drainage basin including off-site flows that will convey through the proposed subdivision. Plans and calculations shall be subject to review and approval of the City Engineer.
- k. Prior to approval of the Final Development Plan for the project site, the project developer shall provide plans and calculations to ensure that the downstream basin is sized adequately to take in the additional stormwater runoff from the project. Expansion of the basin may be required depending on the submitted calculations or as determined by the City Engineer.
- l. Prior to the issuance of a Grading, Demolition, or Building Permit, the project developer shall prepare and submit a Water Pollution Control Plan (WPCP) or Local Stormwater Pollution Prevention Plan (SWPPP) to Land Development Engineering, Stormwater for review. The WPCP or Local SWPPP shall include a description of all erosion, sediment, and pollution control Best Management Practices (BMPs) to be used at the construction or demolition site to prevent sediment and other sources of pollution from entering the City storm drain system as well as a site plan showing their placement.
- m. The proposed project disturbs one or more acres of soil. Prior to issuance of the first Grading Permit, the project developer must obtain coverage under the General Permit for Discharges of Stormwater associated with Construction Activity in accordance with Construction General Permit.
- n. The proposed project includes residential development of greater than 10 units, and is therefore considered a Priority Project.
- o. Prior to the issuance of a Grading, Demolition, or Building Permit, the project developer shall submit improvement plans conforming to design requirements of the

most current edition of the City of Modesto Guidance Manual for Development, Stormwater Quality Control Measures and the City of Modesto Municipal Code.

- p. Prior to the issuance of a Grading, Demolition, or Building Permit, the project developer shall submit a plan to integrate Low Impact Development (LID) principles into the project design. The plan shall retain, treat, and infiltrate the first 0.5 inch of stormwater runoff on site, and incorporate pervious landscape features into the project design wherever possible.
 - q. Prior to the issuance of a Grading, Demolition, or Building Permit, the project developer shall submit a plan to provide permanent, post-construction treatment (grass swale, bioretention, vegetative strip, or other approved proprietary device) to remove pollutants from the first 0.5 inch of stormwater run-off from site.
 - r. Prior to approval of a Final Development Plan for the project site, the project developer must provide Volume Retention Calculations and a Geotechnical Report confirming the overall mixed design stormwater retention system can meet the City Volume Retention Standard (R = 5.6 inches), and infiltrate approximately 50% (2.88 inches) of the required storage in less than 48 hours. Further retention and infiltration requirements may apply if soil conditions are found to be unfavorable.
6. Prior to approval of a Final Development Plan for the project site, the project developer shall submit Landscape and Irrigation (L&I) plans for review and approval by the City's Parks Planning and Development (PPD) Division. L&I plans shall meet the current State of California Model Water Efficient Landscape Ordinance (MWEL0) requirements, Modesto Municipal Code (MMC) requirements, Tivoli Specific Plan, and any other applicable City of Modesto standards at time of submittal.
 7. Applicant shall install a separate water meter for public landscape areas.
 8. Applicant shall install street trees every thirty-five to forty feet on center (35' – 40' o.c.) along all proposed streets; including Roselle Avenue, Sylvan Avenue and future new streets.
 9. Applicant shall install one street tree per residential lot unless on a corner lot which requires street trees every thirty-five to forty feet on center (35' – 40' o.c.) of the parcel's length.
 10. Applicant shall install climbing vines on all masonry walls, in a landscape planter, visible to public view to discourage tagging.
 11. Applicant shall provide signage with appropriate landscaping for Clear Vision Triangles at entrances. Within the triangle, the area between three and eight feet in height measured from top of curb adjacent to landscape shall be clear.
 12. Low Impact Development (LID) control and treatment measures shall be planted with vegetation for erosion protection and sediment entrapment to collect/treat storm water run-off before entering the storm drain system. Storm drainage basins shall be appropriately landscaped and irrigated to address the specific type of storm water control measure. Provide total square feet of the landscape area in project information.

13. Fire Hydrants shall be installed every 500 feet of vehicle travel distance.
14. Applicant will be subject to a one-time special tax in lieu of a school developer fee.
15. Existing irrigation facilities within or adjacent to the proposed project shall be protected, relocated, or removed as required by the District's Civil Engineering Department. Should the proposed project impact, encroach on, or otherwise alter existing MID-owned or Improvement District irrigation infrastructure, the pipeline must be upgraded, replaced and/or relocated as required by MID. All costs associated with design, approval and analysis of relocation shall be at the project developer's expense.
16. All existing cast-in-place (CIP) pipe/culvert, corrugated metal pipe (CMP), polyvinyl chloride (PVC) pipeline, disturbed pipeline, and appurtenant facilities that lie within the project limits must be replaced with rubber gasketed reinforced concrete pipe (RGRCP) that meet requirements for ASTM C-361 and AASHTO HS20-44 traffic loading conditions:
 - a. Class C-25 RGRCP is required under all roads and must extend a minimum of ten feet (10') each way beyond the drive path in any new development or improvement.
 - b. Class B-25 RGRCP is required under any other location, unless otherwise required by MID representative.
 - c. The pipeline shall be installed with a minimum of 30 inches of cover from pipe bell to final grade. If 30 inches of cover cannot be achieved, Class C-25 RGRCP is required with a cover no less than 24 inches from the pipe bell to final grade.
17. Ground disturbing activities at or within 25 feet of the existing pipeline will also require the replacement of the existing pipeline.
18. Pressure manholes must be installed per MID standard detail C 20/P 20 and located no more than 500 feet apart.
19. All irrigation facilities that will be improved or relocated must have the facilities protected by an easement. Easements within the proposed project must be dedicated by separate instrument to MID or downstream landowners. The project proponent must provide a plat and legal description for any and all easements. All projects that require a recorded map shall show the dedicated easement with the County-recorded document referenced on the Final Map. The easement widths for irrigation facilities within the proposed project are as follows:
 - a. 20 feet irrigation or drainage easement required for all irrigation facilities located adjacent to a roadway
 - b. 15 feet irrigation or drainage easement required along and adjacent to a public utilities easement (PUE)
 - c. 30 feet irrigation or drainage easement required for all irrigation facilities routed through a property or new development

20. MID requires a Consent to Common Use Agreement (CCUA) with public agencies when their project requires the relocation and reconstruction of MID irrigation facilities. The public agency is responsible for all maintenance of any MID facility that is replaced or relocated within a public roadway per California Water Code.
21. A License Agreement is required between MID and the project developer for all private facilities or private utilities encroaching within MID property or right-of-way (R/W).
22. Proposed improvement plans and maps must be submitted to MID's Civil Engineering Department for review. All design and construction is subject to the latest MID Irrigation Standard Construction Details which may be found at <https://www.mid.org/water/irrigation-water/irrigation-standard-construction-details/>.
23. No work shall begin without MID approval of final plans and appropriate agreements in place, including but not limited to, easement dedications, license agreements, consent to common use agreements, temporary use agreements, and facility modification agreements as required by MID. The project proponent must provide a plat exhibit and legal description for all agreements.
24. MID must review and approve any conditions regarding the impacted irrigation facilities set forth by draft resolution prior to approval by the agency's planning commission.
25. The actual location, size, and depth of all impacted irrigation facilities must be located and verified in the field by the project contractor prior to the start of construction and shown on the improvement plans. Irrigation facilities exposed for potholing, crossing of a facility, or any related reason shall be located via hand-digging or vacuum excavation. Notify Underground Service Alert (USA) (Toll Free 800-227-2600) before potholing, trenching, grading, excavating, drilling, pipe pushing, tree planting, post-hole digging, etc. Locating the subject irrigation facilities for the sole purpose of design by means of an USA request is unacceptable.
26. The contractor must use extreme caution when operating heavy equipment or performing work near existing irrigation facilities.
27. All proposed improvement plans shall be stamped and signed by a registered Civil Engineer with a current license to practice in California. All design submittals that require major infrastructure modifications shall be accompanied by hydraulic calculations signed by a licensed Civil Engineer. MID's Civil Engineering Manager must review and approve the proposed improvement plans prior to the start of construction.
28. The following MID standard signature block shall be placed on the cover sheet of the final signed plans set. "MID AND ITS EMPLOYEES ARE NOT RESPONSIBLE FOR VERIFICATION OF ELEVATIONS AND DIMENSIONS INDICATED ON THE PLANS, NOR ANY ERRORS AND OMISSIONS THAT MAY BE PRESENT. APPROVAL IS SUBJECT TO THE DATA SHOWN WHICH APPEARS TO BE IN CONFORMITY WITH MID REQUIREMENT FOR THE PROTECTION OF DISTRICT IRRIGATION FACILITIES. SO CONDITIONALLY APPROVED FOR IRRIGATION FACILITIES ONLY."

29. MID maintains that there are currently no signs of leakage at the adjacent irrigation infrastructure. If leakage becomes apparent after work is performed and it is determined, solely by the MID Engineer, that the leakage is a result of damage to the facility in connection to the project, then repair of the facility will be performed solely at the expense of the contractor. MID shall bear no expense in relation to the project or repair.
30. All work that may affect irrigation facilities must occur during the non-irrigation season (typically November 1 to March 1) unless approved by an MID representative. Irrigation service must not be interrupted and scheduling outages with MID engineering and operations is required. Assume all irrigation facilities are active. Please notify MID staff prior to performing any work near the irrigation facilities as described herein.
31. Please contact MID at CivilEngineeringMail@mid.org for assistance with coordinating project requirements. MID Water Operations staff require a pre-consultation meeting to discuss MID irrigation requirements. Please reach out to MID staff as early as possible to determine how impacts to MID's water infrastructure may affect your project.
32. Irrigation to the landowners and neighboring landowners via the private irrigation facilities within the subject parcels must be maintained. If it is determined that the existing privately-owned infrastructure will be affected by the proposed project, MID requires consulting with downstream landowners to ensure their rights to water are maintained and discuss proposed improvement plans. MID will act as a liaison for privately-owned facilities but both MID and the landowner(s) must approve the plans.
33. All privately-owned facilities that will be improved, or have their alignment changed or relocated must be protected by an easement dedicated by separate instrument to the downstream landowner(s) that are served by the existing private infrastructure. The easement must be shown on the improvement plans and the County-recorded document must be referenced on the Final Map.
34. There may be additional existing privately owned infrastructure not recorded by MID. If it is determined that any of the existing infrastructure will be affected by the proposed project, the project proponent must consult with the affected landowners and MID to discuss potential improvement plans for review and approval.
35. All abandoned-in-place irrigation facilities shall be removed within a development parcel.
36. Abandoned pipeline facilities must be saw-cut and plugged per MID irrigation standard construction detail C 55 a minimum of five feet beyond the development parcel within the adjacent parcel.
37. All existing pipeline infrastructure that will no longer be used due to the project shall be removed entirely and properly disposed of off-site at the project developer's expense. Abandoning existing pipeline infrastructure in place is not allowed.

38. If existing irrigation and/or drainage facilities exist within the subject parcel, an irrigation/drainage easement must be dedicated to the parcels downstream to maintain the historical point of connection. The easement dedication must be shown on the Final Map.
39. The project developer shall complete and submit to MID's Civil Engineering Department MID's Application for Land Development for Plan Review and provide the fee payment as noted per Item 6 of the application. Please contact MID at CivilEngineeringMail@mid.org to receive application.
40. The project developer shall submit to MID's Civil Engineering Department the proposed improvement plans of the impacted facilities prior to the start of construction.
41. The project developer must update the parcel's MID account information by contacting MID's Irrigation Services Department at IrrigationField@mid.org or (209) 526-7639.
42. The project developer must request and return a Signoff of Irrigation Facilities form prior to development of the parcels by contacting MID's Water Operations Department at WaterOperationsMail@mid.org or (209) 526-7562. Upon development of the subject parcel, all existing irrigation facilities that will no longer be used shall be saw-cut, plugged, and/or removed within the subject parcel as determined by MID Civil Engineering Department.
43. Existing MID easements for protection of overhead and underground electrical facilities are to remain. Overhead secondary cable is protected by a minimum 20 feet wide easement centered on the overhead cable. Overhead primary cable is protected by a minimum 30 feet wide easement centered on the overhead cable. Underground secondary cable is protected by a minimum 5 foot wide easement centered on the underground cable. Underground primary cable is protected by a minimum 10 foot wide easement centered on the underground cable.
44. Prior to recordation of a Final Map, the project developer shall annex the project site into the City of Modesto Community Facilities District No. 2024-1 (Tivoli), to secure and establish a mechanism for funding the installation and ongoing maintenance of facilities and improvements to serve development on the project site, including but not limited to the following:
 - a. Improvements of up to one-half of Roselle Avenue, Sylvan Avenue, McRenolds Avenue, Via Belconte, and part or all of the main Collector Streets in the Tivoli Specific Plan Area.
 - b. Any facilities and improvements, designated as CFD responsibility improvements, as listed in (but not limited to) the Tivoli Specific Plan Area – Summary of Facilities Master Plan Cost Estimates.
45. Prior to map recordation, the project developer shall submit to the Director of the Community and Economic Development Department or designee the articles of incorporation by the

Property Owners Association and the Covenants, Conditions and Restrictions (CC&Rs) for review.

The CC&Rs shall include requirements for the property owner's association to be responsible for the ongoing maintenance of all common driveways and open spaces/paseos including but not limited to remainder lots B and C, and the landscaping and irrigation systems within the abovementioned common areas, paseos and driveways.

46. All common driveways shall have either red curbing or "No Parking" signs installed at regular intervals.
47. The project developer shall provide future home buyers and prospective residents of the Tivoli Specific Plan disclosure that they are subject to noise, dust, odor and other impacts from adjacent agricultural operations. Such notice shall be placed on the Final Map at recordation.
48. Prior to Certificate of Occupancy of any structure, the project developer shall install fences and walls in accordance to the design standards of the Tivoli Specific Plan, Section 5.7, Community Wide Walls and Fencing Guidelines and Standards, including walls and fences along the McReynolds Avenue collector street and Roselle Avenue minor arterial street which shall be as required by Section 5.7.1 of the Specific Plan. The project developer shall submit plans for all fences and walls to be built within the development, which plans shall be subject to review and approval by the Community Development Department prior to their construction.
49. Prior to the issuance of a Grading, Demolition, or Building Permit, the project developer shall submit a plan to provide permanent, post-construction treatment (grass swale, bioretention, vegetative strip, or other approved proprietary device) to remove pollutants from the first 0.5 inch of stormwater run-off from site.
50. Prior to approval of the first Final Map for the project site, the project developer shall submit to the Community Development Department a Final Development Plan for the project site. No Final Map shall be approved until the Community Development Director has reviewed and approved the Final Development Plan. The Final Development Plan must comply with the standards of the Tivoli Specific Plan at the time that the City deems the Final Development Plan application to be complete. Standards with which the Final Development Plan must comply include but are not limited to those listed in the following sections of the Tivoli Specific Plan:
 - 3.4.11 Parkway
 - 3.4.12 Paseos/Greenways
 - 3.4.14 Roundabout Landscaping
 - Table 4.2 (Development Standards)
 - 5.2.1.2 Lot Layout and Design
 - 5.2.1.3 Building Variation
 - 5.2.3 Landscape Architecture Guidelines and Standards
 - 5.7.1 Community Wide Walls and Fencing Guidelines and Standards
 - 5.8 TSP Community Wide Landscape and Irrigation Standards
 - 5.9 TSP Community Wide Gateways
 - 5.10 Community Wide Lighting Guidelines and Standards
 - 5.1.2 Architectural Guidelines and Standards

51. The property owner and project developer shall, at their sole expense, defend, indemnify and hold harmless the City of Modesto, its agents, officers, directors and employees, from and against all claims, actions, damages, losses, or expenses of every type and description, including but not limited to payment of attorneys' fees and costs, by reason of, or arising out of, this development approval. The obligation to defend, indemnify and hold harmless shall include but is not limited to any action to arbitrate, attack, review, set aside, void or annul this development approval on any grounds whatsoever. The City of Modesto shall promptly notify the project developer of any such claim, action, or proceeding and shall cooperate fully in the defense.
52. Air Quality: The construction plans for each group of building permits shall incorporate Mitigation Measure E.1 from the Tivoli Specific Plan Final EIR (Tivoli FEIR) to minimize emissions during construction phases.
53. Air Quality: The site design shall fulfill the requirements of Tivoli FEIR Mitigation Measure E.2c to reduce emissions from energy consumption.
54. Noise (Tivoli FEIR Mitigation Measure F.2a): Design and implement new barriers for noise control at exterior locations of proposed residential development adjacent to major roadways. Prior to building permit issuance of each project, construction plans shall show all noise control features are included. The noise control features shall be installed prior to certificate of occupancy.
55. Biological Resources: Prior to construction, the project shall fulfill the requirements of Tivoli FEIR Mitigation Measures H.4, H.5, H.6a and H.6b for mitigation of Swainson's Hawk and Burrowing Owl habitat.
56. Biological Resources: Pending CDFW approval, HM lands providing foraging habitat for Swainson's Hawks may also be used to mitigate impacts to Burrowing Owls provided the HM lands provide existing Burrowing Owl foraging and breeding habitat.
57. Hazards (Tivoli FEIR Mitigation Measure G.2): Conduct Phase I Environmental Site Assessments prior to issuance of grading or building permit, whichever occurs first. Remediation shall be implemented prior to issuance of grading or building permit or as determined by the Phase I ESA.
58. Hydrology and Water Quality: Prior to the issuance of a grading permit, the project developer shall fulfill the requirements of Tivoli FEIR Mitigation Measure I.1.
59. Archeological and Cultural Resources (General Plan MEIR Mitigation Measure AH-21: If paleontological resources are discovered during earth-moving activities, the construction crew shall immediately cease work in the vicinity of the find, and the City's Planning Manager shall be notified. A qualified paleontologist shall evaluate the resource and prepare a proposed mitigation plan in accordance with Society of Vertebrate Paleontology guidelines. The proposed mitigation plan may include a field survey of additional construction areas, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. (Policy VII.F.3[c])

60. Noise (General Plan MEIR Mitigation Measure Noise-4): Implement noise-reducing construction practices as conditions of approval where substantial construction-related noise impacts would be likely to occur, such as with extended periods of pile driving, or where construction is expected to continue or where sensitive receptors would be affected by construction noise. Conditions of approval may include, but are not limited to:
- Require construction equipment, including air compressors and pneumatic equipment to have properly maintained mufflers;
 - Require impact tools to be equipped with shrouds or shields;
 - Require that the quietest equipment available be used; and,
 - Require selection of haul routes that affect the fewest number of people. (Policy VII-G.3.b)

BE IT FURTHER RESOLVED that the conditions of project approval set forth herein include certain fees, dedication requirements, reservations requirements, and other exactions, and that pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions.

BE IT FURTHER RESOLVED that the applicant is hereby further notified that the 90 days approval period in which a protest of these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a) can be filed, begins on October 20, 2025, and that if a protest is not filed within this 90-day period complying with all of the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

BE IT FURTHER RESOLVED by the Planning Commission that the Secretary of the Planning Commission is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on the 26th day of January 2026, by Commissioner _____, who moved its adoption, which motion was seconded by Commissioner _____, and carried by the following vote:

Ayes:

Noes:

Absent:

Recused:

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

Signed copy on file in CEDD

Michael Hren, AICP, Secretary

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

**California Environmental Quality Act
(CEQA) Section 15162 Findings**

Application: TSM-25-006/ AREA-25-006; Belconte at Tivoli, Environmental Review EA/C&ED 2025-18

Assessor Parcel Number (APN) or Location: 21.5 acres located northwest of the intersection of Sylvan Avenue and Roselle Avenue in the city of Modesto, inclusive of APNs 083-004-008, 083-004-043, 083-004-044, and 083-004-072

Previous Initial Study/EIR Reference: Tivoli Specific Plan Environmental Impact Report (EIR) (State Clearinghouse (SCH)# 2005072125)

Original Project Date: The Tivoli Specific Plan and the Final EIR (FEIR) for the Tivoli Specific Plan (SCH#2005072125) were adopted on February 26, 2008, by the Modesto City Council. The proposed Tentative Subdivision Map does not change any of the allowed uses or densities of uses contemplated in the Tivoli Specific Plan.

Section A - Previous Studies

1. Substantial changes are proposed in the project that will require major revisions of the previous project EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects?

Yes	No
	X

Comment/Finding: The proposed Tentative Subdivision Map implements a residential component of the Tivoli Specific Plan. No substantial changes are proposed in the project that will require revisions of the previous FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects?

Yes	No
	X

Comment/Finding: There have been no changes in the circumstances under which the project is undertaken that would require major revisions in the previous FEIR. There are no new significant environmental effects or substantial increases in the severity of previously identified environmental effects involved.

3. New information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, has been revealed? (If "Yes" is checked, go to Section "B" below)

Yes	No
	X

Comment/Finding: There is no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous FEIR was adopted.

Section B - New Information

A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration.

Yes	No
	X

B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.

Yes	No
	X

C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

Yes	No
	X

D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Yes	No
	X

Comment/Finding: The proposed Tentative Subdivision Map implements the stated plan as studied by the previous EIR, and no new information is present as a result of this application.

On the basis of this evaluation, in accordance with the requirements of Section 15162 of the CEQA Guidelines:

- 1. It is found that subsequent negative declaration will need to be prepared.
- 2. It is found that an addendum Negative Declaration will need to be prepared.
- 3. That a subsequent EIR will need to be prepared.
- 4. No further documentation is required.

Date:
December 22, 2025

Prepared By:
Radha Hayagreev
Principal Planner
City of Modesto



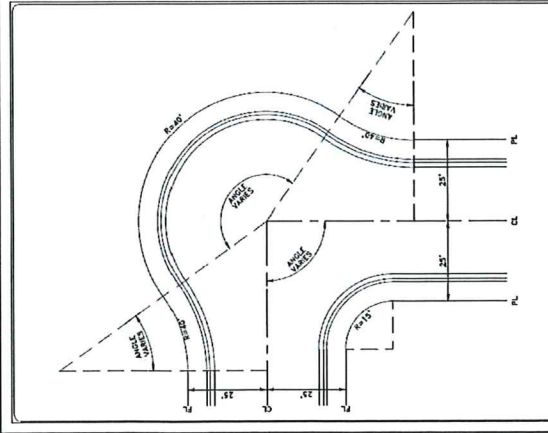
NO.	DESCRIPTIONS	DATE	APPROVED

BENCHMARK ENGINEERING, INC.
 4205 SPRYER WAY SUITE A MODESTO, CALIFORNIA 95350
 (209) 518-9300 FAX (209) 518-9305

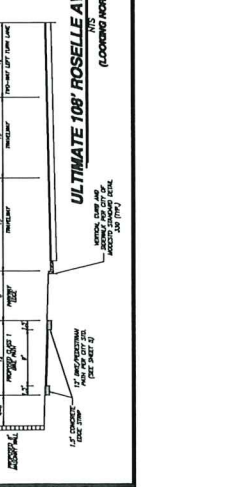
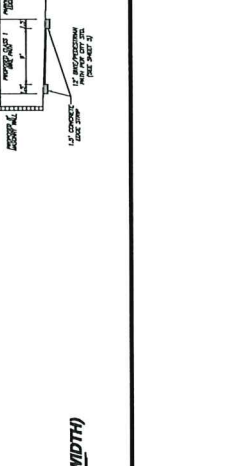
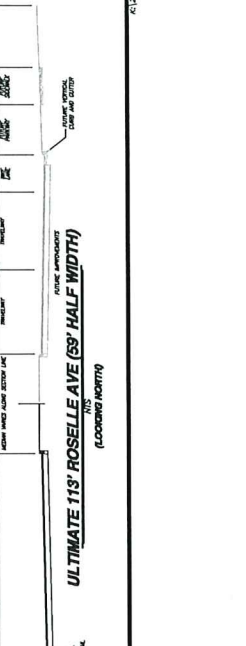
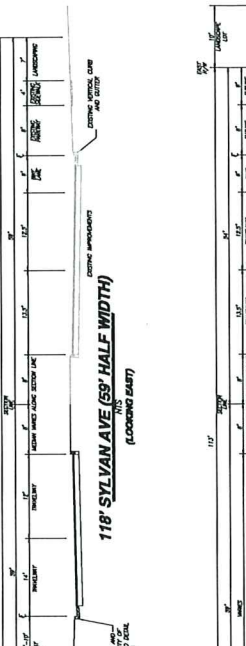
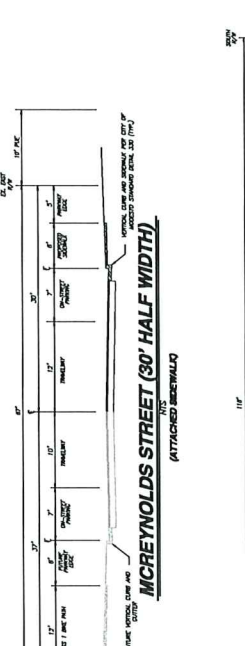
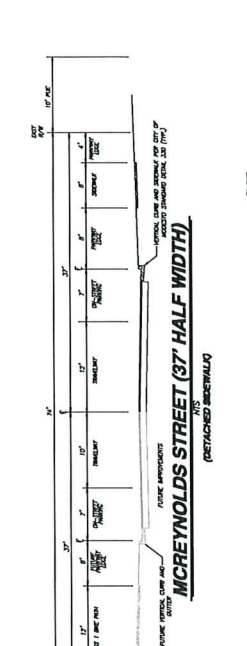
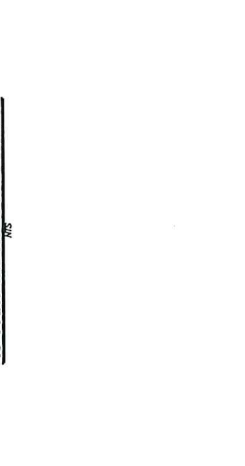
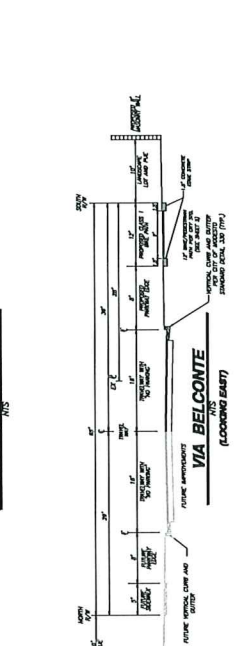
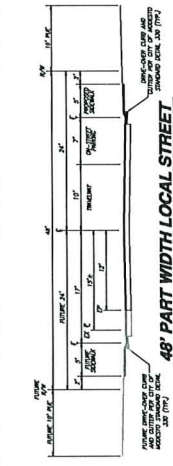
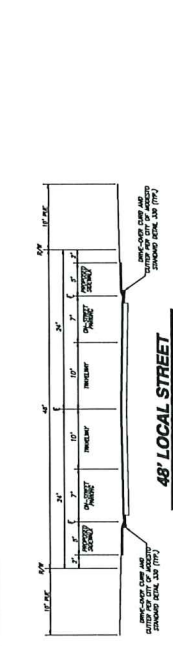
STREET SECTIONS
 TENTATIVE SUBDIVISION MAP
 BELCONTE AT TIVOLI
 MODESTO, CALIFORNIA

DATE: 9/12/2023
 DRAWN BY: JG
 CHECKED BY: JG
 SCALE: AS SHOWN

SHEET NUMBER
2
 OF 6 SHEETS

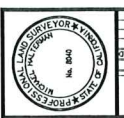


APPROVED BY:	STREETS
Michael J. Knuckle, City Engineer	STREET INTERSECTION
Michael J. Knuckle, Civil Engineer	KNUCKLE
Michael J. Knuckle, Civil Engineer	APPROVED BY CITY ENGINEER
Michael J. Knuckle, Civil Engineer	RESOLUTION NO. 2013-045
Michael J. Knuckle, Civil Engineer	DATE: 9/12/2023
Michael J. Knuckle, Civil Engineer	PROJECT NO. 312



DATE: 9/12/2023
 DRAWN BY: JG
 CHECKED BY: JG
 SCALE: AS SHOWN

SHEET NUMBER
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 OF 6 SHEETS

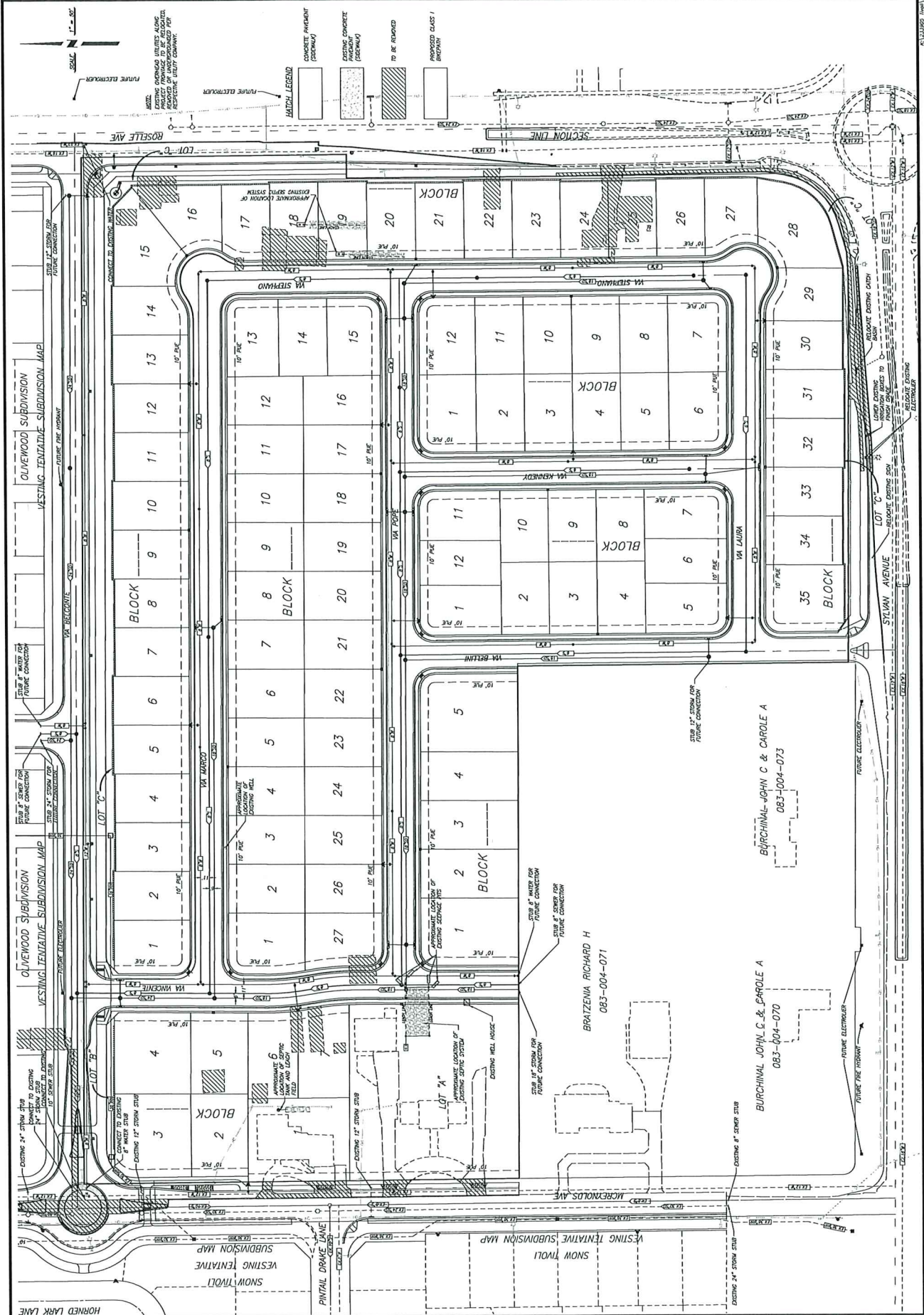


NO.	DESCRIPTIONS	DATE	APPROVED

BENCHMARK ENGINEERING, INC.
 CIVIL ENGINEERING & LAND SURVEYING
 4265 SPYRYS WAY SUITE A MOBERTO, CALIFORNIA 95354
 (925) 548-9300 FAX: (925) 548-9305

CONCEPTUAL COMPOSITE UTILITY PLAN
 TENTATIVE SUBDIVISION MAP
 BELCONTE AT TIVOLI
 MOBERTO, CALIFORNIA

JOB NO. 210295
 DATE: 9/12/2023
 DRAWN BY: [Signature]
 SCALE: AS SHOWN
 SHEET NUMBER: **4**
 OF 6 SHEETS



DATE PLOTTED: 9/12/23 10:45 AM

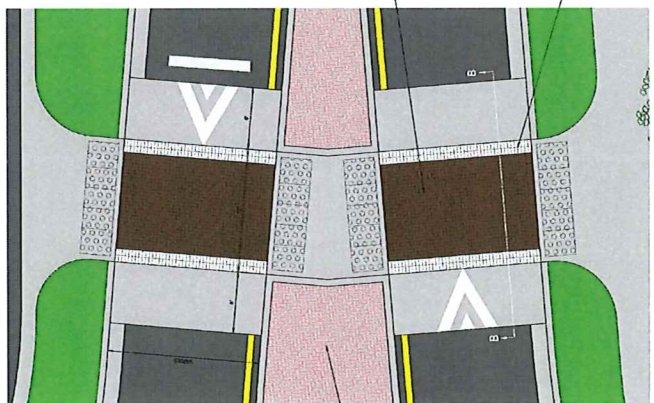


NO.	DESCRIPTION	DATE	APPROVED

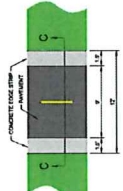
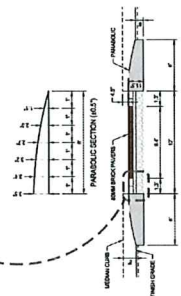
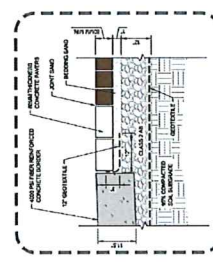
BENCHMARK ENGINEERING, INC.
 CIVIL ENGINEERING & LAND SURVEYING
 4285 SPYRES WAY SUITE A MODESTO, CALIFORNIA 95358
 (209) 548-9300 FAX: (209) 548-9305

DESIGN DETAILS
 TENTATIVE SUBDIVISION MAP
 BELCONTE AT TIVOLI
 MODESTO, CALIFORNIA

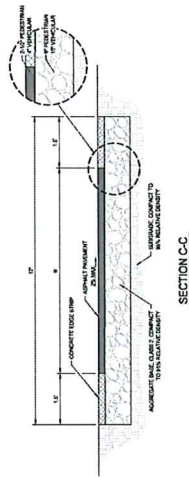
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DATE: 3/12/2025
DWY: JZ
CHK: JZ
SCALE: AS SHOWN
SHEET NUMBER 5
OF 6 SHEETS



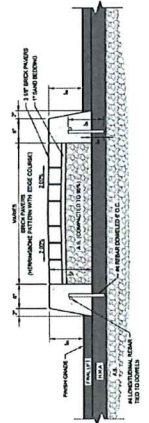
SPEED TABLE CROSSWALK
N.T.S.



12\"/>

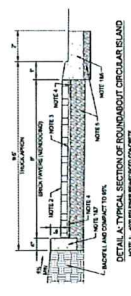


SECTION C-C

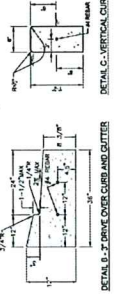


- NOTES:**
- CONCRETE SHALL BE 3000 PSI MINIMUM WITH 4% MINIMUM AIR ENTRAINMENT.
 - CONCRETE SHALL BE 3000 PSI MINIMUM WITH 4% MINIMUM AIR ENTRAINMENT.
 - CONCRETE SHALL BE 3000 PSI MINIMUM WITH 4% MINIMUM AIR ENTRAINMENT.
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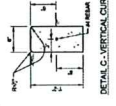
CONCRETE MEDIAN DETAIL
N.T.S.



- NOTES:**
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 - CONCRETE SHALL BE 3000 PSI MINIMUM WITH 4% MINIMUM AIR ENTRAINMENT.
 - CONCRETE SHALL BE 3000 PSI MINIMUM WITH 4% MINIMUM AIR ENTRAINMENT.



DETAIL B-B - CONCRETE CURB AND GUTTER



DETAIL C-C - VERTICAL CURB

**TIVOLI SPECIFIC PLAN
 ROUNDABOUT DESIGN ELEMENT
 DETAILS**

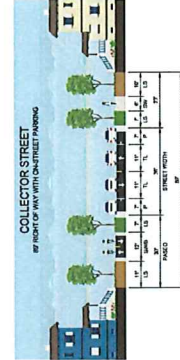
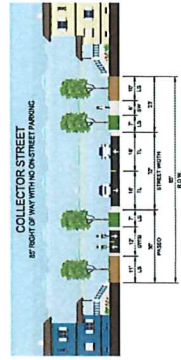
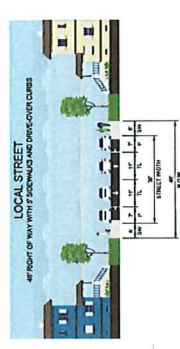
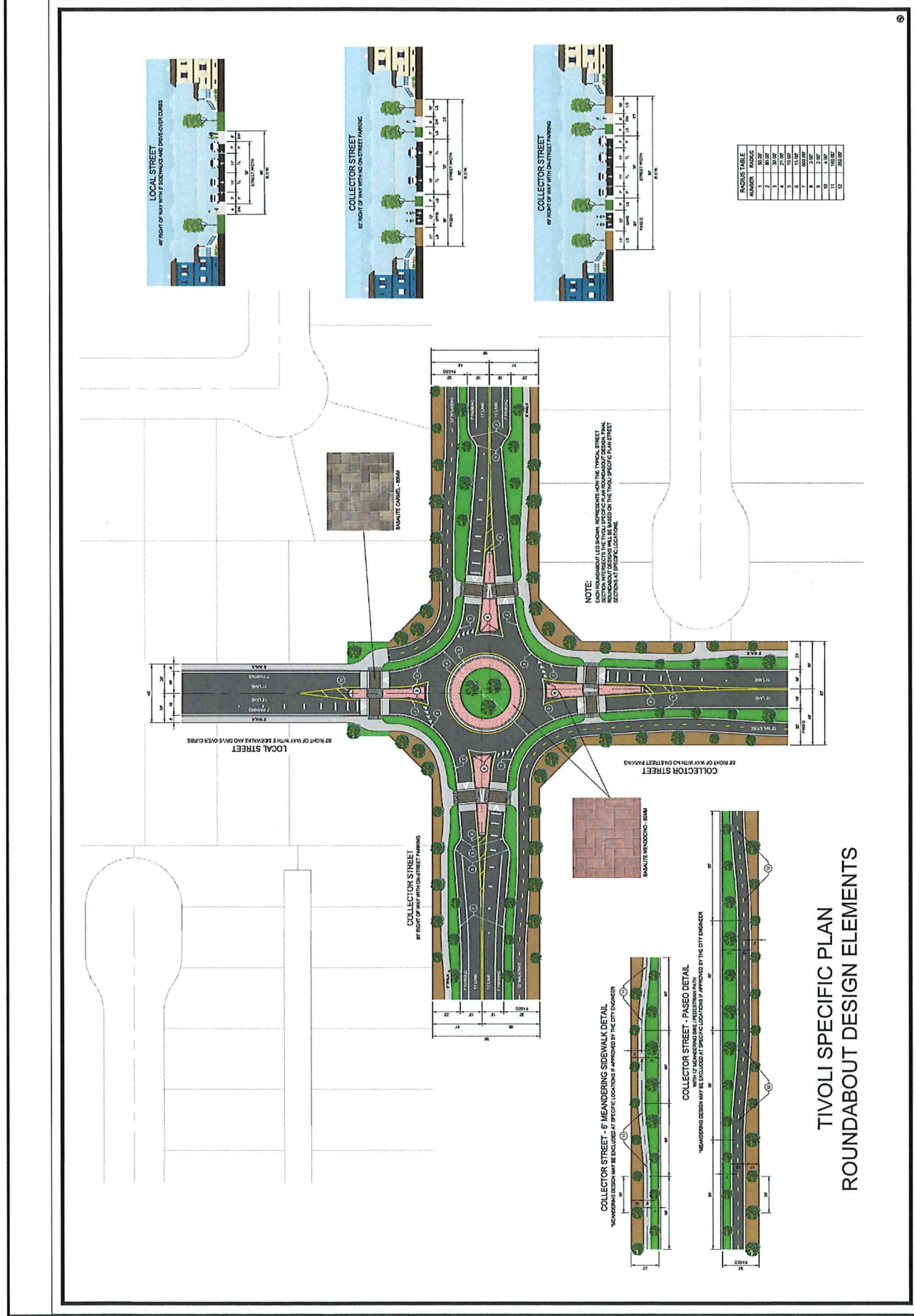


NO.	DESCRIPTIONS	DATE	APP'D BY

BENCHMARK ENGINEERING, INC.
 CIVIL ENGINEERING & LAND SURVEYING
 4265 SYPRES WAY SUITE A MODESTO, CALIFORNIA 95368
 (209) 518-9300 FAX (209) 518-9305

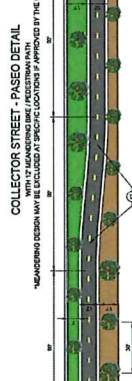
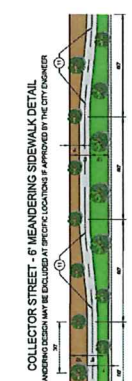
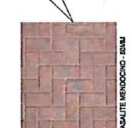
STREET SECTIONS
 TENTATIVE SUBDIVISION MAP
 BELCONTE AT TIVOLI
 MODESTO, CALIFORNIA

JOB NO. 211005
 DATE 9/12/2025
 CIP BY JF
 SCALE AS SHOWN
 SHEET NUMBER
9
 OF 6 SHEETS



RADIUS TABLE	INCH	FOOT
1	25.00'	2.08'
2	50.00'	4.17'
3	75.00'	6.25'
4	100.00'	8.33'
5	125.00'	10.42'
6	150.00'	12.50'
7	175.00'	14.58'
8	200.00'	16.67'
9	225.00'	18.75'
10	250.00'	20.83'
11	275.00'	22.92'
12	300.00'	25.00'

NOTE:
 EACH ROUNDABOUT LEG SHOWN REPRESENTS ONLY THE TYPICAL STREET. ALL ROUNDABOUT DETAILS WILL BE BASED ON THE TYPICAL PLAN STREET SECTION AT SPECIFIC LOCATIONS.



**TIVOLI SPECIFIC PLAN
 ROUNDABOUT DESIGN ELEMENTS**

BELCONTE AT TIVOLI

Area Plan



Prepared By:

Benchmark Engineering, Inc
4265 Spyres Way, Suite A
Modesto, CA 95354
(209) 548-9300

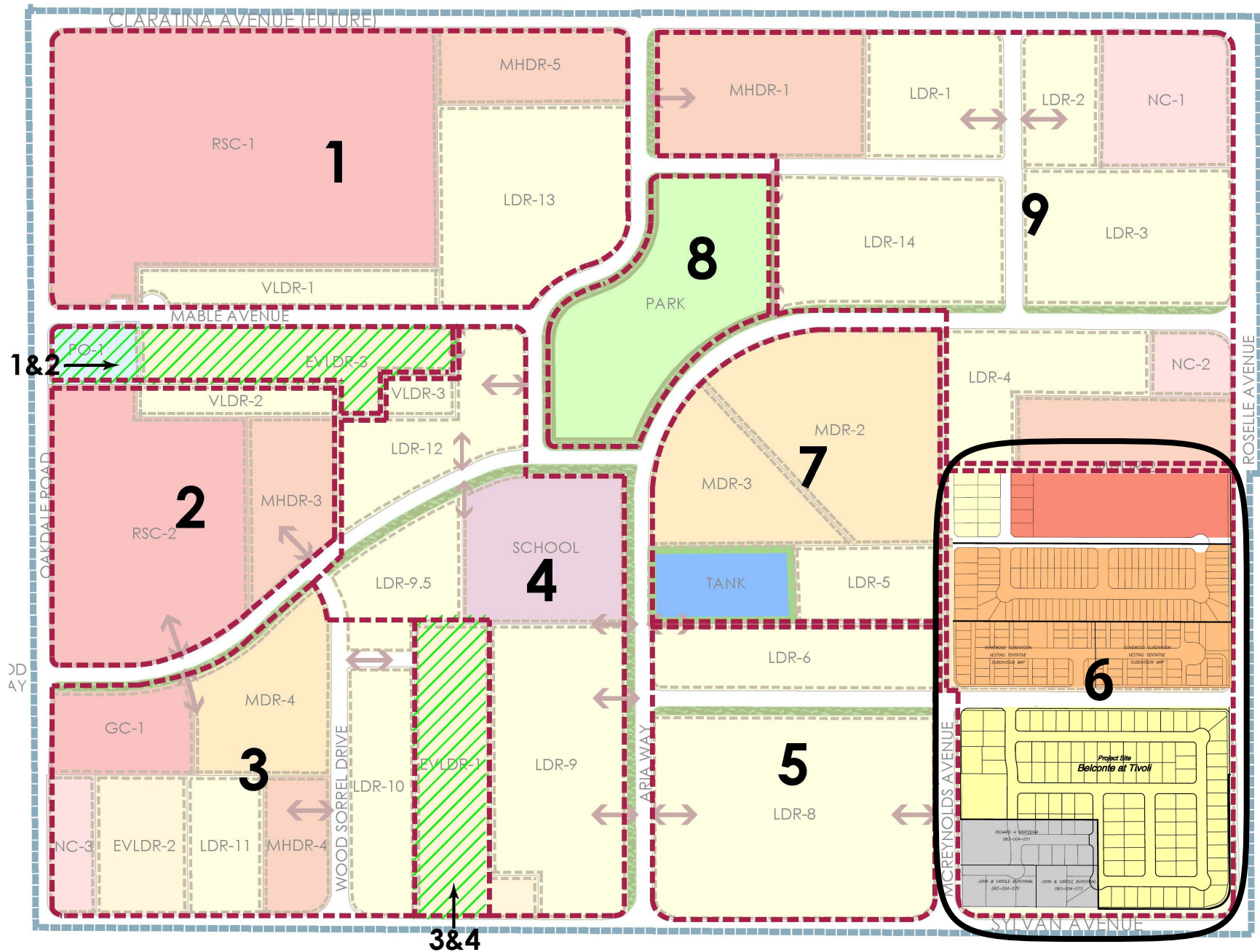
Applicant:

Tesoro Homes, Inc
PO Box 909
Ripon, CA 95366
(209) 649-4141

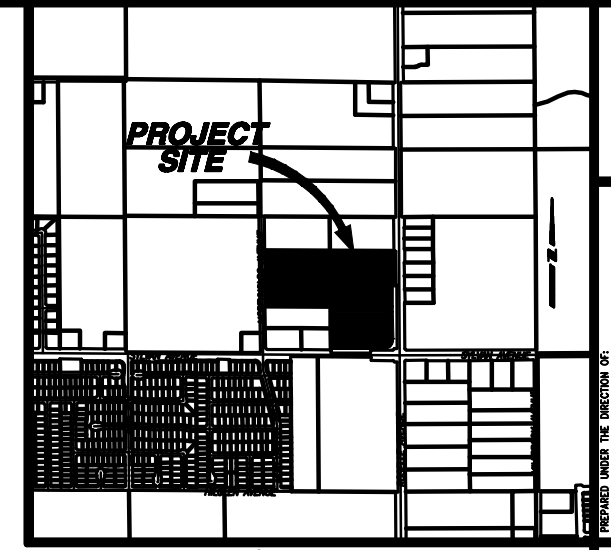
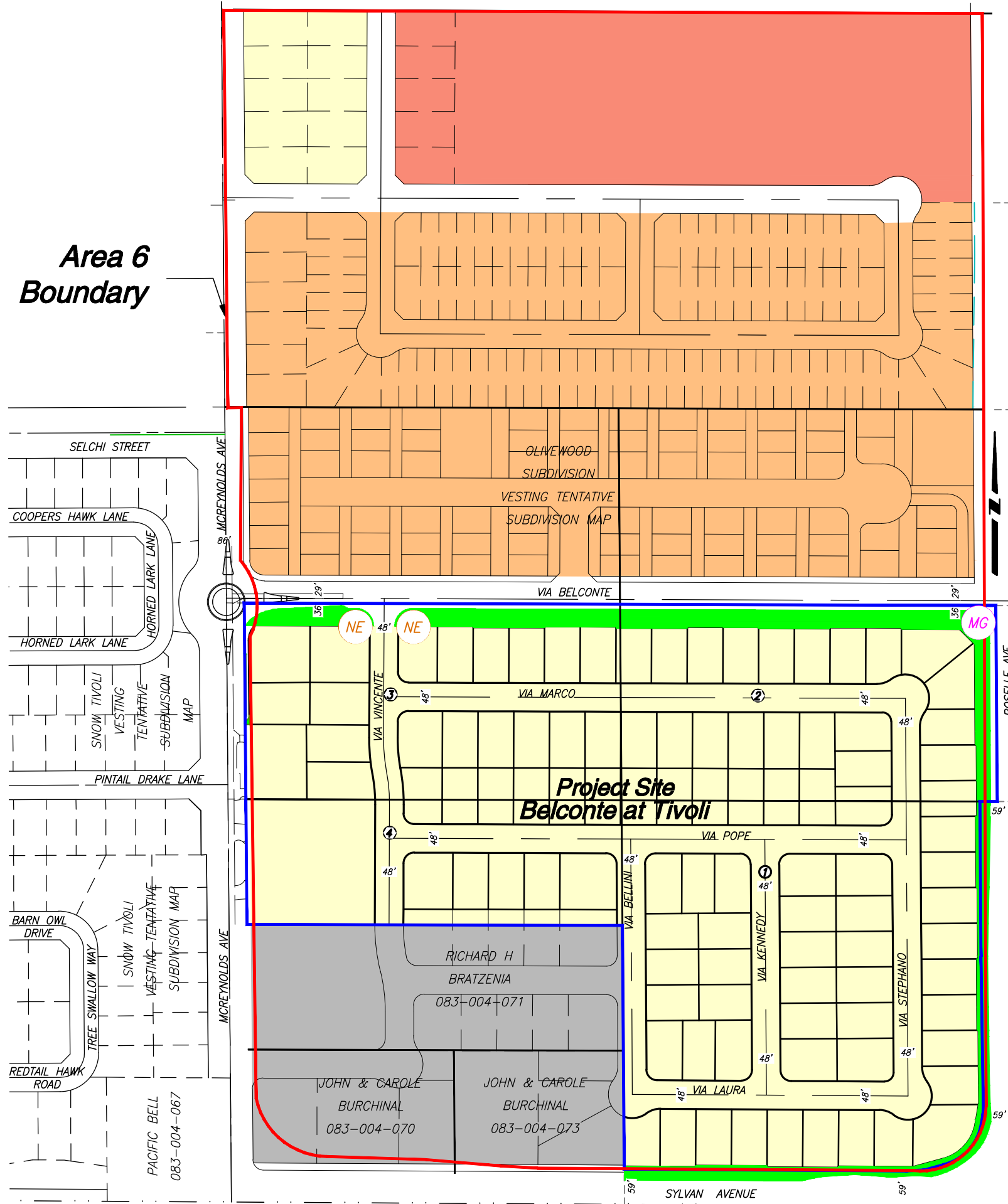
Submittal Date: April 11, 2025

Resubmittal Date: July 24, 2025

Tivoli Specific Plan Land Uses



**Area 6
Boundary**



LEGEND

- LOW DENSITY RESIDENTIAL (4-8 DU/AC) 99 LOTS 4.66 DU/AC**
- MEDIUM DENSITY RESIDENTIAL (8-18 DU/AC)**
- MEDIUM HIGH DENSITY RESIDENTIAL (18-24 DU/AC)**
- PASEO WITH LANDSCAPE LOT ALONG VIA BELCONTE
PARK STRIP WITH LANDSCAPE LOT ALONG ROSELLE AVENUE
PARK STRIP WITH LANDSCAPE LOT ALONG SYLVAN AVENUE**
- POTENTIAL LOT LAYOUT**
- PROJECT BOUNDARY**
- AREA 6 BOUNDARY**
- MAJOR/MINOR GATEWAY**
- NEIGHBORHOOD ENTRANCE**

PARCEL INFORMATION

Parcel #	APN	ADDRESS	GROSS AC.
1.	083-004-008	3521 ROSELLE AVE MODESTO CA 95357	8.54 AC.
2.	083-004-043	3625 ROSELLE AVE MODESTO CA 95357	4.78 AC.
3.	083-004-044	3612 ROSELLE AVE MODESTO CA 95357	4.78 AC.
4.	083-004-072	3554 ROSELLE AVE MODESTO CA 95357	3.05 AC.
TOTAL PROJECT SITE			21.15 AC.

NO.	DESCRIPTIONS	DATE	APPROVED

BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
 4885 BRAYBES WAY SUITE A MODESTO, CALIFORNIA 95356
 (209) 548-8300 FAX: (209) 548-8305



AREA PLAN - LAND USE
 AREA PLAN
BELCONTE AT TIVOLI
 MODESTO, CALIFORNIA

JOB NO. 233905
 DATE 7/24/2025
 DR BY JS
 CK BY RM
 SCALE AS SHOWN

SHEET NUMBER
1
 OF 1 SHEETS

SELCHI STREET

12'S

SCALE 1" = 200'

MCREYNOLDS AVE

EXISTING 10" SEWER STUB

PROPOSED 8" SEWER STUB

VIA BELCONTE

APPROXIMATE LOCATION OF EXISTING SEPTIC SYSTEM

VIA MARCO

APPROXIMATE LOCATION OF EXISTING SEPTIC SYSTEM

ROSELLE AVE

PINTAIL DRAKE LANE

10'S

MCREYNOLDS AVE

APPROXIMATE LOCATION OF EXISTING SEPTIC SYSTEM

APPROXIMATE LOCATION OF EXISTING WELL

PROPOSED 8" SEWER STUB

VIA POPE

VIA BELINI

VIA KENNEDY

VIA STEPHANO

EXISTING 8" SEWER STUB

VIA LAURA

SYLVAN AVENUE

NOTE:

ALL EXISTING WELLS AND SEPTIC TANKS SHALL BE DESTROYED PER STANISLAUS COUNTY ENVIRONMENTAL HEALTH DEPARTMENT STANDARDS.

LEGEND

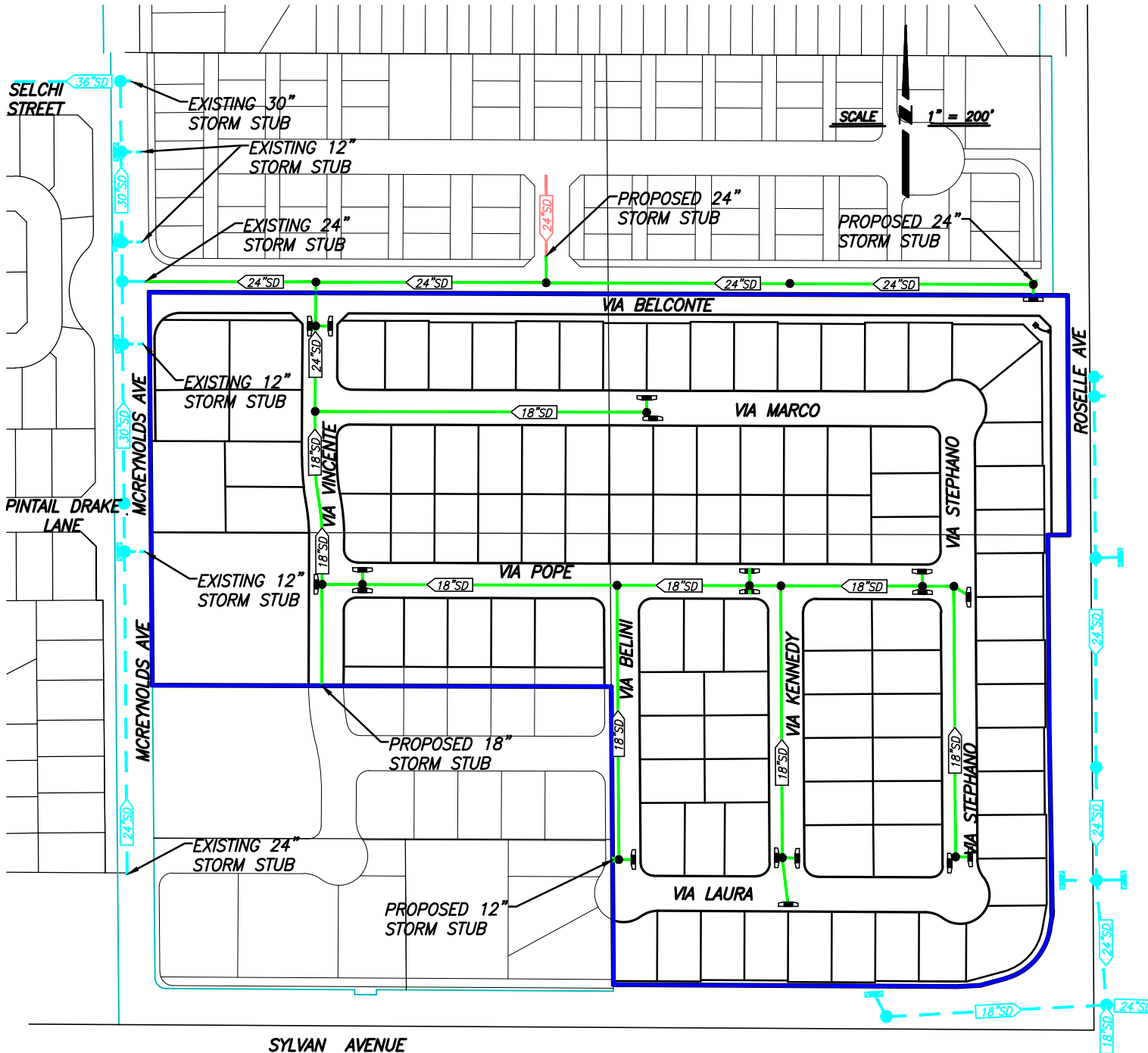
- PROJECT BOUNDARY —
- SEWER (PROPOSED) —
- SEWER (EXISTING) - - -
- SEWER (FUTURE) —



BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
 4285 SPYRES WAY SUITE A MODESTO, CALIFORNIA 95358
 (209) 548-9300 BMENG.NET

BELCONTE AT TIVOLI
SEWER PLAN
 MODESTO, CALIFORNIA

DRAWN BY: JS/MC
 DATE: 7/24/2025
 SHEET: 1 / 1
 JOB: 233905



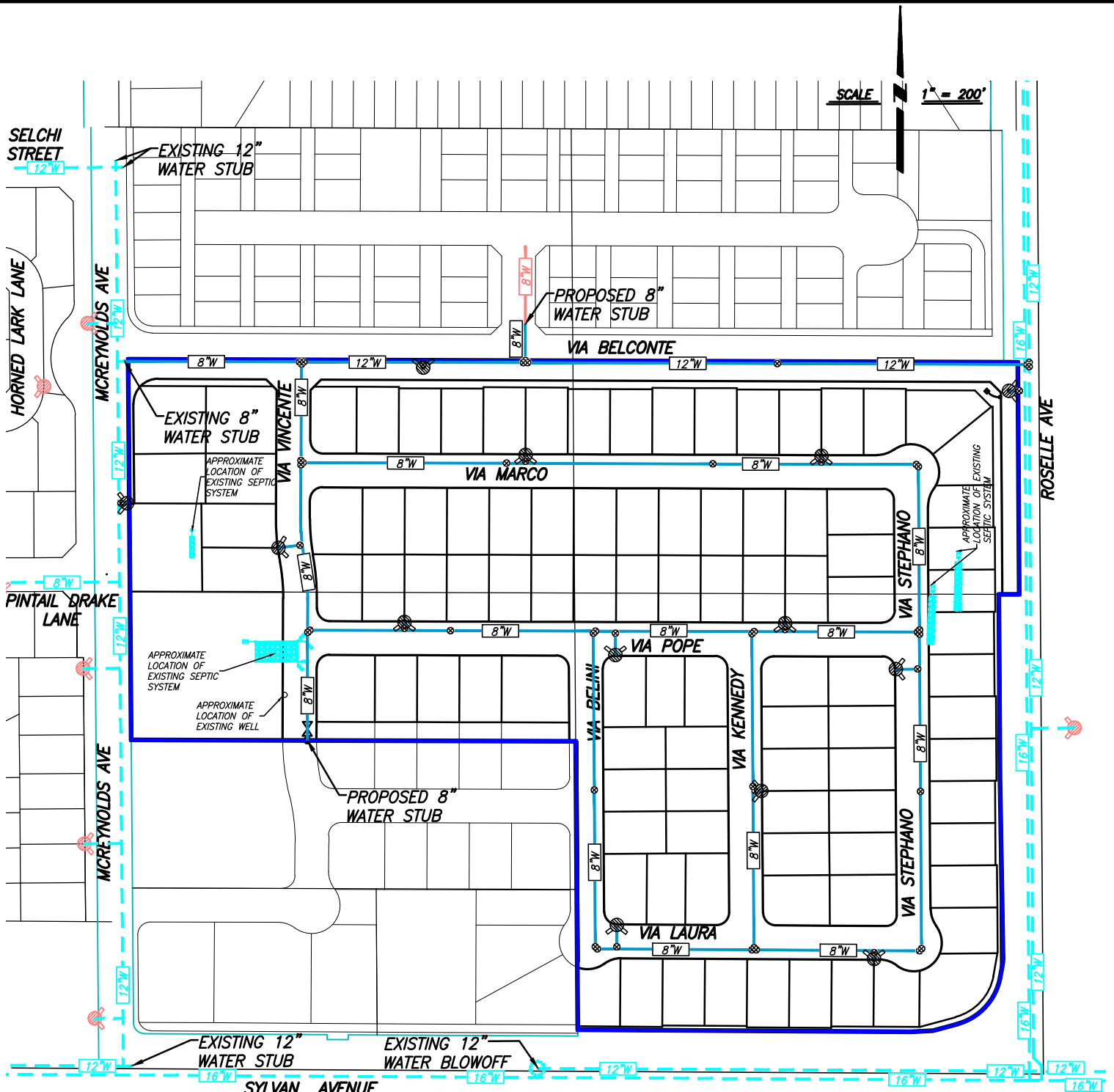
LEGEND

- PROJECT BOUNDARY —
- STORM (PROPOSED) —
- STORM (EXISTING) - - -
- STORM (FUTURE) —
- CATCH BASIN (PROPOSED) ▭
- CATCH BASIN (EXISTING) ▭

B **BENCHMARK ENGINEERING, INC.**
 CIVIL ENGINEERING & LAND SURVEYING
 4285 SPYRES WAY SUITE A MODESTO, CALIFORNIA 95358
 (209) 548-9300 BMENG.NET

BELCONTE AT TIVOLI
STORM DRAIN PLAN
 MODESTO, CALIFORNIA

DRAWN BY: JS/MC
 DATE: 7/24/2025
 SHEET: 1 / 1
 JOB: 233905



SCALE 1" = 200'

NOTE:

ALL EXISTING WELLS AND SEPTIC TANKS SHALL BE DESTROYED PER STANISLAUS COUNTY ENVIRONMENTAL HEALTH DEPARTMENT STANDARDS.

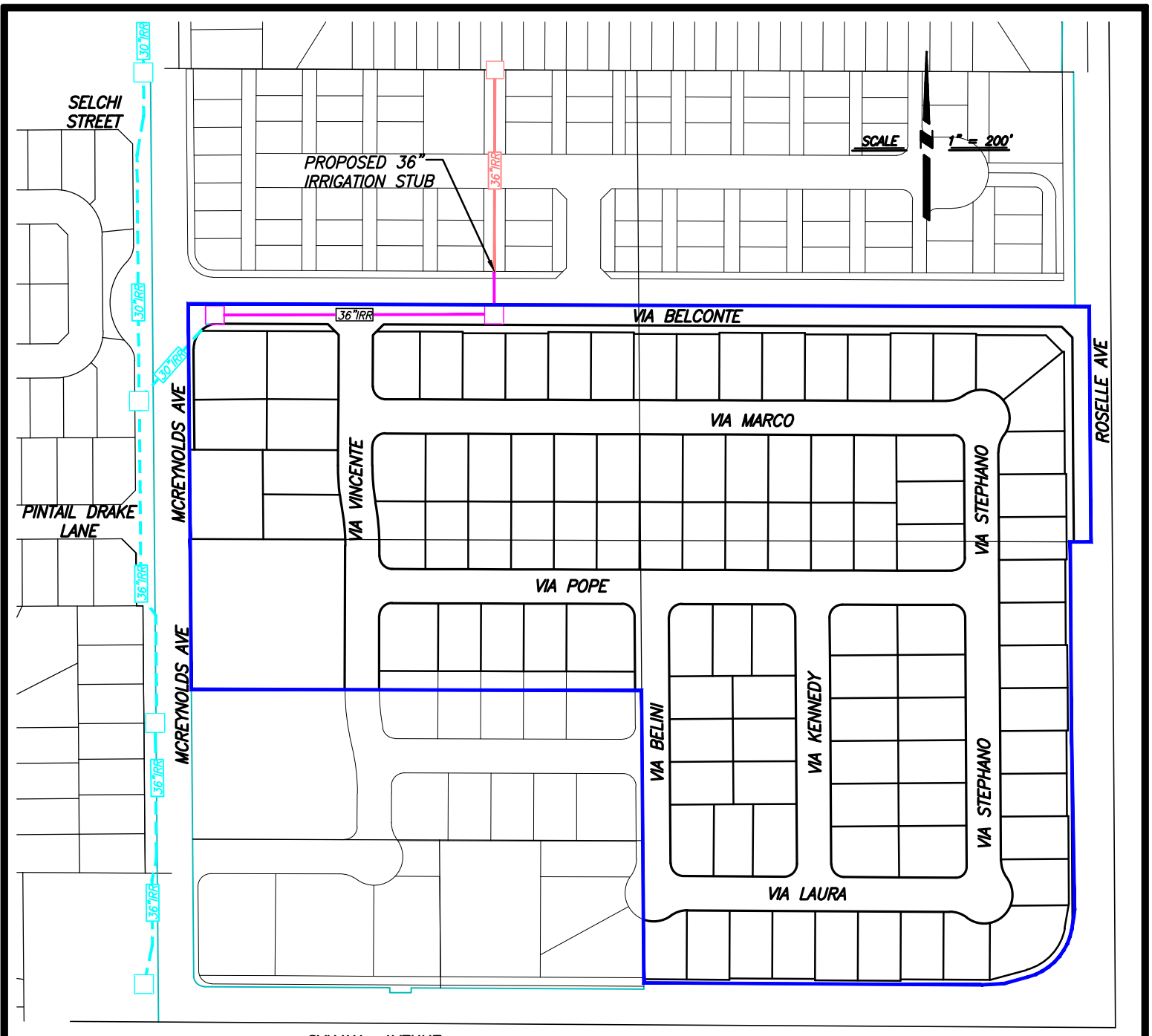
LEGEND

- PROJECT BOUNDARY 
- WATER (PROPOSED) 
- WATER (EXISTING) 
- WATER (FUTURE) 
- FIRE HYDRANT 
- EXISTING FIRE HYDRANT 
- BLOWOFF VALVE 

B BENCHMARK ENGINEERING, INC.
 CIVIL ENGINEERING & LAND SURVEYING
 4285 SPYRES WAY SUITE A MODESTO, CALIFORNIA 95358
 (209) 548-9300 BMENG.NET

BELCONTE AT TIVOLI
WATER PLAN
 MODESTO, CALIFORNIA

DRAWN BY:	JS/MC
DATE:	7/24/2025
SHEET:	1 / 1
JOB:	233905



SYLVAN AVENUE

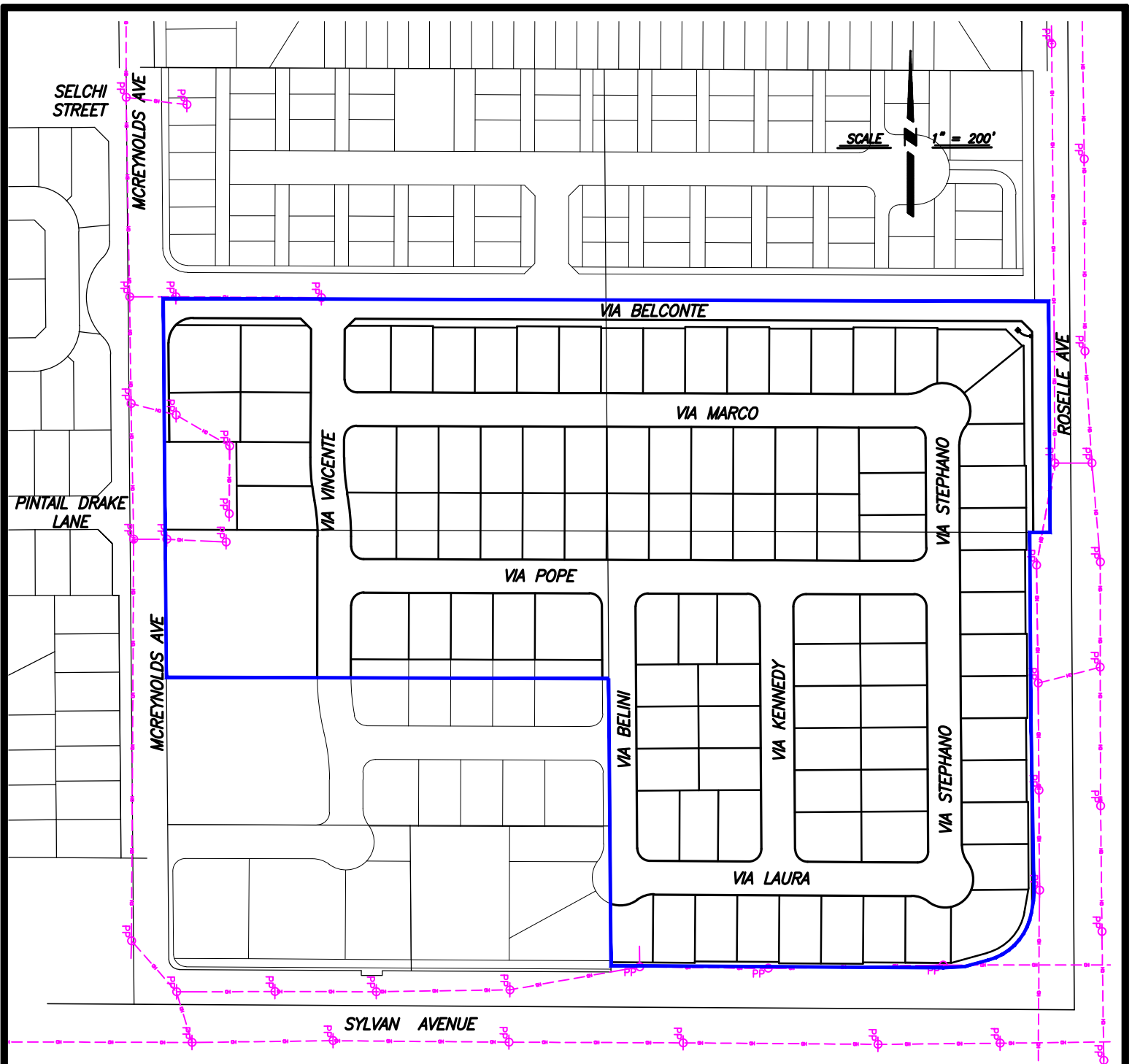
LEGEND

- PROJECT BOUNDARY —————
- IRRIGATION (PROPOSED) —————
- IRRIGATION (EXISTING) - - - - -
- IRRIGATION (FUTURE) —————
- IRRIGATION STRUCTURE (PROPOSED) □
- IRRIGATION STRUCTURE (EXISTING) □
- IRRIGATION STRUCTURE (FUTURE) □

BE **BENCHMARK ENGINEERING, INC.**
 CIVIL ENGINEERING & LAND SURVEYING
 4285 SPYRES WAY SUITE A MODESTO, CALIFORNIA 95358
 (209) 548-9300 BMENG.NET

BELCONTE AT TIVOLI
IRRIGATION PLAN
 MODESTO, CALIFORNIA

DRAWN BY:	JS/MC
DATE:	7/24/2025
SHEET:	1 / 1
JOB:	233905



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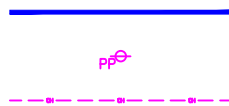
NOTE:

ALL PROPOSED ELECTRICAL UTILITIES WILL BE RELOCATED OR INSTALLED UNDERGROUND IN PUBLIC UTILITY EASEMENTS AS SHOWN ON THE VESTING TENTATIVE SUBDIVISION MAP AT THE DIRECTION OF THE RESPECTIVE UTILITY COMPANY.

PROJECT BOUNDARY

POWER POLE (EXISTING)

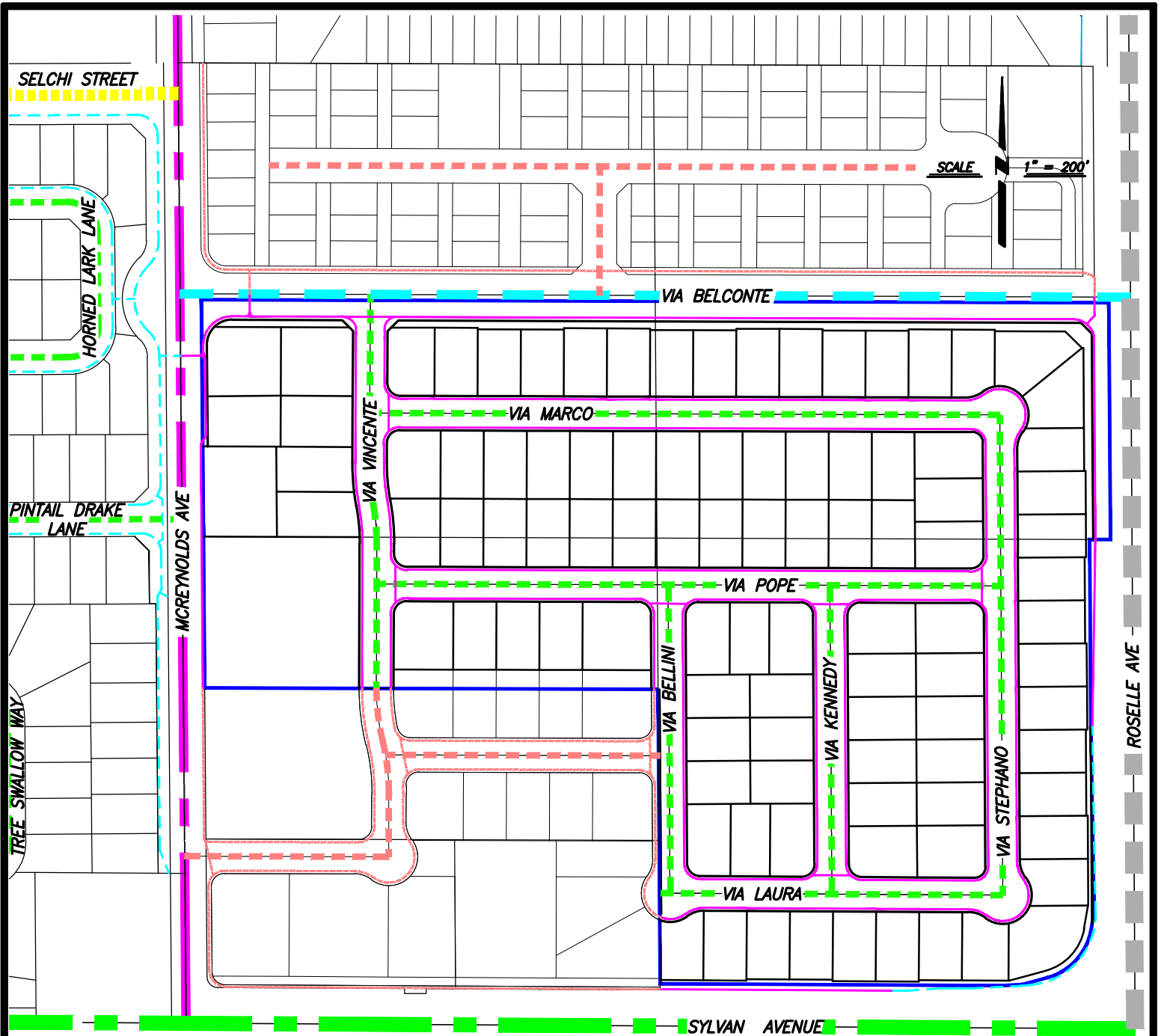
OVERHEAD LINE (EXISTING)



BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
 4285 SPYRES WAY SUITE A MODESTO, CALIFORNIA 95358
 (209) 548-9300 BMENG.NET

BELCONTE AT TIVOLI
ELECTRICAL PLAN
 MODESTO, CALIFORNIA

DRAWN BY: JS
 DATE: 7/24/2025
 SHEET: 1 / 1
 JOB: 233905



LEGEND

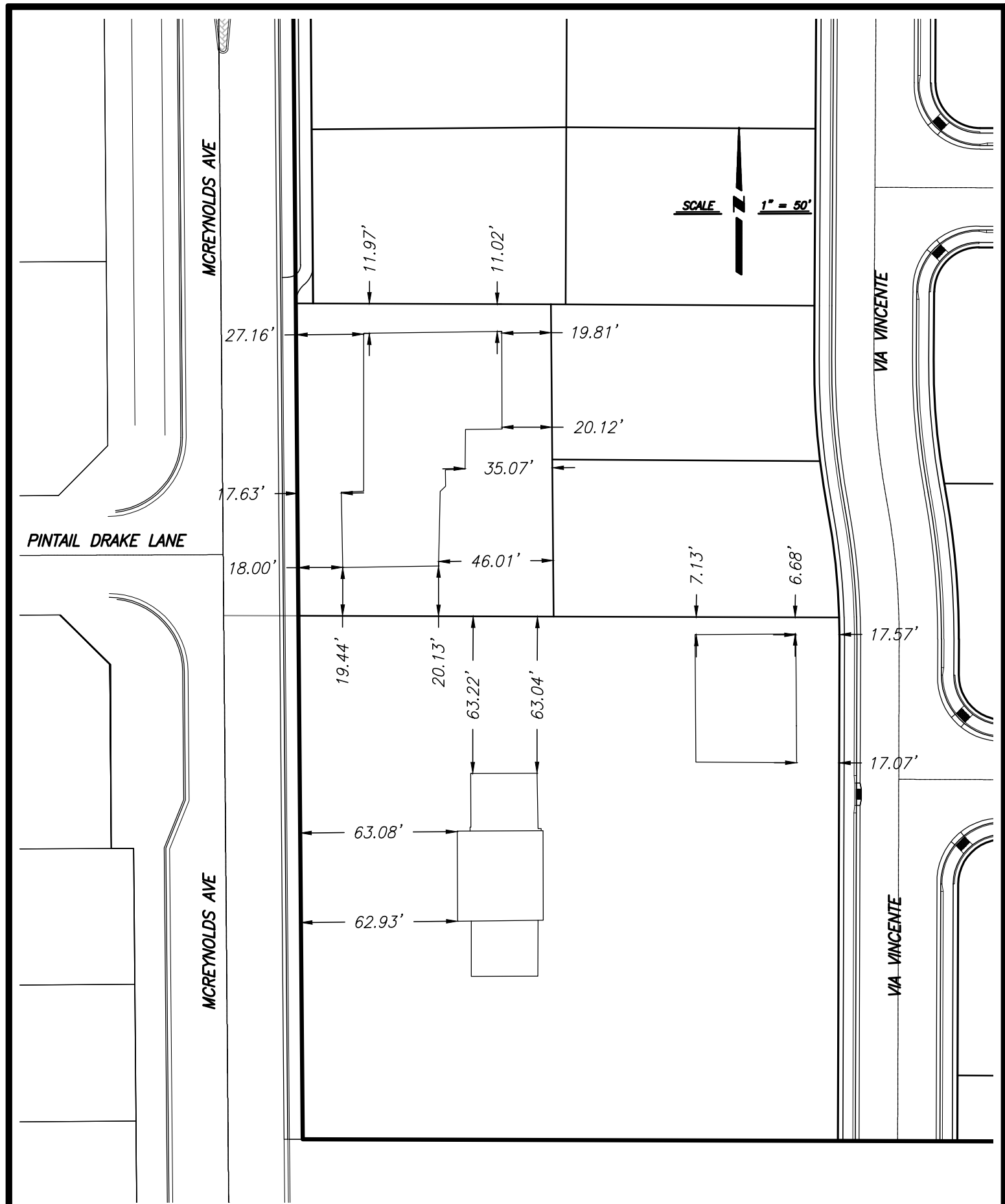
FUTURE LOCAL STREET		PROJECT BOUNDARY	
LOCAL STREET (48' ROW)		FUTURE PEDESTRIAN PATH	
COLLECTOR STREET (65' ROW) WITH PASEO		EXISTING PEDESTRIAN PATH	
COMMUNITY COLLECTOR (60' OR 74' ROW)		PROPOSED PEDESTRIAN PATH	
COMMUNITY COLLECTOR (85' ROW)			
SYLVAN (118' ROW)			
MINOR ARTERIAL (108' ROW)			



BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
 4285 SPYRES WAY SUITE A MODESTO, CALIFORNIA 95358
 (209) 548-9300 BMENG.NET

BELCONTE AT TIVOLI
CIRCULATION PLAN
 MODESTO, CALIFORNIA

DRAWN BY: JS
 DATE: 7/24/2025
 SHEET: 1 / 1
 JOB: 233905



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CIVIL ENGINEERING & LAND SURVEYING
 4285 SPYRES WAY SUITE A MODESTO, CALIFORNIA 95358
 (209) 548-9300 BMENG.NET

BELCONTE AT TIVOLI
REMAINING BUILDING
DIMENSIONS
 MODESTO, CALIFORNIA

DRAWN BY: MC/JS
 DATE: 7/24/2025
 SHEET: 1 / 1
 JOB: 233905

FINANCIAL INTEREST DISCLOSURE FORM GUIDELINES

City ordinance requires that all individuals with a material interest in a decision of the City Council must be disclosed. The following is for your assistance in completing the attached disclosure form:

1. For all of the below, corporate names/LLC's/limited partnerships are not acceptable in and of themselves, all individuals with an interest of \$2000 or more must be disclosed in these cases.
2. Individuals with a material interest include all property owners.
3. Individuals with a material interest include any developer.
4. Individuals with a material interest include any architect, engineer, or other design professional.
5. Individuals with a material interest include the applicant's attorney or other representative.
6. Individuals with a material interest include any real estate agent who is party to the transaction.
7. Individuals with a material interest include any contractor constructing the project for which the contract has been arranged by the time of the hearing.

The above is for guidance only and not an inclusive list of all individuals at interest. You have a responsibility to determine and list all individuals in accordance with the Tests of Materiality as set forth on the attached.



FINANCIAL INTEREST DISCLOSURE FORM

All persons included within the meaning of either of the following tests have a material financial interest in an agreement, or application for development rights, submitted for approval or disapproval by the City Council, and shall be identified by the applicant, by name.

Tests of Materiality:

1. Whether it is foreseeable to a reasonable person that the value of their interest in property available for use by an applicant, or their interest in the applicant itself, may increase or decrease by an amount greater than \$2,000.00 as a direct or indirect result of Council action on the applicant's agreement or application for development rights.
2. Whether it is foreseeable to a reasonable person that the person's gross income from the applicant may increase or decrease by a sum greater than \$2,000.00 as a direct or indirect result of Council action on the agreement or application for development rights.

It is the legal obligation of all applicants for approval of an agreement or of an application for development rights to verify in writing, under penalty of perjury, that the identity of each person having a material financial interest in the agreement or application or development rights is true, correct and complete. The applicant understands that this information is provided under penalty of perjury, and that intentionally supplying misinformation or deception may result in either invalidation of the agreement or application, or criminal prosecution for misdemeanor violation of the Modesto Municipal Code, or both. Negligent provision of misinformation shall be grounds for invalidation. In accordance with the Modesto Municipal Code, each applicant has a continuing obligation to maintain the truth, accuracy and completeness of the financial interest disclosure information provided below until after final consideration by the City Council of any matter arising out of or relating to the agreement or application.

PROJECT: Belcontina Tivoli



APPLICANT SIGNATURE

Richard Deponte

APPLICANT NAME (type or print)

In accordance with the requirements of Title II of the Americans with Disabilities Act ("ADA") of 1990, the Fair Employment & Housing Act ("FEHA"), the Rehabilitation Act of 1973 (as amended), Government Code section 11135 and other applicable codes, the City of Modesto ("City") will not discriminate against individuals on the basis of disability in the City's services, programs, or activities. For more information, please visit the City of Modesto website: <https://www.modestogov.com/865/Americans-with-Disabilities-Act-ADA>

NAMES

Property Owner(s) – (Please list name of company and names of individual names of said company)

McReynolds Farm, LLC Dennis Lilly

Harwinder Kaur

Jason & Lyndsay Skeen

Albert & Monica Gonzales

Developer(s) – (Please list name of company and names of individual owner(s) of company)

Tesoro Homes, Inc. Richard Deponete

Architect(s), Engineer(s) or Other Design Professional(s) – (Please list name of company and names of individual owner(s) of company)

Michelle Cooper, Sergio Carrera, Michael Halterman & Matthew Rodgers - Owners Benchmark Engineering, Inc.

Richard Mummert - Project Manager Benchmark Engineering, Inc.

Attorney(s) or Representative(s) – (Please list name of company and names of individual owner(s) of company)

Real Estate Agent(s) – (Please list name of company and names of individual owner(s) of company)

Cary Pope, PMZ

Contractor(s)

Other – (Investors, Trustees, etc.)

McRoy - Wilbur Communities - Ian Wilbur

Cary Pope



California Levine Act Disclosure

California Government Code Section 84308, also known as the "Levine Act", prohibits City "officers" from participating in any action related to a license, permit, or other entitlement for use (a "proceeding") if such member accepts, solicits, or directs political contributions from a party to the proceeding or their agent totaling more than \$500 while the proceeding is pending before the agency, and for twelve (12) months following the date a decision concerning the proceeding has been made. The Levine Act also requires disclosure of such contribution by a party to the proceeding.

Section 84308(a)(4) of the Levine Act defines an "officer" as follows: "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency. The term "officer" is further defined 2 Cal. Code Regs. Section 18438.1, which states:

An officer of an agency includes only those persons who make, participate in making, or in any way attempt to use their official position to influence a decision in the license, permit, or entitlement for use proceeding, or who exercise authority or budgetary control over the agency of officers who may do so, and:

- (1) Serve in an elected position, including an official appointed to an elected position due to an interim vacancy or an election otherwise canceled because the official was the sole candidate for the position;
- (2) Serve as a member of a board or commission;
- (3) Serve as the chief executive of a state agency, or county, city or district of any kind; or
- (4) Have decision making authority with respect to the proceeding involving a license, permit, or other entitlement for use and is also a candidate for elected office or has been a candidate for elective office in the 12 months prior to the proceeding.

A list of Modesto City Council Board Members can be found online at: Modesto City Council <https://modestogov.com/706/Council-Members> (modestogov.com). The party making this certification is responsible for determining whether a recipient of a political contribution is a City officer prior to answering the following questions:

1. Have you, your company, or any agent on behalf of you or your company, made any political contributions of more than \$500 to any City officer, in the twelve (12) months preceding the date of the submission of your proposals or the anticipated date of any Council action related to this contract?

YES If yes, please identify the Councilmember(s):

NO

2. Do you, or your company, or any agent on behalf of you or your company, anticipate or plan to make any political contribution of more than \$500 to any City officer in the twelve (12) months following any Council action related to this contract?

YES If yes, please identify the Councilmember(s):


NO

Answering YES to either of the questions above does not preclude the City of Modesto from awarding a contract to your firm or taking any subsequent action related to the contract. It may, however, preclude the identified City officer from participating in any actions related to such contract.

HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

5-12-25

Date



Signature of authorized individual

Company/Applicant Name