

PLANNING COMMISSION  
RESOLUTION NO. 2015-06

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO SECTIONS 29-3-9 AND 32-3-9 OF THE ZONING MAP TO REZONE A PORTION OF THE DOWNTOWN CORE (DC) ZONE TO CENTRAL DOWNTOWN (CD) ZONE, PROPERTY LOCATED IN BLOCKS 53-58, 66-71, 83-86, AND 92-94 OF DOWNTOWN MODESTO

WHEREAS, the Planning Commission has considered and recommended to the City Council an amendment to Article 5 of Chapter 7 of Title 10 of the Municipal Code to create a new Central Downtown (CD) Zone; and

WHEREAS, an amendment to Sections 29-3-9 and 32-3-9 of the Zoning Map was initiated by the City of Modesto to reclassify from Downtown Core (DC) Zone to the proposed Central Downtown (CD) Zone, property located in Blocks 53-58, 66-71, 83-86, and 92-94 of downtown Modesto as set forth on the map attached hereto, which is hereby made a part of this resolution by reference, and described as follows:

Legal Description as shown in Exhibit "A"

WHEREAS, a public hearing was held by the Planning Commission on March 16, 2015 in the Chambers, 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 rezoning will benefit the public health, safety, and welfare because it is intended to improve the downtown area through facilitating increased densities and intensification of shared uses; providing additional housing choices and opportunities; ensuring development occurs at a human scale; promoting store frontage and display on public streets; and improving pedestrian circulation.
2. The proposed rezoning will result in an orderly planned use of land because it will help to ensure that new development in downtown is of a type, form and scale that is appropriate to the existing development in downtown.
3. The proposed rezoning is in accordance with the community's objectives as set forth in the General Plan because it will implement the following General Plan goals and policies:
  - a. General Plan Overall Goal I.C.6 (preserving agricultural land by having new development be relatively compact and of reasonably high density) by promoting higher density, mixed-use development in downtown.
  - b. General Plan Economic Development Goal I.D.1. (striving for a jobs/housing balance by encouraging the economic revitalization of downtown) by allowing higher density development and

providing incentives such as reduced parking standards to encourage economic development in downtown.

- c. General Plan Economic Development Goal I.D.2 by strengthening downtown as the focal point of community life and the social, cultural, business, governmental, and entertainment center of the City and by preserving and revitalizing the downtown and making it an identifiable center.
- d. The rezoning is consistent with the Redevelopment Planning District General Plan designation by assisting in implementing the vision and goals of the Redevelopment Master Plan for downtown.

BE IT FURTHER RESOLVED by the Planning Commission that it recommends to the City Council that the amendment to Sections 29-3-9 and 32-3-9 of the Zoning Map to reclassify the property described above from Downtown Core (DC) Zone to a proposed Central Downtown (CD) Zone, be approved.

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on March 16, 2015, by Chris Tyler, who moved its adoption, which motion was seconded by Steve Carter and carried by the following vote:

Ayes:	Carter, Grewal, Smith, Tyler
Noes:	None
Absent:	Escutia-Braaton, Lucas
Recused:	None

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

Original, signed copy on file in CEDD  
Patrick Kelly, Secretary

Exhibit "A"  
CODE-11-003  
Legal Description

## **CENTRAL DOWNTOWN**

### **Downtown Core to Central Downtown (CD)**

All that certain real property situate in a portion of the Southeast Quarter of Section 29 and the Northeast Quarter of Section 32, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

#### **Area No. 1:**

Parcel "C" as shown on the map filed on May 11, 1988 in Book 40 of Parcel Maps, at page 86, Stanislaus County Records.

Also including the east 40 feet of L Street, the south 40 feet of 11th Street and the west 40 feet of K Street, all being immediately adjacent to the above described lots.

Containing 4.24 acres, more or less.

APN: 105-048-011.

#### **Area No. 2:**

Lots 6 through 32 in Block 86 of the City of Modesto, as per Map recorded July 15, 1938, in Volume 13 of Maps, Stanislaus County Records.

Also including the east 40 feet of L Street, the west 40 feet of K Street, the south 40 feet of 12th Street, the north 40 feet of 11<sup>th</sup> Street and the entire 20 feet of alley, all being immediately adjacent to the above described lots.

Containing 3.47 acres, more or less.

APNs: 105-028-003, 105-028-004, 105-028-005 and 105-028-006, 105-028-007, 105-028-012, 105-028-013 and 105-028-014.

#### **Area No. 3:**

Lots 17 through 32 in Block 92 of the City of Modesto, as per Map recorded July 15, 1938, in Volume 13 of Maps, Stanislaus County Records.

Also including the east 40 feet of K Street, the west 40 feet of J Street, the south 10 feet of the alley and the north 40 feet of 12th Street all being immediately adjacent to the above described lots.

Containing 2.09 acres, more or less.

APNs: 105-022-006, 105-022-007, 105-022-008, 105-022-011, 105-022-013 and 105-022-014.

Area No. 4:

Lots 17 through 32 in Block 93 of the City of Modesto, as per Map recorded July 15, 1938, in Volume 13 of Maps, Stanislaus County Records.

Also including the east 40 feet of J Street, the west 50 feet of I Street, the south 10 feet of the alley and the north 40 feet of 12th Street all being immediately adjacent to the above described lots.

Containing 2.09 acres, more or less.

APNs: 105-023-007, 105-023-008, 105-023-009, 105-023-010 and 105-023-011.

Area No. 5:

Lots 20 through 32 in Block 94 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as per Map recorded July 15, 1938, in Volume 13 of Maps, Stanislaus County Records.

Also including the east 50 feet of I Street, the south 10 feet of the alley and the north 40 feet of 12th Street all being immediately adjacent to the above described lots.

Containing 1.65 acres, more or less.

APNs: 105-024-012, 105-024-013, 105-024-014, 105-024-015, 105-024-016, 105-024-017, 105-024-018 and a westerly portion of 105-024-010.

Area No. 6:

All that portion of Block 83 of the City of Modesto, as per map recorded July 15, 1938 in Volume 13 of Maps, described as follows:

From a point at the south corner of said Block 83, thence commencing North 43° 9' 57" West 100 feet to the Point of Beginning, thence North 43° 9' 57" West 300 feet to the west corner of said Block 83, thence North 43° 48' 33" East 300 feet to the north corner of said Block 83, thence South 43° 10' 1" East 300 feet, thence South 46° 15' 13" West 300 feet to the Point of Beginning.

Also including the west 50 feet of I Street, the north 40 feet of 11<sup>th</sup> Street and the south 40 feet of 12th Street all being immediately adjacent to the above description.

Containing 3 acres, more or less.

APNs: 105-025-002 and northwesterly portions of 105-025-003, 105-025-004, 105-025-005.

Area No. 7:

Lots 1 through 12 and 17 through 32 in Block 69 of the City of Modesto, as per Map recorded July 15, 1938, in Volume 13 of Maps, Stanislaus County Records.

Also including the east 50 feet of I Street, the south 40 feet of 11th Street, the north or south 10 feet of the alley adjacent to the lots listed, the west 40 feet of H Street and the north 40 feet of 10th Street all being immediately adjacent to the above described lots.

Containing 3.66 acres, more or less.

APNs: A western portion of 105-039-013 and a large southeastern portion of 105-039-014.

**Area No. 8:**

The portion of Block 70 comprising Lots 17 through 32 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as recorded in Volume 13 of Maps, on Page 70 in the Stanislaus County Records.

Also including the east 40 feet of H Street, the south 10 feet of the alley, the west 40 feet of G Street and the north 40 feet of 10th Street all being immediately adjacent to the above described lots.

Containing 2.09 acres, more or less.

APNs: 106-041-007, 106-041-008, 106-041-010, 106-041-016, 106-041-018, 106-041-019 and 106-041-020.

**Area No. 9:**

The portion of Block 71 comprising Lots 17 through 32 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as recorded in Volume 13 of Maps, on Page 71 in the Stanislaus County Records.

Also including the east 40 feet of G Street, the south 10 feet of the alley, the west 40 feet of F Street and the north 40 feet of 10th Street all being immediately adjacent to the above described lots.

Containing 2.09 acres, more or less.

APNs: 106-040-009 and a southerly portion of 106-040-010.

**Area No. 10:**

The portion of Block 53 comprising Lots 1 through 16 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as recorded in Volume 13 of Maps, on Page 53 in the Stanislaus County Records.

Also including the east 40 feet of G Street, the north 10 feet of the alley, the west 40 feet of F Street and the south 40 feet of 10th Street all being immediately adjacent to the above described lots.

Containing 2.09 acres, more or less.

APNs: 106-043-001, 106-043-002, 106-043-003, 106-043-004 and 106-043-005.

Area No. 11:

The portion of Block 54 comprising Lots 1 through 16 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as recorded in Volume 13 of Maps, on Page 54 in the Stanislaus County Records.

Also including the east 40 feet of H Street, the north 10 feet of the alley, the west 40 feet of G Street and the south 40 feet of 10th Street all being immediately adjacent to the above described lots.

Containing 2.09 acres, more or less.

APNs: 106-042-001, 106-042-002, 106-042-003, 106-042-004, 106-042-005, 106-042-006 and 106-042-007.

Area No. 12:

The portion of Block 55 comprising Lots 1 through 16 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as recorded in Volume 13 of Maps, on Page 55 in the Stanislaus County Records.

Also including the east 50 feet of I Street, the north 10 feet of the alley, the west 40 feet of H Street and the south 40 feet of 10th Street all being immediately adjacent to the above described lots.

Containing 2.14 acres, more or less.

APNs: 105-040-001, 105-040-017, 105-040-018 and 105-040-019.

Area No. 13:

The portion of Block 56 comprising Lots 1 through 16 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as recorded in Volume 13 of Maps, on Page 56 in the Stanislaus County Records.

Also including the east 40 feet of J Street, the north 10 feet of the alley, the west 50 feet of I Street and the south 40 feet of 10th Street all being immediately adjacent to the above described lots.

Containing 2.14 acres, more or less.

APNs: 105-041-001, 105-041-002, 105-041-003, 105-041-004, 105-041-005, 105-041-006, 105-041-007, 105-041-008, 105-041-016, 105-041-017, 105-041-018 and 105-041-019.

Area No. 14:

The portion of Block 57 comprising Lots 1 through 16 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as recorded in Volume 13 of Maps, on Page 57 in the Stanislaus County Records.

Also including the east 40 feet of K Street, the north 10 feet of the abandoned alley, the west 40 feet of J Street and the south 40 feet of 10th Street all being immediately adjacent to the above described lots.

Containing 2.09 acres, more or less.

APNs: 105-042-005, 105-042-006 and the northern portion of 105-042-016.

Area No. 15:

The entirety of Blocks 67, 68, 84 and 85 comprising on each Lots 1 through 32 of the City of Modesto as shown on that map of City Blocks of the City of Modesto as recorded in Volume 13 of Maps, on Pages 67, 68, 84 and 85 in the Stanislaus County Records.

Also including the east 40 feet of K Street, the north 40 feet of 10<sup>th</sup> Street, the west 50 feet of I Street, the south 40 feet of 12th Street, the entire width of 11th Street, the entire width of J Street and the entire width of any alley, all being immediately adjacent to the above described lots.

Containing 16.92 acres, more or less.

APNs: 105-026-001, 105-026-002, 105-026-003, 105-026-004, 105-026-006, 105-026-007, 105-027-001, 105-027-002, 105-027-003, 105-027-004, 105-027-005, 105-027-009, 105-027-010, 105-027-011, 105-027-012, 105-027-013, 105-027-014, 105-037-031, 105-037-032, 105-037-033, 105-037-034, 105-037-035, 105-38-001, 105-038-019, 105-038-021, 105-038-022, 105-038-023 and 105-038-024.