

PLANNING COMMISSION
RESOLUTION NO. 2020-18

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO SECTION 9-4-9 OF THE ZONING MAP TO PREZONE 32.88 ACRES TO HEAVY INDUSTRIAL, M-2 ZONE, PROPERTY LOCATED EAST OF LODI AVENUE AND NORTH OF WHITMORE AVENUE (G3 ENTERPRISES, INC., AND DOT CALIFORNIA 2019, LLC)

WHEREAS, a verified application for an amendment to Section 9-4-9 of the Zoning Map was filed by G3 Enterprises, Inc., and DOT California 2019, LLC, on October 6, 2020, to prezone property in the unincorporated area east of Lodi Avenue and north of Whitmore Avenue to Heavy Industrial, P-M-2 zone, in order to allow for the annexation of said property; described as follows:

Prezone to P-M-2

All of the Real Property as described in the Grant Deed recorded as DOC-2020-0068632-00, Stanislaus County Records, shown as PARCEL NO. 2 on Sheet 2 of 2 of EXHIBIT "C" of the Certificate of Lot Line Adjustment recorded as DOC-2017-0090151-00, Stanislaus County Records, together with a portion of the Real Property designated "1" in the Grant Deed (Correcting) recorded as DOC-2019-0036251-00, Stanislaus County Records and shown as PARCEL NO. 1 on said sheet 2 of 2 of EXHIBIT "C", lying in the West half of Section 9, Township 4 South, Range 9 East, Mount Diablo Meridian, County of Stanislaus, State of California, more particularly described as follows:

BEGINNING at the Southwest corner of the Whitmore No. 1 Addition to the City of Modesto by Instrument No. 73-55823, Stanislaus County Records, being the intersection of the southerly extension of the West line of the Map of Whitmore Industrial Park No. 1 filed in Volume 27 of Maps at Page 49, Stanislaus County Records, with the South line of said Section 9, said South line being the centerline of Whitmore Avenue as shown on said Map and also being the North line of the West landing Specific Plan Reorganization to the City of Ceres recorded as DOC-2012-0048746-00, Stanislaus County recorded as; thence commencing the following six courses:

1. North 89°51'00" West, 760.98 feet, along said South line of the intersection of said South line with the Southerly extension of the West line of Lodi Avenue as shown on the Parcel Map filed in Book 42 of Parcel maps at Page 24, Stanislaus County Recorders; thence,
2. North 0°00'20" West, 950.07 feet, along said West line of the Lodi Avenue to the Northwest corner of said Lodi Avenue; thence,
3. South 89°50'04" East, 60.00 feet, along the North line of said Lodi Avenue to the Northeast corner of said Lodi Avenue being the southeastern most corner of PARCEL B as shown on said Parcel Map; thence,
4. North 0°00'20" West, 1010.54 feet, along the East line of said PARCEL B also being the West line of said PARCEL NO. 1, to the Northeast corner of said

PARCEL B also being the Northwest corner of said PARCEL NO. 1, said corner lying on a south line of the Glenn Avenue Industrial Park Reorganization to the City of Modesto recorded as DOC-2005-0042056, Stanislaus County Records; thence,

5. South 89°50'38" East, 701.92 feet, along last said South line being the North line of said PARCEL NO. 1 to the Northwest corner of said Whitmore No. 1 Addition to the City of Modesto; thence,
6. South 0°01'19" West, 1960.51 feet, along the West line of said Whitmore No.1 Addition to the City of Modesto to the Point of Beginning.

Containing 32.88 Acres, more or less.

WHEREAS, a public hearing was held by the Planning Commission on December 7, 2020, in Chambers, 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 Initial Study, Environmental Assessment No. EA/C&ED 2020-18, which concluded that the project is within the scope of the General Plan Master EIR (SCH No. 2014042081) and that pursuant to Section 21157.1 of the Public Resources Code, no new environmental review is required.

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

1. The requested change will not be detrimental to the public health, safety, or welfare because the prezone of unincorporated area to Heavy Industrial (P-M-2) Zone would provide for development that is compatible with adjacent industrial uses.
2. The requested change will result in an orderly planned use of land because it would facilitate industrial development that is compatible with adjacent industrial uses.
3. The requested change is in accordance with the community's objectives as set forth in the General Plan and any applicable specific plan(s) because the allowed use of the Heavy Industrial (P-M-2) Zone is consistent with the site's General Plan Land Use Designation of Industrial.
4. An Initial Study was prepared by the City of Modesto that analyzed whether the subsequent project may cause any significant effect on the environment that was not examined in the Master EIR and whether the subsequent project was described in the Master EIR as being within the scope of the report.

5. The subsequent project will have no additional significant effect on the environment, as defined in subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the Master EIR.
6. No new or additional mitigation measures or alternatives are required.
7. The subsequent project is within the scope of the project covered by the Master EIR.
8. All applicable policies, regulations, and mitigation measures identified in the Master EIR have been applied to the subsequent project or otherwise made conditions of approval of the subsequent project.

BE IT FURTHER RESOLVED by the Planning Commission that it recommends to the Council that the application of G3 Enterprises, Inc, to amend Section 9-4-9 of the Zoning Map to classify the property described above to P-M-2, be approved

The foregoing resolution was introduced at the regular meeting of the Planning Commission held on December 7, 2020, by Commissioner Shanks, who moved its adoption, which motion was seconded by Commissioner Vohra and carried by the following vote:

Ayes:	Morad, Pollard, Shanks, Smith, Vohra, Birring
Noes:	None
Absent:	None
Recused:	None

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

Original, signed copy on file in CEDD
Steve Mitchell, Secretary

EXHIBIT A

